

# Development Review Committee Staff Report

September 20, 2017



<b>Case No:</b>	16DEVPLAN1138/17WAIVER1025
<b>Project Name:</b>	Category 2B with an associated sidewalk waiver
<b>Location:</b>	6900 Billtown Road
<b>Owner(s):</b>	Evangel World Prayer Center of Kentucky
<b>Applicant:</b>	Ronald Rock – Evangel World Prayer Center of Kentucky
<b>Representative:</b>	Frank Sellinger - FStan
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	22 – Robin Engel
<b>Case Manager:</b>	Ross Allen – Planner I

## **REQUEST**

**Waiver:** from LDC (May 2017) Section 5.8.1.B not to provide a sidewalk along Billtown Road, a state road with approximately 602 feet of frontage.

## **CASE SUMMARY/BACKGROUND**

The applicant is proposing to construct an 11,250 square foot building west of the main church for overflow/indoor athletic facility. In addition, 41 new parking spaces are proposed along with a drop-off/pick-up area.

The overall church campus contains approximately 127 acres, within several parcels.

There are no existing sidewalks on this side of the Snyder Freeway in the general vicinity and none exist on Billtown Road as it crosses the Snyder Freeway. The area is rural with large tracts of property.

## **Previous Cases:**

Docket #01-11-02 Road closure of Kendrick Avenue (Road) with a 20 foot right of way and running in an east – west direction for an approximate length of 1344.73 feet. LD&T minutes from October 9, 2017 indicate that Evangel Tabernacle of the Assemblies of God, Inc. would not require the road in the consolidation of their properties. The plat was approved by the Louisville Metro Planning Commission on Oct. 16, 2003.

16DEVPLAN1138: Category 2B development plan for the proposed construction of a 11,250 sf. accessory building (church overflow and indoor athletic building) with a 47,417 sf. VUA on a 16.995 acre parcel found to the rear of 6900 Billtown Road (primary parcel with a Church- primary use). The waiver, 17WAIVER1025, is associated with 16DEVPLAN1138.

## **STAFF FINDING / RECOMMENDATION**

**Sidewalk Waiver:** The sidewalk waiver is justifiable given the site context. The applicant is providing a sidewalk interior to this particular parcel and main church parcel.

**LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE**

	<b>Land Use</b>	<b>Zoning</b>	<b>Form District</b>
<b>Subject Property</b>			
<b>Existing</b>	Church campus	R-4	Neighborhood
<b>Proposed</b>	Church campus	R-4	Neighborhood
<b>Surrounding Properties</b>		R-4	
<b>North</b>	Interstate 265 ROW	R-4/ROW	Neighborhood
<b>South</b>	Church property	R-4	Neighborhood
<b>East</b>	Church property	R-4	Neighborhood
<b>West</b>	Church property	R-4	Neighborhood

**TECHNICAL REVIEW**

None

**INTERESTED PARTY COMMENTS**

None

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR SIDEWALK WAIVER: from LDC Section 5.8.1.B not to provide a sidewalk along the Billtown Road frontage for an approximate distance of 602 feet:**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the area is rural with large tracts of land.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. The applicant’s proposal is on a rear parcel approximately 607 feet from Billtown Road and located behind the main church. There are no existing sidewalks in the vicinity south of the Snyder Freeway.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant.

STAFF: The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since the proposed development is an accessory building behind the main church.

- (d) Either:
- (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
  - (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant since as stated previously, sidewalks are not present in the general vicinity on the south side of the Snyder Freeway and that the topography might create some problems.

**NOTIFICATION**

Date	Purpose of Notice	Recipients
9/9/2017	Notification of Public Hearing	1 <sup>st</sup> tier adjoining property owners
9/8/2017		Registered Neighborhood Groups in Council District 11



