

CITY OF FLORENCE, KENTUCKY
PLANNING AND ZONING COMMITTEE

IN RE: AGREED ADDITIONAL CONDITIONS - REQUEST OF CESO INC. (APPLICANT) FOR THE DETERS COMPANY (OWNER) AND VUONG XUAN NGUYEN (OWNER) FOR A CHANGE IN CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) DISTRICT, FOR AN APPROXIMATE 3.8 ACRE AREA LOCATED AT 8450 US 42 AND INCLUDING THE PROPERTY HAVING A PARCEL IDENTIFICATION NUMBER (PIDN) OF 062.00-00-039.00, AND BEING LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF US 42 WITH HOPEFUL CHURCH ROAD, FLORENCE, KENTUCKY. THE REQUEST IS TO DEMOLISH THE EXISTING GAS STATION, CONVENIENCE STORE, AND RESTAURANT AND CONSTRUCT A 6,372 SQUARE FOOT CONVENIENCE STORE WITH GASOLINE PUMPS.

The Planning and Zoning Committee has recommended and the Applicant has agreed that the following conditions shall apply to the request described above.

1. The approval shall be based on the following Concept Development Plans that were reviewed by the Planning & Zoning Committee on September 22, 2025, unless modified by other conditions below:
 - a. The revised Concept Development Plans (Sheets 1-10).
 - b. The revised building elevations and building perspectives.
 - c. The revised gasoline canopy and trash enclosure elevations.
 - d. The revised photometric plan, fixture details, and light spillover plans.
 - e. The revised sign drawings.
2. The proposed development shall meet the minimum requirements of the zoning regulations, except for the following:
 - a. The number of stacking spaces for a drive through eating and drinking establishment. The layout shall be consistent with the approved Concept Development Plans.
 - b. The number of stacking spaces for a gasoline filling station. The layout shall be consistent with the approved Concept Development Plans.
 - c. Four (4) building mounted signs shall be permitted on the front façade of the convenience store. The area and type of signs shall be consistent with the approved Concept Development Plans.

- d. The development shall be permitted a monument sign near each access point as shown on the Concept Development Plans.
3. The drive through shall be for pick-up only.
4. The following landscaping or buffer yard conditions shall apply to the development:
 - a. The existing trees along Hopeful Church Road shall be protected and retained. Any tree located near or in the proposed access point shall be relocated or replaced at the discretion of the Zoning Administrator.
 - b. The applicant shall be required to submit the landscaping plan to the proper utility companies and determine what landscaping will be permitted in the utility easements. Tree or shrub substitutions may be approved by the Zoning Administrator in the two street frontage buffers based on the utility company's response.
 - c. The final location of the required privacy fencing in the northwest property line buffer shall be determined once the Major Site Plan application is submitted for review. The privacy fencing shall be located to minimize sound and headlight impacts on adjoining residential property owners from the development.
 - d. A 6' tall privacy fence shall be required in the northeast buffer yard between the parking lot and retaining wall. The fence shall be constructed to minimize sound and headlight impacts on adjoining residential property owners from the development. The required fence shall not encroach into the front yard of the development.
5. The following signage conditions shall apply to the development:
 - a. Menu board signage shall be prohibited.
 - b. A directional sign shall be provided in the vicinity of the underground fuel storage tanks directing fuel delivery trucks to use the Hopeful Church Road exit.
 - c. The permitted monument sign designs shall correlate to one another and meet the following standards:
 - US 42 Monument Sign
 - Maximum height – 8' tall
 - Maximum area – Approximately 64.44 square feet
 - LED fuel price displays – No more than three as shown on the Concept Development Plan.

- A minimum 18” brick base, which matches the building, shall be required.

Hopeful Church Road Monument Sign

- The sign design shall follow the approved Concept Development Plan.
6. The EV charging area shown on the plans is not approved since details were not submitted for review. A Change in Concept Development Plan application will need to be submitted and approved to allow EV charging on site.
 7. A masonry CO2 tank enclosure shall be required if CO2 tanks are stored outside. The enclosure shall:
 - a. Be constructed with the same masonry that is being used in the principal structure.
 - b. Contain solid gates
 - c. Conceal all tanks and associated wires or conduits from public view.
 8. The following exterior speaker conditions shall apply to the property:
 - a. Exterior speaker systems on the subject property shall not be audible on adjoining properties which are residentially zoned.
 - b. Fuel pumps speaker systems shall be turned off between the business hours of 10:00 P.M. and 6:00 A.M.
 9. The applicant or future property owner shall be required to have further discussions with Kentucky Transportation Cabinet about making road improvements to Hopeful Church Road, in the area which would immediately adjoin the WaWa fuel station and convenience store site. Potential improvements to be discussed include:
 - a. Extending the existing concrete median and/or adding breakaway bollards to prevent left turning movements into the retail center which is directly across Hopeful Church Road from the proposed development.
 - b. Restripe traffic lanes to add vehicle stacking capacity on Hopeful Church Road at the Hopeful Church Road/US 42 signalized intersection.

The applicant's or future property owner's conversation with Kentucky Transportation Cabinet shall be documented and be provided to Boone County Planning Commission and the City of Florence at the time the Major Site Plan application is submitted for review. The future property owner shall be required to make the road improvements which are permitted by Kentucky Transportation Cabinet.

BY: Pat Nam
(Applicant)

COUNTY OF Butler STATE Ohio

The foregoing instrument was acknowledged before me this 14 day of October, 2025, by Patrick Wamement, the applicant, on behalf of the company.



SIERRA HORTON
Notary Public, State of Ohio
My Commission Expires
July 27, 2030
COMMISSION: 2025-RE-892780

Sierra Horton

NOTARY PUBLIC, State at Large
My Commission Expires: July 27, 2030

Agreed to this ____ day of _____, 2025.

BY: _____
(Property Owner)

COUNTY OF _____ STATE _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by _____, the _____, on behalf of the company.

NOTARY PUBLIC, State at Large
My Commission Expires: _____

Agreed to this ____ day of _____, 2025.

Agreed to this ____ day of _____, 2025.

BY: _____
(Applicant)

COUNTY OF _____ STATE _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by _____, the _____, on behalf of the company.

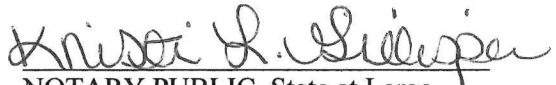
NOTARY PUBLIC, State at Large
My Commission Expires: _____

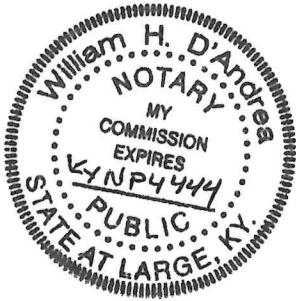
Agreed to this 13th day of OCTOBER, 2025.

BY: 
(Property Owner)

COUNTY OF Boone STATE Kentucky

The foregoing instrument was acknowledged before me this 13th day of October, 2025, by Todd Coley, the Controller, on behalf of the company.


NOTARY PUBLIC, State at Large
My Commission Expires: 10/18/2025



Agreed to this 10 day of Oct, 2025.

BY: Kuong Nguyen
(Property Owner)

COUNTY OF Boone STATE Ky

The foregoing instrument was acknowledged before me this 10 day of Oct, 2025, by William D'Andrea the State At Large, on behalf of the company.

William D'Andrea
NOTARY PUBLIC, State at Large
My Commission Expires: 7/23/26