

Board of Zoning Adjustment Staff Report

June 20, 2016



Case No(s):	16CUP1013
Project Name:	The Order of Promise, LLC
Location:	3502 Garland Avenue
Owner(s):	Property Management of Louisville
Applicant(s):	The Order of Promise, LLC
Representative(s):	Aaron Hallstrom, Shannon Hallstrom
Project Area/Size:	7,452 square feet
Existing Zoning District:	R-5, Residential
Existing Form District:	TN, Traditional Neighborhood Form District
Jurisdiction:	Louisville Metro
Council District:	1 – Jessica Green
Case Manager:	Jon E. Crumbie, Planning & Design Coordinator

REQUESTS

- Conditional Use Permit to allow an Rehabilitation Home in a R-5 zoning district
- The Board must decide if the landscaping/Buffering is sufficient.

CASE SUMMARY/BACKGROUND

The applicant is seeking a license from the State as a child caring facility. There is an option with the state to become licensed as an institution for facilities that have nine or more foster children being cared for on the property. The applicant is proposing to allow a maximum number of 8 children. There will be a staff person on site at all times. Case workers may visit the clients on site.

SITE CONTEXT

The property is located in a Traditional Neighborhood Form District and located on the south side of Garland Avenue near the I-264 overpass.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Residential	R-5	TN
Proposed	Rehabilitation Home	R-5	TN
Surrounding Properties			
North	I-264 right-of-way	R-5	TN
South	Residential	R-5	TN
East	Residential	R-5	TN
West	Residential, I-264 right-of-way	R-5	TN

PREVIOUS CASES ON SITE

There are no previous cases on this site.

INTERESTED PARTY COMMENTS

Staff did receive some feedback from an interested party in the neighborhood who was in opposition.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMITS

1. Is the proposal consistent with the applicable policies of the Comprehensive Plan?

STAFF: The proposal preserves and renovates an existing structure and will incorporate building design that is consistent with the predominate neighborhood. All lighting will be code compliant. The applicant will be asking to not add landscaping and buffering.

2. Is the proposal compatible with surrounding land uses and the general character of the area including such factors as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, appearance, etc?

STAFF: The proposal is compatible with the general character of the surrounding neighborhoods in terms of height, scale, intensity, lighting, and appearance.

3. Are necessary public facilities (both on-site and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. adequate to serve the proposed use?

STAFF: The proposal has been reviewed by Public Works and MSD and both have approved the plan. The Louisville Fire District #1 did not comment on the proposal.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested? There are 5 items in the listed requirements for rehabilitation homes. Items A, C, and D. will be met. Item B. does not apply.

A. If using an existing residential building constructed contemporaneously with the surrounding neighborhood, its exterior appearance shall not be substantially altered.

B. New construction within an area having an established front building setback shall be constructed at the average setback line or the minimum front yard of the form district, whichever is less. Structures adjacent to residential uses or zoning districts shall increase side yards by 10 feet for each story over two.

C. One parking space on site shall be provided for each staff person, plus two spaces for each five residents, or five clients served by the rehabilitation home. Parking shall be reduced to one space per five residents/clients if the rehabilitation home serves persons with disabilities that preclude operation of an automobile.

D. One freestanding sign not to exceed 10 square feet and 4 feet in height shall be allowed. **A sign is not proposed.**

E. The Board shall add any additional restrictions necessary to mitigate nuisances or adverse effects.

TECHNICAL REVIEW

There are no outstanding technical review items.

STAFF 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 Conditional Use Permit as established in the LDC.

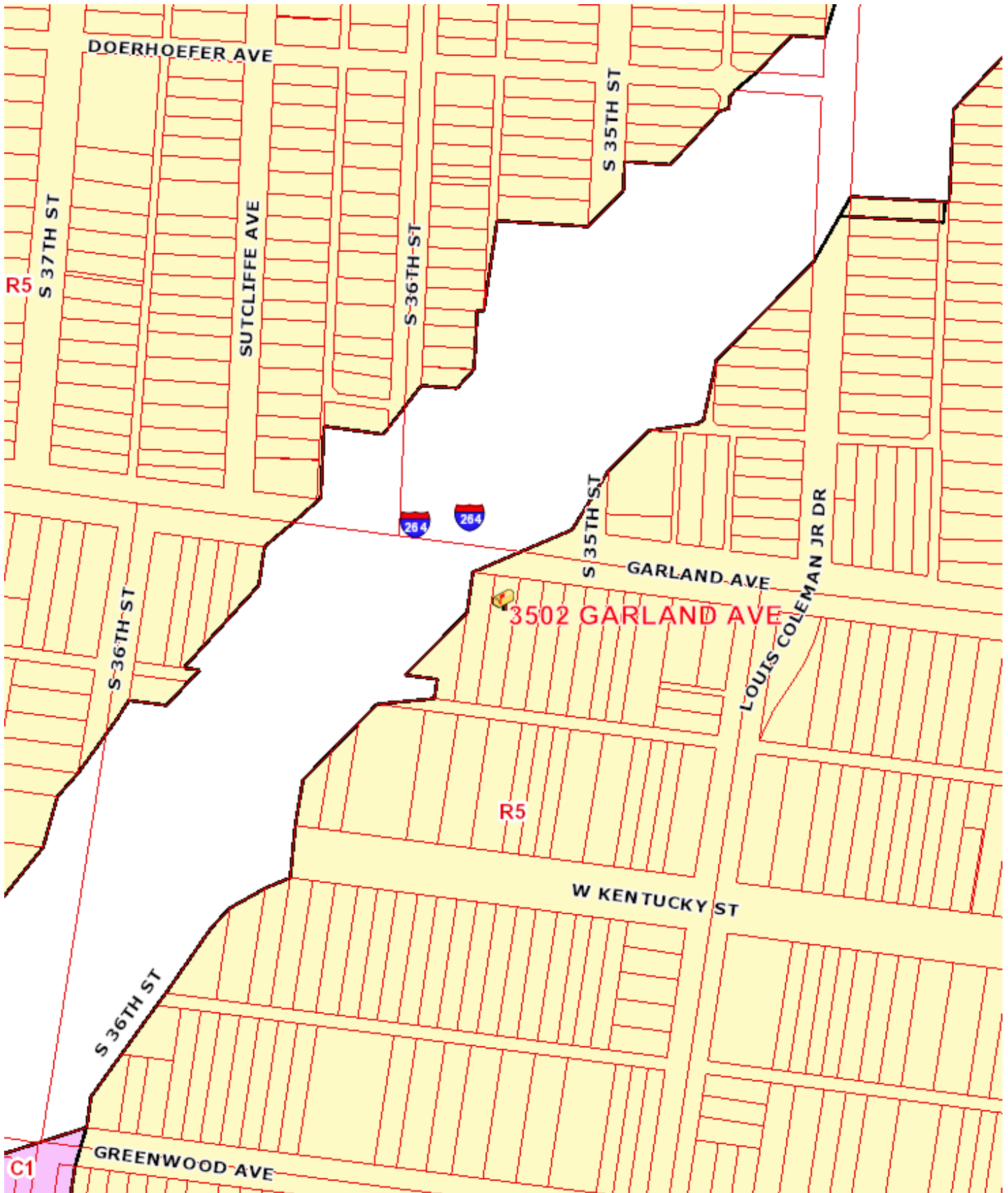
NOTIFICATION

Date	Purpose of Notice	Recipients
6/3/16	APO Notice	First tier adjoining property owners Neighborhood notification recipients
6/3/16	Sign Posting	Subject Property

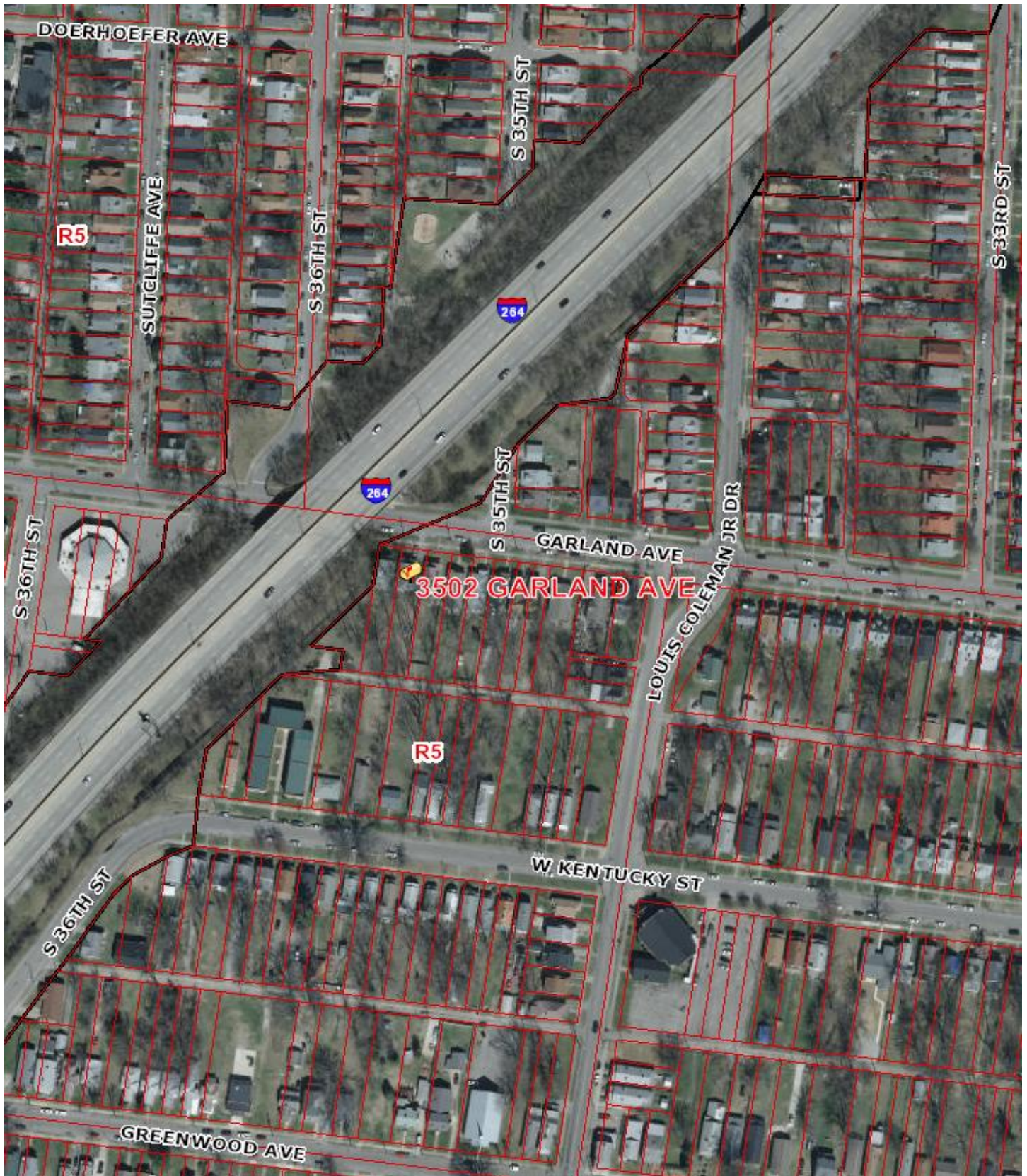
ATTACHMENTS

1. Zoning Map
2. Aerial Map
3. Justification Statement/Business Plan
4. Neighborhood Meeting
5. Site Plan
6. Conditions of Approval

1. Zoning Map



2. Aerial Photograph



3. Applicant's Justification Statement and Proposed Findings of Fact

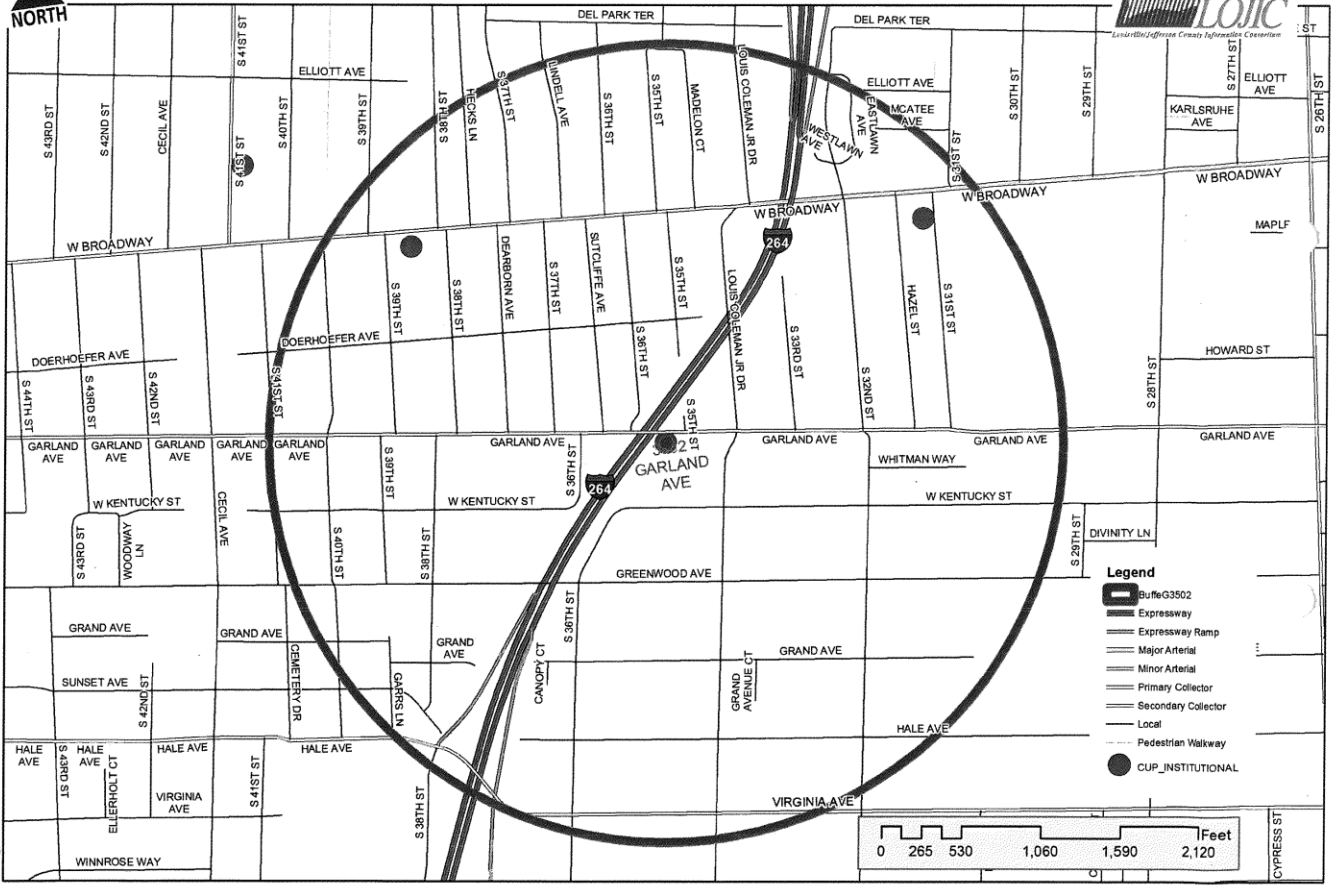
Copyright (c) 2016, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), and LOUISVILLE METRO GOVERNMENT. All Rights Reserved. Louisville/Jefferson County Information Consortium (LOJIC), a Jefferson County, Kentucky, based cooperative project of Louisville/Jefferson Metro Government, Louisville Water Company, Metropolitan Sewer District. Property Valuation Administrator No part of this map may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying and recording, or by any information storage or retrieval system, except as expressly permitted in writing by MSD. Cartographer L. Wells ArcGIS10.2 Maps/People/3Crumbie/shelbyland85x11.mxd Date: 2016 March

16CUP1013 3502 GARLAND AVE

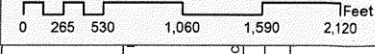
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NORTH



- Legend**
- Buffer/G3502
 - Expressway
 - Expressway Ramp
 - Major Arterial
 - Minor Arterial
 - Primary Collector
 - Secondary Collector
 - Local
 - Pedestrian Walkway
 - CUP_INSTITUTIONAL



Letter of Explanation

To: Louisville Metro Planning and Design Services
444 S. 5th st. Suite # 300
Louisville, KY 40202

RE: The Order of Promise, LLC at 3502 Garland Ave Louisville, KY 40211
Docket #: 16CUP1013
May 14, 2016

Staff:

This letter of explanation will confirm our expressed desires to open up a foster child care group home. The parcel described above is under the zoning district of R5. Referring to KRS chapter 199 child caring facilities can be approved as boarding homes with the approval of a conditional use permit (CUP). In addition to filing a CUP we wish to submit a General Waiver Application in regard to section 4.2.11.A due to our need to increase the number of foster children staying on the property from 3 to a maximum of 8.

This foster care group home will outsource medical and educational services off site which will allow the neighborhood to remain unaffected by this home. Signs, advertising or other designating criteria will not be posted on the property so that the balance and the appearance of the residential neighborhood will not be disturbed. Residents will be taught to be respectful of neighbors and each other, resulting in an harmonious environment for all that live nearby. This will be just like a foster care home but instead of a family taking care of these kids it will be our business, The Order of Promise, LLC. We are trying to attain licensure from the state as a child caring facility (business). There is an option with the state to become licensed as an institution for facilities (like Home of the Innocence) that have 9 or more foster children being cared for on the property. We, however are choosing a different option to be licensed as a foster care residential group home that will allow a maximum of 8 children to be cared for on the property.

Licensure requires us to obtain written zoning approval from our local zoning office. When discussing this with Planning and Design they said that we needed a CUP and a general waiver and that we had to get approved as a boarding home. In the R5 district the approval of a CUP will only allow us to have up to 3 boarders in the home hence the reason why a general waiver was submitted in request that we increase the maximum number of boarders to 8. We will employ 24 hour staff. We will not be changing the structure of this home in any way. It is a 4 bedroom, 1,732 sq ft residential home.

If you have any further questions feel free to contact me or the Office of Inspector General, Division of Regulated Child Care Attn: Connie Boggess at (502) 564-7962 Ext 3316.

Best Regards,
Shannon Hallstrom, CEO
The Order of Promise, LLC
Ph: (480) 343-0808

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Neighborhood Meeting Notification

DATE SENT: May 3, 2016

TO:

Adjoining Property Owners of 3502 Garland Ave Louisville KY, 40211

Address/Location of Site 3502 Garland Ave Louisville, KY 40211

Neighborhood Group Representatives expressing interest in this area, and

Jessica Green, Metro Councilperson for 1 District

FROM:

Aaron Hallstrom, PHD and Shannon Hallstrom Developer (s)

RE:

Development Proposal for Property located at

3502 Garland Ave Louisville, KY 40211

DATE: May 13, 2016 @ 6PM

A proposal to develop

a foster care group home
will be submitted for property located at

3502 Garland Ave Louisville, KY 40211

The existing use on this site is

Residential Home

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Neighborhood Meeting
The Order of Promise, LLC

Developers: Aaron Hallstrom PhD and Shannon Hallstrom

Site and Meeting Location: 3502 Garland Ave Louisville, KY 40211

Meeting Date: May 13, 2016 **Meeting Time:** 6PM

APO's invited: 1st and 2nd tier (see APO list) Invitations mailed on May 3, 2016

Neighbors in Attendance:

Janica and Dominic Schmuk
2838 Taylor Blvd
Louisville, KY 40208

6:00PM: Dr. Hallstrom presented the plan to attendees. He explained that the home will be for foster boys ages 13-17. They will be attending local schools and participating in community events. There will be up to 8 boys in the home. It is possible that they might have case workers and other contracted employees assist them with their needs. There will not be any signs or advertisements that will make the home stand out in the neighborhood and no site work will be done on the property. Credentials were presented as well as proof of business plan and business policies and procedures.

6:20PM: Dominic asked, "What is the security like for the home?"

Dr. Hallstrom responded and explained that these children will be under 24 hour care. He assured that there is great support with the state as well as case managers, staff and other contracted professionals that will work around the clock to provide a safe environment for the children, neighborhood and community in the vicinity of this home.

6:24PM: Janica asked if any of the children will be extremely violent or even murderous?

Dr. Hallstrom responded explaining that children in that category would not be in the foster care system they would be in juvenile hall. It was explained that usually foster care children come from troubled homes. Some will be reunited with their families depending on their case. Dr. Hallstrom proceeded to explain the different levels of need in the foster care system. He explained that we will be taking in level 4 and 5 boys that may have medical needs or learning disabilities.

6:31PM: Dr. Hallstrom asked if there were any other concerns.

Dominic and Janica agreed that they did not have any other concerns. Dominic said that he felt that we are well qualified to run this home and he was sure that it would be successful.

6:35PM: Meeting was adjourned.

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Aaron Hallstrom, PhD, LASAC, LCDC

Contact Information:

3502 Garland Avenue
Louisville, KY 40211
Cell: 480-343-0735
Email: aaronhallstrom@gmail.com

Employment History:

Apr. 2012 to Present **TXYACS / Brain Guyz**
(CEO/Life Coach/Recruiting Manager)

May 2001 to Present **The Church of Jesus Christ of Latter Day Saints**
(Seminary Teacher/Youth Instructor/EQ President/Missionary)

Jan. 2014 to Dec. 2015 **Trilogy Integrated Psychological Services, LLC**
(MC²[®] Clinical Director / Psychology Intern / Psychotherapist)

July 2014 to Oct. 2014 **Grand Canyon University**
(Adjunct Professor/Instructor)

June 2013 to Dec. 2013 **Centro de Amistad, Inc.**
(Clinical Director / HR Manager)

Sept. 2011 to Apr. 2012 **Youth Development Institute**
(Chemical Dependency Counselor)

Nov. 2010 to Sept 2011 **Chicanos Por La Causa, Inc. / Centro De La Familia**
(Youth and Family Therapist)

Aug. 2010 to Nov. 2010 **Centro de Amistad, Inc.**
(Youth and Family Therapist)

Oct. 2007 to Aug. 2010 **Wells Fargo Bank**
(Operations Processor/Fraud Specialist/Personal Banker)

Apr. 2007 to Oct. 2007 **Verde Creek, LLC. (Public Relations / Marketing Internship)**
(Project Manager Intern/Marketing Associate)

Jan. 2007 to Apr. 2007 **Community Loans of America (Fast Auto & Payday Loans)**
(Branch Manager)

Jan. 2006 to Jan. 2007 **Banking / Chase Bank**
(Senior Mortgage Officer/Trainer/Personal Banker)

Nov. 2004 to Jan. 2006 **Cash Time Title Loans Inc.**
(Loan Officer/Office Administrator)

Education History:

Liberty International University (graduated November 2014)
PhD Focus: Psychology

Grand Canyon University (graduated March 2011)
MS Focus: Addiction Counseling

Northern Arizona University (graduated December 2009)
BA Major: Communications/Humanities

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*Skyline High School (graduated May 2001)
Standard High School Diploma in General Studies*

Professional References:

Ron Ramirez

Phone: 502-493-0989

Email: ramirezra@ldschurch.org

Christopher Sunderhaus

Phone: 407-982-0921

Email: christopher.sunderhaus@gmail.com

Nahum Cruz

Phone: 480-238-8877

Email: nahumcruz2001@yahoo.com

Salina Hancock, LMSW

Phone: 623-227-9807

Email: therapistsalina@gmail.com

Awards:

High Honors List (Liberty International University 2014 - Cum Laude)

President's List (Grand Canyon University 2011 - Suma Cum Laude)

Eagle Scout in the Boy Scouts of America program (1998)

Professional Memberships/Licensures/Trainings:

Licensed Chemical Dependency Counselor (LCDC) in state of Texas

(LCDC #11698 exp. 03/31/2016)

Licensed Associate Substance Abuse Counselor (LASAC) in state of Arizona

(LASAC #13357 exp. 03-31-2016)

Certified (through Magellan) and has working knowledge of (but not limited to): CASII, CFT process, general assessment practices / intakes (both adults and children), treatment plans, progress notes, motivational interviewing, CBT, HIPAA compliance, etc. Basic training and working knowledge of Bio/Neurofeedback, psycho-educational assessments, and neuropsychological assessments. Level I and Level II Sand Tray Play Therapy Certification.

Both CPR & First Aid (child & adult) certified & AZ DPS Level 1 Fingerprint Clearance Card

(Card# 2A05171632 exp. 06/28/2016)

Has working knowledge of Microsoft Office Suite (Word, Excel, Power Point, etc) and educational systems (i.e. Blackboard and ECollege).

Fluent with the Spanish language (verbal and written)* professionally tested.

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Crumbie, Jon

From: Shannon Hallstrom <shannonhallstrom@gmail.com>
Sent: Friday, June 03, 2016 3:36 PM
To: Crumbie, Jon
Subject: Board invitations
Attachments: Board Invitation (1).docx

Here is a copy of the board invitations (attached) I mailed out today to the following neighbors:

Carl Williams owner of 3504 Garland Ave
Sylvia Tolbert owner of 3416 Garland Ave
and George Rice owner of 843 S. 35th St. (across the street).

I hope this will suffice.
Thanks!
Shannon Hallstrom

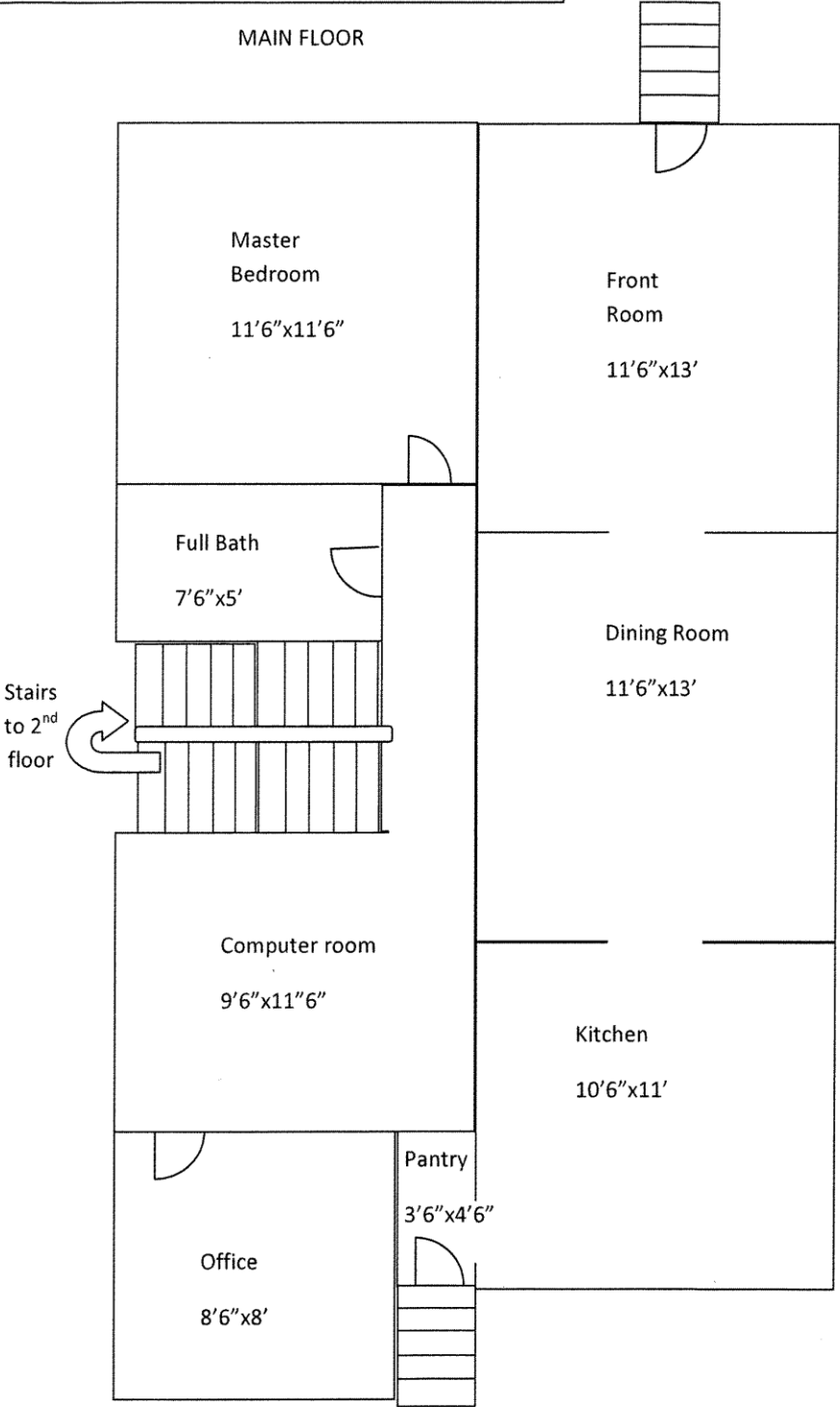
Introducing The Order of Promise, LLC

We are a foster care group home and we would like to cordially invite you to participate in our quarterly board meetings (non-paid position) where we will discuss the group program to help strengthen children during their stay in our home. We will have 4-8 boys between the ages of 13 and 17 that will be coming from the foster care system. Please contact us if you have any interest in participating as a board member for our home. Also please do not hesitate to ask questions.

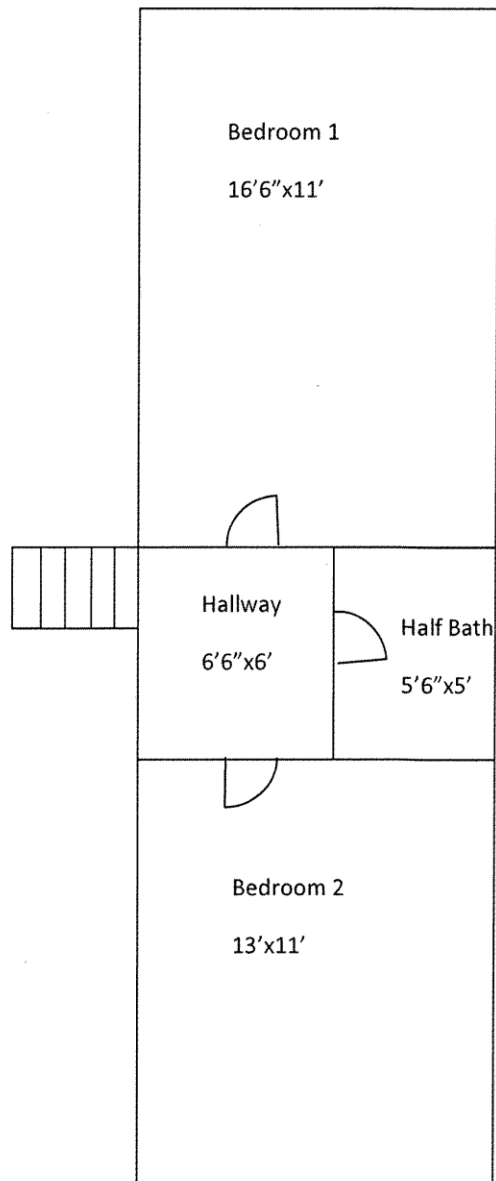
Best Regards,
Aaron Hallstrom, PhD and Shannon Hallstrom
480.343.0808
3502 Garland Ave
Louisville, KY 40211
shannonhallstrom@gmail.com

Property Address: 3502 Garland Ave Louisville, KY 40211
The Order of Promise, LLC
Docket # 16CUP1013

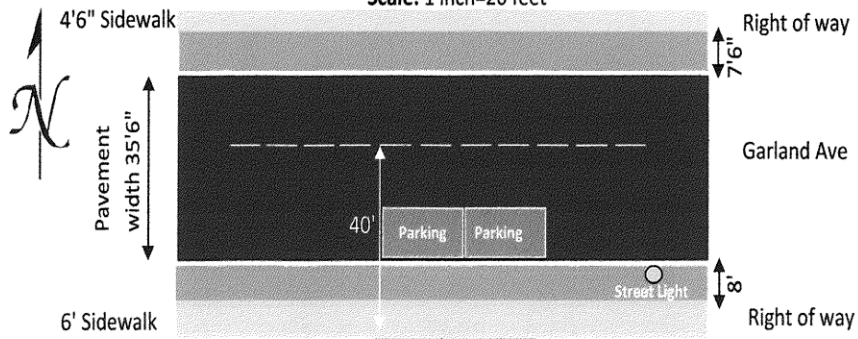
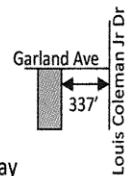
MAIN FLOOR



2nd FLOOR



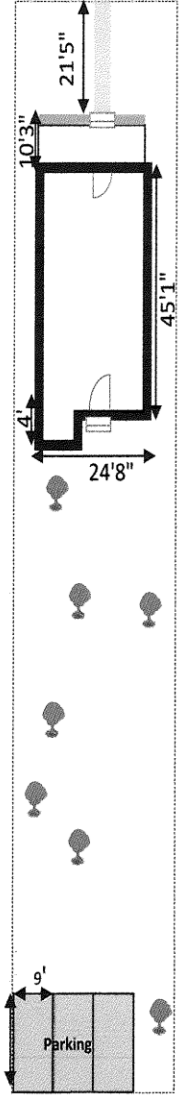
The Order of Promise, LLC
Site Address: 3502 Garland Ave Louisville, KY 40211
Zoning: R-5 Single Family Residential
Scale: 1 inch=20 feet



.1722 Acres
 1732 sq ft home
Bldg Height: 19'6"
 2 story brick and wood structure
No site work being done
No additional landscaping
No lights will be added

3504 Garland Ave
 Carl Williams
 DB/pg 10011 0958
 R-5 TN

3500 Garland Ave
 Crystal Carter
 DB/pg 8884 0365
 R-5 TN



PRELIMINARY APPROVAL
 Condition of Approval:
 Development Review
 Date: *6/1/16*
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

BY: *Jimmy McCallister*
 DATE: *6-1-16*
 LOUISVILLE/JEFFERSON COUNTY METRO PUBLIC WORKS

PRELIMINARY APPROVAL DEVELOPMENT PLAN
 CONDITIONS:

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3501 W. Kentucky St
 Phyllis Anderson
 DB/pg 10132 0667
 R-5 TN

3425 W. Kentucky St
 Mirage Properties, LLC
 DB/pg 9940 0405
 R-5 TN

16 CUP 1013

Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a rehabilitation home without further review and approval by the Board.
3. The maximum number of residents on site shall be 9 including the overnight resident manager.
4. The Order of Promise will attempt to select a maximum of 3 (three) property owners in the general area to serve on the executive board.