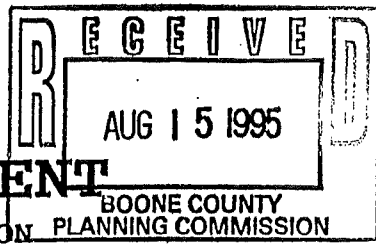


PV



# APPLICATION FORM ZONING MAP AMENDMENT

BOONE COUNTY PLANNING COMMISSION  
(See Boone County Zoning Regulations)

## SECTION A (To be completed by applicant)

1. Name of Project Nissan Towne
2. Location of Project Burlington Pike at Hopeful Road - Florence
3. Total Acreage of Site 4.72 acres
4. Current Zoning of Site C-2 and C-3
5. Proposed Zoning (Classification being requested) \_\_\_\_\_  
Total Site to be C-3
6. Proposed Uses (please specify each use) \_\_\_\_\_  
New and used car dealership (Nissan)  
Sales and service of new and used motor vehicles
7. Names of Applicant(s) The Patrick DeCastro Trust  
Phone Number 525-7797 (Atty.) Fax No. 525-7244 (Atty.)
8. Address of Applicant(s) c/o Bruce Krone 508 Atlas Bank Bldg.  
524 Walnut St. Cincinnati Ohio 45202  
City State Zip
9. Name of Property Owner(s) Patrick DeCastro Trust & Huntington Bank  
Phone Number 241-1234 Fax No. 241-2731
10. Address of Property Owner(s) c/o Bruce Krone-508 Atlas Bank Bldg.  
524 Walnut St., Cincinnati, Ohio 45202  
City State Zip
11. Proposed Building Intensities (please specify) \_\_\_\_\_  
Building Area 22,300 s.f. (see Plat)
12. Are there any existing buildings on the site? Yes  
How many? Existing First Fed. Bank Bldg. & House and Garage (Judd Tract)
13. Deed Book 205 Page No. 304 Group No. 2040 A
14. Are you also applying for: D.B. 362/227 D.B. 516/63  
No Conditional Use Permit  
No Dimensional Variance
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Boone County Water and Sewer District  
Florence Water and Sewer Commission  
Union Light Heat and Power  
Cincinnati Bell  
Owen County Rural Electric  
Boone County Public Works Department  
(over)

**EXHIBIT "A"**

## STAFF REPORT

Request of The Patrick DeCastro Trust (applicant) for The Patrick DeCastro Trust and Huntington Bank (owners) for a Zoning Map Amendment on an approximate 4.7 acre tract located at Burlington Pike and Hopeful Road, Florence, Kentucky. The request is for a change from Commercial Two (C-2) to Commercial Services (C-3) to allow a car dealership, **Nissan Towne**.

September 27, 1995

This request by the applicant is for a zone change that would permit the development of a new and used car dealership including the servicing of automobiles. The site in question is a 4.72 acre tract located on Burlington Pike (HWY 18) near Hopeful Road (see sheet #1).

Surrounding Land Uses and Zoning (see sheet #2).

- North: Kmart zoned Commercial Two/PD (C-2/PD)
- South: Property zoned Commercial Three (C-3) and to be incorporated into the proposed development.
- East: Framing Center Outlet zoned Commercial Two (C-2).
- West: Wonder Hostess Store and other property zoned Commercial Two (C-2). Toyota Towne is across Hopeful Road zoned Commercial Three (C-3).

### Site Characteristics

The site located on Hwy 18 near the intersection of Hopeful Road, is the former location of First Federal Savings and Loan. The site is relatively flat with the low area along the property line with the Framing Center Outlet. There is little vegetation with the exception of shrubs up around the building and a couple of trees along the south side of the property. The site has direct access to all utilities.

### Relationship to the 1995 Boone County Comprehensive Plan

The 1995 Boone County Comprehensive Plan's Future Land Use Map indicates this site to be developed for Commercial purposes (see sheet #3). The Comprehensive Plan on page 227 mentions that this area is recognized as a "regionally-oriented commercial development" and that "Commercial development in this section should remain near the arterial roads or close to the Interstate". The Comprehensive Plan also states that "The coordination of curb cuts and parking lot connections in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads".

### Concept Development Plan

The Concept Development Plan includes more than just the tract of land requesting a zone change (see sheet #4). The adjoining property to the south would be included in the overall development of the site. A 22,300 s.f. building is proposed and would lay across both tracts of land. An existing curb cut and access along Hwy 18 would be removed. A new entrance and exit on Hwy 18 is proposed that is centered on the property. The new entrance would increase the distance of this access from the intersection with Hopeful Road from 235 feet to approximately 300 feet. The total number of spaces including new and used cars, customer, service and employee parking is 405. Lighting is shown along the exterior and interior of the site. Type and height dimension are not provided. Landscaping is shown throughout the site, but size and type of vegetation are not provided. The detention basin and dumpster pads are located to the extreme rear portion of the property away from Why 18 and Hopeful Road. A "pylon" free standing sign is located on WHY 18 at the proposed entrance. No dimensions or height information has been provided.

### Staff Concerns

1. The entrances off HWY 18 for the Wonder Hostess Store and the site in question are spaced at a distance less than the minimum required 275 feet between adjacent driveways in the Boone County Zoning Ordinance. The new location for the Nissan Towne entrance would however make an improvement over what is existing. Staff recommends that in the future, if the adjacent site (Wonder Hostess Store) redevelops and Hopeful Road is widened, the Commission evaluate the need to keep the entrance from WHY 18 to the Hostess Store property.
2. An approved 1988 Big Sur Waterbeds Site Plan shows a driveway connection between it's parking lot and this site. Staff recommends this connection and that there also be a driveway connection between the site and the Wonder Hostess Store.
3. Because of the amount of parking spaces that would be needed, Staff recommends that more landscaping be included to the interior parking islands.
4. Because this is such a highly visible area, the Commission should consider whether or not conditions should be placed on signage. Currently the applicant would be permitted one free standing sign 40 feet in height and 250 s.f. in area.

Conclusion

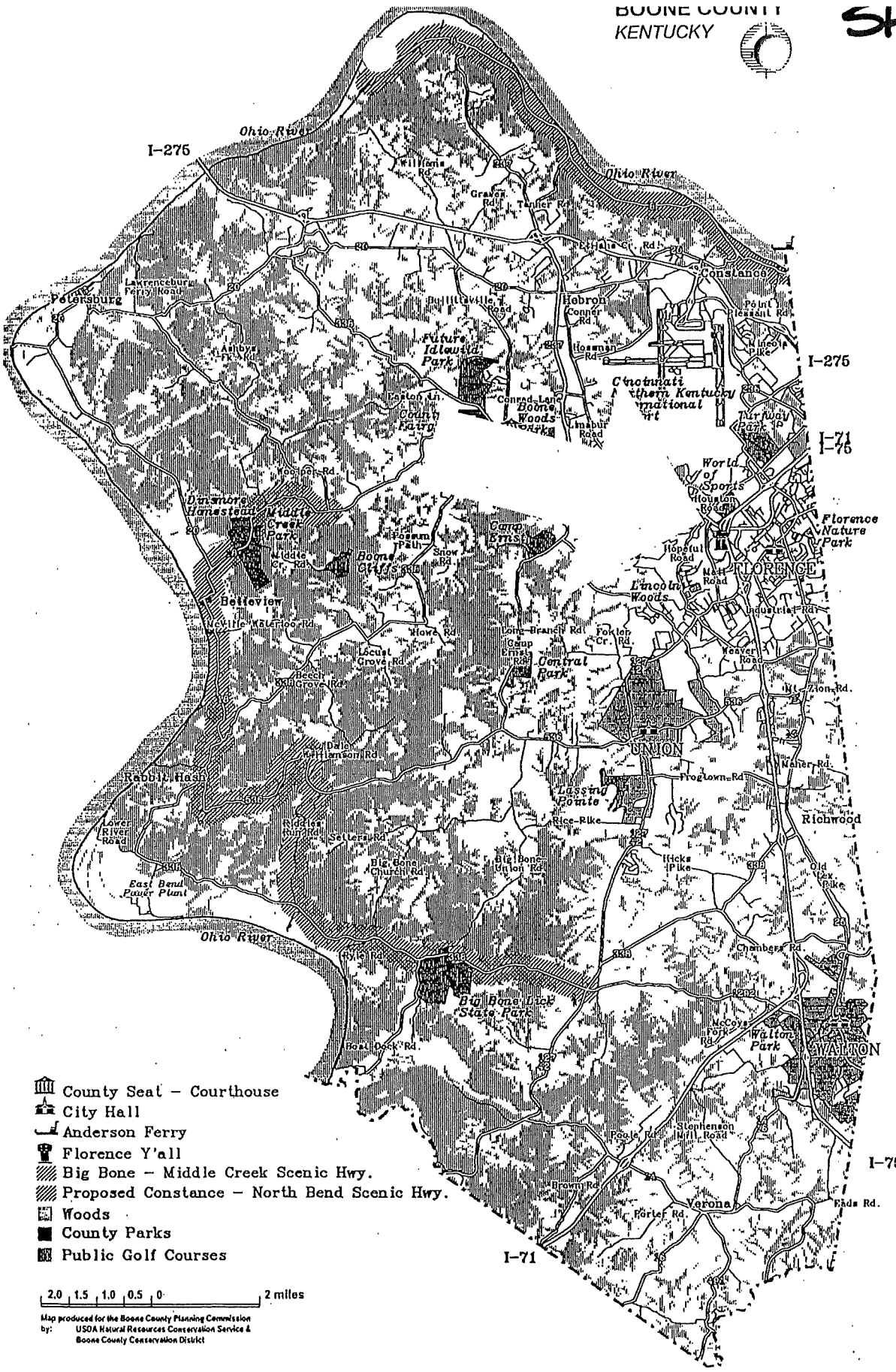
This request for a Zoning Map Amendment is an agreement with the future land use map of the 1995 Boone County Comprehensive Plan which indicates this area to develop as Commercial. The Boone County Planning Commission needs to evaluate the request based on the criteria outlined in Article 3, Section 308 of the Boone County Zoning Regulations. If the Planning Commission recommends and the Florence City Council approves this request for a zone change, the Future Land Use Map will not need to be amended.

Respectfully submitted,

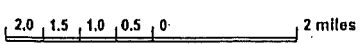
A handwritten signature in cursive script that reads "Ed Coleman".

Ed Coleman  
Planner

EC\par
















- County Seat - Courthouse
- City Hall
- Anderson Ferry
- Florence Y'all
- Big Bone - Middle Creek Scenic Hwy.
- Proposed Constance - North Bend Scenic Hwy.
- Woods
- County Parks
- Public Golf Courses

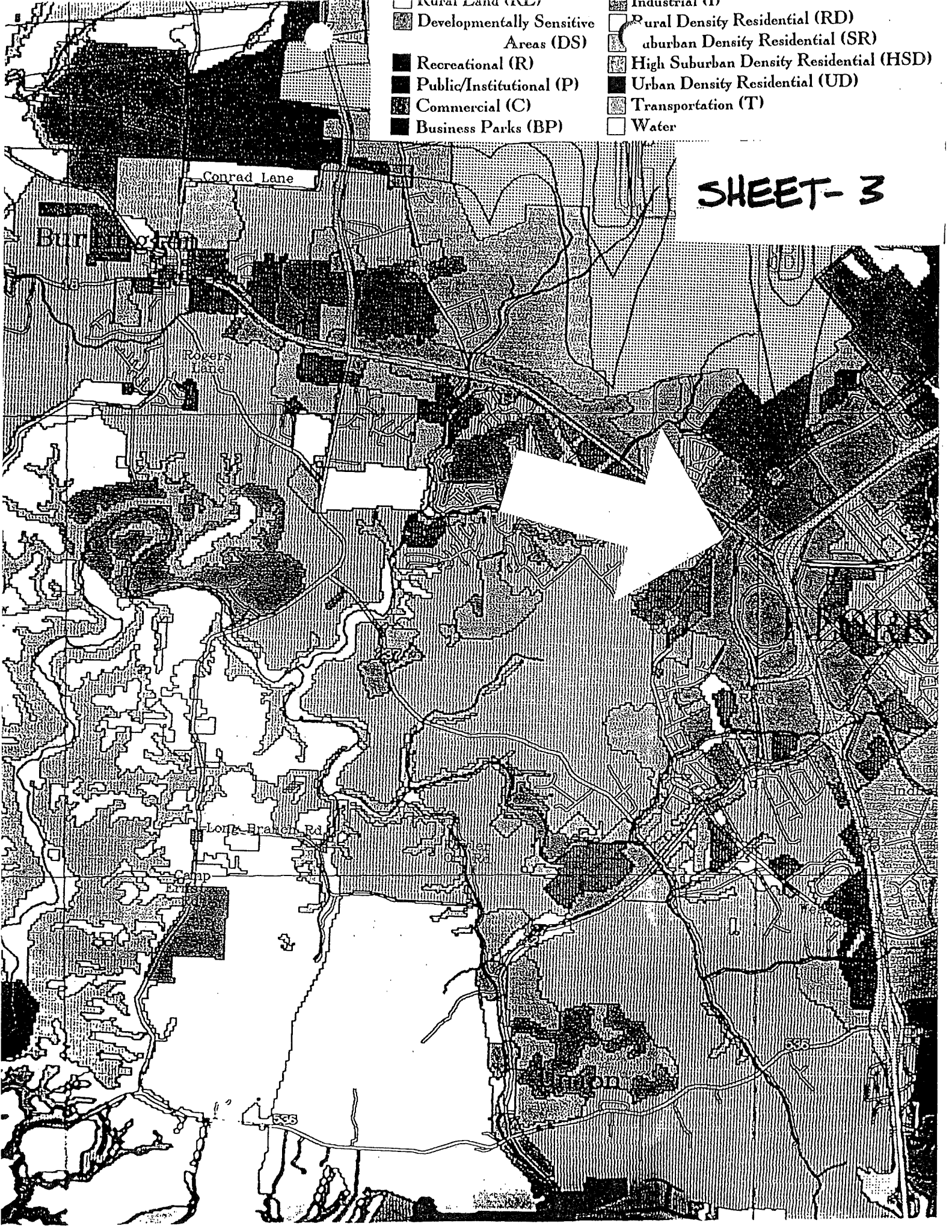


Map produced for the Boone County Planning Commission  
by: USDA Natural Resources Conservation Service &  
Boone County Conservation District



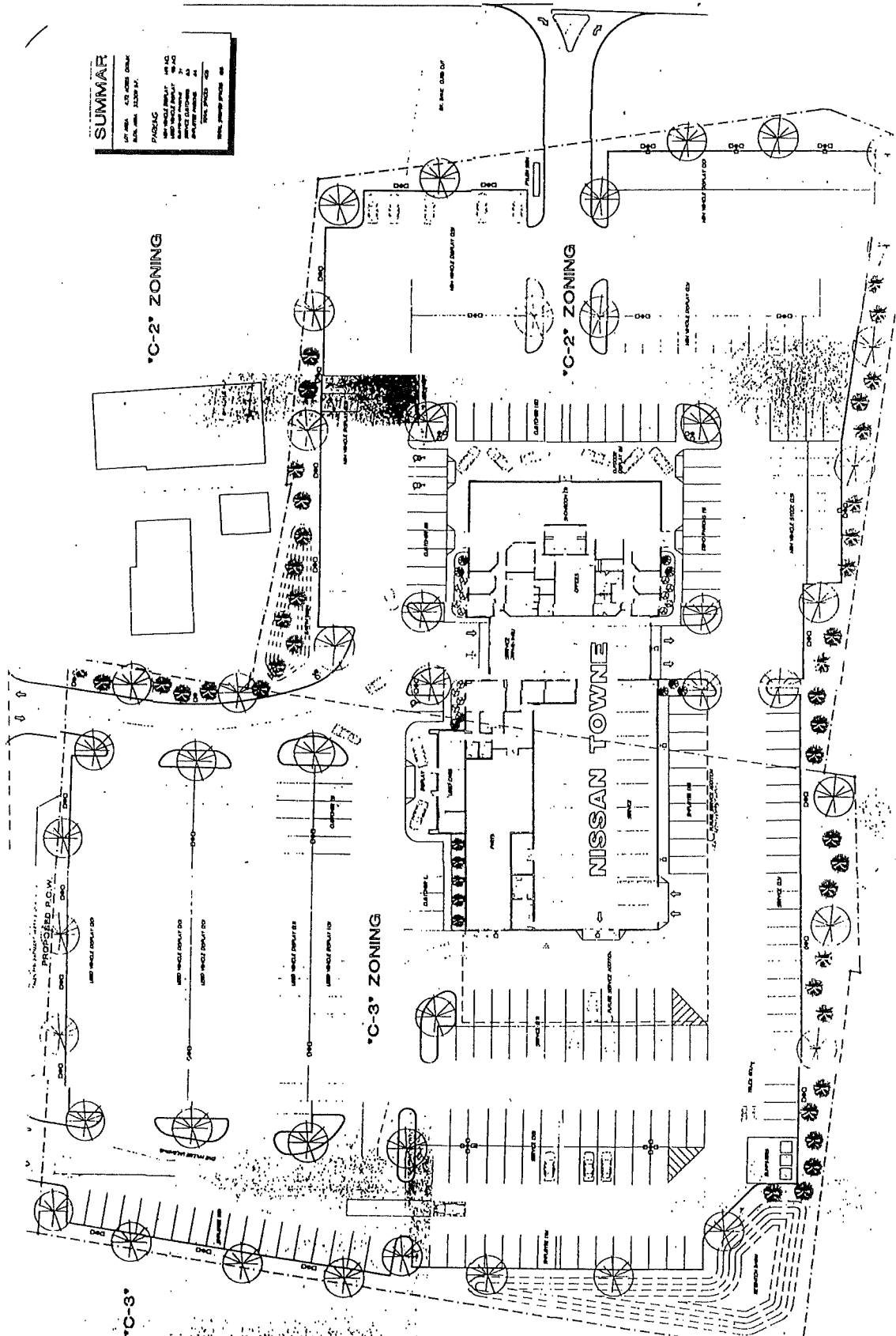
-  Rural Land (RL)
-  Developmentally Sensitive Areas (DS)
-  Recreational (R)
-  Public/Institutional (P)
-  Commercial (C)
-  Business Parks (BP)
-  Industrial (I)
-  Rural Density Residential (RD)
-  Suburban Density Residential (SR)
-  High Suburban Density Residential (HSD)
-  Urban Density Residential (UD)
-  Transportation (T)
-  Water

**SHEET- 3**



**SUMMARY**

LOT AREA	523,000 SQ. FT.
SITE AREA	23,000 SQ. FT.
PLANNING	100% COMPLETE
PERMITS	100% COMPLETE
CONSTRUCTION	100% COMPLETE
OPERATION	100% COMPLETE
DATE	10/15/03
SCALE	AS SHOWN



BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
September 27, 1995  
7:00 P.M.

PUBLIC HEARINGS

Commission members present: Mrs. Arnett, Mr. Kirby, Jr., Mr. McKinney, Mr. McMillian, Mr. Millay, Mr. Neltner, Mr. Ries, Mr. Rush, Mrs. Schaffer, Mrs. Smith - Secretary/Treasurer, Mr. Viox - Chairman, and Mr. White.

Mr. William Viox, Chairman, called the meeting to order at 7 P.M.. Following an explanation of the Public Hearing process, Chairman Viox introduced the first item on the Agenda:

1. Applicant: The Patrick DeCastro Trust for  
The Patrick DeCastro Trust and Huntington Bank (owners)

Request: Zoning Map Amendment

The request of The Patrick DeCastro Trust (applicant) for The Patrick DeCastro Trust and Huntington Bank (owners) for a Zoning Map Amendment on an approximate 4.7-acre tract at Burlington Pike and Hopeful Road, Florence, Kentucky. The request is for a change from Commercial Two (C-2) to Commercial Services (C-3) to allow a car dealership, Nissan Towne.

Staff Member Ed Coleman presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Viox asked for the applicant's presentation.

Mr. Dave Schneider with Ziegler & Schneider was present in behalf of The Patrick DeCastro Trust. Mr. Bruce Krone, trustee of The Patrick DeCastro Trust, was also present. Mr. Schneider stated that the frontage of the property on KY 18 is a very small part of the property they have purchased. Half of the property is in Boone County and half is in the City of Florence. All of the property to the west is existing C-3 and they are only changing the C-2 property in the front to make it conform. He stated that within the last two weeks, Planning & Zoning approved the operation of a dealership on the C-3 portion of the property and they are now selling cars there out of the existing homes and garages.

Mr. Schneider stated that over the last several months, they have been acquiring property -- they purchased the First Federal property, the Judd property, and the concrete plant. About three quarters of the Development Plan is already a Permitted Use in C-3. They want approval of the frontage property in the City of Florence and, once approval is given, they can begin putting up a new showroom. The Nissan dealership was saved for Florence because it was lost on Circle Road. The trustees purchased the dealership out of bankruptcy and, if they had not, the jobs would have been lost to the City of Florence. They are moving to this location because it is consistent with the Comprehensive Plan and there is frontage on KY 18 and Hopeful Road. The usage of the property is consistent with the very critical intersection there. The use of the property will have no impact in the morning hours. All of the traffic coming from Burlington thru there will not be impacted by this use as the primary times for the dealership are Saturday afternoons, Sundays, and sometimes in the evenings. The impact on the traffic going east on KY 18 in the morning is negligible.

Mr. Schneider stated that with the existing C-2, there could be uses there with morning traffic -- such as restaurants or a White Castle where people pull in and out to get coffee. The bank is there and it was already zoned for it. There could be a number of uses there which may not be consistent with the intersection. A car dealership is a much better use in consideration of impact on morning traffic. With entrances on KY 18 and Hopeful Road, the car dealership can be accommodated and is there now and operating.

Mr. Schneider stated that their position, from a legal standpoint, is that the application is in agreement with the Comprehensive Plan. He referred to Page 222 of the Land Use Plan. He stated that the Plan makes reference to the Camp Ernst area that "no commercial use should occur past the KY 18 or U.S. 42 properties" and stated that the subject property is a KY 18 frontage property. He quoted that "the development should create clusters rather than strip centers" which is what they are doing -- putting in a cluster of development. He stated that the property could develop as a strip center under the existing zoning. He asked for a finding that the application is in agreement with the Comprehensive Plan. He stated that as the use of the property is being changed from a bank, which is an allowable use in C-3, the existing zoning is no longer appropriate -- and they have purchased the entire property and are putting it together as one C-3 use.

Mr. Krone offered to answer any questions.

Mr. Coleman completed the Staff Report in regard to the Concept Development Plan and the Staff Concerns.

Mr. Schneider referred to Staff Concern #1 and stated that this use would be an improvement over the existing situation. The Development Plan shows a right-in only and a right-out only, much the same as Toyota. The entrance will be moved down away from the situation to improve it. He stated that they hoped to be able to include the Wonder Hostess Bread Store and the other shop in this application. They have made offers to

them, but the situation is being held up due to the Highway Department. The Highway Department has talked about buying a portion of the barber shop property and the Wonder Hostess property. The Highway Department has talked to the barber shop about acquiring all of their parking and there would be a question of whether they could continue there. They would like to sell the property in two parcels -- first to the Highway Department and then to them or whoever else would come in there. There will not be a lot left to do anything with after the highway improvements. He stated that if the Wonder Hostess entrance would merge with this property, it would eliminate any problem; but they cannot make that application today because the Highway Department has not made final offers to them -- even though construction is taking place on KY 18.

Mr. Schneider stated that a number of connections have been proposed and they will work with the Staff in this regard. If there is not a Wonder Hostess or other store there, the question of whether it would need to be connected all the way over is moot. They will work with the Staff in regard to the signage. There are a number of signs along there now going all the way back to Airport Ford. There are 8 or 10 signs there and they will work with the Staff for whatever is consistent and permitted by the regulations.

Mr. Schneider asked that the Planning Commission find the request to be in conformance with the Comprehensive Plan.

Chairman Viox asked if there was anyone else present who wished to speak in regard to this request. There was no response. Chairman Viox asked for questions or comments from the Commission.

Mr. Neltner asked if they are willing to have a connection to Big Sur Waterbed to the left of the site.

Mr. Krone stated that one of the problems at the Toyota site is that there are numerous cut-thrus -- people who come from KY 18 and drive thru there can go down Hopeful Road, and also go from Hopeful Road to KY 18. People cut thru with a reckless disregard for the patrons of the Toyota store. They are willing to explore a connection, but he does not want people from the waterbed store to use their property as a cut thru to Hopeful Road -- which could be a more dangerous situation. He stated that the waterbed store currently has an out to Mall Road. He stated that the two buildings on the west side of the subject property as scheduled to be torn down by the Highway Department. They are not aware of what kind of a building can be rebuilt on the parcel. The bread store will not survive the widening of Hopeful Road. The buildings will be torn down next Spring, when they intend to open this building. They are willing to explore this issue.

Mr. Neltner stated that to the rear of the property is the Bambi Day Care Center and a number of mobile homes. He questioned if there will be a lot of lighting to the rear of the property that will flood onto those properties.

Mr. Krone reviewed the plan and stated that beyond the drawing and before you get to the mobile home park is another 300 feet of property called "the concrete plant". They are acquiring the concrete plant and utilizing it in a way that is complimentary and non-obtrusive to the mobile home park and the neighbors. The concrete plant will be used mainly as storage and not for the dealership that will be open from 9 A.M. to 9 P.M.. The lights for the dealership will be up front and will not intrude into the mobile homes.

Mr. McMillian asked for a commitment that the access road will go in. He would like to see the access road from KY 18 thru to the waterbed store.

Chairman Viox stated that since they have control of the concrete plant, all the properties should be explored in regard to a connection and possibly a connection would be better served further down the street. If there is a cut thru, there could be problems there with theft and damage to the vehicles on the lot. He noted that most dealerships block all the entrances on the weekends to keep suspicious cars from coming in and things from disappearing. He stated that possibly there can be a connection behind the storage area. Mr. Krone stated that they are willing to explore this, but it is hard to commit without knowing what Big Sur had in mind when they drew their Site Plan. They need to keep the curb cut on KY 18. He stated that in the new drawing from the Highway Department, the bread store curb cut will be redrawn -- but, pending what happens to the ownership of that land, the curb cuts may be erased. If the bread store and barber shop become part of the Nissan dealership, the use of their curb cuts would not continue. They will fill the curve out and use the curb cuts they have already drawn.

Chairman Viox suggested that the Staff look at all the properties in regard to the curb cuts.

Mr. Neltner stated that the plan has been designed with a right-in/right-out and most of the traffic will come from KY 18. He asked if they anticipate that traffic will come down to Hopeful Road and turn left or make a turn around and make a right in. Mr. Krone stated that they will come down Hopeful road and make the turn in from Hopeful Road. Mr. Schneider stated that it will be a lot easier to turn on the Hopeful Road side with the improvements to the road. He stated that there would be too much traffic to go down KY 18 and come in.

Mr. Neltner stated that further back KY 18 where Ford is, there is a road in front and people are not supposed to make left turns in there -- but every night there is someone blocking traffic and trying to get across. He does not want that to happen here. Mr. Krone stated that people are not turning left across the traffic to go into the Toyota store now. Most of the traffic comes down Hopeful Road and they believe that traffic will continue. Hopeful Road will go to five lanes at KY 18 (3 north and 2 south), which is why the bread store will be gone. He stated that there will be adequate opportunity for the turns in. He noted a second drive further to the south down Hopeful Road and stated that it is his hope that most people will use the second drive to come in. With the five lanes at KY 18, the backup that now exists from time to time on Hopeful Road should

be eliminated. Hopeful Road will be regraded and the hump where the barber shop is will be eliminated. There is the element of a blind turn there now, but with the regrading it will be much better to make the turn.

Mr. Neltner questioned if their address will be Hopeful Road or KY 18. He stated that if they do not have a Hopeful Road address, people who are not familiar with the area will not know that they have entrances off Hopeful Road. Mr. Krone stated that Mr. Neltner makes a good point, but it is part of the business plan they have not yet addressed. He believes the address of the parcel is on KY 18. Mr. Schneider stated that for this zone change, the frontage is on KY 18 -- but the majority of the property is in the C-3 zone in the county.

Mr. Krone stated that if it is conducive to business to have a Hopeful Road address, they will advertise it. If it is safest to go in, they will advertise that way. The Post Office assigns addresses and he believes the parcel will be listed as KY 18. They will not advertise it until the construction is done and they will advertise the access off Hopeful Road.

Chairman Viox suggested that the right-in/right-out access be more defined. If they spread the radius out so that it is definitely defined to be right-in/right-out and have a monument sign that says "ENTRANCE OFF HOPEFUL ROAD", he does not think there will be a problem -- regardless of what the address is. If it is not definitely defined, people who cut thru there will go right over a roll curb and thru a planter. People will find them if the entrance is designed so that it is basically impossible to get in by turning left and the sign says "ENTRANCE OFF HOPEFUL ROAD".

Mr. Krone stated that the Mazda store has square curbs and there are scrapes from where people have wiped out the bottom carriages of their cars. They will build the access more along that line. Chairman Viox stated that a planter with grass defines better than paving with a stripe. Mr. Krone stated that at Mazda it is painted white with a 6" high square curb -- and only a four-wheeler would go over it. Chairman Viox stated that he does not know that we want to challenge someone. Mr. Krone stated that they will do whatever they need to do to discourage it.

Mrs. Arnett noted that two accesses are shown on the Site Plan and questioned how they line up with Toyota Towne. Mr. Schneider stated that the first access is directly opposite Toyota Towne and the other one is south.

Mrs. Arnett stated that all deliveries will be off Hopeful Road. Mr. Schneider agreed.

Mrs. Arnett asked if the entrance off KY 18 is where the entrance to the bank is now. Mr. Schneider replied "no" and stated that it is being moved, which will widen the gap between the two entrances.

Counselor Wilson stated that the Public Hearing is a fact gathering process and the request will then go to a Committee. The Committee meeting is open and people may attend, but it is not another Public Hearing. The Committee will make a recommendation to the full Commission, and the Commission may or may not go along with the recommendation. The

request will then go to the Florence City Council and they may go along with the Commission's recommendation or override it. The City of Florence may have their own Public Hearing.

There being no further comments, Chairman Viox stated that the Committee Meeting for this item will be on October 9, 1995 at 4 P.M. in the second floor conference room.

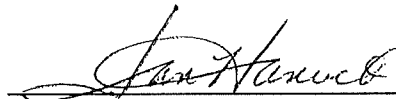
The Chairman closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BUSINESS MEETING  
October 18, 1995  
8:00 P.M.

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

COMMISSION MEMBERS PRESENT:

Mr. William Bailey  
Mr. Phil Damstrom  
Mr. Robert Kirby, Jr.  
Mr. Mike McKinney  
Mr. Don McMillian  
Mr. Bob Millay  
Mr. Barry Neltner  
Mr. Robert Ries  
Mr. Ralph Rush  
Mrs. Carol Smith, Secretary/Treasurer  
Mr. William Viox, Chairman  
Mr. Earl White

COMMISSION MEMBERS NOT PRESENT:

Mrs. Judy Arnett  
Mr. Fred Burch, Vice Chairman  
Mrs. Linda Schaffer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director  
Ms. Susan Cabot, Historic Preservation  
Mr. Ed Coleman  
Mr. Dave Geohegan, AICP  
Mr. Jeff Hayes, AICP  
Ms. Jan Hancock, Secretary  
Mr. Mitch Light  
Mr. Dan Richards, GIS  
Mr. Kevin Wall, AICP

Announcement:

Chairman Viox stated that the November 1, 1995 Business Meeting will be held in the Fiscal Court Room on the second floor of the Administration Building.

Approval of the Minutes:

Chairman Viox stated that each Commission member had received a copy of the Minutes of the October 4, 1995 Business Meeting. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Damstrom seconded the motion and it carried unanimously.

UNFINISHED BUSINESS:

1. Zoning Map Amendment

The request of The Patrick DeCastro Trust (applicant) for The Patrick DeCastro Trust and Huntington Bank (owners) for a Zoning Map Amendment on an approximate 4.7-acre tract at Burlington Pike and Hopeful Road, Florence, Kentucky. The request is for a change from Commercial Two (C-2) to Commercial Services (C-3) to allow a car dealership, Nissan Towne.

Staff Member Ed Coleman read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report).

Mr. Neltner moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mrs. Smith seconded the motion and it carried unanimously.

2. Zoning Map Amendment

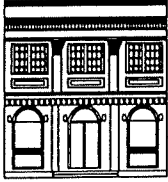
The request of George F. Higdon (applicant) for George F. Higdon and Jack Sims (owners) for a Zoning Map Amendment for an approximate 1.6-acre site at 10485 Dixie Highway, Boone County, Kentucky. The request is for a change from Mobile Home Park (MHP) to Commercial One (C-1).

Staff Member Jeff Hayes read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). He advised that the applicant has signed the letter agreeing to the conditions.

Mr. Kirby moved by resolution to the Boone County Fiscal Court that the request be approved based on the Staff and Committee Reports. Mr. Damstrom seconded the motion and it carried unanimously.

## SUPPORTING INFORMATION

# BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005  
606-334-2196 FAX 606-334-2264

October 17, 1995

Mr. David Schneider  
Ziegler & Schneider, P.S.C.  
505 Turfway Ridge Office Park  
7300 Turfway Road  
Florence, KY 41042

RE: Recommended Conditions of Approval for a Zone Change from C-2 to C-3 for the 4.72 acre site located on Hwy 18 near Hopeful Road

Mr. Schneider:

The following represents the conditions of approval as agreed to by the Boone County Planning Commission's Zone Change Committee. If you, as the applicant agree to the following conditions, please indicate so by signing at the space provided below and returning this letter to the Planning Commission office by 4:00 P.M. Wednesday, October 18, 1995.

## Conditions of Approval

1. The applicant agrees to a driveway connection with the neighboring building located at the corner of Hwy 18 and Mall Road if at some future time this building becomes automotive related with the Dealership.
2. The applicant agrees to a free standing sign consistent in size and area with that of neighboring businesses. The maximum area for a free standing sign shall be no greater than 125 square feet.
3. The access on Hwy 18 will be designed as shown on the concept plan in order to eliminate left turns across Hwy 18 onto the site.

Sincerely,

A. Edward Coleman  
Planner

AEC\par

Mr. David Schneider  
Ziegler & Schneider, P.S.C.  
October 17, 1995  
Page 2

I, the applicant, agree to the above listed conditions of approval for the requested Zoning Map Amendment from C-2 to C-3 on Hwy 18 near Hopeful Road for the development of a Nissan Towne car dealership.

A handwritten signature in cursive script that reads "David Schneider". The signature is written in black ink and is positioned above a horizontal line.

David Schneider, Applicant  
Ziegler & Schneider, P.S.C.



**Matrix Building Company, Inc.**  
 Design / Build  
 General Construction  
 Construction Management

1520 Russell Street  
 Covington, Kentucky 40011  
 (502) 251-2521

DESIGNED BY	DATE
BY	08/21/05
CHECKED BY	DATE
BY	
SCALE	AS NOTED

REVISIONS

PROJECT  
**PROPOSED NEW CAR SALES AND SERVICE FACILITY FOR NISSAN TOWNE**  
 BURLINGTON PIKE AT HOPEFUL ROAD FLORENCE, KENTUCKY



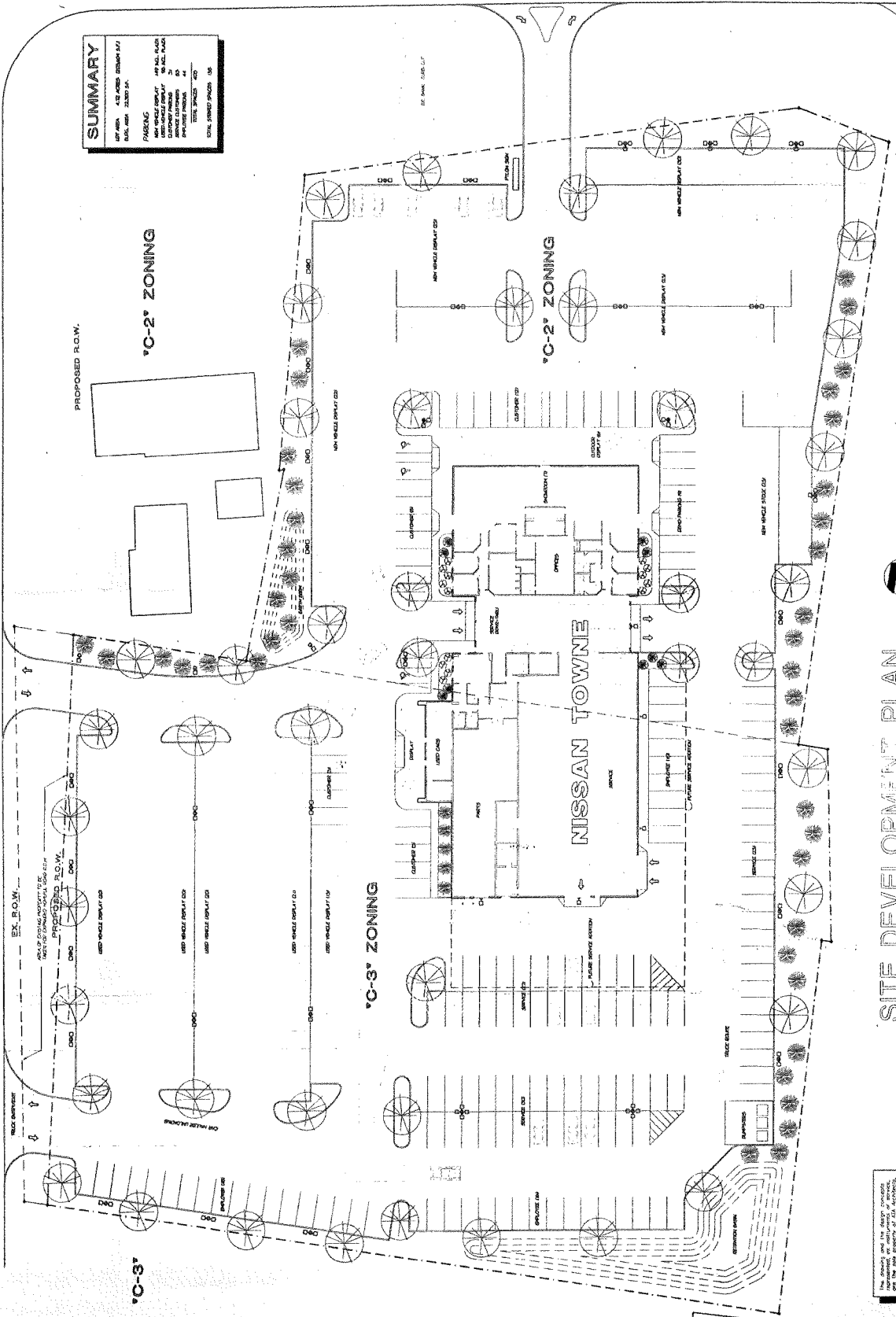
SHEET TITLE  
**SITE DEVELOPMENT PLAN**

SHEET  
**A-1**

TOYOTA TOWNE

'C-3' ZONING

HOPEFUL ROAD



<b>SUMMARY</b>	
LOT AREA	4.52 ACRES (200,000 S.F.)
TOTAL AREA	23,800 S.F.
<b>PARKING</b>	
MIN. VEHICLE SPACES	100
MIN. BICYCLE SPACES	2
MIN. TRUCK SPACES	0
MIN. SERVICE SPACES	0
TOTAL VEHICLE SPACES	100

BURLINGTON PIKE (KY, 18)

**SITE DEVELOPMENT PLAN**

1" = 20'

PRELIMINARY  
 FOR RE-ZONING REVIEW



'C-2' ZONING

NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF ATA ARCHITECTS.

ORDINANCE NO. 0-26-95

AN ORDINANCE ADOPTING AND APPROVING A REZONING OF CERTAIN REAL ESTATE LOCATED IN THE CITY OF FLORENCE, KENTUCKY, FOR AN APPROXIMATE 4.7 ACRE SITE LOCATED GENERALLY AT OR NEAR THE INTERSECTION OF BURLINGTON PIKE AND HOPEFUL ROAD IN THE CITY OF FLORENCE, KENTUCKY, THIS REZONING BEING FROM ITS PRESENT ZONE OF COMMERCIAL TWO (C-2) TO COMMERCIAL SERVICES (C-3), SUBJECT TO AN AGREED DEVELOPMENT PLAN. (DECASTRO TRUST PROPERTY)

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

WHEREAS, the Boone County Planning Commission has recommended that a requested zone change be approved for an approximate 4.7 acre site at or near the intersection of Burlington Pike and Hopeful Road in the City of Florence, Kentucky, from the current zoning Commercial Two (C-2) to Commercial Services (C-3) subject to agreed conditions of a development plan, and

WHEREAS, the recommendation of the Boone County Planning Commission is based upon certain findings and agreed conditions of a development plan, which has been reviewed by City Council of Florence, Kentucky.

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

SECTION I

That the requested zone change for the real estate which is more particularly described below shall be and is hereby approved to rezone an approximate 4.7 acre site from Commercial Two (C-2) to Commercial Services (C-3) zoning, subject to a development plan and its agreed conditions. This subject real estate is more particularly described in Exhibit "A", attached hereto and incorporated herein as if fully set out.

SECTION II

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 rezoning of the subject property.

SECTION III

That the recommendation of the Boone County Planning Commission regarding this zone change shall be and is hereby adopted and approved by the City Council of Florence, Kentucky,

including the findings and recommended conditions of the Commission and the development plan.

SECTION IV

In the event the rezoning of this property should be held invalid by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map and comprehensive plan provisions are they are severable from this rezoning on this particular piece of property, and are intended to continue to have effect regardless of any invalidity regarding this particular rezoning.

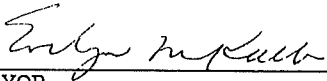
SECTION V

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

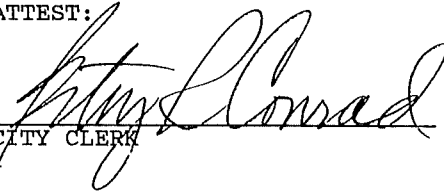
PASSED AND APPROVED ON FIRST READING THIS 12<sup>th</sup> DAY OF December, 1995.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 14<sup>th</sup> DAY OF December, 1995.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK