

REQUEST OF DAVID S. HILS FOR APPROVAL OF A CONCEPT DEVELOPMENT PLAN
FOR UTILIZATION OF AN UNDERLYING ZONE IN A
COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONING DISTRICT

March 30, 1988

This request is for approval of a Concept Development Plan for construction of an approximately 5,000 square foot office building on a 0.5 acre site. The site is located at the southwest corner of Burlington Pike and Glenn Street, Florence, Kentucky.

Surrounding Land Uses and Zoning

Located directly west of the subject site (in the C-2/PD zone) is a retail strip center housing a convenience store and a liquor store. This retail use presently has two access points to Burlington Pike: one near its west property line and one via an access driveway through the subject property. Located west of the existing strip center is vacant property in a Public Facilities/Office Two/Planned Development zoning district.

East of the subject site, at the southeast corner of Glenn Street and Burlington Pike, is an office building in a Commercial Two (C-2) zone. South of the subject site, along Glenn Street, is a duplex dwelling unit and a detached garage with an apartment over the garage. This "three-family" lot is in a Suburban Residential One (SR-1) zone. Along the remainder of Glenn Street is another multi-family residence and several single-family residences in the SR-1 zone.

North of the subject site (across Burlington Pike) is a single-family residence and a law office in the C-2/PD zone. In addition, there is a towing business in the Residential One Family (RLF) zone at the corner of Kathryn Avenue and Burlington Pike.

Existing Features of the Site

The subject site is located at the southwest corner of Burlington Pike and Glenn Street. The site is presently a vacant lot except for an access drive and curb cut to Burlington Pike which serves the adjacent commercial use. The site slopes toward the southeast and drains onto Glenn Street. In addition, the adjacent commercial use presently discharges storm water thru the subject site. The closest city storm sewer is located approximately 100 feet south along Glenn Street. Pedestrian access to the site is presently limited to a sidewalk within the right-of-way of Burlington Pike.

Relationship to the Comprehensive Plan

In addition to the 1986 Boone County Comprehensive Plan, the subject property is within the limits of the Parkway Corridor Study. The Study's "Recommended Land Use and Zoning Plan" describes the area of the subject parcel:

"3KY: C2/PD

In this district, parcels along both sides of KY 18 are designated C2/PD. The accessibility of these sites is well served by KY 18, Turfway Road, and the Parkway. Development of these sites needs to take into consideration the specific local conditions of nearby residential areas and streets. In addition, development in this zone

should also enhance pedestrian use of the area and contribute to the pedestrian network of walkways located throughout the Study area. Like the other office and commercial district in the Study area, this zone offers the potential to establish attractive ground level conditions for retail, restaurant, and other consumer and pedestrian oriented service uses."

In addition, the "Recommended Land Use and Zoning Plan" describes objectives for development of the Parkway Corridor, including:

- "- consistency with the principles and policy objectives of the comprehensive plan
- effective accommodation of the physical characteristics and framework of the study area defined by the Parkway Corridor alignment
- the provision of a wide range of urban functions and land uses appropriate to a city center location, including attractive ground level conditions conducive to a pedestrian environment, for example, shopping, eating and drinking, service and cultural establishments; parks and plazas; and other similar people oriented activities and land uses
- the safe accommodation of auto traffic, public transit, and pedestrian movement on sufficient public right-of-way
- the inclusion of a network of walkways and public open spaces for pedestrian use."

In general, the Parkway Corridor Study attempts to establish a centralized location for office and governmental functions along with an environment suited to both motor vehicle and pedestrian modes of travel. For properties on the periphery of the Study area, the Study emphasizes the need for uses and site design standards to assure that any development is compatible with adjacent residential uses.

Proposed Concept Development Plan

The applicant has supplied staff with a general layout plan, a proposed landscaping plan, front, side, and rear building elevations (Figures 1, 2, and 3), and a written description of the request. In addition, the applicant has supplied a drawing indicating how strict interpretation of the C-2 zone setback requirements would effect the available building area of the lot (Figure 4).

The general site layout plan (Figure 1) indicates a single building occupying 5,000 square feet of the site. This building is proposed to be set back approximately 17 feet from the adjacent three-family lot, and 2 feet from the west property line near the convenience and liquor stores. The proposed plan indicates parking spaces 9 feet wide by 18 feet long with a 24 foot driveway aisle.

Access to the subject site is proposed to be through the existing curb cut to Burlington Pike and a proposed curb cut to Glenn Street. The applicant has provided documentation regarding the recording of a cross access easement with the adjacent commercial development.

The applicant is also proposing to extend a storm sewer to the site from an existing catch basin on Glenn Street. The proposed Landscaping Plan (Figure 2) shows several small landscaped islands. The applicant has stated that a wooden privacy fence will be erected along the south property line adjacent to the three-family lot.

The proposed building plans indicate that the second floor of the building will be loft space for office use.

Special Concerns

1. Access

The existing access to Burlington Pike is only 140 feet from the Glenn Street intersection and even less from the other existing curb cut to the adjacent commercial site. The Access Management Regulations require a minimum spacing of 275 feet for access points to this section of Burlington Pike. In addition, the proposed access to Glenn Street should be carefully reviewed.

2. Storm Water Management


The existing commercial establishment presently discharges storm water directly across the subject property. A proper storm water diversion and detention system should be designed for the site.

3. Landscaping

While the applicant has submitted a detailed landscaping plan for the site, the Commission should review this plan regarding its relationship to the objectives of Article 15, Planned Development, of the current Zoning Regulations, and its adequacy for buffering the adjacent residential use.

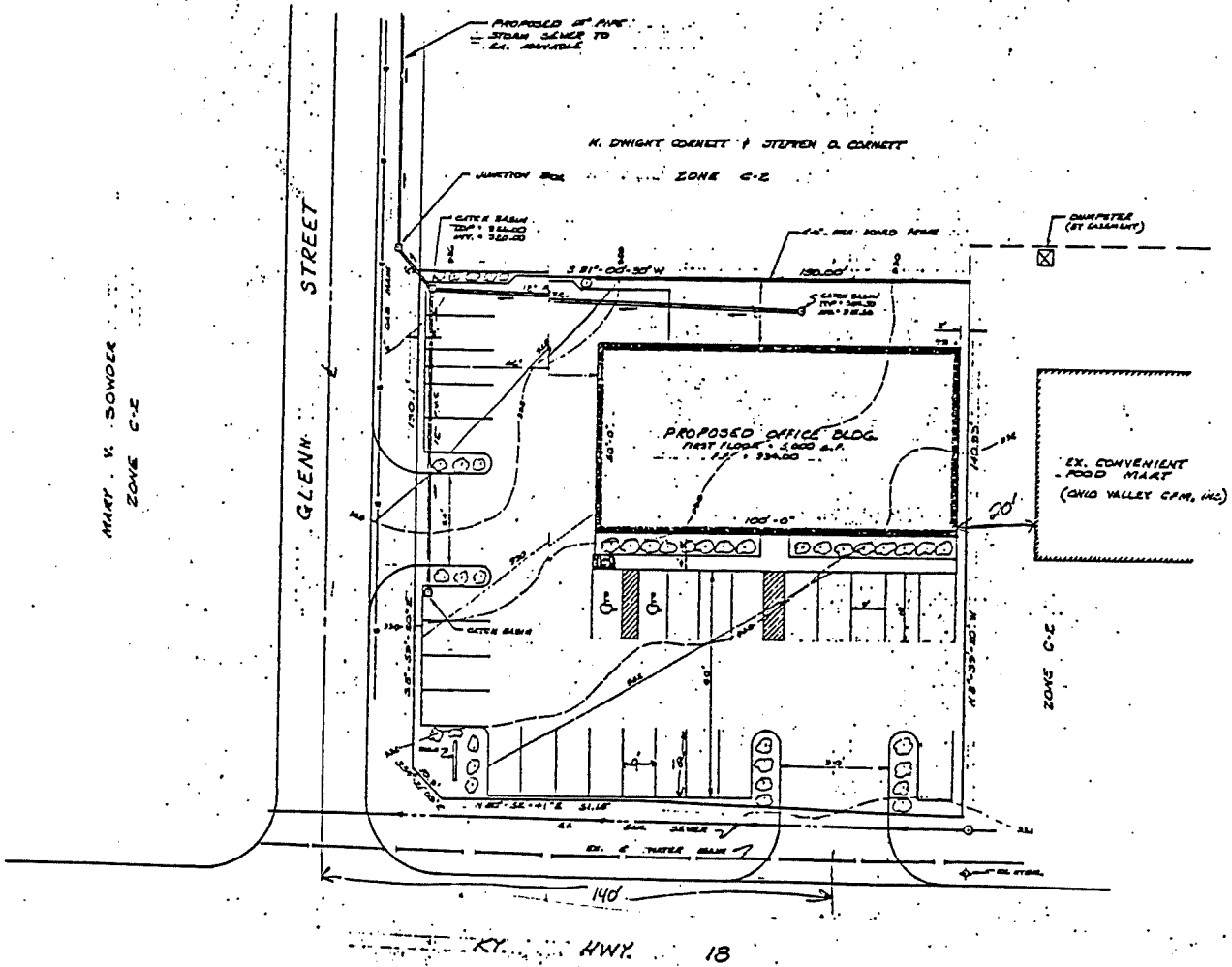
Conclusion

The major site design issues regarding this request are access to Burlington Pike and Glenn Street, storm water management, landscaping and buffering from the adjacent residential use. This request should be also reviewed on the basis of its relationship to the Parkway Corridor Study, and the objectives of Planned Development. If the Planning Commission and Florence City Council should approve this request, the Parkway Corridor Study need not be amended.



Jim Sturdevant,
Plans Examiner/Planner

FIGURE 1
DAVE HILLS
GENERAL LAYOUT
3-30-88



MARY V. SOWDER
 ZONE C-2

WAGEN DAPI

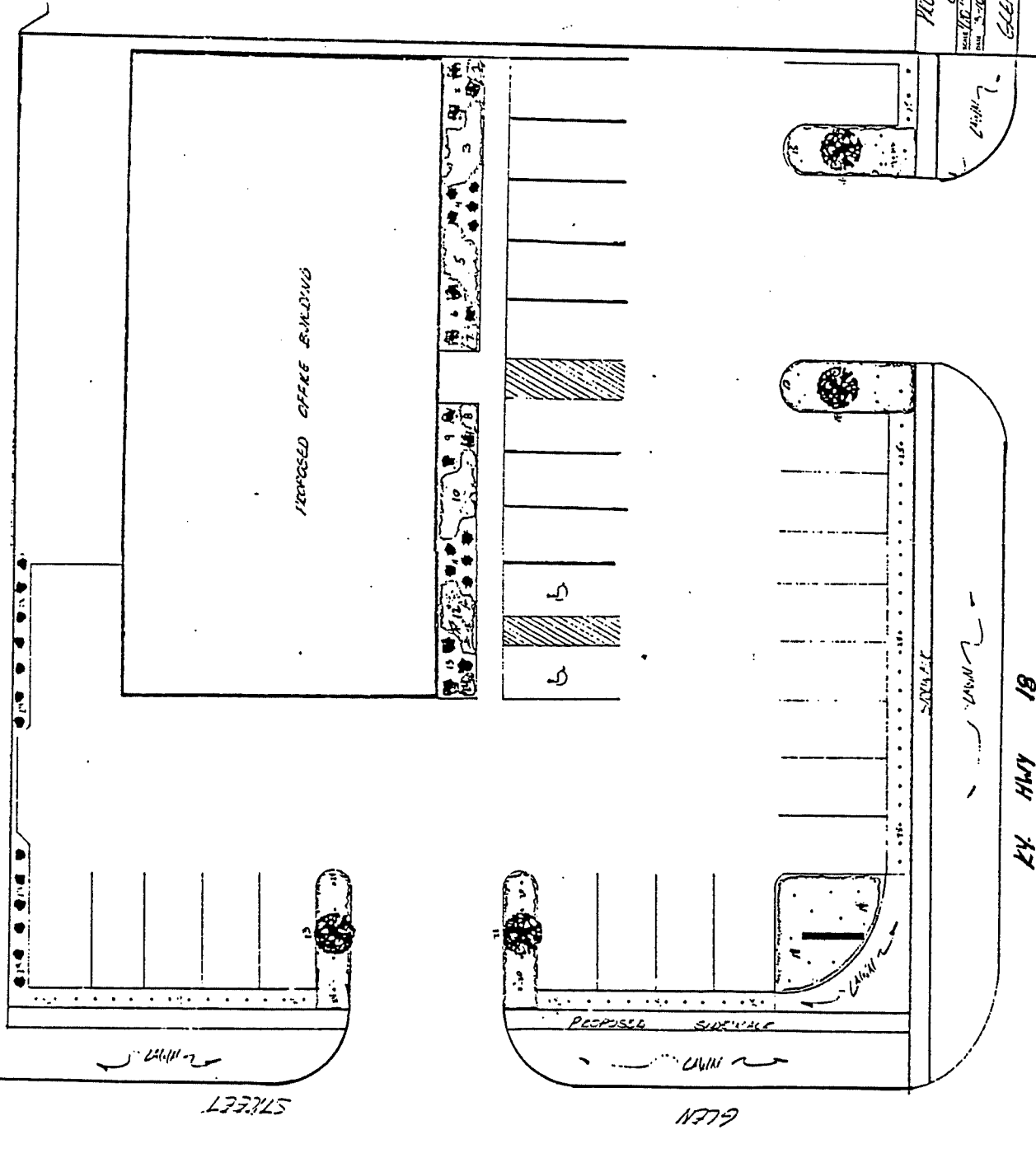
JOHN & JUDY ARNETT
RECEIVED
 FEB 22 1988



PROPOSED OFFICE BUILDING	
FOR CONCEPTS REAL ESTATE	
JAMES W BERLING KY. ENG. REG. # 5745	SCALE 1"=20' DATE N.A.R.
GLENN ST. & KY. HWY. No. 18 FLORENCE, KY.	
DATE 2-19-88	PROJECT NO.

FIGURE 34
DAVE HILS
LANDSCAPING

#	PLANT	DESCRIPTION	SIZE
1	1	SUNNER POP. BLUE CHIP	2 GAL.
2	2	JUCCA FILAMENTOSA	2 GAL.
3	3	SUNNER POP. BLUE CHIP	2 GAL.
4	4	SIEMINGA NELUMBA	18" W.
5	5	SUNNER POP. BLUE CHIP	2 GAL.
6	6	JUCCA FILAMENTOSA	2 GAL.
7	7	SUNNER POP. BLUE CHIP	2 GAL.
8	8	JUCCA FILAMENTOSA	2 GAL.
9	9	SUNNER POP. BLUE CHIP	2 GAL.
10	10	SIEMINGA NELUMBA	18" W.
11	11	SUNNER POP. BLUE CHIP	2 GAL.
12	12	JUCCA FILAMENTOSA	2 GAL.
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98	98	JUCCA FILAMENTOSA	2 GAL.
99	99	SUNNER POP. BLUE CHIP	2 GAL.
100	100	JUCCA FILAMENTOSA	2 GAL.



MOST RECENT

PROPOSED OFFICE BUILDING FOR:
 CONCEPTS FOR ESTATE
 PREPARED BY
 ELEN ST. U. KY HWY 18

FIGURE 3
DAVE HILS
PROPOSED OFFICE
3-30-88

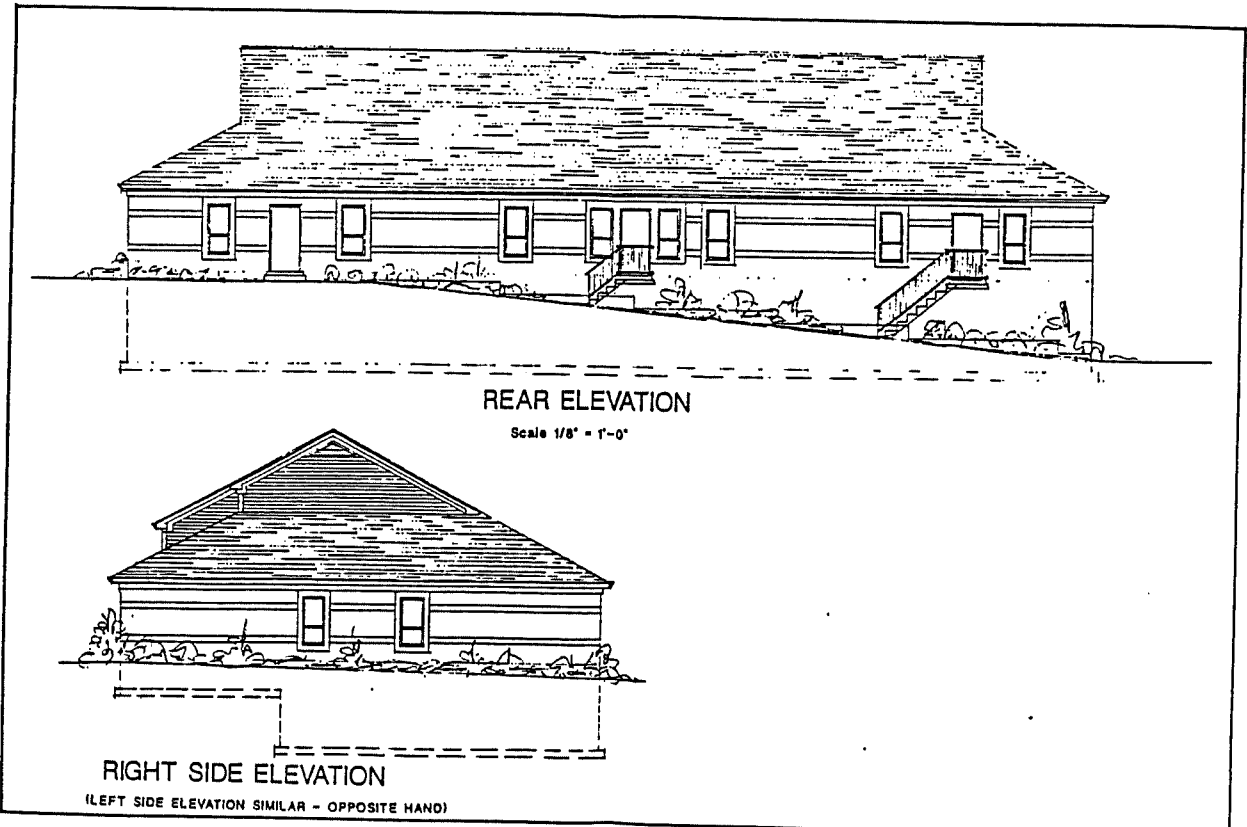
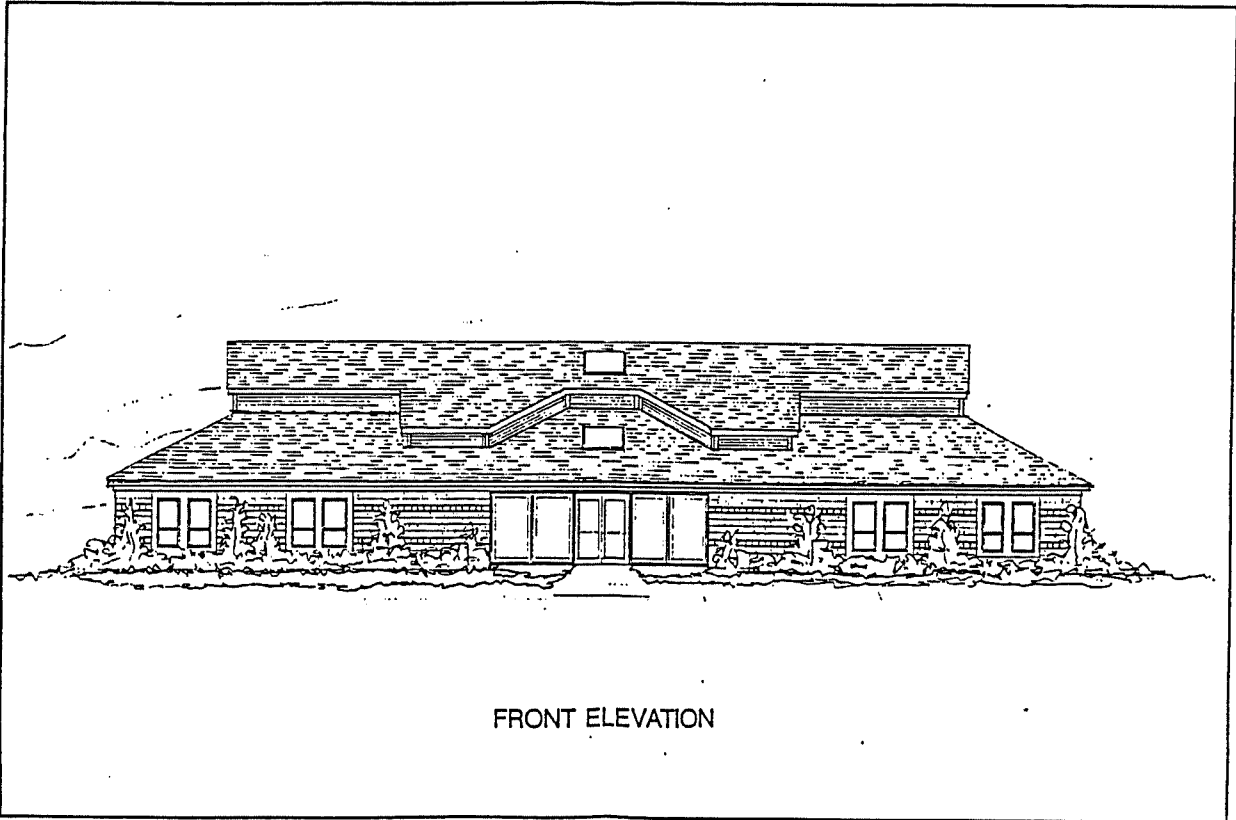
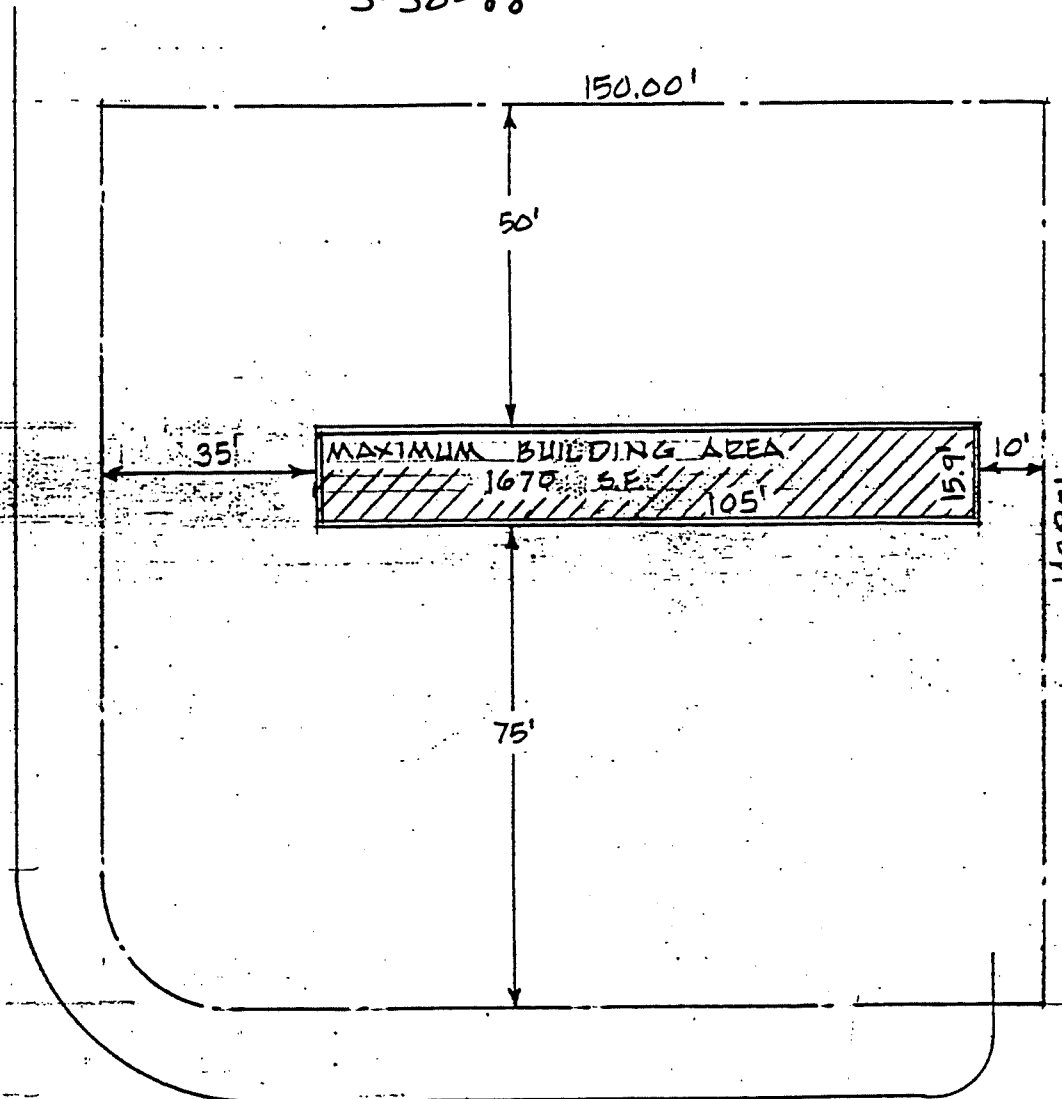


FIGURE 4
DAVE HILS
3-30-88



GLEN ST.



existing
Convenient
Food
Mart

KY RT. 18

STRICT INTERPRETATION

scale 1" = 30'

APPLICATION FOR ZONING ACTION

TO:

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

FOR:

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

Applicant: David J. Hils Owner

Address: #6. OBRIEN ST. Agent

FLORENCE Ky Telephone: 525-0303

Location: RT 18 E, Glenn St

Name of Property Owner: J & E Realty

Address of Property Owner: 4150 Alexandria Pk, P.O. Box 268, Cold Spring KY 4107

Zoning District: C-2/1PD Area in Acres: 0.5

Deed Book: 278 Page Number: 246 Group Number: 599

Description of Request: Concept Development Plan
for office at Glenn St. & KY 18

Applicant's Signature: David J. Hils (Concept Real Estate)

Property Owner's Signature: David J. Hils (Concept Real Estate)

Application Fee: see below FOR PLANNING COMMISSION USE ONLY Date Received: 3-1-88 By: TWZ

Referred To: _____ Meeting Date: 7th 3:30-88

Action Taken: _____ Date of Action: _____

\$300 application fee / \$5 publication / 5 @ \$4 = 100.00 AP
\$385.00 - 100.00 = \$285.00 = Send v for 305.00

EXHIBIT "A"

Know All Men By These Presents:

CLERK'S OFFICE
LONG FORM
DEED

16.50
Jury W. Frank, Clerk

That JOHN C. HANCOCK and ESTHER S. HANCOCK, his wife, Grantors

*16, 220 PASSING CONSIDERATION

for and in consideration of One Dollar and other valuable consideration to them paid by the grantees herein, the receipt of which is acknowledged, do bargain, sell, and convey to:

OHIO VALLEY CFM, INC., an Ohio Corporation, its

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

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

Group No. 599

Present Street Address _____

Plat No. 4/22

Mailing Address P. O. Box 268, Highland Heights, Kentucky 41076

Being all of Lots 73 and 74 Coludeth Heights Subdivision as recorded in Plat Book 4, page 22 of the Boone County Clerk's records at Burlington, Kentucky subject to restrictions and easements of record.

Being all of the same property conveyed to the Grantor herein by JOHN C. SIEBENALER and KAREN L. SIEBENALER, his wife, by deed dated the 10th day of November, 1976 and recorded in deed book 224, page 275, in the office of the Clerk of the Boone County Court, Burlington, Kentucky.

The mortgage payable to People's Liberty Bank and Trust Company and recorded in Mortgage Book 154, page 542 of the Boone County Clerk's Records has been satisfied and released by instrument in Miscellaneous Book 72 at page 148 of the Boone County Records at Burlington, Kentucky.

EXCEPTING THEREFROM the following described real estate which has been condemned by the Commonwealth of Kentucky, Department of Transportation, Bureau of Highways and for which an interlocutory judgment signed January 24, 1978 has removed the following sections from the above described property. (See Boone Circuit Court Action No. 77-745.)

PARCEL 23

A said tract of land lying and being in the city of Florence, Boone County, Kentucky and being located on the south side of existing KY 18 between Utz Drive and Glenn Street and being more particularly described as follows:

Beginning at a point in the center of existing KY 18, also being a point in the westerly property line, said point being 0.89 feet left of proposed centerline Station 28+93.7; thence along said existing centerline S 89° 01' 07" E., 5.93 feet to a point 0.03 feet left of Station 28+99.6; thence continuing along existing centerline N 86° 59' 33" E., 151.25 feet to a point 14.7 feet right of Station 30+50.0; thence continuing along said centerline N 82° 36' 55" E., 18.41 feet to a point in the center of Glenn Street, said point being 15.2 feet right of Station 30+68.4; thence along Glenn Street centerline S 08° 59' 20" E., 44.77 feet to a point 60.0 feet right of proposed centerline Station 30+68.4; thence S 80° 49' 51" W., 25.00 feet to a point in the existing and proposed right of way, said point being 60.0 feet right of Station 30+43.4; thence along proposed right of way line N 53° 29' 29" W., 14.08 feet to a point 50.0 feet right of Station 30+33.5; thence continuing along said proposed right of way line S 80° 57' 17" W., 51.85 feet to a point 50.0 feet right of Station 29+81.7; thence along proposed right of way

line along a circular arc 88.02 feet to the right having a radius of 2,914.79 feet and being subtended by a chord bearing S 81° 49' 09" W., with a distance of 88.02 feet to a point in the westerly property line, said point being 50.0 feet right of Station 28+95.2; thence along said property line N 08° 55' 44" W., 50.91 feet, crossing proposed centerline at Station 28+93.7, to the point of beginning.

The property described above contains 7,716 square feet of which 4,102 square feet is existing right of way and 3,614 square feet is new right of way to be acquired.

PARCEL 23A

BOOK 278 PAGE 247

Also a parcel of land lying immediately adjacent to and on the south side of Parcel No. 23 and more particularly described as follows:

Beginning at a point in the westerly property line, also being a point in the proposed right of way line, said point being 50 feet right of proposed centerline Station 28+95.2; thence along proposed right of way line to a point 50 feet right of Station 30+33.5; thence along proposed right of way line to a point in the existing right of way line of Glenn Street, said point being 60 feet right of Station 30+43.4; thence along said existing right of way line to a point 158 feet right of proposed KY 18 centerline Station 30+44; thence in a westerly direction to a point 158 feet right of Station 30+34; thence in a northwesterly direction to a point 60 feet right of Station 30+23; thence in a westerly direction to a point in the westerly property line, said point being located 57 feet right of Station 28+96; thence along said property line to the point of beginning.

The property described above contains 2,744 square feet, more or less.

Being a portion of the same property conveyed to JOHN G. HANCOCK and ESTHER S. HANCOCK, as joint tenants with rights of Survivorship by deed dated November 19, 1976, and recorded in Deed Book 224, at page 275 in the Boone County Court Clerk's office.

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

TO HAVE AND TO HOLD the same to the said OHIO VALLEY CFM, INC., an Ohio Corporation, its

heirs and assigns, forever, the Grantors'

COVENANTING with the grantee, its

CLEAR, FREE AND UNINCUMBERED, and that

same against all legal claims whatsoever.

heirs, executors and administrators, HEREBY

heirs and assigns, that the TITLE so conveyed is

they will WARRANT AND DEFEND the

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #4
March 30, 1988

Page 1

Chairman Viox introduced the last item on the Agenda:

4. Applicant: David S. Hils for J & E Realty (owner)
Request: Concept Development Plan Approval

This was a Public Hearing on the request of David S. Hils (applicant) for J & E Realty (owner) for the utilization of an underlying zone in Planned Development on a 0.5-acre site located at the corner of KY 18 and Glenn Street, Florence, Kentucky. The site is currently zoned Commercial Two/Planned Development.

Staff Member, Jim Sturdevant, presented the Staff Report. (see Staff Report).

Chairman Viox asked the applicant for his comments at this time.

Mr. Dennis Helmer stated that he has become interested in the property with Mr. Hils. They propose a three-unit office building for the site. He noted the location of the Convenient Store next door and a 20' wide driveway for access to the dumpster and the utilities. He noted that the adjacent land uses include commercial and residential. He presented an artist's drawing of the proposed building and stated that there will be three separate suites. He stated that there will be a second floor in the building with the use of balconies and high ceilings. He stated that this use is compatible with the Parkway Corridor Study. He noted Staff's concerns regarding access on Glenn Street and stated that they did not want to see a lot of traffic out of the Convenient. He stated that the access on KY 18 is pre-existing and their proposal is to continue to use that access, which would remain unchanged except for landscaping and sidewalks. He stated that the building will not create a lot of traffic and access to Glenn Street will not create a lot of traffic. There will be a law firm in the building with a loft area to be used as a library. He noted the proposed location of a drainage basin. He stated that a sewer would be provided and tied into an existing storm sewer. He stated that there would be landscaping between the cars and in front of the building. They plan a wood fence across the back.

Chairman Viox asked if there was anyone else present who wished to speak regarding this request.

Mr. Steve Cornett stated that he is half-owner of the apartment building on Glenn Street. He stated that his primary concern is how close this building would be to his property line.

Mr. Hils stated that the building would be 17 feet from the property line and 25 feet from the living structure over the garage.

Mr. Cornett noted that there are about four feet of steel stairs used for the living structure over the garage.

Mr. Paul Meyrose, architect, stated that the garage building is about five feet from the property line and the proposed building would be seventeen feet from the property line.

Mr. Cornett questioned if the five feet allowed for the steel stairs.

Mr. Meyrose stated that in consideration of the stairs, that structure would be about a foot from the property line.

Chairman Viox asked if there were any further comments or questions.

Mr. McMillian noted a drawing (attached as the last page of the Staff Report) and asked for clarification.

Mr. Hils stated that it is a strict interpretation of what the zoning law would allow on the site with no Variances.

Chairman Viox asked if Mr. Hils had a Variance for the site.

Staff Member, Kevin Costello, advised that the proposed building would be in Planned Development and the Commission can, therefore, vary the setbacks.

Mr. Hils noted that he had applied for a Variance to the Florence Board of Adjustment and withdrew the application when advised that the Commission could grant the Variance.

Mr. Costello noted that the drawing referred to by Mr. McMillian indicates what would be permitted under conventional zoning without Planned Development.

Mr. Neltner asked for clarification regarding the access on KY 18.

Mr. Helmer advised that Convenient has two accesses and that they have no right to take away the access under discussion as Convenient wants to maintain the access.

Mr. Neltner noted that the Convenient access is away from the front of their building.

Mr. Moore asked if the Staff had concerns regarding the buffer.

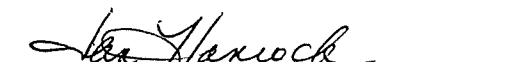
Mr. Sturdevant advised that under strict interpretation of the zoning laws, a 25' landscaped buffer area would be required when a C-2 Zone adjoins an SR-1 Zone.

Chairman Viox asked if there were any further comments or questions. There being no further discussion, he stated that this item will be on the Agenda for the Business Meeting on April 6, 1988 at 8 P.M. and closed this Public Hearing.

APPROVED:


William R. Viox, Chairman

Attest:


Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

April 6, 1988

8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:00 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett, Vice Chairman
Mr. Fred Burch
Mrs. Rita Bushelman
Mr. Lawrence Collins
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
Mr. Rector Jones
Mr. Don McMillian
Mr. Charles Moore
Mr. Barry Neltner
Mr. Ralph Rush
Mrs. Carol Smith
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Floyd Sharp

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received a copy of the Minutes of the Business Meeting of March 16, 1988 and the Public Hearings of March 23, 1988 and March 30, 1988 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. Moore moved that they be approved. Mr. Rush seconded the motion and it carried unanimously.

Chairman Viox asked if the applicant was in agreement with the conditions.

Mr. Nienaber stated that they are in agreement with the Committee Report, including the conditions.

There being no further discussion, Mr. Barnett moved by resolution to the Boone County Fiscal Court that the request be approved based on the Committee Report, including the conditions. Mr. McMillian seconded the motion.

Mr. DeLong stated that he would abstain from voting as he has a personal interest in this matter.

Chairman Viox asked for a vote on the motion made by Mr. Barnett, which found all voting members in favor. The motion carried. Mr. DeLong abstained.

9. Concept Development Plan

The request of David S. Hils (applicant) for J & E Realty (owner) for the utilization of an underlying zone in Planned Development on a 0.5-acre site located at the corner of KY 18 and Glenn Street, Florence, Kentucky. The site is currently zoned Commercial Two/Planned Development.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the finding of fact, but subject to one condition (see Committee Report).

Chairman Viox asked the applicant if he was in agreement with the condition.

Mr. Hills stated that they are in agreement with the Committee Report and the condition.

Chairman Viox asked if there was anyone else present who wished to speak regarding this request.

Mr. Steve Cornett, one-half owner of the adjacent apartment building, asked if the 50-foot right-of-way could be moved up more in line with the other stores.

Mr. Newton advised that Mr. Cornett was referring to the setback, not the right-of-way. He noted that the Concept Development Plan indicates a substantial amount of buffering and also a fence to eliminate trespassing from one property to the other.

Mr. Hills advised that he could not put the building closer to KY 18 as he would lose some of his parking area when the roadway was widened.

Mr. Cornett questioned the length of the proposed fence.

Staff Member, Jim Sturdevant, stated that the Concept Development Plan indicates the fence to be even with the east edge of the proposed building and about 47 feet back from the right-of-way line of Glenn Street.

Mr. Hils stated that the fence had been positioned not to block the view of the residents. He stated that the green space would enhance the site.

There being no further discussion, Mr. Barnett moved that the request be approved as recommended by the Committee Report, subject to the condition. Mr. Jones seconded the motion and it carried unanimously.

13. Site Plan Review

A request of Chip Malley (owner) for Site Plan Review to allow the construction of a 4,225 sq. ft. pre-school/day care facility. The 0.52-acre site, located on the south side of Burlington Pike, across from Wallace Avenue, is zoned Commercial Two (C-2). (An adjustment to agenda fee has been paid.)

Staff Member, Tom Breidenstein, presented the Staff Report which indicated that this plan meets the minimum requirements of the Boone County Zoning Regulations. Staff recommended approval, subject to the condition that stormwater drainage calculations be submitted and approved by the Staff's engineer. (see Staff Report).

Mr. Gerald Newton, Director, read the Committee Report which recommended approval based on the Staff Report.

Mr. McMillian moved that the request be approved based on the Staff and Committee Reports. Mr. Jones seconded the motion.

Mr. Bob Becker stated that the applicant will contact the Staff in regard to the figures requested. He stated that they expect to submit the figures before the end of the week.

Chairman Viox asked if there were any comments regarding this request.

Mr. Greene questioned the possibility of joint access for this site and the Margo Grubbs site.

Mr. Breidenstein stated that the Staff had considered this possibility and determined that it would not be appropriate at this location due to the mixing of two different types of traffic. He added that Article 17A would designate the access as "temporary access" and, should factors change in the future, combined access could be requested. He noted that the State could also request joint access.

EXHIBIT "C"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Rector Jones, Chairman

DATE: April 6, 1988

RE: Request of David S. Hils (applicant) for J & E Realty (owner) for the utilization of an underlying zone in Planned Development on a 0.5 acre site located at the corner of KY 18 and Glenn Street, Florence, Kentucky. The site is currently zoned Commercial Two/Planned Development.

REMARKS:

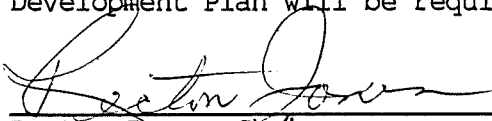
We, the Committee, recommend approval of the proposed Concept Development Plan based upon the following finding of fact and with the following condition:

Finding of Fact


The proposed Concept Development Plan is in conformance with the Parkway Corridor Study, the official comprehensive plan for this area of Florence, in that the plan provides for: pedestrian access through provision of a sidewalk along Glenn Street; attractive ground level conditions through the proposed landscaping and building design; and a use which is compatible with the adjacent residential use in that the proposed office should have minimal impact on the adjacent residential use if the site is designed as presented on the Concept Development Plan. Other references to the Parkway Corridor Study are in the Staff Report.

Condition

Any changes to the proposed Concept Development Plan and accessory information as presented at the March 30, 1988 Public Hearing must be reviewed by the Commission's Technical Committee to determine if any changes constitute a major or minor change to the Plan. If the Technical Committee determines any changes to be major, then a new Public Hearing to review a revised Concept Development Plan will be required.



 Rector Jones, Chairman




 Larry Barnett



 Fred Burch



 Don McMillian



 Carol Smith

/kam

R-20-88

ORDINANCE NO. 0-12-88

AN ORDINANCE ADOPTING AND APPROVING A DEVELOPMENT PLAN FOR THE USE OF AN UNDERLYING ZONE WHICH IS COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD), AND IS LOCATED ON A 0.5 ACRE TRACT GENERALLY LOCATED AT THE CORNER OF KENTUCKY 18 AND GLENN STREET, IN THE CITY OF FLORENCE, KENTUCKY. (HILS - J & E REALTY PROPERTY)

WHEREAS, certain property consisting of approximately 0.5 acres, more particularly described in Exhibit "A", is presently zoned Commercial Two, with a Planned Development Overlay (C-2/PD), and

WHEREAS, the Planned Development Overlay requires submittal of a concept development plan for review and approval in principle as to land use types and intensities under applicable zoning regulations, and

WHEREAS, the Boone County Planning Commission has reviewed the submitted concept development plan for the property described in Exhibit "A" and recommended approval in principle subject to conditions agreed to and accepted by the owner and applicant for the approval in principle to utilize the underlying zone, and

WHEREAS, the City Council of Florence, Kentucky has reviewed the Commission recommendation and presentation of the owner and applicant.

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

SECTION I

That approval in principle of the concept development plan of David S. Hils for J. & E. Realty property more particularly described in Exhibit "A" to utilize the underlying zone shall be and the same is hereby 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 being attached, marked Exhibit "B" and incorporated herein as if fully set out, such recommendation being in the form of Resolution No. R-20-88, and the committee report, both of which are dated April 6, 1988.

SECTION II

That the owner and applicant of the subject property have agreed to these conditions, terms and provisions of Exhibit "B" and made them a part of their concept development plan.

SECTION III

That this approval in principle of the concept development plan is not final approval and owners and applicant must meet and satisfy all requirements in Article 15 relating to preliminary development plan, improvement plans and final plats or site plan review where no subdivision of land is involved.

PASSED AND APPROVED ON FIRST READING THIS 14th DAY OF June, 1988.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 28th DAY OF June, 1988.

APPROVED:



MAYOR

ATTEST:



CITY CLERK