

REQUEST OF THE DREES COMPANY (APPLICANT) FOR DREES, SUTTON, HERINGER,  
LORUP, INC. (OWNERS) FOR A ZONING MAP AMENDMENT ON A 192 ACRE SITE  
LOCATED SOUTH OF OAKBROOK ROAD, EAST OF PLEASANT VALLEY ROAD, AND  
WEST OF BEEMON LANE, BOONE COUNTY, KENTUCKY

APRIL 27, 1988  
7:00 P.M.

The applicant is requesting a Zoning Map Amendment for a 192 acre site located south of Oakbrook Road, east of Pleasant Valley Road, and west of Beemon Lane, Boone County, Kentucky. The request is to rezone the property from Rural Suburban Estates (RSE), Rural Suburban (RS), and Suburban Residential One (SR-1) to Suburban Residential One/Planned Development (SR-1/PD). The intended uses are single-family detached residential units, single-family attached residential units (townhouse condominiums), and neighborhood commercial. The applicant is proposing to extend the existing Oakbrook Subdivision south to Pleasant Valley Road. The existing land uses of the site are Woodland (W) and Agriculture (A).

Surrounding Land Uses and Zoning

The surrounding land uses of the 192 acre site consist of single-family residential detached units to the north (Glens and Meadows of Oakbrook), agricultural to the south, agricultural or open space to the east, and agricultural and single-family residential to the west. In the general vicinity, there are several subdivisions either existing or under construction, namely Fox Run Subdivision to the east and Spring Garden Estates and Pleasant Valley Meadows Subdivision to the south or across Pleasant Valley Road. The surrounding zoning consists of Suburban Residential One/Planned Development (SR-1/PD) and Rural Suburban Estates (RSE) to the north, Rural Suburban (RS) and Suburban Residential One (SR-1) to the south, Suburban Residential One/Planned Development (SR-1/PD) and Suburban Residential One (SR-1) to the east, and Rural Suburban Estates (RSE) to the west.

Natural Conditions of the Site

The site is heavily wooded towards the northern and western portions of the 192 acre parcel. There are several isolated mature tree stands on the site. The topography of the site matches these tree stands. For the majority of the site, the topography slopes and natural drainage flows toward Gunpowder Creek. There are several soil types presently located on the 192 acre tract. Those soil types include Boonesboro Silt Loam (Bo), Cynthiana Flaggy Silty Clay Lolam (20-50% slope), Jessup Silt Loam (12-20% slope), Nicholson Silt Loam (0-6% slope), and two types of Rossmoyne Silt Loam (0-12% slope). The Cynthiana Flaggy Silty Clay Loam is primarily located near Gunpowder Creek on the west side of the site.

Relationship to the Comprehensive Plan

According to the Future Land Use Map of the 1986 Boone County Comprehensive Plan, which is a 25 year projection, there are three recommended land uses. First, approximately two-fifths of the site, or the area closest to Pleasant Valley Road, is projected to be Low Density Residential (1-3 dwelling units per acre). Second, about two-fifths, or the area closest to the Meadows and

Glens portion of the site, is projected to be Medium Density Residential (3-8 dwelling units per acre). Finally, one-fifth of the site, or the area closest to Gunpowder Creek, is projected to be Rural Lands because of the existing topography.

On Page L-14, there is a detailed discussion concerning future growth of the Camp Ernst area:

"This section of the county will receive primarily residential development with commercial growth in the eastern portions. The subdivision growth discussed for the Burlington, KY 18 section will spill over to the northern edges of this section to approximately the transmission line area. Development on the remaining portions of Camp Ernst Road will be moderate. Oakbrook and the golf course will remain and the subdivision may tie in with new subdivisions in the area with the possibility of a road connection to Camp Ernst Road.

Development of both Pleasant Valley Road and Hopeful Road should be residential subdivisions which utilize the roads as collectors not the principle road for development. This is especially important for development along Hopeful Road as its functional service will be changing to more thoroughfare patterns as it becomes straightened and is extended across I-75 to alleviate industrial traffic. Restrictions on truck traffic should be imposed on this road to shelter the residential neighborhoods."

In the Housing Element of the Comprehensive Plan, future residential development is encouraged in well established areas:

"Residential development should occur around established areas as opposed to leapfrogging to isolated areas such as the western portion of the county unless adequate and proper infrastructure can be provided. Development in established areas takes advantage of existing services and lessens the strain on the transportation network."

In the Goals and Objectives section of the Boone County Comprehensive Plan, there are many references to Housing, Business Activity, and Transportation Elements, which are significant to this request and specific site:

#### Housing

"Residential development plans shall insure the continuity of the interior street system with the system already built or planned in the neighboring areas, as well as provide for the coordination of this local system with the major transportation network.

Existing sound residential areas/neighborhoods shall be conserved, and deteriorated residential areas with redeeming qualities should be regenerated."

Business Activity

"The mixing of commercial and non-commercial uses shall occur only in planned developments and replanned older areas where consideration can be given to minimizing harmful environmental influences."

Transportation

"Forms of access management shall be used to reduce vehicular traffic congestion wherever possible.

Provisions should be made for safe movement in the most expeditious manner of people and goods from place to place in the county."

In the Recreation Element of the Comprehensive Plan, there is summary of public, semi-public, and private recreational facilities. The Comprehensive Plan did not sufficiently nor specifically discuss the demand and supply of such facilities based upon existing and future population trends. A more detailed study of the county's recreational needs is underway. Oakbrook Subdivision is served by both public and private recreational facilities.

In the Public Facilities Element of the Comprehensive Plan, there is a brief inventory of the existing schools. There is also a section of this Element which describes the overall picture of the county school system:

"An overview of the future educational needs is concentrated on the central portion of the county where the greatest population growth is occurring. At present, with the recent addition to Boone County High, there is sufficient high school classroom space in the county. As the center of the county becomes more densely populated, more classroom space in the form of new school or expansion on existing buildings will be necessary in that area."

It is possible that the proposed school facility located at KY 18 and KY 237 will serve new students in the general area.

Concept Development Plan

The applicant has submitted a Concept Development Plan showing the following uses on the 192 acre site.

<u>Group</u>	<u>Intensity</u>
L and M	136 single-family detached lots (minimum lot size 9,000 s.f.)
K and N	166 single-family detached lots (minimum lot size 7,500 s.f.)
O	150 single-family attached lots (townhouse condominiums)
P	35,000 s.f. neighborhood commercial uses (applicant has requested C-2, C-1 uses)

The total number of units requested under the zone change is 452. Access to the site will involve the extension of Oakbrook Road, a 24 foot publicly dedicated street, to Pleasant Valley Road. No driveways will be permitted on Oakbrook Road and landscaping will be provided on both sides of the street. Private streets will be built for the townhouse section of the development.

Access management provisions have been made for this site to the adjacent properties, namely the Esther and Lorup, Inc. properties. Recreational facilities (e.g., tennis courts and swimming pool) are being planned for the entire site. The applicant has submitted additional information concerning the retail section of the development.

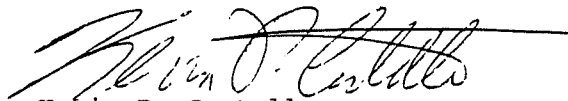
#### Staff Concerns

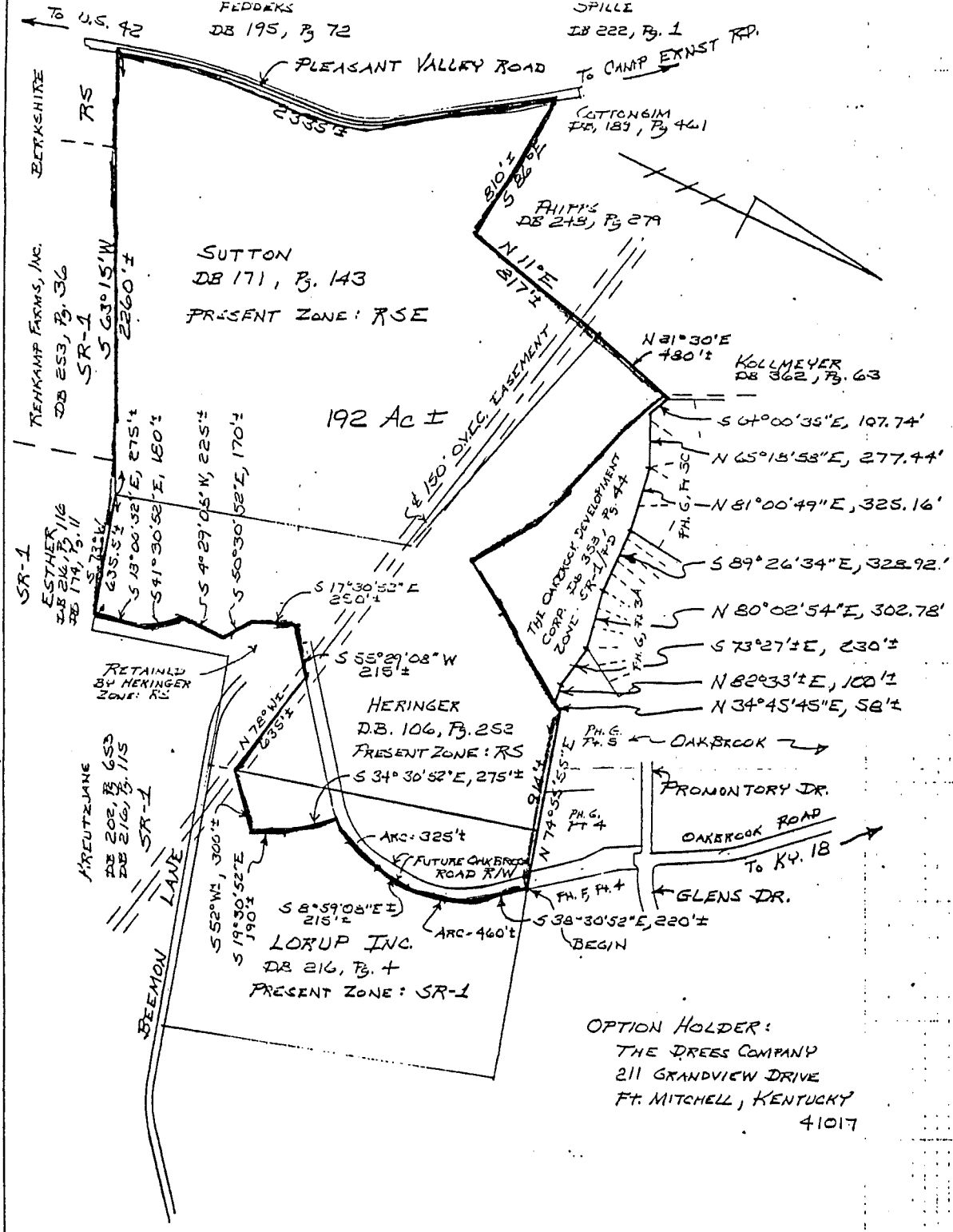
1. Access to Pleasant Valley Road - The exact location of this access should be determined at subsequent reviews. The Staff is concerned about adequate sight distance to allow safe traffic movement.
2. Improvements to Pleasant Valley Road - The Staff feels that a right-hand turning lane or deceleration lane should be built to separate the subdivision traffic from the local traffic using Pleasant Valley Road. Also, a left-hand turning lane should also be constructed on Pleasant Valley Road. Intersection improvements will have to be made to accommodate the proposed development.
3. Preservation or the Planting of Trees on Both Sides of Oakbrook Road - A special effort should be made to preserve the existing trees between the Glens and Meadows sections of Oakbrook in order to minimize the impact of the future extension of Oakbrook Road.
4. Recreation - The Planning Commission should evaluate the demand that the proposed development will place upon the existing county park system in light of the proposed recreational facilities.

#### Conclusion

The Boone County Planning Commission should evaluate this request in relation to the criteria for granting a zone change set forth in Article 3 of the Boone County Zoning Regulations. In addition, the Planning Commission should review the intent and objectives of Planned Development to determine whether the proposed request is consistent or not. Should the Planning Commission and the Boone County Fiscal Court approve this request, the Land Use Map would not need to be amended.

Respectfully submitted,

  
Kevin P. Costello,  
Assistant Director/Senior Planner



PARCEL TO BE REZONED  
 192 Ac<sup>±</sup>, FROM RSE, RS AND SR-1 TO SR-1/PD  
 BY THE DREES COMPANY  
 BOONE COUNTY, KENTUCKY  
 SCALE = 1" = 600'      APRIL 5, 1988

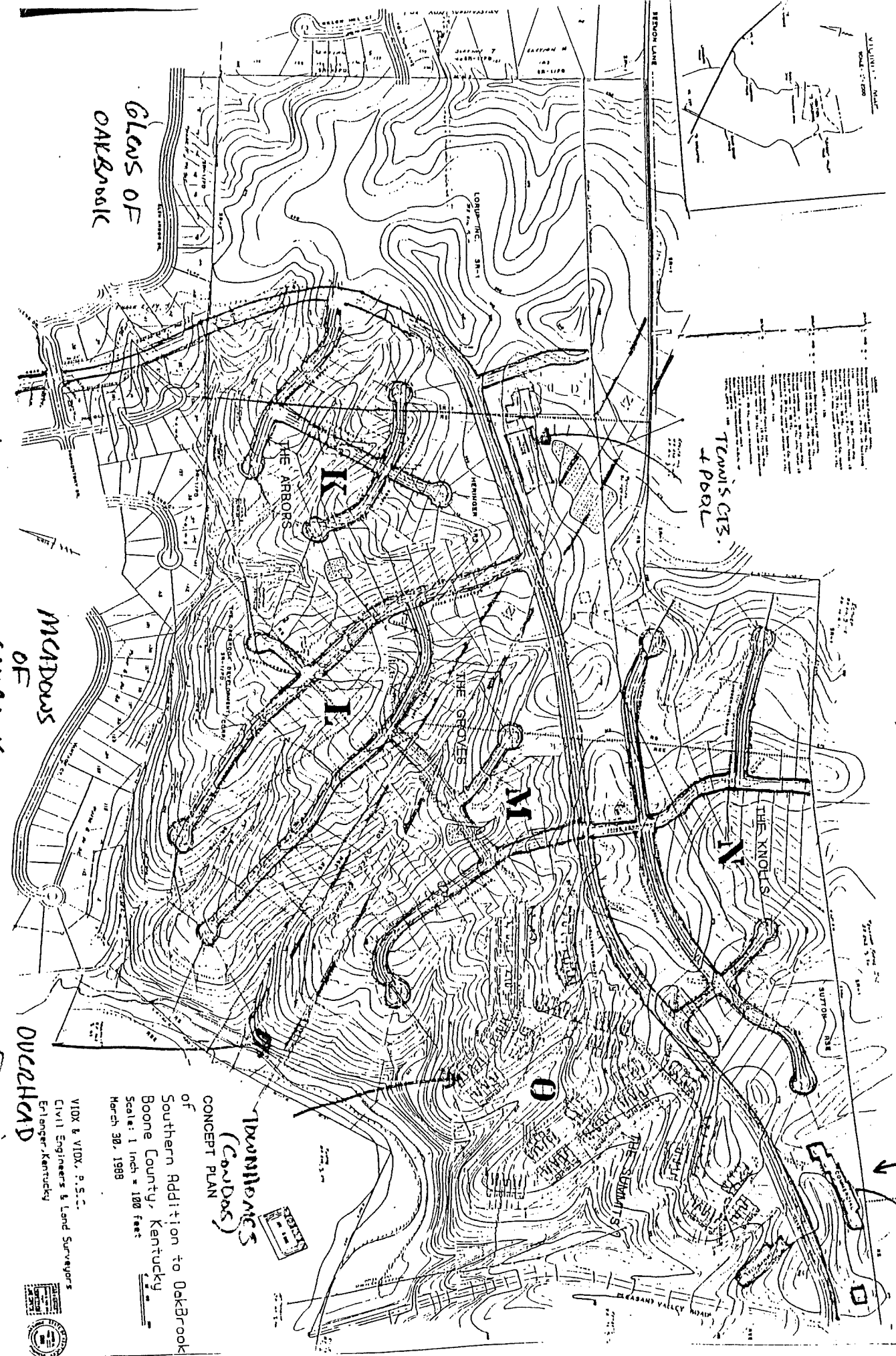
Viox & Viox, P.S.C.  
 CIVIL ENGINEERS & LAND SURVEYORS  
 ERLANER, KENTUCKY

OPTION HOLDER:  
 THE DREES COMPANY  
 211 GRANDVIEW DRIVE  
 FT. MITCHELL, KENTUCKY  
 41017

N ←

THE DRES COMPANY,  
OAKBROOK SUBDIVISION  
4/27/88

P  
Commercial



**Thumbnails  
(Contours)**

CONCEPT PLAN

of  
Southern Addition to Oakbrook  
Boone County, Kentucky  
Scale: 1 inch = 100 feet  
March 30, 1988

VIDX & VIDX, P.S.C.  
Civil Engineers & Land Surveyors  
Erlanger, Kentucky



GLENNS OF  
OAKBROOK

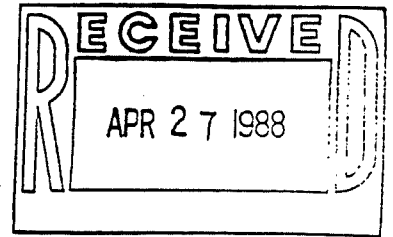
EXISTING  
OAKBROOK RD.

MEADOWS  
OF  
OAKBROOK

OVERHEAD  
Electric

April 25, 1988

PROPOSED OAKBROOK  
PHASE "P"  
NEIGHBORHOOD COMMERCIAL



Area approximately 6 acres

Intensity 35,000 square feet

Uses; Accessory uses and conditional uses to be excluded from the C-1 and C-2 classifications.

C-2 Conditional Uses and Criteria

2. Garden and landscape sales including florist greenhouses; lawn furniture and the like;
3. Gasoline service stations including normal maintenance, repair and wash services;
5. Roller skating rink and ice skating rink.
6. Funeral homes and crematoriums excluding cemeteries or mausoleums;
7. Small scale sales or leasing of new and used motor vehicles requiring the storage of no more than fifty (50) vehicles on the premises.
8. Sale of satellite dishes.

C-2 Accessory Uses

2. Dwelling unit of the family of the owner-operator provided the building was originally designed for residential use including:
  - a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. The keeping and use of appropriate household pets;
9. Indoor target ranges and similar athletic uses;

C-2 Permitted Uses

4. Limited price variety of discount stores, toy stores;
6. Department stores, mail order houses, direct retail selling organizations of general merchandise

7. Furniture, home furnishings including speciality and floor coverings;
8. Specialized upholstery and furniture repair or refinishing services;
24. Radio and television broadcasting studios excluding transmitting stations and towers;
31. Attached upper story dwelling units of up to three stories provided the building was originally designed for residential use and existing at the time of adoption of this ordinance, including:
  - a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. The keeping an use of appropriate household pets;
33. Aquariums, botanical gardens and other natural exhibitions;
34. Arcades and other amusement centers;
35. Motion picture theaters (indoor);
36. Bowling alley;
38. Motorcycles sales or bike shops excluding outside storage.

C-1 Conditional Uses and Criteria

1. Gasoline service stations;

C-2 Accessory Uses

2. Dwelling unit provided the building was originally designed for residential uses, including:
  - a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. The keeping and use of appropriate household pets.

- Boone County Planning Commission       City of Union Board of Adjustment
- City of Florence Board of Adjustment       City of Walton Board of Adjustment
- Boone County Board of Adjustment       Zoning Enforcement Officer

- Zoning Text Amendment       Zoning Map Amendment
- Comprehensive Plan Change       Preliminary Plat Approval
- Improvement Plat Approval       Final Plat or Deed Plat
- Conditional Use Permit       Site Plan Review
- Concept Development Plan       Historic District Overlay
- Preliminary Development Plan       Sign Permit or Zoning Permit
- Change of Non-Conforming Use       Appeal or Variance
- Design Review Board Hearing and Certificate of Appropriateness

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 Applicant: The Drees Company       Option Holder  
211 Grandview Drive       Agent

Ft. Mitchell, 41017      Telephone: 341-0355

Location: Southeasterly end of OakBrook Rd., Boone County

Name of Owner: Drees, Sutton, Heringer, Lorup Inc.

Address of Owner: \_\_\_\_\_

Zone: Present RSE, RS, SR-1      Area in Acres: 192

Deed Book: see attachment Page No.: \_\_\_\_\_      Group No.: \_\_\_\_\_

Description of Request: Rezone property to SR-1/PD to develop an extension of OakBrook

\_\_\_\_\_  
 Date: Apr. 6, 1988      Owner's Signature: \_\_\_\_\_  
 Applicant's Signature: John Prodoehl  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

FOR PLANNING COMMISSION USE:  
 Application date and fee of \$ 1,176.00      Received: 4-6-88  
 Referred to: K. Costello      For Meeting Date: 4/27/88 Possible  
 Date: \_\_\_\_\_

EXHIBIT "A"



# VIOX & VIOX, P.S.C.

CONSULTING ENGINEERS & SURVEYORS

466 ERLANGER ROAD

ERLANGER, KENTUCKY 41018

PHONE: (606) 727 - 3293

JAMES H. VIOX, III, P.E.

KY. REG. NO. 6880

KY. LAND SURVEYOR NO. 797

WILLIAM R. VIOX, P.E.

KY. REG. NO. 9209

KY. LAND SURVEYOR NO. 1781

## DESCRIPTION

Parcel to be Rezoned  
from RSE, RS and SR-1  
to SR-1/PD

A parcel of land lying at the southeasterly end of OakBrook Road in Boone County, Kentucky and being more particularly described as follows:

BEGINNING at a point in the northeasterly right-of-way line of OakBrook extended, said point also being the most southerly corner of Lot 43 of OakBrook Phase F, Part 4, and in the northerly line of Lorup Inc. (D.B. 216, pg. 4, Boone County Clerk's Records, Burlington) and running thence:

S 38-30-52 E, along the easterly side of the future OakBrook Road, a distance of 220 feet more or less, to a point, thence Southeastwardly, continuing along the easterly side of the future OakBrook Road as it curves toward the south, a distance of 460 feet more or less, to a point, thence S 8-59-08 E, continuing along the easterly side of the future OakBrook Road, a distance of 215 feet more or less, to a point, thence

Southeastwardly, continuing along the easterly side of the future OakBrook Road as it curves toward the south, a distance of 325 feet more or less, to a point, thence

S 34-30-52 E, a distance of 275 feet more or less, to a point, thence

S 19-30-52 E, a distance of 190 feet more or less, to a point, thence

S 52-00 W, -a distance of 300 feet more or less, to a point in the dividing line between Lorup Inc. and Heringer, thence N 78-00 W, along the centerline of a 150 foot wide Ohio Valley Electric Corp. easement, a distance of 635 feet more or less, to a point, thence

S 55-29-08 W, a distance of 215 feet more or less, to a point, thence

S 17-30-52 E, a distance of 250 feet more or less, to a point, thence

S 50-30-52 E, a distance of 170 feet more or less, to a point, thence

S 4-29-08 W, a distance of 225 feet more or less, to a point, thence

S 41-30-52 E, a distance of 180 feet more or less, to a

point, thence  
S 13-00-52 E, a distance of 275 feet more or less, to a  
point, thence  
S 73-00 W, a distance of 635.5 feet more or less, to a  
point, thence  
S 63-15 W, a distance of 2260 feet more or less, to a point  
in the centerline of Pleasant Valley Road, thence  
Northwestwardly, along the centerline of Pleasant Valley  
Road as it meanders, a distance of 2335 feet more or less, to  
a point, thence  
S 86-00 E, leaving Pleasant Valley Road, a distance of 810  
feet more or less, to a point, thence  
N 11-00 E, a distance of 817 feet more or less, to a point,  
thence  
N 21-30 E, a distance of 480 feet more or less, to a point  
thence  
S 64-00-35 E, a distance of 107.74 feet, to a point, thence  
N 65-18-58 E, a distance of 277.44 feet, to a point, thence  
N 81-00-49 E, a distance of 325.16 feet, to a point, thence  
S 89-26-34 E, a distance of 328.92 feet, to a point, thence  
N 80-02-54 E, a distance of 302.78 feet, to a point, thence  
S 73-27 E, a distance of 230 feet more or less, to a point,  
thence  
N 82-33 E, a distance of 100 feet more or less, to a point,  
thence  
N 34-45-45 E, a distance of 58 feet more or less, to a point,  
thence  
N 74-55-55 E, a distance of 914 feet more or less, to the  
place of beginning, and containing 192 acres more or less.

4/6/88

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #3  
April 27, 1988

Page 1

Following a five-minute recess, Mr. Burch opened the Public Hearing for the third item on the Agenda:

3. Applicant: The Drees Company for Drees, Sutton, Heringer, Lorup, Inc.  
(owners).  
Request: Zoning Map Amendment

This was a Public Hearing on the request of The Drees Company (applicant) for Drees, Sutton, Heringer, Lorup, Inc. (owners) for a Zoning Map Amendment on a 192-acre site located south of Oakbrook Road, west of Beemon Lane and east of Pleasant Valley Road, Boone County, Kentucky. The request is to rezone the site from Rural Suburban Estates (RSE), Rural Suburban (RS), and Suburban Residential One (SR-1) to Suburban Residential One/Planned Development (SR-1/PD).

Staff Member, Kevin Costello, presented the Staff Report which included a slide presentation (see Staff Report).

Mr. Burch asked the applicant to speak at this time.

Mr. Brian Huehls, Staff Architect, The Drees Company, stated that Oakbrook is a planned community subdivision developed in several major phases since 1976-1977. He noted the various areas of Oakbrook and the densities. He indicated the location of a golf course which was eventually bought by the county. He stated that this phase of the development will bring the average density down to 2.9. He stated that the density of the area being proposed for development is 2.3, which is approximately half the density of the original Oakbrook. He stated that a connector road will be built to Pleasant Valley Road and there will be no houses or special functions abutting the connector road. He discussed the history of Oakbrook and stated that they have contained communities. They are currently extending Glen Arbor Drive to Old KY 18. He noted a pathway system and landscaping.

Mr. Jim Viox, engineer with Viox & Viox, representing the Drees Company, noted the road which will be built from KY 18 to Pleasant Valley Road. This road will be constructed and paid for by the developer. The road is needed to carry the traffic and offer an opportunity to build individual communities with different levels of housing. He noted that there is also an interconnection to Fox Run. He discussed the roadways and traffic circulation patterns in the area. They are agreeable to providing turning lanes on Pleasant Valley Drive and Oakbrook Drive and complying with the sight distance requirements. He noted the recreational facilities on the diagram indicated by red dots. He stated that Mr. Drees has attempted to provide recreational facilities and at times has had difficulty in finding someone to maintain them. These recreational areas are being maintained by the Homeowners' Association. He stated that the intention of the

connector road is to provide access to Pleasant Valley Road. He stated that they now control the land and will extend the road in stages, most likely beginning with Section K and then Section L, based on the market's demands for particular housing types. He noted a commercial area and recreational facility on Pleasant Valley Road. There will be tennis courts and a membership pool. He stated that transmission lines through the site will have to be relocated, with the exception of the power line. He noted that the site is currently divided by a number of zoning classifications as indicated in the Staff Report. He indicated the locations of the different zones on the Concept Plan. He stated that their request conforms with the Comprehensive Plan as the Land Use Map classifies the area as medium density. He stated that 40% of the land allows for 3 to 5 units per acre, another 40% allows for 1 - 2 units per acre, and the remaining 20% is zoned rural. Therefore, the overall density allowed ranges from 1 to 8 units and would average more than 4 units. They are talking about a density of 2.3 units. He referred to the infrastructure necessary to support this development, and stated that Boone County Water and Sewer Commission is making a comprehensive study of the county and considering a major treatment facility on Gun Powder Creek. If that facility materializes during development of this land, they would use the new facility and ultimately eliminate the Oakbrook plant. Otherwise, they will use the Oakbrook treatment plant and expand it when necessary. Water will be provided via an 8" line along KY 18 that will be extended to Pleasant Valley Road. He noted how the lines had been looped. There is adequate water to support the development. Mr. Viox stated that the front of the area will include multi-family residences. He noted severe topography along Gun Powder Creek and the existing vegetation that will be preserved. They intend to disturb the land as little as possible and the condominiums will lend themselves to the topography.

Mr. Huehls advised that the recreational facility will be available to others in the single-family areas of Oakbrook. There will be an olympic size pool.

Mr. Burch asked if there was anyone else present who wished to speak in behalf of this request. There being no one, he asked if there was anyone present in opposition to the request or if there were any questions.

Mr. Ken Cottengen stated that the fish disappeared from the creek when they built the sewage plant. He asked if he would be able to see the new houses from his house. Mr. Huehls advised that the entire hillside near his house would remain undeveloped.

Mr. Steve Scott questioned how the traffic would flow when the development is finished.

Mr. Jim Viox stated that they will extend the connector road as development progresses. They intend to develop only Area K at this time. The road will extend to the intersection to allow them to build the recreational facility. The road would then proceed to the next intersection as development progresses and continue on the Pleasant Valley Road. Their plan is subject to change based on the demand for different housing types. They will develop in accordance with the market. During development, they will bring construction traffic in on Oakbrook Drive. He stated that when Oakbrook Drive is extended, traffic will go in both directions.

Liz Strickland stated that this development will add to the traffic problem and the burden on the schools. She stated that the developer should work with the school district to provide better schools and transportation (school buses).

Pat Sullivan, a resident of The Glens, stated that the current water pressure is not adequate. He stated that Oakbrook Drive is very steep, empties into a narrow bridge, and is very dark. He stated that the construction equipment will tear up their development. He added that the trucks have no regard for people's property.

D. J. Dickson stated that vandalism is increasing in the neighborhood. If Glen Arbor Drive is opened into Fox Run, the neighborhood will be used as a connector. She stated that she is concerned about the traffic on the connector road during business hours.

Mr. Jim Viox stated that their original application was for a limited access road and they needed to acquire a curb cut. They provided the Department of Transportation with a projected traffic count for the area. He stated that the roadway is adequate to handle the traffic. He noted the intersections in the area and stated that they had spent considerable money to make the road connection to allow for controlled movement of traffic. He stated that they considered the traffic and classified the road to meet the traffic.

D. J. Dickson again noted her concerns regarding the traffic and vandalism.

Lois Perise, a resident of The Glens, noted her concerns regarding overcrowding in the schools.

Mrs. Burch asked if there were any questions from the Commission.

Mr. Damstrom questioned the location of the curb cut on Pleasant Valley Road. Mr. Jim Viox indicated the proposed location on the diagram and stated that they are willing to move the intersection to address the sight distance problem.

Mr. Damstrom questioned the completion time for the development.

Mr. Huehls stated that it has taken them twelve years to get to this point and they are not half finished.

Mr. Damstrom noted his concerns regarding the entrance to Pleasant Valley Road, which is dangerous due to the sight distance. He noted that Pleasant Valley Road is being improved in conjunction with the widening of U.S. 42. He stated that he is concerned about the intersection of Pleasant Valley Road and U.S. 42.

Mr. Jim Viox noted the location of a driveway curb cut into the site and stated that there is adequate sight distance at the crest of the hill. He noted that the intersection of U.S. 42 and Pleasant Valley Road is being improved, elevated, a turn lane provided, and a signal provided.

Mr. Neltner questioned the need for C-2 uses on Pleasant Valley Road which is a two-lane country road with a lot of houses.

Mr. Jim Viox stated that they have prepared a proposal to exclude the uses of the C-1 and C-2 Zones that they will not need. He stated that a copy of this exclusion is attached to the Staff Report. He noted that they want neighborhood-type commercial uses.

Mr. Huehls stated that they want uses such as day care, banks, and nautilus.

Mr. Damstrom questioned the size of the water line and how it would be brought to the site.

Mr. Jim Viox stated that they will be extending the 8" water line and there will be a complete loop. He indicated the location on a map. He stated that the current water pressure problems are due to a water shortage in the county, which will be improved by a 24" line to be extended from Donaldson Highway.

Mr. Moore stated that he lives in Oakbrook and noted his concerns for the traffic if the site were to build out before the road connection was made. He asked if the developer could commit to a timeframe as the units are developed.

Mr. Jim Viox noted the traffic circulation patterns in the area. He stated that they do not want to commit to a timeframe to build the road as development progresses as they do not know what the economy and the market will do.

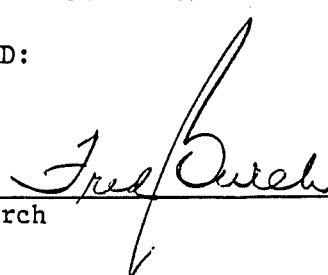
Pat Sullivan questioned why it was necessary to build condominiums. Mr. Jim Viox advised that the density pays for the improvements and they are down to a density of 2.3. Without the condominiums, the cost of the lots would be too high.

At this time, Mr. Costello completed the Staff Report (see Staff Report).

In response to questions from Mr. DeLong, Mr. Jim Viox advised that the road will be two 12-foot lanes with no shoulder.

There being no further discussion, Mr. Burch advised that this item will be on the Agenda on May 4, 1988 at 8 P.M. and closed this Public Hearing.

APPROVED:

  
\_\_\_\_\_  
Fred Burch

ATTEST:

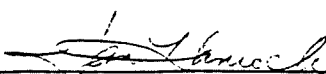
  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

EXHIBIT "C"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Rector Jones, Committee Chairman

DATE: May 4, 1988

RE: Request of The Drees Company (applicant) for Drees, Sutton, Heringer, Lorup, Inc. (owners) for a Zoning Map Amendment on a 192 acre site located south of Oakbrook Road, west of Beemon Lane, and east of Pleasant Valley Road, Boone County, Kentucky. The request is to rezone the site from Rural Suburban Estates (RSE), Rural Suburban (RS), and Suburban Residential (SR-1) to Suburban Residential One/Planned Development (SR-1/PD).

REMARKS:

We, the Committee, recommend approval based upon the following findings of fact and subject to the conditions below.

Findings of Fact.

1. The proposed zoning classification, Suburban Residential One/Planned (SR-1/PD) is in agreement with the 1986 Boone County Comprehensive Plan. The overall building intensity (2.35 units per acre) and Concept Development Plan for the 192 acre site is consistent with the Future Land Use Map, which recommends Medium Density Residential (3-8 units per acre), Low Density Residential (1-3 units per acre), and Rural Lands. Also, the text of the Land Use Element discusses the future growth of Oakbrook by connecting into new subdivisions in the general area.
2. The proposed mixture of commercial, residential, and recreational uses is consistent with the objectives of Planned Development and the Goals and Objectives of the Business Activity Element of the Comprehensive Plan. In addition, the submitted Concept Development Plan demonstrates many forms of access management to adjoining lands and to existing road networks, which is a primary goal and objectives of the Transportation Element.

Conditions

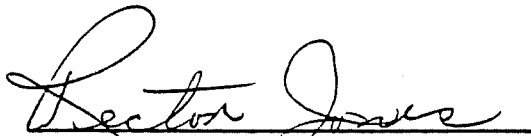
The applicant is being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan presented at the April 27, 1988, Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

1. The applicant shall be required to properly locate the proposed access (public road) to the site from Pleasant Valley Road in order to have adequate sight distance and assure traffic safety.

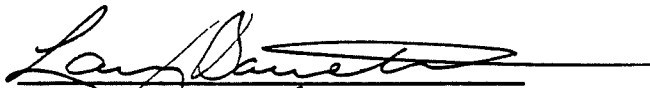
Conditions - Continued

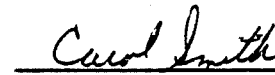
2. The applicant shall be required to make improvements to the intersection of Pleasant Valley Road and Oakbrook Road in order to assure proper turning movements. These improvements will include left hand and a right hand turning lane on Pleasant Valley Road and a left hand turning lane on Oakbrook Road.
3. The applicant shall be limited a maximum 35,000 square feet of retail use in the portion of the development closest to Pleasant Valley Road. Commercial One (C-1) and Commercial Two (C-2) uses will be allowed on the site with the exception of those uses stated for exclusion by the applicant's April 25, 1988, letter.
4. The applicant shall be required to construct the proposed recreational facilities in both the single-family detached and in the single-family attached sections of the development at the time of construction of those sections.
5. The applicant shall be required to preserve a significant amount of the vegetation which exists along the rear lot lines of the Glens of Oakbrook and the Meadows of Oakbrook during the construction or extension of Oakbrook Road.
6. At such time as sections O ~~and W~~ are under development, Oakbrook Road shall be extended to Pleasant Valley Road and incorporate the improvements discussed in Condition No. 2.

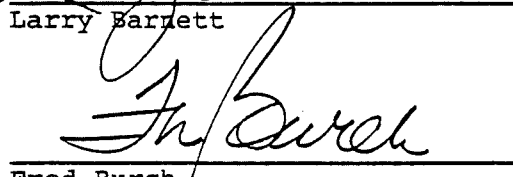
\*\* (AMENDED AT MAY 4, 1988 BUSINESS MEETING) \*\* (See Page 3)

  
Rector Jones, Chairman

\_\_\_\_\_  
Donald McMillian

  
Larry Barnett

  
Carol Smith

  
Fred Burch

Committee Report  
May 4, 1988  
Page Three

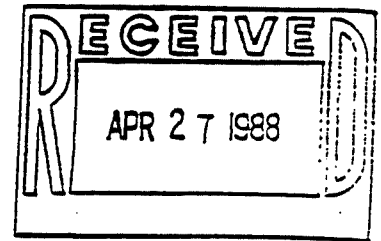
CONDITION #6 (as amended at the May 4, 1988 Business Meeting)

Condition # 6 reads as follows:

6. At such time as sections O, the part of section N accessed by proposed Knob Hill Lane, as well as section P, are under development, Oakbrook Road shall be extended to Pleasant Valley Road and incorporate the improvements discussed in Condition No. 2.

April 25, 1988

PROPOSED OAKBROOK  
PHASE "P"  
NEIGHBORHOOD COMMERCIAL



Area approximately 6 acres

Intensity 35,000 square feet

Uses; Accessory uses and conditional uses to be excluded from the C-1 and C-2 classifications.

C-2 Conditional Uses and Criteria

2. Garden and landscape sales including florist greenhouses; lawn furniture and the like;
3. Gasoline service stations including normal maintenance, repair and wash services;
5. Roller skating rink and ice skating rink.
6. Funeral homes and crematoriums excluding cemeteries or mausoleums;
7. Small scale sales or leasing of new and used motor vehicles requiring the storage of no more than fifty (50) vehicles on the premises.
8. Sale of satellite dishes.

C-2 Accessory Uses

2. Dwelling unit of the family of the owner-operator provided the building was originally designed for residential use including:
  - a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. The keeping and use of appropriate household pets;
9. Indoor target ranges and similar athletic uses;

C-2 Permitted Uses

4. Limited price variety of discount stores, toy stores;
6. Department stores, mail order houses, direct retail selling organizations of general merchandise

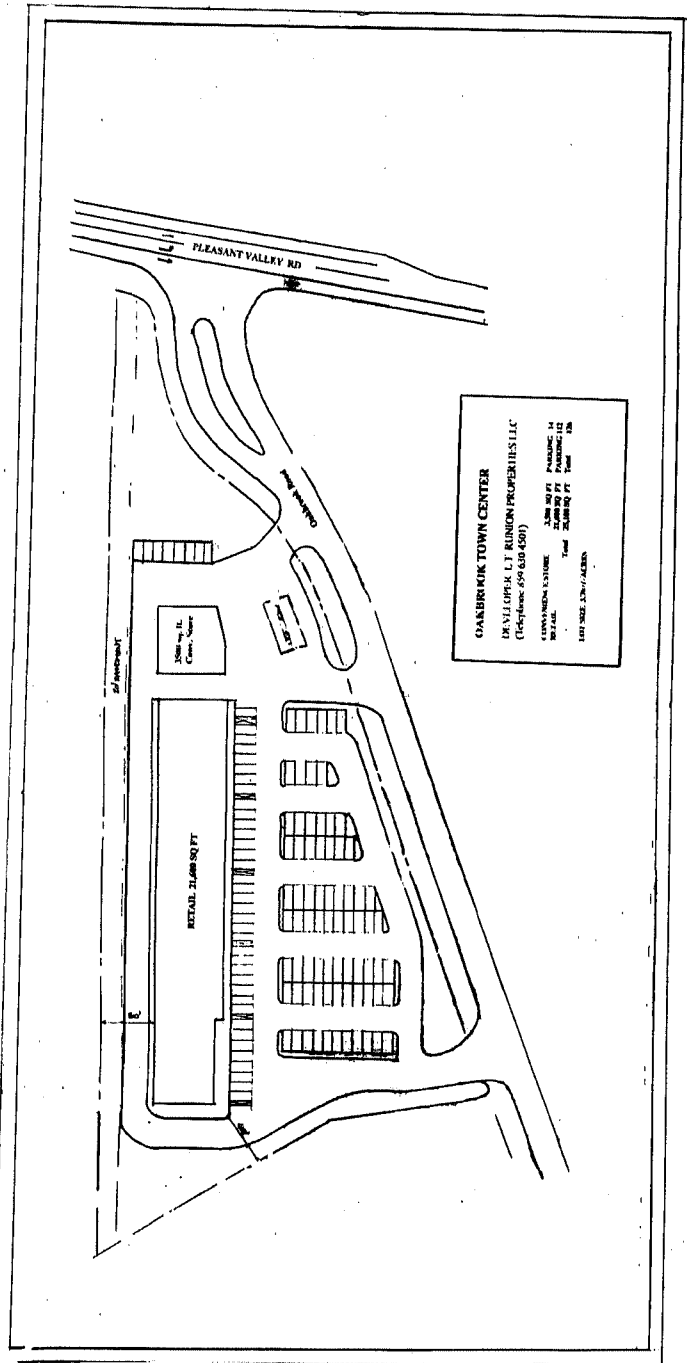
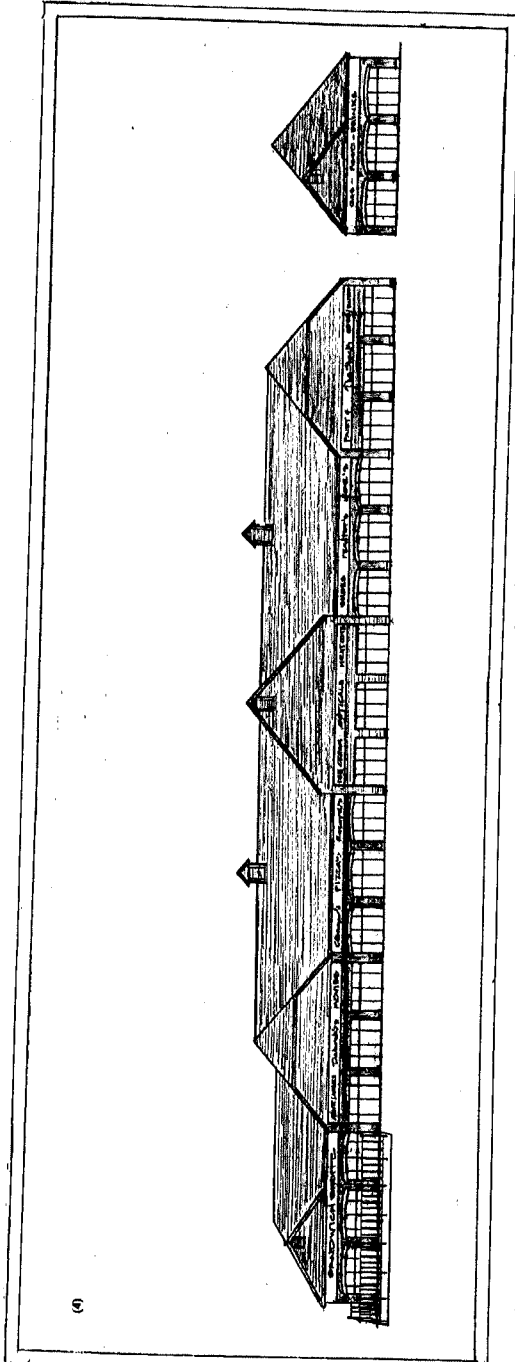
7. Furniture, home furnishings including speciality and floor coverings;
8. Specialized upholstery and furniture repair or refinishing services;
24. Radio and television broadcasting studios excluding transmitting stations and towers;
31. Attached upper story dwelling units of up to three stories provided the building was originally designed for residential use and existing at the time of adoption of this ordinance, including:
  - a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. The keeping an use of appropriate household pets;
33. Aquariums, botanical gardens and other natural exhibitions;
34. Arcades and other amusement centers;
35. Motion picture theaters (indoor);
36. Bowling alley;
38. Motorcycles sales or bike shops excluding outside storage.

C-1 Conditional Uses and Criteria

1. Gasoline service stations;

C-2 Accessory Uses

2. Dwelling unit provided the building was originally designed for residential uses, including:
  - a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. The keeping and use of appropriate household pets.



R-26-88

ORDINANCE 920.153

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE), RURAL SUBURBAN (RS), AND SUBURBAN RESIDENTIAL ONE (SR-1) TO SUBURBAN RESIDENTIAL ONE/PLANNED DEVELOPMENT (SR-1/PD) FOR A 192 ACRE SITE GENERALLY LOCATED SOUTH OF OAKBROOK ROAD, WEST OF BEEMON LANE, AND EAST OF PLEASANT VALLEY ROAD, BOONE COUNTY, KENTUCKY, AS REQUESTED BY THE DREES COMPANY (APPLICANT) FOR DREES, SUTTON, HERINGER, LORUP, INCORPORATED (OWNERS) AND BEING RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING COMMISSION WITH CONDITIONS VIA RESOLUTION R-26-88.

WHEREAS, the Boone County Planning commission received a request for approval with conditions for a Zoning Map Amendment to the Boone County zoning map and such Zoning Map Amendment being a zone change from Rural Suburban Estates (RSE), Rural Suburban (RS), and Suburban Residential One (SR-1) to Suburban Residential One/Planned Development (SR-1/PD) for a 192 acre site generally located south of Oakbrook Road, west of Beemon Lane, and east of Pleasant Valley Road, Boone County, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval with conditions for the zoning map amendment.

NOW, THEREFORE BE IT RESOLVED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:

SECTION I

That the zoning map amendment for the real estate which is more particularly described below shall be and is hereby recommended for approval with conditions, this Zoning Map amendment being a zone change from Rural Suburban Estates (RSE), Rural Suburban (RS), and Suburban Residential One (SR-1) to Suburban Residential One/Planned Development (Sr-1/PD) for a 192 acre site generally located south of Oakbrook Road, west of Beemon Lane, and east of Pleasant Valley Road, Boone County, Kentucky. The real estate which is the subject of this zoning map amendment recommendation for approval with conditions is more particularly described in attached "Exhibit A."

SECTION II

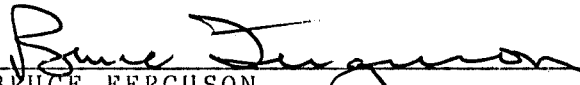
That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning and Zoning Commission as set forth in its Minutes and official records for this zone change request, and the finding of facts of the Boone County Fiscal Court, if any,

and any conditions and/or stipulations mandated by the Boone County Fiscal Court, if any, as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference as if fully set out in the Ordinance (ATTACHED - EXHIBITS "B" AND "C").

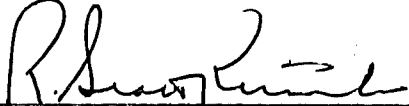
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

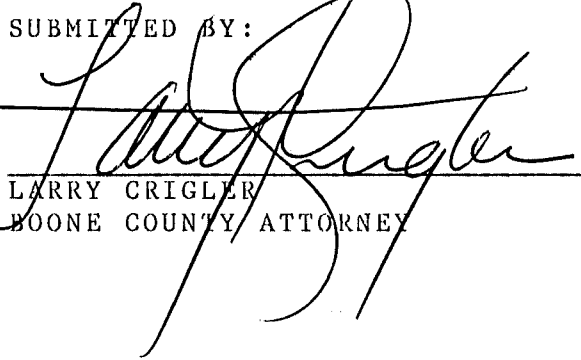
Introduced, seconded and given First Reading on the 07<sup>th</sup> day of June, 1988.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 21<sup>st</sup> day of June, 1988, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be in full force and effect.

  
\_\_\_\_\_  
BRUCE FERGUSON  
COUNTY JUDGE/EXECUTIVE

ATTEST:

  
\_\_\_\_\_  
R. SCOTT KIMMICH  
FISCAL COURT CLERK

SUBMITTED BY:  
  
\_\_\_\_\_  
LARRY CRIGLER  
BOONE COUNTY ATTORNEY

7/21/88  
DATE PUBLISHED