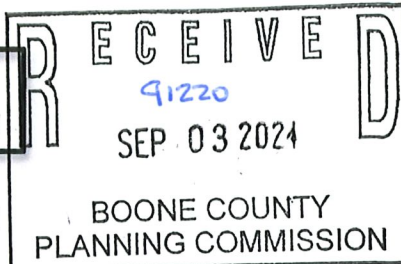


**CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION**



Seven (7) copies of submitted drawings are required

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

1. Type of review (check one):
 - Concept Development Plan (includes Utilization of an Underlying Zone in a Planned Development)
 - Change in an Approved Concept Development Plan
 - Long Range Planning Committee Review (as stated in the Houston-Donaldson Study)
 - Long Range Planning Committee Review (as stated in the Union Town Plan)
 - Zone Change Committee Review of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
 - Zoning Administrator Review (as stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
 - Zoning Administrator Review (as stated in the Mall Road District Study)
 - Zoning Administrator Review (as stated in the I-275/Graves Road Interchange Study)

2. Name of Project: Gateway Boulevard Residential Site
3. Location of Project: Gateway Boulevard, Hebron, KY 41048
4. Total Acreage of Project: 11.849
5. Current Zoning of Property: I-1/PD/CD
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):
April 1996 & April 2014
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission Yes No
If yes, indicate the name of the study: _____
8. Proposed Use(s) (specify each use):
Attached Single Family Residential (68 units), each unit is a for sale unit that has independent access from ground level to their own front-door and do not share entry/exit points.
9. Proposed Building Intensities (specify for each building):
Total Gross Floor Area in SF (4 x 22,800sf + 1 x 11,400 + 1 x 8,290sf = 110,890sf) for approx 9,400sf/acre, allowable = 25,000sf/acre
10. Have you submitted a Concept Development Plan: Yes No
11. Are you applying for any of the following (check all that apply):
 Conditional Use Permit Variance
12. Current Owner: Bunnell Hill Development Co., Inc
Address: 3000 Henkle Drive, G
Lebanon Ohio 45036
City State Zip Code
Phone Number: 513-932-6090 Fax Number: _____
Email: rwells@hsabh.com
13. Applicant: Bayer Becker

209 Grandview Drive

Address: _____

Fort Mitchell

KY

41017

City

State

Zip Code

Phone Number: 859-261-1113 Fax Number: _____

Email: robkeller@bayerbecker.com

- 14. Are there any existing buildings on the site: Yes No
- If yes, indicate how many: _____

15. 1217 1232 677 848 2019

Deed Book Page Number Group Number

- 16. Have you had a pre-application meeting with the BCPC staff: Yes No

- 17. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- | | |
|---|---|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input checked="" type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input checked="" type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input checked="" type="checkbox"/> Sanitation District No. 1 |
| <input checked="" type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Kentucky Division of Water | |
| <input type="checkbox"/> Kentucky Transportation Cabinet | |

- 18. Concept Development Plan Jurisdiction/Location (check all that apply):
- Unincorporated Boone Florence Walton Union

- 19. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on Nov 21, 2024

Property Owner's Signature: _____

Applicant's Signature: _____

Rob T. Keller
ROB T. KELLER P.E.
 BAYER BECKER
Robert Wells
 Bonnell Mill Development

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 9/13/2024 Fee Received: 2552.98 Receipt #: 91220
2. Number of Copies Received: _____
3. Has the following been submitted (check all that apply):
 - Completed Application
 - Concept Development Plan
 - Legal Description
 - Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: M. Schwartz
6. Committee Chairperson: C. Gulick
7. Scheduled Public Hearing Date: 10/2/2024
8. Boone County Planning Commission Action: _____ Date of Action: 5/7/2025
 - _____ Approved
 - _____ Approved with Conditions
 - _____ Denial
 - Other Withdrawn By Applicant

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196
plancom@boonecountyky.org
www.boonecountyky.org

Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

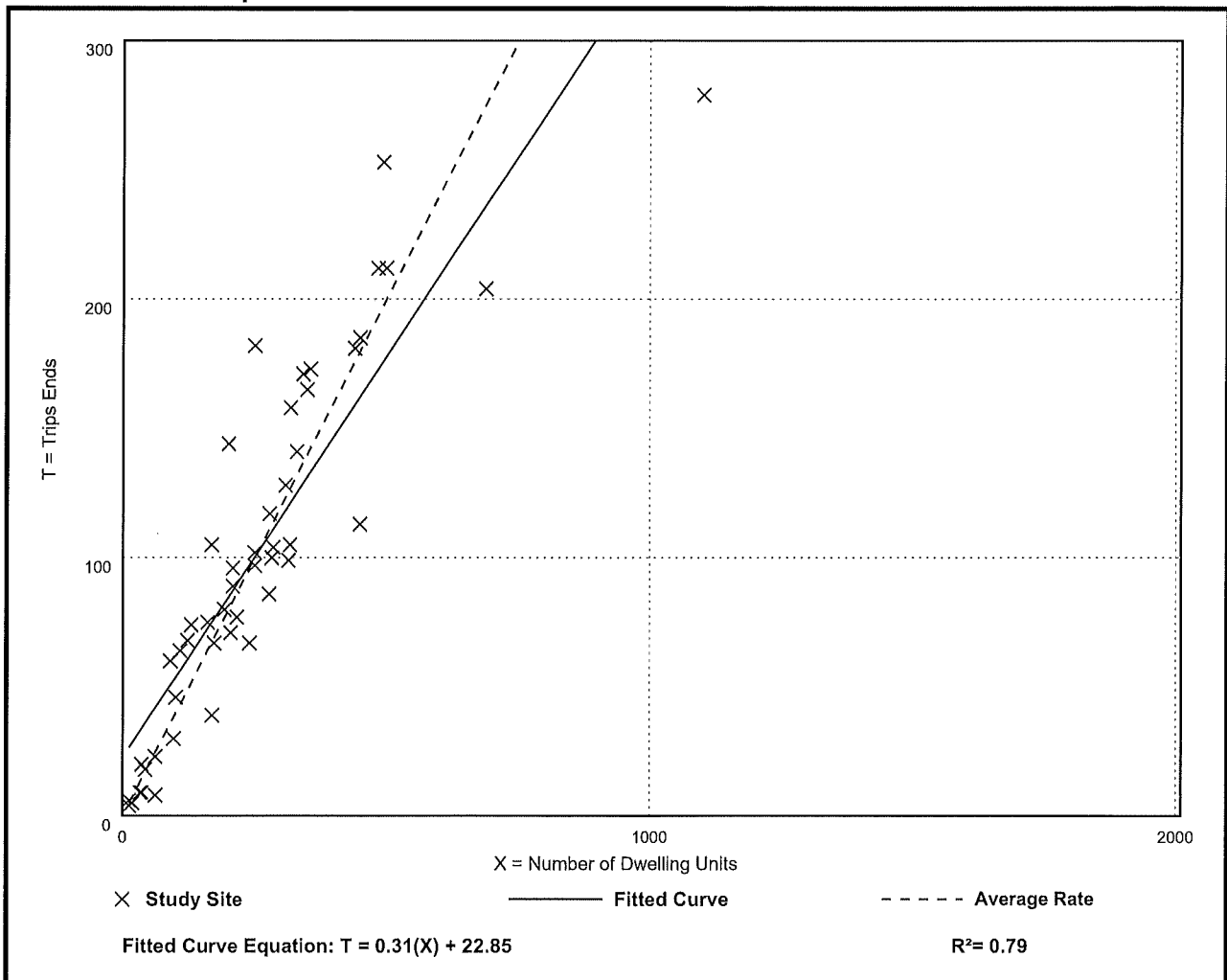
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 59

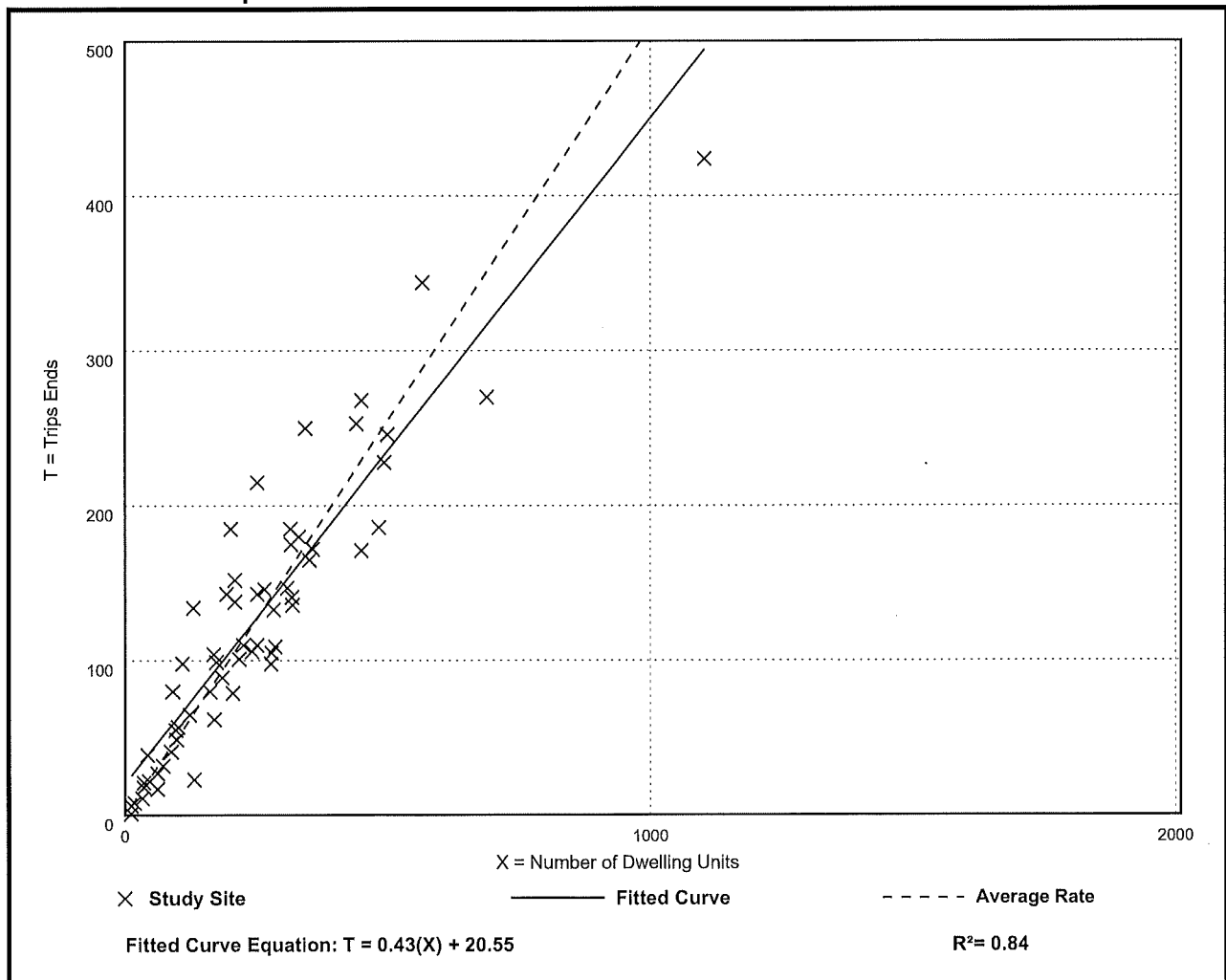
Avg. Num. of Dwelling Units: 241

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

Data Plot and Equation



STAFF REPORT

#1

Request of **Bayer Becker, per Rob Keller (applicant)** for **Bunnell Hill Development Company Inc., per Roger Wells (owner)** for a Change of Concept Development Plan in an Industrial One/Planned Development (I-1/PD) district, for an approximate 11.8 acre area having a Parcel Identification Number (PIDN) of 037.00-00-018.00, and being located along the north and west sides of Conrad Lane, between North Bend Road and Strike The Gold Drive, approximately seven hundred fifty (750) feet east of Strike The Gold Drive, and directly across from Carry Back Drive, Boone County, Kentucky. The request is for a Change of Concept Development Plan to allow the development of sixty-eight (68) attached single-family residential dwellings within six (6) buildings.

October 2, 2024

REQUEST

- A. The submitted request is for a Change in an Approved Concept Development Plan for an approximate 11.8 acre area located along the north and west sides of Conrad Lane, approximately seven hundred fifty (750) feet east of Strike The Gold Drive, and directly across from Carry Back Drive. The proposal is to allow the development of sixty-eight (68) attached single-family residential dwellings within six (6) buildings.

SITE HISTORY

1996 On August 27, 1997, Boone Fiscal Court adopted Ordinance Number 920.337, approving a zoning map amendment changing the zoning of the site in question, as well as areas located to the north and west of the site in question, from SR-2 to I-1/PD, subject to the 13 conditions (R-96-016-A). The pertinent conditions are as follows:

- Landscaping requirements for the individual development sites within the project shall be provided in the protective covenants, and shall meet or exceed the requirements contained in the Boone County Zoning Regulations. The landscaping requirements shall be subject to review and approval by the Planning Commission prior to the submission of any Site Plan applications.
- Continuous berms that vary in height from 12 to 15 feet shall be installed along Conrad Lane. Trees shall be installed on the berms immediately after the berms are constructed. In addition, the following shall apply to the berm/tree buffer:
 - The total number of trees to be installed on the berms shall be equivalent to an average spacing of 12 feet on center along the full length of the south property line.
 - The trees shall be largely arranged in groups or clusters as to create a natural appearance.
 - The total percentage of evergreen trees provided on the berms shall be at least 60 percent, but shall not exceed 80 percent. In addition, the trees shall vary in height from 6 to 8 feet at planting.
 - The tree/berm buffer shall be installed along the entire

length of Conrad Lane along with, and shall be considered a part of, the subdivision improvements for Phase I.

- Outside storage shall be prohibited in the protective covenants. In addition, no loading docks shall be permitted to face Conrad Lane.
- Freestanding site lighting fixtures shall not exceed 15 feet in height and shall be downlit.
- The "shorter" facade widths of the southern-most structures shall face the adjacent residential areas to the south along Conrad Lane (i.e., the shorter dimensions of the structures as viewed in plan). If the applicant desires to have a "longer" facade width face these areas then the proposal must follow the Change in Concept Development Plan procedure.
- Architectural guidelines for all structures shall be provided in the protective covenants for the development and shall be subject to review and approval by the Planning Commission prior to the submission of any Site Plan application. These guidelines shall require that any building facade that faces the residential areas shall be constructed of masonry, a architectural grade concrete material, or a combination of masonry and architectural grade metal panels, and shall include reveals, offsets and painted detailing to attempt to reduce the apparent overall scale of the facade with respect to the adjacent uses. All colors used on this facade shall be reflective of natural materials to be sensitive to the adjacent residential uses. The guidelines shall include appropriate measures for screening roof equipment. The guidelines shall be enforced through the protective covenants.
- The following height and setback restrictions shall apply to the development. Building height shall be measured to the highest portion of a building. (Note: Roof top mechanical equipment shall be excluded from the definition of building height, except to the extent that they fall within the southernmost 250 feet of the site.) The setbacks noted are measured from the existing, northern right-of-way line of the southern, east-west portion of Conrad Lane.
 - The southern-most buildings in the development shall have a maximum height of 26 feet and a minimum setback of 200 feet. However, for each 8'-4" that the building setback is increased beyond the 200 foot setback, the building height may be

- increased by 1 foot, up to 38 feet.
- Buildings that are setback between 300 feet and 500 feet from the existing northern right-of-way line of Conrad Lane may be up to 38 feet in height, and buildings that are setback at least 500 feet from said right-of-way line may be up to 50 feet in height.
- All parking areas shall be setback at least 175 feet from the existing north right-of-way line of the southern, east-west portion of Conrad Lane.

2024 On September 5, 2024, the Boone County planning Commission approved a Major Site Plan allowing the area to the north of the site in question to be developed with an industrial building.

APPLICABLE REGULATIONS

- A. Section 311 of the Boone County Zoning Regulations states that major amendments to the terms of an approved Zoning Map Amendment, including a Concept Development Plan, that involve substantial or significant changes in the development concept, uses, intensity, supplemental conditions of approval, or other plan elements of substantive effect must be submitted to the Planning Commission and shall conform to the procedure and as it was originally approved.
- B. Section 1102.A of the Boone County Zoning Regulations states that the purpose of the Industrial One district is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be delivered in large bulk transportation forms. Such districts are located in areas which provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. In addition, this zoning district allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amounts of green space and low building coverage ratio, multi-level buildings, constant architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities. This district is also to provide for appropriate public facilities and/or services to the permitted uses identified in the district. This zoning classification can range from a compact, multi-level office development on several acres to an extensive mixed office/warehouse/distribution development that is located on many acres. This zoning classification often includes some limited commercial wholesale and retail uses intended to serve the district and constructed to blend in visually with the character of the area.

- C. Section 1500.A of the Boone County Zoning Regulations states that the PD District establishes a permissive, flexible and alternative zoning district and procedure for innovative, mixed use residential, commercial, industrial or other type developments or physical design proposals capable of providing substantial benefit to the community over the conventional districts and standards in these regulations, but requiring unique consideration, disposition, control and approval. Planned Development (PD) is a special overlay zoning district, which allows various types of land uses and densities in return for appropriate, flexible, creative and high quality designs consistent with the standards and criteria of this article, including the adopted Comprehensive Plan. Its purpose is to allow development of the land uses on property identified as requiring an extra layer of review or regulation. It enables development of property consistent and coordinated with infrastructure and other appropriate land use factors based upon a proper review.
- D. Section 1506 of the Boone County Zoning Regulations provides for the following planned development criteria:
1. **Mixed Use Development and Pedestrian Orientation:** Planned Developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, public or civic, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. The additional intensity allowed in a Planned Development by Section 1501 shall only be permitted when a true mixed use and/or an amenity - oriented development with community and recreation facilities as described in this standard is provided.
 2. In general, Planned Developments shall have a pedestrian orientation, where it is possible to live, work, shop, and play in the same immediate vicinity without a required dependence on the automobile. This may be accomplished through the use of comprehensive pedestrian circulation networks including multipurpose paths and walks along main routes and open spaces such as stream corridors, between major destinations within the development and adjoining areas, secondary walk connections to the multi-purpose paths, the creation of a designed pedestrian environment including street trees in addition to other required landscaping, decorative street lights and other street furniture, and seating areas, and the use of integral curb walks where appropriate along streets. Disruptions in major paths due to street and drive intersections shall be minimal. Additionally in commercial areas, pedestrian orientation can be accomplished by placing buildings in close proximity to the street with parking areas to the side and rear of buildings, mixing uses within the same multi-story buildings, building entrances directly facing streets with reduced setbacks, architectural design which employs display windows, projecting signs, and awnings at street level, and designed outdoor seating and gathering spaces at the street level. Each development proposal must demonstrate in detail how the project will be made walkable throughout.
 3. **Compatibility of Uses:** Measures shall be taken to assure compatibility of land uses within a Planned Development itself and adjacent sites. Such measures may include the provisions of buffer zones, common open space areas and landscape

features, transitional land uses, or a mixed-use development in which no specific type of land use is dominate. When applicable, the design methods recommended in the "Development Layout, Lot Sizes, and Setbacks" section of the Comprehensive Plan's Land Use Element shall be employed. Compatibility measures/mitigation measures shall exceed the usual minimum standards of these regulations when needed to address impacts of the proposed development.

4. **Open Space:** Useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying district, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space. The use of single loaded streets to provide multi-purpose paths, park areas, or to protect stream corridors, may be proposed for this purpose. Open Space areas are encouraged to have street frontage and visibility. Any site proposed to be publicly dedicated or donated for park or open space purposes shall comply with the appropriate legislative body's requirements for acceptance of such dedications or donations.
5. **Multi-Modal Transportation System:** Planned Developments shall incorporate multi-modal transportation elements through the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, carpooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc. Multi-modal facilities are encouraged to be combined with the pedestrian systems and open spaces described in Sections 1 and 4. Multi-modal facilities should connect to existing and future facilities that lie outside of the site.
6. **Preservation of Existing Site Features:** Existing topography, significant tree cover, tree lines along property lines, cemeteries, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article. The retention of such features may also fulfill portions of the requirements in Section 4 "Open Space" and Section 7 "Landscaping."
7. **Landscaping:** Substantial landscaping shall be provided in a Planned Development with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects. The retention of existing healthy, substantial trees should occur wherever possible. Properly designed street tree plantings may be permitted to fulfill some landscaping requirements as part of an overall amenity package.
8. **Architecture:** Sites which are subject to architectural requirements through adopted overlay districts or land use studies shall follow said requirements. For all other sites, a consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced

architectural forms and elements and shall allow variations within it. Traditional styles such as Georgian, Federal, I-House, Cape Cod, Craftsman, Tudor, Queen Anne, Italianate, early 20th century commercial structures, and local farm structures may be used as models. Contemporary or transitional styles of comparable quality may also be considered. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic.

9. For attached or multi-family residential developments and commercial or office developments, the predominant building materials shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade cast concrete products designed to replicate natural materials. Roof designs shall have a finished appearance through the use of three dimensional pitched roof forms with architectural grade roofing and/or the use of defined parapets with cornice lines. Long building facades and roof planes shall be interrupted through the use of three dimensional jogs in the building footprint and secondary roof forms such as hips, dormers, and gables. Such buildings shall include architectural detailing for cosmetic enhancement, largely use natural colors, and use a consistent design treatment on all facades. The use of architectural guidelines or building prototypes is required for all multi-phased projects. Developments should be mixed-use in character with multi-level buildings where commercial services are proposed. Walkability must be planned for when locating commercial and residential uses in proximity to each other. Office and residential uses are strongly advocated above commercial uses in business districts to decrease dependence on the automobile.
10. Historic and Prehistoric Features: Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
11. Signage: A consistent signage theme shall be provided within a Planned Development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.
12. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, sidewalks, and bicycle facilities) shall be provided in all planned development unless physically unfeasible or unsafe. This shall include connections to adjoining properties and developments, and inter-connectivity within the development itself, and contain minimal use of cul-de-sacs or other dead-end types of streets only when necessary. Transportation connections shall account for the County's adopted Transportation Plan and any adopted bikeway and/or pedestrian plans. In addition, the various entry points (streets, paths, etc.) into a Planned Development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc. Any structures used to demarcate

entry points shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors.

13. Conformance with Comprehensive Plan: All Planned Developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations of existing or planned infrastructure.
 14. Further, Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study as well as the criteria in this section.
 15. A Planned Development and its uses, buildings or structures shall be minimally subject to the supplemental performance and development standards of this order, unless superseded by any special requirements, conditions, variances or other particulars imposed by the Planning Commission during the concept or preliminary application and hearing phases described in this article. Such special conditions may include provisions governing, common open space, lands or facilities, disposition of open land, infrastructure provisions including any physical design and/or any other requirement found to be necessary, appropriate or desirable for the purposes of this district.
- E. Section 1509 of the Boone County Zoning Regulations states that the Planning Commission shall require that a Concept Development Plan be submitted for the development or redevelopment of property located in a Planned Development district. If the Concept Development Plan involves a zone change, then the proposal is subject to the criteria then the proposal is subject to the criteria in Section 308 as well as the provisions of this article. If the Concept Development Plan does not involve a zone change, or only involves uses that are permitted in the underlying district (formerly called a "Utilization of an Underlying District Within a Planned Development"), then the proposal is subject only to the provisions of this article. The contents of the Concept Development Plan submittal shall include the items listed in Section 303.

SITE CHARACTERISTICS

- A. The approximate 11.8 acre area located along the north and west sides of Conrad Lane, approximately seven hundred fifty (750) feet east of Strike The Gold Drive, and directly across from Carry Back Drive.
- B. The site has approximately 1,300 feet of frontage along Conrad Lane.
- C. The site is currently vacant and heavily wooded.
- D. A blue line stream, running in a general north-south direction, bisects the site.
- E. Areas along the blue line stream are identified as being within the 100-year floodplain.
- F. The site slopes downward, east to west, dropping approximately forty (40) feet from Conrad Lane.

- G. The majority of the site is located within the 65 day/night noise level of the airport. The remainder of the site is located within the 60 day/night noise level of the airport.

ADJACENT LAND USES AND ZONES

North: Industrial uses (I-1)
South: Detached single-family residential dwellings (SR-1)
East: Detached single-family residential dwellings (SR-1)
West: Industrial uses (I-1)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Business Park” uses which is described as a mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, consistent architectural and signage theme, extensive landscaped areas, and attractive entrance treatment. This land use is recommended for high visibility areas and transition areas between industrial and residential land uses.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:
1. Mixing of residential and other land uses shall be encouraged where appropriate (Overall Goal A, Objective 2).
 2. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems (Overall Goal A, Objective 3).
 3. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).
 4. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 5. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
 6. A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs (Demographics Goal B, Objective 1).
 7. Home ownership shall be encouraged and incentivized as well as redevelopment and renovation of deteriorating housing stock (Demographics Goal B, Objective 3).
 8. Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to dwelling unit type and density (Demographics Goal B, Objective 4).
 9. Airport noise levels shall be considered when new residential development is proposed near the Airport (Demographics Goal B, Objective 5).
 10. Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with

- the existing conditions of the site, and significant site features (Demographics Goal B, Objective 8).
11. An evaluation of environmental factors identified in this Plan will be part of any development review process (Environment Goal A, Objective 1).
 12. Areas possessing unique environmental characteristics should be preserved, used as passive or active recreational areas, or appropriately incorporated into development design (Environment Goal A, Objective 2).
 13. Development shall attempt to utilize existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical (Environment Goal A, Objective 7).
 14. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 1).
 15. Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).
 16. Mixing of commercial and non-commercial uses shall occur in areas where consideration has been given to assure compatibility with surrounding land uses and natural systems (Economy Goal B, Objective 2).
 17. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport, and where infrastructure exists or is planned (Economy Goal B, Objective 5).
 18. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).
 19. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops (Transportation Goal B, Objective 6).
 20. New land development shall be closely coordinated with the local transportation system to assure efficiency and continuity within Boone County and with the regional multi-modal transportation system (Transportation Goal B, Objective 9).
- C. Conrad Lane is a county maintained collector street providing for two way traffic within two driving lanes. There are no sidewalks along the roadway.
- D. The following are excerpts from Our Boone County Plan 2040:
1. Developments in Boone County should begin with an assessment of existing site features to determine positive and useful attributes, as well as features that should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined. Open Space and Cluster subdivision designs should be considered to blend new subdivisions in with areas that have a rural character (Land Use, Future Land Use Development Guidelines, Utilization of Existing Vegetation and Topography, pages 95).
 2. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks,

and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; where appropriate, existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. Typically, buffering is required and provided between both like and unlike land uses. However, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible (Land Use, Future Land Use Development Guidelines, Buffering, pages 95-96).

3. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to soften the visual impacts of the development from adjoining properties and roadways. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping helps purify the air of harmful pollutants, thus reducing health impacts. It also helps reduce the quantity and improve the quality of storm water runoff, including temperature. The use of bioretention islands (water filtering basins) and grass swales should be used where possible in place of raised islands as described in Northern Kentucky's Storm Water Best Management Practices Manual (2012). Native species are often heartier than nursery stock and should be used wherever possible to minimize pesticides and other high impact forms of maintenance. Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses (Land Use, Future Land Use Development Guidelines, Landscaping, page 96).

EXISTING APPROVED CONCEPT DEVELOPMENT PLAN

- A. The existing approved Concept Development Plan shows the site being developed with an industrial use, having access from Gateway Boulevard.

STAFF COMMENTS

A. The submitted Concept Development Plan indicates the following:

1. Construction of sixty-eight (68) attached single-family, two-bedroom, residential dwellings within six (6) buildings.
2. Construction of retaining walls.
3. Provision for public streets and public utilities.
4. Provision for stormwater retention/detention.
5. Provision for landscape buffers.
6. Retention of existing buffers, large areas of vegetation, and berms.

B. Staff has reviewed the submitted Concept Development Plans against the Boone County Zoning and Subdivision Regulations, and offers the following comments (some of these requirements can be adjusted by the Planning Commission and Fiscal Court pursuant to the Planned Development (PD) regulations):

1. Section 505.4 of the zoning regulations does not identify townhouse dwelling unit as a permitted use within the I-1 district.

The submitted plan provides for sixty-eight (68) townhouse dwelling units.

2. Section 3192.2 of the zoning regulations state that residential uses are not compatible and should be prohibited in areas that have a day/night airport noise level between 65 and 70 decibels. This section continues by stating that where the community determines that residential uses must be allowed, measures to achieve outdoor to indoor Noise Level Reduction (NLR) or at least 25db and 30db should be incorporated into building codes and be considered in individual approvals. Normal residential construction can be expected to provide a NLR of 20 db, thus, the reduction requirements are often stated as 5, 10 or 15 db over standard construction and normally assume mechanical ventilation and closed windows year round. However, the use of NLR criteria will not eliminate outdoor noise problems.

The majority of the site is located within the 65 day/night noise level of the airport. The remainder of the site is located within the 60 day/night noise level of the airport.

The applicant has stated that the developer understands that the site is within the 65 DNL noise contours of CVG as are the existing adjacent single-family homes on the east side of Conrad along Buckhorn Court and Elkwood Drive. The developer is having sound studies performed, which will be shared when completed along with any mitigation practices to abate noise levels.

3. Section 402.Q of the subdivision regulations requires sidewalks to be provided along both sides of residential condominium streets.

The submitted plan does not show sidewalks along the proposed streets.

C. Staff sent out an Agency Memo to the Boone County Planning Commission Planning Division, Boone County Public Works, Boone County Schools, Boone County Water District, Burlington Fire District, Kenton County Airport Board, and SD1.

1. Bridget Striker, Boone County Planning Commission Planning Division, replied that she did not have any comments.
2. Jenna LeCounty, Boone County Planning Commission Planning Division, replied that the site is located within the 65 db noise contours from 2011 and the boundary has been (or is soon to be) updated/expanded to extend further south beyond Conrad Lane.
3. Mike Rouse, Boone County Water District, replied that he had no comments.
4. Paul Hegedus, CVG Airport Authority, replied that CVG has serious concerns with this proposed residential development within close proximity to the Airport. The proposed development is within ½ mile of the centerline of the landing approach and departure takeoff for Runway 9/27 which is CVG's main nighttime noise runway. Based on the 2011 noise contours, the site is located within the 65 dnl which is not considered appropriate for residential development. Should this development be allowed to proceed, the County should require additional noise insulation including upgraded windows to compensate for the expected night noise levels especially at night. Also, potential buyers and renters should be notified in advance of existing noise levels on the property. As additional information, in the year 2000-2006, CVG was able to offer a voluntary program to sound insulate existing homes in the adjacent Deerfield subdivision located further south of this proposed development due to the noise from the extension of Runway 9/27 and the subsequent increase in cargo traffic. CVG strongly encourages the County to not approve the zone change to this incompatible use and continue to maintain the I-1 PD/CD which is a compatible use.
5. Daniel Menetrey, Boone County Public Works, replied that a permit with Boone County Public Works will need to be obtained for entrance on Conrad Ln and that sight distance triangles will need to be shown to determine if proper sight distance is achieved for the entrance.

STAFF CONCERNS

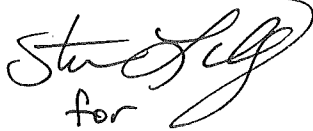
- A. The following list provides a summary of those requirements that are being requested to be waived/alterd using the PD district regulations:
 1. Allow townhouse residential dwellings.
 2. Elimination of sidewalks along the proposed streets.
- B. The submitted plan indicates that the proposed development will have an intensity of approximately 5.8 dwelling units per acre. The adjacent SR-1 district allows development at a maximum intensity of 4.0 dwelling units per acre.
- C. The applicant has provided documentation indicating that the peak hour traffic generation of the proposed development will be 27 – 35 trip ends.

CONCLUSION

- A. The request for change of concept development plan needs to be evaluated by the Boone County Planning Commission and the Boone Fiscal Court in terms of Articles 3 and 15 of the Boone County Zoning Regulations, the appropriate planning documents noted herein,

and the potential impacts on existing and planned uses in the area.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael D. Schwartz", with the word "for" written below it.

Michael D. Schwartz
Director, Zoning Services

MDS/ss

Attachments:

- *Vicinity Map
- *Aerial Map
- *Topographic and Floodplain Map
- *Zoning Map
- *Noise Contour Map
- *2040 Future Land Use Map
- *Application
- *Project Narrative
- *Concept Development Plan
- *Email from Robb Franxmann

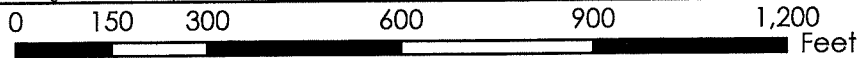
Vicinity Map

www.boonecountygis.com



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1 inch = 300 feet



B



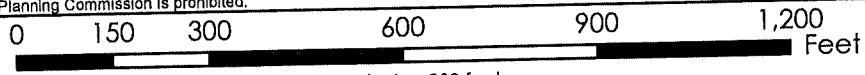
Aerial Map

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1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: xx/xx/2022

Maple Point & Co. Inc. by Esri 2022 © Esri
ArcMap Document: *.mxd

Topographic and Floodplain Map

www.boonecountygis.com

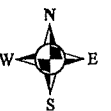
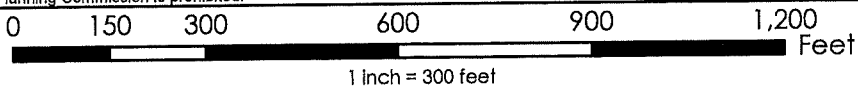


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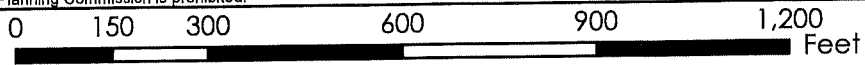
Zoning Map

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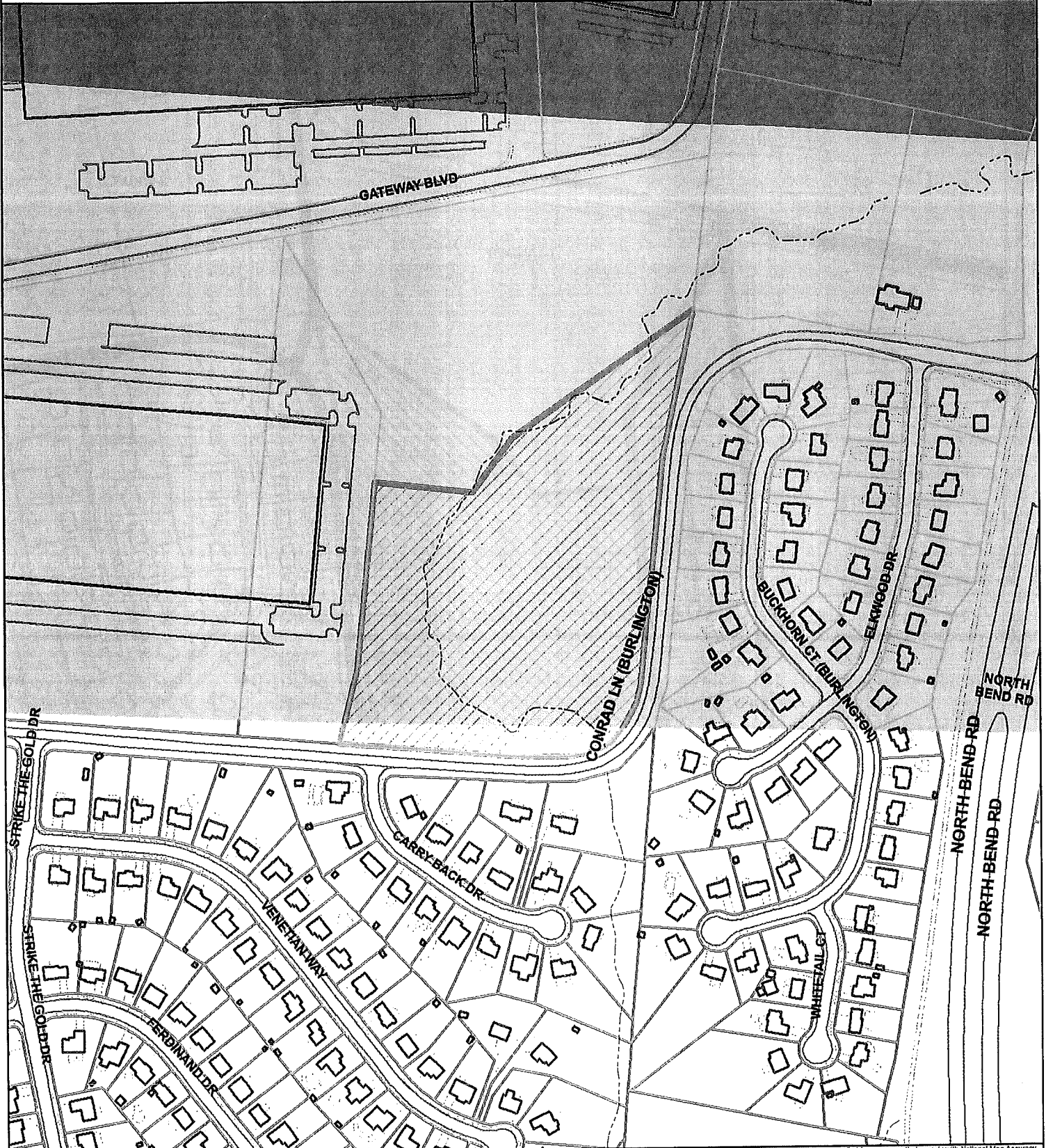
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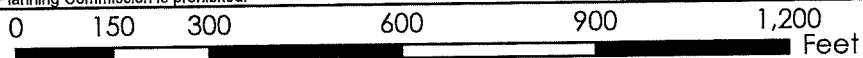
Noise Contour Map

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1 inch = 300 feet

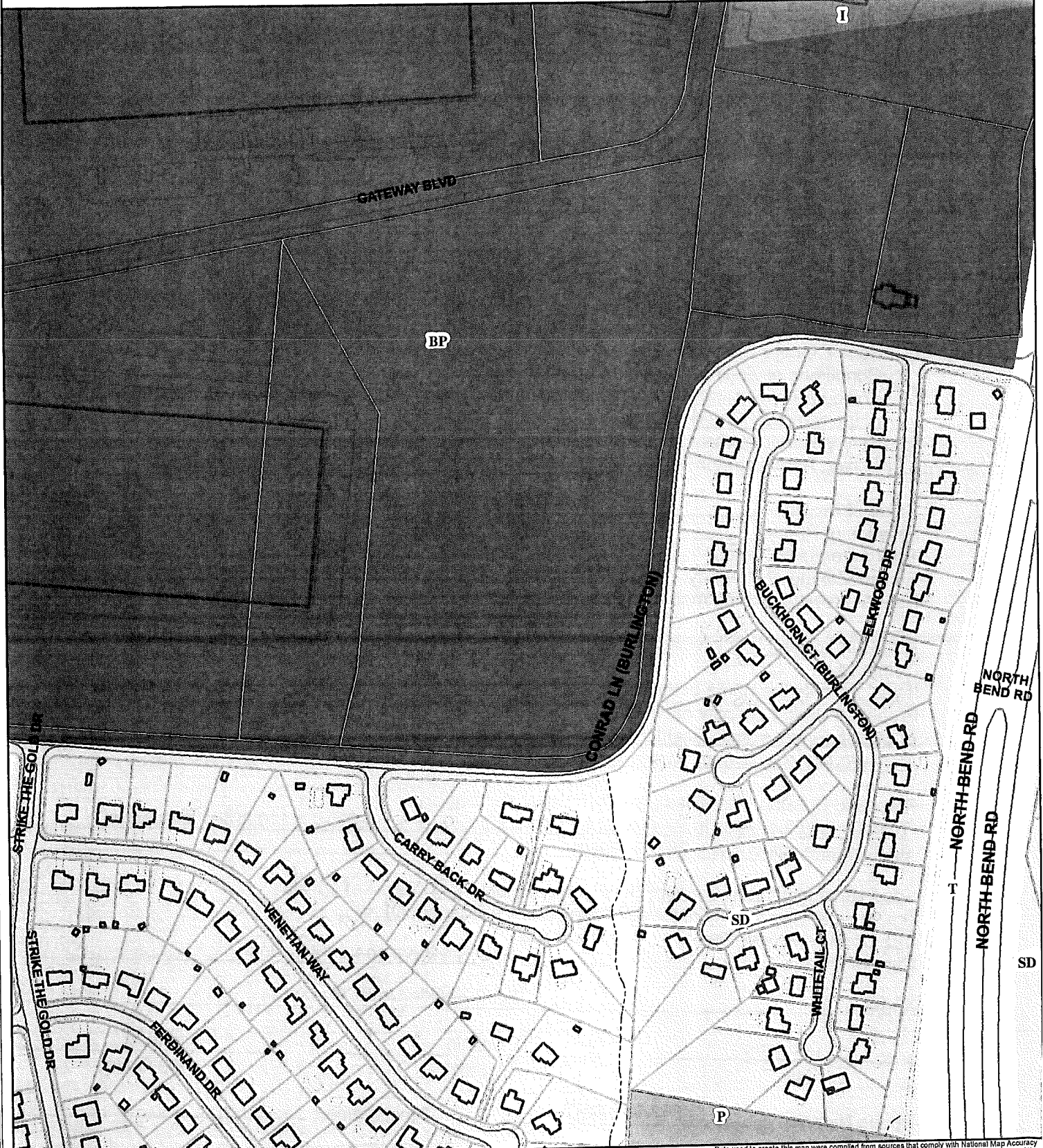


Putting Northern Ke



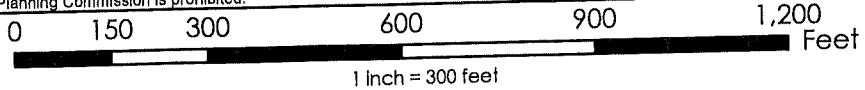
2040 Future Land Use Map

www.boonecountygis.com



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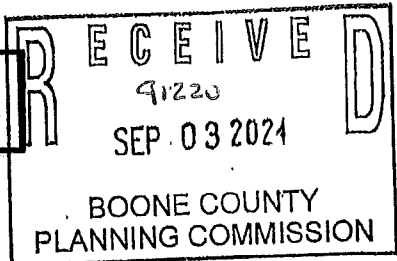
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Map File: C:\work\2022\2040\2040.mxd
ArcMap Document: *.mxd

Map Created: x/h/2022

**CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION**



Seven (7) copies of submitted drawings are required

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

- 1. Type of review (check one):
 - Concept Development Plan (includes Utilization of an Underlying Zone in a Planned Development)
 - Change in an Approved Concept Development Plan
 - Long Range Planning Committee Review (as stated in the Houston-Donaldson Study)
 - Long Range Planning Committee Review (as stated in the Union Town Plan)
 - Zone Change Committee Review of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
 - Zoning Administrator Review (as stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
 - Zoning Administrator Review (as stated in the Mall Road District Study)
 - Zoning Administrator Review (as stated in the I-275/Graves Road Interchange Study)

- 2. Name of Project: Gateway Boulevard Residential Site
- 3. Location of Project: Gateway Boulevard, Hebron, KY 41048
- 4. Total Acreage of Project: 11.849
- 5. Current Zoning of Property: I-1/PD/CD
- 6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):
April 1996 & April 2014

- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission Yes No
If yes, indicate the name of the study: _____
- 8. Proposed Use(s) (specify each use):
Attached Single Family Residential (68 units), each unit is a for sale unit that has independent access from ground level to their own front-door and do not share entry/exit points.

- 9. Proposed Building Intensities (specify for each building):
Total Gross Floor Area in SF (4 x 22,800sf + 1 x 11,400 + 1 x 8,290sf = 110,890sf) for approx 9,400sf/acre, allowable = 25,000sf/acre

- 10. Have you submitted a Concept Development Plan: Yes No
- 11. Are you applying for any of the following (check all that apply):
 Conditional Use Permit Variance
- 12. Current Owner: Bunnell Hill Development Co., Inc
Address: 3000 Henkle Drive, G
Lebanon Ohio 45036
City State Zip Code
Phone Number: 513-932-6090 Fax Number: _____
Email: rwells@hsabh.com

- 13. Applicant: Bayer Becker

Address: 209 Grandview Drive
Fort Mitchell KY 41017
City State Zip Code
Phone Number: 859-261-1113 Fax Number: _____
Email: robkeller@bayerbecker.com

14. Are there any existing buildings on the site: Yes No
If yes, indicate how many: _____
15. 1217 677 2019
Deed Book Page Number Group Number

16. Have you had a pre-application meeting with the BCPC staff: Yes No

17. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- | | |
|---|---|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input checked="" type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input checked="" type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input checked="" type="checkbox"/> Sanitation District No. 1 |
| <input checked="" type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Kentucky Division of Water | |
| <input type="checkbox"/> Kentucky Transportation Cabinet | |

18. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union

19. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on Nov 21, 2024

Property Owner's Signature: _____

Applicant's Signature: _____

Robert Wells
ROBT. KELLER P.E.
BOYER BECKER
Bonnell Mill Development

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 9/3/2024 Fee Received: 2552.98 Receipt #: 91220
2. Number of Copies Received: _____
3. Has the following been submitted (check all that apply):
 - Completed Application
 - Concept Development Plan
 - Legal Description
 - Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: _____
6. Committee Chairperson: _____
7. Scheduled Public Hearing Date: _____
8. Boone County Planning Commission Action: _____ Date of Action: _____
 - _____ Approved
 - _____ Approved with Conditions
 - _____ Denial
 - _____ Other

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196
plancom@boonecountyky.org
www.boonecountyky.org



September 3, 2024

Mr. Michael D. Schwartz
Boone County Planning Commission
2950 Washington Street, Room 317
Burlington, Kentucky 41005

Re: Gateway Blvd Residential Site – Change in Concept Development Plan Submittal

Dear Michael,

Included is a submittal for a Change in Concept Development Plan for the above-mentioned site. The documents listed below are enclosed with this submittal. There are seven (7) hard copies of items 4. A check in the amount of \$2,552.98, for the application fee is also included. An electronic version of this submission will be sent to you via email with pdf copies of all the documents.

1. Completed and signed application.
2. Legal description of the subject area.
3. List of the names and addresses of the property owners adjacent to the subject area.
4. Concept development plan, 2 pages.
5. Image of a representative project with building product and type. Building colors, materials and components will be finalized during the design process.
6. Based on the proposed use and the number of units, the ITE Trip Generation Manual determined the AM peak hour and PM peak hour generates less than 50 trips, therefore a traffic analysis/study is not warranted.

Several site characteristics are noted as follows:

1. The site is currently permitted for additional industrial (I-1) uses. The proposal for attached single family units is well-positioned to provide a transition from the single-family detached housing on the east and south sides of Conrad Lane to the industrial uses along Gateway Blvd to the north and west of the site.
2. The existing buffers, large areas of vegetation and berms along the west, south and southeast sides of the site will be preserved and undisturbed with this plan.
3. The proposed intensity at approx. 9,400sf/acre is far less (approx. 62%) than the allowable intensity of 25,000sf acre.
4. At approx. 68 units the resulting density is less than 6 units/acre. A similar zoning of SR-2 and SR-3 would allow 8 units/acres.
5. The developer understands the site is within the 65 DNL noise contours of CVG as are the existing adjacent single-family homes on the east side of Conrad along Buckhorn Ct and Elkwood Drive. The developer is having sound studies performed, which will be shared when completed along with any mitigation practices to abate noise levels.

Please include this application on your upcoming agenda.

Thank you,

Rob T. Keller, PE, LEED AP

Principal

859-261-1113

robkeller@bayerbecker.com

cc: Roger Wells, HSABH

Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

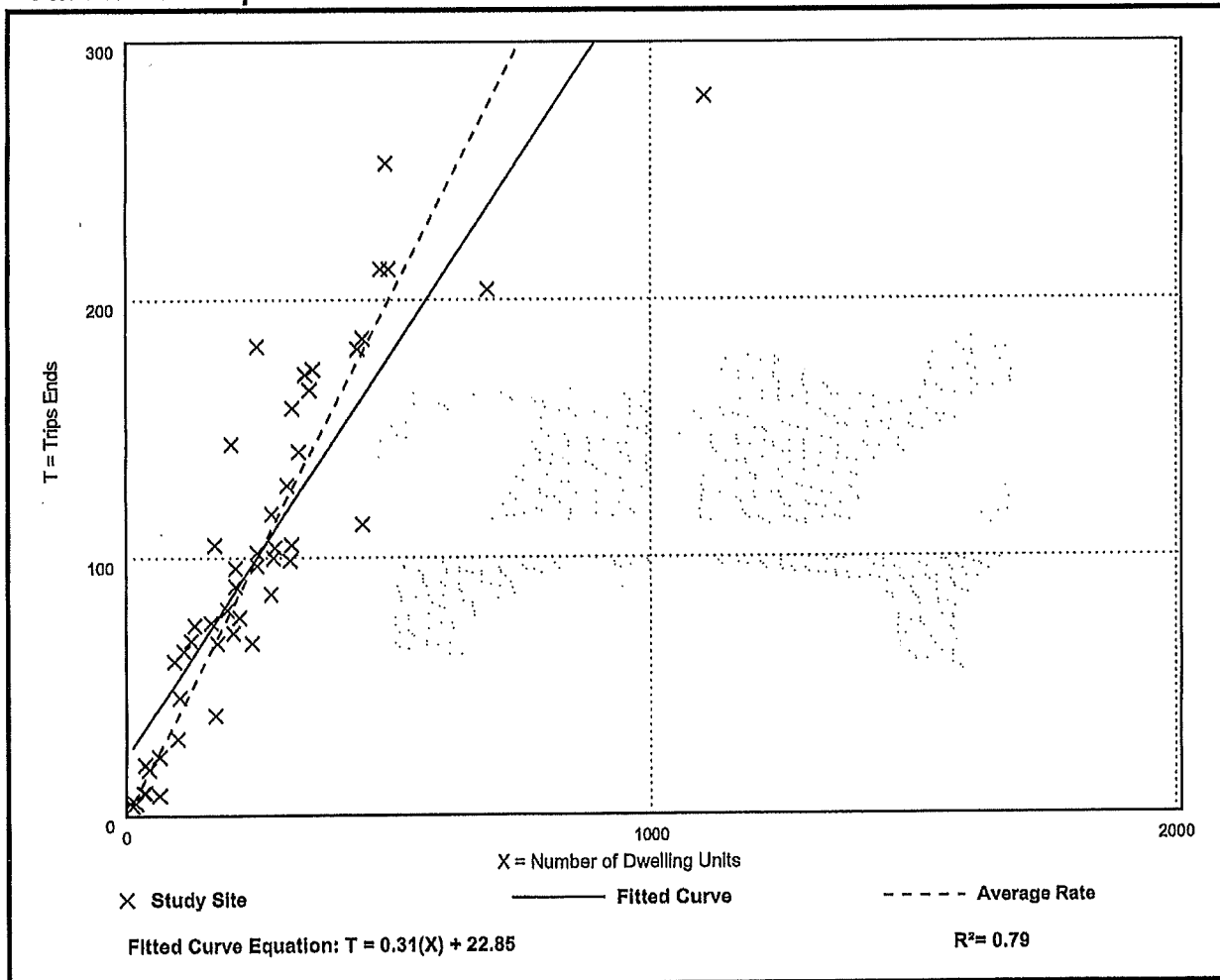
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 59

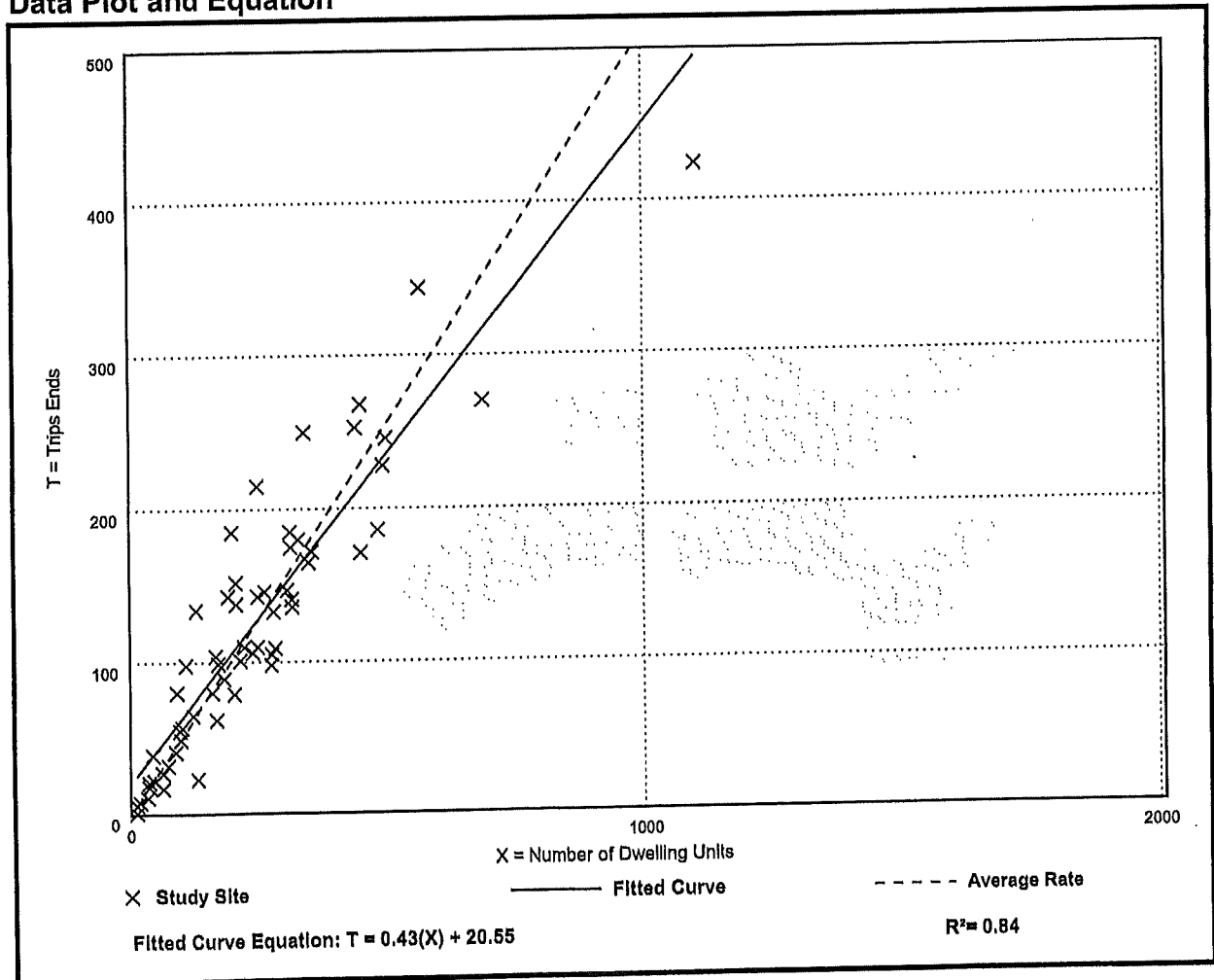
Avg. Num. of Dwelling Units: 241

Directional Distribution: 63% entering, 37% exiting

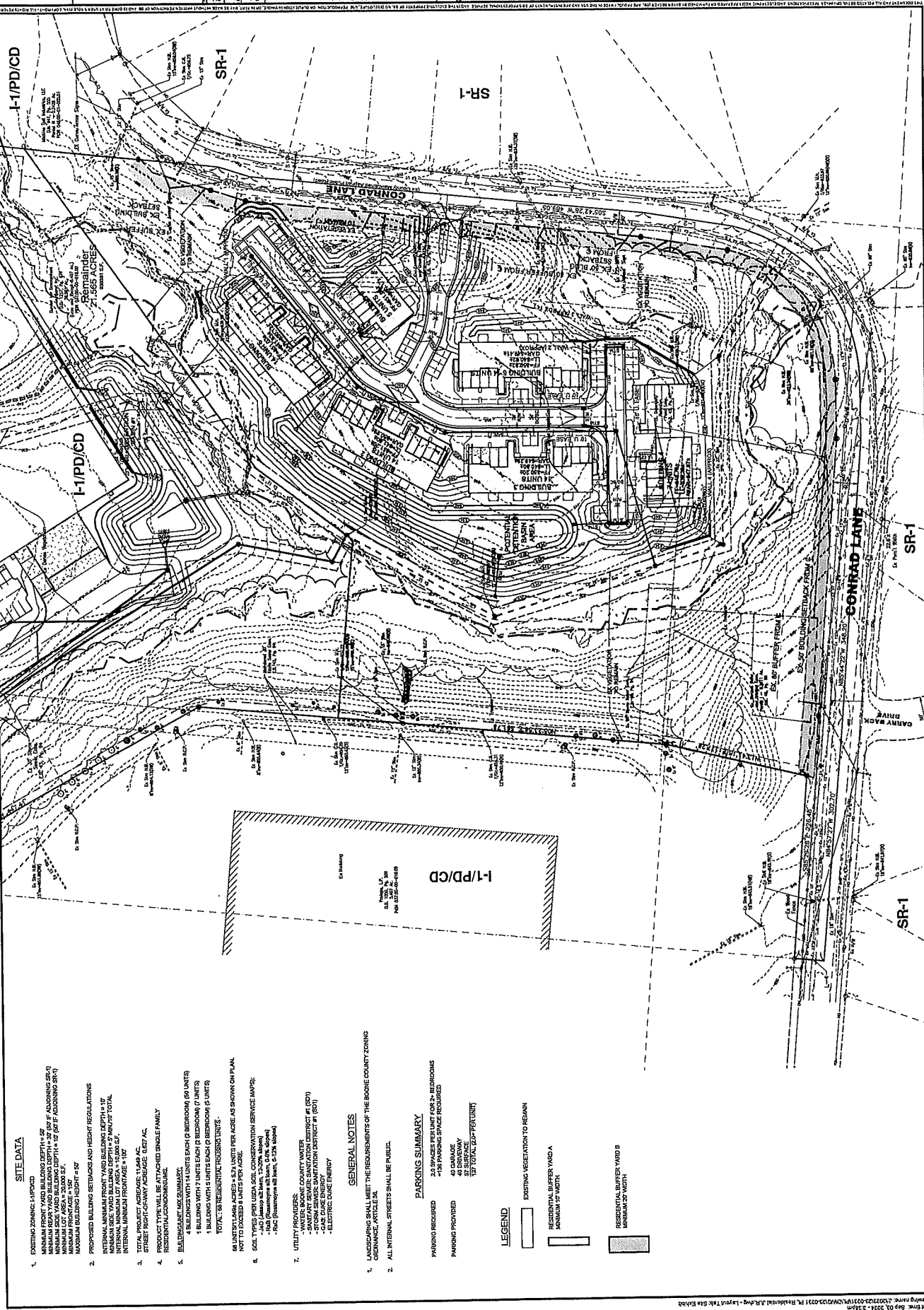
Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

Data Plot and Equation



CONCEPT DEVELOPMENT PLAN
 SOUTH OF GATEWAY BOULEVARD
 HEBRON, KENTUCKY
 BOONE COUNTY
 www.boyer.com
 404.939.2100
 404.939.2113



SITE DATA

- EXISTING ZONING: I-1/PD/CD
- MINIMUM FRONT YARD BUILDING DEPTH: 45' (20' FT. ADJOINING SR-1)
- MINIMUM REAR YARD BUILDING DEPTH: 15' (20' FT. ADJOINING SR-1)
- MINIMUM LOT AREA: 20,000 SF.
- MINIMUM FRONTAGE: 150'
- MINIMUM BUILDING HEIGHT: 4.5'
- PROPOSED BUILDING SETBACKS AND HEIGHT REGULATIONS
- INTERNAL MINIMUM FRONT YARD BUILDING DEPTH: 15' (20' FT. ADJOINING SR-1)
- INTERNAL MINIMUM REAR YARD BUILDING DEPTH: 15' (20' FT. ADJOINING SR-1)
- INTERNAL MINIMUM LOT AREA: 15,000 SF.
- INTERNAL MINIMUM FRONTAGE: 150'
- TOTAL PROJECT AREA: 11.64 AC.
- STREET FRONT-PORTLAND PARKING: 100' AC.
- RESIDENTIAL LAR: 100' AC.
- BUILDING LAR: 100' AC.
- 4 BUILDINGS WITH 14 UNITS EACH (2 BEDROOM) (56 UNITS)
- 1 BUILDING WITH 7 UNITS EACH (2 BEDROOM) (7 UNITS)
- 1 BUILDING WITH 8 UNITS EACH (2 BEDROOM) (8 UNITS)
- TOTAL: 76 RESIDENTIAL TROUSERS UNITS.
- 66 LANTERN LANE ACRES ± 5.71 UNITS PER ACRE AS SHOWN ON PLAN. NOT TO EXCEED 8 UNITS PER ACRE.
- SOIL TYPES: PER USDA SOIL CONSERVATION SERVICE MAPS:
 - 1A1 (Common with 1A1, 1A1, 1A1)
 - 1A2 (Common with 1A1, 1A1, 1A1)
 - 1A3 (Common with 1A1, 1A1, 1A1)
 - 1A4 (Common with 1A1, 1A1, 1A1)
 - 1A5 (Common with 1A1, 1A1, 1A1)
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 - 1A99 (Common with 1A1, 1A1, 1A1)
 - 1A100 (Common with 1A1, 1A1, 1A1)
- UTILITY FROM BOONE COUNTY WATER
 - SANITARY SEWER: SANITATION DISTRICT #1 (SD1)
 - GAS: BOONE COUNTY GAS (BCG)
 - ELECTRIC: BOONE COUNTY ELECTRIC (BCE)

GENERAL NOTES

- LANDSCAPING SHALL MEET THE REQUIREMENTS OF THE BOONE COUNTY ZONING ORDINANCE, ARTICLE 51.
- ALL INTERNAL STREETS SHALL BE PAVED.

PARKING SUMMARY

- 24 SPACES PER UNIT FOR 2+ BEDROOMS
- 10 SPACES PER UNIT FOR 1+ BEDROOMS
- 40 DRIVEWAY
- 52 SURFACE
- 132 TOTAL SPACES/UNIT

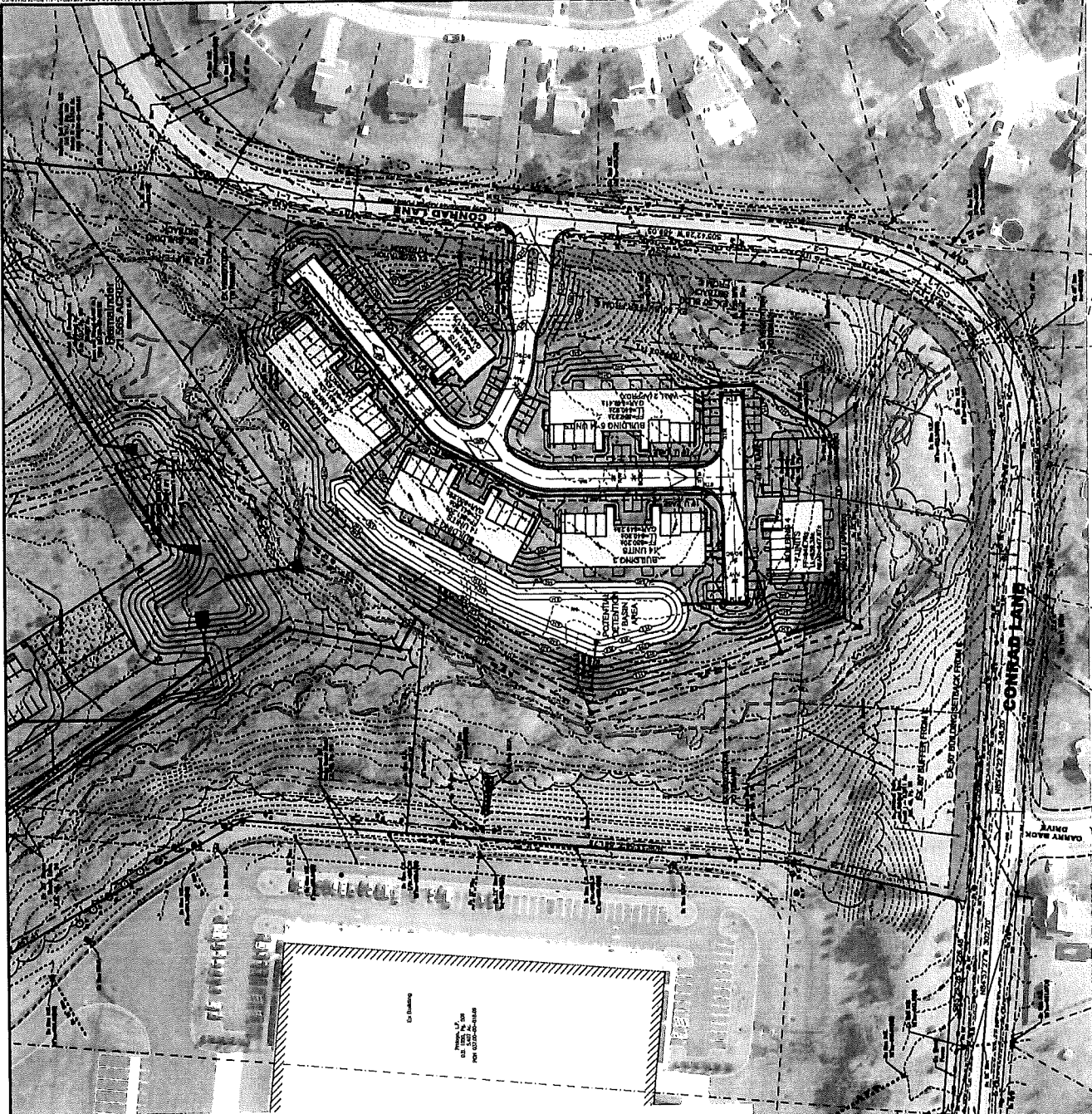
LEGEND

- EXISTING VEGETATION TO REMAIN
- RESIDENTIAL BUFFER YARD A
- MINIMUM 15' WIDTH
- RESIDENTIAL BUFFER YARD B
- MINIMUM 20' WIDTH

bayer
 2008/04/14
 4107 - 858/28/1113

HSBH GATEWAY RESIDENTIAL
 SOUTH OF GATEWAY BOULEVARD
 BOONE COUNTY
 MERRICK, KENTUCKY
 CONCEPT DEVELOPMENT PLAN - AERIAL

DATE	DESCRIPTION	BY	CHK



SITE DATA

- EXISTING ZONING: I-1 (R) PCD
 MINIMUM FRONT YARD BUILDING DEPTH = 57'
 MINIMUM SIDE YARD BUILDING DEPTH = 10' (IF ADJOINING SR)
 MINIMUM REAR YARD BUILDING DEPTH = 10' (IF ADJOINING SR)
 MINIMUM LOT AREA = 30,000 SF
 MAXIMUM BUILDING HEIGHT = 57'
- PROPOSED BUILDING SETBACKS AND HEIGHT REGULATIONS
 INTERNAL MINIMUM FRONT YARD BUILDING DEPTH = 17'
 MINIMUM SIDE YARD BUILDING DEPTH = 5' MIN/10' TOTAL
 MINIMUM REAR YARD BUILDING DEPTH = 10'
 INTERNAL MINIMUM FRONT YARD = 10'
- TOTAL PAVED SURFACE = 1,448 AC.
 STREET FRONTAGE = 1,448 AC.
 STREET FRONTAGE = 1,448 AC.
- PRODUCT TYPE WILL BE ATTACHED SINGLE FAMILY RESIDENTIAL/CONDOMINIUM.
- BUILDING UNIT SUMMARY:
 4 BUILDINGS WITH 14 UNITS EACH (2 BEDROOM (6) UNITS
 1 BUILDING WITH 7 UNITS EACH (2 BEDROOM (2) UNITS
 1 BUILDING WITH 5 UNITS EACH (2 BEDROOM (5) UNITS
 TOTAL: 68 RESIDENTIAL BUILDING UNITS
 88 UNITS/1,448 ACRES = 5.72 UNITS PER ACRE AS SHOWN ON PLAN
 NOT TO EXCEED 6 UNITS PER ACRE.
- SOIL TYPES PER LOCAL SOIL SURVEY (FROM KENTUCKY DEPARTMENT OF TRANSPORTATION SERVICE MAPS):
 -Pc1 (Pomeroys silt loam, 0-2% slopes)
 -Pc2 (Pomeroys silty loam, 0-2% slopes)
- UTILITY PROVISIONS:
 -WATER: BOONE COUNTY WATER
 -SEWER: BOONE COUNTY SEWER
 -STORM SEWER: SANITATION DISTRICT #1 (STW)
 -GAS: DUNE ENERGY
 -ELECTRIC: DUNE ENERGY

GENERAL NOTES

- LANDSCAPING SHALL MEET THE REQUIREMENTS OF THE BOONE COUNTY ZONING ORDINANCE, ARTICLE 14.
- ALL INTERNAL STREETS SHALL BE PUBLIC.

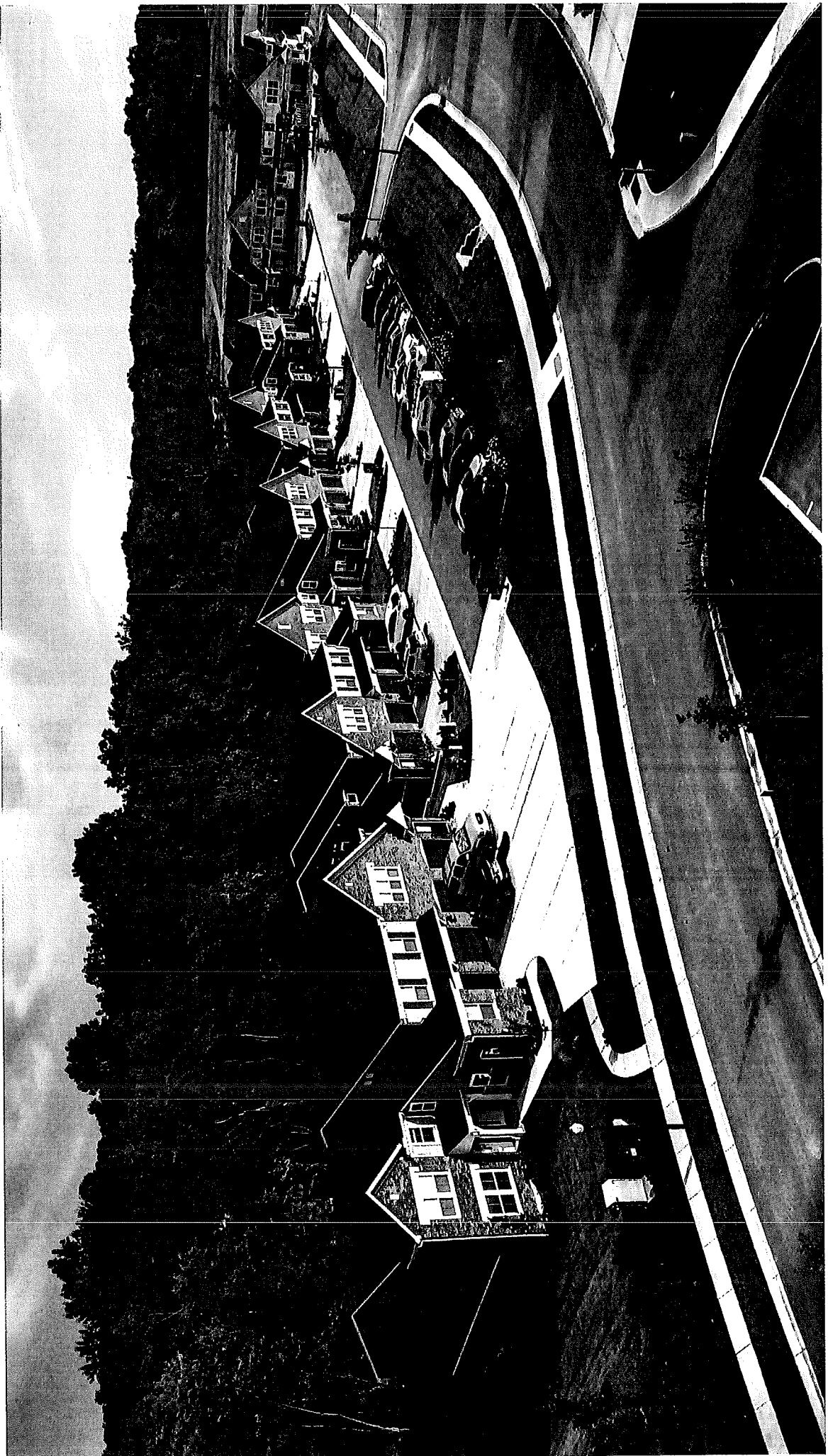
PARKING SUMMARY

PARKING REQUIRED: 21 SPACES PER UNIT FOR 2-BEDROOMS
 128 PARKING SPACES REQUIRED

PARKING PROVIDED:
 48 CARSPACE
 48 DRIVEWAY
 37 TOTAL GPSP/PER UNIT
 257 TOTAL GPSP/PER UNIT

LEGEND

- EXISTING VEGETATION TO REMAIN
- RESIDENTIAL BUFFER YARD A
 MINIMUM 10' WIDTH
- RESIDENTIAL BUFFER YARD B
 MINIMUM 20' WIDTH



Sara Smith

From: Michael Schwartz
Sent: Thursday, September 26, 2024 12:17 AM
To: Sara Smith
Subject: Fwd: Change of Concept Development Plan - Gateway Boulevard/Conrad Lane Residential

Sara -

Please do the same with this email.

Thanks.

Michael

Sent from my iPhone

Begin forwarded message:

From: Robert Franxman <rfranxman@boonecountyky.org>
Date: September 25, 2024 at 5:10:52 PM EDT
To: Michael Schwartz <mschwartz@boonecountyky.org>
Subject: RE: Change of Concept Development Plan - Gateway Boulevard/Conrad Lane Residential

Michael,

Few Comments.

Thanks,
Rob

1. I understand volumes are low, but there is a crash history at that "s" curve. Sight distances will certainly need verified and will need to meet intersection sight distance not stopping sight distances. Turn lanes may be warranted to alleviate safety concerns.
2. I don't love that they intend the streets to be public. Ideally they would terminate in cul-de-sacs; but at the very least "t" turn arounds will be subject to scrutiny to ensure they meet PW practices.

From: Michael Schwartz <mschwartz@boonecountyky.org>
Sent: Wednesday, September 4, 2024 7:58 AM
To: Jenna LeCount <jlecount@boonecountyky.org>; Bridget Striker <bstriker@boonecountyky.org>; Robert Franxman <rfranxman@boonecountyky.org>; Daniel Menetrey <dmenetrey@boonecountyky.org>; kim.best@boone.kyschools.us; miker@boonewater.com; jbarlow@burlingtonkyfire.org; Chad Eha <CEha@burlingtonkyfire.org>; Paul Hegedus (phegedus@cvgairport.com) <phegedus@cvgairport.com>; aaman@sd1.org; Jared Ison <jison@sd1.org>
Subject: Change of Concept Development Plan - Gateway Boulevard/Conrad Lane Residential

We are in receipt of the above referenced Change of Concept Development Plan application.

If you have any comments that you would like to be included in our staff report to the Planning Commission, please forward them to me no later than Wednesday, September 25, 2024.

Michael D. Schwartz
Director, Zoning Services



BOONE COUNTY
PLANNING COMMISSION

2950 Washington Street, Room 317
Burlington, Kentucky 41005
(P) 859-334-2196 (F) 859-334-2264

Michael Schwartz

From: Larry Krauter <lkrauter@cvgairport.com>
Sent: Monday, April 14, 2025 2:18 PM
To: Michael Schwartz
Subject: Letter from CVG Airport Authority Regarding Rezoning Request
Attachments: DOC041425-04142025140054.pdf; Attachments for Boone County Letter 042025.pdf

EXTERNAL MESSAGE

Good afternoon, please find attached a letter outlining CVG's concerns regarding a request for rezoning to residential use of approximately 11.8 acres of land currently zoned for Industrial One/Planned Development located at Conrad Lane.

Best Regards,

Larry



Lawrence J. Krauter, AAE, AICP
Chief Executive Officer
Cincinnati/Northern Kentucky International Airport

lkrauter@cvgairport.com
M: 859-805-1890



P.O. Box 752000
Cincinnati, OH 45275-2000
Phone: 859-767-3151
Fax: 859-767-3080
cvgairport.com

April 14, 2025

Mr. Charlie Rolfsen
Chair
Boone County Planning Commission
2950 Washington Street, Room 317
Burlington, KY 41005

Re: Request for Change of Concept Plan PIDN 037.00-00-018.00

Dear Chair Rolfsen:

Please accept this letter, which restates our opposition to the rezoning request for the subject property currently zoned I-1 PD/CD use, due to the incompatibility of the proposed residential use with airport operations, given its location within the 65 DNL noise contour.

CVG noted its opposition to the proposed rezoning request in correspondence to Planning Commission staff in October 2024. Our position regarding the proposed rezoning to an incompatible use remains unchanged by the sound study performed by Terracon for the proposed Gateway Boulevard Residential Development.

We have reviewed the Terracon report dated October 24, 2024, and want to share our concerns as follows.

- CVG was not operating in a typical operation during most of the selected monitoring period (September 26, 2024, 13:09 – September 27, 2024, 13:18) due to significant wind and weather conditions. As a result, the calculated DNL (Ldn) for this period was lower than an average annual day at the monitoring location.
- The attached flight tracking maps (Attachment 1) detail the departure and arrival operations for the monitoring period. The time frames have been separated as follows to provide the “daytime” versus “nighttime” operations.
 - September 26, 2024, from 13:00 to 21:59 EDT (daytime operations)
 - North Flow Operation with aircraft departing from Runways 27 and 36R and arriving on 36L and 36R. Runway 18C/36C was temporarily closed for construction. Ground winds were NE between 6-13 knots. Only 40 of 96 departure operations used Runway 27.
 - September 26-27, 2024, from 22:00 to 06:59 EDT (nighttime operations)

- Alternate Nighttime Operation with aircraft arriving on Runway 09 and departing via Runways 09 and 36R. Runway 18C/36C was temporarily closed for construction. Ground winds were NE between 12-17 knots. As a result, there were 88 arrivals from the west and **zero** departures to the west.
- September 27, 2024, from 07:00 to 13:00 EDT (daytime operations)
 - North (and East) Flow Operation with aircraft departing from Runway 09 and 36R and arriving on Runway 09. Runway 18C/36C was temporarily closed for construction. Ground winds were ENE between 17-28 knots. As a result, CVG was operating in a rare East Operation with 41 arrivals over the west and **zero** departures to the west.

For comparison, also enclosed are two maps detailing more typical operations during the September/October 2024 time of year. Although Runway 18C/36C was closed for construction, the maps depict a “daytime” and “nighttime” operation with the proposed development marked with a red star.

As a general overview, wind and weather conditions play a critical role for the safe arrival and departure operations as aircraft land and take off into the prevailing wind. Ground temperature, cloud coverage, and other elements will impact both runway assignments and corresponding noise events and cumulative noise exposure levels.

Daytime and Nighttime Operations

When suitable wind and weather conditions are present, FAA Air Traffic Control at CVG follows standard Daytime and Nighttime Operations.

- Daytime Operations (7am-10pm) include both North Flow (departures to the north and west and arrivals over the south) and South Flow (departures to the south and west and landings over the north) operations.
- Nighttime Operations (10pm-7am) include the nighttime preferential program at CVG, which was established to focus the majority of nighttime air traffic over the west side of the airport (arrivals to Runway 09 over the west and departures from Runway 27 to the west). The center north/south runway (Runway 18C/36C) is designated as the alternate nighttime runway.

Cargo operators (carriers that fly primarily for Amazon and DHL) account for about half of the total operations at CVG. Amazon operates primarily during daytime hours with their final departure push around 11pm. While DHL has daytime operations, they primarily operate during the nighttime hours with arrival banks between midnight and 2am and

departures between 4:30 and 6:30am. Time frames are subject to change based on flight schedules, time of year, and weather.

We want to be helpful to the Planning Commission and promote greater awareness of our federal obligations to ensure that incompatible land uses are not sited in areas in the vicinity of CVG that are required to be protected for noise compatibility and safety purposes. The federal grants that we accept for the maintenance and development of CVG contain several conditions, which are referred to as Sponsor's Assurances (Attachment 2). Among the many requirements placed upon CVG include the obligation to take action to ensure the use of land in the vicinity of CVG is compatible with airport operations. CVG is also required to take any action necessary to preserve the power and rights to comply with this assurance. Therefore, we ask the Planning Commission to consider that approving residential land use at the proposed site would put CVG in the unenviable position of having to pursue preventive measures so as not to jeopardize the airport's ability to meet its federal obligations, which directly impact our eligibility for federal grants that play a crucial role in maintaining the airport, the economic driver of the County and this region. Further, if the property is rezoned after we have pointed out the incompatibility with the Airport, we cannot be responsible for remedial noise compatibility measures, such as adding insulation, installing acoustically rated doors and windows, or acquiring easements, as well as ensuring disclosures on property leases or deeds that warn of aircraft noise impacts to buyers or lessees.

Another general factor that we ask the Planning Commission to take into consideration is that siting incompatible residential development within the 65 DNL noise contour (Attachment 3 shows CVG noise exposure contours), as is being requested by the developer/owner, has the potential to place future residents that would be living at this location in conflict with the Airport, which will benefit no one and could draw Boone County officials, CVG, and future residents into unresolvable disputes. We believe that the Planning Commission, in discharging your greater responsibilities to the community, would not want to make a decision that would have this kind of potential negative outcome.

While we acknowledge the need for housing and support its location in appropriate areas within the County and region, this site is not among them. The property is currently zoned correctly as it relates to noise compatibility and, for all the reasons stated, we ask the Planning Commission not to recommend the rezoning request to the Fiscal Court.

Respectfully,



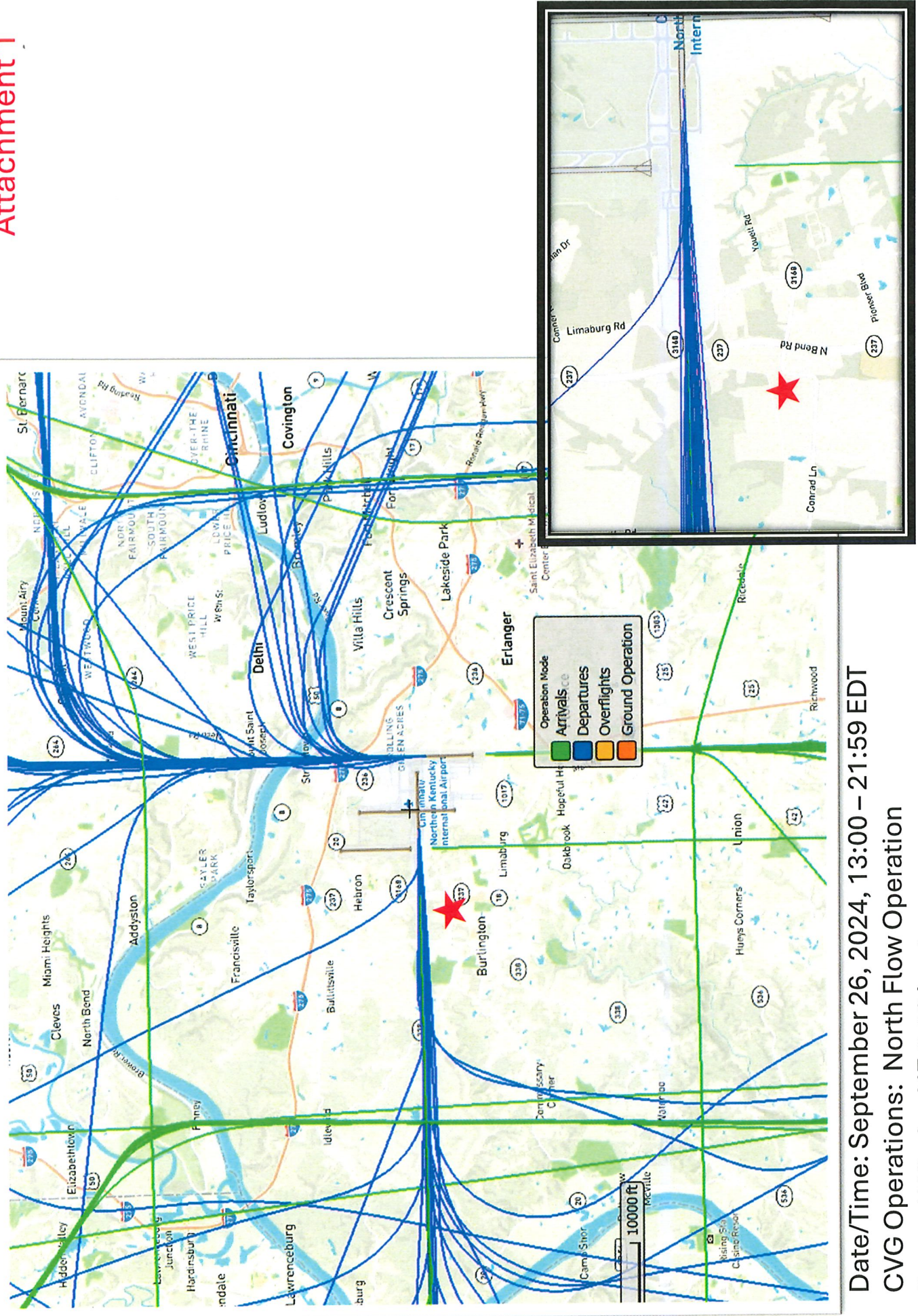
Lawrence J. Krauter, A.A.E., AICP
Chief Executive Officer

Attachments:

1. Flight Tracking Maps
2. FAA Grant Assurances
3. 2011 CVG Noise Exposure Maps

cc: Judge/Executive Gary Moore
Planning Commission Members
Kevin P. Costello, AICP
Michael Schwartz

Attachment 1

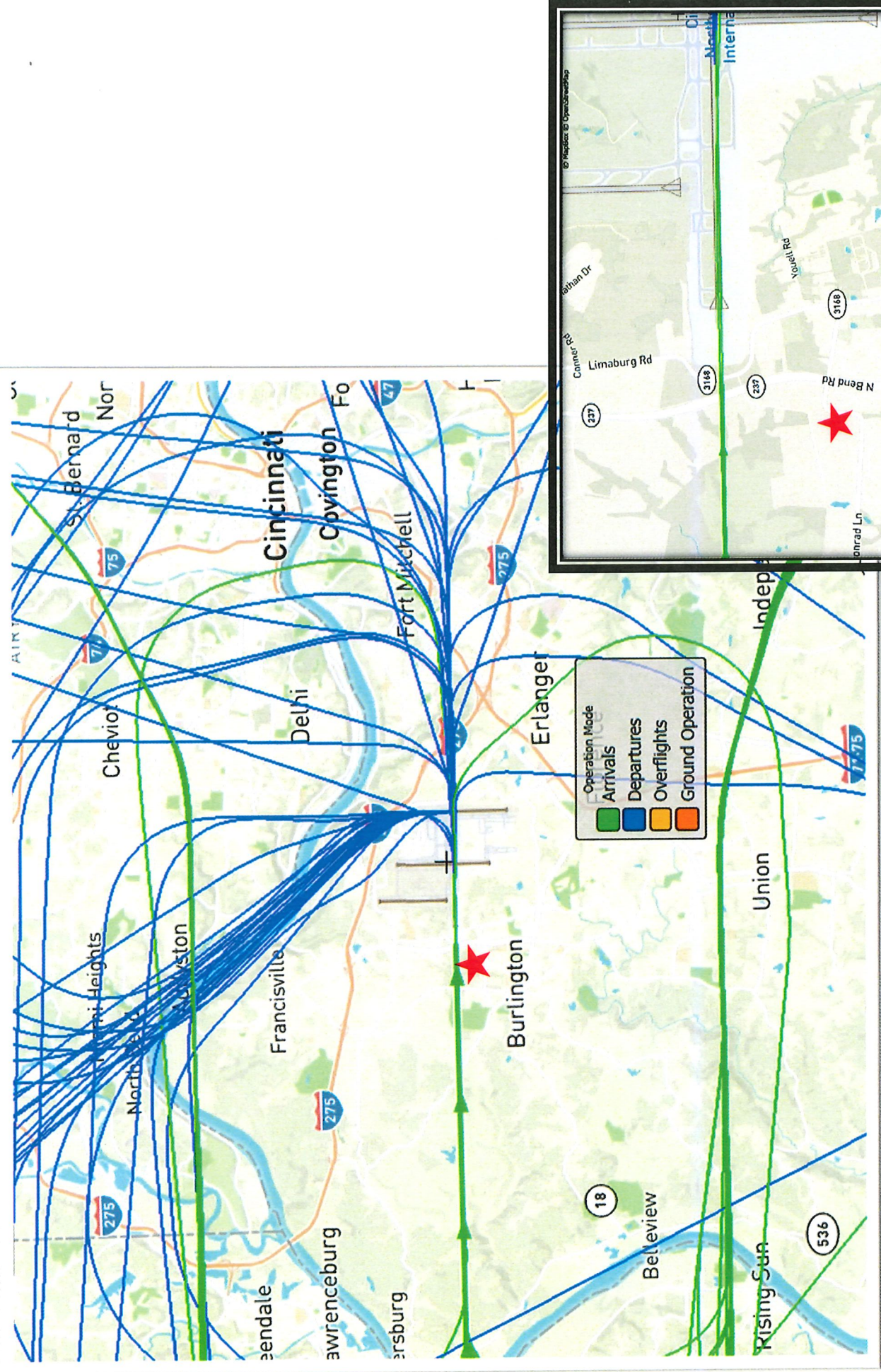


Date/Time: September 26, 2024, 13:00 – 21:59 EDT

CVG Operations: North Flow Operation

Ground Winds: NE 6-13 knots

Red Star: Approximate location of proposed residential development

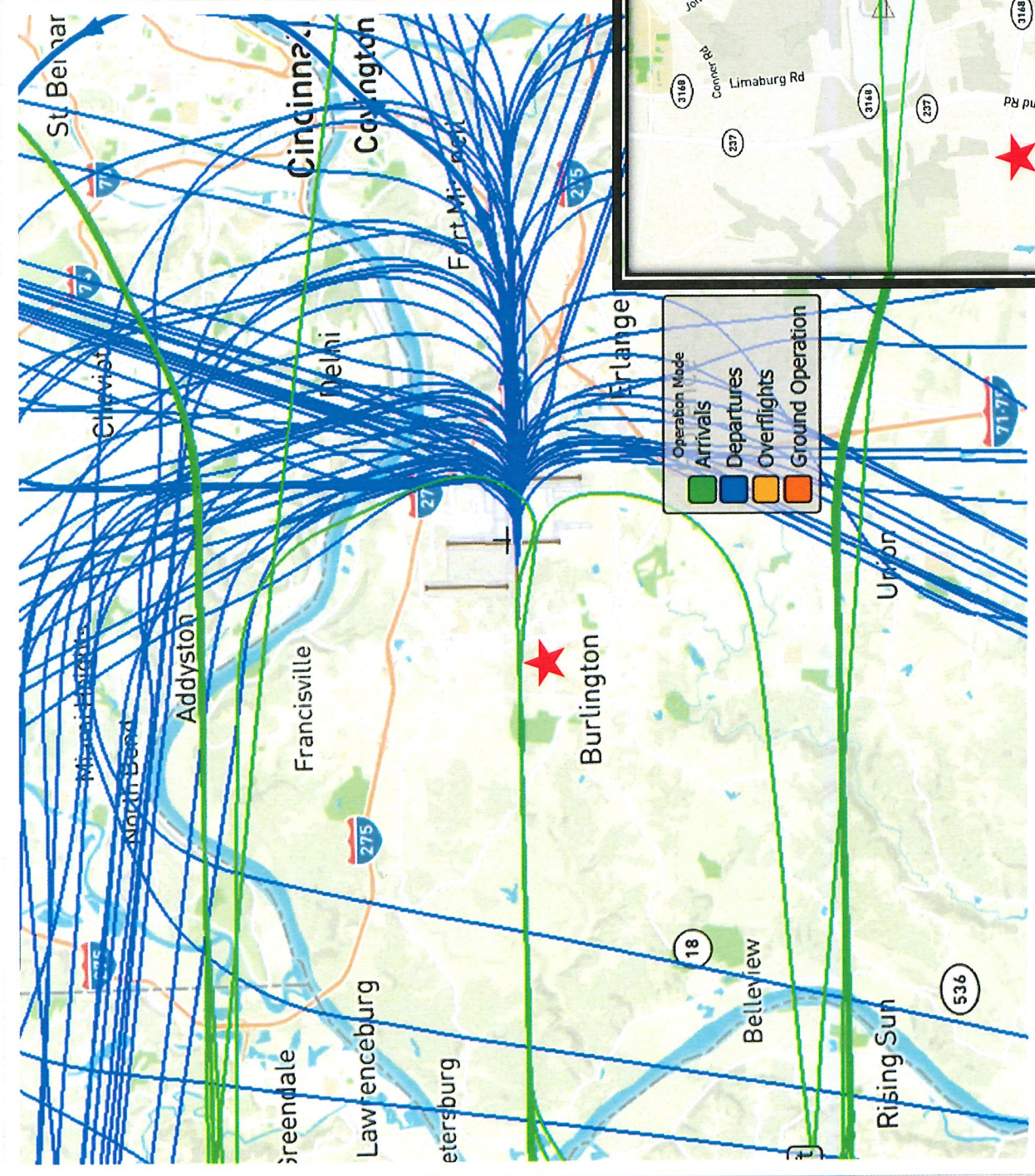


Date/Time: September 26-27, 2024, 22:00 – 06:59 EDT

CVG Operations: Alternate Nighttime Operation (due to winds)

Ground Winds: NE 12-19 knots

Red Star: Approximate location of proposed residential development



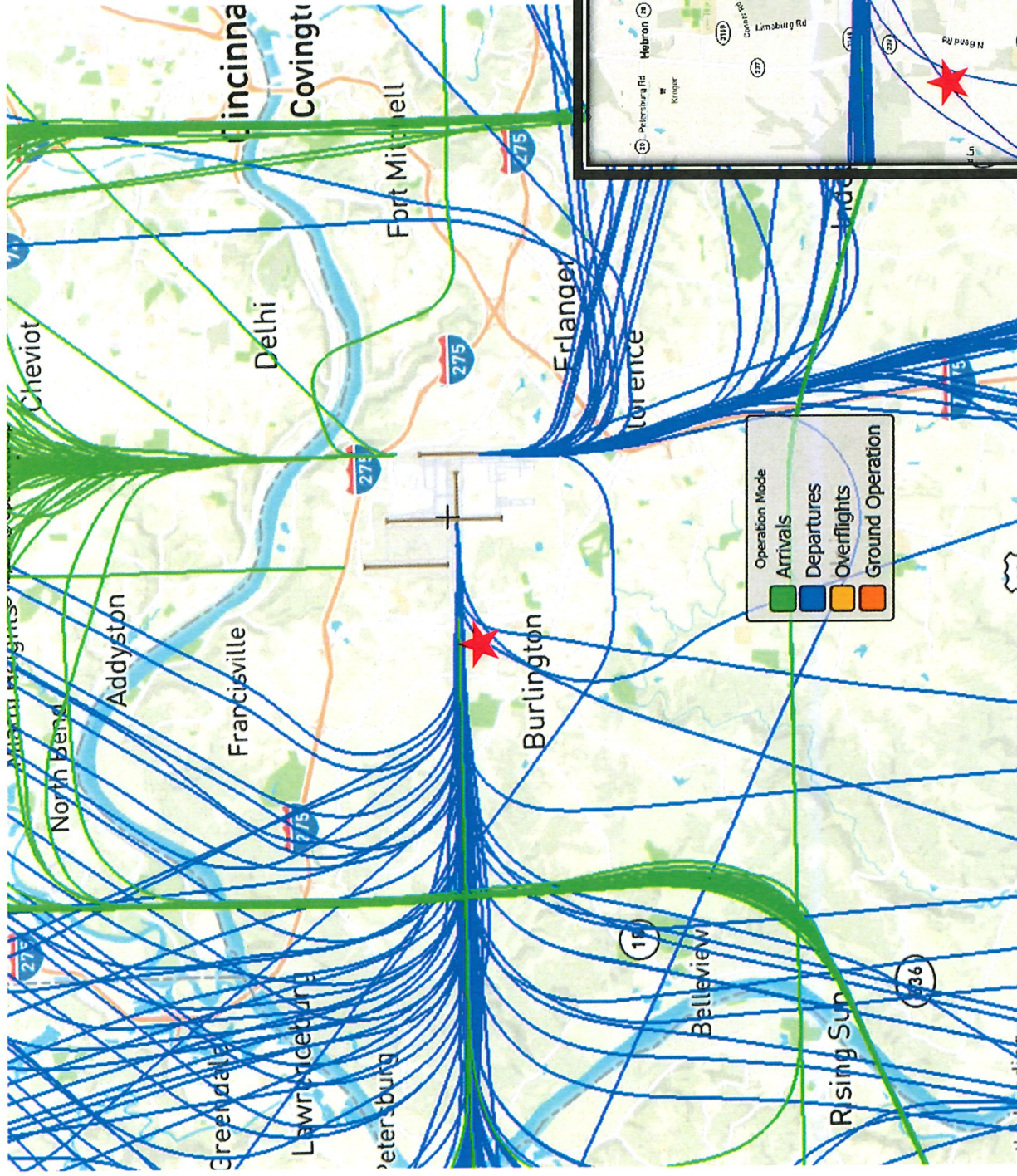
Date/Time: September 27, 2024, 07:00 – 13:00 EDT

CVG Operations: East Operation (due to winds)

Ground Winds: ENE 17-28 knots

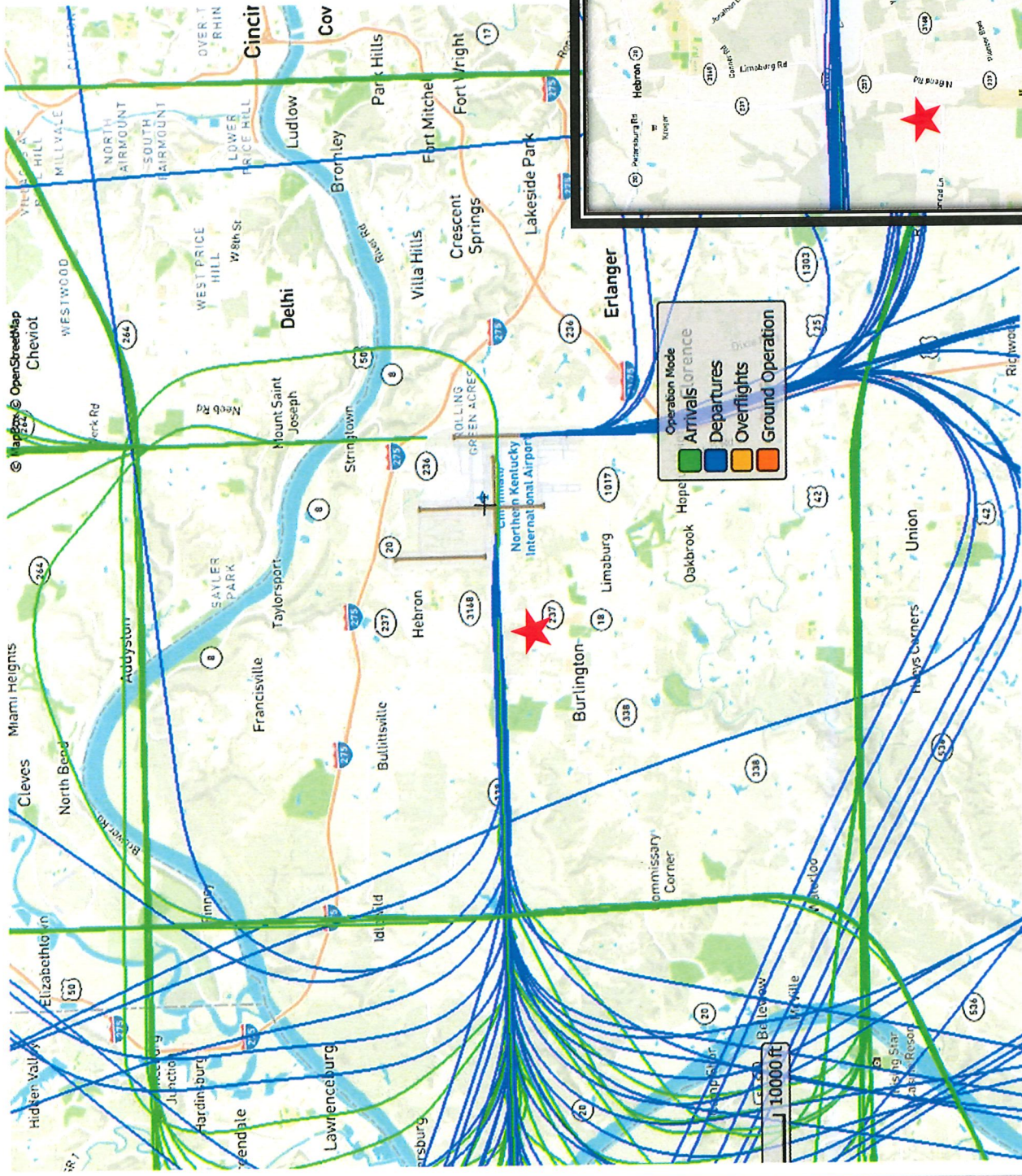
Red Star: Approximate location of proposed residential development

Example of a **typical** daytime operation (south flow) with exception of 18C/36C construction closure.



Date/Time: September 11, 2024, 07:00 – 22:00 EDT
 CVG Operations: Typical South Flow Operation
 Ground Winds: Variable under 7 knots
 Red Star: Approximate location of proposed residential development

Example of a **typical** nighttime operation with exception of 18C/36C construction closure.



Date/Time: October 2-3, 2024, 22:00 – 07:00 EDT

CVG Operations: Typical Nighttime Operation

Ground Winds: Variable under 7 knots

Red Star: Approximate location of proposed residential development



**FAA
Airports**

ASSURANCES

AIRPORT SPONSORS

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this Grant Agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this Grant Agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph (1) also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. **Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this Grant Agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 23, 25, 30, 32, 33, 34, and 37 in Section C apply to planning projects. The terms, conditions, and

assurances of this Grant Agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this Grant including but not limited to the following:

FEDERAL LEGISLATION

- a. 49 U.S.C. subtitle VII, as amended.
- b. Davis-Bacon Act, as amended — 40 U.S.C. §§ 3141-3144, 3146, and 3147, et seq.¹
- c. Federal Fair Labor Standards Act – 29 U.S.C. § 201, et seq.
- d. Hatch Act – 5 U.S.C. § 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601, et seq.^{1, 2}
- f. National Historic Preservation Act of 1966 – Section 106 – 54 U.S.C. § 306108.¹
- g. Archeological and Historic Preservation Act of 1974 – 54 U.S.C. § 312501, et seq.¹
- h. Native Americans Grave Repatriation Act – 25 U.S.C. § 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended – 42 U.S.C. § 7401, et seq.
- j. Coastal Zone Management Act, P.L. 92-583, as amended – 16 U.S.C. § 1451, et seq.
- k. Flood Disaster Protection Act of 1973 – Section 102(a) - 42 U.S.C. § 4012a.¹
- l. 49 U.S.C. § 303, (formerly known as Section 4(f)).
- m. Rehabilitation Act of 1973 – 29 U.S.C. § 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin).
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.) (prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 – 42 U.S.C. § 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968, as amended – 42 U.S.C. § 4151, et seq.¹
- s. Powerplant and Industrial Fuel Use Act of 1978 – Section 403 – 42 U.S.C. § 8373.¹
- t. Contract Work Hours and Safety Standards Act – 40 U.S.C. § 3701, et seq.¹
- u. Copeland Anti-kickback Act – 18 U.S.C. § 874.¹

- v. National Environmental Policy Act of 1969 – 42 U.S.C. § 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended – 16 U.S.C. § 1271, et seq.
- x. Single Audit Act of 1984 – 31 U.S.C. § 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 – 41 U.S.C. §§ 8101 through 8105.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (P.L. 109-282, as amended by section 6202 of P.L. 110-252).
- aa. Civil Rights Restoration Act of 1987, P.L. 100-259.
- bb. Build America, Buy America Act, P.L. 117-58, Title IX.

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity¹
- b. Executive Order 11990 – Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 – Environmental Justice
- g. Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency
- h. Executive Order 13985 – Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government
- i. Executive Order 13988 – Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation
- j. Executive Order 14005 – Ensuring the Future is Made in all of America by All of America’s Workers
- k. Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. ^{4, 5}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 14 CFR Part 13 – Investigative and Enforcement Procedures.
- e. 14 CFR Part 16 – Rules of Practice for Federally-Assisted Airport Enforcement Proceedings.
- f. 14 CFR Part 150 – Airport Noise Compatibility Planning.

- g. 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services.
- h. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for the Enforcement of Title VI of the Civil Rights Act of 1964.
- i. 29 CFR Part 1 – Procedures for Predetermination of Wage Rates.¹
- j. 29 CFR Part 3 – Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States.¹
- k. 29 CFR Part 5 – Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (Also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act).¹
- l. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally-assisted contracting requirements).¹
- m. 49 CFR Part 20 – New Restrictions on Lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs.^{1, 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.¹
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.
- t. 49 CFR Part 30 – Denial of Public Works Contracts to Suppliers of Goods and Services of Countries That Deny Procurement Market Access to U.S. Contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 38 – Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.
- x. 49 CFR Part 41 – Seismic Safety.

FOOTNOTES TO ASSURANCE (C)(1)

¹ These laws do not apply to airport planning sponsors.

² These laws do not apply to private sponsors.

³ 2 CFR Part 200 contains requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation shall

apply where applicable to private sponsors receiving Federal assistance under Title 49, United States Code.

- ⁴ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁵ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this Grant Agreement.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this Grant Agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere

with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

- b. Subject to the FAA Act of 2018, Public Law 115-254, Section 163, it will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this Grant Agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this Grant Agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this Grant Agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to ensure that the airport will be operated and maintained in accordance with Title 49, United States Code, the regulations and the terms, conditions and assurances in this Grant Agreement and shall ensure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance-Management.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under 49 U.S.C. § 44706, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the project in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The

accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.

- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this Grant Agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor under 40 U.S.C. §§ 3141-3144, 3146, and 3147, Public Building, Property, and Works), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this Grant Agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in 49 U.S.C. § 47112. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this Grant Agreement, and, upon approval of the Secretary, shall be incorporated into this Grant Agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this Grant Agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state, and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for:
 1. Operating the airport's aeronautical facilities whenever required;
 2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 3. Promptly notifying pilots of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or

facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.

- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to:
 1. Furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 2. Charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable

classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.

- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for

which a Grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 1. If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
 2. If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 3. Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at 49 U.S.C. § 47102), if the FAA determines the airport sponsor meets the requirements set forth in Section 813 of Public Law 112-95.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
- c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of 49 U.S.C. § 47107.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the

public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;

- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this Grant Agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that:

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, it will keep up to date at all times an airport layout plan of the airport showing:
1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
 3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
 4. all proposed and existing access points used to taxi aircraft across the airport's property boundary.

Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

- b. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, if a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary:
1. eliminate such adverse effect in a manner approved by the Secretary; or
 2. bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, color, and national origin (including limited English proficiency) in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4); creed and sex (including sexual orientation and gender identity) per 49 U.S.C. § 47123 and related requirements; age per the Age Discrimination Act of 1975 and related requirements; or disability per the Americans with Disabilities Act of 1990 and related requirements, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program and activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in 49 CFR §§ 21.23(b) and 21.23(e), the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
 1. Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 2. Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.
- c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
 2. So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this Grant Agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The (**[Selection Criteria: Sponsor Name]**), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, [select businesses, or disadvantaged business enterprises or airport concession disadvantaged business enterprises] will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability in consideration for an award."
 - e. Required Contract Provisions.
 1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation (DOT), and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.

2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:
 1. Reinvestment in an approved noise compatibility project;
 2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
 3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. §§ 47114, 47115, or 47117;
 4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
 5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.

If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development

project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order:
 1. Reinvestment in an approved noise compatibility project;
 2. Reinvestment in an approved project that is eligible for grant funding under 49 U.S.C. § 47117(e);
 3. Reinvestment in an approved airport development project that is eligible for grant funding under 49 U.S.C. §§ 47114, 47115, or 47117;
 4. Transfer to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport; or
 5. Payment to the Secretary for deposit in the Airport and Airway Trust Fund.
- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a), (b), or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U.S.C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by

the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out any project funded under an Airport Improvement Program Grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, current FAA Advisory Circulars (https://www.faa.gov/airports/aip/aip_pfc_checklist) for AIP projects as of [Selection Criteria: Project Application Date].

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C of 49 CFR Part 24 and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin, or sex, in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification and failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. § 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. §§ 3801-3809, 3812).

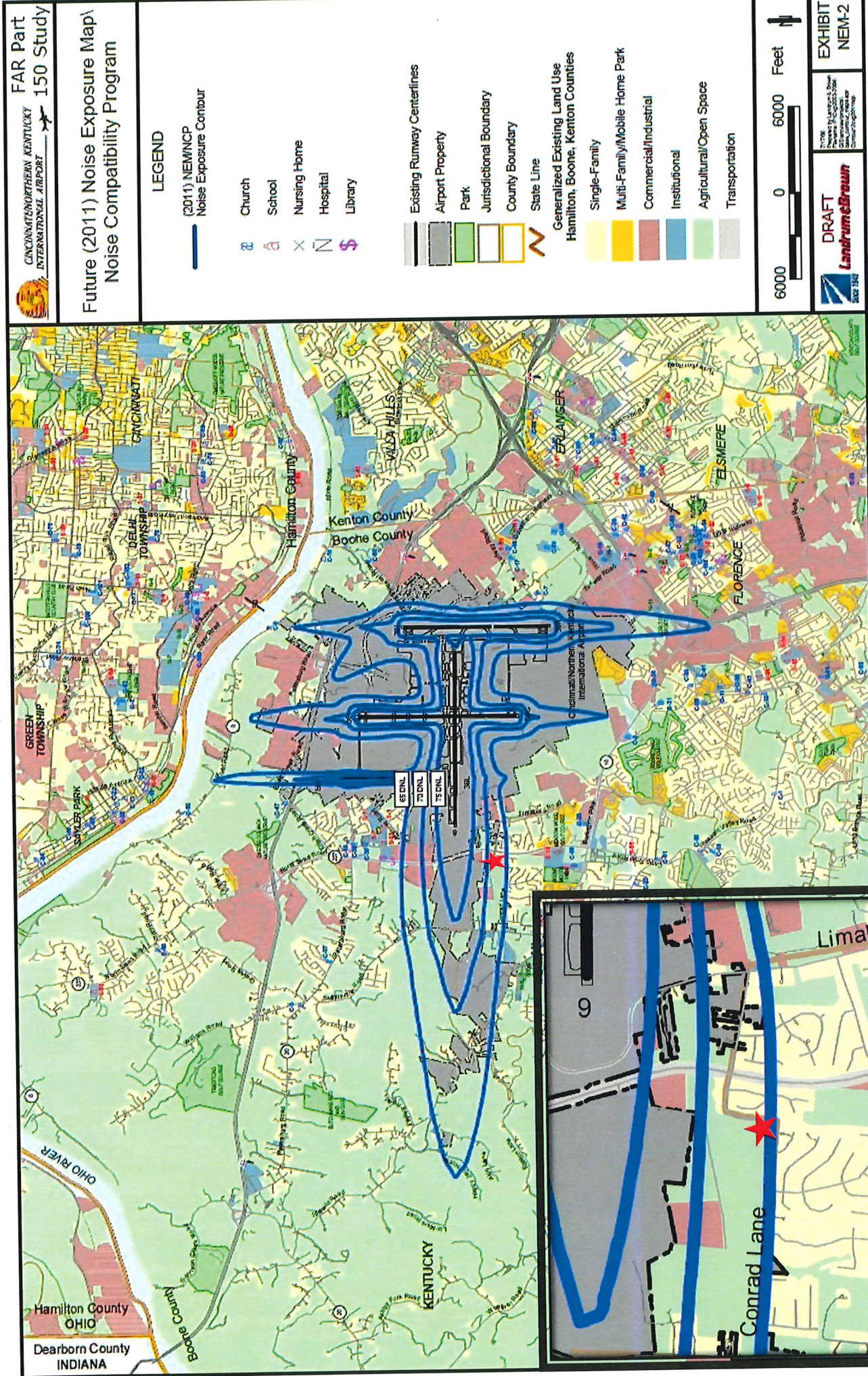
38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in 49 U.S.C. § 47102) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that:
 - 1. Describes the requests;
 - 2. Provides an explanation as to why the requests could not be accommodated; and
 - 3. Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.

Attachment 3



March 4, 2025

Mr. Michael D. Schwartz
Boone County Planning Commission
2950 Washington Street, Room 317
Burlington, Kentucky 41005

**Re: Gateway Blvd Residential Site – Additional Information for Committee Meeting
Review of the Change in Concept Development Plan**

Dear Michael,

Attached please find additional information submitted for review at the BCPC's March 19, 2025, Committee Meeting for the above-mentioned project:

1. One copy of the Traffic Impact Study including an intersection sight distance analysis.
It is noted that based on the proposed use and the number of units, the ITE Trip Generation Manual determined the AM peak hour and PM peak hour generates less than 50 trips, therefore a traffic analysis/study was not warranted but agreed to be performed with direction and an MOU from Rob Franxman the County Engineer. The study confirms that turn lanes are not warranted and sight distance is met. Through record research it was also verified that there is no recent history of accidents along the section of Conrad Lane adjacent to the site. The County Engineer confirmed that a high friction asphalt surface treatment was installed in 2020 to address any prior safety concerns.
2. One copy of a sight line / view shed study from the adjoining residential areas across Conrad Lane.
3. One copy of a sound study performed by Terracon. The sound levels measured, as stated in the report, fall below the 65 decibel DNL (day/night noise level) noise contours. However, the developer is evaluating options to further mitigate the noise levels as follows:
 - a. Thickening the attic insulation.
 - b. Use of a thicker dimensional roof shingle vs. traditional single tab.
 - c. Present buyers with an acknowledgement letter of the CVG noise contour zone.
 - d. The location of the site does meet FHA lending requirements.

It is also noted that the site is approximately 3,900' or $\frac{3}{4}$ of a mile south of the western runway of CVG and does not fall within the jurisdiction of the KY Airport Zoning Commission.

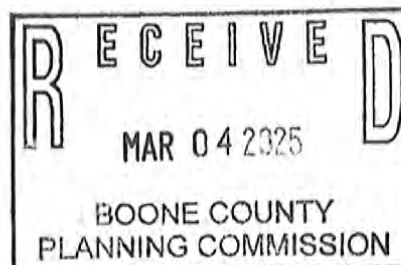
Please review and advise if any additional information is needed for the March 19 committee meeting and confirm we will be on that agenda.

Thank you,



Rob T. Keller, PE, LEED AP
Principal
859-261-1113
robkeller@bayerbecker.com

cc: Roger Wells, HSABH





611 Lunken Park Drive
Cincinnati, Ohio 45226

P (513) 321-5816

F (513) 321-0294

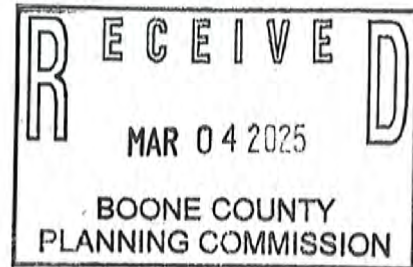
Terracon.com

October 24, 2024

Henkle Schueler & Associates Bunnel Hill Construction Company
3000 Henkle Drive G
Lebanon, Ohio 45036

Attn: Mr. Roger Wells
Senior Developer
P: (513) 228-6201
E: rwells@hsabh.com

Re: Results for Community Noise Monitoring
HSABH Gateway Residential Development
South of Gateway Boulevard
Burlington, Kentucky 41005
Terracon Project No. N1247335



Dear Mr. Wells:

Terracon Consultants, Inc. (Terracon) is pleased to provide the results of community noise monitoring study to Henkle Schueler & Associates Bunnel Hill Construction Company (Client) for the HSABH Gateway Residential Development in Burlington, Kentucky. The level of effort and associated tasks completed for this assessment were limited to the scope of services outlined in Terracon's Proposal PN1247335 dated September 19, 2024.

Terracon measured ambient noise levels at outdoor location in the northeast corner of the HSABH Gateway Residential Development project site closet to the Greater Cincinnati/ Northern Kentucky International Airport over a 24-hour period using a 3M™ Quest SoundPro™ DL Type-1 sound level meter (serial number BLP050001). The sound level meter was mounted in a weather-tight case with the microphone extended above the case to a height of about three feet above ground level. The instrument accumulated noise data using the A-weighting measurement scale, with the meter on "slow" response, and a 3-dB exchange rate. This instrument was programmed to calculate the day-night average sound level (Ldn) for the measurement period, which is the average noise level over a 24-hour period. For the Ldn, the measured noise between the hours of 10 p.m. and 7 a.m. is artificially increased by 10 dB to account for the decrease in community background noise of 10 dB during this period. The sound level meter was field-calibrated before and after monitoring using an acoustical calibrator provided by the manufacturer (3M™ Quest AC300 serial number

AC300005899). The acoustical calibrator and noise measuring instrument were calibrated by a third party within a year of the survey with the calibration traceable to the National Institute of Standards and Technology (NIST).

Table 1 details the results of the sound level measurement for the duration of the study and broken up into 12-hour periods of 07:00 to 18:59:00, and 19:00 through 06:59, which are common noise monitoring periods. The Ldn for the study period was 66.2 dBA.

Table 1: Community Noise Monitoring Results

Time Period	Sound Level Measurement (dBA)
September 26, 2024 13:09 through September 27, 2024 13:18	61
September 26, 2024 13:10 through September 26, 2024 18:59	60.1
September 26, 2024 19:00 through September 27, 2024 06:59	59.2
September 27, 2024 07:00 through September 27, 2024 13:18	63.8

Figure 1 below shows the logged data charge for the duration of the study.

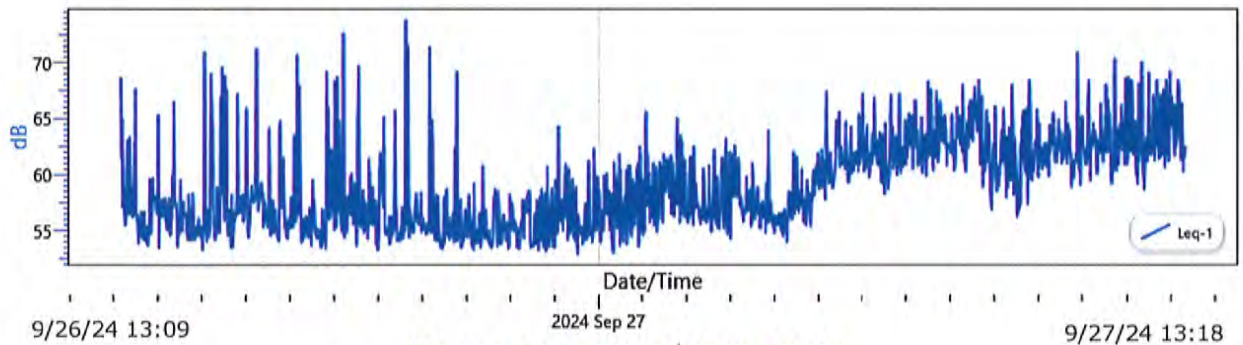


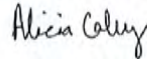
Figure 1: Logged Data Table

Terracon appreciates the opportunity to provide these services to Henkle Schueler & Associates Bunnel Hill Construction Company. If we can provide any additional environmental, occupational health, or safety-related services, please contact Brad Knipper at (513) 472-7027.

Sincerely,
Terracon Consultants, Inc.



Bradley S. Knipper, M.S., CIH, CSP
Senior Industrial Hygienist



Alicia Coley, CIH
Authorized Project Reviewer

Attachments: Exhibit 1: Map Project Site with Monitoring Location
Calibration Certificates



● Location of Monitoring Equipment

DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

Project Manager BSK	Project No. N1247335		MONITORING LOCATION
Drawn by: BSK	Scale: N.T.S.		HSABH Gateway Reside SOUTH OF GATEWAY BURLINGTON, KI
Checked by: ATH	File Name: N1247335Ex1		
Approved by: BSK	Date: 10/24/2024		
611 Lunken Park Drive Cincinnati, Ohio 45226 PH. (513) 321-5816 FAX. (513) 321-0294			



NISTLab/SAI
Winer-Greene Engineering Services

Certificate of Calibration

ISO 9001 CERTIFIED

Order Number: 20240506
Certificate Number 151339

Page 1

Issued To: RAECO RENTS
4340 GROVE AVE
GURNEE, IL 60031-2137

Date Received: 1/2/2024

Date Issued: 1/18/2024

Valid Until: Jan 2025

Equipment: Manufacturer: QUEST
Model Number: SP-DL-1-1/3
SerialNumber: BLP050001

Test Conditions :

Temperature: 20.2 C

Humidity: 36.6 %

Barometric Pressure: 1008.7 mBar

Control #
As Found:
FULLY FUNCTIONAL AND IN TOLERANCE.

As Returned:
FULLY FUNCTIONAL AND WITHIN TOLERANCE.

Special Conditions:
NONE

Work Performed:
CALIBRATED PER CALIBRATION PROCEDURE SL-004.

CALIBRATED TO: ANSI S1.11-2004 ANSI 1.43 -1997 TYPE 1

MeasurementUncertainties: ACOUSTIC 1.0 DB, FREQUENCY +/- 0.1 HZ, DC VOLTAGE 0.1%, AC VOLTAGE 0.5%

Device, Description, Report Number, Date Due

Reference Standards:

1004, QUEST QE-4170, 1" PRECISION MICROPHONE, 20230618-148768, 10/24/2025

1009, 8903B, AUDIO GENERATOR, 1518332, 5/31/2024

1024, HP 3456A, PRECISION DIGITAL VOLTMETER, 655349, 4/25/2024

1051, 1800, TYPE 1 SOUND LEVEL METER, 20220618-151869, 1/31/2025

1052, OB-100, 1:1 OCTAVE BAND FILTER, 20220618-151868, 1/31/2025

1053, Nor1525, NORSONIC TYPE NOR1525 IEC/ANSI CALIBRATION SYSTEM., CAL 022-2022-16316, 6/12/2024

Reviewed by:

1/18/2024

Authorized Signature: Brian Stanhope

This report certifies that all calibration equipment used in the test is traceable to the National Institute of Standards (NIST) , and applies only to the unit identified under "Equipment" above. This report must not be reproduced except in it's entirety without express written approval.

Certificate of Calibration

ISO 9001 CERTIFIED



NISTLab/SAI

Winer-Greene Engineering Services

Order Number: 20240506
Certificate Number 151340

Page 1

Issued To: RAECO RENTS
4340 GROVE AVE
GURNEE, IL 60031-2137

Date Received: 1/2/2024
Date Issued: 1/18/2024
Valid Until: Jan 2025

Equipment: Manufacturer: 3M
Model Number: AC-300
SerialNumber: AC300005899

Test Conditions :

Temperature: 20.2 C
Humidity: 36.6 %
Barometric Pressure: 1008.7 mBar

Control #
As Found:
FULLY FUNCTIONAL AND IN TOLERANCE.

As Returned:
FULLY FUNCTIONAL AND WITHIN TOLERANCE.

Special Conditions:
NONE

Work Performed:
CALIBRATED PER CALIBRATION PROCEDURE CN-005.

CALIBRATED TO: ANSI S1.40-1984

Measurement Uncertainties: ACOUSTIC +/- 0.15 DB, FREQUENCY +/- 0.1HZ, DC VOLTAGE 0.1%, AC VOLTAGE 0.5%

Device, Description, Report Number, Date Due

Reference Standards:

1004, QUEST QE-4170, 1" PRECISION MICROPHONE, 20230618-148768, 10/24/2025
1009, 8903B, AUDIO GENERATOR, 1518332, 5/31/2024
1024, HP 3456A, PRECISION DIGITAL VOLTMETER, 655349, 4/25/2024
1053, Nor1525, NORSONIC TYPE NOR1525 IEC/ANSI CALIBRATION SYSTEM., CAL 022-2022-16316, 6/12/2024
9108, 42AC, PISTONPHONE, HIGH-PRESSURE, CLASS 1, 34110-1, 6/30/2024
9109, 4228, PISTONPHONE, HIGH PRESSURE, CLASS 1, 33966-1, 4/30/2024

Reviewed by:

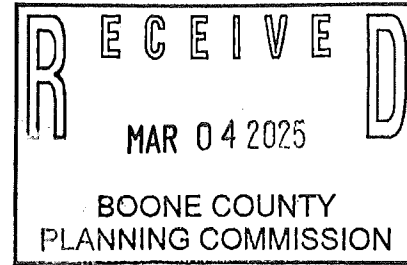
1/18/2024

Authorized Signature: Brian Stanhope

This report certifies that all calibration equipment used in the test is traceable to the National Institute of Standards (NIST), and applies only to the unit identified under "Equipment" above. This report must not be reproduced except in its entirety without express written approval.

Memorandum

Date: February 27, 2025
To: Rob Franxman, Boone County Public Works
Michael Schwartz, Boone County Planning Commission
From: Katie Dillenburger, Bayer Becker
Tessa Ernst, Bayer Becker
cc: Roger Wells, Bunnel Hill Development
Rob Keller, Bayer Becker
Subject: Proposed HSABH Gateway Residential Development
Abbreviated Traffic Impact Study & Safety Review



Bayer Becker has prepared the following Abbreviated Traffic Impact Study (TIS) and Safety Review for the site / proposed HSABH Gateway residential development project located along Conrad Lane, west of North Bend Road (KY 237) and south of Gateway Boulevard, in Boone County, Hebron, Kentucky.

The specific scope of work was identified by Bayer Becker, based on Boone County requirements, as presented in a Memorandum of Understanding (MOU) dated October 17, 2024, which was approved by Boone County Public Works (BCPW) with comments.

A copy of the MOU and BCPW comments are provided by attachment.

Proposed Development

The proposed HSABH Gateway residential development project is to consist of six multifamily buildings containing approximately 68 residential units in total.

Site access is to be provided along Conrad Lane, approximately 1,250 feet southwest of North Bend Road (KY 237) and approximately 1,050 feet northeast of Carry Back Drive (measured center-to-center, along the Conrad Lane centerline, using aerial imagery).

A concept development plan is provided by attachment.

Area Conditions

The study area of the TIS includes the key intersection of Conrad Lane and the proposed site access drive.

In general, Conrad Lane is an east-west, two-lane roadway starting at Limaburg Road (KY 3168), crossing North Bend Road (KY 237), and terminating at Idlewood Road opposite Maplewood Drive. According to the Kentucky Transportation Cabinet (KYTC) Functional Classification Map, Conrad Lane is an urban major collector.

Along the site frontage, Conrad Lane turns north-south and it has a posted speed limit of 35 miles per hour.

Existing Traffic

To determine the weekday AM and PM peak hour traffic volumes along Conrad Lane at the proposed site access drive, Bayer Becker performed directional traffic counts of Conrad Lane to the south and west of Elkwood Drive on a typical weekday, Wednesday, November 6, 2024, from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM.

The complete traffic count information is attached.

Based on the data collected, the weekday peak hours occurred from:

- 7:00 AM to 8:00 AM – AM Peak Hour
- 5:00 PM to 6:00 PM – PM Peak Hour

The 2024 existing traffic volumes are presented in Figure 1.

No Build Traffic

To assess future impacts of site traffic on the adjacent roadway, volumes for 2026, the estimated full build out year of the proposed development, are to be evaluated.

A linear annual growth rate of 0.81% was calculated for the study area, based on nearby traffic data published by KYTC. A rounded 1.00% growth rate was applied to the 2024 existing traffic volumes to estimate future 2026 no build traffic volumes. More specifically, the growth rate yielded the following growth factor:

- 1.02 – 2026 full build out year

KYTC data and the KYTC growth rate / forecast spreadsheet are provided by attachment. The 2026 no build traffic volumes are presented in Figure 2.

Site Traffic

Trips generated by the proposed multifamily residential development project were calculated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition.

Site trips for the weekday AM and PM peak hours of adjacent street traffic are presented in the following table.

Land Use	ITE Code	Size	Unit	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Multifamily Housing (Low-Rise)	220	68	DU	11	33	44	31	19	50

Land use descriptions and trip generation information excerpted from the ITE Trip Generation Manual are provided by attachment for reference.

The weekday peak hour site trips generated by the proposed development were distributed at the key intersection of Conrad Lane and the proposed site access drive based on existing and expected traffic patterns. More specifically, during the AM peak hour, site trips were distributed at 73% entering and exiting from / to the north on Conrad Lane and 27% entering and exiting from / to the south on Conrad Lane. During the PM peak hour, site trips were distributed at 63% entering and exiting from / to the north on Conrad Lane and 37% from / to the south.

The resulting site traffic volumes are presented in Figure 3.

Build Traffic

To determine 2026 build traffic volumes, the proposed site traffic volumes from Figure 3 were combined with the 2026 no build traffic volumes from Figure 2.

The 2026 build traffic volumes are presented in Figure 4.

Turn Lane Analysis

The need for turn lanes on Conrad Lane at the proposed site access drive was determined using the KYTC Turn Lane Warrant spreadsheet.

Based on the analysis, left or right turn lanes are not warranted for 2026 build traffic volumes, including site traffic associated with the proposed development.

While warrants are not met, turn lane storage lengths were calculated for potential turn lanes on Conrad Lane at the proposed site access drive, as required by BCPW, using the KYTC Highway Design Manual.

As such, the following turn lane storage lengths were calculated for Conrad Lane at the proposed site access drive:

- 125' northbound left turn lane.
- 125' southbound right turn lane.

The complete turn lane warrant analysis and storage length calculations are provided by attachment.

Safety Review

Crash information / collision data for the stretch of Conrad Lane between Carry Back Drive and Elkwood Drive was obtained from the Kentucky State Police Department website for the prior 3-year period, from January 1, 2022 through December 31, 2024.

In the immediate area, Conrad Lane between Carry Back Drive and Elkwood Drive, two (2) single vehicle collisions were documented during the 3-year period. More specifically, upon review of the available summary information, which is attached, the following additional details were reported.

- A mid-block, single vehicle collision accident occurred on April 1, 2022 at 8:50 AM, during cloudy and wet conditions, resulting in property damage only.
- A mid-block, single vehicle collision accident occurred on January 22, 2023 at 8:14 AM, during snowy and slushy conditions, resulting in property damage only.

Based on the crash information obtained, an accident history is not apparent along Conrad Lane in the vicinity of the proposed site access drive.

However, considering additional information provided by BCPW, a safety concern along Conrad Lane was previously identified and was subsequently addressed by the County via a safety improvement project constructed in the summer / fall of 2020. In particular, high friction surface treatment was installed / applied to the roadway pavement. An excerpt from the Conrad Lane construction documents is attached for reference.

To better understand the impacts of the safety improvement project, additional crash information for Conrad Lane between Carry Back Drive and Elkwood Drive was retrieved from the Kentucky State Police Department website, including data from January 1, 2015 through December 31, 2021.

- 2015 – One accident was recorded, involving a single vehicle, under snowy, slushy, and dark conditions, and resulting in property damage only.
- 2016 – Four accidents were recorded, including three property damage only and one injury incidents. All accidents involved a single vehicle. Roadway conditions were wet, snowy, or slushy for all but one crash, which was dry.
- 2017 – Four crashes were recorded. The incidents resulted in property damage only and consisted of both one and two vehicle accidents (two each), with wet, snowy, or slushy conditions reported.
- 2018 – Three accidents were recorded, including two property damage only and one injury incidents. Roadway conditions were wet for the two single vehicle crashes and dry for the only two-vehicle incident.
- 2019 – Eleven accidents were recorded, including nine property damage only, single vehicle incidents and two injury, two vehicle incidents. Wet roadway conditions were reported for all crashes.
- 2020 – Six accidents were recorded. All single vehicle, property damage only incidents. Roadway conditions were wet for four accidents, icy for one, and dry for one.
- 2021 – One accident was recorded, involving a single vehicle and resulting in property damage only. Dry roadway conditions were reported.

It is noted that during the 2016, 2017, and 2018 evaluation years, one crash per year was recorded, three total, along Conrad Lane between Carry Back Drive and Elkwood Drive; however, the location description (entering / leaving entrance) and accident type (angle) indicate otherwise. As such, these incidents were removed from the above summaries.

Based the crash information / collision data collected from 2015 through 2020 (i.e., 29 crashes) versus the data from 2021 through 2024 (i.e., three incidents), with the significant reduction of accidents, it appears that the BCPW safety improvement project, the installation / application of high friction surface treatment to Conrad Lane, has addressed the safety concern.

Crash information / collision data for the stretch of Conrad Lane between Carry Back Drive and Elkwood Drive, as obtained from the Kentucky State Police Department, is provided by attachment.

Intersection Sight Distance Analysis

According to the KYTC Highway Design Manual, all intersections should have adequate sight distance, which consists of providing the driver of a vehicle approaching an intersection an unobstructed view of the entire intersection and sufficient lengths along the intersecting highway.

Per the American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, the required intersection sight distance for a two-lane roadway with a design speed limit of 35 miles per hour is 390 feet.

Based on the intersection sight distance analysis completed for the intersection of Conrad Lane and the proposed site access drive, with clearing provided in the immediate vicinity of the proposed site access drive, adequate intersection sight distance is available.

The intersection sight distance analysis is provided by attachment.

Conclusions

Considering the calculations, analysis, and results of this Abbreviated TIS and Safety Review, the following conclusions are made:

- No turn lanes are warranted on Conrad Lane at the proposed site access drive serving the proposed HSABH Gateway residential development project.
- There is no recent history of accidents along Conrad Lane, in the vicinity of the proposed site access drive. It is apparent that the BCPW safety improvement project completed in 2020 along Conrad Lane between Carry Back Drive and Elkwood Drive, with the installation / application of high friction surface treatment, has addressed the prior safety concerns.
- Adequate intersection sight distance is provided along Conrad Lane at the proposed site access drive, with clearing provided.

Please contact the author(s) of this Memorandum / Abbreviated TIS and Safety Review with any questions or comments or should any additional information be needed.

Attachments

23 0231 - Gateway Residential - Hebron KY - Abbreviated TIS & Safety Review 250227.docx

Conrad Lane

104 (307)

278 (177)

Conrad Lane



N.T.S.

Figure 1

Proposed HSABH Gateway Residential Development

City of Hebron, Boone County, KY

2024 Existing Traffic Volumes

XX - AM Peak Hour

(XX) - PM Peak Hour



www.bayerbecker.com
206 Grandview Drive
Fort Mitchell, KY - 859.261.1113

Conrad Lane

← 106 (313)

284 (181) →

Conrad Lane

Figure 2

Proposed HSABH Gateway Residential Development

City of Hebron, Boone County, KY

2026 No Build Traffic Volumes

XX - AM Peak Hour
(XX) - PM Peak Hour



N.T.S.



www.bayerbecker.com
206 Grandview Drive
Fort Mitchell, KY - 859.261.1113

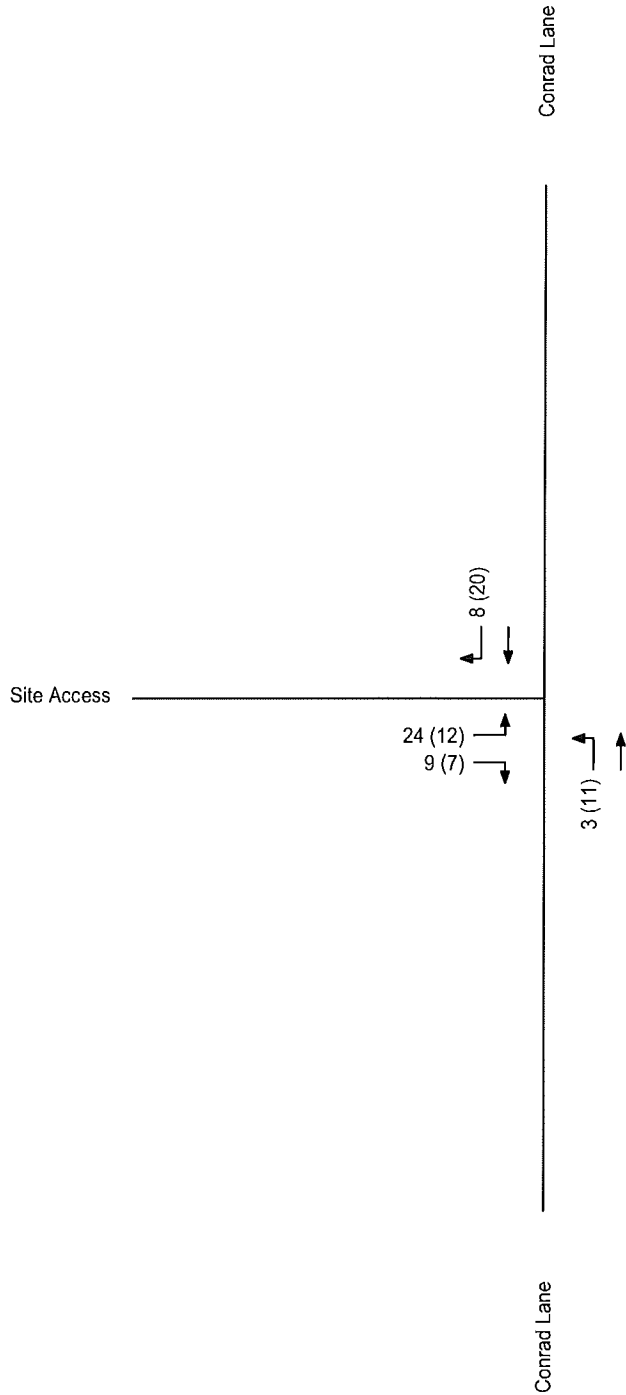


Figure 3

Proposed HSABH Gateway Residential Development

City of Hebron, Boone County, KY

Site Traffic Volumes

XX - AM Peak Hour
 (XX) - PM Peak Hour



www.bayerbecker.com
 206 Grandview Drive
 Fort Mitchell, KY - 859.261.1113

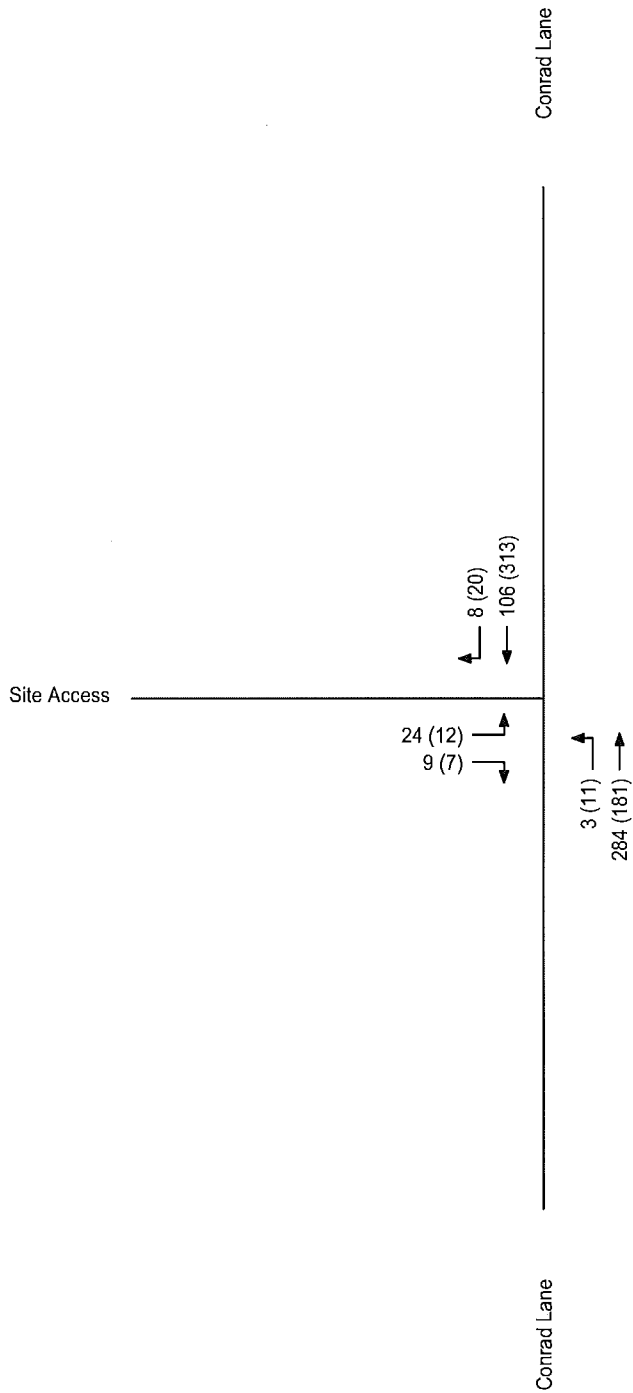


Figure 4

Proposed HSABH Gateway Residential Development

City of Hebron, Boone County, KY

2026 Build Traffic Volumes

XX - AM Peak Hour
 (XX) - PM Peak Hour



www.bayerbecker.com
 206 Grandview Drive
 Fort Mitchell, KY - 859.261.1113

Attachments

MOU & BCPW Comments + Concept Development Plan

Memorandum of Understanding

Date: October 17, 2024

To: Rob Franxman, Boone County Public Works

From: Katie Dillenburg, Bayer Becker

cc: Roger Wells, Schueler Group
Rob Keller, Bayer Becker

Subject: HSABH Gateway Residential – Conrad Lane, Boone County, Hebron, KY
Abbreviated Traffic Impact Study – Proposed Scope of Work

Plans for a residential development are proposed along Conrad Lane, west of North Bend Road (KY 237) and south of Gateway Boulevard, in Boone County, Hebron, Kentucky.

More specifically, based on the attached concept development plan, the project site/proposed development is to consist of six multifamily buildings containing approximately 68 residential units. Site access is to be provided along Conrad Lane, approximately 1,250 feet southwest of North Bend Road (KY 237) and approximately 1050 feet northeast of Carry Back Drive (measured center-to-center, along Conrad Lane centerline, using aerial imagery). A full build out year of 2026 is estimated.

While a traffic impact study (TIS) is not warranted per the Boone County Traffic Study Policy considering trip generation for the site (i.e., less than peak hour 50 trips), based on initial coordination with Boone County Public Works (BCPW), an abbreviated traffic impact study (TIS) shall be prepared for the proposed development project.

The following scope of work is proposed and submitted to BCPW for review. With approval, Bayer Becker shall prepare an abbreviated TIS.

- The study area of the abbreviated TIS shall consist of the key intersection of Conrad Lane and the proposed site access drive
- To determine the weekday AM and PM peak hour traffic volumes along Conrad Lane at the location of the proposed site access drive, directional traffic counts shall be conducted on a typical Tuesday, Wednesday, or Thursday (non-holiday, with school in session), from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM.
- Site trips for the proposed development, for the weekday AM and PM peak hours of adjacent street traffic, shall be calculated per the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.
- Site trip distribution and traffic assignment for the proposed development shall be prepared for the weekday AM and PM peak hours, at the key intersection, based on the existing distribution of traffic.
- Future traffic volumes along Conrad Lane for the 2026 build out year shall be estimated using a growth rate provided by BCPW. These traffic volumes shall be combined with the calculated site traffic volumes to determine 2026 total / build traffic volumes.
- Turn lane analysis shall be completed for the key intersection, for Conrad Lane at the proposed site access drive, using the Kentucky Transportation Cabinet (KYTC) Highway Design Guidance Manual and / or the KYTC Turn Lane Warrant spreadsheet. If applicable, storage length calculations shall be prepared for warranted turn lanes.

Complete information, calculations, and results of the analysis shall be summarized in an abbreviated TIS report, which shall be submitted to BCPW for review and approval.

As previously indicated, this proposed scope of work is submitted to BCPW for review. Upon approval of this MOU, Bayer Becker will proceed with abbreviated TIS preparations.

SITE DATA

- EXISTING ZONING: I-1/PD/C/D**
 MINIMUM FRONT YARD BUILDING DEPTH = 50'
 MINIMUM REAR YARD BUILDING DEPTH = 30' (50' IF ADJOINING SR-1)
 MINIMUM SIDE YARD BUILDING DEPTH = 10' (50' IF ADJOINING SR-1)
 MINIMUM LOT AREA = 20,000 S.F.
 MINIMUM FRONTAGE = 150'
 MAXIMUM BUILDING HEIGHT = 50'
- PROPOSED BUILDING SETBACKS AND HEIGHT REGULATIONS**
 INTERNAL MINIMUM FRONT YARD BUILDING DEPTH = 10'
 MINIMUM SIDE YARD BUILDING DEPTH = 5' MIN/10' TOTAL
 INTERNAL MINIMUM LOT AREA = 10,000 S.F.
 INTERNAL MINIMUM FRONTAGE = 100'
- TOTAL PROJECT ACREAGE: 11.849 AC.**
STREET RIGHT-OF-WAY ACREAGE: 0.627 AC.
- PRODUCT TYPE WILL BE ATTACHED SINGLE FAMILY RESIDENTIAL/CONDOMINIUMS.**
- BUILDING/UNIT MIX SUMMARY:**
 4 BUILDINGS WITH 14 UNITS EACH (2 BEDROOM) (56 UNITS)
 1 BUILDING WITH 7 UNITS EACH (2 BEDROOM) (7 UNITS)
 1 BUILDING WITH 5 UNITS EACH (2 BEDROOM) (5 UNITS)
TOTAL : 68 RESIDENTIAL HOUSING UNITS

 68 UNITS/11.849 ACRES = 5.7± UNITS PER ACRE AS SHOWN ON PLAN.
 NOT TO EXCEED 8 UNITS PER ACRE.
- SOIL TYPES (PER USDA SOIL CONSERVATION SERVICE MAPS):**
 - JeD (Jessup silt loam, 12-20% slopes)
 - ReB (Rossmoyn silt loam, 0-6% slopes)
 - RSc (Rossmoyn silt loam, 6-12% slopes)
- UTILITY PROVIDERS:**
 - WATER: BOONE COUNTY WATER
 - SANITARY SEWER: SANITATION DISTRICT #1 (SD1)
 - STORM SEWER: SANITATION DISTRICT #1 (SD1)
 - GAS: DUKE ENERGY
 - ELECTRIC: DUKE ENERGY




GENERAL NOTES

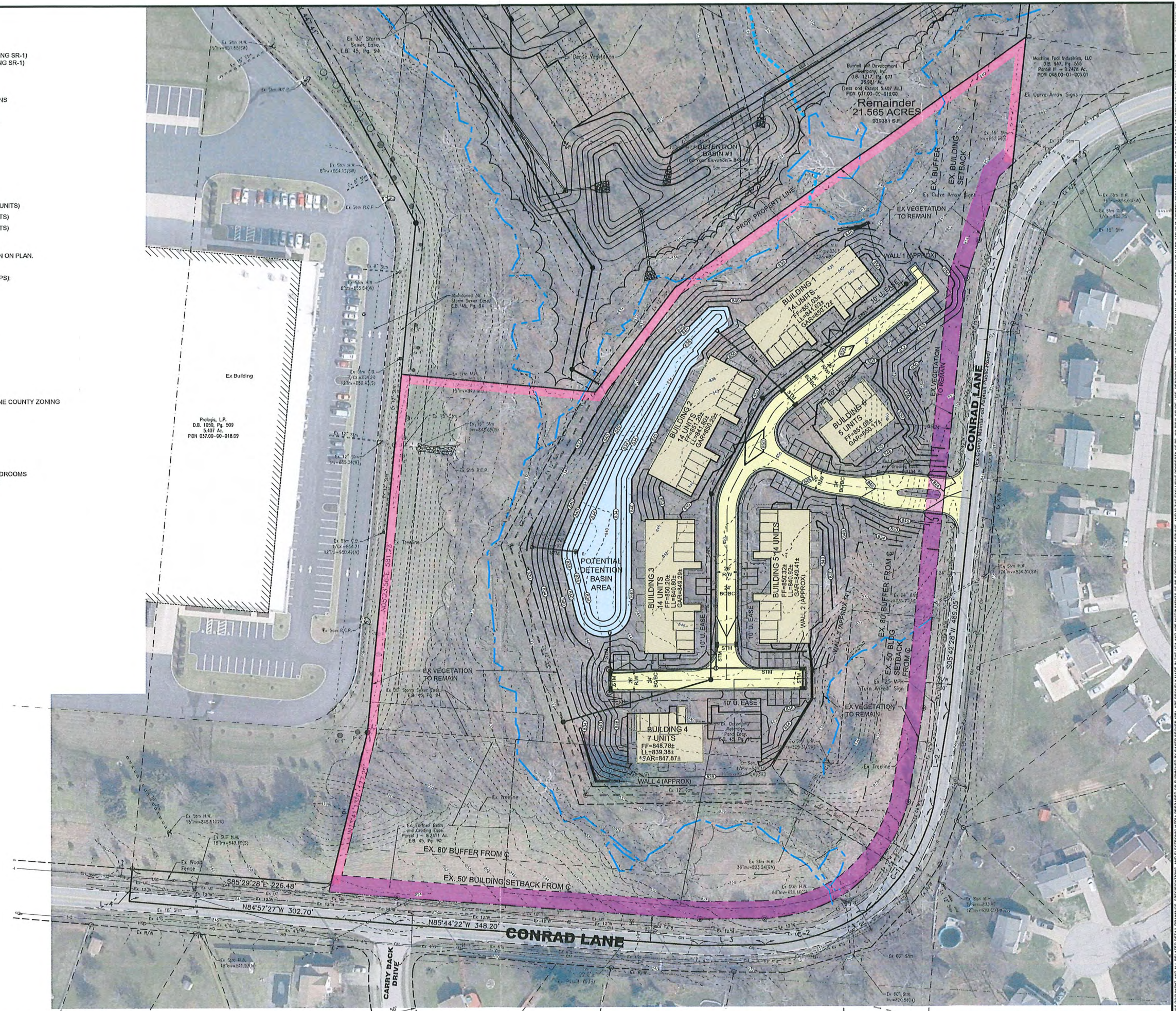
- LANDSCAPING SHALL MEET THE REQUIREMENTS OF THE BOONE COUNTY ZONING ORDINANCE, ARTICLE 38.
- ALL INTERNAL STREETS SHALL BE PUBLIC.

PARKING SUMMARY

PARKING REQUIRED	2.0 SPACES PER UNIT FOR 2+ BEDROOMS =136 PARKING SPACE REQUIRED
PARKING PROVIDED	40 GARAGE 40 DRIVEWAY 57 SURFACE 137 TOTAL (2.0+ PER UNIT)

LEGEND

-  EXISTING VEGETATION TO REMAIN
-  RESIDENTIAL BUFFER YARD A
MINIMUM 10' WIDTH
-  RESIDENTIAL BUFFER YARD B
MINIMUM 20' WIDTH



Date	Drawn	Chk	Revision	Description
			1	
			2	
			3	
			4	
			5	
			6	
			7	
			8	
			9	

**HSABH GATEWAY
RESIDENTIAL**
 SOUTH OF GATEWAY BOULEVARD
 BOONE COUNTY
 HEBRON, KENTUCKY
CONCEPT DEVELOPMENT PLAN - AERIAL



Drawn by: JLR
 Checked by: JLR
 Issue Date: 9-03-24

Plot time: Sep 03, 2024 - 3:40pm
 Drawing name: J:\2023\23-0231\PL\DWG\23-0231 PL Residential JLR.dwg - Layout Tab: Site Exhibit

Katie Dillenburger

From: Robert Franxman <rfranxman@boonecountyky.org>
Sent: Wednesday, October 30, 2024 5:15 PM
To: Katie Dillenburger
Cc: Rob Keller
Subject: RE: Gateway Blvd Industrial Site

Hi Katie,

My concerns at this location are safety related. I like everything you have here, but I would request a few things be added,

- Sight Distance analysis – the drawings I've seen are a bit odd since the measurements are not from the entrance point. It looks like the measurements are from an adjusted access location. It would be nice if it was all inclusive. I think an explanation of the sight distance analysis would also be good.
- Safety Analysis – There is a high crash history in this area, other TIS preparers have conducted a statistical analysis of crash data to identify the potential causes and crash patterns in the study area. The analysis should also consider pedestrian and other modes in the area since a MUP will be constructed in the near future.
- Turn Lane Lengths – Due to the crash history, I think it would be good to see what turn lanes would look like even if warrants are not met.

Thanks,
Rob

From: Katie Dillenburger <katiedillenburger@bayerbecker.com>
Sent: Tuesday, October 22, 2024 4:28 PM
To: Robert Franxman <rfranxman@boonecountyky.org>
Cc: Rob Keller <robkeller@bayerbecker.com>
Subject: RE: Gateway Blvd Industrial Site

EXTERNAL MESSAGE

Hi Rob,

Per my VM from late last week, I wanted to discuss TIS requirements for the Gateway Residential project with you. I have prepared the attached MOU presenting a proposed scope of work. Please review and let me know if it is acceptable.

Thanks,
Katie



Kathryn M. Dillenburger, P.E.
Associate

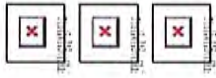
O: 513-492-9837

M: 513-293-2336

E: katiedillenburger@bayerbecker.com

bayerbecker.com

[mason](#) | [cincinnati](#) | [ft.mitchell](#) | [oxford](#) | [indianapolis](#)



From: Rob Keller <robkeller@bayerbecker.com>
Sent: Tuesday, October 15, 2024 3:20 PM
To: Katie Dillenburger <katiedillenburger@bayerbecker.com>
Subject: FW: Gateway Blvd Industrial Site

FYI



Rob T. Keller, PE
Principal

O: 859-415-1605
M: 859-468-6985
E: robkeller@bayerbecker.com
bayerbecker.com

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From: Robert Franxman <rfranxman@boonecountyky.org>
Sent: Tuesday, October 1, 2024 1:13 PM
To: Rob Keller <robkeller@bayerbecker.com>
Cc: Tom Logan <tlogan@boonecountyky.org>
Subject: RE: Gateway Blvd Industrial Site

Hi Rob,

Below are the comments I submitted to P&Z.

Thanks,
Rob

- I understand volumes are low, but there is a crash history at that “s” curve. Sight distances will certainly need verified and will need to meet intersection sight distance not stopping sight distances. Turn lanes may be warranted to alleviate safety concerns.
- I don’t love that they intend the streets to be public. Ideally they would terminate in cul-de-sacs; but at the very least “t” turn arounds will be subject to scrutiny to ensure they meet PW practices.

From: Rob Keller <robkeller@bayerbecker.com>
Sent: Friday, September 27, 2024 3:12 PM
To: Robert Franxman <rfranxman@boonecountyky.org>
Cc: Tom Logan - City of Covington (tlogan@covingtonky.gov) <tlogan@covingtonky.gov>
Subject: Gateway Blvd Industrial Site

EXTERNAL MESSAGE

Hi Rob,

I wanted to share with you, if you have not already been provided, our revision to the Gateway Park industrial park. We are proposing a change in concept development plan to provide attached single-family homes in the SE area of the site adjacent to Conrad Lane. Access for this development would be from Conrad Lane.

Attached is our Concept Development Plan for providing 68 single-family attached homes, our sight distance study and our recently approved title sheet/site plan for the industrial building along Gateway with potential for a future building in the area where we are now proposing residential.

At 68-units the site will generate less than 50 trips in the am/pm peak-hour so no traffic-analysis was required per the BCPC traffic policy (see last 2 files)

We are scheduled for a public hearing next Wed Oct 2 and would be interested in hearing any comments you may have relative to our site and access.

Be happy to setup a quick call early next week if you are available.

Thanks in advance.

Rob



Rob T. Keller, PE
Principal

O: 859-415-1605

M: 859-468-6985

E: robkeller@bayerbecker.com

bayerbecker.com

[mason](#) | [cincinnati](#) | [ft. mitchell](#) | [oxford](#) | [indianapolis](#)



Traffic Count Information

Conrad Lane - West of KY 237 (North Bend Road)
 Boone County, KY
 Directional Traffic Count Data
 Wednesday, November 6, 2024



Start Time	Northbound	Southbound	Total
------------	------------	------------	-------

7:00 AM	88	27	115
7:15 AM	85	26	111
7:30 AM	59	31	90
7:45 AM	46	20	66
Hourly Total	278	104	382
8:00 AM	50	20	70
8:15 AM	67	34	101
8:30 AM	70	32	102
8:45 AM	36	22	58
Hourly Total	223	108	331

4:00 PM	42	68	110
4:15 PM	28	69	97
4:30 PM	51	63	114
4:45 PM	41	67	108
Hourly Total	162	267	429
5:00 PM	54	80	134
5:15 PM	33	76	109
5:30 PM	43	80	123
5:45 PM	47	71	118
Hourly Total	177	307	484

AM Peak Hour	Northbound	Southbound	Total
7:00 - 8:00	278	104	382

PM Peak Hour	Northbound	Southbound	Total
5:00 - 6:00	177	307	484

KYTC Data & Forecast Spreadsheet

Historical Traffic Volume Summary
Station Details:

Sta ID:	008M07
Sta Type:	Full Coverage
Map:	MapIt
District:	6
County:	Boone
Route:	008-CR-1056 -000
Route Desc:	CONRAD LN

Begin MP:	0.3730
Begin Desc:	KY 237
End Mp:	1.5960
End Desc:	BULLITTSVILLE RD
Impact Year:	
Year Added:	2011

Newest Count:

AADT:	4351
Year:	2021
% Single:	
% Combo:	
K Factor:	11.60
D Factor:	59

Definitions:

Sta. ID - Three digit county number + station number
MP - milepoint

Impact Year - year of significant change to traffic pattern within station segment

AADT - Annual Average Daily Traffic - the annualized average 24-hour volume of vehicles on a segment of roadway

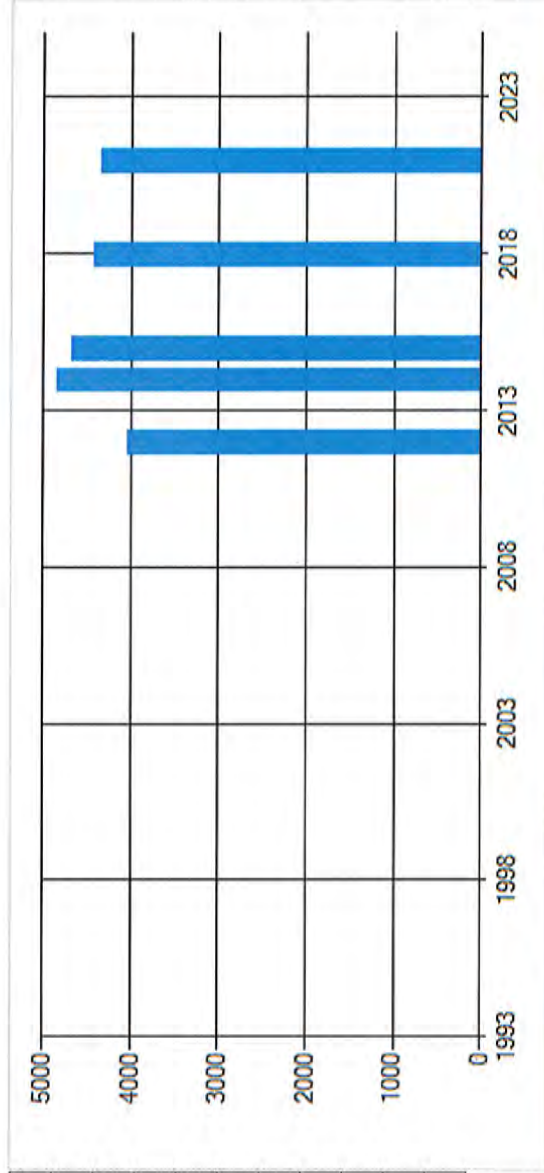
% Single - single unit truck volume as a percentage of the AADT

% Combo - combination truck volume as a percentage of the AADT

K Factor - peak hour volume as a percentage of the AADT

D Factor - percentage of peak hour volume flowing in the peak direction

Year	AADT	Year	AADT	Year	AADT
2024		2014	4843	2004	
2023		2013		2003	
2022		2012	4033	2002	
2021	4351	2011		2001	
2020		2010		2000	
2019		2009		1999	
2018	4435	2008		1998	
2017		2007		1997	
2016		2006		1996	
2015	4684	2005		1995	



Trip Generation ITE Excerpts

Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

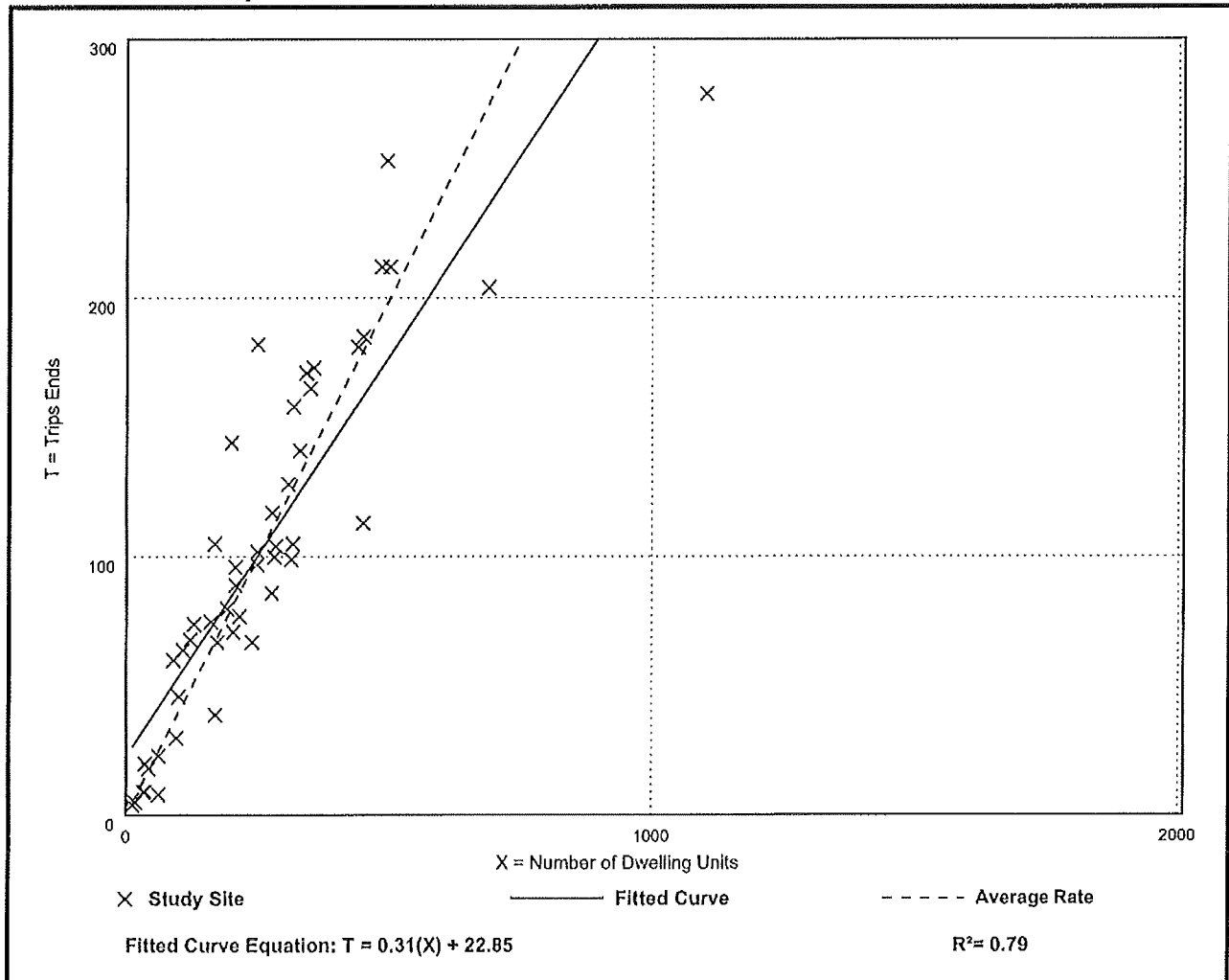
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 59

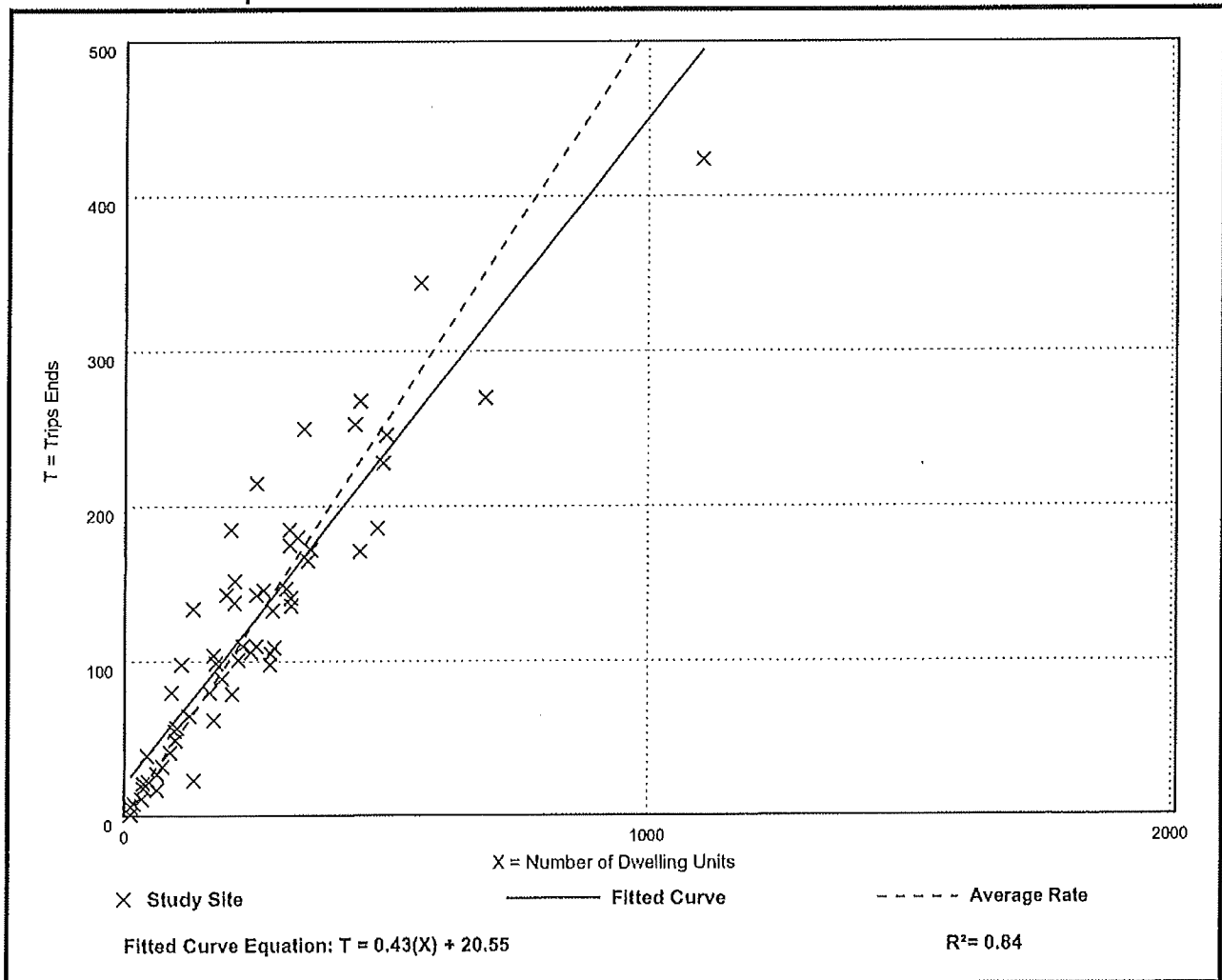
Avg. Num. of Dwelling Units: 241

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

Data Plot and Equation



Turn Lane Warrant Analysis & Storage Length Calculations

Conrad Lane and Site Access Northbound Left Turn Lane Warrant 2026 Build - AM Peak Hour

Input Fields

Left Turn Volume (vph)	3	Speed Limit (mph)	35
Advancing Volume (vph)	287	No. of through lanes	1
Opposing Volume (vph)	114	Percent Heavy Vehicles (decimal percent)	0.03



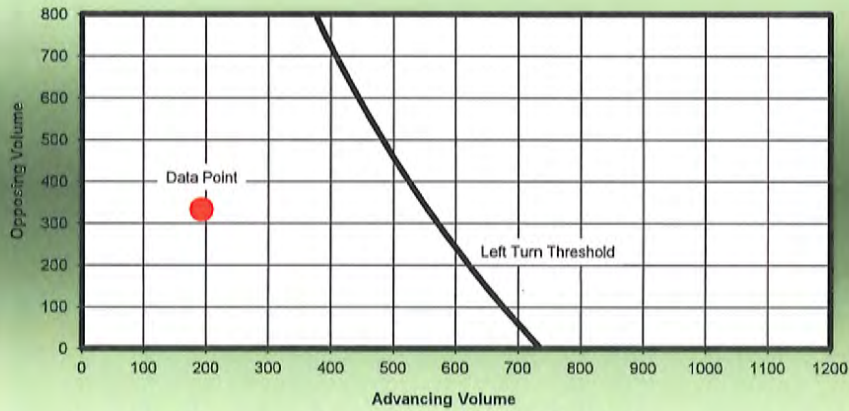
Note: This spreadsheet is intended to supplement the guidance provided in the Auxiliary Turn Lane policy outlined in the KYTC Highway Design Manual. This policy should be fully reviewed and understood prior to using this application.

Conrad Lane and Site Access Northbound Left Turn Lane Warrant 2026 Build - PM Peak Hour

Input Fields

Left Turn Volume (vph)	11	Speed Limit (mph)	35
Advancing Volume (vph)	192	No. of through lanes	1
Opposing Volume (vph)	333	Percent Heavy Vehicles (decimal percent)	0.03

Left Turn Lane Warrants



Left Turn Lane NOT Warranted

Note: This spreadsheet is intended to supplement the guidance provided in the Auxiliary Turn Lane policy outlined in the KYTC Highway Design Manual. This policy should be fully reviewed and understood prior to using this application.

Conrad Lane and Site Access Southbound Right Turn Lane Warrant 2026 Build - AM Peak Hour

Input Fields

Right Turn Volume (vph)

8

Speed Limit (mph)

35

Advancing Volume (vph)

114



Note: This spreadsheet is intended to supplement the guidance provided in the Auxiliary Turn Lane policy outlined in the KYTC Highway Design Manual. This policy should be fully reviewed and understood prior to using this application.

Conrad Lane and Site Access Southbound Right Turn Lane Warrant 2026 Build - PM Peak Hour

Input Fields

Right Turn Volume (vph) 20

Speed Limit (mph) 35

Advancing Volume (vph) 333



Note: This spreadsheet is intended to supplement the guidance provided in the Auxiliary Turn Lane policy outlined in the KYTC Highway Design Manual. This policy should be fully reviewed and understood prior to using this application.

Conrad Lane and Site Access Northbound Left Turn Lane Length 2026 Build

Input Fields

Turn Volume	11	Calculated Turn Lane Length (ft)	
Speed Limit	35	Desirable	125
Cycle Length	0	Minimum	125
<i>(Enter 0 for Uncontrolled, 60 for Stop Controlled)</i>			
Approach Percent Grade (G)	0		
Is this a Rural Arterial (Y or N)	N		

Note: This spreadsheet is intended to supplement the guidance provided in the Auxiliary Turn Lane policy outlined in the KYTC Highway Design Manual. This policy should be fully reviewed and understood prior to using this application.

Conrad Lane and Site Access Southbound Right Turn Lane Length 2026 Build

Input Fields

Turn Volume	20	Calculated Turn Lane Length (ft)	
Speed Limit	35	Desirable	125
Cycle Length	0	Minimum	125
<i>(Enter 0 for Uncontrolled, 60 for Stop Controlled)</i>			
Approach Percent Grade (G)	0		
Is this a Rural Arterial (Y or N)	N		

Note: This spreadsheet is intended to supplement the guidance provided in the Auxiliary Turn Lane policy outlined in the KYTC Highway Design Manual. This policy should be fully reviewed and understood prior to using this application.

Summary Crash Information

Incident ID	Agency ORI	Agency Name	Incident Status Description	County	Roadway Name	Street Sfx	Intersection Rdwy Name	Between St Rdwy Name 1	Between St Rdwy Name 2	Latitude	Longitude	Milepoint	Collision Date	Collision Time	Units Involved	Motor Vehicles Involved	Number Killed	Number Injured	Weather	Rdwy Condition Code	Hit and Run	Dir Analysis Code	Manner of Collision	Rdwy Character	Light Condition	Accepted Date	Is Secondary Collision	Owner Badge	Incident Status		
2021																															
27871931	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03667525	-84.70521672	0.672	3/9/2021	1521	1	1	0	0	CLEAR	DRY	FALSE	OTHER COLLISIONS ON SHOULDER	SINGLE VEHICLE	CURVE & LEVEL	DAYLIGHT	44266.31716	FALSE	3726	Accepted		
2022																															
29890740	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03732468	-84.70507713	0.636	4/1/2022	0850	1	1	0	0	CLOUDY	WET	FALSE	OTHER ROADWAY OR MID-BLOCK COLLISION	SINGLE VEHICLE	CURVE & GRADE	DAWN	44653.37333	FALSE	3734	Accepted		
2023																															
31143160	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		ELKWOOD	CARRY BACK	39.03643372	-84.70557665	0.698	1/22/2023	0814	1	1	0	0	SNOWING	SNOW/SLUSH	FALSE	OTHER ROADWAY OR MID-BLOCK COLLISION	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	44951.41835	FALSE	3710	Accepted		



Location Search

Home / Location Search

Search Criteria

Map Area Criteria

Reset Back to Search Criteria Back to Map Area Criteria

Criteria
County: BOONE AND Agency ORI: BOONE COUNTY SHERIFF DEPT. AND Incident Date BETWEEN 1/1/2021 AND 12/31/2024

Summary Results Map



Collision Categories:
Property Damage

Incident ID	Agency ORI	Agency Name	Incident Status Description	County	Roadway Name	Street Sfx	Intersection Rdw Name	Between St Rdwy Name 1	Between St Rdwy Name 2	Latitude	Longitude	Milepoint	Collision Date	Collision Time	Units Involved	Motor Vehicles Involved	Number Killed	Number Injured	Weather	Rdw Condition Code	Hit and Run	Dir Analysis Code	Manner of Collision	Rdw Character	Light Condition	Accepted Date	Is Secondary Collision	Owner Badge	Incident Status										
2015																																							
3527309	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.0364829	-84.7054464	0.653	2/4/2015	2230	1	1	0	0	SNOWING	SNOW/SLUSH	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & GRADE	DARK-HWY NOT LIGHTED	42041.32331	FALSE	3757	Accepted	
2016																																							
18127354	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN			ELKWOOD	39.0363959	-84.7055193	0.663	8/28/2016	1953	1	1	0	1	RAINING	WET	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & LEVEL	DUSK	42611.74046	FALSE	3304	Accepted	
17550346	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN	ELKWOOD			39.0389748	-84.7045127	0.52	4/4/2016	1529	1	1	0	0	CLEAR	DRY	FALSE										COLLISION WITH FIXED OBJECT IN INTERSECTION - FIRST EVENT COLLISION 09 - 32	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	42467.32361	FALSE	3702	Accepted	
17527664	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.0363443	-84.7060719	0.682	2/15/2016	1533	1	1	0	0	SNOWING	SNOW/SLUSH	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	42415.36508	FALSE	3751	Accepted	
17509153	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.0364118	-84.7060639	0.68	1/8/2016	1439	1	1	0	0	RAINING	WET	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & HILLCREST	DAYLIGHT	42377.65694	FALSE	3302	Accepted	
Excluded																																							
48712698	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03641655	-84.70548142	0.693	12/6/2016	1440	2	2	0	4	CLOUDY	WET	FALSE										1-VEHICLE ENTERING/LEAVING ENTRANCE	ANGLE	CURVE & GRADE	DAYLIGHT	42711.72528	FALSE	3743	Accepted	
2017																																							
22643877	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03637583	-84.70550406	0.695	12/29/2017	1754	2	2	0	0	SNOWING	SNOW/SLUSH	TRUE										REAR END IN TRAFFIC LANES BOTH VEHICLES MOVING	REAR END	CURVE & LEVEL	DARK-HWY NOT LIGHTED	43098.95219	TRUE	3774	Accepted	
20832372	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03868109	-84.7048626	0.561	10/30/2017	1610	1	1	0	0	RAINING	WET	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & HILLCREST	DAWN	43039.37768	FALSE	3776	Accepted	
20800285	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN	CARRY BACK			39.03637813	-84.7054577	0.691	9/13/2017	1153	1	1	0	0	SEVERE CROSSWINDS	WET	FALSE										COLLISION WITH FIXED OBJECT IN INTERSECTION - FIRST EVENT COLLISION 09 - 32	SINGLE VEHICLE	CURVE & LEVEL	DAYLIGHT	43034.74227	FALSE	3725	Accepted	
20401019	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03633343	-84.70578743	0.711	8/17/2017	1626	2	2	0	0	CLOUDY	WET	FALSE										SIDESWIPE COLLISION - OPPOSITE DIRECTION	SIDESWIPE- OPPOSITE DIRECTION	CURVE & GRADE	DAYLIGHT	42967.49127	FALSE	3776	Accepted	
Excluded																																							
20145527	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN				39.03640687	-84.70552024	0.695	7/6/2017	1405	2	2	0	4	RAINING	WET	FALSE										1-VEHICLE ENTERING/LEAVING ENTRANCE	ANGLE	CURVE & GRADE	DAYLIGHT	42924.35209	FALSE	3761	Accepted	
2018																																							
24367961	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN	CARRY BACK			39.03639946	-84.70646978	0.752	12/11/2018	1608	2	2	0	1	CLEAR	DRY	FALSE										OTHER INTERSECTION COLLISIONS	REAR END	STRAIGHT & GRADE	DAYLIGHT	43446.6605	FALSE	3742	Accepted	
23344945	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN	CARRY BACK			39.03645596	-84.70542362	0.689	4/23/2018	1458	1	1	0	0	RAINING	WET	FALSE										COLLISION WITH FIXED OBJECT IN INTERSECTION - FIRST EVENT COLLISION 09 - 32	SINGLE VEHICLE	CURVE & HILLCREST	DAYLIGHT	43216.37043	FALSE	3741	Accepted	
23046615	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		ELKWOOD	CARRY BACK	39.036358	-84.70543347	0.688	3/1/2018	2157	1	1	0	0	CLOUDY	WET	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & GRADE	DARK-HWY NOT LIGHTED	43166.7643	FALSE	3752	Accepted	
Excluded																																							
22806722	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03655505	-84.70529817	0.68	1/28/2018	0826	2	2	0	0	FOG	WET	FALSE										1-VEHICLE ENTERING/LEAVING ENTRANCE	ANGLE	CURVE & GRADE	DAYLIGHT	43128.85664	FALSE	3501	Accepted	
2019																																							
25891588	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03637457	-84.70563174	0.702	11/5/2019	0714	1	1	0	0	RAINING	WET	FALSE											COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & LEVEL	DAWN	43776.35236	FALSE	3721	Accepted
25863677	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03658833	-84.70536864	0.683	10/30/2019	1151	1	1	0	0	RAINING	WET	FALSE										OTHER ROADWAY OR MID-BLOCK COLLISION	SINGLE VEHICLE	CURVE & LEVEL	DAYLIGHT	43769.67311	FALSE	3726	Accepted	
25844504	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03649036	-84.70557722	0.697	10/26/2019	0650	2	2	0	2	RAINING	WET	FALSE										HEAD-ON COLLISION	HEAD ON	STRAIGHT & GRADE	DARK-HWY NOT LIGHTED	43766.31616	FALSE	3775	Accepted	
25844496	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		ELKWOOD	CARRY BACK	39.03637312	-84.70547787	0.694	10/26/2019	1200	1	1	0	0	RAINING	WET	FALSE										RAN OFF ROADWAY (1 VEHICLE WITH/EARTH EMBANKMENT/DITCH)	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	43766.31508	FALSE	3758	Accepted	
25540667	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03651025	-84.70570632	0.704	8/23/2019	0825	1	1	0	0	CLOUDY	WET	FALSE										OTHER ROADWAY OR MID-BLOCK COLLISION	SINGLE VEHICLE	CURVE & HILLCREST	DAYLIGHT	43701.36997	FALSE	3731	Accepted	
25442095	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03644714	-84.70543605	0.69	8/6/2019	1530	1	1	0	0	CLOUDY	WET	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	43684.7615	FALSE	3303	Accepted	
25142815	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		ELKWOOD	CARRY BACK	39.03650133	-84.70547612	0.691	5/30/2019	1112	2	2	0	1	RAINING	WET	FALSE										SIDESWIPE COLLISION - OPPOSITE DIRECTION	SIDESWIPE- OPPOSITE DIRECTION	CURVE & GRADE	DAYLIGHT	43616.86232	FALSE	3726	Accepted	
25106548	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03702448	-84.70521301	0.658	5/23/2019	1044	1	1	0	0	RAINING	WATER (STANDING OR MOVING)	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	43609.34338	FALSE	3768	Accepted	
25059708	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03658268	-84.70529778	0.679	5/12/2019	1730	1	1	0	0	CLOUDY	WET	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & HILLCREST	DAYLIGHT	43598.79386	FALSE	3742	Accepted	
24986556	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03638303	-84.70559056	0.7	4/25/2019	0835	1	1	0	0	RAINING	WET	FALSE										OTHER COLLISIONS ON SHOULDER	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	43581.40585	FALSE	3526	Accepted	
26242191	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN				39.03699802	-84.70513284	0.655	1/24/2019	0950	1	1	0	0	RAINING	WET	FALSE										OTHER COLLISIONS ON SHOULDER	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	43855.43377	FALSE	3761	Accepted	
2020																																							
27409800	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		ELKWOOD	CARRY BACK	39.03898124	-84.70437898	0.526	11/27/2020	0804	1	1	0	0	CLEAR	DRY	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	STRAIGHT & GRADE	DAYLIGHT	44138.31411	FALSE	3306	Accepted	
26613786	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03655405	-84.70537668	0.684	4/17/2020	1659	1	1	0	0	RAINING	WET	FALSE										OTHER ROADWAY OR MID-BLOCK COLLISION	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	43939.74859	FALSE	3736	Accepted	
26313835	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03639864	-84.7055839	0.699	2/6/2020	0103	1	1	0	0	CLOUDY	WET	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & LEVEL	DARK-HWY NOT LIGHTED	43868.19894	FALSE	3209	Accepted	
26304477	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03848143	-84.70502017	0.577	2/4/2020	0943	1	1	0	0	RAINING	WET	FALSE										OTHER COLLISIONS ON SHOULDER	SINGLE VEHICLE	CURVE & LEVEL	DAYLIGHT	43866.34985	FALSE	3775	Accepted	
26276944	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.036336	-84.7056626	0.704	1/31/2020	1025	1	1	0	0	SLEET, HAIL, FREEZING RAIN	ICE	FALSE										COLLISION WITH FIXED OBJECT NON - INTERSECTION - FIRST EVENT COLLISION 09 - 32 EXCLUDING 16	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	43862.40888	FALSE	3757	Accepted	
26243029	0080000	BOONE COUNTY SHERIFF DEPT.	Accepted	BOONE	CONRAD	LN		CARRY BACK	ELKWOOD	39.03647494	-84.70561824	0.699	1/24/2020	1457	1	1	0	0	CLOUDY	WET	FALSE										OTHER ROADWAY OR MID-BLOCK COLLISION	SINGLE VEHICLE	CURVE & GRADE	DAYLIGHT	43855.69003	FALSE	3726	Accepted	



Location Search

Home / Location Search

Q Search Criteria

Map Area Criteria

- Reset
- Back to Search Criteria
- Back to Map Area Criteria

Criteria

County: BOONE AND Agency ORI: BOONE COUNTY SHERIFF DEPT. AND Incident Date BETWEEN 1/1/2015 AND 12/31/2020

- Summary
- Results
- Map



Collision Categories:

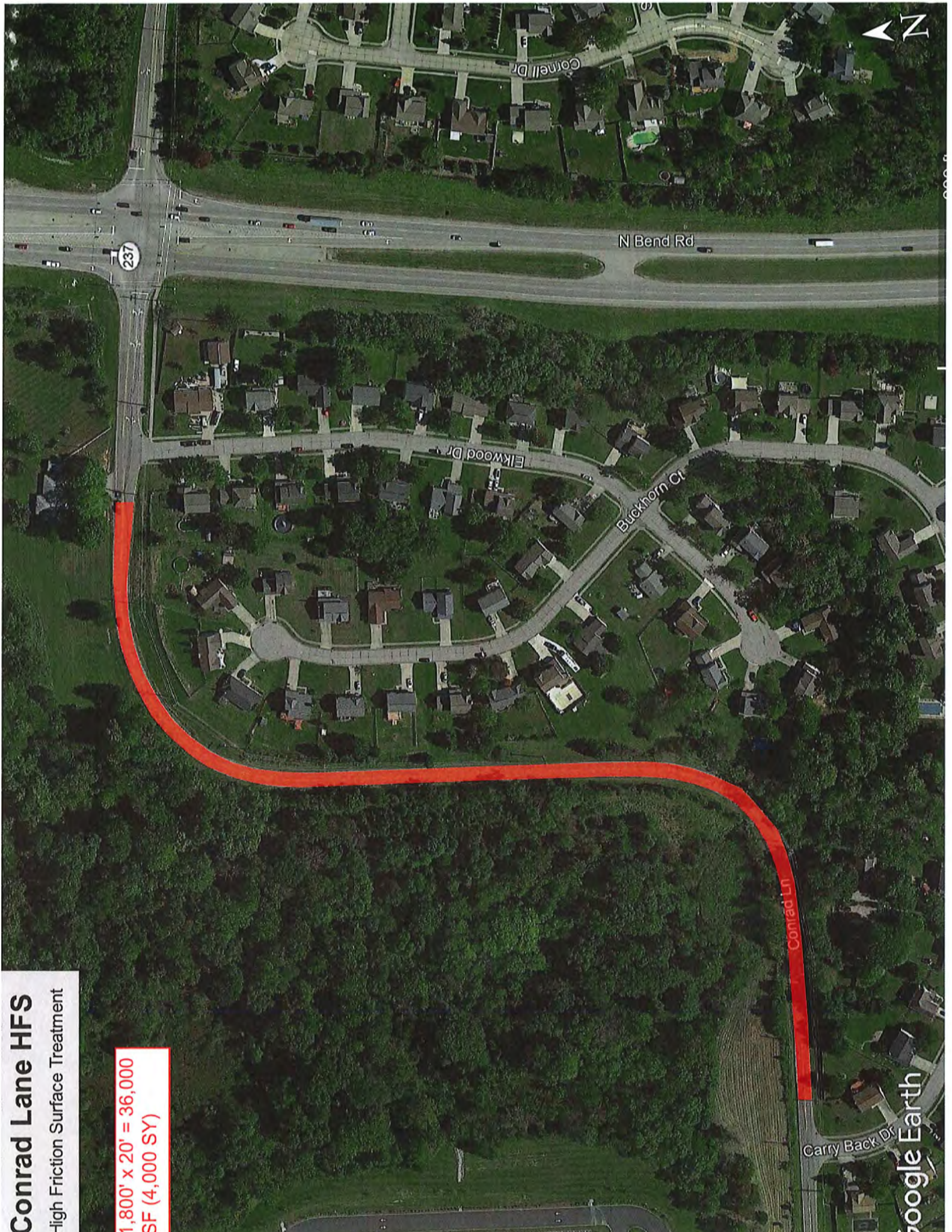
- Injured
- Property Damage

Conrad Lane Safety Improvements Project – Construction Document Excerpts

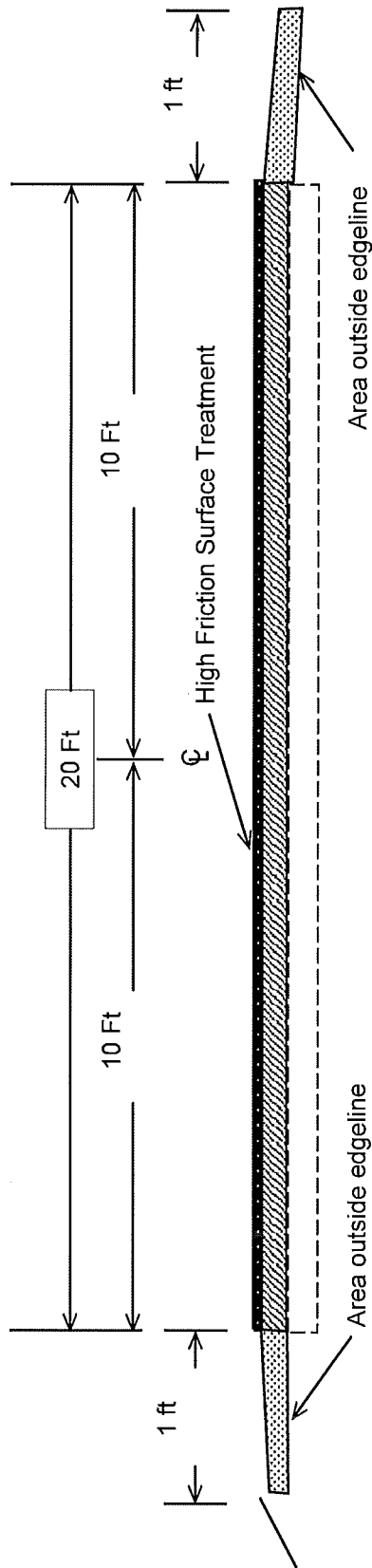
Conrad Lane HFS

High Friction Surface Treatment

1,800' x 20' = 36,000
SF (4,000 SY)

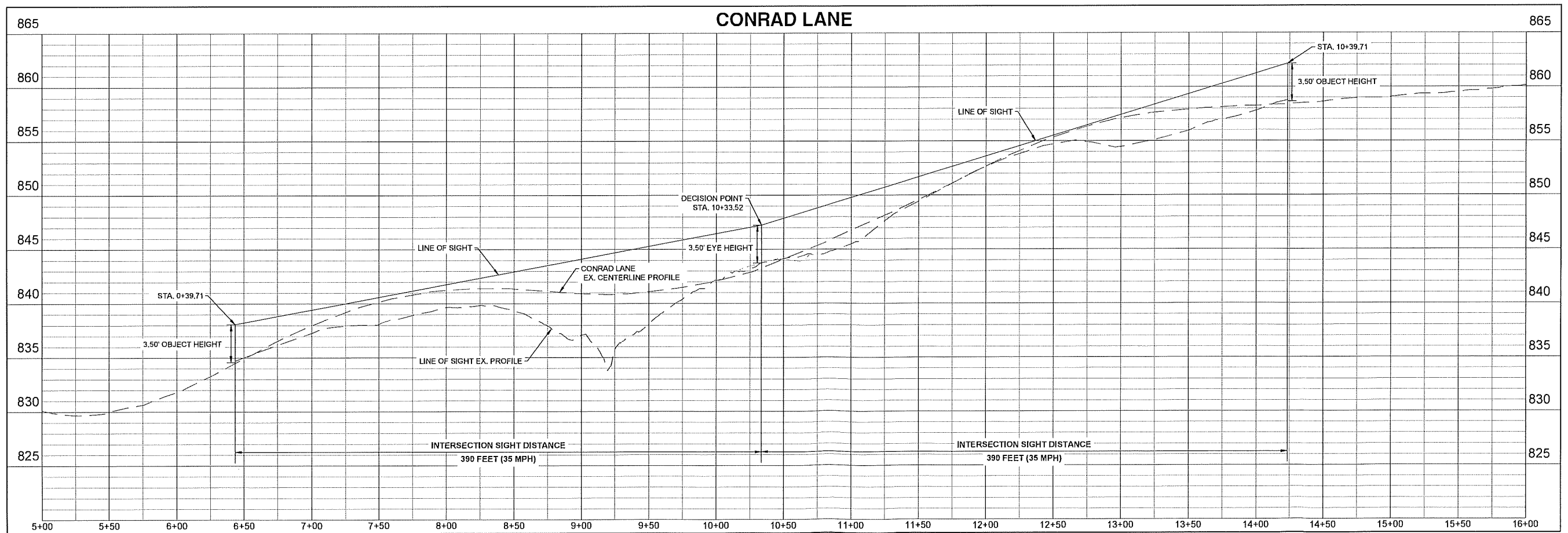
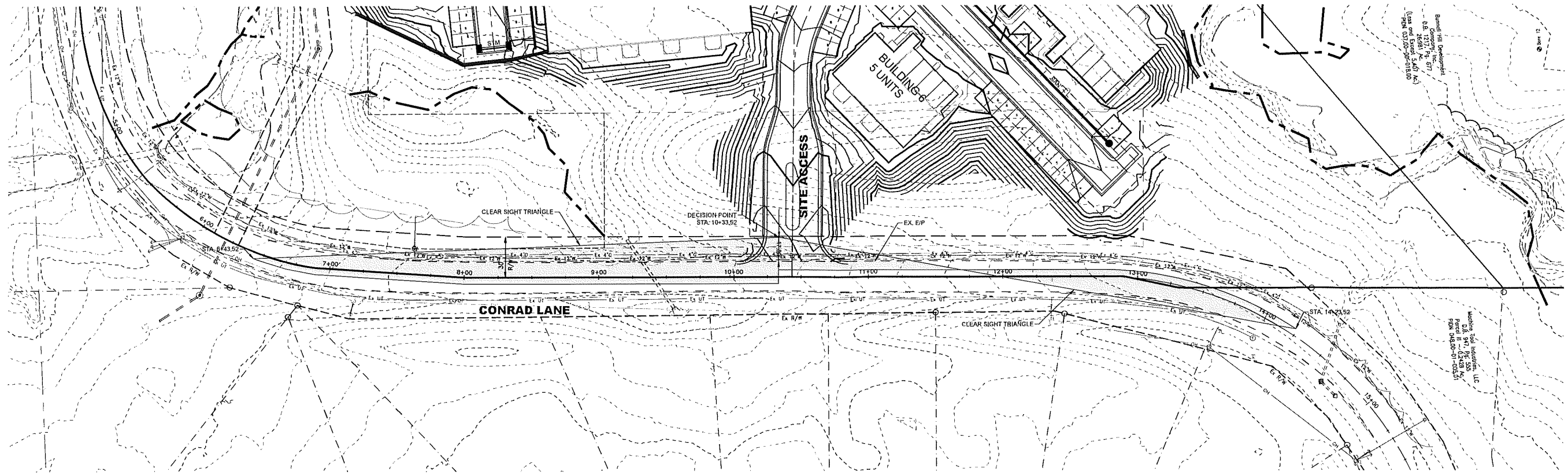


**Boone County
Beemon Lane &
Conrad Lane**



Intersection Sight Distance Analysis

Plot time: Nov 19, 2024 - 10:10am
 Drawing name: \\2023\23-0231\TR\DWG\Sight Distance\23-0231 ISD.dwg - Layout Tab: ISD



North Arrow
 Basis of Bearing:
 State Plane NAD83 (2011)
 Scale: 1" = 40'

Item	Revision Description	Date	Drawn	Chk

**GATEWAY RESIDENTIAL
 SITE ACCESS AT CONRAD LANE**
 BOONE COUNTY
 HEBRON, KENTUCKY
 INTERSECTION SIGHT DISTANCE ANALYSIS

bayer becker
 www.bayerbecker.com
 200 Grandview Drive
 Fort Mitchell, KY 41017 - 659.261.1113

Drawn:	23-0231 ISD
Drawn by:	TAE
Checked by:	KMD
Issue Date:	11-20-24

h. Doors between occupied space and mechanical equipment areas shall be solid-core wood or twenty (20) gauge steel hollow metal at least 1.75 inches thick and shall be fully weatherstripped.

Table 31-2

Land Use Compatibility

LAND USES	Yearly Day-Nite Average					
	Sound Level (LDN) in Decibels					
	Below 65	65-70	70-75	75-80	80-85	Over 85
RESIDENTIAL						
Residential, other than mobile homes and transient lodgings	Y	N ¹	N ¹	N	N	N
Housing units						
Single units – detached						
Single units – semi-detached						
Single units - attached row						
Two units - side-by-side						
Two units - one above the other						
Apartments - walk up						
Apartments – elevator						
Group quarters						
Residential hotels						
Other residential						
Mobile home parks	Y	N	N	N	N	N
Transient lodgings	Y	N ¹	N ¹	N ¹	N	N
PUBLIC USE						
Schools, hospitals and nursing homes	Y	25	30	N	N	N
Educational services						
Hospitals, nursing homes						
Churches, auditoriums and concert halls	Y	25	30	N	N	N
Cultural activities (including churches)						
Auditoriums, concert halls						
Government services	Y	Y	25	30	N	N
Transportation	Y	Y	Y ²	Y ³	Y ⁴	Y ⁴
Railroad, rapid rail transit and street railway transportation						
Motor vehicle transportation						
Aircraft transportation						
Marine craft transport						
Highway and street right-of-way						
Parking	Y	Y	Y ²	Y ³	Y ⁴	N
COMMERCIAL USE						
Offices, business and professional	Y	Y	25	30	N	N
Finance, insurance and real estate						
Personal services						
Business services						
Professional services						
Other medical facilities						
Miscellaneous services						
Wholesale and retail - building materials, hardware and farm equipment	Y	Y	Y ²	Y ³	Y ⁴	N
Wholesale trade						
Retail trade - building materials, hardware and farm equipment						

Plot time: Nov 07, 2024, 9:13am
 Drawing name: J:\2023\03-0231 PL Residential_JLR.dwg - Layout Tab Sections

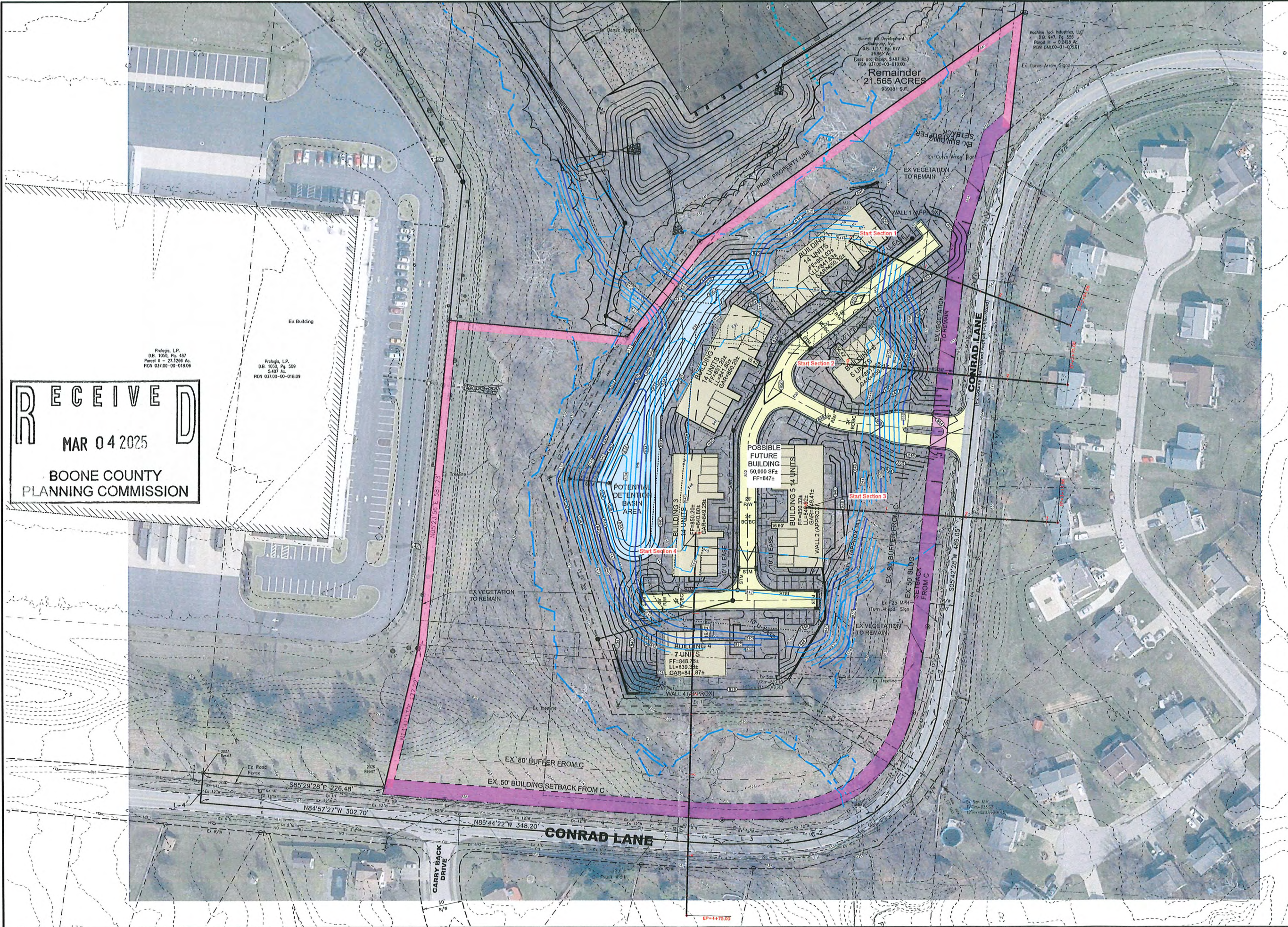
RECEIVED
 MAR 04 2025
 BOONE COUNTY
 PLANNING COMMISSION

Prologis, L.P.
 D.B. 1050, Pg. 487
 Parcel # = 21.1206 Ac.
 FSN 037.00-00-018.06

Prologis, L.P.
 D.B. 1050, Pg. 509
 5.407 Ac.
 PEN 037.00-00-018.09

Remainder
 21.565 ACRES
 939931 S.F.

Machine Top Industries, LLP
 D.B. 847, Pg. 355
 Parcel # = 0.2423 Ac.
 PEN 048.00-01-05.01



Item	Revision Description	Date	Drawn	CHK
1				
2				
3				
4				
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6				
7				
8				
9				

**HSABH GATEWAY
 RESIDENTIAL**
 SOUTH OF GATEWAY BOULEVARD
 BOONE COUNTY
 HEBRON, KENTUCKY



Drawing:
 3-0231 PL RESIDENTIAL_JLR
 Drawn by:
 JLR
 Checked By:

Issue Date:
 10-14-24
 Sheet:
 1/2

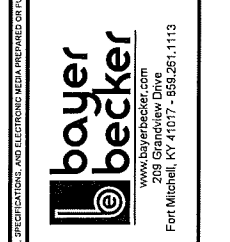
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Scale:
20H : 20V

Item	Revision Description	Date	Drawn	CHK
1				
2				
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4				
5				
6				
7				
8				
9				

**HSABH GATEWAY
RESIDENTIAL**
SOUTH OF GATEWAY BOULEVARD
BOONE COUNTY
HEBRON, KENTUCKY

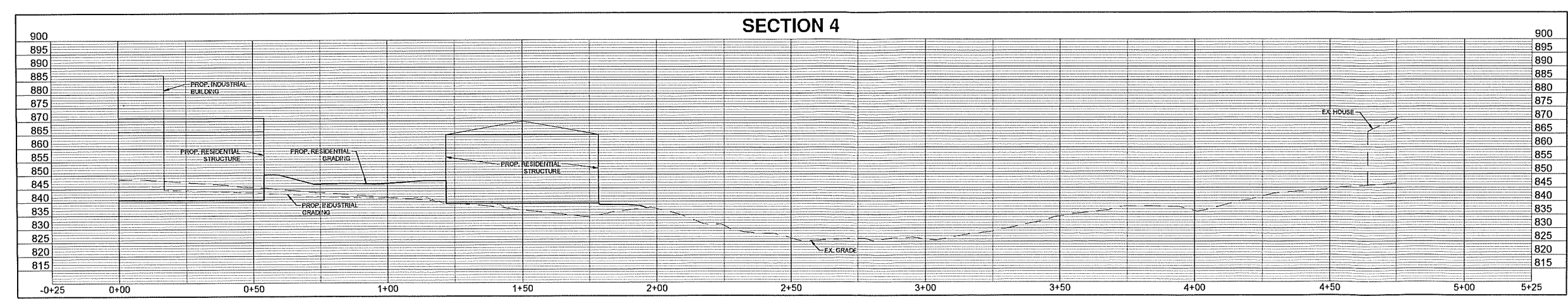
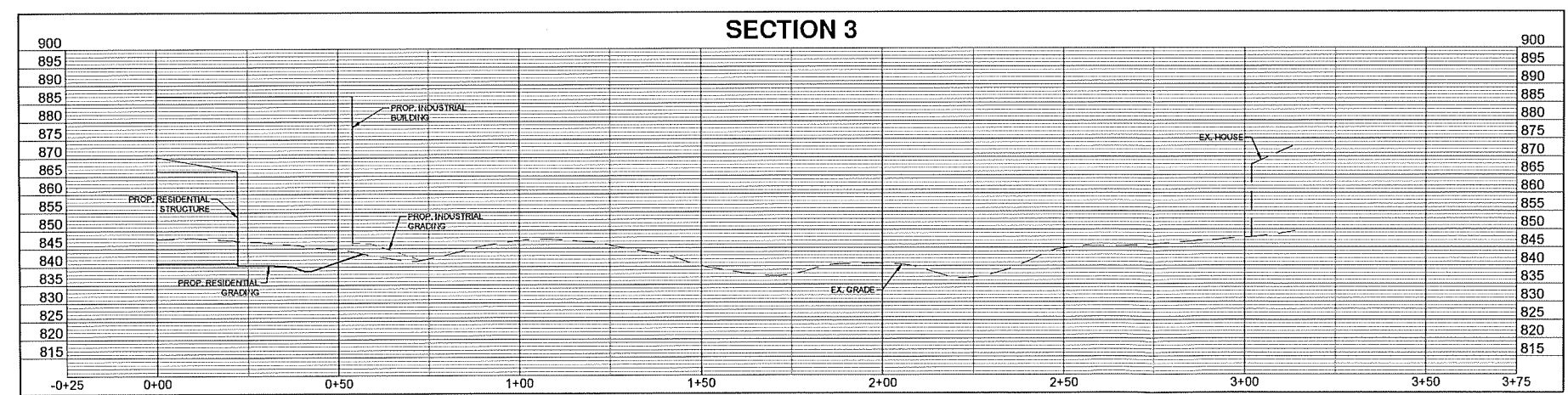
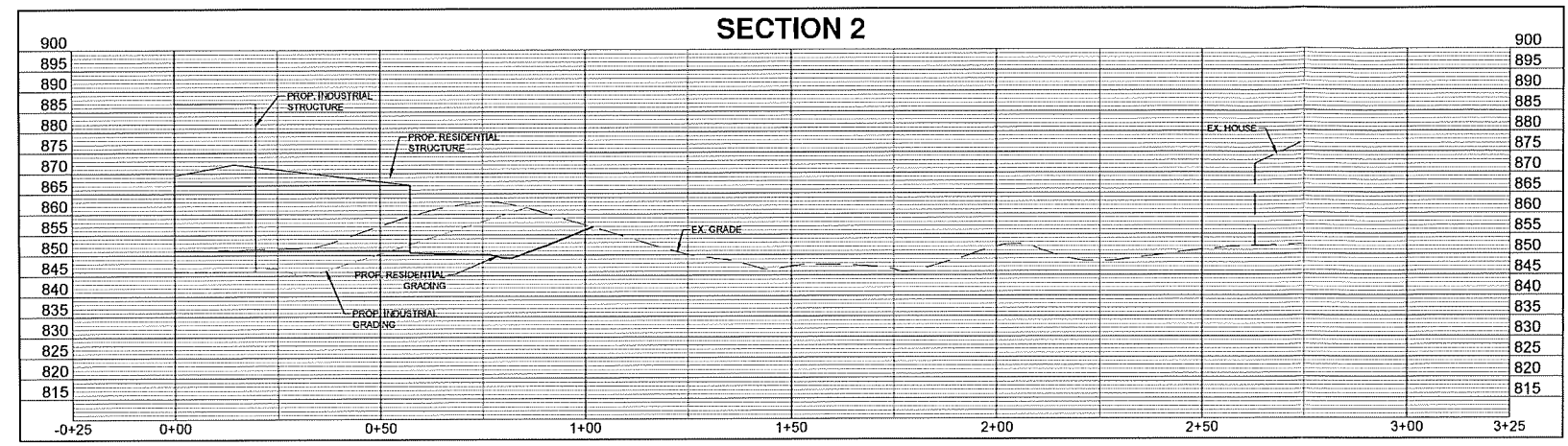
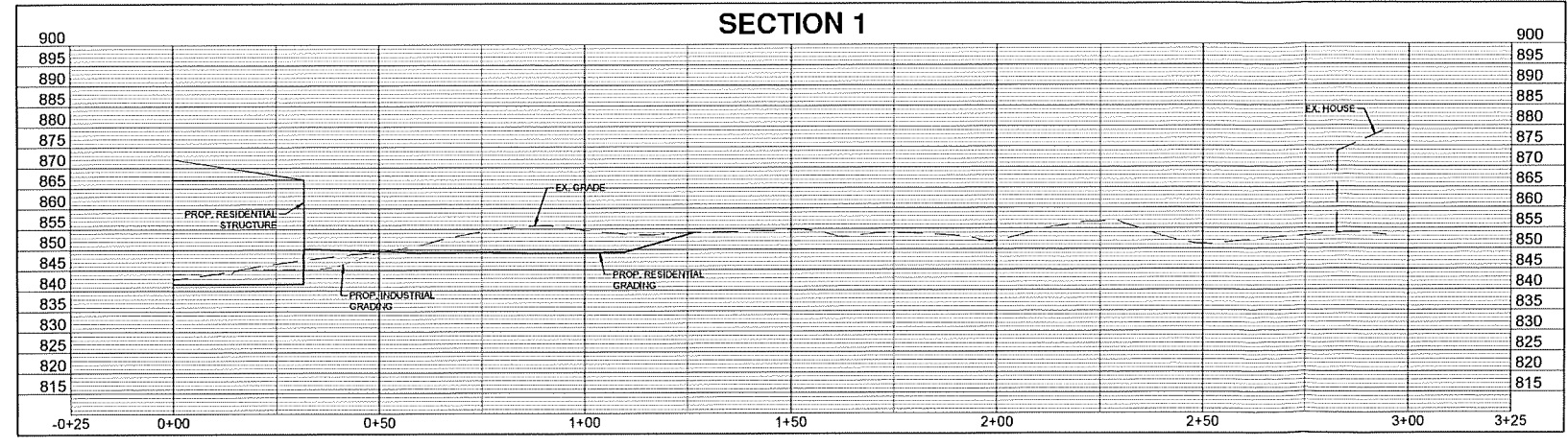
CONCEPT DEVELOPMENT PROFILES



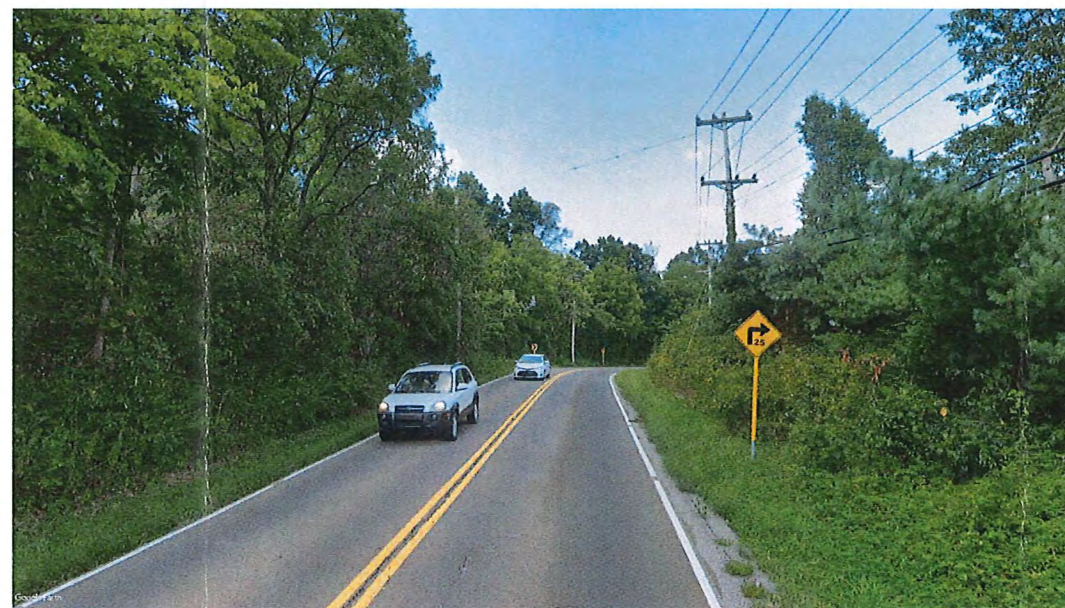
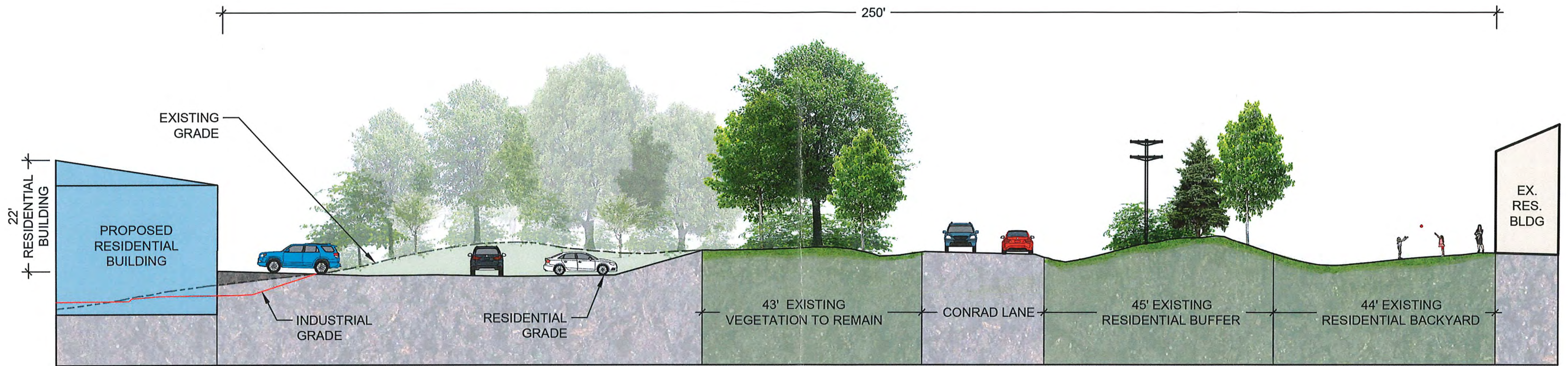
Drawing: 3-0231 PL RESIDENTIAL_ILR
 Drawn by: JLR
 Checked by:
 Issue Date: 10-14-24

Sheet
2/2

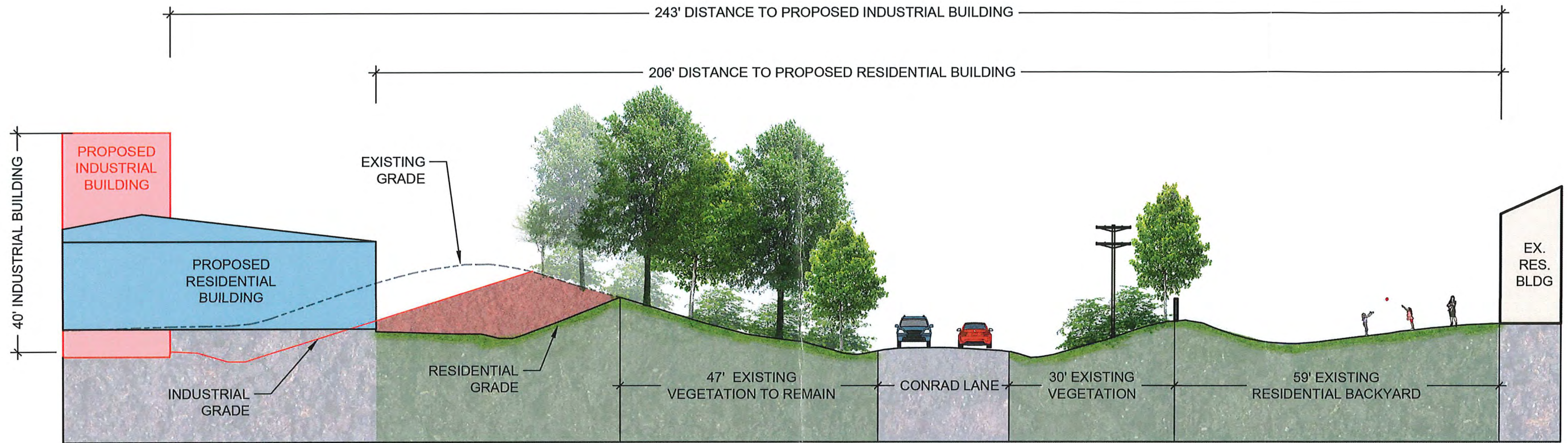
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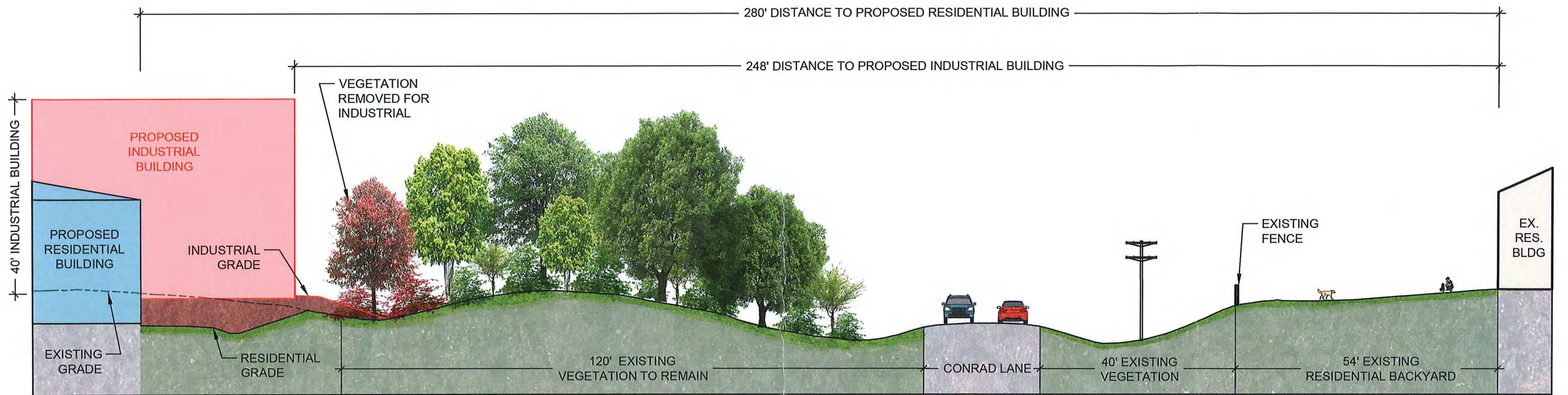
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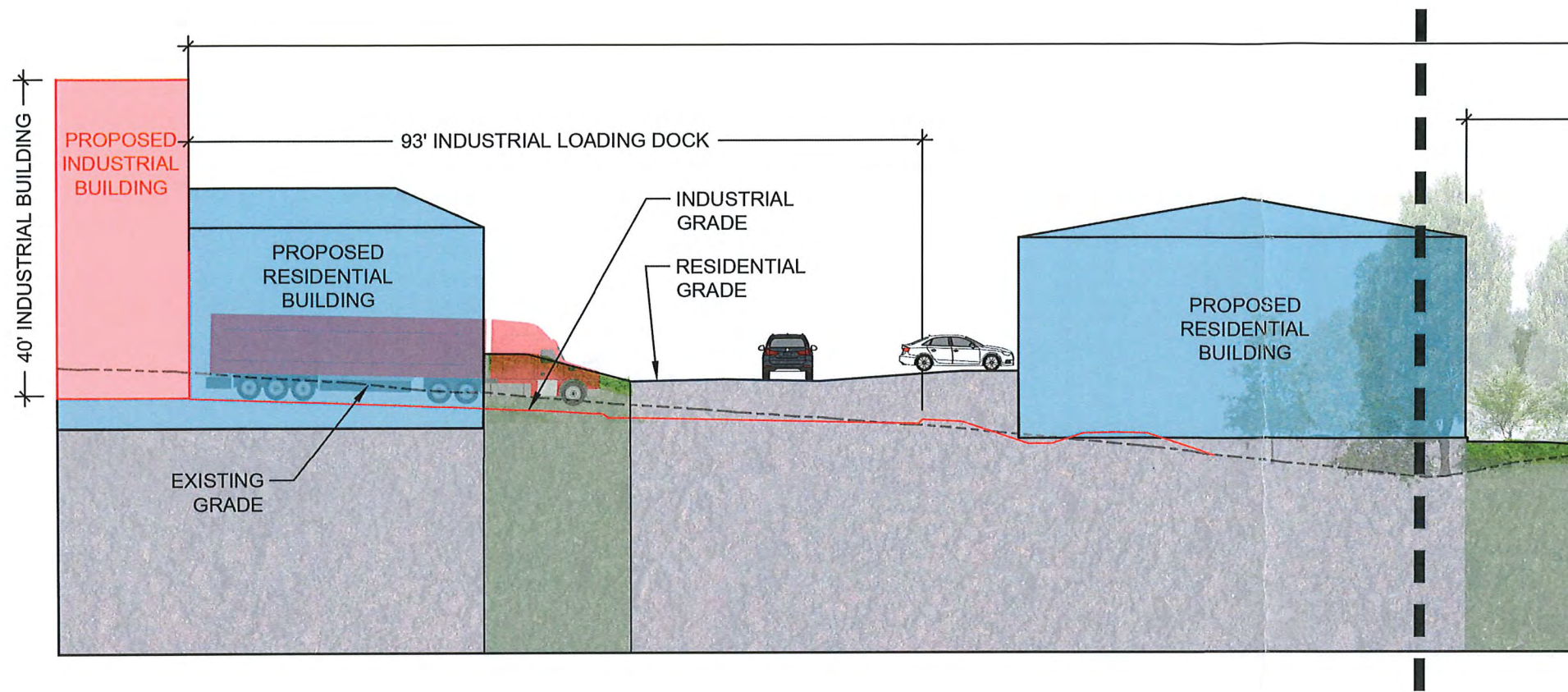
Existing Vegetation along Conrad Lane



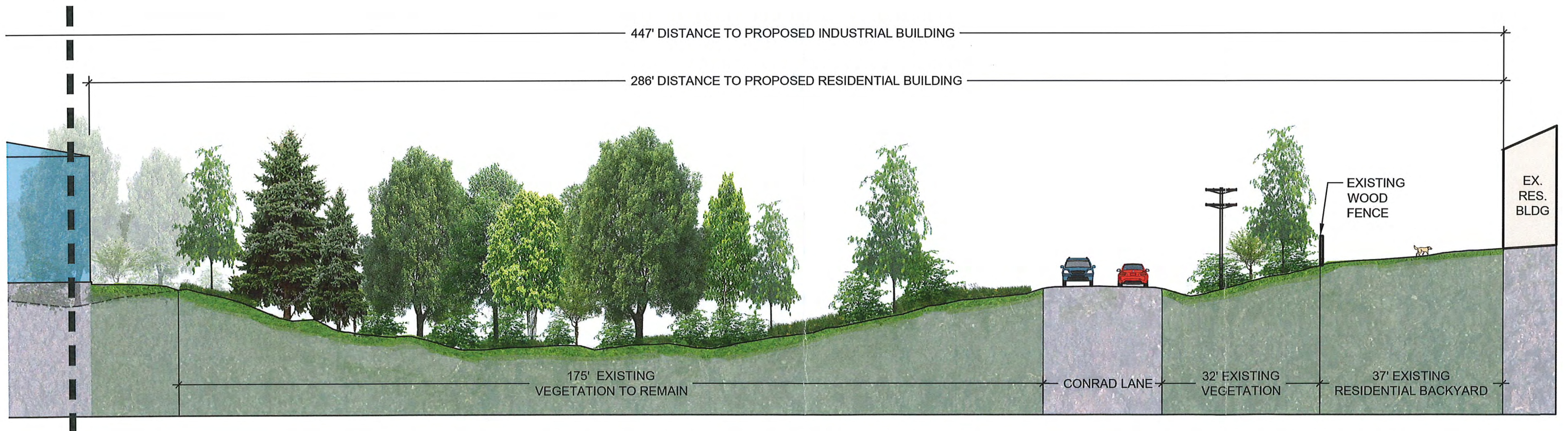
Existing Vegetation along Conrad Lane



Existing Vegetation along Conrad Lane



Existing Vegetation along Conrad Lane



SITE DATA

- EXISTING ZONING: I-1/PD/CD
 MINIMUM FRONT YARD BUILDING DEPTH = 50'
 MINIMUM REAR YARD BUILDING DEPTH = 30' (50' IF ADJOINING SR-1)
 MINIMUM SIDE YARD BUILDING DEPTH = 10' (50' IF ADJOINING SR-1)
 MINIMUM LOT AREA = 20,000 S.F.
 MINIMUM FRONTAGE = 150'
 MAXIMUM BUILDING HEIGHT = 50'
- PROPOSED BUILDING SETBACKS AND HEIGHT REGULATIONS
 INTERNAL MINIMUM FRONT YARD BUILDING DEPTH = 10'
 MINIMUM SIDE YARD BUILDING DEPTH = 5' MIN./10' TOTAL
 INTERNAL MINIMUM LOT AREA = 10,000 S.F.
 INTERNAL MINIMUM FRONTAGE = 100'
- TOTAL PROJECT ACREAGE: 11.849 AC.
 STREET RIGHT-OF-WAY ACREAGE: 0.627 AC.
- PRODUCT TYPE WILL BE ATTACHED SINGLE FAMILY RESIDENTIAL/CONDOMINIUMS.
- BUILDING/UNIT MIX SUMMARY:
 4 BUILDINGS WITH 14 UNITS EACH (2 BEDROOM) (56 UNITS)
 1 BUILDING WITH 7 UNITS EACH (2 BEDROOM) (7 UNITS)
 1 BUILDING WITH 5 UNITS EACH (2 BEDROOM) (5 UNITS)
 TOTAL : 68 RESIDENTIAL HOUSING UNITS

 68 UNITS/11.849 ACRES = 5.7± UNITS PER ACRE AS SHOWN ON PLAN.
 NOT TO EXCEED 8 UNITS PER ACRE.
- SOIL TYPES (PER USDA SOIL CONSERVATION SERVICE MAPS):
 - JeD (Jessup silt loam, 12-20% slopes)
 - RsB (Rossmoyne silt loam, 0-6% slopes)
 - RsC (Rossmoyne silt loam, 6-12% slopes)
- UTILITY PROVIDERS:
 - WATER: BOONE COUNTY WATER
 - SANITARY SEWER: SANITATION DISTRICT #1 (SD1)
 - STORM SEWER: SANITATION DISTRICT #1 (SD1)
 - GAS: DUKE ENERGY
 - ELECTRIC: DUKE ENERGY

GENERAL NOTES

- LANDSCAPING SHALL MEET THE REQUIREMENTS OF THE BOONE COUNTY ZONING ORDINANCE, ARTICLE 36.
- ALL INTERNAL STREETS SHALL BE PUBLIC.

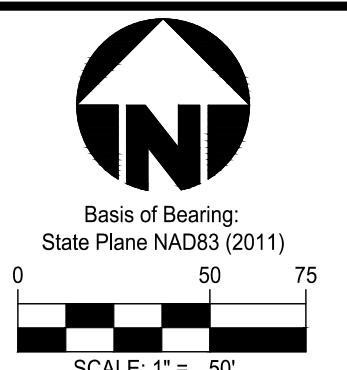
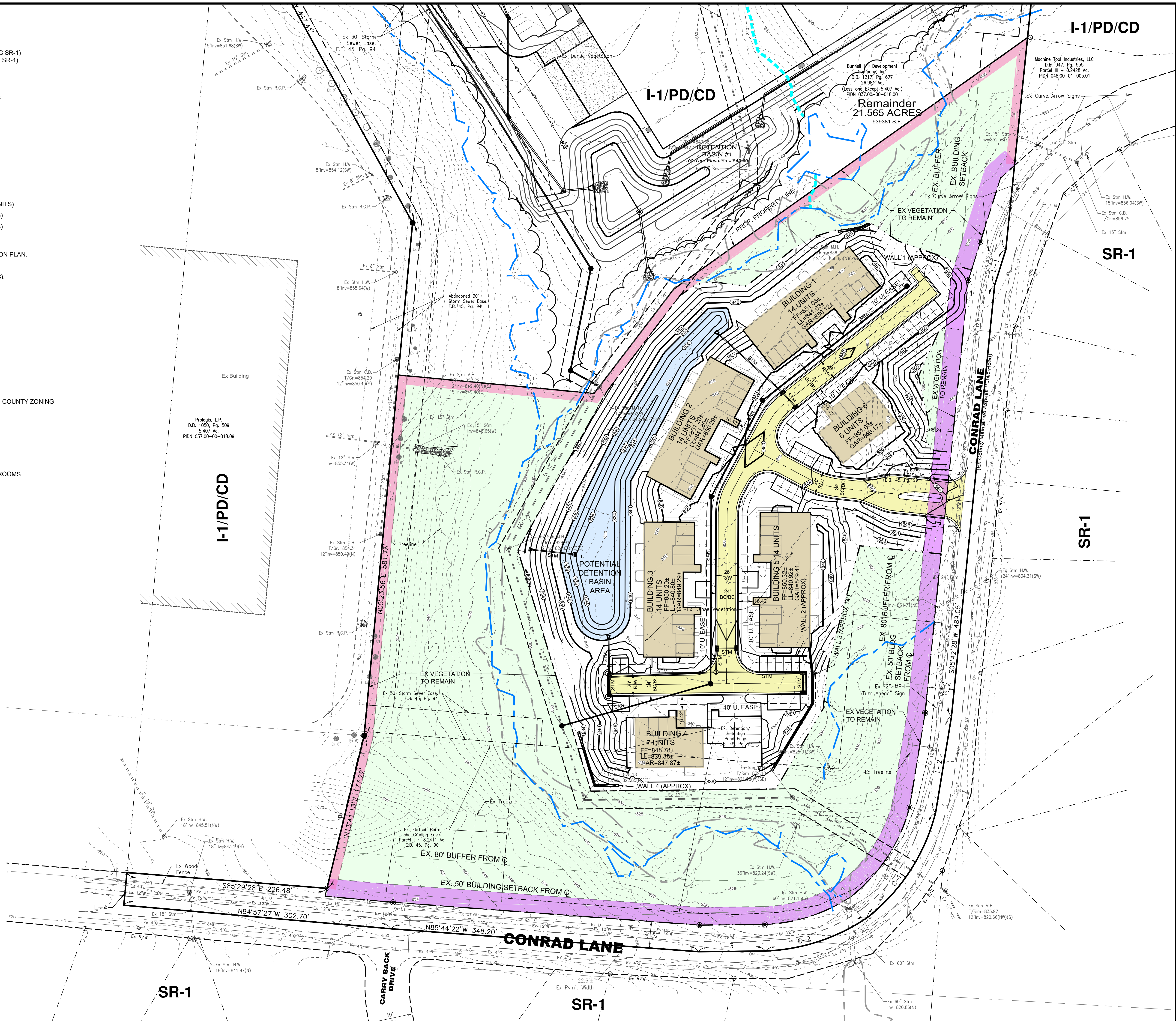
PARKING SUMMARY

PARKING REQUIRED 2.0 SPACES PER UNIT FOR 2+ BEDROOMS
 =136 PARKING SPACE REQUIRED

PARKING PROVIDED
 40 GARAGE
 40 DRIVEWAY
 57 SURFACE
 137 TOTAL (2.0+ PER UNIT)

LEGEND

- EXISTING VEGETATION TO REMAIN
- RESIDENTIAL BUFFER YARD A MINIMUM 10' WIDTH
- RESIDENTIAL BUFFER YARD B MINIMUM 20' WIDTH



Date	Drawn	Chk

Item	Revision Description
1	
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HSABH GATEWAY RESIDENTIAL
 SOUTH OF GATEWAY BOULEVARD
 BOONE COUNTY
 HEBRON, KENTUCKY

CONCEPT DEVELOPMENT PLAN



Plot time: Sep 03, 2024 - 3:36pm
 Drawing name: J:\2023\23-0231 PL Residential_JLR.dwg - Layout Tab: Site Exhibit

Drawing: 3-0231 PL RESIDENTIAL JLR
 Drawn by: JLR
 Checked by: JLR
 Issue Date: 9-03-24
 Sheet: 1/2

Plot time: Sep 03, 2024 - 3:36pm
 Drawing name: J:\2023\23-0231 PL Residential_JLR.dwg - Layout Tab: Site Exhibit



SITE DATA

- EXISTING ZONING: I-1/PD/CD
 MINIMUM FRONT YARD BUILDING DEPTH = 50'
 MINIMUM REAR YARD BUILDING DEPTH = 30' (50' IF ADJOINING SR-1)
 MINIMUM SIDE YARD BUILDING DEPTH = 10' (50' IF ADJOINING SR-1)
 MINIMUM LOT AREA = 20,000 S.F.
 MINIMUM FRONTAGE = 150'
 MAXIMUM BUILDING HEIGHT = 50'
- PROPOSED BUILDING SETBACKS AND HEIGHT REGULATIONS
 INTERNAL MINIMUM FRONT YARD BUILDING DEPTH = 10'
 MINIMUM SIDE YARD BUILDING DEPTH = 5' MIN./10' TOTAL
 INTERNAL MINIMUM LOT AREA = 10,000 S.F.
 INTERNAL MINIMUM FRONTAGE = 100'
- TOTAL PROJECT ACREAGE: 11.849 AC.
 STREET RIGHT-OF-WAY ACREAGE: 0.627 AC.
- PRODUCT TYPE WILL BE ATTACHED SINGLE FAMILY RESIDENTIAL/CONDOMINIUMS.
- BUILDING/UNIT MIX SUMMARY:
 4 BUILDINGS WITH 14 UNITS EACH (2 BEDROOM) (56 UNITS)
 1 BUILDING WITH 7 UNITS EACH (2 BEDROOM) (7 UNITS)
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 TOTAL : 68 RESIDENTIAL HOUSING UNITS

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 NOT TO EXCEED 8 UNITS PER ACRE.
- SOIL TYPES (PER USDA SOIL CONSERVATION SERVICE MAPS):
 - JeD (Jessup silt loam, 12-20% slopes)
 - RsB (Rossmoyne silt loam, 0-6% slopes)
 - RsC (Rossmoyne silt loam, 6-12% slopes)
- UTILITY PROVIDERS:
 - WATER: BOONE COUNTY WATER
 - SANITARY SEWER: SANITATION DISTRICT #1 (SD1)
 - STORM SEWER: SANITATION DISTRICT #1 (SD1)
 - GAS: DUKE ENERGY
 - ELECTRIC: DUKE ENERGY

GENERAL NOTES

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- ALL INTERNAL STREETS SHALL BE PUBLIC.

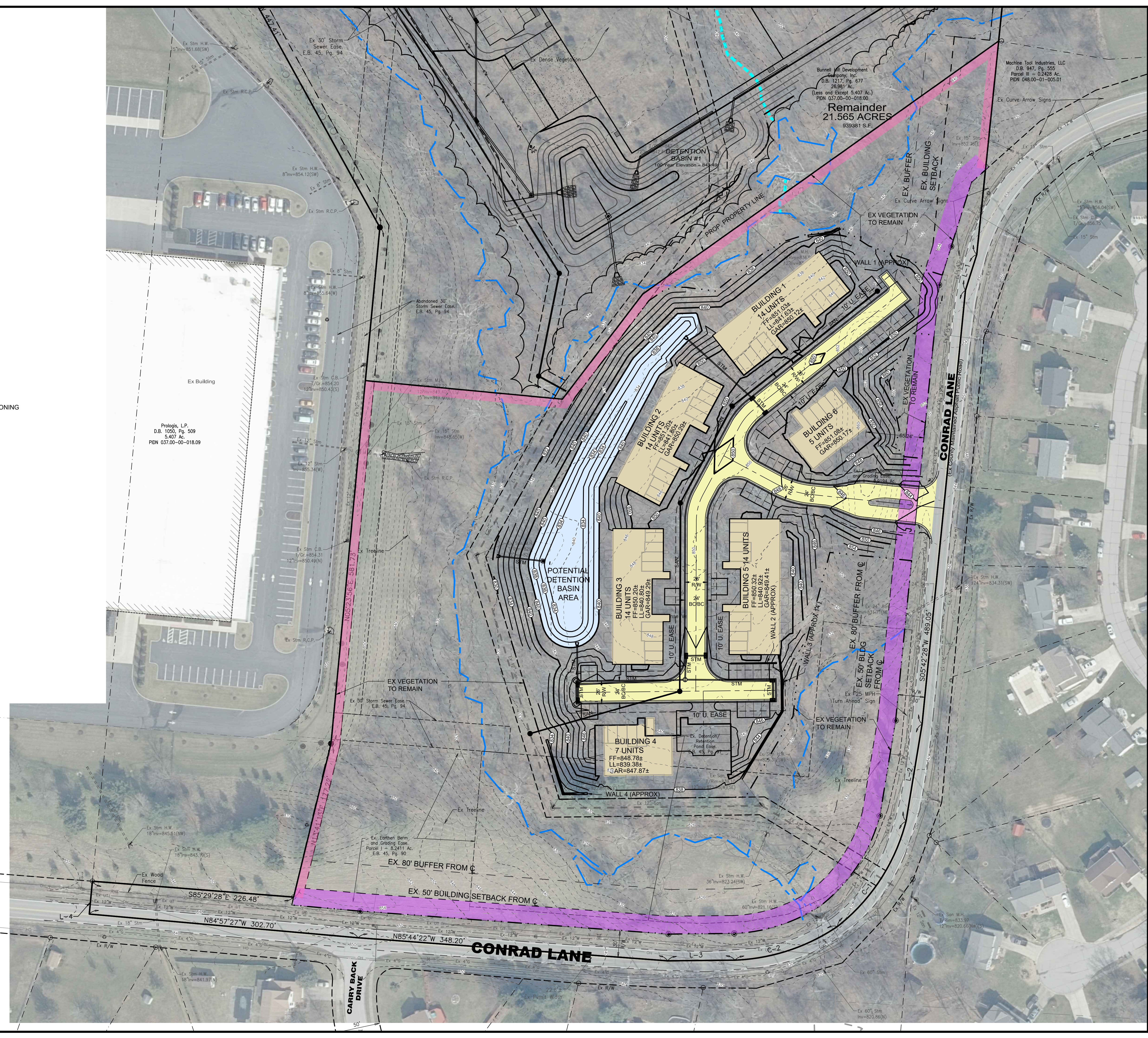
PARKING SUMMARY

PARKING REQUIRED 2.0 SPACES PER UNIT FOR 2+ BEDROOMS
 =136 PARKING SPACE REQUIRED

PARKING PROVIDED
 40 GARAGE
 40 DRIVEWAY
 57 SURFACE
 137 TOTAL (2.0+ PER UNIT)

LEGEND

- EXISTING VEGETATION TO REMAIN
- RESIDENTIAL BUFFER YARD A MINIMUM 10' WIDTH
- RESIDENTIAL BUFFER YARD B MINIMUM 20' WIDTH



Basis of Bearing:
 State Plane NAD83 (2011)
 0 50 75
 SCALE: 1" = 50'

Item	Date	Dwn:	Chk:	Revision Description
1				
2				
3				
4				
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7				
8				
9				

HSABH GATEWAY RESIDENTIAL
 SOUTH OF GATEWAY BOULEVARD
 BOONE COUNTY
 HEBRON, KENTUCKY
 CONCEPT DEVELOPMENT PLAN - AERIAL

www.bayerbecker.com
 209 Grandview Drive
 Fort Mitchell, KY 41017 - 859.281.1113

Drawing: 3-0231 PL RESIDENTIAL IJR
 Drawn by: JLR
 Checked by:
 Issue Date: 9-03-24
 Sheet: **2/2**

Plot time: Sep 03, 2024 - 3:40pm
 Drawing name: J:\2023\23-0231 PL Residential IJR.dwg - Layout Tab: Site Exhibit

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Michael Schwartz

From: Brian Dunham <bdunham@dunhampllc.com>
Sent: Tuesday, April 15, 2025 3:22 PM
To: Michael Schwartz; Corrin Gulick (corrin.gulick@wsp.com); Steve Harper (bsharper19@gmail.com); davidhincks1960@gmail.com; Janet Kegley (janet@theboldcompany.com); lunnemann15@twc.com
Cc: rswandd@fuse.net; Kevin Costello; racklin@fischerhomes.com; Roger Wells
Subject: RE: Letter from CVG Airport Authority Regarding Rezoning Request
Importance: High

EXTERNAL MESSAGE

Michael and BCPC Zone Change Committee Members:

The applicant has been trying to meet with CVG since last month's zone change committee without success. Receiving this detailed response from CVG only yesterday afternoon did not afford our expert, Terracon, enough time to adequately respond or otherwise provide the committee with the level of detail it deserves and I suspect would be needed to recommend approval.

I recognize that there has been a sizeable delay in the application process before my involvement – due primarily to our initial governmental relations consultant's efforts to work with CVG on a possible resolution (e.g., installation of sound mitigation features in the condos) and then our consultant's unexpected death – so even a limited additional delay would not be well received. However, we were told today by Terracon that, given CVG's response, they have a conflict of interest and are not able to continue their consulting for us. Extremely disappointing. This means starting from scratch with a new sound consultant, which would add months to the process. The applicant and I respect the Boone County zoning process too much to request a delay of this magnitude. For this reason, as attorney for the property owner seeking the zone change, please accept this email as our formal request to withdraw the application. Should you need anything more formal, please let me know.

Respectfully,
Brian Dunham

BRIAN C. DUNHAM | ATTORNEY

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From: Michael Schwartz <mschwartz@boonecountyky.org>
Sent: Monday, April 14, 2025 2:29 PM
To: Corrin Gulick (corrin.gulick@wsp.com) <corrin.gulick@wsp.com>; Steve Harper (bsharper19@gmail.com) <bsharper19@gmail.com>; davidhincks1960@gmail.com; Janet Kegley (janet@theboldcompany.com) <janet@theboldcompany.com>; lunnemann15@twc.com
Cc: rswandd@fuse.net; Kevin Costello <KCostello@boonecountyky.org>; Brian Dunham <bdunham@dunhampllc.com>; racklin@fischerhomes.com; Roger Wells <rwells@hsabh.com>
Subject: FW: Letter from CVG Airport Authority Regarding Rezoning Request

Please find attached the letter that was received from the CVG Airport Authority.

Michael D. Schwartz
Director, Zoning Services



BOONE COUNTY
PLANNING COMMISSION

2950 Washington Street, Room 317
Burlington, Kentucky 41005
(P) 859-334-2196 (F) 859-334-2264

From: Larry Krauter <lkrauter@cvgairport.com>
Sent: Monday, April 14, 2025 2:18 PM
To: Michael Schwartz <mschwartz@boonecountyky.org>
Subject: Letter from CVG Airport Authority Regarding Rezoning Request

EXTERNAL MESSAGE

Good afternoon, please find attached a letter outlining CVG's concerns regarding a request for rezoning to residential use of approximately 11.8 acres of land currently zoned for Industrial One/Planned Development located at Conrad Lane.

Best Regards,

Larry



Lawrence J. Krauter, AAE, AICP

Chief Executive Officer

Cincinnati/Northern Kentucky International Airport

lkrauter@cvgairport.com

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