

**21-CUP-0091, 21-VARIANCE-
0090, 21-WAIVER-0083
2141 Lancashire Avenue**



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

**Jon E. Crumbie, Planning & Design Coordinator
September 27, 2021**

Request(s)

- Conditional Use Permit to allow a private institutional use
- Waiver from Land Development Code (LDC) Table 10.2.6 to allow the vehicular use area landscape buffer area to be eliminated.

Location	Requirement	Request	Waiver
Lancashire Ave.	15 ft.	0	15 ft.

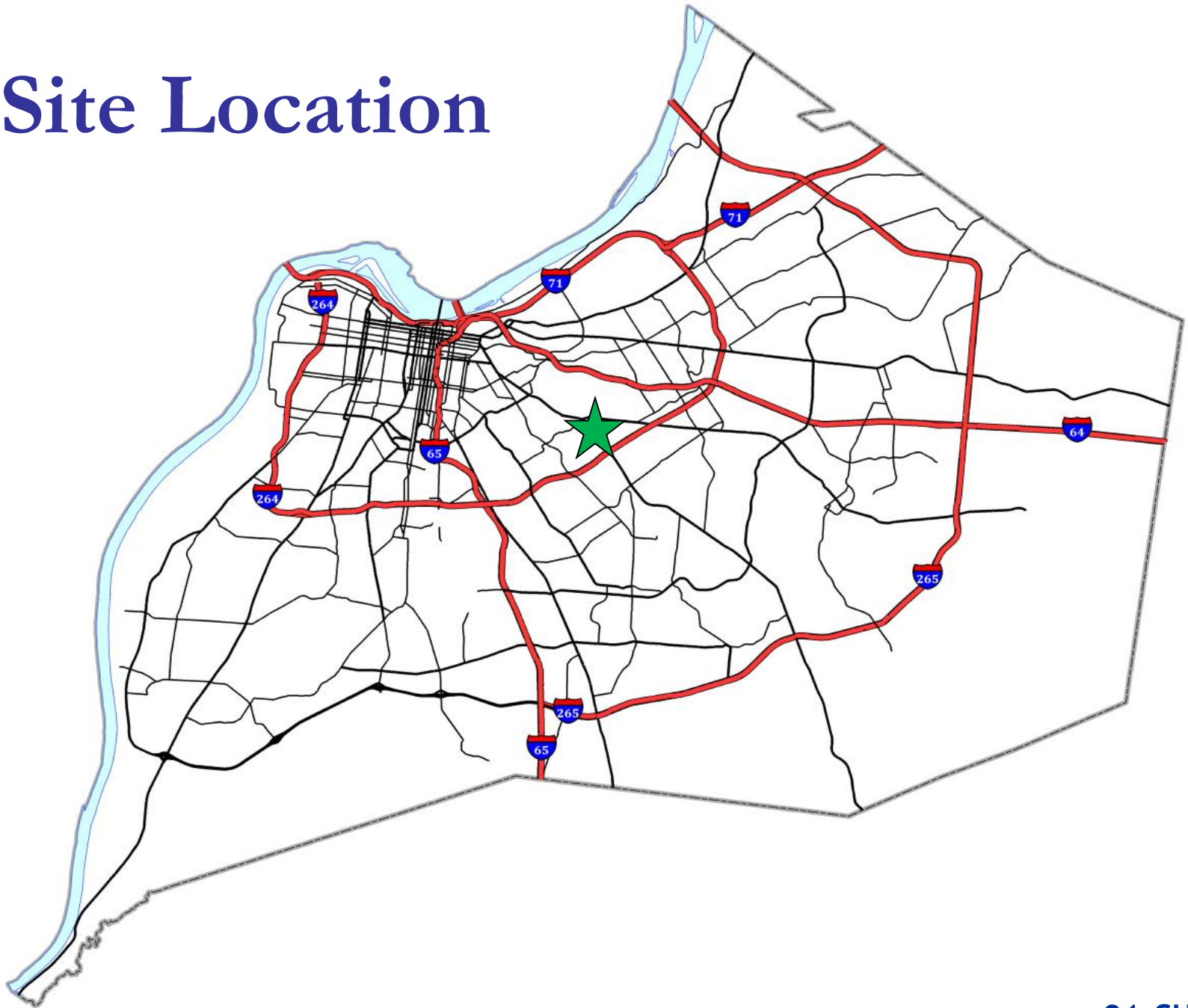
- Variance from Land Development Code (LDC) Table 5.3.2 to allow proposed parking/maneuvering to encroach into the required Lancashire Avenue street side yard.

Location	Requirement	Request	Variance
Lancashire Ave.	10 ft.	0 ft.	10 ft.

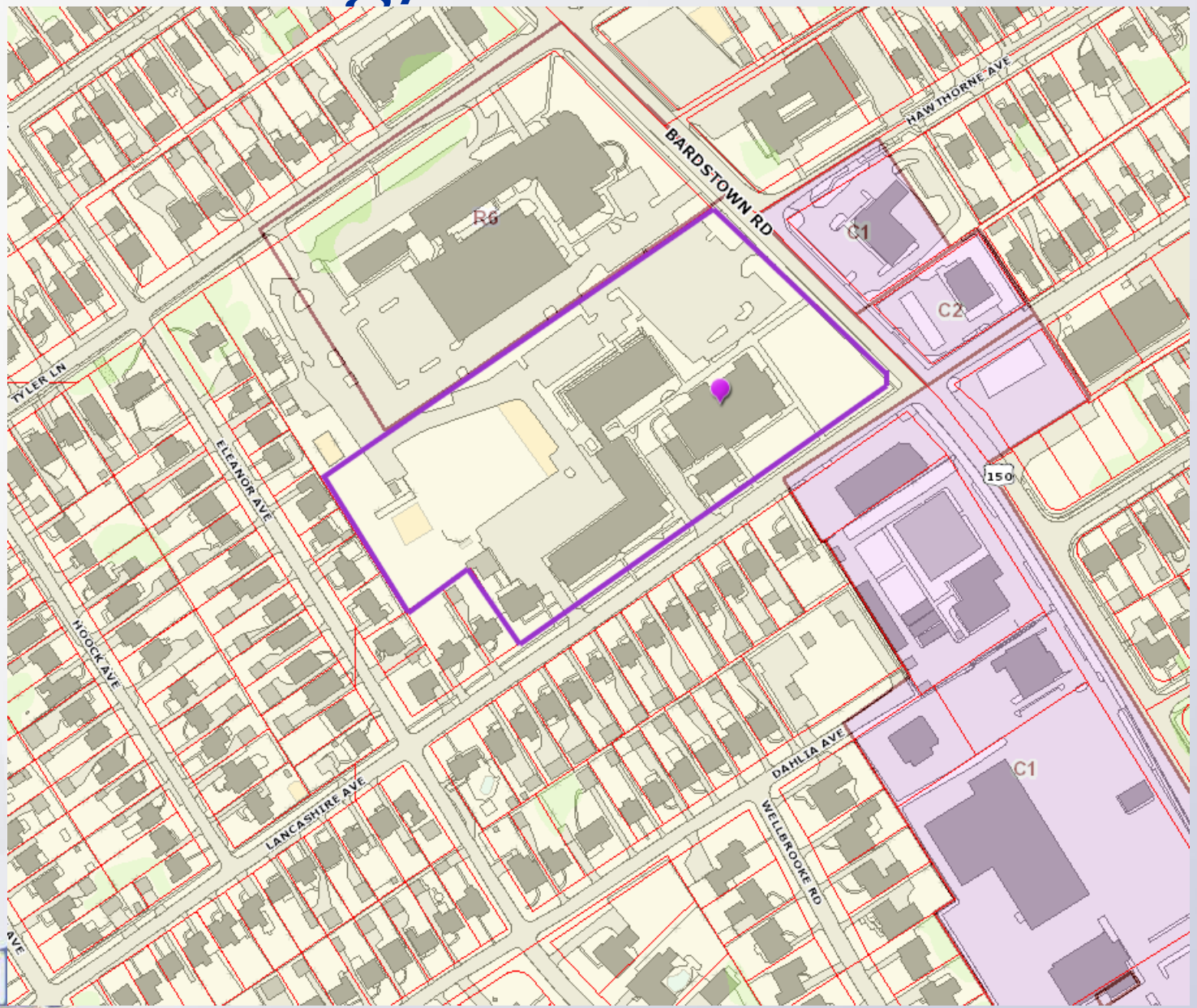
Case Summary/Background

The applicant is purposing to construct a 2,438 square feet office addition, a parking lot addition and minor changes to the exterior walk and entry area of the multi-purpose buildings.

Site Location

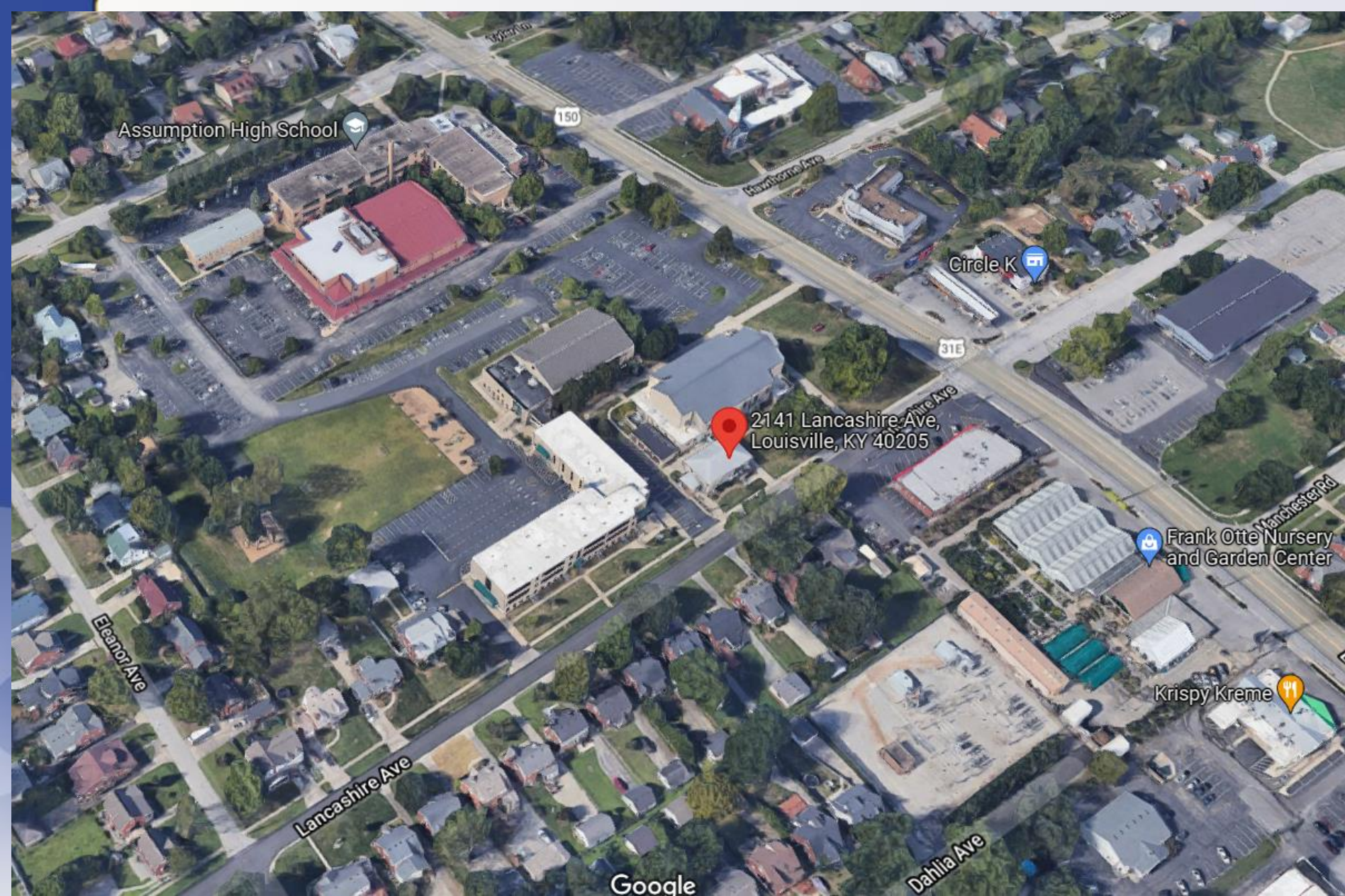


Zoning/Form Districts

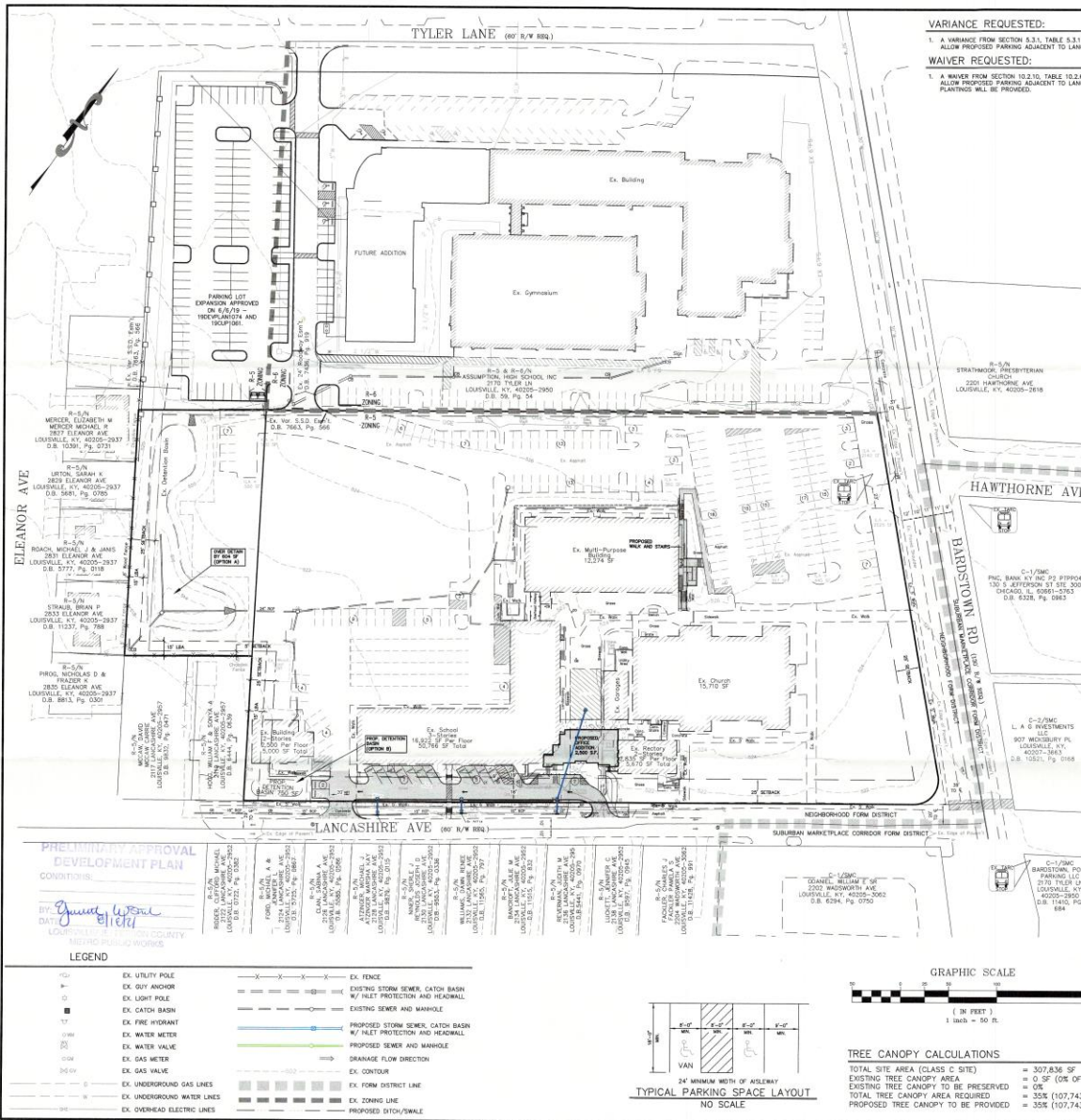


Aerial Photo





Site Plan



VARIANCE REQUESTED:

- A VARIANCE FROM SECTION 5.3.1, TABLE 5.3.1 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE TO ALLOW PROPOSED PARKING ADJACENT TO LANCASTIRE AVENUE WITHIN 25' SETBACK.

WAIVER REQUESTED:

- A WAIVER FROM SECTION 10.2.10, TABLE 10.2.6 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE TO ALLOW PROPOSED PARKING ADJACENT TO LANCASTIRE AVENUE WITHIN THE V.U.A. LBA. ALL REQUIRED PLANTINGS WILL BE PROVIDED.



PRELIMINARY APPROVAL
 Condition of Approval:
 WALTER J. RICE, 8-18-21
 Developer/Reviewer
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

CONDITIONAL USE PERMIT REQUESTED

- A CONDITIONAL USE PERMIT IS REQUESTED FROM THE LOUISVILLE LAND DEVELOPMENT CODE, SECTION 4.2.6.5 FOR AN INSTITUTIONAL USE.

PROJECT DATA

TOTAL SITE AREA	= 7.07 ACRES (307,644 SF)
EXISTING ZONING	= R-3
NEIGHBORHOOD	= CHURCH (MEDIUM)/PRIVATE SCHOOL (MEDIUM)
EXISTING USES	= CHURCH (MEDIUM)/PRIVATE SCHOOL (MEDIUM)
BUILDING AREA	= 83,750 SF
PROPOSED BUILDING ADDITION	= 2,400 SF
TOTAL BUILDING AREA	= 86,150 SF
F.A.R.	= 0.28 (0.5 MAX. ALLOWED)

REQUIRED PARKING PROVIDED:
 FOR CHURCH BY 400 SEATS
 1 SP PER 3 SEATS = 280 SP MAX
 MIN REQUIRED BY 125% = 350 SP
 -TYPIC TRIP REDUCTION = 250 SP (MIN 100 SP KEYS)
 EXISTING PARKING PROVIDED = 175 SP (3 ADA SP INCLUDED)
 PROPOSED PARKING = 18 SP (1 ADA SP INCLUDED)
 TOTAL NECESSARY PARKING PROVIDED = 193 SP (4 ADA SP INCLUDED)

REQUIRED PARKING PROVIDED:
 FOR PRIVATE SCHOOL BY 24 CLASSROOMS & PRIMARY ASSEMBLY AREA W/ 40 SEATS
 MAXIMUM 2 SP EX CLASSROOM (2 SP EX 3 SEATS IN PRIMARY ASSEMBLY AREA (WHICHEVER IS GREATER)
 MAXIMUM 3 SP EX CLASSROOM (2 SP EX 1 SEAT IN PRIMARY ASSEMBLY AREA (WHICHEVER IS GREATER)
 34 CLASSROOMS = 68 SP
 -TYPIC TRIP REDUCTION = 81 SP (MIN 100 SP KEYS)
 EXISTING PARKING PROVIDED = 175 SP (3 ADA SP INCLUDED)
 PROPOSED PARKING = 18 SP (1 ADA SP INCLUDED)
 TOTAL NECESSARY PARKING PROVIDED = 193 SP (4 ADA SP INCLUDED)

TOTAL VEHICULAR USE AREA = 83,101 SF
INTERIOR CLASSROOM AREA REQUIRED = 6,937 SF (7.0% VUA)
INTERIOR LANDSCAPE AREA PROVIDED = 7,216 SF
EXISTING IMPERVIOUS AREA = 152,220 SF
PROPOSED IMPERVIOUS AREA = 161,168 SF (SEE INCREASE)

GENERAL NOTES:

- Planting areas shall be planted to a hard and durable surface.
- There shall be no commercial signs in the sight of any street.
- Sign lighting shall not glare in the eyes of drivers. If signs shall be re-angled, shielded, or turned off.
- Construction lighting shall be erected prior to any construction or grading activities preventing completion of road paving or other site improvement. The lighting shall enclose the area throughout the duration of the tree canopy and shall be removed upon completion of the site improvement. The lighting shall be permitted within the tree canopy and shall be removed upon completion of the site improvement.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from existing existing roads and neighboring properties.
- Complete utilities shall be placed in a common trench unless otherwise required by appropriate agencies.
- Property boundary and easements from L&D shall not constitute a survey.
- Existing building reconstruction and repairs shall be required, as necessary, to meet current MPW standards and shall be required prior to final road needs.

MSD NOTES:

- Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District Design Manual and Standards, Specifications and other local, state and federal ordinances.
- For any sewer service will be provided by existing connection and subject to applicable fees.
- For surface water the site shall be within the 100 year flood plain (see Flood Hazard Map No. 2111-C-0301-E dated December 5, 2006).
- If the site has two (2) or more lots, a separate MS4 permit shall be required for MS4 grading construction plan approval.
- All drainage BMPs and other water quality practices shall be in place prior to MS4 permit approval and that the design of these elements will be determined prior to construction plan approval and shall comply with all MS4 and MS4 Design Manual requirements.
- Drainage detention will be provided. Post developed peak flows will be limited to predeveloped peak flows for the 2, 10, 25 and 100-year storms as to the control of the downstream system, whichever is more restrictive. One (1) acre of detention provided (Option A) so that proposed parking can be existing along in Louisville, in the event of over detention of existing basins, a proposed detention basin can be provided as shown meeting required volume and notes (Option B).

DETENTION BASIN CALCULATIONS

$$\begin{aligned}
 X &= 6 \text{ CFA}/12 \\
 AC &= 0.75 \times 0.68 \times 0.9 \\
 A &= \text{ACRES} = .56 \text{ ACRES} \\
 R &= \text{INCHES} = 2.8 \text{ INCHES} \\
 X &= (0.007)(60)(2.8)/12 = \text{AC-FT} = 0.014 \text{ AC-FT} \\
 \text{REQUIRED } X &= 604 \text{ CU.FT.} \\
 \text{PROVIDED BASIN} &= 750 \text{ SF} \\
 \text{TOTAL} &= 750 \text{ SF } \times \text{ APPROX. 1 FT. DEPTH} \\
 &= 750 \text{ CU.FT. } > 604 \text{ CU.FT.}
 \end{aligned}$$



TREE CANOPY CALCULATIONS

TOTAL SITE AREA (CLASS C SITE)	= 307,836 SF
EXISTING TREE CANOPY AREA	= 0 SF (0% OF SITE AREA)
EXISTING TREE CANOPY TO BE PRESERVED	= 0 SF
TOTAL TREE CANOPY AREA REQUIRED	= 35% (107,743 SF)
PROPOSED TREE CANOPY TO BE PROVIDED	= 35% (107,743 SF)

PRELIMINARY APPROVAL DEVELOPMENT PLAN CONVENTIONS

EX. UTILITY POLE	EX. FENCE
EX. GUY ANCHOR	EXISTING STORM SEWER CATCH BASIN W/ INLET PROTECTION AND HEADWALL
EX. LIGHT POLE	EXISTING SEWER AND MANHOLE
EX. CATCH BASIN	PROPOSED STORM SEWER CATCH BASIN W/ INLET PROTECTION AND HEADWALL
EX. FIRE HYDRANT	PROPOSED SEWER AND MANHOLE
EX. WATER METER	DRAINAGE FLOW DIRECTION
EX. WATER VALVE	EX. CONTOR
EX. GAS METER	EX. FORM DISTRICT LINE
EX. GAS VALVE	EX. ZONING LINE
EX. UNDERGROUND GAS LINES	PROPOSED DITCH/WALK
EX. UNDERGROUND WATER LINES	
EX. OVERHEAD ELECTRIC LINES	

NO.	DATE	DESCRIPTION	BY
1	8/2/21	NEEDED PARKING & DETENTION	AM
2	8/17/21	MSD NOTE	AM

NO.	DATE	DESCRIPTION	BY
1	8/2/21	NEEDED PARKING & DETENTION	AM
2	8/17/21	MSD NOTE	AM

NO.	DATE	DESCRIPTION	BY
1	8/2/21	NEEDED PARKING & DETENTION	AM
2	8/17/21	MSD NOTE	AM

NO.	DATE	DESCRIPTION	BY
1	8/2/21	NEEDED PARKING & DETENTION	AM
2	8/17/21	MSD NOTE	AM

LD&D
 LAND DESIGN & DEVELOPMENT, INC.
 3840 POPLAR LEVEL ROAD
 LOUISVILLE, KY 40225
 TEL: 502-261-1111 FAX: 502-261-1112
 WWW.LDANDD.COM

ST. RAPHAEL
 ORNAMENT DEVELOPER
 DBA ST. RAPHAEL CATHOLIC CHURCH
 3840 POPLAR LEVEL ROAD
 LOUISVILLE, KY 40213

RECEIVED
 AUG 12 2021
 PLANNING & DESIGN SERVICES
 21-CUP-0091-1-0019

RELATED CASES:
 B-179-00 &
 B-180-00CUP
 WM# 41445

Proposed Office Addition Area



Proposed Parking Area



Proposed Parking Area



Proposed Parking Area



Across Lancashire Ave.



Staff Finding

There are five listed requirements for the private institution use. The applicant will need relief of item C. 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, Variance, and Waiver.

Required Action(s)

APPROVE or DENY

- Conditional Use Permit to allow a private institutional use
- Waiver from Land Development Code (LDC) Table 10.2.6 to allow the vehicular use area landscape buffer area to be eliminated.

Location	Requirement	Request	Waiver
Lancashire Ave.	15 ft.	0	15 ft.

- Variance from Land Development Code (LDC) Table 5.3.2 to allow proposed parking/maneuvering to encroach into the required Lancashire Avenue street side yard.

Location	Requirement	Request	Variance
Lancashire Ave.	10 ft.	0 ft.	10 ft.

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 parking lot shall be used exclusively for transient parking of automobiles belonging to invitees of the school.
3. 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 exercised, the site shall not be used for a private institutional use until further review and approval by the Board.