

16CUP1055

7300 New LaGrange



Louisville Board of Zoning Adjustment Public Hearing

Jon E. Crumbie, Planning & Design Coordinator

December 19, 2016

Requests

- Modified Conditional Use Permit to allow a Chiropractic office in an R-7 zoning district.
- Landscape waivers to reduce the required LBA and omit the required tree requirement along the north and east property lines.
- Variance to reduce the required rear yard.

Case Summary/Background

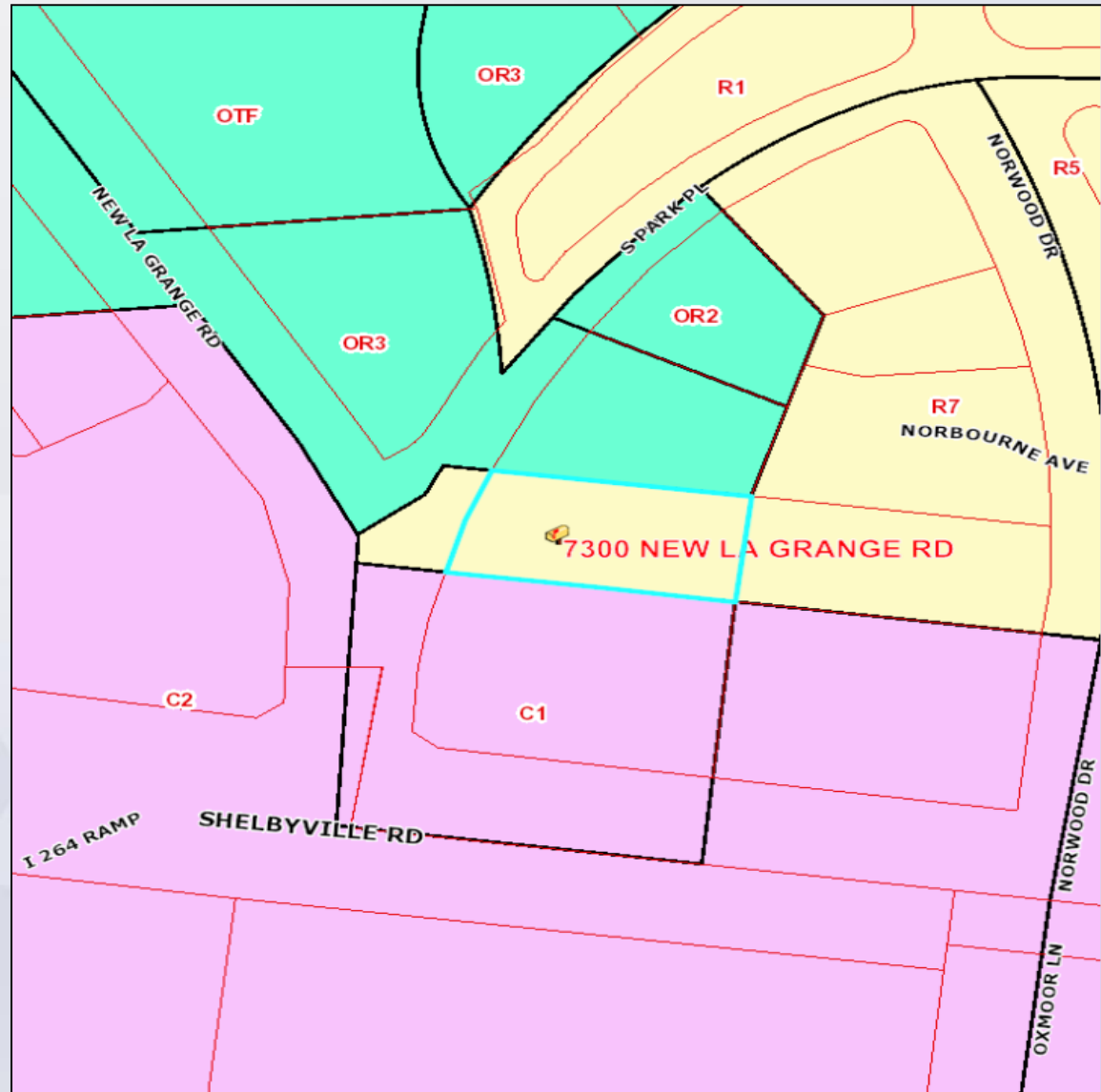
- The applicant is requesting a modification to a previously approved CUP located at 7300 New La Grange Road.
- The prior case was approved for a dentist office. The new use will be a chiropractic office with related massage therapy.
- New parking will be added along the front and rear of the primary structure.
- The existing detached garage will be used as the massage therapy area.

Zoning/Form Districts

Subject:

- Existing: R-7/RC
- Proposed: R-7/RC

- North: OR-2/RC
- South: C-2/RC
- East: R-7, C-2/RC
- West: C-2/RC



Aerial Photo/Land Use

Subject Property:

- Existing: Vacant
- Proposed: Chiropractor Office

Adjacent Properties:

- South: Commercial
- East: Residential
- West: Commercial



CUP Area



CUP Area



CUP Area



Louisville

CUP Area



CUP Area



Applicant's Development Plan

EPSC NOTES

THE APPROVED DESIGN PRESENTATION AND SUBMITTAL CONCEPT DESIGN PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-ALTERING ACTIVITY ON THE CONSTRUCTION SITE AND MODIFICATIONS TO THE APPROVED SITE PLAN MUST BE RECEIVED AND APPROVED BY THE CITY ENGINEER AND THE COUNTY ENGINEER PRIOR TO CONSTRUCTION OF THE PLAN AND M&P STAKEOUTS.

ALL STRUCTURES SHALL BE LOCATED AWAY FROM TREES, POWER LINES, AND OTHER OBSTACLES. STRUCTURES SHALL BE SETBACK, MAINTAINED, AND ADJUSTED TO COMPLY WITH THE USE OF SETBACKS, ALL STREAM CROSSINGS MUST UTILIZE CONCRETE OR STEEL STRUCTURES WITH STEERING CHANNELS.

WHERE CONSTRUCTION AND LAND-ALTERING ACTIVITY WILL BE TEMPORARILY OBTAINED ON ANY PORTION OF A SITE TEMPORARILY SITE UTILIZATION MEASURES SHALL BE RECEIVED AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS BEGUN.

SEWERAGE LATER CONSTRUCTION ENCOUNTERED DURING TRENCHING, BORING OR OTHER EXCAVATION ACTIVITIES SHALL BE REPORTED TO A REGISTERED PROFESSIONAL ENGINEER TO BEAD DETERMINED INTO A STREAM POND, OR OTHER.

UTILITY NOTE

ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES AND NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL VERIFY THE EXACTITY AND DEPTH OF ALL UTILITIES IN ADVANCE OF ANY CONSTRUCTION ON THE PROJECT. THE OWNER SHALL BE RESPONSIBLE FOR PROVIDING ACCURATE LOCATION OF EXISTING BELOW-GROUND UTILITIES FOR ALL UTILITIES. ELECTRICAL, WATER, GAS, AND OTHER UTILITIES SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS BY THE THEORICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION, NATURE, AND STATUS OF ALL EXISTING UTILITIES WITHIN THE CONSTRUCTION AREA WHETHER SHOWN ON THE PLANS OR NOT, AND SHALL CORRECT, ADJUST OR RECONSTRUCT TO THE SIZE AND LOCATION BE SHOWN ON THE ARCHITECTURE PLANS.

TREE CANOPY CALCULATIONS

TOTAL SITE AREA 17,859 SQ. FT.
 EXISTING TREE CANOPY TO REMAIN 1,200 SQ. FT.
 TREE CANOPY REQUIRED TOTAL (CODE C, 41-795) (24) 241' 18"

LA CALCULATIONS

3,828 SQ. FT. (25%)
 LA REQUIRED (5%)
 LA PROVIDED
 LA TREES REQUIRED
 LA TREES PROVIDED (EXISTING TREES MEET REQUIREMENTS)

RELIEF FROM THE LISTED REQUIREMENTS

1. RELIEF FROM 4.2.3 MAXIMUM LOT AREA OF 30,000 SQ. FT. TO 17,859 SQ. FT. TO ALLOW FOR 10% MORE PARKING IN BACK YARD.
 2. RELIEF FROM 4.2.3 PARKING NOT PERMITTED FOR NEW PARKING IN BACK YARD.
 3. RELIEF FROM 4.2.3 TO ALLOW FOR NEW PARKING IN FRONT TO REMAIN AS SHOWN AND NEW PARKING IN BACK YARD TO REMAIN AS SHOWN AND NEW PARKING IN BACK YARD TO REMAIN AS SHOWN AND NEW PARKING IN BACK YARD TO REMAIN AS SHOWN.

WAIVERS REQUESTED

1. TO ELIMINATE THE LANDSCAPE BUFFER REQUIREMENT BUT KEEP THE BUFFER REQUIREMENT.
 2. TO ELIMINATE THE LANDSCAPE BUFFER REQUIREMENT BUT KEEP THE BUFFER REQUIREMENT.
 3. TO ELIMINATE THE LANDSCAPE BUFFER REQUIREMENT BUT KEEP THE BUFFER REQUIREMENT.

VARIANCE REQUESTED

1. VARIANCE FROM 4.2.3.3 NEAR YARD SETBACK OF 10' TO A FENCE TO SETBACK BY 7' 6"

GENERAL NOTES

- ALL DIMENSIONS SHOWN IN PAVED AREAS ARE FROM EDGE OF PAVEMENT TO EDGE OF PAVEMENT UNLESS SHOWN OTHERWISE.
- ALL PAVED AREAS INCLUDING PARKING AREAS SHALL BE OBTAINED WITH CONCRETE CURBS UNLESS NOTED OTHERWISE.
- ALL HATCHED SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH APPLICABLE ADA REQUIREMENTS FOR HATCHED ACCESSIBILITY.
- EXPANSION JOINTS SHALL BE PLACED IN ALL CONCRETE CURBS AT ALL INTERSECTIONS BETWEEN ALL WALLS AND CURBS AND EVERY 30' ALONG STRAIGHT SECTIONS.
- SET CONTROL SHALL BE INSTALLED PRIOR TO CONSTRUCTION AND REMOVED UPON COMPLETION OF THE JOB ONCE SETTLEMENT HAS OCCURRED.
- MINIMUM SANITARY SEWERS AVAILABLE. RECAPTURE FEES DO NOT APPLY.
- FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN REVIEW PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO M&P REQUIREMENTS. SITE IS SUBJECT TO REGIONAL FACILITY FEES.
- COMPUTER UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS APPLICABLE AGENCIES REQUIRE OTHERWISE.
- TREES SHALL BE NO MORE THAN 10' FROM THE RIGHT-OF-WAY TO ANY OTHER OBSTACLE. THERE SHALL BE NO COMMERCIAL DRIVE ON THE RIGHT OF WAY. THERE SHALL BE NO LANDSCAPING IN THE FRONT OF WAY WITHOUT AN ENCLOSURE PERMIT. SITE LIGHTING SHALL NOT BE IN THE FRONT OF DRIVEWAY. IF IT DOES IT SHALL BE IN AN AREA RELEASED BY CURBS OFF.
- OFF-STREET LOADING AND REFUEL COLLECTION AREAS SHALL BE LOCATED AND SCREENED SO AS NOT TO BE VISIBLE FROM ADJACENT PUBLIC STREETS AND RESIDENTIAL USES.
- NO INCREASE OF RUNOFF SHALL BE PERMITTED ONTO ANY ADJACENT PROPERTY OWNERS.
- NOISE FROM WATER QUALITY TREATMENT PLANT IS THE SEWAGE TREATMENT PLANT THAT SERVES THE SITE.
- "BARBER" STRUCTURAL PLUMBING CONNECTION TO BE REMOVED DURING CONSTRUCTION PLAN REVIEW PROCESS.
- CONSTRUCTION SHALL BE DONE AND NOT TO BE STARTED OR COMPLETED PRIOR TO CONSTRUCTION APPROVAL. FINAL APPROVED PLAN TRANSMITTAL AND ISSUANCE OF M&P ENCLOSURE PERMIT.
- ACCESS EASEMENT MUST CONFORM TO ORDINANCE 197. 812826 AS AMENDED.
- LOCAL ACCESS EASEMENT OR AGREEMENT TO BE NEGOTIATED PRIOR TO CONSTRUCTION APPROVAL BY M&P.
- ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDSCAPING AS SET BY METROPUBLIC WORKS.

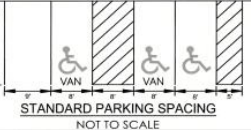
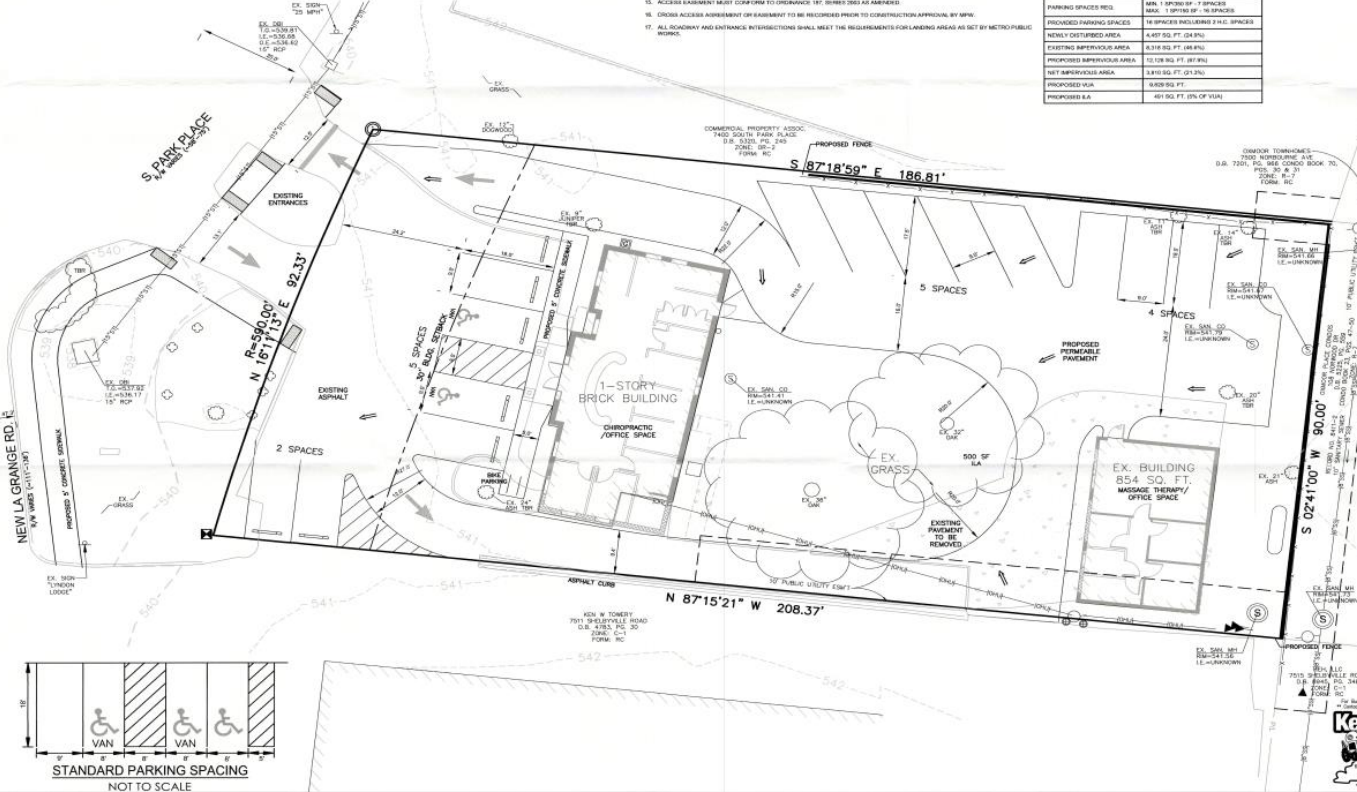
PROJECT DATA	
TOTAL SITE AREA	6,411 ACRES (17,859 SQ. FT.)
PARKING SPACES	20
FORMER USE	INDUSTRIAL CENTER
FORMER MAP & CLASSIFICATION	DT1116086
EXISTING USE	RETAIL
PROPOSED USE	CHIROPRACTIC & MASSAGE
EXISTING BUILDING AREA	2,340 SQ. FT.
PROPOSED BUILDING AREA	2,340 SQ. FT. (PAR 8.10)
PROPOSED FRONT YARD SETBACK	30'
REAR YARD SETBACK	30'
SIDE YARD SETBACK	0'
MIN. BLDG HEIGHT ALLOWED	ND LIMIT
EXISTING BLDG HEIGHT	1 STORY BUILDING
PROPOSED BLDG HEIGHT	1 STORY BUILDING
PROPOSED MASSAGE THERAPY	1 STORY BUILDING
FINAL PROTECTION CONTACT	LONDON
DEED BOOK & PAGE	P.8 104 PG. 284 1096 PG. 303
PROPERTY ADDRESS	7300 NEW LA GRANGE ROAD
PARKING SPACES REQ.	MIN. 1 SPACE PER 1,000 SQ. FT. (M&P 8.10)
PROPOSED PARKING SPACES	20
NEWLY CREATED AREA	4,497 SQ. FT. (32.4%)
EXISTING APPROXIMATE AREA	8,000 SQ. FT. (46.2%)
PROPOSED APPROXIMATE AREA	10,500 SQ. FT. (58.8%)
NET APPROXIMATE AREA	3,810 SQ. FT. (21.3%)
PROPOSED VMA	8,000 SQ. FT.
PROPOSED LA	401 SQ. FT. (5% OF VMA)



LEGEND

SYMBOLS THAT MAY APPEAR ON DRAWING

- BOUNDARY LINE
- DRIVE-ORF-WAY LINE
- ADJACENT PROPERTY LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING OVERHEAD UTILITY
- EXISTING FENCE
- EXISTING 10' STORM SEWER
- EXISTING STICH NEW FLOW DIRECTION
- EXISTING GUY WIRE
- EXISTING GAS METER
- EXISTING SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER CLEANOUT
- EXISTING WATER METER
- TOP OF GRADE ELEVATION
- MAHLOW
- INVERT ELEVATION
- MANHOLE
- CURB BOX INLET
- DROP BOX INLET
- BOX IN A CURB
- EXISTING SIGN
- EXISTING POWER POLE
- EXISTING LIGHT POLE
- EXISTING BOLLARD
- EXISTING FENCE ANCHOR/ SIGN POST BASE
- SEWER MARK
- SET PROPERTY CORNER, ALL SET, P.C., A.E., P.T., E.O., B.M., BY A PLASTIC CAP STAMPED "S. PETERS 8811"
- FOUND IPC ONE PLAY FOR DESCRIPTION
- FOUND MARK, ONE PLAY FOR DESCRIPTION
- SET MARK, STAMPED "S. PETERS 8811"
- EXISTING DRIVEWAY



RECEIVED
 DOT 282
 L&L ENGINEERS & DESIGN SERVICES

OWNER / DEVELOPER
 LOUISVILLE FAMILY CHIROPRACTIC
 7300 NEW LA GRANGE ROAD
 DB 10675 PG 943

PRIOR CASE # B-27-80
 CASE # 16CUP1055
 WM# 11497

0 5 10 20 30

NO.	DESCRIPTION	DATE

MODIFIED C.U.P.

CLIENT:
 LOUISVILLE FAMILY CHIROPRACTIC
 8147 NEW LA GRANGE ROAD
 LOUISVILLE, KY 40222

PROJECT:
 LOUISVILLE FAMILY CHIROPRACTIC
 7300 NEW LA GRANGE ROAD
 LOUISVILLE, KY 40222-4612

DESIGNED BY:
 L&L ENGINEERS & DESIGN SERVICES
 1111 W. MARKET STREET, SUITE 200
 LOUISVILLE, KY 40202
 (502) 261-1111
 WWW.L&LENG.COM

SCALE:
 1"=20'

DATE:
 9-26-16

DRAWN BY:
 J. PACYGA

CHECKED BY:
 K. OTT

THIS PROJECT IS THE PROPERTY OF L&L ENGINEERS & DESIGN SERVICES. NO PART OF THIS PROJECT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF L&L ENGINEERS & DESIGN SERVICES.

SHEET:
 DP

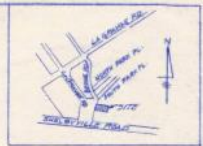
Original Approved Plan

**PRELIMINARY REVIEW
DEVELOPMENT PLAN**

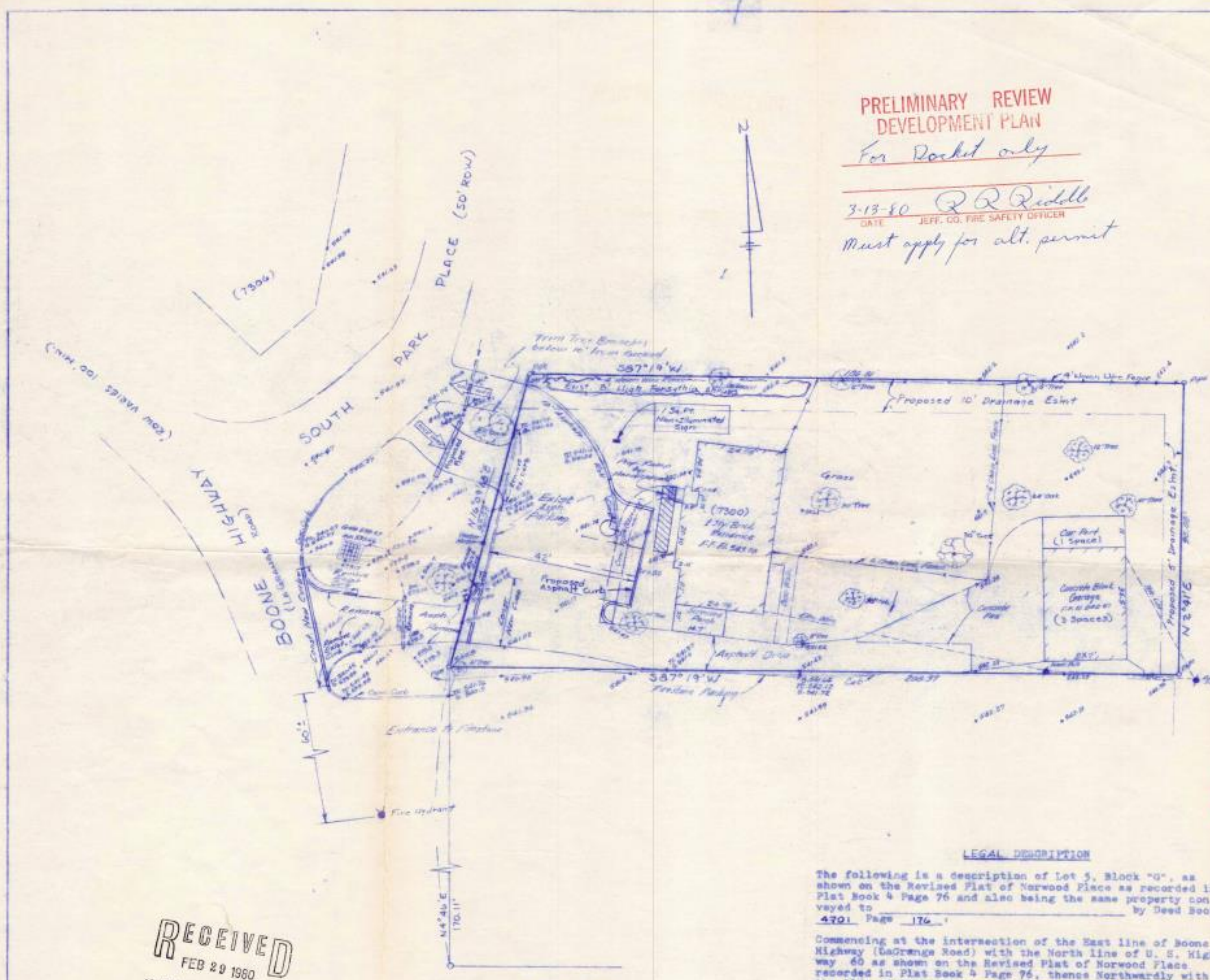
For Record only

3-13-80 *R.R. Riddell*
DATE JEFF. CO. FIRE SAFETY OFFICER

Must apply for alt. permit



SITE PLAN
Scale 1"=100'



**PRELIMINARY APPROVAL
DEVELOPMENT PLAN**
CONDITIONS:

BY: *Steve Jucker*
DATE: 3-6-80
JEFFERSON COUNTY
DEPT. OF PUBLIC WORKS

**PRELIMINARY APPROVAL
SURFACE WATER CONTROL**
Consolidated
Marshall Brown 3/6/80
WATER QUALITY ENGINEER



APPROVED *Dr. Cowerton*
LOUISVILLE AND JEFFERSON COUNTY BOARD OF
ZONING ADJUSTMENT
By *Carole M. Zippin*

LEGAL DESCRIPTION

The following is a description of Lot 5, Block "G", as shown on the Revised Plat of Norwood Place as recorded in Plat Book 4 Page 76 and also being the same property conveyed to _____ by Deed Book 4201 Page 176.

Commencing at the intersection of the East line of Boone Highway (60' ROW) with the North line of U. S. Highway 60 as shown on the Revised Plat of Norwood Place recorded in Plat Book 4 Page 76, thence Northwardly with the line of Boone Highway on a curve to the right, the chord of which measures North 4 degrees 46 minutes East 170.11 feet to the point of beginning; thence continuing with said Highway line on a curve to the right the chord of which measures North 16 degrees 09 minutes 18 seconds East 92.53 feet; thence leaving said Highway line South 87 degrees 19 minutes East 186.81 feet, South 7 degrees 41 minutes West 95.00 feet, and South 87 degrees 19 minutes West 208.37 feet to the point of beginning.

RECEIVED
FEB 29 1980
LOUISVILLE AND JEFFERSON COUNTY
PLANNING COMMISSION

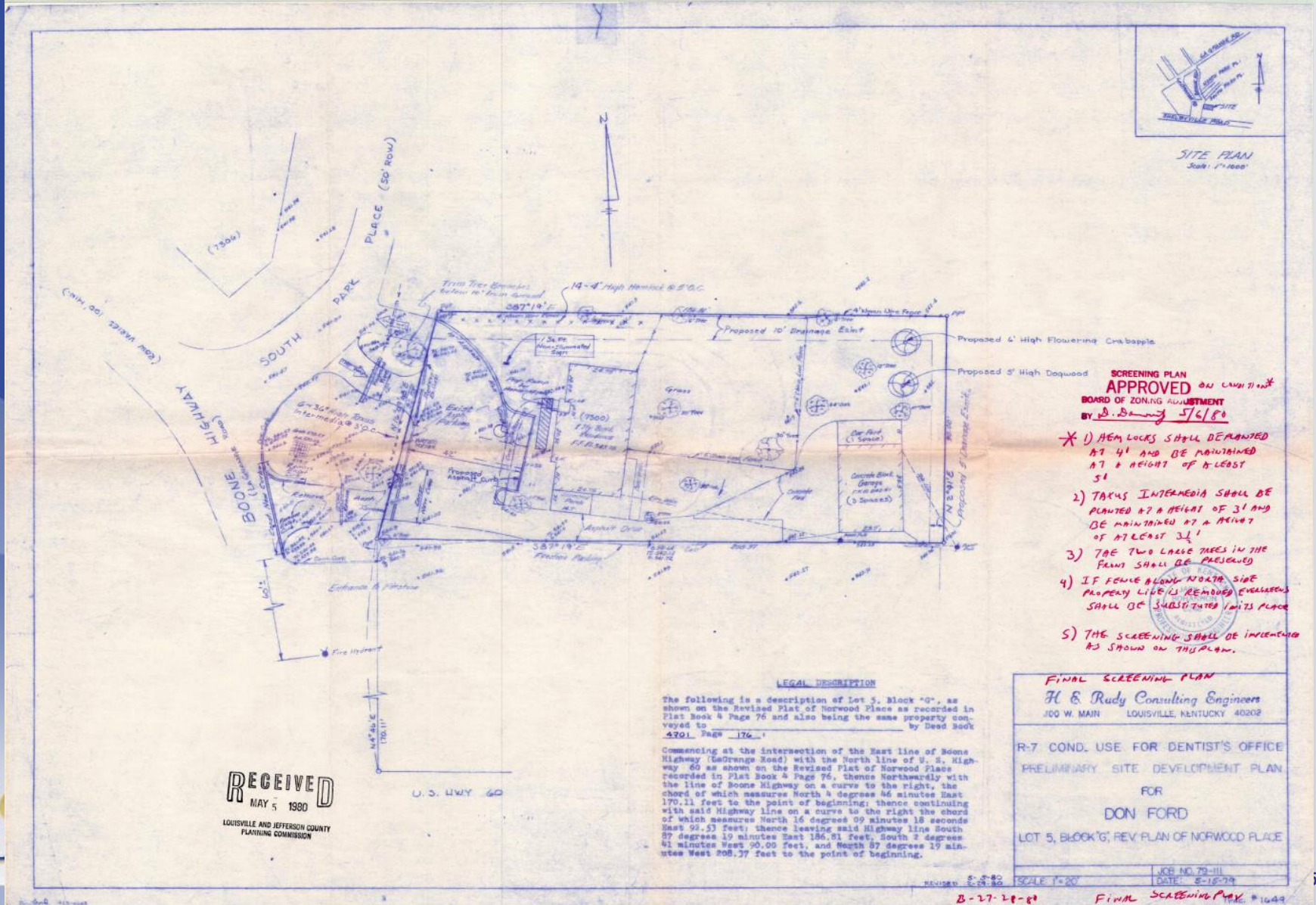
REVISED PLAN
C. U.P.
DENTIST'S OFFICE

H. E. Rudy Consulting Engineers
100 W. MAIN LOUISVILLE KENTUCKY 40202

R-7 COND. USE FOR DENTIST'S OFFICE
PRELIMINARY SITE DEVELOPMENT PLAN
REVISED FOR **RECEIVED**
DON FORD MAR 8 1980
LOT 5, BLOCK "G", REV. PLAN OF _____
LOUISVILLE AND JEFFERSON COUNTY
PLANNING COMMISSION
B-27-80
JOB NO. 75-111
DATE 6-18-79
SCALE 1"=20'



Original Landscape Plan



SITE PLAN
Scale: 1"=100'

SCREENING PLAN
APPROVED ON 5/6/80
BOARD OF ZONING ADJUSTMENT
BY: *D. Denny* 5/6/80

- * 1) TREE LOCKS SHALL DEMONSTRATED AT 4' AND BE MAINTAINED AT A HEIGHT OF AT LEAST 5'
- 2) TAXUS INTERMEDIA SHALL BE PLANTED AT A HEIGHT OF 3' AND BE MAINTAINED AT A HEIGHT OF AT LEAST 3'
- 3) THE TWO LARGE TREES IN THE FRONT SHALL BE PRESERVED
- 4) IF FENCE ALONG NORTH SIDE PROPERTY LINE IS REMOVED EVERGREENS SHALL BE SUBSTITUTED IN ITS PLACE
- 5) THE SCREENING SHALL BE IMPLEMENTED AS SHOWN ON THIS PLAN.

LEGAL DESCRIPTION

The following is a description of Lot 5, Block "G", as shown on the Revised Plat of Norwood Place as recorded in Plat Book 4 Page 76 and also being the same property conveyed to _____ by Deed Book 4701 Page 176.

Commencing at the intersection of the East line of Boone Highway (S. Orange Road) with the North line of U. S. Highway 60 as shown on the Revised Plat of Norwood Place recorded in Plat Book 4 Page 76, thence Northwardly with the line of Boone Highway on a curve to the right, the chord of which measures North 4 degrees 46 minutes East 170.11 feet to the point of beginning; thence continuing with said Highway line on a curve to the right the chord of which measures North 16 degrees 09 minutes 18 seconds East 92.53 feet; thence leaving said Highway line South 87 degrees 19 minutes East 186.81 feet; South 2 degrees 41 minutes West 90.00 feet; and North 87 degrees 19 minutes West 208.77 feet to the point of beginning.

RECEIVED
MAY 5 1980
LOUISVILLE AND JEFFERSON COUNTY
PLANNING COMMISSION

FINAL SCREENING PLAN	
H & Rudy Consulting Engineers 100 W. MAIN LOUISVILLE, KENTUCKY 40202	
R-7 COND. USE FOR DENTIST'S OFFICE PRELIMINARY SITE DEVELOPMENT PLAN FOR DON FORD LOT 5, BLOCK 'G', REV. PLAN OF NORWOOD PLACE	
JOB NO. 79-111	DATE: 5-16-79

REVISED 5-23-80

SCALE 1"=20'

B-27-28-81

FINAL SCREENING PLAN #1049

Conclusions

- Based upon the information in the staff report, the testimony and evidence provided at the public hearing, BOZA must determine if the proposal meets the standards for granting the modified CUP, waivers, and variance as established in the LDC.

Required Actions

- **APPROVE** or **DENY** the modified Conditional Use Permit
- **APPROVE** or **DENY** the landscape waivers
- **APPROVE** or **DENY** the variance