

Land Development and Transportation Committee

Staff Report

January 22, 2015



Case No:	14MOD1016
Project Name:	Springs Medical Office Building
Location:	6400-6420 Dutchmans Parkway
Owners:	HCP Springs MOB Louisville, LLC
Applicant:	HCP Springs MOB Louisville, LLC
Representative:	Wyatt, Tarrant & Combs
Project Area/Size:	10.33 ac.
Existing Zoning District:	OTF, Office/Tourist Facility
Existing Form District:	RC, Regional Center
Jurisdiction:	City of St. Matthews
Council District:	26 – Brent Ackerson
Case Manager:	Matthew R. Doyle, Planner I

REQUEST

- Amendment to Binding Elements

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject sites are plan certain under Docket 9-39-87 and located in the City of St. Matthews adjacent to Kaden Tower.

The applicant requests to modify the language in binding element 3 and delete binding element 6. Binding element 3 limits the square footage of gross floor area used as medical office in the building. It reads as follows:

3. The existing Building "M" shall not exceed 108,570 square feet of gross floor area, with a maximum of 74,400 square feet of medical office. Proposed Building "M" shall not exceed 99,200 square feet of gross floor area, with a maximum of 78,000 square feet of medical office.

The applicant requests that the binding element read as follows:

3. The existing Building "M" shall not exceed 108,570 square feet of gross floor area, ~~with a maximum of 74,400 square feet of medical office~~. Proposed Building "M" shall not exceed 99,200 square feet of gross floor area, ~~with a maximum of 78,000 square feet of medical office~~.

The applicant states that the limitations on medical office square footage are no longer necessary since parking requirements for medical offices have changed so that the Springs Medical Office Building could meet the parking requirements in Chapter 9 of the Land Development Code even if all of the gross floor area was used as medical offices.

Indeed, the City of St. Matthews adopted Chapter 9 of the Land Development Code in 2006. A medical office requires a minimum of 1 space per 250 sq. ft. of gross floor area. This would require the sites to have a combined minimum of 831 parking spaces based on the total gross floor area of the building. The subject properties are along TARC Route 23 (Broadway), which has a regularly scheduled stop within 200 ft. of the site. This allows them to receive a 5% reduction in the required minimum parking spaces. It reduces their minimum parking requirement from 831 to 789. Together, the sites provide 827 parking spaces.

The applicant also requests to delete binding element 6. It requires them to furnish the City of St. Matthews with a breakdown in the number of square feet devoted to general office and medical office in the building, if requested. If binding element 3 is no longer necessary, then binding element 6 is unnecessary as well.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Office	OTF	RC
Proposed	Office	OTF	RC
Surrounding Properties			
North	Shopping center	C-2	RC
South	Offices	OR-3	RC
East	Offices and restaurant	OTF and C-2	RC
West	Offices and single family residential	OTF and R-5	RC and N

PREVIOUS CASES ON SITE

9-39-87: Approval of a change in zoning from R-4 to R-5, R-5A, R-7, OTF, and C-2 for a development in the City of St. Matthews called The Springs, as well as approval of a related subdivision in Docket 10-15-87.

INTERESTED PARTY COMMENTS

One interested party called for clarification on the request.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR
AMENDMENT TO BINDING ELEMENTS**

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There does not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will continue to be provided on the subject site.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community will continue to be provided.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: Provisions of sufficient open space will continue to be provided.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District will continue to ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will continue to be provided to screen adjacent properties and roadways.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

TECHNICAL REVIEW

N/A

STAFF CONCLUSIONS

- The proposed amendments appear to be adequately justified based on staff analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC for approving the Amendment to Binding Element.

REQUIRED ACTION

- APPROVE** or **DENY** the Amendment to Binding Elements.

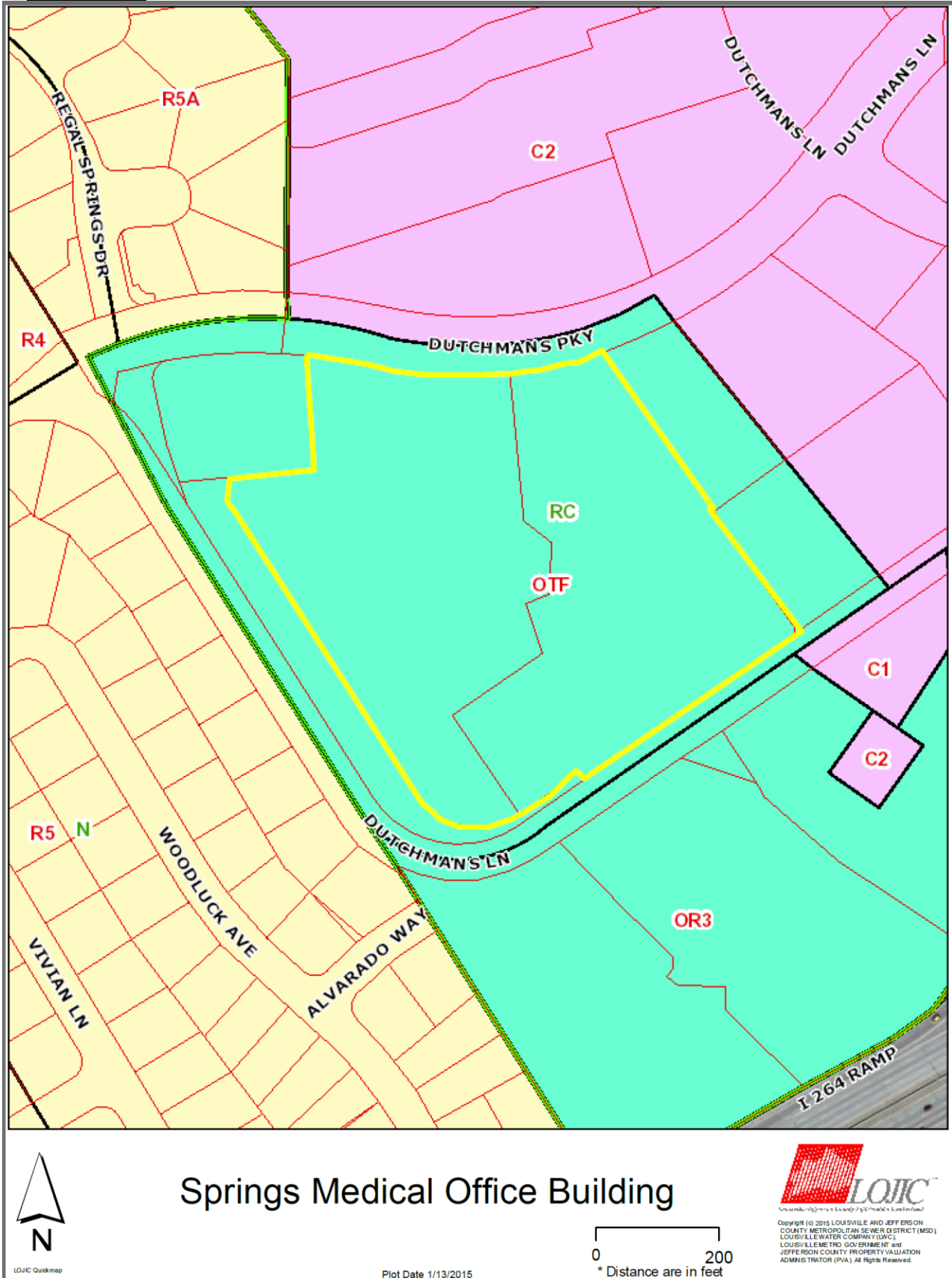
NOTIFICATION

Date	Purpose of Notice	Recipients
1/6/15	Hearing before LDT	1 st tier adjoining property owners Registered neighborhood groups

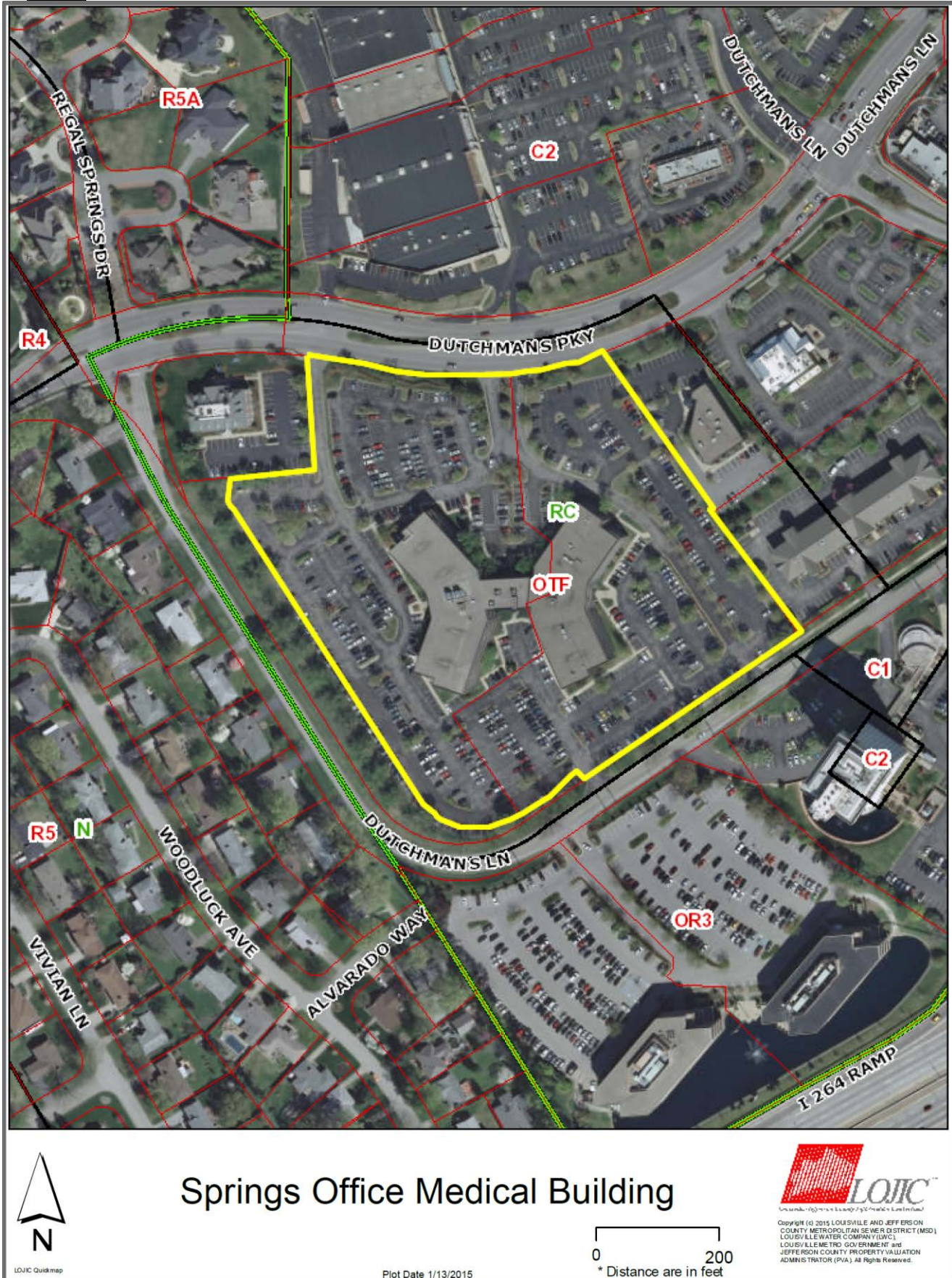
ATTACHMENTS

- Zoning Map
- Aerial
- Existing Binding Elements
- Proposed Changes to Binding Elements

1. Zoning Map



2. Aerial



3. Existing Binding Elements

1. The binding elements originally attached to the approved general district development plan as contained in Paragraph (2) and Paragraphs (4) through (9) shall still apply, Paragraph (3) being modified hereby.
2. The development shall be in accordance with the approved district development plan, the land use permitted in the requested zone unless specifically prohibited herein and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission, and the City of St Matthews.
3. Existing Building "M" shall not exceed 108,570 square feet of gross floor area, with a maximum of 74,400 square feet of medical office. Proposed Building "M" shall not exceed 99,200 square feet of gross floor area, with a maximum of 78,000 square feet of medical office.
4. Before a building or alteration permit and/or a certificate of occupancy is requested:
 - a) The development plan must be re-approved by the Jefferson County Department of Public Works and Transportation and the Metropolitan Sewer District.
 - b) A minor plat shall be recorded creating the lots shown on the approved district development plan. A copy of the recorded instrument shall be submitted to the Planning Commission and the City of St. Matthews.
 - c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - d) The appropriate variances shall be obtained from the Board of zoning Adjustment to allow the development as shown on the approved district development.
5. The only permitted freestanding sign shall be located as shown on the approved district development plan. The size of the sign shall be no more than 30 square feet in area and 10 feet in height.
6. Upon request by the City or a zoning enforcement officer, owner, or its successors, shall furnish the City with a breakdown of the number of square feet in the building devoted to general office space and the number of square feet devoted to medical office space to insure compliance with this Municipal Order.
7. If a building permit is not issued within one year of the date of approval of the plan, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission and the City of St. Matthews.
8. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission and the City of St. Matthews.
9. The above binding elements may be amended as provided for in the Zoning District Regulations upon approval of the City Council of the City of St. Matthews.

4. Proposed Changes to Binding Elements

3. The existing Building "M" shall not exceed 108,570 square feet of gross floor area, ~~with a maximum of 74,400 square feet of medical office.~~ Proposed Building "M" shall not exceed 99,200 square feet of gross floor area, ~~with a maximum of 78,000 square feet of medical office.~~
6. ~~Upon request by the City or a zoning enforcement officer, owner, or its successors, shall furnish the City with a breakdown of the number of square feet in the building devoted to general office space and the number of square feet devoted to medical office space to insure compliance with this Municipal Order.~~