

Board of Zoning Adjustment

Staff Report

February 1, 2021



Case No:	20-MCUP-0014
Project Name:	Episcopal Senior Living
Location:	7504 Westport Road
Owner:	Trustees of the Church Home & Infirm by Laura Lamb
Applicant:	DLG Consulting Engineers, LLC
Jurisdiction:	City of Graymoor/Devondale
Council District:	# 7 --- Paula McCraney
Case Manager:	Steve Hendrix, Planning & Design Coordinator

REQUEST

Modification of a Conditional Use Permit of a Nursing Home & Home for the Infirm or Aged to allow the renovation and new construction of buildings for a more intimate and modern style of living and personal care.

CASE SUMMARY/BACKGROUND

The fourteen acre campus is located in the City of Graymoor/Devondale just north of the Westport Road/Lyndon Lane intersection. The facility has been at this location since the 1970s. The proposal includes the renovation of a building for increased skilled nursing and another building renovation for personal care/memory care services. A new building will offer personal care apartments. In addition, 12, two unit independent living patio homes are proposed that will be similar to the existing Dudley Square homes.

STAFF FINDING / RECOMMENDATION

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 modified Conditional Use Permit.

TECHNICAL REVIEW

There are no technical review items.

INTERESTED PARTY COMMENTS

A virtual neighborhood meeting was held on December 14, 2020, but was not required, since this is a modification.

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 does not conflict with Comprehensive Plan policies.

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

STAFF: Yes, the renovations and new construction are within the existing Episcopal Church Home campus.

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 subject property is served by existing public utilities and facilities.

4. Does the proposal comply with the specific standards required to obtain the requested conditional use permit?

STAFF: Yes.

Section 4.2.38 Conditional Uses

Nursing Homes & Homes for the Infirm or Aged

Nursing Homes & Homes for the Infirm or Aged may be permitted in any district upon the granting of a Conditional Use Permit and compliance with the listed requirements.

- A. All buildings shall be located at least 30 feet from any property line.
- B. One sign, not to exceed 60 square feet and six feet in height, may be placed at each of the major entrances, except in districts where larger signs are allowed.
- C. The Board of Zoning Adjustment shall add any restrictions to mitigate nuisances or adverse effects.

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 Modified 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 Modified Conditional Use Permit is not so exercised, the modification will become null and void.

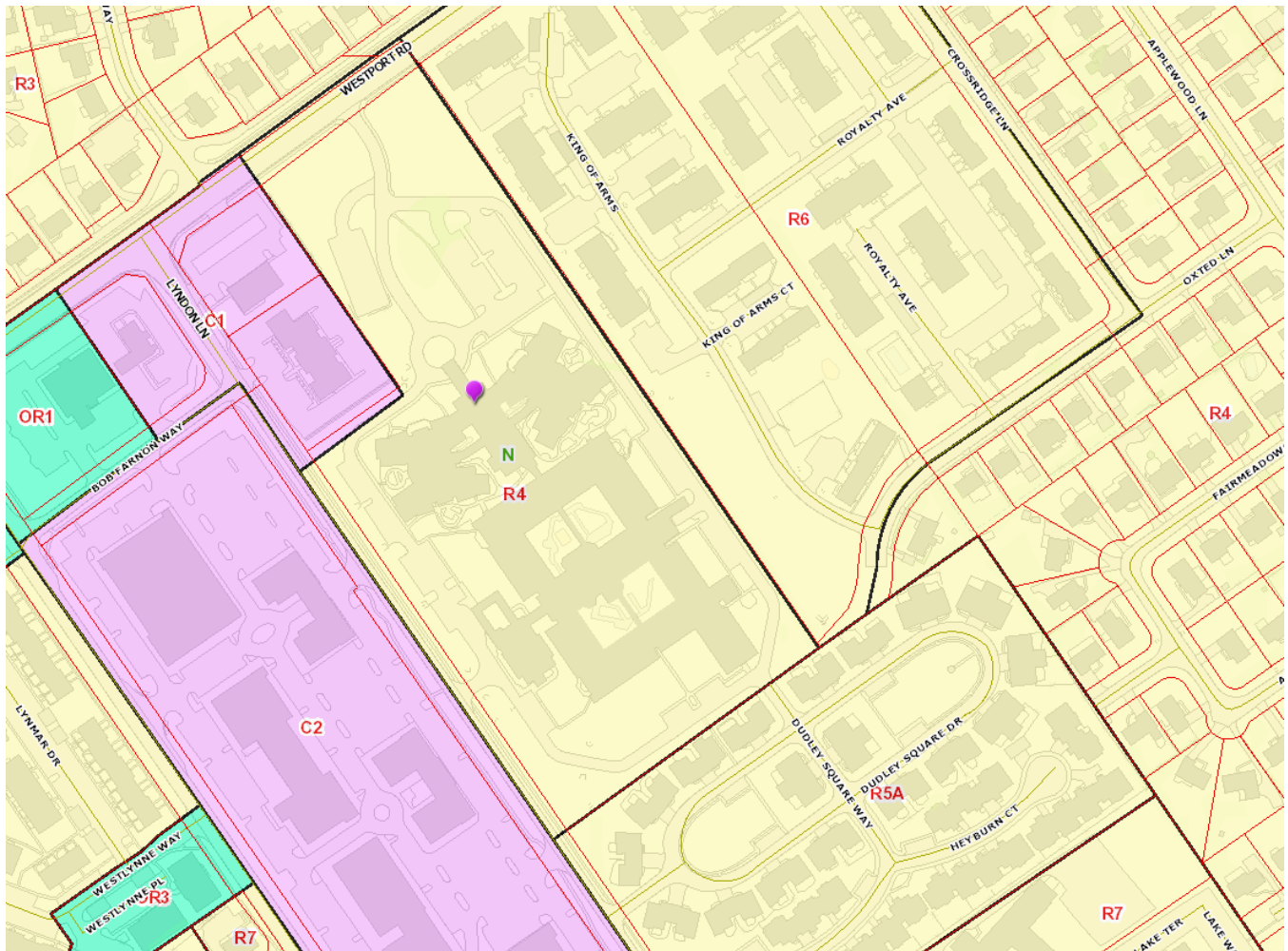
NOTIFICATION

Date	Purpose of Notice	Recipients
01/14/2021 01/15/2021	Hearing before BOZA	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District # 7
01/19/2021	Hearing before BOZA	Sign Posting

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Master Plan
5. Plan 2040 Checklist

Zoning Map



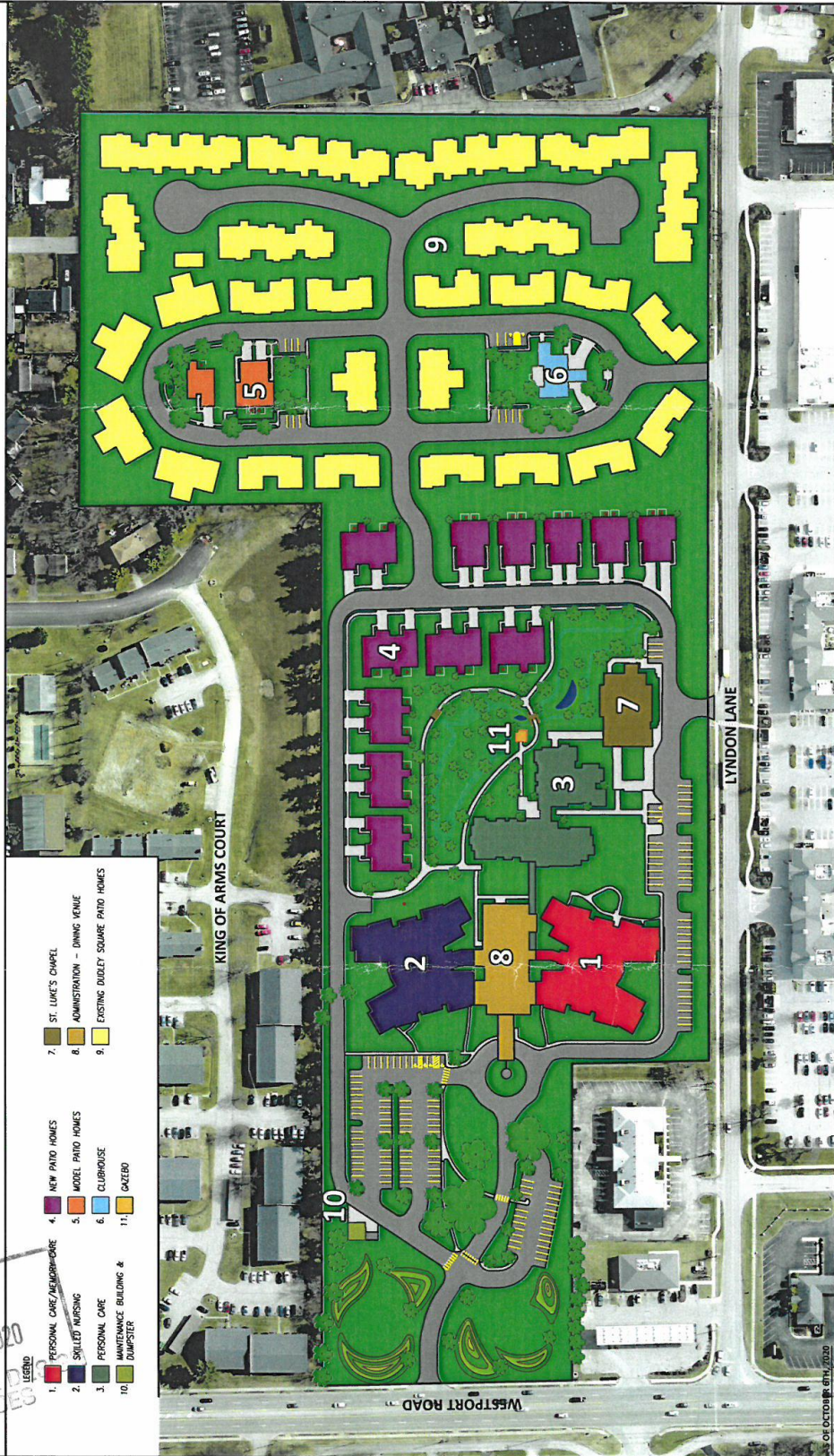
Aerial Photograph





EPISCOPAL CHURCH HOMES MASTER PLAN 2020

DEC 07 2020
PLANNING & DESIGN SERVICES



5. 2040 Checklist

Conditional Use Permit Checklist

+ Meet policy

- Does not meet policy

+/- Meets/Does not meet some portion of policy

NA – Not applicable

NIS – Information needed

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
Community Form – Goal 1			
4.	Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.	+	Episcopal Church Home plans include renovating existing buildings for skilled nursing and personal and memory care a new for personal care apartments and independent living patio homes similar to the existing Dudley Square homes.
11.	Ensure setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet Form District guidelines.	+	Setbacks have been met.

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
12.	Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes.	+	Renovation of existing buildings and new personal care apartments and new independent living patio homes within the existing Episcopal Church Home campus.
14.	Ensure that signs are compatible with the Form District pattern and contribute to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot the number of signs by including signage for each establishment on the same support structure and encourage consistent design (size, style, and materials).	+	Will meet code.
17.	Mitigate adverse impacts of traffic from proposed development on nearby existing communities.	+	Transportation has approved.

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
18.	Mitigate adverse impacts of noise from proposed development on existing communities.	+	Development is within the existing Episcopal Church Home campus.
19.	Mitigate adverse impacts of lighting from proposed development on nearby properties, and on the night sky.	+	Development is within the existing Episcopal Church Home campus.
Goal 2 Community Facilities			
3.	Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).	+	MSD has approved.