

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

Site Plan Review is not granted by the appropriate Board of Adjustment

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

- 1. Check One Boone Florence Walton Union
- 2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use

3. Applicant: Wellert Corporation
 Address: 5136 Beach Rd.
Medina OH 44256
 City State Zip Code
 Phone Number: 330-239-2699 Fax Number: 330-239-0272
 Email: katherine.wellert@wellert.com

4. Description of Request:
See attached Conditional Use letter.

5. Name of Development: TA#28 Walton Travel Center Raze and Rebuild
 6. Location of Development: 145 Richwood Rd.
Walton KY 41094
 City State Zip Code

7. Acreage Under Review: 9.0166

8. Lot Number and Name of Subdivision (if part of a subdivision):
Parcel ID# 076.00-00-003.03

9. Current Owner: HPT TA Properties Trust
 Address: 255 Washington Street, Suite 300
Newton MA 02458
 City State Zip Code
 Phone Number: 617-796-8390 Fax Number: _____
 Email: _____

Board of Adjustment
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10. Proposed Use(s) on Site: Convenience store, restaurant, fueling station for automobiles & trucks, truck repair

11. Total Square Footage of Existing and/or Proposed Buildings: 27,794 sf total (2 proposed bldgs)

12. Current Zoning: C-3 Commercial Services

13.	<u>929</u>	<u>681</u>	<u>2072</u>
	Deed Book	Page	Group Number

14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____

15. Have you submitted a Site Plan with this request: Yes No

16. Have you submitted a list of adjoining property owners with this request: Yes No

17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

HPT TA Properties Trust

ORIGINAL Property Owner's Signature: John G. Murray
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted) John G. Murray, President

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

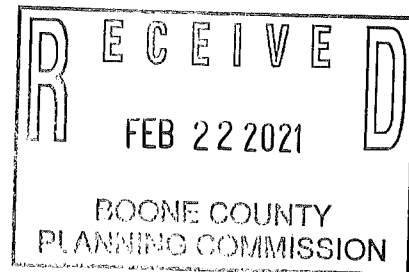
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17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

HPT TA Properties Trust

ORIGINAL Property Owner's Signature: By: *John G. Murray*
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted) John G. Murray, President

ORIGINAL Applicant's Signature: _____
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)



Board of Adjustment
Page 3

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 2/16/21 Fee Received: \$1,116.⁶⁰ Receipt #: 83277

2. Is application complete: _____

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: March 10, 2021

5. Board Action: March 10, 2021

_____ Approved

Approved with Conditions (see #6)

_____ Denial (See #7)

6. Conditions of Approval: See Minutes & Project File

7. Reasons for Denial: _____

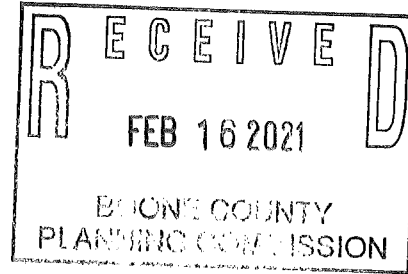
Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org



Mr. Michael Schwartz
Planner
Boone County Planning Commission
2950 Washington Street
Room 317
Burlington, Kentucky 41005

February 12, 2021

Reference: **TravelCenters of America**
145 Richwood Road
Walton, KY 41094



Dear Mr. Schwartz:

TravelCenters of America operates a Travel Center located at 145 Richwood Road, Walton KY. Current uses associated with the property consist of retail fuel sales for commercial and passenger vehicles, quick serve and sit-down food service (restaurants), retail sales of prepackaged food items and other goods, customer use and service areas, truck service and repairs, and commercial and passenger vehicle parking and drive areas. The site comprises approximately 9 acres. The parcel ID number and Group Number are listed below:

<u>Parcel ID Number</u>	<u>Group Number</u>
076.00-00-003.03	2072

As a result of significant roadway construction activities being completed by the Kentucky Transportation Cabinet, TravelCenters of America will be losing direct driveway access to Richwood Road. The Kentucky Transportation Cabinet will be constructing a new road (Day Drive) and driveway access along the east side of the TravelCenters of America property.

The property is currently This will cause TravelCenters of America to re-build the facility to continue operating at this location. The proposed reconstruction will provide similar uses as what currently occur on the property. A copy of the proposed site plan indicating the site configuration and proposed uses is included with this application. A new retail sales building will be constructed which will include quick serve and sit-down food service (restaurants), retail sales of prepackaged food items and other goods and customer use and service areas. Passenger vehicle and commercial vehicle fueling areas with overhead canopies will be constructed on the east and south sides of the sales building. A new truck service and repair building will be constructed south of the sales building and will include four service bays, parts storage areas and associated employee and customer office and waiting areas. The property will include passenger vehicle and commercial vehicle parking and drive areas.

Please accept this letter and following documents as our formal application for a conditional use approval:

1. A legal description of the property
2. The names and mailing addresses of the adjoining property owners (this includes any property across any street, including the interstate)
3. Five (5) sets of scaled drawings showing the proposed development (3 page ALTA survey of existing conditions, 1 page proposed site plan)
4. The application fee of \$1,116.00 (check made payable to Boone County Planning Commission)

An electronic copy of all submittal documents will be emailed to you at:
mschwartz@boonecountky.org

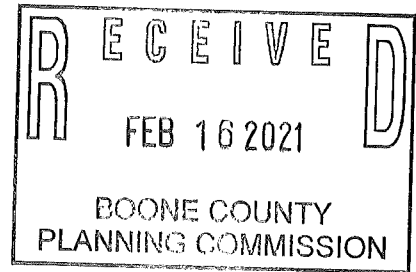
Please inform the following individuals of progress regarding this application:

Civil Engineer

Robert Wellert
Wellert Corporation
5136 Beach Road
Medina, OH 44256
Email: Robert.wellert@wellert.com
Phone: 330.239.2699

TravelCenters of America

Mr. Tyler Andreasen
TravelCenters of America
Email: tandreasen@ta-petro.com
Phone: 440-465-4193



We look forward to working with you and the Boone County Planning Commission toward the successful re-development of this property. If you have any questions, please contact me.

Yours truly,

Robert W. Wellert
V.P. Engineering

Cc: Mr. Tyler Andreasen – TravelCenters of America
via email: tandreasen@ta-petro.com
Mr. Jeffrey Baird - Connor & Gaskins Unlimited, LLC
via email: jeff@cgunlimited.com



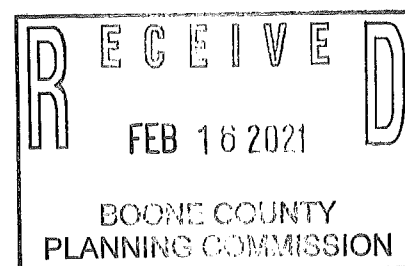
**TA # 28 Walton Travel Center
Raze & Rebuild Project
145 Richwood Rd.
Walton, KY 41094**

LEGAL DESCRIPTION

The Land referred to in this policy is described as follows:

Lying and being in the State of Kentucky and the County of Boone, located on the east side of I-75 and the south side of Kentucky 338 at their intersection and more particularly described as follows: Beginning at the point, said point being a State of Kentucky right of way marker for Kentucky 338, and being 70.00 feet south of and radial from the centerline of said Kentucky 338; thence along the south right of way line of said Kentucky 338 on a curved line deflecting to the left 231.2 feet, having a radius of 1707.02 feet, chord of said curve bears North 64° 34' 47" East a distance of 231.03 feet to a point, said point being a set iron pin; thence leaving said southerly right of way line of Kentucky 338, South 36° 19' 00" East 140.13 feet to a point, said point being a set iron pin; thence South 53° 04' 00" West 136.00 feet to a point, said point being a set iron pin; thence South 14° 36' 59" West 232.34 feet to a point, said point being a set iron pin thence South 23° 21' 00" West, 467.33 feet to a point, said point being a set iron pin; thence North 71° 42' 00" West, 100.83 feet to a point, said point being an existing post; thence North 83° 24' 03" West, 298.98 feet to a point, said point being an existing concrete monument, and also being in the limited access line of Interstate 75 and also being 94.00 feet east and radial off of ramp "D" of interstate 75; thence along said limited access line of the following courses and distance, along a curve deflecting to the right 177.94 feet, having a radius of 1816.00 feet, chord of said curve bears North 11° 36' 31" East a distance of 177.87 feet to a point, said point being 94 feet of east and radial from ramp "D" baseline station 6-70.3 and also being a set iron pin North 15° 53' 42" East, 541.70 feet to a point, said point being an existing State of Kentucky right of way marker, and being 94.00 feet east of and radial from baseline station 12+12 Ramp "D" and also being 70.00 feet south of and radial from centerline of survey station 17+93 Kentucky 338, North 78° 49' 12" East 47.77 feet to a point; said point being a set iron pin and also being 80/00 feet south of and radial from centerline of survey station 18+40.77 Kentucky 338, on a curved line deflecting to the left 282.59 feet to a point, said point being an existing State of Kentucky right-of-way marker and also being 70.00 feet south of and radial to Kentucky 338, and also being the approximate location of the end of said limited access line to Interstate 75, and also being the point of beginning containing 9.0166 acres of land, more or less.

Being the same property acquired by HPT TA Properties Trust, a Maryland real estate investment trust, by that certain Special Warranty Deed, dated January 31, 2007, of record in Deed Book 929, Page 681, in the Office of the Clerk of Boone County, Kentucky.



STAFF REPORT

#4

APPLICANT: Wellert Corporation, per Robert Wellert, on behalf of HPT TA Properties Trust,
per John G. Murray

LOCATION: 145 Richwood Road, Boone County, Kentucky

ZONING: Commercial Services (C-3)

DATE: March 10, 2021

PROPOSAL

- A. The applicant is requesting a Conditional Use Permit to allow the redevelopment of the existing truck stop.

SITE HISTORY

- 1960 Construction began on Interstate 71/75.
- 1960 –
1969 Based on information contained in the Boone County GIS, development of the site first occurred.
- 1988 On August 8, 1988, the Boone County Planning Commission approved a Conveyance Plat, creating the lot in question.
- 2000 On July 12, 2000, the Boone Board of Adjustment took action to approve a Change of Nonconforming Use and four Variances, related to signage (BCBOA-00-021).
- 2006 On February 8, 2006, the Boone Board of Adjustment took action to approve a Change of Nonconforming Use, allowing the construction of a three bay truck repair addition onto an existing two bay shop, subject to three conditions (BCBOA-06-003).
- 2010 On February 10, 2010, the Boone Board of Adjustment took action to approve a Conditional Use Permit for a 48 square foot electronic message sign, subject to seven conditions (BCBOA-10-001).
- 2010 On August 11, 2010, the Boone Board of Adjustment took action to approve a Conditional Use Permit for electronic fuel price signs, subject to six conditions (BCBOA-10-008).
- 1999 –
2019 The Boone County Planning Commission approved six site plans.
- 1991 –
2020 The Boone County Planning Commission approved 15 sign permits.

APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits as specified by the zoning order, with such additional safeguards as will uphold the intent of the zoning order.
- B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262, and 1033 of the Boone County Zoning Regulations.
1. Findings listed in Section 262 (Findings for all Conditional Uses):
 - a. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;
 - b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
 - c. Will not be hazardous to existing or future neighboring uses;
 - d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
 - e. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
 - f. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
 - g. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.
 2. Criteria listed in Section 1033 of the Boone County Zoning Regulations (C-3 District):
 - a. The activity is an integral and subordinate function of a permitted commercial use or service; or
 - b. The arrangement of use, building or structure will be compatible with the

organization of permitted and accessory uses to be protected in the district.

- C. Section 1033.2 of the Boone County Zoning Regulations identifies truck stops as a conditional use within the C-3 district.
- D. Section 1040 of the Boone County Zoning Regulations states that “The purpose of the Commercial Services district is to provide, control and centralize those types of commercial activities which; a) depend on and generate high vehicular accessibility, visibility and traffic; and/or b) large outdoor single-purpose storage, display and parking areas and c) which do not fit the scale, character, trade area and general objectives of the other commercial districts in this article or the employment districts defined in Article 11. Such districts will generally be organized about regional or major community trade areas. Sites will be of suitable lands which can be appropriately buffered from surrounding urban uses. Districts will be located to have direct visibility from major arterials. District facilities and plans should be organized to accomplish as much clustering of compatible uses, sharing of parking and access, signage, lighting and other spaces and improvements as possible.”

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Commercial”, which is defined as retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.
- B. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).

Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).

Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).

Boone County shall evaluate and promote business and economic sectors of the future and explore ways to encourage existing industry to be competitive in a regional and global economy (Economy Goal A, Objective 3).

Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).

Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).

Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).

Interstate commercial uses, as well as the freight logistics industry, shall be in close proximity to interstate interchanges for maximum convenience and economy to the traveling public, while minimizing traffic congestion (Economy Goal B, Objective 4).

Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).

Roadway capacity shall be preserved by utilizing access management policies and guidelines (Transportation Goal B, Objective 4).

- C. Richwood Road is an arterial street currently providing for two way traffic within two driving lanes and a center left turn lane. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 9 acre site is located at the southeast quadrant of I-71/75 with Richwood Road.
- B. The site is currently occupied by an approximate 22,500 square foot truck stop providing for the following uses/services: parking for 90 vehicles, retail gasoline sales, truck fuel sales, a Taco Bell restaurant, a Country Pride restaurant, convenience store, showers, truck servicing, and scales.
- C. The developed portion of the site is flat.

SURROUNDING LAND USES AND ZONING

- North: White Castle, Domino's Pizza, Burger King, and Pilot Travel Center/Subway (C-3)
- South: Vacant/undeveloped land (EPD)
- East: Vacant/undeveloped land (C-3)
- West: Interstate 71/75 (C-3)

PROPOSED DEVELOPMENT

- A. Demolition and removal of the existing truck stop improvements.
- B. Construction of an approximate 15,000 square foot building housing a convenient store, a Popeyes sit down/carry out restaurant, a Starbucks, and a truckers lounge and shower facilities.
- C. Provision for retail gasoline sales (10 gasoline pumps).

- D. Provision for 62 vehicular off-street parking spaces.
- E. Provision for 6 RV off-street parking spaces.
- F. Provision for 10 employee parking spaces.
- G. Construction of an approximate 13,000 square foot, 4-bay, truck service building.
- H. Provision for truck fuel sales (4 fuel pumps).
- I. Installation of a truck scale.
- J. Provision for 52 off-street truck parking spaces.
- K. Provision for a minimum ten (10) foot wide perimeter landscape buffer.
- L. Access via a new curb cut onto the new extension of Best Pal Drive.

STAFF COMMENTS

- A. The Kentucky Transportation cabinet is currently constructing a new I-71/75 interchange with Richwood Road. As part of this project, Richwood Road is being widened and curb cuts are being eliminated/installed.
- B. Within the vicinity of the site in question, the following roadway improvements are being made:
 - 1. Closure and removal of the existing two curb cuts from the site onto Richwood Road.
 - 2. Richwood Road is being widened to 8 lanes: 3 westbound through lanes; 1 eastbound left turn only lane; 2 eastbound through lanes; 1 eastbound combined through/left turn lane; and 1 eastbound right turn only lane.
 - 3. Construction of a new road, being an extension of Best Pal Drive, south of Richwood Road.
 - 4. Provision for an 8 foot wide shared use path along the south side of Richwood Road and the west side of the Best Pal Drive extension.
 - 5. Access to the site from a new curb cut/driveway from the new Best Pal Drive extension.
- C. The site sits at an elevation of 908 to 910 msl. The newly widened Richwood Road will sit at an elevation of 890 to 908 msl.
- D. The following provides a comparison between the existing conditions and the proposed design:

	EXISTING	PROPOSED
Retail Building	8,300 sq. ft.	15,000 sq. ft.
Truck Service Building	11,100 sq. ft.	13,000 sq. ft.
Number of Service Bays	4	4
Retail Gasoline Sales	3 pumps	10 pumps
Truck Fuel Sales	7 pumps	4 pumps
Truck Scale	1	1
Vehicular Parking	40	62
Truck Parking	94	52

E. The submitted development plan meets the minimum requirements of the Boone County Zoning Regulations, except for the following (these can be submitted and reviewed as part of a Site Plan):

1. Section 3110 provides for a maximum building height of fifty (50) feet. Insufficient information has been submitted to determine compliance.
2. Section 3151 provides regulations for trash enclosure areas. While the submitted plan indicates the provision for two trash enclosures, insufficient information has been submitted to determine compliance.
3. Section 3313 provides regulations for handicap accessible parking spaces. The submitted plan provides for sufficient spaces for the proposed retail building. However, no spaces have been provided for the truck shop building. One handicap accessible parking space will need to be provided for the truck shop building.
4. Section 3316 provides regulations for exterior lighting. Insufficient information has been submitted to determine compliance.
5. Section 3325 provides regulations for required parking. Insufficient information has been submitted to determine compliance.
6. Section 3635 requires mechanical equipment, whether ground or roof mounted, to be screened from view. Insufficient information has been submitted to determine compliance.

F. The following table provides a comparison between signage that is permitted by regulation and signage that has been approved by Board of Adjustment action and issued permits:

	Allowed By Regulation	Approved By Board Action/Permits
Building Mounted Signs		
Retail Building		
East Façade		
Number	1	3
Max. Sign Area	301 sq. ft.	396.94 sq. ft.
West Façade		
Number	1	1
Max. Sign Area	150 sq. ft.	477.78
North Façade		
Number	1	4
Max. Sign Area	100 sq. ft.	624.29 sq. ft.
Truck Shop Building		N/A
East Façade		N/A
Number	1	
Max. Sign Area	284 sq. ft.	
North Façade		
Number	1	
Max. Sign Area	90 sq. ft.	
Free Standing Signs		
Type	Architectural or Monument	Pole Monument
Number	1	1 1
Max. Height	30 ft.	86.5 ft. 36 ft.
Max. Sign Area	200 sq. ft.	1,206 sq. ft. 240 sq. ft.
Other	20 sq. ft. can be electronic fuel prices	202.6 sq. ft. electronic fuel prices 48 sq. ft. electronic fuel prices
Canopy Signs		
Number	3 elevations max.	Retail Truck
Max. Sign Area	25% of fascia	3 1
Other	Non illuminated, two dimensional, horizontal stripes is allowed	9.70% 100%
		One horizontal stripes Illuminated, Full Color Fascia

- G. An inter-departmental email was sent to the Boone County Building Department, Boone County Public Works, and the Walton Fire District requesting comments pertaining to the request.
1. Jerry Noran, Boone County Building Department replied that a handicap accessible parking space needs to be provided for the truck shop.
 2. Rob Franxman, Boone County Public Works stated that he has no comments.
- H. Should the Board take action to approve the submitted request, the following additional conditions should be considered as part of that action:
1. Vehicular use area lighting shall be down lit and equipped with cut-off shields to prevent glare onto adjacent properties.
 2. Free Standing Signage shall be limited to the following:
 - a. One pole sign, having a maximum height of 86.5 feet and a maximum sign area of 1,206 square feet, which includes a maximum 202.5 square foot electronic fuel panel.
 - b. One monument sign, having a maximum height of 36 feet and a maximum sign area of 240 square feet, which includes a maximum 48 square foot electronic fuel price panel.
 3. Building mounted signage on the north façade of the retail building shall be limited to one (1) sign having a maximum sign area of 300 square feet.
 4. Building mounted signage on the east building façade of the retail building shall be limited to one (1) sign meeting the minimum requirements of Section 3413.1 (Boone County Zoning Regulations).
 5. Building mounted signage on the west façade of the retail building shall be limited to one (1) sign meeting the minimum requirements of Section 3413.1 (Boone County Zoning Regulations).
 6. Building mounted signage on the truck shop shall be limited to the following:
 - a. One (1) sign on the north building façade, meeting the minimum requirements of Section 3413.1 (Boone County Zoning Regulations).
 - b. One (1) sign on the east building façade, meeting the minimum

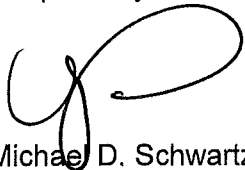
requirements of Section 3413.1 (Boone County Zoning Regulations).

7. Signage on the retail gas canopy shall meet the minimum requirements of Section 3413.2 (Boone County Zoning Regulations).
8. Signage on the truck fuel canopy shall be limited to one (1) fascia and shall meet the minimum requirements of Section 3413.2 (Boone County Zoning Regulations), with the exception that the fascia shall be allowed to be 100% illuminated.

CONCLUSION

- A. KRS 100.237 and Section 220 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the Conditional Use Permit request.

Respectfully Submitted,



Michael D. Schwartz
Planner

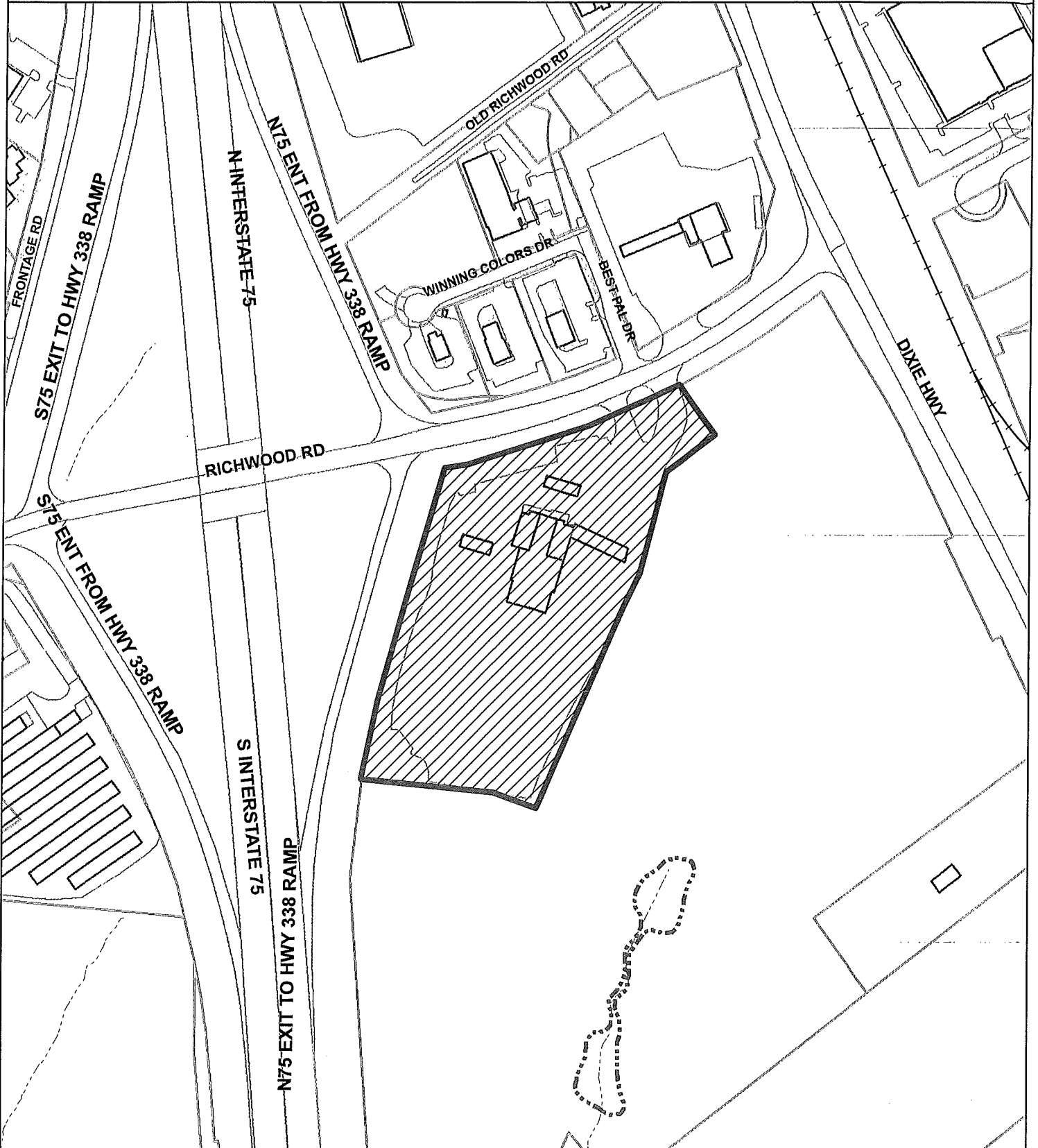
MDS/ss.

Attachments

- *Vicinity Map
- *Aerial Map
- *KYTC Road Improvement Map
- *Zoning Map
- *Topographical Map
- *2040 Future Land Use Map
- *Application
- *Project Summary
- *Concept Development Plan

Vicinity Map

www.boonecountygis.com

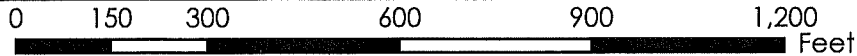


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Boone

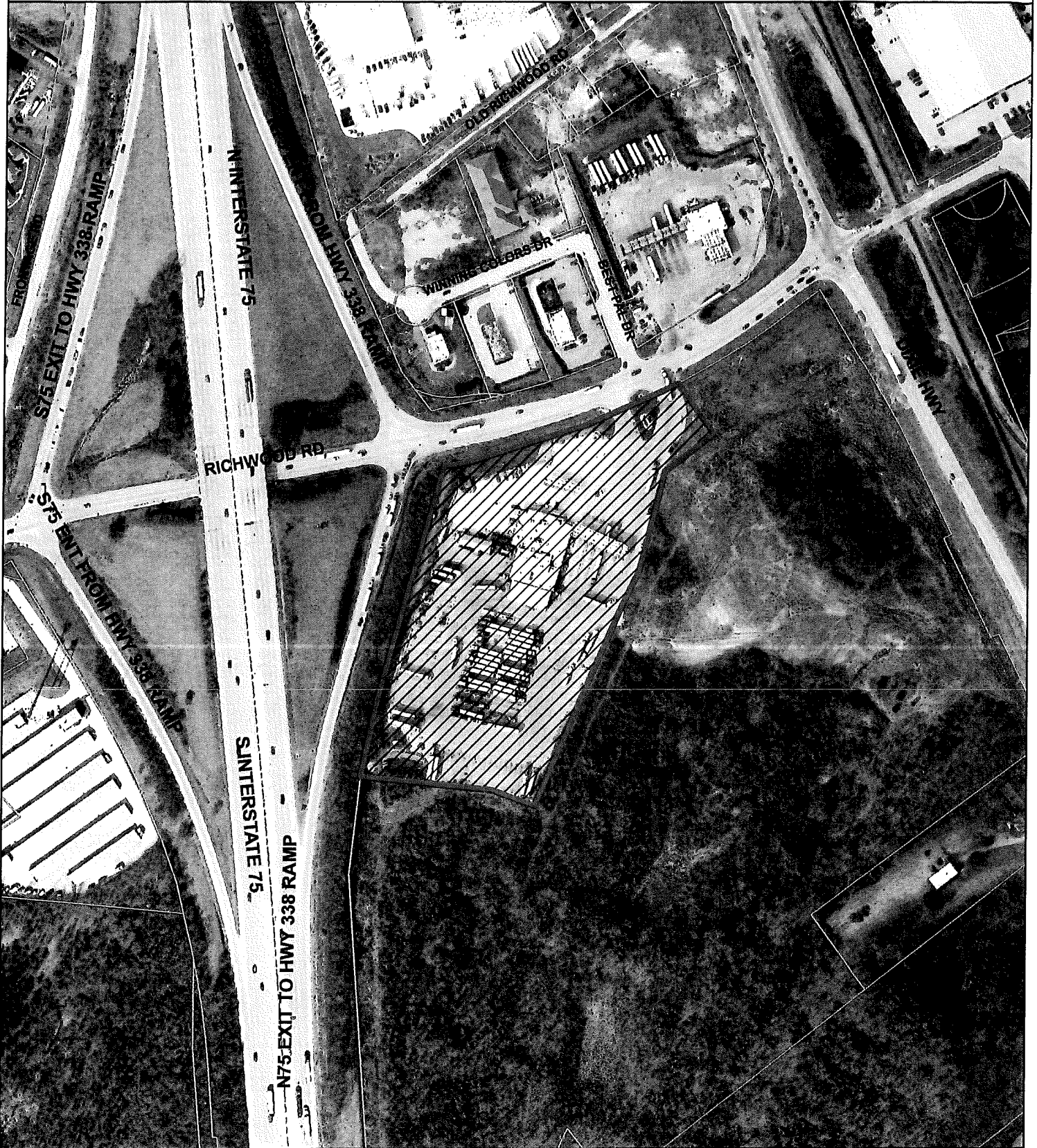


1 Inch = 300 feet



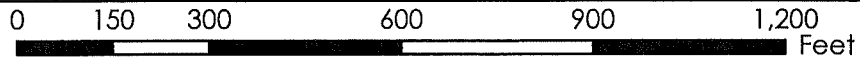
Aerial Map

www.boonecountygis.com



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1 Inch = 300 feet



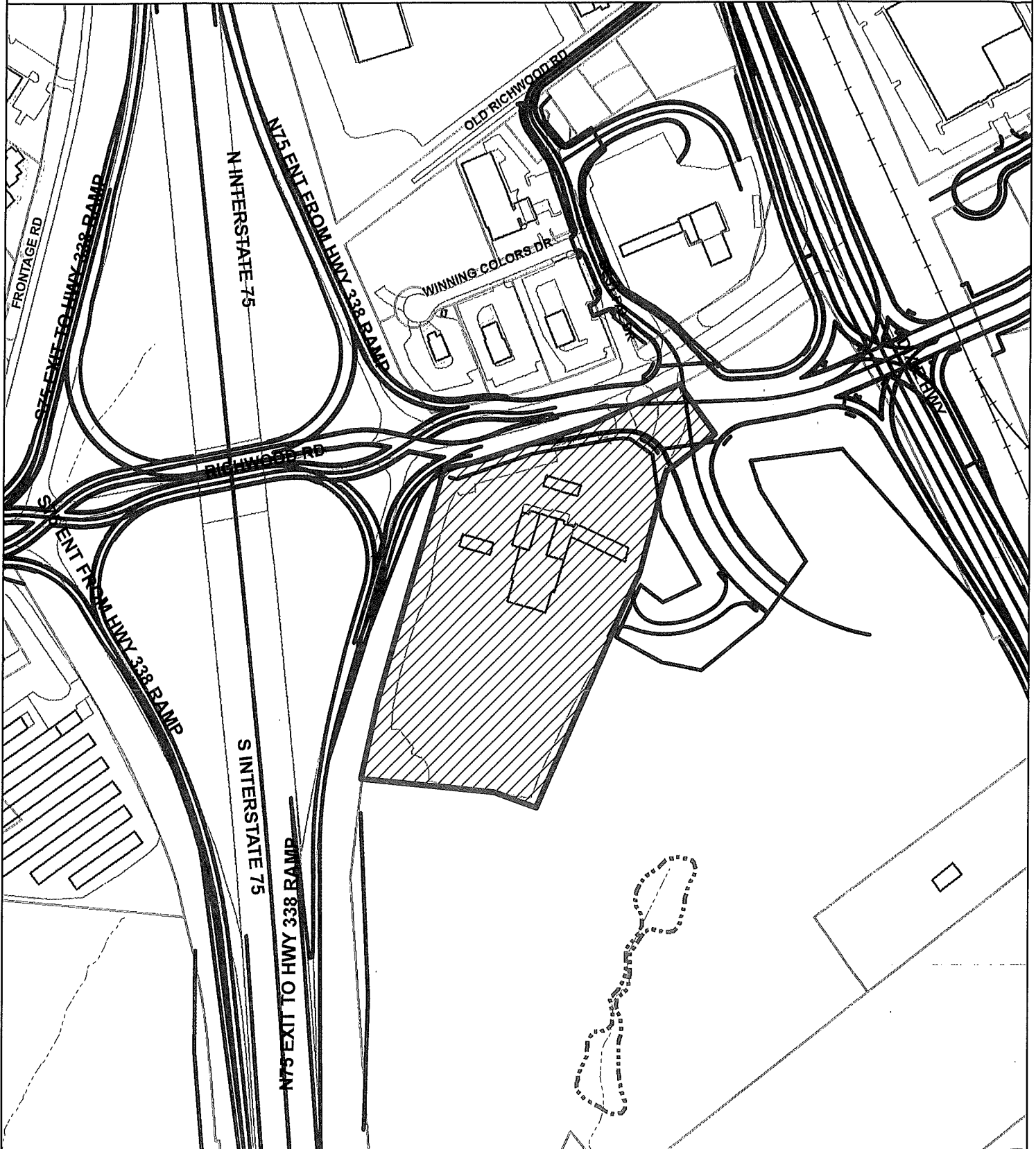
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2018

ArcMap Document: *.mxd

KYTC Road Improvement Map

www.boonecountygis.com

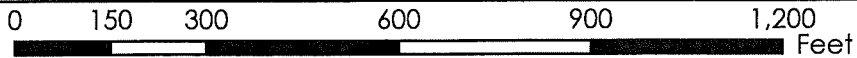


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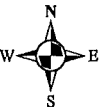
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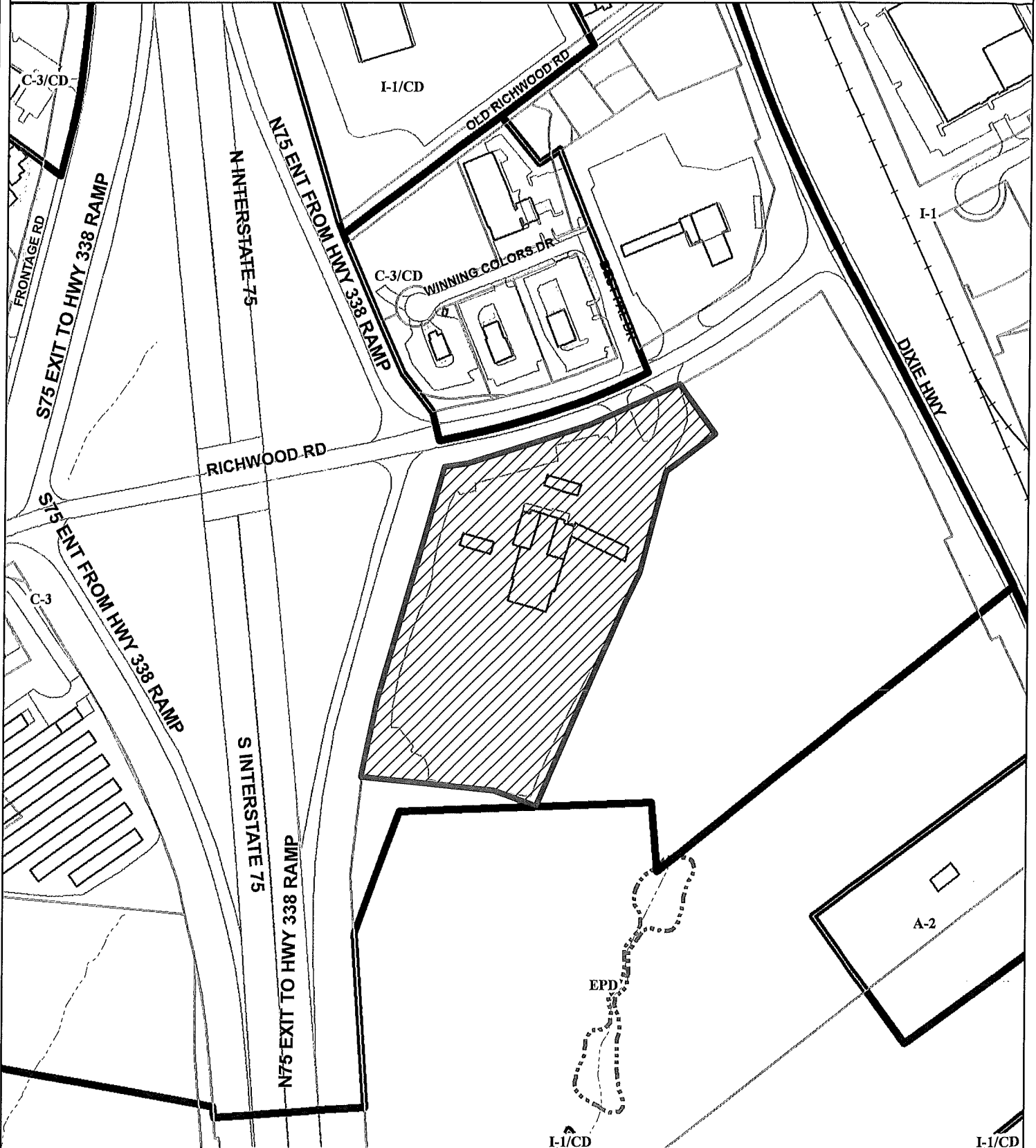


1 inch = 300 feet



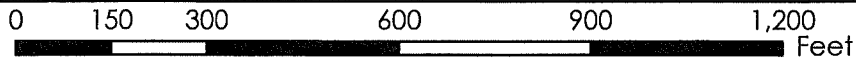
Zoning Map

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 Inch = 300 feet



Boone County GIS



Map Created: 01/01/2018

Boone County GIS
ArcMap Document: *.mxd

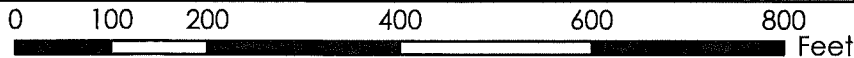
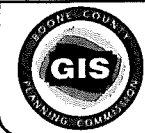
Topographical Map

www.boonecountygis.com



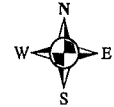
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1 inch = 200 feet

Boone

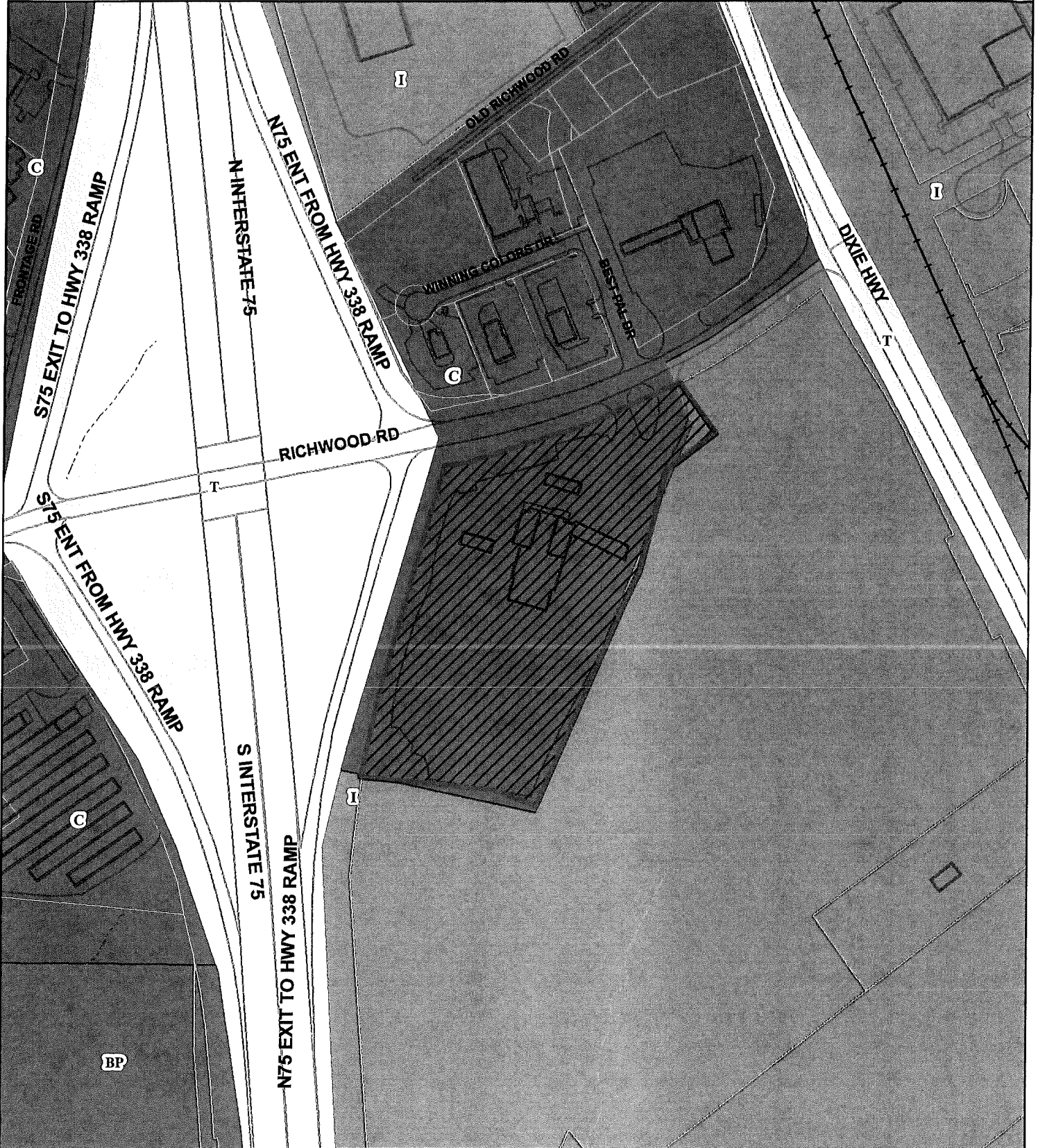


Map Created: 01/01/2018

Boone County GIS
ArcMap Document: *.mxd

2040 Future Land Use Map

www.boonecountygis.com

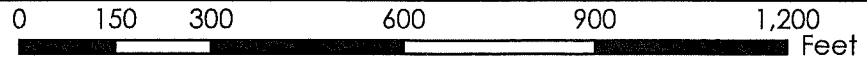


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Boo



1 Inch = 300 feet



Map Created: 01/01/2018

Model Path: C:\Users\GIS\Desktop\2040_Future_Land_Use_Map.aprx
ArcMap Document: *.mxd

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

Site Plan Review is not granted by the appropriate Board of Adjustment

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union

2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use

3. Applicant: Wellert Corporation

Address: 5136 Beach Rd.

Medina OH 44256
City State Zip Code

Phone Number: 330-239-2699 Fax Number: 330-239-0272

Email: katherine.wellert@wellert.com

4. Description of Request:
See attached Conditional Use letter.

5. Name of Development: TA#28 Walton Travel Center Raze and Rebuild

6. Location of Development: 145 Richwood Rd.

Walton KY 41094
City State Zip Code

7. Acreage Under Review: 9.0166

8. Lot Number and Name of Subdivision (if part of a subdivision):
Parcel ID# 076.00-00-003.03

9. Current Owner: HPT TA Properties Trust

Address: 255 Washington Street, Suite 300

Newton MA 02458
City State Zip Code

Phone Number: 617-796-8390 Fax Number: _____

Email: _____

Board of Adjustment
Page 2

10. Proposed Use(s) on Site: Convenience store, restaurant, fueling station for automobiles & trucks, truck repair

11. Total Square Footage of Existing and/or Proposed Buildings: 27,794 sf total (2 proposed bldgs)

12. Current Zoning: C-3 Commercial Services

13.	<u>929</u>	<u>681</u>	
	Deed Book	Page	Group Number

14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____

15. Have you submitted a Site Plan with this request: Yes No

16. Have you submitted a list of adjoining property owners with this request: Yes No

17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

HPT TA Properties Trust

ORIGINAL Property Owner's Signature: John G. Murray
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted) John G. Murray, President

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: _____ Fee Received: _____ Receipt #: _____
2. Is application complete: _____
3. Staff Reviewer: _____
4. Scheduled Board Action Date: _____
5. Board Action: _____
_____ Approved
_____ Approved with Conditions (see #6)
_____ Denial (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196 Fax: 859-334-2264
plancom@boonecountyky.org
www.boonecountyky.org



Mr. Michael Schwartz
Planner
Boone County Planning Commission
2950 Washington Street
Room 317
Burlington, Kentucky 41005

February 12, 2021

Reference: **TravelCenters of America**
145 Richwood Road
Walton, KY 41094

Dear Mr. Schwartz:

TravelCenters of America operates a Travel Center located at 145 Richwood Road, Walton KY. Current uses associated with the property consist of retail fuel sales for commercial and passenger vehicles, quick serve and sit-down food service (restaurants), retail sales of prepackaged food items and other goods, customer use and service areas, truck service and repairs, and commercial and passenger vehicle parking and drive areas. The site comprises approximately 9 acres. The parcel ID number and Group Number are listed below:

<u>Parcel ID Number</u>	<u>Group Number</u>
076.00-00-003.03	2072

As a result of significant roadway construction activities being completed by the Kentucky Transportation Cabinet, TravelCenters of America will be losing direct driveway access to Richwood Road. The Kentucky Transportation Cabinet will be constructing a new road (Day Drive) and driveway access along the east side of the TravelCenters of America property.

The property is currently This will cause TravelCenters of America to re-build the facility to continue operating at this location. The proposed reconstruction will provide similar uses as what currently occur on the property. A copy of the proposed site plan indicating the site configuration and proposed uses is included with this application. A new retail sales building will be constructed which will include quick serve and sit-down food service (restaurants), retail sales of prepackaged food items and other goods and customer use and service areas. Passenger vehicle and commercial vehicle fueling areas with overhead canopies will be constructed on the east and south sides of the sales building. A new truck service and repair building will be constructed south of the sales building and will include four service bays, parts storage areas and associated employee and customer office and waiting areas. The property will include passenger vehicle and commercial vehicle parking and drive areas.

Please accept this letter and following documents as our formal application for a conditional use approval:

1. A legal description of the property
2. The names and mailing addresses of the adjoining property owners (this includes any property across any street, including the interstate)
3. Five (5) sets of scaled drawings showing the proposed development (3 page ALTA survey of existing conditions, 1 page proposed site plan)
4. The application fee of \$1,116.00 (check made payable to Boone County Planning Commission)

An electronic copy of all submittal documents will be emailed to you at:
mschwartz@boonecountky.org

Please inform the following individuals of progress regarding this application:

Civil Engineer

Robert Wellert
Wellert Corporation
5136 Beach Road
Medina, OH 44256
Email: Robert.wellert@wellert.com
Phone: 330.239.2699

TravelCenters of America

Mr. Tyler Andreasen
TravelCenters of America
Email: tandreasen@ta-petro.com
Phone: 440-465-4193

We look forward to working with you and the Boone County Planning Commission toward the successful re-development of this property. If you have any questions, please contact me.

Yours truly,

Robert W. Wellert
V.P. Engineering

Cc: Mr. Tyler Andreasen – TravelCenters of America
via email: tandreasen@ta-petro.com
Mr. Jeffrey Baird - Connor & Gaskins Unlimited, LLC
via email: jeff@cgunlimited.com



TOTAL TRUCK SPACES
 58 TRUCK SPACES
 8 BY PARKING
 50 TRUCK SPACES
 78 TOTAL SPACES

TA
TravelCenters of America
 TRAVEL CENTERS OF AMERICA
 100 WESTBURY AVENUE, SUITE 100
 WESTBURY, NY 10994

Wellert
 WELLERT ARCHITECTS
 100 WESTBURY AVENUE, SUITE 100
 WESTBURY, NY 10994

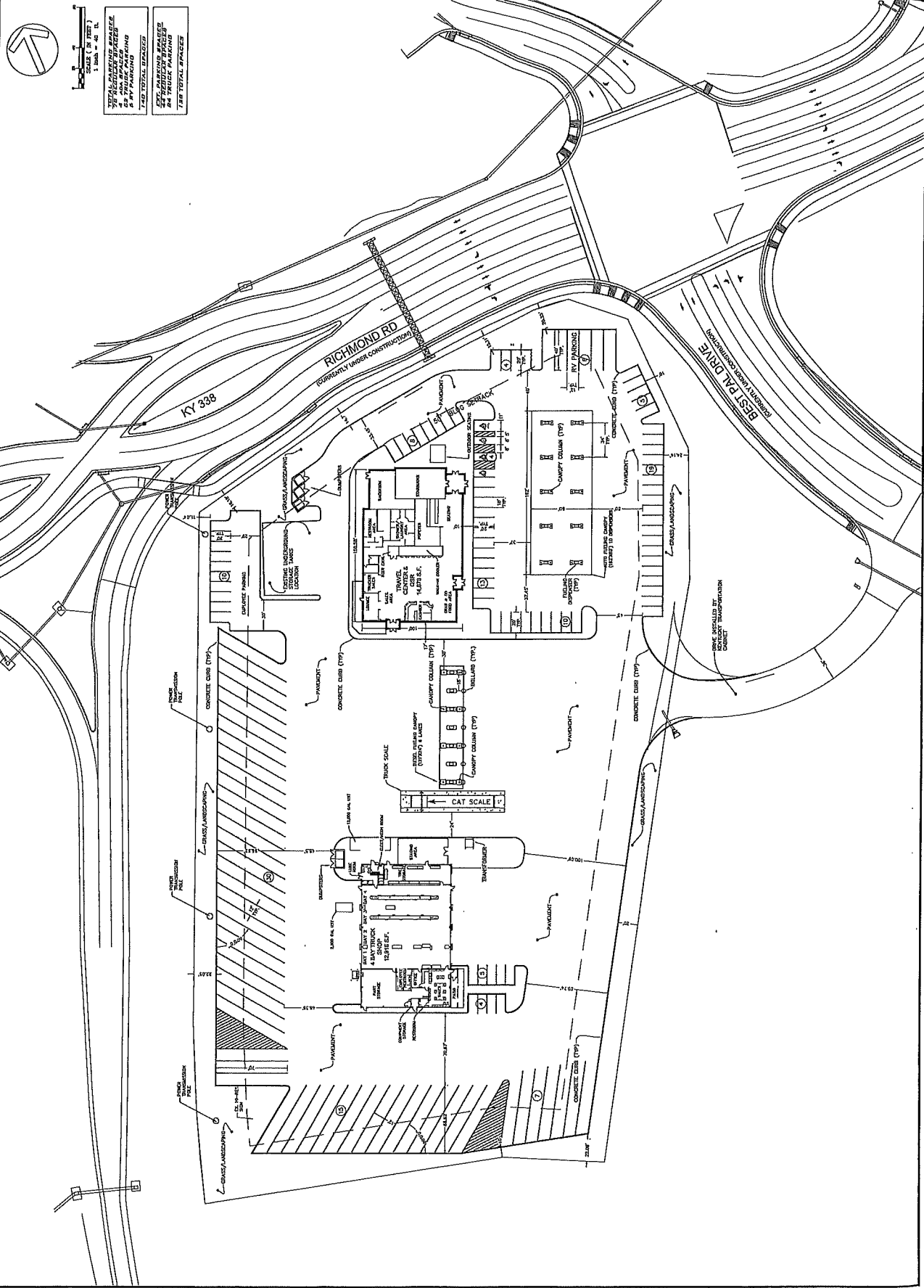
NO.	DATE	REVISION	PREPARED FOR CLIENT
1	2-15-21	SCHEMATIC FOR CLIP	

TRAVELCENTERS OF AMERICA
SITE #028

145 Richmond Rd,
 Walton, KY 41094

SCALE	1" = 40'
DATE	01/14/2021
DESIGNER	D
OWNER	TA
PROJECT	TRUCK
REV. NO.	01 (Initial) - CLIP
REV. DATE	01/14/21

SITE PLAN
 C1.0

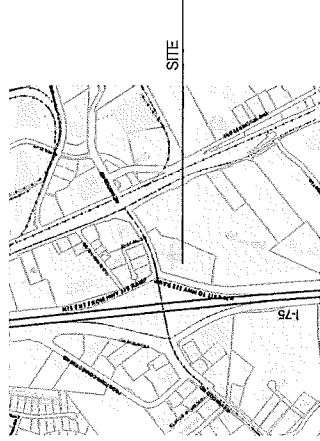


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ALTA/NSPS SURVEY

"TA TRUCKSTOP- WALTON, KY"

145 RICHWOOD ROAD WALTON, KENTUCKY 41094



VICINITY MAP

OWNER:

HPT TA PROPERTIES TRUST
24601 CENTER RIDGE ROAD
WESTLAKE, OHIO 44145-5639

EXHIBIT A

	Title Insurance Commitment
Schedule C	First American Title Insurance Company

The Land referred to in this policy is encumbered as follows:

LEGAL DESCRIPTION

... (Detailed legal description of the land parcel) ...

TAXATION FOR UNUSUAL PURPOSES ONLY:

... (Taxation details) ...

WELBERT CORPORATION
5136 BEACH RD
MEDINA, OH 44256

TA TRUCKSTOP
145 RICHWOOD RD
WALTON, KY 41094

PHOENIX SURVEY & ENGINEERING
GEORGE ARMSTRONG, LPS, PE
1713 RELIWAY DR
INDEPENDENCE, KY 41051

FLOOD ZONE DESIGNATION:
THE SUBJECT PARCEL LIES WITHIN ZONE X*
FEMA MAP 210160C250, EFF: 04/2007

UTILITY COMPANIES (KENTUCKY UTILITY PROTECTION)

SD1: SANITATION DISTRICT #1 -
1085 EATON DRIVE
FT. WRIGHT, KY 41017
859-578-7450

BOONE COUNTY WATER
2475 BURLINGTON PIKE
BURLINGTON, KY 41005
859-586-6155

DUKE ENERGY KY:
1282 COX ROAD
ERLANGER, KY 41018
1-800-774-1202

ZONINGS:
BOONE COUNTY PLANNING AND ZONING
ZONE C-3
TRUCK STOP- PERMITTED USE
CONDITIONAL PERMITS OF RECORD FOR SIGN
(ELECTRONIC, AND HEIGHT).

CERTIFICATES OF LAND USE RESTRICTIONS

1) BK 757 PAGE 3: LISTED AS "OTHER" - Site Plan Review (minor) 4-15-1989
2) MC 1145 PG 116 Listed as Conditional Use Permit 2-11-2010
Electronic message board- two lines of graphics
message color green- not filled, scroll or turn
max LED pitch = 16 mm
ambient light level < 0.3 fc
dimmer
... (Additional restrictions) ...

3) MC 1149 PG 181 Listed as conditional use permit
dimmer
... (Additional restrictions) ...

4) MC 1182 PG 358-359 Listed as "OTHER" motor
... (Additional restrictions) ...

5) MC 1274 PG 684 Listed as "Other" Motor Sign plan

LIST OF SHEETS

1) TITLE PAGE
2) BOUNDARY SURVEY
3) TOPOGRAPHIC SURVEY

8/10/2020

MAJOR ROADWAY RIGHT-OF-WAY TAKE, ROAD RELOCATION, NEW CONSTRUCTION, TANK AND UTILITY RELOCATIONS OCCURRING DAILY DURING TIME OF SURVEY. FIELD SURVEY BEGAN 7:20 PM. UPDATES SHOWN ARE CURRENT TO JULY 14, 2020.

TWO PARCELS TO THE EAST ARE BEING TRANSFERRED FROM ADJOINING OWNER TO THIS FACILITY. BOUNDARY MONUMENTS WERE SET, BUT MAY BE SUBJECT TO DISTURBANCE DUE TO ROAD CONSTRUCTION. BOUNDARY CORNERS WILL BE RE-MONUMENTED AFTER FINAL GRADING AND CONSTRUCTION ENDS, AND THIS PLAT UPDATED.

SURVEYORS CERTIFICATE:

TO HPT TA PROPERTIES TRUST AND FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARD DETAIL FOR ALTA/NSPS SURVEYS. ALL FIELD MEASUREMENTS AND CALCULATIONS WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARD DETAIL. THE FIELDWORK WAS DONE FROM JULY 2019 TO AUGUST 7, 2020 WHILE SIGNIFICANT CONSTRUCTION AND CHANGES WERE OCCURRING.

SURVEY NOTE

MAJOR ROADWAY RIGHT-OF-WAY TAKE, ROAD RELOCATION, NEW CONSTRUCTION, TANK AND UTILITY RELOCATIONS OCCURRING DAILY DURING TIME OF SURVEY. FIELD SURVEY BEGAN 7:20 PM. UPDATES SHOWN ARE CURRENT TO JULY 14, 2020.

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GEORGE ARMSTRONG, REG. PROF. SURVEYOR KY #2944
PHOENIXSURVEY@GMAIL.COM

8/10/2020

SCHEDULE C

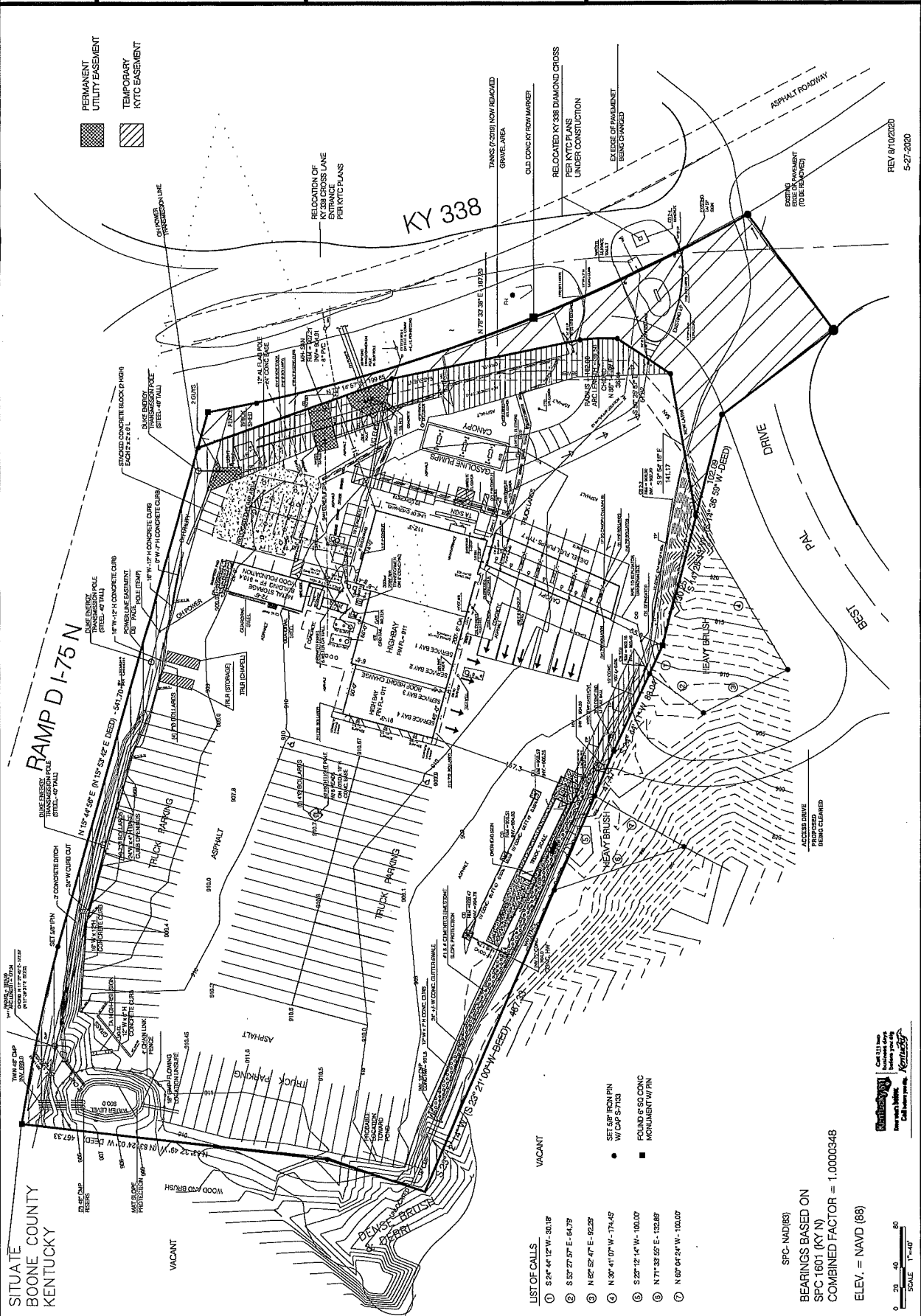
... (Detailed schedule C text) ...

SCHEDULE BII

... (Detailed schedule BII text) ...

SCHEDULE III

... (Detailed schedule III text) ...



PERMANENT UTILITY EASEMENT
 TEMPORARY KYTC EASEMENT

REV 8/10/2020
 5-27-2020

SITUATE
 BOONE COUNTY
 KENTUCKY

- LIST OF CALLS
- ① S 24° 44' 12" W - 30.18'
 - ② S 53° 27' 57" E - 66.73'
 - ③ N 82° 52' 47" E - 62.25'
 - ④ N 30° 41' 07" W - 174.45'
 - ⑤ S 27° 12' 14" W - 100.00'
 - ⑥ N 77° 33' 55" E - 132.86'
 - ⑦ N 60° 04' 24" W - 100.00'
- SET 6" PIP IRON PIN
 W/ CAP S 71.13
- FOUND 6" SO CONC MONUMENT W/ PIN

SPC-1601(68)
 BEARINGS BASED ON
 SPC-1601 (KY N)
 COMBINED FACTOR = 1.0000348
 ELEV. = NAVD (68)



SCALE 1" = 40'
 0 20 40 80

CERTIFICATE OF LAND USE RESTRICTION

- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
HPT TA Properties Trust
255 Washington Street, Ste. 300
Newton, MA 02458

- 2. ADDRESS OF PROPERTY
145 Richwood Road
Walton, KY 41094

- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Walton Travel Center

- 4. DEED BOOK 929 PAGE NO. 681 GROUP NO. 2072

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 Zoning Map Amendment:
From _____ To _____ Conditional Use Permit
 Development Plan Conditional Zoning
 Subdivision Plat (Not Recorded) Other:
 Variance

- 6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

Michael D. Schwartz, Planner
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Michael D. Schwartz

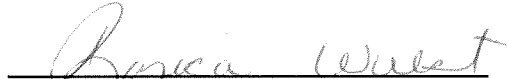
on behalf of the Boone County Planning Commission this 11 day of March, 2021.



Treva L. Beagle
Notary ID 588897
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2021

This instrument was prepared for recording purposes only by:



Ronica Wuest
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the conditional use permit approved by the Boone Board of Adjustment and in accordance with the current zoning in effect as of March 10, 2021 Certificate of Land Use Restriction (#21-BCBOA-009-A), for HPT TA Properties Trust, Property Owner(s).

The following conditions will apply:

1. Vehicular use area lighting shall be down lit and equipped with cut-off shields to prevent glare onto adjacent properties.
2. Free Standing Signage shall be limited to the following:
 - a. One pole sign, having a maximum height of 86.5 feet and a maximum sign area of 1,206 square feet, which includes a maximum 202.5 square foot electronic fuel panel.
 - b. One monument sign, having a maximum height of 36 feet and a maximum sign area of 240 square feet, which includes a maximum 48 square foot electronic fuel price panel.
3. Building mounted signage on the north façade of the retail building shall be limited to one (1) sign having a maximum sign area of 300 square feet.
4. Building mounted signage on the east building façade of the retail building shall be limited to one (1) sign meeting the minimum requirements of Section 3413.1 (Boone County Zoning Regulations).
5. Building mounted signage on the west façade of the retail building shall be limited to one (1) sign meeting the minimum requirements of Section 3413.1 (Boone County Zoning Regulations).
6. Building mounted signage on the truck shop shall be limited to the following:
 - a. One (1) sign on the north building façade, meeting the minimum requirements of Section 3413.1 (Boone County Zoning Regulations).
 - b. One (1) sign on the east building façade, meeting the minimum requirements of Section 3413.1 (Boone County Zoning Regulations).

7. Signage on the retail gas canopy shall meet the minimum requirements of Section 3413.2 (Boone County Zoning Regulations).
8. Signage on the truck fuel canopy shall be limited to one (1) fascia and shall meet the minimum requirements of Section 3413.2 (Boone County Zoning Regulations), with the exception that the fascia shall be allowed to be 100% illuminated

The approved conditional use permit as well as the preceding conditions apply to the property described in:

DEED BOOK 929

PAGE NO. 681

GROUP NO. 2072