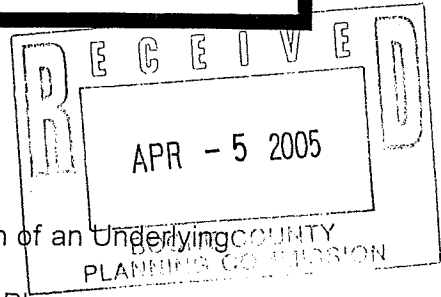


CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)
SECTION A (To be completed by applicant)

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying COUNTY 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 FLORENCE PROMENADE
- 3. Location of Project RT #42 FLORENCE KY.
- 4. Total Acreage of Site 6.33 ACRES
- 5. Current Zoning C2-17
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) N/A
- 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). N/A

8. Proposed Uses (please specify each use) COMMERCIAL USES PER C-2 ZONING - (SEE PLAN)

9. Proposed Building Intensities (please specify) BLDG (A) 3000 SF RESTAURANT, Bldg (B) 3500 SF BANK, Bldg (C) 1400 SF SINGLE USER COMMERCIAL, Bldg (D) 2400 SF MULTITENANT COMMERCIAL.

10. Have you submitted a Concept Development Plan? Yes

11. Are you also applying for:
 Conditional Use Permit
 Dimensional Variance

12. Name of Applicant(s) MIKE HARRIS / PAUL HEINER COMPANIES
Phone Number 859-341-8500 Fax No. 859-341-6817

13. Address of Applicant(s) 250 GRANDVIEW DR., FRUITCHELL, KY 41017
City State Zip

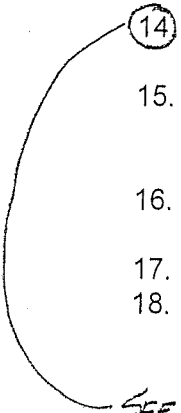
14. Name of Property Owner(s) PAUL HEINER DEV. II BY OPTION CONTRACT
Phone Number 859-341-8500 Fax No. 859-341-6817

15. Address of Property Owner(s) (SEE ABOVE)
City State Zip

16. Are there any existing buildings on the site? No
How many? 0

17. Deed Book _____ Page No. _____ Group No. 2048 A

18. Have you had a pre-application meeting with BCPC Staff? Yes - KEVIN WILL



SEE ATTACHED LIST OF OWNER PARCELS
SEE ATTACHED APPROVAL LETTER FROM OWNERS.
(over)

EXHIBIT

“A”

STAFF REPORT

Request of **Mike Hargis/Paul Hemmer Companies (applicant)** for **Paul Hemmer Dev. IV by option contract (owner)** for a Concept Development Plan for a 6.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky. The request is for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow a multi-building commercial development.

May 18, 2005

Request

A portion of the subject property is currently unincorporated. However, the City of Florence had First Reading on the annexation request at their Tuesday, May 10, 2005, Council Meeting (see attached).

The applicant is requesting the approval of this Concept Development Plan in order that Paul Hemmer Development IV will develop and retain ownership of this project. The divisions between the proposed buildings are for lease purposes only and cross easements for parking are proposed.

The proposed improvements include a street connection from US 42 across from Old Toll Road to the Wentz Property (Gunpowder Pointe Subdivision). Option 1 is a proposed 14,000 square foot building with a 3,285 square foot "exterior sales area" (to be fenced/screened) and a proposed dock area for receiving deliveries. Building A is a proposed 3,000 square foot building with a drive-thru along the east elevation. Building B is a proposed 3,500 square foot building (resembling a bank) with the drive-thru along the west elevation. Building D is a proposed 23,265 square foot strip retail building with a drive-thru along the west elevation.

The proposed building intensity for this request including the "exterior sales" area is 47,050 square feet on the 6.33 acres for a maximum intensity of 7,433 square feet/acre. Table 31.1 of the *Boone County Zoning Regulations* states that 15,000 square feet/acre is the maximum intensity permitted in the Commercial Two (C-2) zone. This development is proposed at less than 50% of the maximum intensity permitted.

Site History

In 1986, the majority of this corridor was changed to Commercial Two/Planned Development (C-2/PD) through the Zoning Update.

Surrounding Zoning

- North: Across US 42, Auto Zone, Little Red Schoolhouse and property owned by The Bank of Kentucky zoned Commercial Two/Planned Development with an approved Concept Development Plan (C-2/PD/CD) as well as a single family residence zoned Commercial Two/Planned Development (C-2/PD).
- East: At the corner of US 42 and Weaver Road, the US Bank and Peg's/Amish Furniture zoned Commercial Two/Planned Development (C-2/PD).
- South: Remaining Crouch and Baluyot properties zoned Commercial Two/Planned Development (C-2/PD) as well as properties owned by B K Leasing and Baluyot zoned Industrial One (I-1).
- West: Wentz Property being developed as Gunpowder Center Key Bank and Brusters Ice Cream zoned Commercial Two/Planned Development with an approved Concept Development Plan (C-2/PD/CD).

Relationship to the Boone County Comprehensive Plan

The Future Land Use Map shows the subject property as Commercial (C) and Rural Lands (RL) which are defined in the adopted Comprehensive Plan as:

- Commercial: "Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
- Rural Lands: "Wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction in Rural Lands does not occur in a formal subdivision."

The "Rural Lands" designation in this area was based on site features that no longer exist in this location.

The adopted 2005 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements:

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).

- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- D. Proper design principles shall be applied in development ("Overall," Objective 3).
- E. 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 enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).
- F. 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 should 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).

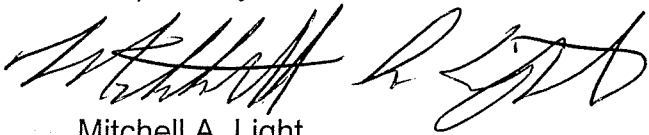
Staff Comments

1. Staff would like the applicant to provide the Committee with more specifics as to the architectural elements/details proposed for this development.
2. Sidewalks are only being developed on the northern side of Bill Wentz Drive and the applicant is continuing that through this development to US 42. However, sidewalks should be shown along the entire US 42 frontage.
3. A future parking lot connection/frontage road type connection from Building A to Amish Furniture should be considered as everything is beginning to develop/redevelop along this section of US 42.
4. If approved, thorough site plan reviews for all buildings within the proposed development will be conducted by the Boone County Planning Commission Staff as well as the City of Florence Project Review Committee.

Conclusion

This request needs to be evaluated by the Boone County Planning Commission and the City of Florence in terms of Article 3 and the Planned Development requirements stated in Article 15 of the *Boone County Zoning Regulations*, the appropriate planning documents noted herein, and the potential impacts on the existing and planned uses in the area.

Respectfully Submitted,

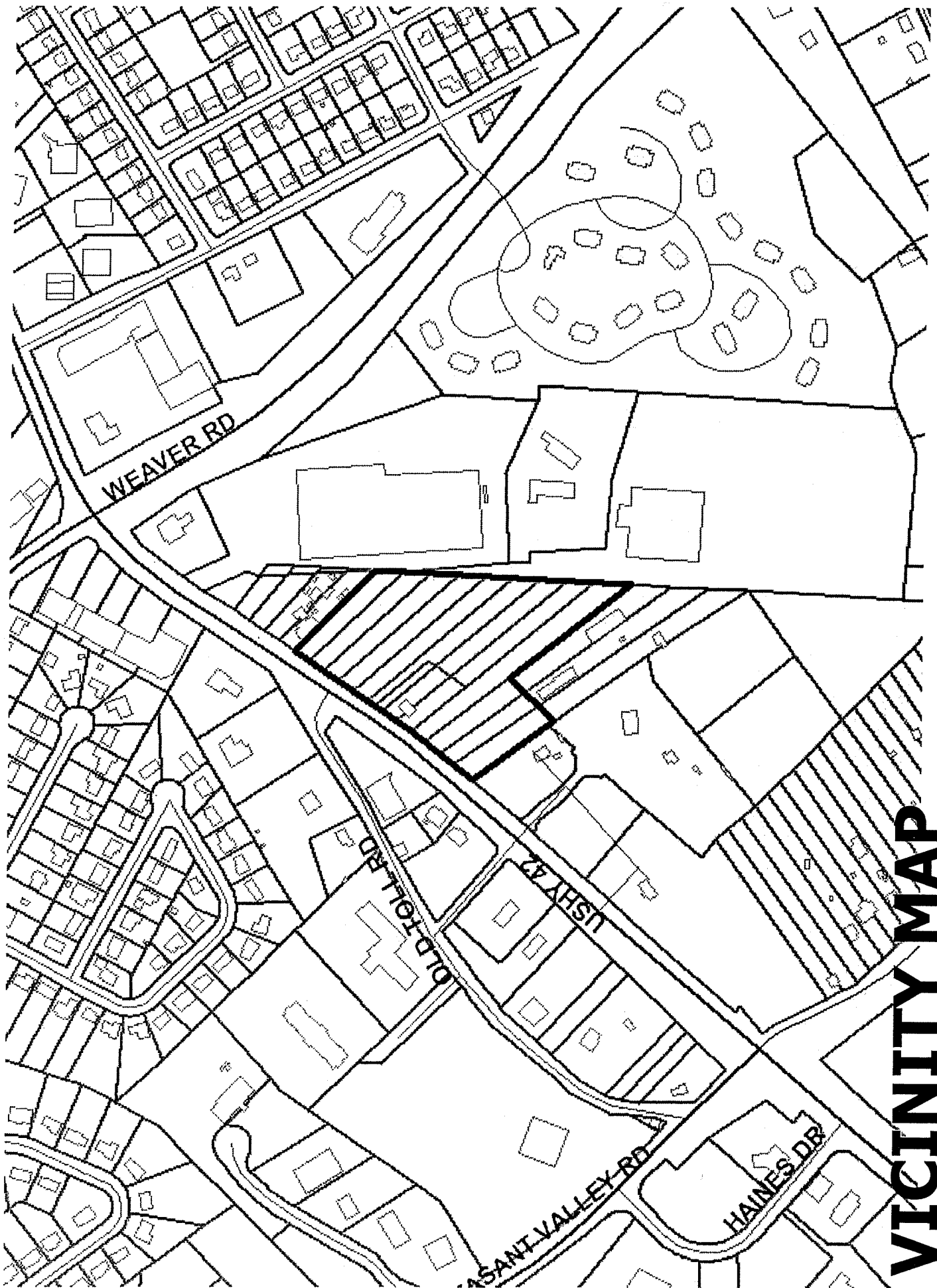


Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

MAL/pr

Attachments

- Vicinity Map
- Zoning Map
- Future Land Use Map
- Existing Topography
- 2002 Aerial Photography
- 2004 Aerial Photography
- Concept Development Plan
- City of Florence Annexation First Reading Confirmation
- Kentucky Transportation Cabinet Review Comments
- Florence Fire Department Review Comments
- Commercial Two (C-2) Text
- Planned Development Standards
- Application



WEAVER RD

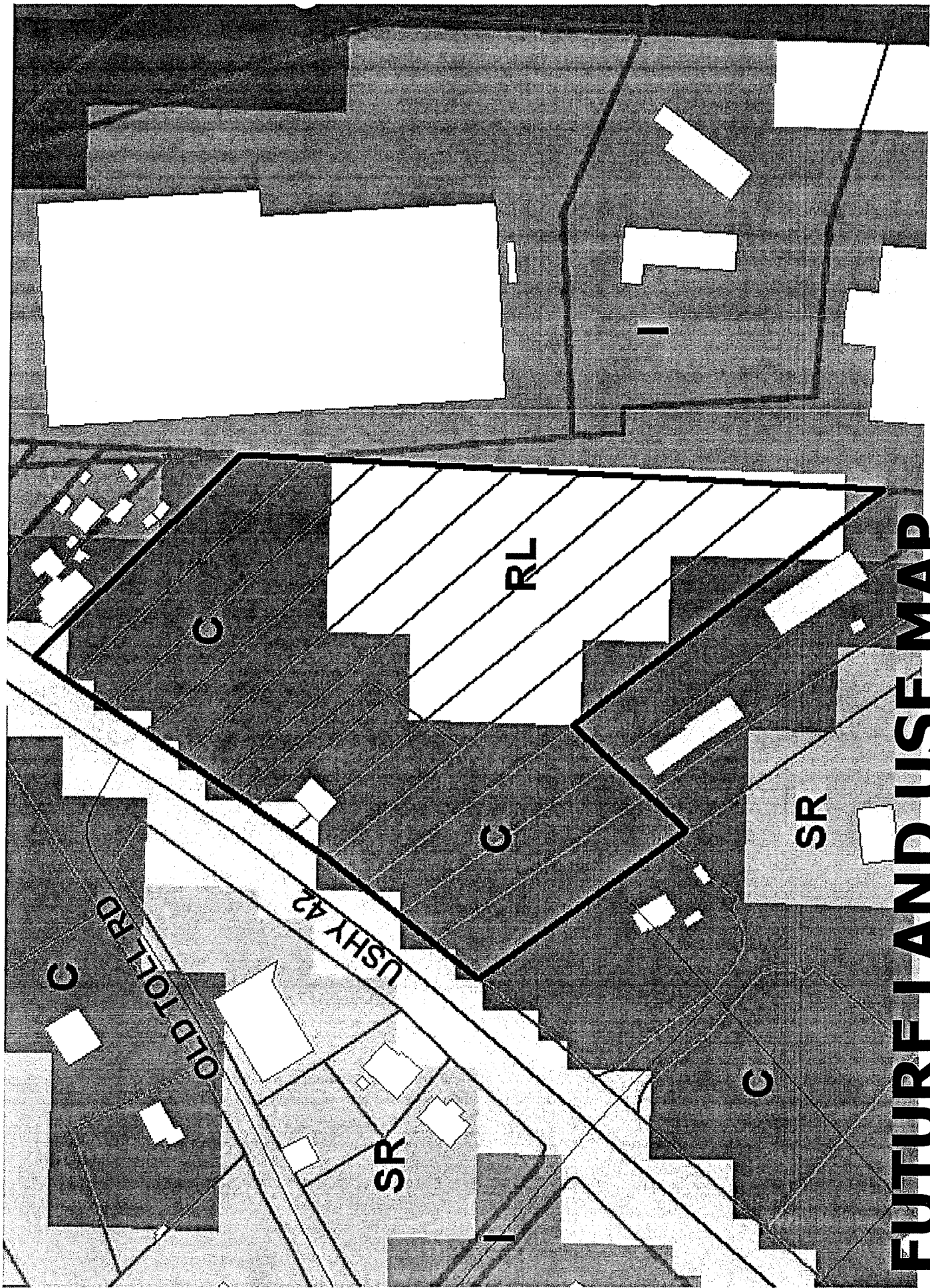
OLD HILL RD

USBY DR

PLEASANT VALLEY RD

HAINES DR

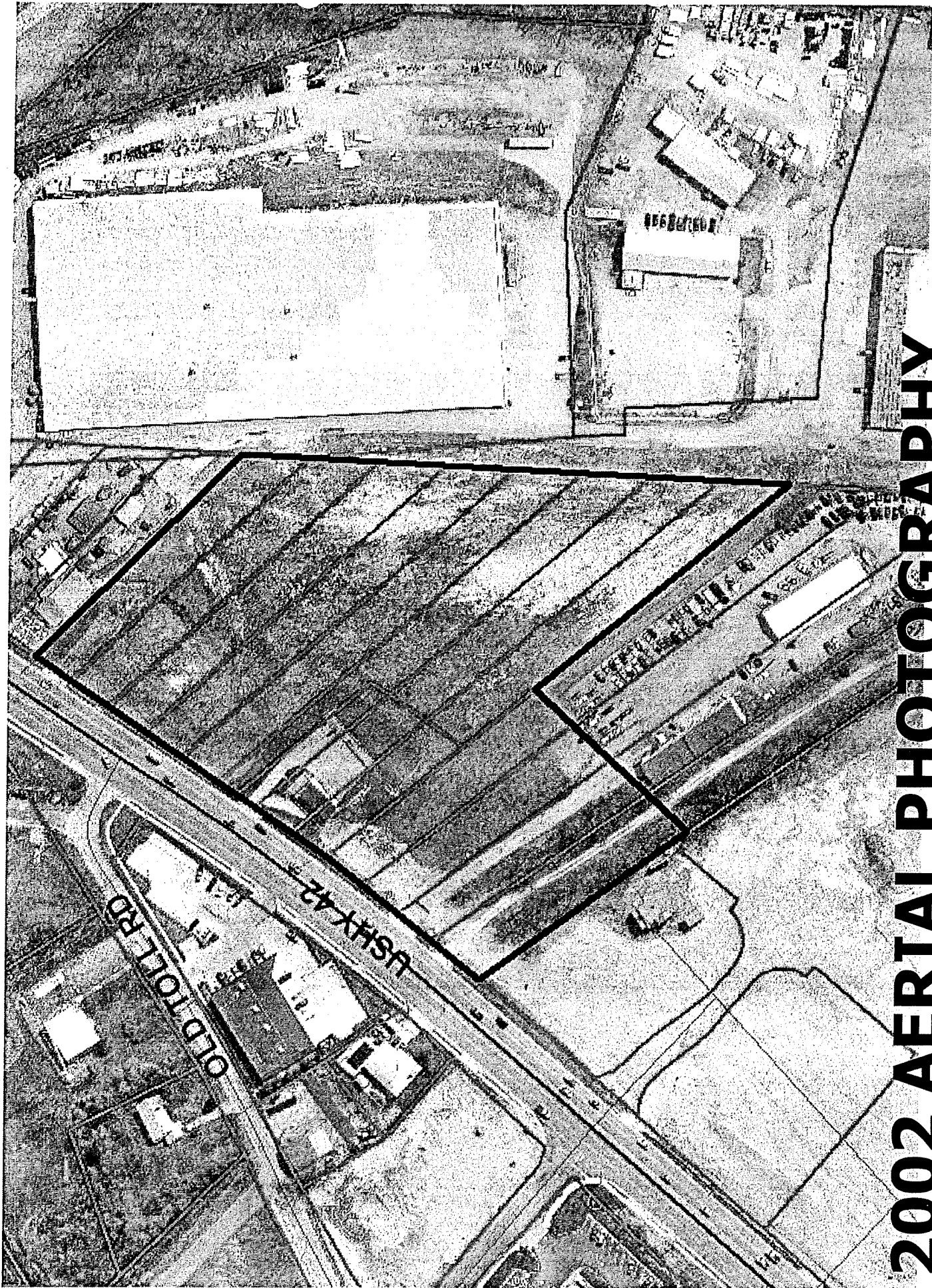
VICINITY MAP



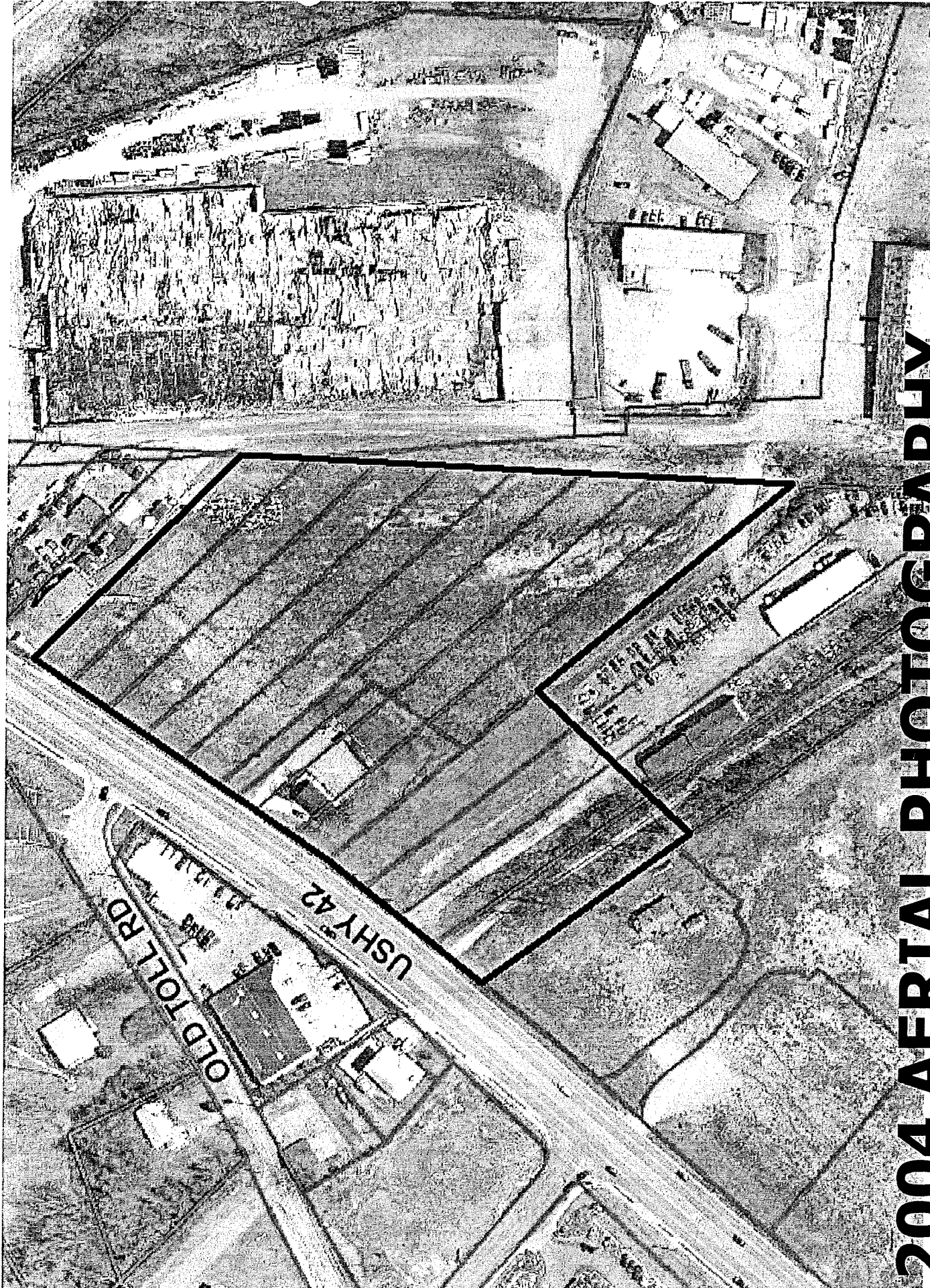
FUTURE LAND USE MAP



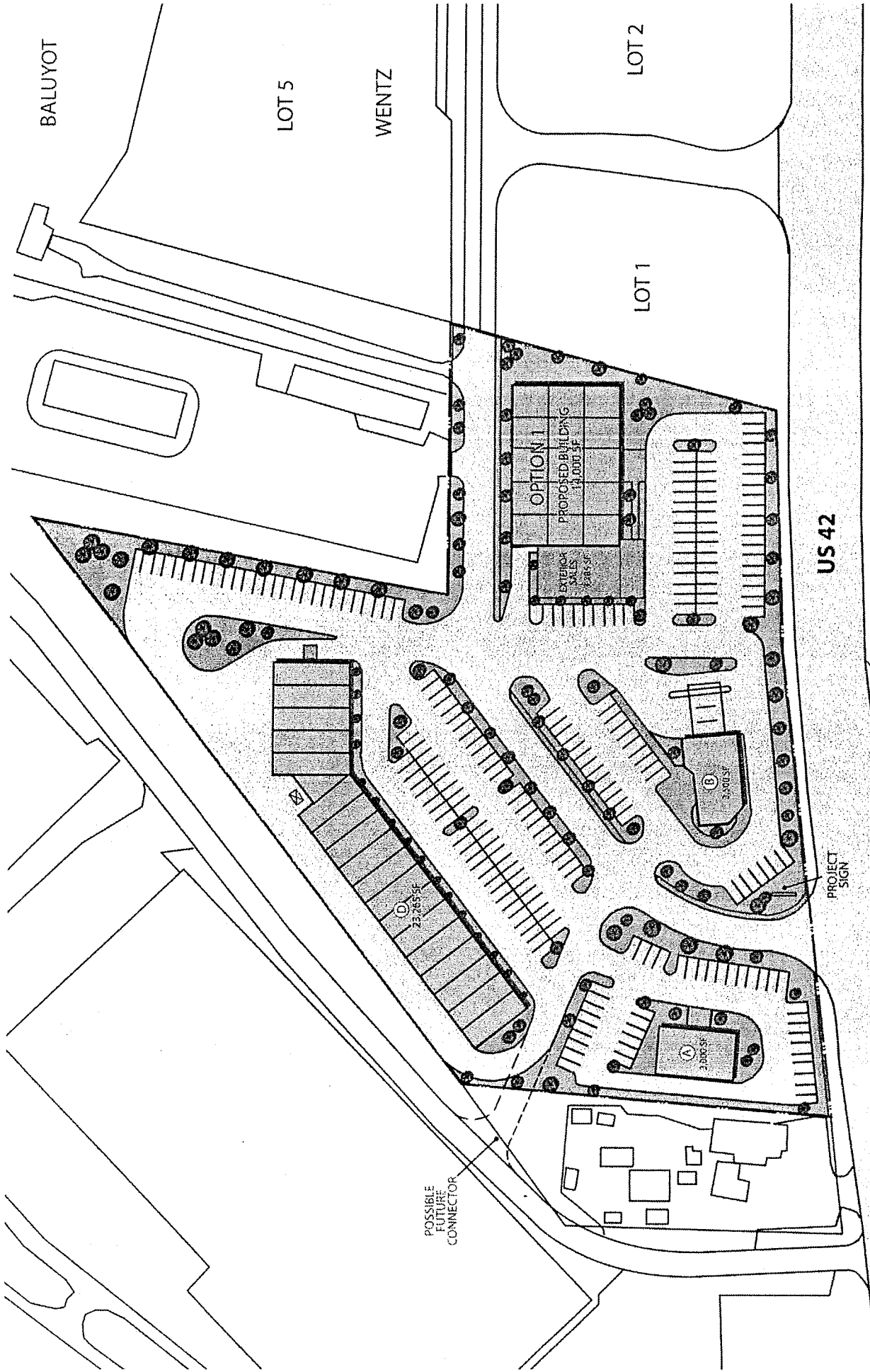
EXISTING TOPOGRAPHY



2002 AERIAL PHOTOGRAPHY



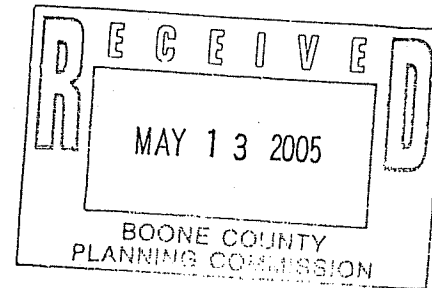
2004 AERIAL PHOTOGRAPHY



REG

CONCEPT DEVELOPMENT PLAN

May 11, 2005



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

Dear Kevin:

On Tuesday evening, May 10, 2005, Florence City Council took first reading of Ordinance O-9-05 to annex the portion of the Baluyot Property currently not in the City limits. The Baluyot property is located off U.S. 42 opposite Old Toll Road adjacent to the City limits consisting of a tract of property approximately 6.33 acres in size. The portion of the property that requires annexation totals approximately 4.65 acres.

The applicant, Paul Hemmer Companies, has an option to purchase the above referenced property subject to the approval of a Concept Development Plan following annexation. The City has elected to follow the procedure of KRS 100.209 to consider the request prior to annexation. Please find attached a copy of Ordinance O-9-05 along with the exhibits describing the property.

The City requests that the Planning Commission, following the procedure of KRS 100.209, hold the necessary hearings and make a recommendation with respect to the Concept Development Plan application.

Thank you in advance for your attention to this matter. If you have any questions please feel free to call me at 647-8177.

Sincerely,

A handwritten signature in cursive script that reads "Richard J. Lunnemann".

Richard J. Lunnemann
Assistant City Coordinator/Community Development Director



TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.kentucky.gov

Ernie Fletcher
Governor

Bill Nighbert
Acting Secretary

Jim Adams
Deputy Secretary

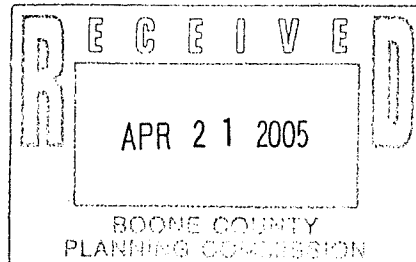
Marc Williams
Commissioner of Highways

Dan Druen
Commissioner of
Administrative Services

Paul Steely
Commissioner of Aviation

Roy Mundy
Commissioner of
Vehicle Regulation

Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005



Attn.: Mitchell Light
Assistant Zoning Administrator

Subject: Development Plan, Florence Promenade
US 42 – Boone County

April 19, 2005

Dear Mr. Light:

This letter is in response to your letter dated April 7, 2005 regarding a proposed development located on US 42 in Florence, Kentucky.

The Department has reviewed the proposed development plans for this site. The plan would meet our standards and specifications for an entrance to US 42 at the location indicated.

This is subject to the formal encroachment permitting application that you are required to forward to the Department for final review.

This office would like to thank you for this opportunity to comment on these proposed developments in Boone County. If any additional information is desired, or you have any questions, please contact me at (859) 341-2700, Ext. 307.

Sincerely,

Edmond C. Thompson
Permit Supervisor

ECT/csm

Cc: Thomas J. Schomaker, CDE

Mitch Light

From: Thomas Baumann [TBaumann@cityofflorenceky.com]
Sent: Thursday, April 28, 2005 3:55 PM
To: Mitch Light
Subject: Florence Promenade

Dear Mitch:

I have reviewed the concept development plan entitled 'Preliminary Site Plan - Option B' for Florence Promenade on U.S. Highway 42. Given this is a preliminary plan; Florence Fire/EMS Department has only minor commentary regarding the development.

The site plan does not show water mains or fire hydrants for fire protection. Obviously, these items would be required for project development.

As shown, the roadways and access lanes appear sufficient for fire department vehicular access.

Sincerely,

Thomas Baumann
Assistant Fire/EMS Chief
Florence Fire/EMS Department
1152 Weaver Road
Florence, KY 41042
(859) 647-5660

SECTION 1020

COMMERCIAL TWO (C-2)

The purpose of the Commercial Two district is to provide comparable shopping goods, personal and professional services, and some convenience goods required for normal living needs as well as major purchase opportunities. Districts will be located on suitable lands primarily central to regional trade areas and to some extent the community as a whole and such districts have access from expressways or arterial roads. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

SECTION 1021

Principally Permitted Uses

The following uses are permitted:

1. All principally permitted uses of a Commercial One (C-1) district;
2. All the principally permitted uses in an Office One (O-1) district;
3. Eating and drinking establishments including alcoholic beverages;
4. Department stores, mail order houses, direct retail selling organizations of general merchandise;
5. Furniture, home furnishings including specialty and floor coverings;
6. Specialized upholstery and furniture repair or refinishing services;
7. Apparel stores;
8. Household appliances, china, glassware and metal ware;
9. Radio, t.v., watch, clock, and jewelry repair;
10. Photographic, stenographic and other duplicating and mailing services;
11. Legal services, engineering and architectural services;
12. Security brokers, dealers and flotation services;
13. Title abstracting services; holding and investment services;
14. Advertising services including direct mail;
15. Business and management consulting services;
16. Employment services;
17. Consumer and mercantile credit reporting, adjustment and collection services;

18. Travel arranging, transportation ticket and public event or promotional booking agencies;
19. Radio and television broadcasting studios excluding transmitting stations and towers;
20. Art, music and dancing schools, libraries and museums;
21. Medical and dental laboratory services;
22. Medical clinics - out - patient services;
23. Welfare and charitable services;
24. Business associations and professional membership organizations including civic, social and fraternal organizations;
25. Art and craft galleries and similar exhibit space;
26. Aquariums, botanical gardens and other natural exhibitions;
27. Arcades and other amusement centers;
28. Motion picture theaters (indoor);
29. Bowling alley, skating rinks, roller skating rinks, miniature golf courses golf driving ranges, and skateboard facilities;
30. Recreation centers, gymnasiums, clubs and similar athletic uses;
31. Motorcycles sales or bike shops excluding outside storage;
32. Churches, synagogues, temples and other places or religious assembly for worship;
33. Hotels and motels including convention facilities;
34. Pawn shops (**Not Applicable within the City of Florence**);
35. Auto parts and accessories stores;
36. Gasoline filling station;

SECTION 1022

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses including:

1. Recreation uses or spaces of integral relation to the developed portions of the district defined to be:
 - a. Stages and similar assembly areas;

- b. Auditoriums, exhibition halls and other public assembly spaces;
 - c. Billiards;
 - d. Play lots and tot lots;
 - e. General, leisure, ornamental and other parks, spaces, trails bikeway systems, malls and urban pedestrian networks;
2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 - d. The keeping and use of appropriate household pets;
 3. Signage (See Article 34);
 4. Parking (See Article 33);
 5. Temporary buildings incidental to construction ;
 6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;
 7. Drive-up photo finishing services and automatic teller services;
 8. Indoor target ranges and similar athletic uses;
 9. Recycling collection points (See Article 31);
 10. Garment and Furniture centers (See Article 31);
 11. The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);
 12. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

SECTION 1023

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and c) the

arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district:

1. Garden and landscape sales including florist greenhouses, lawn furniture and the like;
2. Automotive repair facility and wash services for vehicles;
3. Small scale sales or leasing of new and used motor vehicles requiring the storage of no more than fifty (50) vehicles on the premises **(Does not apply in the City of Florence)**;
4. Sale of satellite dishes;
5. Small scale sales or leasing of new and used recreational vehicles requiring the storage of no more than fifty (50) vehicles on the premises **(Does not apply in the City of Florence)**;
6. Mini-warehouses or storage facilities **(Does not apply in the City of Florence)**;

SECTION 1024

Intensity

The intensity of use in a Commercial Two district of under four (4) acres, including all the contiguous private property so designated, shall not exceed 12,000 square feet of gross floor area per acre of land. In a commercial two district of over four (4) acres, the intensity of use shall not exceed 15,000 square feet of gross floor area per acre of land.

SECTION 1025

Minimum Size

The minimum size and extent of a Commercial Two district, including all the contiguous private property so designated, shall not be less than two (2) acres.

SECTION 1026

Minimum Standards

See Article 31 for dimensional standards. (Site Plan Review required for all permitted uses, See Article 30)

SECTION 1514

Planned Development Standards

Concept Development Plan proposals in a Planned Development shall be primarily evaluated against the criteria listed below. The Concept Development Plan shall fulfill the following criteria unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal.

1. **Mixed Use Development and Pedestrian Orientation:** Planned Developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. In general, planned developments shall have a pedestrian orientation. The additional intensity allowed in a Planned Development by Section 1500 shall only be permitted when a mixed use development as described in this standard is provided.
2. **Compatibility of Uses:** Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites. Such measures may include the provisions of buffer zones, common open space areas and landscape features, transitional land uses, or a mixed-use development in which no specific type of land use is dominate. Compatibility measures/mitigation measures shall exceed the usual minimum standards of this order when needed to address impacts of the proposed development.
3. **Open Space:** Useable open space(s), in an amount over and above setback areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space.
4. **Multi-Modal Transportation System:** Planned developments shall incorporate multi-modal transportation elements through the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc.
5. **Preservation of Existing Site Features:** Existing topography, significant tree cover, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article.
6. **Landscaping:** Substantial landscaping shall be provided in a planned development with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects.
7. **Architecture:** A consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic. The use of architectural guidelines is required for multi-phased projects.

8. Historic and Prehistoric Features: Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
9. Signage: A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. The use of signage design guidelines is required for multi-phased projects.
10. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths and sidewalks, bicycle facilities) shall be provided in all planned development unless physically unfeasible or undesirable due to land use characteristics. In addition, the various entry points (streets, paths, etc.) into a planned development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc.
11. Conformance with Comprehensive Plan: All planned developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations or existing or planned infrastructure.

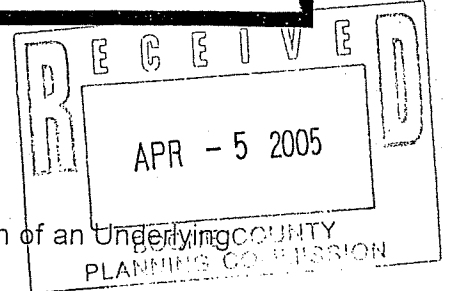
Further, Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study as well as the criteria in this section.

A Planned Development and its uses, buildings or structures shall be minimally subject to the supplemental performance and development standards of this order, unless superseded by any special requirements, conditions, variances or other particulars imposed by the Planning Commission during the concept or preliminary application and hearing phases described in this article. Such special conditions may include provisions governing, common open space, lands or facilities, disposition of open land, infrastructure provisions including any physical design and/or any other requirement found to be necessary, appropriate or desirable for the purposes of this district.

Such conditions shall be made a part of the terms under which the development is approved. Any violation of such conditions shall be deemed a violation of this order.

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 COUNTY 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 FLORENCE PROMENADE
- 3. Location of Project RT #42 FLORENCE KY
- 4. Total Acreage of Site 6.23 ACRES
- 5. Current Zoning C2-PD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) N/A
- 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). N/A
- 8. Proposed Uses (please specify each use) COMMERCIAL USES PER C-2 ZONING - (SEE PLAN)
- 9. Proposed Building Intensities (please specify) BLDG (A) 3000 SF RESTAURANT, Bldg (B) 2500 SF BANK, Bldg (C) 1400 SF SINGLE USER COMMERCIAL, Bldg (D) 2400 SF MULTI-TENANT COMMERCIAL
- 10. Have you submitted a Concept Development Plan? Yes
- 11. Are you also applying for:
 - Conditional Use Permit
 - Dimensional Variance
- 12. Name of Applicant(s) MIKE HARRIS / PAUL HENNER COMPANIES
Phone Number 859-341-8900 Fax No. 859-341-6817
- 13. Address of Applicant(s) 250 GRANDVIEW DR.
FR. BUTCHER, KY 41017
City State Zip
- 14. Name of Property Owner(s) PAUL HENNER DEV. II EN OPTION CONTRACT
Phone Number 859-341-8900 Fax No. 859-341-6817
- 15. Address of Property Owner(s) (SEE ABOVE)
City State Zip
- 16. Are there any existing buildings on the site? No
How many? 0
- 17. Deed Book _____ Page No. _____ Group No. _____
- 18. Have you had a pre-application meeting with BCPC Staff? Yes - KEVIN WALL

SEE ATTACHED LIST OF OWNER PARCELS
SEE ATTACHED APPROVAL LETTER FROM OWNERS.
(over)

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: CITY OF FLORENCE / RICK LUNNEMANN

20. Concept Development Plan Jurisdiction/Location

- Unincorporated Boone County
- Florence
- Walton Union
- Union

21. Applicant's Signature(s) Wm. Michael Long

22. Property Owner's Signature(s) SEE ATTACHED LETTERS

SECTION B (To be completed by BCPC Staff)

- 1. Date Received 4-5-05 Fee Received \$1,456.30 RA# 41948
- 2. Check what has been submitted:
 - Application Fee Legal Description
 - Concept Development Plan Addresses of Adjoining Property Owners
 - 7 No. of copies of plan received **
- 3. Is application complete? YES NO
- 4. Staff Reviewer KITZ + LICHT
- 5. Committee Chairperson _____
- 6. Scheduled Public Hearing Date _____
- 7. Boone County Planning Commission Action:
 - Approved
 - 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.

Public Hearing Item No. 2:

Commission Members Present: Mr. Breetz, Mr. Caddell - Chairman, Mrs. Kegley, Mr. Knock, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Reynolds, and Mrs. Wilson - Secretary/Treasurer.

Staff Members Present: Mr. Mitch Light, Assistant Zoning Administrator/ZEO; Mr. Kevin Wall, AICP, CDT – Director, Zoning Services and Ms. Jan Hancock, Secretary.

Legal Counsel Present: Mr. Dale Wilson

2. Applicant: **Mike Hargis/Paul Hemmer Companies for Paul Hemmer Dev. IV (owner by option contract)**

Request: **Concept Development Plan**

The request of Mike Hargis/Paul Hemmer Companies (applicant) for Paul Hemmer Dev. IV (owner by option contract) for a Concept Development Plan for a 6.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky. The request is for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow a multi-building commercial development.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Mike Hargis with Paul Hemmer Development Company, stated that they have had two or three meetings with the City of Florence. They have modified the plan to comply with the City of Florence Zone Change Committee's request and will continue to work with them. He stated that the architectural character of the buildings will be addressed at the Committee Meeting unless the Planning Commission wants to see it at this time. This concluded the applicant's presentation.

The Chairman noted that there was no one else present in the audience and asked if there were any comments or questions from the Commissioners.

Mr. McMillian questioned the outside sales area. Mr. Hargis responded that the hardware store has a screened fenced area for bags of mulch and other seasonal items such as flowers, bags of salt, or lawn mowers. The fencing is black wrought iron. Mr. McMillian asked if it will be outside for display permanently. Mr. Hargis responded "yes". Mr. McMillian stated that he has a problem with that.

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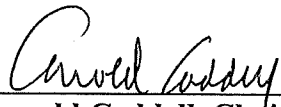
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Chairman Caddell stated that this issue can be reviewed further at the Committee Meeting.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on June 1, 2005 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on June 15, 2005 at 7:00 PM. The Chairman closed this Public Hearing at 9:42 PM.

APPROVED:


Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
June 15, 2005
7:00 P.M.**

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

COMMISSION MEMBERS PRESENT:

Mr. Randy Barlow
Mr. Kim Bunger*
Mr. Arnold Caddell, Chairman
Mr. Jim Carmichael
Mr. Richard Knock, Temporary Presiding Officer
Mr. Don McMillian
Mr. Charlie Reynolds
Mr. Bob Schwenke
Mr. Earl White
Mrs. Lisa Wilson, Secretary/Treasurer
*arrived later in the meeting

COMMISSION MEMBERS NOT PRESENT:

Mr. Greg Breetz
Mrs. Janet Kegley
Mr. Robert Newman
Mr. Randy Poe
Mrs. Susan Poston, Vice Chairwoman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Mr. Mitch Light, Assistant Zoning Administrator/ZEO
Ms. Jan Hancock, Secretary

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the Minutes of the July 1, 2005 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Mr. Bunger was not yet present. The motion carried.

ACTION ON PLAN REVIEWS:

1. **Zoning Map Amendment**

The request of Gallenstein Companies (applicant) for Anhofer Family Limited Partnership (owner) for a Zoning Map Amendment from Suburban Residential One/Planned Development (SR-1/PD) to Suburban Residential Two/Planned Development (SR-2/PD), in conjunction with the Annexation of real property into the City of Florence, for an approximate 33.8 acre site located on the west side of Hopeful Church Road between the properties at 7275 and 7393 Hopeful Church Road, across Hopeful Church Road from the Hopeful Church Road/Surfwood Drive intersection, and at the southern terminus of Meadow Wood Drive, Boone County, Kentucky. The request is for a zone change and Annexation into the City of Florence to allow attached residential uses.

Chairman Caddell stated that Agenda Item #1 is recommended for deferral to the July 6, 2005 Business Meeting at 7:00 PM. The Committee Meeting can be held on June 22, 2005 at 5:00 PM in this room. Mr. Reynolds so moved. Mr. Schwenke seconded the motion. A vote on the motion found all voting members in favor. Mr. Bunger was not yet present. The motion carried.

2. **Concept Development Plan**

The request of Mike Hargis/Paul Hemmer Companies (applicant) for Paul Hemmer Dev. IV (owner by option contract) for a Concept Development Plan for a 6.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky. The request is for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow a multi-building commercial development.

Staff Member Mitch Light 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 the letter agreeing to the conditions.

Mr. Barlow moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mr. Costello stated that the City of Florence has already had First Reading on the annexation. The resolution will be sent to the City of Florence and the county will be notified that annexation is occurring so that if the property owners decide not to proceed with Second Reading for the annexation, Fiscal Court will have enough time to act on the approval of the Concept Plan. In the event the annexation does not occur, they will have ninety days to act on the Concept Plan. Mr. Barlow so amended the motion. Mrs. Wilson seconded the motion. A vote on the motion found all eight voting members in favor. Mr. Bunger was not yet present. Mr. Carmichael abstained due to a conflict of interest. The motion carried.

In response to questions from Mr. Knock regarding the abstention, Counselor Wilson advised that Kentucky law states that if someone passes their vote simply because they do not want to cast a vote, even though they do not have a conflict of interest, their vote would go with the majority. If someone passes their vote due to a conflict of interest and there was to be any deliberation or discussion of the item, he would advise them to leave the meeting room because their presence may be seen as an attempt to influence the vote. That was not the case in this situation.

3. Technical Design Review - **Logan's Roadhouse
Houston Road**

Chairman Caddell stated that there is a request to defer Agenda Item #3 to the July 6, 2005 Business Meeting at 7:00 PM. Mr. Reynolds so moved. Mr. McMillian seconded the motion. A vote on the motion found all voting members in favor. Mr. Bunger was not yet present. The motion carried.

NEW BUSINESS:

Agenda Item
No.

- 4 **Zoning Map Amendment**
The request of James W. Berling (applicant) for Daniel Hance, Evelyn Hance, George Anderson, and Sara Anderson (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential Two (SR-2) for a 48-acre area located at 247, 273, and 293 Walton-Nicholson Road, Walton, Kentucky. The request is for a zone change to allow the Boone County portion of a subdivision, for single-family residences, that will be located in both Boone and Kenton counties.

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: June 15, 2005

RE: Request of Mike Hargis/Paul Hemmer Companies (applicant) for Paul Hemmer Dev. IV by option contract (owner) for a Concept Development Plan for a 6.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky. The request is for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow a multi-building commercial development.

REMARKS:

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

Findings of Fact

1. The Committee has concluded that the request is in general agreement with the 2000 Boone County Comprehensive Plan and the 2005 Boone County Comprehensive Plan Goals and Objectives for the following reasons:
 - A. The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Commercial" uses. This designation is described by the Comprehensive Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
 - B. The Committee has concluded that the request demonstrates agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the request fulfills the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations.
3. The Committee has concluded that the following conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan. The conditions listed below are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The property owner, Boone County Planning Commission and the City of Florence will work together with regard to the alignment and dedication of their portion of Bill Wentz Drive.
2. The property owner agrees that the design of the buildings will be consistent in color and material with the elevations presented at the June 1, 2005 Zone Change Committee meeting and will be reviewed by Staff through the required Major Site Plan Review.

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 Zone Change/Concept Plan Committee Vote.

Public Hearing Item No. 2:

Commission Members Present: Mr. Breetz, Mr. Caddell - Chairman, Mrs. Kegley, Mr. Knock, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Reynolds, and Mrs. Wilson - Secretary/Treasurer.

Staff Members Present: Mr. Mitch Light, Assistant Zoning Administrator/ZEO; Mr. Kevin Wall, AICP, CDT – Director, Zoning Services and Ms. Jan Hancock, Secretary.

Legal Counsel Present: Mr. Dale Wilson

2. Applicant: **Mike Hargis/Paul Hemmer Companies for Paul Hemmer Dev. IV (owner by option contract)**

Request: **Concept Development Plan**

The request of **Mike Hargis/Paul Hemmer Companies (applicant) for Paul Hemmer Dev. IV (owner by option contract)** for a Concept Development Plan for a 6.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky. The request is for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow a multi-building commercial development.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Mike Hargis with Paul Hemmer Development Company, stated that they have had two or three meetings with the City of Florence. They have modified the plan to comply with the City of Florence Zone Change Committee's request and will continue to work with them. He stated that the architectural character of the buildings will be addressed at the Committee Meeting unless the Planning Commission wants to see it at this time. This concluded the applicant's presentation.

The Chairman noted that there was no one else present in the audience and asked if there were any comments or questions from the Commissioners.

Mr. McMillian questioned the outside sales area. Mr. Hargis responded that the hardware store has a screened fenced area for bags of mulch and other seasonal items such as flowers, bags of salt, or lawn mowers. The fencing is black wrought iron. Mr. McMillian asked if it will be outside for display permanently. Mr. Hargis responded "yes". Mr. McMillian stated that he has a problem with that.

Mr. Knock questioned the status of the tobacco warehouse that burned. Mr. Wall responded that the owner is looking at other options and a rezoning request may be submitted. It is zoned I-1 and the owner could develop another I-1 Principally Permitted Use without come before the Planning Commission. Mr. Knock asked if the owner knows about this application. Mr. Wall responded he was notified as an adjoining property owner.

Mr. Breetz questioned the canopy shown on the Power Point slide. Mr. Hargis responded that it is a drive-through aisle with a window in the wall and one-way traffic.

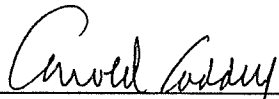
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Chairman Caddell stated that this issue can be reviewed further at the Committee Meeting.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on June 1, 2005 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on June 15, 2005 at 7:00 PM. The Chairman closed this Public Hearing at 9:42 PM.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: June 1, 2005

RE: Request of **Mike Hargis/Paul Hemmer Companies (applicant)** for **Paul Hemmer Dev. IV by option contract (owner)** for a Concept Development Plan for a 6.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky. The request is for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow a multi-building commercial development.

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.

Hargis/Paul Hemmer Companies

June 1, 2005

Greg Breetz

Greg Breetz, Chairman

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Randy Barlow

Randy Barlow

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Kim Bunger

Kim Bunger

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Janet Kegley

Janet Kegley

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Susan Poston

Susan Poston

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Charlie Reynolds (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Earl White (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Lisa Wilson (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

TOTAL: _____ DEFERRED 5 FOR PROJECT _____ ABSENT
 _____ AGAINST PROJECT _____ ABSTAIN

SUPPORTING INFORMATION

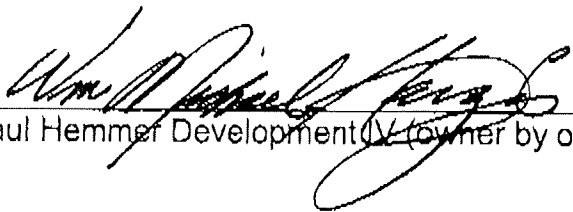
**City of Florence Special Conditions of Approval
For
A Concept Development Plan Approval
At 8511 U.S. 42**

The undersigned, on behalf of Paul Hemmer Development IV by option contract (owner) hereby agrees to the following special conditions of approval for the requested concept development located on 6.33 acres at 8511 U.S. 42 (across from Old Toll Road) in Florence, Kentucky.

1. The Bill Wentz drive extension shall be a 28' dedicated public street with a minimum of 1.5' of additional public right-of-way behind the curb on each side of the street.
2. A 5' sidewalk will be installed along the northwest side of Bill Wentz drive within the Florence Promenade Development. Public sidewalk will also be constructed along the U.S. 42 frontage that will connect to and match the existing public sidewalk width at the Wentz Development to the south.
3. The rear of the proposed Ace Hardware building shall be constructed of a combination of decorative masonry and/or brick materials with the intent to break up the flat façade look of the building.

Date

8/5/15


Paul Hemmer Development IV (owner by option contract)

BOONE COUNTY PLANNING COMMISSION

2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

June 6, 2005

Mr. Mike Hargis
Paul Hemmer Development IV
250 Grandview Drive
Ft. Mitchell, KY 41017

RE: Request of Mike Hargis/Paul Hemmer Companies (applicant) for Paul Hemmer Dev. IV by option contract (owner) for a Concept Development Plan for a 6.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky. The request is for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow a multi-building commercial development.

Dear Mr. Hargis:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their June 1, 2005 meeting. If you, as the applicant, agree with these conditions, please indicate by providing the signatures of the property owners, as well as your own, in the spaces provided at the end of this letter, and return the original letter to the Planning Commission office by Monday, June 13, 2005.

CONDITIONS

1. The property owner, Boone County Planning Commission and the City of Florence will work together with regard to the alignment and dedication of their portion of Bill Wentz Drive.
2. The property owner agrees that the design of the buildings will be consistent in color and material with the elevations presented at the June 1, 2005 Zone Change Committee meeting and will be reviewed by Staff through the required Major Site Plan Review.

Sincerely,

Mitchell A. Light
Assistant Zoning Admin/Enforcement Officer

MAL/pr

Mr. Mike Hargis
Paul Hemmer Development IV
June 6, 2005
Page 2

AGREEMENT

We, the property owners and applicant, do hereby agree to the recommended conditions of approval stated above for a Concept Development Plan for a 2.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence, Kentucky, to allow a multi-building commercial development.

Sabino Baluyot (owner)

Date

William Crouch

6/9/05

William Crouch (owner)

Date

Mike Hargis

6/6/05

Mike Hargis (applicant)

Date

FROM : Inas

FAX NO. : 4025001

JUN. 10 2005 11:40AM P2

06/09/2005 15:45 5133518565

BUSINESS MGMT SVCS

PAGE 05

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FIRST COMM. REALTY

MADE 03/10/02 P. 000

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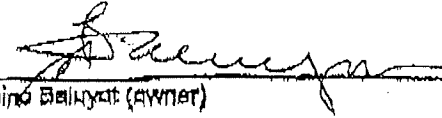
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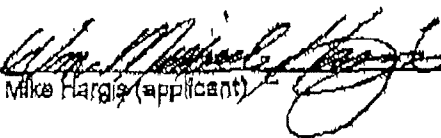
Mr. Mike Hargis
Paul Hammer Development IV
June 6, 2005
Page 2

AGREEMENT

We, the property owners and applicant, do hereby agree to the recommended conditions of approval stated above for a Concept Development Plan for a 2.28 acre site located on the east side of US 42 at 8611 US 42, and across US 42 from 8610 US 42 and the Old Toll Road Intersection, Florence, Kentucky, to allow a multi-building commercial development.


Sabina Baihyat (owner) 6/10/05
Date

William Crouch (owner) Date

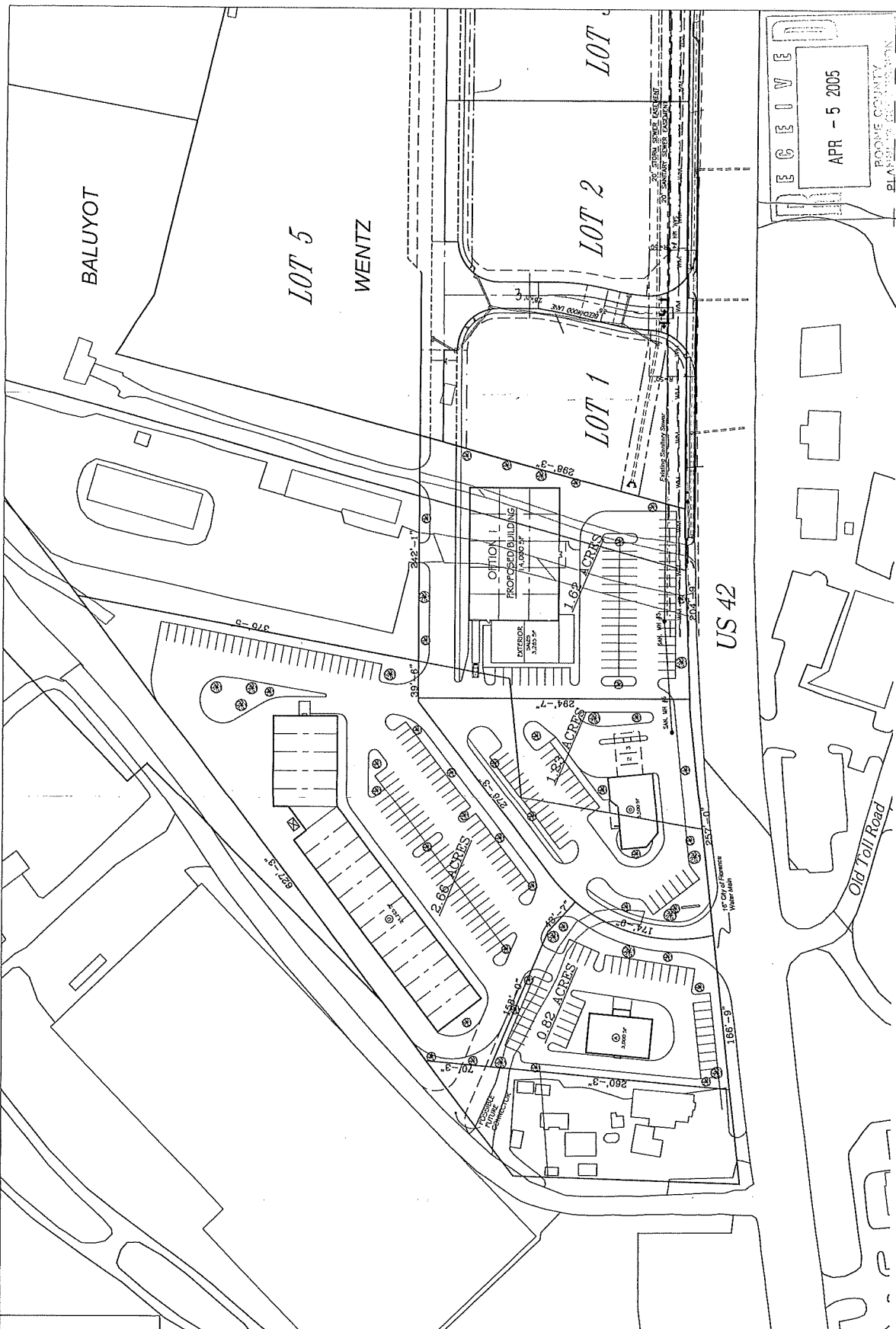

Mike Hargis (applicant) 6/10/05
Date



CONCEPT DEVELOPMENT PLAN

SITE PLAN
 SCALE: 1" = 50'-0"
 0 50 100
 FEET

ANALYSE & J.J. AC. SITE
 BUILDING COVERAGE
 DRIVES, PARKING, & WALKS
 OPEN AREA



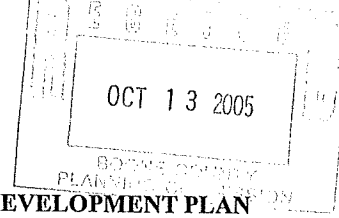
RECEIVED
 APR - 5 2005
 POORIE COUNTY
 PLANNING & ZONING DEPARTMENT

HEMMER
 PAUL HEMMER COMPANIES
 YOUR BUILDING PARTNER

PRELIMINARY SITE PLAN - OPTION B

FLORENCE PROMENADE
 FLORENCE, KENTUCKY

ORDINANCE NO. 0-19-05



AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR AN APPROXIMATE 6.33 ACRE SITE GENERALLY LOCATED ON THE EAST SIDE OF U.S. 42 AT 8511 U.S. 42, AND ACROSS U.S. 42 FROM 8510 U.S. 42 AND THE OLD TOLL ROAD INTERSECTION, FLORENCE AND UNINCORPORATED BOONE COUNTY, KENTUCKY, TO ALLOW A MULTI-BUILDING COMMERCIAL DEVELOPMENT (PAUL HEMMER DEVELOPMENT IV PROPERTY)

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, with conditions, for a concept development plan, and

WHEREAS, the recommendation for approval by the Boone County Planning Commission 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 request for a concept development plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 6.33 acre site generally located on the east side of U.S. 42 at 8511 U.S. 42, and across U.S. 42 from 8510 U.S. 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky, in conjunction with proposed annexation of the 6.33 acres into the City of Florence, shall be and is hereby approved, subject to the concept development plan as well as other agreed conditions for this site, this concept development plan being to allow a multi-building commercial development. 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 concept development plan for this subject property.

SECTION II

The approval of this concept development plan is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "A" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-05-012-A of the Boone County Planning Commission, including the exhibits referenced 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 owner/applicant as shown on Exhibit "B", a copy of which is attached and incorporated herein by reference as if fully set out.

SECTION IV

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-05-012-A, marked Exhibit "A", and attached hereto.

SECTION V

If the approval for this concept development plan shall be held invalid, in whole or in part, by any Court of proper jurisdiction, that invalidity shall not affect the validity of any of the other zoning regulations, zoning map, comprehensive plan, or other portions, provisions or terms of the approved concept development plan for this property as they are severable from this Ordinance and are intended to have full force and 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 23rd DAY OF August, 2005.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 13th DAY OF September, 2005.

APPROVED:

Deane E. Whole
MAYOR

ATTEST:

[Signature]
CITY CLERK

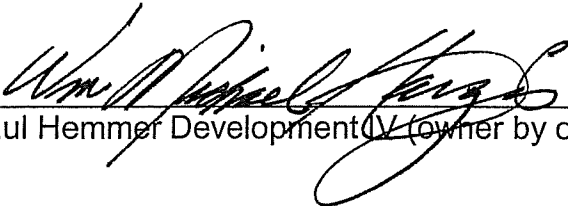
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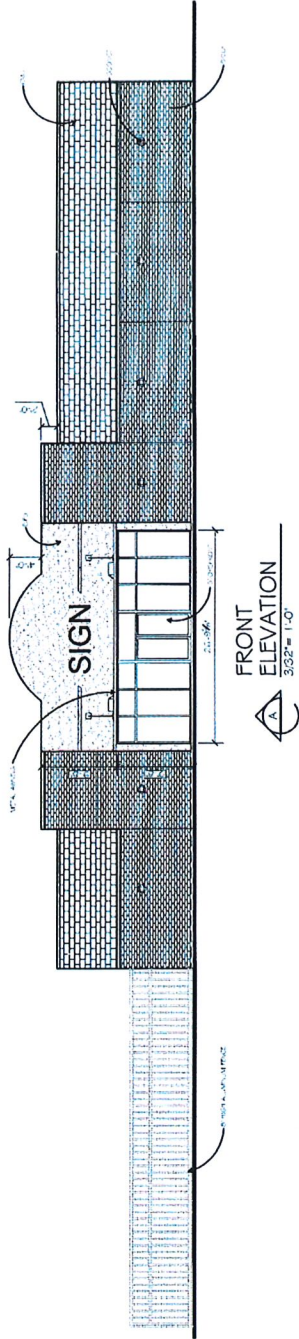
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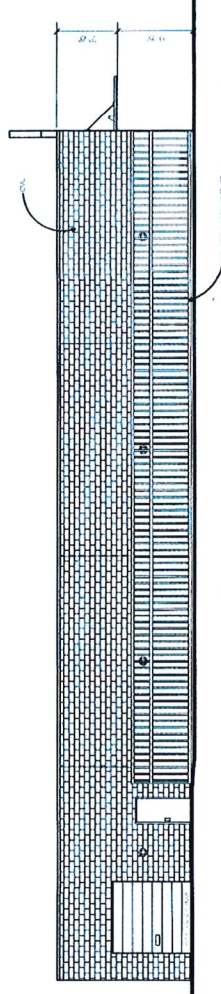
Date

8/5/05

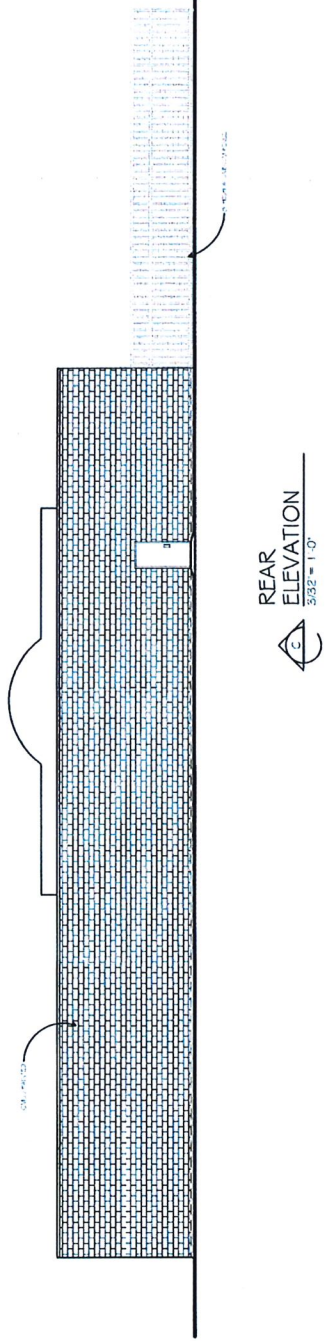

Paul Hemmer Development (IV (owner by option contract))



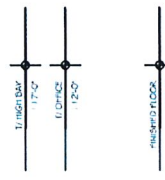
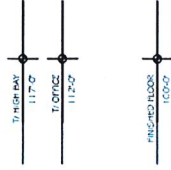
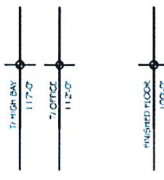
FRONT ELEVATION
3/32" = 1'-0"



SIDE ELEVATION
3/32" = 1'-0"



REAR ELEVATION
3/32" = 1'-0"

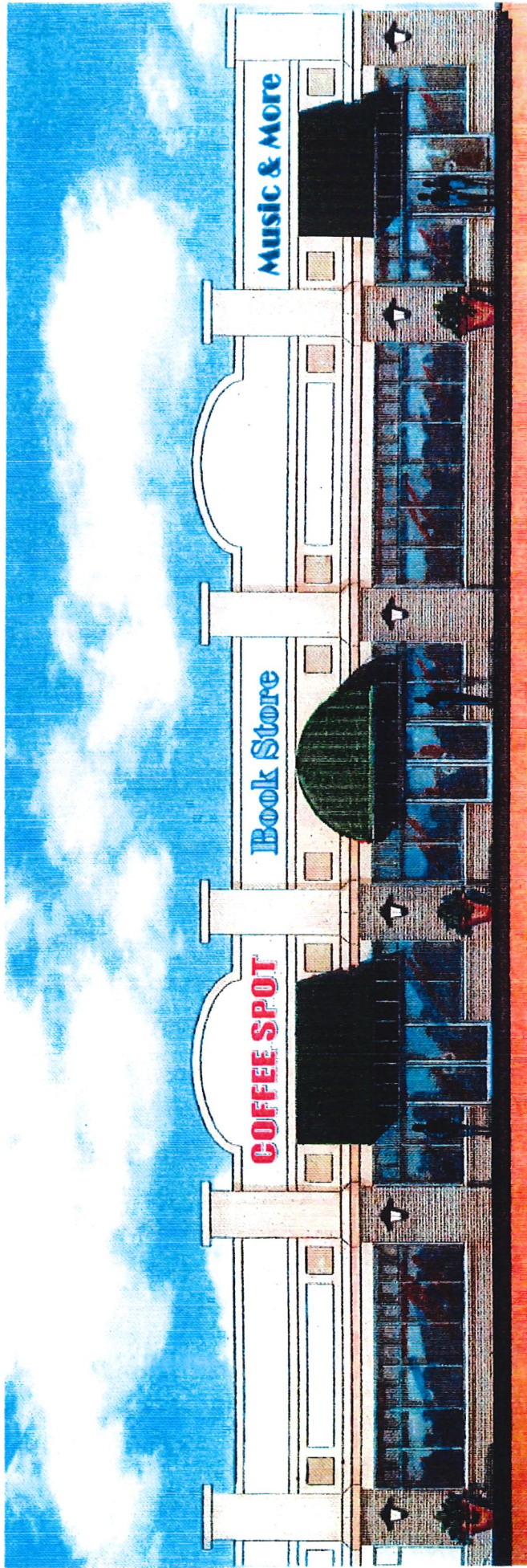


PROPOSED BUILDING

FLORENCE PROMENADE - FLORENCE, KENTUCKY

PRELIMINARY ELEVATIONS





HEMMER
PAUL HEMMER COMPANIES*

Your Building Partner