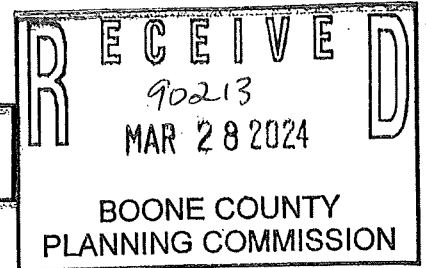


CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



Seven (7) copies of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Type of review (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)
 - Zone Change Committee Review of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
 - Zoning Administrator Review (as stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
 - Zoning Administrator Review (as stated in the Mall Road District Study)
 - Zoning Administrator Review (as stated in the I-275/Graves Road Interchange Study)

2. Name of Project: Drury Inn & Suites Hotel
3. Location of Project: 7915 US 42 Highway
4. Total Acreage of Project: 7.0135
5. Current Zoning of Property: C-3/PD/PO
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):
n/a

7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission Yes No
If yes, indicate the name of the study: _____
8. Proposed Use(s) (specify each use): Drury Inn & Suites Hotel

9. Proposed Building Intensities (specify for each building): 113,489 square feet

10. Have you submitted a Concept Development Plan: Yes No
11. Are you applying for any of the following (check all that apply):
 - Conditional Use Permit
 - Variance
12. Current Owner: Drury Florence, LLC
Address: 101 S. Farrar Drive
Cape Girardeau Missouri 63701
City State Zip Code
Phone Number: 573-335-3134 Fax Number: 573-335-5125
Email: edrob01@drurysouthwest.com

13. Applicant: Drury Florence, LLC

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

1. Date Received: 3/28/24 Fee Received: \$ 2456 Receipt #: 90213
2. Number of Copies Received: _____
3. Has the following been submitted (check all that apply):
 - Completed Application
 - Concept Development Plan
 - Legal Description
 - Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: Todd Morgan
6. Committee Chairperson: Jawet Kesley
7. Scheduled Public Hearing Date: 5/1/24
8. Boone County Planning Commission Action: _____ Date of Action: 6/5/24

- Approved
- Approved with Conditions
- Denial
- Other

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

Address: 101 Farrar Drive
Cape Girardeau Missouri 63701
City State Zip Code
Phone Number: 573-335-3134 Fax Number: 573-335-5125
Email: edrob01@drurysouthwest.com

14. Are there any existing buildings on the site: Yes No
If yes, indicate how many:
15. 1137 / 1204 949 / 988 228 2042
Deed Book Page Number Group Number

16. Have you had a pre-application meeting with the BCPC staff: Yes No

17. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- | | |
|---|---|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1 |
| <input type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input checked="" type="checkbox"/> Other: <u>City of Florence</u> |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input type="checkbox"/> Kentucky Transportation Cabinet | |

18. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union

19. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on June 20, 2024

Property Owner's Signature: Kevin Whitfield
Drury Florence, LLC
By: DSW Management, LLC
Kevin Whitfield, President

Applicant's Signature: Eddie Robinson
Eddie Robinson, District Manager Real Estate Development

EXHIBIT

“A”

STAFF REPORT

#2

Request of **Drury Florence LLC (applicant/owner)** for a Concept Development Plan for an approximate 7-acre area located at 7915 US 42, Florence, Kentucky, which is currently zoned Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO). The submitted request is to allow a density bonus for a previously approved hotel, under the PD regulations, and provide for an outlot for future development.

May 1, 2024

REQUEST

The applicant/owner has submitted a Concept Development Plan application so they can subdivide the 7.0135-acre property, located at 7915 US 42, into two lots of record. The submitted Concept Development Plan and written description indicate the following:

- A. The 113,489 square foot Drury hotel, which is currently under construction, would be located on a 4.9569-acre parcel. The hotel would no longer meet code because the C-3 zone allows a maximum of 18,000 square feet of building per acre of land ($18,000 \times 4.9569 = 89,224.2$ square feet of building permitted). As a result, the applicant is requesting a 27.195% building intensity bonus. Up to a 50% building intensity can be sought through the Concept Development Plan application process when a property is in a Planned Development (PD) overlay zone.
- B. A 2.0566-acre development parcel (outlot) would be created and front on Industrial Road. The use of the outlot is currently unknown but it will comply with the Central Florence Strategic Plan.

Note – The Central Florence Strategic Plan, an Update of the Parkway Corridor Study contains recommended land uses and architectural standards for properties within the study limits. An applicant can submit a determination of review application to the Zoning Administrator if they believe they meet the recommendations and requirements. Proposals that meet the requirements proceed directly to Site Plan review and those that don't go through the Concept Development Plan application process.

PERTINENT SITE HISTORY

- A. On October 30, 2019, the Zoning Administrator determined that a proposal to allow a Drury Inn & Suites on the subject site qualified for the short review process identified in the Central Florence Strategic Plan and could proceed to the Major Site Plan application process. The submitted plan showed the proposed hotel was 8-stories tall (95') and 109,082 square feet in area.
- B. On November 13, 2019, the Florence Board of Adjustment approved a Variance allowing the height of the hotel to be increased from 50 feet to 99 feet.
- C. On February 14, 2023, Boone County Planning Commission Staff approved a Major Site Plan application allowing a 113,481 square foot Drury Inn & Suites on a 6.812-acre lot.

The approved plan showed the 7-story hotel would have an overall height of 86.5' and contain 186-sleeping rooms. Access to the site is shown from US 42, Freedom Way, and Industrial Road and 196 parking stalls are shown. A storm water detention basin is shown in the southwest portion of the site.

APPLICABLE ZONING REGULATIONS

- A. Section 1003 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.”
- B. Section 505.3 and Table 5-4 of the Boone County Zoning Regulations identify “hotel or motel and apartment hotel” as a permitted use in the C-3 district.
- C. Section 1500 of the Boone County Zoning Regulations states that intent of the PD district is to provide “a permissive, flexible and alternative zoning district and procedure for innovative, mixed use residential, commercial, industrial or other type developments or physical design proposals capable of proving substantial benefit to the community over the conventional districting and other regulations in this order but requiring unique consideration, disposition, control and approval. Planned Development (PD) is a special overlay zoning district, which allows various types of land uses and densities in return for appropriate, flexible, creative and high quality designs consistent with the standards and criteria of this article, including the adopted Comprehensive Plan. Its purpose is to allow development of the land uses on property identified as requiring an extra layer of review or regulation. It enables development of property consistent and coordinated with infrastructure and other appropriate land use factors based upon a proper review.”
- D. Section 1501 of the Boone County Zoning Regulations contains the following general provisions which apply to the Planned Development district:
1. Since Planned Development is an overlay district, there is always an underlying district which serves as a reference for uses within a district at large that may be proposed and approved, subject to the provisions of this article. All uses allowed in the underlying district, whether they are principally permitted, accessory, or conditional, may be proposed and approved if compatible for a proposed development and the immediate vicinity, based upon the provisions of this article.
 2. The intensity of use in a Planned Development district may exceed the maximum intensity permitted in the underlying zoning district by up to fifty percent (50%).

Density, open space, infrastructure and other land use factors and impacts are significant in reviewing any Planned Development. Where building intensity is increased on a particular portion of a Planned Development, then the amount of open space, retention of existing vegetation, buffer areas, and new landscape, public commons, community open space and parks shall be evaluated for proportionate increase for the remainder of the Planned Development.

3. A Planned Development may vary the height, use, organization, design, intensity, size or other features of the proposed development. However, any exceptions to the normally applicable development standards in a Planned Development must be requested in writing in the Concept Development Plan application pursuant to ARTICLE 3.
 4. In the case that a specific land use or corridor study has been adopted for an area within a Planned Development district, intensity, and open space recommendations of that study shall apply to specific development sites within the study area.
- E. Section 1506 of the Boone County Zoning Regulations states that a Concept Development proposal in Planned Development shall be primarily evaluated against the Planned Development Criteria found in this section. Staff will address the pertinent criteria in the Staff Comment section of the Staff Report.

RELATIONSHIP TO CENTRAL FLORENCE STRATEGIC PLAN

- A. The subject property is in study area 7 (see page 5.5).
- B. The Zoning Administrator criteria for determining review process on page 7.5 states that the short review process may be followed for new development when:
 1. The proposal follows the recommendations in the Central Florence Strategic Plan “Plan Concepts” and “Zoning for Plan Sub-Areas” sections, and plan maps, as they relate to the specific site and surrounding vicinity. Proposed uses that are not listed in the underlying zone text may qualify for the Short Review Process if they follow the “Plan Concepts” and “Zoning for Plan SubAreas” recommendations, and plan maps. Proposed uses that are listed in the underlying zone text (Principally Permitted Uses or Conditional Uses) may not necessarily qualify for the Short Review Process if they do not follow the “Plan Concepts” and “Zoning for Plan Sub-Areas” recommendations, and plan maps. The current Boone County Comprehensive Plan may also be consulted in this determination.
 2. The proposal follows all applicable development standards outlined in the “Office, Commercial, and Industrial Project Design Requirements” and “Master Sign Districts” sections of this document. The proposal also follows any applicable provisions in the “Transportation Improvements” section.

3. The proposal does not present unknown or undue impacts on infrastructure or public services based on the recommendations in the Central Florence Strategic Plan, such as water, sanitary and storm sewer, traffic impacts, public schools, and emergency services.

If the Zoning Administrator determines that any of the above criteria is not met, then the proposal must follow the Long Review Process.

C. The following plan concepts exist for area 7 (page 6.3):

1. Emphasize the stadium district as a year round entertainment district – a fun place; include a live music venue and at least one good quality restaurant; probably need at least three or four establishments to create a critical mass.
2. Arrange development in stadium district as a tight-knit neighborhood allowing for easy pedestrian travel between establishments (avoid suburban style segregated projects on individual lots surrounded by parking); permit at least some shared parking with stadium.
3. Promote little to no setback requirements, maximize building intensity, other public and private recreational uses.
4. Create special signage and landscaping regulations for the entire district.
5. Master Sign District to help advertise and direct traffic to recreational venues.

D. The zoning for plan sub-area text contains the following passages regarding area 7 (pages 7.3 - 7.4):

“Entertainment uses as described in the Plan Concepts are highly recommended, and should follow the Short Review Process. These include destination oriented restaurants, cafes with outdoor seating, night clubs, performance theaters, coffee bars, and similar signature uses. Complimentary uses which are incidental to the overall district such as hotels, indoor or outdoor recreation uses, and related retail may also follow the Short Review Process provided the type and style of improvements described in the Plan Concepts are provided and all applicable development standards are met.

Neighborhood oriented retail, offices, services, and other restaurants may be appropriate for the U.S. 42 frontage portion of this area and can be considered for the Short Review Process. As Area 7 is intended to be a unique, destination-oriented entertainment and recreation district which is tight knit, urban-like and interrelated with Champion Window Field, the Long Review Process should be followed for uses not outlined in this document or if the style and type of recommended improvements are not proposed for an individual development.”

E. Pages 8.4 – 8.5 contains project design requirements for area 7. These include building setbacks, parking, street frontage landscaping, and architectural design requirements.

SITE CHARACTERISTICS

- A. The property has 356.76 feet of frontage on US 42, 326.05 feet of frontage on Freedom Way, and 793.1 feet of frontage on Industrial Road.
- B. Drury Inn & Suites is currently under construction on the property.
- C. Access to the hotel site is provided from US 42, Freedom Way, and Industrial Road.
- D. The grading plan that was part of the Drury Inn & Suites Major Site Plan shows the topography of the proposed outlot, along the Industrial Road frontage, falls from approximately 883 feet above sea level at the northeast property boundary to 868 feet above sea level at the southeast property boundary.

ADJACENT LAND USES AND ZONING

- Northeast: Vacant Outlot, Industrial Road, Joseph Subaru & Cadillac, Classic Carwash, Lohr Printing, Bavarian Motor Service (C-3/PD/PO)
- Northwest: US 42, Frisch's, Discount Tobacco Mart (C-3/PD/PO)
- Southeast: AE Door (C-3/PD/PO)
- Southwest: Sea Sushi, Freedom Way, BP, Holiday Inn (C-3/PD/PO)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. The "2040 Future Land Use Plan" designates the site for Commercial uses which is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
- B. The following Goals and Objectives apply to the application:
 - 1. 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).
 - 2. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
 - 3. Development design shall consider natural and ecological systems, such as wildlife habitats, air, soils, and water (Environment, Objective 6).
 - 4. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses (Economy, Goal B).
 - 5. 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).

6. 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 except in the City of Florence where overlay districts exist to promote this type of industry.
7. 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).
8. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops (Transportation Goal B, Objective 6).

C. The following Future Land Use Development Guidelines relate to the proposal:

1. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to soften the visual impacts of the development from adjoining properties and roadways (Landscaping, pg. 96).
2. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and sight distance for access points, adequate spacing between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way (Access Management, pg. 96).
3. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical suburban design. Parallel and frontage roads

should be used to minimize impacts of individual sites on collector and arterial roadways. The issue of semi-tractor trailer on-street parking and queuing must also be considered when examining the impacts of existing and proposed industrial developments on the functionality of all affected roadways (Transportation and Pedestrian Network, pp. 96-97).

- D. The Florence Central geographical area text (pg. 166) found in the land use element contain the following passages which relate to the proposal:
1. The Parkway Corridor Study was written in 2008 as the Central Florence Strategic Plan. It is a land use study and zoning document that encompasses the area bound by I-71/75 to the north and west, Shaun Alexander Way and Russell Street to the east, and Industrial Road (near Carole Lane) to the south. The overall study area is divided into eight unique sub-areas or neighborhoods, and outlines land use and zoning recommendations, transportation improvements, architectural and design requirements, and signage.

STAFF COMMENTS

- A. Staff would like the applicant to address the following:

How does the proposal meet the building intensity bonus criteria? Section 1501 of the Boone County Zoning Regulations states that "where building intensity is increased on a particular portion of a Planned Development, then the amount of open space, retention of existing vegetation, buffer areas, and new landscape, public commons, community open space and parks shall be evaluated for proportionate increase for the remainder of the Planned Development."

As a result, Staff recommends the that following improvements should be made to address the Planned Development criteria:

Pedestrian orientation - A walking path with benches is recommended to wrap the hotel site and connect to Industrial Road and the detention basin.

Transportation connections - A parking lot connection is recommended between the hotel parking lot and future outlot.

- B. An updated landscaping plan needs to be submitted and approved if the Concept Development Plan application is approved. This would be done through the Minor Site Plan application process.

CONCLUSION

The Concept Development Plan application needs to be evaluated by the Boone County Planning Commission and the City of Florence in terms of Articles 3, 15, and 18 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

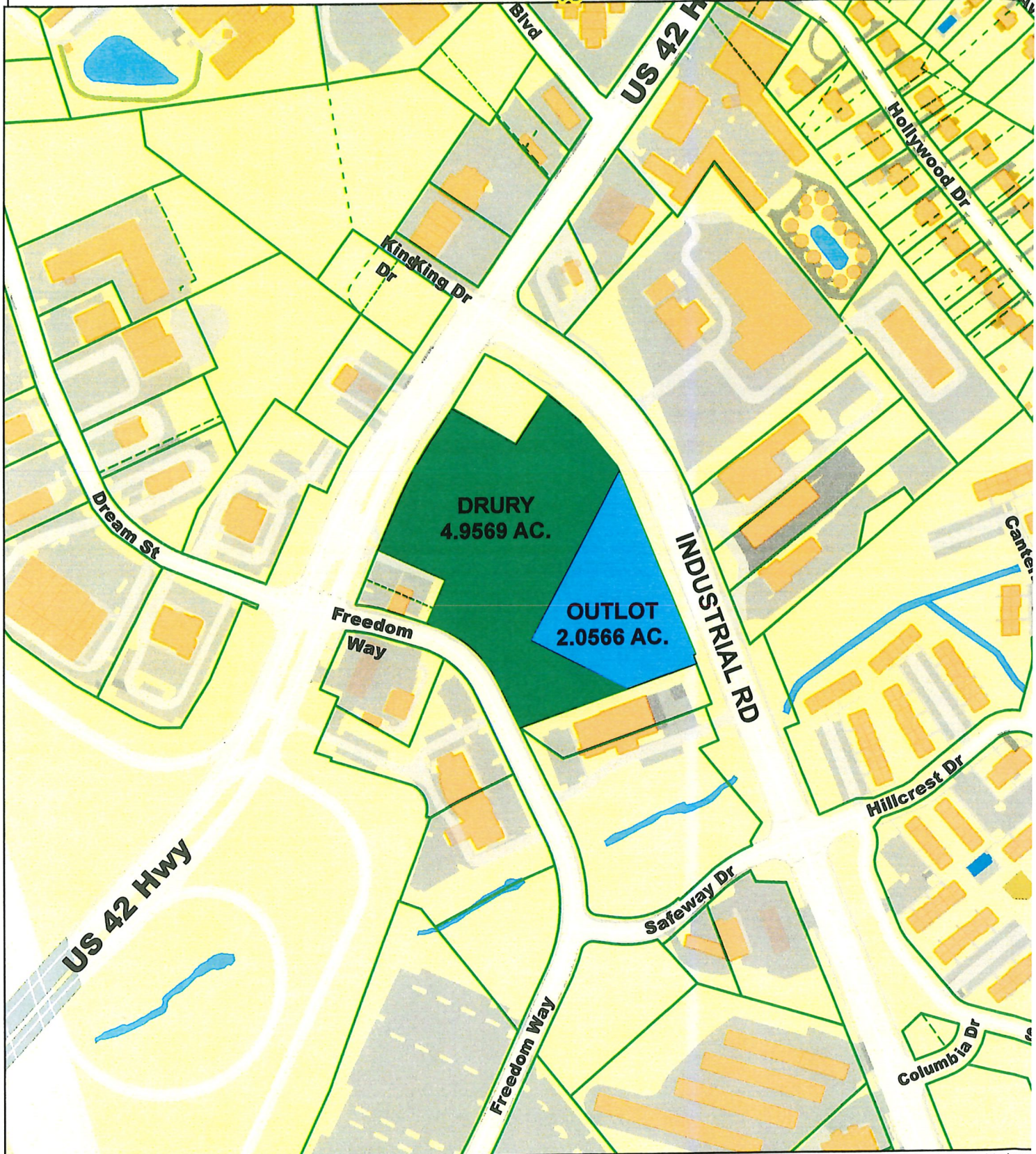
TKM/ss

Attachments:

- *Site Vicinity Map
- *Project Narrative
- *Concept Development Plan
- *Legal Description of 4.9569 Acre Proposed Lot
- *Zoning Map
- *2023 Aerial Map
- *2040 Future Land Use Map
- *Application

SITE VICINITY 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.



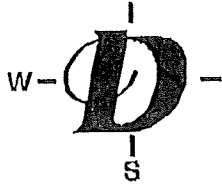
1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2020

ArcMap Document: *.mxd



DRURY FLORENCE, LLC
101 S. Farrar Drive
Cape Girardeau, MO 63701
Tele (573) 335-3134 FAX (573) 335-5125

March 26, 2024

Mr. Michael Schwartz
Director/Zoning Administrator
Boone County Planning Commission
2950 Washington Street, Room 317
Burlington, Kentucky 41005

RE: Concept Development Plan Application Narrative
7915 US-42 Florence, KY 45040 ("Property")

Dear Mr. Michael Schwartz:

This letter accompanies the Concept Development Plan application ("Application") submitted by Drury Florence, LLC f/k/a Florence Exchange, LLC ("Owner") for development of the Property and is intended to provide the narrative required by the Application. Owner is in the process of constructing a seven (7) story, 186-room Drury Inn & Suites hotel ("Hotel") on the Property in accordance with the Civil Plans for Drury Inn approved by Todd Morgan at the Boone County, Kentucky Planning Commission on February 15, 2023 ("Plans") and expects Hotel construction to be substantially completed by October 2024. The Plans are on file with the Boone County Planning Commission, but an electronic copy can be sent upon request.

The Property contains 7.0135 acres of land as confirmed on the attached ALTA survey prepared by Baumann Land Survey, Inc., and dated August 2, 2023 ("Survey"), which Survey contains a legal description for the property. The Owner acquired the Property via the two (2) deeds referenced below, a portion of which was sold via the Sale Deed referenced below. The Owner first acquired 7.6401 acres of the Property by Special Warranty Deed dated December 18, 2019, and recorded December 19, 2019, as Document No. 791174 in Book D1137 at Pages 949-962 ("First Deed"). The Owner next acquired approximately 0.1970 acres of the Property by Quit Claim Deed dated March 28, 2023, and recorded May 12, 2023, as Document No. 943855 in Book D1204 at Pages 988-992. The Owner sold approximately 0.8180 acres of the land it acquired in the First Deed by Special Warranty Deed dated January 14, 2021 ("Sale Deed"), and recorded January 15, 2021, as Document No. 823626 in Book D1158 at Pages 820-826. Each of the above referenced deeds are attached for your convenience.

All the land adjacent to the Property is zoned C-3/PD/PO as shown on the attached Zoning Map and the adjacent landowners are: OHP Industrial 42, LLC with address 5120 Taylor Mill Road, #300, Taylor Mill, KY 41015; Lin Fei and Zui Q. Lin with address 2214 Bourbon Street, Union, KY 41091; William C. Weber Trust, U/A/D September 1, 2009 with address 1260 W. Sharon Road, Cincinnati, Ohio 45240; 7961 US Highway 42 Florence LLC with address PO Box 385, Allentown, PA 18105; 42 Lodging LLC with address PO Box 428 Whitley City, KY 42653; RJL Properties LLC with address 7536 US 42 Highway, Florence, KY 41042; Advanced Construction Services, LLC with address 7660 Industrial Road, Florence, KY 41042; Hart Real Properties LLC with address 2587 Sweet Harmony Lane, Union, KY 41091; and Pond Realty Company with address 250 E. Fifth Street, Suite 285, Cincinnati, OH 45202.

The Property is zoned C-3/PD/PO and the standard C-3 code allows a maximum intensity of 18,000 square feet of building per acre of land. The total gross building area of the Hotel is 113,489 square feet as shown on the Hotel Building Permit Plans on file with the Boone County Building Department under Permit No STR-2023-00279 issued on May 8, 2023 (see attached). The Owner is proposing to subdivide the Property into two (2) lots with the Hotel parcel containing 4.9569 acres ("Hotel Parcel") and a future development parcel containing 2.0566 acres ("Development Parcel"), each as shown on the attached proposed lot split survey ("Lot Split Survey"). To proceed with the desired subdivision, the Owner requires a 27.195% building intensity bonus for the Hotel Parcel ($4.9569 \times 18,000 = 89,224.20$ sf and $113,489 \text{ sf} / 89,224.20 \text{ sf} = 1.27195$). The requested intensity bonus is substantially less than what is permitted under the code (up to fifty percent (50%) intensity bonus or 133,836 sf possible). The Development Parcel use is currently unknown, but any use will comply with the Central Florence Strategic Plan and Parkway Corridors Study Overlay District.

The Property lies in Area 7 of the Parkway Corridors Study Overlay District which is identified as the "Stadium District". Section 1804 (J)(3) of the Boone County Zoning Regulations states that a goal of the Stadium District is to "maximize building intensity" which is exactly what the Boone County Planning Commission will be accomplishing by granting the Hotel Parcel the requested 27.195% building intensity bonus. Owner is requesting the minimum intensity bonus necessary for the Hotel Parcel and Owner does not believe the intensity bonus will cause substantial detriment to any adjoining properties but rather will enhance the area in favor of additional utilization.

Please feel free to contact me with any questions or concerns regarding this request.

Respectfully,



Eddie Robinson, Applicant

Enclosures: Property ALTA Survey
 Property Deeds (3 total)
 Zoning Map
 Lot Split Survey
 Building Permit

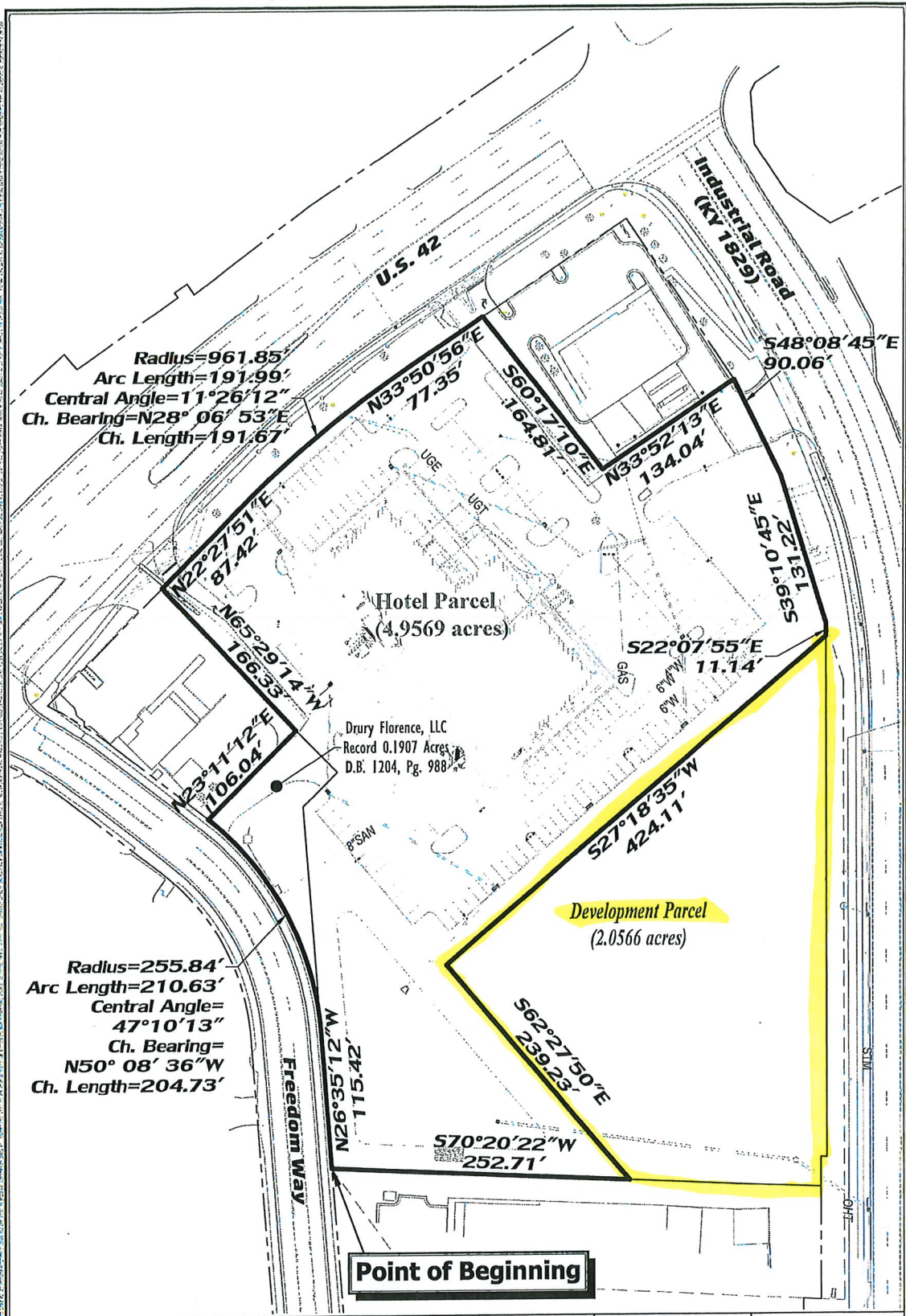


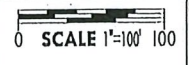
EXHIBIT LOT SPLIT MAP

A 4.9569 ACRE PART OF
 THE LANDS OF
 DRURY FLORENCE, LLC (F.K.A. FLORENCE EXCHANGE, LLC)
 THE REMAINDER Pt. D.B.1137, Pg.949 (A RECORD 7.6407 ACRE PARCEL)
 AND
 DRURY FLORENCE, LLC
 D.B.1204, Pg.988 (A RECORD 0.1907 ACRE PARCEL)

BOONE COUNTY, KENTUCKY

THIS SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY AND IS NOT INTENDED FOR LAND TRANSFER

DRAWING: 14674
PROJECT: 22743
DATE: 08.21.2023
REVISION:



Based on Kentucky Single Zone
 State Plane Coordinate System
 NAD83 (2011)





August 21, 2023

Legal Description – 4.9569 Ac. Area

*Pt. of the Lands of Drury Florence, LLC
conveyed in D.B.1137, Pg.949 and D.B.1204, Pg.988
Boone County, Kentucky*

*Baumann Land Survey, Inc.
P.O. Box 14834
Cincinnati, OH 45250
(513) 860-3999
www.BaumannLSI.com*

Situate in Boone County, Kentucky near the intersection of U.S. 42 and Freedom Way and Industrial Road (KY 1829), and being part of the lands conveyed to Drury Florence, LLC in D.B. 1204, Pg.988 (a record 0.1907 acre parcel), and part of the remainder part of the lands conveyed to Florence Exchange, LLC (now Drury Florence, LLC) in D.B.1137, Pg.949 (a record 7.6407 acre parcel), and being more particularly described as follows:

Beginning at the southwesterly corner of said record 7.6407 acre Drury Florence, LLC parcel in the easterly right of way line of Freedom Way, thence, along a westerly line of said record 7.6407 acre Drury Florence, LLC parcel and the easterly right of way line of Freedom Way, North $26^{\circ}35'12''$ West for a distance of 115.42 feet to a westerly corner of said record 7.6407 acre Drury Florence, LLC parcel and the southerly corner of said record 0.1907 acre Drury Florence, LLC parcel in the easterly right of way line of Freedom Way;

Thence, continuing along the easterly right of way line of Freedom Way and along the east line of said record 0.1907 acre Drury Florence, LLC parcel, with a curve to the left having a radius of 255.84 feet, an arc length of 210.63 feet, a central angle of $47^{\circ}10'13''$, a chord bearing North $50^{\circ}08'36''$ West and a chord length of 204.73 feet to the westerly corner of said record 0.1907 acre Drury Florence, LLC parcel in the easterly right of way line of Freedom Way;

Thence, leaving the easterly right of way line of Freedom Way, and along a northerly line of said record 0.1907 acre Drury Florence, LLC parcel, North $23^{\circ}11'12''$ East for a distance of 106.04 feet to the northerly corner of said record 0.1907 acre Drury Florence, LLC parcel and a westerly corner of said record 7.6407 acre Drury Florence, LLC parcel;

Thence, along a westerly line of said record 7.6407 acre Drury Florence, LLC parcel, North $65^{\circ}29'14''$ West for a distance of 166.33 feet to a northerly corner of said record 7.6407 acre Drury Florence, LLC parcel in the southerly right of way line of U.S. 42;

Thence, along a northerly line of said record 7.6407 acre Drury Florence, LLC parcel and the southerly right of way line of U.S. 42, North $22^{\circ}27'51''$ East for a distance of 87.42 feet to a northerly corner of said record 7.6407 acre Drury Florence, LLC parcel in the southerly right of way line of U.S. 42;

Thence, continuing along a northerly line of said record 7.6407 acre Drury Florence, LLC parcel and the southerly right of way line of U.S. 42, with a curve to the right having a radius of 961.85 feet, an arc length of 191.99 feet, a central angle of $11^{\circ}26'12''$, a chord bearing North $28^{\circ}06'53''$ East, and a chord length of 191.67 feet to a northerly corner of said record 7.6407 acre Drury Florence, LLC parcel in the southerly right of way line of U.S. 42;

Thence, continuing along a northerly line of said record 7.6407 acre Drury Florence, LLC parcel and the southerly right of way line of U.S. 42, North $33^{\circ}50'56''$ East for a distance of 77.35 feet to a northeasterly corner of said record 7.6407 acre Drury Florence, LLC parcel in the southern right of way of U.S. 42;

Thence, leaving the southerly right of way line of U.S.42 and along a northerly line of said record 7.6407 acre Drury Florence, LLC parcel, South $60^{\circ}17'10''$ East for a distance of 164.81 feet to an easterly corner of said record 7.6407 acre Drury Florence, LLC parcel;



August 21, 2023

Legal Description – 4.9569 Ac. Area

*Pt. of the Lands of Drury Florence, LLC
conveyed in D.B.1137, Pg.949 and D.B.1204, Pg.988
Boone County, Kentucky*

Baumann Land Survey, Inc.
P.O. Box 14834
Cincinnati, OH 45250
(513) 860-3999
www.BaumannLSI.com

Thence, along a northerly line of said record 7.6407 acre Drury Florence, LLC parcel, North 33° 52' 13" East for a distance of 134.04 feet to a northerly corner of said record 7.6407 acre Drury Florence, LLC parcel in the westerly right of way line of Industrial Road (KY 1829);

Thence, along an easterly line of said record 7.6407 acre Drury Florence, LLC parcel and the westerly right of way line of Industrial Road (KY 1829), South 48° 08' 45" East for a distance of 90.06 feet to an easterly corner of said record 7.6407 acre Drury Florence, LLC parcel in the westerly right of way line of Industrial Road (KY 1829);

Thence, continuing along an easterly line of said record 7.6407 acre Drury Florence, LLC parcel and the westerly right of way line of Industrial Road (KY 1829), South 39° 10' 45" East for a distance of 131.22 feet to an easterly corner of said record 7.6407 acre Drury Florence, LLC parcel in the westerly right of way line of Industrial Road (KY 1829);

Thence, continuing along an easterly line of said record 7.6407 acre Drury Florence, LLC parcel and the westerly right of way line of Industrial Road (KY 1829), South 22° 07' 55" East for a distance of 11.14 feet to a point in an easterly line of said record 7.6407 acre Drury Florence, LLC parcel and in the westerly right of way line of Industrial Road (KY 1829);

Thence, leaving an easterly line of said record 7.6407 acre Drury Florence, LLC parcel and the westerly right of way line of Industrial Road (KY 1829), and through the said record 7.6407 acre Drury Florence, LLC parcel, South 27° 18' 35" West for a distance of 424.11 feet to a point;

Thence, continuing through the said record 7.6407 acre Drury Florence, LLC parcel, South 62° 27' 50" East for a distance of 239.23 feet to a point in the southerly line of the remainder part of the said record 7.6407 acre Drury Florence, LLC parcel;

Thence, along the southerly line of the remainder part of the said record 7.6407 acre Drury Florence, LLC parcel, South 70° 20' 22" West for a distance of 252.71 to the point of beginning;

Containing 4.9569 acres (215,921 square feet);

Subject to all existing easements and rights of way.

Bearings based on Kentucky Single Zone State Plane Coordinate System NAD83 (2011)

Deed Reference: D.B.1137, Pg.949 and D.B.1204, Pg.988

Prepared by: Baumann Land Survey, Inc., Thomas P. Baumann, PS, Kentucky Surveyor #PLS-3341

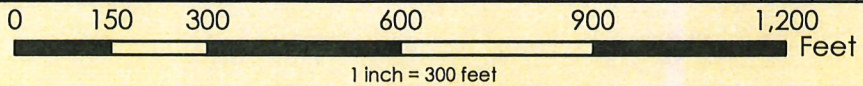
2023 AERIAL MAP

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.



Boone County GIS - Putting Northern Kentucky on the Map

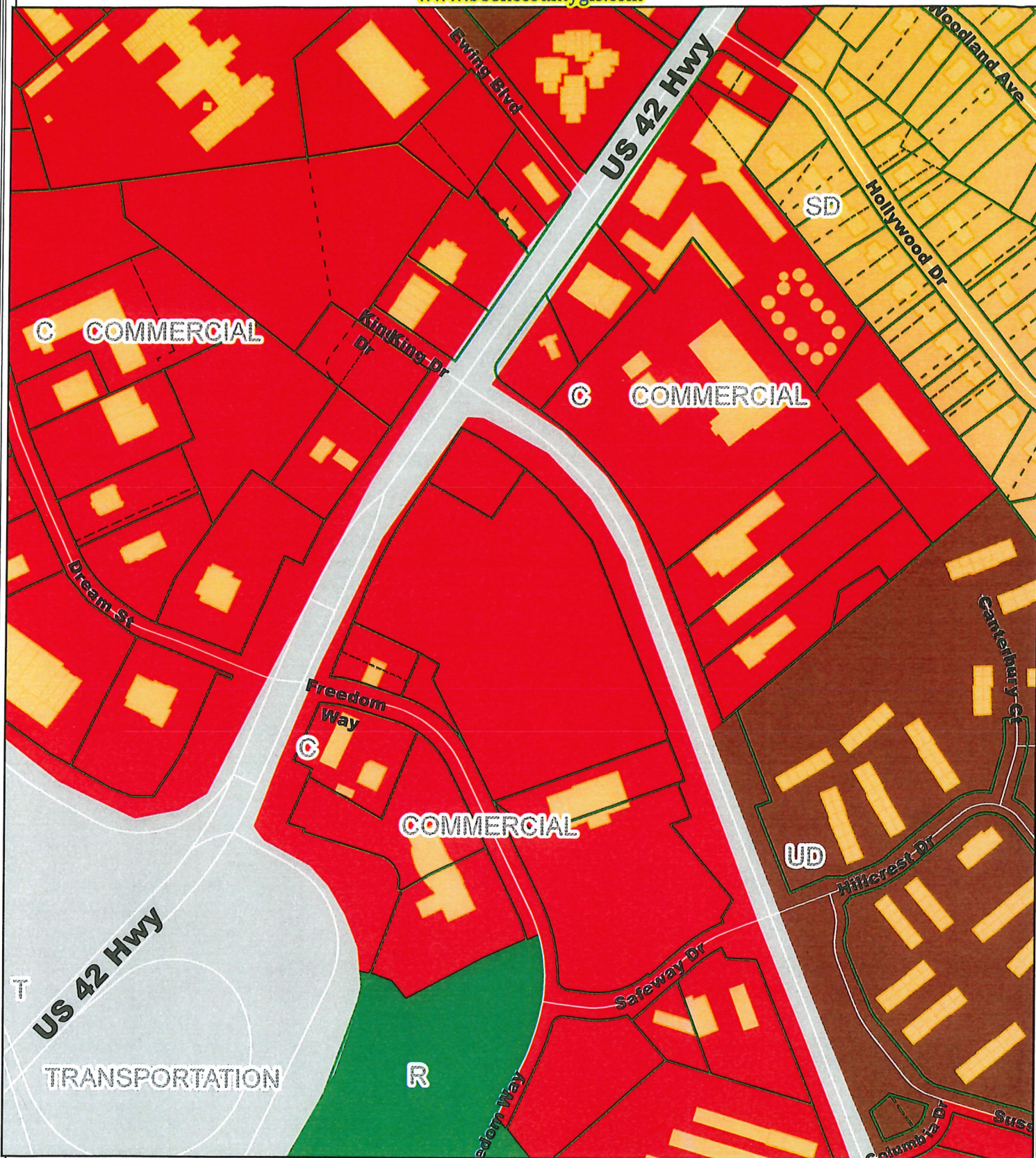


Map Created: xxjov/2020

Boone County GIS
ArcMap Document: *.mxd

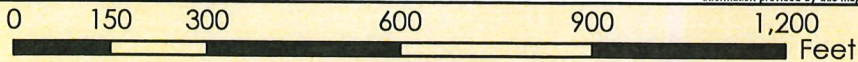
2040 FUTURE LAND USE MAP

www.boonecountygis.com



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1 inch = 300 feet

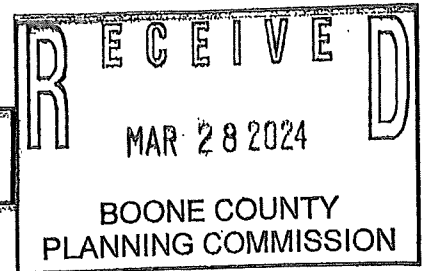


Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2020

Map File: C:\Users\jgarcia\Desktop\GIS\2040_Future_Land_Use_Map.mxd
ArcMap Document: *.mxd

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



Seven (7) copies of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Type of review (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)
 - Zone Change Committee Review of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
 - Zoning Administrator Review (as stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
 - Zoning Administrator Review (as stated in the Mall Road District Study)
 - Zoning Administrator Review (as stated in the I-275/Graves Road Interchange Study)

2. Name of Project: Drury Inn & Suites Hotel
3. Location of Project: 7915 US 42 Highway
4. Total Acreage of Project: 7.0135
5. Current Zoning of Property: C-3/PD/PO
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):
n/a

7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission Yes No
If yes, indicate the name of the study: _____
8. Proposed Use(s) (specify each use): Drury Inn & Suites Hotel

9. Proposed Building Intensities (specify for each building): 113,489 square feet

10. Have you submitted a Concept Development Plan: Yes No
11. Are you applying for any of the following (check all that apply):
 - Conditional Use Permit
 - Variance
12. Current Owner: Drury Florence, LLC
Address: 101 S. Farrar Drive
Cape Girardeau Missouri 63701
City State Zip Code
Phone Number: 573-335-3134 Fax Number: 573-335-5125
Email: edrob01@drurysouthwest.com

13. Applicant: Drury Florence, LLC

Address: 101 Farrar Drive
Cape Girardeau Missouri 63701
City State Zip Code
Phone Number: 573-335-3134 Fax Number: 573-335-5125
Email: edrob01@drurysouthwest.com

14. Are there any existing buildings on the site: Yes No
If yes, indicate how many:
15. 1137 / 1204 949 / 988 2042
Deed Book Page Number Group Number

16. Have you had a pre-application meeting with the BCPC staff: Yes No

17. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- Boone County Building Department
- Boone County Public Works Department
- Boone County Water District
- Cincinnati Bell
- Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport)
- Duke Energy
- Florence Public Services Department
- Kentucky Division of Water
- Kentucky Transportation Cabinet
- Local Fire District
- Local School District
- Northern Kentucky Health Department
- Owen Cooperative Electric, Inc.
- Sanitation District No. 1
- USDA NRCS/Boone County Conservation District
- Other: City of Florence

18. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union

19. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:
In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on June 20, 2024

Property Owner's Signature: Kevin Whitfield
Drury Florence, LLC
By: DSW Management, LLC
Kevin Whitfield, President

Applicant's Signature: Eddie Robinson
Eddie Robinson, District Manager Real Estate Development

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: June 5, 2024

RE: Request of **Drury Florence LLC (applicant/owner)** for a Concept Development Plan for an approximate 7-acre area located at 7915 US 42, Florence, Kentucky, which is currently zoned Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO). The submitted request is to allow a density bonus for a previously approved hotel, under the PD regulations, and provide for an outlot for future development.

REMARKS:

We, the Committee, recommend approval of the above referenced concept development plan based on the following findings of fact and with the following conditions:

FINDINGS OF FACT:

1. The Committee concluded the proposal is consistent with the Our Boone County Plan 2040 for the following reasons:
 - A. The 2040 Future Land Use Map identifies the site for commercial uses. This future land use classification is defined as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
 - B. The proposal is consistent with the following Goals and Objectives:
 - Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses (Economy, Goal B).
 - 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 except in the City of Florence where overlay districts exist to promote this type of industry (Economy Goal B, Objective 4).
 - C. The proposal is consistent with the following passages from the Land Use Element text:

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Drury Florence LLC

June 5, 2024

Page 2

- The Parkway Corridor Study was rewritten in 2008 as the Central Florence Strategic Plan, An Update of the Parkway Corridor Study. It is a land use study and zoning document that encompasses the area bound by I-71/75 to the north and west, Shaun Alexander Way and Russell Street to the east, and Industrial Road (near Carole Lane) to the south. The overall study area is divided into eight unique sub-areas or neighborhoods, and outlines land use and zoning recommendations, transportation improvements, architectural and design requirements, and signage (Florence Central Geographical Area, pg. 127).
2. The proposal is consistent with the following passages from the Central Florence Strategic Plan, An Update of the Parkway Corridor Study:
 - "Entertainment uses as described in the Plan Concepts are highly recommended, and should follow the Short Review Process. These include destination oriented restaurants, cafes with outdoor seating, night clubs, performance theaters, coffee bars, and similar signature uses. Complimentary uses which are incidental to the overall district such as hotels, indoor or outdoor recreation uses, and related retail may also follow the Short Review Process provided the type and style of improvements described in the Plan Concepts are provided and all applicable development standards are met" (Area 7, Stadium District, Zoning for Sub-Areas text).
 3. The Committee concluded the revised Concept Development Plan that was reviewed at the 5/15/24 Zone Change Committee meeting met the intensity bonus criteria found in Section 1501 of the Boone County Zoning Regulations. This revised plan shows additional sidewalks and landscaping and a gated parking lot connection between the hotel and development parcel.
 4. The Committee concluded the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of Our Boone County – Plan 2040 and the Central Florence Strategic Plan, An Update of the Parkway Corridor Study. The conditions are also necessary to mitigate foreseeable community impacts that may be created by the proposal. The applicant/property owner has signed a letter demonstrating agreement with the conditions.

CONDITIONS:

1. The approval shall be based on the revised Concept Development Plan that was reviewed at the May 15, 2024 Zone Change Committee meeting. This plan shows additional sidewalks and landscaping and a gated parking lot connection between the hotel and development parcel.
2. The final location of the gated parking lot connection between the hotel and development parcel shall be determined once a Major Site Plan application is submitted for the development parcel. The location of the gated connection shall be reviewed by Florence Fire Department to verify it's safe and effective.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Drury Florence LLC

June 5, 2024

Page 3

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 Development Plan Committee Vote.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

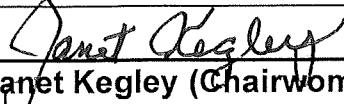
TO: Boone County Planning Commission
FROM: Janet Kegley, Chairwoman
DATE: May 15, 2024

REMARKS:

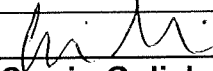
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Janet Kegley, Chairwoman, Todd Morgan, Staff

3. Request of **Drury Florence LLC (applicant/owner)** for a Concept Development Plan for an approximate 7 acre area located at 7915 US 42, Florence, Kentucky, which is currently zoned Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO). The submitted request is to allow a density bonus for a previously approved hotel, under the PD regulations, and provide for an outlet for future development.



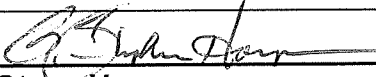
Janet Kegley (Chairwoman)
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____



Corrin Gulick
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

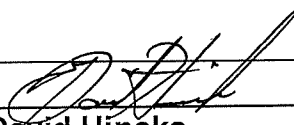
Rick Lunnemann
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Kathy Clark (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____



Steve Harper
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Steve Turner (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____



David Hincks
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Jackie Steele (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____

TOTAL: _____ DEFERRED 4 FOR PROJECT _____ ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Rick Lunnemann
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Steve Lilly, PLS, GISP, Planner

Chairman Rolfsen introduced the second item on the Agenda at 9:31 p.m.:

CHANGE OF CONCEPT DEVELOPMENT PLAN, Todd Morgan, Staff

2. Request of **Drury Florence LLC (applicant/owner)** for a Concept Development Plan for an approximate 7 acre area located at 7915 US 42, Florence, Kentucky, which is currently zoned Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO). The submitted request is to allow a density bonus for a previously approved hotel, under the PD regulations, and provide for an outlot for future development.

Staff member, Todd Morgan, referred to his PowerPoint presentation (see Staff Report). The Drury lot is located at the corner of Industrial Road and U.S. 42. The applicant would like to split one lot into two lots. The hotel would be put on a 4.956 acre lot and then another 2.056 acre lot would be created. The C-3 zone allows an intensity of 18,000 square feet of building per acre of land. The maximum intensity allowed is 126,243 square feet in area. The 113,489 square foot hotel cannot meet intensity requirements with a reduced lot size unless a PD building intensity bonus is permitted. The PD zone allows a 50% building intensity bonus. The applicant is seeking a 27.195% building intensity bonus to accommodate the hotel. The end user of the second lot is not known. The use would have to meet the requirements of the Central Florence Strategic Plan or go through the Concept Development Plan process. Mr. Morgan showed photographs of the site and surrounding area. The Future Land Use Map designates the site for Commercial (C) use. The applicable regulations are noted on Page 2 of the Staff Report. Mr. Morgan noted the trade off of requesting a density bonus – more open space, buffer areas and landscaping should be considered. He referred to the Staff Comments on Page 7 of the Staff Report. The applicant should address the building intensity criteria. He suggested adding pedestrian orientation such as walking paths with benches to connect to the existing sidewalk on Industrial Road. Perhaps, there should be a driveway connection between the hotel and the future business located on the second lot? In addition, more landscaping could be provided.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Edwardo Robinson, Drury Southwest, stated that the reason for the increase in intensity is to create the new outlot. Mr. Robinson said they don't have a use in mind. When approved, they will start to market the site. He explained that he would have his design team review the Staff Comments to see what could be done.

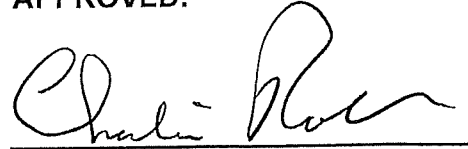
Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions?

Mr. Brian Dunham, Dunham Law, stated that he represents One Holland Group who owns the Roy Rogers lot. He is still interested what the use might be on the new lot and how it impacts his client's property.

Chairman Rolfsen asked if the Commissioners had any questions or comments?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on May 15, 2024 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on June 5, 2024 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 9:40 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Rick Lunnemann
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning
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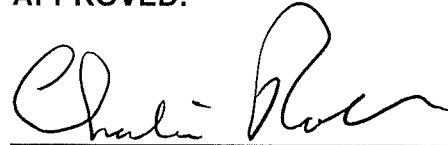
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APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
JUNE 5, 2024
7:00 P.M.**

Vice-Chairwoman Gulick opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's June 5, 2024 Business Meeting. Ms. Gulick then invited everyone to join her in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mrs. Janet Kegley
Mr. Eric Richardson
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Mrs. Kathy Clark
Mr. David Hincks
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael Schwartz, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Steve Lilly, GISP, Planner

APPROVAL OF THE MINUTES:

Vice-Chairwoman Gulick stated that the Commissioners received copies of the Minutes from the May 15, 2024 Business Meeting. She asked if there were any comments or corrections?

Mrs. Goetting moved to approve the Minutes as presented. Mr. Schwenke seconded the motion and it carried unanimously.

BILLS:

Mr. Kevin P. Costello, AICP, Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between May 2, 2024 and June 5, 2024.

EXPENSES:

Accounting Fees	944.00
Attorney Fees	4,600.00
Auto Expense	228.82
Consultant/Professional Svcs Fees	4,330.00
Filing Fees	1,500.00
Legal Ads/Recruitment	744.98
Miscellaneous Expense	184.00
Office & Board Meeting Supplies	618.79
Office / Equipment Maintenance	6,503.40
Office Equipment / Expense	309.97
Postage Expense	502.25
Printing/Pub/Dues/Subscriptions	270.37
Professional Development	<u>906.00</u>

TOTAL: \$ 21,642.58

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 8,582.00
Health/Dental/Life/LTD	17,349.68
Retirement – BCPC Portion	27,299.63
Salaries – Staff Expenses	117,890.44
Salaries – BCPC & BOA	<u>1,375.00</u>

TOTAL: \$ 172,496.75

GRAND TOTAL: \$ 194,139.33

Mrs. Kegley moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been previously paid. Mr. Szurlinski seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Steve Harper, Chairman, Steve Lilly, Staff

1. Request of **Atlantic Sign Company (applicant)** for **Newman's Tractor Sales (owner)** for a Zoning Map Amendment for a Special Sign District, for an approximate 7.3 acre area located at 2841-2885 Verona Mudlick Road, Boone County, Kentucky, which is currently zoned Commercial Services/Planned Development (C-3/PD). The submitted request is to allow the installation of a freestanding sign having a height of ninety-five (95) feet and a sign area of one hundred ninety-six (196) square feet.

Staff Member, Steve Lilly, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Zoning Map Amendment. The owner has signed the condition letter. He noted that the Committee voted 4-0 in favor of the request with one member absent.

Vice-Chairwoman Gulick asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Alex Barnett, Atlantic Sign Company, stated that he was available to answer any questions.

Seeing no further comment, **Mr. Harper moved, by Resolution to the Boone County Fiscal Court, to recommend approval of the Zoning Map Amendment based upon the Committee Report and Findings of Fact and Conditions. Mr. Schwenke seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN, David Hincks, Chairman, Steve Lilly, Staff

2. Request of **SMJ International, on behalf of Tesla, per Aaron Adelman (applicant)** for **Meijer Stores Limited Partnership (owner)** for a Change of Concept Development Plan in an Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) district for an approximate 0.16 acre portion of the approximate 22.48 acre lot located at 4990 Houston Road, Florence, Kentucky (Meijer). The request is for a Change of Concept Development Plan to allow for the expansion of electric vehicle charging stations.

THIS ITEM WAS WITHDRAWN BY THE APPLICANT

CONCEPT DEVELOPMENT PLAN, Janet Kegley, Chairwoman, Todd Morgan, Staff

3. Request of **Drury Florence LLC (applicant/owner)** for a Concept Development Plan for an approximate 7 acre area located at 7915 US 42, Florence, Kentucky, which is currently zoned Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO). The submitted request is to allow a density bonus

for a previously approved hotel, under the PD regulations, and provide for an outlot for future development.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions of the Concept Development Plan. Mr. Morgan showed the updated Concept Development Plan that includes additional sidewalks and landscaping. The request included two conditions. All four Committee Members present voted in favor of the request.

Vice-Chairwoman Gulick asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Ryan Shassarre, corporate counsel for Drury Hotels, stated that he strongly supports the Findings of Fact and it appears the hotel will open in October. He looks forward to bringing a future development that is complementary to the hotel site. He is available to answer any questions that the Board might have tonight.

Seeing no further comment, **Mrs. Kegley moved, by Resolution to the City of Florence, to recommend approval of the Concept Development Plan based on the Committee Report and Finding of Fact and Conditions. Mr. Szurlinski seconded the motion and it passed unanimously.**

ZONING MAP AMENDMENT, Corrin Gulick, Chairwoman, Michael Schwartz, Staff

4. Request of **Jake's Farm Real Estate Development Company, LLC, per Mark Jacobs (applicant/owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One/Planned Development (SR-1/PD) for an approximate 34.87 acre area located at the southeast corner of the intersection of Richwood Road with Schmidt Lane, including the properties at 731, 733, and 735 Richwood Road, and the properties having Parcel Identification Numbers (PIDN) of 065.01-02-001.00 and 065.01-02-007.00. The request is for a zone change to allow: Option A – 147 residential units within twenty-four (24) buildings, four (4) detached single-family residential dwellings, fifty six (56) attached single-family residential dwellings within fourteen (14) buildings, and eighty-seven (87) multi-family residential dwellings within six (6) buildings; or Option B – sixty-nine (69) detached single-family residential dwellings.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval of both Options A and B based upon Findings of Facts and Conditions for a Zoning Map Amendment. The Committee vote was 4-1 with Mr. Hincks being the only person voting no. The applicant has submitted a signed condition letter.

Vice-Chairman Gulick asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Tom Breidenstein, attorney for applicant/owner, gave a previous history of the subject property. In 2021, the Boone County Board of Adjustment denied a Conditional Use Permit application to convert the dairy barn into an event center. Many of the neighbors preferred residential development so they took those comments to heart and submitted a zone change application in October, 2022 for a Zoning Map Amendment request to create a community of

residential townhomes and condos for people 55 and over. That project consisted of 215 condos and 5 single family homes. It was later reduced to 190 units but the project was denied by the full Planning Commission. In February, 2023, the applicant heard comments of waiting until Richwood Road was completed. The applicant communicated with their neighbors by meeting with them numerous times. They created a website and posted all 3 options on the website. They had over 280 unique views on the website. They sent out over 500 surveys to neighbors within one half a mile of the site. They had a 22% response rate to the survey. With the 54 residents that adjoin the farm, 9 wanted residential and 3 wanted a pig farm. They also reduced the number of units from 215 to 143. It is a 33% reduction from the original amount. They broke up the massing of the middle of the site. The Comprehensive Plan is satisfied for both options of the submitted plan. Traffic will not be severely impacted with either option. Schools will also not be impacted as well as flooding. He asked for a favorable vote from the full Board just like from the Committee. If it fails, then the property owner will develop the site for agricultural uses. Those types of uses are not the most appropriate considering residential uses surround the site.

Mr. Paul Darpel, attorney for one of the neighbors, stated that the submitted plan is better but it doesn't make it right or good. It is not in compliance with the Comprehensive Plan for many reasons. It is not even close to the residential density of 1 unit per acre. It is not sensitive to low impact residential density, especially Option A with multiple stories and large buildings. Have a balance in housing doesn't mean it has to be high density. The site can still be diverse with large lots. Nothing in the area has the same density. There is a goal about protecting existing neighbors with buffering and matching buildings in the area. Multi-family buildings don't match. The SR-1 zone prohibits townhomes and multi-family. The dairy barn will have a liquor license for commercial use. The property is subject to restrictions. It is mentioned in their application. It only allows one house per lot. There is a pool and pickleball court located next to his client's lot. They will enforce the restrictions on the 11 acres but not on the 24 acres. How do you enforce 55 and older and fair housing laws? How may seniors want multi-story dwelling units? They want Ranch style houses. The Board needs answers to those questions.

Seeing no further comment, **Mrs. Kegley moved, by Resolution to the Boone County Fiscal Court, to recommend approval of the Zoning Map Amendment for both Option A and Option B based upon the Committee Report and Findings of Fact and Conditions. Mr. Bessler seconded the motion.** Vice Chairwoman Gulick asked if any Board members had any questions or comments?

Mr. Schwenke stated that he drove by the site and the neighborhood. He drove Hicks Pike and noticed Triple Crown Subdivision and farmland. There is plenty of farmland and large lot residential development along Richwood Road, Richwood Church Road and Chambers Road. Option A is so far over what is in the area. There are larger multi-family building proposed. Option B is an afterthought of Option A. The applicant really wants Option A. He didn't think Option B got a fair shake at the Public Hearing. He stated that he has seen other examples of options but the differences are minor like the number of houses on a street. It is basically the same type of development. But this development isn't. Option A has 16 conditions and Option B only has 3 conditions. He stated that he will vote no.

Mrs. Kegley responded that the Committee gave a considerable amount of time to both options. Option B is a more standard type of subdivision. She disagreed that previous applications had two options – estated type lots or small lots depending on marketability. She liked Option A better than Option B because of demographics. The community has a large elderly population. It is a 55 plus development. This type of development costs more and sales will be more because it is different and they are targeting people with wealth or their money in 401(k)s. This type of housing

is not present in Boone County. The Comprehensive Plan encourages planned developments.

The density of the project has been lowered to 4.7 dwelling units per acre. It will be a quiet neighborhood and gated.

Vice-Chairwoman Gulick offered some comments. She voted in favor of the project. Neither Option A or Option B produced a significant traffic impact particularly with the 55 plus. That is not based on Boone County data but national publications. All traffic engineers use this data and she likes the development and would like to live there when she retired.

Mr. Wilson asked Mrs. Kegley if her motion includes the Committee Report based on it and subject to the Conditions? Mrs. Kegley responded yes.

Vice-Chairwoman Gulick asked for a vote on the original motion made by Mrs. Kegley and seconded by Mr. Bessler. The vote found Mr. Bessler, Mrs. Goetting, Ms. Gulick, Mr. Harper, Mrs. Kegley and Mr. Richardson voting in favor of the request and Mr. Schwenke, Mrs. Steele, Mr. Szurlinski and Mr. Turner voting against the request. The motion passed by a vote of 6-4. Vice-Chairwoman Gulick mentioned that the Boone County Fiscal Court has final action. Mr. Costello noted that the recommendation will be forwarded to the Fiscal Court in two weeks after the minutes from the June 5, 2024 Business Meeting are approved.

CHANGE OF CONCEPT DEVELOPMENT PLAN/CONDITIONAL USE PERMIT, Corrin Gulick, Chairwoman, Todd Morgan, Staff

5. Request of **Hrezo Engineering Inc, per Jim Bertram (applicant) for Alex Othman (owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional Use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

Mrs. Kegley moved to defer the request until the July 3, 2024 Business Meeting. The next Committee Meeting is scheduled for June 19, 2024 at 5:00 p.m. Mrs. Goetting seconded the motion and it passed unanimously.

TECHINICAL/DESIGN REVIEW COMMITTEE, Rick Lunnemann, Chairman, Todd Morgan, Staff

6. Golden Corral Façade Improvements – 4770 Houston Road

Staff Member, Todd Morgan, referred to a PowerPoint presentation. The request is for Design Review approval. He described the proposed façade improvements. The building will be painted and faux stone will be installed on two sides. Paint colors were identified – Crabby Apple, Caviar and Tattle Tail to be used on the trim, cornice and siding. A new aluminum awning would be added. The City of Florence is in favor of the project. The signage will remain. The Technical/

Design Review Committee met prior to the Business Meeting and unanimously recommended approval.

Mrs. Goetting moved to approve the request as submitted and presented because it meets the architectural criteria as well as the Houston-Donaldson Study. Mrs. Kegley seconded the motion and it passed unanimously.

NEW BUSINESS

TEXT AMENDMENT, Michael Schwartz, Staff

7. Request of the **City of Florence** to consider a Zoning Text Amendment to Section 3655, Fences, of the Boone County Zoning Regulations to allow fences within corner side yards, subject to certain restrictions. The request is to hear and evaluate comments on the proposed Text Amendment and how it affects the current Boone County Comprehensive Plan and Boone County Zoning Regulations.

ZONING MAP AMENDMENT, Steve Lilly, Staff

8. Request of **Triple Crown Developers LLC, per Tony Berling (applicant) for St. Elizabeth Medical Center, per Christopher Mangeot (owner)** for a Zoning Map Amendment from Public Facilities (PF) to Suburban Residential One (SR-1) for an approximate 16 acre area located at the terminus of Man O War Boulevard, approximately one hundred sixty (160) feet southeast of Authentic Court, and being part of the properties having the following Parcel Identification Numbers (PIDN's): 064.00-00-029.03 and 064.00-00-029.04, Boone County, Kentucky. The request is for a zone change to allow for the development of thirty-four (34) detached single-family residential dwellings.

ZONING MAP AMENDMENT, Michael Schwartz, Staff

8. Request of **Steve Berling (applicant) for Corporex Parks of Kentucky LLC, per William Butler (owner)** for a Zoning Map Amendment from Rural Suburban (RS) to Commercial Two (C-2) for an approximate 5.7 acre area located at the southwest corner of the intersection of Mineola Pike with Olympic Boulevard, and including the properties at 3331 and 3333 Mineola Pike, 3332 and 3334 Booneland Trail, and the properties having the following Parcel Identification Numbers (PIDN's): 071.00-00-017.00, 071.00-00-047.01, and 071.00-00-044.00, Boone County, Kentucky. The request is for a zone change to allow for the development of an approximate 37,300 square foot commercial complex having six (6) buildings and the following Variances: (1) reducing the side yard building setback from fifty (50) feet to thirty (30) feet along the southwest property line; (2) reducing the minimum Buffer Yard width from sixty (60) feet with a thirty (30) foot option (Buffer Yard C) to ten (10) feet (Buffer Yard A) along the southwest property line; (3) reducing the minimum Buffer Yard width from sixty (60) feet with a thirty (30) foot option (Buffer Yard C) to ten (10) feet (Buffer Yard A) along the

northwest property line; and (4) reducing the minimum Buffer Yard width from ten (10) feet (Buffer Yard A) to zero (0) feet along a proposed interior lot line.

ZONING TEXT AMENDMENTS, Michael Schwartz, Staff

10. Request of the **Boone County Planning Commission Technical/Design Review Committee** to consider a series of amendments to the **Boone County Zoning Regulations** pertaining to cannabis businesses.

Mrs. Steele moved to schedule the Public Hearings for Items #7, #8, #9, and #10 on July 3, 2024 at 7:30 p.m. in the Fiscal Courtroom Mr. Schwenke seconded the motion and it passed unanimously.

H. **EXECUTIVE DIRECTOR'S REPORT:**

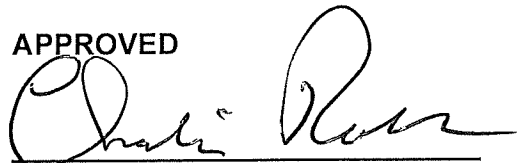
- No Report

I. **OTHER:**

J. **ADJOURNMENT:**

There being no further business to come before the Planning Commission, Mr. Bessler moved to adjourn the meeting. Mr. Richardson seconded the motion and it passed unanimously. The meeting was adjourned at 7:55 P.M.

APPROVED

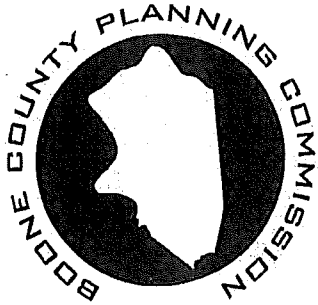
For 
Corrin Gulick
Vice-Chairwoman

Attest:



Kevin P. Costello, AICP
Executive Director

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

www.boonecountky.org/pc
www.boonecountgis.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@boonecountky.org

May 21, 2024

Drury Florence, LLC
c/o – Mr. Kevin Whitfield
101 Farrar Drive
Cape Girardeau, MO 63701

RE: Request of **Drury Florence LLC (applicant/owner)** for a Concept Development Plan for an approximate 7-acre area located at 7915 US 42, Florence, Kentucky, which is currently zoned Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO). The submitted request is to allow a density bonus for a previously approved hotel, under the PD regulations, and provide for an outlot for future development.

Dear Mr. Whitfield:

The following represents the recommended conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change/Concept Plan Committee at their May 15, 2024 meeting. Please sign the line provided at the end of this letter and return it to the Boone County Planning Commission office by June 5, 2024, if you agree with the conditions. Please return a copy of the letter with your original ink signature.

CONDITIONS

1. The approval shall be based on the revised Concept Development Plan that was reviewed at the May 15, 2024 Zone Change Committee meeting. This plan shows additional sidewalks and landscaping and a gated parking lot connection between the hotel and development parcel.
2. The final location of the gated parking lot connection between the hotel and development parcel shall be determined once a Major Site Plan application is submitted for the development parcel. The location of the gated connection shall be reviewed by Florence Fire Department to verify it's safe and effective.

Sincerely,

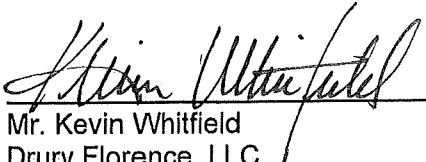
Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM/ss


Drury Florence LLC
May 21, 2024
Page 2

AGREEMENT

I, Kevin Whitfield, hereby agree to the conditions of approval for the Concept Development Plan application, which is referenced on the first page of this letter.



Mr. Kevin Whitfield
Drury Florence, LLC
By: DSW Management, LLC



Date

BOONE COUNTY
D1204 PG988

DOCUMENT NO: 943855
RECORDED: 5/12/2023 8:52:20 AM
VIA ERECORDING
TRANSFER TAX: \$0.00
TOTAL FEES: \$50.00
COUNTY CLERK: JUSTIN CRIGLER
DEPUTY CLERK: BCK
COUNTY: BOONE COUNTY
BOOK: D1204 PAGES: 988-992
GROUP ID: 228

THIS TRANSACTION IS EXEMPT FROM TRANSFER TAX PURSUANT TO KRS 142.050(7)(b).

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That Grantor: **CITY OF FLORENCE, KENTUCKY**, A Kentucky municipal corporation of the Home Rule Class, with a mailing address of 8100 Ewing Blvd., Florence, KY 41042

For and in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration to them paid by the Grantee herein, the receipt of which is acknowledged, bargains, sells, conveys and quitclaims all of their right, title, and interest in and to the below described real estate to:

Grantees: **DRURY FLORENCE, LLC**, a Foreign Limited Liability Company, registered to do business in the State of Kentucky, whose address is 101 S. Farrar Drive, Cape Girardeau, MO 63701, its successors and assigns forever, the following described real estate in the County of Boone and Commonwealth of Kentucky, to wit:

Grantee's mailing address: 101 S. Farrar Drive, Cape Girardeau, MO 63701
Grantor's mailing address: 8100 Ewing Blvd., Florence, KY 41042
Address of Property: Freedom Way, Florence, KY 41042
Tax Billing Address: 101 S. Farrar Drive, Cape Girardeau, MO 63701

GROUP NO.: 228 and 2042
PIDN: 073.00-00-002.08

Description of subject property:

Beginning at an iron pin in the northeast corner of the 0.5899 acre tract conveyed to R. C. Durr by deed recorded in Deed Book 668, Page 108 of the Boone County Clerk's records at Burlington, Kentucky; thence along the east line of Durr and the west line of Neal Hospitality, LLC (Deed Book 870, Pag 792) S 23° 33' 00" W 41.20 feet to an iron pin and S 26° 11' 26" E 191.45 feet to an iron pin at a point of curve in the east right of way line of Freedom Way (formerly known as Dream Street); thence in a northwesterly direction along the northeast right of way line of Freedom Way as it curves to the left with a radius of 255.84 feet, an arc distance of 210.61 feet to a point; thence leaving Freedom Way and following along the west line of said 0.5899 acre tract N 23° 33' 00" E 106.18 feet to an iron pin;

BOONE COUNTY
D1204 PG989

thence S 66° 27' 00" E along the north line of the 0.5899 acre tract and the property line of Neal Hospitality, LLC, 50.00 feet to the place of beginning.

Containing 0.1970 acres.

Being the same property conveyed to Grantor herein by Quitclaim Deed of Conveyance dated December 22, 2008, and recorded December 23, 2008 in Deed Book 961, Page 293 of the Boone County Clerk's records at Burlington, Kentucky.

Subject to all easements, restrictions, covenants and other matters of record.

Pursuant to KRS382.135(1)(d) the tax mailing address is: 101 S. Farrar Drive, Cape Girardeau, MO 63701.

TO HAVE AND TO HOLD the same to the said Grantee, DRURY FLORENCE, LLC, a Foreign Limited Liability Company, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand on this 28 day of March, 2023.

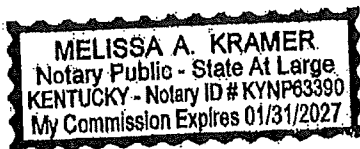
GRANTOR:

CITY OF FLORENCE, KENTUCKY

Julie M Aubuchon
BY: DR JULIE M. AUBUCHON, MAYOR

COMMONWEALTH OF KENTUCKY
COUNTY OF BOONE

The foregoing instrument was subscribed, sworn to and acknowledged before me on this 28 day of March, 2023, by Dr. Julie M. Aubuchon, Mayor of the CITY OF FLORENCE, KENTUCKY, a Kentucky municipal corporation, on behalf of the corporation.



Melissa Kramer
NOTARY PUBLIC, State at Large
Notary ID# 63390
My Commission Expires: 1/31/2027

BOONE COUNTY
D1204 PG990

CONSIDERATION CERTIFICATE
F.M.V. \$ 20,000.00

Grantor and Grantee certify, under oath, that the consideration reflected in this Deed is the full consideration paid for the property and Grantee joins in this Deed for the sole purpose of making this certificate about the consideration.

Sworn to this 28 day of March, 2023.

GRANTOR:

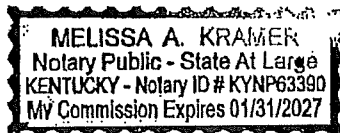
CITY OF FLORENCE, KENTUCKY

Julie M. Aubuchon
BY: DR. JULIE M. AUBUCHON, MAYOR

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

The foregoing instrument was subscribed, sworn to and acknowledged before me on this 28 day of March, 2023, by Dr. Julie M. Aubuchon, Mayor of the CITY OF FLORENCE, KENTUCKY, a Kentucky municipal corporation, on behalf of the corporation.



Melissa Kramer
NOTARY PUBLIC, State at Large
Notary ID# 103390
My Commission Expires: 1/31/2027

GRANTEE:

DRURY FLORENCE, LLC

By: DSV Management, LLC, its manager

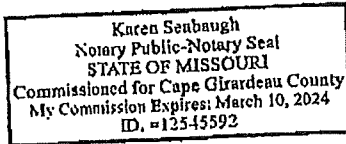
Carolyn F. Bohnert
BY: Carolyn F. Bohnert, Sr. Vice President


BOONE COUNTY
D1204 PG991

STATE OF MISSOURI

COUNTY OF CAPE GIRARDEAU

The foregoing instrument was subscribed, sworn to and acknowledged before me on this 14th day of April, 2023, by Carolyn F. Bohnert, Sr. Vice President of DSW Management, LLC, manager of Drury Florence, LLC, for and on behalf of Drury Florence, LLC, a Foreign Limited Liability Company.




NOTARY PUBLIC, State of Missouri
Notary ID# 12545592
My Commission Expires: 3-10-2024

This instrument prepared by:

Thomas R. Nienaber

THOMAS R. NIENABER
Skees Wilson & Nienaber, PLLC
7699 Ewing Boulevard
PO Box 756
Florence, KY 41042
Phone: (859) 371-7407
Fax: (859) 371-9872
Email: tnienaber@fuse.net

Return to:
Drury Florence, LLC
101 S. Farrar Drive
Cape Girardeau, MO 63701
Attn: Ryan Shasserre

**BOONE COUNTY
D1204 PG992**

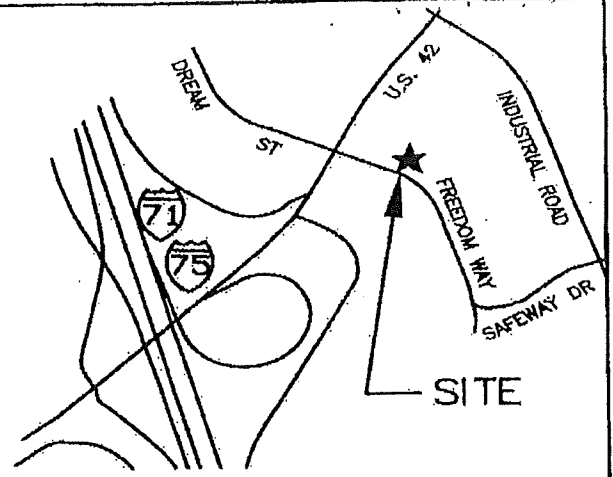
LAND SURVEYOR'S CERTIFICATE

"I certify that this plat has been prepared by me or under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all requirements of the Boone County Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner."

I certify that this plat of land in and of itself does not meet the current zoning regulations for the use and is being transferred for non-building purposes.

12/15/08
Date James W. Berling L.S. KY Reg #208

**NEAL HOSPITALITY LLC
D.B. 870, PG. 792**



**VICINITY MAP
SCALE 1" = 2000'**

**SOUTHERN BOONE PROPERTIES LLC
D.B. 945, PG. 629**

**ESTATE OF R.C. DURR
0.1970 Ac.**

△ = 47'48"00"
T = 100.00
R = 225.84
L = 188.28

DEED BOOK: 708
PAGE: 46
0.1143 Ac.
N 73°57'26" W 100.00
DEED BOOK: 882 PAGE: 57
0.1389 Ac.

SERVICE STATION HOLDINGS INC.

**BOONE COUNTY PLANNING COMMISSION
APPROVAL CERTIFICATE**

Approved for recording the transfer of the property only by the Boone County Planning Commission the 17th day of December, 2008.

12/17/08
Date July E. [Signature]
Chairman

This parcel, in and of itself, does not meet the existing Boone County zoning regulations for use as a buildable site.

Date 12/17/08 Current Zoning C-3/C0
CV5

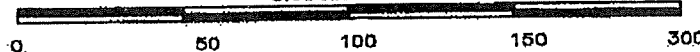
BACK REFERENCE:
D.B.: 888 PG.: 108
GROUP No. 228 & 2042

P & Z Code No. 4791

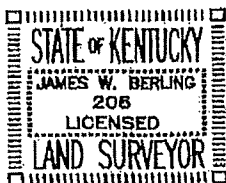
This plat will be void if not with the Boone County Clerk for recording purposes within two (2) years of Planning Commission Approval.

⊙ = IRON PIN (SET)

GRAPHIC SCALE



**Boone County
D961 PG 295**



PLAT OF SURVEY

ESTATE OF R.C. DURR

(U.S. HWY. 42) FLORENCE, BOONE Co. KY

DRAWN BY **Chris D. Berling**

SUBDIVISION
**JAMES W. BERLING
KY. SURVEYOR No.208**

DATE **12/12/08**

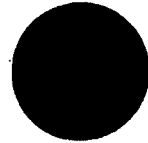
SCALE **1" = 50'**

14
BS

RETURN TO:

Riverbend Commercial Title Agency
1 E. 4th St., Suite 1400
Cincinnati, OH 45202
ATTN: Katlynn P.

RETURN TO:



SPECIAL WARRANTY DEED

(in compliance with KRS 382.040)

Be it known that Florence Gateway, LLC; Grand Land Investments, LLC; Resolution Land Investments, LLC; and Soy lent Land Investments, LLC own the real property set forth below as tenants in common pursuant to the following percentages:

OWNER	OWNERSHIP PERCENTAGE
Grand Land Investments, LLC	32.258
Resolution Land Investments, LLC	32.258
Florence Gateway, LLC	32.258
Soy lent Land Investments, LLC	3.226

Collectively, the foregoing are referred to hereinafter as the "Grantors". For and in consideration of the sum of Two Million Seven Hundred Thousand and 00/100 Dollars (\$2,700,000.00), the receipt of which is hereby acknowledged, Grantors hereby bargain, sell and convey to Florence Exchange, LLC, a Missouri limited liability company, its successors and assigns ("Grantee"), with covenants of special warranty, all of their respective right, title and interest in and to the real property described herein and all improvements and appurtenances thereto.

Said real property conveyed herein is described as:

- Group No.: 228 and 2042
- Parcel ID No.: 073.00-00-002.06
- Property Address: 7915 U.S. 42, Florence, KY 41042
- Grantors Mailing Address: 4653 Trueman Blvd., Ste. 100, Hilliard, OH 43026
- Grantee Mailing Address: 101 S. Farrar Drive, Cape Girardeau, MO 63701



BOONE COUNTY
D1137 PG950

Grantee Tax Mailing
Address:

101 S. Farrar Drive, Cape Girardeau, MO 63701

Legal Description:

See attached Exhibit A, incorporated herein by reference

Prior Deed Reference:

Florence Gateway LLC, a Kentucky limited liability company (as to an undivided 32.258% interest) by Limited Warranty Deed dated November 24, 2015 and recorded December 1, 2015 in Deed Book 1063, Page 451; Grand Land Investments, LLC, a Kentucky limited liability company (as to an undivided 32.258% interest) by Quitclaim Deed dated April 9, 2018 and recorded April 24, 2018 in Deed Book 1106, Page 787; Resolution Land Investments, LLC, a Kentucky limited liability company (as to an undivided 32.258% interest) by Quitclaim Deed dated April 9, 2018 and recorded April 24, 2018 in Deed Book 1106, Page 793; and Soylent Land Investments, LLC, a Kentucky limited liability company (as to an undivided 3.226% interest) by Quitclaim Deed dated April 9, 2018 and recorded April 24, 2018 in Deed Book 1106, Page 799, of the Boone County, Kentucky Records.

The foregoing real property is granted by the Grantor subject to all real estate taxes and assessments both general and special, which are a lien but not yet due and payable and the exceptions set forth on Exhibit B.

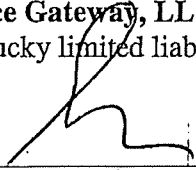
Together with all the **PRIVILEGES AND APPURTENANCES** to the same belonging.

The Grantors herein have read this Deed and hereby acknowledge the voluntary signing hereof.

[SIGNATURES CONTAINED ON FOLLOWING PAGES]

In witness whereof the Grantors have hereunto set their hands to be effective this 17th day of December, 2019.

Florence Gateway, LLC
A Kentucky limited liability company



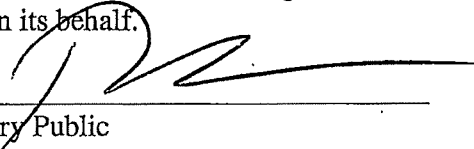
By: Steven P. Wathen
Its: Manager

State of Ohio)
County of Franklin) ss.

The foregoing instrument was acknowledged before me, a Notary Public, on this 17th day of December, 2019, by Steven P. Wathen, Manager of Florence Gateway, LLC, a Kentucky limited liability company, on its behalf.



THOMAS J. ROCCO
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
My Comm. Has No
Expiration Date
Section 147.03 R. C



Notary Public

Grand Land Investments, LLC
a Kentucky limited liability company
By: Donald L. Feinstein 11/21/2018 Amended
And Restated Revocable Trust, as Amended, Park
National Bank, Successor Trustee *Manager*

By: *D. P. Howarth*
By: *Damon P. Howarth*
Its: *Vice President + Trust Officer*

State of *Ohio*)
County of *Franklin*) ss.


The foregoing instrument was acknowledged before me, a Notary Public, on this
13th day of *December*, 2019, by *Damon P. Howarth*, Donald L.
Feinstein 11/21/2018 Amended And Restated Revocable Trust, as Amended, Park National
Bank, Successor Trustee, as the Manager of Grand Land Investments, LLC, a Kentucky limited
liability company, on its behalf.



Jamie G. Norckauer
Attorney at Law
Notary Public, State of Ohio
No Expiration Date Needed
Sec. 147.03 R.C.

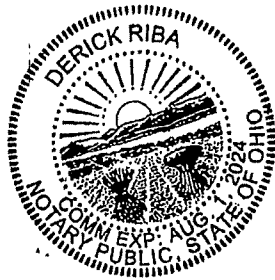
Jamie G. Norckauer
Notary Public


Resolution Land Investments, LLC
a Kentucky limited liability company


By: JAMES E CULLINAN
Its: MEMBER/OWNER


State of Ohio)
County of Franklin) ss.

The foregoing instrument was acknowledged before me, a Notary Public, on this
12th day of December, 2019, by James E. Cullinan, the Manager of Resolution
Land Investments, LLC, a Kentucky limited liability company, on its behalf.




Notary Public

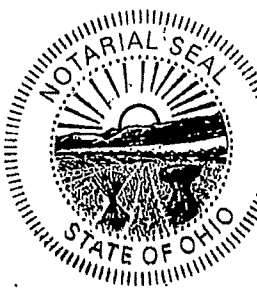
Soylent Land Investments, LLC
a Kentucky limited liability company



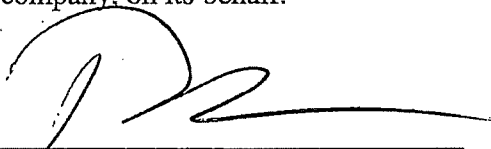
By: Patrick F. Wathen
Its: Manager

State of Ohio)
County of Franklin) ss.

9th The foregoing instrument was acknowledged before me, a Notary Public, on this
day of December, 2019, by Patrick F. Wathen, the Manager of Soylent
Land Investments, LLC, a Kentucky limited liability company, on its behalf.



THOMAS J. ROCCO
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
My Comm. Has No
Expiration Date
Section 147.03 R. C



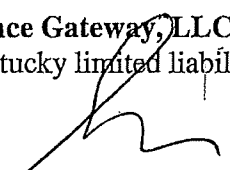
Notary Public

CERTIFICATE OF CONSIDERATION

We, Grantors and Grantee, pursuant to KRS Chapter 382, do hereby certify under oath, that the consideration reflected in this deed is the true, correct and full consideration paid for the property herein conveyed. Grantee joins in the execution of this Deed for the sole purpose of certifying the amount of the consideration.

GRANTORS:

Florence Gateway, LLC
A Kentucky limited liability company



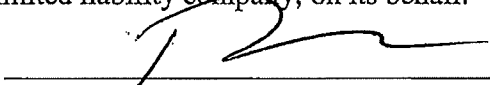
By: Steven P. Wathen
Its: Manager

State of Ohio)
County of Franklin) ss.

The foregoing instrument was sworn to before me, a Notary Public, and subscribed in my presence on this 9th day of December, 2019, by Steven P. Wathen, Manager of Florence Gateway, LLC, a Kentucky limited liability company, on its behalf.



THOMAS J. ROCCO
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
My Comm. Has No
Expiration Date
Section 147.03 R. C



Notary Public

Grand Land Investments, LLC
a Kentucky limited liability company
By: Donald L. Feinstein 11/21/2018 Amended
And Restated Revocable Trust, as Amended, Park
National Bank, Successor Trustee, *Manager*

By: *D.P. Howard*
By: Damon P. Howard
Its: Vice President & Trust Officer

State of Ohio)
County of Franklin) ss.


The foregoing certificate was sworn to before me, a Notary Public, and subscribed in my presence on this 13th day of December, 2019, by Damon P. Howard, Donald L. Feinstein 11/21/2018 Amended And Restated Revocable Trust, as Amended, Park National Bank, Successor Trustee, as the Manager of Grand Land Investments, LLC, a Kentucky limited liability company, on its behalf.



Jamie G. Norckauer
Attorney at Law
Notary Public, State of Ohio
No Expiration Date Needed
Sec. 147.03 R.C.

Jamie G. Norckauer
Notary Public


Resolution Land Investments, LLC
a Kentucky limited liability company


By: JAMES E CULLINAN
Its: MEMBER/OWNER

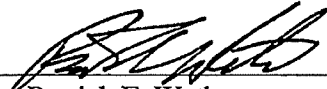
State of Ohio)
County of Franklin) ss.

The foregoing certificate was sworn to before me, a Notary Public, and subscribed in my presence on this 12th day of December, 2019, by James E. Cullinan, the Manager of Resolution Land Investments, LLC, a Kentucky limited liability company, on its behalf.



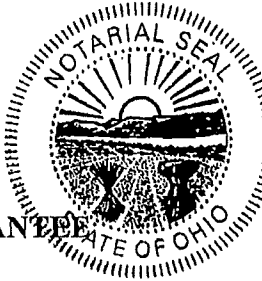

Notary Public


Soylent Land Investments, LLC
a Kentucky limited liability company


By: Patrick F. Wathen
Its: Manager

State of Ohio)
County of Franklin) ss.

The foregoing certificate was sworn to before me, a Notary Public, and subscribed in my presence on this 9th day of December, 2019, by Patrick F. Wathen, the Manager of Soylent Land Investments, LLC, a Kentucky limited liability company, on its behalf.


THOMAS J. ROCCO
ATTORNEY AT LAW
NOTARY PUBLIC
STATE OF OHIO
My Comm. Has No
Expiration Date
Section 147.03 R. C.



Notary Public

Florence Exchange, LLC,
a Missouri limited liability company
By: DSW Management, LLC, its manager

By _____
Carolyn F. Bohnert, Sr. Vice President

State of MISSOURI)
County of CAPE GIRARDEAU) ss.

The foregoing certificate was sworn to before me, a Notary Public, and subscribed in my presence on this _____ day of December, 2019, by Carolyn F. Bohnert, the Sr. Vice President of DSW Management, LLC, as manager of Florence Exchange, LLC, Missouri limited liability company, on its behalf.

Notary Public

Soylent Land Investments, LLC
a Kentucky limited liability company

By: Patrick F. Wathen
Its: Manager

State of _____)
County of _____) ss.

The foregoing certificate was sworn to before me, a Notary Public, and subscribed in my presence on this _____ day of _____, 2019, by Patrick F. Wathen, the Manager of Soylent Land Investments, LLC, a Kentucky limited liability company, on its behalf.

Notary Public

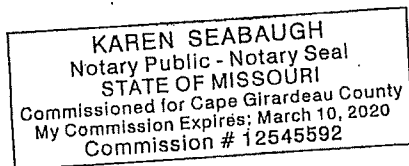
GRANTEE:

Florence Exchange, LLC,
a Missouri limited liability company
By: DSW Management, LLC, its manager

By Carolyn F. Bohnert
Carolyn F. Bohnert, Sr. Vice President

State of MISSOURI)
County of CAPE GIRARDEAU) ss.

The foregoing certificate was sworn to before me, a Notary Public, and subscribed in my presence on this 17th day of December, 2019, by Carolyn F. Bohnert, the Sr. Vice President of DSW Management, LLC, as manager of Florence Exchange, LLC, Missouri limited liability company, on its behalf.



Karen Seabaugh
Notary Public

I hereby certify that I prepared this Deed, but no title examination was requested of me or performed by me.



Thomas J. Rocco, Attorney at Law
c/o Equity, LLC
4653 Trueman Boulevard, Suite 100
Hilliard, Ohio 43026
trocco@equity.net
614-802-2900

BOONE COUNTY
D1137 PG961

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

The Land referred to herein below is situated in the County of Boone, State of Kentucky, and is described as follows:

SITUATED AT THE INTERSECTION OF U.S. HIGHWAY NO. 42 AND INDUSTRIAL ROAD, CITY OF FLORENCE, BOONE COUNTY, KENTUCKY.

BEGINNING AT A P.K. NAIL IN THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 42 (80 FEET FROM CENTER LINE), SAID P.K. NAIL BEING SOUTH 34° 03' 18" WEST 146.04 FEET FROM THE INTERSECTION LINE OF THE RIGHT OF WAY LINES OF U.S. HIGHWAY NO. 42 AND INDUSTRIAL ROAD; THENCE WITH THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 42 SOUTH 34° 03' 18" WEST 77.40 FEET TO A P.K. NAIL AT A POINT OF CURVE; THENCE WITH SAID CURVE AS IT CURVES TO THE LEFT OR SOUTHWEST, HAVING A RADIUS OF 961.85 FEET, AN ARC DISTANCE OF 191.94 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 28° 21' 27" WEST 191.61 FEET TO A PIN AT A POINT OF TANGENCY; THENCE SOUTH 22° 37' 18" WEST 87.55 FEET TO A P.K. NAIL IN SAID RIGHT OF WAY LINE (80 FEET FROM CENTER LINE) AT THE NORTH CORNER OF PARCEL OWNED BY R.C. DURR (DEED BOOK 228, PAGE 25); THENCE LEAVING SAID RIGHT OF WAY AND WITH THE NORTHEAST LINE OF R.C. DURR SOUTH 65° 17' 40" EAST 166.50 FEET TO A P.K. NAIL AT THE EAST CORNER OF SAID PARCEL, SAID P.K. NAIL ALSO BEING THE NORTH CORNER OF A PARCEL OWNED BY R.C. DURR (DEED BOOK 668, PAGE 108); THENCE WITH THE EAST LINES OF SAID PARCEL SOUTH 66° 37' 40" EAST 50.00 FEET TO A P.K. NAIL SOUTH 23° 22' 20" WEST 41.20 FEET TO A P.K. NAIL AND SOUTH 26° 22' 06" EAST 306.85 FEET TO A PIN AT THE SOUTH CORNER OF SAID PARCEL, SAID PIN ALSO BEING IN THE NORTH LINE OF A PARCEL OWNED BY R.C. DURR (DEED BOOK 174, PAGE 283); THENCE WITH THE NORTH LINES OF SAID PARCEL SOUTH 57° 49' 04" EAST 118.15 FEET TO A PIN AND NORTH 70° 58' 00" EAST 366.09 FEET TO A PIN IN THE SOUTHWEST RIGHT OF WAY LINE OF INDUSTRIAL ROAD (55 FEET FROM CENTER LINE); THENCE WITH THE SOUTHWEST RIGHT OF WAY LINE OF INDUSTRIAL ROAD 55 FEET FROM CENTER LINE AND PARALLEL NORTH 21° 56' 00" WEST 524.57 FEET TO A PIN 53.74 FEET LEFT OF STATION 55+50 THENCE NORTH 39° 02' 44" WEST 181.69 FEET TO A PIN 70.00 FEET LEFT OF STATION 53+50 AND NORTH 47° 53' 58" WEST 90.15 FEET TO A PIN 71.81 FEET LEFT OF THE CENTER LINE OF INDUSTRIAL ROAD, SAID PIN ALSO BEING THE EAST CORNER OF THE FIFTH THIRD BANK PARCEL (DEED BOOK 477, PAGE 98); THENCE LEAVING SAID RIGHT OF WAY LINE OF INDUSTRIAL ROAD AND WITH THE SOUTHEAST AND SOUTHWEST LINE OF THE BANK PARCEL SOUTH 34° 03' 18" WEST 134.04 FEET TO A P.K. NAIL AND NORTH 60° 04' 51" WEST 164.75 FEET TO THE PLACE OF BEGINNING.

CONTAINING 7.8407 ACRES. THROUGH INADVERTENCE THE CALL OF S 66-37-40-E 50.00 FEET WAS INCORRECTLY STATED AS S 6-37-40-E 50.00 IN THE PRIOR DEEDS.

LESS AND EXCEPT FROM THE AFORESAID PROPERTY THAT 0.20 ACRE PARCEL CONVEYED TO THE COMMONWEALTH OF KENTUCKY, FOR THE USE AND BENEFIT OF THE TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS, BY DEED OF CORRECTION DATED JULY 1, 2008 AND RECORDED IN HIGHWAY DEED BOOK 20, PAGE 410 OF THE BOONE COUNTY CLERK'S RECORDS AT BURLINGTON, KENTUCKY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SITUATED IN THE COMMONWEALTH OF KENTUCKY, COUNTY OF BOONE, ON THE LANDS OF NEAL HOSPITALITY, LLC, AS RECORDED IN DEED BOOK 870, PAGE 792 OF THE BOONE COUNTY CLERK'S OFFICE IN BURLINGTON, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE INTERSECTION OF STATE ROUTE 42 AND INDUSTRIAL DRIVE, CONTINUE DOWN THE CENTERLINE OF PROPOSED INDUSTRIAL DRIVE, THENCE SOUTH 55°12'06" EAST FOR A DISTANCE OF 192.57 FEET; THENCE ALONG THE PROPOSED CENTERLINE CURVE HAVING A RADIUS OF 674.07 FEET, AN ARC LENGTH OF 399.02 FEET, A CHORD BEARING OF SOUTH 38°14'36" EAST A CHORD DISTANCE OF 393.22 FEET AT A DISTANCE OF 301.56 FEET TO STATION 5+88.83; THENCE SOUTH 60°30'57" WEST AT A DISTANCE OF 63.76 FEET RIGHT TO A POINT BEING 63.76 FEET RIGHT OF CENTERLINE STATION 5+88.83 TO THE TRUE POINT OF BEGINNING; THENCE

BOONE COUNTY
D1137 PG962

SOUTH 38°22'26" EAST, 51.05 FEET; THENCE SOUTH 21°17'06" EAST 524.57 FEET; THENCE SOUTH 71°36'54" WEST, 20.03 FEET; THENCE NORTH 21°17'06" WEST, 120.60 FEET; THENCE NORTH 68°42'54" EAST, 5.00 FEET; THENCE NORTH 21°17'06" WEST, 451.75 FEET; TO THE TRUE POINT OF BEGINNING. THE ABOVE PARCEL CONTAINS 8832.43 SQUARE FEET OR 0.20 ACRE.

BOONE COUNTY
D1137 PG962A

EXHIBIT B
EXCEPTIONS TO TITLE

1. Any mineral or mineral rights leased, granted or retained by prior owners (i.e. prior to Grantor).
2. Taxes and assessments for the year 2020 and subsequent years, not yet due and payable.
3. Coal, oil, natural gas, or other mineral interests and all rights incident thereto previously conveyed, transferred, leased, or reserved by prior owners (i.e. prior to Grantor).
4. Easement for ingress and egress and the parking of motor vehicles in favor of Boone State Bank, a Kentucky corporation, dated October 3, 1977 and recorded October 5, 1977 in Easement Book 4, Page 209, Boone County, Kentucky Records.
5. Right of way and easement, ten (10) feet in width, for the transmission and distribution of electrical energy in favor of The Union Light, Heat and Power Company, as set forth in Grant dated August 13, 1954 and recorded August 27, 1954 in Miscellaneous Book 2, Page 159, Boone County, Kentucky Records.
6. Right of way and easement for an electric transmission line in favor of Ohio Valley Electric Corporation, as set forth in Deed of Easement dated June 12, 1953 and recorded in Deed Book 108, Page 362, Boone County, Kentucky Records.
7. 10' Utility Easement as set forth on the recorded plat and dedication in Plat Cab 4, Page 26, Boone County, Kentucky Records.

DOCUMENT NO: 791174
RECORDED: December 19, 2019 02:59:00 PM
TOTAL FEES: \$50.00 TRANSFER TAX: \$2,700.00
COUNTY CLERK: JUSTIN CRIGLER
DEPUTY CLERK: MICHELLE EICKHOFF
COUNTY: BOONE COUNTY
BOOK: D1137 PAGES: 949 - 962A
GROUP ID: 228

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-15-2024**

AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES/PLANNED DEVELOPMENT/PARKWAY CORRIDOR STUDY (C-3/PD/PO) DISTRICT FOR AN APPROXIMATE 7 ACRE SITE LOCATED AT 7915 US 42, FLORENCE, KENTUCKY, TO ALLOW A DENSITY BONUS FOR A PREVIOUSLY APPROVED HOTEL, UNDER THE PD REGULATIONS, AND PROVIDE FOR AN OUTLOT FOR FUTURE DEVELOPMENT. (DRURY FLORENCE, LLC)

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-24-016-A recommended approval 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 Drury Florence, LLC (Applicant/Owner) for a Concept Development Plan in a Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO) District for an approximate 7-acre site located at 7915 US 42, Florence, Kentucky, to allow a density bonus for a previously approved hotel, under the PD regulations, and provide for an outlot for future development, 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 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-24-016-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-24-016-A, marked Exhibit "A", and attached hereto.

SECTION IV

If the approval for this change in the 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

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 30th DAY OF JULY 2024.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 13th DAY OF AUGUST 2024.

APPROVED:


Julie M. Aubuchon, Mayor

ATTEST:


Melissa Kramer, City Clerk

**CITY OF FLORENCE, KENTUCKY
READING SUMMARY**

ORDINANCE O-15-2024

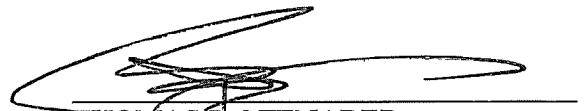
AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES/PLANNED DEVELOPMENT/PARKWAY CORRIDOR STUDY (C-3/PD/PO) DISTRICT FOR AN APPROXIMATE 7 ACRE SITE LOCATED AT 7915 US 42, FLORENCE, KENTUCKY, TO ALLOW A DENSITY BONUS FOR A PREVIOUSLY APPROVED HOTEL, UNDER THE PD REGULATIONS, AND PROVIDE FOR AN OUTLOT FOR FUTURE DEVELOPMENT. (DRURY FLORENCE, LLC)

The effect of this Ordinance is to allow a density bonus for a previously approved hotel, under the PD regulations, and provide for an outlot for future development on an approximate 7-acre site in a Commercial Services/Planned Development/Parkway Corridor Study (C-3/PD/PO) District.

The full text of Ordinance O-15-2024 including its exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of Ordinance O-15-2024 and that it has been prepared by me on the 23rd day of July, 2024, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.


THOMAS R. NIENABER
SKEES, WILSON & NIENABER, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41022-0756
Phone: (859) 371-7407
Fax: (859) 371-9872

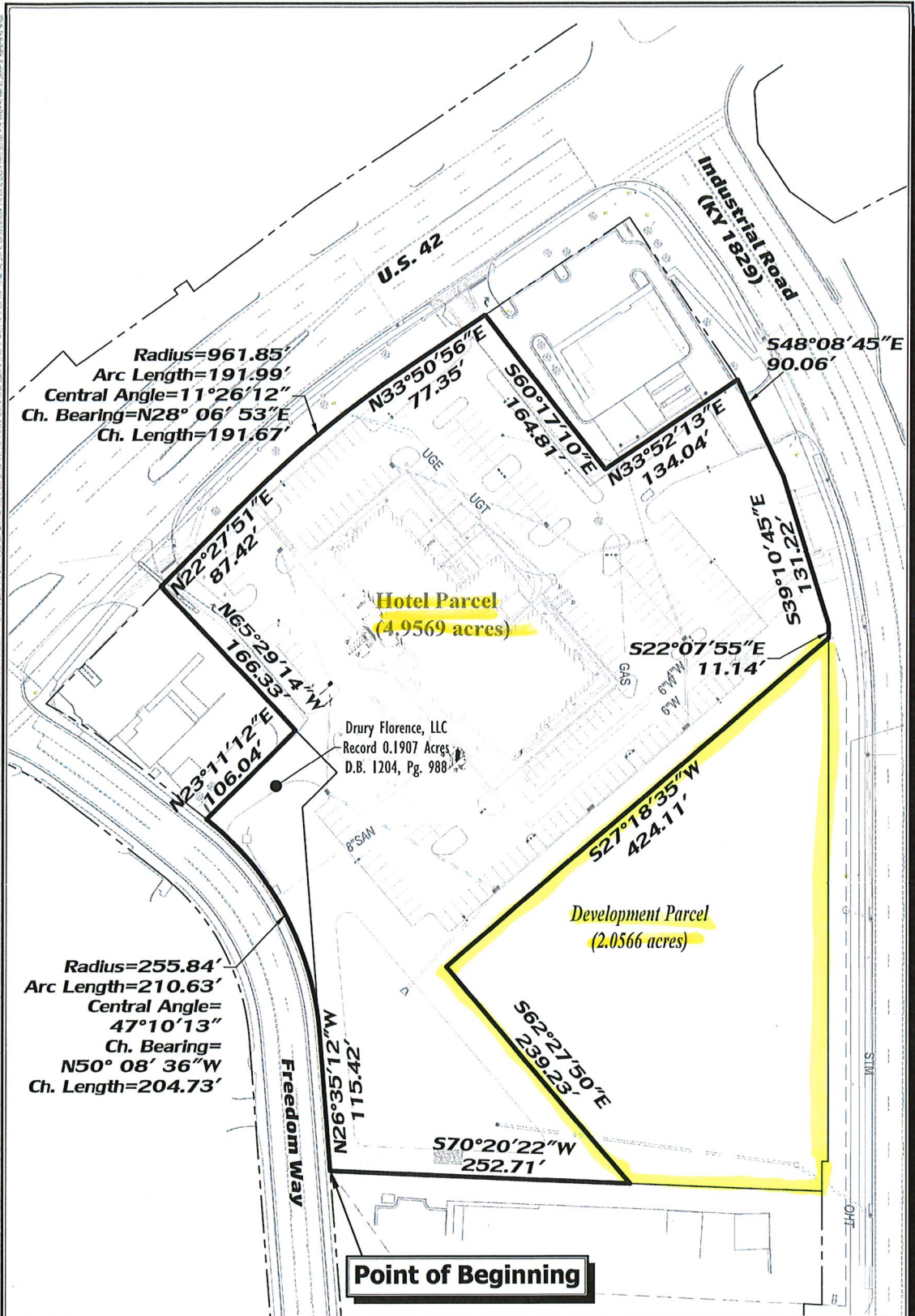


EXHIBIT LOT SPLIT MAP
 A 4.9569 ACRE PART OF
 THE LANDS OF
 DRURY FLORENCE, LLC (F.K.A. FLORENCE EXCHANGE, LLC)
 THE REMAINDER Pt. D.B.1137, Pg.949 (A RECORD 7.6407 ACRE PARCEL)
 AND
 DRURY FLORENCE, LLC
 D.B.1204, Pg.988 (A RECORD 0.1907 ACRE PARCEL)
 BOONE COUNTY, KENTUCKY
 THIS SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY AND IS NOT INTENDED FOR LAND TRANSFER

DRAWING: 14674
PROJECT: 22743
DATE: 08.21.2023
REVISION:

0 SCALE 1"=100' 100

Based on Kentucky Single Zone State Plane Coordinate System NAD83 (2011)