

ANNEXATION REQUEST BY THE CITY OF FLORENCE FOR
A 0.9392 ACRE SITE OWNED BY BUDIG REALTY (VERONA BANK)

August 16, 1989

This is an annexation request by the City of Florence for a 0.9392 acre site owned by Budig Realty (Verona Bank) located on the southwest corner of U.S. 42 and Weaver Road (formerly U.S. 25/42 Connector Road), Boone County, Kentucky. The property is zoned Commercial Two / Planned Development (C-2/PD). The property owner is requesting the site be annexed into the City of Florence. In accordance with Kentucky law (K.R.S. 81A.420 and K.R.S. 100.209), the City of Florence has requested that the Boone County Planning Commission hold a Public Hearing in order to make a recommendation regarding the effect of the annexation, if any, on the current zoning of the property.

The site is currently undergoing development of the Verona Bank. A Concept Development Plan for the bank development was approved by the Boone County Planning Commission on February 1, 1989 and the Boone County Fiscal Court on March 7, 1989 (with conditions). Preliminary Development Plan and Site Plan approval was granted by the Boone County Planning Commission on April 5, 1989 that allowed a two story bank building. At that time, it was noted that a small portion of the property is already within the City of Florence boundaries. That portion is utilized as access and parking for the site.

SURROUNDING ZONING AND LAND USES

- North: C-2/PD; across U.S. 42 is a commercial strip center containing a convenience-type store, a laundromat, a pool business, etc. The new Florence Deposit Bank is to the northwest of this site.
- South: I-1; the Boone-Kenton Tobacco Warehouse
- East: C-2/PD; across Weaver Road is a vacant lot and then a church
- West: C-2/PD; vacant land which is part of the warehouse site.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The following references to the 1986 Boone County Comprehensive Plan were included in the January 25, 1989 Staff Report for the Concept Development Plan Review.

The 1986 Boone County Comprehensive Plan Future Land Use Map indicates the future use of this property to be commercial. The Land Use Element of the Plan makes the following statements about the general area:

"This section of the County will receive primarily residential development with commercial growth in the eastern portions...

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The Mall Road area will continue to grow as a regional shopping area and its spill over onto U.S. 42, KY 18, and Houston Road will be evident, thus, needs to be substantially controlled... The existing residential areas on U.S. 42 should remain protected from the development..." (pp.L-14, L-15)

The Transportation Element of the Plan states:

"The arterials should be regarded as the roadways most suitable for planned land use development in the County. Arterials close to the urbanized areas are prime for commercial development although intense development can impede through traffic... Future development must be viewed in light of this functional classification system and developed accordingly. Also, the availability of curb-cuts needs to be determined using this system so that access becomes more limited as the functional classification increases." (pp. T-1, T-3)

The Business Activity Element states:

"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. Many problems with the location and arrangement of commercial enterprises have emerged, however, especially along KY 18 and U.S. 42... The land surrounding the U.S. 42 area, south of Florence, will experience additional growth towards the City of Union. Any commercial developments in these areas should be limited in scale and clustered to serve growing residential neighborhoods. Ideally, these commercial clusters should not function as an extension of Florence and Mall Road, but as a distinct unit serving the Union area..." (p. B-14)

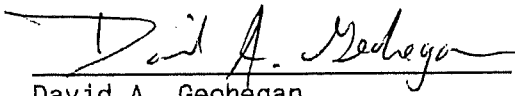
The Goals and Objectives for the Business Activity Element include:

1. Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space.
2. Future commercial development shall be encouraged, whenever practicable, to occur in the form of shopping centers or other compact aggregations having an integrated design." (p. G-3)

STAFF REVIEW

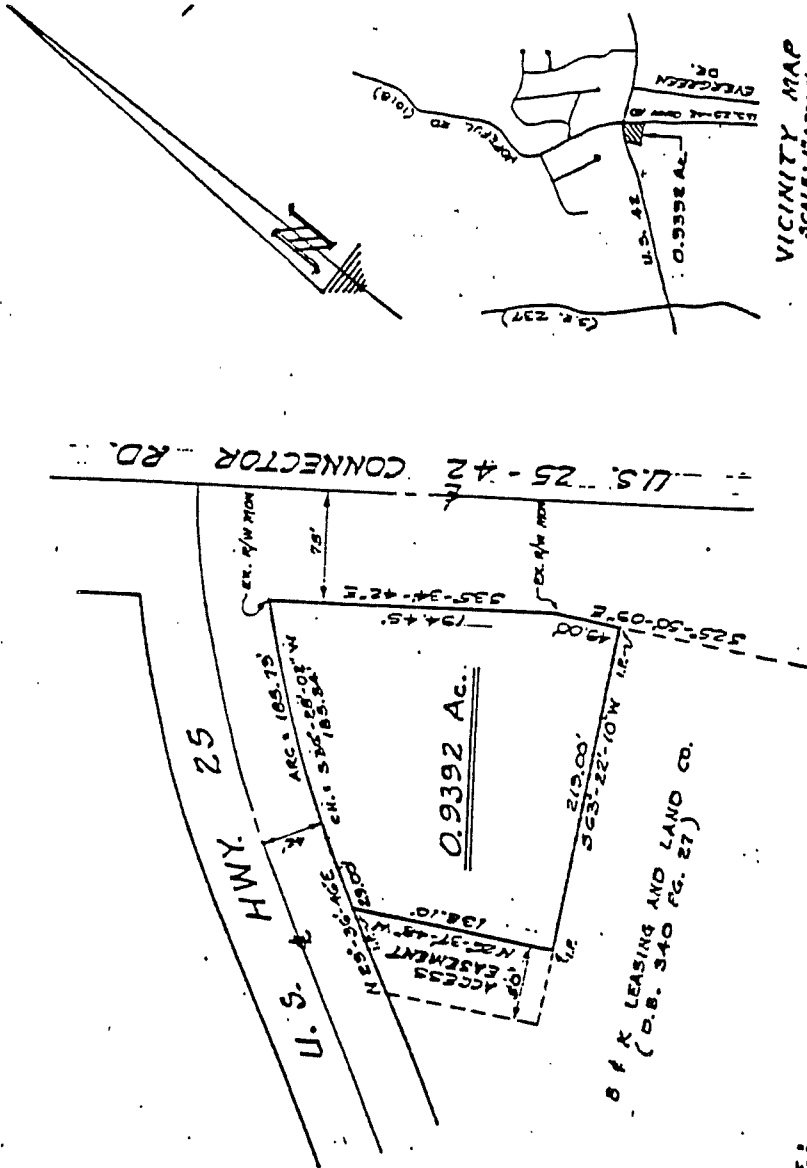
Staff believes that this annexation request will not have an effect on the zoning of the 0.9392 acre site. The current zoning of Commercial Two / Planned

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Development (C-2/PD) was placed on the property as a part of the 1986 Boone County Comprehensive Plan and Zoning Regulations update after extensive study and public review. The current use of the property was also carefully reviewed when Concept Development Plan approval was granted for the site. Because the land use reasons contained in the 1986 Zoning Map update and in the approval of the Verona Bank Concept Development Plan were not based on whether the site was within the Florence City limits or not, Staff believes that the annexation of this 0.9392 acre site does not warrant a change in the zoning to be in accordance with the 1986 Boone County Zoning Regulations as they pertain to the City of Florence.



David A. Geohegan
Planner/Plans Examiner

DAG:jdh



NOTE:

BACK REFERENCE; D.B. 340 PG. 27
 GROUP No. 2045A
 I.P. FROM P.M.

Zoned C-2/PD
 APR 4-28-87

LAND SURVEYOR'S CERTIFICATE

"I certify that this plat has been prepared by me or under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all requirements of the Boone County Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner."

I certify that I have examined the records of the Boone County Court Clerk and find that this is the 157 conveyance made under the present ownership and the parent tract since 1866 or 1867.

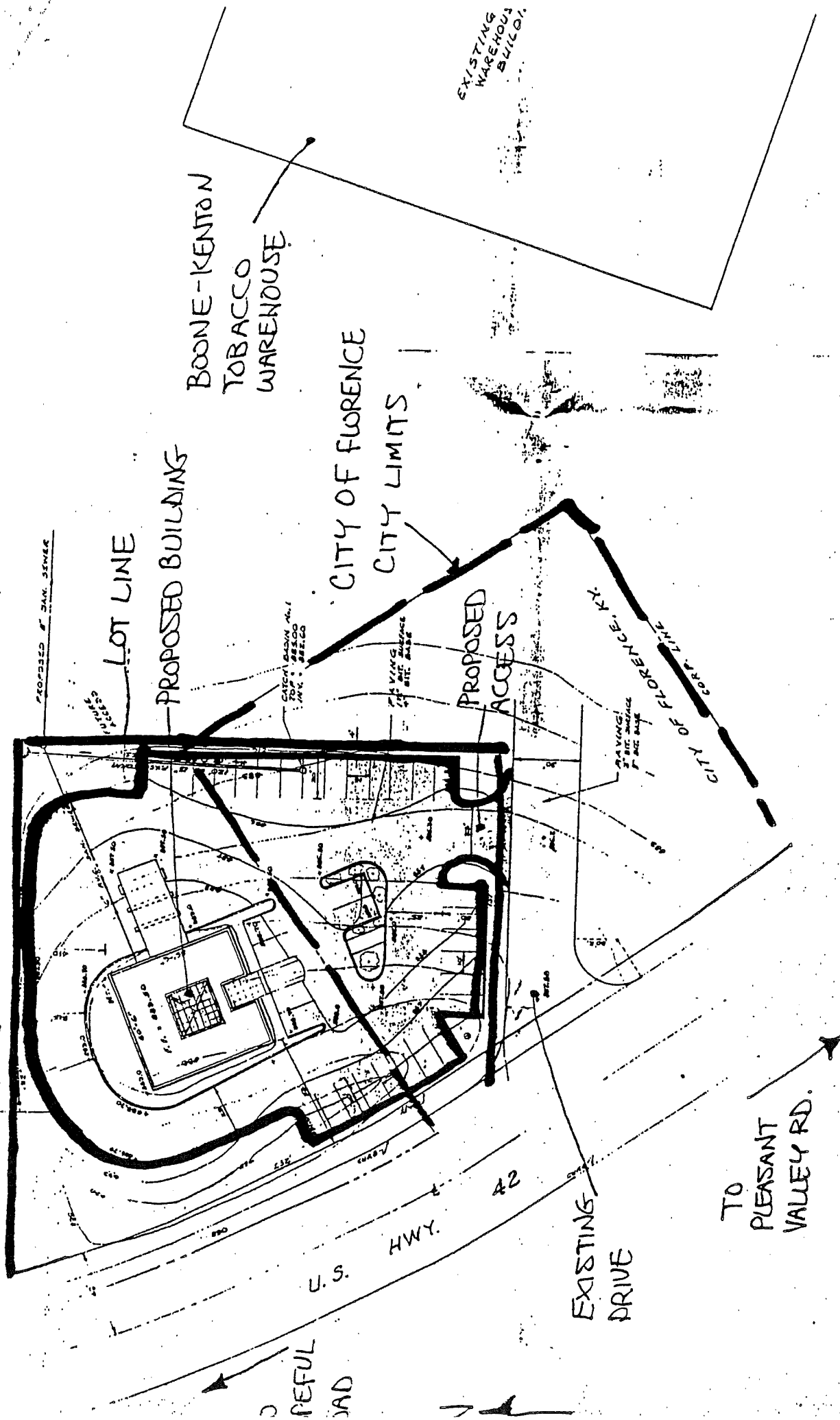
BOONE COUNTY PLANNING COMMISSION
 APPROVAL CERTIFICATE

Approved for recording the transfer of the property only by the Boone County Planning Commission the 3rd day of May, 1987.

Date May 3, 1987
 Chairman Charles B. Smith

X

(VERONA BANK) 1-25-89



BOONE-KENTON TOBACCO WAREHOUSE

EXISTING WAREHOUSE BUILDING

CITY OF FLORENCE CITY LIMITS

LOT LINE

PROPOSED BUILDING

PROPOSED ACCESS

CITY OF FLORENCE, KY

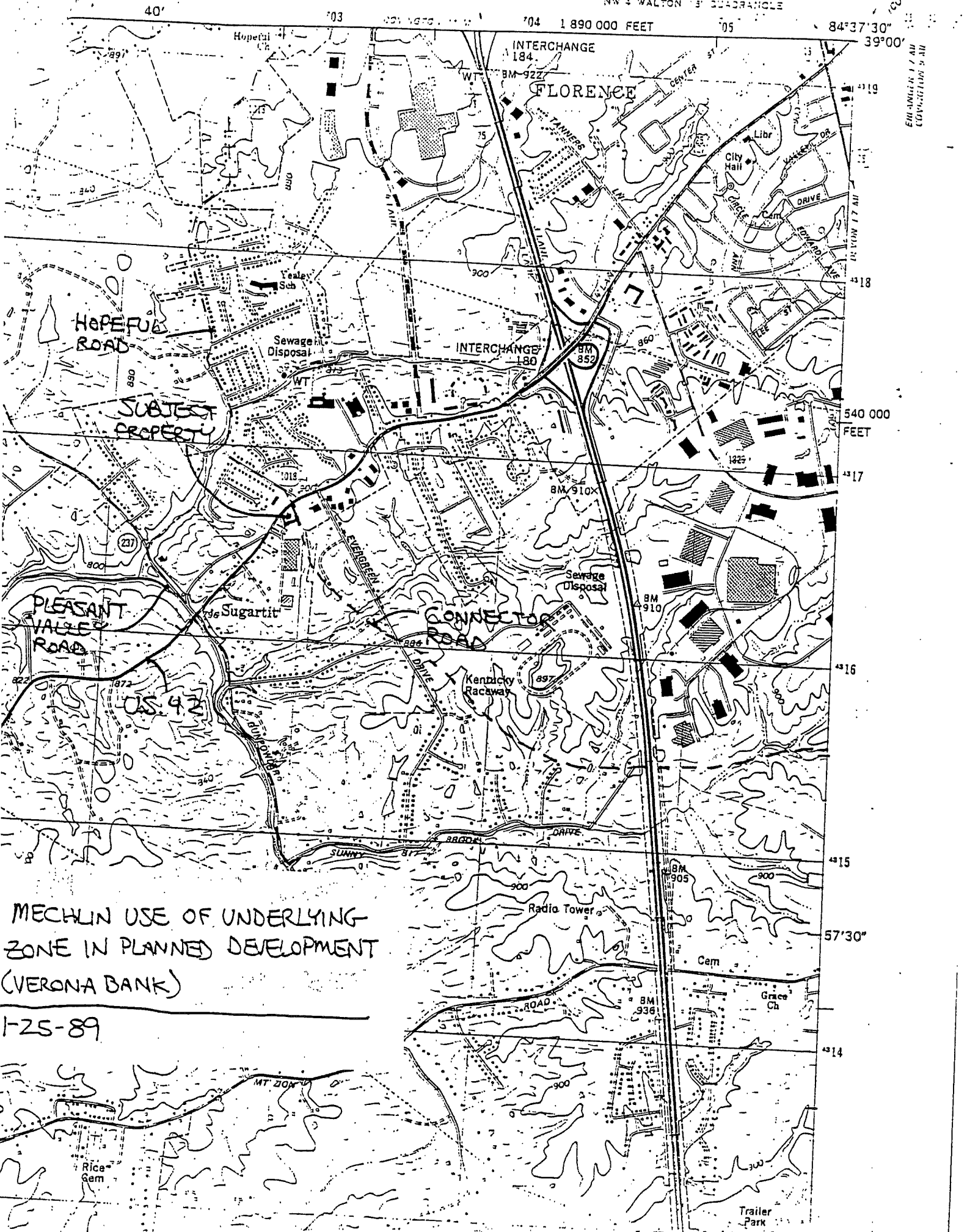
U.S. HWY. 42

EXISTING DRIVE

TO PLEASANT VALLEY RD.

REFUL ROAD

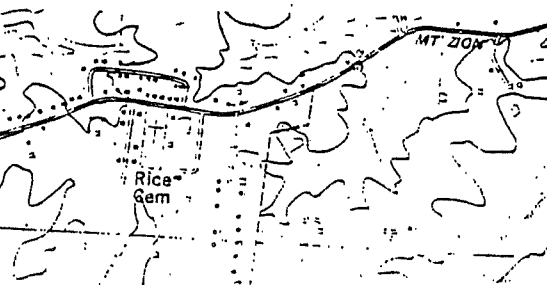
100
100VIA
EIM-AMER 17 AU
CONV-31005 9-81



SUBJECT PROPERTY

MECHANICAL USE OF UNDERLYING ZONE IN PLANNED DEVELOPMENT (VERONA BANK)

F-25-89



OTHER SUPPORTING INFORMATION

Faint, illegible text located in the bottom right corner of the page, possibly representing a signature or a reference list.

The Chairman introduced the last item on the Agenda:

3. Applicant: The City of Florence
Request: Annexation

This was a Public Hearing on the request of the City of Florence to determine the impact of annexation upon the current zoning of a 9.939-acre parcel located off U.S. 42 and Weaver Road, Boone County, Kentucky. The site is currently zoned Commercial Two/Planned Development (C-2/PD). The request is to hold a Public Hearing to determine the impact of annexation upon the current zoning.


Staff Member, Dave Geohegan, presented the Staff Report (see Staff Report).

The Chairman asked if there was anyone present who wished to speak in regard to this request.

Mr. Mike Sutton, speaking in behalf of Budick Realty and Verona Bank, noted a correction to the Staff Report. He stated that it was indicated that a small portion of the property was in the City of Florence. They have determined that this was a mapping error and it has been corrected.

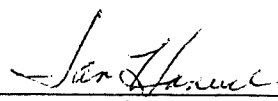
There being no further comments, the Chairman stated that this item will be on the Agenda for the Business Meeting on September 6, 1989 at 8 P.M. and closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

Attest:



Jan Hancock, Recording Clerk

EXHIBIT "A" A'

COMMITTEE REPORT

#3

TO: Boone County Planning Commission
FROM: Rector Jones, Committee Chairman
DATE: September 6, 1989
RE: Request of the City of Florence to determine the impact of annexation upon the current zoning of a 0.939 acre parcel located off U.S. 42 and Weaver Road, Boone County, Kentucky. The site is currently zoned Commercial Two/Planned Development (C-2/PD).

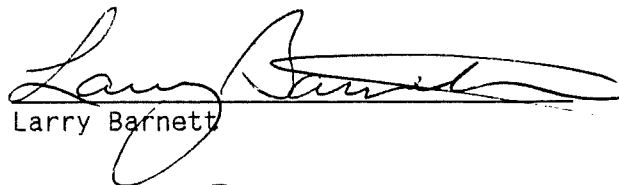
REMARKS:

We, the Committee, recommend that the current zoning of Commercial Two / Planned Development on the 0.9392 acre site not be changed based upon the following findings of fact. This annexation has no effect on the current zoning.

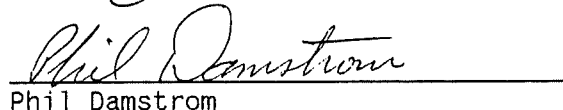
FINDINGS OF FACT

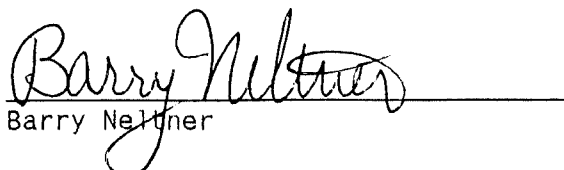
1. Through the Concept Development Plan approval process, the Planning Commission and Boone County Fiscal Court determined that the proposed Verona Bank development, and hence, the Commercial Two / Planned Development (C-2/PD) zoning was appropriate for the site and consistent with the Boone County Comprehensive Plan. Specifically, the use and zoning are consistent with the Future Land Use Map and the Comprehensive Plan's recommendation for neighborhood and community oriented commercial activities for the U.S. 42 and Weaver Road area.
2. The current zoning is compatible with the land uses and zoning on adjacent properties, which primarily include similar commercial activity in the Commercial Two / Planned Development (C-2/PD) zone.

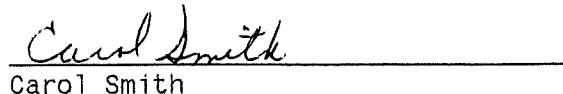

Rector Jones, Committee Chairman


Larry Barnett

Fred Burch


Phil Damstrom


Barry Neltner


Carol Smith

RJ:jdh

P+2

ORDINANCE NO. 0-27-89

AN ORDINANCE STATING THE INTENTION OF THE CITY OF FLORENCE, KENTUCKY TO ANNEX CERTAIN TERRITORY LOCATED GENERALLY ON U.S. 42 SOUTH OF WEAVER ROAD, BEING THE BUDIG PROPERTY; AND SPECIFYING THE ZONING CLASSIFICATION FOR SUCH PROPERTY AFTER ANNEXATION. (VERONA BANK) R-37-89

WHEREAS, Budig Realty Company and Verona Bank, being the owners of record of certain territory adjacent to the City of Florence, Kentucky, have made a written request that the City annex such territory pursuant to K.R.S. 81A.412, and

WHEREAS, said owners have waived the provisions of K.R.S. 81A.460 and have consented to and requested immediate annexation of the territory, and

WHEREAS, the City of Florence, Kentucky has requested a recommendation from the Boone County Planning Commission, a county-wide planning unit established pursuant to Chapter 100 of the Kentucky Revised Statutes, concerning the zoning classification of the territory upon annexation in accordance with K.R.S. 81A.420(1), and

WHEREAS, by Resolution No. R-37-89 the Boone County Planning Commission has recommended that such territory remain with its current zoning of Commercial Two/Planned Development (C-2/PD) after annexation.

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

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a.) Is contiguous to the boundaries of the City of Florence, Kentucky, and
- (b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
- (c.) Is not included within the boundary of another incorporated city.

SECTION II

The City hereby declares that it is desirable to annex such unincorporated territory and hereby states its intention to annex such territory.

SECTION III

The boundary of the territory to be annexed, consisting of a 0.9392 acre tract, is more particularly described in Exhibit "A" which is attached hereto and incorporated herein by reference.

SECTION IV

That the recommendation of the Boone County Planning Commission as to the zoning classification for the subject territory upon annexation is hereby adopted and approved, and the zoning classification after annexation for such territory shall be Commercial Two/Planned Development (C-2/PD) as shown on the Plat which is attached hereto and incorporated herein as Exhibit "B".

PASSED AND APPROVED ON FIRST READING THIS 26th DAY OF September, 1989.

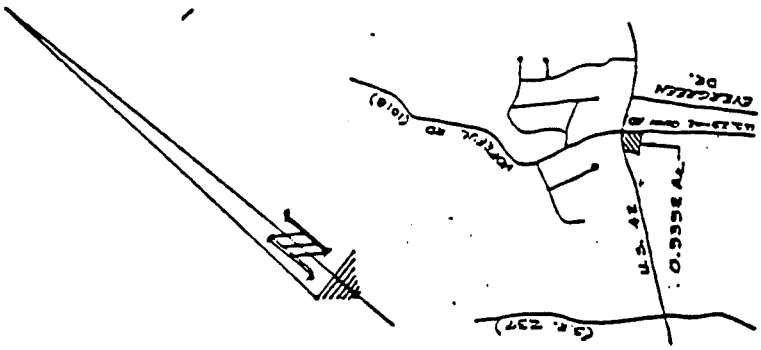
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 10th DAY OF October, 1989.

APPROVED:

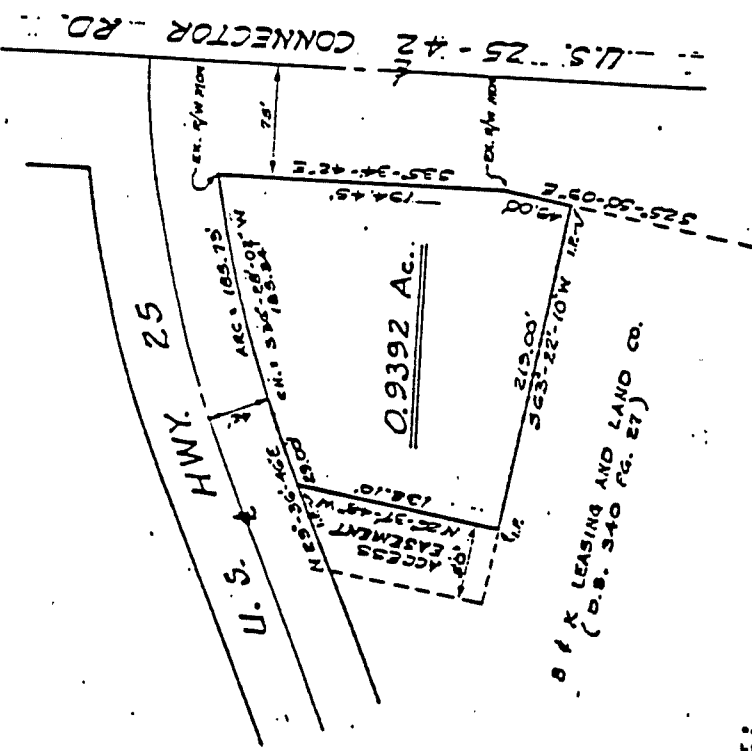

MAYOR

ATTEST:


CITY CLERK



VICINITY MAP
SCALE: 1" = 8000'



NOTE:

BACK REFERENCE; D.B. 340 PG. 27
GROUP No. 2045 A
L.S. = IRON PIN

B & K LEASING AND LAND CO.
(D.B. 340 PG. 27)

Zoned C-2/PD
APR 4-28-87

BOONE COUNTY PLANNING COMMISSION
APPROVAL CERTIFICATE

Approved for recording the transfer of the property only by the Boone County Planning Commission the 3 day of May, 1987.

Date _____
Chairman _____

LAND SURVEYOR'S CERTIFICATE

"I certify that this plat has been prepared by me or under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all requirements of the Boone County Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner."

I certify that I have examined the records of the Boone County Court Clerk and find that this is the 1st Conveyance made under the present ownership and the parent tract since 1966 or from the adoption of KRS 100.

P+Z
MAD

ORDINANCE NO. 0-29-89

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY LOCATED GENERALLY ON U.S. 42 SOUTH OF WEAVER ROAD, BEING THE BUDIG PROPERTY; AND SPECIFYING THE ZONING CLASSIFICATION FOR SUCH PROPERTY AFTER ANNEXATION. (VERONA BANK)

WHEREAS, the City has previously enacted Ordinance No. 0-27-89 stating its intention to annex the hereinafter described unincorporated territory, and

WHEREAS, all of the owners of record of such territory have requested same be annexed pursuant to K.R.S. 81A.412 and such owners have duly waived the provisions of K.R.S. 81A.460, and

WHEREAS, pursuant to the recommendation of the Boone County Planning Commission under K.R.S. 81A.420(1) such territory shall be zoned Commercial Two/Planned Development (C-2/PD) after annexation.

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

SECTION I

That the territory described in Exhibit "A" which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION II

That the recommendation of the Boone County Planning Commission (Resolution No. R-37-89) as to the zoning classifications for the subject territory upon annexation is hereby adopted and approved, and the zoning classification for such territory shall be Commercial Two/Planned Development (C-2/PD) as shown on the Plat which is attached hereto and incorporated herein as Exhibit "B".

That the zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be amended or changed to reflect the zoning classification for such territory set out above.

SECTION III

That following the enactment and publication of this Ordinance, such territory shall become a part of the City of Florence, Kentucky, for all purposes.

PASSED AND APPROVED ON FIRST READING THIS 10th DAY OF October, 1989.


PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 24th DAY OF October, 1989.

APPROVED:

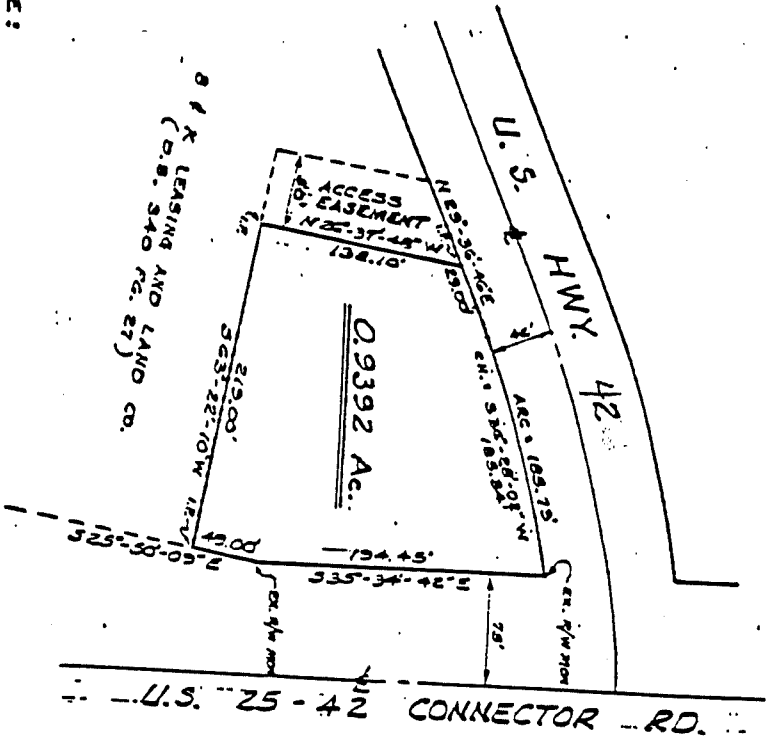


MAYOR

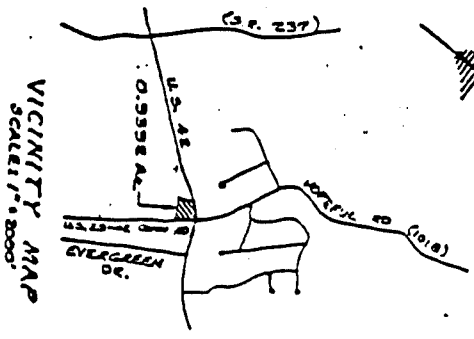
ATTEST:



CITY CLERK



NOTE:
 BACK REFERENCE; D.B. 340 PG. 27
 GROUP No. 2048 A
 1/2 - IRON PIN



LAND SURVEYOR'S CERTIFICATE

"I certify that this plat has been prepared by me or under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all requirements of the Boone County Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner."

BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE

Approved for recording the transfer of the property only by the Boone County Planning Commission the 3 day of May, 1988.

Date _____

 Chairman

Zoned C-2/PD
 Re: 4-28-89

I certify that I have examined the records of the Boone County Court Clerk and find that this is the original and the parent tract since 1966 or from the adoption of IRG 100.

ORDINANCE NO. 0-30-89

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY LOCATED IN BOONE VALLEY ESTATES SUBDIVISION, SECTION VI, LOT 37; ; AND SPECIFYING THE ZONING CLASSIFICATION FOR SUCH PROPERTY AFTER ANNEXATION. (DR. KENNETH R. ESTES PROPERTY)

WHEREAS, the City has previously enacted Ordinance No. 0-28-89 stating its intention to annex the hereinafter described unincorporated territory, and

WHEREAS, all of the owners of record of such territory have requested same be annexed pursuant to K.R.S. 81A.412 and such owners have duly waived the provisions of K.R.S. 81A.460, and

WHEREAS, pursuant to the recommendation of the Boone County Planning Commission under K.R.S. 81A.420(1) such territory shall be zoned Suburban Residential One (SR-1) after annexation.

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

SECTION I

That the territory described in Exhibit "A" which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION II

That the recommendation of the Boone County Planning Commission (Resolution No. R-36-89) as to the zoning classifications for the subject territory upon annexation is hereby adopted and approved, and the zoning classification for such territory shall be Suburban Residential One (SR-1) as shown on the Plat which is attached hereto and incorporated herein as Exhibit "B".

That the zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be amended or changed to reflect the zoning classification for such territory set out above.

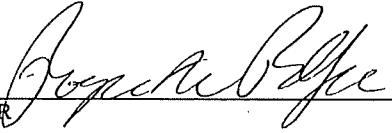
SECTION III

That following the enactment and publication of this Ordinance, such territory shall become a part of the City of Florence, Kentucky, for all purposes.

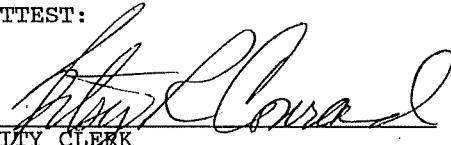
PASSED AND APPROVED ON FIRST READING THIS 10th DAY OF October, 1989.

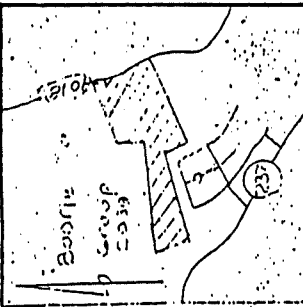
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 24th DAY OF October, 1989.

APPROVED:


MAYOR

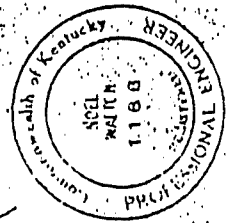
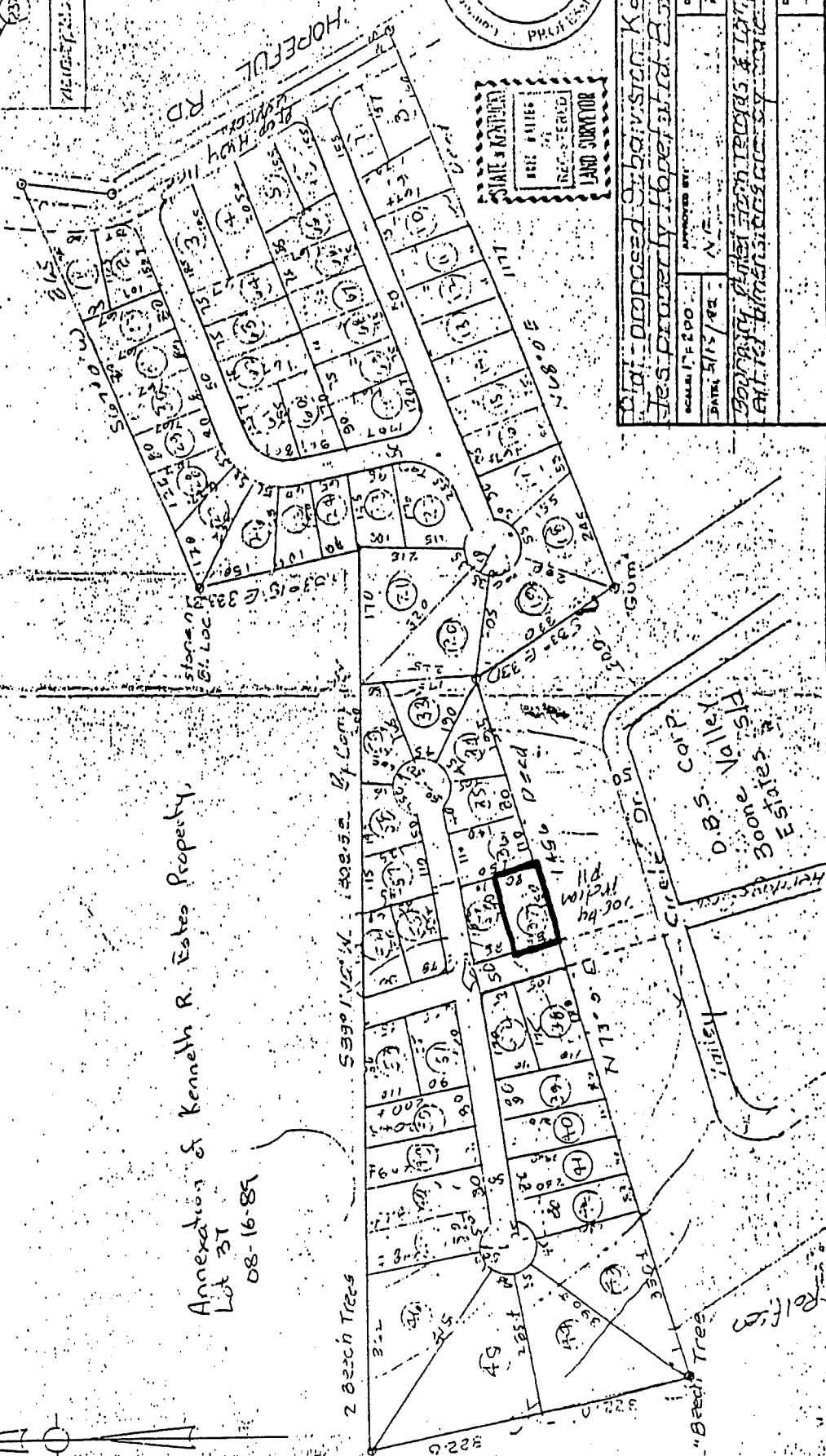
ATTEST:


CITY CLERK



ADJACENT PROPERTY

Annexation of Kenneth R. Estes Property,
 Lot 31
 08-16-85



STATE MAPLE
 REE FILES
 INCORPORATED
 LAND SURVEYOR

SCALE: 1" = 200'	APPROVED BY:	DATE: 5/15/85
DRAWN BY:	REVISED: 5/21/85	
Proposed Subdivision: Kenneth R. Estes Property Hopeful Rd. Boone Co. Ky. All lot dimensions are by survey		
DRAWING NUMBER:		