

APPLICATION FORM  
**ZONING MAP AMENDMENT**

BOONE COUNTY PLANNING COMMISSION  
(See Boone County Zoning Regulations)

**SECTION A** (To be completed by applicant)

1. Name of Project ~~NORTHBROOK~~ NORTH POINTE
2. Location of Project KY 237 - Boone County
3. Total Acreage of Site 592.2 Acres
4. Current Zoning of Site A-1 & A-2 - RSE
5. Proposed Zoning (Classification being requested) Residential Planned Development (RPD)
6. Proposed Uses (please specify each use) Single Family  
Detached, Single Family Attached and Multi-Family
7. Names of Applicant(s) Arlinghaus Builders, Inc.  
Phone Number 341-8766 Fax No. 344-7983
8. Address of Applicant(s) 142 Barnwood Drive  
Edgewood KY 41017  
City State Zip
9. Name of Property Owner(s) Arlinghaus Builders, Inc.  
Phone Number 341-8766 Fax No. 344-7983
10. Address of Property Owner(s) 142 Barnwood Drive  
Edgewood KY 41017  
City State Zip
11. Proposed Building Intensities (please specify) See Concept Development Plan

12. Are there any existing buildings on the site? Yes  
How many? 5
13. Deed Book See Exhibit Page No. "A" Group No.
14. Are you also applying for:  
No Conditional Use Permit  
No Dimensional Variance
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Public Works Department

(over)

## STAFF REPORT

Request of **Arlinghaus Builders, Inc. (owner)** to consider a Zoning Map Amendment from Agriculture (A-1) and Agricultural Estate (A-2), to Residential Planned Development (RPD) for an approximate 592 acre tract located on the west side of North Bend Road approximately 1,100 feet north of the North Bend Road/Westborough intersection, and also located north of Wyndemere Place and Thornwilde subdivisions, and west of Taylor Ridge Subdivision (Kara Lane), Boone County, Kentucky. The request is for a zone change to permit single-family detached residential, single-family attached residential, and multi-family residential uses.

February 24, 1998

### Proposal

The applicant is proposing to build a planned residential community (North Pointe) on the 592 acre site (see Location Map). The applicant anticipates that North Pointe will be developed over a period of 15 to 20 years (see Concept Development Plan). A maximum of 815 single family dwelling units will be located on 292 acres of the site. A maximum of 750 single family attached and multi-family dwelling units (garden style apartments, townhomes, and/or condominiums) will be located in Area 4 of the site which is 75 acres in size. The applicant has determined the general number of units permitted in each of the different areas designated in the development (see Table One). However, in order to maintain flexibility in site design, the number and type of units in these areas may be transferred to other areas. Therefore, single family detached homes may be placed in Area 4 but the attached and multi-family units will only be placed in Area 4. The maximum number of dwelling units in the development will be 1,275 units. The overall density of the entire site, including the open space, is 2.15 dwelling units per acre.

14.7 acres of the site is to be donated to the Boone County Board of Education. An elementary school similar to the Erpenbeck Elementary School is going to be built on this site (see attached School Site Plan). This school will accommodate 750 students and it is anticipated that it will be open by the 2000-2001 school year. The location of this school is designated as Area One on the proposed Concept Development Plan.

208 acres of the overall site will be preserved as open space. According to the applicant, this open space is to be owned and maintained by a homeowners association. The applicant has indicated a willingness to cooperate with the Boone County Parks Department in determining the possibility of including this open space as a part of the parks system. An additional 2 acres of the site is reserved for the placement of a swimming pool and bath house for the residents.

One existing lake will be enhanced and approximately four new lakes will be created to contribute to the aesthetics of the development and serve as storm water retention. The exact number of lakes to be created has not yet been determined.

The proposed Concept Development Plan shows one access point into the development from KY 237 (North Bend Road). This access point is located approximately 2.6 miles north of the KY 237/I-275 interchange. The collector street located in the development will be limited access where no residential driveways will connect into it. Left turn lanes will be constructed at the intersection of this collector street and KY 237. Additionally, the properties to the north of Area 3 will have access to this roadway for future development. The applicant has indicated that an interconnecting pedestrian pathway system will be provided but the exact location of this system has not yet been determined.

An 8-inch sanitary sewer line located on the site will service the school and a 12-inch sanitary sewer line being constructed in the Wyndemere Subdivision will service the remainder of the subject site. The development will be serviced with public water from a 12-inch water line located on the east side of KY 237.

#### Site History

In 1794, when what we now know as Boone County was part of Scott County, Kentucky, early settlers established the Bullittsburg Baptist Church in North Bend Bottoms, then known as Bullitt's Bottoms. Several ministers and elders from the Great Crossings Church in southern Scott County joined the settler to assist with the formation of a new church. Among these men was William Cave, who was ordained as a Minister in 1800. In 1797, the Bullittsburg Church moved to its current location.

In c. 1795, William Cave built a one and a half story brick house, off of today's North Bend Road, above Sand Run Creek, on the applicant's property. The house featured Flemish Bond brickwork, described in a 1976 architectural survey as the "best brickwork in the county", extensive use of black walnut for interior woodwork, chair rails, and stair paneling, hand forged door hardware and locks, and large federal style mantles. As was the custom in those early days, the kitchen was separate from the main house, connected by a frame passageway.

In December of 1798, the Commonwealth of Kentucky passed a resolution creating Boone County and stating that local government activity was to begin in June 1799. According to the Boone County, Kentucky County Court Orders Book, 1799-1815, a meeting was held "... at the house of William Cave, Esqr. on Monday the seventeenth day of June one thousand seven hundred and ninety-nine ...". This meeting provided a framework for the

official business of Boone County and early leaders, including Justices of the Peace, a County Clerk, a County Coroner, and a County Surveyor were appointed. These gentlemen also accepted Robert Johnson and John Hawkins Craig's proposed donation of land for a permanent seat of Justice for Boone County at Craig's Camp, later to be known as Burlington. Subsequent county court meetings were held at Burlington.

The William Cave house was demolished in 1996.

Closer to Sand Run Creek, in the greenspace area of the proposed project, is the grave of Colonel Abraham Depew, 1773-1820. The appellation of Colonel likely came from Depew's service in the Militia during the War of 1812. He and his wife operated a grist mill, just on the other side of Sand Run Creek from his burial location and were active members of the Bullittsburg Baptist Church. Depew also served as a Justice of the Boone County Court from 1808 until his death in 1820. The ruins of the grist mill and the Depew's home can be seen just across Sand Run Creek, but that property is not part of this zone change request.

#### Site Characteristics

This 592 acre site is characterized with rolling hills, steep slopes and open farmland. Large areas of the site are heavily wooded especially on the steep slopes. A gravel road travels northward through the site. Two farm lakes also exist on the site. A single family residence is located on the site along KY 237 which runs along the east boundary of the subject site. Two barns as well as an abandoned home and some smaller accessory structures are also on the property. High tension power lines cut through the northwest corner of the site. A portion of the Sand Run Creek runs through the western portion of the site and a tributary to this creek runs along the southern portion on the land.

#### Surrounding Zoning and Land Uses (See Zoning Map)

The site itself is zoned Agriculture (A-1) and Agricultural Estate (A-2). The land north and west of the site is zoned Agriculture (A-1). This area is wooded. The land south of the site is zoned Suburban Residential One (SR-1) and Residential Planned Development (RPD). The Thornwilde Subdivision and the Wyndemere Subdivision are adjacent to the south side of this site. The majority of the land on the southern boundary is wooded. There are also two single family detached residences located just southeast of the site along KY 237. These residences are zoned Rural Suburban Estates (RSE). The Rivershore Farms Subdivision is located east of the site and is zoned Agricultural Estate/Suburban Residential One/Recreation/Planned Development (A-2/SR-1/R/PD). Additional residences along KY 237 and adjacent to the site are zoned Agricultural Estate (A-2). The Taylor Ridge Subdivision is also adjacent to this site and is zoned Agricultural Estate (A-2).

Relationship to the Comprehensive Plan  
(See Future Land Use Map)

This request must be reviewed on the basis of its relationship to the adopted 1995 Boone County Comprehensive Plan. The Future Land Use Map of this plan classifies this site as Rural Density Residential (RD) which is described as: low density residential uses of up to one dwelling unit per acre which are not part of a formal subdivision. A small portion of the site is also designated Suburban Residential (SR) which is defined as: single family housing of up to four units per acre. This Classification also includes any low density or estate residential developed as a formal subdivision. Large portions of this site are also classified as Developmentally Sensitive.

A great majority of this site is located in the River Road Area (Area B-1) as designated in the Land Use Text of the Boone County Comprehensive Plan. However, a small portion is located in the Francisville Area (Area C-1).

The Land Use Text of the Boone County Comprehensive Plan states the following regarding the River Road Area (Area B-1, pg.214)

"This section of Boone County is characterized by KY 8, or River Road, and contains significant Ohio River frontage. Much of the topography is rolling, with Developmentally Sensitive hillsides. Because of the sensitive nature of these hillsides, the western portion of this section should remain wooded."(pg.214)

"Williams Road should eventually connect to KY 237 through Thornwilde Subdivision"(pg.214)

"Development should be clustered on the ridge top areas because of the limited capacity of the existing roadway network and planned improvements, the Developmentally Sensitive areas, and the importance of the stream valleys as greenbelts. Lower density development, such as Rural Density Residential, should provide a transition into the Developmentally Sensitive areas. Stream valleys should be left undisturbed to provide open space, buffering, and/or passive recreation areas."(pg.214)

"With the provision of adequate infrastructure, some Suburban Density Residential development may extend onto the ridge top areas. Development would need to retain the bluff line vegetation in order to minimize the visual and environmental impacts of residential development. Planned development or cluster housing should be used to insure proper development of this area, due to environmental and site characteristics.

Much of the remaining land in this section contains Developmentally Sensitive and scenic hillsides, and should stay wooded in order to create greenbelts between future developments. The Sand Run Creek and Elijah Creek valleys should constitute such greenbelts, and should be included in future greenbelt studies."(pg.214)

"Overall, Section B-1 should experience limited development because of the many Developmentally Sensitive areas and indirect access."(pg.214)

The Land Use Text of the Boone County Comprehensive Plan states the following regarding the Francisville Area (Area C-1, pg.217)

"In general, Suburban Residential development should be concentrated on land nearest to KY 237, as indicated on the Future Land Use Map. Through 1994 there have been no improvements to North Bend Road outside of the I-275 interchange area. Current conditions of North Bend Road in the Francisville area are not suitable for suburban traffic demands. Unlike most developing areas of Boone County, the north river area contains only one primary means of access, being North Bend Road. Although the 1995 Future Land Use Map indicates little change from the 1990 Map, additional Suburban Residential development would be suitable for much of the area, if accompanied by widening and straightening of impacted portions of KY 237."(pg.217)

"Furthermore, the Public Facilities element indicates that the rapid growth in this area has contributed to the overcrowding of Goodridge Elementary. Proper planning dictates that additional school facilities are needed to support the growth of this area. At least one elementary school is needed north of I-275."(pg.217)

"Without the above suggested improvements, the remaining acreage in this section is suitable only for Rural Density residential growth because of the existing residential character of the area, Developmentally Sensitive stream valleys, and the existing condition of KY 237. In the planning of this growth, and in the development of all other areas within this section of the county, care must be taken to avoid potential negative impacts to the Developmentally Sensitive hillsides."(pg.218)

The Land Use Element Development Guidelines, identified in the Access Management category, state that:

"Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems."(pg.211)

"Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, and provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system."(pg.211)

The Land Use Element Development Guidelines, identified in the Design, Signs and Historic Preservation category, indicate that:

"Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention." (pg.211)

"Finally, this Comprehensive Plan encourages the restoration, renovation and/or adaptive re-use of historically significant structures in Boone County."(pg.211)

The Future Land Use Development Guidelines regarding buffering states(pg.210):

"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; existing site features should be used in meeting this guideline."

The Goals and Objectives Section for Housing states as a goal (pg.8):

"Goal: Safe, decent, environmentally sound, and sanitary housing exists for all Boone County residents."

The Goals and Objectives Section for Housing also states as objectives (pg.8):

"1. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types."

"4. Housing opportunities in Boone County shall be balanced against present and planned commercial, industrial, and public school bases."

"12. Clustering(increasing density while not altering overall gross usable density) of dwelling units on portions of an overall site is always acceptable. Clustering is to be encouraged in some specific sites in order to preserve green space, scenic views, other identified significant site features and land for public facilities or recreation. Clustering housing shall be permitted not only in planned developments, but in appropriately designed subdivisions under conventional zoning."

"14. Where existing infrastructure, services, and public school system are not adequate, developers shall be encouraged to phase construction to ensure the provision of these items to support their developments."

The Goals and Objectives Section for Recreation and Open Space states as a goal (pg.9):

"Adequate recreation facilities and programs are provided, significant natural features and historic sites are preserved, and open space for public use is provided."

The Goals and Objectives Section for Recreation and Open Space also states as objectives (pg.9):

"7. School and recreation facilities shall be combined in order to provide the mutual benefits of service, safety, convenience, economy, and neighborhood strengthening."

"8. Greenways or greenbelt located along creek valleys or abandoned country roads shall be promoted as a possible linear park system that would serve the multiple purposes of recreation, ecological conservation, and alternative transportation. Development of public hunting areas shall be investigated."

Staff Comments and Concerns

1) Article 16 "Residential Planned Development District"

Article 16 "Residential Planned Development District" of the Boone County Zoning Regulations outlines the following criteria for evaluating proposals within a Residential Planned Development (RPD) zone. Staff offers the following comments relative to the relationship of this proposal to Article 16.

Section 1607 Land Use Standards

1. "The planned development shall generally conform to the adopted Comprehensive Plan with respect to type, character and intensity of use and impact on public facilities, services and road network. The intensity of planned residential developments, in particular, should be generally consistent with the Future Land Use Map designations for the area. Residential densities, however, shall be concentrated on portions of the site to leave open space on other portions. Deviation from the Comprehensive Plan is dependent upon whether the site is part of an urban service area for public infrastructure and upon the provision of public facilities, services and roads by the applicant to mitigate the impact of the proposed development on these infrastructure systems;"

As stated previously, the Future Land Use Map of this plan classifies a great majority of this site as Rural Density Residential (RD) which is described as "low density residential uses of up to one dwelling unit per acre which are not part of a formal subdivision". Only a small portion of the site on the southeast corner is designated Suburban Residential (SR) which is defined as: single family housing of up to four units per acre. The proposed development is to have a density of 2.15 D.U.A. which is twice as many units as would be allowed in an area designated Rural Density Residential. As also stated previously, a great majority of this site is located in the River Road Area (Area B-1) and a small portion is located in the Francisville Area (Area C-1). The Land Use text regarding both of these areas does state that Suburban Residential development may be appropriate only with the provision of adequate infrastructure and accompanied by widening and straightening of impacted portions of KY 237.

The Land Use text regarding the Francisville Area (Area C-1) does state that at least one elementary school is needed north of I-275 to support the growth of this area. The proposed Concept Development Plan does propose land dedication for the construction of an elementary school.

2. The proposed Concept Development Plan indicates that the designated open spaces will preserve the scenic assets and natural features of the site.

3. The proposed Residential Planned Development has provided 14.7 acres of developable property for the construction of an elementary school. However, the open spaces provided in the development are located in the areas designated as Developmentally Sensitive and therefore it may not be advisable to build any structures here without proper planning.

4. The proposed Residential Planned Development does not appear to hinder the potential development of the surrounding areas except for the potential negative impacts on the public infrastructure from the development itself.

5. Public services such as transportation, water, sewer, police and fire protection are available. The adequacy of these services may need to be further reviewed when certain details regarding site design are determined.

#### Section 1608 Compatibility Assessment Standards

In general, the proposed development is similar in type to existing residential developments in the vicinity. The major natural features of the site have been preserved in the designated open spaces which also serve as a visual buffer from the surrounding land uses. The view from the adjoining property owners is yet undetermined since the exact location of buildings is unknown. However, the proper placement of buildings utilizing the topography and woodlands will limit the visual impact. Public water and sanitary sewer service is available on-site or near enough to extend to the site for service. The use of retention lakes will control the storm water runoff. This development will impact the school system but provisions have been made to provide an elementary school on site which will lessen this impact. The applicant needs to further detail how this development will impact the existing vehicular traffic in the area.

### Section 1609 Design Standards

#### 1. Height

The height of any residential building in the proposed development shall not exceed three stories in height. However, a specific height in terms of maximum feet has not been defined. Additionally does this mean that a single family detached residence can be the same height as an apartment in this development?

#### 2. Placement or location buildings

Except for the proposed school location, the exact placement of the residential structures has not been determined. The applicant has only indicated the general locations in terms of "areas" on the Concept Development Plan.

#### 3. Preliminary Building Design or Architecture

An exact architectural design has not been determined yet. The applicant has stated that the buildings shall be designed in the same architectural style representative of existing and future buildings in the Francisville area. However, the meaning of "future" is ambiguous and difficult to understand.

#### 4. Scale

Except for the proposed elementary school, the exact scale of the buildings is undetermined except that the maximum height has been set at three stories.

#### 5. Elevation

The applicant has indicated that the design of the buildings shall take into consideration the width, and height of the front, side and rear elevation from the public road.

#### 6. Historic and Prehistoric Features

The historic Colonel Depew grave site is located on the site. Not only should this grave site be left undisturbed but should also be protected and at least fenced in according to Section 3166 "Cemeteries" of the Boone County Zoning Regulations.

#### 7. Paved Surfaces

208 acres of the site has been preserved as open space which will limit the amount of paved surfaces. A landscape entrance will be provided at the KY 237 entrance.

8. Fences, Walls and Landscape Berms

The majority of the site is already surrounded by heavy woodlands except for the school location. The elementary school site should be properly screened.

9. Landscaping

The entrance into the development will be landscaped as well as the entrances into the individual residential areas within the development. A specific detail of these entrances has not been provided.

10. Open Space and Recreation Uses

Two acres of the site has been dedicated for the placement of a pool and bath house. Additionally, 208 acres has been designated for open space. However, no other recreational activities have been outlined for this open space except for pedestrian walkways. The location of these walkways has not been determined.

11. Signage

The applicant intends to have monument style entrance signs at the entrance into the development and into the individual areas within the development. Each entry sign will be a maximum of 50 square feet in size and there will be a total of two entry signs per entrance. According to Section 3410 of the Boone County Zoning Regulations, One entrance sign of up to 50 square feet in area or two entrance signs of up to 25 square feet in size shall be permitted for each entrance into a residential development. Therefore, the applicant is asking for a 100% increase in the allowable size of the proposed entrance signs.

12. Utilities

The applicant has shown that utilities are available and accessible to the site.

13. Detention/Retention Ponds or Lakes

One existing lake and an undetermined number of new lakes will serve as retention for the development.

14. Transportation Design

A full collector street located in the development will be limited access where no residential driveways will connect into it. Left turn lanes will be constructed at the intersection of this collector street and KY 237. However, the internal circulation system has not been shown and only one access into the development has been provided on the proposed Concept Development Plan. An additional access may be possible from the Wyndemere Subdivision near the KY 237 intersection.

15. Multi-Modal Transportation System

The applicant does not intend to provide mass transit stops on the rationale that the development is physically remote from the remainder of the county. Staff disagrees and believes that, although the site is located on the extreme northern end of the county, the size of this development and the continual development of the KY 237 corridor warrants provisions for the mass transit system. The development should provide at least one mass transit stop for the potential extension of the mass transit system. Additionally, pedestrian paths should connect this development to adjoining residential subdivisions.

16. Location of Land Uses

The proposed land uses are residential in nature and should not conflict with the existing surrounding residences if properly positioned and designed. Although, this is somewhat unknown currently due to the general nature of the proposed Concept Development Plan.

2. Staff is concerned that many of the important details of the proposal have not been included or determined in the submitted Concept Development Plan or the supplemental documents. The applicant has indicated that many of these details will be agreed upon during the preliminary plat process. However, staff believes that since this site is subject to a Zone Map Amendment request and the subsequent public hearing, the public, the Boone County Planning Commission, and the Boone County Fiscal Court should have access to these details so that they can properly review the proposal. Staff finds it difficult to determine compliance with the applicable requirements based on the information that has and has not been provided. The exact design and location of the internal circulation and pedestrian walkway system, the location and number of retention lakes, the lot sizes, setback requirements and building sizes of the residences all have not been provided. The information regarding building setbacks and lot sizes should be set in the Concept Development Plan. the development which is the intent of a Residential Planned Development.

3. Staff is concerned with the existing condition of KY 237 and how this proposed development will affect the capacity along this corridor. Staff contends that the condition of KY 237 is questionable and possible improvements need to be reviewed. This portion of KY 237 has received high priority in the 1996 Transportation Plan. However, The Kentucky Transportation Cabinet has informed staff that presently there are no future plans to improve this portion of KY 237. The applicant has not submitted any information detailing the affect of the development on KY 237. The staff conducted a general study of the potential traffic generation of this development utilizing the Trip Generation Manual 6<sup>th</sup> Addition. The staff assumed that the development would consist of 815 single family detached dwelling units, 460 apartments dwelling units, and one elementary school with

a capacity of 750 students (the worst case scenario) when conducting this study. The results of this study indicated that the traffic generated during a weekday from this proposed development would be approximately 11,615 trips per day. The vehicle trips generated during the A.M. peak hour (7-9 A.M.) is 1110 trips. The vehicle trips generated during the P.M. peak hour (4-6 P.M.) is 1359 trips. Please note that the P.M. peak hour vehicle trips for the school (195 trips) was included in this figure even though the manual defines the P.M. peak for the school as 2 to 4 P.M.

4. Staff would like to see a detailed phasing plan for the proposed development in order to determine the incremental and overall impacts of the development on the area.

5. Several of the existing structures on site may contain items of historic significance. Staff asks that the applicant work with the Boone County Historic Preservation Review Board in a salvage program to collect these items for possible reuse on other historic sites. (see attached letter)

6. Presently there is no park in the Hebron area. Staff is concerned that the recreational needs of the residents of this area are not being addressed and asks that the applicant works with the Boone County Parks in evaluating these needs. (see attached letter)

### Conclusion

The Boone County Planning Commission and the Boone County Fiscal Court must review this request on the basis of its relationship to the Comprehensive Plan, the provisions of Article 16 of the Boone County Zoning Regulations, and in terms of the three (3) criteria necessary for a Zoning Map Amendment.

1. The map amendment request is in agreement with the adopted Comprehensive Plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or,
2. The existing zoning classification is inappropriate; or,
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the areas character.

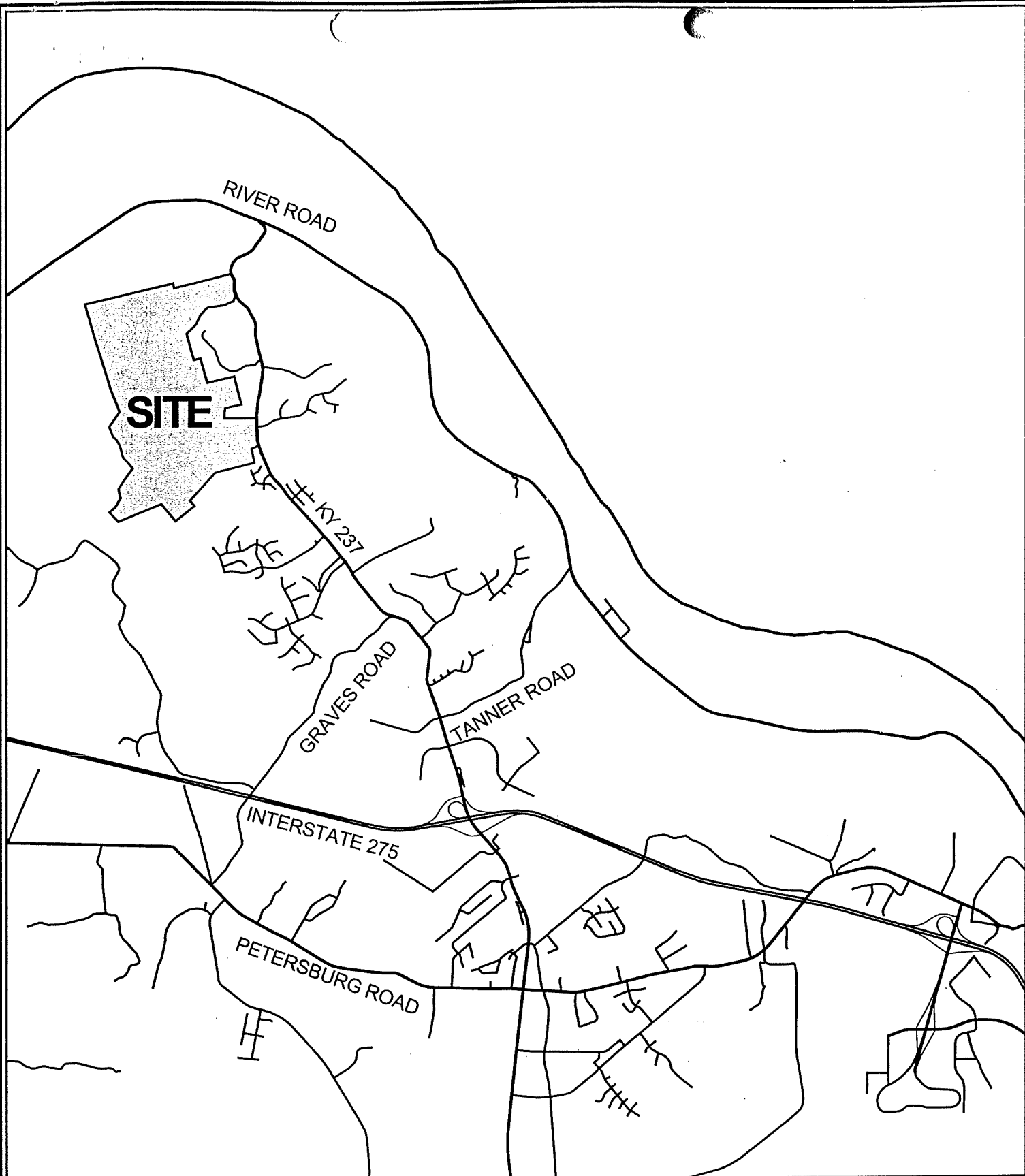
Respectfully Submitted,

David R. Doerger  
Planner

DRD\pr

Attachments:

- Location Map
- Concept Development Plan
- Table One
- School Site Plan
- Zoning Map
- Future Land Use Map
- Boone County Historic Preservation Review Board Letter
- Boone County Parks Letter
- Boone County Schools Letter



# LOCATION MAP

4000 0 4000 Feet



1 inch equals 4200 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
February 22, 1999



CONCEPT DEVELOPMENT PLAN  
NORTH POINTE  
BOONE COUNTY, KENTUCKY

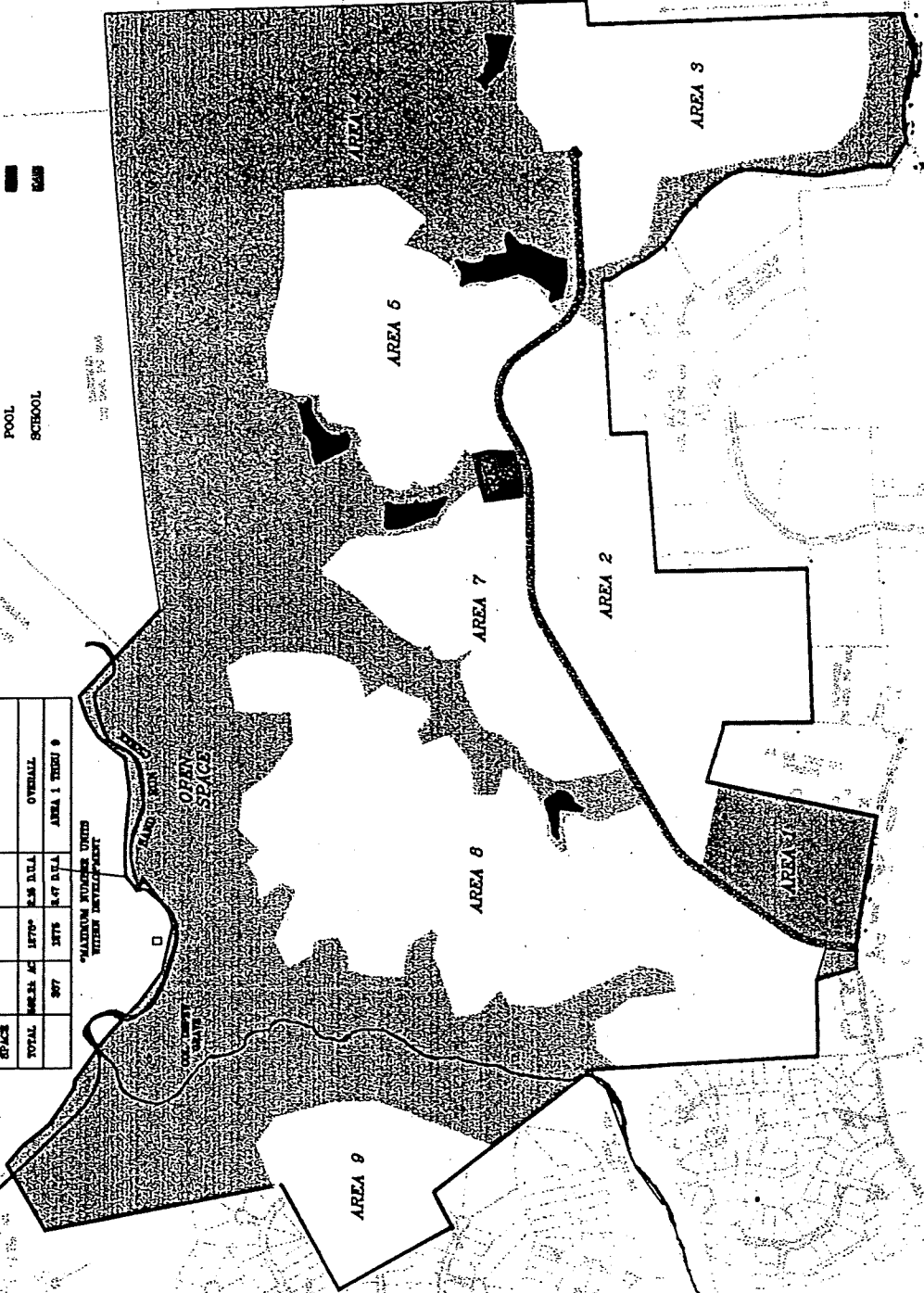
SUMMARY BY LAND USE

| AREA       | ACREAGE | DISTRICT | DENSITY | USES   |
|------------|---------|----------|---------|--|
| 1          | 14.7    | MA       | MA      | SCHOOL   |
| 2          | 66      | 176      | 3.5     | SINGLE FAMILY DETACHED                           |
| 3          | 46      | 150      | 3.5     | SINGLE FAMILY DETACHED                           |
| 4          | 76      | 700      | 12.0    | SINGLE FAMILY DETACHED/<br>ATTACHED/MULTI-FAMILY |
| 5          | 43      | 150      | 3.5     | SINGLE FAMILY DETACHED                           |
| 6          | 43      | MA       | MA      | POOL   |
| 7          | 23      | 90       | 3.6     | SINGLE FAMILY DETACHED                           |
| 8          | 97      | 200      | 2.5     | SINGLE FAMILY DETACHED                           |
| 9          | 21      | 50       | 2.4     | SINGLE FAMILY DETACHED                           |
| OPEN SPACE | 200.62  | NA       | NA      |  |
| TOTAL      | 662.8   | 1870     | 2.8     | OVERALL  |
|            | 377     | 2175     | 5.7     | AREA 1 THROUGH 9                                 |

\*MAXIMUM NUMBER UNITS  
WITHIN DEVELOPMENT

LEGEND

- █ SINGLE FAMILY DETACHED
- █ SINGLE FAMILY DETACHED/  
ATTACHED/MULTI-FAMILY
- █ LAKES
- █ OPEN SPACE
- █ POOL
- █ SCHOOL

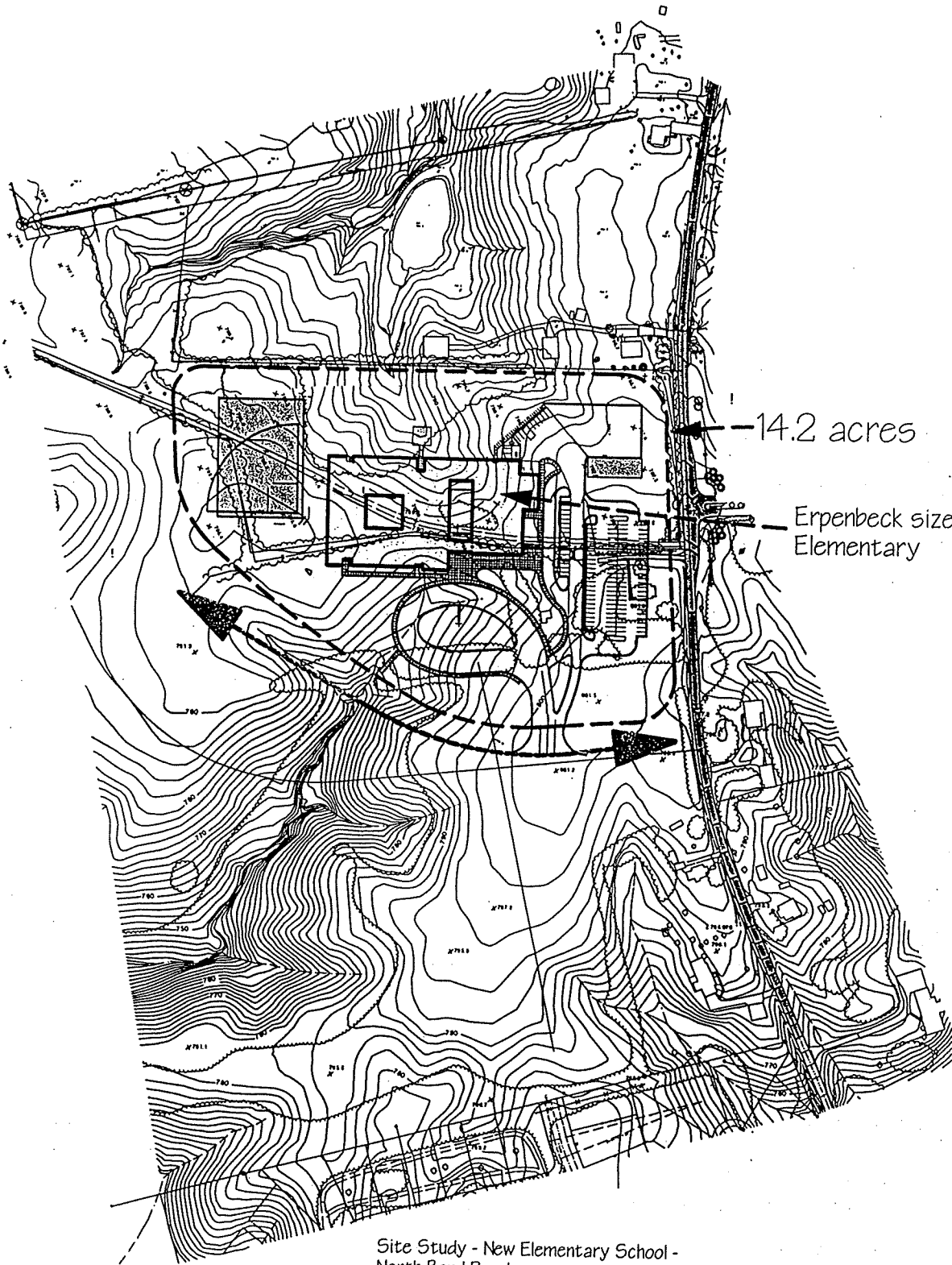


DATE: 10/15/01  
BY: [Signature]

**TABLE ONE**  
(SUPPLIED BY THE APPLICANT)

| AREA       | ACREAGE   | UNITS | DENSITY     | USES   |
|------------|-----------|-------|-------------|--|
| 1          | 14.7      | NA    | NA          | SCHOOL   |
| 2          | 58        | 175   | 3.5         | SINGLE FAMILY DETACHED                           |
| 3          | 45        | 150   | 3.5         | SINGLE FAMILY DETACHED                           |
| 4          | 75        | 750   | 12.0        | SINGLE FAMILY DETACHED/<br>ATTACHED/MULTI-FAMILY |
| 5          | 43        | 150   | 3.5         | SINGLE FAMILY DETACHED                           |
| 6          | 2.0       | NA    | NA          | POOL   |
| 7          | 28        | 90    | 3.5         | SINGLE FAMILY DETACHED                           |
| 8          | 97        | 200   | 2.5         | SINGLE FAMILY DETACHED                           |
| 9          | 21        | 50    | 2.5         | SINGLE FAMILY DETACHED                           |
| OPEN SPACE | 208.5±    | NA    | NA          |  |
| TOTAL      | 592.2± AC | 1275* | 2.15 D.U.A. | OVERALL  |
|            | 367       | 1275  | 3.47 D.U.A. | NON-OPEN SPACE                                   |

\*MAXIMUM NUMBER UNITS  
WITHIN DEVELOPMENT



14.2 acres

Erpenbeck size  
Elementary

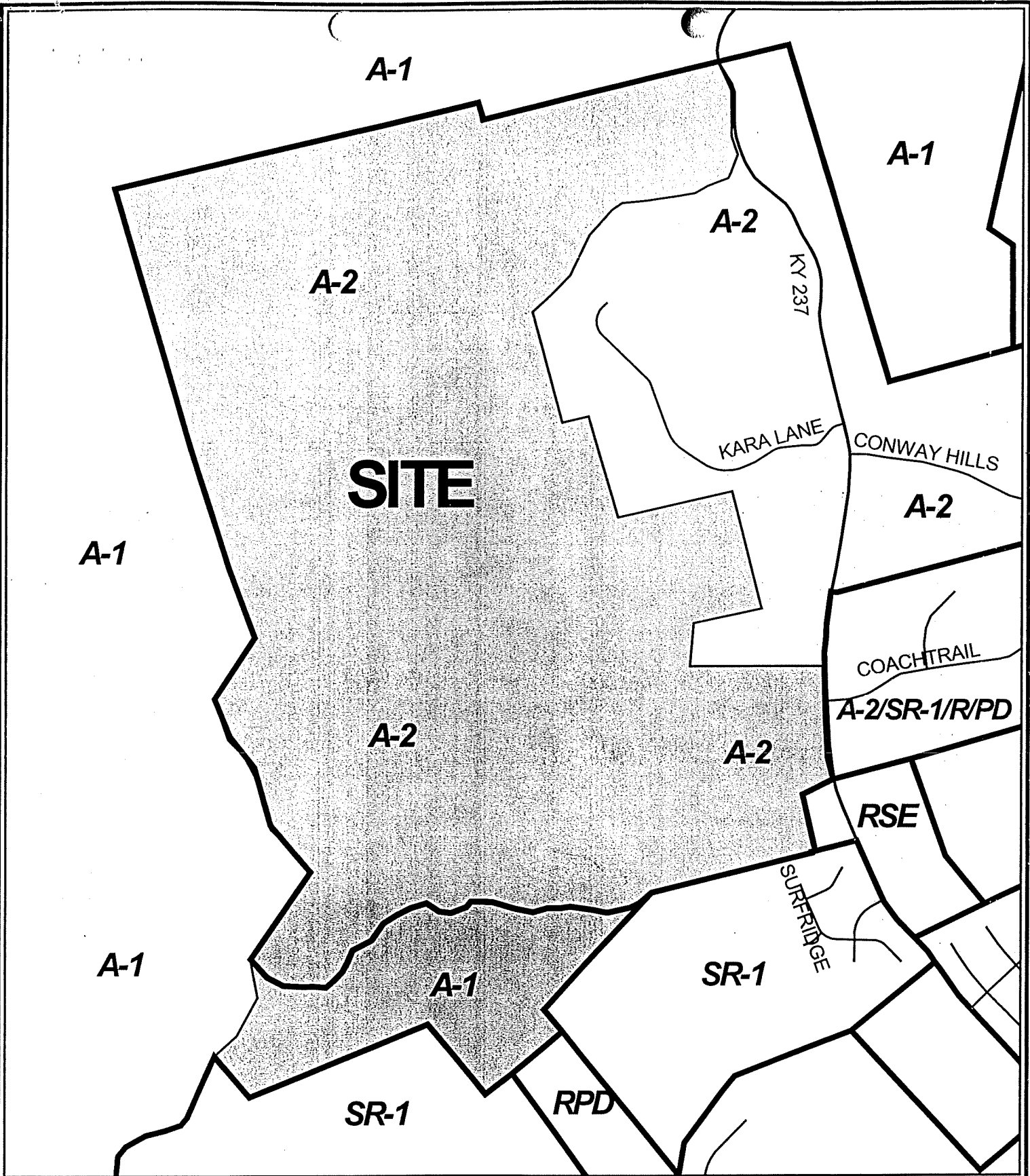
Site Study - New Elementary School -  
North Bend Road

1"=200'

12/18/98 REV. 12/27/98

Robert Ehmet Hayes & Associates -  
Architects

- For Information purposes

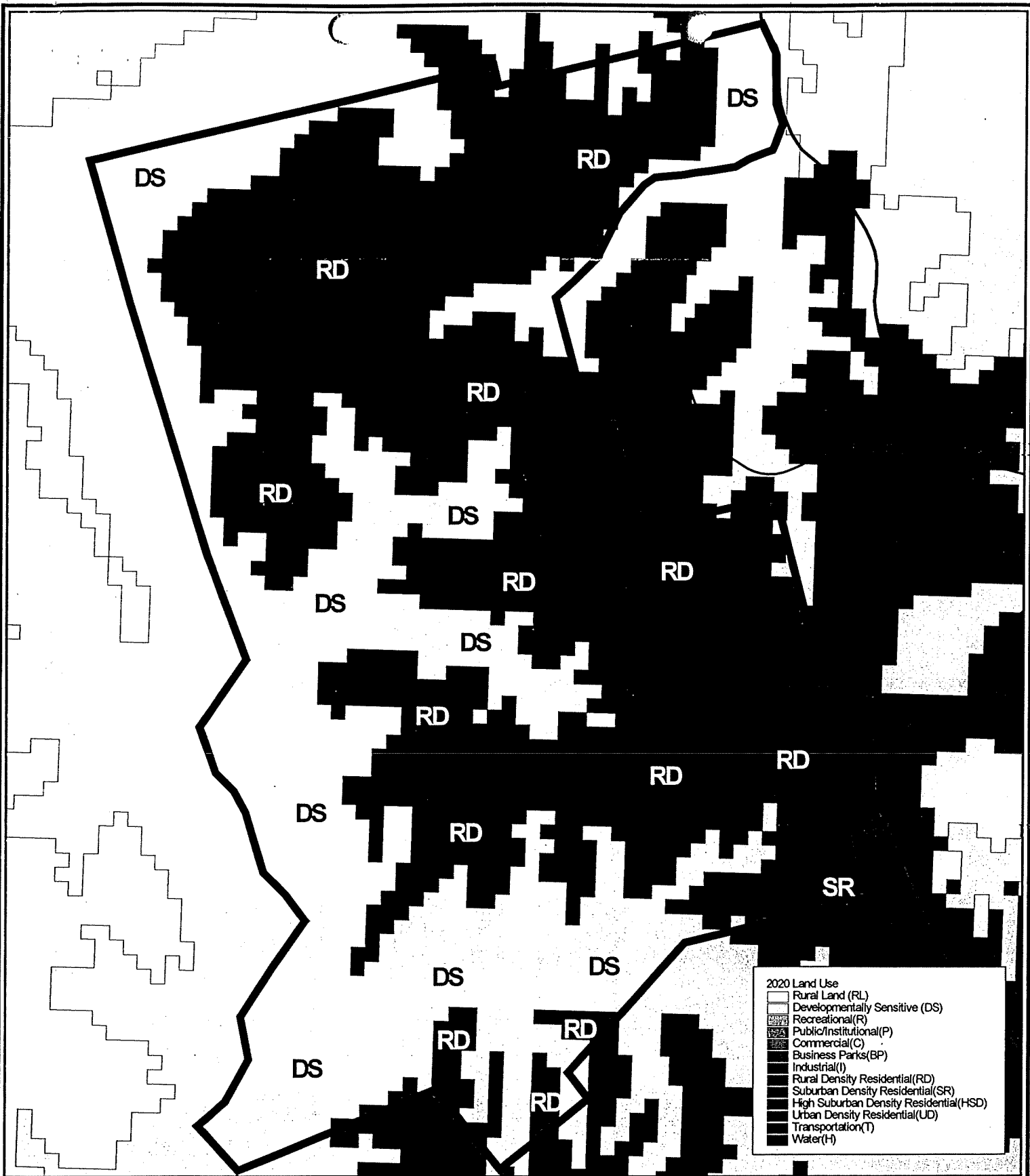


# ZONING MAP



1 inch equals 1000 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 February 22, 1999



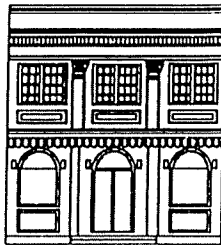


# FUTURE LAND USE MAP

800 0 800 Feet

1 inch equals 900 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 February 23, 1999





## BOONE COUNTY HISTORIC PRESERVATION REVIEW BOARD

2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005  
PHONE: (606) 334-2111  
FAX: (606) 334-2264  
E-Mail: bchistor@one.net

February 21, 1999

Dear Mr. Doerger :

I am writing on behalf of the Boone County Historic Preservation Review Board regarding the proposed Zone Change for the North Pointe Planned Community.

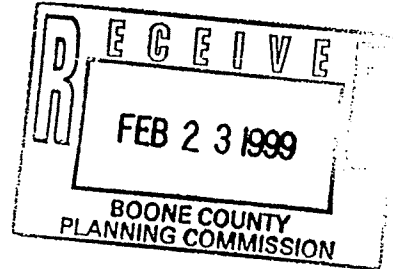
There are several barns, of timber frame construction, on the property, as well as a mid-nineteenth century house which is in very poor condition. The Historic Preservation Review Board is interested in salvaging reusable materials from these structures prior to their demolition. The recovered material is then provided free of charge to Boone County residents who are rehabilitating or rebuilding. Salvage activity by the Review Board is also covered by county insurance.

The Historic Preservation Review Board would complete this activity in accordance with the applicant's development schedule. The work can be done expediently and safely, and will allow often hard to locate historic materials to continue to have a place in the Boone County landscape.

Thank you for your assistance with this request.

Sincerely,

Bob Maurer, Chairman  
Historic Preservation Review Board



February 22, 1999

Kevin Costello  
Executive Director  
Planning Commission  
2995 Washington Street  
Burlington, KY 41005

RE: North Pointe Concept Development Plan

Dear Kevin:

Thank you for sending me a copy of the North Pointe Concept Development Plan. I reviewed it, keeping in mind our mission to provide parks and recreation services to the citizens of Boone County and our resources in the area where North Pointe is proposed. I noticed that the applicant expressed a willingness to work with the Parks Department. The applicant's acknowledgement of the area's recreation needs and its willingness to address them is praiseworthy.

Presently there is no park in the Hebron area. The closest recreation facilities are Boone Woods and England-Idlewild Parks. There is a shortage of active recreation facilities in Hebron, i.e. tennis, basketball, soccer, softball, etc. I look forward to working with the applicant and your staff to evaluate possible 30-40 acre active recreation park sites within the development. I would anticipate such a site being developed over the same 10 to 15 year build out period as North Pointe and it would resemble Boone Woods Park.

Please contact me at your convenience. Thank you.

Sincerely,

Ken Hund  
Parks and Recreation Director

cc: Judge-Executive Gary W. Moore  
County Administrator James E. Parsons  
Deputy County Administrator John M. Stanton

KEN HUND, Director of Parks  
(606) 334-2117  
P.O. Box 566  
Burlington, Kentucky 41005

GARY W. MOORE  
County Judge/Executive

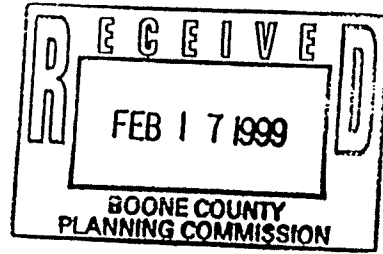


COMMISSIONERS:  
CATHY H. FLAIG, District 1  
ROB ARNOLD, District 2  
ROBERT HAY, District 3



# Boone County Schools

BRYAN A. BLAVATT, SUPERINTENDENT



February 15, 1999

Mr. Arnold Caddell, Chairman  
Boone County Planning & Zoning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

Dear Mr. Caddell:

The elected members of the Boone County Board of Education formally resolve its unanimous support for the proposed Arlinghaus project named North Pointe. This project will provide 14.2 acres to the Boone County Board of Education enabling the board to provide immediate relief for the youngest of our students. The overcrowding in the elementary schools is well documented. The rapid growth in our fine community will only continue. Through the benevolence of the Arlinghaus family, this courtesy will provide much needed acreage in the Hebron area to relieve the fastest growing part of our county. We ask that you, the appointed members of the Planning and Zoning Commission, join us in the positive partnership for the betterment of the youngest of our community.

Sincerely,

Carrie Dickmann, Board Chair  
C. Ed Massey, Vice Chair  
Karen Byrd, Member  
Shawn Carroll, Member  
David A. Conrad, Member

SC/jc

BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
February 24, 1999  
7:00 P.M.

PUBLIC HEARINGS

Commission Members Present: Mrs. Arnett - Secretary/Treasurer, Mr. Brown, Mr. Caddell - Chairman, Mr. Damstrom - Vice Chairman, Mr. Hicks - Temporary Presiding Officer, Mr. Knock, Mr. McMillian, Mr. Ries, Mrs. Smith, Mr. Viox, Mr. White, and Mrs. Wilson.

Staff Members Present: Ms. Susan Cabot, Historic Preservation; Mr. David Doerger, Planner; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP CDT, Director, Zoning Services.

Mr. Arnold Caddell, Chairman, called the meeting to order at 7 P.M.. Chairman Caddell announced that Public Hearing Item #3, the request of Thomas and Marilyn Leathers for a Zoning Map Amendment, has been withdrawn.

Following an explanation of the Public Hearing process, the Chairman introduced the first item on the Agenda:

2. Applicant: Arlinghaus Builders, Inc. (owner)

Request: Zoning Map Amendment

The request of Arlinghaus Builders, Inc. (owner) to consider a Zoning Map Amendment from Agriculture (A-1) and Agricultural Estate (A-2) to Residential Planned Development (RPD) for an approximate 592 acre tract on the west side of North Bend Road, approximately 1,100 feet north of the North Bend Road/Westborough intersection, and also north of Wyndemere Place and Thornewilde subdivisions, and west of Taylor Ridge Subdivision (Kara Lane), Boone County, Kentucky. The request is for a zone change to permit single-family detached residential, single-family attached residential, and multi-family residential uses.

Staff Member David Doerger presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Caddell asked Ms. Cabot if she wished to speak. Ms. Cabot had no comments at this time.

The Chairman asked for the applicant's presentation.

Attorney Tom Breidenstein with Coors & Bassett, representing Arlinghaus Builders, stated that Staff presented a thorough review of the application. He stated that Joe Arlinghaus and Bob Schroder were present from Arlinghaus Builders to answer any questions. Mr. Ray Erpenbeck, consulting engineer, was present and will be speaking. Following Mr. Erpenbeck's comments, Ms. Carrie Dickmann representing the Boone County Board of Education will be speaking. Ms. Dickmann, along with other members of the Board of Education and their architect, will address the design and development of the fourteen acres to be donated to the school system. The applicant submitted an handout "Concept Development Plan, NORTH POINTE - a Planned Community" (see Exhibit 1).

Mr. Ray Erpenbeck stated that this is a large development in the north end of the county. He indicated the frontage of the site on KY 237. The site is approximately 2.6 miles from I-275. He indicated the surrounding subdivisions and the undeveloped land to the north of the site. The property contains approximately 592 acres. The proposal is for a planned residential community with no commercial development. He reviewed the exhibit and stated that the hilltop areas are suitable for development. The RPD Zone will allow them to cluster the development and efficiently use the land while protecting the open space areas. With normal residential development, many of those areas would be lost.

Mr. Erpenbeck stated that the development is divided into seven different residential areas. He noted areas of single family detached houses, multi-family housing, and condominium/townhomes. The proposed school site is 14.7 acres and it is immediately adjacent to KY 237. There is a two-acre site in the middle of the development for a swimming pool and bathhouse for the community. There will be a collector road from KY 237 into the site and there will be turn lanes into the site. The collector road will be a 24-foot wide paved road with pedestrian walkways on both sides. There will be access between the different areas. There will be no access from houses on the collector road, but there will be access to each of the different areas. The location and number of access points will be determined in order to provide proper access and circulation. He indicated the terminus of the collector road. They will provide access into areas to the north from the collector road for future development. They will provide a walkway system to interconnect the neighborhoods. He stated that one of Staff's Concerns is that they have not shown specific street layouts. He stated that this is a 15 to 20 year development and there will be a lot of changes in the development process over time. The purpose of the Planned Development is to remain flexible to meet the changing housing needs and the

development will depend on the housing market at the time. They are trying to define the anticipated densities and have set a maximum number of units on the total development. They cannot say at this time exactly where the sidewalks will be, but they will guarantee that there will be a sidewalk connecting the neighborhoods. He stated that Area 1 is the school. Areas 2 and 3 will be developed at approximately 3.5 units per acre. Area 4 will have up to twelve units per acre and a maximum of 750 units. Area 5 and Area 7 will be developed at 3.5 units per acre. Area 8 and Area 9 will have approximately 2.5 units per acre. Area 9 is on the south side of Sand Run Creek. Access for Area 9 will be through Thornwilde Subdivision and the houses will be compatible with the houses in Thornwilde Subdivision. He stated that they have not submitted architectural plans for the houses because technology and demands are changing. They will develop the entire community to be compatible with everything else in the area. They cannot commit to a style and have to be able to develop what the public demands.

Mr. Erpenbeck stated that another Staff Concern is the staging of the development. He stated that they will develop from KY 237 into the site, but do not know in what order the specific areas will develop. They will develop from KY 237 to the north. It is a long term project of at least fifteen years and probably twenty years. They have provided 208 acres of open space, which is 35.2% of the total site. Over a third of the site is being set aside as open space, which can only be accomplished with Planned Development zoning. He stated that the grave of Colonel Depew is on an adjacent site that may be developed as an historic site in the future. He stated that the open space will be maintained by the Homeowners Association. They will meet with the Park Board and discuss any areas of the site that would be an asset to the park system and determine what would be of benefit to the entire community. They propose four new lakes and enhancement of the existing lake. He noted that Staff is concerned that they are not indicating where the lakes will be. He stated that they have shown the drainage areas. They will have to go to the Division of Water to get permits and they will have to address environmental issues. They cannot guarantee where they will be permitted to build the lakes or how many cubic feet of water they will have to retain for stormwater control. Detailed studies and analyses will be needed to determine what they need and where they need it, but they cannot do that type of engineering at this point. Their best estimate is that they will have at least five lakes to address all of their needs. They will provide the necessary detention for the site.

Mr. Erpenbeck stated that two years ago a lift station was designed to take care of Wyndemere Subdivision, a portion of Thornwilde Subdivision, and the development anticipated in North Pointe. The lift station is owned and maintained by the Sanitation District and they approve the capacities. There is sufficient capacity for this development. A 12" sanitary sewer line will be extended above Sand

Run Creek and will provide access for the largest portion of the development. The 8" sanitary sewer that is part of Wyndemere (on Surf Ridge) will be extended to provide immediate service for the school. There is a 12 inch water line on KY 237 that has adequate capacity to provide water for this development. Electric is from Owen County Electric and gas will be from Cinergy.

Mr. Erpenbeck stated that Staff's figures regarding traffic are close to their projections. This is a 20-year development and will ultimately produce in excess of 11,000 cars per day. That number will not be reached until the year 2020 or 2022. This is a long term development and there will be a gradual increase in traffic. The county will have time to work with the state to get KY 237 rebuilt. The Department of Transportation will know that the traffic is increasing each year and can get the roadway improvement on their Six-Year Plan.

Mr. Erpenbeck stated that they have proposed a Concept Development Plan that is within what the 1995 Boone County Comprehensive Plan call for, and they will provide additional services and facilities. They will provide the school site to the Board of Education. The overall development is 2.15 units per acre. If this site were developed as Suburban Residential, there could be four units per acre. This is a long term development. KY 237 is one of the top priorities in the Boone County Transportation Study. The county has looked at the need and, hopefully, the road will be improved. Over 35% of the site is open space. They have taken care to protect the valleys and the heavily wooded areas, which is only accomplished through PD zoning.

Mr. Breidenstein stated that Mr. Erpenbeck has defined the application and addressed the Staff Concerns. The concluded the applicant's presentation.

Mr. Breidenstein asked Ms. Carrie Dickmann with the Boone County Board of Education to speak at this time.

Ms. Carrie Dickmann, Chair of the Boone County Board of Education, 8330 U.S. 42 in Florence, stated that their resolution of unanimous support for the project is included in the Staff Report. The site services their immediate need for land, and it is being given to them free and clear. The site and location to the road allow them to use the Erpenbeck School plan that they have just used and that they know works. The Board of Education has approved the site and will allow them to construct the Erpenbeck School plan on this site. They have assurance from Arlinghaus that they will not compete with them during the construction of the school. When the school is open and running is when housing construction will start -- which is approximately two years. The children are currently being bused to Goodrich Elementary.

Mr. Bob Hayes and Mr. Ehmet Hayes, architects, spoke together. Mr. Bob Hayes stated that they were asked by the School Board to review the site. He stated that it is an excellent site and the State Department has approved the site relative to the criteria. Mr. Ehmet Hayes stated that the Kentucky Department of Transportation has approved the site and has agreed to bear the expense of the decel and left turn lanes. Mr. Bob Hayes referred to the Erpenbeck Elementary School model for the site and noted that they have adjusted the traffic circulation pattern slightly. He proposed layout of the school is for 750 students. The entry to the school would be off the secondary road. He reviewed the elevations of the building. He presented a picture of the school. Buffer behind the school will be provided by the ballfield.

At this time, Chairman Caddell called names of those who had signed up to speak, beginning with those in favor.

Mr. Ed Massey, 1798 Stahl Road, Hebron, Vice Chair of the Boone County School Board, stated that they would have to put a school in this location at some time, but the problem has been acquisition cost. Getting the land at no cost, as proposed, would be best for them. The site will serve the students, and the plan proposed by Mr. Hayes is financially feasible for them. They need to open a school as quickly as possible. He supports the proposal.

Mr. Bob Maurer, 6979 East Bend Road, Chairman of the Boone County Historic Preservation Review Board, asked that the Review Board be able to salvage whatever material they can from the two old barns and the two old houses for reuse in other historical buildings in the county.

Chairman Caddell asked if there was anyone else present who wished to speak in favor of the request.

Mr. Scott Mustion, 817 Saddle Ridge, stated that there is overcrowding in the schools. This proposal will be good for the community and the long-term growth of the region.

There being no one else present who wished to speak in favor of the request, the Chairman began calling the names from the sign in sheets of those opposed, beginning with Mrs. Pat Placke.

Mrs. Pat Placke, a resident of 938 North Bend Road for thirty years, stated that they have seen the development of the county. She stated that north Hebron is rich in history and wildlife and they hoped those resources would be honored. She stated that traffic, alternate access road, fire protection, and quality of life need to be addressed. She stated that all of the traffic going north on North Bend Road returns by the same route and it is doubtful that Route 8 will ever be a viable alternative. Developing North Bend Road to Route 8 will open up Route 8 for development -- which will increase

traffic. The increased traffic from the school and from another large development will be prohibitive. She questioned what will happen to the traffic on North Bend Road with the school buses required to transport 750 school children and the additional residential traffic. Mrs. Placke stated that they would like the school to be named the William Cave Elementary School in recognition of the historic values of the Hebron area. She stated that there would be a safety problem if there was closure of North Bend Road north of Graves Road and there were to be an emergency. She questioned one fire station being adequate for all of Hebron. She stated that the quality of life is being severely affected by the growth of the airport and high density development. The airport will grow -- but is it wise to impact the beautiful open area with dense housing? She stated that the density for this development is approximately 4.5 units per acre. Mrs. Placke submitted her comments (see Exhibit 2).

Mr. Bill Goodman, 1993 Coachtrail in Rivershore Farms, stated that he is retired and spends a lot of time in his yard. He stated that there is a lot of traffic on KY 237 now and a large development like this will increase that traffic to what could be a dangerous point for the children attending the school. He stated that there are no immediate plans to widen KY 237. Will it take an accident involving a school bus and a cement truck to wake us up? He stated that the proposal for multi-family dwellings needs to be looked at to see if this is the correct area for apartment buildings. Is it wise for the county and the Police Department to have subsidized apartments?

Peggy Taylor, 1084 Merrell Road, travels KY 237 everyday and the traffic is terrible. She stated that there are approved additions to Thornwilde, Treetops, Parlor Grove, and to the industrial park. They are overcrowded with traffic now and something has to be done. She asked that the impact of the approved additions that have not yet been built be considered. She stated that putting all those children in the extreme north end of the county is an accident waiting to happen on North Bend Road. The need for schools is a problem that has been created by all of the development. They have been told that besides having a back entrance through Thornwilde, this development will have an entrance to Merrell Road or Williams Road, which is not even wide enough for two cars to pass. She is concerned about safety and preserving the land values. She suggested that the density be decreased to one house per acre. She has been told that the two hundred acres they are not using is land they could not build on anyway -- so it will not be a wonderful park. She asked that the existing residents be considered.

Mr. Robert Taylor had no comments.

Mr. Lloyd Brumfield, 1744 Conway Hills Drive, asked the Planning Commission to vote "no". The development will add too much traffic to a road that can not handle it. He moved to the area three years

ago for the rural setting and would like it to continue. He is against multi-family dwellings off KY 237. He suggested that the development be limited to three acre lots to match Conway Hills and Kara Lane. He suggested that property be found on the four-lane area of KY 237 south of I-275 for the school.

Mr. Albert Baumgartner had no comments.

Mrs. Diane Whitefoot, 947 North Bend Road, located to the left of the entrance to the proposed school, read from a letter she had written to the Planning Commission dated February 7, 1999 (see Exhibit 3).

Mr. Dan Heck, 1872 Coachtrail Drive in Rivershore Farms, stated that he is opposed to the development. His children will not be sent to the public school so they would not get the use of the school for their tax dollars. He stated that the development of the land is necessitating the need for the school. If they develop this land, the county will have to pay to widen the road and pay for the school. He stated that the Future Land Use Map shows one house per acre and he does not see a reason to change that. He hopes the development will be judged on its merits, aside from the donation of the land for the school. He stated that the Future Land Use Map did not intend for this land to have these densities.

Cara Heck had no comments.

Mr. Lewis Miller, 1953 Coachtrail Drive in Rivershore Farms, stated that Rivershore Farms is at one unit per two acres and Taylor Ridge is 2.5 to 7 acre lots, and this development should be a transition between the established areas. The AM peak hour is 1,110 trips -- which is 555 vehicles per hour or ten trips per minute exiting the subdivision along with all of the other traffic. He stated that there has been talk of a bridge across the river connecting to KY 237, which is possible additional traffic. The density presented of 2+ units per acre is not realistic in terms of actual developed land. The green space is probably topographic areas not suitable for anything else and may not be worthwhile for parks with limited access. He questioned the School Board's role in recommending this development -- their role is to provide schools, not to recommend developments.

Mr. Don Laake had no comments.

Mr. David Autry had no comments.

Mr. Art Finn, 1977 Coachtrail in Rivershore Farms, stated that his objections have been stated. He stated that he fears KY 237 now and his wife was run off the road. He is concerned about school buses on KY 237. There are cement trucks careening on the curves of KY 237.

Mr. Phil Hester had no comments.

Ms. Linda Parks, 2527 Bethlehem Lane, stated that she was speaking on behalf of her parents who have lived across from the proposed development for over thirty years. They are concerned about the traffic. When the school opens and the traffic backs up to the hill, there will be no time for someone coming over the hill to stop. There will be major accidents. She fears for the safety of the children. She does not feel that turn lanes will be enough or that the safety issues have been addressed.

Mrs. Shirley Millar, 669 North Bend Road, has lived there all her life. She figures there are 367 acres of buildable land which as zoned would allow 290 homes. If they used the entire 592 acres, they could build 470 homes. Her understanding of clustering does not allow for an increase in the overall gross usable density of the land. She does not see any reason why there should be more than 290 homes. She noted that many people have talked about the traffic. Based on the figures in the Staff Report, the average for the day would be 9.68 cars per minute turning in and out of the development. She stated that there is a letter from Ken Hund in the packets and the letter speaks of from thirty to forty acres of land for an active recreational park -- but all she has seen is passive unbuildable land and two acres for a pool for the development. When her children were in the Boone County School system, they dealt with overcrowding. Her computation is that when the development is finished, there will be 1,275 additional students in the school system. Which means there will be 638 students from the development in grade school and another 638 students in the middle and high schools. This development will use up the intended capacity of the grade school and there will be 638 junior high and high school students with no place to go. She questioned why the donation of the land for the school is contingent on getting the zone change if they are concerned for the community. She stated that she has walked the land many times and the proposed open space is unbuildable, it is nothing they could use. She stated that when Wyndemere was done, part of the Land Use Plan said that there will be no more zone changes on KY 237 until the road is improved and widened. She does not see any provision for widening the road, other than the turn lane. She stated that they are cramming as many people as they can into this development.

Mr. Kevin Niemoeller, 1875 Coachtrail Drive, stated that he owns one acre in Rivershore Farms, where it is one house per acre. They just moved there recently. He stated that trucks knock the signs down on KY 237 all the time. He questioned busing the children to a school on the edge of the county -- or should the school be in a more central setting? He stated that there are a lot of turns and dips on KY 237 and there will not be school in the winter, and maybe the road needs to be built first. He stated that a lot of the details of the development are open-ended and should be narrowed down before a decision is made. He questioned if a park can be put on the twenty-two acres. He questioned if the fourteen acres for the school is in

the best location. He stated that people moved to the area for the rural setting -- they can eat breakfast and watch the deer -- but how much of that will be gone with more and more cars and more and more construction equipment? This will disrupt the way of life for a lot of people.

Mr. Raymond Niebling stated that his concerns have been presented.

Ms. Sherry Hempfling had no comments.

Mr. John McKnight stated that his concerns have been presented.

Chairman Caddell asked if there was anyone present who did not register but would like to speak in opposition to the request. There was no response.

The Chairman asked if there were any comments from the Commissioners.

Mr. Damstrom asked if a second access is proposed on North Bend Road in the area of Area 3. Will there be an access on the south side in the Area 9 section? He questioned what percentage of the green space is environmentally sensitive. He stated that the road is a big problem. He questioned if just a left turn lane will be a solution for a location that children will be brought to everyday. He hopes something can be done at the entrance to the subdivision -- possibly signalization and left turn and decel lanes -- to make it a safe entrance for the school. He questioned the criteria the applicant used for the zone change. He stated that this is the first time he has seen a planned development submitted with so little detail -- detail Staff needs to effectively evaluate the project.

Mr. Knock stated that he is concerned about the traffic issues. He asked what Staff has done in conjunction with the state to determine what improvements are in the immediate future.

Mrs. Smith questioned the sight distance for the access. Mr. Doerger responded that the sight distance north is adequate, but there may be a concern to the south due to the hill. He did not know the sight distance in feet. Sight distance north meets the requirements, but he will have to do more research on the sight distance south. Chairman Caddell asked that this information be provided to the Committee.

Mr. Ries thanked the residents for coming. He stated that their comments do make a difference and the Planning Commission does listen. He stated that the Planning Commission looked at a development last year for Drees of about two thousand units on one side of KY 237 which included multi-family units and apartments. He noted that there was a lot of controversy about access. Mr. Doerger stated that he would have to review the files in this regard. Mr. Ries stated that Thornwilde is still developing, the large

subdivision has not started yet, and this development will add 1,270 units. He stated that we need to keep track of the development and get the infrastructure to come along at the same speed. He asked Mr. Doerger to provide the information to the Committee.

Mrs. Arnett asked the applicant to address the three criteria for a zone change.

Mr. Doerger stated that in terms of access into Area 3, the applicant has indicated that they will provide for access to the main collector road to properties to the north for future development. It has not been determined if that development will go all the way to Route 8. He does not know where the development will go off site. He stated that at least 90% of the open space is developmentally sensitive. He stated that they can do an overlay of the proposal with the Future Land Use Map, but it will not be exact. Mr. Damstrom asked that the slopes also be provided. Mr. Doerger will provide responses to Mr. Damstrom's questions to the Committee.

Mr. Doerger referred to the entrance to Wyndemere Subdivision and stated that right now Surf Ridge Road stops at the property line to allow for future access into the development. The applicant has indicated that they will connect into Wyndemere Subdivision by providing a secondary access. How they will do that is not known, so its effectiveness cannot be determined.

Chairman Caddell questioned a planned connection to Williams Road. Mr. Doerger responded that the Comprehensive Plan in the Land Use text indicates the potential for a connector road from Williams Road over to North Bend Road through Thornwilde Subdivision.

Mr. Knock questioned contact with the state and analysis of the traffic congestion. Mr. Doerger responded that he has talked with the Transportation Cabinet and there are no improvement plans in the Six-Year Plan. The Northeast Boone County Corridor Study discusses priorities in terms of improvements to the road, and the results of that study have not yet come about. The Transportation Study indicates that it is a high priority.

Mr. Damstrom stated that he hopes we can coordinate with the state and the applicant to see what can be done to improve the entrance. He stated that a two-lane road and a major elementary school with school buses is not a safe situation for children. Mr. Doerger stated that the Transportation Cabinet has been made aware of the development that is occurring out there.

Mr. McMillian asked Ms. Dickmann asked if the School Board sought property in that area, or did the developer seek out the School Board? He asked if this is the best place for a school.

Ms. Dickmann responded that they developed a Comprehensive Facility Plan three years ago specifically looking for a site in the north Hebron area. They are concerned about what will happen with the growth of the airport. They need a north Hebron site and it has been in their plan for three years. They have attempted to purchase other pieces of land, but they have been turned down because they did not meet their standards. She stated that they need thirteen acres and the 14.7 acres is more than they need -- but it will allow for playfields. She stated that the applicant came to them with the site. The site allows them to use a building plan they already have. They have been unable to locate land elsewhere, or have not been able to afford it. There has not been any land made available to the district south of I-275.

Mr. McMillian stated that he does not think this is the best location for the school.

Ms. Dickmann explained that Kindergarten children are only allowed to spend so much time on a bus. As the airport continues to grow and they get islanded off, they cannot get the children to school within that length of time. She believes this is the best place for the school and the price is right.

Mr. McMillian questioned why the developer thinks there should not be public transportation in the area with all the traffic on the road. Mr. Breidenstein responded that they are willing to work with TANK and the Transit Authority to provide appropriate bus stops, or whatever is necessary.

Mr. Knock asked if there is a formal petition process that the Planning Commission should take with the state to present the concerns in this area in a formal way. Mr. Doerger responded that he is not familiar with a formal procedure.

There being no further comments from the Planning Commission, the Chairman asked if there were any further comments from the audience.

Mrs. Peggy Taylor stated that they were told there was to be another road through to Williams or Merrell Road from this development -- not the one that was approved from Thornwilde. Mr. Doerger responded that there is nothing in the proposal showing a road connecting this development to Williams Road.

Mr. Breidenstein stated that the first criteria for a zone change is agreement with the Comprehensive Plan. He noted that the Staff Report says that the Future Land Use Map calls for rural density at one dwelling unit per acre. The Comprehensive Plan Land Use Text explains that these ridge top areas will be suitable for Suburban Residential development and the provision of adequate infrastructure. He stated that there is adequate sewer and water, and they will provide stormwater facilities and the elementary school. He stated

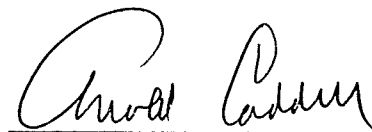
that the only question is the adequacy of KY 237 for this subdivision. He stated that the condition of KY 237 is questionable and improvements need to be made. A hard and fast determination has not been made that there is a problem and the state has not identified KY 237 on their plan for improvements. He stated that the second criteria is whether the existing zoning classification is inappropriate and the proposed appropriate. He stated that this proposal is an extension of Thornwilde Subdivision and Wyndemere Subdivision at lower density. A good portion of Thornwilde is RPD and Wyndemere is SR-1. He stated that the proposed zoning is appropriate. He noted that you do not have to meet all three criteria, it is "either or". He stated that the third criteria is in regard to major changes in the area and stated that he has not looked closely at this. He stated that the economic growth of Boone County since the last update was not anticipated. He stated that with the growth of the industrial and the growth of the airport, the need for additional housing comes. He stated that they satisfy all three statutory criteria for a zone change and request approval.

The Chairman asked if there were any additional comments or questions. There was no response.

Chairman Caddell stated that the Committee Meeting for this item will be on March 4 at 5 PM in this room. This item will be on the Agenda for the Business Meeting on March 17, 1999 at 7:30 P.M.. He stated that those who wish may attend the Committee Meeting, but it is a meeting between the applicant and the Zone Change Committee and no further testimony will be taken.

The Chairman closed this Public Hearing.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

Exhibit 1 - (spiral bound) "Concept Development Plan for North  
Pointe - A Planned Community"

Exhibit 2 - Comments by Mrs. Pat Placke

Exhibit 3 - Comments by Mrs. Diane Whitefoot

BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
March 17, 1999  
7:30 P.M.

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Mr. Arnold Caddell, Chairman, called the meeting to order at 7:32 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Brown  
Mr. Arnold Caddell, Chairman  
Mr. Phil Damstrom, Vice Chairman  
Mr. Mark Hicks, Temporary Presiding Officer  
Mr. Richard Knock  
Mr. Mike McKinney  
Mr. Don McMillian  
Mr. Robert Newman  
Mr. Robert Ries  
Mr. Ralph Rush  
Mrs. Carol Smith  
Mr. William Viox  
Mr. Earl White  
Mrs. Lisa Wilson

COMMISSION MEMBER NOT PRESENT:

Mrs. Judy Arnett, Secretary/Treasurer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director  
Mr. David Geohegan, AICP  
Ms. Jan Hancock, Secretary  
Mr. Kevin Wall, AICP, CDT - Director, Zoning Services

Approval of the Minutes:

Chairman Caddell stated that each Commission member had a received copy of the Minutes of the February 24, 1999 Public Hearing. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Ries seconded the motion and it carried unanimously.

Chairman Caddell stated that each Commission member had a received copy of the Minutes of the March 3, 1999 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Ries seconded the motion and it carried unanimously.

Chairman Caddell stated that each Commission member had a received copy of the Minutes of the March 3, 1999 Public Hearing. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Ries seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

1. Zoning Map Amendment

The request of Arlinghaus Builders, Inc. (owner) to consider a Zoning Map Amendment from Agriculture (A-1) and Agricultural Estate (A-2) to Residential Planned Development (RPD) for an approximate 592-acre tract on the west side of North Bend Road, approximately 1,100 feet north of the North Bend/Westborough intersection, and also located north of Wyndemere Place and Thornwilde Subdivisions, and west of Taylor Ridge Subdivision (Kara Lane), Boone County, Kentucky. The request is for a zone change to permit single-family detached residential, single-family attached residential, and multi-family residential uses.

Staff Member Kevin Wall stated that there were amendments to the Concept Plan which were passed out at the last Committee Meeting, and copies have been provided for the Commissioners. He stated that the Hebron Fire Department was not included in the review of the request, but they now have the plan and any comments received from them will be forwarded to Fiscal Court.

Mr. Wall presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The applicant has signed the letter agreeing to the conditions.

The Chairman asked Mr. Wall to review the amendment to the Concept Plan as the public has probably not seen it. Mr. Wall reviewed the amendment (see NORTH POINTE SUBDIVISION, HEBRON, KENTUCKY - AMENDMENT

TO CONCEPT PLAN). He stated that one addendum is in regard to phasing and the build-out of the development for the first few years, and revising the plan due to the circumstances of the time. It includes development standards per phase, and includes items such as lot standards -- area, width, setbacks, building heights. Another addendum outlines the design elements and gives typical examples of the housing to be developed, the signage, and other elements of the subdivision. The last elements is the street layout and elements such as access to the Depew grave, the school site, and the proposed recreational site.

Mr. Viox moved by resolution to Fiscal Court to approve the request based on the Staff and Committee Reports. Mr. Hicks seconded the motion.

The Chairman asked if there were any comments.

Mr. Knock read his comments (traffic data attached) which are the basis for his "no" vote (see Exhibit 1).

Chairman Caddell questioned the binding elements in the amendment to the Concept Plan, noting that it says "we anticipate the following construction schedule". Mr. Wall responded that it is his understanding that it was a schedule the developer was willing to commit to. The Chairman asked if it is binding.

Attorney Tom Breidenstein, representing Arlinghaus Builders, stated that it was their intent to be bound by the Phasing Schedule submitted to the Committee.

There being no further discussion, the Chairman asked for a vote on the motion made by Mr. Viox which found Mr. Brown, Chairman Caddell, Mr. Damstrom, Mr. Hicks, Mr. Newman, Mr. Rush, Mrs. Smith, Mr. Viox, and Mrs. Wilson in favor. Mr. Knock, Mr. McKinney, Mr. McMillian, Mr. Ries, and Mr. White were opposed. The motion carried by a vote of 9 to 5.

Counselor Wilson stated that the Planning Commission's recommendation will go to Fiscal Court for their final action.

## 2. Zoning Map Amendment

The request of Blevins Bowlin (applicant) for Ronald Tackett and Brenda Tackett (owners) to consider a Zoning Map Amendment from Commercial Services (C-3) to Commercial Services/Planned Development (C-3/PD) for an approximate 30-acre tract on the south side of KY 14, approximately 400 feet east of the I-71 off ramp, also located in the southeast quadrant of the I-71/KY 14 interchange, Boone County, Kentucky. The request is for a zone change to permit an overnight recreational vehicle park with an office/supply store.

EXHIBIT 1  
COMMENTS BY  
MR. KNOCK

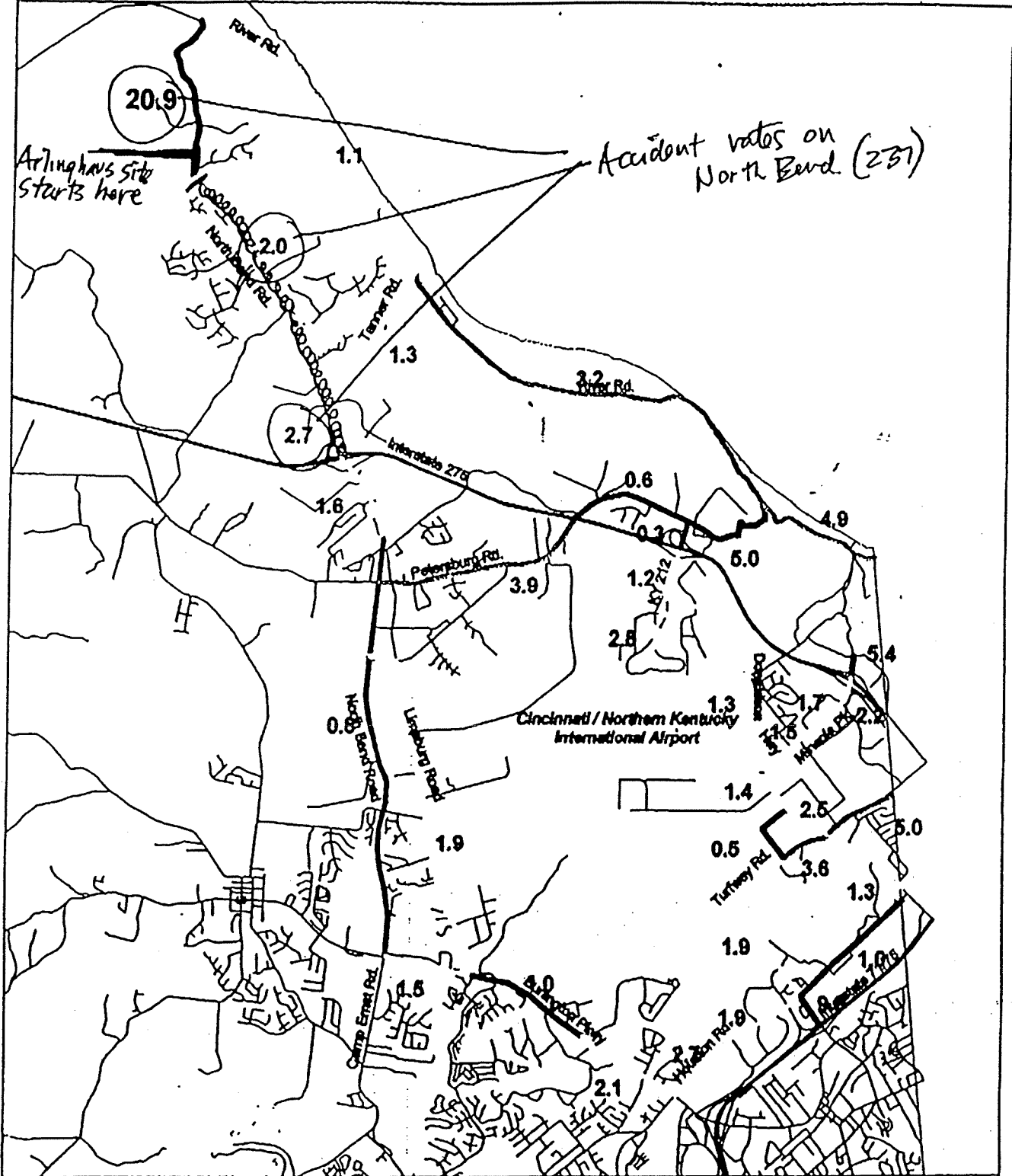
3/17/99

Subject: Arlinghaus Builders, Inc.  
Zoning Map Amendment Proposal

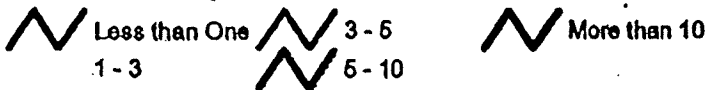
1. The proposal was presented well, and it would be a fine asset to Boone Co.; however, I have several unresolved issues and concerns related to the project which I've taken into consideration in formulating my position on this matter, which are as follows:
  - a. Residents' objections: At the public hearing there was an overwhelming objection registered by the residents, most of which centered around the Northbend Road [Route 237] traffic congestion. I personally visited the site and traveled the route from I-275 at different times. Without doubt, the residents have registered legitimate concerns. The road is curvy, narrow, and the shoulders, in many areas, are in a state of disrepair. Presently Northbend Road [Route 237], a State highway, is under study by OKI. The State and the County are eminently aware of the needs with respect to this highway and these needs remain unscheduled. Currently there is not any capacity/volume problems however, there are safety/alignment and speed problems. Twelve hundred homes could add 12,000 vehicles/day on a Saturday at build-out. If we approve this zone request change, we would simply add to this potential problem.
  - b. This Commission has approved five (5) or six (6) subdivisions along Northbend Road over the past few years which includes 1357 residential homes (of which 226 construction permits have been issued) leaving approximately 1125 more permits to be issued. The amount of heavy truck traffic associated with construction, coupled with the 1275 proposed Arlinghaus project, would only exacerbate the problem.
  - c. The proposed land site for the elementary school [approximately 14 acres] to be donated by Arlinghaus to the Boone County Board of Education is an outstanding offer, and one that certainly deserves public gratitude. However, because of the overwhelming safety concerns that would be associated with transportation of children to and from the school over Northbend Road, is a crucial element of my concerns. To my knowledge, there has been no demographic study that indicates this location would be the proper and suitable location for the school.
  - d. While I realize the approval of this proposal may bring to the forefront the problems associated with Route 237, causing an expedited resolve of same. The flip-side is, we may have the cart before the horse. Therefore, at this time I am simply not willing to take that chance.

Attachments: Traffic Data regarding Route 237.

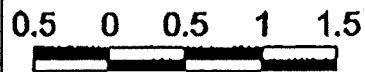
# Boone County Accident Ratio



**Accidents per 1 Million Vehicle Miles Traveled**



**Scale in Miles**



Data Source: Kentucky Transportation Cabinet - Highway Information System

# DRAFT PURPOSE AND NEED STATEMENT

- Establish Reason For Study
- Focus Resources On Critical Issues

Start

## Northeast Boone County

### Home To:

- Cincinnati/Northern Ky Airport
- Hub For Delta & Comair
- Residential Suburbs
- Major Commercial/Retail/Industrial Development

## GOALS

- Improve Mobility
- Protect Environment
- Improve Safety
- Implementable

**EXISTING DEFICIENCIES**

- Narrow Shoulders
- Narrow Shoulders
- Sharp Curves
- Congested Roads
- Lack Of Pedestrian/Transit Accessibility

**ANTICIPATED GROWTH**

- Bus Expansion
- More Residential Growth
- More Land Development
- Through Traffic

**STUDY AREA**

**SUSTAIN ABILITY**

Boone County Transportation Plan

GWFLONG Range Plan

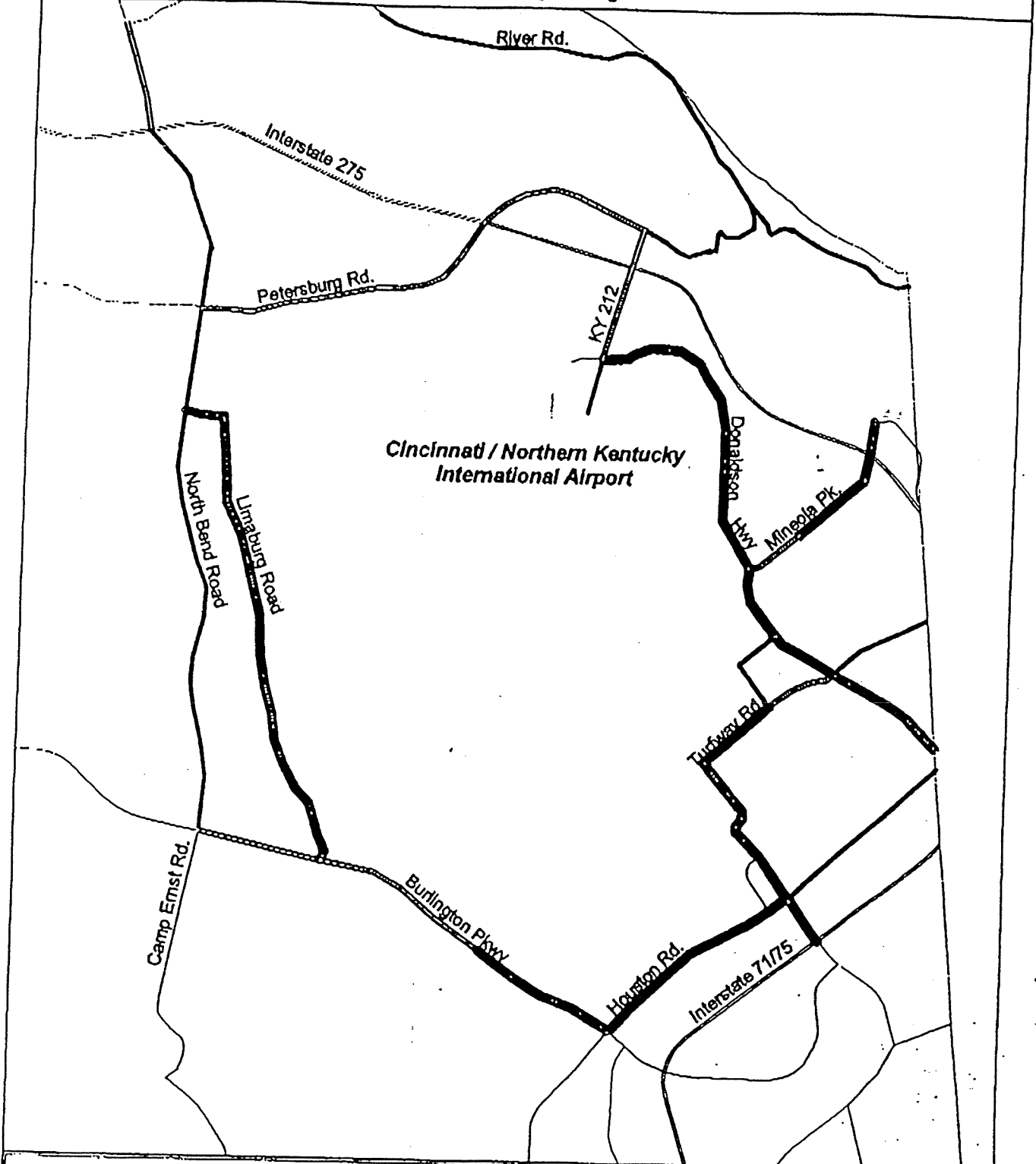
1997G Five Year Plan

Funding Shortages

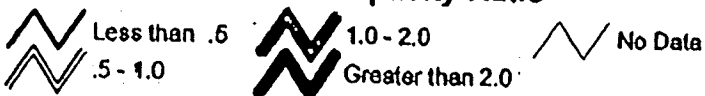
**N.E. BOONE COUNTY IBS**

- Best Investments
- Funding Strategies
- Practices

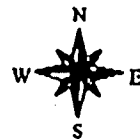
# Boone County Volume/Capacity Ratio



## Volume / Capacity Ratio



## Scale in Miles



Date Source: Kentucky Transportation Cabinet - Highway Information System

← 1.0 is when traffic congestion begins →

NORTH BEND RD. (KY237)

3/17/99

TRAFFIC COUNTS

- source Ky Trans. Cabinet

BETWEEN I-75 & GRAVES RD

- near Parlor Grove & South Park

|      |       |                |
|------|-------|----------------|
| 1996 | 5,450 | VEHICLES / DAY |
| 1995 | 5,070 |                |
| 1994 | 4,690 |                |
| ⋮    |       |                |
| 1990 | 2,940 |                |

BETWEEN GRAVES RD. & SAND RUN

- near Treetops Subdivision

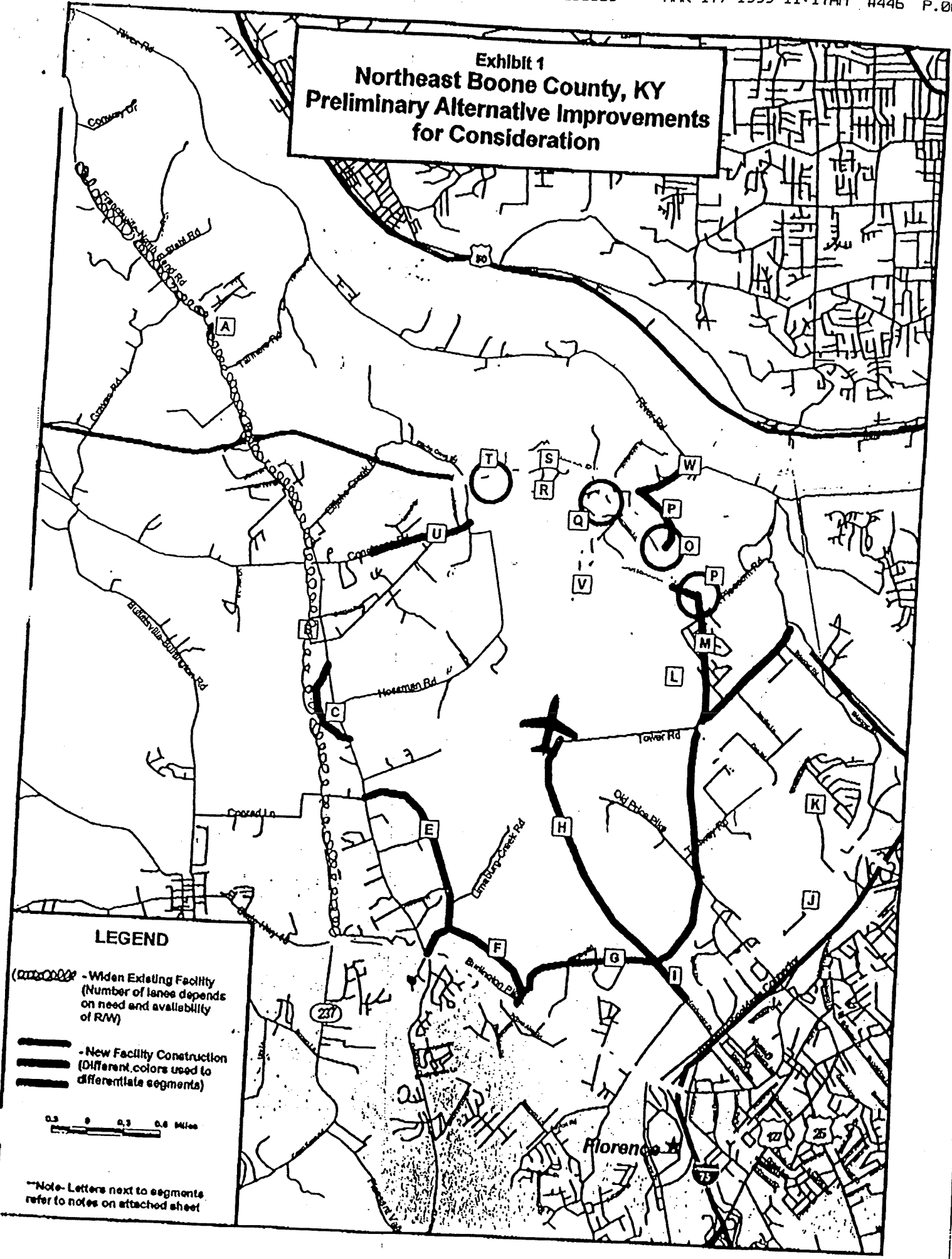
|      |       |
|------|-------|
| 1996 | 2,950 |
| 1995 | 2,660 |
| 1994 | 2,390 |
| ⋮    |       |
| 1990 | 1,300 |

BETWEEN SAND RUN & KY 8 (RIVER ROAD)



- ~~near~~ north of Arlinghaus site

|      |     |
|------|-----|
| 1996 | 306 |
| 1995 | 300 |
| 1994 | 294 |
| ⋮    |     |
| 1990 | 273 |

# Exhibit 1 Northeast Boone County, KY Preliminary Alternative Improvements for Consideration



## LEGEND

-  - Widen Existing Facility  
(Number of lanes depends on need and availability of R/W)
-  - New Facility Construction  
(Different colors used to differentiate segments)



Note: Letters next to segments refer to notes on attached sheet

# Explanatory Notes To Preliminary Alternatives (Exhibit 1)

NOTE: Exhibit 1 alignments are only preliminary in nature

- ➔ A. Widen North Bend Road to serve school as well as residential and commercial development (North of I-275).
- B. Widen KY 237 between I-275 and KY 18 to 6 lanes If Limaburg Road cut by Runway Extension.
- C. Relocate Limaburg to accommodate Runway Extension (feasibility not known at this time).
- D. Widen Burlington Pike to accommodate anticipated growth.
- E., F., & G. Possible alternative routes between east and west side of airport.
- H. Possible Development Road connecting South Airport to East-West Reliever Route.
- I. Possible Connection to East-West Reliever from Houston.
- J. Widening of Houston to relieve anticipated congestion.
- K. Widening of Donaldson S. of Tower Drive to relieve anticipated congestion.
- L. Widening of Donaldson between KY 212 and Tower Drive to relieve anticipated congestion.
- M. Alternative (to L) construction of new alignment for Donaldson which would tie into improved I-275. This could permit construction of fourth runway if needed at a future date.
- N. Creation of access between Interstate Collector/Distributor System and Donaldson Road.
- O. Creation of Interstate access to and from the east for Petersburg Road.
- P. Extension of Petersburg Road to new I-275 access.
- Q. Rebuild KY 212 interchange with westbound to southbound flyover (providing better access to airport). Eliminate some other movements to minimize conflicts – specifically eastbound to northbound and westbound to northbound offramps (movements to be served by "O" and "T" instead).
- R. Create parallel lanes (called Collector/Distributors) on I-275 between Petersburg Road and Mineola Pike.
- S. Improve Petersburg Road as necessary to accommodate additional traffic movements associated with O, P, Q, and T.
- T. Create access from Interstate via collector roads to and from the south.
- U. Realign Petersburg Road to accommodate potential 3<sup>rd</sup> runway.
- V. Improve KY 212 as necessary to serve continued growth of airport.
- W. For safety and capacity, improve roadway alignment.

## COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Phil Damstrom, Chairman

DATE: March 17, 1999

RE: Request of **Arlinghaus Builders, Inc. (owner)** to consider a Zoning Map Amendment from Agriculture (A-1) and Agricultural Estate (A-2) to Residential Planned Development (RPD) for an approximate 592 acre tract located on the west side of North Bend Road, approximately 1,100 feet north of the North Bend Road/Westborough intersection, and also located north of Wyndemere Place and Thornwilde subdivisions, and west of Taylor Ridge Subdivision (Kara Lane), Boone County, Kentucky. The request is for a zone change to permit single-family detached residential, single-family attached residential, and multi-family residential uses.

### REMARKS:

We, the Committee, recommend approval of the above referenced request based on the following findings of fact and with the following conditions.

### FINDINGS OF FACT

1. The Committee has concluded that the proposal is in agreement with the 1995 Boone County Comprehensive Plan due to the following reasons:
  - A. The Land Use Element text (Area B-1, "River Road Area," pg. 214) states that "development should be clustered on the ridge top areas because of the limited capacity of the existing roadway network and planned improvements, the Developmentally Sensitive areas, and the importance of the stream valleys as greenbelts." It also states "stream valleys should be left undisturbed to provide open space, buffering, and/or passive recreation areas." The proposed development clusters dwelling units on the ridge top areas of the site, maintains the Developmentally Sensitive areas as wooded, passive recreation areas, and maintains the Sand Run Creek stream valley. The applicant has also agreed to phase the build out of the development to provide an opportunity for North Bend Road to be upgraded and to lessen the incremental impacts on said road.

This section of the Land Use Element also states "with the provision of adequate infrastructure, some Suburban Density Residential development may extend onto the ridge top areas" and "planned development or cluster housing should be used to insure proper development of this area, due to environmental and site characteristics." The Committee has concluded that adequate infrastructure (public water, public sanitary sewers, educational facilities, and recreational facilities) will be provided to warrant the level of Suburban Density Residential development proposed in this application. As mentioned above, the development will by and large cluster the proposed dwelling units and protect the environmental qualities of the Developmentally Sensitive areas on the site.

- B. The Land Use Element text (Area C-1, "Francisville Area," pg. 217) states "the Public Facilities element indicates that the rapid growth in this area has contributed to the overcrowding of Goodridge Elementary. Proper planning dictates that additional school facilities are needed to support the growth of this area. At least one elementary school is needed north of I-275." The Concept Development Plan submitted for this request includes an approximate 14 acre site that will be donated to the Boone County Board of Education for the construction of an elementary school.
- C. The Committee has concluded that the proposed Zoning Map Amendment, along with the accompanying Concept Development Plan, and addendums to the Concept Development Plan that were presented at the March 11, 1999 Zone Change Committee meeting, generally fulfill the Future Land Use Development Guidelines in pages 210 to 212 of the Land Use Element and the applicable Goals and Objectives of the 1995 Boone County Comprehensive Plan. Specific references to the Future Land Use Development Guidelines and the Goals and Objectives are provided in the Staff Report for this request.
2. The Committee has concluded that the request fulfills the applicable requirements of the requested Residential Planned Development (RPD) District. In particular, Section 1605 "Maximum Intensity and Density" states "generally, the development intensity permitted in Residential Planned Development districts shall be consistent with the Future Land Use Map of the adopted Boone County Comprehensive Plan. Proposed developments shall be planned in clusters and provide an innovative design as outlined in the objectives and standards of this article. Greater overall development intensity may be granted if the development includes the dedication of appropriate developable land for public facilities and/or public recreation uses in addition to preserving developmentally sensitive areas as open space. Any increase in intensity over that recommended by the Comprehensive Plan must be shown by the applicant to be appropriate in terms of infrastructure, adjacent land uses and zoning, and provision of public land."

The Future Land Use Map largely designates the ridge top areas of the site for Rural Density Residential uses, which allows a dwelling unit density of up to one unit per acre. Based on the language above, the Committee has concluded that the proposed gross density of 2.15 dwelling units per acre is appropriate because the Developmentally Sensitive areas are proposed to be maintained as wooded, passive recreation/open space areas, the Concept Development Plan includes the donation of a site for an elementary school, and the applicant has agreed to donate an additional area to Boone County for an active recreational/ballfield area. As mentioned above, the proposal includes an overall cluster design and will have appropriate infrastructure. Based on the suburbanizing character of the area, the Committee has concluded that the development is appropriate in terms of adjacent land uses and zoning.

The Committee has also concluded that the proposal fulfills the applicable standards and guidelines outlined in Sections 1606 "Land Use Standards," 1608 "Compatibility Assessment Standards," and 1609 "Design Standards" of the Boone County Zoning Regulations.

3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives and policies of the 1995 Boone County Comprehensive Plan, as well as the intent, objectives, and requirements of Article 16 "Employment Planned Development (EPD)/Residential Planned Development (RPD)" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant has signed a letter demonstrating agreement with these conditions.

### CONDITIONS

1. The three addendums to the Concept Development Plan provided by the applicant, that were received by the Planning Commission's office on March 10, 1999 and were reviewed by the Zone Change Committee on March 11, 1999, shall be incorporated as binding elements into the Concept Development Plan. These addendums outline phasing for the project, development standards for the various phases (including lot standards, setbacks, and building height), design theme, conceptual street layout, and an area that is proposed to be dedicated to Boone County for active recreational purposes. The applicant shall provide seven copies of the revised Concept Development Plan that include these addendums to the Planning Commission prior to the submission of any development applications for the project.

2. The applicant shall dedicate the approximate five (5) acre site that adjoins the proposed school site as shown on the "street layout" addendum to the Concept Development Plan mentioned above to Boone County for active recreational purposes. This tract may also be used for parking and walkways that will serve the recreational uses. The applicant shall rough grade this site in conjunction with grading work for the adjoining areas of the subdivision as per the requirements of the Boone County Parks Department.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

*Phil Damstrom*  
\_\_\_\_\_  
**Phil Damstrom, Chairman**

For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

*Larry Brown*  
\_\_\_\_\_  
**Larry Brown**

For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

*Mark Hicks*  
\_\_\_\_\_  
**Mark Hicks**

For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

*Bob Newman*  
\_\_\_\_\_  
**Bob Newman**

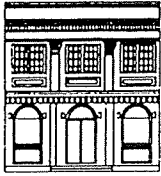
For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

*Bill Viox*  
\_\_\_\_\_  
**Bill Viox**

For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**TOTAL: 5 FOR 0 AGAINST 0 ABSTAIN 0 ABSENT**

# BOONE COUNTY PLANNING COMMISSION



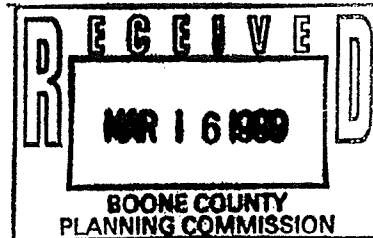
2995 Washington Street, Burlington, KY 41005

606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net

March 12, 1999



Mr. Joe Arlinghaus  
Arlinghaus Builders, Inc.  
142 Barnwood Drive  
Edgewood, KY 41017

FAX: 344-7983

RE: Conditions of Approval for "North Pointe" Zone Change from A-1 and A-2 to RPD,  
North Bend Road, Boone County, Kentucky

Dear Mr. Arlinghaus:

The following represents the conditions of approval for the above referenced zone change request as agreed by the Planning Commission's Zone Change Committee. If you, as owner of the property, agree to the following conditions, please indicate so by signing the space provided at the end of this letter. Please return a copy of this letter with an original signature to the Planning Commission's office by 5:00 PM, Tuesday, March 16, 1999.

## CONDITIONS

1. The three addendums to the Concept Development Plan provided by the applicant, that were received by the Planning Commission's office on March 10, 1999 and were reviewed by the Zone Change Committee on March 11, 1999, shall be incorporated as binding elements into the Concept Development Plan. These addendums outline phasing for the project, development standards for the various phases (including lot standards, setbacks, and building height), design theme, conceptual street layout, and an area that is proposed to be dedicated to Boone County for active recreational purposes. The applicant shall provide seven copies of the revised Concept Development Plan that include these addendums to the Planning Commission prior to the submission of any development applications for the project.

Mr. Joe Arlinghaus  
March 12, 1999  
Page 2

2. The applicant shall dedicate the approximate five (5) acre site that adjoins the proposed school site as shown on the "street layout" addendum to the Concept Development Plan mentioned above to Boone County for active recreational purposes. This tract may also be used for parking and walkways that will serve the recreational uses. The applicant shall rough grade this site in conjunction with grading work for the adjoining areas of the subdivision as per the requirements of the Boone County Parks Department.

Sincerely,

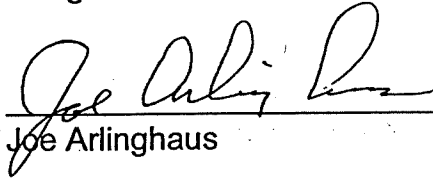


Kevin T. Wall, AICP CDT  
Director, Zoning Services

KTWpr

AGREEMENT

I, Joe Arlinghaus, owner, hereby agree to the conditions of approval listed herein for the zone change request from A-1 and A-2 to RPD for an approximate 592 acre tract located along the west side of North Bend Road, Boone County, Kentucky.



---

Joe Arlinghaus

Date

CONCEPT DEVELOPMENT PLAN

**NORTH POINTE**

A Planned Community

Boone County, Kentucky

187/9  
BOONE COUNTY  
PLANNING COMMISSION

Prepared for:  
ARLINGHAUS BUILDERS, INC.  
142 Barnwood Drive  
Edgewood, Kentucky 41017  
January 1999

Prepared by:  
RAYMOND ERPENBECK CONSULTING ENGINEERS  
4205 Dixie Highway  
Elsmere, Kentucky 41018

Revised per Conditions of Boone County Planning  
Commission approval, March 17, 1999  
and  
Revised per conditions of the Boone County Fiscal  
Court approval, May 25, 1999

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# EXHIBIT 1

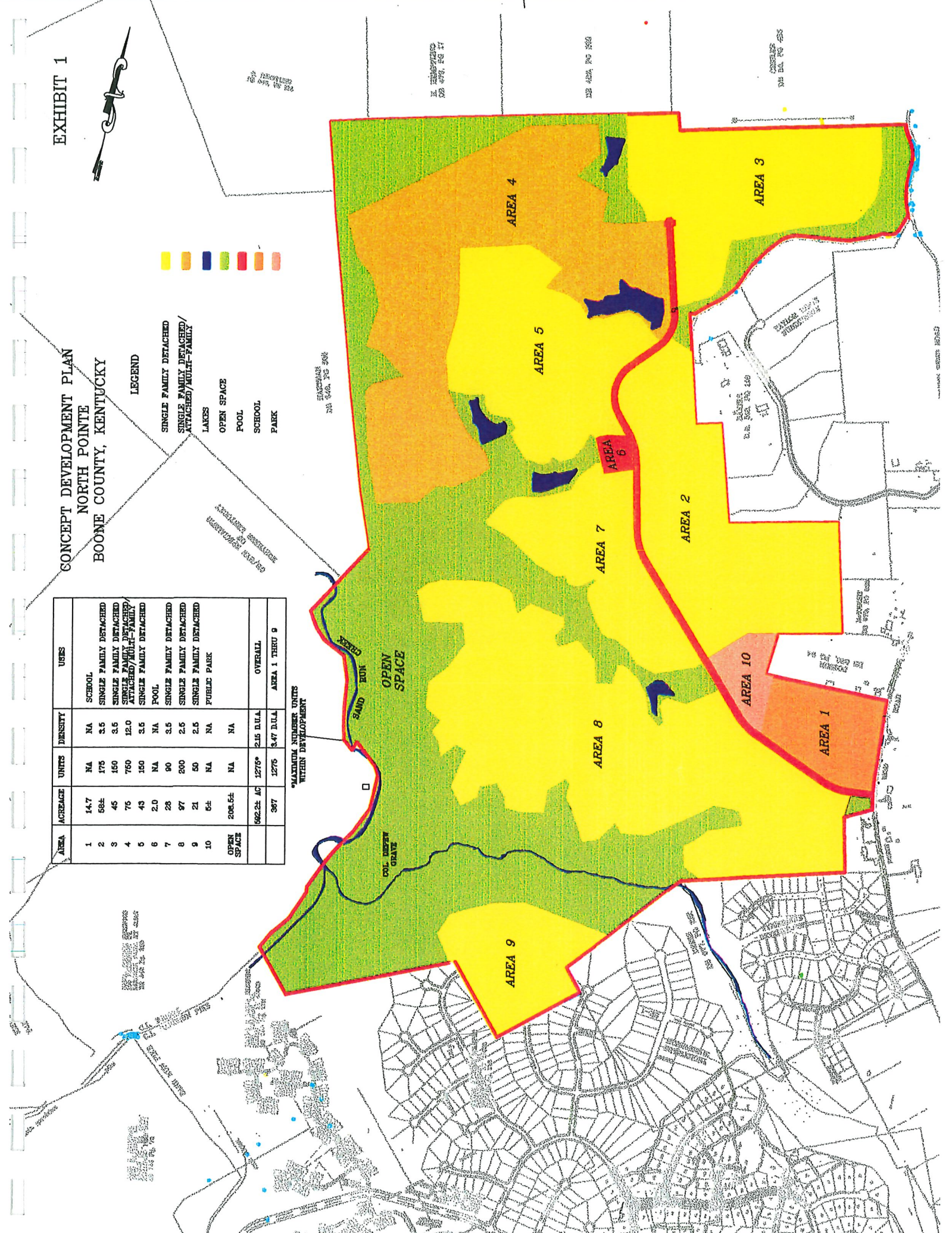
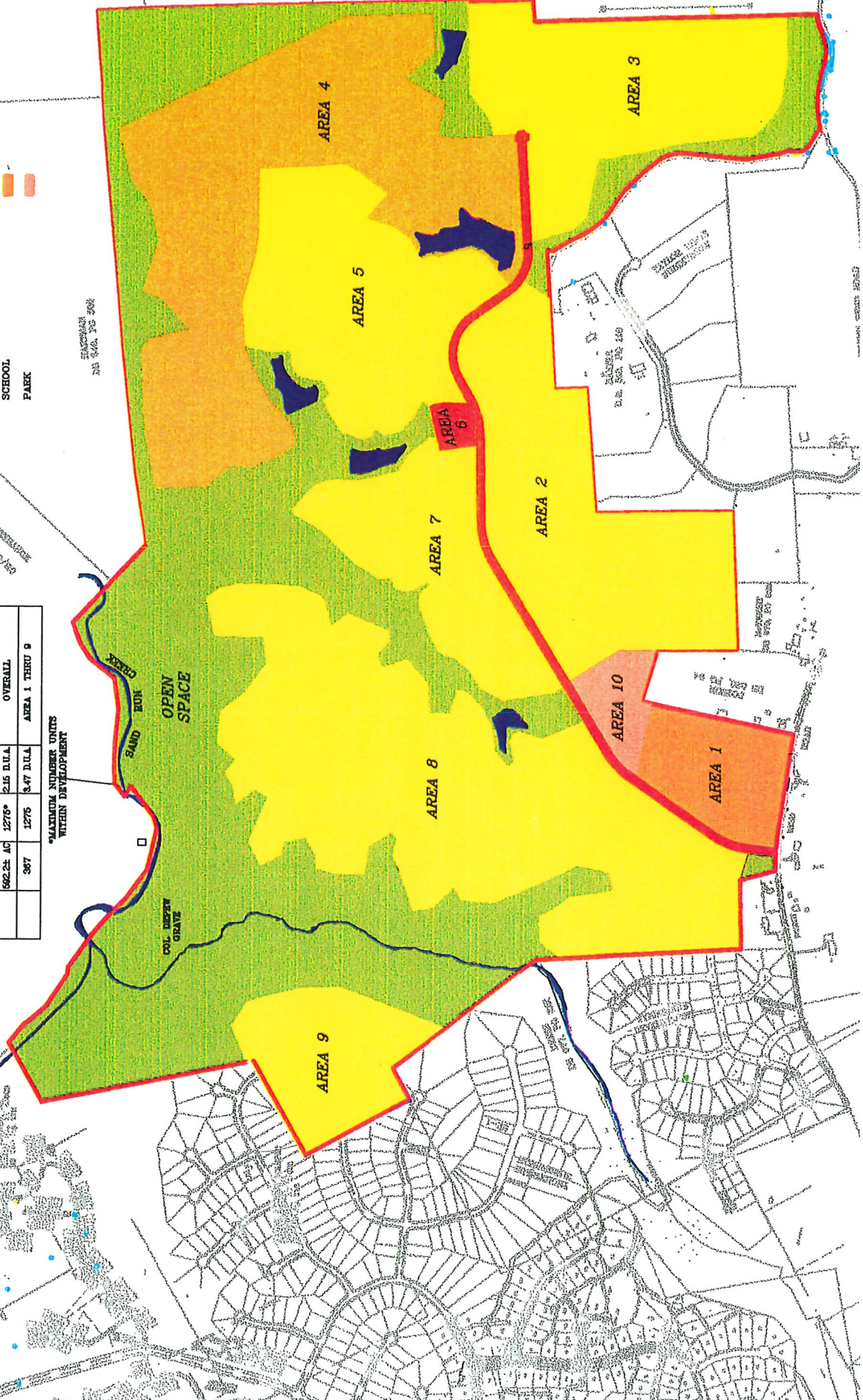
## CONCEPT DEVELOPMENT PLAN NORTH POINTE BOONE COUNTY, KENTUCKY

### LEGEND

- SINGLE FAMILY DETACHED
- SINGLE FAMILY DETACHED/  
ATTACHED/MULTI-FAMILY
- LAKES
- OPEN SPACE
- POOL
- SCHOOL
- PARK

| AREA       | ACREAGE   | UNITS | DENSITY      | USES   |
|------------|-----------|-------|--------------|--|
| 1          | 14.7      | NA    | NA           | SCHOOL   |
| 2          | 56±       | 175   | 3.5          | SINGLE FAMILY DETACHED                           |
| 3          | 45        | 150   | 3.5          | SINGLE FAMILY DETACHED                           |
| 4          | 75        | 750   | 12.0         | SINGLE FAMILY DETACHED/<br>ATTACHED/MULTI-FAMILY |
| 5          | 43        | 150   | 3.5          | SINGLE FAMILY DETACHED                           |
| 6          | 2.0       | NA    | NA           | POOL   |
| 7          | 23        | 90    | 3.5          | SINGLE FAMILY DETACHED                           |
| 8          | 97        | 200   | 2.5          | SINGLE FAMILY DETACHED                           |
| 9          | 21        | 50    | 2.5          | SINGLE FAMILY DETACHED                           |
| 10         | 5±        | NA    | NA           | PUBLIC PARK                                      |
| OPEN SPACE | 206.5±    | NA    | NA           |  |
|            | 562.2± AC | 1275* | 2.15 D.U./A. | OVERALL  |
|            | 387       | 1275  | 3.47 D.U./A. | AREA 1 THRU 9                                    |

\*MAXIMUM NUMBER UNITS  
WITHIN DEVELOPMENT





## I. STATEMENT OF PURPOSE AND INTENT

NORTH POINTE is a planned residential community providing a broad range of housing opportunities. Situated on the banks of Sand Run Creek, the gently rolling hill with steep hillside along Sand Run Creek provides a unique opportunity to provide an orderly and creative arrangement of land uses with an efficient use of land by clustering development.

The objective of this planned community is to provide a mixture of land uses with flexibility in density and intensity of the developable land. This flexibility will permit a more appropriate layout providing for functional, aesthetic and beneficial use of open space and will preserve and protect the natural features and public views.

The development will be staged in a manner to provide for the timely provisions of public utilities, public facilities, public services and public road improvements.

## II. ZONING

NORTH POINTE will be developed in accordance with this Concept Development Plan and any conditions of approval that may be established during the review process.

However, if conflicts between the conditions of approval and the Concept Development Plan or the Zoning or Subdivision Regulations currently in effect are discovered, or if one or more of these documents does not address a particular development issue, the conditions of approval along with the Concept Development Plan shall prevail first, and the Zoning or Subdivision Regulations currently in effect shall prevail second.

## III. DEVELOPMENT GUIDELINES

The following principles will be used in guiding development toward a planned community which can respond to changing market conditions:

- o Encouraging FLEXIBILITY in site design with respect to building spacing, heights, and density of buildings, open space, and parking.
- o Allowing a variety of CREATIVE SOLUTIONS to project design that may not be possible through the strict application of the local zoning and subdivision regulations.
- o Encouraging a mixed-use, MASTER PLANNED community providing for residential, recreational and community services.
- o Encouraging INNOVATIONS in land use that result in the availability of attractive development opportunities.
- o Promoting more EFFICIENT use of land and energy through reasonable infrastructure requirements.
- o Maximizing the UNIQUE physical features within NORTH POINTE.
- o Creating development patterns and project designs that further the GOALS and POLICIES of the local governmental agencies.
- o Providing appropriate TRANSITIONS between land use while encouraging an overall community focus.
- o Providing FLEXIBILITY for both land use type and density to be TRANSFERRED between parcels, responding better to the needs of the consumer and changing market conditions.

#### IV. LAND USES

NORTH POINTE will provide a broad range of land uses. These uses include single family-detached, single family-attached and multi-family residential uses along with educational and open space.

- A. SINGLE FAMILY-DETACHED HOUSING Single family-detached housing shall incorporate approximately 292 acres (areas 2,3,5,7,8,9) and provide for a maximum of 815

single family-detached dwelling units in these areas. Lot size and setback requirements shall be specifically established at the preliminary plat review for each area.

Single Family-detached housing shall also be permitted in Area 4 along with Single family-attached and multi-family dwelling units.

B. SINGLE FAMILY-ATTACHED and MULTI-FAMILY HOUSING

Single family-attached and multi-family housing shall be permitted in Area 4 and provide for a maximum of 750 dwelling units in this area. Lot sizes and setback requirements shall be specifically established at preliminary plat or site plan review stage.

C. COMMUNITY FACILITIES

1. EDUCATIONAL: NORTH POINTE will donate to the Boone County Board of Education a tract of land (Area 1) of approximately 14.7 acres for the construction of an elementary school. This 14.7 acre tract will permit the construction of an elementary school capable of accommodating 750 students. This donation of land is subject to a separate agreement between the applicant and the Boone County Board of Education.

The Boone County Board of Education has indicated that the elementary school will be open for the 2000-2001 school year.

2. OPEN SPACE: There will be provided approximately 208 acres of open space within NORTH POINTE.

The location of the open space provides for a large forested area with unique settings. It contains a variety of mature trees, protects the natural features and provides public views. That part of the Sand Run Creek Valley located within the applicants property will be preserved in its natural state.

The Colonel Abraham Depew grave site is located on the subject site, within the Sand Run Creek Valley and will remain undisturbed. The ruins of the Depew grist mill are located approximately 600 feet north of the Depew grave site on the west bank of Sand Run Creek. While the ruins of the grist mill are not located on the applicants property, the location of the grist mill ruins and the colonel's grave site will provide a unique opportunity for Boone County to preserve this historic site. The developer will work with the county to accomplish this.

The open space will be owned and maintained by a homeowners organization. However, the applicant will cooperate with the Boone County Park's Department to study the feasibility of including all or part of the open space becoming part of the Boone County Park's system.

3. LAKES: Within the 208 acre open space area one existing lake will be enhanced and approximately four new lakes will be constructed. These lakes will contribute to the aesthetics of the open space area and will also function as the retention/detention facilities to control the storm water runoff.

The exact number, size and location of these lakes will depend upon a detailed study to determine the amount of storm water detention required and a review by the Kentucky Division of Water.

4. COMMUNITY POOL: These will be provided within NORTH POINTE a swimming pool and bath house. It will be centrally located on approximately 2.0 acres (Area 6) and will be available to the residents of NORTH POINTE.
5. PARK: The applicant will provide to the Boone County Park's Department an area of approximately 5.0 acres (area 10). This site is located

adjacent to the elementary school site (area 1) and joints the elementary school site adjacent to the ball fields proposed for the school. This will enable the Boone County Park's Department to combine the two (2) areas into one large useable site.

V. LAND USE SUMMARY

The following is a list of the land uses to be permitted within NORTH POINTE.

| AREA       | ACREAGE   | UNITS | DENSITY     | USES   |
|------------|-----------|-------|-------------|--|
| 1          | 14.7      | NA    | NA          | SCHOOL   |
| 2          | 58        | 175   | 3.5         | SINGLE FAMILY DETACHED                             |
| 3          | 45        | 150   | 3.5         | SINGLE FAMILY DETACHED                             |
| 4          | 75        | 750   | 12.0        | SINGLE FAMILY DETACHED/<br>ATTACHED/MULTI-FAMILY** |
| 5          | 43        | 150   | 3.5         | SINGLE FAMILY DETACHED                             |
| 6          | 2.0       | NA    | NA          | POOL   |
| 7          | 28        | 90    | 3.5         | SINGLE FAMILY DETACHED                             |
| 8          | 97        | 200   | 2.5         | SINGLE FAMILY DETACHED                             |
| 9          | 21        | 50    | 2.5         | SINGLE FAMILY DETACHED                             |
| OPEN SPACE | 208.5±    | NA    | NA          |  |
| TOTAL      | 592.2± AC | 1275* | 2.15 D.U.A. | OVERALL  |
|            | 367       | 1275  | 3.47 D.U.A. | NON-OPEN SPACE                                     |

\*MAXIMUM NUMBER OF UNITS WITHIN DEVELOPMENT

\*\*FOR SALE UNIT ONLY-NO APARTMENTS

The number of units and densities for each area listed above are the anticipated number of units that can be developed within each area. However, to accommodate the need to maintain the flexibility in site design, promote a more efficient use of the land and to accommodate the changing needs in housing, the number of units and density may be transferred between areas. There shall be a maximum of 750 single family-attached and/or multi-family units permitted and they shall be located only within Area 4.

The total number of units shall not exceed 1275.

CONSTRUCTION SCHEDULE: The Boone County School Board will begin construction of the new elementary school as soon as possible. The new school is scheduled for completion by August 2000 and be ready for the 2000 school year.

The actual development of the residential areas of North Pointe would not begin until after the opening of the new school. We anticipate the following construction schedule:

| <u>Year</u> | <u>Schedule</u>                            |
|-------------|--|
| 1999        | School construction begins                 |
| 2000        | School construction complete - school open |
| 2001        | Residential development begins             |
| 2002        | 30 homes completed                         |
| 2003        | 60 homes completed                         |
| 2004        | 70 homes completed                         |
| 2005        | 70 homes completed                         |
| 2006        | 70 homes completed                         |

Beginning in the year 2005, the construction schedule will be updated every three (3) years.

PHASING PLAN: The following is the Phasing Plan anticipated for North Pointe.

Area 1: Site development to begin 1999 and school open 2000.

Area 2: Site development to begin in 2002 and homes to be occupied in 2003

Area 3: Site development to begin in 2011 and homes to be occupied in 2012.

Area 4: Site development to begin in 2007 and units to be occupied in 2008. No units will be constructed in Area 4 until road improvements on KY 237 from I-275 to the entrance for North Pointe have been completed.

Area 5: Site development to begin in 2008 and homes to be occupied in 2009.

- Area 6: Community Pool and bath house to be open after 250 homes are occupied.
- Area 7: Site development to begin in 2006 and homes occupied in 2007.
- Area 8: Site development to begin in 2001 and homes occupied in 2002.
- Area 9: Since access to this area is controlled by the Drees Company through Thornwilde, the development of Area 9 will depend on the rate of development adjacent to Area 9 and when actual access is provided.

DIMENSIONAL STANDARDS FOR RESIDENTIAL AREAS

The following shall be the minimum dimensional standards for each area:

| <u>AREA</u> | <u>MINIMAL LOT SIZE</u> | <u>MAXIMUM FRONTAGE</u> | <u>MAXIMUM HEIGHT</u> | <u>MINIMUM YARD FRONT</u> | <u>REAR</u> | <u>SETBACK SIDE</u>   |
|-------------|-------------------------|-------------------------|-----------------------|---------------------------|-------------|-----------------------|
| 3,9         | 11,000 SF.              | 80 FT.                  | 45 FT.                | 30 FT.                    | 30 FT.      | 5 FT. MIN<br>15 TOTAL |
| 2,7,8       | 8,000 SF.               | 65 FT.                  | 45 FT.                | 30 FT.                    | 30 FT.      | 5 FT. MIN<br>15 TOTAL |
| 4*,5        | 4,000 ST.               | 50 FT.                  | 45 FT.                | 25 FT.                    | 20 FT.      | 0 FT. MIN<br>10 TOTAL |
| 4**         | N.A.                    | N.A.                    | 45 FT.                | 30 FT.                    | 0 FT.       | 0 FT. +               |

\* When single family - detached housing is developed in Area 4

\*\* When single family - attached/multi-family housing is developed in Area 4. Site plan review per Article 30, Boone County Zoning Regulations shall be required.

+ All single family - attached/multi-family housing or accessory structures must maintain a minimum thirty (30) foot setback from all property lines of adjacent property not included as part of the North Pointe development.

## VI. DEVELOPMENT STANDARDS

- A. SHAPES and LOCATIONS of RESIDENTIAL BUILDINGS: There will be encouraged the use of a variety of building shapes, sizes and types.

The single family-detached housing will include a variety of single family housing types on lot sizes and building setbacks that are to be established as part of and during the detailed site planning and platting for individual development parcels.

The single family-attached housing may include a variety of housing types including townhouses, condominiums, and apartments.

The multi-family housing may include a variety of garden type apartments.

- B. STREETS: NORTH POINTE will include the construction of a full collector street built to Boone County Subdivision Regulations. This collector street will be a limited access roadway. There will be no residential driveways permitted to access the roadway and each residential area's access will be limited to only the number of access points necessary to provide safe and proper access.

All other public streets in NORTH POINTE will be constructed to conform to all the requirements of the subdivision regulations. Access will be provided to the properties located to the north of Area 3.

Left turn lanes will be constructed at the intersection of the collector road with North Bend Road (KY 237). These lanes will be constructed with the construction of the new school.

- C. FLOOD-PRONE AREAS: The only areas subject to flood are along the banks of Sand Run Creek. These areas are located in the open space and will remain undisturbed.

D. SANITARY SEWERS: The applicant participated in the construction of a major sewage lift station located on Sand Run Creek in Wyndemere Subdivision. This lift station has been designed with sufficient capacity to handle all the sewage generated from NORTH POINTE. There is a 12 inch sanitary sewer line under construction through Wyndemere Subdivision that will extend into NORTH POINTE. This 12 inch sanitary sewer line will serve as the major collector line for NORTH POINTE.

There is also an existing 8 inch sanitary sewer line located on the applicants property near Wyndemere Subdivision at the end of Surfridge Drive. This sanitary sewer line will provide the immediate access to sanitary sewers necessary for the proposed elementary school.

E. WATER: NORTH POINTE will be serviced with public water from an existing 12" water main located the east side of North Bend Road. This line is owned and maintained by the Boone County Water District. This 12" transmission line has sufficient capacity and pressure to service the elementary school and the NORTH POINTE community.

F. STORM DRAINAGE: Adequate storm water systems will be developed within NORTH POINTE. All storm sewers and related facilities will be designed in compliance with the subdivision regulations. A series of lakes (retention/detention facilities) will be constructed to control the discharge of storm water from the site.

G. PEDESTRIAN PATHS: An interconnecting pedestrian walkway system will be provided within NORTH POINTE. The pedestrian walkway system will be designed to provide access to the open spaces and to interconnect individual development areas. The actual walkway system will be determined for each individual development area during the detailed site planning and platting process.

## VII. LAND USE STANDARDS

NORTH POINTE is located in the Francisville Area (C-1) as defined in the 1995 Boone County Comprehensive Plan. (page 217)

1. NORTH POINTE is in conformance with the 1995 Comprehensive Plan. The Comprehensive Plan states: "Although the 1995 Future Land Use Map indicates little change from the 1990 Map, additional Suburban Residential development would be suitable for much of the area, if accompanied by widening and straightening of impacted portions of KY 237." Following the adoption of the 1995 Comprehensive Plan, Boone County prepared and adopted its 1996 Transportation Plan. Within the Boone County 1996 Transportation Plan KY 237 (North Bend Road) received one of the top priorities for reconstruction.

NORTH POINTE will be developed over a period of 15-20 years. This will provide time to accomplish the reconstruction of KY 237 while permitting gradual development of the area. It is anticipated that the construction of the elementary school site (or any elementary school in the area) will accelerate roadway improvements. A good example of this is the River Ridge School on Amsterdam Road, Villa Hills.

In addition, the applicant is requesting to develop at a density of only 2.15 dwelling units per acre. This is approximately half of the units that would be permitted if the site were developed with the Suburban Residential density recommended in the 1995 Boone County Comprehensive Plan. This is a reduction of 1094 units over what would be permitted under the Suburban Residential.

The 1995 Boone County Comprehensive Plan further states, "Proper planning dictates that additional school facilities are needed to support the growth in the area. At least one elementary school is needed north of I-275." The applicant will be accommodating

the Boone County Board of Education in fulfilling this need by donating to the Board of Education a prime tract of land (Area 1) containing approximately 14.7 acres. The Board of Education has indicated they must have the school open for the 2000-2001 school year.

NORTH POINTE has concentrated the residential densities so as to leave large open space areas. The overall density has been substantially reduced from the normal Suburban Residential densities to permit the creation of the large open spaces.

All the public infrastructure necessary to provide adequate urban services are existing and available to NORTH POINTE.

The applicant participated in the construction of the Wyndemere Lift station which was designed to handle the sewage from a portion of Thornwilde, all of Wyndemere and all of NORTH POINTE. The Wyndemere Lift station was placed in service in late 1997 and is owned, operated and maintained by the Sanitation District No. 1.

Currently there is a 12" sanitary sewer line under construction within Wyndemere Subdivision that will extend into NORTH POINTE and provide the major collection system for the sanitary sewer.

Public water is available to NORTH POINTE from the existing 12" water main located along KY 237. The Boone County Water District has indicated that this line has sufficient capacity and pressures to meet the water demands within NORTH POINTE.

Electric will be provided by Owen County Electric and gas will be provided by Cinergy.

2. NORTH POINTE is efficiently using the site to protect and preserve the scenic assets and natural features by incorporating existing trees, streams and topographic features into the site design. Approximately 35.2%

(208.2 acres) of the total site has been set aside for permanent open space. All of the sites designated natural areas and developmentally sensitive areas as identified on the Future Land Use maps have been incorporated within the designated open space. Care has been taken to avoid potential negative impacts to the developmentally sensitive hillsides as discussed on page 218, paragraph No. 1 of the 1995 Comprehensive Plan.

3. The applicant will work with the Boone County Parks Department to study the feasibility of including all or part of the open space into the Boone County Parks system. Within this open space area is developable land suitable for public recreation and/or public building sites.
4. NORTH POINTE is designed so as not to hinder nor deter development of the surrounding undeveloped properties.

The undeveloped properties to the west of NORTH POINTE are buffered by the Sand Run Creek Valley. The Sand Run Creek Valley is a highly developmentally sensitive area through which development is not desirable.

The undeveloped properties to the north (Crisler & Hempfling) will be provided access for development through Area 3.

All other adjacent tracts are either developed or underdeveloped.

5. NORTH POINTE is located in the Hebron Fire District which will provide the fire and EMS protection. All other public facilities and utilities are presently available as described in item 1 this section of the Concept Plan.

#### VIII. COMPATIBILITY ASSESSMENT STANDARDS

1. NORTH POINTE will not adversely affect the natural features of the site. A total of 208.2 acres of open

space is being provided to insure that the natural features and developmentally sensitive areas are protected and preserved.

2. The road network that will service NORTH POINTE is KY 237 (North Bend Road) via I-275. The collector road to be constructed to service this development will intersect with KY 237 approximately 2.6 miles north of the KY 237 - I-275 interchange.

KY 237 is the only arterial road that can provide access. It has received a very high priority in the 1995 Boone County Transportation Plan for reconstruction.

The new elementary school that will be open for the 2000-2001 school year will have the most immediate effect on the traffic volume on KY 237. NORTH POINTE will be developed over a period of 15-20 years thus generating a very small increase in traffic each year. The construction of the elementary school will provide an incentive to reconstruct KY 237 in a timely manner and the phased development of NORTH POINTE will provide time to accomplish the reconstruction.

3. Sanitary sewers of sufficient size and capacity are available to the site. The applicant participated in the design and construction, with two other developers, of the Wyndemere Lift station which was placed in service in late 1997. It was designed to handle the sewage from portions of the Thornwilde development and all of the sewage from Wyndemere and NORTH POINTE developments. This lift station is owned, operated and maintained by the Sanitation District No. 1.

A 12 inch sanitary sewer line is under construction within Wyndemere Subdivision which will be the major collector line for the sewage generated from NORTH POINTE. There is also an existing 8 inch sanitary sewer line located on this site at the end of Surfridge Drive. This line will provide the immediate sewer service necessary for the proposed elementary school.

Public water supply will be provided by an existing 12 inch water main located along KY 237. Boone County Water District has indicated that this 12 inch water main has sufficient capacity and pressure to adequately supply NORTH POINTE.

4. The 1995 Boone County Comprehensive Plan indicates a major need for an elementary school in the Francisville Area. The applicant, as part of the NORTH POINTE community, will be providing the Boone County Board of Education a 14.7 acre site for the construction of a new elementary school with a capacity of 750 students. The Board of Education has indicated that they must have the elementary school constructed and open for the 2000-2001 school year.

Police protection will continue to be from the Boone County Police Department. The Boone County Police Department currently provide all the police services in Boone County except for the cities of Florence and Walton. No changes are projected in this service.

Fire protection service is currently provided by the Hebron Fire District. They will continue to provide the fire protection services. The Hebron Fire District has a new fire house, centrally located, near the KY 237 KY 20 intersection, approximately 4 miles south of NORTH POINTE.

The Hebron Fire District has a well equipped and trained fire department and is capable of providing the fire protection services for their district.

5. NORTH POINTE will generate a gradual increase in traffic each year over its anticipated development life of 15-20 years. KY 237, the arterial road providing access to NORTH POINTE has one of the top priority ratings in the 1996 Boone County Transportation Plan for reconstruction. This gradual increase in traffic will provide adequate time an incentive to accomplish the reconstruction of KY 237.

6. The development will have a minimum visual impact on adjoining property owners. The properties to the south are currently developing in a similar manner as NORTH POINTE. Wyndemere Subdivision is adjacent to Area 8 and Thornwilde is adjacent to Area 9 and both subdivisions are developing with similar housing and lot size proposed for Area 8 & 9.

The property owners to the west are located on the opposite side of the Sand Run Creek valley which will remain undisturbed. The view for these property owners will not be greatly changed.

The property owners to the north will have their views minimally impacted by NORTH POINTE. Most of these properties slope to the north and have no view of NORTH POINTE.

The property owners to the east have a very limited view of the NORTH POINTE site. A high ridge runs north & south along the eastern side of this development. As a result the development west of this ridge will not be visible to the eastern property owners.

7. The impact on storm water runoff will be minimal as a series of detention/retention facilities will be constructed. The detention/retention facilities will control the runoff into both Sand Run Creek and Loder Creek.
8. As demonstrated in item 4 above, police and fire protection will continue to be provided by the Boone County Police Department and Hebron Fire District, respectively. The low density at which NORTH POINTE will be developed, 2.15 dwelling units per acre, when compared to the Suburban Residential density, 4.0 dwelling units per acre, projected in the 1995 Boone County Comprehensive Plan, the demand for police and fire services will be much less.
9. There will be no major impact on off-site public utilities, as the applicant has already provided the

sanitary sewage facilities necessary for NORTH POINTE and the Boone County Water District has existing facilities available along KY 237 to provide adequate water and pressure.

IX. DESIGN STANDARDS

1. Buildings may not exceed three stories in height.
2. The development areas within NORTH POINTE are located so as to preserve and protect scenic assets and natural features.
3. Buildings shall be designed in the same architectural style representative of existing and future buildings in the Francisville area.
4. All the buildings will be residential with a maximum height of three stories, thus keeping the scale of each building harmonious with the natural features.
5. The proposed elementary school will be the only building which will be abut an existing public road. The design of the building will take into consideration the width and height of the front, side and rear elevation from the public road.
6. The historic Colonel Depew grave site will remain undisturbed and is incorporated in the open space.
7. The amount of paved surfaces has been minimized by providing 208 acres of open space. A landscape entrance will be provided at the entrance with KY 237.
8. The use of fences, walls and landscaped beams will not be required as all abutting property is either residential or open space.

9. Landscaped entrances will be provided to each individual area to provide each area with its own identity. The 208 acres of open space provides the separation and buffering between areas.
10. A community pool is being provided for active recreational needs and 208 acres of open space has been provided for the passive recreational needs.
11. Signage shall be limited to monument style sign at the entrances to each area and the main entrance at KY 237. Each monument sign shall be masonry with landscaped areas. Each entry sign shall be limited to fifty (50) square feet in area and two (2) entry signs shall be permitted at each entrance. All other signage shall conform to Article 34 of the Boone County Zoning Code.
12. All utilities (gas, electric, telephone and cable TV) will be placed underground.
13. A series of detention/retention facilities will be constructed to control storm water runoff.
14. The main access roadway through NORTH POINTE will be designed as a collector street with controlled access. A left turn lane will be provided on KY 237 at the main entrance. Sidewalk and pedestrian walkways will be provided.
15. NORTH POINTE is located at the extreme northern end of Boone County. The possibility of mass transit services into NORTH POINTE is very remote for the foreseeable future. Thus, there is no need for mass transit stops or car pooling lots. Sidewalks and pedestrian walkways are being provided.
16. The land uses within NORTH POINTE are residential and are compatible with the adjoining residential land uses.

X. ARCHITECTURAL DESIGN:

The homes to be constructed in North Pointe will be traditional with a mix of colonial, contemporary, and other styles. On the following page 16-A are several examples of the planned homes. The homes will include ranches and 2 stories, with each expected to have a basement and garage. The long range plan is to maintain tradition while focusing on new materials and innovations available in contemporary building to meet the current market demands.

The multifamily, condominium and/or detached housing plans include styles as shown on page 16-B. The height will not exceed 3 stories plus basement.

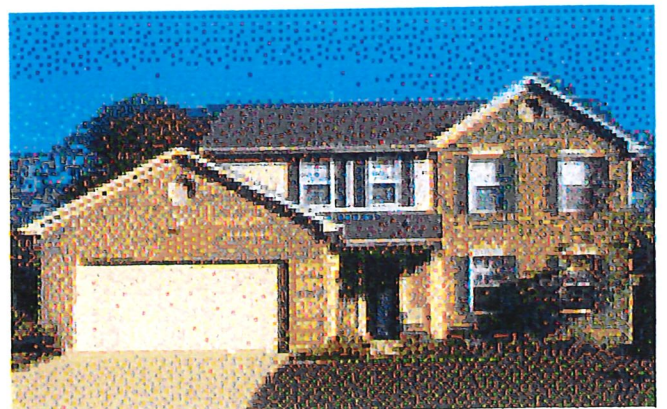
Plans for signs within the subdivision will be similar to those shown on page 16-C and will typically be masonry construction.

Plans for the proposed buildings to serve the swimming pool are shown on page 16-D.

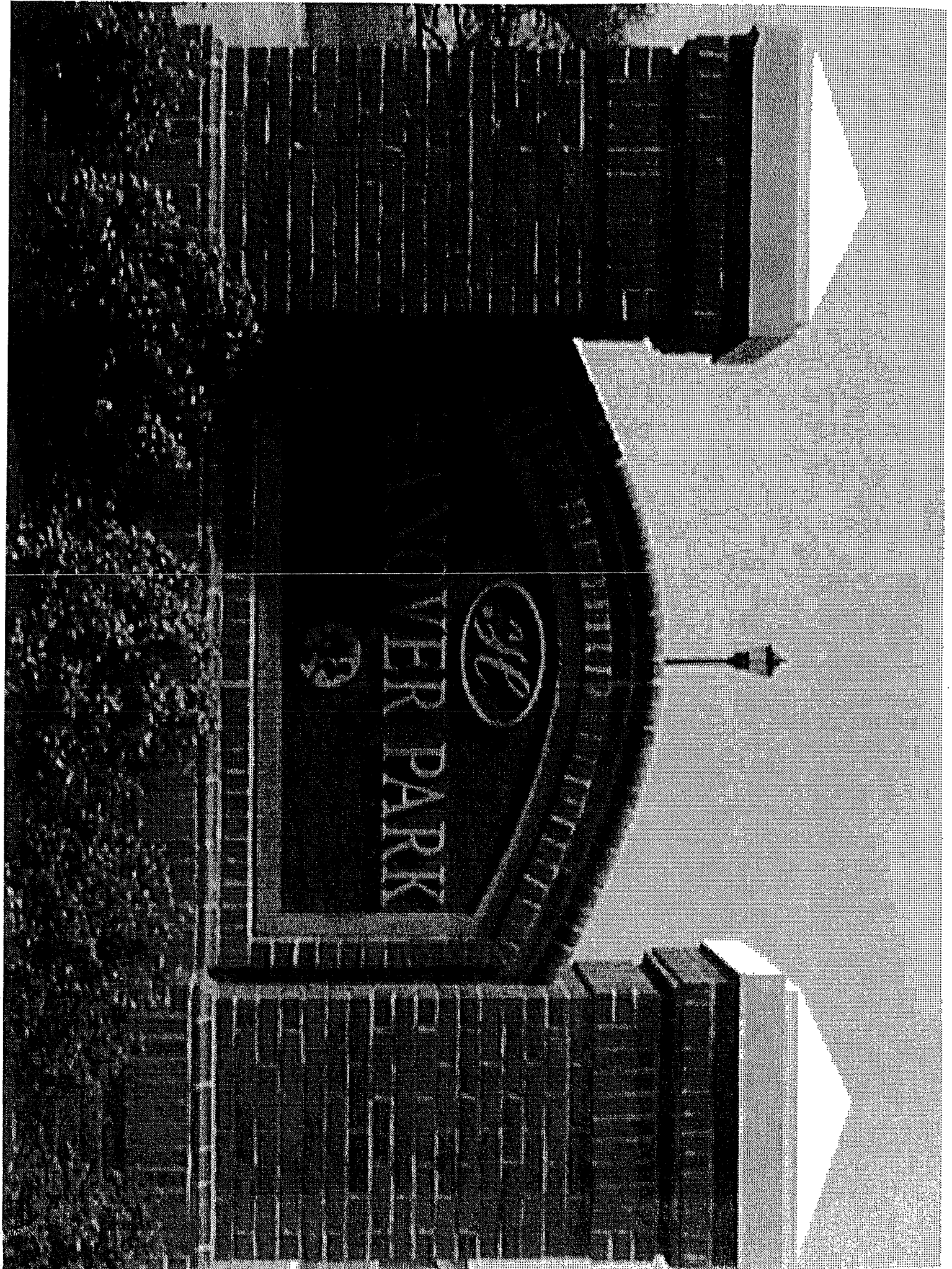
XI. SUMMARY

NORTH POINTE will provide, as outlined in the 1995 Boone County Comprehensive Plan a wide variety of housing types along with educational, recreational facilities and open space.

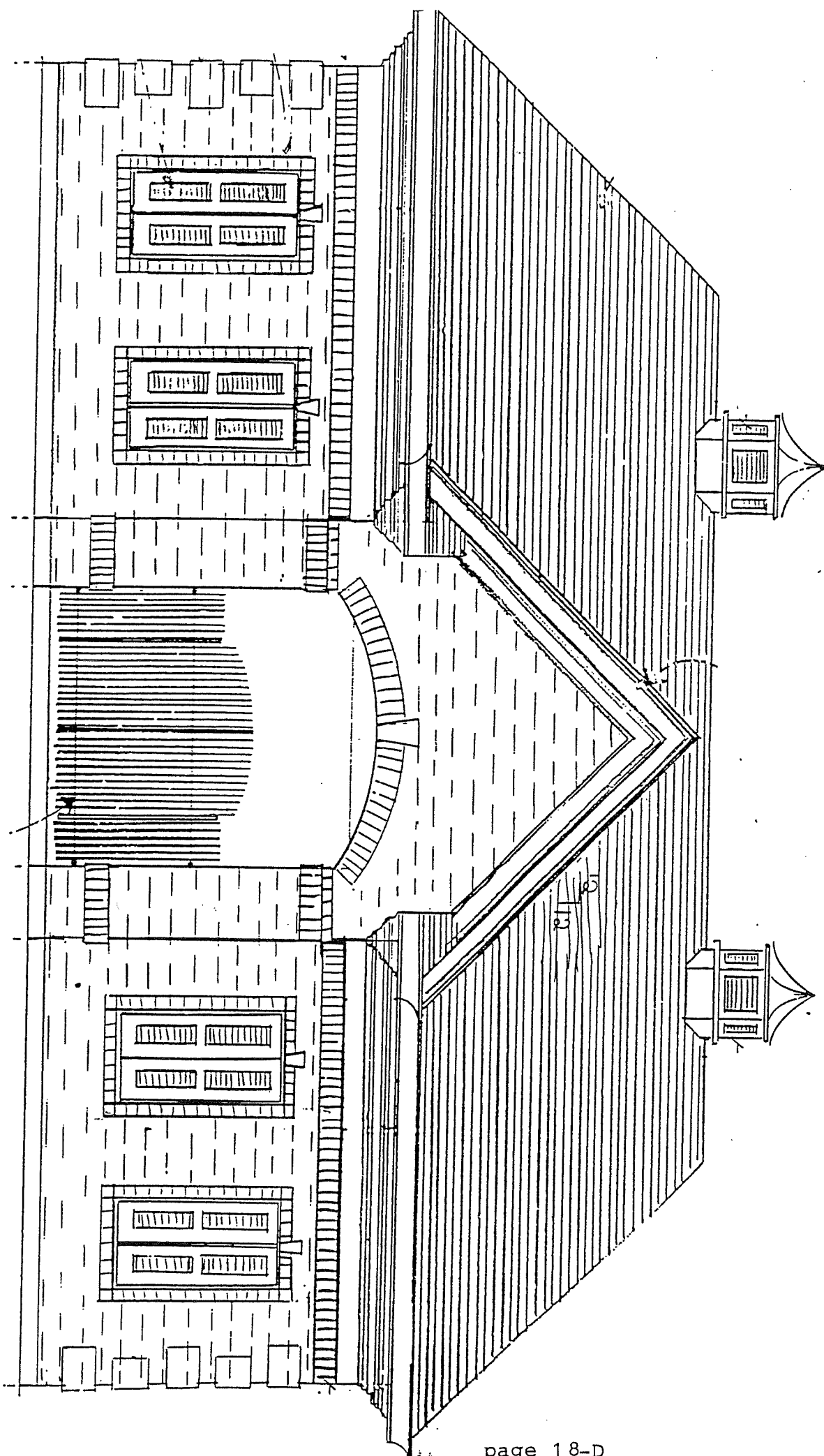
This CONCEPT DEVELOPMENT PLAN for NORTH POINTE is in conformance with the 1995 Boone County Comprehensive Plan.







Don't like it



APPLICATION FORM  
**ZONING MAP AMENDMENT**

BOONE COUNTY PLANNING COMMISSION  
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

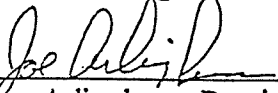
1. Name of Project \_\_\_\_\_
2. Location of Project KY 237 - Boone County
3. Total Acreage of Site 592.2 Acres
4. Current Zoning of Site A-1 & A-2 - RSE
5. Proposed Zoning (Classification being requested) \_\_\_\_\_  
Residential Planned Development (RPD)
6. Proposed Uses (please specify each use) Single Family  
Detached, Single Family Attached and Multi-Family
  
7. Names of Applicant(s) Arlinghaus Builders, Inc.  
Phone Number 341-8766 Fax No. 344-7983
8. Address of Applicant(s) 142 Barnwood Drive  
Edgewood KY 41017  
City State Zip
9. Name of Property Owner(s) Arlinghaus Builders, Inc.  
Phone Number 341-8766 Fax No. 344-7983
10. Address of Property Owner(s) 142 Barnwood Drive  
Edgewood KY 41017  
City State Zip
11. Proposed Building Intensities (please specify) \_\_\_\_\_  
See Concept Development Plan
  
12. Are there any existing buildings on the site? Yes  
How many? 5
13. Deed Book See Exhibit Page No. "A" Group No. \_\_\_\_\_
14. Are you also applying for:  
No Conditional Use Permit  
No Dimensional Variance
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:  
X Boone County Water and Sewer District  
\_\_\_\_ Florence Water and Sewer Commission  
\_\_\_\_ Union Light Heat and Power  
\_\_\_\_ Cincinnati Bell  
\_\_\_\_ Owen County Rural Electric  
\_\_\_\_ Boone County Public Works Department

(over)

EXHIBIT "A"  
DEED PAGE REFERENCE


Parcel 1 (Eggleston)  
Deed Book 508, pg. 312  
Group 2001  
Owner by Deed

Arlinghaus Builders, Inc.

  
\_\_\_\_\_  
Joe Arlinghaus, President

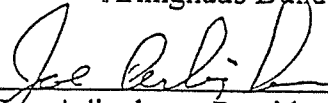
Parcel 2 (Bermeo)  
Deed Book 555, pg. 104  
Group 2001  
Owner by Deed

Arlinghaus Builders, Inc.

  
\_\_\_\_\_  
Joe Arlinghaus, President

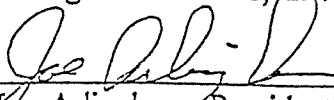
Parcel 3 (Neal, Bingham, Richardson and Conrad)  
Deed Book 584, pg. 46; Deed Book 584, pg. 51  
Group 2001  
Owner by Deed

Arlinghaus Builders, Inc.

  
\_\_\_\_\_  
Joe Arlinghaus, President

Parcel 4 (Hampton)  
Deed Book 459, pg. 134  
Group 2001  
Owner by Contract

Arlinghaus Builders, Inc.

  
\_\_\_\_\_  
Joe Arlinghaus, President

Total Area 592 Acres.

LEGAL DESCRIPTION

A-1 & A-2 to RPD

Being a parcel of land that is located between North Bend Road (KY 237) and Sand Run Creek and being more particularly described as follows:

Beginning at a point in the west right-of-way line of North Bend Road (KY 237) and also being the common corner between Arlinghaus and Dotson (DB 320, PG 94); thence with the right-of-way of North Bend Road S 2° 32' 25" E, 164.88 feet to a point; thence S 3° 34' 54" E, 197.98 feet to a point; thence S 3° 39' 33" E, 43.21 feet to a point; thence S 3° 13' 16" E, 105.89 feet to a point; thence S 3° 15' 47" E, 121.98 feet to a point; thence S 5° 41' 12" E, 138.57 feet to a point; thence S 11° 08' 45" E, 119.61 feet to a point; thence S 19° 13' 43" E, 259.58 feet to a point in the line with Whitefoot (DB 389, PG 312); thence with Whitefoot N 70° 47' 17" E, 100.64 feet to a point; thence N 18° 34' 40" W, 243.18 feet to a point; thence S 61° 56' 42" W, 140.08 feet to a point; thence S 13° 16' 04" E, 447.52 feet to a corner of Whitefoot and also being the line Section Two Wyndemere Place (Plat 450 B) and Wyndemere Development (DB 581, PG 261) thence with Wyndemere Development S 74° 57' 52" W, 191.04 feet to a point; thence S 75° 16' 36" W, 647.26 feet to a point; thence S 74° 43' 59" W, 512.71 feet to a point; said point being a corner with Wyndemere Development and the Drees Co. (DB 677, PG 222); thence with Drees and the proposed Thornwilde Subdivision S 40° 45' 47" W, 1,170.14 feet to a point; thence S 40° 07' 53" E, 231.00 feet to a point; thence S 49° 52' 07" W, 772.86 feet to a point; thence N 41° 22' 53" W, 706.86 feet to a point; thence with Drees (DB 706, PG 105) and Stamper (DB 559, PG 178) S 67° 22' 07" W, 1,414.38 feet to a corner with Stamper; thence with Stamper N 41° 52' 53" W, 418.44 feet to a corner of Stamper and in the line with Kirkwood (DB 443, PG 290); thence with Kirkwood N 28° 11' 22" W, 140.85 feet to a point; thence N 38° 44' 21" E, 202.96 feet to a point; thence N 21° 52' 57" E, 250.01 feet to a point; thence N 03° 32' 03" W, 48.25 feet to a point; thence N 23° 18' 01" E, 239.43 feet to a point; thence N 28° 13' 47" E, 152.18 feet to a point; thence N 33° 19' 44" E, 188.00 feet to a point; thence N 24° 58' 34" E, 227.20 feet to a point; thence N 01° 19' 43" E, 281.36 feet to a point; thence N 29° 52' 58" W, 90.60 feet to a point; thence N 49° 01' 13" W, 236.54 feet to a point; thence S 18° 30' 40" W, 75.96 feet to a point; thence N 52° 02' 05" W, 102.69 feet to a corner with OB/GYN Specialists of Northern Kentucky P.S.C. (DB 443, PG 284); thence with OB/GYN Specialist N 15° 41' 31" W, 117.59 feet to a point; thence N 08° 54' 10" W, 166.19 feet to a point; thence N 06° 40' 59" W, 210.79 feet to a point; thence N 19° 59' 03" W, 197.22 feet to a point; thence N 63° 14' 58" W, 206.54 feet to a point; thence N 44° 12' 10" W, 126.96 feet to a point; thence N 31° 00' 19" W, 135.34 feet to a point;

Legal Description

Page 2.

thence N 31° 02' 01" E, 372.09 feet to a corner with OB/GYN Specialist and Hartman (DB 349, PG 305); thence with Hartman N 31° 02' 01" E, 326.87 feet to a point; thence N 21° 00' 00" W, 401.86 feet to a point; thence N 18° 00' 55" W, 816.16 feet to a point; thence N 17° 12' 16" W, 561.89 feet to a point; thence N 17° 26' 21" W, 889.97 feet to a point; thence N 15° 18' 27" W, 208.40 feet to a point; thence N 13° 48' 46" W, 79.70 feet to a corner with Hempfling (DB 646, PG 136); thence N 16° 33' 56" W, 462.65 feet to a corner with Hempfling; thence N 75° 23' 56" E, 341.89 feet to a corner with Hempfling (DB 479, PG 17); thence with Hempfling N 76° 42' 36" E, 2,473.23 feet to a corner with Crisler (DB 66, PG 423); thence with Crisler N 80° 34' 21" E, 49.23 feet to a point; thence S 17° 07' 37" E, 141.00 feet to a point; thence N 76° 27' 37" E, 1,846.08 feet to a point in the west right-of-way line of North Bend Road; thence with said right-of-way and a curve to the left 83.26 feet (D=15° 30' 40" R=307.56'); thence S 35° 00' 55" E, 65.11 feet to a P.C. of a curve; thence with the curve to right 175.34 feet (D=37° 46' 58" R=265.89'); thence S 02° 46' 03" W, 87.41 feet to a P.C. of a curve; thence with the curve to the left 337.36 feet (D=27° 27' 21" R=704.01') to a corner with Lot 9 Taylor Ridge Estates; thence leaving North Bend Road and with Lot 9 and Taylor Ridge Estates S 19° 14' 58" W, 143.94 feet to a P.C. of a curve; thence with a curve to the right 77.68 feet (D=61° 15' 10" R=72.66') to a point; thence S 80° 30' 08" W, 77.31 feet to a point; thence S 60° 33' 07" W, 54.79 feet to a point; thence S 68° 24' 44" W, 177.95 feet to a P.C. of a curve; thence with a curve to the right 92.58 feet (D=15° 15' 37" R=347.61'); thence S 83° 40' 20" W, 347.73 feet to a P.C. of curve; thence with a curve to the left 164.52 feet (D=37° 36' 05" R=250.69'); thence S 46° 04' 15" W, 9.62 feet to a P.C. of curve; thence with a curve to the left 394.50 feet (D=23° 31' 05" R=961.09'); thence S 22° 33' 10" W, 92.76 feet to a P.C. of curve; thence with a curve to the right 125.72 feet (D=21° 24' 33" R=336.45') to a point; thence S 43° 57' 43" W, 83.39 feet to a point; thence S 51° 07' 26" W, 134.69 feet to a point; thence S 46° 35' 15" W, 93.78 feet to a point; thence S 74° 30' W, 44.54 feet to a point; thence S 15° 30' E, 401.69 feet to a corner with Baxter (DB 518, PG 116); thence with Baxter S 15° 30' E, 500.00 feet to a point; thence N 75° 56' E, 212.95 feet to a point; thence S 16° 16' 43" E, 814.32 feet to a corner with Lot 3 and Taylor Ridge Estates; thence with Lot 3 and Taylor Ridge Estates N 77° 21' 30" E, 899.65 feet to a point; thence S 14° 14' 36" E, 456.05 feet to a corner with McKnight (DB 353, PG 241); thence with McKnight S 14° 14' 36" E, 443.95 feet to a point in the line with Dotson (DB 320, PG 94); thence with Dotson S 77° 49' 25" W 528.91 feet to a point; thence S 09° 34' 32" E, 32.63 feet to a point; thence S 05° 18' 10" W, 320.75 feet to a point; thence N 89° 58' 47" E, 1,018.60 feet to the point of Beginning.

Containing 592.2± Acres.

Being part of the same property conveyed to Arlinghaus Builders in DB 584, PG 46, DB 555, PG 104 & DB 508, PG 312 as recorded at the County Clerks Office in Burlington, Kentucky.

ARLINGHAUS-NORTH BEND  
ADJOINING PROPERTY OWNERS

1. R. C. Crisler  
8368 River Road  
Boone County, Kentucky 41048  
  
c/o PNC Bank  
Attn. D. Collins  
201 E. 5<sup>th</sup> Street  
Cincinnati, Ohio 45202-4117
2. Dana & Edeltraud M. Reed  
2970 Woodrow Avenue  
Cincinnati, Ohio 45211
3. Glen & Kim Sue Jackson  
480 North Bend Road  
Hebron, Kentucky 41048
4. Louise White  
489 North Bend Road  
Hebron, Kentucky 41048
5. Barry and Mary Lou Hersh  
8401 Kara Lane  
Hebron, Kentucky 41048
6. Phillip Duncan  
8100 Kara Lane  
Hebron, Kentucky 41048
7. Wilbur & Anita Baxter  
255 North Bend Road  
Hebron, Kentucky 41048
8. Jean and Robert Robison  
2051 Bridgette Lane  
Hebron, Kentucky 41048
9. Richard and Debra L. Wulfeck  
241 Beechwood Road  
Ft. Mitchell, Kentucky 41017

10. John L. & Dorothy F. McKnight  
757 North Bend Road  
Hebron, Kentucky 41048
11. Gaines S. & Opal Mae Dotson  
803 North Bend Road  
Hebron, Kentucky 41048
12. William H. and Patricia Goodman, Jr.  
1993 Coachtrail Drive  
Hebron, Kentucky 41048
13. Donald R. & Victoria A. Gorman  
1992 Coachtrail Drive  
Hebron, Kentucky 41048
14. Ronald J. & Jean M. Kathman  
766 North Bend Road  
Hebron, Kentucky 41048
15. Ozene & Gale Lawson  
902 North Bend Road  
Hebron, Kentucky 41048
16. George J. Jr. & Patricia Placke  
938 North Bend Road  
Hebron, Kentucky 41048
17. Gary Lee & Laura Diana Whitefoot  
P.O. Box 212  
Hebron, Kentucky 41048
18. Wyndemere Development, LLC  
4205 Dixie Highway  
Elsmere, Kentucky 41018
19. The Ryland Group, Inc.  
8600 Governor's Hill Drive, Suite 220  
Cincinnati, Ohio 45249
20. The Drees Co.  
211 Grandview Drive  
Ft. Mitchell, Kentucky 41017

21. Wayne & Lillie Stamper  
Stamper Family Trust  
1588 Williams Road  
Burlington, Kentucky 41005
22. Carol Waitson Kirkwood  
100 Farmcrest Court  
Lakeside Park, Kentucky 41017
23. Huntington Bank  
Trustee for OB/GYN Specialist  
P.O. Box 172  
Covington, Kentucky 41011
24. John Wm. Jr. & Pamela M. Hartman  
9063 River Road  
Hebron, Kentucky 41048
25. Gregory Hempfling  
7118 River Road  
Hebron, Kentucky 41048
26. Harold F. & Sherry L. Hempfling  
8545 River Road  
Hebron, Kentucky 41048
27. Raymond H. & Carole Erpenbeck  
4205 Dixie Highway  
Elsmere, Kentucky 41018
28. Kermit Hampton  
923 North Bend Road  
Hebron, Kentucky 41048



Date: July 7, 1988

Name: DEPEW

Location: Near a branch of Sand Run Creek, on a portion of Williams Road that was closed in the 1940s. Marked on the USGS Topo Map.

Property Owner:

Recorder: Terry Lanham

Source: Kentucky Ancestors, Vol. 2, #1, July 1975, p.38.

Inscriptions:

Depew: Col. Abraham Depew / Born in VA, July 15, 1773, died in Boone County, Ky  
July 31, 1820

Comment:

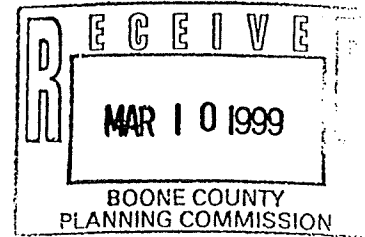
This site is quite near the ancient town of Bullittsburg, and the old road which was laid out from Bullittsburg to the Big Bone Licks when this was Campbell County, Kentucky, was the portion of Williams Road that was closed in the 1940s.

The late James Wainscott once lived in the vicinity and often looked after the gravesite. He indicated there were other graves around the Abraham Depew grave, and that, according to a legend, Col. Depew was an avid follower of fox chasing. The graves were of his dead fox hounds.

Another report was that they were the graves of people who once lived near the site. Col. Depew's stone was vandalized several years ago.

He, as well as his wife, was a member of the Bullittsburg Baptist Church. He operated a grist mill near the site, and was a Justice on the Boone County Court from November 2, 1808 until his decease. He was no doubt a member of the militia and served in the War of 1812.

NORTH POINTE SUBDIVISION  
HEBRON, KENTUCKY



AMENDMENT TO CONCEPT PLAN

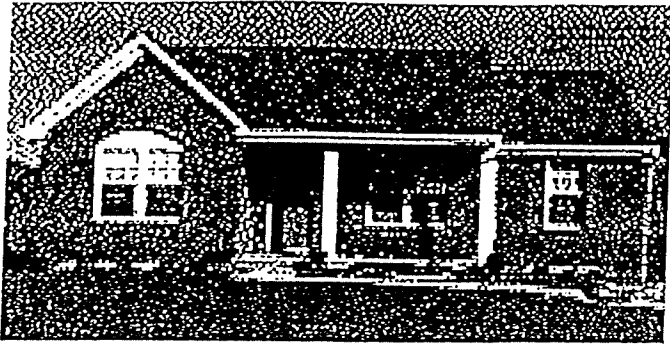
Architectural Design

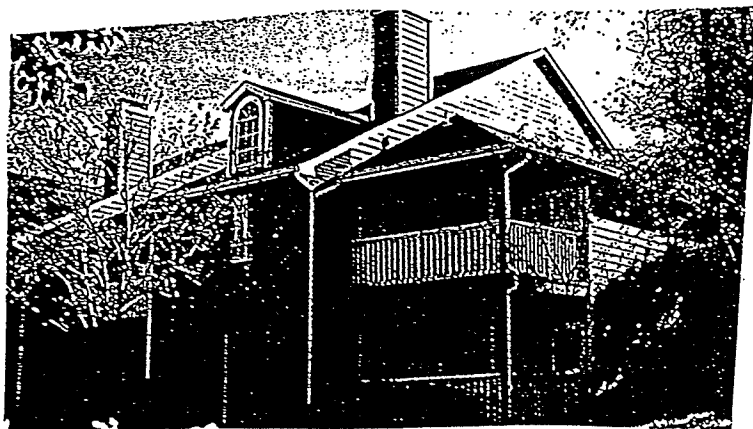
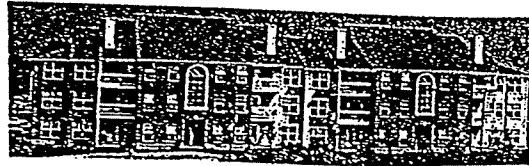
The homes to be constructed in North Pointe will be traditional with a mix of colonial, contemporary, and other styles. On the following page 1-A are several examples of the planned homes. The homes will include ranches and 2 stories, with each expected to have a basement and garage. The long range plan is to maintain tradition while focusing on new materials and innovations available in contemporary building to meet the current market demands.

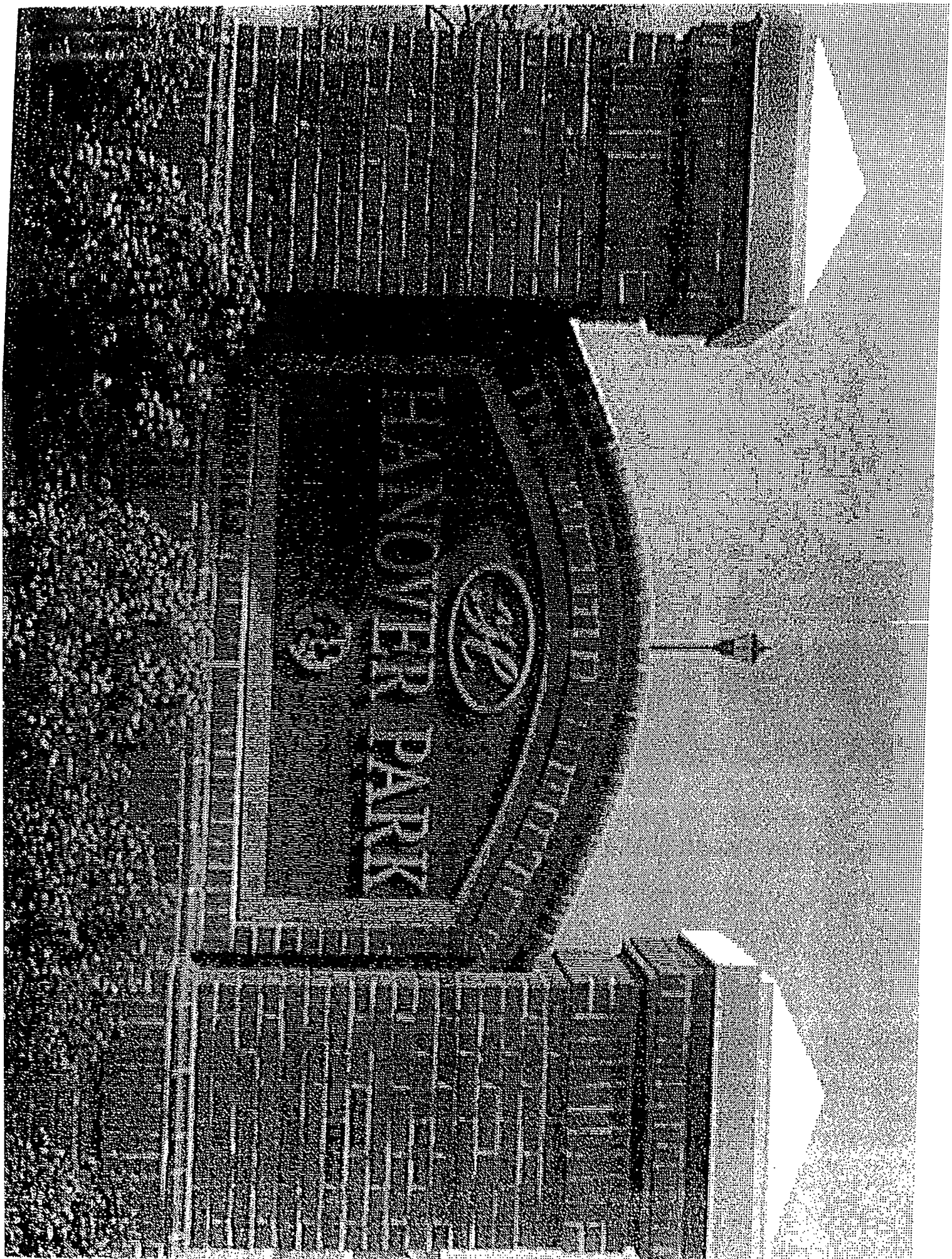
The multifamily, condominium and/or detached housing plans include styles as shown on Page 1-B. The height will not exceed 3 stories plus basement.

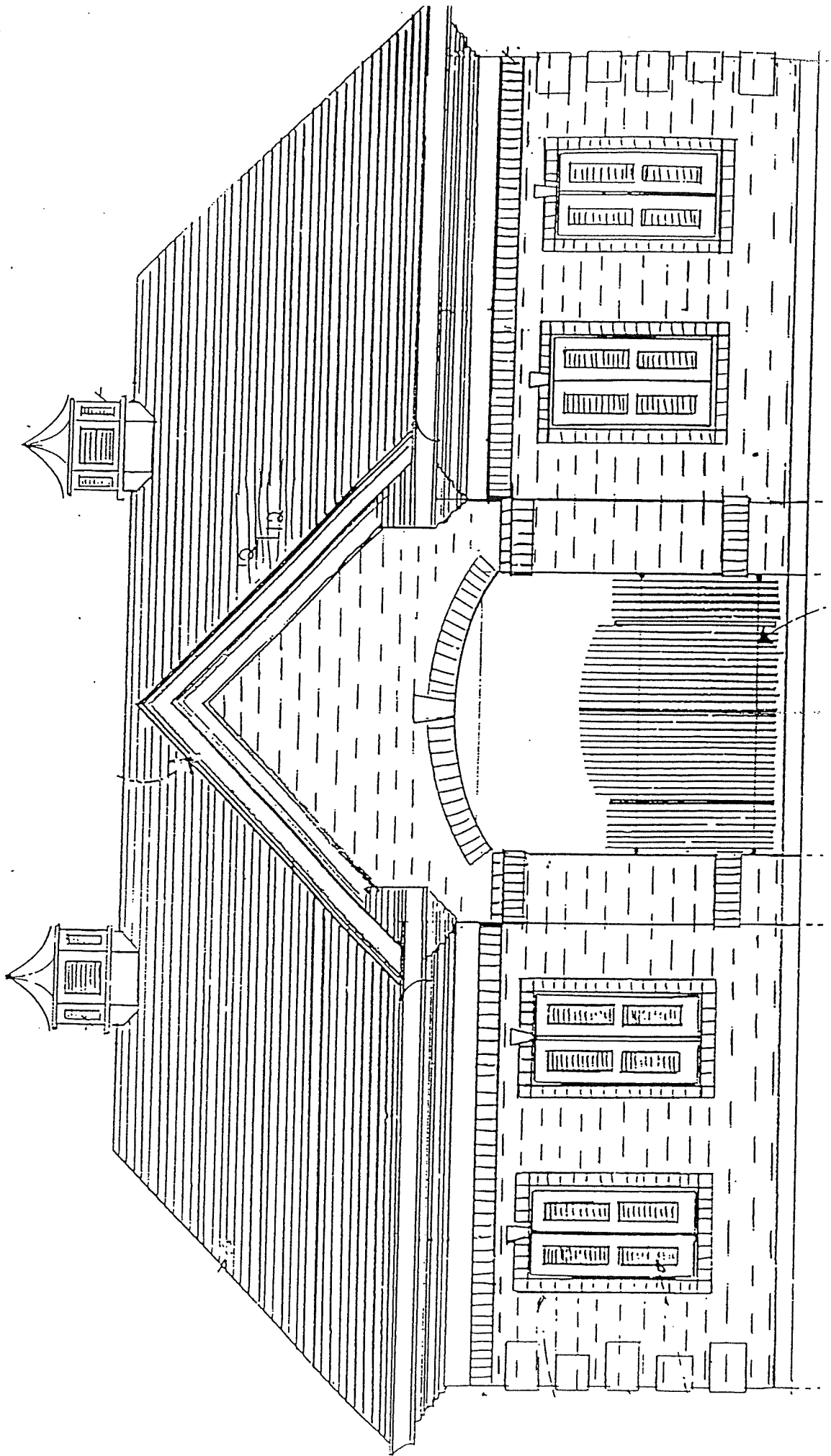
Plans for signs within the subdivision will be similar to those shown on page 1-C and will typically be masonry construction.

Plans for the proposed buildings to serve the swimming pool are shown on page 1-D.









POOL HOUSE

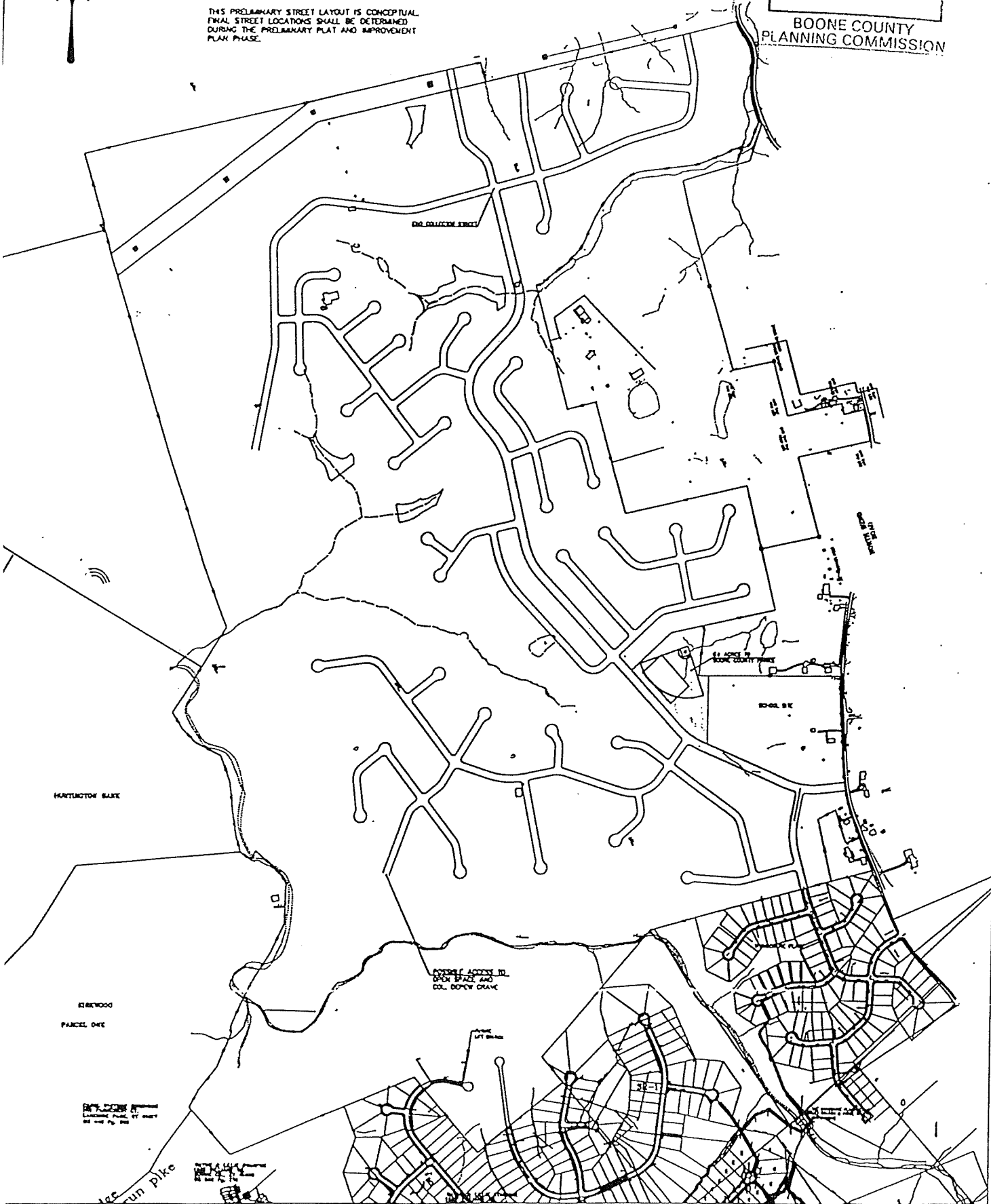
CONCEPT PLAN  
PRELIMINARY STREET LAYOUT  
NORTH POINTE

DEVELOPER: ARLINGHAUS BUILDERS INC.  
142 BARNWOOD DRIVE  
EDGEWOOD, KENTUCKY 41017

ENGINEER: RAYMOND ERPONBECK  
CONSULTING ENGINEERS  
4205 DUKE HIGHWAY  
ELSMERE, KENTUCKY 41018

RECEIVE  
MAR 10 1999  
BOONE COUNTY  
PLANNING COMMISSION

THIS PRELIMINARY STREET LAYOUT IS CONCEPTUAL.  
FINAL STREET LOCATIONS SHALL BE DETERMINED  
DURING THE PRELIMINARY PLAT AND IMPROVEMENT  
PLAN PHASE.



HARTINGTON BLVD

ELMWOOD  
PARCEL ONE

SUN PIKE

CREEK  
COL. DOVEY CREEK

CREEK  
LET BRANCH

CREEK

CREEK

BOONE COUNTY

CREEK

1

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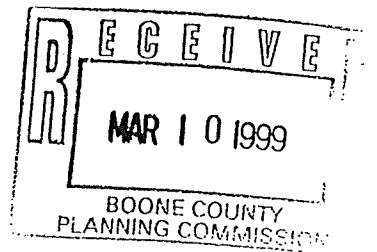
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1



V. LAND USE SUMMARY

The following is a list of the land uses to be permitted within NORTH POINTE.

| AREA       | ACREAGE   | UNITS | DENSITY     | USES   |
|------------|-----------|-------|-------------|--|
| 1          | 14.7      | NA    | NA          | SCHOOL   |
| 2          | 58        | 175   | 3.5         | SINGLE FAMILY DETACHED                           |
| 3          | 45        | 150   | 3.5         | SINGLE FAMILY DETACHED                           |
| 4          | 75        | 750   | 12.0        | SINGLE FAMILY DETACHED/<br>ATTACHED/MULTI-FAMILY |
| 5          | 43        | 150   | 3.5         | SINGLE FAMILY DETACHED                           |
| 6          | 2.0       | NA    | NA          | POOL   |
| 7          | 28        | 90    | 3.5         | SINGLE FAMILY DETACHED                           |
| 8          | 97        | 200   | 2.5         | SINGLE FAMILY DETACHED                           |
| 9          | 21        | 50    | 2.5         | SINGLE FAMILY DETACHED                           |
| OPEN SPACE | 208.5±    | NA    | NA          |  |
| TOTAL      | 592.2± AC | 1275* | 2.15 D.U.A. | OVERALL  |
|            | 367       | 1275  | 3.47 D.U.A. | NON-OPEN SPACE                                   |

\*MAXIMUM NUMBER UNITS  
WITHIN DEVELOPMENT

The number of units and densities for each area listed above are the anticipated number of units that can be developed within each area. However, to accommodate the need to maintain the flexibility in site design, promote a more efficient use of the land and to accommodate the changing needs in housing, the number of units and density may be transferred between areas. There shall be a maximum of 750 single family-attached and/or multi-family units permitted and they shall be located only within Area 4.

The total number of units shall not exceed 1275.

CONSTRUCTION SCHEDULE: The Boone County School Board will begin construction of the new elementary school as soon as possible. The new school is scheduled for completion by August 2000 and be ready for the 2000 school year.

The actual development of the residential areas of North Pointe would not begin until after the opening of the new school. We anticipate the following construction schedule:

| <u>Year</u> | <u>Schedule</u>                            |
|-------------|--|
| 1999        | School construction begins                 |
| 2000        | School construction complete - school open |
| 2001        | Residential development begins             |
| 2002        | 30 homes completed                         |
| 2003        | 60 homes completed                         |
| 2004        | 70 homes completed                         |
| 2005        | 70 homes completed                         |
| 2006        | 70 homes completed                         |

Beginning in the year 2005, the construction schedule will be updated every three (3) years.

PHASING PLAN: The following is the Phasing Plan anticipated for North Pointe.

- Area 1: Site development to begin 1999 and school open in 2000.
- Area 2: Site development to begin in 2002 and homes to be occupied in 2003.
- Area 3: Site development to begin in 2011 and homes to be occupied in 2012.
- Area 4: Site development to begin in 2007 and unit to be occupied in 2008.
- Area 5: Site development to begin in 2008 and homes to be occupied in 2009.
- Area 6: Community Pool and bath house to be open after 250 homes are occupied.
- Area 7: Site development to begin in 2006 and homes occupied in 2007.
- Area 8: Site development to begin in 2001 and homes occupied in 2002.

Area 9: Since access to this area is controlled by the Drees Company through Thornwilde, the development of Area 9 will depend on the rate of development adjacent to Area 9 and when actual access is provided.

DIMENSIONAL STANDARDS FOR RESIDENTIAL AREAS

The following shall be the minimum dimensional standards for each area:

| <u>AREA</u> | <u>MINIMAL</u>  | <u>MINIMUM</u>  | <u>MAXIMUM</u> | <u>MINIMUM YARD SETBACK</u> |             |                       |
|-------------|-----------------|-----------------|----------------|-----------------------------|-------------|-----------------------|
|             | <u>LOT SIZE</u> | <u>FRONTAGE</u> | <u>HEIGHT</u>  | <u>FRONT</u>                | <u>REAR</u> | <u>SIDE</u>           |
| 3,9         | 11,000 SF.      | 80 FT.          | 45 FT.         | 30 FT.                      | 30 FT.      | 5 FT. MIN<br>15 TOTAL |
| 2,7,8       | 8,000 SF.       | 65 FT.          | 45 FT.         | 30 FT.                      | 30 FT.      | 5 FT. MIN<br>15 TOTAL |
| 4*,5        | 4,000 SF.       | 50 FT.          | 45 FT.         | 25 FT.                      | 20 FT.      | 0 FT. MIN<br>10 TOTAL |
| 4**         | N.A.            | N.A.            | 45 FT.         | 30 FT.                      | 0 FT.       | 0 FT. +               |

\* When single family - detached housing is developed in Area 4

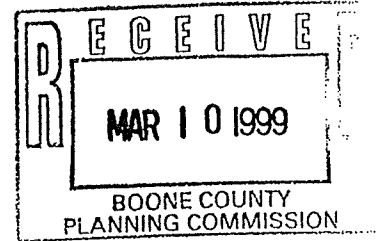
\*\* When single family - attached/ multi-family housing is developed in Area 4. Site plan review per Article 30, Boone County Zoning Regulations shall be required.

+ All single family - attached/ multi-family housing or accessory structures must maintain a minimum thirty (30) foot setback from all property lines of adjacent property not included as part of the North Pointe development.

VI. DEVELOPMENT STANDARDS

A. SHAPES and LOCATIONS of RESIDENTIAL BUILDINGS: There will be encouraged the use of a variety of building shapes, sizes and types.

NORTH POINTE SUBDIVISION  
HEBRON, KENTUCKY



AMENDMENT TO CONCEPT PLAN

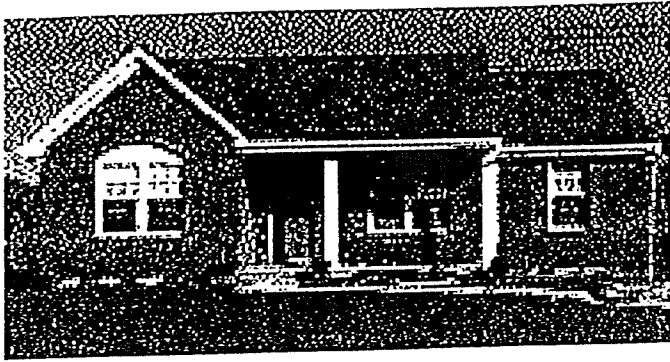
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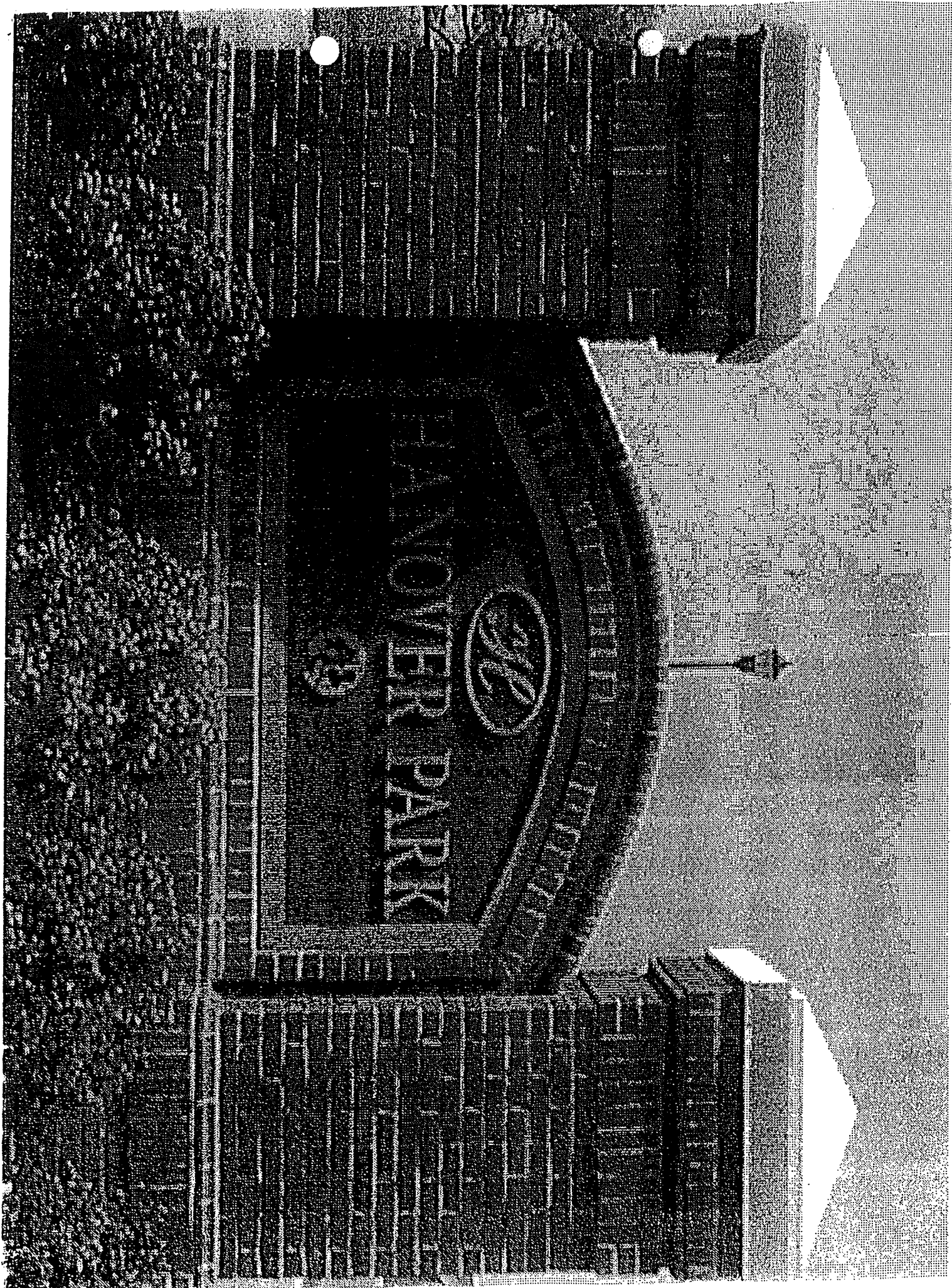
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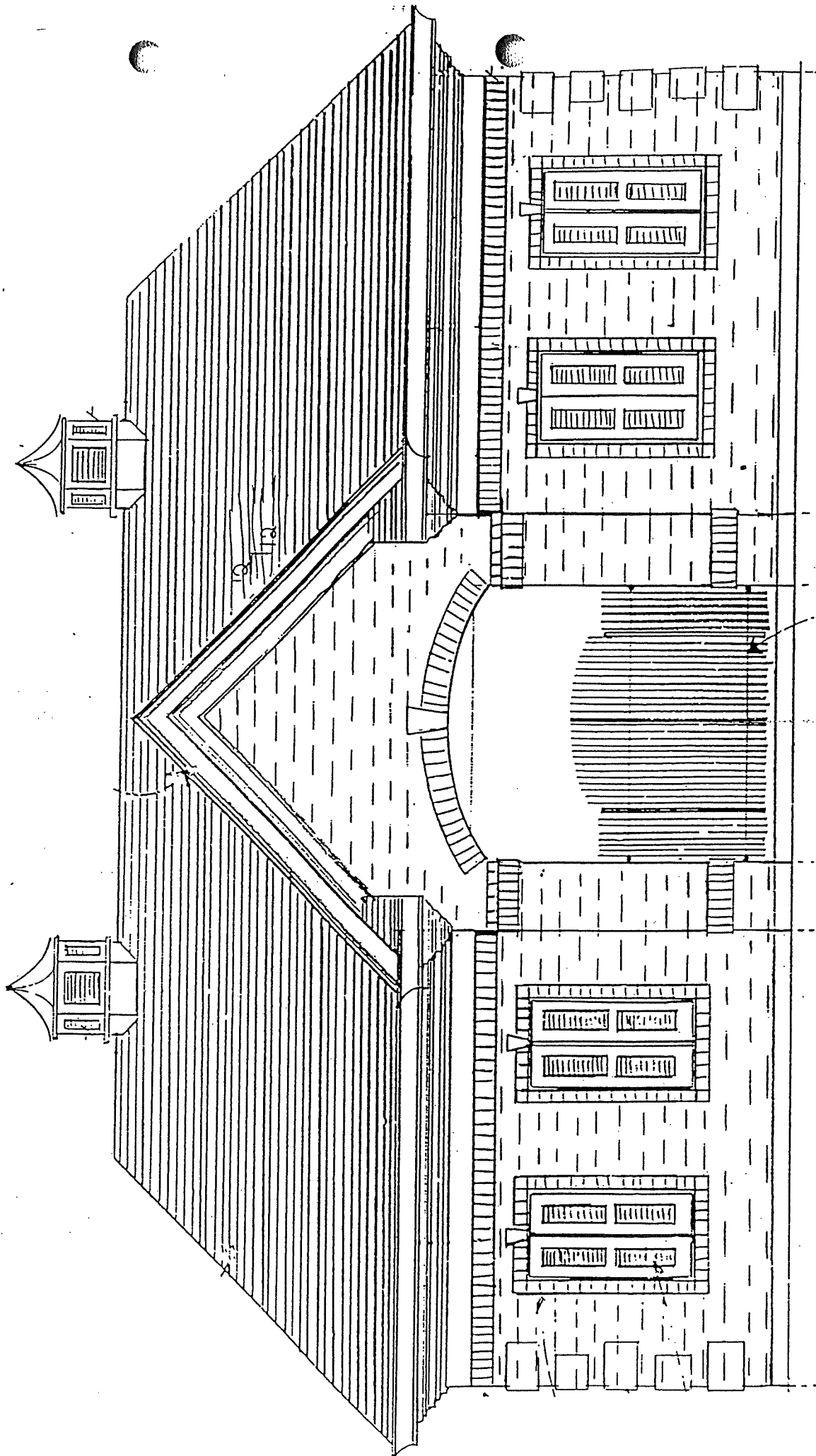
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POOL HOUSE

CONCEPT PLAN  
PRELIMINARY STREET LAYOUT  
NORTH POINTE

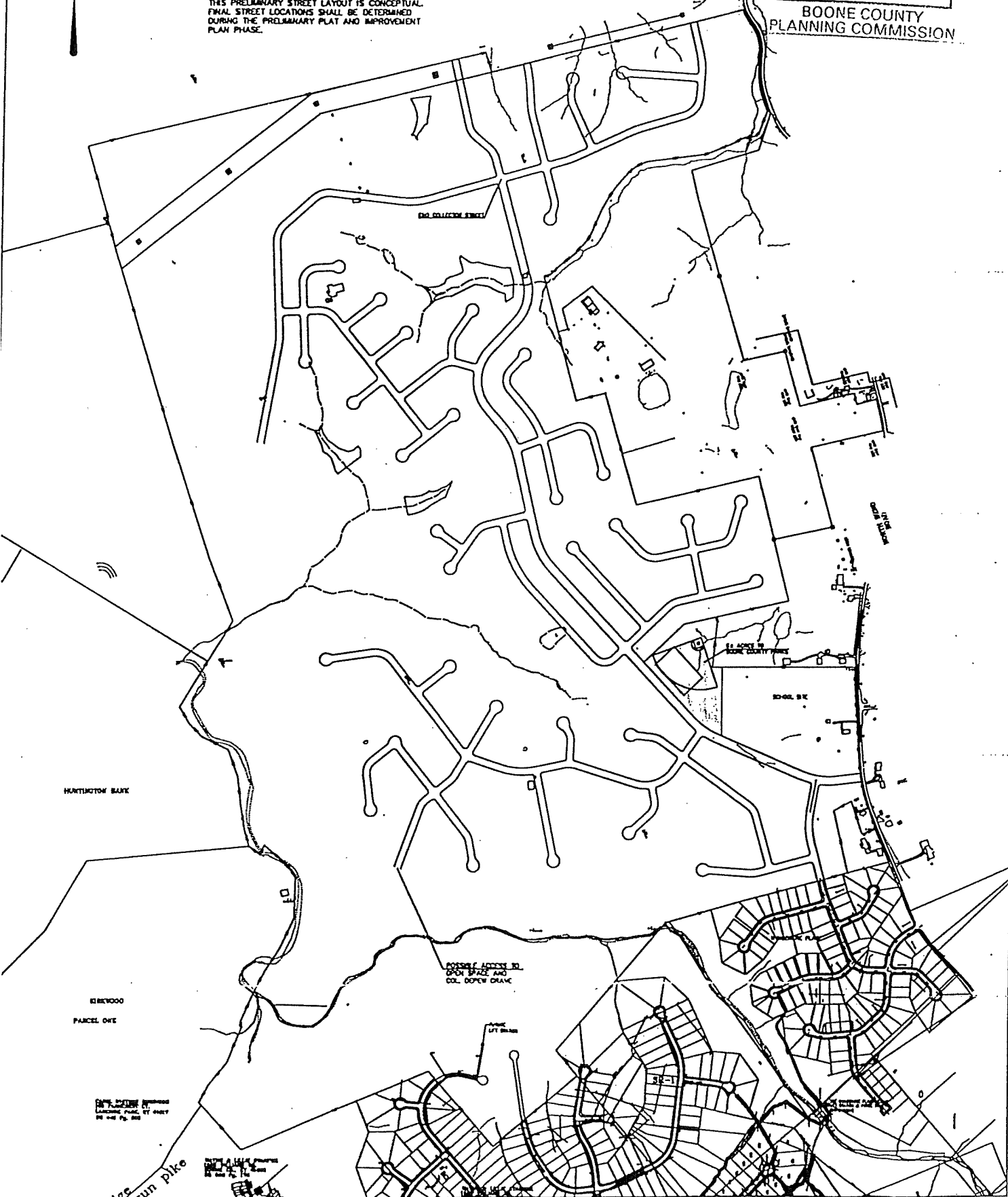
DEVELOPER: ARLINGHAUS BUILDERS INC.  
142 BARNWOOD DRIVE  
EDGEWOOD, KENTUCKY 41017

ENGINEER: RAYMOND ERPENBECK  
CONSULTING ENGINEERS  
4205 DIXIE HIGHWAY  
ELSMERE, KENTUCKY 41018

RECEIVE  
MAR 10 1999

BOONE COUNTY  
PLANNING COMMISSION

THIS PRELIMINARY STREET LAYOUT IS CONCEPTUAL.  
FINAL STREET LOCATIONS SHALL BE DETERMINED  
DURING THE PRELIMINARY PLAT AND IMPROVEMENT  
PLAN PHASE.



**Ordinance**  
**Of**  
**The Boone County Fiscal Court**

**Ordinance No. 99-11**

**AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT GRANTING THE REQUEST OF ARLINGHAUS BUILDERS, INC. (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURE (A-1) AND AGRICULTURAL ESTATE (A-2) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) ON AN APPROXIMATE 592 ACRE SITE GENERALLY LOCATED ON THE WEST SIDE OF NORTH BEND ROAD APPROXIMATELY 1100 FEET NORTH OF NORTH BEND ROAD/WESTBOROUGH INTERSECTION, AND ALSO GENERALLY LOCATED NORTH OF WYNDEMERE PLACE AND THORNWILDE SUBDIVISIONS, AND WEST OF TAYLOR RIDGE SUBDIVISION (KARA LANE), BOONE COUNTY, KENTUCKY, RECOMMENDED BY THE BOONE COUNTY PLANNING COMMISSION (9-5) VIA RESOLUTION NO. R-99-005-A.**

**WHEREAS**, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Agriculture (A-1) And Agricultural Estate (A-2) to Residential Planned Development (RPD) on an approximate 592 acre site generally located on the west side of North Bend Road approximately 1100 feet north of North Bend Road/Westborough Intersection, and also generally located north of Wyndemere Place and Thornwilde Subdivisions, and west of Taylor Ridge Subdivision (Kara Lane), 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 ORDAINED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:**

**SECTION I**

That the request for a 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 Agriculture (A-1) And Agricultural Estate (A-2) to Residential Planned Development (RPD) on an approximate 592 acre site generally located on the west side of North Bend Road approximately 1100 feet north of North Bend Road/Westborough Intersection, and also generally located north of Wyndemere Place and Thornwilde Subdivisions, and west of Taylor Ridge Subdivision (Kara Lane), Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in both an Agriculture (A-1) and Agricultural Estate (A-2) zone is more

**Ordinance**  
**Of**  
**The Boone County Fiscal Court**

**Ordinance No. 99-11**

particularly described in DEED BOOKS 508, 555, 584 AND 584, PAGE NOS. 312, 104, 46 AND 51 respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

**SECTION II**

That as a basis for the recommendation of approval for a Zoning Map Amendment request are the findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A".

The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and the Boone County Planning Commission minutes and marked as "Exhibit B".

**SECTION III**

That the following conditions (agreed to by Mr. Arlinghaus at the Fiscal Court Meeting of May 25, 1999) are in addition to those conditions required by the Boone County Planning Commission:

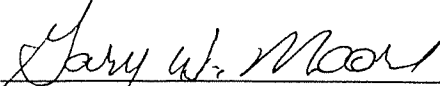
1. No apartments will be constructed in the Residential Planned Development (RPD).
2. No units will be constructed in Area 4 (the high density area) until road improvements on Kentucky 237 from I-275 to the entrance to the RPD have been completed.

**SECTION IV**

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

Introduced and given First Reading on the 11th day of May, 1999.

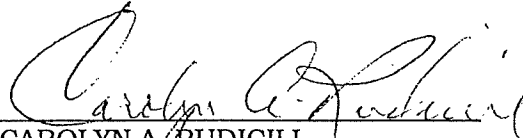
Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 25th day of May, 1999, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested by the County Fiscal Court Clerk and declared to be in full force and effect.

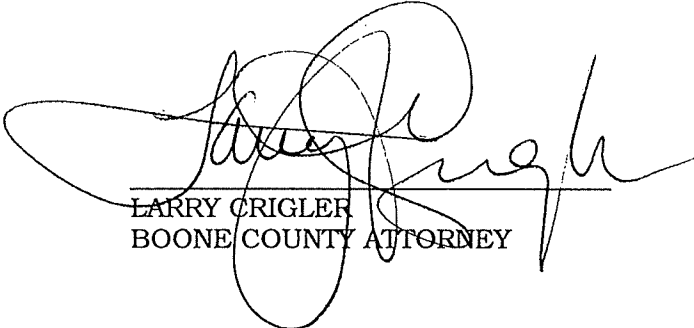
  
\_\_\_\_\_  
GARY W. MOORE  
BOONE COUNTY JUDGE/EXECUTIVE

**Ordinance  
Of  
The Boone County Fiscal Court**

**Ordinance No. 99-11**

ATTEST:

  
CAROLYN A. RUDICILL  
FISCAL COURT CLERK

  
LARRY CRIGLER  
BOONE COUNTY ATTORNEY

June 3 1999  
DATE PUBLISHED