

## **CONDITIONAL USE PERMIT JUSTIFICATION STATEMENT**

**LOUISVILLE OCCUPATIONAL AND GENERAL HEALTH SERVICES MEDICAL CLINIC (APPLICANT)**  
**HAZELWOOD BAPTIST CHURCH (OWNER)**  
**1056 BLUEGRASS AVENUE, LOUISVILLE, KY 40215 – PARCEL ID 054A00320000**  
**(ALT. ADDRESS 4201 TAYLOR BOULEVARD, LOUISVILLE, KY 40215)**

**June 10, 2024**

The Applicant, Louisville Occupational and General Health Services Medical Clinic (“Applicant”), and the property owner, Hazelwood Baptist Church (“Owner”), are requesting approval of a conditional use permit pursuant to Section 4.2.29 of the Land Development Code for all of Louisville – Jefferson County Kentucky (“LDC”) to allow an appropriate reuse of a church building located at 1056 Bluegrass Avenue, Louisville, KY 40215 (the “Property”) as a medical clinic to support the surrounding neighborhoods and beyond. Currently, the church building is unused and unfortunately has been the subject of significant breaking and entering and vandalism of the church’s interior. Dr. Wilson Eseme with Louisville Occupational and General Health Services successfully operates a medical facility on Preston Highway and desires to expand his needed services to the Beechmont neighborhood area. Dr. Eseme estimates he will have five (5) other medical employees assisting him at the proposed medical clinic, where, together, they will provide primary medical care, care for work injuries, conduct medical evaluations, undertake various treatments, etc. At some point in the future, Dr. Eseme eventually would also deploy treatment services for persons addicted to controlled substances, which Dr. Eseme is licensed to do, because the need for such services is so high (the “Proposal”).

The Property is zoned R-5, single-family residential and within the Beechmont Traditional Neighborhood Form District (TNFD), where it holds the southeast corner of the intersection of Taylor Boulevard, a major arterial roadway, and Bluegrass Avenue, a primary collector level roadway. The requested conditional use permit is in agreement with Plan 2040, A Comprehensive Plan for Louisville Metro (“Plan 2040”) because the Traditional Neighborhood Form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses *as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services.* (Goal 1, Policy 3.1.2, Plan 2040; emphasis added).

The Property is a corner lot positioned at two well-traveled roadways with Taylor Boulevard being served by TARC. Therefore, the location of a medical clinic on the Property aligns with Plan 2040’s policy language acknowledging how appropriately located neighborhood-serving uses, such as a medical clinic, are allowable components to the TNFD. Here, the Property is appropriately located to support a neighborhood-serving medical clinic because it is within an already established small neighborhood activity center positioned at

the intersection of Taylor and Bluegrass, which contain various commercial uses such as a Thorntons, Dollar General Store, Save A Lot, automotive uses, restaurants, retail, and a dental office, among others. Hazelwood Elementary School, Kentucky School of Phlebotomy and South Central Neighborhood Place are located along Bluegrass Avenue just west of the Taylor-Bluegrass intersection. To the east of the Property are single-family homes fronting Bluegrass Avenue; to the south, across the alleyway, is an automotive repair use operating as a nonconforming use on property zoned R-5, single-family residential.

No new construction or added impervious surfaces are proposed for the Property. Updating and repairs to the interior of the church building will occur and the existing residential structure across the parking lot from the church building on the Property will remain as it is today. Consequently, the existing development pattern of the Property is preserved. To the south of the Property is an alleyway that runs between Taylor Boulevard and Peachtree Avenue to the east. Access from the parking area to the alleyway is also proposed to stay “as-is.” As depicted on the Conditional Use Permit Plan, drafted by Bowman and accompanying this Formal CUP Application (the “CUP Plan”), the Applicant proposes to keep the parking area as it is today, which provides eighty-one (81) parking spaces on the Property, more than enough to serve the medical clinic use.

The requested CUP is compatible with the surrounding mix of commercial, residential, and institutional uses in the surrounding area, where uses of various densities and intensities currently co-exist with one another. The Property is 1.709 acres in area and the existing church building sits closer to Taylor Boulevard than the single-family residences to the east of the Property on Bluegrass Avenue. The second structure across the parking area from the church building on the Property is residential in look and character, which appropriately will serve as a nice transition from the medical clinic and the residential properties to the east, preserving the residential feel between the eastern side of the Property and the neighboring residence. Maintaining the existing appearance of the residential structure will also preserve the current compatibility of how the residential structure relates to its neighboring residential structure, as well as the one across Bluegrass Avenue; the residential appearance, intensity of its use, height, bulk and scale, etc. will relate compatibly with each other. Landscaping will be added to the Property, including along the eastern property line, which will help screen the neighboring residential property from the medical clinic and its parking area. Dr. Esemé desires to use the accessory residential structure as space to allow a medical clinic nurse to stay overnight in the house and for use as teaching/training. The medical clinic will operate daily from 8 A.M. to 5 P.M. Consequently, the medical clinic CUP will not adversely affect the character and integrity of the neighborhood or the physical appearance of the Property; rather, the CUP, if approved, will allow the successful reuse of an unused church building located at an important, active intersection in the Beechmont TNFD. Moreover, reuse of the building as a medical clinic will improve security in the immediate area, as neighbors who attended the neighborhood meeting voiced concerns with having an empty building on the Property and the invitation of crime to said unoccupied building.

Pedestrian connections are established within the public rights-of-way along both Taylor Boulevard and Bluegrass Avenue. As mentioned, TARC serves this section of Taylor Boulevard, providing easy access to the Property for patients who need to access the medical

clinic but are without vehicular transportation of their own. The subject property is located above the 100-year floodplain, does not contain steep slopes, unstable soils, or blueline streams and, as a result, there are no environmental constraints that would affect the continued use of the property. All necessary public utilities are available and the property is served by Louisville Fire Department District 3 and the Louisville Metro Police Department, Fourth Division. Therefore, the proposed CUP will promote the general health, safety and welfare, and will not have a negative effect on neighboring properties. Accordingly, the Applicant's requested CUP for the Property is in accordance with Plan 2040's applicable Plan Elements, Goals, Objectives and Policies.

#### **The listed requirements in LDC Chapter 4, Section 4.2.29 Medical Clinic**

*A. In form districts where nonresidential freestanding signs are not permitted, a single freestanding on-premise 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.*

Applicant would like permission to reuse the sign Hazelwood Baptist Church erected on its Taylor Boulevard frontage. The sign is freestanding sign is 32 square feet in area and is 10 feet in height. There is a smaller monument sign located on the Property nearer to the intersection of Bluegrass and Taylor; it is 4 feet in height and only contains 12 square feet in area.

*B. All buildings and structures shall be at least 30 feet from any property line.*

There are two (2) buildings on the Property – the church building and a residential building – and both buildings require relief from this listed requirement B due to the existing condition.

*C. Medical clinics shall provide an indoor waiting area for clients. The waiting area shall be large enough to accommodate the clients arriving for services.*

Applicant will comply with listed requirement C.

*D. Parking for medical clinics shall be adequate to accommodate the maximum number of clients expected to be at the site at one time.*

Applicant will comply with this listed requirement. The Property was previously used as a church and, fortunately, contains ample parking (81 spaces) that served the church's congregation and will offer plenty of parking for the desired medical clinic use.

*E. Such facilities shall be located on or near a collector or arterial street with reasonable access to public transportation.*

Applicant will comply with listed requirement E. The Property fronts both Taylor Boulevard, a major arterial, and Bluegrass Avenue, a primary collector level roadway. A TARC route currently serves this stretch of Taylor Boulevard on which the Property fronts.