

Board of Zoning Adjustment
Staff Report
December 16, 2019



Case No.	19-MCUP-0002
Project Name	Intergenerational Life Center
Location	2233 Lower Hunters Trace
Owner	Harbor House of Louisville
Applicant	Harbor House of Louisville
Jurisdiction	Louisville Metro
Council District	12 – Rick Blackwell
Case Manager	Steve Hendrix, Planning & Design Coordinator

REQUEST

Modified Conditional Use Permit for a Community Service Facility in an R-4 Single-Family Residential district (LDC 4.2.54)

CASE SUMMARY

On November 19, 2017, the Board of Zoning Adjustment approved the Conditional Use Permit application, **17CUP1081**, for a Community Service Facility (Intergenerational Life Center) on the 2.05 acre site. The existing 7,800 sq ft Harbor House facility, which provides services for developmentally-challenged adolescents and adults, will be repurposed as a children’s daycare center. The proposed new facility, the Intergenerational Life Center, will enable Harbor House to expand its current services to include day care programs for children and the elderly and after-school care. It is to be constructed in two phases.

Phase 1 will include an art gallery, a bookstore, tutoring facilities, a café, an exercise room, a dining room with a commercial kitchen and a greenhouse, totaling 29,250 sq ft. Basic facilities for the elderly, to include rooms for bathing and for dental and medical services, will be provided with the intent of enabling program participants to continue to live in their private homes. Phase 2 will construct two Respite Houses, totaling 5,000 sq ft, which will be available for use by caregivers to Harbor House program participants for a period of up to three weeks.

The Modification Includes:

1. The floor area for the main building has been increased from 29, 250 square feet to 35,842 square feet which now includes a greenhouse.
2. The maximum building height has been increased from 30 feet to 35 feet. (Maximum height of 45 feet). The free standing spire, originally associated with the greenhouse, has been moved to a location along the entrance drive , but remaining at 45 feet.
3. The parking areas have been revised to accommodate the new building design resulting in the loss of 2 parking spaces for a total of 33 parking spaces.

STAFF FINDING

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a Conditional Use Permit as established by the Land Development Code.

TECHNICAL REVIEW

As per Condition of Approval 3, agreement(s) providing crossover access, shared parking and access to walking trail between subject site and adjacent site at 2229 Lower Hunters Trace must be submitted to PDS staff for review. Approved agreement(s) must be recorded prior to final construction approval.

No additional technical issues remain to be resolved.

INTERESTED PARTY COMMENTS

A neighborhood meeting was not required.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

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

STAFF: The proposal is consistent with Comprehensive Plan policies regarding Community Service Facilities.

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 and appearance?

STAFF: The proposal is an expansion of similar existing uses and is compatible with surrounding land uses and the general character of the area.

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

STAFF: The site is adequately served by all required public facilities.

4. Does the proposal comply with the specific standards required to obtain the requested Conditional Use Permit?

4.2.54. Community Service Facility may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, UN, R-5A, R-5B, R-6, R-7, R-8A, M-1, M-2, M-3, W-1, W-2, W-3, TNZD (Neighborhood General) districts upon the granting of a conditional use permit and compliance with the listed requirements.

A. General Standards – All Zoning Districts

1. Parking spaces shall be determined by the board of zoning based on the number of employees and the potential number of visitors to the site as described by the applicant in a parking study of similar uses.

STAFF: The proposal has received preliminary approval by Transportation Planning staff. According to the applicant, proposed parking will be used primarily by staff and by guests on occasion. Significant additional parking is available on the adjoining Church site; cross-access and shared parking agreements will be required by a Condition of Approval.

2. Signage for community service facility shall be in accordance with Chapter 8 of the LDC for nonresidential uses.

STAFF: The applicant has been informed of this requirement.

3. All applicable land development code requirements including but not limited to floor area ratio, building setback, landscape buffers and building heights shall be maintained.

STAFF: The proposal meets all such requirements.

4. Conversion of Existing Structures: A report from the applicable fire official shall be provided to the Board outlining the necessary steps for compliance with fire code safety standards prior to establishing occupancy of the structure for the proposed use.

STAFF: The proposal does not include conversions of existing structures.

B. Conditional Use Standards – Single Family Zoning Districts Only

1. Signs - There shall be allowed one non-illuminated sign identifying the name and use, which sign shall be limited in size to four square feet and be placed on the building.

STAFF: The applicant has been informed of this requirement.

2. Residential Structure - The structure shall remain or shall be constructed so that the exterior design and ornamentation is residential in character and compatible with the immediate neighborhood, so that there is no evidence from the street that the use is other than residential.

STAFF: Two respite houses will be located at the front of the property.

3. Alterations or Improvements to the Structure - Where such a use is permitted in a structure which has been used as a residence, the permittee shall make no substantial alterations or improvements to the structure which would impair the structure's use as a residence at a later time.

STAFF: The proposal does not include conversions of existing structures.

4. Off-street parking not located within a drive-way shall be located to the side or rear of the building(s).

STAFF: The proposal meets this requirement.

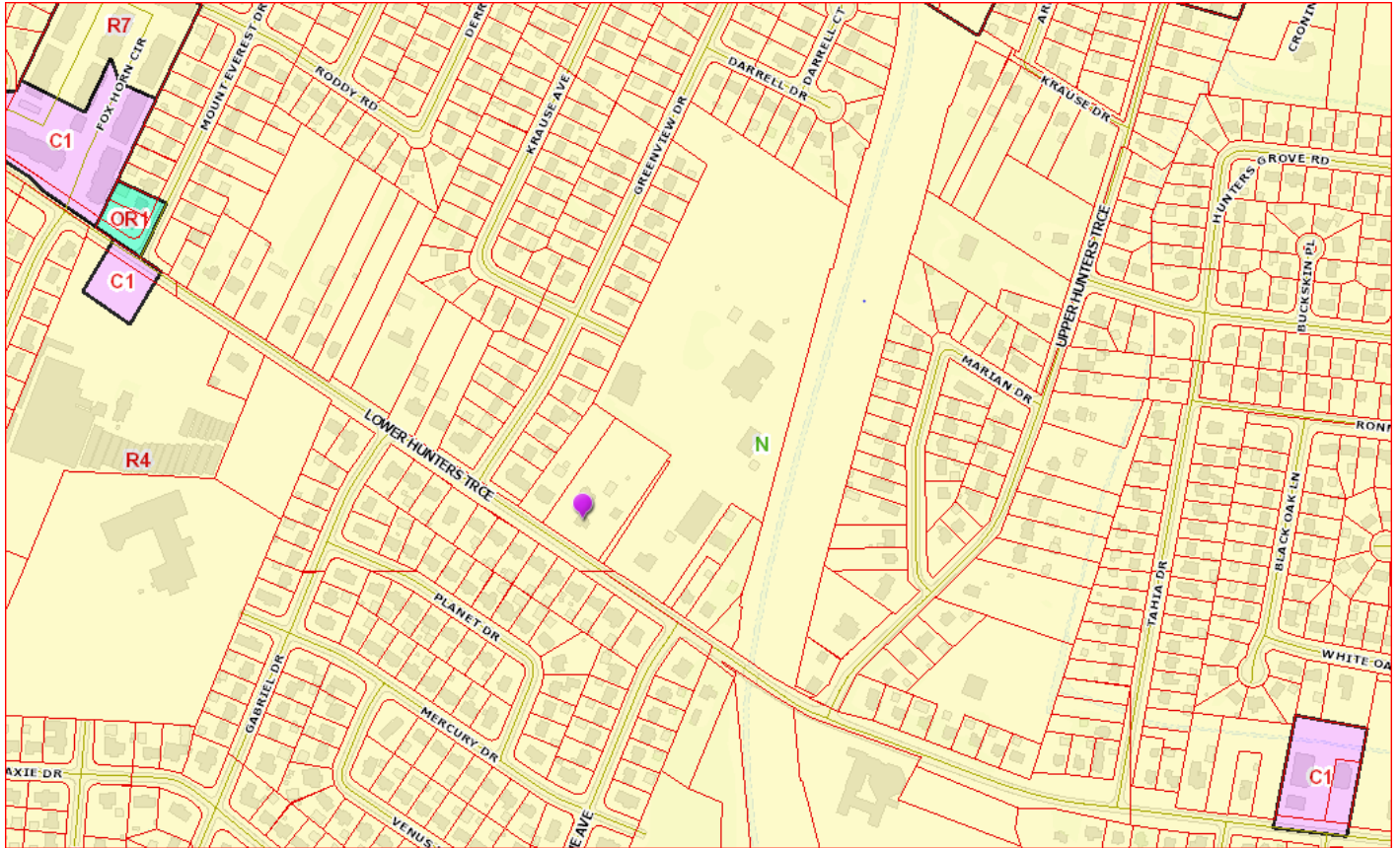
NOTIFICATION

Date	Purpose of Notice	Recipients
12/02/2019	Hearing before BOZA	1 st and 2 nd tier adjoining property owners
11/25/2019		Registered Neighborhood Groups in Council District 25
12/05/2019	Hearing before BOZA	Sign Posting

ATTACHMENTS

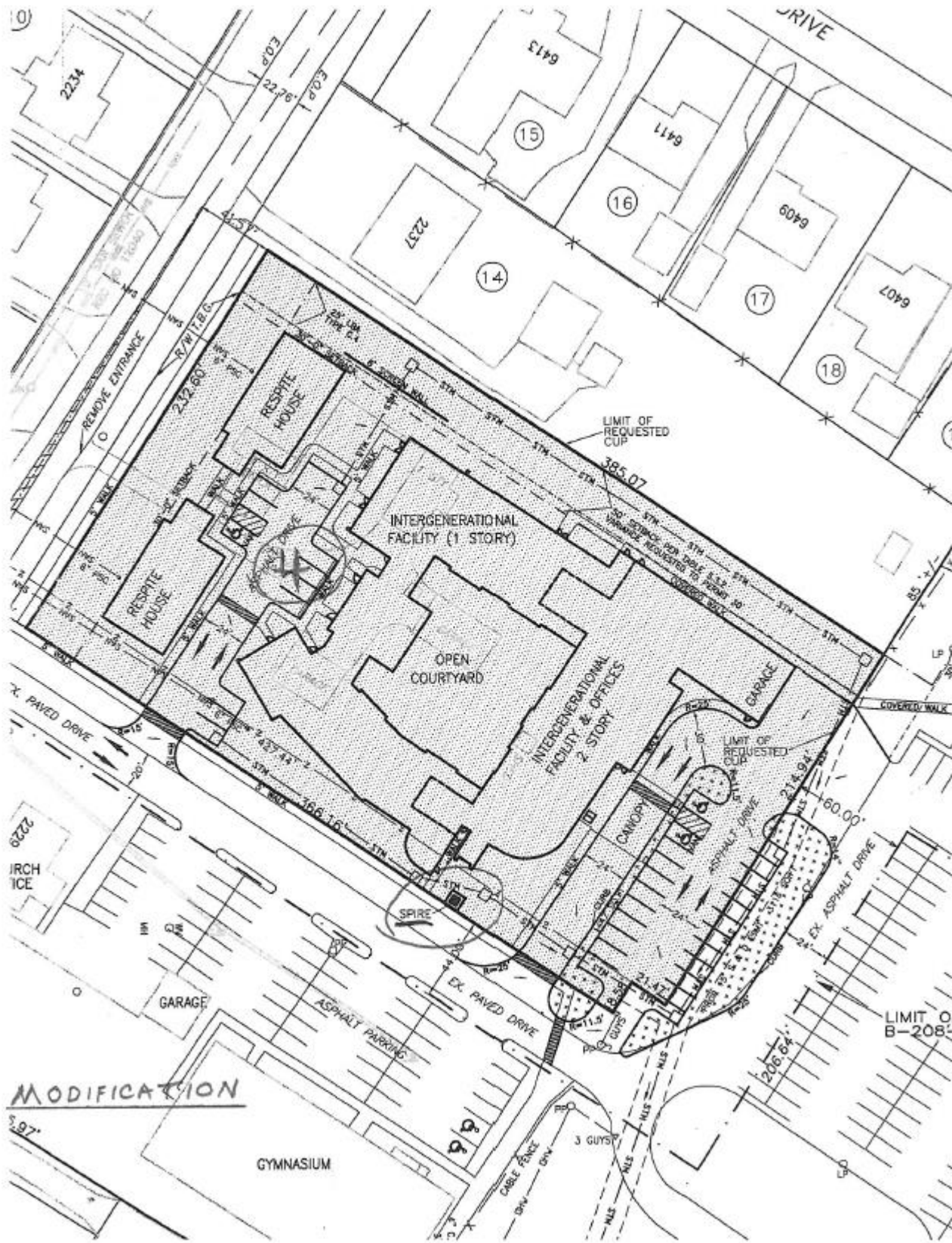
1. Zoning Map
2. Aerial Photograph
3. 2019 Modification / 2017 Original
4. Conditions of Approval

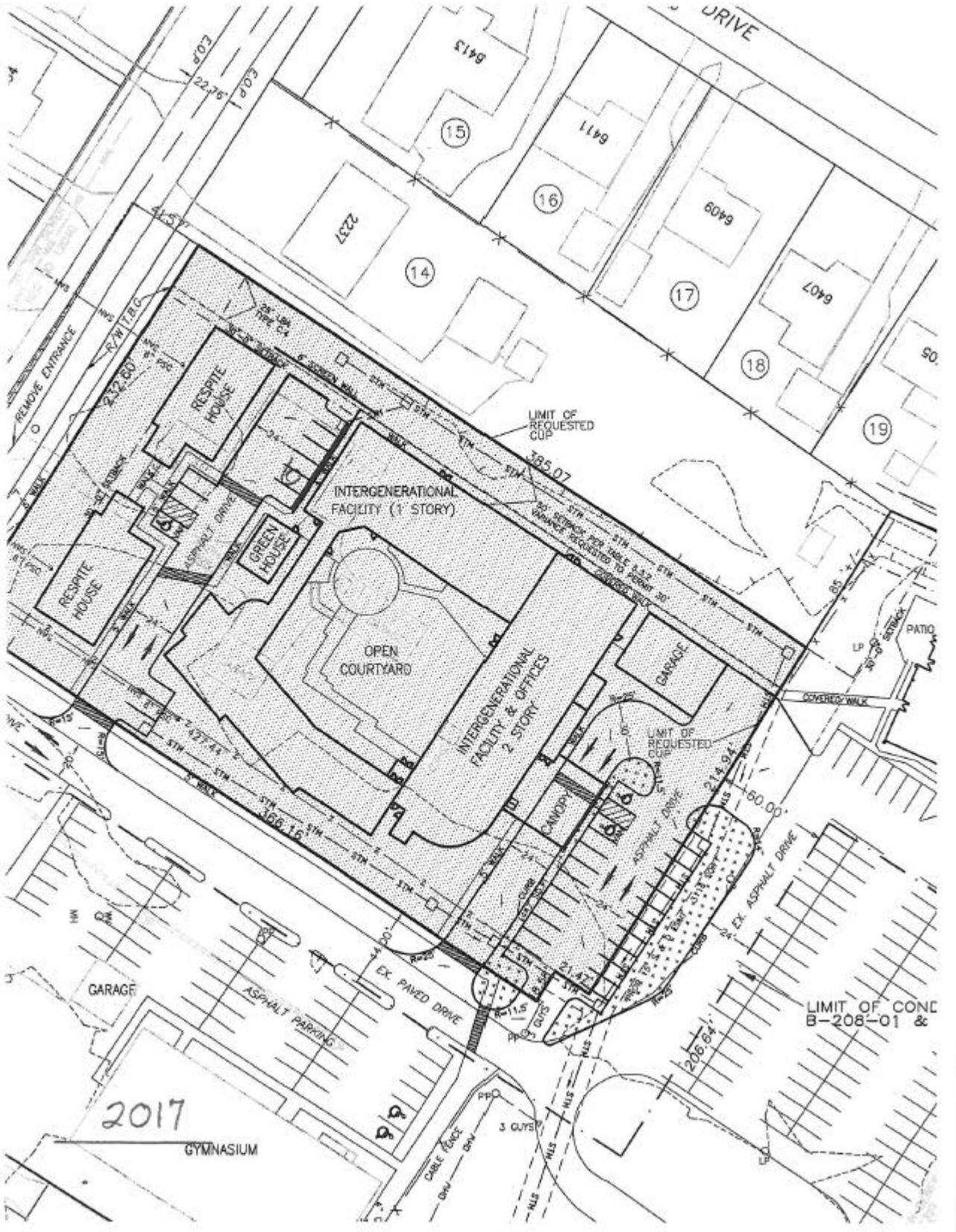
1. Zoning Map



2. Aerial Photograph







3. Conditions of Approval

1. All development shall be in accordance with the approved district development plan, including all notes thereon, and with all applicable sections of the Land Development Code (LDC). No further development shall occur on the site without prior review of and approval by the Board of Zoning Adjustment (BOZA).
2. The Conditional Use Permit shall be exercised as proscribed by KRS 100.237 within two years of BOZA approval. If it is not so exercised, the site shall not be used for a Community Service Facility without further review and approval by BOZA.
3. Agreement(s) providing crossover access, shared parking and access to walking trail between subject site and adjacent site at 2229 Lower Hunters Trace must be submitted to PDS staff for review. Approved agreement(s) must be recorded prior to final construction approval.