

**COMMONWEALTH OF KENTUCKY
COUNTY OF CAMPBELL
CITY OF COLD SPRING
ORDINANCE NO. 24-1094**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLD SPRING,
COUNTY OF CAMPBELL, KENTUCKY FOR AN APPROXIMATE 27ACRE AREA OF LAND
ON THE CORNER OF ALEXANDRIA PIKE (US 27) AND INDUSTRIAL ROAD IN THE CITY
OF COLD SPRING FROM INDUSRIAL PARK (IP) TO MIXED USE PLANNED
DEVELOPMENT (MUPD) AND NEIGHBORHOOD COMMERCIAL (NC)**

WHEREAS, a request for a map amendment was submitted to the Cold Spring Planning and Zoning Commission by Al Neyer, LLC, with the consent of the owner pursuant to a development agreement with the City of Cold Spring, to change the zoning from IP to MUPD and NC; and

WHEREAS, the Campbell County Planning and Zoning staff reviewed the application and recommended that the proposed map amendment be approved; and

WHEREAS, the Cold Spring Planning & Zoning Commission, upon reviewing the staff recommendations and after holding a public hearing, voted to approve the map amendment on the basis that existing zoning classification is inappropriate and the proposed zoning classification is appropriate for the site.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF COLD SPRING, COUNTY OF CAMPBELL, COMMONWEALTH OF KENTUCKY:

Section I

That the Cold Spring City Council hereby approves said Zoning Map for an approximate 27 Acre site, located on the corner of Alexandria Pike/US 27 and Industrial Road of land located in the City of Cold Spring, from Industrial Park (IP) to Mixed Use Planned Development (MUPD) and Neighborhood Commercial (NC).

The aforementioned map amendment, as recommended by the Cold Spring Municipal Planning & Zoning Commission is adopted on the following bases:

1. The existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate. Specifically, the basic character of the area is no longer industrial in nature, for which MUPD and NC is appropriate.
2. That that there have been major changes of economic, physical, and/or social within the area involved that were not anticipated and/or acknowledged in the adopted comprehensive plan, more specifically, the departure of the Disabled American Veterans National Headquarters, which while zoned IP, was not industrial in nature.

ORIGINAL

In addition to, per the representation and agreement of the Applicant, a future request for residential uses, shall require the approval of the Cold Spring, City Council, in addition to Planning and Zoning Commission approval as set forth the Cold Spring Zoning Ordinance. Lastly, the applicant has also represented a level of landscaping buffer adjoining Henry Court. This buffer shall be the minimum submitted for consideration on any Planning and Zoning Commission submittals. The Commission and Staff, through the required public hearing process, may determine additional is necessary, per the regulations set forth in the MUPD zone of the Zoning Ordinance. This buffer set forth by letter dated, July 16, 2024, as well as the agreement regarding residential uses, are attached to the Ordinance as Exhibit A, and incorporated by reference as if set forth herein. Exhibit A is a condition of this Zone change approval. Lastly, that the zone change is contingent upon compliance with the Cold Spring Zoning Ordinance's Common Open Space/Recreation area requirement of 20%.

Section II

That should any section or part of any section or any provision of this Ordinance be declared invalid by a Court of competent jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

Section III

That this Ordinance shall take effect and be in full force when passed, published, and recorded according to the law.

Adopted this 22 day of July, 2024.

1st Reading - June 24, 2024

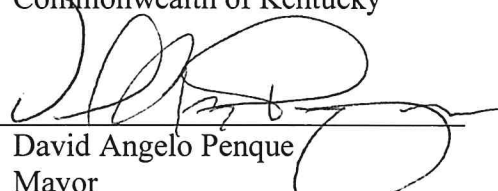
Vote: 4, Yes, 2, No

2nd Reading - July 22, 2024

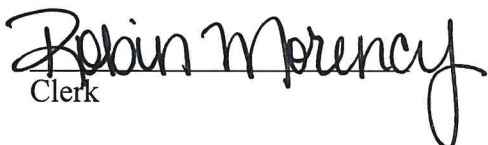
Vote: 4, Yes, 2, No

City of Cold Spring
County of Campbell
Commonwealth of Kentucky

By:


David Angelo Penque
Mayor

Attest:


Clerk

July 16, 2024

Brandon Voelker
Attorney, City of Cold Spring
5694 East Alexandria Pike
Cold Spring, KY 41076

RE: Cold Spring Town Center Zone Map Amendment Proposal Concerns

Dear Brandon,

AL. Neyer is committed to the thoughtful development of the former DAV property while supporting the collaborative groundwork we have laid with the City of Cold Spring thus far. In light of the discussions held during the City Council hearing on June 24th, our team aims to address the two primary issues related to the proposed zone map amendment – the landscape screening for Henry Court residential neighbors to the north and the potential for residential development in subsequent project phases.

Landscaping Buffer: While detailed landscaping plans are not required to have been developed as part of our Stage 1 Submittal, we are working on these plans as part of a forthcoming Stage 2 submittal. Hearing the concerns of our future neighbors, we are willing to employ an alternative that will minimize impact on the existing landscape. These revisions would maintain the vegetation on the downslope adjacent to the residents of Henry Court to the ravine, thus preserving a significant amount of the current screening.

Residential Development: The current MUPD text allows for a variety of potential uses and thus offers necessary flexibility for the development of current and future phases. While AL. Neyer has no immediate plans for residential development in the eastern portion of the property, reserving the option for future consideration is a critical element for us and our potential partners in evaluating this opportunity. If, in the future, our development plan involves residential product for the undeveloped portion of the property, we are willing to bring the proposed plan for such residential development before the City Council for its review and approval. This hearing would be in addition to the two-stage Planning Commission submittals required as part of the MUPD development plan approval process.

AL. Neyer hopes that this letter addresses the concerns raised by the City and clarifies our position on the matters at hand. Should any additional questions arise, we welcome the opportunity to discuss these matters further.

Sincerely,



Ryan Reardon
AL. Neyer
SVP, Real Estate Development