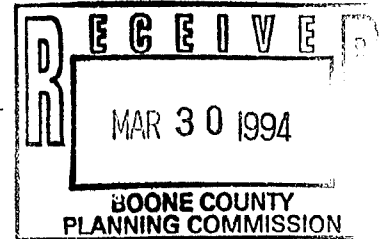
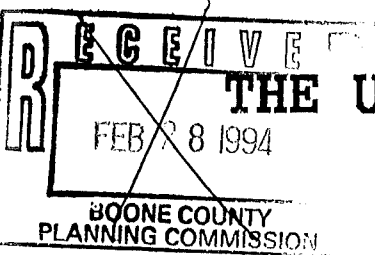


APPLICATION FORM  
**CHANGE IN CONCEPT DEVELOPMENT PLAN**

**OR**

**THE UTILIZATION OF AN UNDERLYING ZONE  
IN PLANNED DEVELOPMENT**



(Concept Development Plan)  
BOONE COUNTY PLANNING COMMISSION  
(See Boone County Zoning Regulations)

re-submit

**SECTION A** (To be completed by applicant)

1. Check One:

NIA Change in Concept Development Plan  
/ Utilization of An Underlying Zone in Planned Development

- a) Public Hearing Submittal (Concept Dev. Plan) \_\_\_\_\_  
b) Long Range Planning Committee Review \_\_\_\_\_  
(As stated in the Houston-Donaldson Study)

2. Name of Project BEST WESTERN OR COMFORT SUITE  
3. Location of Project COMMERCE DRIVE ACCESS FROM CROSS COUNTRY INN  
4. Total Acreage of Site \_\_\_\_\_  
5. Current Zoning C-3/PD  
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) will submit by 10 DAYS OF THIS APPLICATION  
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) PARKWAY STUDY

8. Proposed Uses (please specify each use) MOTEL OR SUITE

9. Proposed Building Intensities (please specify) \_\_\_\_\_  
60 UNIT MOTEL APPROX 36000 SQ FEET  
SLOW HIGH RISE 290.50 FEET 100 FEET HIGH } DUE TO NO VISIBILITY  
MID RISE 100 SQ FEET 24 FEET HIGH } OF THIS SITE DEVELOPMENT  
2 TO 3 STORY BUILDING

10. Have you submitted a Concept Development Plan? NOT YET

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

12. Name of Applicant(s) NANUBHAI PATEL  
Phone Number 615.528.1040 Fax No. 615.528.5227

13. Address of Applicant(s) 1100 S JEFFERSON AVE  
COOKEVILLE TN 38501  
City State Zip

14. Name of Property Owner(s) MARATHON OIL COMPANY  
Phone Number 614 274 0981 Fax No. 614-274 0983

15. Address of Property Owner(s) 4125 FISHER RD  
(PLEASE NOTE HAVE 2 ADDRESS) COLUMBUS OH 43228  
City State Zip

16. Are there any existing buildings on the site? NO  
How many? NIA

17. Deed Book 241 Page No. 170 Group No. LOT NO 859

18. Have you had a pre-application meeting with BCPC Staff? NO

(over)

**EXHIBIT "A"**

## STAFF REPORT

Request of Nanubhai Patel (applicant) for Marathon Oil Company (owner) for the Utilization of an Underlying Zone in Planned Development and the approval of a Concept Development Plan to allow a 60 unit motel. The 2.16 acre site is located at Commerce Drive and Commerce Place, Florence, Kentucky and is zoned Commercial Services/Planned Development (C-3/PD) and is subject to the Parkway Corridor Study.

May 4, 1994

This is a request for Utilization of an Underlying Zone in Planned Development and also for the approval of a Concept Development Plan. The applicant intends to build a 60 unit suite motel at the corner of Commerce Drive and Commerce Place.

### Surrounding Zoning and Land Uses (see Map #1-Zoning Map)

The surrounding land uses of this 2.16 acre site include Furrows (hardware) to the north, Cross County Inn (motel) to the west, a vacant site to the east and the Fundome Skating Rink to the south. The site is in the middle of a Commercial Services/Planned Development (C-3/PD) district. To the north and east of this district is a Suburban Residential Two (SR-2) zone the includes Utz and Coreta Drives and Cardinal Drive and Place. To the south of the district is an Office Two/Planned Development (O-2/PD) district that includes Burns Brothers Truck Stop. To the west of the district is Interstate 75 expressway.

### Site Characteristics

The site is a 2.16 acre flat, vacant lot presently planted in grass. There is another vacant lot contiguous to this lot on the east.

### Relationship to the Comprehensive Plan

The request for Utilization of an Underlying Zone is reviewed in relation to the 1990 Boone County Comprehensive Plan and the Parkway Corridor Study.

Section D-4: Florence Area in the Land Use Element of the 1990 Boone County Comprehensive Plan states the following about commercial development in Florence. See future land use on Map #2.

Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads. Undeveloped tracts of commercial land should connect to and coordinate with any adjoining commercial, office, or industrial development in existence.

The Business Activity Element of the 1990 Boone County Comprehensive Plan states this about future commercial activity in the Florence area.

Since the immediate Florence area figures so prominently in Boone County's commercial activity, this region has the momentum to continue dominating any expansion of commercial activity. Many problems with the location and arrangement of commercial enterprises have emerged, especially along KY 18 and US 42. ...Along KY 18 in the I-75-Mall Road-Houston Road area, there are many traffic problems that can be worsened by adding commercial access points.

The fourth objective of the Commercial Section of the Business Activity Element in the Goals and Objectives of the 1990 Boone County Comprehensive Plan states the following locating highway services.

4. Highway services shall be limited in location to close proximity to major highway interchanges for maximum convenience and economy to the motoring public while minimizing impact on the community. (However, they should not be located so close to inter-changes that they congest the traffic movements at these points of access.)

The Parkway Corridor Study addresses the district where the site is located as follows:

KY 18 PARCELS  
KY: C3/PD

Development in this area is currently in progress. The major access points of this development are along KY 18 and Cardinal Drive and its proximity to I-75 makes it an attractive site for commercial development. Its relatively close location to the Parkway will enhance its accessibility for local traffic as well.

In addition, the Parkway Corridor Study contains specific criteria on which the land use plan was based. These are oriented mainly to provide for safety and ease of traffic and pedestrian movement, access management, buffering between different uses, attractive ground level conditions, and people-oriented services and activities. These are to be accomplished through the Planned Development Overlay Review process.

#### 60 Unit Suites Motel Concept Development Plan

The Concept Development Plan indicates that the vacant lot will be developed as a 60 Unit Suite Motel (See Map #3). The motel will front Commerce Drive and the Concept Plan shows a zero rear setback with the back of the building sitting exactly on the lot line. The Plan indicates a three story 60 unit suites motel with an indoor pool. The total square footage of the proposed motel is 29,610.

The plan shows two curb cuts along Commerce Drive; one near the corner of Commerce Drive and Commerce Place and the other 150 feet further down on Commerce Drive. The Plan also shows another curb cut (24' drive) on Commerce Place, apparently in the adjoining lot #8. A dumpster and exterior storage shed is also located at the end of this drive off Commerce Place (also apparently located on lot #8).

Parking for the motel is located to the west and south of the building. The plan shows a total of 51 parking spaces. The plan indicates a minimum of landscaping in the parking area and in front of the building. An 80' high freeway sign is requested at the corner of Commerce Place and Commerce Drive. The plan also indicates entrance signs (monument??) at the entrances on Commerce Drive.

#### STAFF CONCERNS

Staff has many concerns with the proposed design of the Concept Development Plan for the motel.

1. The plans shows no sidewalks for the site. The Parkway Corridor Study lists as a guiding criteria for land use the following:
  - the safe accommodation of auto traffic, public transit, and *pedestrian movement* on sufficient public rights-of-way

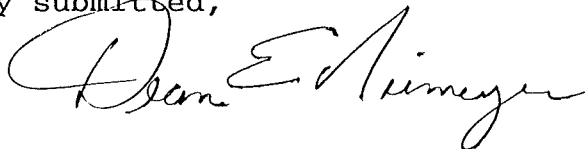
The plan should be revised to show sidewalks along both Commerce Place and Commerce Drive. This would complement the existing sidewalks on south side of Commerce Drive and complete the pedestrian network for this district.

2. The location of the building with zero rear set-back from lot #8 does not meet the Boone County Zoning Regulations which require a minimum of 20 feet. Besides being located off the site, the dumpster/exterior storage shed is not adequately screened.
3. The Concept Plan shows two curb cuts on Commerce Drive. The Zoning Regulations would allow only one access to the site. The Plan also shows an access curb-cut on the adjacent lot #8 on Commerce Place. Applicant needs to clarify what this access is to serve and who will build it.
4. The Concept Plan indicates an 80' high "freeway" free-standing sign and two other free-standing signs. According to the Zoning Regulations, the motel would be allowed only one free-standing sign no higher than 40 feet.
5. The present landscape plan is not adequate to meet the "attractive ground level conditions conducive to a pedestrian environment" called for in the Parkway Corridor Study.
6. The Concept Plan shows a total of 51 parking spaces. The Zoning Regulations calls for one parking space per sleeping room plus one space per two employees. The proposed parking does not meet the required per the Zoning Regulations.

### Conclusion

The use proposed for this site is similar to existing uses and is definitely permitted by the underlying zone. However, with proper access management, signage, landscaping, adequate parking and pedestrian circulation the conditions of the Parkway Corridor Study calling for safety and ease of traffic and pedestrian movement, access management, buffering between uses, attractive, ground level conditions, and people-oriented services could be met.

Respectfully submitted,



Dean E. Niemeyer  
Planner I

DEN\par







Public Hearing Item No. 2:

Commission members present: Mrs. Arnett, Mr. Bailey, Mr. Burch - Vice Chairman, Mr. Damstrom, Mr. Kirby, Jr., Mr. McElroy, Mr. McMillian, Mr. Neltner, Mr. Owens, Mr. Ries, Mr. Rush, Mrs. Schaffer, Mrs. Smith - Secretary/Treasurer, Mr. Viox - Chairman, and Mr. White.

Chairman Viox introduced the second item on the Agenda:

2. Applicant: Nanubhai Patel for  
Marathon Oil Company (owner)  
Request: Utilization of an Underlying Zone in Planned Development

The request of Nanubhai Patel (applicant) for Marathon Oil Company (owner) for the utilization of an Underlying Zone in Planned Development to allow a 60-unit motel. The 2.16-acre site is located at Commerce Drive and Commerce Place, Florence, Kentucky and is zoned Commercial Services/Planned Development (C-3/PD) and is subject to the Parkway Corridor Study.

Staff Member Dean Niemeyer presented the Staff Report which included a review of the attachments (see Staff Report). He stated that just prior to the meeting, the applicant's architect advised him that there is a new Concept Plan for the development which addresses the Staff's concerns. He reviewed the revised Site Plan noting the sidewalks, appropriate setbacks, and two access points. It is an improved Site Plan and meets some of the Staff's concerns. He provided copies of the Revised Site Plan to the Commission.

Chairman Viox asked for comments from the applicant.

Mr. Tim Stiple, Stiple Construction Company, representing the applicant, stated that they did an actual site survey of the property. He believes all of the concerns have been addressed and corrected by the Revised Plan. He stated that they meet the setbacks and the zoning. The parking lot has been reconfigured and there are 54 parking spaces. Sidewalks have been provided.

Mr. Niemeyer stated that the landscaping is a concern.

Mr. Stiple stated that they did not know they needed a Landscaping Plan. The landscaping would be as good or better than the Cross Country Inn out of necessity. He stated that they will be glad to present a Landscaping Plan. He stated that the owner has six or seven other hotels and they are all well landscaped. The only problem they have is the sign ordinance. They ask for the same consideration as Cross Country Inn and the Texaco Station and would like an equal sign. He stated that he thought the preliminary drawing they did was for bank purposes and would not be at this meeting. He apologized for the drawing.

Chairman Viox asked if they have architectural drawings. Mr. Stiple replied "no". He stated that it will be a three-story building. He

showed a picture of what the building would tentatively look like. He stated that the picture is of a five-story building, but this will be three stories and "the same under general pretenses".

In response to a question from Mrs. Arnett, Mr. Stiple stated that the building has been reconfigured to 50 units and there are 54 parking spaces.

Chairman Viox commented that this will be a Best Western. Mr. Stiple agreed and stated that the drawing is of a Suites Motel, but this will be the same general concept.

Mr. Costello asked if they were involved in the project shown, which went bankrupt. Mr. Stiple stated that that whole intersection had problems. He stated that it was a different owner, but they were involved in the project.

Chairman Viox asked if anyone else wished to speak. There was no response. He asked if there were any comments from the Commission.

Mr. Ries stated that his children go to Skateland and it is very crowded there on the weekends. He asked if they could consider taking the curb cut on Commerce Place and putting in on Commerce Drive so that it would not be where the children and traffic are. Mr. Stiple stated that this is a motel and not busy at the same time as Skateland. He stated that they moved the entrance off Commerce Drive because people go so fast on that little road to Furrows. They moved it for safety.

Mr. Ries stated that Skateland is busy from noon to 10 P.M. -- and particularly at 10 P.M. when people pick up kids. The motel traffic will be coming off the expressway at that time of night. There are kids out in the street and cars picking up kids. He stated that he would be less concerned about the traffic on Commerce Drive than running over a child on Commerce Place. He asked that they reconsider the access.

Mr. Stiple stated that they had the access further down but moved it back up so that it would come into the canopy so that people would have good sight distance for the kids across the street. They moved the first exit because it was too close to the intersection. He stated that the Skateland curb cut is too close to the intersection. He stated that there is no sight distance on Commerce Drive heading south. They moved the access to be cautious of the kids on the other side.

Mr. Kirby stated that when kids are picked up at Skateland in the evening cars park on both sides of Commerce Place and it becomes a one-way street. This condition would be detrimental to their entrance. Mr. Stiple stated that he parked in the parking lot and did a traffic count and judged the speed. The people on Commerce Drive go too fast and there are tractor trailers. Relative to Furrows, their increase in traffic is minor. He parked at Cross Country Inn and people were going very fast around the curve, which is why they put the approach up a little closer. He stated that 90% of the cars coming out of Furrows did not stop at the intersection. The whole area is dangerous.

Mr. Ries stated that he believes the speed limit there is 20 - 25 MPH. Mr. Stiple stated that there was a semi going 45 MPH down the slope this evening. Mr. Ries stated that the speed is a police problem the City of Florence needs to enforce.

Mr. Stiple stated that they moved their entrance all the way down so that it would not create another double lane exchange. He stated that the northernmost drive is across from the Cross Country drive coming out.

Mr. Burch asked how many employees they have at a given time. Mr. Stiple stated that they have a maximum of six on the day shift when laundry and housekeeping is done. They usually run with one person at night until 11 P.M. and possibly another part-time housekeeper after that. Mr. Burch questioned a restaurant or bar. Mr. Stiple stated that there is no restaurant or bar and it is strictly a motel function.

Mr. Bailey asked if the accesses from Commerce Place and Commerce Drive are in and out. Mr. Stiple advised that they are.

Mr. Neltner asked if this development makes use of their whole lot or if they own the space available behind it. Mr. Stiple stated that the owner owns Lot #9, which the building is located on, and Lot #8, which is the lot behind it.

Mr. Stiple stated that the sketches attached to the Staff Report should be discarded.

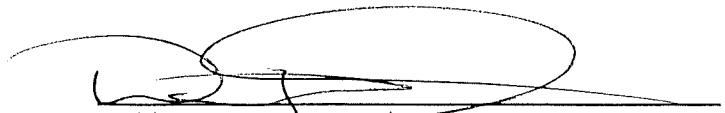
Mr. Niemeyer stated that the new plan is a better plan and meets a lot of the Staff's concerns.

Mr. Stiple stated that they will get a formal Landscaping Plan to the next meeting.

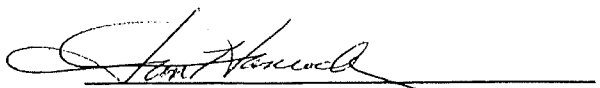
There being no further comments, Chairman Viox stated that the Committee Meeting for this item will be on May 9, 1994 at 7 P.M. in Room 3B. This item will be on the Agenda for the Business Meeting on May 18, 1994 at 8 P.M..

The Chairman Closed this Public Hearing.

APPROVED:

  
William R. Viox, Chairman

Attest:

  
Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION  
BUSINESS MEETING

May 18, 1994  
8:00 P.M.

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Mr. Fred Burch, Vice Chairman, called the meeting to order at 8:45 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett  
Mr. William Bailey  
Mr. Fred Burch, Vice Chairman  
Mr. Phil Damstrom  
Mr. Robert Kirby, Jr.  
Mr. Gayle McElroy  
Mr. Don McMillian  
Mr. Barry Neltner  
Mr. Thurman Owens  
Mr. Robert Ries  
Mr. Ralph Rush  
Mrs. Linda Schaffer  
Mr. William Viox, Chairman\*  
Mr. Earl White  
\* Chairman Viox arrived after Item No. 4

COMMISSION MEMBERS NOT PRESENT:

Mrs. Carol Smith, Secretary/Treasurer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Director  
Mr. Dave Geohegan, AICP  
Mr. Jeff Hayes  
Ms. Jan Hancock, Secretary  
Mr. Dean Niemeyer

Mr. White asked if the height of the berm was mentioned at the public hearing. He asked if "land forming" means the berm.

Mr. Jim Berling stated that they are trying to keep it as it is as people enjoy it the way it is. They do not intend to do a landscape berm. He stated that "land forming" would be topsoil that is formed soft enough to be mowed with a riding mower. He stated that the idea is to do enough to give privacy to the people living there and keep it pleasant.

Mr. White stated that he understood from the Public Hearing that people object to looking at the backs of the houses. He stated that he believes it was mentioned that they would put a berm in so that the backs of the houses would not be visible.

Mr. Berling stated that they would do this work large earthmoving equipment and then dress it down with topsoil and seed it. Mr. White stated that the "land forming" means the berm. Mr. Berling agreed.

Mrs. Schaffer stated that the Preliminary Concept Plan says 79 lots, but the Minutes say 72 lots. Mr. Berling advised that they changed the lot sizes and there are 72 lots.

There being no further comments, Chairman Viox asked for a vote on the motion made by Mr. Kirby and it carried unanimously.

6. Utilization of an Underlying Zone in Planned Development

The request of Nanubhai Patel (applicant) for Marathon Oil Company (owner) for the Utilization of an Underlying Zone in Planned Development to allow a 60-unit motel. The 2.16-acre site is located at Commerce Drive and Commerce Place, Florence, Kentucky and is zoned Commercial Services/Planned Development (C-3/PD) and is subject to the Parkway Corridor Study.

Staff Member Dean Niemeyer read the Committee Report which recommended approval of the request subject to conditions (see Committee Report). He advised that the applicant has signed the letter agreeing to the conditions.

Mr. Owens moved by resolution to the City of Florence that the request be approved based on the Staff and Committee Reports. Mr. Burch seconded the motion and it carried unanimously.

Chairman Viox advised that the following items are recommended for deferral:

7. Site Plan Review: The request of E. J. Foltz (applicant) for Sugarcamp Properties - Ted Richardson (owner) to construct infill retail shops between Florence Dental Center and Flo's Hot Dogs and also a storm water retention basin. The 3.030-acre site is zoned Commercial Two (C-2) and is located on U.S. 42 across from LaCresta Drive, Florence, Kentucky.

EXHIBIT "B"

## COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: William Bailey, Chairman

DATE: May 18, 1994

RE: Request of Nanubhai Patel (applicant) for Marathon Oil Company (owner) for the Utilization of an Underlying Zone in Planned Development and the approval of a Concept Development Plan to allow a 50 unit motel. The 2.16 acre site is located at Commerce Drive and Commerce Place, Florence, Kentucky and is zoned Commercial Services/Planned Development (C-3/PD) and is subject to the Parkway Corridor Study.

### REMARKS:

We, the Committee, recommend approval based on following findings of fact and with the following conditions:

#### Findings of Fact

1. The requested use for the site is a principally permitted use in a Commercial Services (C-3) district.
2. Section D-4: Florence Area in the Land Use Element of the 1990 Boone County Comprehensive Plan states the following about commercial development in Florence.

Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads. Undeveloped tracts of commercial land should connect to and coordinate with any adjoining commercial, office, or industrial development in existence.

3. The fourth objective of the Commercial Section of the Business Activity Element in the Goals and Objectives of the 1990 Boone County Comprehensive Plan states the following locating highway services.

4. Highway services shall be limited in location to close proximity to major highway interchanges for maximum convenience and economy to the motoring public while minimizing impact on the community. (However, they should not be located so close to inter-changes that they congest the traffic movements at these points of access.)
4. The Parkway Corridor Study contains specific criteria on which the land use plan was based. These are oriented mainly to provide for safety and ease of traffic and pedestrian movement, access management, buffering between different uses, attractive ground level conditions, and people-oriented services and activities. These are to be accomplished through the Planned Development Overlay Review process.
3. The Committee believes that the attached conditions are important to enable consistency with the 1990 Boone County Comprehensive Plan and The Parkway Corridor Study. The applicant has signed a condition letter demonstrating his agreement with these conditions.

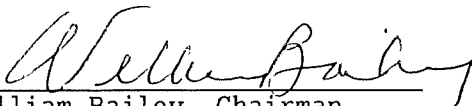
Conditions

1. The concept plan for the motel will be the plan presented at the Public Hearing on May 4, 1994 by Tom Schnippel. This plan showed a 50 unit motel that was three stories high. There were 52 parking places shown as well as sidewalks on both Commerce Place and Commerce Drive. There were two curb cuts shown, one on Commerce Place and one on Commerce Drive.
2. A extensive landscaping plan shall be developed for the site. The plan should complement the landscaping for Cross Country Inn on Commerce Drive. An earthen berm shall be included in the landscaping along Commerce Drive.
3. Since this site is within a Planned Development district, the Planning Commission has more leeway in allowing certain particulars of the site design if special conditions or requirements warrant it (see Article 15, Planned Development District; Section 1514 Minimum Standards of the Boone County Zoning Regulations). One of these particulars is the signage package for the site. The applicant, on his Concept Development Plan, has requested three free standing signs: a 100 foot High Rise, Freeway Sign (273.3 sq.ft.); a 35 foot Marquee sign (52.8 sq.ft.); and a low-rise (9.6 sq.ft.) sign.

The proposed site for the motel is located across the street from the existing Cross Country Inn on Commerce Drive. In 1985, prior to when this area was designated a Planned Development District, Cross Country Inn was permitted a 97 foot High, 263.5 square foot freeway sign by the Florence Board of Adjustment and Zoning Appeals. Therefore, to be consistent with existing signage in this district and to allow for competitiveness between the two motels, the Committee would allow the proposed motel a freeway sign of same dimensions. It will also allow a smaller sign, such as the proposed marquee sign, but only at the district norm of 20 feet high, 60 square feet in area. The smaller "low-rise" sign will not be allowed.

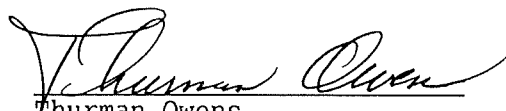
4. The proposed motel building shall maintain similar design and exterior materials as displayed to the commissioners by Tom Schnippel at the public hearing on May 4, 1994.

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.

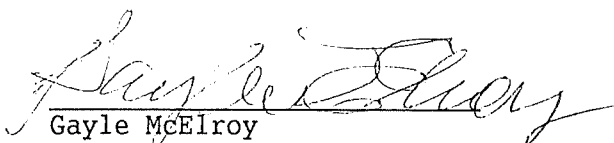
  
\_\_\_\_\_  
William Bailey, Chairman

  
\_\_\_\_\_  
Fred Burch

  
\_\_\_\_\_  
Barry Neltner

  
\_\_\_\_\_  
Thurman Owens

  
\_\_\_\_\_  
Phil Damstrom

  
\_\_\_\_\_  
Gayle McElroy

## SUPPORTING INFORMATION

# BOONE COUNTY PLANNING COMMISSION

2995 Washington Street, Burlington, KY 41005  
606-334-2196 FAX 606-334-2264



May 13, 1994

Mr. Nanubhai Patel  
1100 S. Jefferson Ave.  
Cookeville, TN 38501

RE: Utilization of an Underlying Zone in Planned Development  
Motel at Commerce Drive and Commerce Place

Dear Mr. Patel:

The following represents the conditions that were discussed by the Zone Change Committee. If you, as the applicant, will agree to these conditions, please indicate by signing your name at the end of this letter and returning to our office by 5:00 p.m. May 17, 1994.

1. The concept plan for the motel will be the plan presented at the Public Hearing on May 4, 1994 by Tom Schnippel. This plan showed a 50 unit motel that was three stories high. There were 52 parking places shown as well as sidewalks on both Commerce Place and Commerce Drive. There were two curb cuts shown, one on Commerce Place and one on Commerce Drive.
2. A extensive landscaping plan shall be developed for the site. The plan should complement the landscaping for Cross Country Inn on Commerce Drive. An earthen berm shall be included in the landscaping along Commerce Drive.
3. Since this site is within a Planned Development district, the Planning Commission has more leeway in allowing certain particulars of the site design if special conditions or requirements warrant it (see Article 15, Planned Development District; Section 1514 Minimum Standards of the Boone County Zoning Regulations). One of these particulars is the signage package for the site. The applicant, on his Concept Development Plan, has requested three free standing signs: a 100 foot High Rise, Freeway Sign (273.3 sq.ft.); a 35 foot Marquee sign (52.8 sq.ft.); and a low-rise (9.6 sq.ft.) sign.

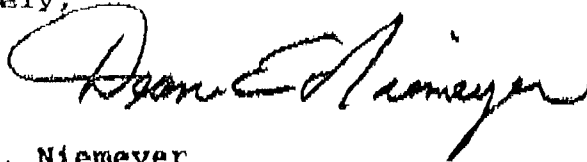
Mr. Nanubhai Patel  
May 13, 1994  
Page 2

The proposed site for the motel is located across the street from the existing Cross Country Inn on Commerce Drive. In 1985, prior to when this area was designated a Planned Development District, Cross Country Inn was permitted a 97 foot High, 263.5 square foot freeway sign by the Florence Board of Adjustment and Zoning Appeals.

Therefore, to be consistent with existing signage in this district and to allow for competitiveness between the two motels, the Committee would allow the proposed motel a freeway sign of same dimensions. It will also allow a smaller sign, such as the proposed marquee sign, but only at the district norm of 20 feet high, 60 square feet in area. The smaller "low-rise" sign will not be allowed.

4. The proposed motel building shall maintain similar design and exterior materials as displayed to the commissioners by Tom Schnippel at the public hearing on May 4, 1994.

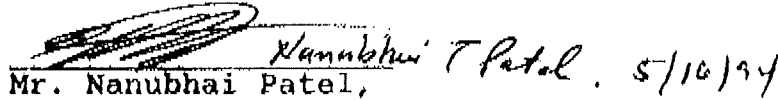
Sincerely,



Dean E. Niemeyer  
Planner I

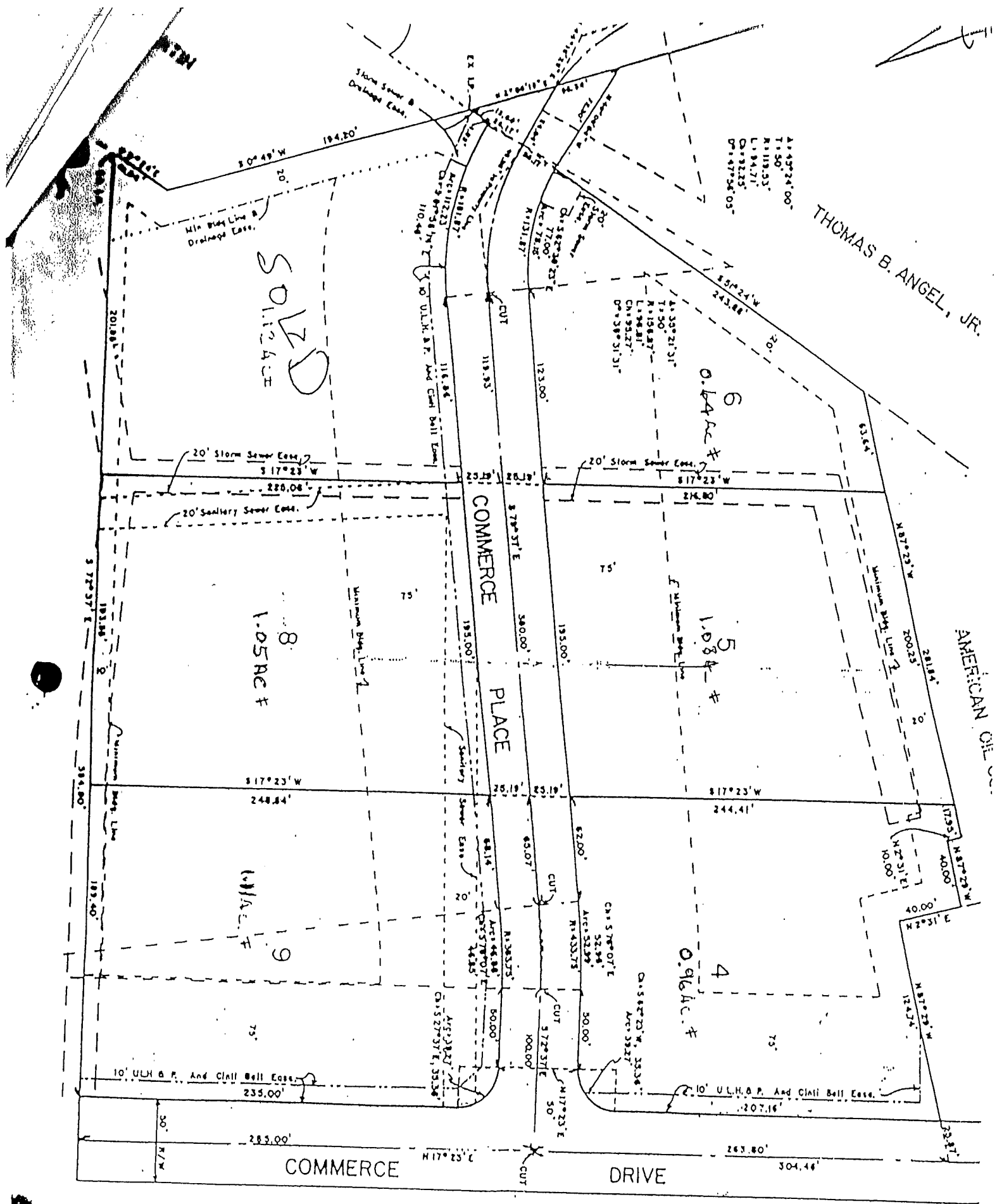
DEN\par

I, the applicant agree to the above listed conditions for approval of my request for the Nanubhai Patel Utilization of an Underlying Zone in Planned Development, Motel at Commerce Drive and Commerce Place.



Mr. Nanubhai Patel,  
Applicant

Nanubhai T. Patel. 5/16/94



THOMAS B. ANGEL, JR.

AMERICAN OIL CO.

SOLD

FLORENCE BUSINESS PARK  
SECTION 2

ORDINANCE NO. D-18-94

AN ORDINANCE ADOPTING AND APPROVING THE UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT FOR A 2.16 ACRE SITE ZONED COMMERCIAL SERVICES/PLANNED DEVELOPMENT (C-3/PD), LOCATED AT COMMERCE DRIVE AND COMMERCE PLACE, IN THE CITY OF FLORENCE, KENTUCKY. (PATEL/MARATHON OIL COMPANY PROPERTY)

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

WHEREAS, the Boone County Planning Commission has recommended that a request for utilization of an underlying zone be granted for property more particularly described herein, and

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

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

SECTION I

That the request for the real estate which is more particularly described below shall be and is hereby approved for the utilization of an underlying zone in a Commercial Services/Planned Development (C-3/PD) zone on a 2.16 acre site. The real estate which is the subject of this request for approval for the utilization of an underlying zone is more particularly described in Exhibit "A", attached hereto and incorporated herein.

SECTION II

That this approval is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including the committee report made a part of that recommendation, a copy of that recommendation and committee report being attached, marked as Exhibit "B", and incorporated herein as if fully set out, such recommendation being in the form of Resolution No. R-94-016-A of the Boone County Planning Commission along with the referenced exhibits to that Resolution.

SECTION III

Publication of this Ordinance is hereby authorized to be by summary publication, in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 26<sup>th</sup> DAY OF July, 1994.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 9<sup>th</sup> DAY OF August, 1994.

APPROVED:

Erly D. Kaelb  
MAYOR

ATTEST:

Patsy Couval  
CITY CLERK

## COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: William Bailey, Chairman

DATE: May 18, 1994

RE: Request of Nanubhai Patel (applicant) for Marathon Oil Company (owner) for the Utilization of an Underlying Zone in Planned Development and the approval of a Concept Development Plan to allow a 50 unit motel. The 2.16 acre site is located at Commerce Drive and Commerce Place, Florence, Kentucky and is zoned Commercial Services/Planned Development (C-3/PD) and is subject to the Parkway Corridor Study.

### REMARKS:

We, the Committee, recommend approval based on following findings of fact and with the following conditions:

#### Findings of Fact

1. The requested use for the site is a principally permitted use in a Commercial Services (C-3) district.
2. Section D-4: Florence Area in the Land Use Element of the 1990 Boone County Comprehensive Plan states the following about commercial development in Florence.

Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads. Undeveloped tracts of commercial land should connect to and coordinate with any adjoining commercial, office, or industrial development in existence.

3. The fourth objective of the Commercial Section of the Business Activity Element in the Goals and Objectives of the 1990 Boone County Comprehensive Plan states the following locating highway services.

4. Highway services shall be limited in location to close proximity to major highway interchanges for maximum convenience and economy to the motoring public while minimizing impact on the community. (However, they should not be located so close to inter-changes that they congest the traffic movements at these points of access.)

4. The Parkway Corridor Study contains specific criteria on which the land use plan was based. These are oriented mainly to provide for safety and ease of traffic and pedestrian movement, access management, buffering between different uses, attractive ground level conditions, and people-oriented services and activities. These are to be accomplished through the Planned Development Overlay Review process.
3. The Committee believes that the attached conditions are important to enable consistency with the 1990 Boone County Comprehensive Plan and The Parkway Corridor Study. The applicant has signed a condition letter demonstrating his agreement with these conditions.

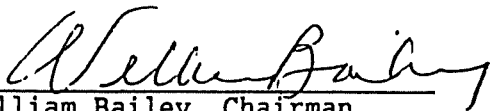
#### Conditions

1. The concept plan for the motel will be the plan presented at the Public Hearing on May 4, 1994 by Tom Schnippel. This plan showed a 50 unit motel that was three stories high. There were 52 parking places shown as well as sidewalks on both Commerce Place and Commerce Drive. There were two curb cuts shown, one on Commerce Place and one on Commerce Drive.
2. A extensive landscaping plan shall be developed for the site. The plan should complement the landscaping for Cross Country Inn on Commerce Drive. An earthen berm shall be included in the landscaping along Commerce Drive.
3. Since this site is within a Planned Development district, the Planning Commission has more leeway in allowing certain particulars of the site design if special conditions or requirements warrant it (see Article 15, Planned Development District; Section 1514 Minimum Standards of the Boone County Zoning Regulations). One of these particulars is the signage package for the site. The applicant, on his Concept Development Plan, has requested three free standing signs: a 100 foot High Rise, Freeway Sign (273.3 sq.ft.); a 35 foot Marquee sign (52.8 sq.ft.); and a low-rise (9.6 sq.ft.) sign.

The proposed site for the motel is located across the street from the existing Cross Country Inn on Commerce Drive. In 1985, prior to when this area was designated a Planned Development District, Cross Country Inn was permitted a 97 foot High, 263.5 square foot freeway sign by the Florence Board of Adjustment and Zoning Appeals. Therefore, to be consistent with existing signage in this district and to allow for competitiveness between the two motels, the Committee would allow the proposed motel a freeway sign of same dimensions. It will also allow a smaller sign, such as the proposed marquee sign, but only at the district norm of 20 feet high, 60 square feet in area. The smaller "low-rise" sign will not be allowed.

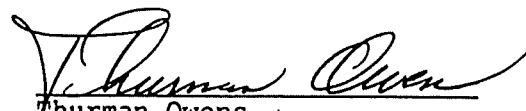
4. The proposed motel building shall maintain similar design and exterior materials as displayed to the commissioners by Tom Schnippel at the public hearing on May 4, 1994.

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.

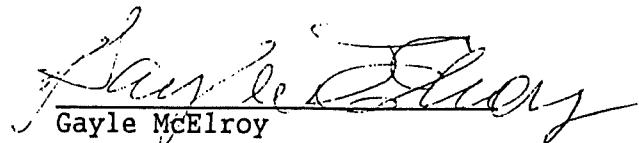
  
\_\_\_\_\_  
William Bailey, Chairman

  
\_\_\_\_\_  
Fred Burch

  
\_\_\_\_\_  
Barry Neltner

  
\_\_\_\_\_  
Thurman Owens

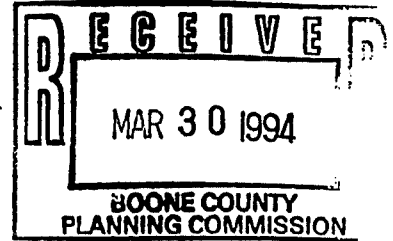
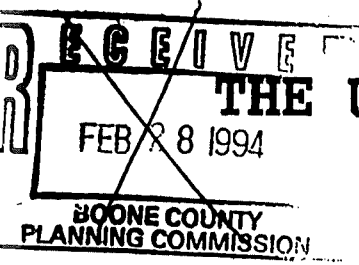
  
\_\_\_\_\_  
Phil Damstrom

  
\_\_\_\_\_  
Gayle McElroy

APPLICATION FORM  
**CHANGE IN CONCEPT DEVELOPMENT PLAN**

OR

**THE UTILIZATION OF AN UNDERLYING ZONE  
IN PLANNED DEVELOPMENT**



(Concept Development Plan)  
BOONE COUNTY PLANNING COMMISSION  
-(See Boone County Zoning Regulations)

re-submit

**SECTION A** (To be completed by applicant)

1. Check One:  
NIA Change in Concept Development Plan  
Utilization of An Underlying Zone in Planned Development  
a) Public Hearing Submittal (Concept Dev. Plan) \_\_\_\_\_  
b) Long Range Planning Committee Review \_\_\_\_\_  
(As stated in the Houston-Donaldson Study)
2. Name of Project BEST WESTERN OR COMFORT SUITE
3. Location of Project COMMERCE DRIVE ACCESS FROM CROSS COUNTRY INN
4. Total Acreage of Site \_\_\_\_\_
5. Current Zoning C-3/PP
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) will submit by 10 DAYS OF THIS APPLICATION
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) PARKWAY STUDY
8. Proposed Uses (please specify each use) MOTEL OR SUITE
9. Proposed Building Intensities (please specify) \_\_\_\_\_  
60 UNIT MOTEL APPROX 36000 SQ FEET  
SLOW HIGH RISE 290 FEET 100 FEET HIGH } DUE TO NO VISIBILITY  
MID RISE 100 SQ FEET 24 FEET HIGH } OF THIS SITE DEVELOPMENT  
2 TO 3 STORY BUILDING
10. Have you submitted a Concept Development Plan? NOT YET
11. Are you also applying for:  
\_\_\_\_\_ Conditional Use Permit  
NIA Dimensional Variance
12. Name of Applicant(s) NANUBHAI PATEL  
Phone Number 615.528.1040 Fax No. 615.528.5227
13. Address of Applicant(s) 1100 S JEFFERSON AVE  
COOKEVILLE TN 38501  
City State Zip
14. Name of Property Owner(s) MARATHON OIL COMPANY  
Phone Number 614 274 0981 Fax No. 614-274 0983
15. Address of Property Owner(s) 4125 FISHER RD  
(PLEASE NOTE HAVE 2 ADDRESS) COLUMBUS OH 43228  
City State Zip
16. Are there any existing buildings on the site? NO  
How many? NIA
17. Deed Book 241 Page No. 170 Group No. LOT NO 869
18. Have you had a pre-application meeting with BCPC Staff? NO

(over)

## SUPPORTING INFORMATION

# BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005  
606-334-2196 FAX 606-334-2264

May 13, 1994

Mr. Nanubhai Patel  
1100 S. Jefferson Ave.  
Cookeville, TN 38501

RE: Utilization of an Underlying Zone in Planned Development  
Motel at Commerce Drive and Commerce Place

Dear Mr. Patel:

The following represents the conditions that were discussed by the Zone Change Committee. If you, as the applicant, will agree to these conditions, please indicate by signing your name at the end of this letter and returning to our office by 5:00 p.m. May 17, 1994.

1. The concept plan for the motel will be the plan presented at the Public Hearing on May 4, 1994 by Tom Schnippal. This plan showed a 50 unit motel that was three stories high. There were 52 parking places shown as well as sidewalks on both Commerce Place and Commerce Drive. There were two curb cuts shown, one on Commerce Place and one on Commerce Drive.
2. A extensive landscaping plan shall be developed for the site. The plan should complement the landscaping for Cross Country Inn on Commerce Drive. An earthen berm shall be included in the landscaping along Commerce Drive.
3. Since this site is within a Planned Development district, the Planning Commission has more leeway in allowing certain particulars of the site design if special conditions or requirements warrant it (see Article 15, Planned Development District; Section 1514 Minimum Standards of the Boone County Zoning Regulations). One of these particulars is the signage package for the site. The applicant, on his Concept Development Plan, has requested three free standing signs: a 100 foot High Rise, Freeway Sign (273.3 sq.ft.); a 35 foot Marquee sign (52.8 sq.ft.); and a low-rise (9.6 sq.ft.) sign.

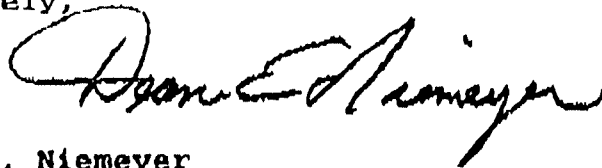
Mr. Nanubhai Patel  
May 13, 1994  
Page 2

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Therefore, to be consistent with existing signage in this district and to allow for competitiveness between the two motels, the Committee would allow the proposed motel a freeway sign of same dimensions. It will also allow a smaller sign, such as the proposed marquee sign, but only at the district norm of 20 feet high, 60 square feet in area. The smaller "low-rise" sign will not be allowed.

4. The proposed motel building shall maintain similar design and exterior materials as displayed to the commissioners by Tom Schnippel at the public hearing on May 4, 1994.

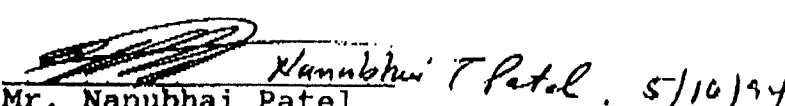
Sincerely,



Dean E. Niemeyer  
Planner I

DEN\par

I, the applicant agree to the above listed conditions for approval of my request for the Nanubhai Patel Utilization of an Underlying Zone in Planned Development, Motel at Commerce Drive and Commerce Place.



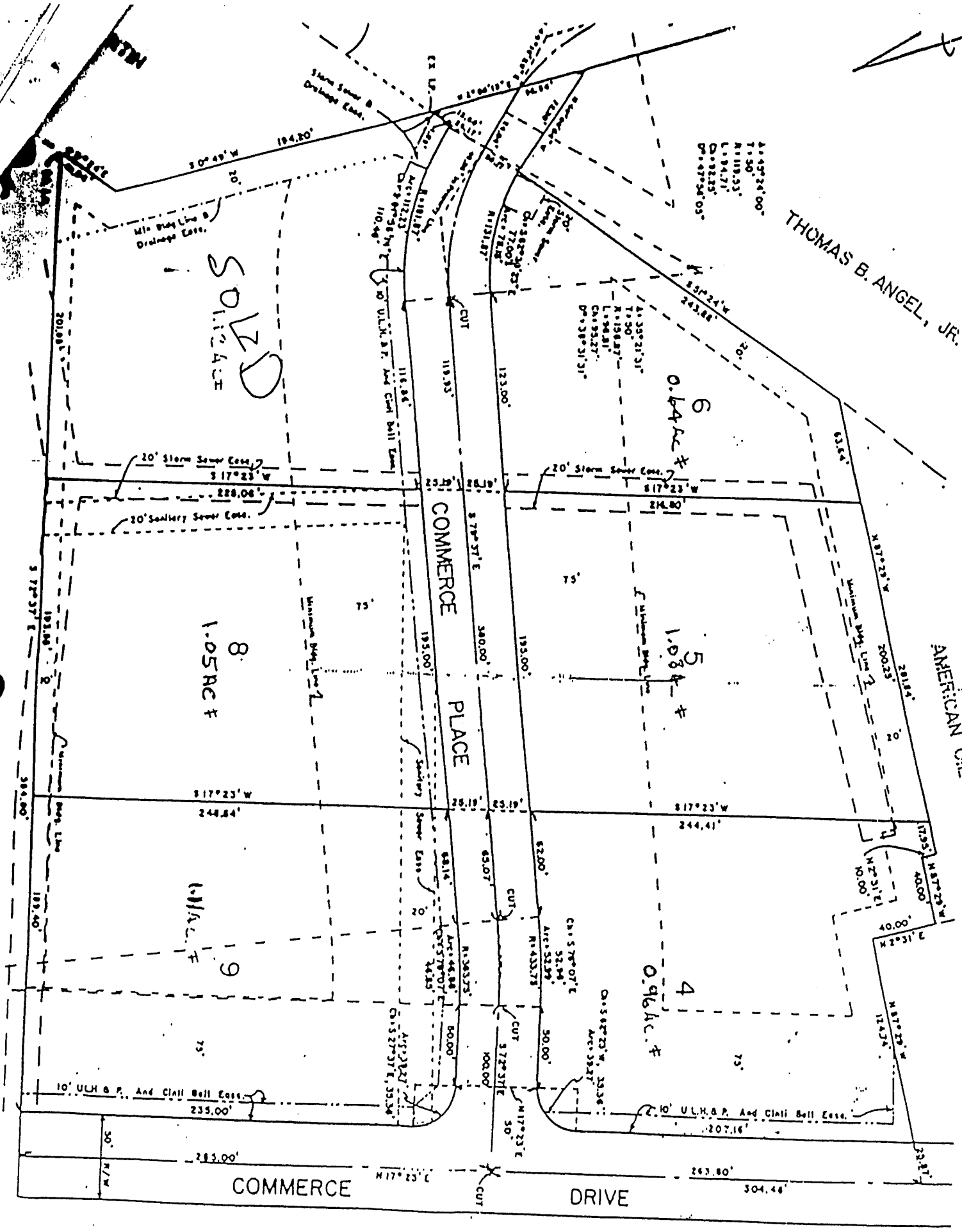
Mr. Nanubhai Patel,  
Applicant

Nanubhai T. Patel . 5/10/94



THOMAS B. ANGEL, JR.

AMERICAN OIL CO.



FLORENCE BUSINESS PARK SECTION 2