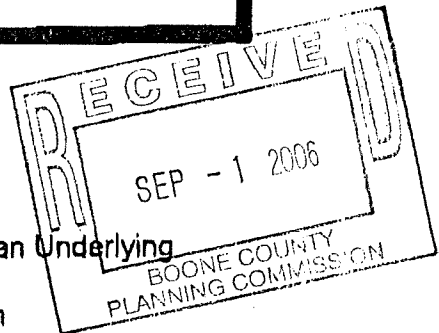


APPLICATION FORM

06-CDP-028-A

CONCEPT DEVELOPMENT PLAN  
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)  
SECTION A (To be completed by applicant)

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- Long Range Planning Committee Review (As stated in the Union Town Plan)

- 2. Name of Project POOL ENCLOSURE ADDITION TO SUPER 8 MOTEL
- 3. Location of Project 7928 DREAM ST. FLORENCE, KY.
- 4. Total Acreage of Site 2,399 ACRES
- 5. Current Zoning C-3
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) \_\_\_\_\_
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) NO

8. Proposed Uses (please specify each use) MOTEL USE AS CURRENTLY BEING PROVIDED WITH ADDITION OF ENCLOSED POOL

9. Proposed Building Intensities (please specify) 16,896 S.F. OF BUILDING ON 104,500 S.F. SITE = 16%  
BUILDING & PARKING = 68,050 S.F. (65%)

10. Have you submitted a Concept Development Plan? YES

11. Are you also applying for:  
 Conditional Use Permit  
 Dimensional Variance

12. Name of Applicant(s) THOMAS R. DUNN  
Phone Number 513-522-8755 Fax No. 513-522-7844

13. Address of Applicant(s) 800 COMPTON RD SUITE 25  
CINCINNATI OH 45231  
City State Zip

14. Name of Property Owner(s) MAHESH NICHANI (SHIVAM HOSPITALITY LLC)  
Phone Number 859-283-1221 Fax No. 859-283-1490

15. Address of Property Owner(s) 7928 DREAM ST.  
FLORENCE KY 41042  
City State Zip

16. Are there any existing buildings on the site? YES  
How many? ONE - EXISTING MOTEL BUILDING

17. Deed Book 920 Page No. 415 Group No. 2041 A

18. Have you had a pre-application meeting with BCPC Staff? YES

# EXHIBIT

“A”

## STAFF REPORT

Request of **Thomas R. Dunn (applicant)** for **Mahesh Nichani, Shivam Hospitality, LLC (owner)** for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto a existing hotel.

October 4, 2006

### REQUEST

The applicant is proposing to add a swimming pool and enclosure to the front of the building along Dream Street. The application indicates that the existing Super 8 building is approximately 16,896 square feet with 88 parking spaces on the site. The conceptual site plan and proposed elevations are included in this Staff Report and presentation.

### SITE HISTORY

The Parkway Corridor Study, which includes the subject site, was adopted in 1986. The adoption of the Planned Development overlay zone for the area resulted from the Study.

### ADJACENT LAND USES AND ZONING

- North: James A. Gallenstein Family property, zoned Commercial Services/Planned Development with an approved Concept Development Plan (C-3/PD/CD).
- East: Vacant parcels owned by Whitson (2.79 acres) and Thomas (1.81 acres) zoned Commercial Services/Planned Development (C-3/PD).
- South: The Real Enchilada and Claxon Properties, zoned Commercial Services/Planned Development (C-3/PD).
- West: Tim Hogan Carpet zoned Commercial Two (C-2) and Red Lobster zoned Commercial Services/Planned Development (C-3/PD).

### RELATIONSHIP TO COMPREHENSIVE PLAN

The Future Land Use Map shows the subject property as Commercial (C) which is defined in the adopted Comprehensive Plan as:

- Commercial: "Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The adopted 2005 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements:

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- D. Proper design principles shall be applied in development ("Overall," Objective 3).
- E. New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).
- F. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development design in particular should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).

#### RELATIONSHIP TO THE PARKWAY CORRIDOR STUDY

As stated above, the site is within the Parkway Corridor Study area. The Study states the following regarding development in the study area as a whole:

The 1980 Boone County Land Use Map indicates that there are no environmentally unsuitable lands for development in the study area. The lands in the study area should be able to accommodate development consistent with appropriate engineering standards and public service/infrastructure requirements. The site is located in an urban service area, so the presence of public services and infrastructure or its logical extensions can allow for development as well ("Development Potential").

The site is located within area "1W:C-3/PD" on the study land use map. The following excerpt describes the area in question.

The Parkway west parcels begin with the Dream Street area. Most of Dream Street is already developed. Still, some relatively large parcels remain undeveloped. In addition, the Parkway connector to Dream Street will allow for development on new parcels of land nearby which are zoned consistent with the existing character of the area and also provide for better access to and from the business establishment and many restaurants in the area. Nonetheless, traffic flow problems are likely to remain given the particular characteristics of the land use pattern along Dream Street and the likelihood that development will continue along the street beyond its "loop".

Since the Boone County Planning Commission staff review of traffic patterns on Dream Street determined that much of the traffic congestion and interrupted traffic flows there are more "mid-block" rather than intersection problems, the traffic improvements suggested for Dream Street have been made in light of this analysis and evaluation. The recommendation to improve traffic flow along Dream Street include the following:

- to construct a connector road between the proposed Parkway and the Dream Street "loop"
- to provide for and improve significantly pedestrian access to, from, and throughout the Dream Street area
- to make appropriate traffic signal adjustments at the intersection of Dream Street/US 42 if necessary
- to apply improved access controls along Dream Street (a) by reducing the number of curb cuts and (b) by interconnecting parking lots, where appropriate, to make effective use of new access points and to improve the interior pattern of traffic both in the parking lots and on Dream Street
- to widen Dream Street to include a middle left turn lane as far along the street as necessary
- to install better signage to improve the information flow to motorists and pedestrians and, hence, to increase the probability of a safer and smoother traffic flow, to establish a more attractive commercial setting, and to maintain and enhance the physical appearance of the area.

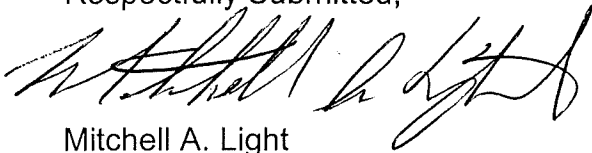
STAFF COMMENTS

1. Staff recognizes that this is a small site and that the property owner is not asking for a large addition, however Staff is concerned how the property owner is proposing to deal with the issue of landscaping. The entire site should be brought up to the current standards set forth in Article 36 (Landscaping) of the 2001-02 Boone County Zoning Regulations. If this request is approved, a Major Site Plan will be required.
2. An e-mail from Rick Lunnemann, Community Development Director for the City of Florence, is attached that indicates the proposed building elevations "should contain the use of brick material instead of block or siding which will serve to compliment the brick material used on the pillars for the existing covered drop off area."
3. Staff has attached to this report, a copy of the standards set forth in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations. Concept Development Plan proposals in Planned Developments are to be primarily evaluated against these criteria.

Conclusion

This request needs to be evaluated by the Boone County Planning Commission and the City of Florence in terms of Article 3 and the Planned Development requirements stated in Article 15 of the *Boone County Zoning Regulations*, the appropriate planning documents noted herein, and the potential impacts on the existing and planned uses in the area.

Respectfully Submitted,

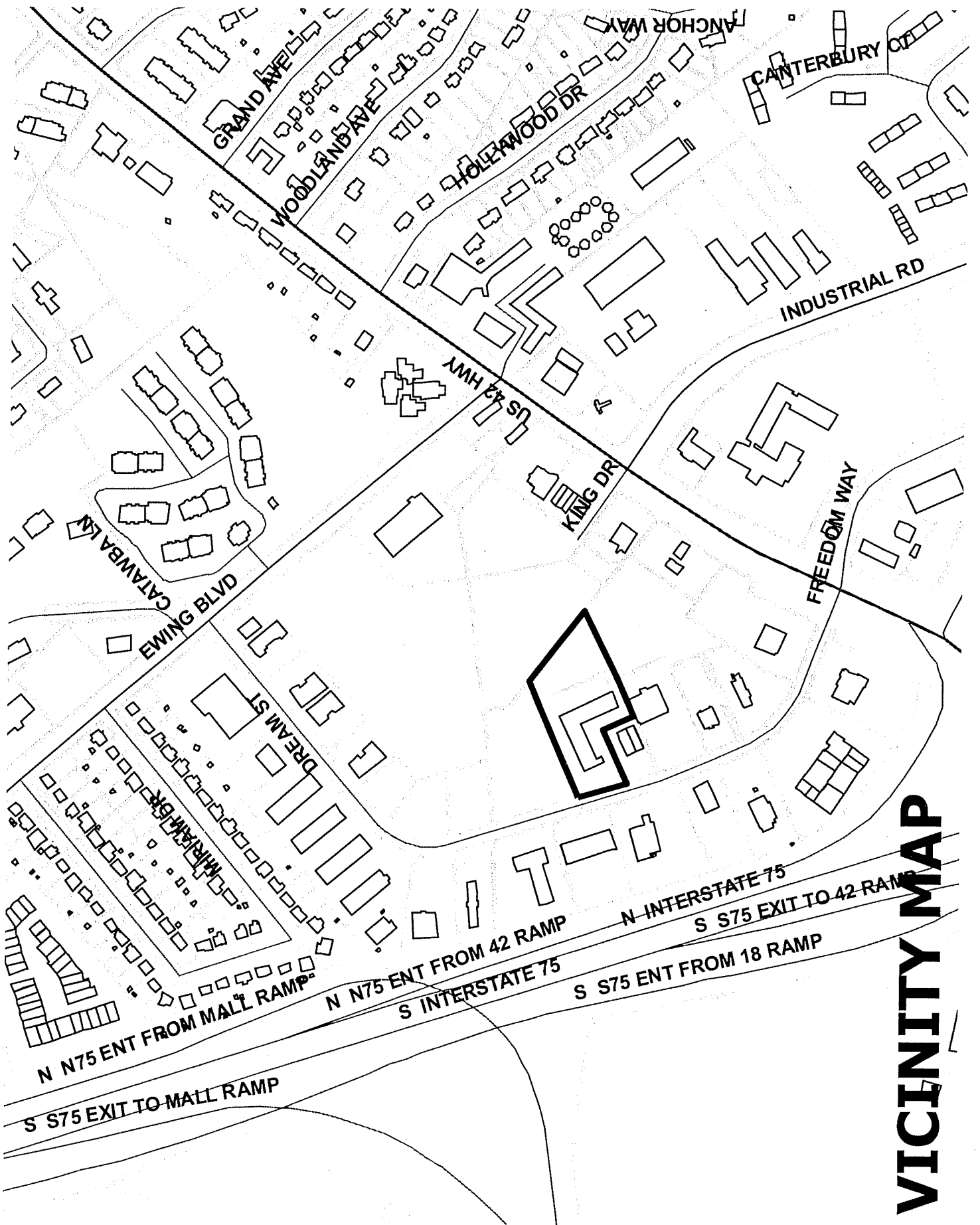


Mitchell A. Light  
Asst. Zoning Administrator/Enforcement Officer

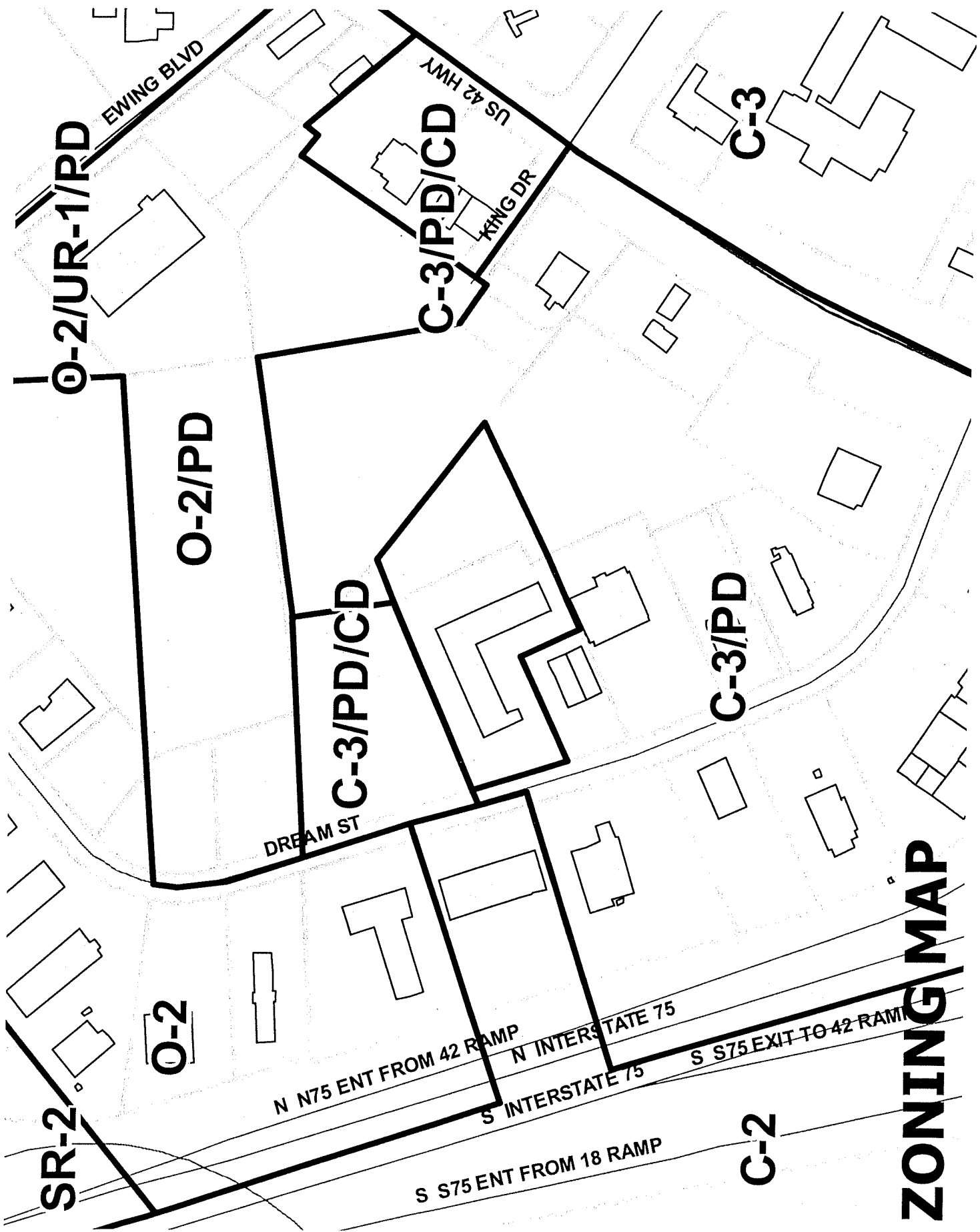
MAL/pr

Attachments

- Vicinity Map
- Zoning Map
- Future Land Use Map
- Existing Topography
- 2004 Aerial Photography
- Concept Development Plan
- Conceptual Building Elevations
- Comments from Rick Lunnemann, Community Development Director
- Planned Development Standards
- Application



# VICINITY MAP



**ZONING MAP**

**O-2/UR-1/PD**

**O-2/PD**

**C-3/PD/CD**

**C-3**

**C-3/PD/CD**

**C-3/PD**

**O-2**

**SR-2**

**C-2**

EWING BLVD

US 42 HWY

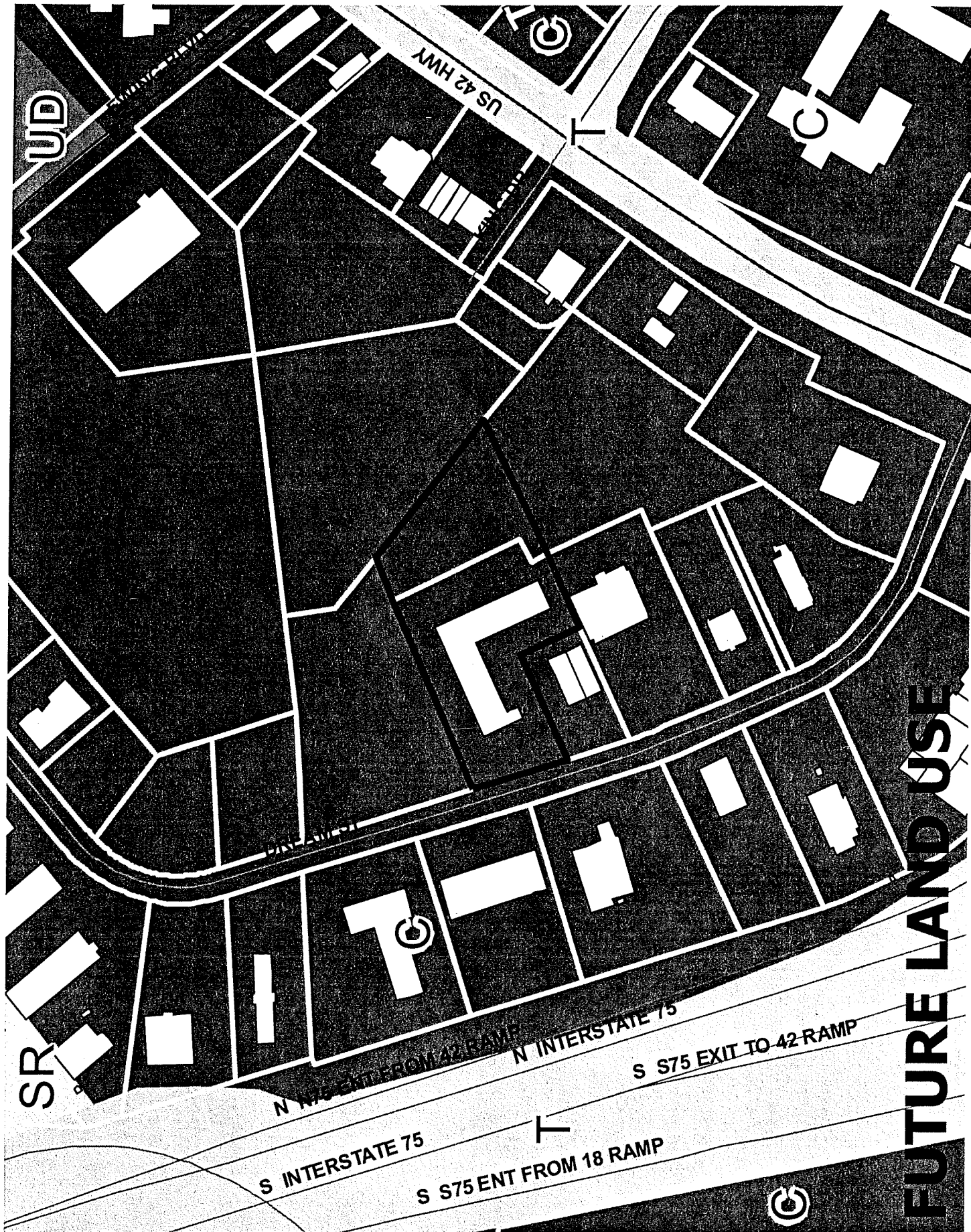
KING DR

DREAM ST

N N75 ENT FROM 42 RAMP  
N INTERSTATE 75

S INTERSTATE 75  
S S75 ENT FROM 18 RAMP

S S75 EXIT TO 42 RAMP



**FUTURE LAND USE**

UD

SR

US 42 HWY

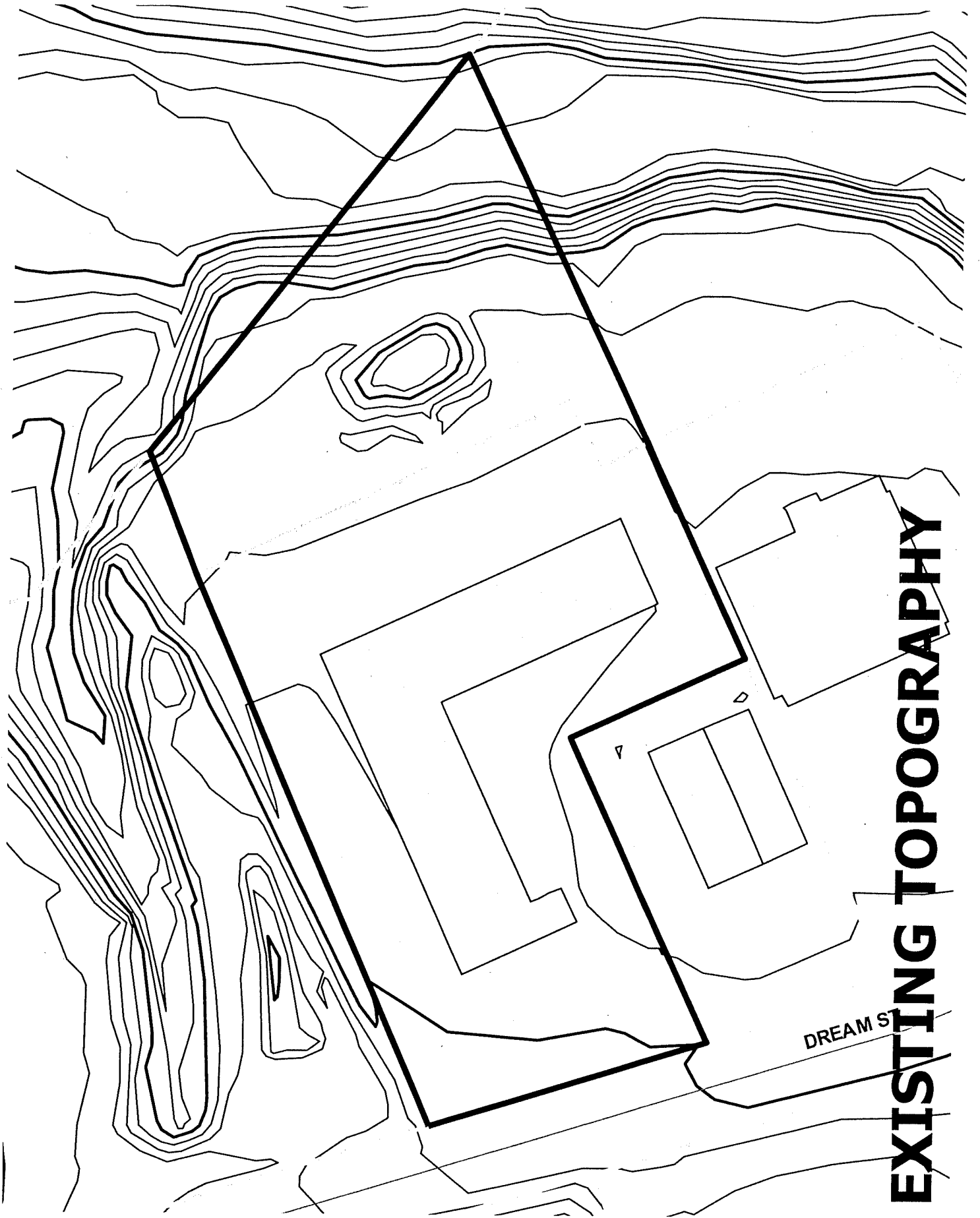
S INTERSTATE 75

S 75 ENT FROM 18 RAMP

N INTERSTATE 75

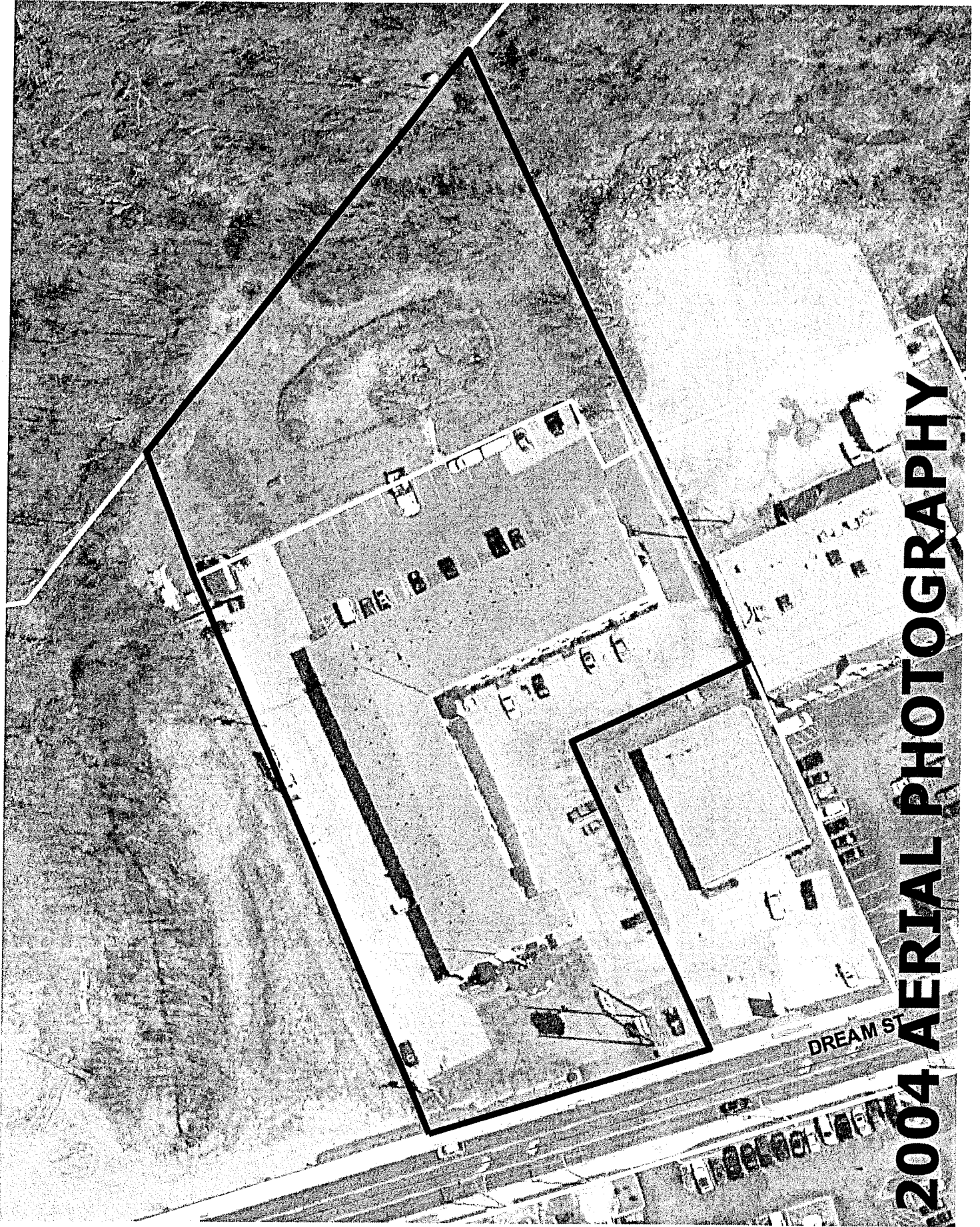
S 75 EXIT TO 42 RAMP

N 425 ENT FROM 42 RAMP

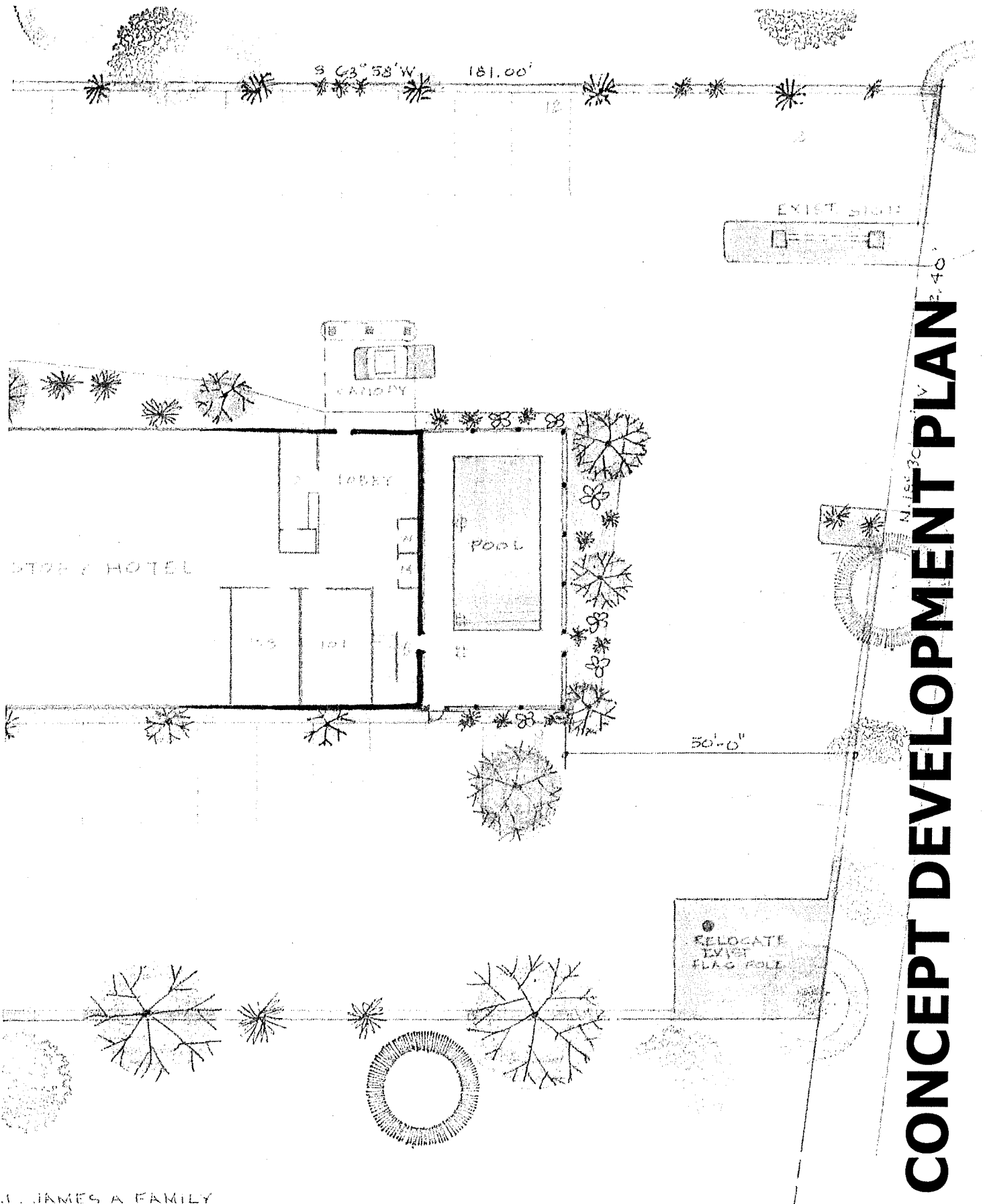


DREAM S

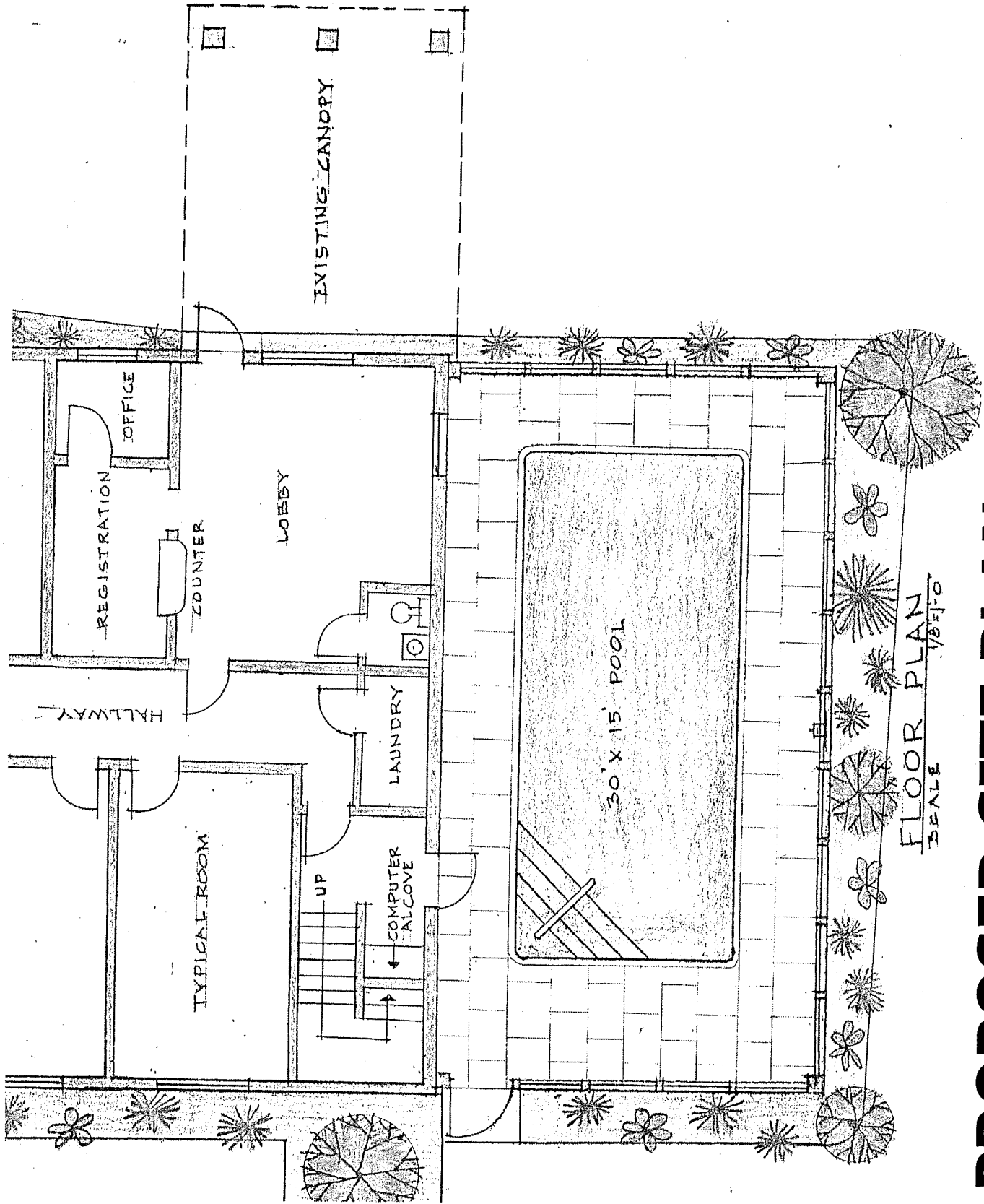
# EXISTING TOPOGRAPHY



**2004 AERIAL PHOTOGRAPHY**

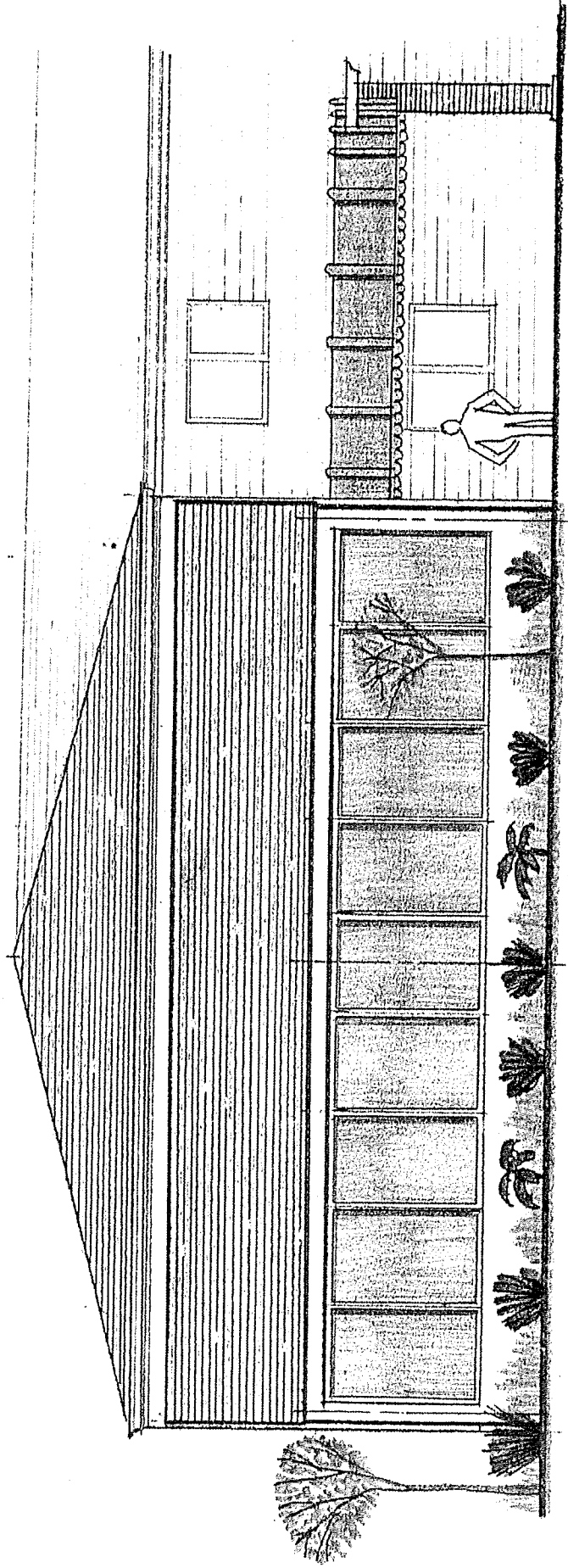


**CONCEPT DEVELOPMENT PLAN**



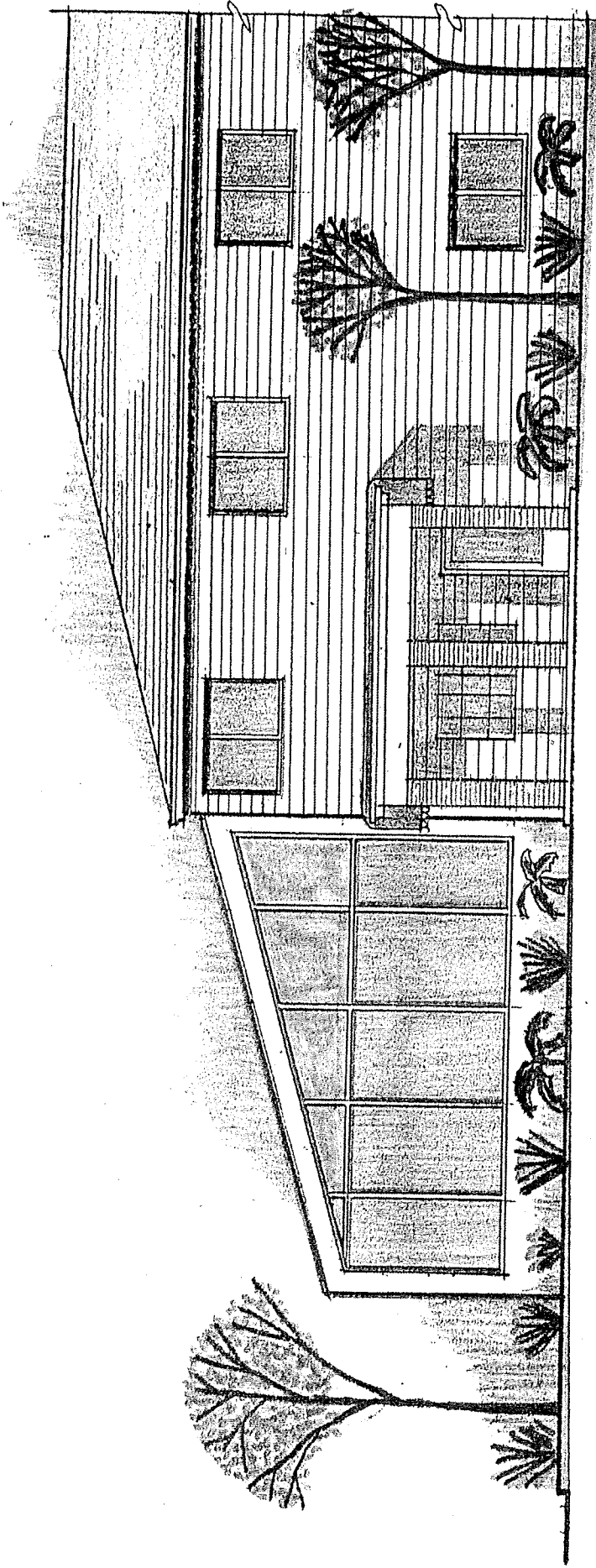
# PROPOSED SITE PLAN

Dunn & Tifne P.C.C.



WEST ELEVATION  
SCALE 1/8" = 1'-0"

# PROPOSED ELEVATIONS



SOUTH ELEVATION

SCALE 1/8" = 1'-0"

# PROPOSED ELEVATIONS

## Mitch Light

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**From:** Richard Lunnemann [Richard.Lunnemann@Florence-KY.gov]  
**Sent:** Wednesday, September 27, 2006 8:19 AM  
**To:** Mitch Light  
**Cc:** Bob Townsend  
**Subject:** Super 8 Motel

Mitch,

In response to your request for comment regarding the Concept Development Plan referenced above, I am responding on behalf of the Florence Public Services Department and the Florence Administrative Department. Our comments are as follows:

- Elevations for the proposed pool addition are desired for review. The elevations should contain the use of brick material instead of block or siding which will serve to compliment the brick material used on the pillars for the existing covered drop off area.
- The Super 8 Motel site should be brought up to code per the current landscape code as contained in the Boone County Zoning Regulations.
- The distance between the landscape area along the front of the addition and the front parking spaces (adjacent to Dream Street) should be reviewed to ensure the aisle width meets code.

If you have any questions please let me know.

Rick Lunnemann  
Assistant City Coordinator/Community Development Director  
City of Florence

It is also provided that the amount of land devoted to each use in a Planned Development shall be determined through the Concept Development Plan review and approval process. The appropriate legislative body or Fiscal Court shall have final decision making authority and the Planning Commission is a recommending body pursuant to the provisions of this article.

#### **SECTION 1512**

##### **Intensity**

The intensity of use in a Planned Development may exceed by no more than thirty (30) percent the maximum intensity permitted in the underlying zone district.

#### **SECTION 1513**

##### **Minimum Size**

The minimum size or area required for a Planned Development overlay shall be no less than five (5) acres.

#### **SECTION 1514**

##### **Planned Development Standards**

Concept Development Plan proposals in a Planned Development shall be primarily evaluated against the criteria listed below. The Concept Development Plan shall fulfill the following criteria unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal.

1. Mixed Use Development and Pedestrian Orientation: Planned Developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. In general, planned developments shall have a pedestrian orientation. The additional intensity allowed in a Planned Development by Section 1500 shall only be permitted when a mixed use development as described in this standard is provided.
2. Compatibility of Uses: Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites. Such measures may include the provisions of buffer zones, common open space areas and landscape features, transitional land uses, or a mixed-use development in which no specific type of land use is dominant. Compatibility measures/mitigation measures shall exceed the usual minimum standards of this order when needed to address impacts of the proposed development.
3. Open Space: Useable open space(s), in an amount over and above setback areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space.
4. Multi-Modal Transportation System: Planned developments shall incorporate multi-modal transportation elements through the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc.

5. Preservation of Existing Site Features: Existing topography, significant tree cover, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article.
6. Landscaping: Substantial landscaping shall be provided in a planned development with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects.
7. Architecture: A consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic. The use of architectural guidelines is required for multi-phased projects.
8. Historic and Prehistoric Features: Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
9. Signage: A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. The use of signage design guidelines is required for multi-phased projects.
10. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths and sidewalks, bicycle facilities) shall be provided in all planned development unless physically unfeasible or undesirable due to land use characteristics. In addition, the various entry points (streets, paths, etc.) into a planned development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc.
11. Conformance with Comprehensive Plan: All planned developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations or existing or planned infrastructure.

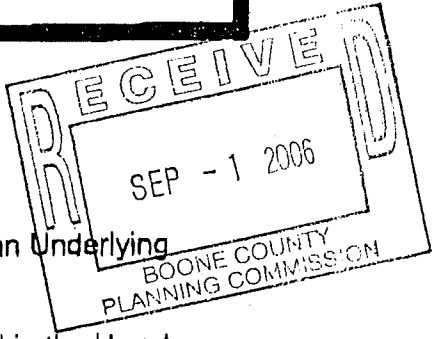
Further, Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study as well as the criteria in this section.

A Planned Development and its uses, buildings or structures shall be minimally subject to the supplemental performance and development standards of this order, unless superseded by any special requirements, conditions, variances or other particulars imposed by the Planning Commission during the concept or preliminary application and hearing phases described in this article. Such special conditions may include provisions governing, common open space, lands or facilities, disposition of open land, infrastructure provisions including any physical design and/or any other requirement found to be necessary, appropriate or desirable for the purposes of this district.

Such conditions shall be made a part of the terms under which the development is approved. Any violation of such conditions shall be deemed a violation of this order.

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN  
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)  
**SECTION A** (To be completed by applicant)

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- Long Range Planning Committee Review (As stated in the Union Town Plan)

- 2. Name of Project POOL ENCLOSURE ADDITION TO SUPER 8 MOTEL
- 3. Location of Project 7928 DREAM ST. FLORENCE, KY.
- 4. Total Acreage of Site 2,399 ACRES
- 5. Current Zoning C-3
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (If applicable) \_\_\_\_\_
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) NO

8. Proposed Uses (please specify each use) MOTEL USE AS CURRENTLY BEING PROVIDED WITH ADDITION OF ENCLOSED POOL

9. Proposed Building Intensities (please specify) 16,896 S.F. OF BUILDING ON 104,500 S.F. SITE = 16%  
BUILDING & PARKING = 68,050 S.F. (65%)

10. Have you submitted a Concept Development Plan? YES

11. Are you also applying for:  
 Conditional Use Permit  
 Dimensional Variance

12. Name of Applicant(s) THOMAS R. DUNN  
Phone Number 513-522-8755 Fax No. 513-522-7844  
13. Address of Applicant(s) 800 COMPTON RD SUITE 25  
CINCINNATI OH 45231  
City State Zip

14. Name of Property Owner(s) MAHESH NICHANI (SHIVAM HOSPITALITY LLC)  
Phone Number 859-283-1221 Fax No. 859-283-1490  
15. Address of Property Owner(s) 7928 DREAM ST.  
FLORENCE KY 41042  
City State Zip

16. Are there any existing buildings on the site? YES  
How many? ONE - EXISTING MOTEL BUILDING

17. Deed Book \_\_\_\_\_ Page No. \_\_\_\_\_ Group No. \_\_\_\_\_  
18. Have you had a pre-application meeting with BCPC Staff? YES

**Concept Development Plan**  
**Page 2**

19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water District
- Florence Public Services Dept.
- Duke Energy
- Sanitation District #1
- Cincinnati Bell
- Owen Electric Cooperative, Inc.
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- Boone County Building Department
- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: \_\_\_\_\_

20. Concept Development Plan Jurisdiction/Location  
 Unincorporated Boone County  Walton Union  
 Florence  Union

21. Applicant's Signature(s) Thomas D. Dunn

22. Property Owner's Signature(s) Maven Yeber

**SECTION B** (To be completed by BCPC Staff)

1. Date Received 9-1-06 Fee Received \$1681.00 R#51261

2. Check what has been submitted:  
 Application  Fee  Legal Description  
 Concept Development Plan  Addresses of Adjoining Property Owners  
 No. of copies of plan received \*\*

3. Is application complete?  YES  NO

4. Staff Reviewer MICHAEL

5. Committee Chairperson \_\_\_\_\_

6. Scheduled Public Hearing Date \_\_\_\_\_

7. Boone County Planning Commission Action:  
 Approved  Approved With Conditions  
 Denied

8. Other: \_\_\_\_\_

\*\* Five (5) Copies Required

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

Note: See Boone County Planning Commission Fee Schedule for Concept Development Plan Fees. An application consists of all fees paid in full, submitted drawings and a completed application form.  
BCPC/05/06

**Public Hearing Item No. 2:**

**Commission Members Present:** Mrs. Arnett, Mr. Barlow, Mr. Bungler, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Rolfsen, and Mr. Schwenke.

**Staff Members Present:** Ms. Jan Hancock, Secretary; and Mr. Mitch Light, Assistant Zoning Administrator/ZEO.

**Legal Counsel Present:** Mr. Dale Wilson

2. Applicant: **Thomas R. Dunn for Mahesh Nichani, Shivam Hospitality, LLC (owner)**

Request: **Zoning Map Amendment**

The request of **Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner)** for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto an existing hotel.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Tom Dunn with Dunn & Titus, 300 Compton Road, Cincinnati, OH stated that the owner just purchased this hotel two months ago and has realized that without a pool he is at a commercial disadvantage. Installing a pool and building a structure around it will increase the quality of the entire operation. He stated that they have shown landscaping around the new development and the full Site Plan shows the entire site with all of the trees in place at this time. They are willing to work with the Planning Commission in regard to the Landscape Plan. He presented an exhibit of the exterior of the building. He stated that they will remove the existing vinyl siding and add E.I.F.S. (a stucco-like material), add pilasters between the rooms and add dormers on the roof for an attractive appearance. Instead of brick as suggested for the pool addition, they will cover the existing brick columns with E.I.F.S. so that the building has a compatible and attractive appearance. He stated that the standard for a Super 8 Motel nationally is light tan rough-textured stucco finish with red accents. This concluded the applicant's presentation.

The Chairman noted that there was no one else present except the applicant's team. He asked if there were any comments or questions from the Commissioners.

Mrs. Kegley asked the applicant to meet with Staff prior to the Committee Meeting and work out a Landscaping Plan that meets the requirements. Mr. Dunn responded that they will do whatever they can in the spaces on either side of the property and in the front to increase the quality of the landscaping. He stated that the landscaping was done recently and most of the trees are fairly young. They will increase the tree coverage for a better appearance. Mrs. Kegley explained that with the addition, they are required to meet the current code and the Committee wants to know how they are able to meet the requirements. Mr. Dunn responded that they can address the landscaping by eliminating some of the parking spaces in the front and putting them in the back.

Mr. Bunger questioned the signage. Mr. Light stated that signage was not part of this request. He stated that next week the applicant will go before the Florence Board of Adjustment to add an electronically changeable copy reader board onto the existing freestanding sign. He stated that he does not know that the sign could be moved back with the addition. Signage can be discussed at the Committee Meeting.

Mr. Bunger noted broken concrete and debris at the rear of the site. Chairman Caddell advised that the area Mr. Bunger is referring to is not part of the subject site.

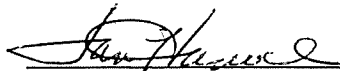
There being no further comments, the Chairman stated that the Committee Meeting for this item will be on October 18, 2006 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on November 1, 2006 at 7:00 PM.

The Chairman closed this Public Hearing at 8:18 PM.

**APPROVED:**

  
\_\_\_\_\_  
Arnold Caddell, Chairman

**Attest:**

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
FIRST FLOOR FISCAL COURTROOM  
BUSINESS MEETING  
November 1, 2006  
7:00 P.M.**

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Mr. Arnold Caddell, Chairman, called the meeting to order at 7:02 PM.

**COMMISSION MEMBERS PRESENT:**

Mrs. Judy Arnett  
Mr. Randy Barlow  
Mr. Kim Bungler  
Mr. Arnold Caddell, Chairman  
Mr. Jim Carmichael  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mr. Charlie Reynolds  
Mr. Charlie Rolfsen  
Mr. Bob Schwenke  
Mrs. Lisa Wilson, Secretary/Treasurer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Greg Breetz  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Jan Hancock, Secretary  
Mr. Mitch Light, Assistant Zoning Administrator/ZEO  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

The Chairman asked if there was anyone present who wished to make a summary statement on behalf of the opposition at this time. There was no response.

There being no discussion, **Mrs. Kegley moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report with the conditions. Mrs. Arnett seconded the motion and it carried unanimously.**

**3. Concept Development Plan**

**The request of Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner) for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto an existing hotel.**

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owner has signed the letter agreeing to the conditions.

The Chairman asked if the applicant wished to make a summary statement in regard to items raised at the Public Hearing or discussed at the Committee Meeting.

Mr. Thomas Dunn, architect with Dunn & Titus, representing the owner, stated that resurfacing the building and adding the pool will be handsome additions to the Dream Street façade. They are enthusiastic about the project.

The Chairman asked if anyone wished to make a summary statement on behalf of the opposition. There was no response.

There being no discussion, **Mrs. Arnett moved by resolution to the City of Florence that the request be approved based on the Staff and Committee Reports, including the conditions. Mr. Schwenke seconded the motion and it carried unanimously.**

**4. Change in Approved Concept Development Plan**

**The request of ECE, Inc. on behalf of Rolling Hills Hospitality (applicant) for Vandercar Holdings (owner) for a Change in an Approved Concept Development Plan in an Office One/Planned Development (O-1/PD) zone for an 8.95 acre site located at the terminus of Vandercar Way and to the west of the property at 7625 Doering Drive (Wal Mart), Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow a hotel, restaurants, and other uses permitted by the current O-1/PD zone.**

# EXHIBIT

## “B”

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

**TO:** Boone County Planning Commission

**FROM:** Judy Arnett, Chairwoman

**DATE:** November 1, 2006

**RE:** Request of **Thomas R. Dunn (applicant)** for **Mahesh Nichani, Shivam Hospitality, LLC (owner)** for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto an existing hotel.

### REMARKS:

We, the Committee, recommend approval of this request based upon the following findings of fact and with the following conditions:

#### Findings of Fact

1. The Committee has concluded that the proposed Concept Development Plan is in agreement with the Comprehensive Plan due to the following reasons:
  - A. The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Commercial" uses. This designation is described by the Comprehensive Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
  - B. The Committee has concluded that the request demonstrates agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the request fulfills the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations.
3. The Committee has concluded that the following conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan. The conditions listed below are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The property owner agrees to provide a detailed landscape plan prepared in accordance with Article 36 of the 2001-02 Boone County Zoning Regulations in order to bring this site into compliance with the current regulations. The landscape plan is required to be submitted with the Major Site Plan review application in order to show compliance with this condition.
2. The property owner agrees that the building materials and design will be consistent in appearance with the elevations presented at the October 18, 2006 Zone Change Committee meeting and will be reviewed by Staff through the required Major Site Plan Review.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change/Concept Plan Committee Vote.

Public Hearing Item No. 2:

Commission Members Present: Mrs. Arnett, Mr. Barlow, Mr. Bunger, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Rolfsen, and Mr. Schwenke.

Staff Members Present: Ms. Jan Hancock, Secretary; and Mr. Mitch Light, Assistant Zoning Administrator/ZEO.

Legal Counsel Present: Mr. Dale Wilson

2. Applicant: Thomas R. Dunn for  
Mahesh Nichani, Shivam Hospitality, LLC (owner)

Request: Zoning Map Amendment

The request of Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner) for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto an existing hotel.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Tom Dunn with Dunn & Titus, 300 Compton Road, Cincinnati, OH stated that the owner just purchased this hotel two months ago and has realized that without a pool he is at a commercial disadvantage. Installing a pool and building a structure around it will increase the quality of the entire operation. He stated that they have shown landscaping around the new development and the full Site Plan shows the entire site with all of the trees in place at this time. They are willing to work with the Planning Commission in regard to the Landscape Plan. He presented an exhibit of the exterior of the building. He stated that they will remove the existing vinyl siding and add E.I.F.S. (a stucco-like material), add pilasters between the rooms and add dormers on the roof for an attractive appearance. Instead of brick as suggested for the pool addition, they will cover the existing brick columns with E.I.F.S. so that the building has a compatible and attractive appearance. He stated that the standard for a Super 8 Motel nationally is light tan rough-textured stucco finish with red accents. This concluded the applicant's presentation.

The Chairman noted that there was no one else present except the applicant's team. He asked if there were any comments or questions from the Commissioners.

Mrs. Kegley asked the applicant to meet with Staff prior to the Committee Meeting and work out a Landscaping Plan that meets the requirements. Mr. Dunn responded that they will do whatever they can in the spaces on either side of the property and in the front to increase the quality of the landscaping. He stated that the landscaping was done recently and most of the trees are fairly young. They will increase the tree coverage for a better appearance. Mrs. Kegley explained that with the addition, they are required to meet the current code and the Committee wants to know how they are able to meet the requirements. Mr. Dunn responded that they can address the landscaping by eliminating some of the parking spaces in the front and putting them in the back.

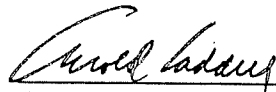
Mr. Bunger questioned the signage. Mr. Light stated that signage was not part of this request. He stated that next week the applicant will go before the Florence Board of Adjustment to add an electronically changeable copy reader board onto the existing freestanding sign. He stated that he does not know that the sign could be moved back with the addition. Signage can be discussed at the Committee Meeting.

Mr. Bunger noted broken concrete and debris at the rear of the site. Chairman Caddell advised that the area Mr. Bunger is referring to is not part of the subject site.

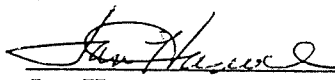
There being no further comments, the Chairman stated that the Committee Meeting for this item will be on October 18, 2006 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on November 1, 2006 at 7:00 PM.

The Chairman closed this Public Hearing at 8:18 PM.

APPROVED:

  
Arnold Caddell, Chairman

Attest:

  
Jan Hancock, Recording Secretary

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Judy Arnett, Chairwoman

DATE: October 18, 2006

RE: Request of Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner) for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto a existing hotel.

### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Dunn/Nichani/Hospitality

October 18, 2006

*Judy Arnett*  
 \_\_\_\_\_  
**Judy Arnett, Chairwoman**

For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Greg Breetz*  
 \_\_\_\_\_  
**Greg Breetz**

For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Kim Bunger*  
 \_\_\_\_\_  
**Kim Bunger**

For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Janet Kegley*  
 \_\_\_\_\_  
**Janet Kegley**

For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Susan Poston**

For Project \_\_\_\_\_ Absent   
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Jim Carmichael (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Charlie Reynolds (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Bob Schwenke (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Lisa Wilson (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

**TOTAL:** \_\_\_\_\_ DEFERRED 4 FOR PROJECT \_\_\_\_\_ ABSENT \_\_\_\_\_  
 \_\_\_\_\_ AGAINST PROJECT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

# **SUPPORTING INFORMATION**

SUPER 8 MOTEL

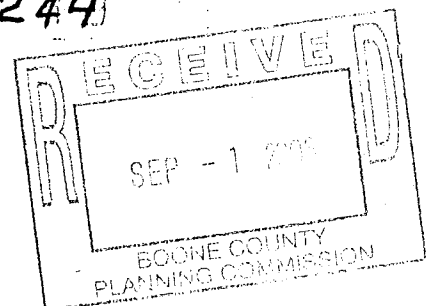
7928 DREAM ST. FLORENCE KY.

LEGAL DESCRIPTION

BEING A PARCEL OF LAND IN THE CITY OF FLORENCE, BOONE COUNTY, KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF DREAM STREET AND NORTHWEST CORNER OF LOT 5 OF THE WEST COMMERCIAL SUBDIVISION, SECTION I, THENCE ALONG SAID RIGHT-OF-WAY N 18° 30' 15" W, 185.90 FEET TO THE REAL POINT OF BEGINNING, THENCE ALONG SAID RIGHT-OF-WAY N 18° 30' 15" W, 162.40 FEET TO A POINT, THENCE LEAVING SAID RIGHT-OF-WAY N 63° 58' E, 395.10 FEET TO A POINT ON WEST'S NORTH LINE, THENCE WITH SAID LINE S 59° 19' 30" E, 299.30 FEET TO A POINT, THENCE LEAVING SAID LINE S 63° 58' W, 372.61 FEET TO A POINT, THENCE N 26° 02' W, 105.00 FEET TO A POINT, THENCE S 63° 58' W, 181.00 FEET TO THE REAL POINT OF BEGINNING.

RAYMOND ERPENBECK CONSULTING ENGINEERS  
4205 DIXIE HIGHWAY, ELSMERE, KENTUCKY 41018

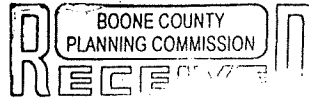
RLS 249



**BOONE COUNTY PLANNING COMMISSION**

[www.boonecountyky.org/pc](http://www.boonecountyky.org/pc)  
[www.boonecountygis.com](http://www.boonecountygis.com)

Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, KY 41005



Phone (859) 334-2196; Fax (859) 334-2264  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

October 23, 2006

OCT 25 2006

Mr. Thomas R. Dunn  
800 Compton Road  
Suite 25  
Cincinnati, OH 45231

RE: Request of Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner) for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto a existing hotel.

Dear Mr. Dunn:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their October 18, 2006 meeting. If you, as the applicant, agree with these conditions, please have the property owner sign in the space provided at the end of this letter, and return the original letter to the Planning Commission's office by Monday, October 30, 2006.

CONDITIONS

1. The property owner agrees to provide a detailed landscape plan prepared in accordance with Article 36 of the 2001-02 Boone County Zoning Regulations in order to bring this site into compliance with the current regulations. The landscape plan is required to be submitted with the Major Site Plan review application in order to show compliance with this condition.
2. The property owner agrees that the building materials and design will be consistent in appearance with the elevations presented at the October 18, 2006 Zone Change Committee meeting and will be reviewed by Staff through the required Major Site Plan Review.

Sincerely,

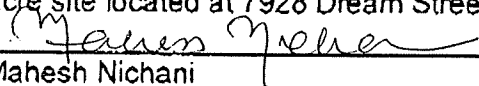
Mitchell A. Light  
Assistant Zoning Admin/Enforcement Officer

MAL/dw

Mr. Thomas R. Dunn  
October 23, 2006  
Page 2

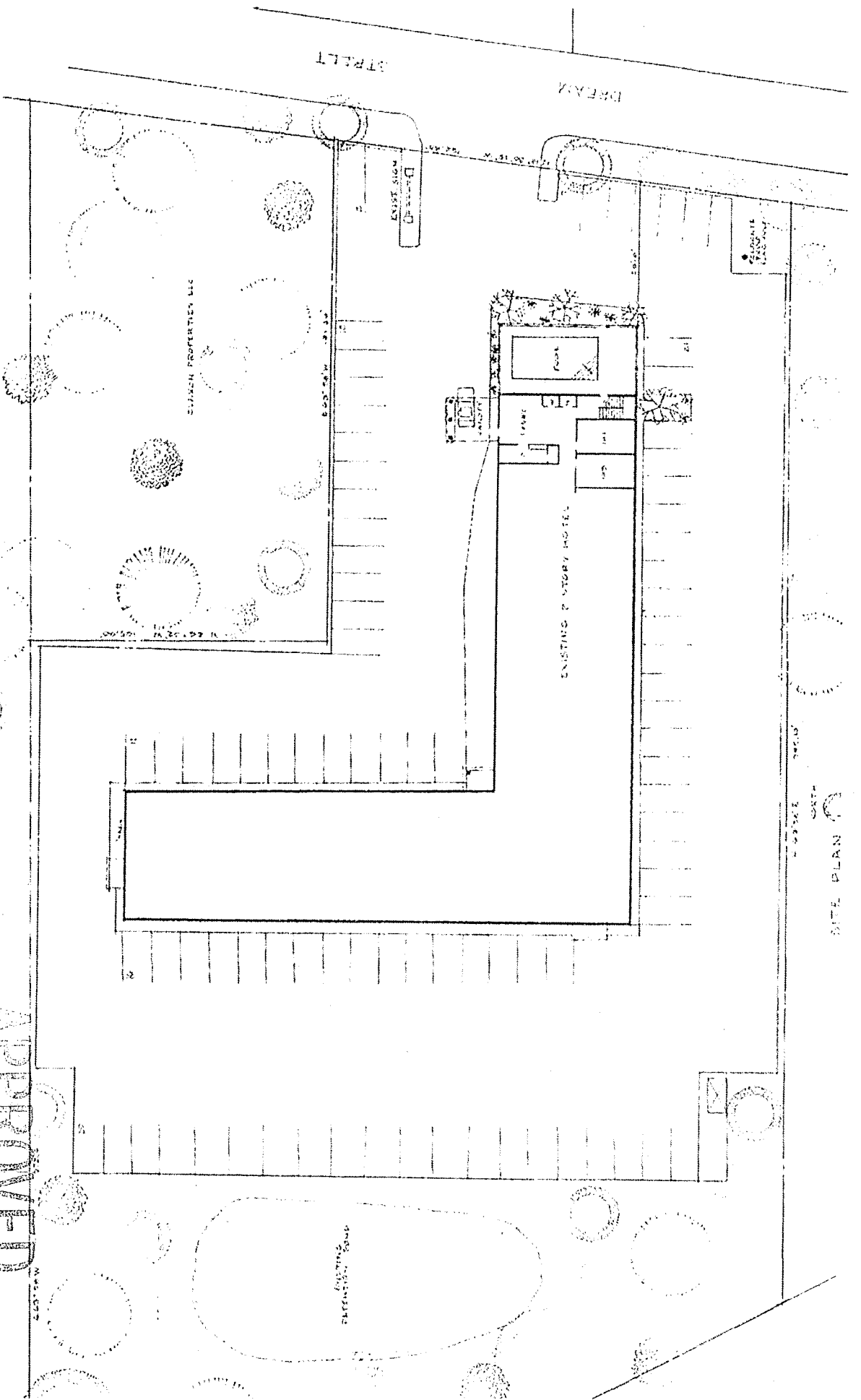
AGREEMENT

I, Mahesh Nichani, do hereby agree to the recommended conditions of approval stated above for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street to allow an enclosed pool addition onto a existing hotel.

  
\_\_\_\_\_  
Mahesh Nichani  
(owner)

10.25.2006  
\_\_\_\_\_  
Date

# CONCEPT DEVELOPMENT PLAN



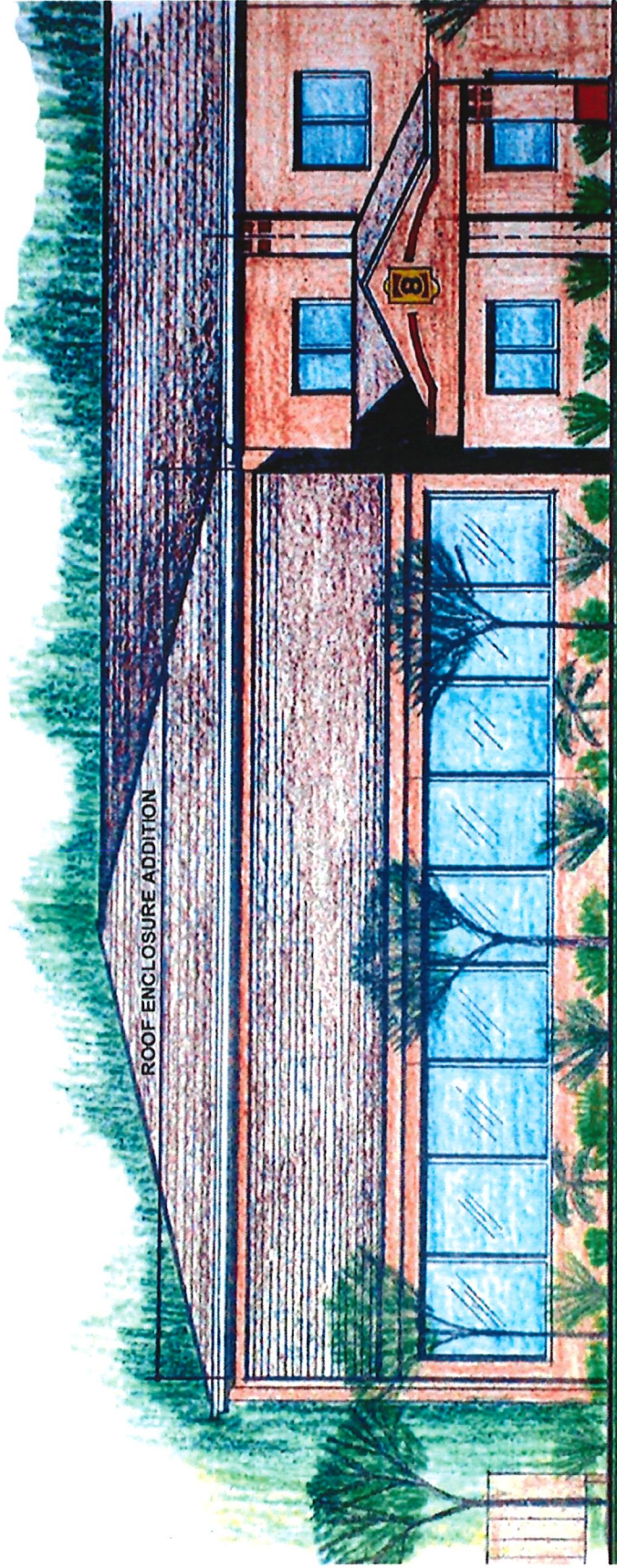
SITE PLAN

**APPROVED**

Staff *[Signature]* 11/25/06

Date 11/1/06

Seaco County Planning Commission



WEST ELEVATION

**SUPER MOTEL 8 POOL EDDITION**  
DUNN & TITUS P.S.C.



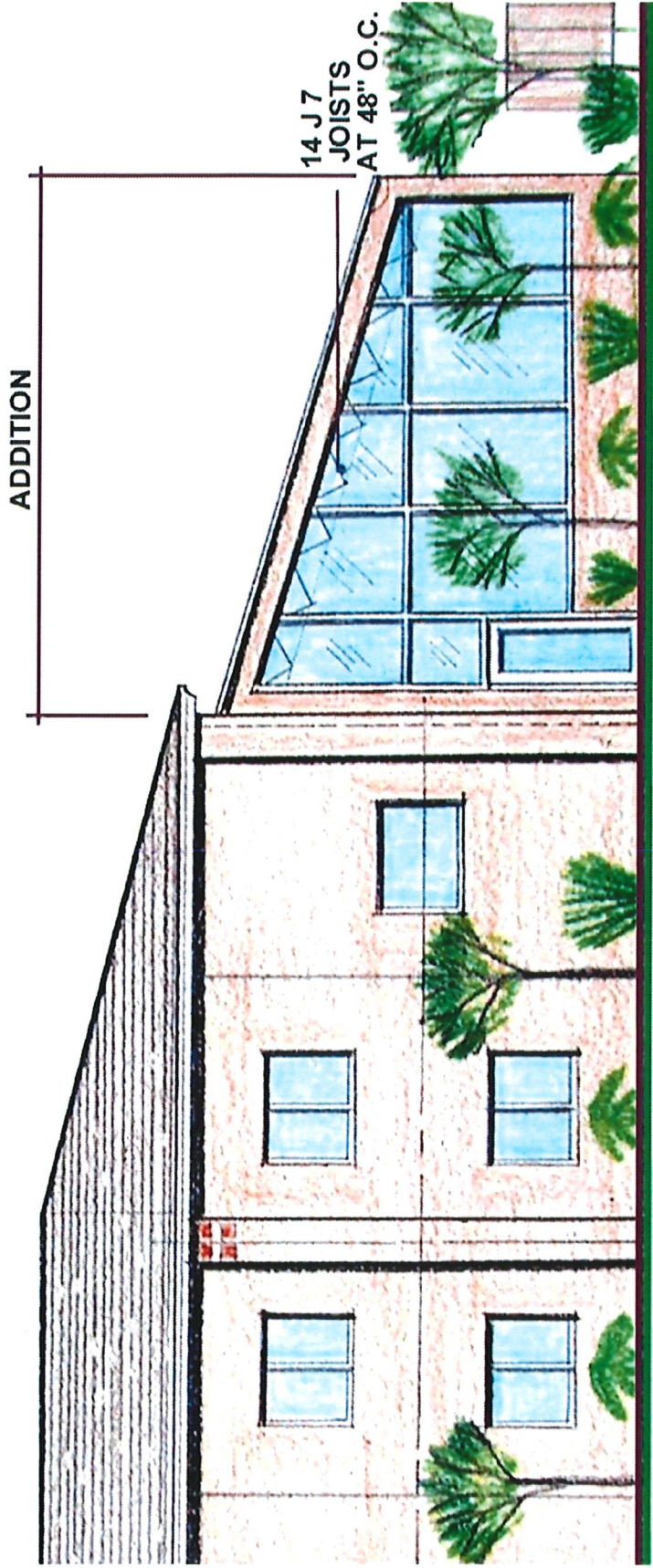


**SOUTH ELEVATION**

**SUPER MOTEL 8 POOL EDITION**  
DUNN & TITUS P.S.C.



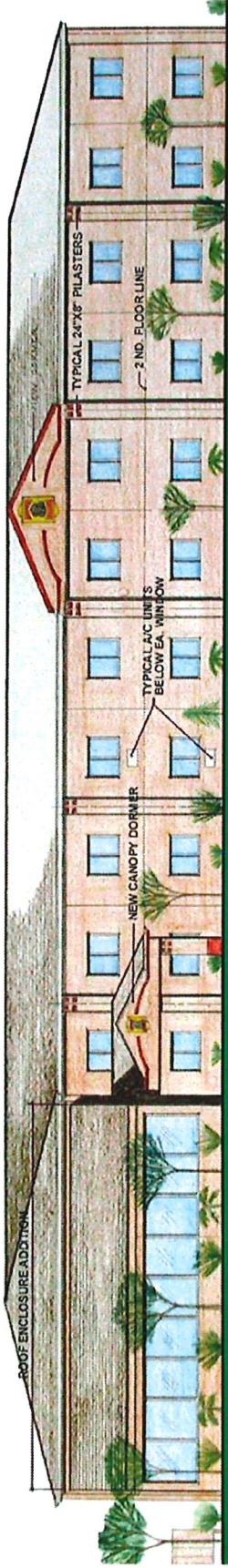




**NORTH ELEVATION**

**SUPER MOTEL 8 POOL EDDITION**  
DUNN & TITUS P.S.C.





**WEST ELEVATION**

**SUPER MOTEL & POOL EDDITION**  
**DUNN & TITUS P.S.C.**



ORDINANCE NO. 0-31-06

**AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES/PLANNED DEVELOPMENT (C-3/PD) ZONE FOR A 2.399 ACRE SITE LOCATED AT 7928 DREAM STREET, FLORENCE, KENTUCKY, TO ALLOW AN ENCLOSED POOL ADDITION ONTO AN EXISTING HOTEL. (DUNN/SHIVAM HOSPITALITY, LLC PROPERTY)**

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

WHEREAS, the Boone County Planning Commission by Resolution No. R-06-028-A recommended approval, with conditions, for a concept development plan, and

WHEREAS, the recommendation for approval by the Boone County Planning Commission is based upon certain findings and conditions attached to the Commission's Resolution, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

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

**SECTION I**

That the request of Thomas R. Dunn (Applicant) for Mahesh Nichani, Shivam Hospitality, LLC (Owner), for a concept development plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky, to allow an enclosed pool addition onto an existing hotel, shall be and is hereby approved. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be designated to reflect the approval of this concept development plan for this subject property.

**SECTION II**

The approval of this concept development plan is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "A" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-06-028-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

**SECTION III**

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-06-028-A, marked Exhibit "A", and attached hereto.

**SECTION IV**

If the approval for this concept development plan shall be held invalid, in whole or in part, by any Court of proper jurisdiction, that invalidity shall not affect the validity of any of the other zoning regulations, zoning map, comprehensive plan, or other portions, provisions or terms of the approved concept development plan for this property as they are severable from this Ordinance and are intended to have full force and effect regardless of any invalidity relating to this particular Ordinance.

**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 19<sup>th</sup> DAY OF December, 2006.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 9<sup>th</sup> DAY OF January, 2007.

APPROVED:

Steve E. Whalen  
MAYOR

ATTEST:

[Signature]  
CITY CLERK

# EXHIBIT

“ A ”

**RESOLUTION R-06-028-A**

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF THOMAS R. DUNN (APPLICANT) FOR MAHESH NICHANI, SHIVAM HOSPITALITY, LLC (OWNER) FOR A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES/PLANNED DEVELOPMENT (C-3/PD) ZONE FOR A 2.399 ACRE SITE LOCATED AT 7928 DREAM STREET, FLORENCE, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Florence, Florence, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

**SECTION I**

That the request for a Concept Development Plan for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The real estate which is the subject of this request for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone is more particularly described in DEED BOOK 920, PAGE NO. 415 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

**SECTION II**

That as a basis for the recommendation of approval, with conditions, for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone on a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky, findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

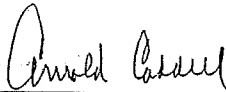
The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and marked as "Exhibit B."

**SECTION III**

That a copy of this Resolution recommending approval, with conditions, for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky, shall be forwarded to the City of Florence, Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

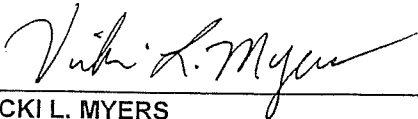
PASSED AND APPROVED ON THIS 15TH DAY OF NOVEMBER, 2006.

APPROVED:



ARNOLD CADDELL  
CHAIRMAN

ATTEST:



VICKI L. MYERS  
MANAGER, ADMINISTRATIVE SERVICES

AC:vlm

**Public Hearing Item No. 2:**

**Commission Members Present:** Mrs. Arnett, Mr. Barlow, Mr. Bunger, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Rolfsen, and Mr. Schwenke.

**Staff Members Present:** Ms. Jan Hancock, Secretary; and Mr. Mitch Light, Assistant Zoning Administrator/ZEO.

**Legal Counsel Present:** Mr. Dale Wilson

2. **Applicant:** **Thomas R. Dunn for Mahesh Nichani, Shivam Hospitality, LLC (owner)**

**Request:** **Zoning Map Amendment**

**The request of Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner) for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto an existing hotel.**

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Tom Dunn with Dunn & Titus, 300 Compton Road, Cincinnati, OH stated that the owner just purchased this hotel two months ago and has realized that without a pool he is at a commercial disadvantage. Installing a pool and building a structure around it will increase the quality of the entire operation. He stated that they have shown landscaping around the new development and the full Site Plan shows the entire site with all of the trees in place at this time. They are willing to work with the Planning Commission in regard to the Landscape Plan. He presented an exhibit of the exterior of the building. He stated that they will remove the existing vinyl siding and add E.I.F.S. (a stucco-like material), add pilasters between the rooms and add dormers on the roof for an attractive appearance. Instead of brick as suggested for the pool addition, they will cover the existing brick columns with E.I.F.S. so that the building has a compatible and attractive appearance. He stated that the standard for a Super 8 Motel nationally is light tan rough-textured stucco finish with red accents. This concluded the applicant's presentation.

The Chairman noted that there was no one else present except the applicant's team. He asked if there were any comments or questions from the Commissioners.

Mrs. Kegley asked the applicant to meet with Staff prior to the Committee Meeting and work out a Landscaping Plan that meets the requirements. Mr. Dunn responded that they will do whatever they can in the spaces on either side of the property and in the front to increase the quality of the landscaping. He stated that the landscaping was done recently and most of the trees are fairly young. They will increase the tree coverage for a better appearance. Mrs. Kegley explained that with the addition, they are required to meet the current code and the Committee wants to know how they are able to meet the requirements. Mr. Dunn responded that they can address the landscaping by eliminating some of the parking spaces in the front and putting them in the back.

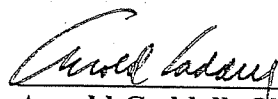
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Mr. Bunger noted broken concrete and debris at the rear of the site. Chairman Caddell advised that the area Mr. Bunger is referring to is not part of the subject site.

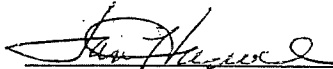
There being no further comments, the Chairman stated that the Committee Meeting for this item will be on October 18, 2006 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on November 1, 2006 at 7:00 PM.

The Chairman closed this Public Hearing at 8:18 PM.

APPROVED:

  
\_\_\_\_\_  
Arnold Caddell, Chairman

Attest:

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
FIRST FLOOR FISCAL COURTROOM  
BUSINESS MEETING  
November 1, 2006  
7:00 P.M.**

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Mr. Arnold Caddell, Chairman, called the meeting to order at 7:02 PM.

**COMMISSION MEMBERS PRESENT:**

Mrs. Judy Arnett  
Mr. Randy Barlow  
Mr. Kim Bungler  
Mr. Arnold Caddell, Chairman  
Mr. Jim Carmichael  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mr. Charlie Reynolds  
Mr. Charlie Rolfsen  
Mr. Bob Schwenke  
Mrs. Lisa Wilson, Secretary/Treasurer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Greg Breetz  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Jan Hancock, Secretary  
Mr. Mitch Light, Assistant Zoning Administrator/ZEO  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

The Chairman asked if there was anyone present who wished to make a summary statement on behalf of the opposition at this time. There was no response.

There being no discussion, **Mrs. Kegley moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report with the conditions. Mrs. Arnett seconded the motion and it carried unanimously.**

3. Concept Development Plan

**The request of Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner) for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto an existing hotel.**

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owner has signed the letter agreeing to the conditions.

The Chairman asked if the applicant wished to make a summary statement in regard to items raised at the Public Hearing or discussed at the Committee Meeting.

Mr. Thomas Dunn, architect with Dunn & Titus, representing the owner, stated that resurfacing the building and adding the pool will be handsome additions to the Dream Street façade. They are enthusiastic about the project.

The Chairman asked if anyone wished to make a summary statement on behalf of the opposition. There was no response.

There being no discussion, **Mrs. Arnett moved by resolution to the City of Florence that the request be approved based on the Staff and Committee Reports, including the conditions. Mr. Schwenke seconded the motion and it carried unanimously.**

4. Change in Approved Concept Development Plan

**The request of ECE, Inc. on behalf of Rolling Hills Hospitality (applicant) for Vandercar Holdings (owner) for a Change in an Approved Concept Development Plan in an Office One/Planned Development (O-1/PD) zone for an 8.95 acre site located at the terminus of Vandercar Way and to the west of the property at 7625 Doering Drive (Wal Mart), Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow a hotel, restaurants, and other uses permitted by the current O-1/PD zone.**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

**TO:** Boone County Planning Commission

**FROM:** Judy Arnett, Chairwoman

**DATE:** November 1, 2006

**RE:** Request of Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner) for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto an existing hotel.

### REMARKS:

We, the Committee, recommend approval of this request based upon the following findings of fact and with the following conditions:

#### Findings of Fact

1. The Committee has concluded that the proposed Concept Development Plan is in agreement with the Comprehensive Plan due to the following reasons:
  - A. The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Commercial" uses. This designation is described by the Comprehensive Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
  - B. The Committee has concluded that the request demonstrates agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the request fulfills the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations.
3. The Committee has concluded that the following conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan. The conditions listed below are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The property owner agrees to provide a detailed landscape plan prepared in accordance with Article 36 of the 2001-02 Boone County Zoning Regulations in order to bring this site into compliance with the current regulations. The landscape plan is required to be submitted with the Major Site Plan review application in order to show compliance with this condition.
2. The property owner agrees that the building materials and design will be consistent in appearance with the elevations presented at the October 18, 2006 Zone Change Committee meeting and will be reviewed by Staff through the required Major Site Plan Review.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change/Concept Plan Committee Vote.

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Judy Arnett, Chairwoman

DATE: October 18, 2006

RE: Request of Thomas R. Dunn (applicant) for Mahesh Nichani, Shivam Hospitality, LLC (owner) for a Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky. The request is for a Concept Development Plan to allow an enclosed pool addition onto a existing hotel.

### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Dunn/Nichani/Hospitality

October 18, 2006

*Judy Arnett*  
 \_\_\_\_\_  
**Judy Arnett, Chairwoman**

For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Greg Breetz*  
 \_\_\_\_\_  
**Greg Breetz**

For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Kim Bunger*  
 \_\_\_\_\_  
**Kim Bunger**

For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

*Janet A. Kegley*  
 \_\_\_\_\_  
**Janet Kegley**

For Project  Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_

**Susan Poston**

For Project \_\_\_\_\_ Absent   
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_

**Jim Carmichael (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_

**Charlie Reynolds (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_

**Bob Schwenke (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

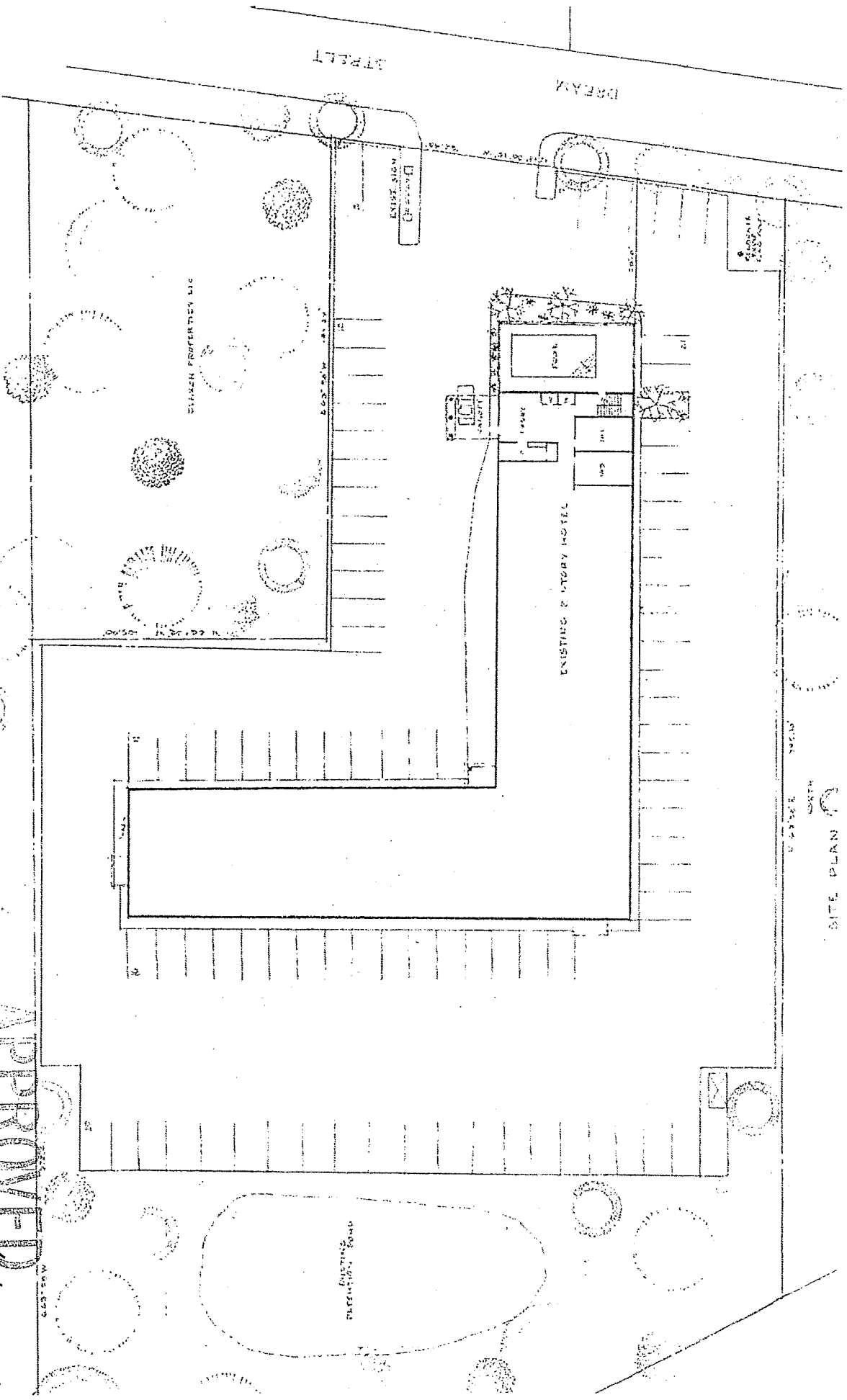
\_\_\_\_\_

**Lisa Wilson (Alternate)**

For Project \_\_\_\_\_ Absent \_\_\_\_\_  
 Against Project \_\_\_\_\_  
 Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

**TOTAL:** \_\_\_\_\_ DEFERRED 4 FOR PROJECT \_\_\_\_\_ ABSENT 1  
 \_\_\_\_\_ AGAINST PROJECT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

# CONCEPT DEVELOPMENT PLAN



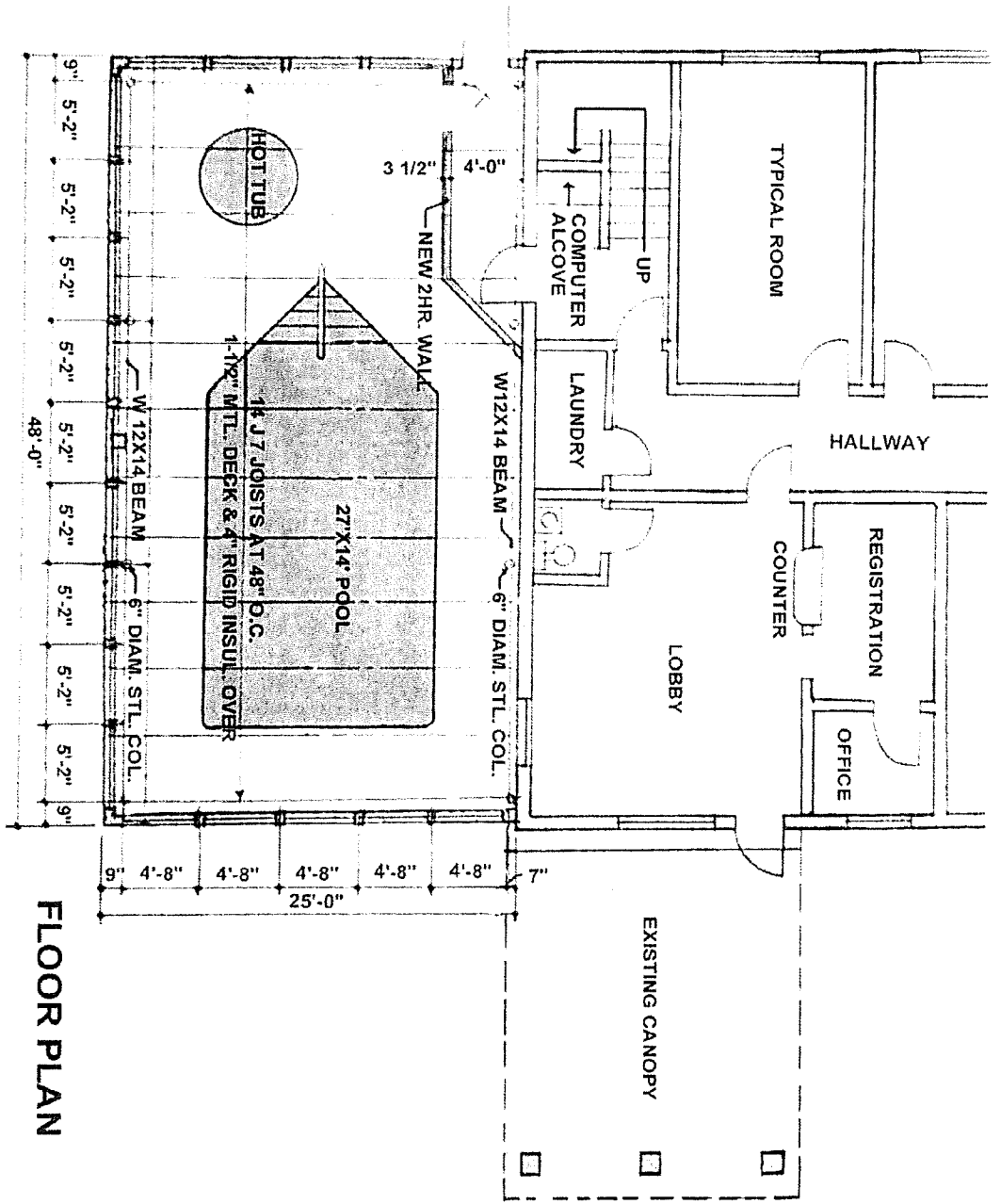
**APPROVED**

Staff *[Signature]*

Date 11/1/06

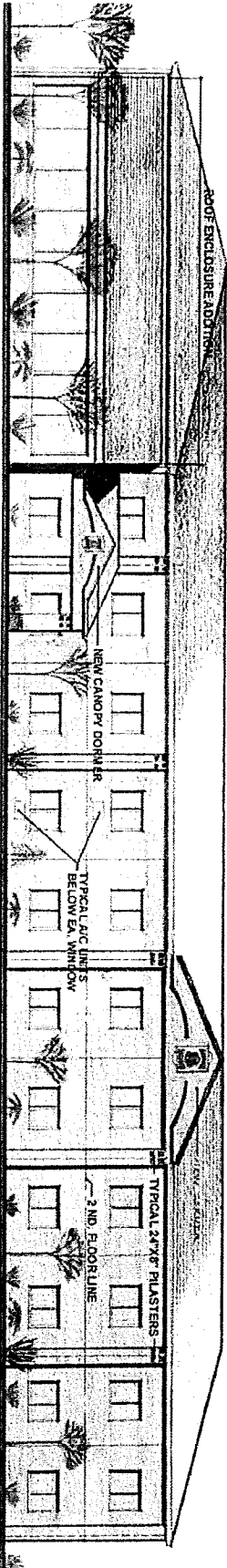
Boone County Planning Commission

**SUPER MOTEL 8 POOL EDDITION**  
**DUNN & TITUS P.S.C.**



**FLOOR PLAN**

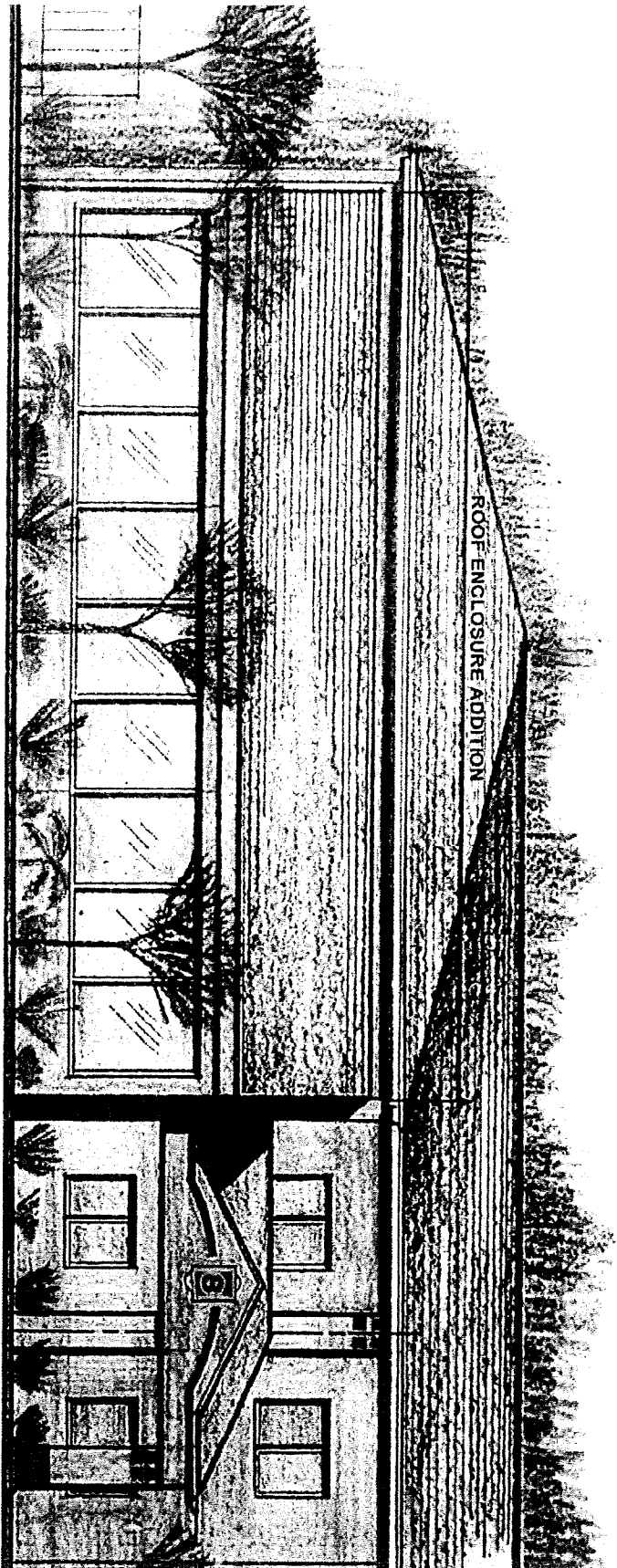




WEST ELEVATION

**SUPER MOTEL 8 POOL EDDITION**  
DUNN & TITUS P.S.C.

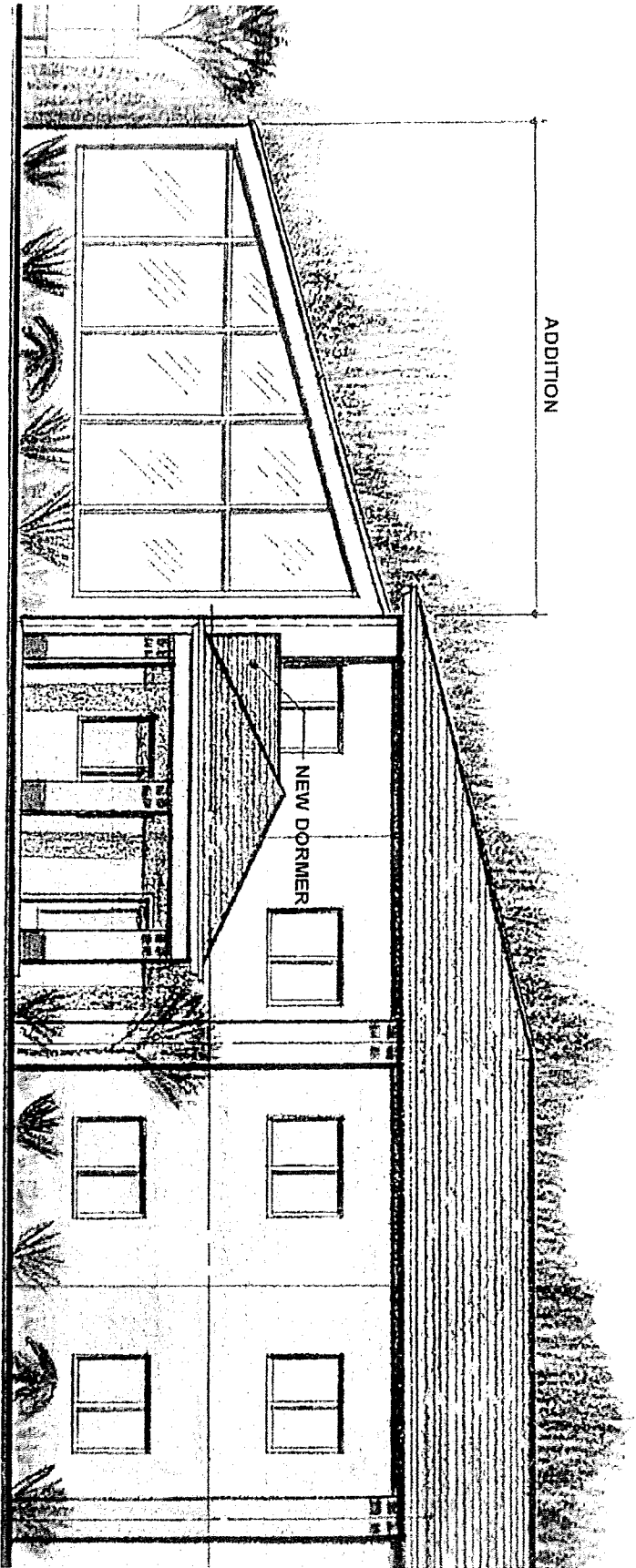




WEST ELEVATION

**SUPER MOTEL 8 POOL EDDITION**  
**DUNN & TITUS P.S.C.**

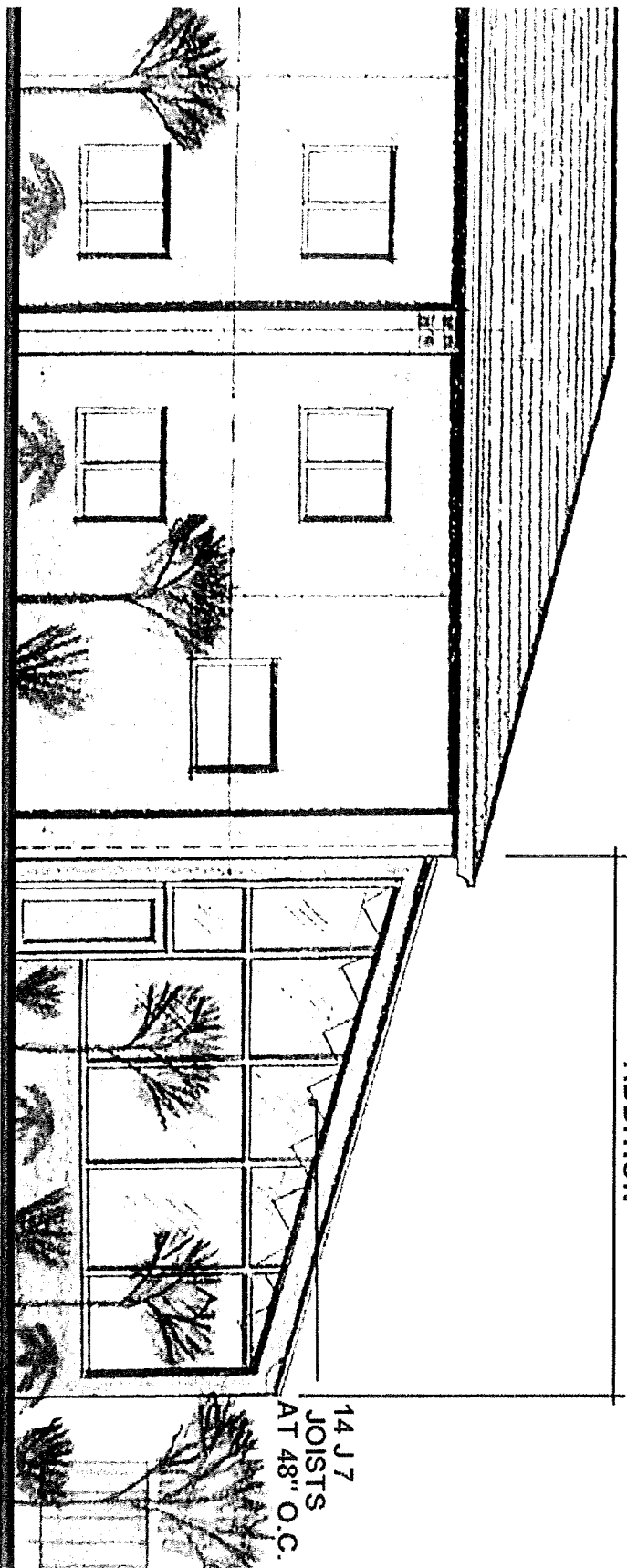




SOUTH ELEVATION

**SUPER MOTEL 8 POOL EDDITION**  
DUNN & TITUS P.S.C.





**NORTH ELEVATION**

**SUPER MOTEL 8 POOL EDDITION**

DUNN & TITUS P.S.C.



January 19, 2007

**VIA IN-HOUSE:**

Project Manager Peter Glenn  
Florence Public Services  
Florence Government Center  
Florence, KY 41042

Chief Tom Szurlinski  
Florence Police Department  
Florence Government Center  
Florence, KY 41042

Chief Marc Muench  
Florence Fire/EMS Department  
Fire Station 3, 1152 Weaver Road  
Florence, KY 41042

Director Bob Townsend  
Florence Public Services  
Florence Government Center  
Florence, KY 41042

Boone County Property Valuation Administrator  
P.O. Box 388  
Burlington, KY 41005

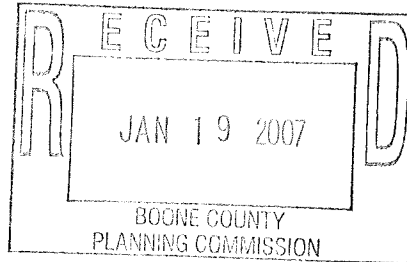
Chief Building Official Jim Key  
Boone County Building Inspection Office  
2950 Washington Street, Room 312  
P.O. Box 960  
Burlington, KY 41005

Boone County Judge/Executive Gary Moore  
P.O. Box 900  
Burlington, KY 41005

Manager, Administrative Services Vicki Myers  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Director James Staverman Boone Co. PSCC  
Florence Government Center  
Florence, KY 41042

Florence City Engineer Bill Viox  
Viox & Viox Inc.  
466 Erlanger Road  
Erlanger, KY 41018



Mr. Thomas R. Dunn for  
Mahesh Nichani, Shivan Hospitality  
Dunn & Titus  
300 Compton Road  
Cincinnati, OH 45215

Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. O-31-06 adopting and approving a concept development plan in a commercial services/planned development (C-3/PD) zone for a 2.399 acre site located at 7928 Dream Street, Florence, Kentucky, to allow an enclosed pool addition onto an existing hotel. (Dunn/Shivam Hospitality, LLC Property)

First reading of Ordinance No. O-31-06 was held on the 19<sup>th</sup> Day of December 2006. Second reading was held on the 9<sup>th</sup> Day of January 2007, and the full Ordinance was published in the *Boone County Recorder* on the 18<sup>th</sup> Day of January 2007 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

Sincerely,



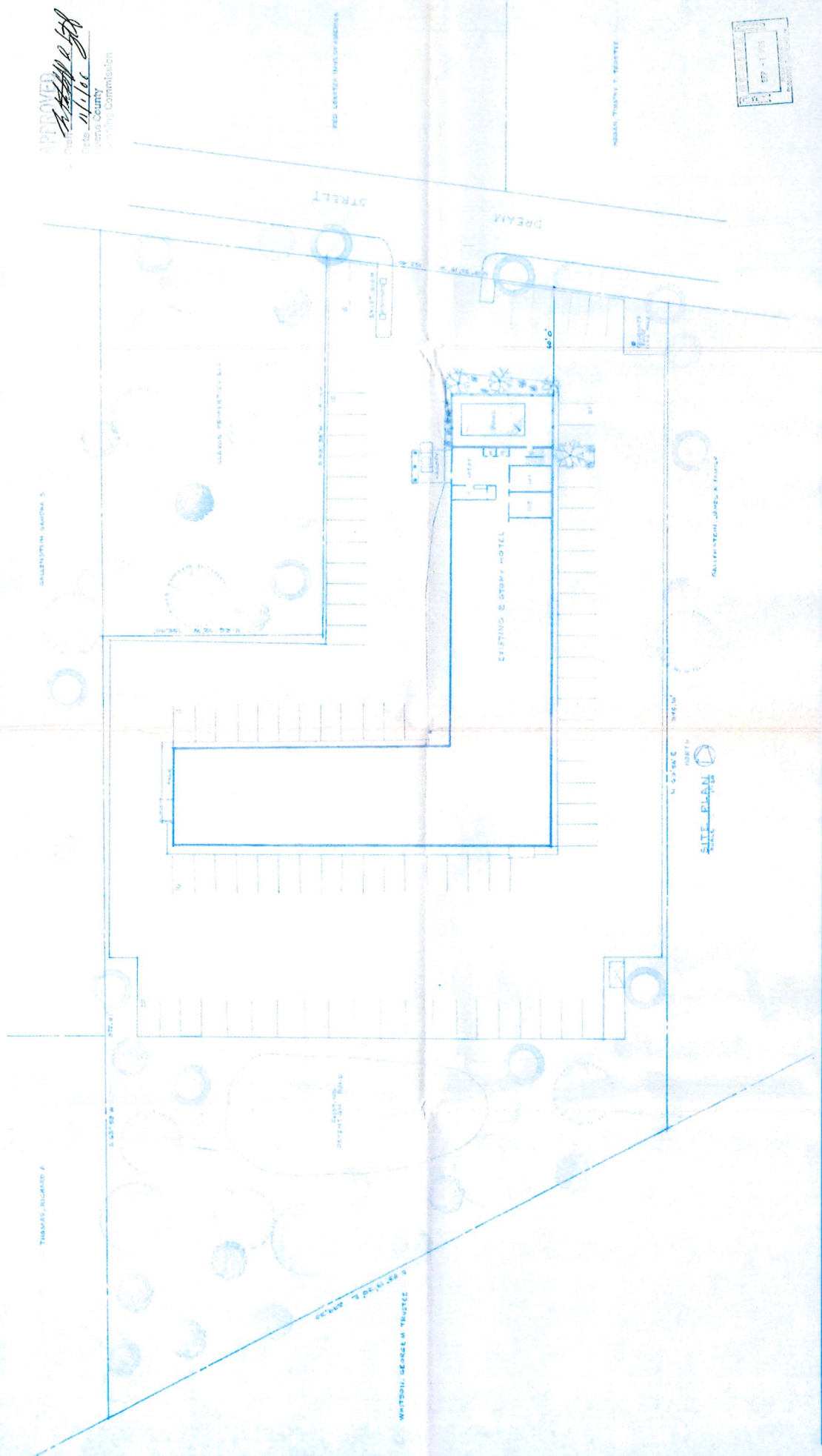
Joseph A. Christofield, City Clerk

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance O-31-06 as same appears in the official records of my office.

Dated this 18<sup>th</sup> day of January, 2007.

  
\_\_\_\_\_  
Joseph A. Christofield  
Florence City Clerk

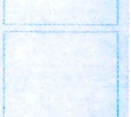
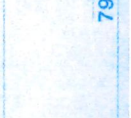
APPROVED  
 Date: 11/16/10  
 Vance County Planning Commission



REGIONS



**DUNN & TITUS PSC**  
 ARCHITECTURE • INTERIOR DESIGN  
 700 SOUTH ST. FLORENCE, KY 41042-1802  
 TEL: 606/342-1111 FAX: 606/342-1112



**ENCLOSED POOL ADDITION  
 FOR SUPER 8 MOTEL**

7928 DREAM ST. FLORENCE, KY 41042-1802

**A-1**