

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

1. ADDRESS INFORMATION (Name, Address, City/State/Zip & PHONE NO.)

APPLICANT:	Boone Creek Properties, LLC, DBA Boone Creek Outdoors, 1040 Elizabeth Street, Nicholasville, KY 40356 859-885-9444
OWNER:	Same
ATTORNEY:	Richard Murphy, 250 W Main Street, Suite 2510, Lexington, KY 40507 859-233-9811

2. ADDRESS OF APPLICANT'S PROPERTY (Please attach Legal Description)

8291 Old Richmond Road

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY (Use attachment, if needed--same format.)

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
A-R	Agriculture and Private Club	A-N	Commercial Outdoor Recreational Facility	20.15	20.76

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Agriculture	A-R
East	Agriculture	A-R
South	Agriculture	A-R
West	Agriculture	A-R

5. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input type="checkbox"/> NO
c. Are these units currently occupied by households earning under <u>40%</u> of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO _____ Units

6. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided.)

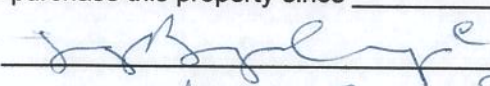
Roads	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Storm Sewers	<input type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Sanitary Sewers	<input type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Curb/Gutter/Sidewalks	<input type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Refuse Collection	<input checked="" type="checkbox"/> LFUCG	<input type="checkbox"/> Other		
Utilities	<input checked="" type="checkbox"/> Electric	<input checked="" type="checkbox"/> Gas	<input checked="" type="checkbox"/> Water	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable

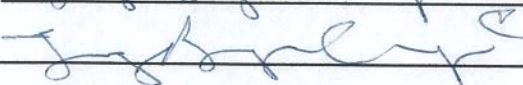
7. DESCRIBE YOUR JUSTIFICATION FOR REQUESTED CHANGE (Please provide attachment.)

This is in... in agreement with the Comp. Plan more appropriate than the existing zoning due to unanticipated changes.

8. APPLICANT/OWNER SIGNS THIS CERTIFICATION

I do hereby certify that to the best of my knowledge and belief, all application materials are herewith submitted, and the information they contain is true and accurate. I further certify that I am OWNER or HOLDER of an agreement to purchase this property since _____.

APPLICANT  DATE 11/25/13

OWNER  DATE 11/25/13

LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____

7. JUSTIFICATION FOR REQUESTED CHANGE

The Applicant, Boone Creek Properties, LLC, is requesting your approval of a zone change from the agricultural rural (A-R) to the agricultural natural area (A-N) zone for 21.13 acres of land located at 8291 Old Richmond Road. We are also requesting your approval of a conditional use permit for a commercial outdoor recreational facility in the A-N zone.

The proposed A-N zoning is in agreement with the Comprehensive Plan. This property has been anticipated to be placed in the A-N zone at least since the 1999 Rural Land Management Plan. That plan pointed out that along the tributaries to the Kentucky River, land is not suitable for traditional farming activities. As the plan stated, "Compared to other areas of the Rural Service Area, the land generally contains steeper slopes, forested areas, poor/thinner soils and similar characteristics. Portions of the area are recognized as historic/scenic areas, and are known as habitat for rare and unusual flora and fauna. Approximately 90% of the land has a high degree of environmental sensitivity, including flood plain/riparian areas, steep slopes and woodlands." (RLMP Page III-7). That description applies to this property. There is a small flat area along Old Richmond Road, but the property slopes steeply to the Boone Creek. The plan advocates that these areas be considered for greater public recreation. (Page IV-42).

After the adoption of the Rural Land Management Plan, the 2007 Comprehensive Plan map placed this property in the "natural" area

This proposal also agrees with the 2012-13 Comprehensive Plan. The Goals & Objectives call for increasing small business development (Objective C-2a) and providing the quality of life that will attract young professionals to the community (Objective C-2d). The Goals & Objectives also call for updating and affirming the Rural Land Management Plan (Objective E-2a). The 2013 plan itself states: "Lexington is well-situated to capitalize on opportunities for ecotourism, agritourism and cultural tourism, which are the fastest growing segments of the tourism marketplace." Also, "tourism in Fayette County is significant and can become an even stronger component of economic development." (Chapter 5, Pages 63-64.)

This proposal, which includes ecotourism, will allow a limited use of the property for recreation, educational and instructional purposes. It is fully in keeping with the Comprehensive Plan and all plans which this community has adopted in the last 15 years.

CONDITIONAL USE APPLICATION

We are also requesting your approval of a conditional use permit for a commercial outdoor recreational facility, including ecotourism, recreational and instructional use. (Please note also that the existing conditional use for the Outdoor Anglers Club will continue on the property).

For a description of the conditional use request, please see the attached letter provided by the owner of the property.

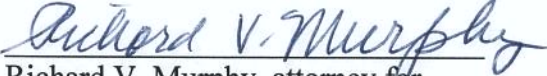
We are requesting your approval of the conditional use permit for the following reasons:

1. Commercial and non-commercial outdoor recreational facilities are allowed as conditional uses in the A-N zone.

2. An outdoor recreational facility, including ecotourism, educational and instructional activities, will not harm the public health, safety or welfare, and will not impair the integrity and character of this zone or adjoining zones because the number of visitors and intensity of use will be carefully limited to preserve the character of the area. The use will primarily consist of hiking and canopy tours of one of the most scenic areas of Fayette County. The majority of the property will remain open, without buildings, and the topography of the land will be preserved along with the plants and wildlife of the area. The Comprehensive Plan recognizes that the A-N zoned areas are appropriate for ecotourism and similar activities.

3. All public facilities which are needed are available and adequate to the site. This property has direct access to Old Richmond Road, and close access to Interstate 75. Septic facilities are available and adequate to the site. All needed public utilities are available and already present at the site. Police and fire protection are excellent in this portion of Fayette County. In addition, all visitors will be under supervision of guides at all times, and no visitor will be allowed to wander the property unsupervised.

Thank you for your consideration of this zone change and conditional use permit application.


Richard V. Murphy, attorney for
applicant

CAREY

GROUP

November 25, 2013

After promoting the relatively unknown diversity of the Boone Creek Gorge since inception in 2000, Boone Creek Outdoors is set to take the next step in the pursuit of our mission: to increase access and awareness of the rich history, unique geology, wildlife and vegetation of Central Kentucky while expanding our amenities in a way that allows increased access with minimal impact as well as facilitating the stewardship of our priceless landscape.

The Boone Creek Canopy Tour will feature spectacular scenery from dramatic perspectives, highlighting the unique Limestone Palisades and rich cultural history inaccessible to members, tourists, and locals alike until the completion of this project.

With an elevation change of almost 400' guests soar 175' over Boone Creek within the primary, secondary, and old growth trees in the diverse hardwood canopy above Boone Creek Gorge. Using a combination of zip lines, skybridges, suspended ladders, rappelling stations, floating staircases and fixed cables participants move through the forest canopy high above the gorge and creek that formed it.

Depending on the season, visitors witness the breathtaking spring wild flowers, fall colors, winter snow and icescapes, or dense summer canopy. Guests also learn about the pre 1800 industrial and economic development and hear stories of Daniel Boone, Boonesborough, the "Jolly Roger" and the colorful Clays Ferry area.

For the last 13 years the Boone Creek Anglers Club has promoted and enjoyed the world class fishery in the Boone Creek Gorge, primarily fly fishing for trout, but always using "catch and release" and "leave no trace" principles. Boone Creek Outdoors has hosted other outdoor activities not related to fishing, but complementary in nature and always keeping with our overall mission of proactive land management, wilderness access, outdoor recreation and environmental education.

As a part of this request, Boone Creek Properties seeks to amend and adaptively reuse the former "Jolly Roger" restaurant and truck stop

building, as well as the existing parking area. Currently a non-conforming single family residence but still retaining much of the old gas station and restaurant infrastructure, we would like its use to allow for the continued use as an apartment for a care taker, but also modifying its use to include bathroom facilities, and a reception and staging area for the tour. There is adequate parking, handicap accessibility and wastewater infrastructure existing currently to meet our needs.

Our request is for a Zone Map amendment and conditional use to allow for the continued operation of the fishing club, the opening and operation of the canopy tour to the public, as well as the utilization of the facilities to host educational programs and events.

The Boone Creek Outdoors Canopy Tour

The Boone Creek Outdoors Canopy Tour will be Kentucky's only entirely tree based canopy tour featuring (7) zip lines, (3) sky bridges, (1) floating staircase, (1) rappel (2) ladders and (15) platforms located on (12) trees with (2) accompanying "Ground School" training areas for participants and (1) "Rescue School" for guides and wilderness rescue education.

The course is built using state of the art equipment systems located entirely in the trees using no permanent structures. The course has been inspected by a third party qualified inspector and is insured. The equipment is designed to allow for the uninhibited continued growth of the trees as well as encouraging proactive forestry management. This project will allow BCO to continue to consult with a qualified third party arborist as well as continue its current forestry management practices.

The course begins in a blue ash tree and traverses to a chinkapin oak, red oak, white oak, red cedar, white ash, tulip poplar, and white ash and red oak again. In addition, buckeye, walnut, basswood, shagbark hickory, black oak, chestnut oak, elm, sycamore, coffee, paw-paw and many other native species of trees will be encountered on the tour.

Unfortunately, tour guests will also be introduced to invasive species currently threatening the survival and regeneration of these hardwoods in the Palisades such as the emerald ash borer, wintercreeper, bush honeysuckle and burning bush. The tour will educate about these threats as well as showing the results of this projects mitigation efforts.

Guided groups of up to 10 guests each will arrive at the Welcome Center (a repurposed use of the former Jolly Roger Restaurant and Truck Stop) to check in at regularly scheduled tour times. Parking will be on the remaining paved area once used for the gas pumps and service station. At the welcome center, guests will meet their guides, put on safety harnesses and gear, and receive a safety orientation before proceeding to "Ground School" where they will be trained on necessary protocol for continuing on the course.

Trained participants will then proceed through the additional elements of the course, with a minimum of two guides equipped with radios for communication with each other, as well as the "Ground monitor" located at the welcome center. The tour will take approximately 2 to 2 ½ hours, depending on group size. Along the way, in addition to enjoying this unique perspective of the Boone Creek Gorge, guests will also hear stories about the rich history of Boone Creek and the Palisades area from pioneer settlement on up to more recent local color, and how the Geology of the area played such a prominent role in the development of our local economy and culture. The Tour will end close to the existing driveway, on the southern switchback, approximately 150' above Boone Creek.

At this point, as they exit the course from the "Floating Staircase" guests will be met by a vehicle converted to move participants up the remaining driveway section with their guides and disembark back onto the south side of the welcome center/caretaker apartment, a distance of approximately 1000'.

Guests of the canopy tour will have unguided access to the greenspace immediately above the canopy tour surrounding the welcome center. However, there will be **no unguided access** below the secondary

security gate existing just adjacent to the old sulphur well building. This will eliminate the possibility of unintentional trespassing on adjoining property. Guides on the tour will also be able to monitor the use of the gorge and will be in constant communication with management.

The upper area above the driveway will be accessible for viewing, nature walks, outside childrens play and unguided recreation. The sulphur well building will be repurposed to support a viewing platform accessible by an exterior stair or small bridge. Historic references and information will be displayed here.

In addition to the elevating experience of the canopy tour, BCO will offer seasonal educational programs that will reinforce the historic heritage of the site, learning about the unique geology and early pioneer history while witnessing the remnants of these structures first hand. There will be on-going eradication projects for invasive species, and there is the potential for archaeological and environmental field studies as part of the educational programming.

Finally we would like to hold educational and vocational training for canopy tour builders and guides. S.T.E.P.S. Canopy Tours L.L.C. registered at 8039 Old Richmond Rd (the neighboring Carey Residence) is engaged in the development and operation of canopy tours nationally and has the potential to promote this Boone Creek facility as a location for certification training and building techniques that would have a positive economic impact on the immediate area. These programs are hands on and by necessity require a setting like this, both from a topographic and logistical perspective (directly off of I-75). This facility is ideal for a guide and builder training school as an accessory use.

The Boone Creek Anglers Club and Lodge

The Boone Creek Anglers Club and Lodge will continue to operate as per the conditional use permit granted by L.F.U.C.G. in 2000. Members and guests of the B.C.A.C. will be the only visitors to have unguided vehicle

or personal access to the lower elevations of the property (past the sulphur well building and secondary security gate). In addition member privileges such as unguided fishing and unsupervised access to the Gorge, as well as overnight use of the lodge, shall be restricted to B.C.A.C. members and their guests as has been customary since the Clubs inception.

Boone Creek Outdoors has the potential to bring new visitors into Fayette county to experience something that was previously inaccessible. It has the potential to grow into a national class attraction that will stamp an indelible impression on the minds of visitors with regards to their perception of Lexington, the Bluegrass Region, Central Kentucky and our Commonwealth.

This project is consistent with the 1999 Rural Land Management Plan as well as the most recent L.F.U.C.G. Comprehensive Plan which identifies the need for expanded greenspace access, and ecotourism, in the palisades area. If granted, this will be the first Agriculture-Natural Zone Map amendment in Fayette County, a Zone recommended for designated "Natural Areas" which include this property. Because of this unique Zone classification there will not be a precedent set for other Agriculture-Rural properties that are not suitable for this type of ecotourism, and will allow the Natural features of this property - which has never been viable for traditional agriculture - to be managed to the benefit of the land and its owners, as traditional agriculture does in the A-R zone.

The close proximity of the interstate and relative low density of anticipated users will eliminate the possibility of a significant traffic impact, and the previous commercial use of the property as a restaurant and gas station has provided more than adequate septic sewer and parking infrastructure.

The location of this project will serve as a southern gateway to Fayette county by calling attention to the diversity of outdoor recreational

activities here, and will be in a position to promote and support other Old Richmond Road attractions in the immediate area like the Kentucky River Palisades, Riptides Restaurant, the Kelley Farm Corn Maze and Goat Tower, Botanica Botanical Gardens, Petting Zoo and Cornmaze, the Jean Farris Winery and Restaurant, Grimes Mill Winery and Tasting room and Champaign Run Stables., in addition to other area attractions like Flora Cliff , Ravens Run and the Lower Howards Creek Nature Preserves.

As mentioned in the original permit on this property for a private club in 2000, "This "...property, has been designated in the Lexington-Fayette County Greenspace plan as one of the four priority areas where focused attention is needed to promote recreation, tourism, and conservation." This project if properly permitted, will improve the ability of Boone Creek Outdoors to accomplish all three objectives.



Burgess Carey, Boone Creek Properties, LLC

Zone Change Description
For
Boone Creek Properties, LLC Property
(D.B. 1911, Pg. 347)

All Bearings are base on true north.

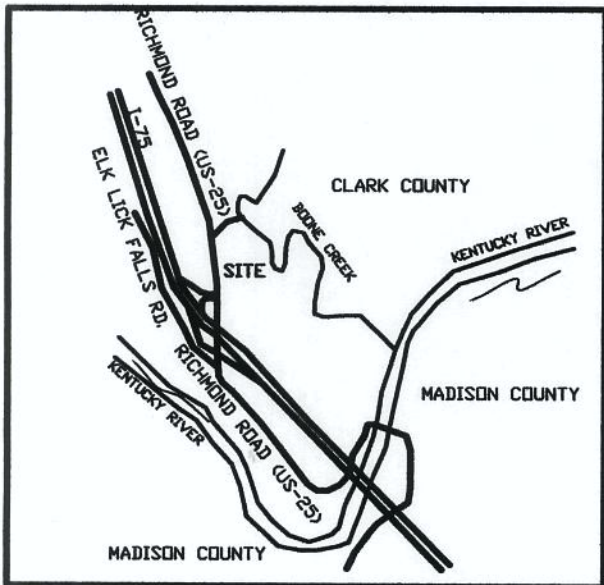
Beginning at a point in the center of Old Richmond Road (US- 25), being the north west corner of the tract of land recorded in Deed Book 1911, Page 347; thence leaving said road and with the existing property lines of the property recorded in Deed Book 1911, Page 347 for the next twelve calls N 68°24'05" E a distance of 1385.68' to a point; thence N 68°26'05" E a distance of 116.70' to a point in the center of Cleveland Branch; thence with said branch S 49°19'04" E a distance of 50.48' to a point in the center of Boone Creek; thence with the center of Boone Creek for the next twenty eight calls S 19°01'34" W a distance of 117.15' to a point; thence S 24°30'29" W a distance of 77.74' to a point; thence S 28°36'38" W a distance of 62.13' to a point; thence S 39°01'48" W a distance of 84.84' to a point; thence S 48°32'08" W a distance of 115.74' to a point; thence S 52°46'21" W a distance of 102.83' to a point; thence S 65°20'26" W a distance of 103.66' to a point; thence S 86°29'39" W a distance of 42.25' to a point; thence N 88°32'47" W a distance of 53.38' to a point; thence N 75°09'11" W a distance of 33.21' to a point; thence S 83°32'08" W a distance of 31.27' to a point; thence S 55°54'14" W a distance of 50.97' to a point; thence S 42°14'33" W a distance of 55.27' to a point; thence S 47°27'57" W a distance of 58.89' to a point; thence S 41°49'24" W a distance of 29.77' to a point; thence S 52°01'57" W a distance of 28.28' to a point; thence S 15°09'13" W a distance of 28.37' to a point; thence S 06°56'12" E a distance of 31.05' to a point; thence S 20°37'25" E a distance of 27.95' to a point; thence S 27°49'25" E a distance of 26.51' to a point; thence S 48°48'18" E a distance of 24.75' to a point; thence S 64°32'38" E a distance of 155.27' to a point; thence S 70°11'30" E a distance of 102.67' to a point; thence S 73°39'53" E a distance of 109.96' to a point; thence S 70°37'50" E a distance of 105.03' to a point;

thence S 67°14'49" E a distance of 67.20' to a point; thence S 57°51'23" E a distance of 63.16' to a point; thence S 46°28'50" E a distance of 24.87' to a point, said point being the south east corner of said tract of land; thence leaving Boone Creek and with the south property line of said tract for the next four calls S 76°41'50" W a distance of 104.16' to a point; thence S 71°55'15" W a distance of 154.35' to a point; thence S 85°11'14" W a distance of 236.38' to a point; thence S 62°48'30" W a distance of 627.59' to a point in the center of Old Richmond Road (US-25); thence with the center of said road N 20°06'21" W a distance of 893.62' to a point; which is the point of beginning, having an area of 20.76 acres (gross) and 20.15 acres (net). See attached plat. Tract #1.

GRAPHIC SCALE



(IN FEET)
1 inch = 400 ft.



VICINITY MAP

NTS

OLD RICHMOND ROAD
CENTER OF RICHMOND ROAD (US-25)

#8152

#8043

#8126

#8151

#8176

#8385

DURBIN LANE

1220 MCCALLS MILL ROAD
PVA #23436475
CHARLES MARTIN
GLORIA MARTIN
D.B. 1662, PG. 375
P.C. "L", SL. #199
ZONE : A-1

CENTER OF CLEVELAND BRANCH

S 49°19'04" E
50.48'

S 19°01'34" W
117.15'

CENTER OF BOONE CREEK
FAYETTE / CLARK COUNTY LINE

S 48°32'08" W
115.74'

CLARK COUNTY
PVA #003-0000-003-00
PRESTON MADDEN AUSBROOK
KEVIN AUSBROOK
D.B. 349, PG. 546
D.B. 354, PG. 769
ZONE : A-1

PVA #25382000
JOHN B. PARK
ELIZABETH A. PARK
D.B. 2975, PG. 212
ZONE : A-R

FROM A-R ZONE
TO A-N ZONE

TRACT #1
20.15 ACRES
PVA #22806100
BOONE CREEK PROPERTIES, LLC
D.B. 1911, PG. 347
EXIST. ZONE : A-R
PROPOSED ZONE : A-N

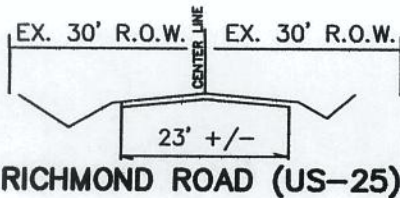
#8385 DURBIN LANE
PVA #19978460
H.G. EARLY-SNYDER FAMILY FARM, LLC.
D.B. 2848, PG. 474
TRACT #1
P.C. "K", SL. #303
ZONE : A-R
11.85 AC.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 24°30'29" W	77.74'
L2	S 28°36'38" W	62.13'
L3	S 39°01'48" W	84.84'
L4	S 52°46'21" W	102.83'
L5	S 65°20'26" W	103.66'
L6	S 86°29'39" W	42.25'
L7	N 88°32'47" W	53.38'
L8	N 75°09'11" W	33.21'
L9	S 83°32'08" W	31.27'
L10	S 55°54'14" W	50.97'
L11	S 42°14'33" W	55.27'
L12	S 47°27'57" W	58.89'
L13	S 41°49'24" W	29.77'
L14	S 52°01'57" W	28.28'

LINE TABLE

LINE	BEARING	DISTANCE
L15	S 15°09'13" W	28.37'
L16	S 06°56'12" E	31.05'
L17	S 20°37'25" E	27.95'
L18	S 27°49'25" E	26.51'
L19	S 48°48'18" E	24.75'
L20	S 70°11'30" E	102.67'
L21	S 73°39'53" E	109.96'
L22	S 70°37'50" E	105.03'
L23	S 67°14'49" E	67.20'
L24	S 57°51'23" E	63.16'



BEARINGS BASE ON TRUE NORTH
PLAT DATE : DECEMBER 16, 2013

ZONE CHANGE MAP

BOONE CREEK PROPERTIES, LLC.
(DEED BOOK 1911, PAGE 347)
8291 OLD RICHMOND ROAD

ZONE CHANGE AREA
20.76 AC. (GROSS)
20.15 AC. (NET)



MSC
Moore Surveying
Company
107 COLLINS DRIVE
NICHOLASVILLE, KY. 40356
PHONE / FAX (859)887-3007
EMAIL: mooresurveying@windstream.net