

21-CUP-0156

**The Revolution in Counseling –
McKiernan Hall**



**Louisville Metro Board of Zoning Adjustment
Public Hearing**

**Zach Schwager, Planner I
January 24, 2022**

Request

- Conditional Use Permit to allow a rehabilitation home in the R-8A Residential Multi-Family Zoning District Land Development Code (LDC) 4.2.31 and a Landscape Waiver to not provide the perimeter landscape buffer areas.

Case Summary/Background

- The subject property is located on the east side of S. Jackson Street in between E. Kentucky Street and E. St. Catherine Street.
- It is zoned R-8A Residential Multi-Family and is in the Traditional Neighborhood Form District.
- There is an existing two-story residential structure that is 1,784 sq. ft. according to PVA.

Case Summary/Background

- The applicant is proposing to operate a rehabilitation home in the existing structure for up to 10 men and one live-in manager.
- All participants of the program must be enrolled in long-term substance use treatment services with The Revolution in Counseling prior to entry.
- There are no proposed additions to the existing structure.

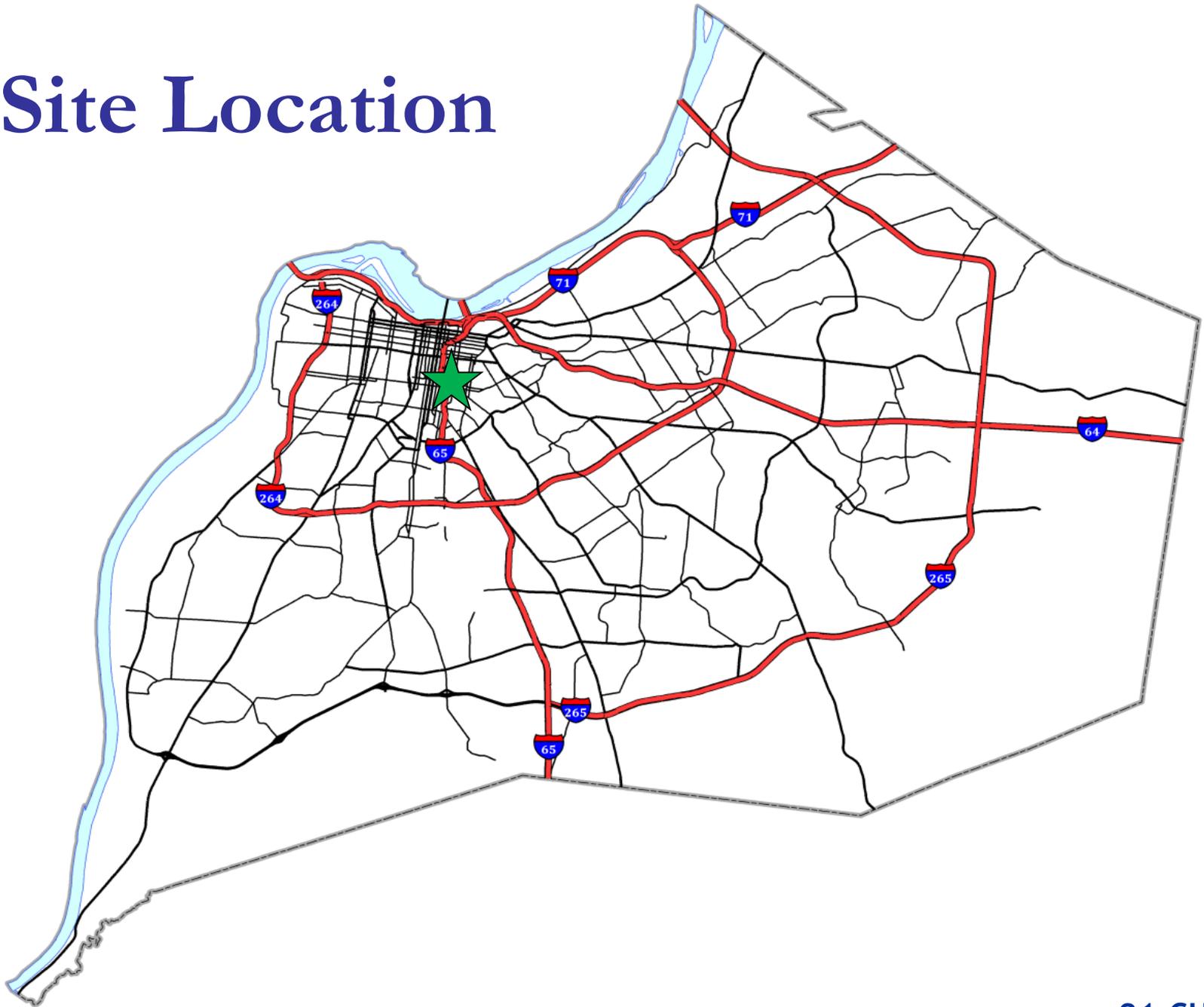
Case Summary/Background

- The subject property does not have any off-street parking but has one on-street space and the participants must use a transportation company and pay a transportation fee.
- The applicant has also applied for a parking waiver to reduce the required parking from two spaces to one, which can be approved at staff level.

Case Summary/Background

- The landscape waiver is for section 10.2.4 of the LDC, which requires a perimeter landscape buffer and screening adjacent to residentially zoned property.
- Staff is supportive of the landscape waiver.

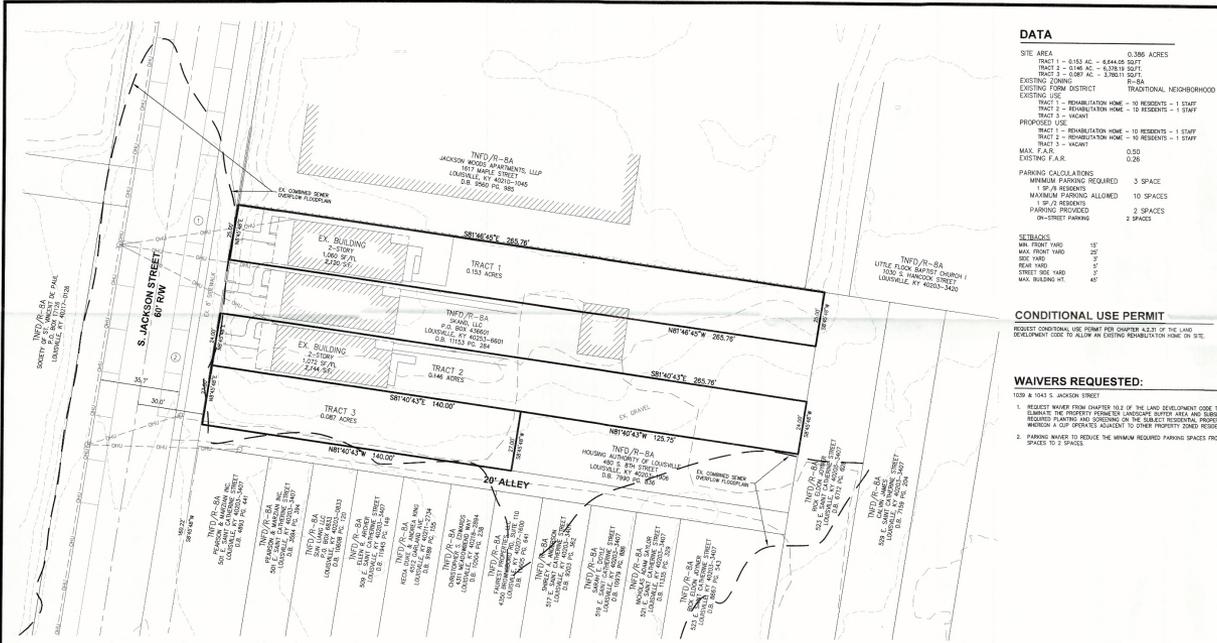
Site Location







Site Plan



DATA

SITE AREA	0.386 ACRES
TRACT 1 - 0.153 AC - 6,846 SQ FT	
TRACT 2 - 0.146 AC - 6,358 SQ FT	
TRACT 3 - 0.087 AC - 3,742 SQ FT	
EXISTING ZONING	R-8A
EXISTING TOWN DISTRICT	TRADITIONAL NEIGHBORHOOD
EXISTING USE	
TRACT 1 - REHABILITATION HOME - 10 RESIDENTS - 1 STAFF	
TRACT 2 - REHABILITATION HOME - 10 RESIDENTS - 1 STAFF	
TRACT 3 - VACANT	
PROPOSED USE	
TRACT 1 - REHABILITATION HOME - 10 RESIDENTS - 1 STAFF	
TRACT 2 - REHABILITATION HOME - 10 RESIDENTS - 1 STAFF	
TRACT 3 - VACANT	
MAX. F.A.S.	0.50
EXISTING F.A.R.	0.26
PARKING CALCULATIONS	
MINIMUM PARKING REQUIRED	3 SPACES
MAXIMUM PARKING ALLOWED	10 SPACES
PARKING PROVIDED	2 SPACES
ON-STREET PARKING	2 SPACES



REVISIONS

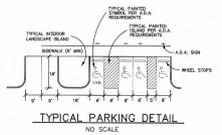
NO.	DATE	DESCRIPTION
1	6/10/21	ISSUED FOR PERMITS
2	7/19/21	ISSUED FOR PERMITS
3	7/19/21	ISSUED FOR PERMITS
4	7/19/21	ISSUED FOR PERMITS
5	7/19/21	ISSUED FOR PERMITS
6	7/19/21	ISSUED FOR PERMITS
7	7/19/21	ISSUED FOR PERMITS
8	7/19/21	ISSUED FOR PERMITS
9	7/19/21	ISSUED FOR PERMITS
10	7/19/21	ISSUED FOR PERMITS

CONDITIONAL USE PERMIT
 SUBJECTS CONDITIONAL USE PERMIT FOR CHAPTER 162.07 OF THE LAND DEVELOPMENT CODE TO ALLOW AN EXISTING REHABILITATION HOME ON SITE.

- WAIVERS REQUESTED:**
1. SUBJECT WAIVER FROM CHAPTER 162.07 OF THE LAND DEVELOPMENT CODE TO ELIMINATE THE PROPERTY PROVIDED LANDSCAPE BUFFER AREA AND SUBSEQUENT REQUIREMENTS FOR FENCING AND SCREENING ON THE EXISTING RESIDENTIAL PROPERTY RELOCATION.
 2. PARKING WAIVER TO REDUCE THE MINIMUM REQUIRED PARKING SPACES FROM 3 SPACES TO 2 SPACES.

IMPERVIOUS AREA (SITE)

NET SITE AREA	0.386 ACRES
AREA OF DETOURNANCE	0.116 ACRES
EXISTING IMPERVIOUS SURFACE	0.088 ACRES
PROPOSED IMPERVIOUS SURFACE	0.088 ACRES
INCREASE IN IMPERVIOUS SURFACE	0.003 ACRES



GENERAL NOTES

1. THERE SHALL BE NO INCREASE IN DRAINAGE RUN-OFF TO THE RIGHT-OF-WAY.
2. THERE SHALL BE NO CONSTRUCTION DONE IN THE RIGHT-OF-WAY.
3. THERE SHALL BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENFORCEMENT POINT. TREE SPECIES PLANTED IN THE RIGHT-OF-WAY MUST CONFORM WITH DISTRICT 12 LIST OF APPROVED TREES.
4. CONSTRUCTION PLANS, ENFORCEMENT POINTS AND BOND WILL BE REQUIRED BY KYTC FOR ALL WORK DONE WITHIN A JACKSON STREET RIGHT-OF-WAY.
5. CONSTRUCTION PLANS, BOND, POINT AND KYTC PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL.
6. NO INCREASE IN VELOCITY AT POINT OF DISCHARGE AT PROPERTY LINE.
7. HOUSE AREAS WITHIN TRACT 1-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
8. COMBATING UTILITY LINES: ELECTRICAL, TELEPHONE, CABLES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROVED AGENCIES.
9. METRO PERMITS FOR FENCE CONTROL SHALL BE IN PLACE BEFORE DEMOLITION AND CONSTRUCTION ACTIVITIES TO PREVENT FUGITIVE PARTICULATE BASED FROM READING EXISTING HOUSES AND NEIGHBORING PROPERTIES.
10. BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM DEEDS AND WHO LOGS.
11. ALL SIGNAGE WILL COMPLY WITH CHAPTER 8 OF THE LAND DEVELOPMENT CODE.
12. EXISTING SEWERLINE RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT METRO PUBLIC WORKS STANDARDS AND SHALL BE NOTICED PRIOR TO FINAL BOND RELEASE.
13. SITE LIGHTING SHALL NOT BE IN THE EYES OF DRIVERS IF IT DOES, IT SHOULD BE RE-ARMED, SHIELDED OR TURNED OFF.
14. ALL NEW OR EXISTING SEWERLINES SHALL BE EITHER BROUGHT UP TO OR BURIED TO A.D.A. CURRENT STANDARDS.
15. DEVELOPMENT WILL UTILIZE IMPERVIOUS, ROLL-OFF GARAGE BINS.
16. ALL HOUSING AND OUTRIGGER INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDSCAPING AS SET BY METRO PUBLIC WORKS.
17. CALCULATIONS WILL BE REQUIRED FOR ANY RUNOFF SEENED NECESSARY TO BE DAINED TO THE STATE RIGHT-OF-WAY. RESPONSIBLE TO ALTER OR SIGNIFICANTLY REDUCE RUNOFF. A COMPLETE HYDROLOGIC ANALYSIS SUPERVIEW AND CONCENTRATED BASED ON 24-HOUR AND 100-YEAR STORM. THIS ANALYSIS SHALL PROVIDE A COMPARISON OF EXISTING AND PROPOSED CONDITIONS. RESULTS TO ALTER DRAINAGE ON A RIGHT-OF-WAY SHALL RESULT IN CONDITIONS THAT ARE EQUAL TO OR BETTER THAN THE EXISTING FACILITIES.

MSD NOTES

1. CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICTS LOCAL MANUAL AND STANDARD SPECIFICATIONS.
2. DRAINAGE PATTERN DEPICTED BY ARROWS IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND DESIGN OF DRAINAGE PIPES AND TRENCHES SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
3. AN APPROVED EROSION PREVENTION AND SEDIMENT CONTROL PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND DISTURBING PRIVATE DEVELOPMENT BEGINS. EROSION CONTROL SHALL BE INSTALLED FOR THE CLEAR AND SWATH STRIPES.
4. DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE DRAINAGE DRAINAGE AREAS ARE DESIGNED AND STABILIZED.
5. ACTIONS MUST BE TAKEN TO MINIMIZE THE TRUCKING OF SAND AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.
6. SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREETS, PAVED DRIVEWAYS AND GRASSY AREAS. STOCKPILES SHALL BE SEEDS, MULCHED, AND ADEQUATELY COVERED THROUGHOUT THE USE OF SITES FENCE.
7. WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS TEMPORARILY EXCEEDED AN ANY PART OF THE SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICAL, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.
8. EXISTING SANITARY SEWERS TO BE UTILIZED AND ARE SUBJECT TO ANY AVAILABLE FEES OR CHARGES.
9. NO PROPOSED SITE WORK WITH THE COP APPLICATION.

BTM Engineering, Inc.
 3300 W. MAIN STREET, SUITE 200, LOUISVILLE, KY 40203
 502.261.1111
 www.btmeng.com

FOR REVIEW ONLY

RECEIVED
 JAN 13 2022
 PLANNING & DESIGN SERVICES

CASE # 21-CUP-0156
 CASE # 21-CUP-0157
 MSD WM #12329 / 21 1090

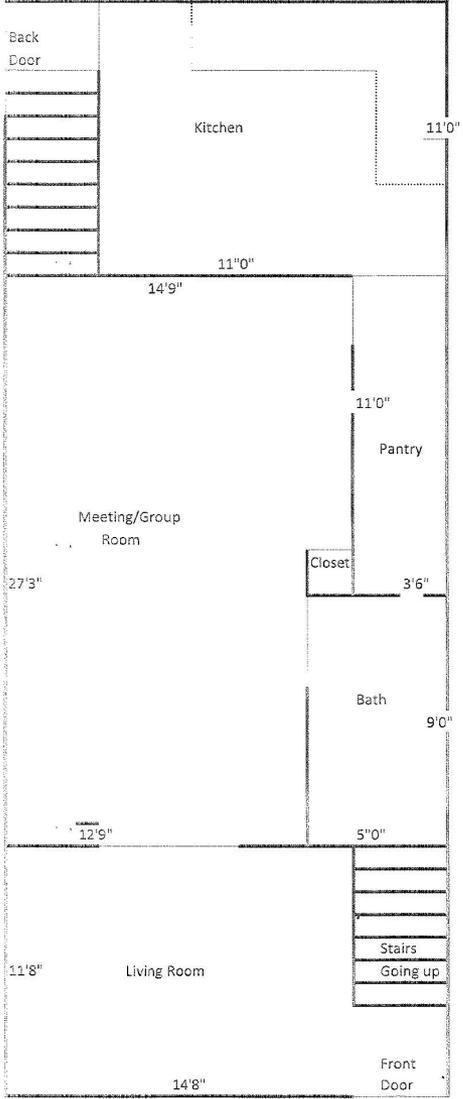
CONDITIONAL USE PERMIT PLAN
 SOBER LIVING COMMUNITIES, LLC
 1000 W. MAIN STREET
 LOUISVILLE, KY 40203

DATE	7/19/21
SCALE	1" = 20'
PROJECT	210205 - CUP
DRYER BY	1.00

NOT FOR CONSTRUCTION

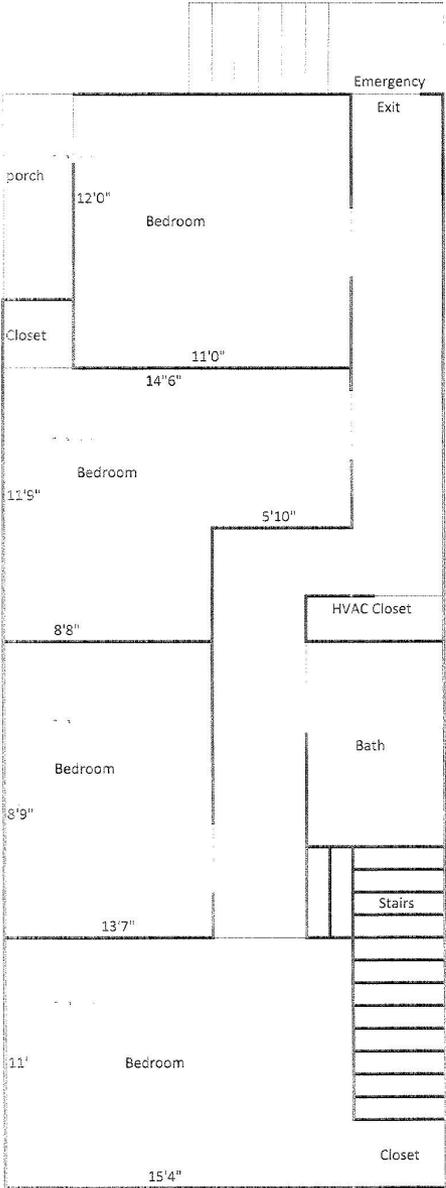
Floor Plan

McKiernan Hall
1043 S. Jackson St.
First Floor



Floor Plan

McKiernan Hall
1043 S. Jackson St.
Second Floor





Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Staff Findings

- There are ten listed requirements and the applicant will be asking for relief from item C. Item G. does not apply since this site is not located in a nonresidential zoning district. Based upon the information in the staff report and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the LDC for a Conditional Use Permit and Landscape Waiver.

Required Actions

Approve or Deny:

- Conditional Use Permit to allow a rehabilitation home in the R-8A Residential Multi-Family Zoning District Land Development Code (LDC) 4.2.31 and a Landscape Waiver to not provide the perimeter landscape buffer areas.

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 until further review and approval by the Board.

Conditions of Approval

3. Prior to lawful commencement of the rehabilitation home use the applicant shall obtain all permits and necessary approvals required by the Office of Construction Review and other governmental agencies.

4. Maximum full-time occupancy shall be limited to 10 persons, or the maximum allowed by the property maintenance code (the persons include nine residents and one live-in manager).