

EXHIBIT

“C”

CONCEPT DEVELOPMENT PLAN BOONE COUNTY PLANNING COMMISSION

FEB - 3 - 2004

BOONE COUNTY
PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- ☐ Concept Development Plan (Includes Utilization of an Underlying
Zone in a Planned Development)
☒ Change in an Approved Concept Development Plan
☐ Long Range Planning Committee Review (As stated in the Houston-
Donaldson Study)
☐ Long Range Planning Committee Review (As stated in the Union Town
Plan)

2. Name of Project Walgreen's Drug Store
 3. Location of Project 6615 and 6617 Dixie Highway
 4. Total Acreage of Site 1.435 acres
 5. Current Zoning "C-2"; "C-3"; and "C-3/CD"
 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 1987 (original) and 1996 (update)
 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study). No.
 8. Proposed Uses (please specify each use) Neighborhood Retail (Walgreen's Drug Store)
 9. Proposed Building Intensities (please specify) 14,490 square foot building

10. Have you submitted a Concept Development Plan? Yes
 11. Are you also applying for:
☒ Conditional Use Permit (1)
☒ Dimensional Variance (4)
 12. Name of Applicant(s) McBride Dale Clarion Attn: Anne F. McBride
 Phone Number 513-561-6232 Fax No. 513-561-1615
 13. Address of Applicant(s) 5725 Dragon Way, Suite 220
Cincinnati Ohio 45227
 City State Zip
 14. Name of Property Owner(s) See attached Exhibit "A"
 Phone Number _____ Fax No. _____
 15. Address of Property Owner(s) _____

 City State Zip
 16. Are there any existing buildings on the site? Yes
 How many? Two (1-commercial and 1-residential)
 17. Deed Book See Exhibit "A" Page No. See Exhibit "A" Group No. 76574
 18. Have you had a pre-application meeting with BCPC Staff? Yes (1-12-04)

19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

☐ Boone County Water District
☒ Florence Water and Sewer Dept.
☐ Cinergy/U.L.H & P. Co
☐ Sanitation District #1
☐ Cincinnati Bell
☐ Owen County Rural Electric
☐ Boone County Public Works Department
☐ Kentucky Transportation Cabinet
☐ City of Florence Public Services Department
☐ Boone County Building Department
☐ Northern Kentucky Health District
☐ USDA NRCS/Boone County Conservation District
☐ KY Division of Water
☐ Local School District
☐ Local Fire District
☐ Other: _____

20. Concept Development Plan Jurisdiction/Location

☐ Unincorporated Boone County
☒ Florence
☐ Walton Union

21. Applicant's Signature(s)

Anne F. McBride

22. Property Owner's Signature(s)

See attached Exhibit "A"

SECTION B (To be completed by BCPC Staff)

1. Date Received 2-3-04 Fee Received \$4,705.00 R# 37731
2. Check what has been submitted:
- ☒ Application ☒ Fee ☒ Legal Description
☒ Concept Development Plan ☒ Addresses of Adjoining Property Owners
☐ No. of copies of plan received **
3. Is application complete? ☒ YES ☐ NO
4. Staff Reviewer _____
5. Committee Chairperson _____
6. Scheduled Public Hearing Date _____
7. Boone County Planning Commission Action:
- ☐ Approved
☒ 4-21-04 Approved With Conditions
☐ Denied
8. Other: _____

** Five (5) Copies Required

Boone County Planning Commission
 2995 Washington Street
 Burlington, Kentucky 41005
 (859) 334-2196 - Phone
 (859) 334-2264 - Fax
plancom@boonecountyky.org - E-Mail
www.boonecountyky.org - Web Page

Note: See Boone County Planning Commission Fee Schedule for Concept Development Plan Fees. An application consists of all fees paid in full, submitted drawings and a completed application form.

BCPC:4/2003

Exhibit "A"
Property Owners Information

Parcel ID: F4-26-7
Deed Book 149 Page 350 and Deed Book 474 Page 179
Suburban Motors, Inc.
543 Terry Lane
Crescent Springs, KY 41017

Signature Date 2/5/04

Parcel ID: F4-26-6
Deed Book 19 Page 348
Mabel Hudson
6615 Dixie Highway
Florence, KY 41042

Signature Date Cathy Hudson Flaig for Mabel B. Hudson 2/3/04

EXHIBIT

“A”

STAFF REPORT

Request of **McBride Dale Clarion Attn., Anne F. McBride (applicant)** for **Suburban Motors Inc. and Mabel Hudson (owners)** for a Change in an approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone to allow retail sales and a retail pharmacy; and Variances from the **Boone County Zoning Regulations** including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in the required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" subsection 2 to allow a reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The request is for a Change in an approved Concept Development Plan and Variances to allow retail sales and a retail pharmacy and a Conditional Use Permit to allow a freestanding sign with an electronically changeable message board.

March 17, 2004

REQUEST

The request consists of the following applications:

1. Request for a Change in approved Concept Development Plan to allow a 14,820 square foot Walgreen's, 54 parking stalls, and two drive-through lanes and to be constructed on a 1.435 acre tract of land, which is located at 6615 Dixie Highway (existing single-family residence) and 6617 Dixie Highway (former Tom Gill Chevrolet Body Shop), Florence, Kentucky. The Change in approved Concept Development Plan is required because two zone changes with Concept Development Plans were approved on the Suburban Motors property. These Concept Development Plans show an automobile dealership (body shop) on a 0.4868 acre tract and an employee parking lot on a 0.419 acre tract.
2. Request for a Variance to reduce the 230 feet corner clearance requirement of a proposed driveway from the Dixie Highway/Goodridge Drive intersection. The submitted Concept Development Plan indicates that the proposed curb cut will be located 200 feet from the signalized intersection.

3. Request for a Variance to reduce the 275 foot driveway spacing requirement of adjacent driveways on an arterial street (Dixie Highway). The submitted Concept Development Plan indicates that proposed Walgreen's curb cut on Dixie Highway is 32.2 feet from the Marshall of Florence curb cut to the east.
4. Request for a Variance to allow portions of a required street frontage buffer on Goodridge Drive to be reduced from 10 feet to 0 feet.
5. Request for a Variance to reduce the width of required building landscape areas on the north and west facades of the building from 4 feet to 2 feet.
6. Request for a Conditional Use Permit to allow an architectural freestanding sign to be constructed with a 36.55 square foot electronically changeable message board. The overall dimensions of the sign are 20 feet in height and 88.88 square feet in area.

SITE CHARACTERISTICS

The 1.435 acre site is comprised of six legal lots of record (lots 40-43 and 53-54 of Non Pariel Park Subdivision) and a portion of a 10' wide dedicated alley. A 214.5 foot segment of the alley, will need to be vacated by the City of Florence.

Lots 40-41 of Non Pariel Park Subdivision contain the former Tom Gill Chevrolet Body Shop. The building is approximately 5,670 square feet in area is constructed of concrete block. The two lots are comprised entirely of an impervious surface (blacktop parking lots and gravel storage areas). The entire Goodridge Drive street frontage area serves as ingress and egress to the site.

Lots 42-43 of Non Pariel Park Subdivision contain a single-family residence. The side and rear yard are comprised of grass and contain some large deciduous trees. Ingress and egress to the single-family dwelling is provided from two curb cuts which are located on Dixie Highway. The existing curb cuts are located on the northeast and northwest property boundaries.

Lots 53-54 of Non Pariel Park Subdivision is comprised of a 30 stall parking lot which was constructed to serve as employee parking for Suburban Motors. The eastern side of these lots serve as a detention area for the parking lot. The rear 30 feet of lot 54 is comprised of a 30' wide landscape buffer. This buffer contains several mature evergreen trees, deciduous trees, and shrubs. Ingress and egress to the parking lot is provided by a single curb cut on Goodridge Drive.

SITE HISTORY

- 1987 – A 3.72 acre parcel located on the south side of Dixie Highway and on both sides of Goodridge Drive was rezoned from Commercial Two (C-2) and Suburban Residential Two (SR-2) to Commercial Services (C-3). The 0.4868 acre body shop parcel was included in the request. At the time of the application, the automobile dealership was a pre-existing non-conforming use. The 1986 zoning code did not list automobile dealerships as principally permitted or conditional uses in C-2 districts in the City of Florence (see attachments).
- 1997 – An approximate 0.419 acre parcel located at 2 Goodridge Drive was rezoned from Suburban Residential Two (SR-2) to Commercial Services to allow Suburban Motors to construct an employee parking lot (see attachments).

ADJACENT LAND USES AND ZONING

- North: Dental Office, Law Office, Crown Pointe Plaza (C-2)
- South: Single-Family Residential Dwelling (SR-2)
- East: Marshall of Florence Automobile Dealership (C-2) & Water Street Right-of-Way
- West: J.D. Byrider Automobile Dealership (C-3)

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's "2025 Land Use Plan" designates the majority of the site for "Commercial" uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc." A small portion of the site near the rear property line is designated for "Suburban Residential" uses. This designation is described 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."

The Land Use Element (Florence Central) makes the following statements regarding the general area:

- A. "Florence did not develop in the traditional manner of cities, with established areas of concentrated commercial, industrial, and residential uses; instead, the uses were intermixed. For instance, the city's central business district is not in a precise location, but rather is a combination of suburban business districts."

- B. "Much of Florence's future growth will occur from annexation, however, the City should balance this annexation growth with high density infill and redevelopment growth along the major transportation corridor of the City."
- C. "Overall, a mixing of uses can be accommodated within the City of Florence and the existing residential communities can be protected if proper buffers and design are incorporated into the developments. The redevelopment of property into commercial uses must be carefully designed in order to minimize impact of adjacent residential property."
- D. "In summary, growth in this section of Boone County must be balanced among three major land users, commercial, industrial, and residential development. Growth in one land use must consider the location of existing & planned developments of the other two."

The Land Use Element provides the following Future Land Use Development Guidelines that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," pg. 158).
- B. 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. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate ("Buffering," pg. 159).
- C. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways.

Developments along major roadways in Boone County must include landscaping and/or the use of berms between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," pg. 159).

- D. Developments in Boone County must recognize the potential impacts of stormwater run off. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. Further, control and mitigation practices for erosion associated with developments must be provided ("Stormwater Management and Erosion Control," pg. 159).
- E. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and traffic patterns. 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 ("Access Management," pg. 159).
- F. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network. Hierarchical system of roadway classification and function must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should be connected by bicycle and pedestrian paths where appropriate ("Transportation and Pedestrian Network," pp. 159-160).
- G. Developments in Boone County should give consideration to the overall design of the project. 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 ("Design, Signs, and Historic Preservation," pg. 160).

The Business Activity Element provides the following comment that relates to the area in question:

- A. Since the immediate Florence area figures so prominently in Boone County's commercial activity, this region has the momentum to continue dominating any expansion of commercial activity. Currently, "big box" retail has been overbuilt in the county. As a result, building vacancies are visible along the major commercial corridors in Florence. The market and infrastructure impacts of future large scale or regional commercial uses on the existing Florence commercial districts must be considered. Furthermore, it is important to encourage the reuse of vacant commercial buildings instead of creating new commercial districts. ("Areas of Future Commercial Activity," pg. 70).

The 2000 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements:

- A. Proper future growth management for Boone County is implemented (Overall, Goal).
- B. Proper design principles shall be applied in development (Overall, Objective 3).
- C. The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- D. New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are maintained and enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).
- E. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development design in particular shall minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).
- F. Boone County shall seek an overall combination of land uses (residential, commercial, industrial, public, transportation, etc.) that yields a balance between the public revenues generated from those uses and the public expenditures required to support those uses ("Economy," Objective 7).
- G. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas (Business Activity, Goal).
- H. Compact, efficient development patterns shall be encouraged for business districts with appropriately sized and well maintained buffer spaces between the business use and other land usage (Business Activity, Objective).
- I. Commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs and shall have safe and effective access and ample parking space (Business Activity, Commercial Objective 1).
- J. Priority shall be given toward maintaining, protecting and improving the capacity and safety of the existing road system (Transportation, Objective 11).

STANDARDS FOR GRANTING VARIANCES & CONDITIONAL USE PERMITS

Section 303 of the Boone County Zoning Regulations states that "at the time of filing an application for a Zoning Map Amendment (or Concept Development Plan), an applicant may also request a dimensional variance and/or conditional use permit for the same development.

The Planning Commission needs to evaluate the applicant's four variance requests as they relate to the criteria necessary for granting variances as stated in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Planning Commission and Florence City Council must find that the granting of the variances will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations. In making these findings, the Planning Commission shall consider whether:
 - A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - B. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - C. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
2. The Planning Commission shall deny any request for variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Article 34, Section 3430 of the Boone County Zoning Regulations permits electronically changeable message boards as a Conditional Use in the Commercial Services (C-3) zoning district provided that the following requirements are met:

- a. Such message boards will be considered a part of a permitted sign, free-standing or building mounted; up to fifty percent (50)% of the permitted sign area can be used for an electronically changeable message board.
- b. All such message boards shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.
- c. Electronically changeable message boards shall not be permitted at intervals of less than six-hundred sixty (660) feet, measured along the centerline of each interstate or thoroughfare from which the sign will be visible, between lines through the center of the signs and perpendicular or radial to said centerline.
- d. Apparent motion of the visual message, caused by, but not limited to, the illusion of moving objects, moving patterns or boards of light, expanding contracting, or rotating shapes or other similar animation effects, shall be prohibited. Such restriction applies to "scrolling" or "running" messages.

- e. The message displayed on the board must be displayed for a minimum of five (5) second intervals. In no instance can a message, or part thereof, flash on the message board.

The Planning Commission needs to evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Section 262 of the Boone County Zoning Regulations.

Findings listed in Section 262:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

STAFF COMMENTS

1. Staff has talked with the Applicant and City of Florence Administration about vacating the portion of the alley that runs between lots 40-43 and lot 53 of Nonpareil Park Subdivision. The City of Florence Administration informed Staff that they will proceed with the vacation if the Change of Concept Development Plan is approved.
2. Staff would like the Applicant to address the following compatibility issues with the residential neighborhood to the south:
 - a. Define the proposed hours of operation and times that deliveries will be made.

- b. The Concept Development Plan includes a lighting plan. While the average foot candle measurements meet the specifications of the Boone County Zoning Regulations, Staff would like the applicant to explore reducing the height of the 32 foot light pole which immediately adjoins the Goodridge Drive curb cut. Staff is concerned about this fixture because of its proximity to a single-family residential dwelling.
- c. The Concept Development Plan includes a utility plan and grading plan. These plans indicate that all the existing vegetation will be removed during the construction process, that an underground detention system is being proposed, and that a retaining wall is being constructed on a portion of the rear property line. Staff would like the Applicant to address the height and location of the retaining wall because it immediately adjoins a single-family residential parcel. Staff would like the Applicant to provide brochures or pictures of what the retaining wall will look like.
- d. The site survey indicates that there is a 24 foot wide utility easement along the rear property line. Staff would like to know if the Applicant has spoken or received permission from U.L.H. & P. about installing their buffer yard, fence, and retaining wall in this utility easement.

3. Staff has the following comments in regard to traffic:

- a. The Applicant provided Staff with a letter (see attachments) from Edwards and Kelcey regarding the corner clearance variance.
- b. Staff has asked the Applicant to provide a traffic study which deals with trip generation and the potential impact of the development on the Goodridge Drive/Dixie Highway intersection. Staff would like to point out that this section of Dixie Highway does not have a center turn lane.
- c. The adjoining property owner to the south informed Staff that there was a sign on Goodridge Drive that indicates that no trucks are allowed on Goodridge Drive. Staff contacted the City of Florence about this issue and they indicated that delivery trucks cannot use Goodridge Drive as a cut through to other sections of Dixie Highway. However, there are no restrictions on delivery trucks making deliveries to businesses or households.
- d. The Kentucky Transportation Cabinet furnished Staff with a letter (see attachments) indicating that they have reviewed the proposed plans (curb cut on Dixie Highway) and are "in agreement with the overall concept of the project."
- e. Section 3223 of the Boone County Zoning Regulations states that "whenever the use of a parcel of land changes, or two or more parcels are assembled under one purpose, plan, entity, or usage, the existing access permit(s) shall become void. The Planning Commission may require the reconstruction, relocation, or closure of the access point(s), based on the new property use. Any such new or reauthorized access point must be in compliance with all applicable sections of this regulation, and may require the submission of a traffic study in accordance with Section 3240 of this order."

Although the proposed curb cut on Dixie Highway does not meet the 230' separation from Dixie Highway, Staff would like to point out that the overall number of curb cuts on Dixie Highway is being reduced from two to one and that the curb cut is located near the eastern property boundary. Without a Variance, the development will not be entitled to a curb cut on Dixie Highway.

Staff is concerned about the Variance request to reduce the 275' spacing requirement between adjacent driveways. The Marshall of Florence curb cut on Dixie Highway is only 32.2 feet from the proposed Walgreen's curb cut.

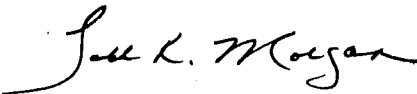
4. Staff has the following comments in regard to site design:
 - a. Staff is concerned that the proposed location of the architectural free-standing sign could obstruct the sight visibility of motorists that are turning onto Dixie Highway from Goodridge Drive. Staff would like the applicant to analyze the sight distance requirements from the Boone County Zoning Regulations for the Committee Meeting.
 - b. Staff recommends that a monument sign should be considered by the Applicant, Planning Commission, and Florence City Council. Walgreen's constructed a 13' tall, 100 square foot monument sign with an electronically changeable message board at their Patrick Drive/Burgundy Hill Drive location.
 - c. The Applicant has provided a letter to the Zoning Administrator (see attachments) which indicates that they will seek two Waivers if the Change of Concept Development Plan is approved. The first Waiver is to reduce the required number of parking stalls from 60 stalls to 54 stalls. The Zoning Administrator has indicated that he will need the applicant to provide some data which shows that this is sufficient parking. The second Waiver is to allow them to plant some of the required street frontage (Goodridge Drive and Dixie Hwy.) landscaping in the buffer yards which are required on the eastern and southern property lines. The Zoning Administrator has not identified any factor at this time which would warrant such a Waiver. The final decision on these Waivers will be made when these applications are submitted.
 - d. Staff recommends that the outside enclosures should be constructed with a masonry material that matches the building.
 - e. Staff recommends that the gable face on the drive-through should be constructed with a material other than metal, such as E.I.F.S.
5. Staff would like the applicant to provide documentation at the Committee meeting which demonstrates that they are complying with the electronic message board standards (see Section 3430 of the Boone County Zoning Regulations).

6. K.R.S. 100.203 (6) (b) states that the Conditional Use Permit and Variance applications which are submitted with a Zoning Map Amendment (or Concept Development Plan) shall be heard and decided by the Planning Commission. The Planning Commission needs to review the four variance applications and Conditional Use Permit application in terms of the standards and criteria that are listed in Sections 251, 262, and 3430 of the Boone County Zoning Regulations.

CONCLUSION

The Change in Concept Development Plan request needs to be evaluated by the Boone County Planning Commission and Florence City Council in terms of K.R.S. 100.213 and Article 3 of the Boone County Zoning Regulations. The Planning Commission needs to review the Conditional Use and Variance applications in terms of Sections 251, 262, and 3430 of the Boone County Zoning Regulations. The Future Land Use Map for the rear section of the site will need to be amended if the request is approved.

Respectfully submitted,



Todd K. Morgan
Planner

TKM/pr

Attachments:

- Site Vicinity Map
- Concept Development Plans
- Project Description and Explanation
- Letter From Edwards and Kelcey
- Letter to Kevin Wall Regarding Waiver Requests
- Letter from Kentucky Transportation Cabinet
- Zoning Map
- Topographical Map
- Future Land Use Map
- Aerial Map
- 1987 Committee Report & Concept Plan
- 1997 Committee Report & Concept Plan
- Nonpareil Park Final Plat
- Application

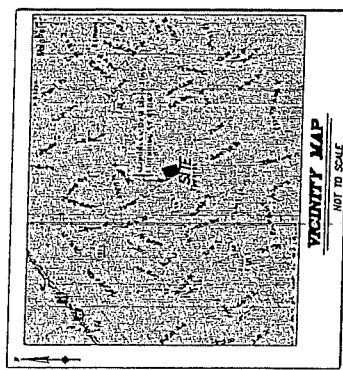
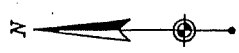


Proposed Walgreen's Site Vicinity Map

200 0 200 Feet

1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
February 26, 2004

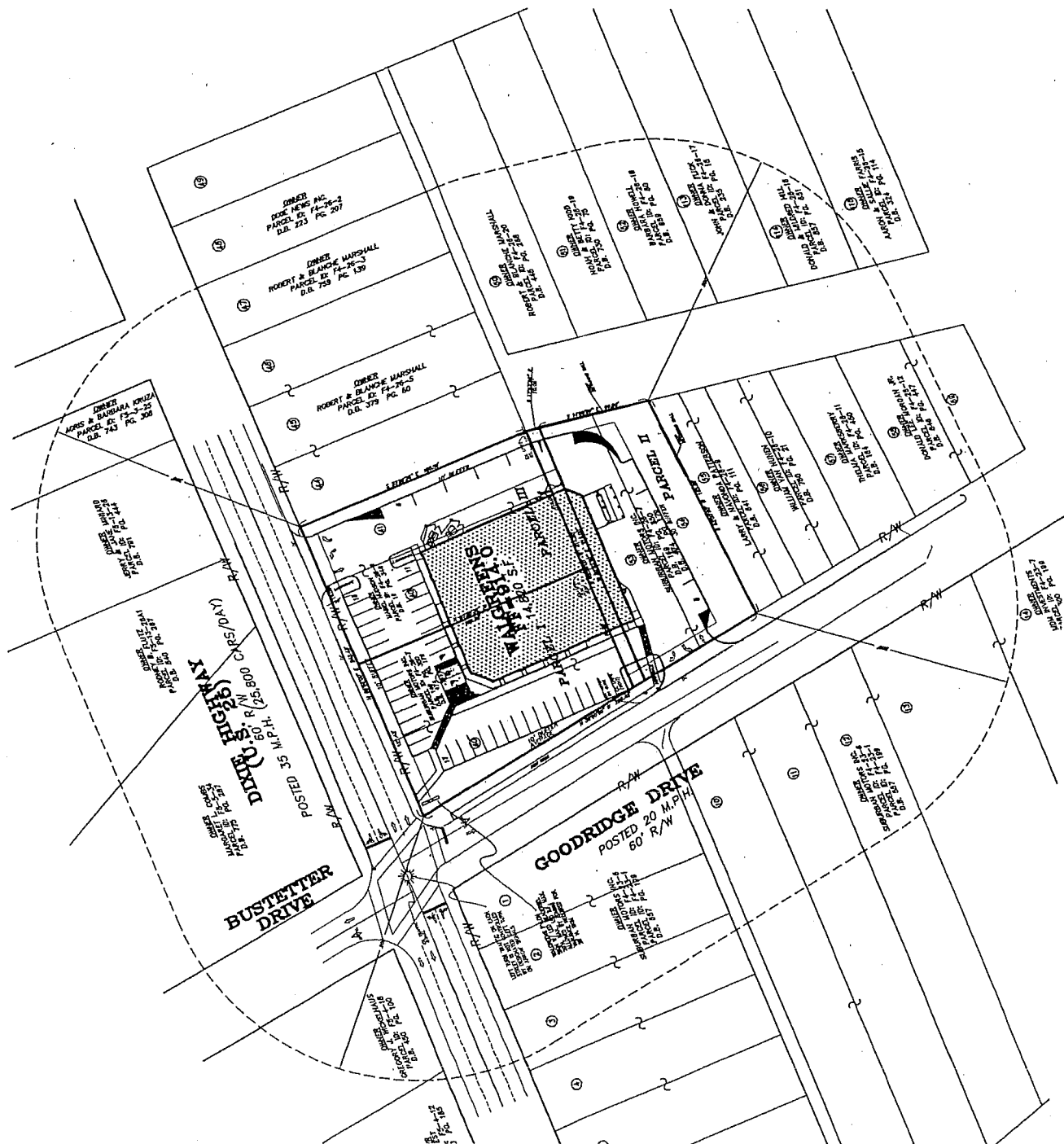




PROPERTY INFORMATION
 SIZE OF PROPERTY: 1.4346 ACRES (GROSS)
 PARCEL 1 & 2
 SUBURBAN MOTORS, INC.
 543 TERRY LANE
 CRESCENT SPRINGS, KY 41017
 PROPERTY PARCEL ID NUMBER: F4-26-7
 PROPERTY ADDRESS: 6615 DIME HIGHWAY
 FLORENCE, KENTUCKY 41042
 EXISTING ZONING: C-3 & C-3-C
 PARCEL III
 MABEL HUDSON
 6615 DIME HIGHWAY
 FLORENCE, KY 41042
 PROPERTY PARCEL ID NUMBER: F4-26-6
 PROPERTY ADDRESS: 6615 DIME HIGHWAY
 FLORENCE, KY 41042
 EXISTING ZONING: C-2
DEVELOPMENT INFORMATION:
 PROPOSED USE: WALGREENS DRUG STORE
 BUILDING AREA: 14,180 S.F.
 PARKING SPACES PROVIDED: 54 SPACES
 DEVELOPER: ANCHOR PROPERTIES
 30 WEST THIRD STREET, 6th FLOOR
 CINCINNATI, OHIO 45202

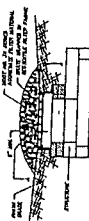
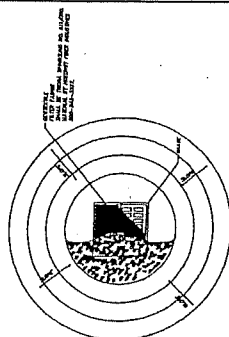
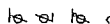
The utility information shown on this plan was obtained from the utility companies shown on this plan. The contractor is responsible for verifying the location and depth of all utilities before construction. The utility companies should be contacted for more information.

UNDERGROUND UTILITIES
 2. WORKING DAYS
 BEFORE YOU DIG
 PHONE: 1-800-382-2784
 SHOWN UTILITIES PROTECTION SERVICE
 KUN-HUMBER MUST BE CALLED DIRECTLY

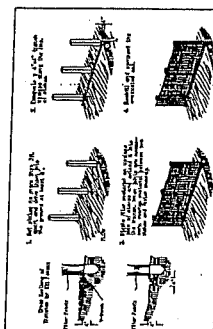


5803 Complan Road
Cincinnati, Ohio 45231
513-521-4760
Fax # 521-2439

INDICATES EX TELEPHONE POLE
INDICATES EX. LIGHT POLE
INDICATES TELEPHONE AND ELEC
INDICATES EX GUY WIRE



INLET FILTER



WALGREENS SITE

**DIXIE HIGHWAY (U.S. 25) & GOODRIDGE DRIVE
SITUATED IN
CITY OF FLORENCE
BOONE COUNTY
COMMONWEALTH OF KENTUCKY**

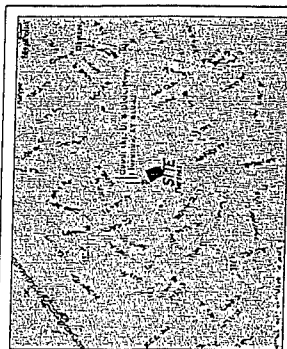
OWNER/DEVELOPER

ANCHOR DEVELOPMENTS LTD
30 WEST THIRD STREET
CINCINNATI, OHIO 45202-3559

UNDERGROUND UTILITIES

**2 WORKING DAYS
BEFORE YOU DIG**
PHONE: 1-800-352-2764
OHIO UTILITIES PROTECTION SERVICE
NON-MEMBERS MUST BE CALLED DIRECT

The utility information shown on this plat, prepared by Thomas Graham Associates, Inc., was obtained from existing records. It is the contractor's responsibility to verify their existence and location, and to contact the appropriate utility company for field locations.



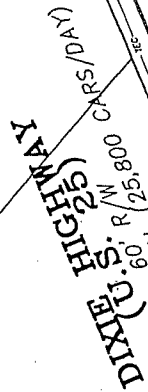
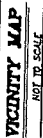
VELOCITY MAP

☒	INDICATES SELF FORCE	
☒	SILENT CRYAL THIS SHEET	
☒	INDICATES EX CONTOURS	
☒	INDICATES PROG. CONTOURS	\$12
☒	INDICATE THE PAIR. CRAIGIS	\$12.00
☒	INDICATES INLET PROTECTION	X
☒	SIL DETAIL SHOWN	☐

toxic provide and if of grass areas on adjacent parcel.
Dues of needed area shall be allocated and grazing
upon state estate.

GRADING AND EROSION CONTROL NOTES:

- [illegible]



INDICATES EX TELEPHONE POLE

INDICATES EX LIGHT POLE

INDICATES TELEPHONE AND ELECTRIC POLE

INDICATES EX CITY WIRE

INDICATES EXISTING TELEPHONE LINE

INDICATES EXISTING COUNTRYSIDE TELEPHONE/ALLIANCE LINES

INDICATES EXISTING WATER LINES

INDICATES EXISTING NATURAL GAS LINE

INDICATES EXISTING STEEPHILL FIRMING SERVICE

VALGREENS SITE
DINE HIGHWAY (U.S. 25) & COORDINATE DRIVE
SITUATED IN
CITY OF FLORENCE
BOONE COUNTY
COMMONWEALTH OF KENTUCKY

OWNER/DEVELOPER
ANCHOR DEVELOPMENTS LTD
30 WEST THIRD STREET
CINCINNATI, OHIO 45202-3559

OWNER/DEVELOPER

ANCHOR DEVELOPMENTS LTD
30 WEST THIRD STREET
CINCINNATI, OHIO 45202-3559

SITE UTILITY PLAN

DATE 2/3/04	STONE MCL _____	EXAMING MCL _____
	BASED ON BALANCING PROFITABLE DATA	C3.0
FORM MCL 7405		

Waggon

ga

**THOMAS
GRAHAM
ASSOCIATES, INC.**

- Engineers
- Planners
- Surveyors

803 Compton Road
Cincinnati, Ohio 45231
513-521-4780
Fax # 521-2438

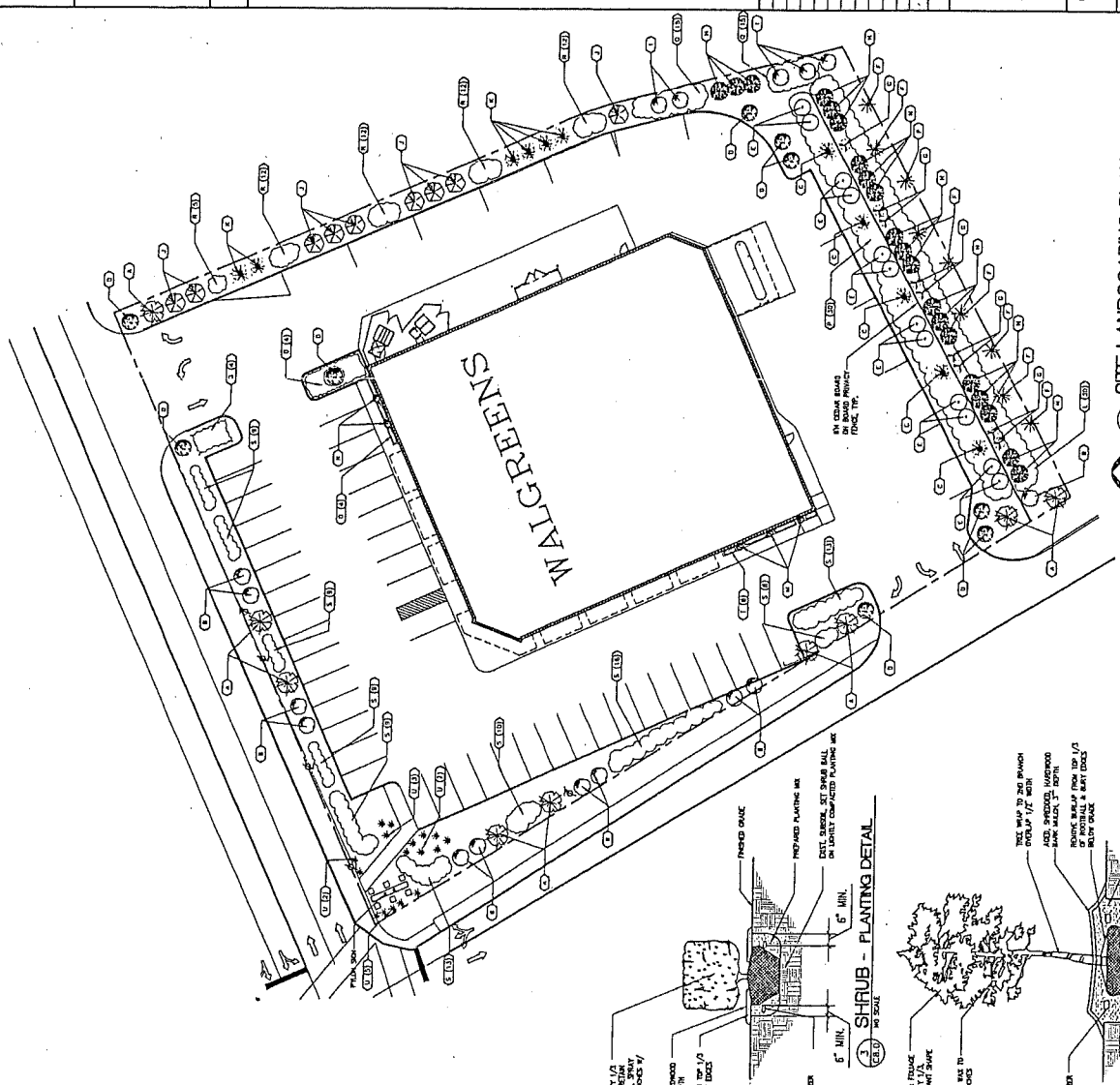
The utility information shown on this plot prepared by Thomas Graham Associates, Inc. was obtained from existing records. It is the contractor's responsibility to verify their existence and location, and to contact the appropriate utility company for field locations.

UNDERGROUND UTILITIES
2 WORKING DAYS
BEFORE YOU DIG
PHONE: 1-800-362-2784
OHIO UTILITIES PROTECTION SERVICE
NON-MEMBERS MUST BE CALLED DIRECT

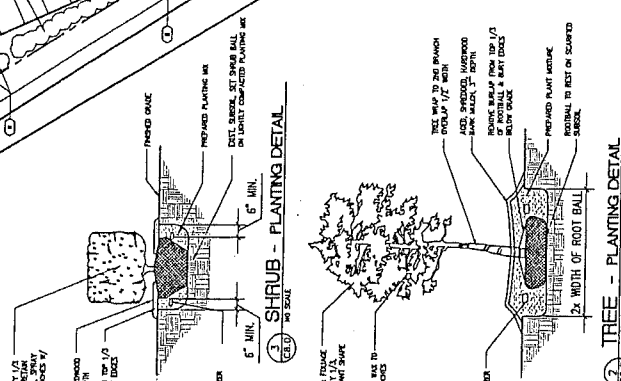
NAME: 7405 ALTA 1.DMG

[illegible]

PROJECT NAME
WALGREENS
DIXIE HIGHWAY (U.S. 42) &
GOODRIDGE DRIVE



1 SITE LANDSCAPING PLAN



② TREE - PLANTING DETAIL

PLANT LEGEND			PLANT LIST		
SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	
A	1	Scotch Broom	SPRING DROXT	2'	
B	1	Andromeda laurel (A. heterophylla)	SPRING DROXT	2'	
C	11	Pyra integrifolia "Dorland Select"	DOVILS DUTZ PINK	2'	
D	5	Chrys	DOVEX - (SPRINT) PINK	2'	
E	12	Chrys	WINTER ALBUQUA	2'	
F	8	The arctic	LITTLE DUTZ DOR	2'	
G	5	Curtis sp	REDFLO	2'	
H	24	Thyl montana	MAJOR MORTAL	3' HT	
I	1	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
J	1	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
K	6	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
L	20	Andromeda sp (A. heterophylla)	MAJOR MALE	3' HT	
M	2	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
N	2	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
O	12	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
P	30	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
Q	5	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
R	5	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
S	10	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
T	8	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
U	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
V	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
W	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
X	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
Y	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
Z	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AA	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AB	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AC	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AD	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AE	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AF	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AG	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AH	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AI	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AJ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AK	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AL	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AM	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AN	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AO	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AP	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AQ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AR	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AS	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AT	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AU	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AV	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AW	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AX	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AY	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
AZ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BA	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BB	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BC	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BD	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BE	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BF	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BG	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BH	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BI	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BJ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BK	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BL	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BM	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BN	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BO	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BP	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BQ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BR	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BS	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BT	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BU	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BV	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BW	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BX	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BY	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
BZ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CA	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CB	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CC	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CD	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CE	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CF	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CG	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CH	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CI	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CJ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CK	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CL	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CM	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CN	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CO	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CP	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CQ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CR	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CS	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CT	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CU	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CV	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CW	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CX	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CY	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
CZ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DA	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DB	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DC	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DD	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DE	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DF	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DG	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DH	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DI	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DJ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DK	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DL	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DM	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DN	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DO	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DP	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DQ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DR	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DS	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DT	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DU	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DV	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DW	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
DX	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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DZ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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EB	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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EV	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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FB	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
FC	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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FM	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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FR	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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FV	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
FW	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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GA	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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GE	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GF	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GG	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GH	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GI	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GJ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GK	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GL	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GM	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GN	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GO	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GP	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GO	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GR	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GS	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GT	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GU	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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GW	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GX	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GY	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
GZ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HA	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HB	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HC	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HD	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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HL	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HM	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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HP	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
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HR	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HS	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HT	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HU	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HV	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HW	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HX	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HY	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
HZ	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
IA	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
IB	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
IC	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	
ID	17	Andromeda sp (A. heterophylla)	MAJOR MALE	3'	

LANDSCAPE REQUIREMENT CALCULATIONS

[illegible][illegible]

[illegible]

2) LIGHTING STANDARD ELEVATION
SCALE 1/2"=1'-0"

Walgreens
Dixie Highway and Goodridge Drive
Project Description and Explanation

Anchor Properties has obtained options to purchase 1.435± acres of property at the southeast corner of Dixie Highway and Goodridge Drive from Suburban Motors, Inc. and Mabel Hudson. The properties are currently zoned "C-2", "C-3", and "C-3/CD". Existing structures on the property include a single-family residence, an auto body business, and an off-site parking lot. Anchor is proposing to demolish the existing site improvements and construct a 14,820 square foot Walgreens drug store. A parking area of 54 parking spaces is proposed to serve the store, which would also include a double drive-through window. The all brick building would be accessed from only two points (one each on Goodridge and Dixie) located the furthest distance possible from the signalized intersection.

To allow for the redevelopment to move forward, the existing Concept Development Plan needs to be modified and several variances and a Conditional Use approved. Following is a description/justification for each of these issues:

Concept Development Plan

A Concept Development Plan was initially approved for the southern portion of the property in 1987. This plan was amended in 1996 to include a 40-space parking lot for an off-site user. The approval required the creation of a 25-foot buffer area between the parking area and the southern property line. The proposed redevelopment plan maintains a buffer area of 30' to the south that would include landscaping and a six-foot solid wood fence. North of the buffer area are five parallel parking spaces and a 37' wide drive aisle that would contain the double drive-through windows and the site access to Goodridge Drive. With the buffer area and the removal of head-in parking from this area, Anchor Properties believes the proposed Concept Development Plan modification, in conjunction with the site redevelopment, is an improvement to the area and neighboring properties.

Variances

Several variances from the strict interpretation of the Zoning Code are requested as follows:

Section 3216: This section requires that access points be located a minimum of 230 feet from an intersection. Although the proposed access point on Goodridge Drive meets this criterion, the subject properties only have a combined 242 feet of frontage on Dixie Highway. Care has been taken to design the site so that access on Dixie has been located the furthest distance possible (200 feet) from the intersection at the eastern property line of the site. The proposed redevelopment of the properties is an improvement over existing conditions where there is an open curb cut on Goodridge and two curb cuts on Dixie, both closer to the intersection than the one proposed. Anchor Properties retained a traffic consultant, Edwards and Kelcey, to review the access location. As their enclosed analysis indicates, the proposed access location would be in an appropriate location and the variance should be granted.

Section 3215: A minimum of 275 feet is required between adjacent driveways. Currently, there are two driveways on the Dixie Highway frontage of the subject property spaced 68 feet apart. Additionally, there is a driveway existing on the property immediately east, 65 feet from the subject property line. The proposed redevelopment eliminates one of the curb cuts on Dixie Highway, closest to the intersection and maintains the 65 feet to the curb cut on the adjacent property. A variance is requested to allow the access as proposed to the site, which Anchor Properties believes is a significant improvement over existing conditions.

Section 3630 (2): A minimum four-foot wide planting area is required between the building and the sidewalk area. A variance is being requested to reduce this area to two feet in width. This area will contain a variety of plant materials including junipers and forsythia. Given that this area will be irrigated and maintained, and that a sufficient sidewalk is available for access, Anchor's Landscape Architect believes the area provided will be sufficient for the plant material proposed.

Section 3620: A minimum of ten feet is required between parking areas and public right-of-ways. A ten-foot buffer is provided along the Dixie Highway frontage, however, a variance is requested to allow for the buffer along Goodridge Drive. The proposed buffer averages ten feet, however, it varies from 22 feet to zero feet due to the shape of the property, which narrows as it goes south. The required landscape material is provided on site and the streetscape buffer averages ten feet, hence, Anchor Properties believes the intent of the Code is met.

Anchor Properties believes that if granted, the variances requested will in no way affect the public health, safety, or welfare. The variances as requested would allow the redevelopment of the properties and have a positive impact on the character of the general vicinity. The variances requested will in no way cause a hazard or a nuisance to the general public and in fact, the redevelopment would eliminate an undesirable situation or nuisance. If approved, the variances will not allow for an unreasonable circumvention of the requirements of the Zoning Resolution. Specifically, the following apply:

- a) The requested variances arise from a variety of special circumstances, which do not generally apply to land in the same area or zoning district. The proposed development involves the assemblage and consolidation of a number of parcels. In dealing with redevelopment sites, a variety of issues must be considered in reviewing existing conditions and the ability to improve on them. The subject properties, when assembled, form a site area that narrows to the south. The northern boundary of the property is 242 feet, while the southern property line is only 183 feet. The physical shape of the property, along with its limited frontage on Dixie Highway, is related to the variances from Sections 3630 (2), 3215, and 3620.
- b) The strict application of the requirements of the Zoning Code would render the redevelopment of this site as proposed impossible. Strict application would eliminate access to Dixie Highway. Further, it would cause the irregular shape of the property, its double frontage and proximity to residential properties, to create extreme hardship

in the redevelopment of the site. If the Zoning Code were to be applied in a strict sense, it would deprive the reasonable use of the land and create excessive hardship for anyone considering redevelopment of the properties.

- c) The circumstances are a result of existing property conditions, requirements of the Zoning Code and the reasonable attempt of the applicant to assemble and redevelop the properties, making a significant improvement to the area. The circumstances do not arise out of the result of any willful violations of the Zoning Resolution by the applicant.

Conditional Use - Section 3430

A request is being made to include an electronic changeable message board on the site signage at the corner of Dixie and Goodridge. The proposed sign contains a total of 125.4 square feet at a height of 20 feet. The proposed message center would contain 36.55 square feet, which is significantly less than 50% of the sign area, and would be used to advertise items available on the site. The proposed message board will meet the standards of the Kentucky Transportation Cabinet and other controlling agencies. No other electronic message boards exist within 600 feet of the proposed location. The message displayed shall not have apparent motion and will display messages for a minimum of five-second intervals and shall in no instance flash.

The proposed message board will be displayed, operated, and maintained as a harmonious part of the proposed character of the site and as an integral part of the site signage. The message board will not change the character of the area and will not be hazardous to an existing or future neighboring use. The site is served by adequate public facilities and the inclusion of the message board will in no way jeopardize the ability of such services to be provided to the area. The inclusion of a message board at this location will not be detrimental to persons, property, or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare, or odors. The requested Conditional Use has no impact on vehicular access. Anchor Properties believes that the inclusion of a message board at this location is an asset to the site that meets the criteria established for conditional uses.

In summary, Anchor Properties believes that the proposed redevelopment will be an asset to the area. The proposed Walgreens will significantly improve access management issues in the area and improve the aesthetics of the area through the addition of landscaping and an architecturally attractive brick building. The removal of outdoor storage, an unenclosed dumpster, and more intense commercial uses all add to the improvements of the area. Anchor Properties respectfully requests approval of the applications associated with the proposed redevelopment.



Transportation
Communications
Building Technologies
Site and Facility Design

30 January 2004

Mr. Mike Ricke
Anchor Associates
30 West Third Street, 6th Floor
Cincinnati, Ohio 45202-3559

Re: Florence Walgreen's
Minimum Corner Clearance of Driveway from Intersection

Dear Mr. Ricke:

The purpose of this letter is to summarize Edwards and Kelcey's review of the proposed driveway for Walgreen's on the southeast corner of the intersection of Dixie Highway (U.S. 25) and Goodridge Drive in Florence, Kentucky.

Per the site plan, one access point is proposed off of the Dixie Highway at the eastern edge of the parcel. This distance between the interior edges of pavement (between the site drive and Goodridge Drive) is proposed at 200 feet. The minimum distance allowed by the City of Florence is stated at 230 feet, per Section 3216 of the zoning code (see Attachment A).

Although the proposed site access on Dixie Highway falls just 30 feet short of the 230 feet stipulated in the code, several factors contribute to allowing a variance in this instance. First, the site access drive is proposed to be located at the eastern edge of the property. The drive has been proposed as far away as possible from the intersection while staying within the boundaries of the parcel. Second, the site driveways opposite this proposed site access would provide for a beneficial offset; the driveways would be offset so that left-turn movements would not be in conflict with one another. Third, from a traffic operation standpoint, it does not appear that the 30 foot difference will make any kind of negative impact on the intersection nor will the shorter distance create any greater safety problem.

It is Edwards and Kelcey's opinion that the 30-foot difference between the stated zoning code and what is possible due to the site limitations would be negligible. The zoning code is set as a guide and in this case a variance would be appropriate. As noted before, the offset of the proposed driveway with the driveways opposite the site would be beneficial, as the left-turn movements would not be in conflict.

5533 Fair Lane
Cincinnati, Ohio 45227

Voice 513.272.5533
Fax 513.272.5522
www.ekcorp.com



Mr. Mike Ricke
30 January 2004
Page 2

If you have any questions or comments, please do not hesitate to call.

Sincerely,

EDWARDS AND KELCEY

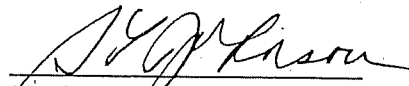


Jack Gehrum, Vice President

JEG/sdn

040014094.01

J:\2004Projects\040014094\Documents\Letters\WalgreensOpinionLetter.doc



Sheri L. Johnson

Attachment A

access classification of a roadway as part of a request for a zoning map amendment, when determined that the requested zone change, if approved, would significantly change the transportation function of the roadway.

SECTION 3215

Minimum Spacing of Driveways

In order to minimize the potential for accidents and delay to through vehicles, all adjacent driveways onto public roadways must be separated by the minimum distance shown in Table 32.1. These minimum spacing requirements may be adjusted slightly to better accommodate minimum sight distance requirements if determined by the Zoning Administrator that such adjustment is necessary to preserve the intent of these regulations.

TABLE 32.1

Minimum Spacing of Adjacent Driveways

Collector Roadways:	Arterial Roadways
< 40 M.P.H. = 185'	= 275'
≥ 40 M.P.H. = 230'	

SECTION 3216

Minimum Corner Clearance of Driveways from Intersecting Streets

The locations of driveways adjacent to intersecting streets shall conform to the minimum corner clearances provided in Table 32.2.

TABLE 32.2

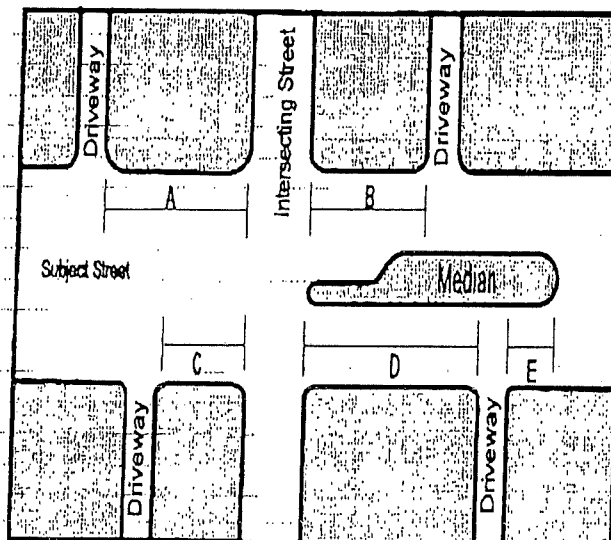
Minimum Corner Clearances of Driveways from Intersecting Streets

SIGNALIZED INTERSECTION:

Item	Arterial	Collector	Commercial or Industrial Sub-Collector	Other
A	230'	175'	125'	50'
B	115'	85'	100'	50'
C	230'	175'	125'	50'
D	230'	175'	125'	50'
E	75'	0'	0'	0'

NON-SIGNALIZED INTERSECTION:

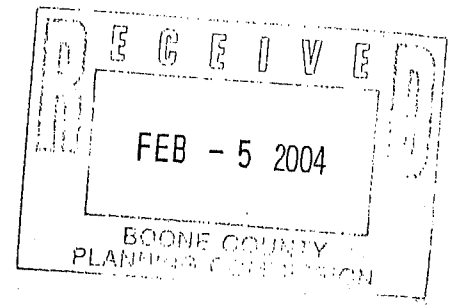
Item	Arterial	Collector	Commercial or Industrial Sub-Collector	Other
A	115'	75'	75'	50'
B	115'	85'	85'	50'
C	85'	85'	85'	50'
D	115'	75'	75'	50'
E	75'	0'	0'	0'



SECTION 3217

February 4, 2004

Mr. Kevin Wahl, AICP
Zoning Services Director
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005



Hand Delivered

Re: Walgreens - 6615 & 6617 Dixie Highway

Dear Mr. Wahl:

As you know, Anchor Properties would like to redevelop the 1.435 acres of property at the southeast corner of Dixie Highway and Goodridge Drive. The property, which is zoned "C-2, "C-3", and "C-3/PD", would be developed as a 14,820 square foot Walgreens drug store. Applications have been made to modify the approved Concept Development Plan, and to approve several Variances and a Conditional Use Permit for the site.

Two issues regarding the proposed development require the consideration of waivers from the requirements of the Zoning Code as provided in Section 3617. Specifically, waivers are requested for the strict interpretation of the following sections:

Section 3325: Parking is required at a ratio of 1 space per 250 square feet of gross floor area. A total of 60 parking spaces would be required for the 14,820 square foot building. A waiver is requested to permit the proposed Walgreens store to be constructed with 54 parking spaces. Although the required parking is based on the entire building square footage, only 11,800 square feet (79%) is accessible to the public. Parking for the public area of the store at 1 space per 250 square feet would require 48 spaces. Additionally, the function of the double drive-through windows is to allow pharmacy customers to fill prescriptions without having to park their cars, further reducing the number of parking spaces necessary to serve customers. Walgreens builds stores across the country and is very experienced with the number of parking spaces necessary to serve this store. Walgreens would not underpark the redevelopment of this site and believes that a waiver is warranted, given the retail specifications of the proposed use.

Section 3620: The subject property has 242 feet of frontage on Dixie Highway and 295 feet of frontage on Goodridge Drive, which requires a total of 37 trees and 135 shrubs. Anchor Properties is proposing to plant the 37 trees and 135 shrubs required, however, a waiver is requested to allow a portion of the required plant material to be added to the material required in the buffer yards. Registered Landscape Architects retained by Anchor have expressed concern regarding the long-term viability of the plant material if it is all required to be included in the streetscape area. Additionally, Walgreens has concerns regarding the visibility of their store and the visibility at the access points for those entering and exiting the

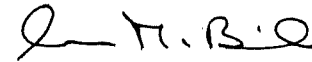
Planning ■ Zoning ■ Development Services

site. Anchor is requesting a waiver to allow a total of 19 trees and 105 shrubs on Dixie and Goodridge, and to allow the additional 18 trees and 30 shrubs to be included in the rear buffer area. The intent of the Code will be met, however the plant material will be allowed to mature. The proposed landscape plan meets the planting requirements on both the east and south property lines.

Anchor Properties believes that the proposed redevelopment meets the intent of the Zoning Code in that all of the required landscape material is located on site and more than adequate parking is provided. We would request that favorable consideration be given to the requested waivers from the strict interpretation of the Code.

Should you have any questions regarding these requests, please do not hesitate to call me.

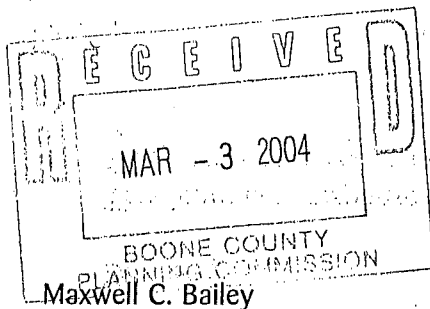
Sincerely,



Anne F. McBride, AICP

CC: Anchor Properties

#1155



Commonwealth of Kentucky
Transportation Cabinet

Department of Highways, District Six
421 Buttermilk Pike, P. O. Box 17130
Covington, Kentucky 41017
859-341-2700, (Fax) 859-341-3661

Ernie Fletcher
Governor

Maxwell C. Bailey
Secretary of Transportation

March 2, 2004

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

ATTENTION: Todd Morgan, Planner

RE: Walgreen's
US 25 - Dixie Highway
BOONE COUNTY

Dear Sir,

This letter is in response to your letter dated February 27th, 2004 regarding a proposed Walgreen's at the corner of US 25, "Dixie Highway" and Goodridge Drive in Florence, Kentucky.

This office has reviewed the plans and is in agreement with the overall concept of the project. The entrance from US 25 "Dixie Highway" will require that the entrance be constructed to our entrance pavement design.

This is subject to the formal encroachment permitting application that is required to be forwarded to the Department for final review.

Should you have any questions, or need additional information, please call this office.

Sincerely yours,

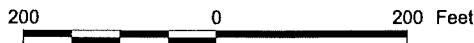
Samuel H. Beverage, P. E.
CHIEF DISTRICT ENGINEER

William F. Madden, P. E.
T.E.B.M. FOR TRAFFIC

ECT/dlt



Proposed Walgreen's Zoning Map



1 inch equals 200 feet

Produced by the
Boone County Planning Commission
GIS Services Division
February 26, 2004





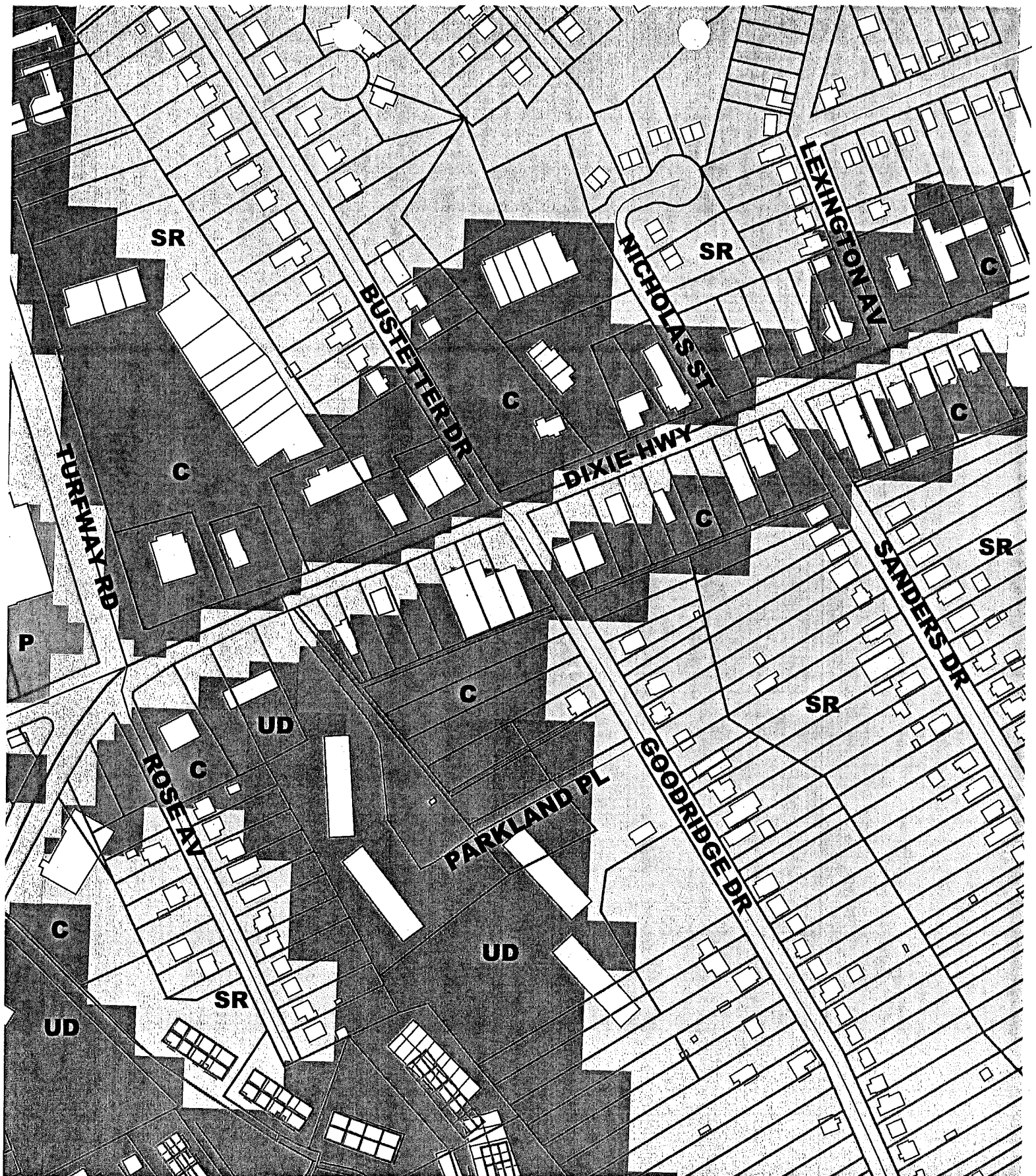
Proposed Walgreen's Topographical Map

150 0 150 Feet

1 inch equals 150 feet

Produced by the
Boone County Planning Commission
GIS Services Division
February 26, 2004





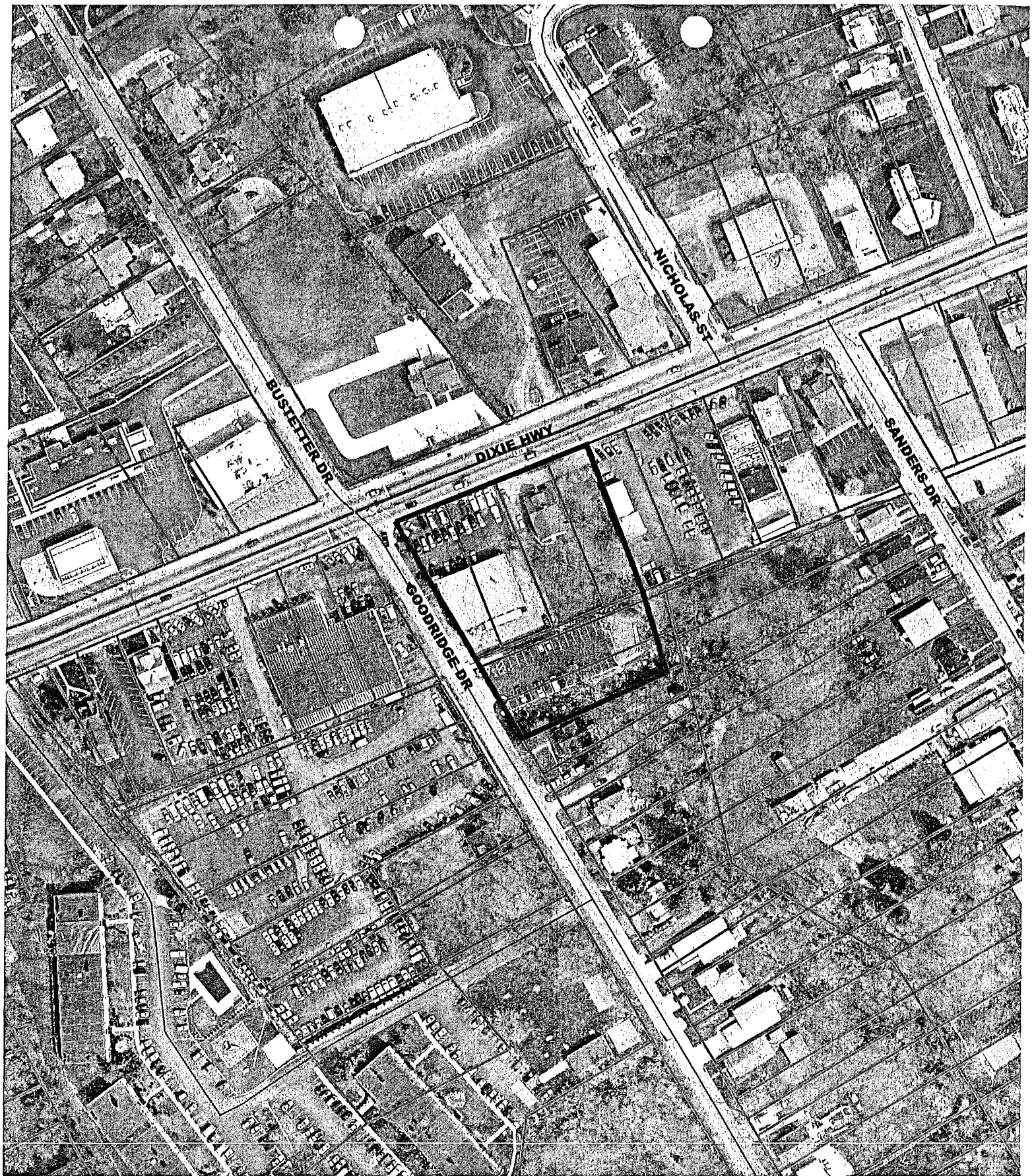
Proposed Walgreen's Future Land Use Map

250 0 250 Feet

1 inch equals 250 feet

Produced by the
Boone County Planning Commission
GIS Services Division
February 26, 2004





Proposed Walgreen's Aerial Map

150 0 150 Feet

1 inch equals 150 feet

Produced by the
Boone County Planning Commission
GIS Services Division
February 26, 2004



COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Larry Barnett, Chairman

DATE: June 3, 1987

RE: Request of David A. Koenig (applicant) for Suburban Motors, Inc. (owner) for a Zoning Map Amendment on a +3.72 acre site located at 6619 Dixie Highway, Florence, Kentucky. The request is to rezone the property from Commercial Two (C-2) and Suburban Residential Two (SR-2) to Commercial Services (C-3). The intended use is to expand the present automobile dealership.

REMARKS:

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

FINDINGS OF FACT

1. The submitted Concept Development Plan and zone change request is consistent or in agreement with the text of the 1986 Boone County Comprehensive Plan.

"Since the immediate Florence area figures so prominently in the county's commercial activity, this region has the momentum to continue dominating construction of commercial structures."

Also, the Comprehensive Plan suggests that compact, efficient development patterns with appropriate buffer space between uses shall be encouraged. The Comprehensive Plan mentions that commercial uses shall be located at strategic locations or next to trade areas or parking areas. The mixing of commercial and non-commercial uses shall occur in replanned older areas. References to the Comprehensive Plan are made in the Staff Report.

2. The proposed zoning classification (C-3) is appropriate because of its close proximity to Dixie Highway and to existing commercial land uses. The proposed zoning classification also allows the present use of the property to be conforming.

CONDITIONS

1. Both the Concept Development Plans submitted at the Public Hearing and at the Committee meeting will be part of this record.
2. The unloading of vehicles from auto/truck carriers shall only be allowed on the 3.72 acre site (not on Goodridge Drive) designated on the Concept Development Plan dated June 1, 1987.
3. Specific landscaping features such as tree plantings and fencing, parking lot resurfacing and arrangement, improving vehicle circulation and storm water management within the site shall be addressed at Site Plan Review. If the zone change request is approved by the City Council of Florence, then the owner shall be required to submit a Site Plan to the Boone County Planning Commission within one year of the final approval date by the City of Florence. If for some reason this time period is unachievable, then the owner may seek an extension from the Zone Change Request Committee. The Committee wishes to emphasize that the south lot line on Parcel #2 and the east and south lot line on Parcel #5 need to be properly landscaped to visually separate the residential and commercial land uses. A combination of tree plantings, fence, and a possible berm will help mitigate any intrusion.
4. Any proposed lighting on Parcel #5 shall be limited so as to not visually impair neighboring residential uses.

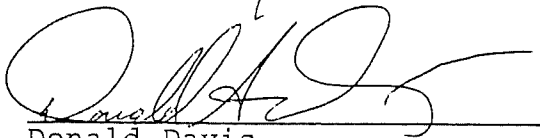
CONCLUSION

The Committee wishes to emphasize the need to properly screen this development and protect the neighboring residential uses. The Committee appreciates the owner's desire to expand its present business and to improve circulation both within the development and on Goodridge Drive. The Committee would like the owner to work with the staff and the City of Florence in finalizing plans to improve the site and continue making the general area suitable for residential living.

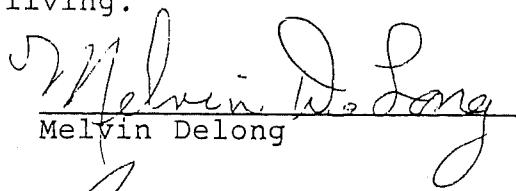
Larry Barnett, Chairman



Fred Burch



Donald Davis



Melvin Delong



Rector Jones

William Viox

COMMITTEE REPORT

To: Boone County Planning Commission

From: Barry Neltner, Chairman

Date: January 22, 1997

Re: Request of David A. Koenig (applicant) for Suburban Motors, Inc. and Gregory J. Wickelhaus (owners) for Zoning Map Amendments from Suburban Residential Two (SR-2), Commercial One (C-1), and Commercial Two (C-2) to Commercial Services (C-3) for sites located at 2 Goodridge Drive, 7 Goodridge Drive, and 6711 Dixie Highway, Florence, Kentucky. The request is for three zone changes to allow office, employee parking, and vehicular display and storage in conjunction with an existing auto dealership.

Remarks:

We, the Committee, recommend approval of the above referenced request based upon the following findings of fact with the following conditions:

Findings of Fact:

1. The Committee has concluded that the proposed zone change from Suburban Residential Two (SR-2), Commercial One (C-1) and Commercial Two (C-2) to Commercial Services (C-3) to allow the expanded use of Suburban Chevrolet is in agreement with the 1995 Boone County Comprehensive Plan conforming to the recommendations made for the Florence Area stating that the mixing of land uses can be accommodated within the City of Florence, and the existing residential communities can be protected if proper buffers and design are incorporated into the developments and that commercial development in this section remain near the arterial roads or close to the interstate.
2. The Committee has concluded that the attached conditions are necessary to mitigate the concerns of proper buffering between the proposed expanded commercial use and the surrounding residential areas and to assure that the character of the area is maintained.

Conditions:

1. Existing trees located within the required 30 foot buffer yard 'C' and required 50 foot front yard setback for the proposed C-3 zone shall remain.
2. Car/truck carriers are not to unload on Goodridge Drive.

COMMITTEE REPORT - Suburban Chevrolet
January 22, 1997
Page 2

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.

Barry Nettner
Barry Nettner, Chairman

For	☒	Against	☐
Abstain	☐	Absent	☐

Fred Burch
Fred Burch

For	☒	Against	☐
Abstain	☐	Absent	☐

William Bailey
William Bailey

For	☒	Against	☐
Abstain	☐	Absent	☐

Arnold Caddell
Arnold Caddell

For	☐	Against	☐
Abstain	☒	Absent	☐

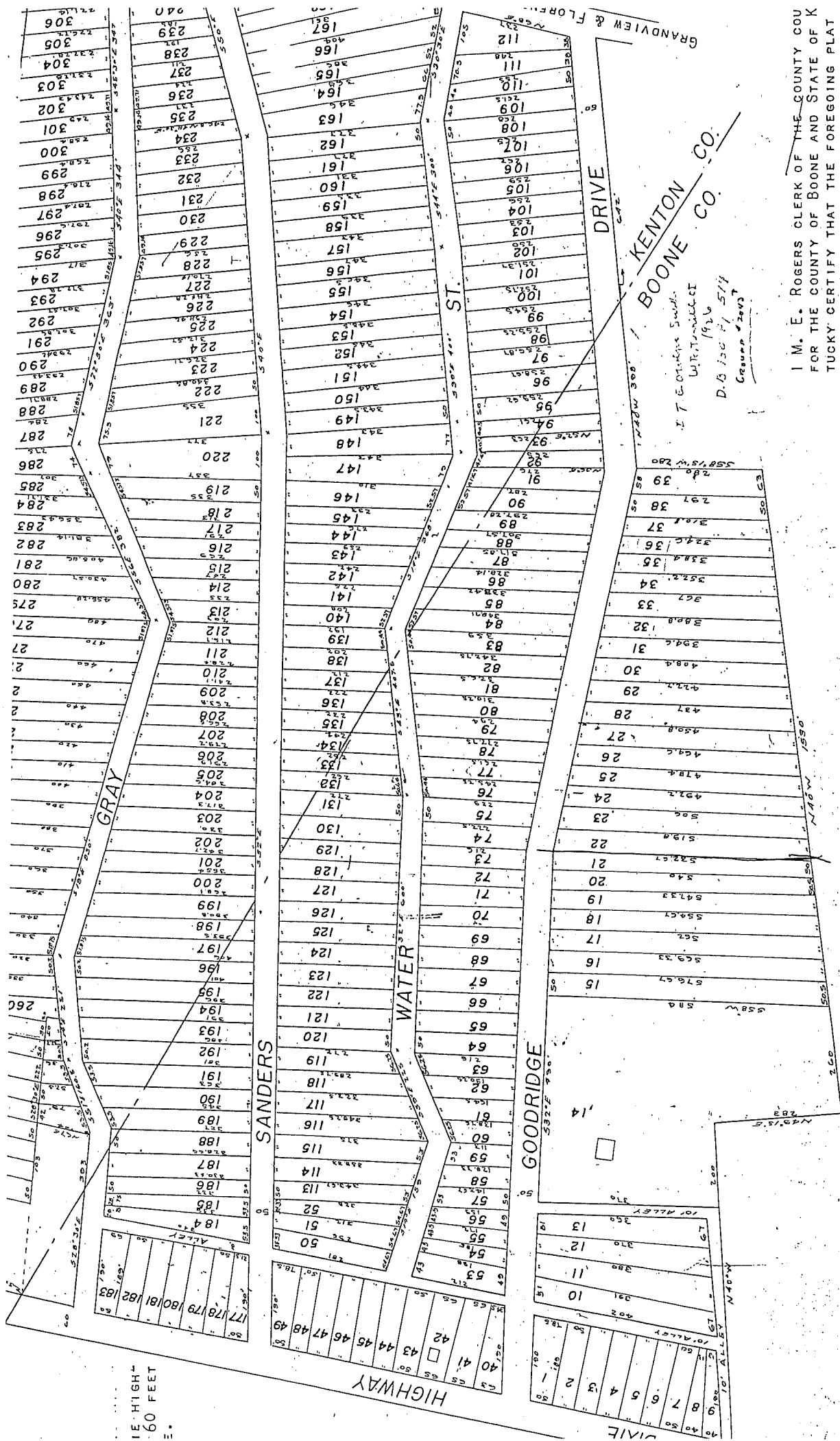
Phil Damstrom
Phil Damstrom

For	☒	Against	☐
Abstain	☐	Absent	☐

Robert Millay
Robert Millay

For	☒	Against	☐
Abstain	☐	Absent	☐

TOTAL: 5 FOR 0 AGAINST 1 ABSTAIN 0 ABSENT



NONPAREIL PARK

PLATTED JULY 12, 1920

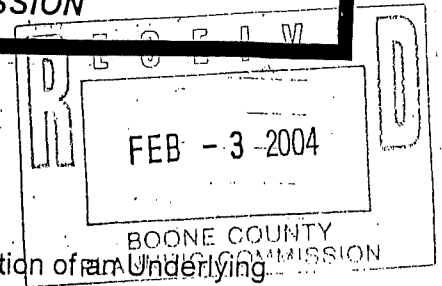
/s/ W. R. TERRILL

I M. E. ROGERS CLERK OF THE COUNTY COU
FOR THE COUNTY OF BOONE AND STATE OF K
TUCKY CERTIFY THAT THE FOREGOING PLAT
DEDICATION WAS PRODUCED TO ME AND LODG
FOR RECORD, WHEREUPON SAME IS FILED FO
RECORD.

GIVEN UNDER MY HAND
/s/ M. E. ROGERS CLERK

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- ☐ Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- ☒ Change in an Approved Concept Development Plan
- ☐ Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- ☐ Long Range Planning Committee Review (As stated in the Union Town Plan)

2. Name of Project Walgreen's Drug Store
3. Location of Project 6615 and 6617 Dixie Highway
4. Total Acreage of Site 1.435 acres
5. Current Zoning "C-2"; "C-3"; and "C-3/CD"
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 1987 (original) and 1996 (update)
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study). No.
8. Proposed Uses (please specify each use) Neighborhood Retail (Walgreen's Drug Store)
9. Proposed Building Intensities (please specify) 14,490 square foot building

10. Have you submitted a Concept Development Plan? Yes
11. Are you also applying for:
- ☒ Conditional Use Permit (1)
- ☒ Dimensional Variance (4)
12. Name of Applicant(s) McBride Dale Clarion Attn: Anne F. McBride
- Phone Number 513-561-6232 Fax No. 513-561-1615
13. Address of Applicant(s) 5725 Dragon Way, Suite 220
- Cincinnati Ohio 45227
- City State Zip
14. Name of Property Owner(s) See attached Exhibit "A"
- Phone Number _____ Fax No. _____
15. Address of Property Owner(s) _____
- _____ City State Zip
16. Are there any existing buildings on the site? Yes
- How many? Two (1-commercial and 1-residential)
17. Deed Book See Exhibit "A" Page No. See Exhibit "A" Group No. 76574
18. Have you had a pre-application meeting with BCPC Staff? Yes (1-12-04)

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A**

March 17, 2004

7:30 P.M.

PUBLIC HEARING

Commission Members Present: Mr. Barlow, Mr. Bunger, Mr. Caddell – Chairman, Mrs. Kegley, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Schwenke, Mr. White, and Mrs. Wilson – Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Todd Morgan, AICP, Planner.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:35 PM and introduced the item on the Agenda:

Applicant: **McBride Dale Clarion, attn: Anne F. McBride**

Request: **Change in Concept Development Plan, Variances and
Conditional Use Permit**

The request of **McBride Dale Clarion Attn: Anne F. McBride (applicant) for Suburban Motors Inc. and Mabel Hudson (owners)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone to allow retail sales and a retail pharmacy; and Variances from the **Boone County Zoning Regulations** including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from Section 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" Subsection 2 to allow reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The request is for a Change

in an Approved Concept Development Plan and Variances to allow retail sales and a retail pharmacy and a Conditional Use Permit to allow a freestanding sign with an electronically changeable message board.

Staff Member Todd Morgan presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, the Chairman asked for the applicant's presentation.

Ms. Anne McBride with McBride Dale Clarion at 5725 Dragon Way, Suite 220, Cincinnati, OH, introduced Mr. Nate Stark with Anchor Properties. She stated that Staff worked with them and has been very helpful. She stated that the City of Florence is excited about this area being redeveloped and Walgreen's is excited about being part of the City of Florence. The property is not currently attractive from Dixie Highway. The single-family residence is currently vacant and the auto body shop on the corner is vacant. There is no landscaping and there is a painted block building with a dumpster there. There is an open curb cut on Goodridge Drive and two curb cuts on Dixie Highway for the residential property. Walgreen's proposes to redevelop the site. The 14,820 square foot building will be primarily brick. There will be 54 parking spaces, which requires a Waiver, and they have made that application. They propose two curb cuts for the development -- one on Dixie Highway as far east of the intersection of Goodridge Drive and Dixie Highway as possible -- and the other one on Goodridge Drive. The first curb cut will be 32 feet from the Marshall Motors curb cut, which is a high volume traffic generator and has other access, and they do not feel that there will be a cross-conflict situation. Traffic coming out of Walgreen's and going left on Dixie Highway will probably go out at the signal. She stated that they are requesting a Variance in regard to the distance between the intersection and the curb cut. They are asking for a Variance on the streetscape (buffer yard). Code requires ten feet of buffer area, but the site narrows to the south. She indicated the two parking spaces where the buffer is down to zero and stated that a substantial portion of the buffer exceeds ten feet. This is a huge improvement over the existing condition of an open curb cut with a dumpster. Ms. McBride indicated the location of the proposed sign. She stated that they are requesting a Conditional Use Permit for the electronic message center and will provide additional information to the Committee. They hired Edwards & Kelley to look at the safety issue in regard to the curb cut and they did not see a problem with the curb cut in relation to the intersection. They will have a full traffic analysis in time for the Committee Meeting. They have asked for Variances to reduce the width of portions of the landscaping areas adjacent to the building on the north and west sides from four feet to two feet. They will still be able to plant and irrigate the landscape areas. They will maintain the existing 30-foot buffer on the south and in a portion of it will be a four-foot high retaining wall. There will be the retaining wall, landscaping, and a six-foot tall fence. She stated that Staff has issues concerning lighting, signage, hours of operation, traffic impact analysis,

and changes to the building materials. They are willing to work with the Committee to resolve these issues. Ms. McBride presented the building elevations and samples of the materials to be used for the retaining wall, the brick for the building, the green color for the awning, and accent colors for the building. She will bring the samples to the Committee Meeting. Ms. McBride thanked Staff for their help in regard to this complicated site and offered to answer any questions. This completed the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition to the request.

Ms. Navoda Patterson lives at 6 Goodridge Drive, which is adjacent to the subject site, and she is concerned about the lighting – especially the lighting closest to her home. Their bedrooms are on that side of the house and will be affected by the lights. She questioned the privacy fence being six feet high. She stated that the four-foot high retaining wall will be side-by-side with her chainlink fence and questioned how that would look. She has pets and is concerned that they will need to take down her fence during construction. She is concerned about noise. She stated that they previously had problems with tractor trailers coming in and unloading in the middle of the night and dumpsters being emptied seven nights a week. Their noise has discontinued since Tom Gill left and they do not want it to come back. She is concerned about noise from deliveries and from dumpster removal.

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Chairman Caddell asked if Mrs. Patterson had any other concerns. He stated that it is standard procedure for lighting to be contained within the confines of the property and the Committee will discuss the lighting.

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they will provide documents to the Committee to show that they are permitted to grade, plant, and fence in that location.

Mrs. Poston asked if the curb cut on Dixie Highway is right-in only. Ms. McBride responded that it is right-out and left-out and full movement in, but there is no turn lane.

Mr. Costello questioned how this Walgreen's compares in size to the Walgreen's on KY 18 and the Walgreen's on Mall Road. Ms. McBride responded that this Walgreen's is larger than the one on Mall Road and she is not familiar with the one on KY 18. Mr. Costello questioned going to a smaller prototype to make it fit on the site. Ms. McBride responded that Walgreen's is going to a bigger store in order to bring everything inside and make the aisles wider. This store is about 1,000 square feet bigger.

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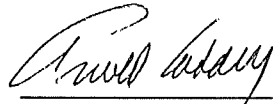
Mr. White stated asked the Committee to consider a right-in/right-out only access point. He believes that turning left would be a hazard there. He stated that the Walgreen's on KY 18 does not have a driveway or access road and shares the road with Kroger's. The Walgreen's at Mall Road shares an entrance with the businesses over the hill and the Shell Station.

Mr. Poe asked if this will be a 24-hour operation. Ms. McBride responded that it would not be a 24-hour store when it opens. That decision is made after the store has been open for a period of time. Mr. Poe stated that he is concerned about the drive-thru at night in consideration of the residential property. He asked if the drive-thru and pharmacy would be open 24 hours if the store is open 24 hours. Ms. McBride responded "yes".

Mr. McMillian stated that he is concerned about the curb cuts on Dixie Highway being so close and questioned the possibility of a shared driveway with Marshall Motors. Ms. McBride responded that she does not know what incentive Marshall Motors would have to do that. They would lose some of their display space and she does not think they would consider it. Mr. McMillian stated that it might be to both their advantage to share a driveway. He asked what the applicant will do if a Waiver is not granted. Ms. McBride responded that the store probably will not be built if the Waiver is not granted. Mr. McMillian stated that the applicant could talk to Marshall Motors about a shared driveway, which would eliminate a curb cut.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on April 7, 2004 at 5:00 PM. This item will be on the Agenda for the Business Meeting on April 21, 2004 at 7:00 PM. The Chairman closed this Public Hearing at 8:22 PM.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
April 21, 2004
7:00 P.M.**

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:02 PM.

COMMISSION MEMBERS PRESENT:

Mr. Randy Barlow
Mr. Greg Breetz
Mr. Kim Bunger
Mr. Arnold Caddell, Chairman
Mrs. Janet Kegley
Mr. Robert Newman
Mr. Randy Poe
Mrs. Susan Poston, Vice Chairwoman
Mr. Bob Schwenke
Mr. Earl White
Mrs. Lisa Wilson, Secretary/Treasurer

COMMISSION MEMBERS NOT PRESENT:

Mr. Richard Knock, Temporary Presiding Officer
Mr. Don McMillian
Mr. Charlie Reynolds

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Jan Hancock, Secretary
Mr. Todd Morgan, AICP, Planner
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the Minutes of the April 7, 2004 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mrs. Kegley moved that they be approved as mailed. Mr. Bunker seconded the motion. A vote on the motion found all voting members in favor. Mrs. Poston was not present. The motion carried. Mrs. Poston returned to the meeting at this time.

ACTION ON PLAN REVIEWS:

1. Concept Development Plan

The request of George Van Horne and Jean Van Horne (applicants) for Donald C. Jackman and Rachel M. Jackman (owners) for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 0.26 acre tract at 8519 Old Toll Road, Boone County, Kentucky. The request is for a Concept Development Plan to allow a multi-tenant commercial building.

The Chairman stated that Agenda Item #1 is recommended for deferral to the May 5, 2004 Business Meeting at 7:00 PM. Mrs. Wilson so moved. Mr. Schwenke seconded the motion and it carried unanimously.

2. Change in Concept Development Plan, Variances and Conditional Use Permit

The request of McBride Dale Clarion Attn: Anne F. McBride (applicant) for Suburban Motors Inc. and Mabel Hudson (owners) for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone to allow retail sales and a retail pharmacy; and Variances from the Boone County Zoning Regulations including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from Section 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" Subsection 2 to allow reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan and Variances to allow retail sales and a retail pharmacy and a Conditional Use Permit to allow a freestanding sign with an electronically changeable message board.

Staff Member Todd Morgan presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owners have signed letters demonstrating agreement with the conditions.

Mrs. Kegley moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mrs. Poston seconded the motion. Counselor Wilson advised that the request is also for a Conditional Use Permit and Variances and the Planning Commission has final authority in regard to those items. He asked if the motion takes final action on those items. **Mrs. Kegley clarified that the motion is approve the Change in Concept Development Plan, by resolution to the City of Florence, and for final approval of the Conditional Use Permit and Variances, based on the Committee Report. The motion was seconded by Mrs. Poston.**

Mrs. Kegley stated that there was discussion about a right-in/right-out lane for Walgreen's. She is concerned that there is not a condition in regard to the right-in/right-out lane in consideration of traffic and safety issues on Dixie Highway. She asked if Walgreen's would be agreeable to such a condition. Chairman Caddell stated that if Mrs. Kegley amends her motion to include such a condition, the Planning Commission can consider it.

Mrs. Kegley moved to add a condition to her motion that the proposed curb cut on Dixie Highway be limited to right-in/right-out only. Mr. White seconded the amendment.

In response to a question from Mrs. Wilson, Mrs. Kegley stated that there is no middle turning lane on Dixie Highway. She stated that there could be a concrete barrier that would allow vehicles coming out of Walgreen's to turn right only and people coming down Dixie Highway could only make a right turn off Dixie Highway into the site.

Mr. Poe questioned the existing conditions on the property. Mr. Morgan responded that the single-family residence there now has two curb cuts on Dixie Highway. The body shop did not have a curb cut on Dixie Highway (their curb cut was on Goodridge Drive). Vehicles are currently allowed to turn left or right out of the existing curb cut on Dixie Highway, but when the Concept Development Plan is reviewed, the curb cuts will become null and void – which is why the applicant is requesting the Variances. Mr. Costello stated that curb cuts can be reevaluated once there is a change in use on the property. Mr. Morgan stated that they will have to get an Encroachment Permit from the state, and the state will look at the Planning Commission's recommendation. The conditions and the Encroachment Permit would be in agreement. Mr. Costello stated that the right-in/right-out curb cut would be up to the state and there is nothing in our regulations that speaks to that. Mr. Morgan agreed.

Mr. Schwenke asked if there is any data available as to the number of trips in and out per day.

The Chairman asked the applicant to address to added condition.

Ann McBride, McBride Dale Clarion, stated that they were in agreement with the Committee Report. She stated that at the request of Staff and the Planning Commission, they prepared a Traffic Impact Analysis which took into account the proposed Walgreen's development and existing trips on Goodridge Drive and Dixie Highway and how the traffic would be distributed with the proposed curb cut.

Jack Gehrum, Vice President of Edwards & Kelsey, stated that they did a detailed study as they normally do and also looked at detail of how the traffic would stack up from the light and how it would stack up at Walgreen's. They looked at the driveways and their uses. He stated that there is nothing more unsafe about this driveway than there is about most other driveways in the area. The driveways are all making these moves without any particular danger.

Mrs. Wilson questioned who paid for the study. Mr. Gehrum responded that it was paid for by the applicant.

Ms. McBride stated that they have been meeting with the City of Florence and the Planning Commission's Staff since the end of last year and this project was approved by Walgreen's with a full curb cut. She cannot represent that Walgreen's would agree to the right-in/right-out curb cut as she has not been able to obtain that approval from Walgreen's.

There being no further discussion, the Chairman asked for a vote on the amendment to add a condition for a right-in/right-out driveway on Dixie Highway. **A roll call vote on the amendment found Mr. Breetz, Mrs. Kegley, Mr. White, Mrs. Wilson, and Mrs. Poston in favor. Mr. Barlow, Mr. Bunger, Mr. Newman, Mr. Poe, Mr. Schwenke, and Chairman Caddell were opposed. With 5 votes in favor and 6 opposed, the motion did not carry. The Chairman asked for a vote on the motion made by Mrs. Kegley to approve the Change in Concept Development Plan by resolution to the City of Florence, and for final approval of the Conditional Use Permit and Variances, based on the Committee Report. The motion carried unanimously.**

3. Uniform Application for Wireless Telecommunications Facility

The request of Sandra F. Keene of Tilford, Dobbins, Alexander, Buckaway & Black, LLP for Voice Stream Wireless (applicant) for Boone County United Church of Christ, Inc. (owner) for a Uniform Application for a wireless telecommunications facility at 11176 US 42, Boone County, Kentucky.

Staff Member Todd Morgan presented the Committee Report which recommended approval of the request subject to the proposed conditions (see Committee Report). He stated that during the Committee Meeting, T-Mobile brought in propagation plats and analyzed a 120-foot tower on the site and collocating on a tower in

EXHIBIT “B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: April 21, 2004

RE: Request of McBride Dale Clarion Attn., Anne F. McBride (applicant) for Suburban Motors Inc. and Mabel Hudson (owners) for a Change in an approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone to allow retail sales and a retail pharmacy; and Variances from the Boone County Zoning Regulations including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in the required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" subsection 2 to allow a reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The request is for a Change in an approved Concept Development Plan and Variances to allow retail sales and a retail pharmacy and a Conditional Use Permit to allow a freestanding sign with an electronically changeable message board.

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 request is in agreement with the 2000 Boone County Comprehensive Plan for the following reasons:
 - A. The Future Land Use Map designates the majority of the site for "Commercial" uses. This designation is described by the Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc." The principal use of the proposed development is a retail pharmacy with two drive through lanes and an accessory parking lot.
 - B. The Committee has concluded that the proposal is in agreement with text of the Land Use Element. The "Florence Central" section (pg. 162) makes the following statements that relate to the request:

"Much of Florence's future growth will occur from annexation, however, the City should balance this annexation growth with high density infill and redevelopment growth along the major transportation corridor of the City." The Committee has determined that the redevelopment/infill proposal was along one of the city's major transportation corridors (Dixie Highway).

"Overall, a mixing of uses can be accommodated within the City of Florence and the existing residential communities can be protected if proper buffers and design are incorporated into the developments. The redevelopment of property into commercial uses must be carefully designed in order to minimize impact of adjacent residential property." The Committee determined that the adjoining residential property to the south will be protected by a 30 foot wide landscape buffer that is planted along the property line. This buffer yard will be planted entirely on the subject property and will meet the Buffer Yard C requirements from Article 36 of the Boone County Zoning Regulations.

C. The Areas of Future Commercial Activity (pg. 70) states that "building vacancies are visible along the major commercial corridors in Florence. The market and infrastructure impacts of future large scale or regional commercial uses on the existing Florence commercial districts must be considered. Furthermore, it is important to encourage the reuse of vacant commercial buildings instead of creating new commercial districts." The Committee has determined that the proposal involves the redevelopment of vacant commercial property and does not create a new commercial district.

2. The Committee has concluded that the requested variances fulfill the applicable findings, standards, and criteria outlined in KRS 100.241 to 100.247, which includes the findings outlined in Section 251 of the Boone County Zoning Regulations. Specifically, the Committee made the following determinations:

The strict application of the 230 foot corner clearance requirement and 275 foot driveway spacing requirement create unnecessary hardships because they prevent the development from having a curb cut along Dixie Highway. In addition, the Committee analyzed the Applicant's Traffic Study and determined that the requests will not adversely affect the public health, safety, or welfare. The submitted traffic study indicates that the corner clearance is sufficient and that the Marshall Motors curb cut to the east had little trip generation during peak hours.

The variances to reduce the 10 foot wide street frontage landscape requirement and 4 foot wide building landscaping buffer requirement arise from special circumstances which do not generally apply to land in the general vicinity. The 1.435 acre site is a redevelopment site which does not have uniform property boundaries. These boundaries make it difficult to meet all the building, parking, and landscaping standards. In particular, the Goodridge Drive street frontage area tapers down substantially between the northwest and southwest property line. The Committee also determined that the requests would not alter the essential character of the area because the Concept Plan shows that the Goodridge Drive street frontage buffer will have an average width of 10 feet.

3. The Committee has concluded that the requested Conditional Use Permit fulfills the applicable findings, standards, and criteria outlined in KRS 100.237, which includes the findings outlined in Sections 262 and 3430 of the Boone County Zoning Regulations. Specifically, the sign will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area.
4. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. 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 property owners have signed letters demonstrating agreement with the Concept Development Plan conditions.

CONCEPT DEVELOPMENT PLAN AGREED CONDITIONS

1. Deliveries and trash removal will only take place between the following hours:

Monday – Friday: 8 AM – 9 PM

Saturday – Sunday: 9 AM – 6 PM
2. The height of the light poles (fixtures 7 and 8) closest to the curb cut on Goodridge Drive curb cut shall be no taller than 24 feet.

CONDITIONAL USE PERMIT CONDITIONS*

3. The sign must be monument style and shall not exceed 13 feet in height and 125.4 square feet in area. The sign type, height and square footage restrictions apply only if an electronically changeable message board is attached to the sign;
4. Any message displayed on the sign must appear for a minimum of 5 seconds. In addition, scrolling, running, and flashing images shall be prohibited on the message board.

*KRS 100.203 (6) (b) states that Conditional Use Permit applications which are submitted with a Zoning Map Amendment (or Concept Development Plan) shall be heard and decided by the Planning Commission. Property owner agreement is not required.

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. Attached is the signature page for the Concept Development Plan Committee Vote.

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
March 17, 2004
7:30 P.M.**

PUBLIC HEARING

Commission Members Present: Mr. Barlow, Mr. Bungler, Mr. Caddell – Chairman, Mrs. Kegley, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Schwenke, Mr. White, and Mrs. Wilson – Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Todd Morgan, AICP, Planner.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:35 PM and introduced the item on the Agenda:

Applicant: McBride Dale Clarion, attn: Anne F. McBride

Request: Change in Concept Development Plan, Variances and Conditional Use Permit

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Staff Member Todd Morgan presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, the Chairman asked for the applicant's presentation.

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The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition to the request.

Ms. Navoda Patterson lives at 6 Goodridge Drive, which is adjacent to the subject site, and she is concerned about the lighting – especially the lighting closest to her home. Their bedrooms are on that side of the house and will be affected by the lights. She questioned the privacy fence being six feet high. She stated that the four-foot high retaining wall will be side-by-side with her chainlink fence and questioned how that would look. She has pets and is concerned that they will need to take down her fence during construction. She is concerned about noise. She stated that they previously had problems with tractor trailers coming in and unloading in the middle of the night and dumpsters being emptied seven nights a week. Their noise has discontinued since Tom Gill left and they do not want it to come back. She is concerned about noise from deliveries and from dumpster removal.

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There being no further comments from the public, the Chairman asked if there were any comments or questions from the Commissioners.

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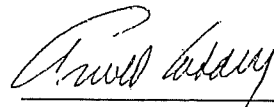
Mr. White stated asked the Committee to consider a right-in/right-out only access point. He believes that turning left would be a hazard there. He stated that the Walgreen's on KY 18 does not have a driveway or access road and shares the road with Kroger's. The Walgreen's at Mall Road shares an entrance with the businesses over the hill and the Shell Station.

Mr. Poe asked if this will be a 24-hour operation. Ms. McBride responded that it would not be a 24-hour store when it opens. That decision is made after the store has been open for a period of time. Mr. Poe stated that he is concerned about the drive-thru at night in consideration of the residential property. He asked if the drive-thru and pharmacy would be open 24 hours if the store is open 24 hours. Ms. McBride responded "yes".

Mr. McMillian stated that he is concerned about the curb cuts on Dixie Highway being so close and questioned the possibility of a shared driveway with Marshall Motors. Ms. McBride responded that she does not know what incentive Marshall Motors would have to do that. They would lose some of their display space and she does not think they would consider it. Mr. McMillian stated that it might be to both their advantage to share a driveway. He asked what the applicant will do if a Waiver is not granted. Ms. McBride responded that the store probably will not be built if the Waiver is not granted. Mr. McMillian stated that the applicant could talk to Marshall Motors about a shared driveway, which would eliminate a curb cut.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on April 7, 2004 at 5:00 PM. This item will be on the Agenda for the Business Meeting on April 21, 2004 at 7:00 PM. The Chairman closed this Public Hearing at 8:22 PM.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: April 7, 2004

RE: Request of McBride Dale Clarion Attn., Anne F. McBride (applicant) for Suburban Motors Inc. and Mabel Hudson (owners) for a Change in an approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone to allow retail sales and a retail pharmacy; and Variances from the Boone County Zoning Regulations including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from Section 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" Subsection 2 to allow a reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The request is for a Change in an approved Concept Development Plan and Variances to allow retail sales and a retail pharmacy and a Conditional Use Permit to allow a freestanding sign with an electronically changeable message board.

REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

PAGE 2

April 7, 2004

McBride Dale Clarion/Suburban Motors/Mabel Hudson

Janet K. Kegley
Janet Kegley, Chairwoman
 For Project ☒ Absent ☐
 Against Project ☐
 Abstain ☐ Deferred ☐

R. Barlow
Randy Barlow
 For Project ☒ Absent ☐
 Against Project ☐
 Abstain ☐ Deferred ☐

Greg Breetz
 For Project ☐ Absent ☒
 Against Project ☐
 Abstain ☐ Deferred ☐

Kim Bunger
 For Project ☐ Absent ☒
 Against Project ☐
 Abstain ☐ Deferred ☐

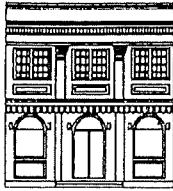
Susan Poston
Susan Poston
 For Project ☒ Absent ☐
 Against Project ☐
 Abstain ☐ Deferred ☐

Charlie Reynolds
Charlie Reynolds (Alternate)*
 For Project ☒ Absent ☐
 Against Project ☐
 Abstain ☐ Deferred ☐

TOTAL: ☐ DEFERRED 4 FOR PROJECT 2 ABSENT
☐ AGAINST PROJECT ☐ ABSTAIN

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



April 15, 2004

2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

Mr. Robert Knoll
Suburban Motors, Inc.
543 Terry Lane
Crescent Springs, KY 41017

RE: Request of **McBride Dale Clarion Attn., Anne F. McBride (applicant)** for **Suburban Motors Inc. and Mabel Hudson (owners)** for a Change in an approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone to allow retail sales and a retail pharmacy; and Variances from the Boone County Zoning Regulations including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in the required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" subsection 2 to allow a reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The request is for a Change in an approved Concept Development Plan and Variances to allow retail sales and a retail pharmacy and a Conditional Use Permit to allow a freestanding sign with an electronically changeable message board.

Dear Mr. Knoll:

The following represents the conditions of approval as agreed to by the Boone County Planning Commission's Zone Change/Concept Plan Committee. If you, as a representative of Suburban Motors, Inc., agree to the following conditions, please indicate so by signing the space provided on the following page. Please return this signed letter to the Boone County Planning Commission office by 5:00 P.M., on April 20, 2004.

CONCEPT DEVELOPMENT PLAN AGREED CONDITIONS

1. Deliveries and trash removal will only take place between the following hours:

Monday – Friday: 8 AM – 9 PM

Saturday – Sunday: 9 AM – 6 PM

Mr. Robert Knoll
April 15, 2004
Page 2

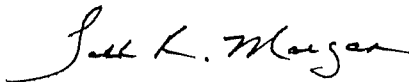
2. The height of the light poles (fixtures 7 and 8) closest to the curb cut on Goodridge Drive curb cut shall be no taller than 24 feet.

CONDITIONAL USE PERMIT CONDITIONS*

3. The sign must be monument style and shall not exceed 13 feet in height and 125.4 square feet in area. The sign type, height and square footage restrictions apply only if an electronically changeable message board is attached to the sign;
4. Any message displayed on the sign must appear for a minimum of 5 seconds. In addition, scrolling, running, and flashing images shall be prohibited on the message board.

*K.R.S. 100.203 (6) (b) states that Conditional Use Permit applications which are submitted with a Zoning Map Amendment (or Concept Development Plan) shall be heard and decided by the Planning Commission. Property owner agreement is not required.

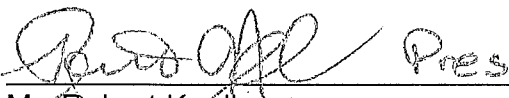
Sincerely,



Todd K. Morgan, AICP
Planner, Zoning Services

TKM\pr

I, Robert Knoll, hereby agree to the listed conditions of approval for a Change in Concept Development Plan for a 1.435 acre site which is located at 6615 and 6617 Dixie Highway, Florence, Kentucky.

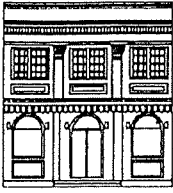


Mr. Robert Knoll
Suburban Motors, Inc.

4-16-04
Date

31 APR

BOONE COUNTY PLANNING COMMISSION



April 15, 2004

2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

Mrs. Cathy Hudson Flaig
4072 Limaburg Road
Hebron, KY 41048

RE: Request of **McBride Dale Clarion Attn., Anne F. McBride (applicant)** for **Suburban Motors Inc. and Mabel Hudson (owners)** for a Change in an approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone to allow retail sales and a retail pharmacy; and Variances from the Boone County Zoning Regulations including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in the required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" subsection 2 to allow a reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The request is for a Change in an approved Concept Development Plan and Variances to allow retail sales and a retail pharmacy and a Conditional Use Permit to allow a freestanding sign with an electronically changeable message board.

Dear Mrs. Flaig:

The following represents the conditions of approval as agreed to by the Boone County Planning Commission's Zone Change/Concept Plan Committee. If you, as Power of Attorney for Mabel B. Hudson, agree to the following conditions, please indicate so by signing the space provided on the following page. Please return this signed letter to the Boone County Planning Commission office by 5:00 P.M., on April 20, 2004.

CONCEPT DEVELOPMENT PLAN AGREED CONDITIONS

1. Deliveries and trash removal will only take place between the following hours:

Monday – Friday: 8 AM – 9 PM

Saturday – Sunday: 9 AM – 6 PM

Mrs. Cathy Hudson Flaig
April 15, 2004
Page 2

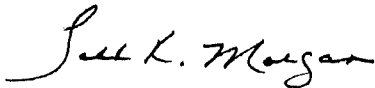
2. The height of the light poles (fixtures 7 and 8) closest to the curb cut on Goodridge Drive curb cut shall be no taller than 24 feet.

CONDITIONAL USE PERMIT CONDITIONS*

3. The sign must be monument style and shall not exceed 13 feet in height and 125.4 square feet in area. The sign type, height and square footage restrictions apply only if an electronically changeable message board is attached to the sign;
4. Any message displayed on the sign must appear for a minimum of 5 seconds. In addition, scrolling, running, and flashing images shall be prohibited on the message board.

*K.R.S. 100.203 (6) (b) states that Conditional Use Permit applications which are submitted with a Zoning Map Amendment (or Concept Development Plan) shall be heard and decided by the Planning Commission. Property owner agreement is not required.

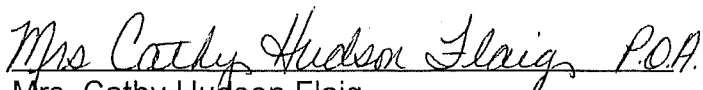
Sincerely,

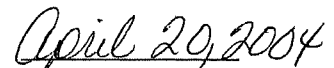


Todd K. Morgan, AICP
Planner, Zoning Services

TKM\pr

I, Cathy Hudson Flaig, hereby agree to the listed conditions of approval for a Change in Concept Development Plan for a 1.435 acre site which is located at 6615 and 6617 Dixie Highway, Florence, Kentucky.


Mrs. Cathy Hudson Flaig
Power of Attorney for Mabel B. Hudson


Date

001 1 1 171

PROPERTY TRANSFER TAX PAID \$ 143.50
JERRY W. ROUSE, CLERK EC

Know All Men By These Presents:

CLERK'S OFFICE
LONG ★ FORM
DEED

That Karen Hawkins, an unmarried woman; and Ronald Hawkins and Catherine Hawkins, his wife, being the devisees under the Will of Ellen Hawkins (a.k.a. Ellen Mary Hawkins), as recorded in Will Book 48 Page 25 of the Boone County Court Clerk's records, at Burlington, Kentucky, whose mailing address is: 2 Goodridge Drive, Florence, KY 41042

for and in consideration of \$43,500.00

to them paid by the

grantees herein, the receipt of which is acknowledged, do bargain, sell, and convey to:

Suburban Motors, Inc., a Kentucky corporation, its successors

and assigns forever, the following described Real Estate, in the City of Florence;

Boone
County of ~~Kentucky~~ and Commonwealth of Kentucky, to-wit:

Group No. 62Present Street Address 2 Goodridge Drive, Florence, KY 41042Plat No. 1/50Grantee Mailing Address P. O. Box 67, Florence, KY 41042

In the City of Florence located on the east side of Goodridge Drive and west side of Water Street 200 feet southeast of U.S. Highways 25 and 42 and is described thus: BEGINNING at a post in the east right-of-way line of Goodridge Drive and south right-of-way line of a 10 foot alley said point being S 32 E 200 feet from the right-of-way line of U.S. Highways 25 and 42; thence with the right-of-way line of the alley N 65-52 E 212.0 feet to a stake in the right-of-way line of Water Street; thence with said right-of-way line S 14 E 42 feet to a stake; thence S 64-04 W 198.11 feet to a stake in the right-of-way line of Goodridge Drive; thence with said right-of-way N 32 W 48.0 feet to the beginning and being all of Lot 53 except a one foot strip along Lot 54 of Non Pariel Park Subdivision.

Being the same property conveyed to Chester E. Hawkins and Ellen Mary Hawkins, his wife, with right of survivorship by Lewis B. Judy and Helena M. Judy, his wife, by deed dated the 26th day of January, 1962, and recorded in Deed Book 152 Page 316 of the Boone County Court Clerk's records, at Burlington, Kentucky.

The said Chester E. Hawkins died in 1976 and by virtue of the survivorship clause in their deed the fee simple title vested in the spouse, Ellen Mary Hawkins.

The said Ellen Hawkins (a.k.a. Ellen Mary Hawkins) died testate on September 3, 1990, and under the terms of her Will which was probated on September 20, 1990, and recorded in Will Book 48 Page 25 of the Boone County Court Clerk's records, at Burlington, Kentucky, she devised her estate equally to her son, Ronald Hawkins, and her daughter, Karen Hawkins, the grantors herein.

ALSO INCLUDED HERewith IS THE FOLLOWING ADJACENT TRACT OF LAND:

Lying and being in the County of Boone, State of Kentucky, located on the east side of Goodridge Drive 248 feet southeast of U.S. Highways 25 and 42 and is described thus: BEGINNING at a stake in the right-of-way line of Goodridge Drive said stake being S 32 E 248.0 feet from the intersection of the east right-of-way line of Goodridge with the south right-of-way line of U.S. 25 and 42; thence S 32 E 50.0 feet to a post a corner with Lot 55; thence with the line of Lot 55 N 62 E 185.0 feet to a post in the right-of-way line of an alley (Water Street); thence with said right-of-way line N 14 W 44.0 feet to a stake; thence S 64-04

W 198.1 feet to the beginning and being all of Lot 54 and one foot of Lot 53 of the Non Pariel Park Subdivision.

Being the same property conveyed to Chester Hawkins and Ellen Hawkins, his wife, with right of survivorship, by Lewis B. Judy and Helena M. Judy, his wife, by deed dated the 5th day of February, 1963, and recorded in Deed Book 157 Page 27 of the Boone County Court Clerk's records, at Burlington, Kentucky.

The said Chester E. Hawkins died in 1976 and by virtue of the survivorship clause in their deed the fee simple title vested in the spouse, Ellen Mary Hawkins.

The said Ellen Hawkins (a.k.a. Ellen Mary Hawkins) died testate on September 3, 1990, and under the terms of her Will which was probated on September 20, 1990, and recorded in Will Book 48 Page 25 of the Boone County Court Clerk's records, at Burlington, Kentucky, she devised her estate equally to her son, Ronald Hawkins, and her daughter, Karen Hawkins, the grantors herein.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging.

TO HAVE AND TO HOLD the same to the said

Suburban Motors, Inc., a Kentucky corporation, its successors

heirs and assigns, forever, the Grantors, their heirs, executors and administrators, HEREBY COVENANTING with the grantee, its successors heirs and assigns, that the TITLE so conveyed is CLEAR, FREE AND UNINCUMBERED, and that they will WARRANT AND DEFEND the same against all legal claims whatsoever.

CERTIFICATE OF CONSIDERATION

Grantor and Grantee both certify, under oath, that the consideration reflected in this deed is full consideration paid for the property and Grantee joins in this deed for the sole purpose of making this certificate about the consideration.

Sworn to this 11th day of March in the year 19 92.

GRANTOR

GRANTEE

Karen A. Hawkins
Karen Hawkins

Suburban Motors, Inc.

Ronald Hawkins
Ronald Hawkins

Robert B. Noll, Jr.
B. Noll, Jr.

Catherine A. Hawkins
Catherine Hawkins

State of Kentucky
County of Boone

The foregoing certification was sworn to before me this 11th day of March, 19 92 by

Karen Hawkins, Ronald Hawkins, Catherine Hawkins and Robert B. Noll, Jr.,

President of Suburban Motors, Inc., a Kentucky corporation, on behalf of the corporation.

Eddie W. Brown

Notary Public

(Title)

Commission Expires: 10/9/95

IN WIT:
Ronald

hereunto

State of
County

The
by

K

Comm

ORDINANCE NO. O-23-04

AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, WITH CONDITIONS, IN A COMMERCIAL TWO (C-2) ZONE AND COMMERCIAL SERVICES (C-3) ZONE TO ALLOW RETAIL SALES AND A RETAIL PHARMACY FOR A 1.435 ACRE SITE LOCATED AT 6615 AND 6617 DIXIE HIGHWAY, FLORENCE, KENTUCKY. (MCBRIDE DALE CLARION ATTN: ANNE F. MCBRIDE - APPLICANT AND SUBURBAN MOTORS INC. AND MABEL HUDSON - OWNERS)

WHEREAS, the City of Florence, Kentucky, is a member of the county-wide planning unit with a county-wide planning commission known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission has recommended approval subject to agreed conditions, of a change in an approved Concept Development Plan for an approximate 1.435 acre site generally located at 6615 and 6617 Dixie Highway, Florence, Kentucky, to allow retail sales and a retail pharmacy, the subject property being zoned Commercial Two (C-2) and Commercial Services (C-3), and

WHEREAS, the Boone County Planning Commission recommendation for approval is based upon certain findings and conditions attached to its Resolution of recommendation, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

That the change in approved Concept Development Plan for the approximate 1.435 acre tract generally located at 6615 and 6617 Dixie Highway, Florence, Kentucky, shall be and is hereby approved to allow retail sales and a retail pharmacy, subject to the change in approved Concept Development Plan and other agreed conditions for this site currently zoned Commercial Two (C-2) and Commercial Services (C-3). The real estate which is the subject of this Ordinance is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be designated to reflect the approval of this change in Concept Development Plan for the subject property.

SECTION II

The approval of this change in approved Concept Development Plan is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation,

including the Committee Report made a part of that recommendation, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "B" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-04-010-A of the Boone County Planning Commission along with the referenced exhibits to that Resolution.

SECTION III

In addition to those conditions set forth in the recommendations of the Boone County Planning Commission, this approval of the City of Florence, Kentucky, through its City Council shall be and is hereby subject to those additional conditions that have been agreed to in writing by the property owners as shown on Exhibit "C", a copy of which is attached and incorporated herein by reference.

SECTION IV

This approval is granted based on the findings of fact made by the Boone County Planning Commission and contained within its recommendation, including the Committee Report of that Commission, which is attached and made a part of Commission's Resolution No. R-04-010-A, marked Exhibit "B" hereto.

SECTION V

If this approval of the change in approved Concept Development Plan shall be held invalid, in whole or in part, by any Court of proper jurisdiction, such invalidity shall not affect the validity of the other zoning regulations, zoning map or comprehensive plan provisions as they are severable from this Ordinance and they are intended to have effect regardless of any invalidity relating to this particular Ordinance.

SECTION VI

Publication of this Ordinance is hereby authorized to be by summary publication in accordance with Kentucky law.

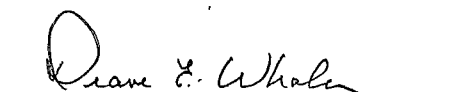
PASSED AND APPROVED ON FIRST READING THIS 8th DAY OF June, 2004.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 22nd DAY OF June, 2004.

APPROVED:

ATTEST:


CITY CLERK


MAYOR

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. O-23-04

The City of Florence, Kentucky, enacted on second reading Ordinance No. O-23-04 on June 22, 2004. The title of this Ordinance is as follows:
ORDINANCE NO. O-23-04

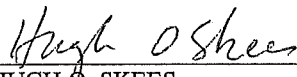
AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, WITH CONDITIONS, IN A COMMERCIAL TWO (C-2) ZONE AND COMMERCIAL SERVICES (C-3) ZONE TO ALLOW RETAIL SALES AND A RETAIL PHARMACY FOR A 1.435 ACRE SITE LOCATED AT 6615 AND 6617 DIXIE HIGHWAY, FLORENCE, KENTUCKY. (MCBRIDE DALE CLARION ATTN: ANNE F. MCBRIDE - APPLICANT AND SUBURBAN MOTORS INC. AND MABEL HUDSON - OWNERS)

The effect of this Ordinance is to allow as part of the existing zoning classification (C-2 and C-3) retail sales and a retail pharmacy subject to a change in an approved Concept Development Plan and agreed conditions. In addition to those conditions agreed to at the Boone County Planning Commission, other conditions were agreed to by the applicant/owner in writing with the City Council of Florence, Kentucky. This Ordinance does not change the zoning of the site, but approves a change in an approved Concept Development Plan to utilize this site based on current zoning.

The full text of Ordinance No. O-23-04, including its exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of Ordinance No. O-23-04 and that it has been prepared by me on the 4 day of June, 2004, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES
SKEES, WILSON & DILLON, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41042-0756
(859) 371-7407

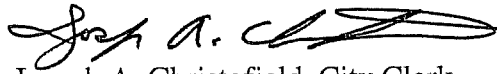
Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. O-23-04 adopting and approving a change in an approved Concept Development plan, with conditions, in a Commercial Two (C-2) Zone and Commercial Services (C-3) Zone to allow Retail Sales and a Retail Pharmacy for a 1.435-acre site located at 6615 and 6617 Dixie Highway, Florence, Kentucky. (McBride Dale Clarion Attn: Anne F. McBride – Applicant and Suburban Motors Inc. and Mabel Hudson-Owners)

First reading of Ordinance No. O-23-04 was held on the 8th Day of June 2004. Second reading was held on 22nd Day of June 2004, and the full Ordinance was published in the *Boone County Recorder* on 1st Day of July 2004 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

Sincerely,


Joseph A. Christofield, City Clerk

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of O-23-04 as same appears in the official records of my office.

Dated this 28th day of June, 2004.

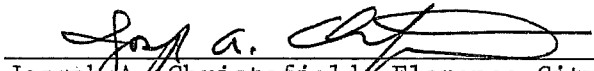

Joseph A. Christofield, Florence City Clerk

EXHIBIT “A”

PROPERTY TRANSFER TAX PAID \$ 443.50
JERRY W. ROUSE, CLERK EC

Know All Men By These Presents:

CLERK'S OFFICE
LONG ★ FORM
DEED

That Karen Hawkins, an unmarried woman; and Ronald Hawkins and Catherine Hawkins, his wife, being the devisees under the Will of Ellen Hawkins (a.k.a. Ellen Mary Hawkins), as recorded in Will Book 48 Page 25 of the Boone County Court Clerk's records, at Burlington, Kentucky, whose mailing address is: 2 Goodridge Drive, Florence, KY 41042 for and in consideration of \$43,500.00

to them paid by the

grantees herein, the receipt of which is acknowledged, do bargain, sell, and convey to:

Suburban Motors, Inc., a Kentucky corporation, its successors

~~XXXX~~ and assigns forever, the following described Real Estate, in the City of Florence;

Boone
County of ~~Kentucky~~ and Commonwealth of Kentucky, to-wit:

Group No. 62Present Street Address 2 Goodridge Drive, Florence, KY 41042Plat No. 1/50Grantee Mailing Address P. O. Box 67, Florence, KY 41042

In the City of Florence located on the east side of Goodridge Drive and west side of Water Street 200 feet southeast of U.S. Highways 25 and 42 and is described thus: BEGINNING at a post in the east right-of-way line of Goodridge Drive and south right-of-way line of a 10 foot alley said point being S 32 E 200 feet from the right-of-way line of U.S. Highways 25 and 42; thence with the right-of-way line of the alley N 65-52 E 212.0 feet to a stake in the right-of-way line of Water Street; thence with said right-of-way line S 14 E 42 feet to a stake; thence S 64-04 W 198.11 feet to a stake in the right-of-way line of Goodridge Drive; thence with said right-of-way N 32 W 48.0 feet to the beginning and being all of Lot 53 except a one foot strip along Lot 54 of Non Pariel Park Subdivision.

Being the same property conveyed to Chester E. Hawkins and Ellen Mary Hawkins, his wife, with right of survivorship by Lewis B. Judy and Helena M. Judy, his wife, by deed dated the 26th day of January, 1962, and recorded in Deed Book 152 Page 316 of the Boone County Court Clerk's records, at Burlington, Kentucky.

The said Chester E. Hawkins died in 1976 and by virtue of the survivorship clause in their deed the fee simple title vested in the spouse, Ellen Mary Hawkins.

The said Ellen Hawkins (a.k.a. Ellen Mary Hawkins) died testate on September 3, 1990, and under the terms of her Will which was probated on September 20, 1990, and recorded in Will Book 48 Page 25 of the Boone County Court Clerk's records, at Burlington, Kentucky, she devised her estate equally to her son, Ronald Hawkins, and her daughter, Karen Hawkins, the grantors herein.

ALSO INCLUDED HERewith IS THE FOLLOWING ADJACENT TRACT OF LAND:

Lying and being in the County of Boone, State of Kentucky, located on the east side of Goodridge Drive 248 feet southeast of U.S. Highways 25 and 42 and is described thus: BEGINNING at a stake in the right-of-way line of Goodridge Drive said stake being S 32 E 248.0 feet from the intersection of the east right-of-way line of Goodridge with the south right-of-way line of U.S. 25 and 42; thence S 32 E 50.0 feet to a post a corner with Lot 55; thence with the line of Lot 55 N 62 E 185.0 feet to a post in the right-of-way line of an alley (Water Street); thence with said right-of-way line N 14 W 44.0 feet to a stake; thence S 64-04

W 198.1 feet to the beginning and being all of Lot 54 and one foot of Lot 53 of the Non Pariel Park Subdivision.

Being the same property conveyed to Chester Hawkins and Ellen Hawkins, his wife, with right of survivorship, by Lewis B. Judy and Helena M. Judy, his wife, by deed dated the 5th day of February, 1963, and recorded in Deed Book 157 Page 27 of the Boone County Court Clerk's records, at Burlington, Kentucky.

The said Chester E. Hawkins died in 1976 and by virtue of the survivorship clause in their deed the fee simple title vested in the spouse, Ellen Mary Hawkins.

The said Ellen Hawkins (a.k.a. Ellen Mary Hawkins) died testate on September 3, 1990, and under the terms of her Will which was probated on September 20, 1990, and recorded in Will Book 48 Page 25 of the Boone County Court Clerk's records, at Burlington, Kentucky, she devised her estate equally to her son, Ronald Hawkins, and her daughter, Karen Hawkins, the grantors herein.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging.

TO HAVE AND TO HOLD the same to the said

Suburban Motors, Inc., a Kentucky corporation, its successors

heirs and assigns, forever, the Grantors, their heirs, executors and administrators, HEREBY COVENANTING with the grantee, its successors heirs and assigns, that the TITLE so conveyed is CLEAR, FREE AND UNINCUMBERED, and that they will WARRANT AND DEFEND the same against all legal claims whatsoever.

CERTIFICATE OF CONSIDERATION

Grantor and Grantee both certify, under oath, that the consideration reflected in this deed is full consideration paid for the property and Grantee joins in this deed for the sole purpose of making this certificate about the consideration.

Sworn to this 11th day of March in the year 19 92.

GRANTOR

GRANTEE

Karen A. Hawkins
Karen Hawkins

Suburban Motors, Inc.

Ronald Hawkins
Ronald Hawkins

Robert B. Noll, Jr.
By *Robert B. Noll, Jr.*

Catherine A. Hawkins
Catherine Hawkins

State of Kentucky
County of ~~Kenton~~ Boone

The foregoing certification was sworn to before me this 11th day of March, 19 92 by

Karen Hawkins, Ronald Hawkins, Catherine Hawkins and Robert B. Noll, Jr.,

President of Suburban Motors, Inc., a Kentucky corporation, on behalf of the corporation.

Eddie W. Brown

Commission Expires: 10/9/95

Notary Public

(Title)

DEED

KNOW ALL MEN BY THESE PRESENTS:

C. D. SEILER and LENA R. SEILER, his
for and in consideration of One (\$1.00) Dollar and other valuable
to them paid by SUBURBAN MOTORS, INCORPORATED, a Kentu

the receipt whereof is hereby acknowledged, do hereby bargain, sell and con

SUBURBAN MOTORS, INCORPORATED, a Kentucky corporation,

gives and assigns forever, the following described real estate, lying and being in Boone C

Situate in the City of Florence, County of Boone, and
Kentucky, and more particularly described as follows:

Beginning at the northeast corner of the Dixie Highway
thence extending northwardly along the east line of t
feet to the southwest corner of the Hudson property,
Lots Forty-one and Forty-two of Nonpareil Park Subdiv
along the south line of Lot Forty-two of said Subdiv
135.25 feet to the alley in the rear; thence southwar
line of said alley to the north line of Goodridge Dr
99.5 feet; thence westwardly along the north line of
the Dixie Highway and place of beginning, a distance
Being Lots Forty and Forty-one of the Nonpareil Park
is occupied by the right of

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF REVENUE

Frankfort

June 1, 1946.

Mr. J.G. Renaker
Executor
Florence, Kentucky

Mathias Troy Estate
ER-24815

DA 85 PG 423

Mailed to
Lorimer W. Scott,
Atty., Newport, Ky.
6-12-46

Dear Mr. Renaker:

The lien of inheritance tax is hereby released on the real estate owned by the above decedent on the Dixie Highway in Boone County, Kentucky, being 11_ eight room dwelling house and lot 115 x 200 ft.

Yours very truly,

/s/ Florence Lutkemeier

(Miss) Florence Lutkemeier, Supervisor
Inheritance and Estate Taxes

FL:gh

STATE OF KENTUCKY

COUNTY OF BOONE

} SOT.

I, C.D. BENSON, Clerk of the County Court in and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing was, on the 8th day of June, 1946, at 9:00 o'clock, A.M., lodged in my office for record, whereupon the same, the foregoing, and this certificate have been duly recorded in my office.

Given under my hand, this 8th day of June, 1946

C.D. Benson, Clerk
By *Robert D. Greene*, D.C.

Robert D. Greene

KNOW ALL MEN BY THESE PRESENTS: That Kennedy A. Steuwer and Marie O. Steuwer, husband and wife, for and in consideration of One (\$1.00) Dollar and other valuable considerations, to them paid by the Grantees herein the receipt whereof is hereby acknowledged, do hereby GRANT, SELL AND CONVEY to William O. Hudson and Mildred W. Hudson, husband and wife, with the right of survivorship, his or her heirs and assigns forever, the following described Real Estate, to-wit:

Same as
foregoing

In Non-Parcel Park Subdivision of Boone County, Kentucky and being lots forty-two (42) and forty-three (43) thereof situated on the Dixie Highway at the corner or beginning of lot 41; thence in a southerly direction one hundred and eighty-nine (189) feet to an alley; thence in an easterly direction one hundred and fifteen (115) feet to Lot 44; thence in a northerly direction one hundred and eighty-nine (189) feet to Dixie Highway; thence in a westerly direction with said Highway one hundred and fifteen (115) feet to the place of beginning, and being the same property conveyed to the grantors herein by Lawrence Riedinger, Jr., Administrator with the Will Annex of the Estate of Mathias Troy, deceased, by deed dated March 30, 1945, and of record in Deed Book 83 at Page 273 of the records of Boone County at Burlington, Kentucky.

DR. W. G. HUDSON
ONE HIGHWAY, NEAR GOODWIN DRIVE
FLORENCE, KY.

Dec 29, 1953

I, Dr. Wm. G. Hudson of Florence, Ky. do hereby
make and declare this to be my last will and
testament, hereby revoking all former wills by me made.
First - I direct that all my lawful debts be paid.

Second - I give, devise, and bequeath all my
property, real, personal, and mixed to my sister,
Mabel B. Hudson. I hereby name her to be executor
without bond or other security.

Wm. G. Hudson

2

POWER OF ATTORNEY

I, Mabel B. Hudson, hereby constitute and appoint my niece, Cathý M. Flaig, my true and lawful attorney in fact, with full power for me and in my name and stead, to make contracts, lease, sell, mortgage, transfer or convey any real or personal property that I may now or hereafter own, to receive and receipt for me any money which may now or hereafter be due to me, to retain and release all liens on real or personal property, to draw, make, sign and acknowledge any and all checks, contracts, leases, deeds, mortgages or other agreements; and to withdraw, in whole or in part, and from time to time, all moneys now or hereafter on deposit in my name in any bank or other financial institution, to sign my name to checks or drafts upon said bank or financial institution for the purpose of withdrawing said deposits, to make deposits in said bank and for that purpose to endorse my name upon checks, drafts or bills of exchange drawn to my order; to invest or reinvest my money or assets for me; to institute or defend suits concerning my property or rights; to take charge of my person in case of sickness or disability of any kind, and to remove and place me in such hospitals, institutions or places as she may deem best for my personal care, comfort, benefit and safety; and for said purposes to use and disburse any or all of said bank deposits, moneys and other personal property; to file all health insurance claims and Medicare forms; to take care of all personal business such as keeping all necessary records, entering my safety deposit box in any bank or other financial institution, to examine and retain any contents of said box; and generally to do and perform for me and in my name all that I might do if personally present, and I hereby adopt and ratify all of the acts of my said attorney done in pursuance of the power hereby granted, as fully as if I were present acting in my own proper person, provided however, that my said attorney is

Mabel B. Hudson
4072 Glimburg Rd
Nelson, Ky
41048

RETURN TO:

not authorized to do any unlawful act; and this Power of Attorney shall not be affected by the disability of the principal.

INTESTIMONY WHEREOF, witness my signature this 17th day of May, 1991.

Mabel B. Hudson
Mabel B. Hudson

STATE OF KENTUCKY:

COUNTY OF BOONE:

I, EDDIE W. BROWN, a Notary Public, do certify that the foregoing Power of Attorney was this day produced to me in the aforesaid state and county by Mabel B. Hudson and acknowledged by her to be her act and deed.

Given under my hand and seal of office this 17th day of May, 1991.

THIS INSTRUMENT WAS PREPARED BY
Eddie W. Brown
EDDIE W. BROWN
ATTORNEY AT LAW
FLORENCE, KENTUCKY

Eddie W. Brown
Notary Public
My commission expires 10/9/91

BOONE COUNTY
D871 Pg 272

DOCUMENT NO: 228847
RECORDED ON: MARCH 17, 2004 10:26:20AM
TOTAL FEES: \$12.00
COUNTY CLERK: MARILYN K ROUSE
COUNTY: BOONE COUNTY CLERK
DEPUTY CLERK: BARBARA

BOOK D871 PAGES 271 - 272

EXHIBIT “B”

RESOLUTION R-04-010-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF MCBRIDE DALE CLARION ATTN: ANNE F. MCBRIDE (APPLICANT) FOR SUBURBAN MOTORS INC. AND MABEL HUDSON (OWNERS) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, IN A COMMERCIAL TWO (C-2) ZONE AND COMMERCIAL SERVICES (C-3) ZONE FOR A 1.435 ACRE SITE LOCATED AT 6615 (EXISTING SINGLE-FAMILY RESIDENCE) AND 6617 DIXIE HIGHWAY (FORMERLY TOM GILL CHEVROLET BODY SHOP), FLORENCE, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a change in an Approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone; and four (4) Variances from the Boone County Zoning Regulations including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from Section 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" Subsection 2 to allow a reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Florence, 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 a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

SECTION I

That the request for a Change in an Approved Concept Development Plan for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, in a Commercial Two (C-2) zone and Commercial Services (C-3) zone for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The real estate which is the subject of this request for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone is more particularly described in DEED BOOKS 149, 474 & 19, PAGE NOS. 350, 179 & 348, 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 Change in an Approved Concept Development Plan, with conditions, in a Commercial Two (C-2) zone and Commercial Services (C-3) zone for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky, findings of fact 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 Resolution and marked as "Exhibit A."

The Committee recommended approval for this request based on the findings of fact and conditions of all the requests as set forth in the Committee Report and marked as "Exhibit B."

SECTION III

That a copy of this Resolution recommending approval, with conditions, for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky, shall be forwarded to the City of Florence, Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

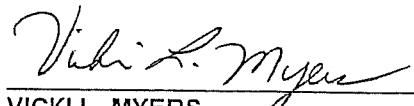
PASSED AND APPROVED ON THIS 5TH DAY OF MAY, 2004.

APPROVED:



ARNOLD CADDELL
CHAIRMAN

ATTEST:



VICKI L. MYERS
MANAGER, ADMINISTRATIVE SERVICES

AC:vlm

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: April 21, 2004

RE: Request of McBride Dale Clarion Attn., Anne F. McBride (applicant) for Suburban Motors Inc. and Mabel Hudson (owners) for a Change in an approved Concept Development Plan in a Commercial Two (C-2) zone and Commercial Services (C-3) zone to allow retail sales and a retail pharmacy; and Variances from the Boone County Zoning Regulations including a Variance from Section 3215 "Minimum Spacing of Driveways" to allow a reduction in the required driveway spacing, a Variance from Section 3216 "Minimum Corner Clearance of Driveways from Intersecting Streets" to allow a reduction in spacing between a driveway and street intersection, a Variance from 3620 "Landscaping Along Street Frontages" to allow a portion of a street frontage landscaping area to be reduced from 10 feet to 0 feet, and a Variance from Section 3630 "Building Landscaping" subsection 2 to allow a reduction in the width of the required building landscape area from 4 feet to 2 feet; and a Conditional Use Permit to allow a sign with an electronically changeable message board, all for a 1.435 acre site located at 6615 (existing single-family residence) and 6617 Dixie Highway (formerly Tom Gill Chevrolet Body Shop), Florence, Kentucky. The request is for a Change in an approved Concept Development Plan and Variances to allow retail sales and a retail pharmacy and a Conditional Use Permit to allow a freestanding sign with an electronically changeable message board.

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 request is in agreement with the 2000 Boone County Comprehensive Plan for the following reasons:
 - A. The Future Land Use Map designates the majority of the site for "Commercial" uses. This designation is described by the Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc." The principal use of the proposed development is a retail pharmacy with two drive through lanes and an accessory parking lot.
 - B. The Committee has concluded that the proposal is in agreement with text of the Land Use Element. The "Florence Central" section (pg. 162) makes the following statements that relate to the request:

"Much of Florence's future growth will occur from annexation, however, the City should balance this annexation growth with high density infill and redevelopment growth along the major transportation corridor of the City." The Committee has determined that the redevelopment/infill proposal was along one of the city's major transportation corridors (Dixie Highway).

"Overall, a mixing of uses can be accommodated within the City of Florence and the existing residential communities can be protected if proper buffers and design are incorporated into the developments. The redevelopment of property into commercial uses must be carefully designed in order to minimize impact of adjacent residential property." The Committee determined that the adjoining residential property to the south will be protected by a 30 foot wide landscape buffer that is planted along the property line. This buffer yard will be planted entirely on the subject property and will meet the Buffer Yard C requirements from Article 36 of the Boone County Zoning Regulations.

- C. The Areas of Future Commercial Activity (pg. 70) states that "building vacancies are visible along the major commercial corridors in Florence. The market and infrastructure impacts of future large scale or regional commercial uses on the existing Florence commercial districts must be considered. Furthermore, it is important to encourage the reuse of vacant commercial buildings instead of creating new commercial districts." The Committee has determined that the proposal involves the redevelopment of vacant commercial property and does not create a new commercial district.

- 2. The Committee has concluded that the requested variances fulfill the applicable findings, standards, and criteria outlined in KRS 100.241 to 100.247, which includes the findings outlined in Section 251 of the Boone County Zoning Regulations. Specifically, the Committee made the following determinations:

The strict application of the 230 foot corner clearance requirement and 275 foot driveway spacing requirement create unnecessary hardships because they prevent the development from having a curb cut along Dixie Highway. In addition, the Committee analyzed the Applicant's Traffic Study and determined that the requests will not adversely affect the public health, safety, or welfare. The submitted traffic study indicates that the corner clearance is sufficient and that the Marshall Motors curb cut to the east had little trip generation during peak hours.

The variances to reduce the 10 foot wide street frontage landscape requirement and 4 foot wide building landscaping buffer requirement arise from special circumstances which do not generally apply to land in the general vicinity. The 1.435 acre site is a redevelopment site which does not have uniform property boundaries. These boundaries make it difficult to meet all the building, parking, and landscaping standards. In particular, the Goodridge Drive street frontage area tapers down substantially between the northwest and southwest property line. The Committee also determined that the requests would not alter the essential character of the area because the Concept Plan shows that the Goodridge Drive street frontage buffer will have an average width of 10 feet.

3. The Committee has concluded that the requested Conditional Use Permit fulfills the applicable findings, standards, and criteria outlined in KRS 100.237, which includes the findings outlined in Sections 262 and 3430 of the Boone County Zoning Regulations. Specifically, the sign will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area.
4. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. 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 property owners have signed letters demonstrating agreement with the Concept Development Plan conditions.

CONCEPT DEVELOPMENT PLAN AGREED CONDITIONS

1. Deliveries and trash removal will only take place between the following hours:

Monday – Friday: 8 AM – 9 PM

Saturday – Sunday: 9 AM – 6 PM
2. The height of the light poles (fixtures 7 and 8) closest to the curb cut on Goodridge Drive curb cut shall be no taller than 24 feet.

CONDITIONAL USE PERMIT CONDITIONS*

3. The sign must be monument style and shall not exceed 13 feet in height and 125.4 square feet in area. The sign type, height and square footage restrictions apply only if an electronically changeable message board is attached to the sign;
4. Any message displayed on the sign must appear for a minimum of 5 seconds. In addition, scrolling, running, and flashing images shall be prohibited on the message board.

*KRS 100.203 (6) (b) states that Conditional Use Permit applications which are submitted with a Zoning Map Amendment (or Concept Development Plan) shall be heard and decided by the Planning Commission. Property owner agreement is not required.

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. Attached is the signature page for the Concept Development Plan Committee Vote.

**CITY OF FLORENCE
SPECIAL CONIDTIONS OF APPROVAL
WALGREENS CHANGE IN CONCEPT DEVELOPMENT PLAN
6615 & 6617 DIXIE HIGHWAY**

I, Mable Hudson, owner of property at 6615 Dixie Highway and Suburban Motors Inc., owner for the property located at 6617 Dixie Highway, and McBride Dale Clarion, by Anne F. McBride as applicant hereby agree to the special Conditions of Approval placed on this project by the City of Florence as setforth below:

1. The dumpster enclosure shall be constructed of brick to match the building as per the attached 3/24/2004 revised detail.
2. The gable peak of the drive thru shall be constructed of hardy plank as per the attached 3/24/2004 revised detail.
3. Compliance with landscaping requirements contained in Article 36 of the Boone County Zoning Regulations relative to plant quantity shall occur on the site. Minor deviation from required plant location requirements may occur provided the intent of buffer yard landscaping requirements are met and any such deviation is approved by the Zoning Administrator.

Cathy Hudson Flaig P.O.A. 5/23/04
Mable Hudson (Owner) Mable Hudson Date

Suburban Motors, Inc.
by [Signature] Pres 5-21-04
Suburban Motors, Inc. (Owner) Date

[Signature] M. B. O 5-24-04
Anne McBride (For Applicant) Date

EXHIBIT “C”

June 25, 2004

VIA IN-HOUSE:



Project Manager Peter Glenn
Florence Public Services
Florence Government Center
Florence, KY 41042

Chief Tom Kathman
Florence Police Department
Florence Government Center
Florence, KY 41042

Chief Jim McMillen
Florence Fire/EMS Department
Fire Station 3, 1152 Weaver Road
Florence, KY 41042

Director Bob Townsend
Florence Public Services
Florence Government Center
Florence, KY 41042

Boone County Property Valuation Administrator Ron Burch
P.O. Box 388
Burlington, KY 41005

Chief Building Official Jim Key
Boone County Building Inspection Office
5958 Garrard Street
Burlington, KY 41005

Boone County Judge/Executive Gary Moore
P.O. Box 900
Burlington, KY 41005

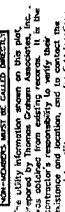
Manager, Administrative Services Vicki Myers
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005

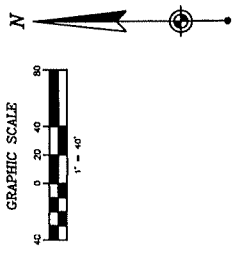
Interim Director Mike Stem
Boone Co. Public Safety Communications Center
Florence Government Center
Florence, KY 41042

Florence City Engineer Bill Viox
Viox & Viox Inc.
466 Erlanger Road
Erlanger, KY 41018

Mabel Hudson@
Cathy Hudson Flaig/POA
4072 Limaburg Road
Hebron, KY 41048

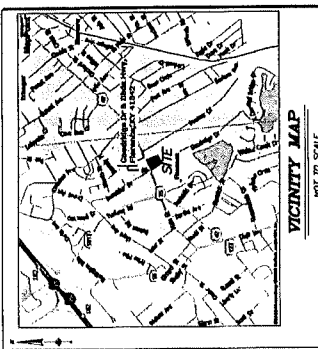
McBride Dale Clarion/Suburban Motors
Attn: Anne McBride
5725 Dragon Way, Suite 220
Cincinnati, OH 45227





tga
THOMAS
GRAHAM
ASSOCIATES, INC.
• Engineers
• Planners
• Surveyors
855 Cincinnati Road
Cincinnati, Ohio 45237
513-521-4760
Fax # 521-2439

Date: FEB. 3, 2004
Scale: 1" = 40'
Job No.: 7405
Revisions:
No. _____ Date _____



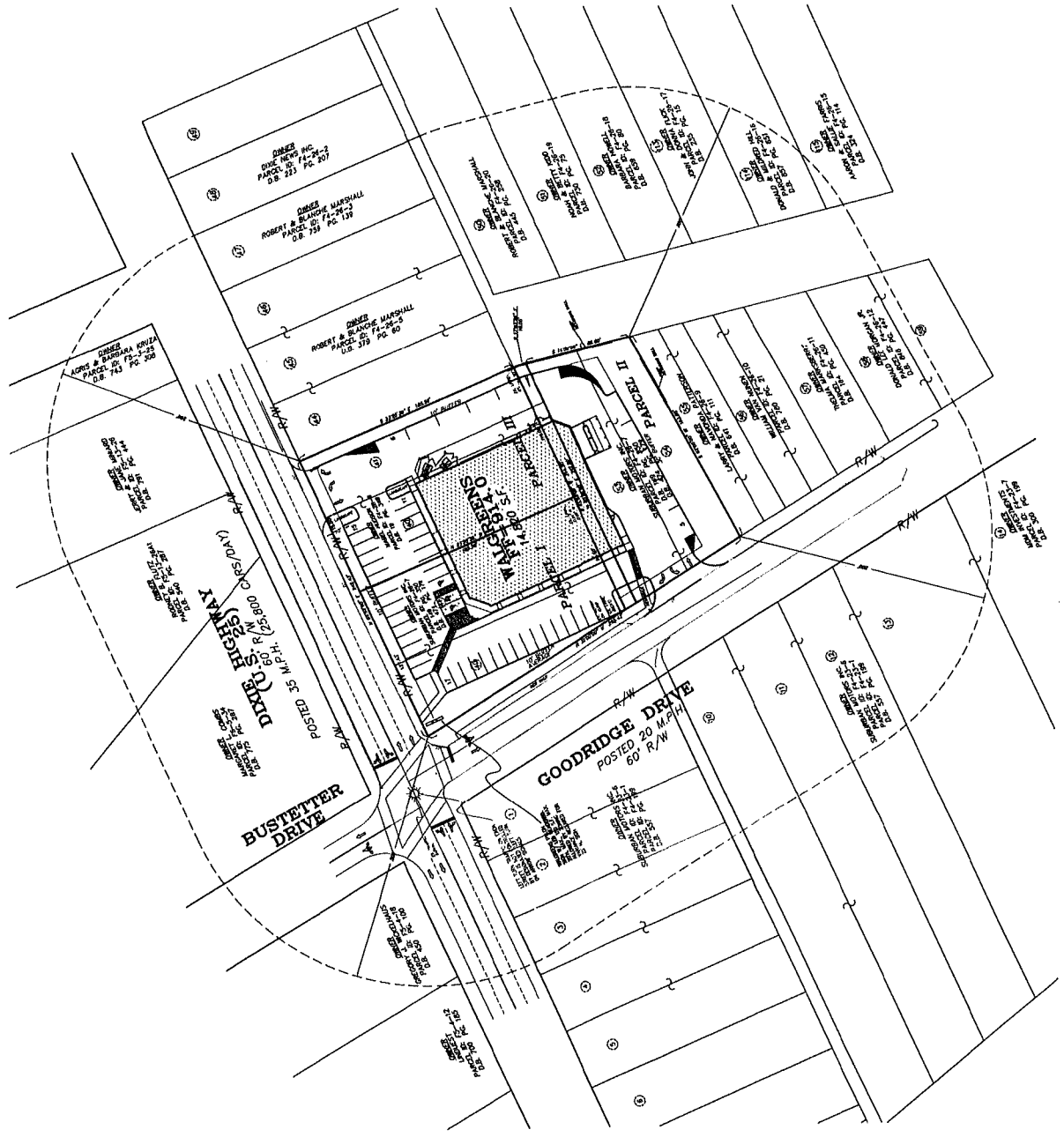
SITE PLAN
DIXIE HIGHWAY (U.S. 25) & GOODRIDGE DRIVE
CITY OF FLORENCE
BOONE COUNTY
COMMONWEALTH OF KENTUCKY

PROPERTY INFORMATION
SIZE OF PROPERTY: 1.4346 ACRES (GROSS)
PARCEL I & II
SUBURBAN MOTORS, INC.
343 TERRY LANE
CRESCENT CITY, KY 40017
PROPERTY PARCEL ID NUMBER: F4-26-7
PROPERTY ADDRESS: 6617 DIXIE HIGHWAY
FLORENCE, KY 41042
EXISTING ZONING: C-3, C-3-C, CD
PARCEL III
MABEL HUDSON
6615 DIXIE HIGHWAY
FLORENCE, KY 41042
PROPERTY PARCEL ID NUMBER: F4-26-6
PROPERTY ADDRESS: 6615 DIXIE HIGHWAY
FLORENCE, KY 41042
EXISTING ZONING: C-2
DEVELOPMENT INFORMATION:
PROPOSED USE: WALGREENS DRUG STORE
BUILDING AREA: 14,490 S.F.
PARKING SPACES PROVIDED: 54 SPACES
ANCHOR PROPERTIES
DEVELOPER: 30 WEST THIRD STREET, 6TH FLOOR
CINCINNATI, OHIO 45202

The utility information shown on this plan was obtained from existing records. It is the responsibility of the user to verify the existence and location, and to contact the appropriate utility company for field locations.

UNDERGROUND UTILITIES
2 WORKING DAYS
BEFORE YOU DIG
PHONE: 1-800-352-2764
OHIO UTILITIES PROTECTION SERVICE
NON-RESIDENTS MUST BE CALLED DIRECTLY

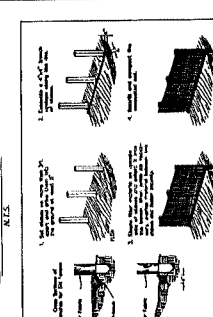
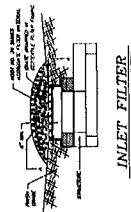
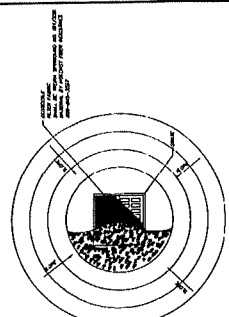
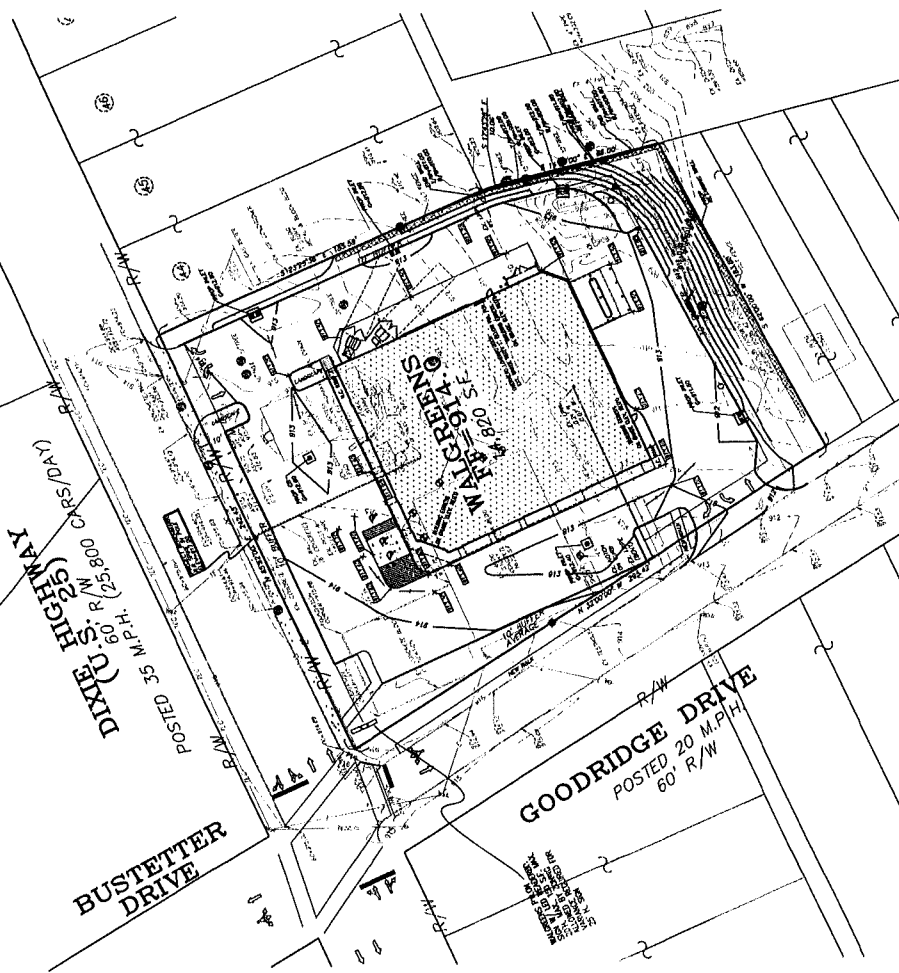
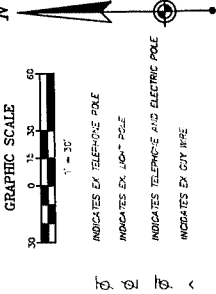
Drawn By: JKAFFENBERGER
Sheet
Job No: 7405-04



Walgreens



THOMAS
GRAHAM
ASSOCIATES, INC.
• Engineers
• Surveyors
803 Compton Road
Cincinnati, Ohio 45231
Tel. 513-577-2439
Fax # 513-243-9

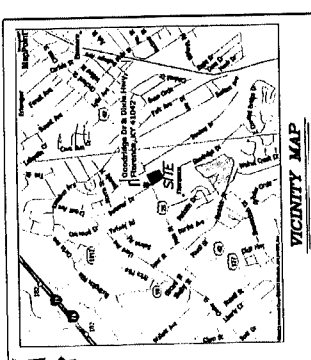


WALGREENS SITE
DIXIE HIGHWAY (U.S. 25) & GOODRIDGE DRIVE
SITUATED IN
CITY OF FLORENCE
BOONE COUNTY
COMMONWEALTH OF KENTUCKY

OWNER/DEVELOPER
ANCHOR DEVELOPMENTS LTD
30 WEST THIRD STREET
CINCINNATI, OHIO 45202-3559

UNDERGROUND UTILITIES
2 WORKING DAYS
BEFORE YOU DIG
PHONE: 1-800-382-2764
OHIO UTILITIES PROTECTION SERVICE
FOR-SUBSCRIBERS MUST BE CALLED DIRECTLY

The utility information shown on this plan was obtained from existing records. It is the responsibility of the user to verify the existence and location, and to contact the appropriate utility company for field locations.

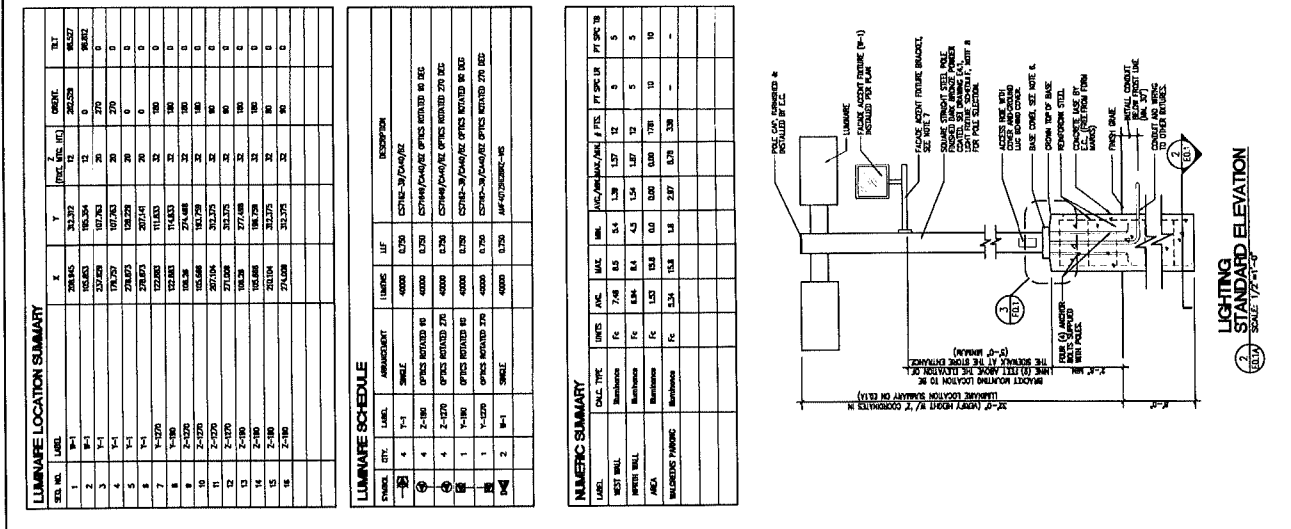


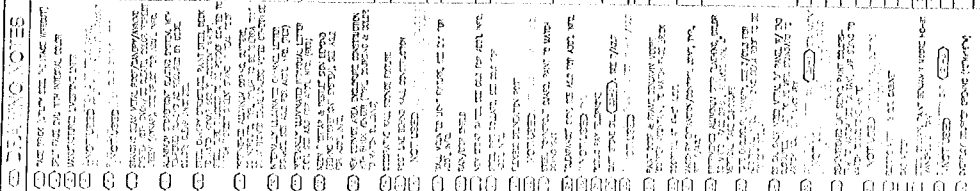
- KEYNOTES**
- 1. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 2. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 3. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 4. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 5. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 6. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 7. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 8. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 9. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS
 - 10. SEE ADJUTANT PLANS FOR DETAILS OF REMAINING WALLS

Water grade and all other grades on adjacent property shown at same level as indicated on plan.

- GRADING AND EROSION CONTROL NOTES:**
1. Topographic information - As shown.
 2. Proposed grading - As shown.
 3. Proposed grading - As shown.
 4. Proposed grading - As shown.
 5. Proposed grading - As shown.
 6. Proposed grading - As shown.
 7. Proposed grading - As shown.
 8. Proposed grading - As shown.
 9. Proposed grading - As shown.
 10. Proposed grading - As shown.

GOODRIDGE DRIVE
POSTED 20 M.P.H.
60' R/W





DATE	TIME	NAME	ADDRESS	CITY	STATE	ZIP
10/10/78	10:00 AM	JOHN DOE	123 MAIN ST	ANYTOWN	CA	90210
10/11/78	11:00 AM	JANE SMITH	456 ELM ST	ANYTOWN	CA	90210
10/12/78	12:00 PM	BOB JONES	789 PINE ST	ANYTOWN	CA	90210
10/13/78	1:00 PM	ALICE BROWN	101 OAK ST	ANYTOWN	CA	90210
10/14/78	2:00 PM	CHARLIE WHITE	202 BIRCH ST	ANYTOWN	CA	90210
10/15/78	3:00 PM	DORIS GREEN	303 CYPRESS ST	ANYTOWN	CA	90210
10/16/78	4:00 PM	EDWARD BLACK	404 SAGE ST	ANYTOWN	CA	90210
10/17/78	5:00 PM	FLORENCE GRAY	505 HAWTHORNE ST	ANYTOWN	CA	90210
10/18/78	6:00 PM	GEORGE HARRIS	606 MADISON ST	ANYTOWN	CA	90210
10/19/78	7:00 PM	HENRIETTA KING	707 MONROE ST	ANYTOWN	CA	90210
10/20/78	8:00 PM	IRVING LYNN	808 NICHOLS ST	ANYTOWN	CA	90210
10/21/78	9:00 PM	JESSIE PERKINS	909 ROBERTS ST	ANYTOWN	CA	90210
10/22/78	10:00 PM	KENNETH SCOTT	1010 TERRY ST	ANYTOWN	CA	90210
10/23/78	11:00 PM	LILLIAN WALLACE	1111 WATSON ST	ANYTOWN	CA	90210
10/24/78	12:00 AM	MICHAEL YOUNG	1212 WYATT ST	ANYTOWN	CA	90210
10/25/78	1:00 AM	NANCY ZIMMERMAN	1313 WYATT ST	ANYTOWN	CA	90210
10/26/78	2:00 AM	OSCAR ADAMS	1414 WYATT ST	ANYTOWN	CA	90210
10/27/78	3:00 AM	PATRICIA BAKER	1515 WYATT ST	ANYTOWN	CA	90210
10/28/78	4:00 AM	ROBERT CAMPBELL	1616 WYATT ST	ANYTOWN	CA	90210
10/29/78	5:00 AM	SARAH COOPER	1717 WYATT ST	ANYTOWN	CA	90210
10/30/78	6:00 AM	THOMAS EVANS	1818 WYATT ST	ANYTOWN	CA	90210
10/31/78	7:00 AM	WILLIAM FOSTER	1919 WYATT ST	ANYTOWN	CA	90210
11/01/78	8:00 AM	XENIA GIBSON	2020 WYATT ST	ANYTOWN	CA	90210
11/02/78	9:00 AM	YOUNG HARRIS	2121 WYATT ST	ANYTOWN	CA	90210
11/03/78	10:00 AM	ZOE ILLIOTT	2222 WYATT ST	ANYTOWN	CA	90210
11/04/78	11:00 AM	ADAM JONES	2323 WYATT ST	ANYTOWN	CA	90210
11/05/78	12:00 PM	BETTY KANE	2424 WYATT ST	ANYTOWN	CA	90210
11/06/78	1:00 PM	CLAYTON LEE	2525 WYATT ST	ANYTOWN	CA	90210
11/07/78	2:00 PM	DANIEL MANN	2626 WYATT ST	ANYTOWN	CA	90210
11/08/78	3:00 PM	ELIZABETH NIXON	2727 WYATT ST	ANYTOWN	CA	90210
11/09/78	4:00 PM	FREDERICK OAKLEY	2828 WYATT ST	ANYTOWN	CA	90210
11/10/78	5:00 PM	GARY PETERSON	2929 WYATT ST	ANYTOWN	CA	90210
11/11/78	6:00 PM	HAROLD QUINN	3030 WYATT ST	ANYTOWN	CA	90210
11/12/78	7:00 PM	IRIS REED	3131 WYATT ST	ANYTOWN	CA	90210
11/13/78	8:00 PM	JAMES SIMS	3232 WYATT ST	ANYTOWN	CA	90210
11/14/78	9:00 PM	KATHLEEN TAYLOR	3333 WYATT ST	ANYTOWN	CA	90210
11/15/78	10:00 PM	LEONARD URBAN	3434 WYATT ST	ANYTOWN	CA	90210
11/16/78	11:00 PM	MARGARET VAUGHAN	3535 WYATT ST	ANYTOWN	CA	90210
11/17/78	12:00 AM	NATHAN WALSH	3636 WYATT ST	ANYTOWN	CA	90210
11/18/78	1:00 AM	OLIVIA WEBB	3737 WYATT ST	ANYTOWN	CA	90210
11/19/78	2:00 AM	PETER WILSON	3838 WYATT ST	ANYTOWN	CA	90210
11/20/78	3:00 AM	QUINN YOUNG	3939 WYATT ST	ANYTOWN	CA	90210
11/21/78	4:00 AM	ROSAMUND ZIMMERMAN	4040 WYATT ST	ANYTOWN	CA	90210
11/22/78	5:00 AM	STANLEY ADAMS	4141 WYATT ST	ANYTOWN	CA	90210
11/23/78	6:00 AM	TAMARA BAKER	4242 WYATT ST	ANYTOWN	CA	90210
11/24/78	7:00 AM	VINCENT CAMPBELL	4343 WYATT ST	ANYTOWN	CA	90210
11/25/78	8:00 AM	WILLIAM COOPER	4444 WYATT ST	ANYTOWN	CA	90210
11/26/78	9:00 AM	XENIA EVANS	4545 WYATT ST	ANYTOWN	CA	90210
11/27/78	10:					

NEC DICE FOR MAY ARE 0000-0000
CITY OF FLEMING COUNTY
STATE OF KENTUCKY