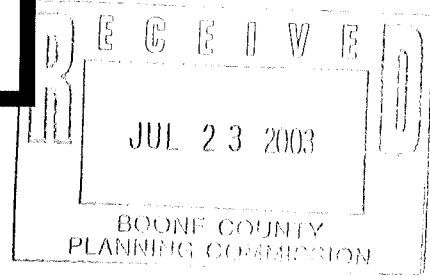


APPLICATION FORM

**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION**



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

- (Check One)
1. Boone Florence Walton Union
- (Check One)
2. Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
3. Applicant's Name Saint Elizabeth Medical Center, Inc.
Phone Number (859) 344-3906 Fax No. (859) 344-5406
Applicant's Address One Medical Village Drive
Edgewood Kentucky 41017
City State Zip
 4. Description of Request: Request for Conditional Use Permit
 5. Name of Development A portion of the existing Kentucky Community and Technical **
 6. Location of Development Northeast Quadrant of I-75/75 and Mt. Zion Road,
Florence, Boone County, Kentucky
 7. Acreage Under Review 5 Gross Acres (part of existing 41.2688 acre parcel)
 8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A
 9. Owner of Property Commonwealth of Kentucky for the use and benefit of **
Phone Number of Owner (859) 246-3138
 10. Address of Property Owner 2624 Research Park Dr., P.O. Box 14092, Attn: Bruce Bailey
City Lexington State Kentucky Zip 40512
 11. Proposed Use(s) on Site Ambulatory Care Center and/or Medical Office,
Laboratory and/or Clinic and/or occupational therapy center/clinic.
 12. Total Square Footage of Existing and/or Proposed Buildings 32,000
 13. Current Zoning on Property Public Facilities District
 14. Deed Book 810 Page No. 1 Group No. 2049B
 15. Is the site subject to a zone change? Property zoned a Public Facilities District 7/23/02.
If yes, give date of approval _____
 16. Have you submitted a Site Plan with this request? No (See attached for general **
 17. Have you submitted a list of adjoining property owners with this request? Yes (See Exh. A)
 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Mark A. Kuebel

Property Owner's Signature: Patricia R. Hughes
ATTORNEY FOR OWNER

(over)

**9 Continued: Kentucky Community and Technical College System

** 16 Continued: description of Property and Proposed Development)

**5 Continued: College System Property to be known as St. Elizabeth Medical Park.

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 7-23-03 Fee Received \$559.00 R# 36010
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
8/13/03 **Approved**
Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: SEE B.C.B.O.A. MEETING
MINUTES
7. Reasons for Denial: _____

**Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

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

STAFF REPORT

APPLICANT: St. Elizabeth Medical Center, Inc.

LOCATION: Immediately to the east of the Mt. Zion Road/Interstate 71/75 Interchange and Immediately to the west of 450 Mt. Zion Road, Boone County, Kentucky

ZONING: Public Facilities (PF)

DATE: August 13, 2003

PROPOSAL

The Applicant is requesting a Conditional Use Permit to allow medical office, medical laboratory, and medical clinic uses on a 5 acre parcel which is proposed to be conveyed off from the 41 acre Gateway Community & Technical College site. The property is located immediately to the east of the Mt. Zion Road/Interstate 71/75 interchange and immediately to the west of 450 Mt. Zion Road (Steak 'n Shake), Boone County, Kentucky.

The submitted Concept Development Plan indicates that the property will be developed with a 12,000 square foot Ambulatory Care Building, a 10,000 square foot Occupational Therapy Building, and a 10,000 square foot Physician Office Building. The Applicant has provided a brief summary of the typical functions that will be performed in each of the buildings (see attachments). Ingress and egress to the property is provided from a state road, which goes behind Steak 'n Shake and connects to Mt. Zion Road.

SITE HISTORY

2002 The 41 acre property was rezoned from Industrial Two (I-2) and Commercial Services (C-3) to Public Facilities (PF) as part of the 2001/2002 Zoning Update

APPLICABLE REGULATIONS

Article 12, Section 1213 of the Boone County Zoning Regulations states that all the principally permitted uses in the Office One (O-1) zone are conditional uses in the Public Facilities (PF) zone.

Article 11, Section 1111 of the Boone County Zoning Regulations states that "physician and dental services, including medical, dental laboratories and clinics" are permitted uses in the Office One (O-1) zone.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Section 262 and 1213 of the Boone County Zoning Regulations.

Findings listed in Section 262 (Findings for all Conditional Uses):

1. Will be harmonious with and in accordance with the general objectives, or with harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

Section 1213 of the Boone County Zoning Regulations allows "all principally permitted uses of the Office One (O-1) zone" as Conditional Uses in the Public Facilities (PF) district provided that:

- a. the activity is provided primarily in support of and obtains its trade from the employees or users of the district's permitted uses; or
- b. the activity is of integral relation to the purpose of the district;
- c. the use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted use of the district; and
- d. provided the arrangement of uses, buildings or structures is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's 2025 Future Land Use Plan designates the site in question for Commercial uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial, recreation, restaurants, services, etc (p. 158).

SURROUNDING LAND USES AND ZONING

North: Future Site of Gateway Community & Technical College (PF)

South: Mt. Zion Road, Single-Family Residential Fronting on Biltmore Place (SR-1)

East: Steak 'n Shake (C-3) & Toebben Property (C-3 & I-1)

West: Interstate 71/75

SITE CHARACTERISTICS

The subject property is currently part of a 41 acre parcel which will become the future home of Gateway and Community & Technical College. The property is relatively flat but sits much higher than the Mt. Zion Road and Interstate 71/75 right-of-ways (see attached topographical map). The 5 acre does contain some mature deciduous trees near the eastern and northern property lines. It appears that most of the trees near the northern property line will need to be cleared to accommodate the development. A state right-of-way connects the site to Mt. Zion Road.

STAFF COMMENTS

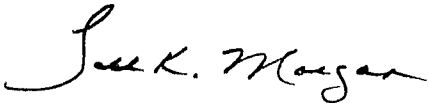
1. Staff has asked the applicants to contact the Commonwealth of Kentucky to see if they would be interested in having a driveway connection that would join the Community College and Medical Center parking lots. Staff suggested this connection because the current plan for each development only provides one access point.
2. Staff recommends that a Staff Design Review Process should be required with the Site Plan approval because no elevation drawings have been submitted with the application. If the project is approved, this area will become a high visibility office/campus corridor. Staff recommends the following conditions in regard to exterior design of the three buildings:
 - a. The buildings should be predominately constructed of brick, decorative masonry, or stone;
 - b. The building facades and roof types shall be designed in the same architectural style;
 - c. Service or delivery doors shall be limited from the public view or public streets;

- d. The predominant color of the buildings should be a natural color, such as a warm gray or red based brown). Unusually bright colors should not be used on the majority of any building but may be permitted as a compatible accent to the buildings;
 - e. Utility equipment located on the roof must be screened from public view with materials harmonious to the building. Staff recommends this because of the site visibility and due to the fact that other office buildings in the area, including Fifth Third Bank and Bank of Kentucky, have no utility equipment on their roofs.
3. If the project is approved, a Major Site Plan application will need to be submitted to the Boone County Planning Commission before construction can proceed. The Site Plan will address setbacks, parking, landscaping, storm water detention, lighting, etc.

CONCLUSION

KRS 100. 237 and Sections 220 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the Applicant's request for a Conditional Use Permit.

Respectfully submitted,

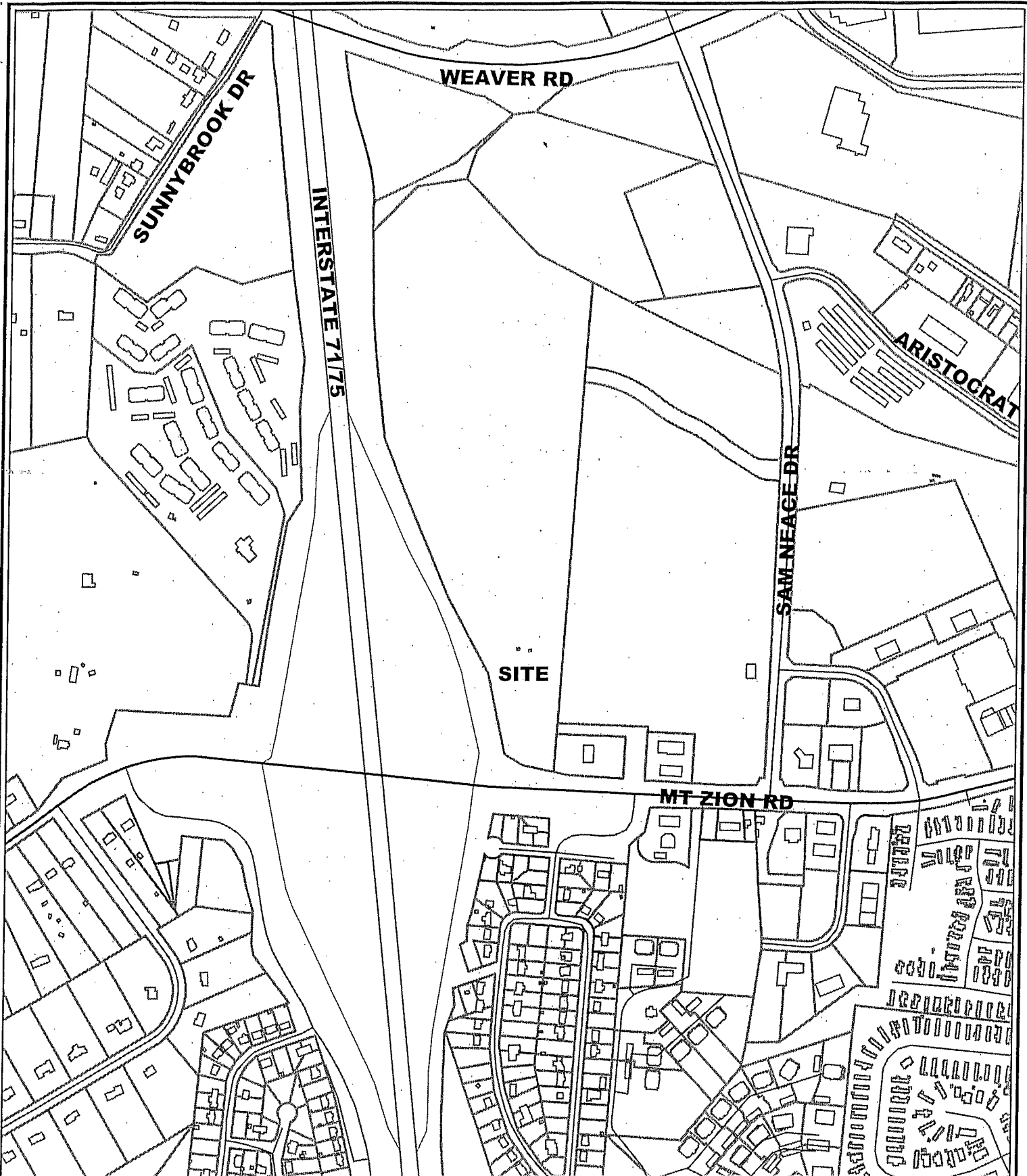


Todd K. Morgan
Planner, Zoning Services

TKM/pr

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Concept Development Plan
- Exhibit C – Letter from the Applicant
- Exhibit D – Aerial Map
- Exhibit E – Zoning Map
- Exhibit F – Future Land Use Map
- Exhibit G – Topographical Map
- Exhibit H – Gateway Community & Technical College Site Plan
- Exhibit I -- Application



St. Elizabeth Med. Center Site Vicinity Map

600 0 600 Feet



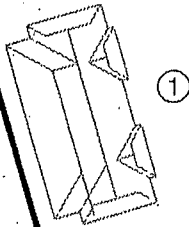
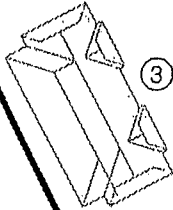
1 inch equals 600 feet

Produced by the
Boone County Planning Commission
GIS Services Division
August 1, 2003

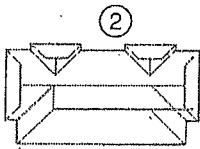


KCTCS PROPERTY

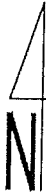
5 ACRE
PARCEL



CONCRETE DRIVE
EXTENSION OF
FRONTAGE RD.



STEAK & SHAKE



ST. ELIZABETH MEDICAL PARK

SCALE: NONE

LEGEND

- 1. 12,000 SQ FT AMBULATORY CARE BUILDING
- 2. 10,000 SQ FT OCCUPATIONAL THERAPY BUILDING
- 3. 10,000 SQ FT PHYSICIAN OFFICE BUILDING

ST. ELIZABETH MEDICAL CENTER
BOONE COUNTY STAGE 1 PLAN

ST. ELIZABETH MEDICAL CENTER
ONE MEDICAL VILLAGE DRIVE
EDGEWOOD, KY 41017

1 - A

7 - 23 - 2003

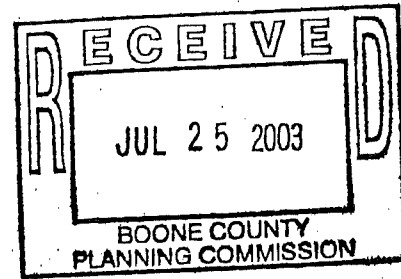
SCALE: NONE



St. Elizabeth Medical Center
PROPERTY MANAGEMENT

July 25, 2003

Todd Morgan
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005



Mr. Morgan:

As you requested, listed below is a brief summary of the typical functions for the suggested buildings listed on our application for conditional use for the property on Mt. Zion Road, Boone County.

The uses are described as follows:

12,000 Square Feet Ambulatory Care Building

This building will be used primarily for treatment and diagnostic testing. The possible services provided would be x-ray, physical therapy, laboratory, and speech and hearing diagnostics. Normally these services will be offered during regular business hours. There is no surgery performed or patients admitted overnight.

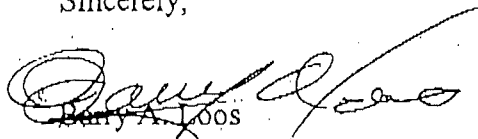
10,000 Square Feet Occupational Therapy Building

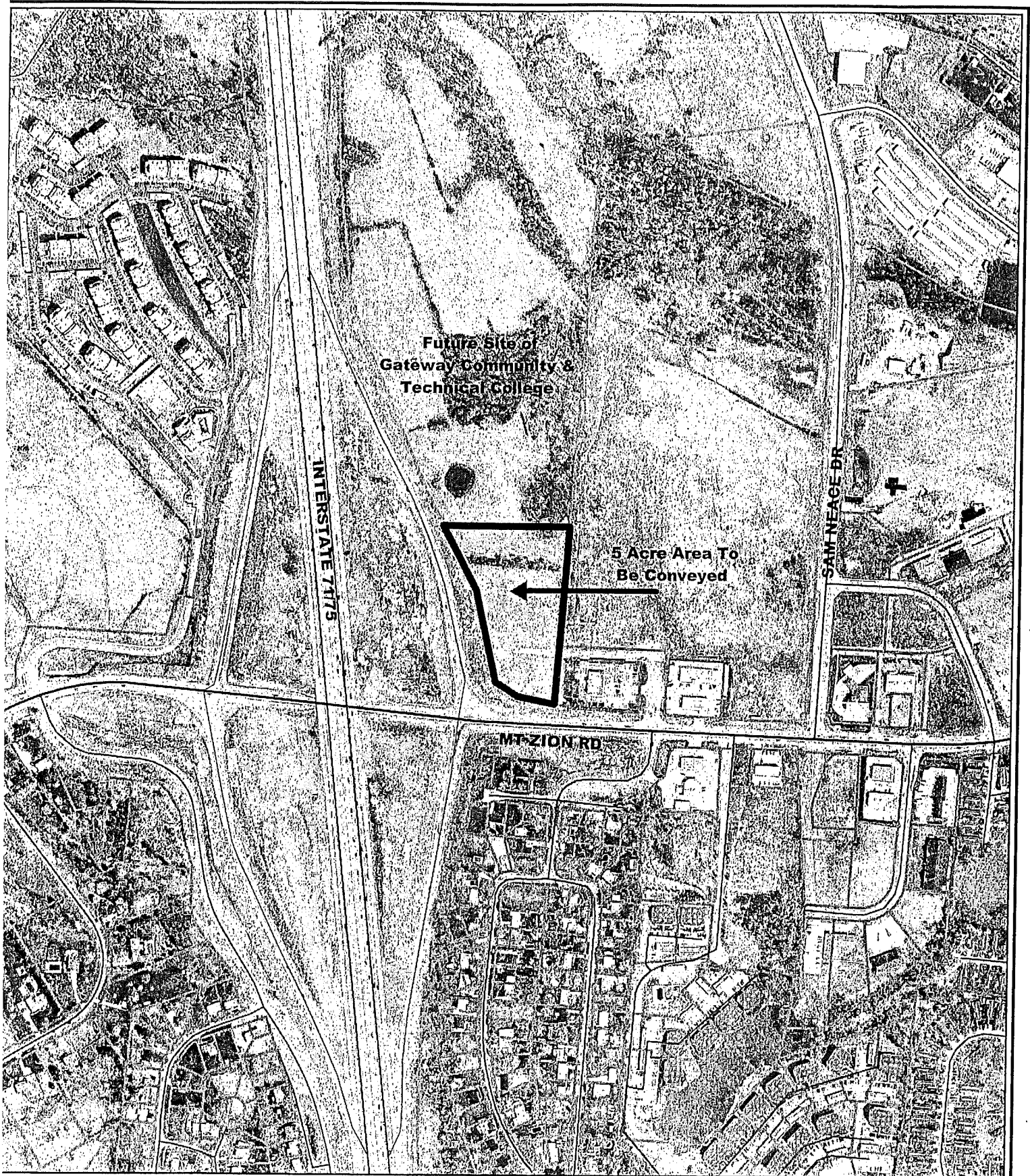
This building will house the treatment services to physically rehabilitate injured workers for their return to the workforce. Normally, these services will be offered during regular business hours. There is no surgery performed or patients admitted overnight.

10,000 Square Feet Physician Office Building

The building will provide space for several doctors offering general and/or specialized medical diagnosis and treatment services. Normally, these services will be offered during regular business hours. There may be very limited outpatient surgery performed but no patients admitted overnight.

Sincerely,


Barry A. Loos
Facility Manager
St. Elizabeth Medical Center



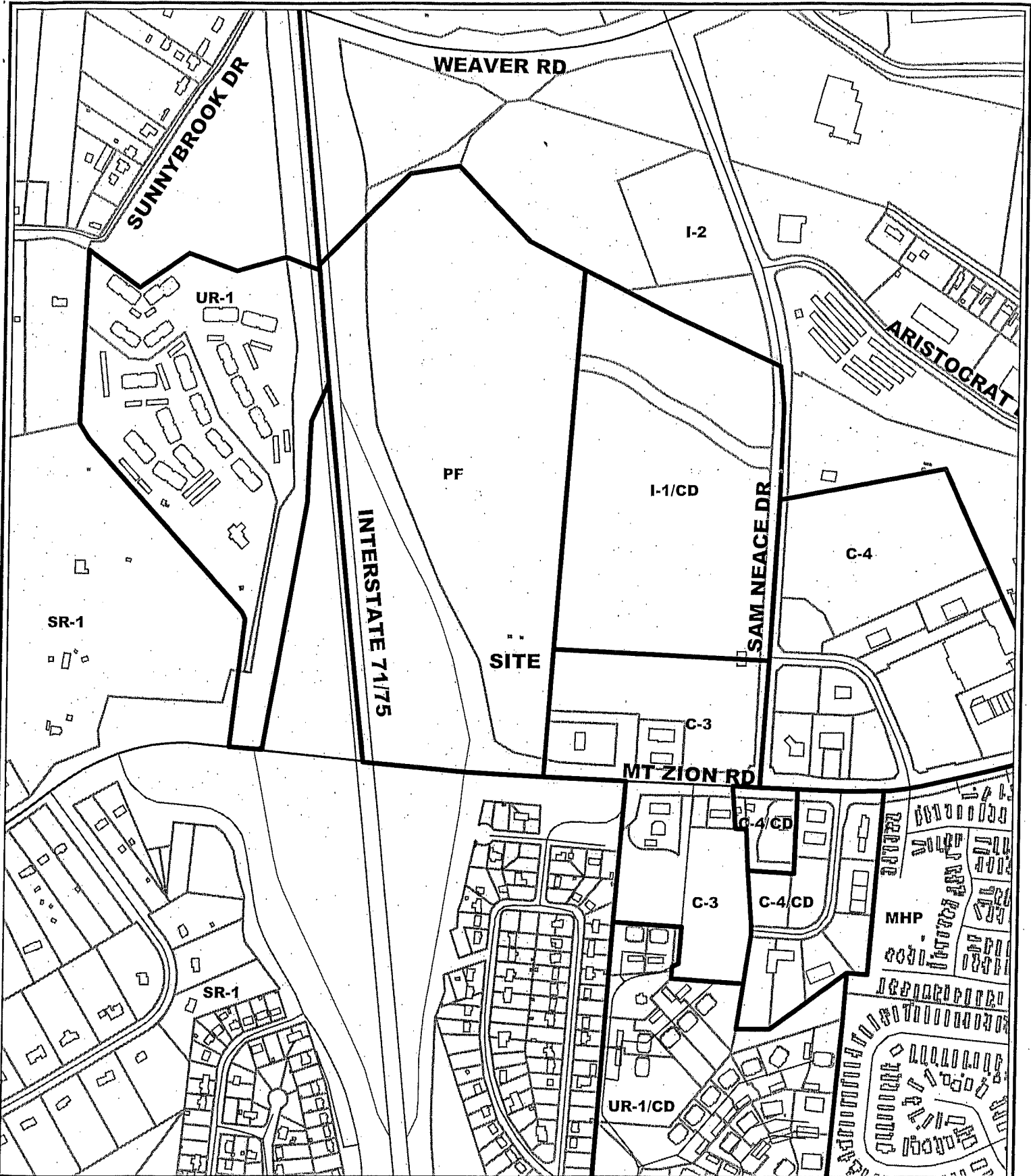
500 0 500 Feet

1 inch equals 500 feet

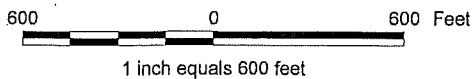
Produced by the
Boone County Planning Commission
GIS Services Division
August 4, 2003



St. Elizabeth Med. Center Aerial Map

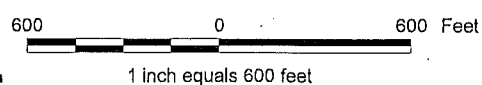


St. Elizabeth Med. Center Zoning Map



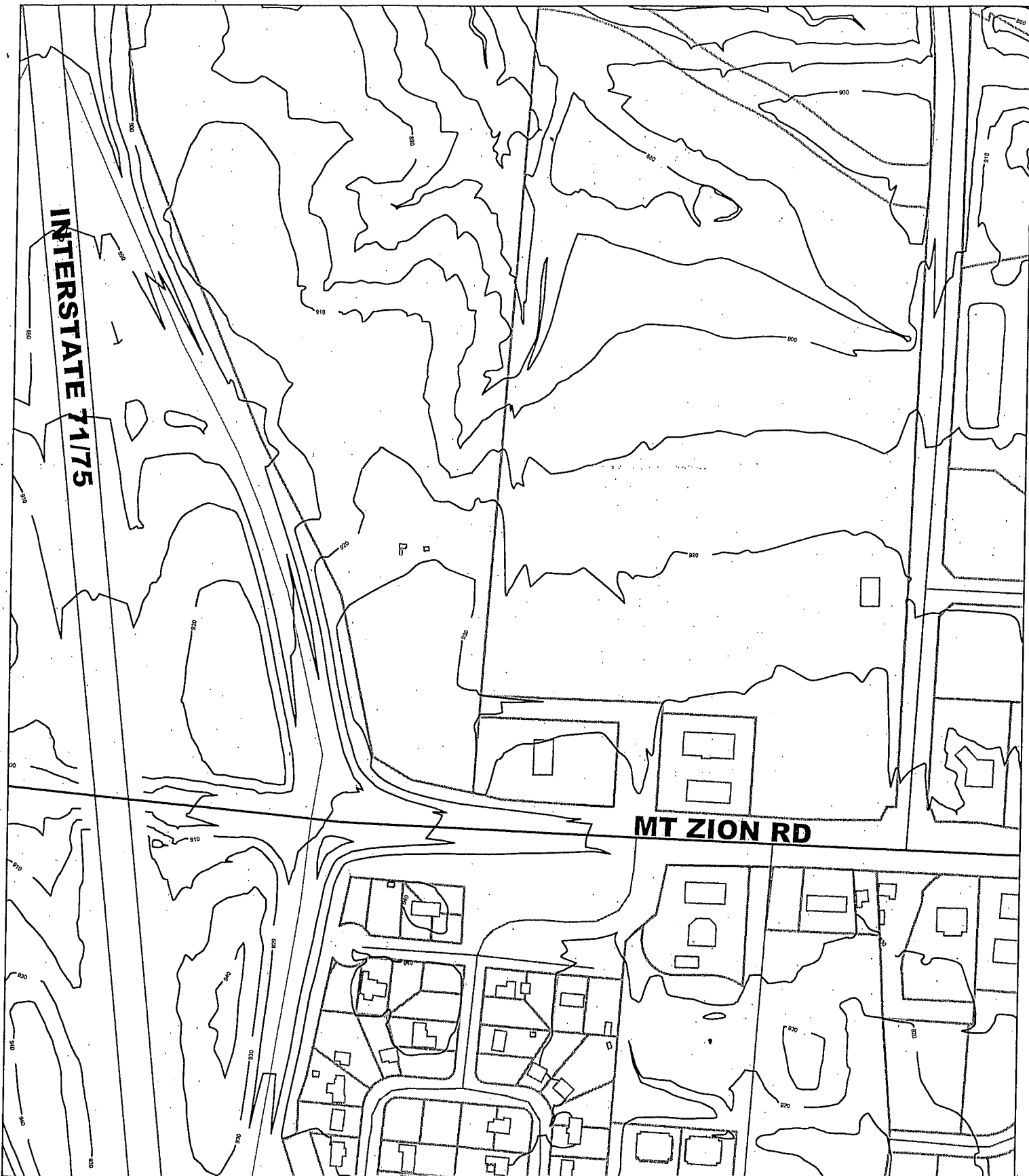
Produced by the
Boone County Planning Commission
GIS Services Division
August 1, 2003





St. Elizabeth Med. Center Future Land Use Map

Produced by the
Boone County Planning Commission
GIS Services Division
August 1, 2003



St. Elizabeth Med. Center Topographical Map

300 0 300 Feet

1 inch equals 300 feet
Produced by the
Boone County Planning Commission
GIS Services Division
August 6, 2003

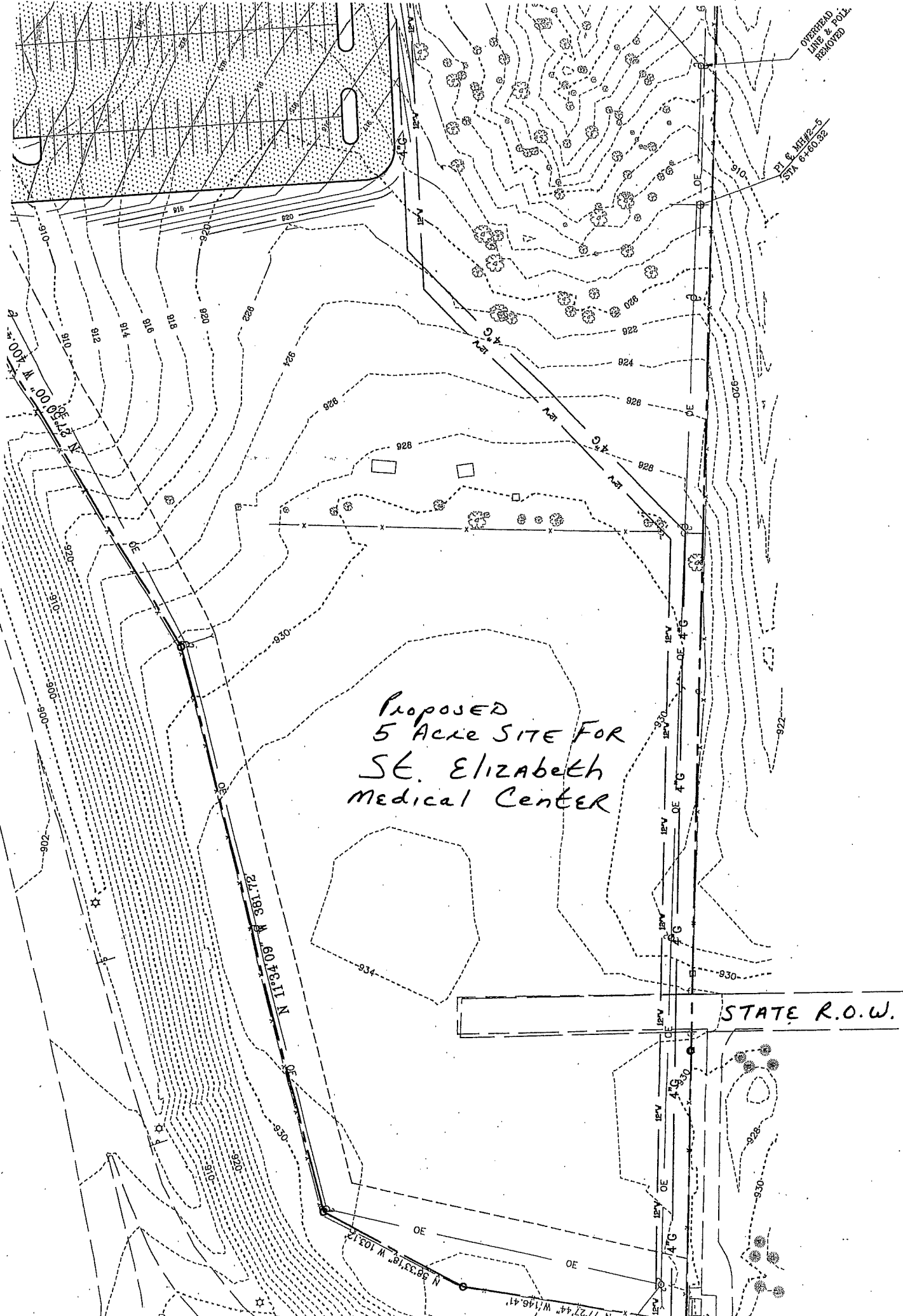


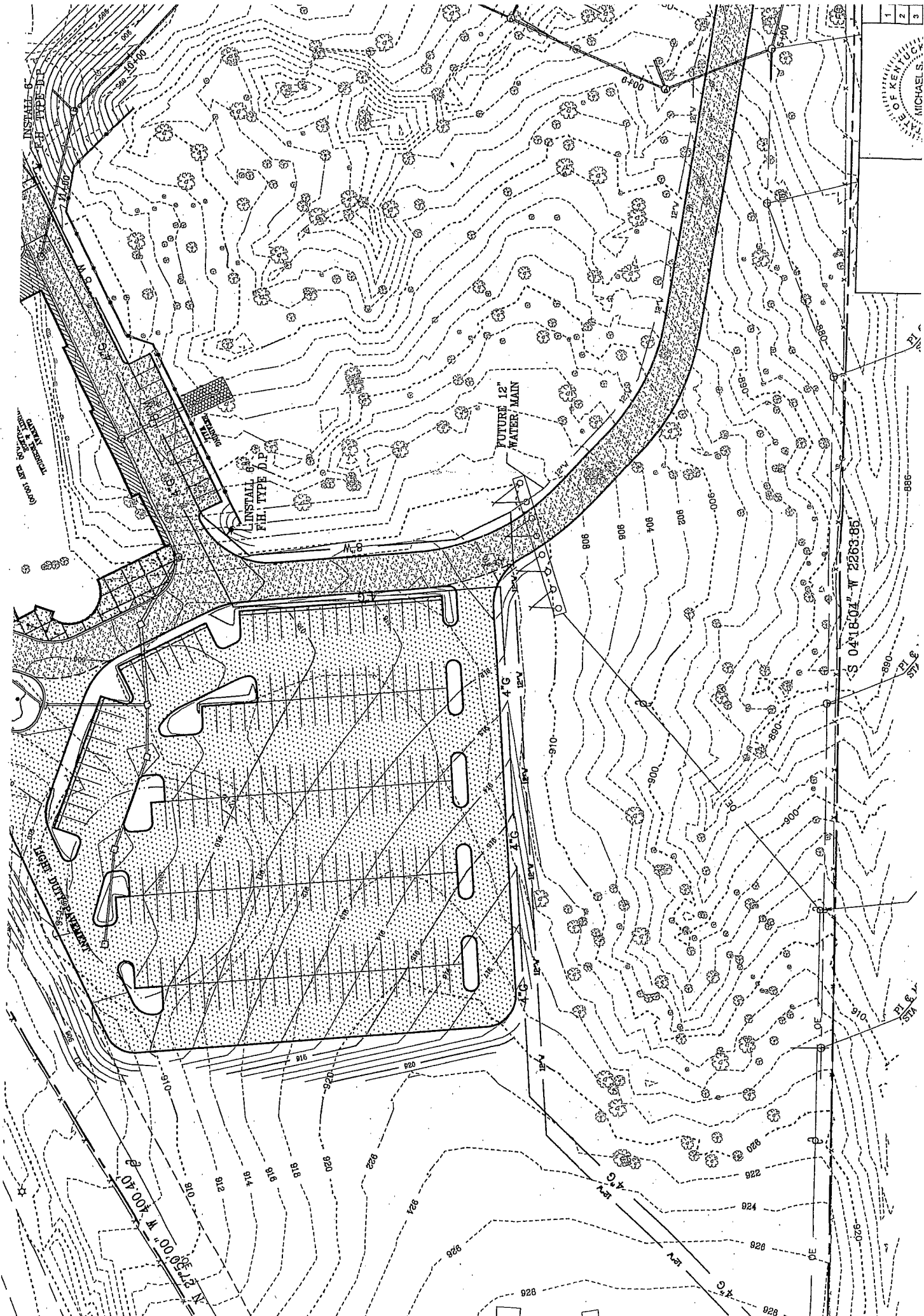
OVERHEAD
LINE & P.O.L.
REMOVED

PT. & MEAS-5
STA. 6+760.32

Proposed
5 Acre Site For
SE. Elizabeth
Medical Center

STATE R.O.W.





GATE
LIGHT DUTY ALUMINUM
S 0418-04 W 2263-85

INSTALL 6" F.H. TYPE A.P.

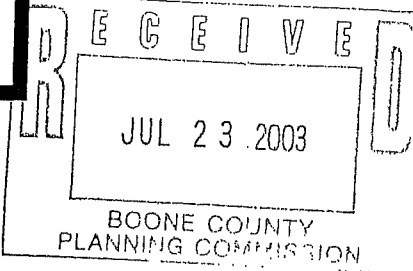
FUTURE 12" WATER MAIN

S 0418-04 W 2263-85

N 37°30'00" W 400'10"

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One)
- Boone _____ Florence _____ Walton _____ Union _____
 - (Check One)
 Conditional Use Permit _____ Variance _____ Appeal _____
Change in Non-Conforming Use _____
 - Applicant's Name Saint Elizabeth Medical Center, Inc.
Phone Number (859) 344-3906 Fax No. (859) 344-5406
Applicant's Address One Medical Village Drive
Edgewood Kentucky 41017
City State Zip
 - Description of Request: Request for Conditional Use Permit
 - Name of Development A portion of the existing Kentucky Community and Technical **
 - Location of Development Northeast Quadrant of I-75/75 and Mt. Zion Road,
Florence, Boone County, Kentucky
 - Acreage Under Review 5 Gross Acres (part of existing 41.2688 acre parcel)
 - Lot Number and Name of Subdivision (if part of a subdivision)
N/A
 - Owner of Property Commonwealth of Kentucky for the use and benefit of **
Phone Number of Owner (859) 246-3138
 - Address of Property Owner 2624 Research Park Dr., P.O. Box 14092, Attn: Bruce Bailey
City Lexington State Kentucky Zip 40512
 - Proposed Use(s) on Site Ambulatory Care Center and/or Medical Office,
Laboratory and/or Clinic and/or occupational therapy center/clinic.
 - Total Square Footage of Existing and/or Proposed Buildings 32,000
 - Current Zoning on Property Public Facilities District
 - Deed Book 810 Page No. 1 Group No. 2049B
 - Is the site subject to a zone change? Property zoned a Public Facilities District 7/23/02.
If yes, give date of approval _____
 - Have you submitted a Site Plan with this request? No (See attached for general **
 - Have you submitted a list of adjoining property owners with this request? Yes (See Exh. A)
 - I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Mark A. Kishel

Property Owner's Signature: Bruce Bailey
ATTORNEY FOR OWNER

(over)

**9 Continued: Kentucky Community and Technical College System

** 16 Continued: description of Property and Proposed Development)

**5 Continued: College System Property to be known as St. Elizabeth Medical Park.

COPY

CLUR #03-BCBOA-014-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Commonwealth of Kentucky
2624 Research Park Drive
P.O. Box 14092
Lexington, KY 40512

2. ADDRESS OF PROPERTY

I-75 and Mt. Zion Road
Boone County, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Saint Elizabeth Medical Center, Inc.

4. DEED BOOK 810

PAGE NO. 1

GROUP NO. 2049B

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat
(Not Recorded)

Other:

Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005

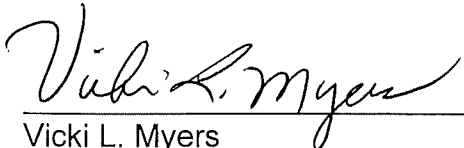
Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

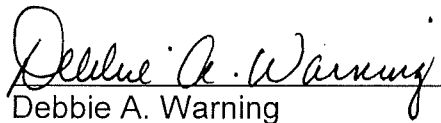
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 19 day of August, 2003.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2007

This instrument was prepared for recording purposes only by:



Debbie A. Warning
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of August 13, 2003 Certificate of Land Use Restriction (#03-BCBOA-014-A), for Commonwealth of Kentucky, Property Owner(s).

The following conditions will apply:

- 1) Staff requires the applicants to contact the Commonwealth of Kentucky to see if they would be interested in having a driveway connection that would join the Community College and Medical Center parking lots. Staff suggests this connection because the current plan for each development only provides one access point.
- 2) Staff requires a Staff Design Review Process with the Site Plan approval because no elevation drawings have been submitted with the application. Because this area will become a high visibility office/campus corridor staff requires the following conditions in regard to exterior design of the three buildings:
 - a. The buildings should be predominately constructed of brick, decorative masonry, or stone;
 - b. The building facades and roof types shall be designed in the same architectural style;
 - c. Service or delivery doors shall be limited from public view or public streets;
 - d. The predominant color of the buildings is to be a natural color, such as a warm gray or red based brown. Unusually bright colors should not be used on the majority of any building but may be permitted as a compatible accent to the buildings;
 - e. Utility equipment located on the roof must be screened from public view with materials harmonious to the building. This is required because of the site visibility and due to the fact that other office

buildings in the area, including Fifth Third Bank and Bank of Kentucky, have no utility equipment on their roofs.

- 3) A Major Site Plan application must be submitted to the Boone County Planning Commission before construction can proceed. The Site Plan will address setbacks, parking, landscaping, storm water detention, lighting, etc.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in:

DEED BOOK 810

PAGE NO. 1

GROUP NO. 2049B