

20-CAT3-0006
2929 Magazine Street
Apartments



Louisville Metro Board of Zoning Adjustment
Public Hearing

Lacey Gabbard, AICP, Planner I

August 3, 2020

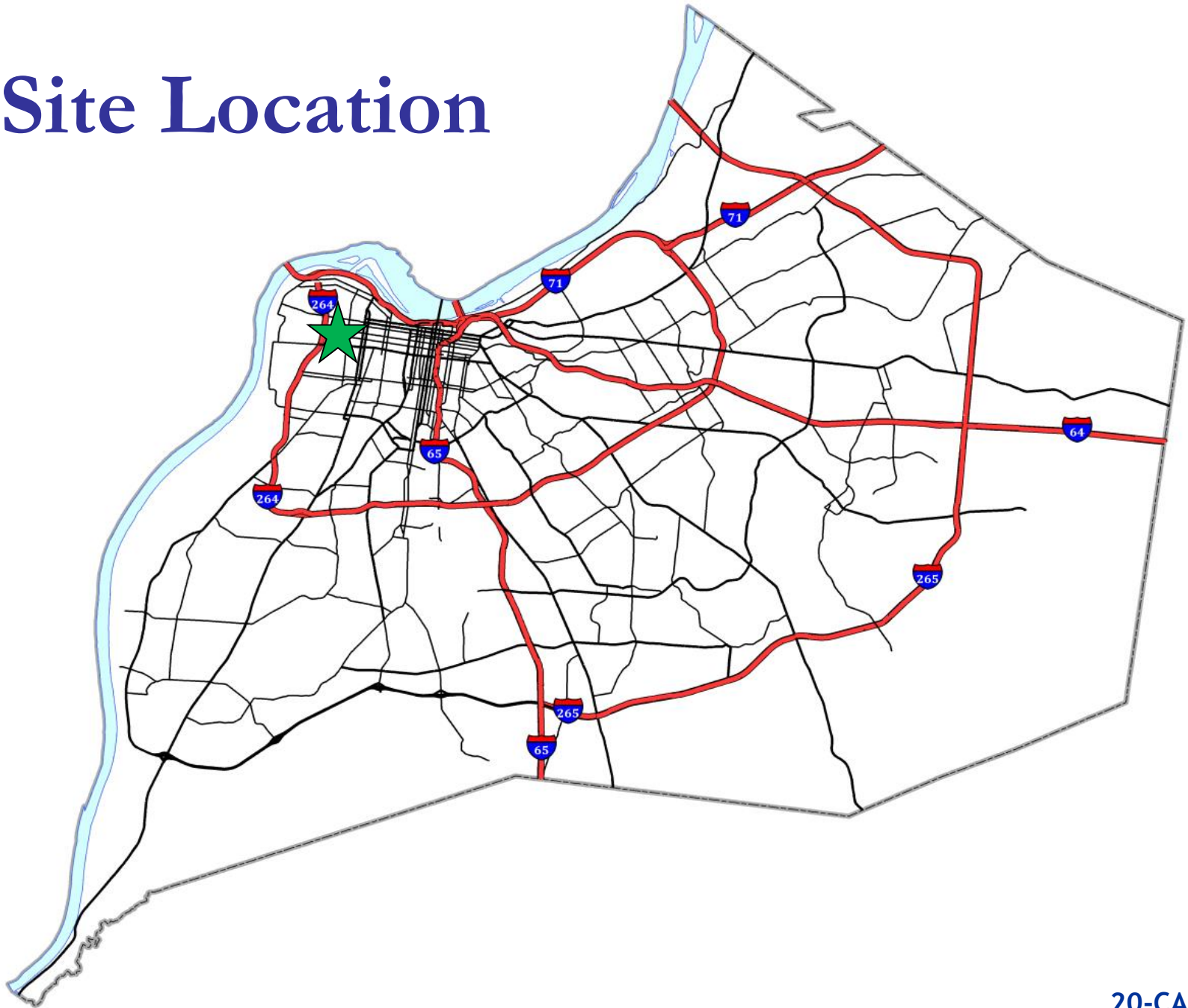
Request(s)

- **Variance** from Table 5.22 to allow buildings to encroach into the required setback (20-VARIANCE-0043).
- **Variance** from Table 5.22 to allow the building to be 11.5 feet taller than permitted (20-VARIANCE-0043).
- **Category 3 Development Plan**

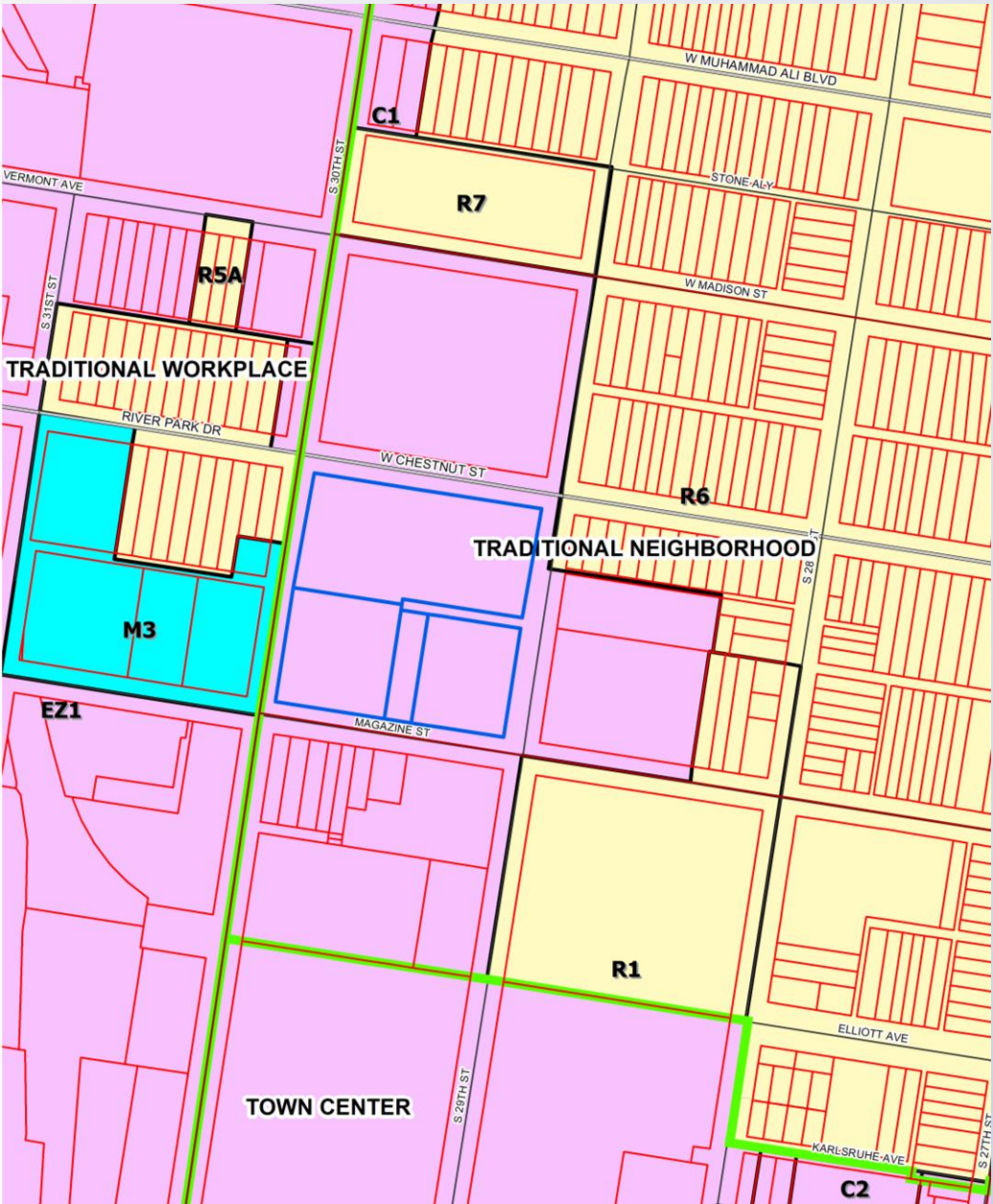
Case Summary/Background

- The subject site is zoned EZ-1 Enterprise Zone in the Traditional Neighborhood form district.
- It is currently developed and used as an industrial printing facility, warehouse and office.
- The applicant is proposing to demolish the existing structures and develop the properties into a four-story apartment building with 283 one-, two-, and three-bedroom dwelling units surrounding an internal surface parking area access via Magazine Street.

Site Location



Zoning/Form Districts



Applicant's Proposed Plan

GENERAL NOTES

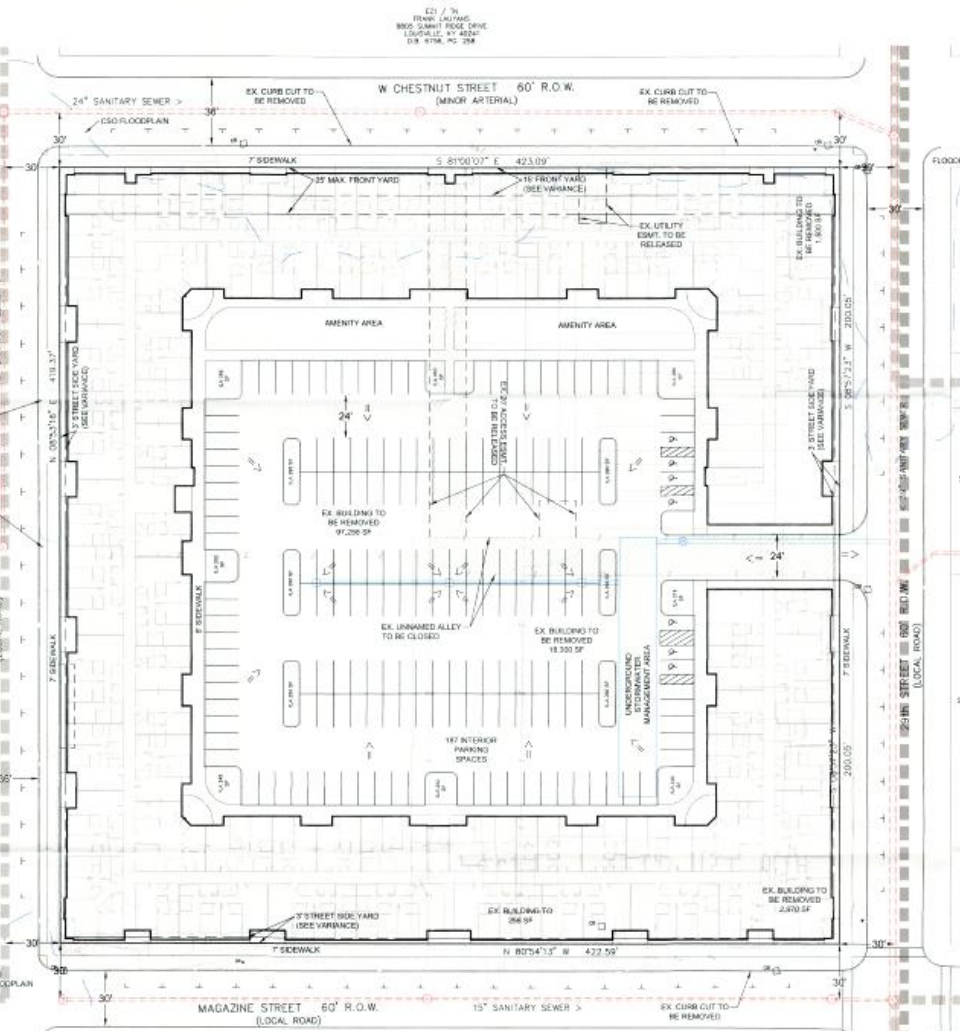
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND Jefferson COUNTY METROPOLITAN SEWER DISTRICTS DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES.
- ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH ACCORDANCE WITH ADA REQUIREMENTS FOR HANDICAP ACCESSIBILITY.
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA (FROM MAP 1711020488 (DECEMBER 5, 2008)).
- SANITARY SEWERS ARE AVAILABLE BY CONNECTION. SANITARY SEWER PATTERNS IDENTIFIED FOR THIS PROJECT SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. SANITARY SEWER FACILITIES SHALL CONFORM TO MGD REQUIREMENTS.
- STORMAGE / STORM WATER DETENTION: FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MGD REQUIREMENTS.
- ALL CONSTRUCTION AND TRADE TRAFFIC MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELFARE IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE Jefferson COUNTY METRO ORDINANCES.
- NOISE CONTROL SHALL BE PROVIDED IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE Jefferson COUNTY METRO ORDINANCES.
- CONSTRUCTION PLANS, AND A PERMIT REQUIRED FOR ALL WORK DONE WITHIN THE RIGHT-OF-WAY.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM READING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- EROSION & SILT CONTROL: A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH MGD AND THE USGA. NURSING, REPAIRS, CONSTRUCTION SERVICE RECOMMENDATIONS, EROSION/SEDIMENTATION OF THIS PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO BUILDING AND CONSTRUCTION ACTIVITIES.
- THE DEVELOPMENT LIES IN THE LOUISVILLE # FIRE DISTRICT
- PERMITS AND NEIGHBORLY AGREEMENTS MUST BE PROVIDED AS REQUIRED BY CHAPTER 8 OF THE LAND DEVELOPMENT CODE.
- CONVEYABLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
- ALL SERVICE STRUCTURES SHALL BE NICHED IN ACCORDANCE WITH CHAPTER 10 OF THE LATEST REVISION OGDG SERVICE STRUCTURES UNLESS THEY ARE NOT LISTED IN THE OGDG SERVICE STRUCTURES, HVAC UNITS, ELECTRIC TRANSFORMERS AND TELECOM BODIES.
- THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MSA WATER QUALITY DESIGN CRITERIA AND BE SUBJECT TO THE LATEST MSA DESIGN PRACTICES DUE TO PROPER SIZING OF DESIGN BEST MANAGEMENT PRACTICES.
- NO FLOODPLAIN PERMIT REQUIRED PRIOR TO MGD CONSTRUCTION PLAN APPROVAL.
- THE DEVELOPED 100-YEAR RATE OF RAINFALL MUST BE REDUCED TO THE UNDERGROUND DETENTION BASINS MUST MEET THE REQUIREMENTS OF SECTION 10.5.4.6 OF MGD DESIGN MANUAL.
- A PORTION OF THIS SITE IS LOCATED WITHIN THE COMBINED SEWER OVERFLOW FLOODPLAIN. LOWEST FINISHED FLOOR OR MECHANICAL SHALL BE LOCATED AT OR ABOVE ELEVATION ALONG THE SOUTH SIDE OF THE SITE AND ABOVE 500.00 ALONG THE NORTH SIDE OF THE SITE.
- EXISTING TERRACE RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT METRO PUBLIC WORKS STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE.
- ALL EXISTING BUILDINGS ON THE SUBJECT SITE TO BE REMOVED.
- LOTS SHALL BE CONVEYED AS SHOWN PRIOR TO CONSTRUCTION PLAN APPROVAL.
- ALL SIGNS SHALL COMPLY WITH CHAPTER 8 REQUIREMENTS AND SHALL OBTAIN THE PROVED PERMITS.
- ANY FILL IN THE COMBINED SEWER OVERFLOW FLOODPLAIN SHALL BE COMPENSATED WITH ADDITIONAL VOLUME IN THE UNDERGROUND DETENTION BASIN.
- TRASH COMPACTORS WILL BE LOCATED INSIDE THE BUILDING.

EPIC NOTES

- THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPIC) PLAN SHALL BE MAINTAINED PRIOR TO ANY LAND-CHANGING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPIC PLAN MUST BE REVIEWED AND APPROVED BY MGD TO PREVENT DEVELOPMENT FROM VIOLATING EPIC STANDARDS. THE APPROVED EPIC PLAN SHALL BE INSTALLED PER THE PLAN AND MGD STANDARDS.
- EROSION BARRELS IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PROTECT ALL EXISTING BASES DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEDED AND STABILIZED.
- ACCESS MUST BE TAKEN TO MINIMIZE THE TRAFFIC ON MAIN AND SIDE FROM CONSTRUCTION AREAS ONCE PUBLIC WORKS - ROAD TRAFFIC ON THE ROADWAY SHALL BE REMOVED DAILY.
- SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, DRAINS, AND CATCH BASINS. STOCKPILES SHALL BE PROTECTED AND ADEQUATELY CONTAINED THROUGHOUT THE USE OF SOIL STOCKPILES.
- ALL STREAM CROSSINGS MUST UTILIZE LOW-WALK CROSSING STRUCTURES PER MGD STANDARD DRAWING 09-02.
- NOISE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY SHALL NOT BE UNNECESSARILY CEASED ON ANY PORTION OF A SITE TEMPORARILY BUT UNNECESSARILY CEASED ON ANY PORTION OF A SITE TEMPORARILY BUT NOT LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.
- SOIL-EROSION CONTROL MEASURES IDENTIFIED DURING TRAFFIC, BORING, OR OTHER EXCAVATION ACTIVITIES SHALL BE PLACED TO A NEIGHBORLY TRAFFIC SIGNAL PRIOR TO BEING OCCUPIED WITH A STREAM, POND, SHALL OR CATCH BASIN.

EPIC CONCEPT PLAN

- INSTALL SILT FENCE & TEMPORARY CONSTRUCTION ENTRANCE.
- BEAR LOCATION.
- INSTALL TEMPORARY SEDIMENT BASIN.
- BEAR TRAFFIC GRADING AND SOIL CONSTRUCTION.
- INSTALL SILT PROTECTION.
- COMPLETE SITE WORK.
- REMOVE SILT FENCE.
- REMOVE SILT FENCE & SILT PROTECTION ONCE VEGETATION IS ESTABLISHED.



SITE DATA

EXISTING ZONING:	INDUSTRIAL
EXISTING USE:	MULTI-FAMILY RESIDENTIAL
PROPOSED USE:	INDUSTRIAL
GRID/SITE AREA:	4.07 AC
PERMITTED AREA:	283,200 SQ. FT.
ONE BEYOND:	95
TWO BEYOND:	101
GROSS DENSITY:	84.53 BU/AC
BUILDING FOOTPRINT:	26,124 SF
TOTAL BUILDING AREA:	26,124 SF
PROPOSED BUILDING HEIGHT:	1.80

DIMENSIONAL STANDARDS

MAX FRONT YARD SETBACK:	10
MAX FRONT SIDE YARD SETBACK:	10
MAX FRONT YARD SETBACK:	10
MAX REAR YARD SETBACK:	10
MAX BUILDING HEIGHT:	45'

PARKING CALCULATIONS

MIN. PARKING REQUIRED:	250 SPACES
(1.5X BUILDING UNIT LESS AND)	
MAX. PARKING ALLOWED:	250 SPACES
(2.5X BUILDING UNIT)	
PARKING PROVIDED:	255 SPACES
100 ON SITE & 100 ON-STREET (INCLUDING 7 H.C. SPACES)	

THIS SITE IS ELIGIBLE FOR THE FOLLOWING APPLICABLE REDUCTIONS FROM THE STANDARD:

- 1. 10% - ONE OR MORE SUBSTANTIAL REDUCTIONS IN THE NUMBER OF SPACES.
- 2. 20% - GREEN SITE DESIGN STANDARDS 1 & 11

TREE CANOPY REQUIREMENTS

SITE AREA:	177,481 SF
REQUIRED TREE CANOPY:	25,495 SF
EXISTING TREE CANOPY:	0 SF
REQUIRED NEW TREE CANOPY:	0 SF (0%)
PROPOSED TREE CANOPY:	0 SF (0%)
PERCENT REDUCTION = 17.27% OF LESS	

ILA CALCULATIONS

MAX. REQUIRED ILA (1.5X)	63,096 SF
PROPOSED ILA:	4,980 SF

OPEN SPACE CALCULATIONS

THIS SITE IS IN A TRADITIONAL FORM DISTRICT AND NEAR 1000 FEET OF A PUBLIC PARK (ELST PARK) SO OPEN SPACE IS NOT REQUIRED.

IMPERVIOUS AREA CALCULATIONS

WTB AREA:	177,481 SF (1.07 AC)
EXISTING IMPERVIOUS AREA:	175,544 SF (1.24 AC)
PROPOSED IMPERVIOUS AREA:	91,166 SF (0.76 AC)
REDUCTION:	1,032,576 SF (10.21 AC)

- ### ADDITIONAL REQUESTS
- VARIOUS FROM THE STANDARD TO ALLOW THE BUILDING TO ENCLOSE WITH THE REQUIRED FRONT & REAR SIDE YARD.
 - TO EXCEED FROM THE STANDARD TO ALLOW THE BUILDING TO BE 12' TALLER THAN PERMITTED.

UTILITY NOTE

- ALL UTILITIES ON THESE PLANS ARE APPROXIMATE. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE UTILITY PROTECTION CENTER "TOLL" (TOLL FREE PHONE NO. 1-800-848-8484) AND A HOUSE ADDRESS OF ANY CONSTRUCTION ON THIS PROJECT. HIS ADDRESS HAS ESTABLISHED THE ACCURATE LOCATION OF EXISTING BELOW GROUND UTILITIES (E.G. CABLE, ELECTRIC, WATER, GAS, SEWER, ETC.). THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS - NOT ONLY ON THE PLANS AND IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND SHALL NOTIFY THE UTILITY PROTECTION CENTER "TOLL" (TOLL FREE PHONE NO. 1-800-848-8484) AND A HOUSE ADDRESS OF ANY CONSTRUCTION ON THIS PROJECT. HIS ADDRESS HAS ESTABLISHED THE ACCURATE LOCATION OF EXISTING BELOW GROUND UTILITIES (E.G. CABLE, ELECTRIC, WATER, GAS, SEWER, ETC.). THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS - NOT ONLY ON THE PLANS AND IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

RECEIVED
JUN 29 2021
PLANNING & DESIGN SERVICES

3009 MAGAZINE STREET, LOUISVILLE, KY 40201
3009 MAGAZINE STREET, LOUISVILLE, KY 40201

PROJECT TITLE: CATEGORY 3 PLAN 29TH & MAGAZINE
PROJECT NO.: 2005 W/29TH STREET & 3009 MAGAZINE STREET
LOUISVILLE, KY 40201
DATE: 05/11/21

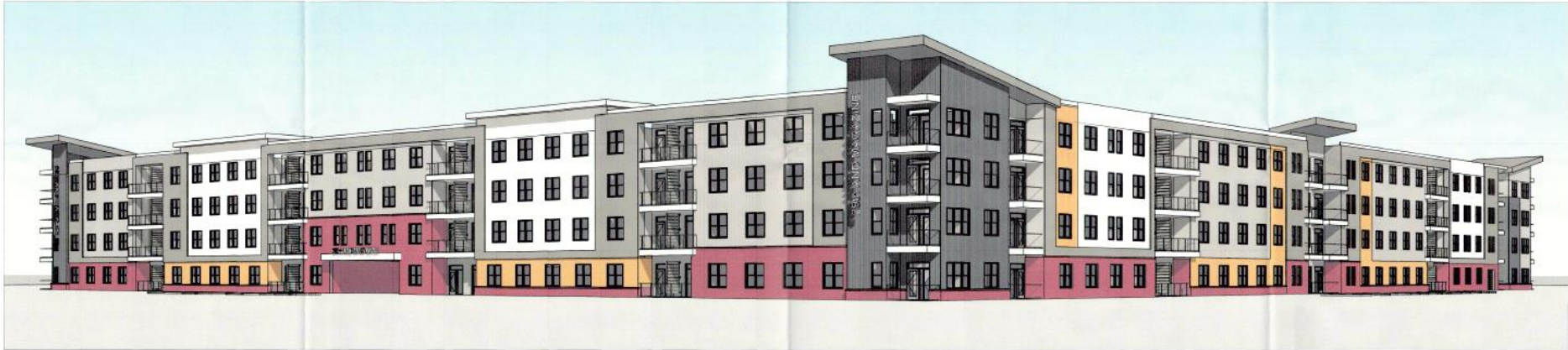
SCALE: 1"=30'-0"

DRWING NO: CAT3

SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
LOUISVILLE, KENTUCKY 40202
300 S. MAIN STREET, SUITE 1000, LOUISVILLE, KY 40202
PH: 502.581.1111
WWW.SWALINGO.COM

DATE: 05/11/21
SCALE: 1"=30'-0"
DRWING NO: CAT3

Elevations



1 Perspective View
202 104

Elevations



1 29th Street Elevation
S02.102 1/16" = 1'-0"



2 Magazine Street Elevation
S02.103 1/16" = 1'-0"

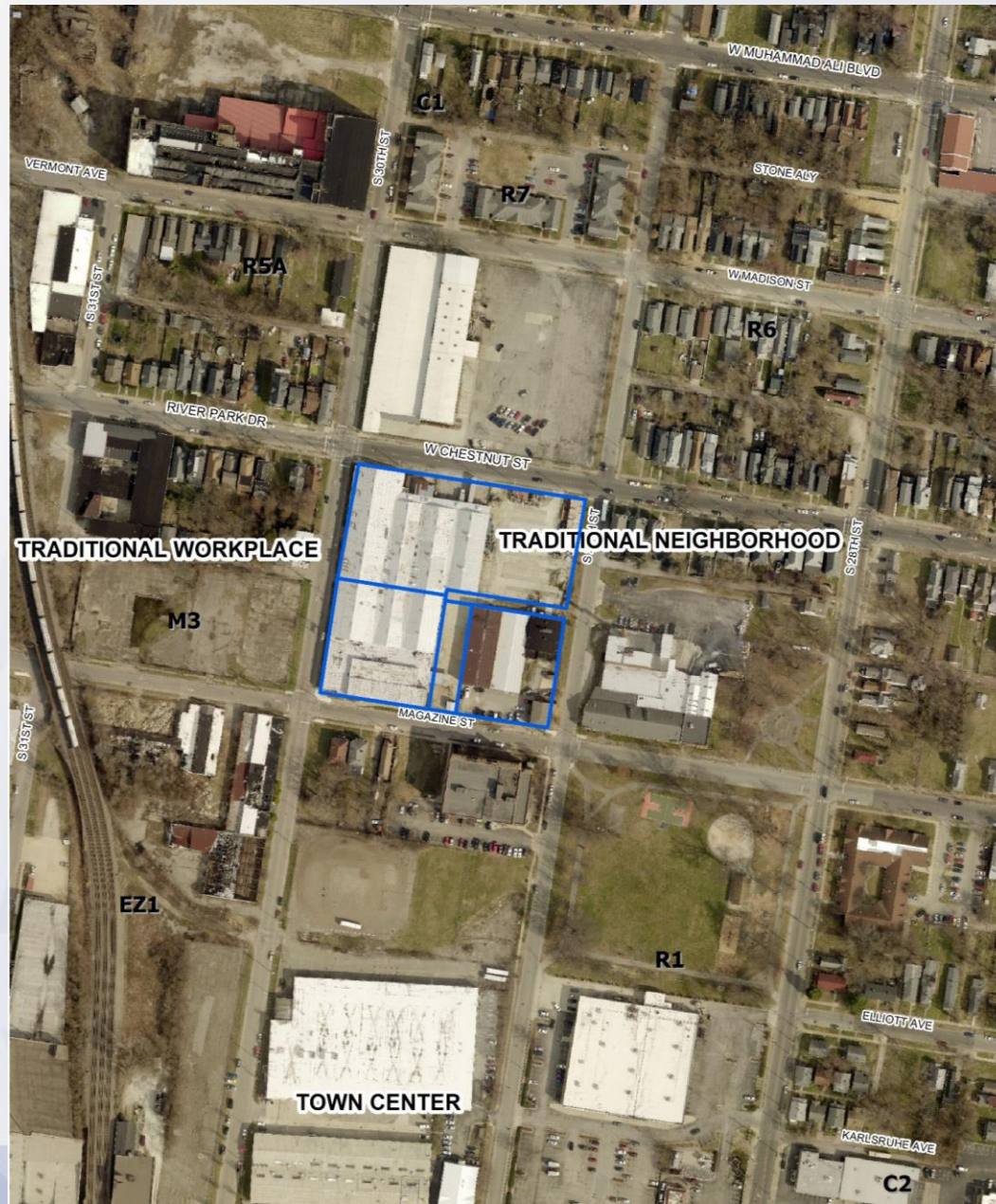


3 30th Street Elevation
S02.104 1/16" = 1'-0"



4 W Chestnut Street Elevation

Aerial Photo/Land Use



Existing Structure

Jul 21, 2020 at 4:28:06 PM
2929 Magazine St
Louisville KY 40211
United States



Existing Structure



Existing Structure



Existing Structure

Jul 21, 2020 at 4:30:01 PM
2901 Magazine St
Louisville KY 40211
United States

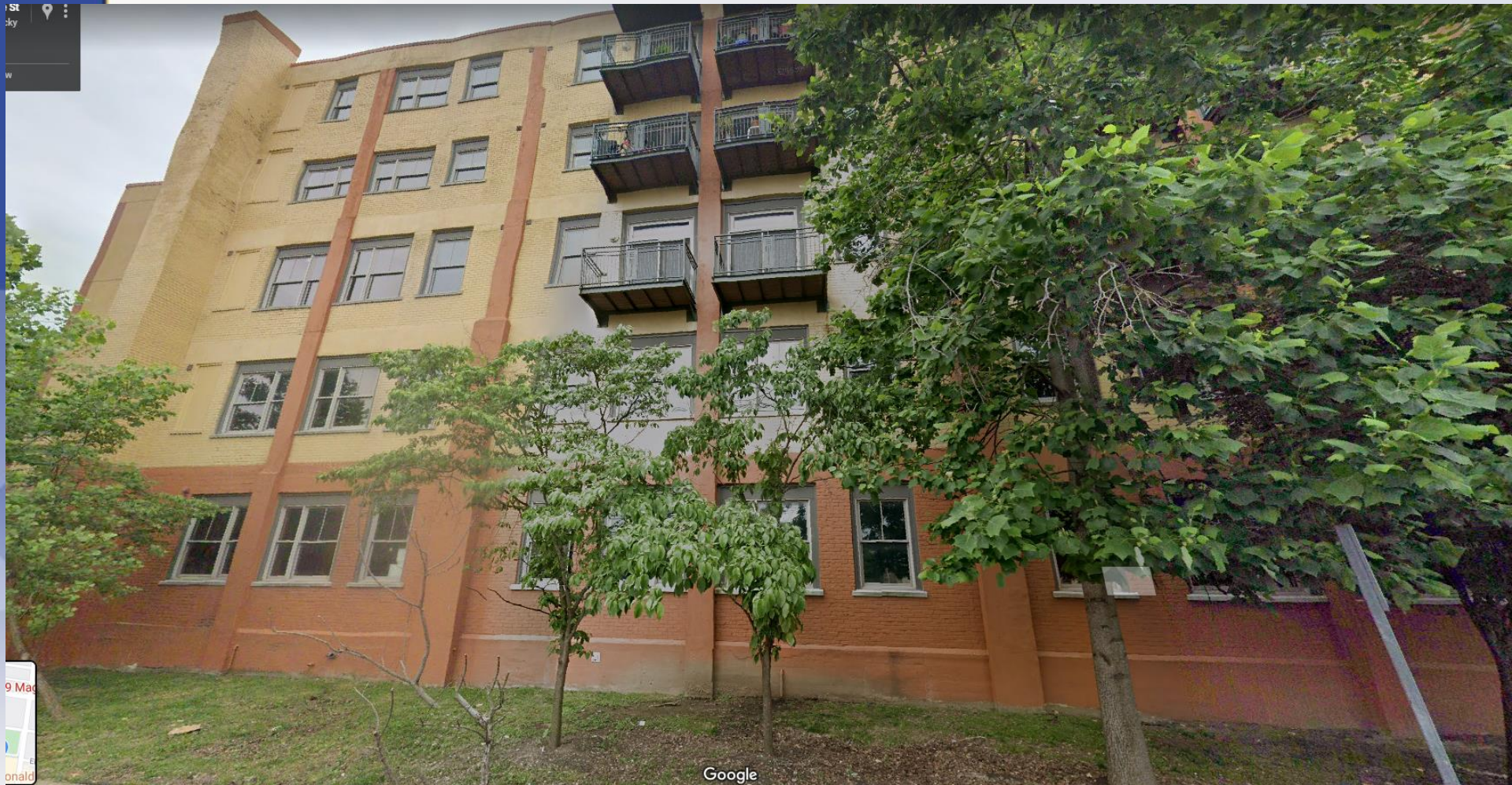


Existing Structure

Jul 21, 2020 at 4:30:13 PM
2901 Magazine St
Louisville KY 40211
United States



Elliott Park Apartments 2929 W Chestnut Street



Staff Findings

- The variance requests and the Category 3 Development Plan are adequately justified compliant with the Land Development Code.

Required Actions

Approve or Deny:

- **Variance** from Table 5.22 to allow buildings to encroach into the required setback (20-VARIANCE-0043).
- **Variance** from Table 5.22 to allow the building to be 11.5 feet taller than permitted (20-VARIANCE-0043).
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