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STATEMENT OF COMPLIANCE WITH ALL LISTED REQUIREMENTS OF LDC 4.2.29 AND THE APPLICABLE GOALS, GUIDELINES AND POLICIES OF THE PLAN 2040 COMPREHENSIVE PLAN

Applicant: Baptist Health

Owner: Will Realty, LLC

Location: 7702 Bardstown Road

Proposed Use: Emergency Room/Surgery Center

Engineers, Land Planners and
Landscape Architects: Land Design & Development, Inc.

Request: Conditional Use Permit per LDC Section 4.2.29

INTRODUCTION

The property owner and applicant are proposing a one story 11,221 square foot freestanding surgery center/emergency room on a vacant 1.44-acre site located at 7702 Bardstown Road pursuant to a conditional use permit under LDC 4.2.29. The property is zoned C-1 Commercial in the Neighborhood Form District.

A neighborhood meeting with notice to 23 persons including first and second tier property owners was held on July 18, 2022. Two neighbors attended. The principal concern was buffering at the rear of the site.

Compliance With 4.2.29

- A. In form districts where nonresidential freestanding sign are not permitted, a single freestanding on-premises 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. **Sign detail will be provided to the Board to show compliance with this requirement as well as the more restrictive Parkway Buffer which limits height to 6- and area to 60 square feet.**

- B. All buildings and structures shall be at least 30 feet from any property line. As shown on the proposed development plan. **Relief from this listed requirement is requested for the south property line adjacent to a vacant C-1 parcel.**

- 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. **Plans for the interior space in compliance with this requirement will be provided to the Board.**
- D. Parking for medical clinics shall be adequate to accommodate the maximum number of clients expected to be at the site at one time. **Thirty-three parking spaces are provided as shown on the plan, including 3 handicap spaces.**
- E. Such facilities shall be located on or near a collector or arterial street with reasonable access to public transportation. **The site is on Bardstown Road, a major arterial. TARC routes serve this area.**

Compliance With Applicable LMCO 4.2.2 General Provisions

- B. No relief from Listed Requirements is requested.
- D. All drives, and parking areas will be surfaced with durable material and properly drained. Asphalt driveways and parking areas are provided and will be properly drained (see Detention Basin on plan.)
- E. Compatibility. All LDC requirements are met.
- F. Off-street parking is compliant.
- G. Outdoor lighting will conform to LDC Chapter 4 Part 1.
- H. Setbacks and required yards are all provided per this proposed plan.

Compliance With Applicable Provisions of the Plan 2040 Comprehensive Plan

COMMUNITY FORM - Goal 1

The Neighborhood Form District Policy 3.1.3 provides for civic uses in appropriate locations. This proposal is in proximity to large residential areas and provides medical services in the mix of retail, office, civic uses, and open space at an appropriate location considering access and surrounding uses.

COMMUNITY FACILITIES – Goals 1, 2 and 3

This proposal complies with Goal 1, Objectives a. and b. and Policies 1, 2 and 3 as the plan provides a site for surgery and emergency medical services in an area that needs such facilities. The Fern Creek Small Area Plan (“FCSAP” adopted May 2001) Summary of Public Comments notes “hospitals are needed in this area.” The FCSAP Section 4.2 Population Trends and Projections indicates population growth to 34,789 residents which, since its adoption, has certainly increased with all the new development in the area since that time. The site has multi-

modal access and is part of a network of facilities which meets neighborhood needs in the immediate area and throughout Louisville Metro. It is located on a major arterial roadway accessible to all citizens.

The proposal complies with Goal 2, Objective b., f. and g. and Policies 1, 2, 3, and 4 because it will be part of a system providing the current and anticipated needs of Metro citizens, is located outside of a floodplain and will have a positive neighborhood impact. The proposed facility will have all necessary utilities including an adequate supply of potable and water for firefighting purposes and sewage treatment and is not duplicative of existing services in the area.

The proposal complies with Goal 3, Objectives a., b., c., and d. and Policies 1, 2 and 16 because the location, design, scale and intensity of this facility will enhance the character of the Fern Creek area with a design compatible with residential development to the west of the site with buffering to ensure potential nuisances are minimized. It is in a highly accessible location near other office, retail and activity centers.

CONCLUSION

This proposal complies with all applicable provisions of the LDC, the Plan 2040 Comprehensive Plan including the Fern Creek Small Area Plan. It adds a highly desirable medical service and will be a supplement to the excellent health care profile of Louisville Metro.

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Respectfully submitted,

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