

Board of Zoning Adjustment Staff Report

September 25, 2023



Case No:	23-MCUP-0010
Project Name:	Kentucky Country Day School
Location:	4100 Springdale Rd
Owner(s):	Adam Beckum, CFO, Kentucky Country Day School, Inc.
Applicant:	Ann Richard, Land Design & Development, Inc
Jurisdiction:	Louisville Metro
Council District:	16- Scott Reed
Case Manager:	Amy Brooks, Planner I

REQUEST(S)

- **Modified Conditional Use Permit** for private institutional use (LDC 4.2.65).

CASE SUMMARY

The applicant has requested a modification of a conditional use permit for a private institutional use granted to Kentucky Country Day School. Located near the intersection of Brownsboro and Springdale Road, the site was approved for the private institutional use CUP under case # 20-CUP-0106. The applicant is now proposing to construct two new structures that will serve existing sports fields and a pottery klin that will be added onto the main building that exists on the site. The proposed development will total 4,901 square feet in area. These three modifications will result in a 2.8% increase in the total building area on the site. Therefore, this modified CUP request can be reviewed at the business session pursuant to BOZA bylaws and policies.

Related Cases

20-CUP-0106

STAFF FINDING

The proposal appears to be adequately justified for approval and meets the standards of the conditional use permit.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMITS

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

STAFF: The proposal is consistent with applicable policies of the Comprehensive Plan, Plan 2040.

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: The proposal is 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. The site is located in an area that is surrounded by commercial and

residentially zoned properties. To mitigate the impact on the neighborhood, the school has provided extensive plantings along its property perimeters.

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: All 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 are available or will be provided.

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

A. Except in the R-R zoning district, all structures, except fencing, and all off-street parking shall be at least 30 feet from any property line adjacent to an existing residential use or residential zoning district. In the R-R zoning district all structures, except fencing, shall be at least 150 feet from any property line and all off-street parking shall be at least 30 feet from any property line.

B. The applicant must demonstrate that the impact of the traffic generated by the use can be mitigated.

C. Off-street parking not located within a driveway shall be located to the side or rear of the building(s). The number of required off-street parking spaces shall be determined by the Planning Director in consultation with the Director of Public Works based on the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.

D. All activities shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).

E. The Board of Zoning Adjustment may set hours of operation for institutional use in order to minimize potential negative impacts on surrounding residential properties.

STAFF: The proposed buildings and addition are located more than 30 feet from any property line where Kentucky Country School abuts residential. Moreover, the school has provided sufficient landscape buffers areas and screening that will minimize the impact of the proposal on the residential properties to the north and west of the subject site. The proposed usage is not generating any new parking requirements, and the use will be mitigated for any adverse impact on the surrounding residents because sporting events that draw crowds happen outside of the normal school day when traffic is at its peak. The proposal would not appear to create any impacts beyond what is typical for schools and other private institutions, such as pick-up/drop-off or evening activities.

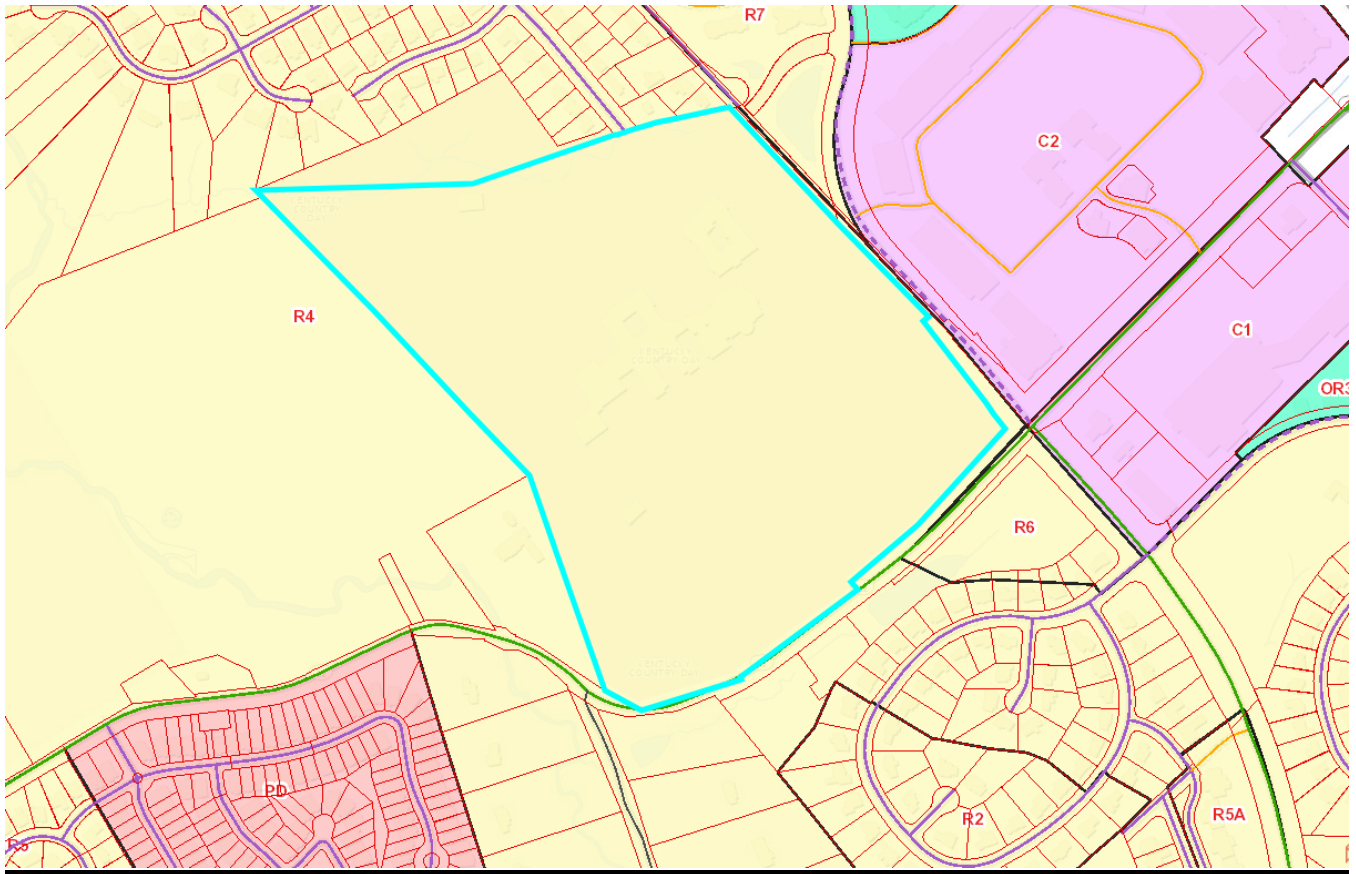
REQUIRED ACTIONS

- **APPROVE** or **DENY** the **Modified Conditional Use Permit** for a private institutional use (LDC 4.2.65).

ATTACHMENTS

1. Zoning Map
2. Aerial Map
3. Proposed Conditions of Approval

1. Zoning Map



2. Aerial Map



3. 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 private institutional use until further review and approval by the Board.