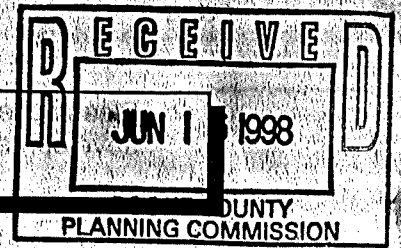


APPLICATION FORM



CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

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

- 2. Name of Project La Quinta Inn
- 3. Location of Project Meyer Drive (Houston Lakes Development)
- 4. Total Acreage of Site 3.08 Acres
- 5. Current Zoning PD - Underlying Zoning is C-2
- 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? (If so, indicate the name of the Study) Houston-Donaldson Study

- 8. Proposed Uses (please specify each use) Hotel
- 9. Proposed Building Intensities (please specify) _____

- 10. Have you submitted a Concept Development Plan? yes
- 11. Are you also applying for:
 - Conditional Use Permit
 - Dimensional Variance

- 12. Name of Applicant(s) La Quinta Inns, Inc. (Steve Younger)
- Phone Number 210-302-6437 Fax No. 210-302-6422
- 13. Address of Applicant(s) 112 East Pecan Street
- San Antonio, TX 78205
- City State Zip

- 14. Name of Property Owner(s) NS Steel
- Phone Number 606-292-6809 Fax No. 606-292-0593
- 15. Address of Property Owner(s) PO Box 1670
- Newport Ky 41072
- City State Zip

- 16. Are there any existing buildings on the site? no
- How many? —
- 17. Deed Book _____ Page No. _____ Group No. _____
- 18. Have you had a pre-application meeting with BCPC Staff? yes

(over)

EXHIBIT "A"

STAFF REPORT

Request of LaQuinta Inns, Inc. (applicant) for NK Management, Inc. (owner) to consider a Change in Concept Development Plan for a 3.08 acre site within the Houston Lakes Subdivision, on part of remaining Lot #10, along Meijer Drive, Florence, Kentucky. The request is for a change in the approved Concept Development Plan to permit a five story hotel in an Office Two/Commercial Two/Planned Development (O-2/C-2/PD) zone.

July 22, 1998

Proposal

The applicant is requesting the approval of a Concept Development Plan to permit a hotel in an Office Two/Commercial Two/Planned Development (O-2/C-2/PD) zone. The proposed 3.08 acre site is located on Meijer Drive next to the Meijer store and the Amerisuites Hotel (See Vicinity Map).

The proposed LaQuinta Inn is a business-oriented 5 story hotel designated for short stays. The height of the hotel is 59 feet in the guest wing area. The bell tower at the front of the hotel is 65 feet high. The lobby will be one story in height and the hotel will house 129 guest rooms. A courtyard and indoor pool will be provided on the south end of the hotel. Parking for the site will surround the building and will provide 135 parking spaces. Access into the site will be from Meijer Drive. An 8 foot high monument sign is proposed to be placed along Meijer Drive next to this access point. Three building mounted signs will be located on the west, east and south elevations. Two of these signs will be approximately 100 square feet in size. The other sign will be approximately 75 square feet in size. According to the applicant, the post development open space for the site will be 31% of the total site. A 20 foot landscape easement has been provided along Meijer Drive and Interstate 71/75. A specific landscape plan has not been submitted. A 50 foot building setback has also been designated on the Concept Development Plan for these two routes. Public utilities including water, sewer, gas, and electric are located along Meijer Drive. The storm sewer system for the site will connect to the regional detention pond located behind the Kohl's Department Store. (Building elevations and a plot plan have been included as attachments)

Site Characteristics and History

The site is 3.08 acres large and is generally flat since grading has previously occurred on site. As a consequence, little vegetation exists on the site. A sidewalk runs along Meijer Drive on the west side of the site. This site is bounded by Meijer Drive to the west and the southbound ramp to I-75 to the east.

The Houston Lakes Concept Plan was approved in 1990. This Concept Development Plan proposed to have two hotels with a total square footage of 120,000 square feet. Two hotels, the Amerisuites and Studio Plus, have been built on the original site. The total square footage of these hotels is 111,050 square feet, a difference of 8,950 square feet from the original concept. The proposed site is located within this Concept Development Plan as a part of out-parcel "G" and "F" (See Buchanan 7/25/90). In 1992 the Houston-Donaldson Study was updated and incorporated the 1990 approved Concept Development Plan with its conditions.

1990 Houston Lakes Concept Development Plan Conditions

The 9/5/90 Committee Report for the approved 1990 Houston Lakes Concept Development Plan has been attached for reference. Conditions #2,3,7,8, and 10 of this Committee Report relate to the proposed site. These conditions address such issues as building setbacks, landscaping, architectural design consistency, and signage design consistency.

Surrounding Land Uses and Zoning (See Land Use Map & Zoning Map)

The site is immediately surrounded by an O-2/C-2/PD zoning district. Undeveloped land is located to the south of the site. The Meijer Store is located to the west of the site, across from Meijer Drive. The Amerisuites Hotel is located north of the site. The I-71/75 interstate and the interstate ramp is located immediately east and south of the site. The Ryan's Family Steak House, Courtyard By Marriott, and the Fairfield Inn are all located across from the interstate in an O-2/PD zoning district.

Relationship to the Comprehensive Plan

This request must be reviewed on the basis of its relationship to the adopted 1995 Boone County Comprehensive Plan. The Future Land Use Map of this plan classifies this site as commercial. The commercial designation is described as: retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.

The Land Use Element of the Boone County Comprehensive Plan states the following regarding the Florence Area (Area D-4, pg. 226)

" This section contains the central portion of the City of Florence, as well as most of the Northern Kentucky Industrial Park. The northern portion of this section is within the Houston-Donaldson Study area. The Study recommends an employment district which would include a mix of office, commercial, and industrial uses for the existing Houston Road corridor, with a preferred emphasis on office development along I-75 and high-technology industrial uses west of Houston Road. The Houston-Donaldson Study further details these developments."

"Commercial developments 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. Where no development has yet occurred, provisions for Access Management must be made for future development. This includes frontage roads as well as parking lot connections and shared curb cuts."

"In summary, growth in this section of Boone County must be balanced among three major land users, commercial, industrial, and residential development. Growth in one land use must consider the location of existing and planned developments of the other two."

The Land Use Element Development Guidelines, identified in the Access Management category, indicate that: "Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems."(pg.211)

"Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, and provisions for access connections to adjoining properties, and dedication of public right-of-way."(pg.211)

The Land Use Element Development Guidelines, identified in the Design, Signs and Historic Preservation category, indicate that:

"Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention." (Pg.211)

The Future Land Use Development Guidelines regarding buffering states(pg.210):

"Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline."

The Goals and Objectives section for Business Activity, regarding commercial uses states(pg.7):

"1. Commercial uses shall be limited to strategic locations serving trade area and neighborhood needs and shall have safe and effective access and ample parking."

"3. Highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while minimizing impact to the community in terms of traffic congestion, local commuting patterns and access."

Relationship to the Houston-Donaldson Study

The Houston-Donaldson Study is an adopted guide for planned development within the area that further details and compliments the Boone County Comprehensive Plan. Proposed developments within the Houston-Donaldson Study area shall be evaluated according to the goals, objectives, and policies of the Study. The Houston-Donaldson Study Goals and Objectives include the following pertinent statements.

Goal I

The future land uses in the Study Area are planned in relation to the overall land use pattern of Boone County, the existing and planned developments within the Study Area, and the sense of the Study Area as a distinct corridor.

Objectives

- D. Consistent with the Boone County Comprehensive Plan's recognition of this area of the county as suitable for a large scale employment and commercial district with unique residential and recreational opportunities, proposed land uses shall be planned in order to provide a logical, realistic development pattern with a mixture of land uses.
- E. Commercial uses shall be designed in an innovative manner that creates prominent landscaping areas.
- G. Each development shall have a central architectural design focus.
- I. Submitted development requests shall be reviewed in context of Article 15 Planned Development of the Boone County Zoning Regulations and this document.

Goal II

The traffic circulation system serves both destination and through traffic with a minimum of traffic congestion.

Site 9, Houston Lakes Area(pg. 30)

"This Study incorporates the approved Concept Development Plan (9/5/90) into the recommended land use and zoning scheme."

"If changes are proposed to the approved Concept Development Plan, they should include less emphasis on retail and greater setbacks on the proposed retail portion immediately at the corner of Houston Road and the I-75 Interchange ramps."

"The existing zoning of Office Two/Commercial Two/Planned Development is recommended for the site."

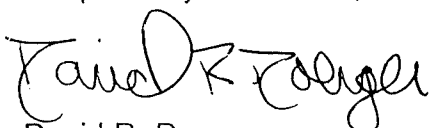
Staff Concerns/Comments

1. Approximately seven hotels are already located in the general area of this site. The owner of one of these hotels has voiced the concern that additional hotels in proximity to these will negatively affect the market (see attached letter).
2. Staff recommends that landscaping, beyond what is typically required, be provided along I-71/75 and the interstate on-ramp. Staff would like to see landscaping along this corridor which conforms to "Buffer yard B" of Article 36 of the Boone County Zoning Regulations (See Table #2). A decent mix of deciduous and evergreen trees is preferred. Landscaping will be reviewed through the Site Plan/Design Review process to insure that proper landscaping is provided.
3. The two hotels in closest proximity to the site have at least a partial masonry appearance. The Studio Plus is all brick and the Amerisuites is mostly brick. The provisions of the Houston-Donaldson Study and Article 15 of the Boone County Zoning Regulations promote architectural consistency. Therefore, Staff recommends that the architecture of the proposed hotel blend with the adjoining hotels. This architectural theme will be further reviewed and enforced during the Design Review Process.

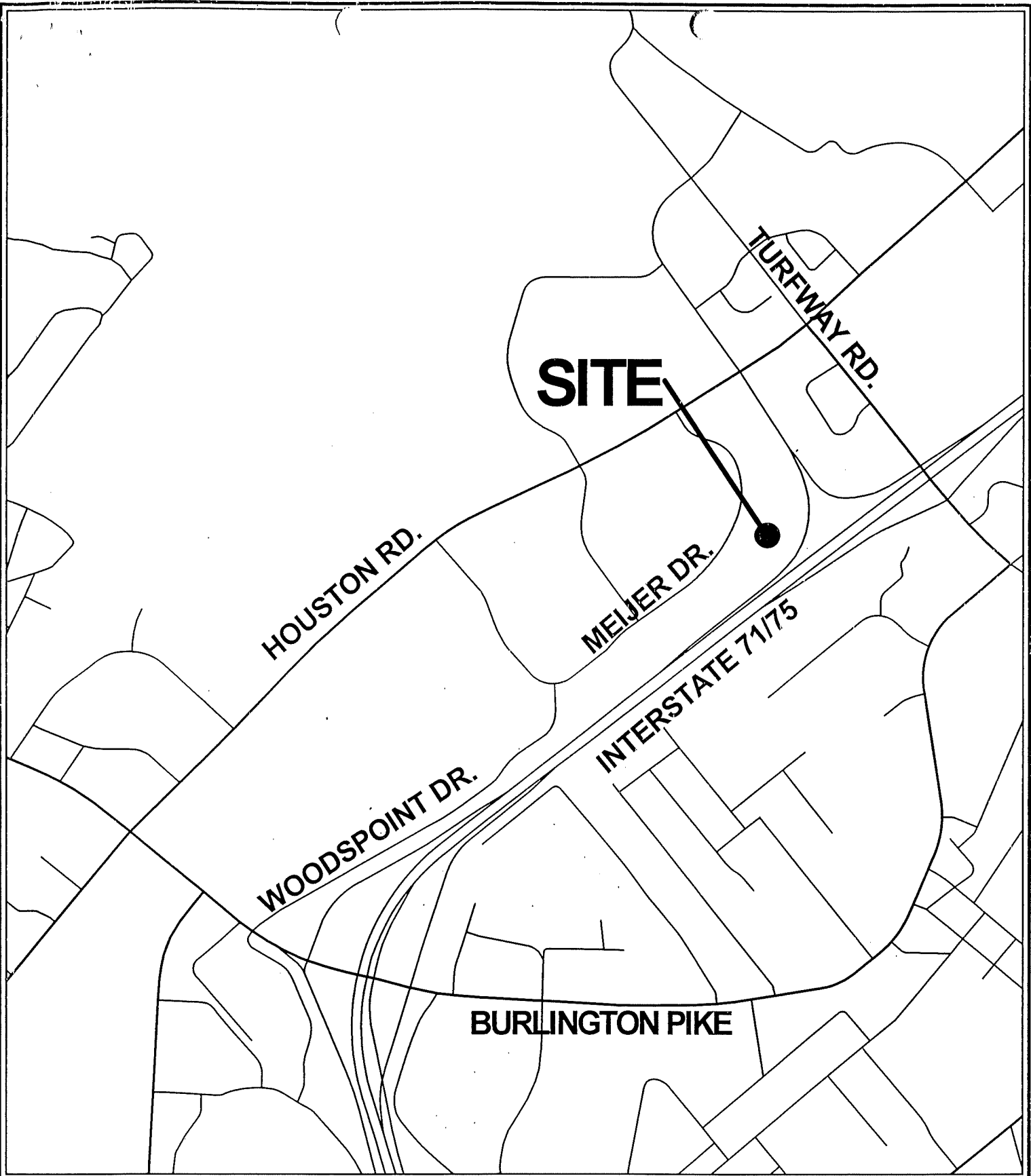
Conclusion

The Boone County Planning Commission and the Florence City Council must review this request on the basis of its relationship to the Comprehensive Plan, the provisions of Article 15, "Planned Development", of the Boone County Zoning Regulations, and the provisions of the Houston-Donaldson Study.

Respectfully Submitted,



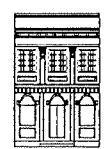
David R. Doerger
Planner



VICINITY MAP

1000 0 1000 Feet

1 inch equals 1100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
July 15, 1998

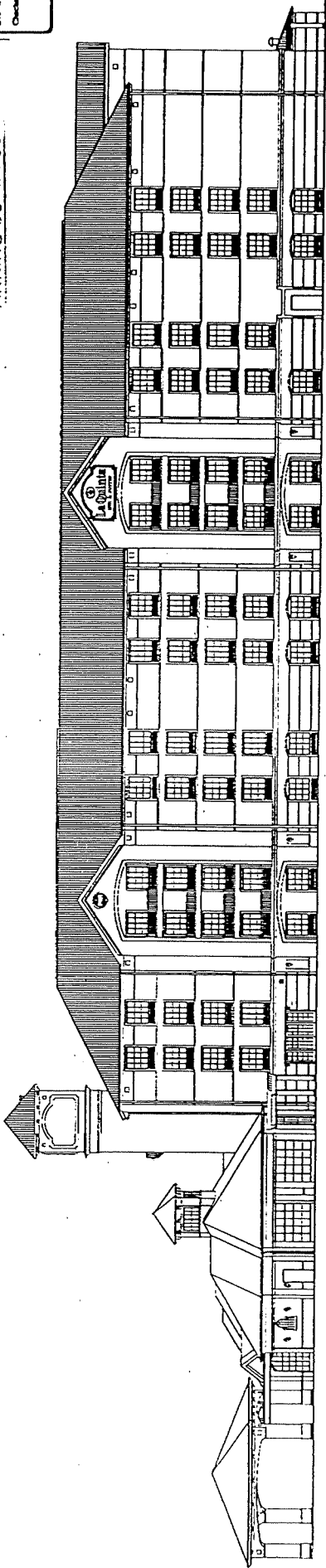


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BOONE COUNTY
PLANNING COMMISSION

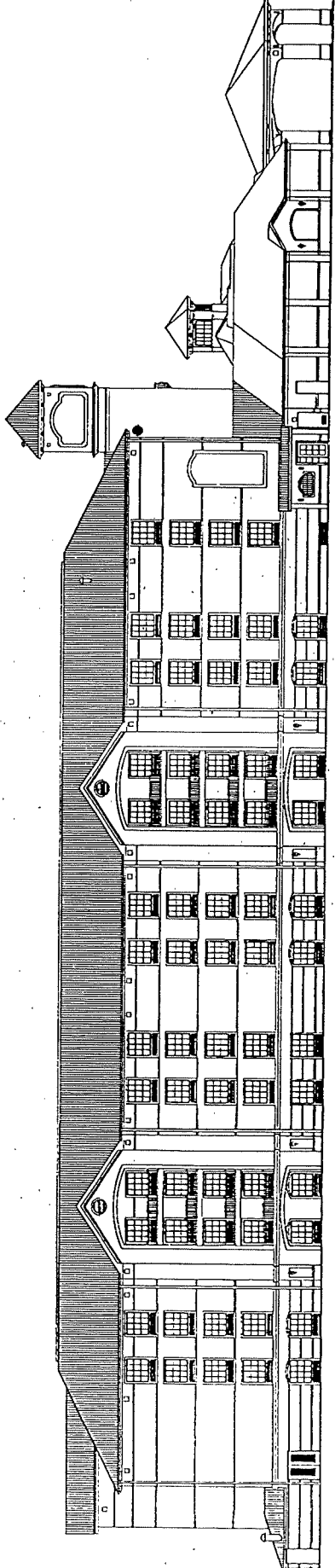
Drawn by: CJK
Checked by: CJK



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



Owner: La Quinta Inns & Suites	Project: La Quinta Inn & Suites Phase: Final Contract:	Drawn By: CJK	Checked By: CJK	Sheet No.: A203
Project: La Quinta Inn & Suites 113 East Peace Street Boone, North Carolina		Drawing No.: A203		



1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



Drawn by: CJK
Checked by: CJK

stan gralla • architects

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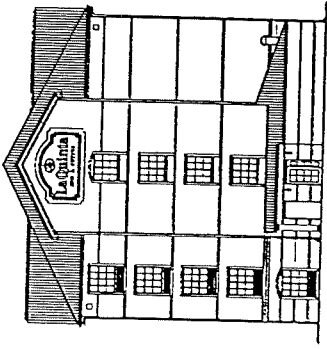


Owner:
La Quinta
Inns, Inc.
111 East Pecos Street
Las Vegas, NV 89101

Project:
La Quinta
Inn & Suites
Boone County
Planning Commission

Drawn Date:
Revisions:

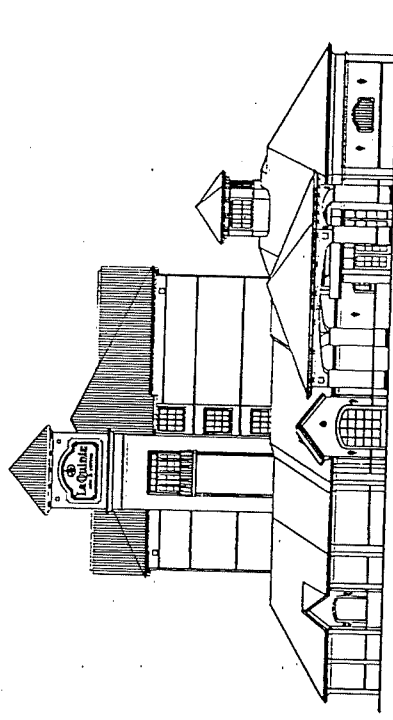
Overseeing Engineer
Division:
A203A



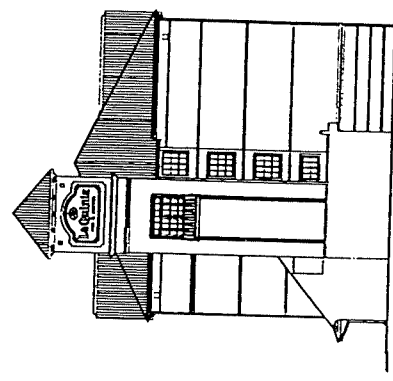
3 EAST ELEVATION
SCALE 3/32" = 1'-0"



2 WEST ELEVATION
SCALE 3/32" = 1'-0"



2 WEST ELEVATION
SCALE 3/32" = 1'-0"



1 WEST ELEVATION
SCALE 3/32" = 1'-0"

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JUN 25 1998
BOONE COUNTY
PLANNING COMMISSION

GBBN

HOUSTON LAKES
 FLORENCE KINTUCKY
 BUCHANAN DEVELOPMENT CO.

BUCHANAN 7/25/90

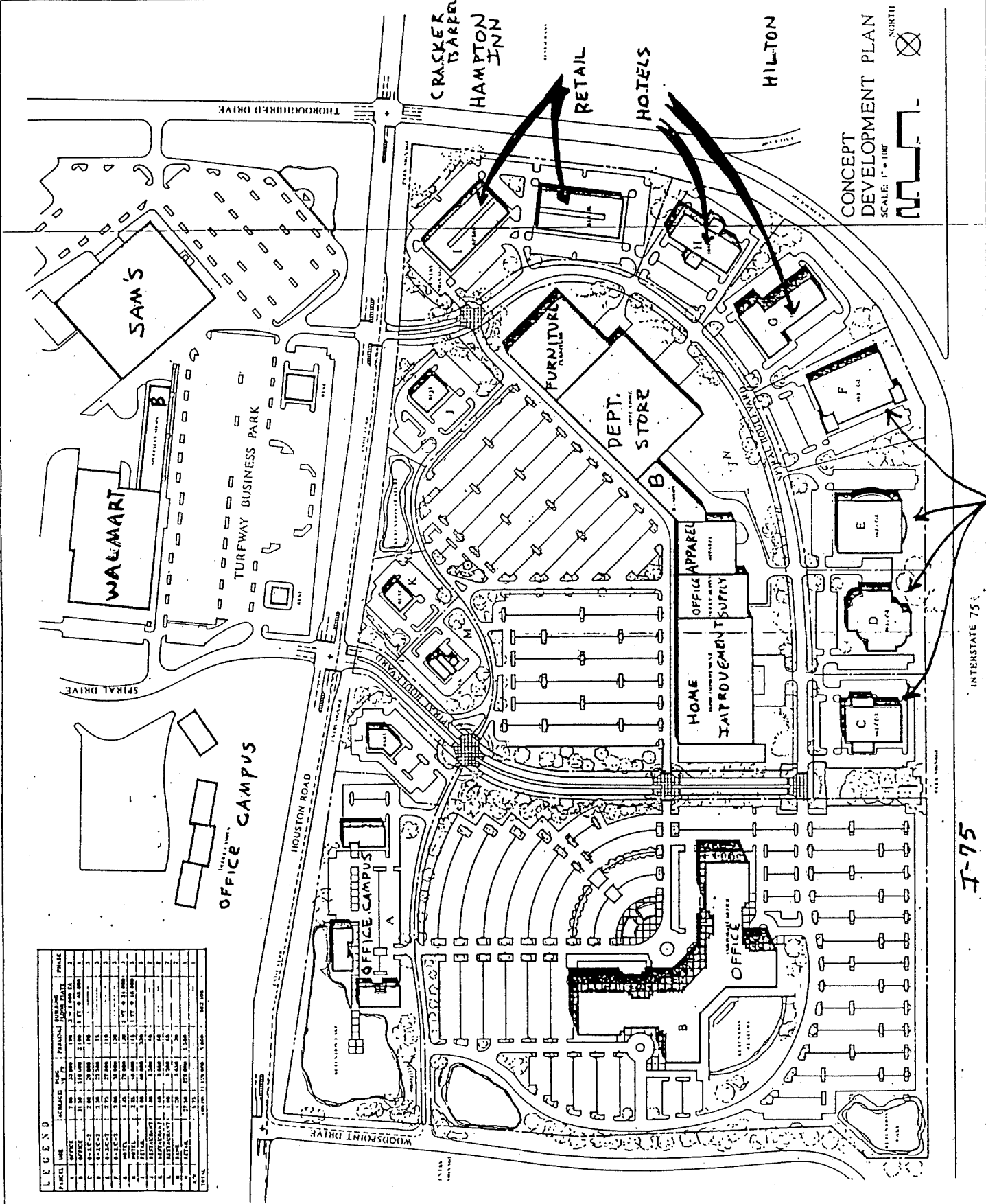
O-2/C-2

INTERSTATE 75

I-75

LEGEND

PARCEL	AREA	STORAGE	NO. OF	FRANCOIS	INTERIOR	PERMITS
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2	OFFICE	11,700	117,000	117,000	117,000	3
3	OFFICE	11,700	117,000	117,000	117,000	3
4	OFFICE	11,700	117,000	117,000	117,000	3
5	OFFICE	11,700	117,000	117,000	117,000	3
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98	OFFICE	11,700	117,000	117,000	117,000	3
99	OFFICE	11,700	117,000	117,000	117,000	3
100	OFFICE	11,700	117,000	117,000	117,000	3



CONCEPT
 DEVELOPMENT PLAN
 SCALE: 1" = 100'



OFFICE CAMPUS

CRACKER BARREL
 HAMPTON INN

RETAIL
 HOTELS

HILTON

SAM'S

WALMART

TURFWAY BUSINESS PARK

FURNITURE

DEPT. STORE

HOME IMPROVEMENT SUPPLY

OFFICE APPAREL

OFFICE SUPPLY

OFFICE CAMPUS

OFFICE CAMPUS

OFFICE

SPIRAL DRIVE

THOROUGHBRED DRIVE

WOODPOINT DRIVE

HOUSTON ROAD

INTERSTATE 75

I-75

COMMITTEE REPORT

#1

TO: Boone County Planning Commission

FROM: Fred Burch, Chairman

DATE: September 5, 1990

RE: Request of GBBN Architects (applicant) for Buchanan Development Corporation and N.K. Management (owners) for the Utilization of an Underlying Zone in Planned Development on a 101 acre site located at the southwest corner of Houston Road and the I-75/Turfway interchange, Florence, Kentucky. The site is currently zoned Office Two/Commercial Two/Planned Development (O-2/C-2/PD). Houston Lakes is the commercial and office development being proposed.

REMARKS:

We, the Committee, recommend approval of the Houston Lakes request based upon the following Findings of Fact and with the following Conditions:

Findings of Fact

1. Even though the request does not agree with the specific office/commercial mixture and the commercial density recommendations of the Houston-Donaldson Study, the Committee believes that the Houston Lakes request generally meets the intent and Goals and Objectives of the Boone County Comprehensive Plan and the Houston-Donaldson Study. More specifically:

The applicant has indicated that the type of retail proposed in the Houston Lakes development is not regional in character. The size and type of retail uses are proposed to be consistent with existing retail uses in the Turfway Business Park, and draw customers from areas immediately surrounding the Houston Road area, not from the entire Northern Kentucky Area.

A major focus of the Houston Lakes development is the proposed corporate office section "B". This portion of the development is proposed to be a high-visibility office use that will help set the character of the Houston Road corridor in accordance with the Houston-Donaldson Study. With this corporate office center and with the proposed office campus use, the Committee believes that the Houston Lakes project is appropriate for the site. Without one or the other of these two important parts of the project, the Committee does not believe that the request is appropriate for the site. The Committee is founding its recommendation for approval of this request on the applicant's assurances that these portions of the submitted Concept Development Plan will be developed. These two portions of the development are critical in establishing the proper development character along both I-75 and Houston Road.

Specific references to the Boone County Comprehensive Plan and Houston-Donaldson Study are made in the 7/25/90 Staff Report.

2. With the conditions contained in this report and agreed to by the applicant, the request meets the general objectives of the Houston-Donaldson Study and Article 15 Planned Development of the Boone County Zoning Regulations, for creative development design that includes sufficient green space and appropriate appearance from the public view. Even though many of the uses are not actually proposed as strict office uses, there are enough assurances in the applicant's submitted materials and in the conditions that the overall development will be consistent with the employment district character foreseen for this important corridor area of Boone County. These assurances include the arrangement of outlots along Houston Road, building and parking setback standards, landscaping and signage standards, building design, and additional public review of specific uses.
3. The developer and applicant have agreed to make significant road improvements adjacent to the site that are recommended by the Houston-Donaldson Study, and to phase the retail portion of the development according to the status of the Houston Extension. The developer and property owner have agreed to work with other area developers, owners, the Planning Commission, and the City of Florence to help remedy the existing and forecasted traffic congestion around the Turfway Interchange. These actions are in accordance with the Houston-Donaldson Study which was designed to correlate Study Area development with infrastructure improvements.

CONDITIONS

The applicant is being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan as presented at the 7/25/90 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

1. Since the submitted traffic analysis and facts presented at the 7/25/90 Public Hearing indicate that the Houston Road Extension to Donaldson Highway is necessary for the area road system to have a near-satisfactory level of service, the applicant and developer agree to not to take occupancy of the retail center, section "N", of the development until construction of the Houston Extension to Donaldson Highway is substantially underway.
2. The four out-parcels "C" through "F" shall undergo additional review when specific uses are proposed by the developer. This additional review shall include Technical Committee evaluation, a recommendation of that Committee to the full Planning Commission, and a Planning Commission recommendation to the City of Florence. These recommendations must determine if the proposed uses are consistent with the submitted Concept Development Plan and traffic generation figures, and present an appropriate appearance from I-75 that is consistent with the Houston-Donaldson Study.

3. The outlots "C" through "F" shall include a minimum building setback of 50 feet from the I-75 right of way and from the Spiral Boulevard right-of-way, as proposed in the submitted restrictive covenants. These setback areas shall include berming and landscaping, and the setback area along I-75 shall include no parking, circulation or other paved areas. The proposed buildings, if retail, shall be consistent in architectural design to be compatible with an office environment. No mechanical equipment, whether on the roof or ground, shall be visible from I-75 or Spiral Boulevard.
4. The proposed retail shown as "I", shall be reconfigured to address comments at the 7/25/90 Public Hearing, and as shown to the Committee. The building nearest Houston Road shall be rotated approximately 90 degrees as shown on the detail drawing submitted to the Committee by GBBN Architects. As indicated by the applicant, the retail buildings in Section "I" shall have store frontages on all sides. All roof equipment shall be screened from public view, and parking areas shall include berms and plantings between the proposed pavement and all adjacent right-of-ways. A water retention or significant landscaping feature shall be located adjacent to the Houston Road and Turfway Interchange ramps to be consistent in appearance with the Turfway Business Park.
5. Since the proposed corporate office complex is essential for the character of the development in terms of the Houston-Donaldson Study Area, the developer shall contract a professional, marketing consultant to develop strategies of attracting potential corporate users to the site. Marketing efforts shall be undertaken on a national basis and coordinated with the Planning Commission and City of Florence. Documentation of marketing efforts shall be provided. The office development shall be a minimum of 5 stories in height.
6. The proposed retail center shall have a continuous facade that is similar in concept to that employed at the Turfway Business Park. The rear and side walls of the retail center shall be constructed of the similar materials as the facade. Roof parapets shall be utilized on all sides of the buildings, as necessary, to screen all roof equipment from public view. Cross section drawings may be required as part of Architectural Design Review. As indicated by the applicant, the rear of the retail center will be screened by berms, evergreen plantings, and service court walls constructed of the finished building materials. The relative amounts of paved area and green space behind the retail center shall be generally consistent with that shown on the Concept Development Plan. The proposed retail center shall be generally consistent with the submitted Concept Development Plan in terms of number and size of users.
7. The architecture of the proposed hotels shall compliment the appearance of adjacent outlot uses.
8. Amenities, such as the pavement treatment at intersections, retention lakes, and entry features, shall be consistent with the submitted Concept

Development Plan. As indicated by the applicant, the development of the 101 acre site shall contain approximately 22 percent green space. Each phase of development submitted for review shall include calculations of green space area. All parking areas shall contain landscaping that is consistent with the Turfway Business Park. These standards include the following:

- a) Provide planting islands between every 10 to 15 spaces to avoid long rows of parked cars. The size should be a minimum of nine feet wide to allow for an adequate planting area. Each of these planting islands should provide at least one shade tree having a clear trunk height of at least six feet. For code required parking, 1 tree and 3 shrubs are to be utilized per fifteen spaces.
 - b) Provide eight-foot wide landscape strips for every four rows of parking, or large planting islands at the ends of parking rows.
 - c) In addition, canopy tree plantings along the public streets of the development shall accompany the proposed berms and 50 foot landscape setbacks submitted as part of the application.
9. Development of the proposed outlots along Houston Road shall be consistent in design with the submitted Concept Development Plan in terms of diagonal building orientation to Houston Road, access off of secondary site drives, and amount of green space.
 10. All signage within the development shall be consistent with the submitted standards, and meet the objectives of the Houston-Donaldson Study Special Sign Regulations.
 11. The developer agrees to reconstruct portions of Woodspoint Drive east of the proposed site access if sight distance limitations are determined to create potential safety hazards, by an independent traffic engineer acceptable to the Planning Commission.
 12. The Spiral Drive entrance will contain dual left turn lanes on south bound Houston Road. The improvements to the Woodspoint Drive and Houston Road intersection will include two south bound through lanes on Houston Road to include a taper back to one travel lane south of Woodspoint Drive. All improvements to public roads described in this report shall be made by the developer or owner of the site during the first phase of development, except to the extent that signalization of Spiral Drive shall be shared with the adjacent property owner as previously agreed. The construction of Spiral Drive and Spiral Boulevard to form the "ring road" shall also accompany the first phase of development. The northernmost access to the site shall be designed as an exclusive right-in and right-out drive. The design of this intersection shall include a ramp-like right turn lane to physically eliminate left turns into the site from Houston Road. The developer shall provide a separate right turn lane from Houston Road onto the southbound I-75 entrance ramp.

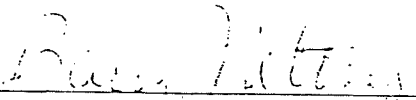
13. Spiral Drive will be connected to Woodspoint Drive along the I-75 right-of-way to allow for traffic to flow between this site and future development on the World of Sports site. All driveway entrances on Spiral Drive and Boulevard shall be properly aligned.
14. The developer agrees to work with the City of Florence, Boone County, and area property owners and developers in arriving at a solution to the existing and forecasted traffic congestion at the Turfway Interchange.
15. The main access drive shall contain three exit lanes. The developer agrees to dedicate additional right-of-way to Woodspoint Drive to allow for a future additional exit lane onto Houston Road. The developer and owner agree to participate financially with the Turfway Business Park in installing the proposed traffic signal at Spiral Drive, and to install the proposed light at Woodspoint Drive.
16. Consistent with the statements made by the applicant at the 7/25/90 Public Hearing that the section "B" office is proposed for Phase IV in four to eight years, the developer agrees to actively pursue and market development of the proposed corporate office section "B" for a period of a minimum of four years from today's date.

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.

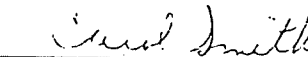


Fred Burch, Chairman

Rector Jones



Barry Neltner



Carol Smith



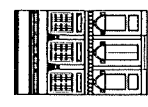
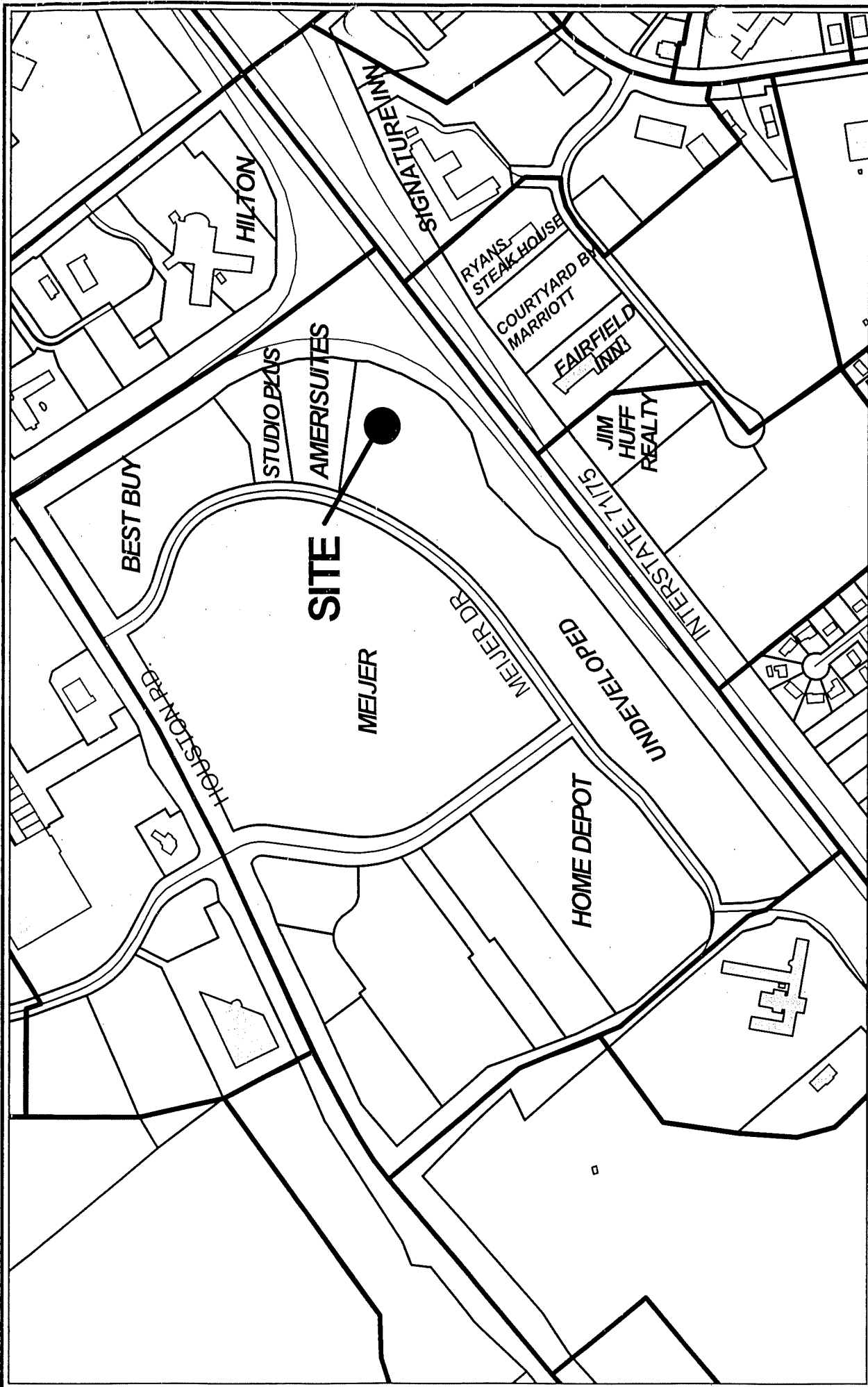
Larry Barnett



Phil Damstrom

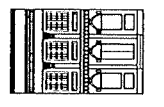
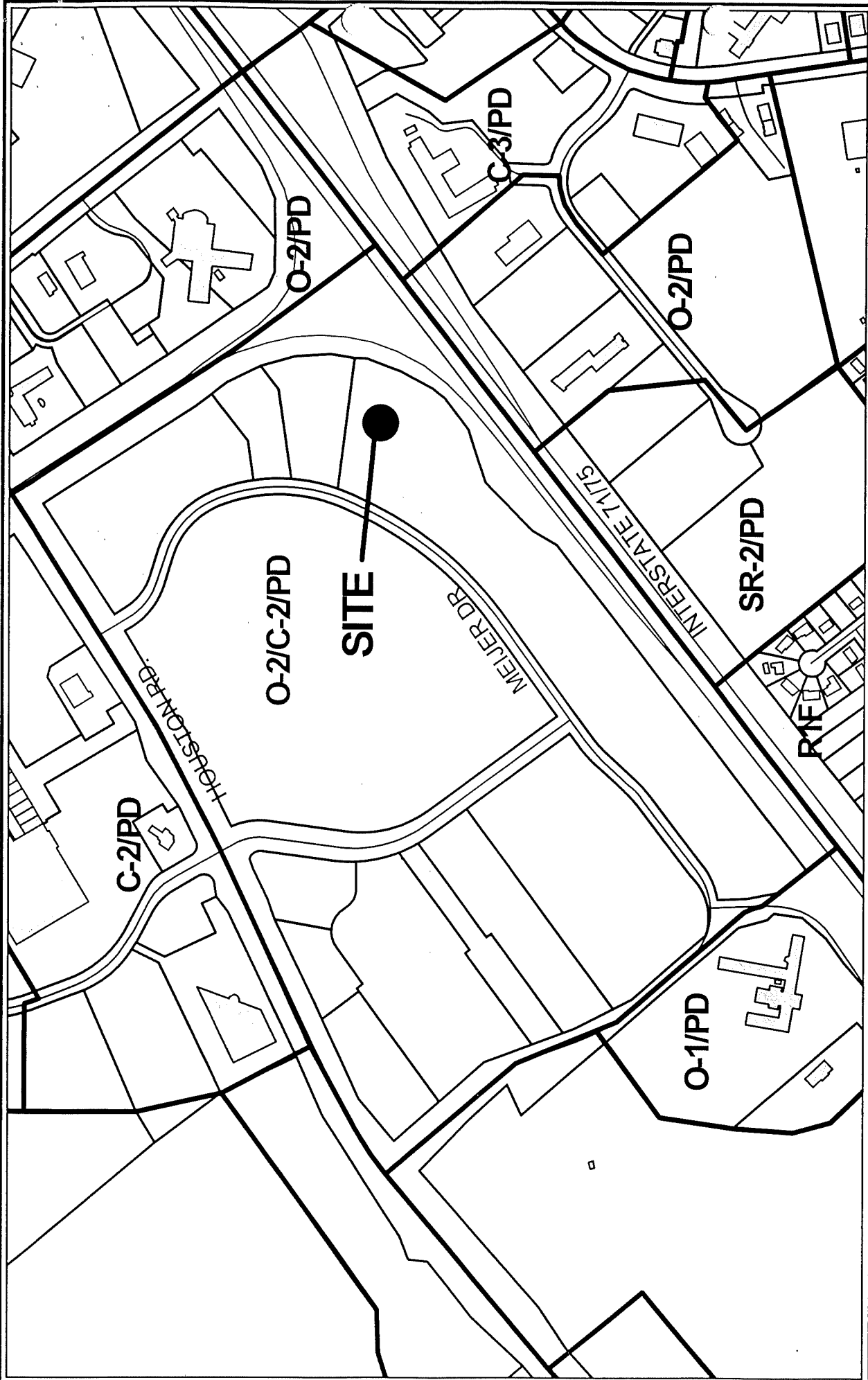


Thurman Owens



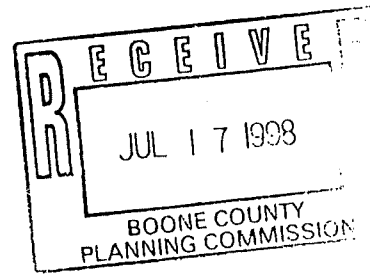
1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 July 16, 1998

LAND USE MAP



1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 July 15, 1998

ZONING MAP



16 July, 1998

Mr. David R. Doerger
BOONE COUNTY PLANNING COMMISSION
2995 Washington Street
Burlington, KY
41006

via Fax # 606 / 334-2264
Page 1 of 1

RE: Request for a Change in Concept Development Plan in Houston Lakes Subdivision
By LaQuinta Inns, Inc. (applicant) for NK Management, Inc. (owner)
Part of Lot 10, along Meijer Drive, Florence, Kentucky

Dear Mr. Doerger:

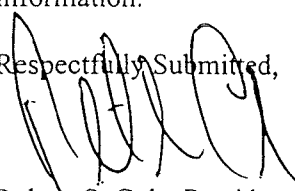
As the owner of the Courtyard by Marriott at 46 Cavalier Blvd in Turfway Commercial Park, the purpose of this letter is to file our formal objection to this proposed change in Concept Development Plan to allow specifically the hotel usage. The idea of another large hotel coming in such close proximity to seven other hotels is a very serious one. Our primary concern is that further additions to supply could devastate the hospitality market in Florence, specifically at this intersection. Occupancy for the Florence market is already down by as much as 10% year-to-date due to the vast amount of new rooms added to the market.

We purchased the land and developed our hotel under specific restrictive covenants limiting the number of hotels in Turfway, and it is critical to our operations that the hotel restriction in this instance remain in full force and effect. We therefore request that their application be denied.

Please review this letter with the Planning Commission Staff and include it in their Staff Report so that it is considered at the Public Hearing on Wednesday, July 22, 1998 at 7:00pm.

Thank you for your assistance. Please call if you have questions, comments, or require further information.

Respectfully Submitted,


Robert S. Cole, President
Impac Hotel Group

MT/c

cc: David Robinson, Esq

**TABLE # 2
BUFFER YARD TYPES**

The numbers shown are the minimum quantities required for each plant type. Smaller trees may be replaced with larger varieties. Buffer yards are established in 100 foot increments with the number of plants specified. The number of plants required for a given buffer yard shall be determined by dividing the actual length of the buffer yard by 100 and multiply that number by the number of plants from each plant list required and rounding to the next whole number. A minimum of two genera (a group of species possessing fundamental traits in common, but differing in other lesser characteristics) shall be used from each plant list required at an even ratio per 100 linear feet of buffer yard required. Fences or walls which are used within buffer yards shall be located within the center of the buffer yard and the plants shall be installed on both sides of the fence or wall. Fences shall be solid and provide 100 percent opacity. Chain link fences with slats shall not be permitted.

BUFFER YARD A - 10 FOOT WIDTH

Landscaping required per 100 linear feet at 10 feet wide.

5 Small Trees - Plant List C

3 Large Trees / 3 Medium Trees /or 3 Evergreen or any combination of 3 - Plant List A, B, or D

30 Shrubs - Plant List E

Ground Cover (Required in all areas not covered with grass)

Mulch (Temporary)

BUFFER YARD B - 20 FOOT WIDTH

Landscaping required per 100 linear feet at 20 feet wide.

10 Small Trees - Plant List C

5 Large Trees / 5 Medium Trees / or 5 Evergreens or any combination of 5 - Plant List A, B, or D

60 Shrubs - Plant List E

Mulch (Temporary)

Ground Cover (Required)

BUFFER YARD C - 60 FOOT WIDTH

Landscaping required per 100 linear feet at 30 and 60 feet wide.

10 Evergreen - Plant List D

5 Small Trees - Plant List C

5 Large or Medium Trees - Plant List A or B

90 Shrubs - Plant List E

30 FOOT WIDTH

The same number of trees, and 30 shrubs are required as for the 60 feet width buffer yard, but the width may be reduced to 30 feet if a 6 foot high berm, fence, or masonry wall is used. The maximum slope for the berm is 2.5 to 1.

BUFFER YARD D - 80 FOOT WIDTH

Landscaping required per 100 linear feet at 80 and 40 feet wide.

20 Evergreens - Plant List D Planted in a double row spaced 10 feet on-center in an equal lateral triangle configuration.

10 Small Trees - Plant List C

5 Large Trees - Plant List A

90 Shrubs - Plant List E

40 FOOT WIDTH

The same number of trees and 30 shrubs are required as for the 80' width buffer yard, but the width may be reduced to 40 feet if a 6 foot high berm, fence or masonry wall is used. The maximum slope for the berm is 2.5 to 1.

PUBLIC HEARING ITEM NO. 3:

Commission members present: Mr. Caddell, Mr. Damstrom, Mr. Hicks, Mr. McMillian, Mr. Millay - Chairman, Mr. Neltner - Vice Chairman, Mr. Newman, and Mrs. Smith.

Following a short recess, Chairman Millay introduced the last item on the Agenda:

3. Applicant: LaQuinta Inns, Inc. for
NK Management, Inc. (owner)
Request: Change in Concept Development Plan

The request of LaQuinta Inns, Inc. (applicant) for NK Management, Inc. (owner) to consider a change in Concept Development Plan for a 3.08 acre site located within the Houston Lakes Subdivision, on part of remaining Lot #10, along Meijer Drive, Florence, Kentucky. The request is for a change in the approved Concept Development Plan to permit a five story hotel in an Office Two/Commercial Two/Planned Development (O-2/C-2/PD) Zone.

Staff Member David Doerger presented the Staff Report which included a slide presentation (see Staff Report). He noted a letter received in opposition to the request which is attached to the Staff Report (see letter from Robert S. Cole, President, Impact Hotel Group, dated July 16, 1998).

Chairman Millay asked for the applicant's presentation.

Attorney Jerry Dusing introduced the LaQuinta team that put the project together, including Mr. Steve Younger - Corporate Architect from San Antonio, Cara Hall - Outside Architect from Tulsa, Suzanna Pruitt - Civil Engineer, and Larry Kingsbury - Vice President of Market Development from San Antonio. Mr. Dusing submitted a tabbed handout with a picture of a LaQuinta Inn on the cover.

Mr. Steve Younger stated that LaQuinta was formed in 1968 to provide a quality and comfortable place to rest for business travelers and families. They are part of a \$7 billion operation and operate 290 hotels. There are no franchises, which guarantees consistency and quality of product, as well as their permanence in the market place. They plan to open 100 new inns and suites by the end of 1999. Their studies indicate that the Cincinnati area is a prime location for their expansion and they are pursuing two sites in the area. They will employ 25 full and part-time employees with an approximate annual payroll of \$300,000.

Mr. Younger stated that this proposal is for a limited service hotel, which does not have a restaurant or bar. They offer continental breakfast to their guests. They also have a small amount of meeting room space intended for the use of their guests.

Mr. Larry Kingsbury stated that LaQuinta conducted market analyses and studies in March and April of this year to determine if this site was viable. He stated that they own and operate all of their hotels and this will be a \$12 million project. He stated that the airport is the driving force for growth in the market place and is one of the ten fastest growing airports in the United States. He stated that 46% of all of the industrial space in the area was built in Northern Kentucky, which was driven largely by the airport. In 1997, there was 1.9 million square feet of office space in the Northern Kentucky area and only 8.3% is vacant. It is a strong and viable area. He stated that this hotel will not open until late 1999 or early in the year 2000 and they are confident that any short term over supply in the market will be resolved by market growth.

Suzanna Pruitt, with Freeland and Kaufman Engineers in South Carolina, reviewed the Site Plan. She referred to the third pull-out under the tab "Site/Landscape Plans". She stated that they are part of the Houston Lakes Development area and will take up the remainder of Lot E and part of Lot F, which they will combine into one lot. Access will be off Meijer Drive. She noted a circular drive around the building with parking adjacent to the building and an area for people to park while they check in. There are 135 parking spaces, which meets the requirement of one space per room and one space for every two employees on the largest shift. There are six handicapped parking spaces, which also meets the ADA requirement. She stated that they have provided landscape buffers, and the required buffer along the I-75 property line is provided. The sidewalk along Meijer Drive will be extended up to the front of the building for people to walk to adjoining uses in the development area. Utilities are on Meijer Drive, including telephone, water, sewer, gas, and electric. Storm water will be collected on-site and directed to a series of catch basins and drains, and will be piped underground to the existing system. The entire Houston Lakes development area is served by a joint detention pond behind Kohl's.

Cara Hall stated that since they made the application, they have completed a preliminary landscaping plan. She noted color and black & white copies of that plan under the tab "Site/Landscape Plans". She stated that they show mostly deciduous trees, but are willing to make the appropriate mix of evergreen and deciduous trees. She stated that they meet or exceed the landscaping requirements. They have provided perimeter landscaping and landscaping for the vehicular corridors. Under the trees are shrubs, bushes, and seasonal colored flowers. She stated that they intend to provide a beautiful project. She reviewed the elevations and signage contained in the packets. She stated that they have an indoor pool. The courtyard has not been taken into account in the landscape calculations. She provided the Commissioners with samples of the building materials. The building is five stories high

with 129 guest rooms. The building is 44 feet tall to the eaves and 54 feet tall with the pitched roof. The elevator penthouse is 64 feet tall. (She noted that the Staff Report shows it to be 65 feet tall). The building is highly detailed with decorative elements and banding to break up the horizontal nature of the building. She stated that Staff is concerned with the building materials and they would be willing to discuss them. The materials are standard and the colors are standard. The pool building is of the same materials. She noted a garden wall around the enclosed courtyard area. The dumpster enclosures and accessory buildings would also be of the same materials. She stated that the building is about 68,000 square feet. The lobby is one story and the guest tower is five stories. Three signs are proposed on the building, as well as one freestanding sign. The sign on the front of the elevator penthouse is 75 square feet. There is a 100 square foot sign on the east elevation and one on the front (south) elevation. There is a freestanding 8-foot tall monument sign, which will be landscaped.

Mr. Dusing stated that they are in compliance with the Comprehensive Plan. He referred to the last page of the handout under "Present Zoning". He noted the Master Plan for Houston Lakes, which was approved in 1990, and lots H and G were designated for hotel. They have outlined in red (last page of handout) where their site is -- it is mostly on Lot G, which is designated for hotel, and it bleeds over onto Lot F approximately 30' - 40'. He stated that they are before the Planning Commission because of the small sliver that goes onto Lot F, which was designated O-2/C-2. The hotel is a Permitted Use under C-2. He stated that they are a Permitted Use where they are, but they are in the Master Plan PD Overlay and need to come through the legislative process. He referred to the tab "Traffic" and the aerial photograph. He stated that they will use existing access (ingress/egress) within the Master Plan without additional complications. He stated that the traffic information is included under the "Traffic" tab. They included a worst case scenario at peak hours and the traffic increase fairly insignificant. The total traffic is included in the traffic designed for the Master Plan of Houston Road since they are going into what was always designated.

Mr. Dusing stated that he was surprised to see in the Staff Report a Staff Concern that LaQuinta should be prejudiced by wanting to locate a hotel on this Master Plan because of concerns about competition from other hotels. He noted that Staff clarified that that is not particularly a Staff concern, but that competitors had written letters. He noted that Staff referred to a letter from Impac Hotel Group, which he believes generated the concern. He referred to the second paragraph of the letter which says "We purchased the land and developed our hotel under specific restrictive covenants limiting the number of hotels in Turfway and it is critical to our operations that the hotel restriction in this instance remain in full force and effect.". He stated that no restrictive covenants as to the number of hotels in this subdivision on the other side of the expressway applies to Houston Lakes. He stated that the number of hotels in Houston Lakes development has never been

limited by the owner/developer. There is no restrictive covenant on any other lot precluding additional hotels. He commented that Staff's concern was that neighboring competition indicated a concern because there are seven hotels in the vicinity. He stated that there are a lot more than seven -- they are in competition with the Holiday Inn at the airport, Budgetel at the airport, the Hampton, the Drawbridge, downtown Cincinnati, etc., and Hilton is adding more rooms. He stated that the market data study gives them a comfort level that, with the growth in the area and the market demands, there is plenty for everyone. They are here to compete fairly. He questioned the occupancy of AmeriSuites tonight and Studio Plus tonight, since they called and could not get rooms.

This concluded the applicant's presentation.

Chairman Millay asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition.

Mr. Jim Willman, representing the Drawbridge, stated that he has been on the Executive Committee of the Northern Kentucky Convention and Visitors Bureau for eight years and is President of the state hotel association, but is not representing those associations this evening. He stated that he has worked at the Drawbridge over twenty years. He stated that the hotels in Northern Kentucky are suffering greatly. In 1998, they sold 10,000 more rooms than the year before, which would be a 2.3% increase in business -- but there are 126,000 new rooms to be sold. There are 800 more rooms available every day now that were not available last January thru May, and 70 of them are being filled. Every night at the new hotels and the old hotels an additional 730 rooms are vacant. His hotel is sold 100% tonight with Jazz Festivals and conventions -- everybody is busy in July. For the first five months of the year, Northern Kentucky has run 52.05% occupancy and the national average is 63%. For the last five years, Northern Kentucky has run 57%, 50%, 59%, 61%, 63% and 59%, and 52% this year. He stated that the market is not here. 25% of his business comes from the airport and they have three coaches that carry 150 people at a time. Toyota said that they would use 18,000 rooms a year, which is 49 rooms a day and everybody wanted a piece of the pie -- one hotel built 273 rooms to hand the 49 rooms. He stated that the lower limited service hotels are at 45.75% occupancy this year. There are plenty of hotel rooms. August is a terrible month with only 40% occupancy. The Reds and Kings Island are not helping any more with competition in the south and people from Louisville not coming up here any more. Mr. Willman stated that in 1994, there were 4,000 rooms to sell and now there are 5,788 rooms to sell each day. The short term problem might be made up by a lot of hotels that will be gone because they go bankrupt. Some of the older hotels may need to go away as people prefer the newer hotels. He stated that Northern Kentucky is running 52% occupancy and Cincinnati is running 53% occupancy.

Mr. Bill Selesky, General Manager of Courtyard by Marriott, stated that they bought three existing Holiday Inns (Florence, Fort Mitchell, and downtown Cincinnati) and have about a \$42 million investment. They have refurbished all of their hotels. He stated that Mr. Willman explained the occupancy situation. He stated that they are still waiting to see the effect when the Hilton finishes their 100-room addition. He stated that the occupancy is bleak for the rest of the month due to added supply. There is a full-service Marriott at the airport with 300 rooms approved and a Courtyard with 120 rooms approved, as well as a Courtyard in Covington. There is a lot of supply and all of them are each other's competitors. Right now, there is over supply. He asked that the application be denied.

Mr. Ben Kea stated that he was a principle of Studio Plus and it is a beautiful place. He just bought the Knight's Inn on Dream Street and is re-doing it. He has half a million dollars of his own money invested. He stated that hotel rooms do not bring people to the area. He stated that if this land is opened up to another hotel, then he should be able to build one right next to it and charge \$40 a night. He stated that they were before the Planning Commission two years ago and were told that there would be two hotels there. He stated that Studio Plus put themselves on a small site, which allows LaQuinta to straddle the line. That land has been vacant all these years because two hotels is all that was going to be built. If this hotel is approved, the Planning Commission might as well open up the whole area to hotels. He questioned LaQuinta's market study and stated that they are not looking at correct data.

Mr. Anthony Nardello, representing AmeriSuites, stated that they made their decision based on the original plan for two hotels. They would not have built if they had known there would be another hotel there. They were expecting office park, which would have been a demand generator, not competition. He stated that they are slower than anticipated and this hotel will further dilute their business. He submitted figures from Smith Travels, which is the most reliable source in the industry. He stated that AmeriSuites was not full on numerous weeks.

Chairman Millay asked if there was anyone else present who wished to speak. There being no response, he asked if there were any comments or questions from the Commissioners.

Mr. Caddell stated that this is the first time under Staff Comments that we have seen mention made, not only of competition, but also by number of a proposed use by an applicant, and also where someone that is opposed to an application has been acknowledged in the Staff Report. He hopes this does not become a practice. It is misleading to an applicant in regard to a pre-disposition by the Planning Commission regarding competition to any particular use. Chairman Millay stated that this point is well taken and asked Staff to comment. Mr. Wall stated that it is routinely done. It is common for Staff to reference written public comments received ahead of time in the Staff Report and attach them to

the report in order to get them on the record. Chairman Millay stated that the point is the marketing issue as opposed to someone's comment. We always see comments, the point is the marketing. Mr. Caddell stated that the opposition letter is a part of the record and is attached to the information received by the Commissioners, and that is sufficient -- rather than having Staff list it under their comments and concerns as an issue. Mr. Wall responded "understood".

Mr. McMillian asked if this is an "express" hotel.

Mr. Dusing responded that it is a limited service hotel -- there will be no dining room, just coffee and donuts in the morning. It is a full complement of rooms and an indoor pool. It does not have food service.

Mr. Dusing asked for the opportunity to rebut. Chairman Millay stated that the Commissioners have listened to the two sides and they have done a good job, but enough has been heard about the hotel market. Mr. Dusing asked to correct two mis-statements. The Chairman allowed his comments, but not further debate.

Mr. Dusing stated that he wants Tom Depenbrock to testify. Mr. Dusing stated that when Ben Kea bought Studio Plus, there was never a representation that there would be two hotels on this site and it was specifically negotiated in the contract that the seller could sell as many hotel sites in Houston Lakes as he could, as long as he sold them for more per acre than Ben Kea paid. He stated that all of the rest of the property is zoned C-2 and you can have as many hotels as you want. This concluded Mr. Dusing's comments.

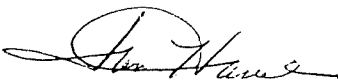
Chairman Millay stated that the Committee Meeting for this item will be on August 6, 1998 at 6 PM. Mr. Wall advised that there are two other items at 5 PM which are continuations from earlier meetings. Chairman Millay stated that this item will be on the Agenda for the Business Meeting on August 19, 1998 at 7:30 PM.

The Chairman closed this Public Hearing.

APPROVED:


Robert Millay, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
August 19, 1998
7:30 P.M.

Mr. Robert Millay, Chairman, called the meeting to order at 7:30 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett, Secretary/Treasurer
Mr. Arnold Caddell
Mr. Phil Damstrom
Mr. Mark Hicks
Mr. Mike McKinney
Mr. Don McMillian
Mr. Bob Millay, Chairman
Mr. Barry Neltner, Vice Chairman
Mr. Robert Newman
Mr. Robert Ries
Mr. Ralph Rush
Mrs. Linda Schaffer
Mrs. Carol Smith
Mr. William Viox
Mr. Earl White, Temporary Presiding Officer

All members were present.

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Susan Cabot, Historic Preservation
Mr. Edward Coleman
Mr. David Doerger
Ms. Jan Hancock, Secretary
Mr. Mitch Light
Mr. Kevin Wall, AICP

Mr. Costello stated that there could be consideration of one-way traffic at the entrance and this could be discussed at Site Plan Review. Mr. Doerger agreed. Mr. Costello asked if the applicant would commit to looking at this at Site Plan Review, or agree to it at this time.

Attorney Tom Breidenstein stated that this would be an integral part of Site Plan Review. They will work with the Staff and the Planning Commission on whatever placement is appropriate for the driveway.

Mr. Doerger stated that Staff reviewed the access point and confirmed that it is the proper distance, per the regulations. Mr. McMillian stated that he understands that, but sometimes even when an access meets the regulations, the traffic gets screwed up and the Planning Commission does not want that to happen. Mr. Doerger stated that in this instance, it would be best to ensure that the applicant would be agreeable to varying the distance beyond what is required in the regulations.

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

5. Change in Concept Development Plan

The request of LaQuinta Inns, Inc. (applicant) for NK Management, Inc. (owner) to consider a Change in Concept Development Plan for a 3.08 acre site within the Houston Lakes Subdivision, on part of remaining Lot #10, along Meijer Drive, Florence, Kentucky. The request is for a change in the approved Concept Development Plan to permit a five story hotel in an Office Two/Commercial Two/Planned Development (O-2/C-2/PD) zone.

Staff Member David Doerger presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report).

There being no discussion, Mr. Caddell moved by resolution to the City of Florence to approve the request based on the Staff and Committee Reports. Mr. White seconded the motion and it carried unanimously.

6. Houston-Donaldson Review - Auto Livery, 8020 Burlington Pike

Staff Member Mitch Light presented an exhibit of the Concept Plan and an exhibit of the proposed site. The site is at KY 18 and Woodspoint Drive (formerly the Chevron station). Mr. Light presented the Committee Report which recommended that the proposal follow the short review process which includes Site Plan Review and architectural design review, based on the findings of fact (see Committee Report).

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Arnold Caddell, Chairman

DATE: August 19, 1998

RE: Request of **LaQuinta Inns, Inc. (applicant)** for **NK Management, Inc. (owner)** to consider a Change in Concept Development Plan for a 3.08 acre site within the Houston Lakes Subdivision, on part of remaining Lot #10, along Meijer Drive, Florence, Kentucky. The request is for a change in the approved Concept Development Plan to permit a five story hotel in an Office Two/Commercial Two/Planned Development (O-2/C-2/PD) zone.

Remarks:

We, the Committee, recommend approval of the Change in Concept Development Plan request based upon the following findings of fact and with the following condition:

Findings of Fact:

1. The Committee has determined that the proposed Concept Development Plan is appropriate for the property located along Meijer Drive on part of Lot #10, Florence, Kentucky. The Committee's decision is based on the fact that the applicant's request is in agreement with the 1995 Boone County Comprehensive Plan and the Future Land Use Map.
2. The Committee has determined that the proposal is in general conformance with the Planned Development standards set in Section 1514 of the Boone County Zoning Regulations and the recommendations of the Houston-Donaldson Study.
3. The Committee has concluded that the following condition is necessary for the purpose of satisfying the Goals, Objectives, and Policies stated in the 1995 Boone County Comprehensive Plan, Planned Development Standards, and the mitigation of any foreseeable impacts that may be created by the proposal. The Applicant has signed a letter of agreement with this condition and understands that the submitted Concept Development Plan along with this condition serves as a basis for this recommendation.

Condition:

1. The applicant shall provide landscaping which conforms to "Buffer Yard B" of Article 36 of the Boone County Zoning Regulations along Interstate 71/75 and the interstate ramp. This landscaping shall include a mixture of deciduous and evergreen trees.

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.

Arnold Caddell

Arnold Caddell, Chairman

For	<input checked="" type="checkbox"/>	Against	_____
Abstain	_____	Absent	_____

Phil Damstrom

Phil Damstrom

For	<input checked="" type="checkbox"/>	Against	_____
Abstain	_____	Absent	_____

Barry Neltner

Barry Neltner

For	<input checked="" type="checkbox"/>	Against	_____
Abstain	_____	Absent	_____

Bill Viox

Bill Viox

For	<input checked="" type="checkbox"/>	Against	_____
Abstain	_____	Absent	_____

Earl White

Earl White

For	<input checked="" type="checkbox"/>	Against	_____
Abstain	_____	Absent	_____

TOTAL:	<u>5</u>	FOR	<u>0</u>	AGAINST	<u>0</u>	ABSTAIN	<u>0</u>	ABSENT
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PUBLIC HEARING ITEM NO. 3:

Commission members present: Mr. Caddell, Mr. Damstrom, Mr. Hicks, Mr. McMillian, Mr. Millay - Chairman, Mr. Neltner - Vice Chairman, Mr. Newman, and Mrs. Smith.

Following a short recess, Chairman Millay introduced the last item on the Agenda:

3. Applicant: LaQuinta Inns, Inc. for
NK Management, Inc. (owner)
Request: Change in Concept Development Plan

The request of LaQuinta Inns, Inc. (applicant) for NK Management, Inc. (owner) to consider a change in Concept Development Plan for a 3.08 acre site located within the Houston Lakes Subdivision, on part of remaining Lot #10, along Meijer Drive, Florence, Kentucky. The request is for a change in the approved Concept Development Plan to permit a five story hotel in an Office Two/Commercial Two/Planned Development (O-2/C-2/PD) Zone.

Staff Member David Doerger presented the Staff Report which included a slide presentation (see Staff Report). He noted a letter received in opposition to the request which is attached to the Staff Report (see letter from Robert S. Cole, President, Impact Hotel Group, dated July 16, 1998).

Chairman Millay asked for the applicant's presentation.

Attorney Jerry Dusing introduced the LaQuinta team that put the project together, including Mr. Steve Younger - Corporate Architect from San Antonio, Cara Hall - Outside Architect from Tulsa, Suzanna Pruitt - Civil Engineer, and Larry Kingsbury - Vice President of Market Development from San Antonio. Mr. Dusing submitted a tabbed handout with a picture of a LaQuinta Inn on the cover.

Mr. Steve Younger stated that LaQuinta was formed in 1968 to provide a quality and comfortable place to rest for business travelers and families. They are part of a \$7 billion operation and operate 290 hotels. There are no franchises, which guarantees consistency and quality of product, as well as their permanence in the market place. They plan to open 100 new inns and suites by the end of 1999. Their studies indicate that the Cincinnati area is a prime location for their expansion and they are pursuing two sites in the area. They will employ 25 full and part-time employees with an approximate annual payroll of \$300,000.

Mr. Younger stated that this proposal is for a limited service hotel, which does not have a restaurant or bar. They offer continental breakfast to their guests. They also have a small amount of meeting room space intended for the use of their guests.

Mr. Larry Kingsbury stated that LaQuinta conducted market analyses and studies in March and April of this year to determine if this site was viable. He stated that they own and operate all of their hotels and this will be a \$12 million project. He stated that the airport is the driving force for growth in the market place and is one of the ten fastest growing airports in the United States. He stated that 46% of all of the industrial space in the area was built in Northern Kentucky, which was driven largely by the airport. In 1997, there was 1.9 million square feet of office space in the Northern Kentucky area and only 8.3% is vacant. It is a strong and viable area. He stated that this hotel will not open until late 1999 or early in the year 2000 and they are confident that any short term over supply in the market will be resolved by market growth.

Suzanna Pruitt, with Freeland and Kaufman Engineers in South Carolina, reviewed the Site Plan. She referred to the third pull-out under the tab "Site/Landscape Plans". She stated that they are part of the Houston Lakes Development area and will take up the remainder of Lot E and part of Lot F, which they will combine into one lot. Access will be off Meijer Drive. She noted a circular drive around the building with parking adjacent to the building and an area for people to park while they check in. There are 135 parking spaces, which meets the requirement of one space per room and one space for every two employees on the largest shift. There are six handicapped parking spaces, which also meets the ADA requirement. She stated that they have provided landscape buffers, and the required buffer along the I-75 property line is provided. The sidewalk along Meijer Drive will be extended up to the front of the building for people to walk to adjoining uses in the development area. Utilities are on Meijer Drive, including telephone, water, sewer, gas, and electric. Storm water will be collected on-site and directed to a series of catch basins and drains, and will be piped underground to the existing system. The entire Houston Lakes development area is served by a joint detention pond behind Kohl's.

Cara Hall stated that since they made the application, they have completed a preliminary landscaping plan. She noted color and black & white copies of that plan under the tab "Site/Landscape Plans". She stated that they show mostly deciduous trees, but are willing to make the appropriate mix of evergreen and deciduous trees. She stated that they meet or exceed the landscaping requirements. They have provided perimeter landscaping and landscaping for the vehicular corridors. Under the trees are shrubs, bushes, and seasonal colored flowers. She stated that they intend to provide a beautiful project. She reviewed the elevations and signage contained in the packets. She stated that they have an indoor pool. The courtyard has not been taken into account in the landscape calculations. She provided the Commissioners with samples of the building materials. The building is five stories high

with 129 guest rooms. The building is 44 feet tall to the eaves and 54 feet tall with the pitched roof. The elevator penthouse is 64 feet tall. (She noted that the Staff Report shows it to be 65 feet tall). The building is highly detailed with decorative elements and banding to break up the horizontal nature of the building. She stated that Staff is concerned with the building materials and they would be willing to discuss them. The materials are standard and the colors are standard. The pool building is of the same materials. She noted a garden wall around the enclosed courtyard area. The dumpster enclosures and accessory buildings would also be of the same materials. She stated that the building is about 68,000 square feet. The lobby is one story and the guest tower is five stories. Three signs are proposed on the building, as well as one freestanding sign. The sign on the front of the elevator penthouse is 75 square feet. There is a 100 square foot sign on the east elevation and one on the front (south) elevation. There is a freestanding 8-foot tall monument sign, which will be landscaped.

Mr. Dusing stated that they are in compliance with the Comprehensive Plan. He referred to the last page of the handout under "Present Zoning". He noted the Master Plan for Houston Lakes, which was approved in 1990, and lots H and G were designated for hotel. They have outlined in red (last page of handout) where their site is -- it is mostly on Lot G, which is designated for hotel, and it bleeds over onto Lot F approximately 30' - 40'. He stated that they are before the Planning Commission because of the small sliver that goes onto Lot F, which was designated O-2/C-2. The hotel is a Permitted Use under C-2. He stated that they are a Permitted Use where they are, but they are in the Master Plan PD Overlay and need to come through the legislative process. He referred to the tab "Traffic" and the aerial photograph. He stated that they will use existing access (ingress/egress) within the Master Plan without additional complications. He stated that the traffic information is included under the "Traffic" tab. They included a worst case scenario at peak hours and the traffic increase fairly insignificant. The total traffic is included in the traffic designed for the Master Plan of Houston Road since they are going into what was always designated.

Mr. Dusing stated that he was surprised to see in the Staff Report a Staff Concern that LaQuinta should be prejudiced by wanting to locate a hotel on this Master Plan because of concerns about competition from other hotels. He noted that Staff clarified that that is not particularly a Staff concern, but that competitors had written letters. He noted that Staff referred to a letter from Impac Hotel Group, which he believes generated the concern. He referred to the second paragraph of the letter which says "We purchased the land and developed our hotel under specific restrictive covenants limiting the number of hotels in Turfway and it is critical to our operations that the hotel restriction in this instance remain in full force and effect.". He stated that no restrictive covenants as to the number of hotels in this subdivision on the other side of the expressway applies to Houston Lakes. He stated that the number of hotels in Houston Lakes development has never been

limited by the owner/developer. There is no restrictive covenant on any other lot precluding additional hotels. He commented that Staff's concern was that neighboring competition indicated a concern because there are seven hotels in the vicinity. He stated that there are a lot more than seven -- they are in competition with the Holiday Inn at the airport, Budgetel at the airport, the Hampton, the Drawbridge, downtown Cincinnati, etc., and Hilton is adding more rooms. He stated that the market data study gives them a comfort level that, with the growth in the area and the market demands, there is plenty for everyone. They are here to compete fairly. He questioned the occupancy of AmeriSuites tonight and Studio Plus tonight, since they called and could not get rooms.

This concluded the applicant's presentation.

Chairman Millay asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition.

Mr. Jim Willman, representing the Drawbridge, stated that he has been on the Executive Committee of the Northern Kentucky Convention and Visitors Bureau for eight years and is President of the state hotel association, but is not representing those associations this evening. He stated that he has worked at the Drawbridge over twenty years. He stated that the hotels in Northern Kentucky are suffering greatly. In 1998, they sold 10,000 more rooms than the year before, which would be a 2.3% increase in business -- but there are 126,000 new rooms to be sold. There are 800 more rooms available every day now that were not available last January thru May, and 70 of them are being filled. Every night at the new hotels and the old hotels an additional 730 rooms are vacant. His hotel is sold 100% tonight with Jazz Festivals and conventions -- everybody is busy in July. For the first five months of the year, Northern Kentucky has run 52.05% occupancy and the national average is 63%. For the last five years, Northern Kentucky has run 57%, 50%, 59%, 61%, 63% and 59%, and 52% this year. He stated that the market is not here. 25% of his business comes from the airport and they have three coaches that carry 150 people at a time. Toyota said that they would use 18,000 rooms a year, which is 49 rooms a day and everybody wanted a piece of the pie -- one hotel built 273 rooms to hand the 49 rooms. He stated that the lower limited service hotels are at 45.75% occupancy this year. There are plenty of hotel rooms. August is a terrible month with only 40% occupancy. The Reds and Kings Island are not helping any more with competition in the south and people from Louisville not coming up here any more. Mr. Willman stated that in 1994, there were 4,000 rooms to sell and now there are 5,788 rooms to sell each day. The short term problem might be made up by a lot of hotels that will be gone because they go bankrupt. Some of the older hotels may need to go away as people prefer the newer hotels. He stated that Northern Kentucky is running 52% occupancy and Cincinnati is running 53% occupancy.

Mr. Bill Selesky, General Manager of Courtyard by Marriott, stated that they bought three existing Holiday Inns (Florence, Fort Mitchell, and downtown Cincinnati) and have about a \$42 million investment. They have refurbished all of their hotels. He stated that Mr. Willman explained the occupancy situation. He stated that they are still waiting to see the effect when the Hilton finishes their 100-room addition. He stated that the occupancy is bleak for the rest of the month due to added supply. There is a full-service Marriott at the airport with 300 rooms approved and a Courtyard with 120 rooms approved, as well as a Courtyard in Covington. There is a lot of supply and all of them are each other's competitors. Right now, there is over supply. He asked that the application be denied.

Mr. Ben Kea stated that he was a principle of Studio Plus and it is a beautiful place. He just bought the Knight's Inn on Dream Street and is re-doing it. He has half a million dollars of his own money invested. He stated that hotel rooms do not bring people to the area. He stated that if this land is opened up to another hotel, then he should be able to build one right next to it and charge \$40 a night. He stated that they were before the Planning Commission two years ago and were told that there would be two hotels there. He stated that Studio Plus put themselves on a small site, which allows LaQuinta to straddle the line. That land has been vacant all these years because two hotels is all that was going to be built. If this hotel is approved, the Planning Commission might as well open up the whole area to hotels. He questioned LaQuinta's market study and stated that they are not looking at correct data.

Mr. Anthony Nardello, representing AmeriSuites, stated that they made their decision based on the original plan for two hotels. They would not have built if they had known there would be another hotel there. They were expecting office park, which would have been a demand generator, not competition. He stated that they are slower than anticipated and this hotel will further dilute their business. He submitted figures from Smith Travels, which is the most reliable source in the industry. He stated that AmeriSuites was not full on numerous weeks.

Chairman Millay asked if there was anyone else present who wished to speak. There being no response, he asked if there were any comments or questions from the Commissioners.

Mr. Caddell stated that this is the first time under Staff Comments that we have seen mention made, not only of competition, but also by number of a proposed use by an applicant, and also where someone that is opposed to an application has been acknowledged in the Staff Report. He hopes this does not become a practice. It is misleading to an applicant in regard to a pre-disposition by the Planning Commission regarding competition to any particular use. Chairman Millay stated that this point is well taken and asked Staff to comment. Mr. Wall stated that it is routinely done. It is common for Staff to reference written public comments received ahead of time in the Staff Report and attach them to

the report in order to get them on the record. Chairman Millay stated that the point is the marketing issue as opposed to someone's comment. We always see comments, the point is the marketing. Mr. Caddell stated that the opposition letter is a part of the record and is attached to the information received by the Commissioners, and that is sufficient -- rather than having Staff list it under their comments and concerns as an issue. Mr. Wall responded "understood".

Mr. McMillian asked if this is an "express" hotel.

Mr. Dusing responded that it is a limited service hotel -- there will be no dining room, just coffee and donuts in the morning. It is a full complement of rooms and an indoor pool. It does not have food service.

Mr. Dusing asked for the opportunity to rebut. Chairman Millay stated that the Commissioners have listened to the two sides and they have done a good job, but enough has been heard about the hotel market. Mr. Dusing asked to correct two mis-statements. The Chairman allowed his comments, but not further debate.

Mr. Dusing stated that he wants Tom Depenbrock to testify. Mr. Dusing stated that when Ben Kea bought Studio Plus, there was never a representation that there would be two hotels on this site and it was specifically negotiated in the contract that the seller could sell as many hotel sites in Houston Lakes as he could, as long as he sold them for more per acre than Ben Kea paid. He stated that all of the rest of the property is zoned C-2 and you can have as many hotels as you want. This concluded Mr. Dusing's comments.

Chairman Millay stated that the Committee Meeting for this item will be on August 6, 1998 at 6 PM. Mr. Wall advised that there are two other items at 5 PM which are continuations from earlier meetings. Chairman Millay stated that this item will be on the Agenda for the Business Meeting on August 19, 1998 at 7:30 PM.

The Chairman closed this Public Hearing.

APPROVED:


Robert Millay, Chairman

Attest:

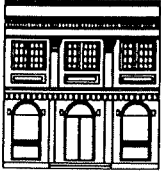


Jan Hancock, Recording Secretary

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION

2995 Washington Street, Burlington, KY 41005



RECEIVED

AUG 19 1998

DESIGN DEPARTMENT

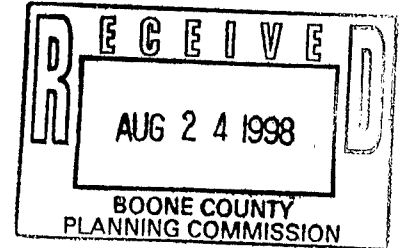
606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net

August 10, 1998

Mr. Steven Younger
La Quinta Inns Inc.
112 East Pecan Street
San Antonio, Texas 78205



RE: La Quinta Inn on Part of Lot #10 along Meijer Drive, Florence, Kentucky

Dear Mr. Younger:

The following condition in conjunction with the Concept Development Plan Application, as agreed to by the Boone County Planning Commission's Zone Change Committee, serves as the basis for the Committee's recommendation of approval. If you, as the applicant, agree to the following condition please indicate so by signing at the space provided below and return this letter to the Planning Commission Office by 5:00 P.M., Tuesday, August 18, 1998.

Condition:

1. The applicant shall provide landscaping which conforms to "Buffer Yard B" of Article 36 of the Boone County Zoning Regulations along Interstate 71/75 and the interstate ramp. This landscaping shall include a mixture of deciduous and evergreen trees.

Sincerely,

David R. Doerger
Planner

DRD\pr

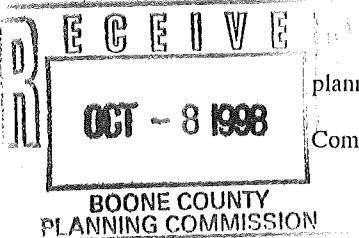
Agreement

I, the applicant, agree to the above listed condition of approval for the requested Zoning Map Amendment on Part of Lot #10 along Meijer Drive, Florence, Kentucky.

Applicant
La Quinta Inns, Inc
Steven Younger

ORDINANCE NO. 0-19-98

AN ORDINANCE ADOPTING AND APPROVING THE UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT AS A CHANGE IN CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE 3.08 ACRE SITE WITHIN HOUSTON LAKES SUBDIVISION, ON PART OF REMAINING LOT NO. 10, ALONG MEIJER DRIVE IN THE CITY OF FLORENCE, KENTUCKY, IN AN OFFICE TWO/COMMERCIAL TWO/PLANNED DEVELOPMENT (0-2/C-2/PD) ZONE TO ALLOW A FIVE STORY HOTEL. (LAQUINTA INNS - NK MANAGEMENT, INC. PROPERTY)



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

WHEREAS, the Boone County Planning Commission has recommended that a request for utilization of an underlying zone as a change in Concept Development Plan be approved, with conditions, for an approximate 3.08 acre site zoned Office Two/Commercial Two/Planned Development (0-2/C-2/PD), subject to a development plan, to allow a five story hotel within Houston Lakes Subdivision, on part of remaining Lot No. 10, along Meijer Drive in the City of Florence, Kentucky, be approved, and

WHEREAS, this 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 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 in Exhibit "A" shall be and is hereby approved for the utilization of an underlying zone as a change in Concept Development Plan for approximately 3.08 acres zoned Office Two/Commercial Two/Planned Development (0-2/C-2/PD) within Houston Lakes Subdivision, on part of remaining Lot No. 10, along Meijer Drive, in the City of Florence, Kentucky, to allow a five story hotel, and that this change in utilization of the underlying zone and change in Concept Development Plan is subject to the Development Plan as submitted, with agreed conditions.

SECTION II

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, and all other provisions comprising the Development Plan herein, a copy of that recommendation and Committee Report being attached, marked Exhibit "B", and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-98-021-A of the Boone County Planning Commission along with the referenced exhibits to that Resolution.

SECTION III

In the event the approval of the utilization of an underlying zone as a change in Concept Development Plan for the approximate 3.08 acres herein should be held invalid, in whole or in part, by any Court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map and comprehensive plan provisions as they are severable from this Ordinance and they are intended to continue to have effect regardless of any invalidity regarding this particular Ordinance.

SECTION IV

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

PASSED AND APPROVED ON FIRST READING THIS 22nd DAY OF September, 1998.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 24th DAY OF September, 1998.

APPROVED:

Evelyn McCall
MAYOR

ATTEST:

John L. Conrad
CITY CLERK