

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM**

**December 17, 2008
7:30 P.M.**

PUBLIC HEARING

Commission Members Present: Mr. Ben Brandstetter, Mr. Breetz, Mr. Bunger, Mr. Carmichael, Mr. Hicks, Mrs. Kegley, Mr. McMillian, Mrs. Poston - Chairwoman, Mr. Patrick Reynolds, Mr. Rolfsen – Vice Chairman, and Mr. Schwenke – Temporary Presiding Officer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Todd Morgan, AICP, Senior Planner.

Legal Counsel Present: Mr. Dale Wilson

Mrs. Susan Poston, Chairwoman, called the meeting to order at 7:30 PM and introduced the item on the Agenda:

Applicant: **James Rybolt, SRA Architects for
Tumbleweed, Inc. and Shihasi Turfway LLP (owners)**

Request: **Changes in Concept Development Plans**

The request of James Rybolt, SRA Architects (applicant) for Tumbleweed, Inc. and Shihasi Turfway LLP (owners) for Changes in Concept Development Plans in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 2.4 acre tract located at 7484 Turfway Road (Tumbleweed Restaurant), Florence, Kentucky, and an approximate 0.5 acre portion of the 3.838 acre site located at 7492 Turfway Road (Lots 1 and 2 of SpringHill Suites Subdivision), Florence, Kentucky. The request is for a change in two approved Concept Development Plans to allow a 47,425 square foot hotel in addition to an existing 7,421 square foot restaurant on a 2.85 acre site.

Staff Member Todd Morgan presented the Staff Report which included a Power Point presentation (see Staff Report). He reviewed an email received from Bill Martin at the airport indicating that their only concern is in regard to the height of the cranes used on the site (see Exhibit 1).

Following an explanation of the Public Hearing process, Mrs. Poston asked for the applicant's presentation.

Mr. James Rybolt, 6507 Stewart Road, Cincinnati, OH stated that they have been working with City of Florence Public Services and have received comments back from Marriott. He presented a rendering of proposed changes to the layout in order to provide a better traffic flow and to address the curb cut/turning radius issues that have been raised. They have relocated the dumpster to the back of the parking area and shifted some of the parking forward. There are still seven parking spaces encroaching over the property line. They have reoriented the dumpster that serves Tumbleweed and SpringHill Suites to allow a better flow between the properties. They have not yet received approval of the curb cuts from City of Florence Public Services. They have provided the required 20-foot radius on the turn-out portion of the curb cut. He stated that they are looking at reducing the number of parking spaces at Tumbleweed to increase the potential for landscaping and allow more space for cars waiting to turn out. They addressed the turning radius for the fire trucks. It appears that they meet the turning radius and there should not be a problem with even the largest fire apparatus. They have submitted a response to Florence Fire District. He stated that there will probably be a request from the City of Florence and from Boone County to show more walkways connecting the buildings and the sites. He indicated on the Power Point slide how a portion of the site will connect to the sidewalk behind SpringHill Suites. There will be new public walkways connecting from where the sidewalk currently stops to where the sidewalk stops on Turfway Road in order to address public access on Hansel Avenue. He stated that they intend to meet the landscaping requirements in front of Tumbleweed to the best of their ability. They cannot fully comply with the Houston-Donaldson Study requirement for a 20-foot buffer, or the Boone County requirement for a 10-foot buffer, but they will provide the required plantings to the degree possible to enhance the appearance of the corner lot. He stated that they cannot take out the parking spaces there. They do not want to reconfigure the parking to address the landscaping. He stated that they have revised the number of parking spaces as a result of the revised layout. He stated that Tumbleweed originally requested 250 seats in the restaurant, and the parking requirement is one space per two seats. Based on the revised seating for Tumbleweed and the 87 required parking spaces for TownePlace Suites, they meet the parking requirements with the on-site parking and the shared parking and do not require a Waiver. They will address site lighting in time for the Committee Meeting.

Mr. Subhas Patel with Keystone Hotel Group, 6984 Stonehenge Drive, Cincinnati, OH stated that they are proposing another hotel to create synergy operationally with the Marriott, the airport shuttle, and sales. He stated that although occupancy is down this year, on a five-year average, Florence is one of the strongest markets and they would like to add another hotel in this area. He stated that Entity #1 (Shihasi Turfway) owns SpringHill Suites, and Entity #2

would own Tumbleweed and TownePlace Suites. This concluded the applicant's presentation.

Mrs. Poston noted that there was no one else present in the audience.

Mrs. Poston asked if there were any comments or questions from the Commissioners.

Mr. Hicks stated that the existing landscaping all around the site looks bad. He asked the applicant to bring landscaping drawings to the Committee Meeting for the Committee to review. Mr. Rybolt responded that they will provide a proposed landscaping plan to the Committee -- it may not show specific plants, but it will show the number of trees and shrubs required. Mr. Hicks questioned irrigating the landscaped areas. He stated that if the landscaped areas are not irrigated, they may end up looking like they do now. Mr. Patel responded that they have irrigated the SpringHill Suites site and that would be continued. Mr. Hicks stated that irrigating the landscaped areas would make the site look nicer.

Mr. Schwenke asked if they would screen the roof equipment on the Tumbleweed building. Mr. Patel stated that they are doing a sale/leaseback on the Tumbleweed site and, per the agreement, they have to remodel within a year. He noted that the Staff Report says that they have to screen the roof equipment. He stated that he can see the roof equipment from the second floor of his building and they will have to do something about it.

Mr. Schwenke asked that someone from Tumbleweed attend the Committee Meeting. He questioned the signage. Mr. Costello responded if they want to change the signage, they will have to meet the Houston-Donaldson Study requirements. He does not think that there is a signage plan proposed for Tumbleweed. Mr. Rybolt responded that Tumbleweed has hired their own architectural firm to do their renovation drawings. He believes that it is their intention to pursue a new signage package through the sign permit process.

Mr. Morgan stated that any project in the Houston-Donaldson Study area has to come back to the Planning Commission for Design Review for building modifications and the signage package.

Mr. McMillian questioned who is in charge of the detention areas. Mr. Rybolt responded that it would be Shihasi Turfway, the owner of the SpringHill Suites site, and they are a separate entity. Mr. Patel stated that the detention pond is owned and maintained by Shihasi Turfway. Mr. McMillian stated that it needs to be cleaned up. Mr. Patel stated that it is still under construction -- the hotel does not open for another week -- and they plan to clean it up.

Mr. Bunger stated that the Staff Report (Page 8) says that after Turfway Road is reconstructed, the Level of Service (LOS) will improve from the current LOS F to

LOS B and C in the year 2030. He asked if a new Turfway Road is planned and how the level of service would change that much in that period of time. He questioned if there might be a typo on the Staff Report. Mr. Costello responded that Staff will look into it and provide the information to the Committee.

Mr. Bunger asked, in order to get an idea of their experience, if Shihasi Turfway or its principals are owners of other hotels in the area. Mr. Patel responded that their hotel entities are named Shihasi wherever they are located. There is one at Kings Island and one on Fields Ertel Road in Cincinnati (Comfort Suites), and one in Hebron (Country Inn).

Mr. Breetz asked the applicant to bring to Committee marked up plans showing the definitive locations of sidewalks. Mr. Rybolt responded that he will bring updated drawings to the Committee Meeting which include the internal pedestrian ways. Mr. Breetz stated that he would like to see connectivity from the sidewalks to the external properties. He stated that the uses will bring potential pedestrian traffic and there are shops in the area that people could potentially walk to. He is concerned about pedestrians getting across the road. He stated that there are disconnected sidewalks on the site. He wants to be sure the whole area is taken care of in regard to pedestrian access.

Mr. Rybolt reviewed the Power Point slide and indicated the existing sidewalks and the connections they plan to make.

Mr. Breetz noted that the applicant stated that they had submitted plans for the Fire Department to review and check the turning radius at the entrance. Mr. Rybolt responded that there has been informal contact with Joshua Hunt at Florence Public Services. He stated that they have submitted enlarged plans and the turning radii are indicated on the drawings. He stated that the alignment is changing slightly. He stated that they meet the required 20-foot turning out radius. They also have a 20-foot turning in radius. He stated that after they sent information to Joshua Hunt, he forwarded it on and a concern came from the Fire Department as to whether the radius was wide enough for the fire trucks. They overlaid the fire truck over the turning radius and felt that the requirement was met.

Mr. Breetz stated that generally the Planning Commission prefers to approach roadways at a 90° angle, but their angle is skewed. Mr. Rybolt agreed and stated that they tried to realign it somewhat. He stated that they did not want to shift it along Hansel and make an offset alignment. Mr. Breetz questioned if people coming out of the proposed drive and turning right would be able to stay in their lane. He asked if the radius is large enough now. Mr. Rybolt responded that he believes so based on their information and the response from Joshua Hunt, but they have not received a letter saying that it is acceptable. They hope to have a letter in time for the Committee Meeting.

Mr. Rolfsen asked the applicant to bring to Committee samples of the brick color scheme and the four different brick patterns on the building, as well as the letter to Tumbleweed which addresses the roof equipment and improvements to the railing for the outdoor seating area before the lease is renewed with them. He asked if a Waiver was granted for the height of SpringHill Suites. Mr. Rybolt responded that the allowed height is 50 feet and both hotels are 58' – 60' in height and a Waiver was granted for SpringHill Suites. Mr. Rolfsen commented that both hotels will be about the same height. Mr. Rybolt responded that, based on the final grading, the sea level grade of TownePlace Suites might be slightly lower. He does not know if the engineers will recommend raising it. If they do, it will still be basically the same height as SpringHill Suites.

Mr. Rolfsen stated that if they are going to be creative with the green space where the detention pond is located, he would like them to bring a rendering to the Committee Meeting.

Mrs. Poston asked if there was any consideration given for this many hotels in this area in the Houston-Donaldson Study. Mr. Costello responded that there was zoning in place that would allow these types of hotels. He stated that in the past Staff asked the Northern Kentucky Visitors and Convention Bureau to look into that question, but there has never been a formal study. He stated that how many hotels we have in our community versus other communities is a concern. He stated that there is a heavy concentration of hotels in the Turfway area, but there is a major recreation attraction there, an international airport close by, a business sector, a hospital, and the interstate is close. He stated that there has never been a cap on the number of hotels. The decision has always been based on whether the zoning would allow the hotel.

Mr. Rybolt stated that the TownePlace Suites proposed on this site is an extended stay hotel and marketed to a different segment of the public.

Mrs. Poston stated that there are a lot of extended stay hotels already in the Houston-Donaldson Study area.

Mr. Bunger stated that as part of the consideration for the PD and the intensity bonus, there was a comment about expanded amenities beyond green space. He questioned how important any type of amenity or benefit to the community would be in making a decision for construction in a PD. Mr. Costello responded that in the Planned Development criteria there is unique design or a mixture of uses. He stated that the same would apply to anything else that has been approved in the area. He asked if there were any public amenities put in with the other hotel. He stated that they are proposing a use in Planned Development and in the Houston-Donaldson Study area. He stated that when he went by there about a month ago, it did not look like anything had been done to the detention pond but, hopefully, it will be a nice amenity that compliments both hotels. He stated that at one time there was discussion of putting benches along there. He stated that the space is

basically building and parking lot and he is not sure there is a lot else they can do. He stated that the use caters to people who work in the area and possibly patrons of the race track. He stated that the Planning Commission is looking at the request in light of what the Houston-Donaldson Study recommends and the Planned Development requirements. At Target there is an area with benches and a fountain. It was a requirement of that project that they put some type of feature in there.

Mr. Bunger asked the applicant to look at the overall picture as to what might be done and bring that information to the Committee Meeting.

Mr. Patel stated that as part of their upgrades, they have an outside patio that cannot be seen in the Power Point slide and the pavers are being put down now. There will also be an outdoor patio in the front with a fireplace. There will be upgraded landscaping around the pond on their side. It is difficult for them to do anything other than clean up the other side at this time. They intend to do something to beautify the pond. He stated that right now Tumbleweed is an eyesore compared to their building and their level of investment. He stated that he wants to clean it up. He stated that he could have gone down the road near Wal-Mart, but he wants to clean up this whole area.

Mr. Bunger asked the applicant to get all of their thoughts together and bring the information to Committee so that the Committee can see what they plan to do.

Mr. Patel stated that he would appreciate getting everyone's comments because he has to close on this by New Year's Eve. Mr. Bunger questioned if it is possible to take action on this request by New Year's Eve. Mrs. Poston stated that the Committee Meeting will not be until January 7, 2009 and the action date is not until February 4, 2009.

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on January 7, 2009 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on February 4, 2009 at 7:00 PM. Mrs. Poston closed this Public Hearing at 8:20 PM.

APPROVED:

Susan Poston, Chairwoman

Attest:

Jan Hancock, Recording Secretary

Exhibit 1 - Email from Bill Martin at the airport, submitted by Staff