

Board of Zoning Adjustment Staff Report

March 20, 2017



Case No:	17CUP1001
Project Name:	Norton Children's Hospital
Location:	231 East Chestnut Street
Owners:	Norton Hospitals, Inc.
Applicant:	Norton Hospitals, Inc.
Representative(s):	Sarah Beth Sammons
Project Area/Size:	2.2 acres
Existing Zoning District:	C-2, Commercial
Existing Form District:	D, Downtown
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Jon E. Crumble, Planning & Design Coordinator

REQUEST

- Modified Conditional Use Permit to allow renovation of the existing Norton Children's Hospital in a C-2 zoning district.

CASE SUMMARY/BACKGROUND

The applicant is proposing a minor increase in the building area as follows:

Building Area	Existing Area	Proposed Area	Total Area
Ground	56,350 s.f.	0	56,350 s.f.
1 st Floor	34,00 s.f.	5,087 s.f.	39,087 s.f.
2 nd Floor	38,240 s.f.	1,985 s.f.	40,225 s.f.
3 rd Floor	38,815 s.f.	3,457 s.f.	42,272 s.f.
4 th Floor	44,200 s.f.	2,665 s.f.	46,865 s.f.
5 th Floor	43,100 s.f.	648 s.f.	43,748 s.f.
6 th Floor	43,700 s.f.	0	43,700 s.f.
7 th Floor	43,600 s.f.	0	43,600 s.f.
8 th Floor	45,000 s.f.	0	45,00 s.f.
9 th Floor	350 s.f.	0	350 s.f.
Total	387,355 s.f.	13,842 s.f.	401,197 s.f.

The external renovations include enclosing an existing outdoor plaza area and turning it into conference room space, renovating the street level entrance area and cosmetic improvements to the façade.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Hospital, Parking Garage	C-2	D
Proposed	Hospital, Parking Garage	C-2	D
Surrounding Properties			
North	Medical Facilities	OR-3	D
South	Medical Facilities	C-3	D
East	Medical Facilities	OR-3	D
West	Medical Facilities	C-3	D

SITE CONTEXT

The site is irregular in shape has frontage on East Chestnut Street, South Floyd Street, and Abraham Flexner Way. The site is surrounded by medical facilities/offices to the north, south, east and west.

PREVIOUS AND ASSOCIATED CASES ON SITE

- B-96-79** An application for a Conditional Use Permit for a rehabilitation center. Approved by the Board.

- B-87-83/B-88-83** Applications for a Conditional Use Permit and variances for a hospital and structure encroachments into required yards and an overhead walkway on subject property. Approved by the Board. Modification of Conditional Use Permit for 3 levels to an existing garage. Approved by the Board.

- 9-54-86** Change in zoning from R-9 Apartment/Office to C-2 Commercial at 231 Chestnut Street. Board of Alderman approve. Revised district development plan for 3 additional levels for parking lot with heliport on top. Revised district development plan for 3 floor addition to hospital and a street level plaza. Approved by the Board of Alderman.

- B-17-90** An application for variances from the Zoning district Regulations to permit existing signs to encroach into required front and street side yards. Approved by the Board.

- B-23-92** Request for modification of a Conditional Use Permit for a heliport on the subject site. Approved by the Board.

- B-54-94** An application for variances from the Zoning district Regulations to permit a proposed elevated pedway to encroach into the required yards. Approved by the Board.

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

TECHNICAL REVIEW

There are no outstanding technical review items.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMITS

Hospitals and medical clinics may be allowed in any district upon the granting of a Conditional Use Permit and compliance with the listed requirements:

A. In form districts where nonresidential freestanding signs are not permitted, a single freestanding on premise sign, not exceeding 80 square feet in area and not exceeding 10 feet in height, may be placed at each major entrance. Attached signs shall be designed in accordance with form district requirements, but the Board reserves the right to approve the size and location of all attached signs.

B. All buildings and structures shall be at least 30 feet from any property line.

C. Medical clinics shall provide an indoor waiting area(s) for clients. The waiting area shall be large enough to accommodate the clients arriving for services.

D. Parking for medical clinics shall be adequate to accommodate the maximum number of clients expected to be at the site at one time.

E. Such facilities shall be located on or near a collector or arterial street with reasonable access to public transportation.

NOTE: The provisions of this Section 4.2.29 do not apply to Medical Offices as such are defined in this Land Development Code.

TECHNICAL REVIEW

There are no outstanding technical review items.

STAFF CONCLUSIONS

Based upon the information in the staff report, and evidence provided at the public hearing, BOZA must determine if the proposal meets the standards for granting the modified CUP as established in the Land Development Code.

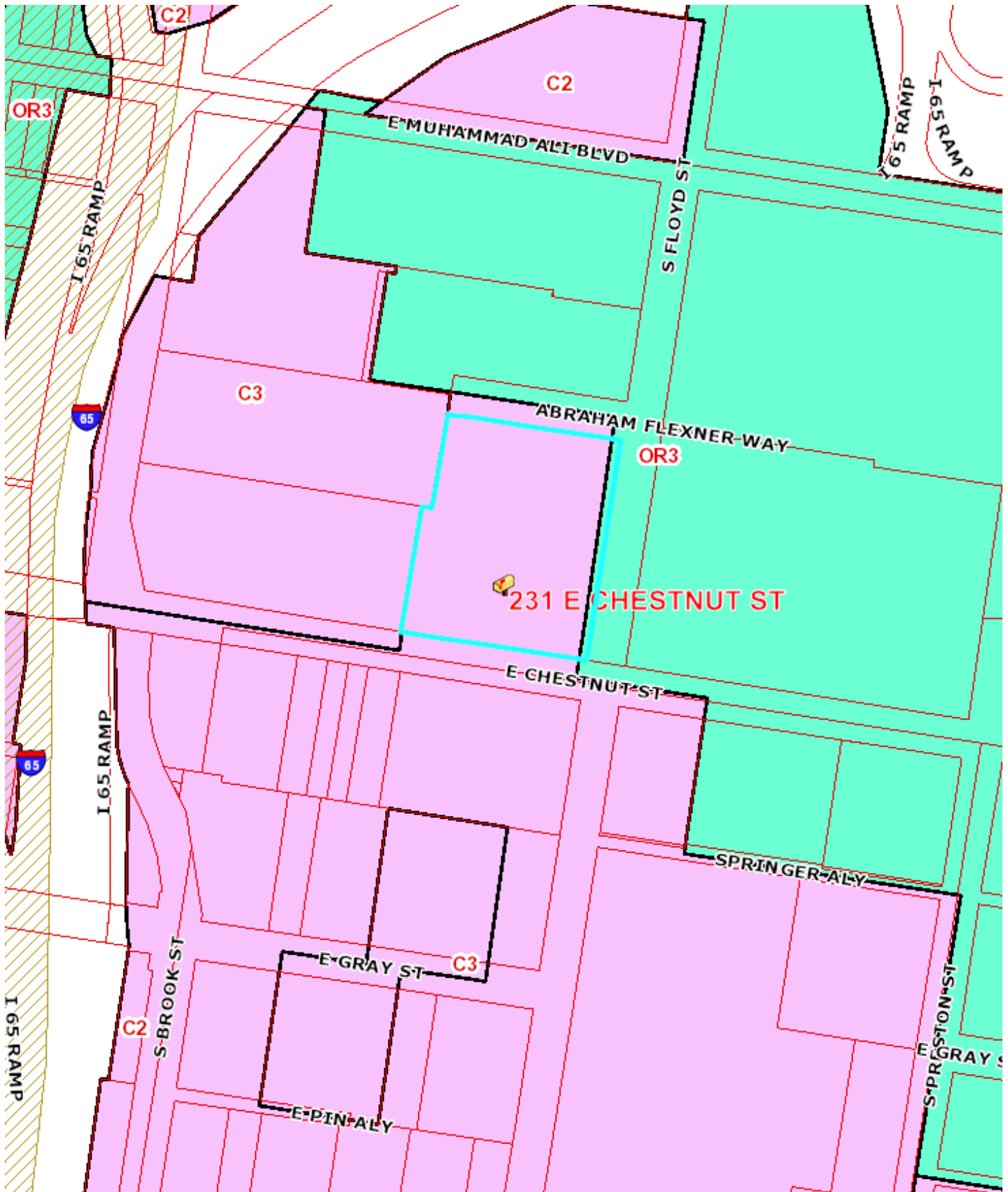
REQUIRED ACTIONS

- **APPROVE** or **DENY** the modified Conditional Use Permit

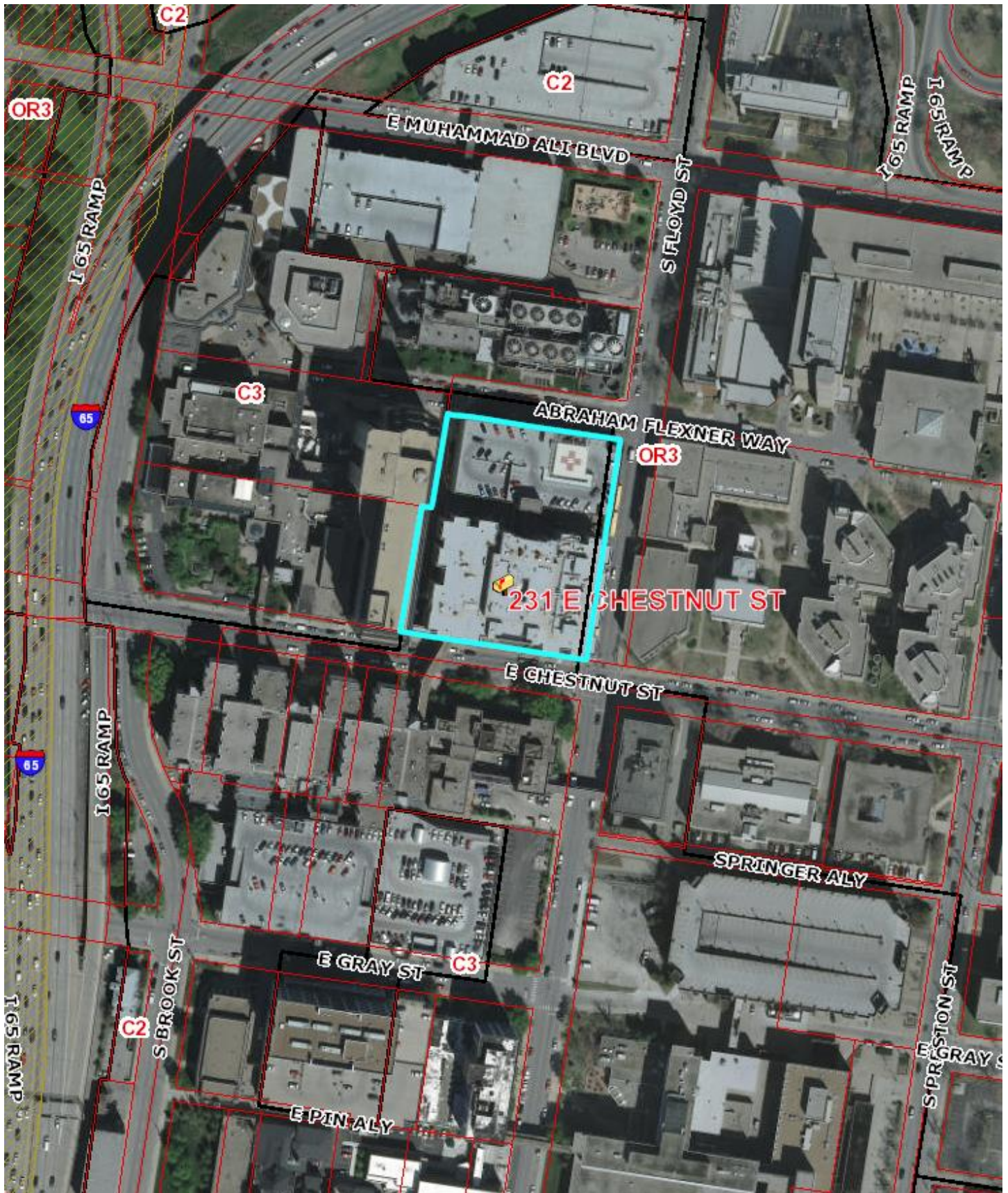
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Conditions of Approval for hospital

1. **Zoning Map**



2. **Aerial Photograph**



3. Existing Conditions of Approval for Hospital (B-87-83)

The Board did **WAIVE** Section IV, D., 8., a. of the Conditional Use Permit section of the Zoning District Regulations. Item a. reads as follows:

- a) All buildings and structures shall conform to the front, street side yard and rear yard requirements of the district in which they are located and shall be located at least 30 feet from any side property line.
1. The proposal shall be developed in strict compliance with the approved development plan.
 2. The following addenda to the plan submitted shall be submitted to the staff of the Board for review and approval within 30 days of the public hearing on this case:
 - a) a plan showing the layout of a typical parking garage level, the total number of parking spaces provided in the garage, the location of the off-street loading berth, and the location and circulation of the emergency entrance to the hospital,
 - b) a side view drawing of the proposed overhead walkway showing the appropriate heights above grade.
 3. The appropriate agreement with the City of Louisville shall be entered into to permit the overhead walkway to encroach into the right-of-way of Chestnut Street. A copy of the signed agreement shall be submitted to the staff of the Board prior to the issuance of any building permits for the proposed overhead walkway.
 4. Prior to the issuance of any sign permits on the property, a plan showing the size and location of all proposed signs shall be submitted to the staff of the Board and approved.