

APPLICATION FOR ZONING ACTION

TO:

- Boone County Planning Commission
- City of Florence Board of Adjustment
- Boone County Board of Adjustment
- City of Union Board of Adjustment
- City of Walton Board of Adjustment
- Zoning Enforcement Officer

FOR:

- Zoning Text Amendment
- Comprehensive Plan Change
- Preliminary Plat Review
- Conditional Use Permit
- Concept Development Plan Change
- Preliminary Development Plan
- Change of Non-Conforming Use
- Design Review Board and Certificate of Appropriateness
- Zoning Map Amendment
- Planned Development Overlay Change
- Improvement Plat Review
- Final or Deed Plat Review
- Site Plan Review
- Historic District Overlay
- Appeal or Variance
- Sign or Zoning Permit

Applicant: CORPOREX  Owner  Agent  
 Address: 1717 DIXIE HWY. FT. WRIGHT KY. 41011  
 Telephone: 344-3135

Location: SOUTHWEST QUADRANT OF I-75 & TURTWAY ROAD

Name of Property Owner: CORPOREX

Address of Property Owner: 1717 DIXIE HWY. FT. WRIGHT. KY. 41011

Zoning District: 0-2 Area in Acres: 9.155 ACRES

Deed Book: 185 Page Number: 155 Group Number: 2033

Description of Request: TIME EXTENSION (FOR 1YR) OF CONDITIONAL USE

PERMIT C P 84-5-6

Applicant's Signature: *David Fay*

Property Owner's Signature: *Corporation*

170 Fee FOR PLANNING COMMISSION USE ONLY  
 Application Fee: 200 Publication Date Received: 3-24-86 By: G. Newton

Referred To: Kevin Costello Meeting Date: 4-9-86

Action Taken: \_\_\_\_\_ Date of Action: \_\_\_\_\_

STAFF REPORT

DEVELOPMENT: Hotel/Conventional Center Complex

APPLICANT: Corporex Companies, Inc.

LOCATION: Southwest of Turfway Road and West of I-75.

ZONING: Office Two/Planned Development Overlay  
0-2/PD Overlay

DATE: April 9, 1986

REQUEST:

Applicant is requesting an extension of a previously approved Conditional Use Permit in an Office Two, 0-2 zone for the construction of a Hotel/Convention Center Complex on the southwestern side of Turfway Road near I-75. The 9.155 acre tract is presently zoned Office Two/Planned Development Overlay, 0-2/PD Overlay. The Conditional Use Permit was approved by the Florence Board of Adjustment on May 9, 1984 and was recorded on June 14, 1984 as Permit Number CP84-5-6. A copy of the Conditional Use Permit is enclosed. The Permit was granted with three conditions as indicated. The Permit included plans for a hotel and areas designated for hotel and office expansion. There was one access drive into the site off Turfway and across from the entrance of Booth Memorial Hospital.

On December 12, 1984, the applicant requested a modification of its Conditional Use Permit. The request was to modify the maximum height of the structure of 50 feet limit granted as a condition of the May 9, 1984 approval. The Corporex Conditional Use Permit modification was approved. The modification included a maximum building height of 60 feet (including a 4 foot parapet). A fire ladder was also a condition in which the applicant was required to provide.

Analysis

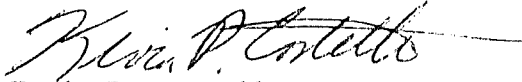
The applicant has requested for a one year extension of Conditional Use Permit Number CP84-5-6. Since the original application was approved by the Florence Board of Adjustment on May 9, 1984, there has been a significant change in the immediate area surrounding the site. First, the Turfway Study; its recommended land use and zoning has been approved. An important concern of this study was traffic generation. Second, the amount of approved and proposed development projects in the Turfway Road, I-75 area has increased since May, 1984. Shared curb cuts and interconnecting parking lots among projects will be necessary to prevent potential traffic problems. If a one year extension of the Conditional Use Permit is granted, the Florence Board of Adjustment should consider as a condition the requirement of shared access, frontage road or an interconnection between the Corporex site and the Mary Ellen Foltz property. Finally, Section 268 of Article 2 appears below. This section refers to the expiration of a Conditional Use Permit.

Section 268

Expiration Conditional Use Permit

A conditional use permit shall be deemed to authorize only a particular conditional use. If said permit has not been exercised within two (2) years from the date it was issued, or a time limit established by the Board, or if said conditional use shall cease for more than one (1) years, the conditional use permit shall not revert to its original designation unless a public hearing has been conducted.

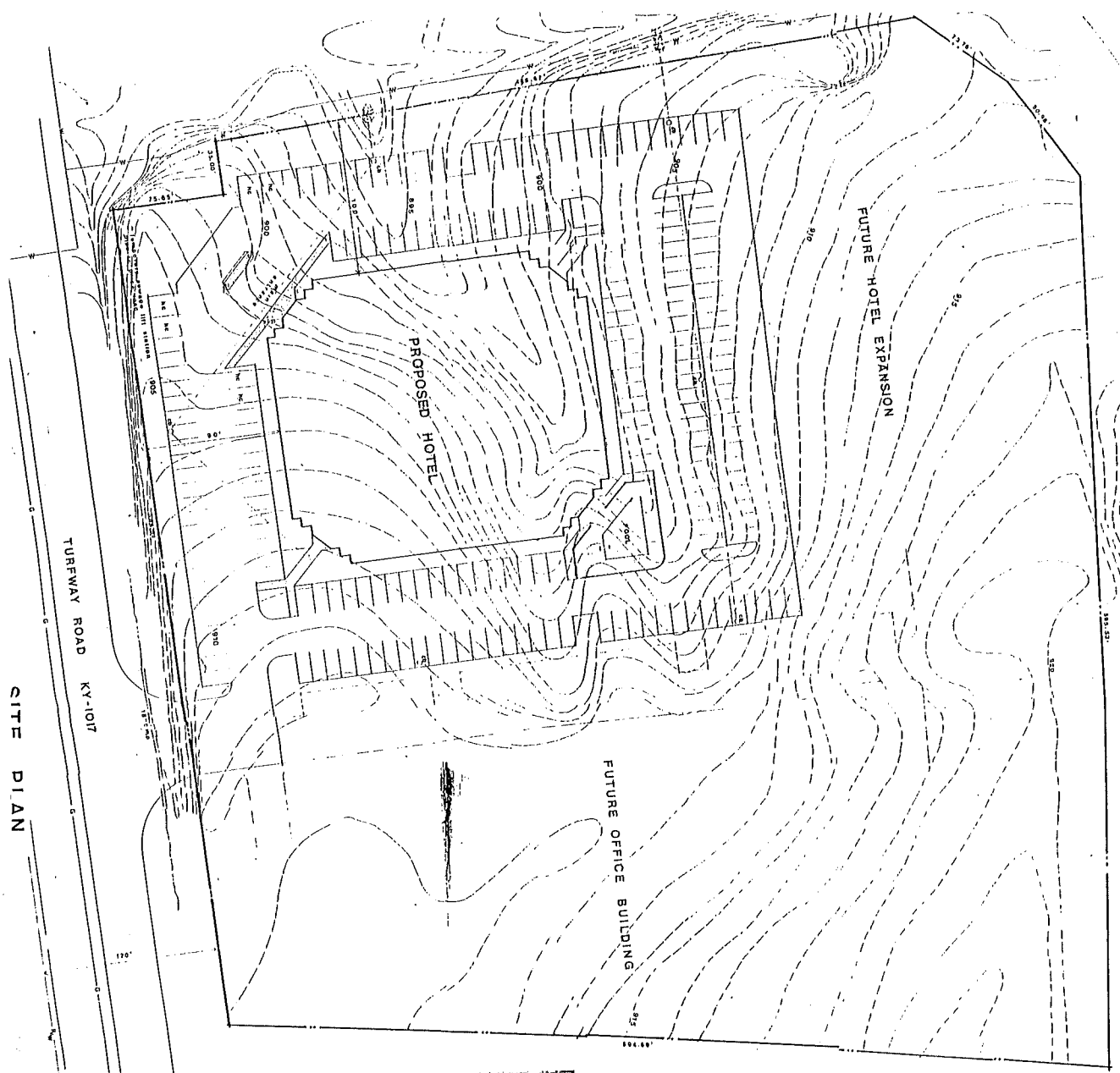
Respectfully submitted



Kevin P. Costello  
Asst. Director/Sr. Planner

KPC/db

1-75 EXIT RAMP TO HUSTON ROAD



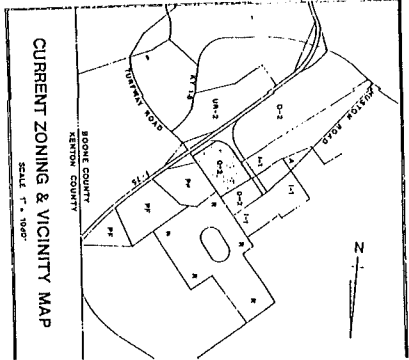
SITE PLAN

1" = 30'



**SCHEDULE OF STATISTICS**

|                                   |                    |
|-----------------------------------|--------------------|
| TOTAL AREA OF TRACT               | 9.118 ACRES        |
| CURRENT ZONING                    | O-2                |
| PROPOSED BUILDING DIMENSIONS      | 185' x 198'        |
| PROPOSED BUILDING AREA (MI TRAIL) | 124,120 SQ. FT.    |
| REQUIRED PARKING                  | 183                |
| PROVIDED PARKING                  | 184                |
| PARKING SPACE DIMENSIONS          | 10' x 20' TYPICAL  |
|                                   | 15' x 20' HANDICAP |



CURRENT ZONING & VICINITY MAP  
SCALE: 1" = 1000'



BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING  
P.O. BOX 87 - 2850 WASHINGTON SQUARE  
BURLINGTON, KENTUCKY 41005  
334-2196

June 29, 1984

- MR. P. E. KROGER, Chairman
- MR. B. NELTNER, Vice Chairman
- MR. L. BARNETT, Secretary-Treasurer
- MR. CHARLES LYNN, Director
- MR. D. T. WILSON, Attorney
- MR. J. C. JENKINS, Attorney
- MR. W. H. LOCK, III, Inspector
- MRS. SHERREY BAKER, Clerk
- MRS. SANDRA G. RYAN, Clerk

- MEMBERS-
- MR. R. L. RUST, JR.
- MR. L. COLLINS
- MR. D. A. DAVIS
- MR. J. O. GOSNEY
- MR. R. N. GREVE
- MR. R. JONES
- MR. D. MARTIN
- MR. D. McWILLIAMS
- MR. C. MITCHELL
- MR. W. A. VON

E. Andre' Busald  
Attorney-Agent  
226 Main Street  
P.O. Box 845  
Florence, Kentucky 41042

Dear Mr. Busald:

Attached is a copy of the Conditional Use Permit No. CP84-5-6, which was granted by the Florence Board of Adjustment on May 9, 1984. If you have any questions concerning this matter, do not hesitate to contact our office.

Thank you.

Sincerely,

*Sandra G. Ryan*  
Sandra G. Ryan  
Clerk

sr  
Enclosure

NOTICE OF CONDITIONAL USE PERMIT

Notice is hereby given that a Conditional Use

Permit No. CP84-5-6 has been granted by the Florence Board of Adjustment to E. Andre' Busald, Agent for Option Holder R. Kent Sutherland, for property owned by Henry Gieske, Parcels 1, 2, 3 and R.C. Durr, Parcel 3, for real estate generally located on the southwesterly side of Turfway Road, near I-75, Florence, Ky, for the purpose of constructing a Hotel/Conventional Center Complex in accordance with Article 10 Section 1023 of the Florence Zoning Order. This permit contains certain terms and conditions and the purpose authorized by the permit is subject to these terms and conditions that expressly appear on the permit, a copy of which is attached hereto, marked as EXHIBIT "A" and is incorporated herein by reference as if fully set out.

The real property which is subject to the permit and its terms is more particularly described as attached and marked as EXHIBIT "B", and located in the following deed books:  
Parcel # 1 Deed Book 185 Page No. 155 Group No. 2233  
Parcel # 2 Deed Book 185 Page No. 155 Group No. 2233  
Parcel # 3 Deed Book 211 Page No. 444 Group No. 2233  
The terms and provisions of this run with the land and the said permit and its terms and provision are binding upon successors, heirs, assigns, and transferees.

RECEIVED  
JUL 02 1984

BUSALD, FUNK, ZEVELY  
& BINGER, P.S.C.

ED IN 3222V BOONE OFFICE 6/15/84

IN WITNESS THEREOF, Charles F. Holland as Chairman of the Florence Board of Adjustment has hereunto set his hand this 14th day of June, 1984.

*Charles F. Holland*  
Charles F. Holland, Chairman

COMMONWEALTH OF KENTUCKY  
COUNTY OF BOONE

Subscribed and sworn to before me by Charles F. Holland Chairman of the Florence Board of Adjustment on behalf of the Board this 14th day of June, 1984.

*Sandra G. Ryan*  
SANDRA G. RYAN  
Notary Public, State at Large

My Commission Expires: August 27, 1984

This instrument was prepared for recording purposes only by:

*Vincent & Skees*  
For: Vincent & Skees  
Attorneys at Law  
240 Main Street  
Florence, Ky. 41042

NO TITLE EXAMINATION

(Legal description and source of title and group no. furnished by the applicant).

A Conditional Use Permit \_\_\_\_\_ is hereby granted to E. Andre Busald, Agent for E. Kent Sutherland, optionholder for property owned by Henry Gieske for 9.135 acres located at Southwesterly side of Turfway Rd. near I-75, Florence Office Two (0-2) for the purpose of constructing a Hotel/Convention Center in accordance with article 10, Section 1023 of the Florence Zoning (Order) (~~Ordinance~~) subject to the following special conditions:

- (1). That the parking lot be surfaced with concrete or portland cement.
- (2). That there be one (1) parking space per sleeping room and one (1) parking space per two (2) employees be provided, and
- (3). That the building not exceed fifty feet (50') in height.

Failure to comply with the above cited Zoning Regulations and special conditions or to activate this permitted use within 2 years after date of approval shall render this permit null and void and to no effect.

Approved in accordance with the minutes of the Florence Board of Adjustment dated May 9, 1984.

Attest:  
*Sandra G. Ryan*  
SANDRA G. RYAN  
CLERK  
*Charles F. Holland*  
CHAIRMAN

FLORENCE BOARD OF ADJUSTMENT

APRIL 9, 1986

7:30 P.M.

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Chairman Holland called the meeting to order. Roll call was taken by staff member Dee Ann Brewer. 3 members present. Absent: Mr. Bolton and Mrs. Lanigan. Atty. Ray Vincent was also present.

Minutes of the March 12, 1986 Florence Board of Adjustment Meeting were considered. Chairman Holland moved the March 12, 1986 Florence Board of Adjustment Minutes be approved as reviewed. The motion was seconded by Mr. Wilder. After further discussion, the motion carried unanimously.

Chairman Holland proceeded to the items on the Agenda.

Extension of a Conditional Use Permit

A request of Corporex Companies, Inc. (owner) for an one year extension of a previously approved Conditional Use Permit in an Office Two, O-2 zone for the construction of a Hotel/Convention Center complex on the southwest side of Turfway Road near I-75. The 9.155 acre tract is currently zoned Office Two/Planned Development Overlay, O-2/PD Overlay.

Staff member Kevin Costello presented Staff Report. (See Staff Report)

Mr. Dan Fay, representative for Corporex, stated they were prepared to break ground for the hotel in 60-90 days, they had been working on design and he noted the plan had not changed substantially except to make the outside of the building more attractive. Mr. Fay stated Corporex had secured a Hilton franchise as the hotel. Mr. Fay described the architectural layout of the proposed hotel. Mr. Fay noted a lot of time and effort had been put into the proposed hotel and he felt the hotel would be an asset to the community.

Mr. White stated his disappointment that the construction of the hotel had not yet begun.

Mr. Wilder expressed his concern of fire safety and inquired if it would be possible to have an old fashion fire escape located on the backside of the hotel. Mr. Fay stated he would refer Mr. Wilder's concern to the engineer for the project.

Mr. Wilder inquired if it would be feasible for the Board to ask for a restriction as far as life safety in relation to a

fire escape on the backside of the building. Atty. Vincent stated he felt that was a reasonable condition. Mr. Fay stated he felt he could not live with that restriction due to the design and caliber of the hotel. Mr. Fay stated there would be interior fire stairwalls, sprinklers and smoke detectors within the proposed hotel. Further discussion followed on the fire safety of the proposed building.

Chairman Holland noted the Board could grant the extension with attached conditions.

Chairman Holland requested explanation of the curb cuts on the proposed property. Mr. Costello explained the application was for 9.15 acres and he noted the original application showed three (3) parcels of land. Mr. Fay stated Corporex controlled the parcels but their contract prohibited anything being put on the parcels until the land deal was closed.

Mr. White stated there was no actual road between the Foltz property and the proposed property and he inquired of the necessity for a curb cut. Mr. Costello explained curb cut was to prevent traffic from moving from one site to the other site. Further discussion followed on a shared access between the Foltz property and the proposed site.

Mr. Wilder inquired if the Board put a condition that there had to be a shared access between the three parcels of property, where would it be defined. Mr. Costello stated he would interpret it as being either frontage road inter-connecting parking lots or between Mr. Fay and Mr. Foltz.

Chairman Holland inquired of the audience's support, opposition or questions on the proposed request.

Mr. K. D. Martin inquired if there would be an exit off of the property by the Florence Christian Church. Chairman Holland stated no.

After further discussion on a shared access between Corporex's property and Mr. Foltz's property, Mr. White moved to grant Corporex Companies, Inc. an one year extension of a previously approved Conditional Use Permit for the construction of a Hotel/Convention Center complex on the southwest side of Turfway Road near I-75. Mr. Wilder seconded the motion and amended the motion to include a shared access to the Mary Ellen Foltz property.

A roll call vote was taken on the request.

Ayes: Messrs. White, Wilder and Chairman Holland.

Nays: none

The motion carried unanimously.

Variance

A request of J & J Distributing DBA Watson's (applicant) for Bahram Kadivar (owner) for a Variance in the number of building mounted signs at US 25 and St. Jude, Florence, Kentucky. The 1.18 acre site is zoned Commercial One, C-1.

Staff member Tom Breidenstein introduced himself as the new Zoning Enforcement Officer for Boone County and presented a slide presentation of the proposed request and surrounding area.

Chairman Holland inquired if there was anyone representing the request. Hearing no response, Chairman Holland moved to deny the request of J & J Distributing DBA Watson's for a Variance in the number of building mounted signs located at US 25 and St. Jude, Florence, Kentucky. The motion was seconded by Mr. Wilder.

Chairman Holland requested a letter of appreciation be sent to ex-staff member Ralph Hopper for his work on the Florence Board of Adjustment.

Chairman Holland moved the meeting adjourn. The motion was seconded by Mr. Wilder. After further discussion, the motion carried unanimously.

The meeting adjourned.

APPROVED:

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CHARLES HOLLAND, CHAIRMAN

ATTEST:

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DEE ANN BREWER, ADMINISTRATIVE ASST.