

Neighborhood Meeting - March 31, 2016  
Louisville Metro Land Development & Transportation Committee – September 8, 2016  
Louisville Metro Planning Commission PH – September 29, 2016

Docket No. 16ZONE1022

Proposed zone change from R-4, R-7, OR-3, M1, M2 & M3 to C-2 to allow office, practice fields and related facilities, plus stadium for intercollegiate and non-intercollegiate athletics on property located at 3408, 3416, 3420 & 3430 Newburg Rd. & 4300 Champions Trace Ln



BELLARMINE  
UNIVERSITY  
IN VERITATIS AMORE

Attorneys: Bardenwerper Talbott & Roberts, PLLC  
Land Planners, Landscape Architects & Engineers: Heritage Engineering

INDEX

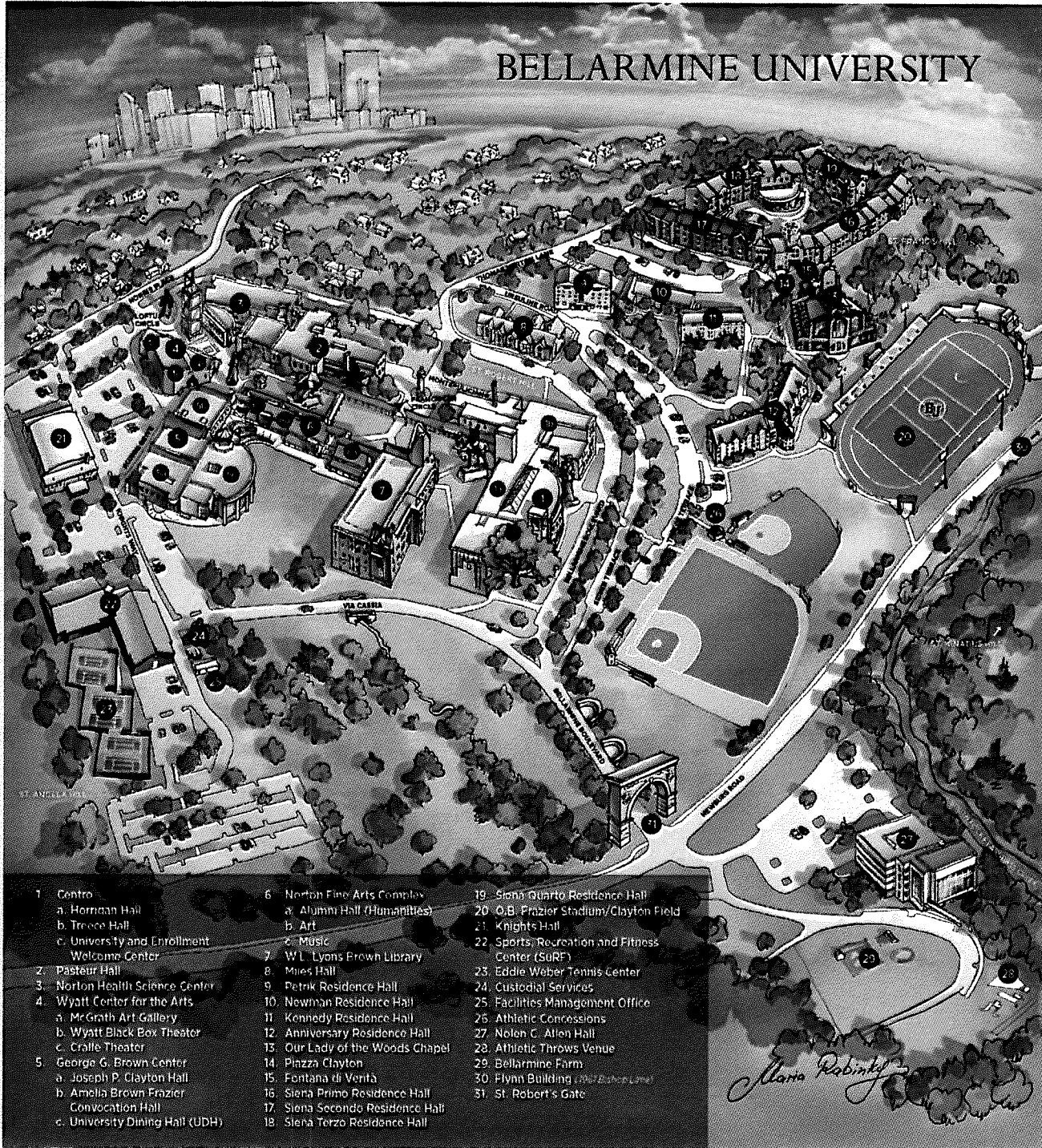
1. Aerial illustration of existing Bellarmine Campus and map showing distance between campus and proposed new athletic fields
2. LOJIC Zoning Map
3. Aerial photographs of the site and surrounding area
4. Ground level photographs of the site and surrounding area
5. Neighborhood Meeting notice list map, letter to neighbors inviting them to the meeting and summary of meeting
6. Development Plan
7. 3D site plan with athletic fields and buildings shown in color; other buildings in white
8. Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan and Waiver Justification
9. Proposed findings of fact pertaining to compliance with the Comprehensive Plan and Waiver criteria

RECEIVED

SEP 29 2016

PLANNING &  
DESIGN SERVICES

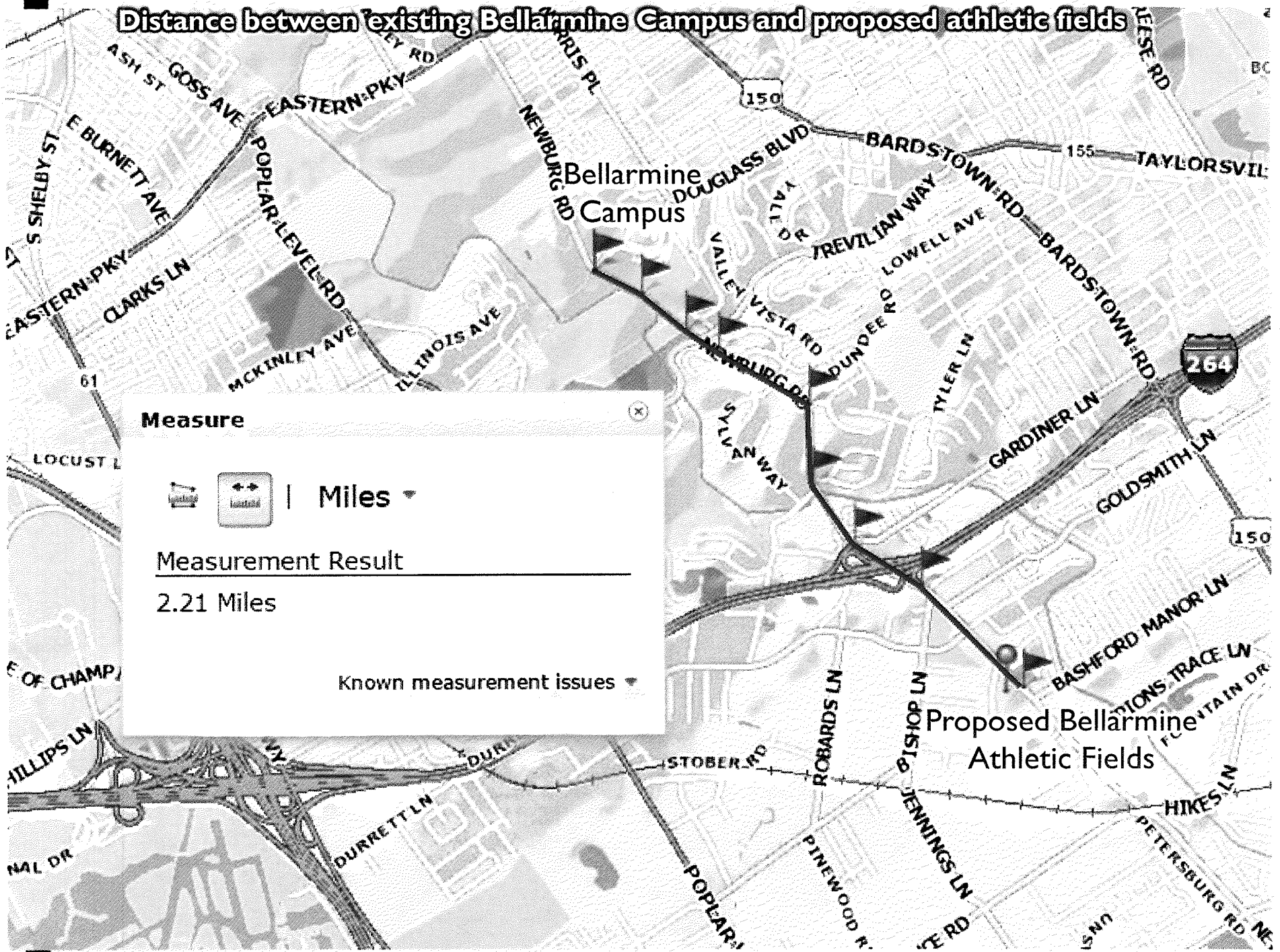
# BELLARMINE UNIVERSITY



- |   |  |  |
|---|--|--|
| 1. Centro<br>a. Hornean Hall<br>b. Treace Hall<br>c. University and Enrollment Welcome Center   | 6. Norton Fine Arts Complex<br>a. Alumni Hall (Humanities)<br>b. Art<br>c. Music | 19. Siena Quarto Residence Hall                  |
| 2. Pasteur Hall   | 7. W.L. Lyons Brown Library  | 20. O.B. Frazier Stadium/Clayton Field           |
| 3. Norton Health Science Center   | 8. Miles Hall  | 21. Knight's Hall                                |
| 4. Wyatt Center for the Arts<br>a. McGrath Art Gallery<br>b. Wyatt Black Box Theater<br>c. Cralle Theater                             | 9. Petrik Residence Hall   | 22. Sports, Recreation and Fitness Center (SURF) |
| 5. George G. Brown Center<br>a. Joseph P. Clayton Hall<br>b. Amelia Brown Frazier Convocation Hall<br>c. University Dining Hall (UDH) | 10. Newman Residence Hall  | 23. Eddie Weber Tennis Center                    |
|   | 11. Kennedy Residence Hall   | 24. Custodial Services                           |
|   | 12. Anniversary Residence Hall   | 25. Facilities Management Office                 |
|   | 13. Our Lady of the Woods Chapel   | 26. Athletic Concessions                         |
|   | 14. Piazza Clayton   | 27. Nolan C. Allen Hall                          |
|   | 15. Fontana di Verità  | 28. Athletic Throws Venue                        |
|   | 16. Siena Primo Residence Hall   | 29. Bellarmine Farm                              |
|   | 17. Siena Secondo Residence Hall   | 30. Flynn Building (1987/2008/2019)              |
|   | 18. Siena Terzo Residence Hall   | 31. St. Robert's Gate                            |

*Mara Robinsky*

# Distance between existing Bellarmine Campus and proposed athletic fields



**Measure**

| Miles

---

**Measurement Result**

2.21 Miles

Known measurement issues

Bellarmine  
Campus

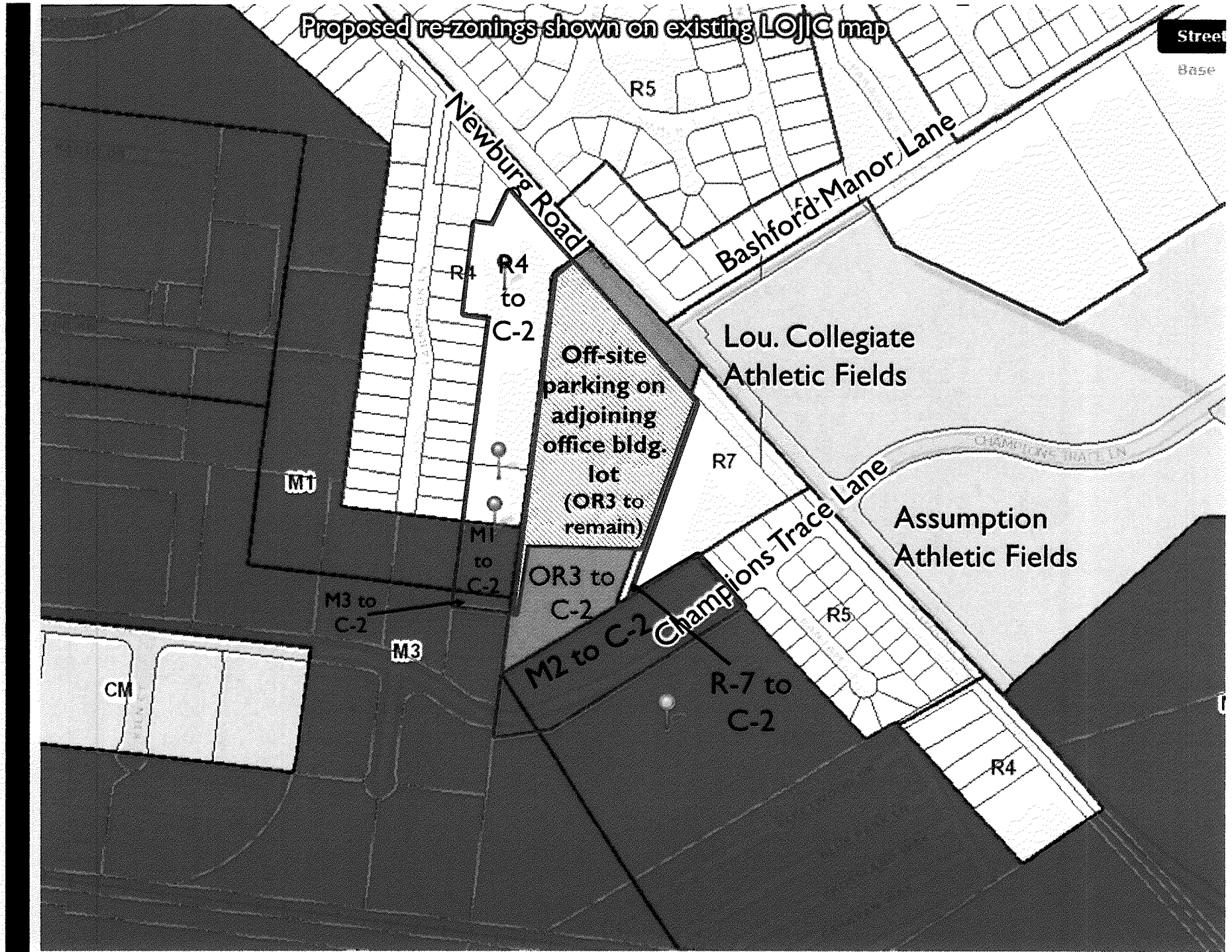
Proposed Bellarmine  
Athletic Fields



Proposed re-zonings shown on existing LOJIC map

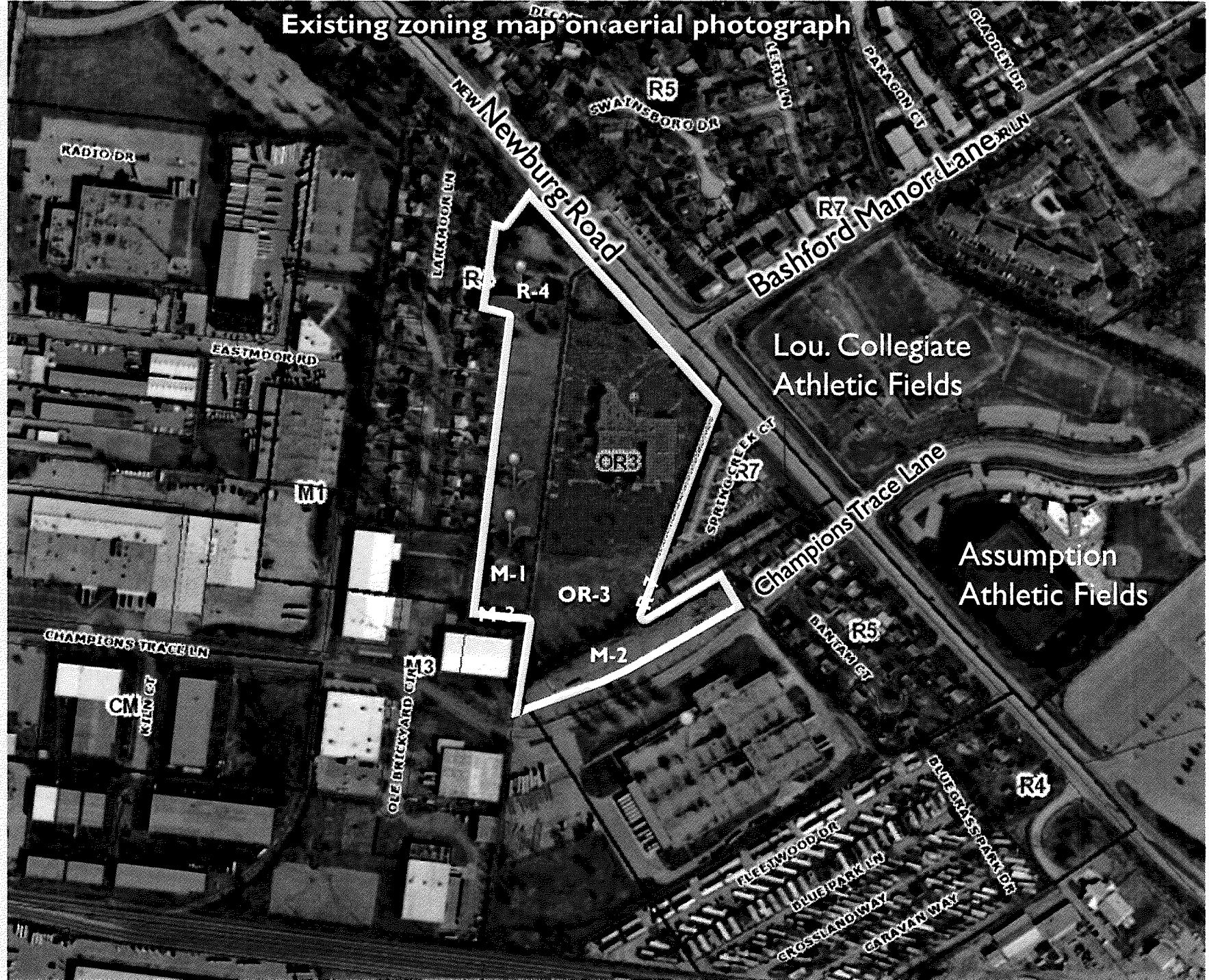
Street

Base



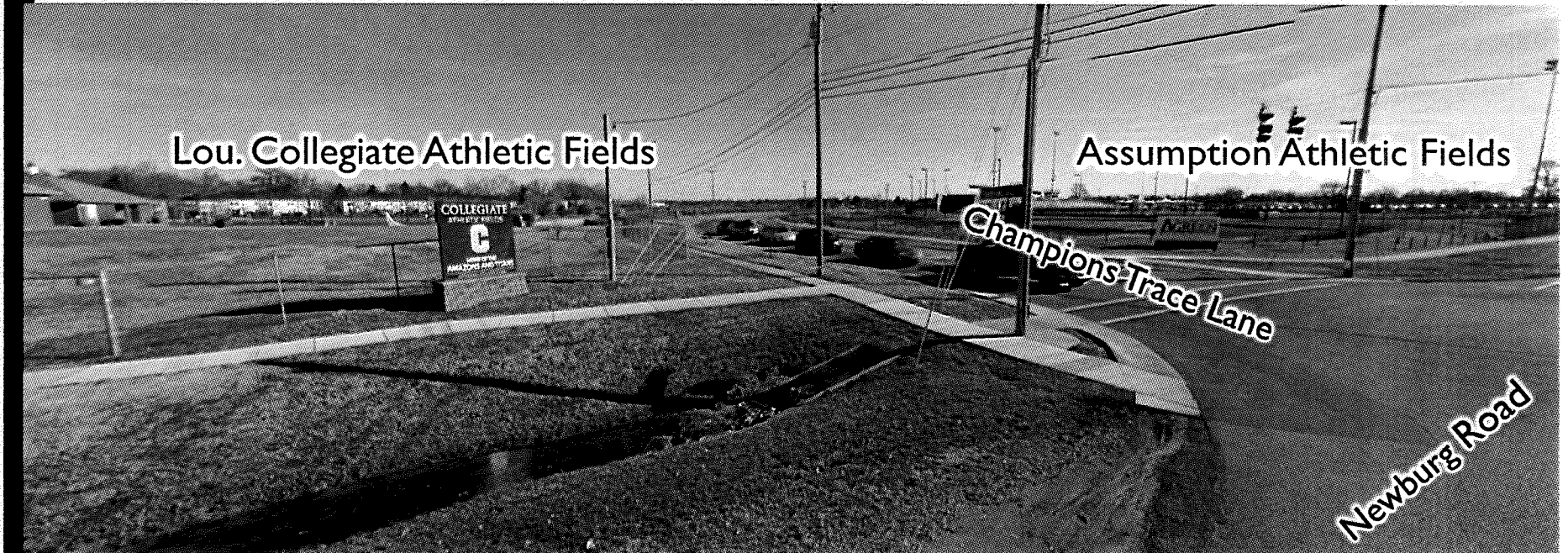


Existing zoning map on aerial photograph



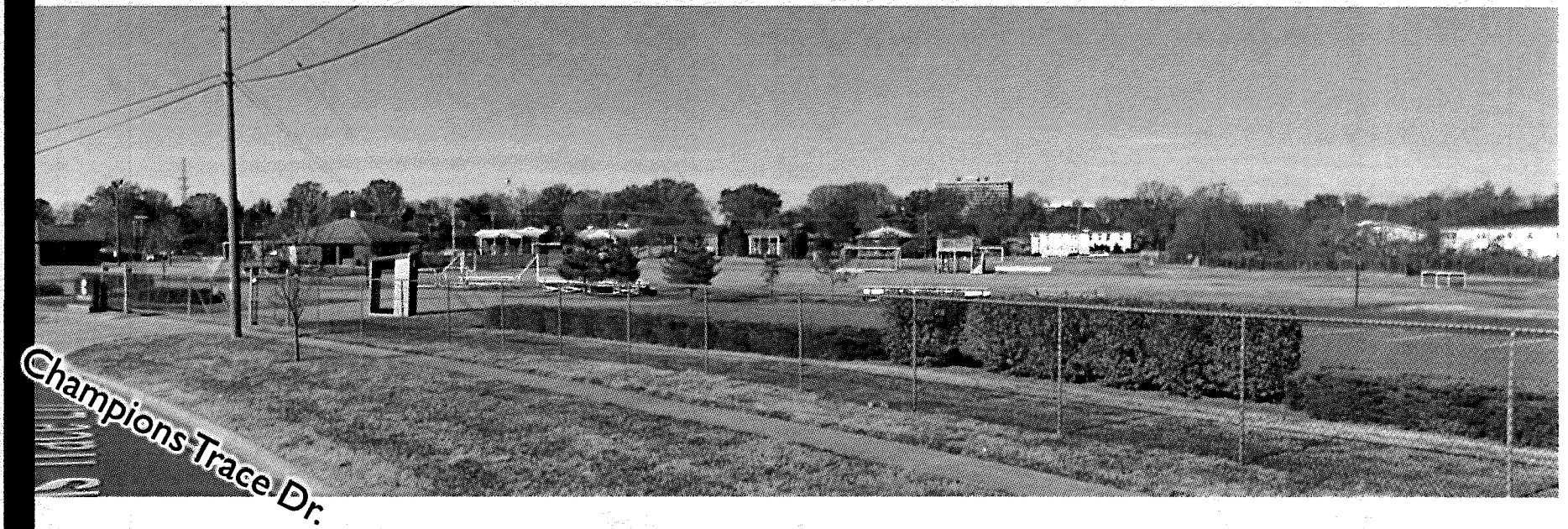


**Existing Lifepoint Church, proposed for athletic office and locker room facility.**

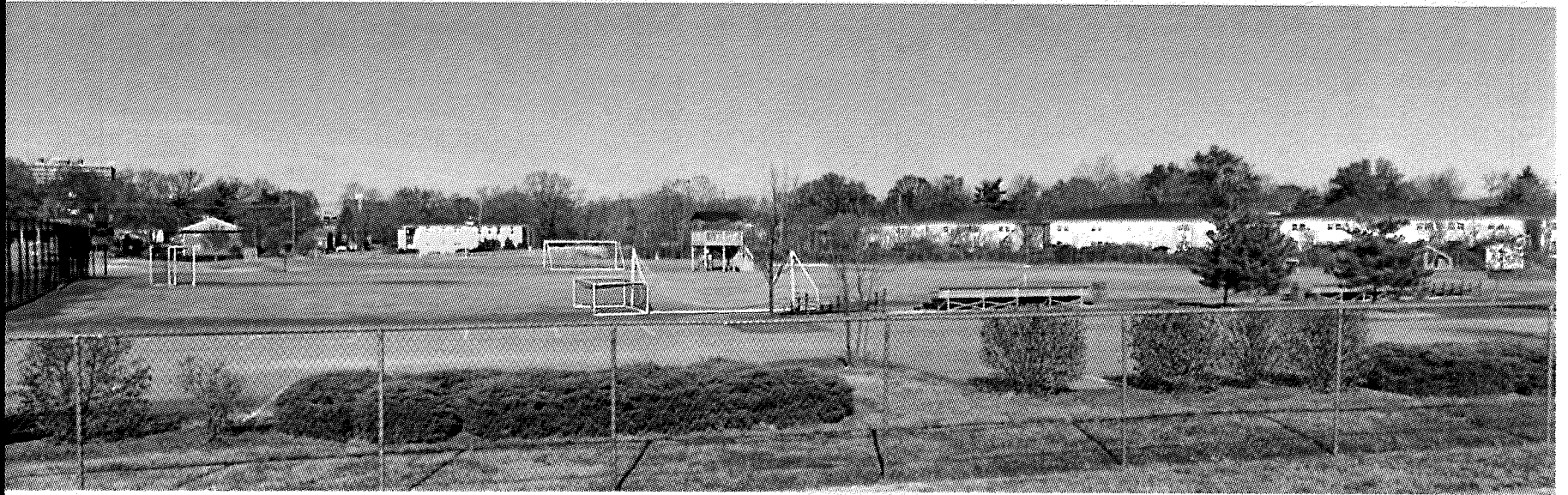


View of both the Louisville Collegiate and Assumption Athletic fields from the corner of Newburg Road and Champions Trace Lane.





View of Louisville Collegiate Athletic fields from Champions Trace Lane.



**View of Louisville Collegiate Athletic fields from Champions Trace Lane.**



Corner of Champions Trace Lane and Newburg Road looking towards the Assumption athletic fields.





**View of Assumption athletic fields from Newburg Road.**

Adjoining property owner notice list map wherein 124 neighbors were invited to the various neighborhood meetings and the subsequent LD&T and Planning Commission public hearing.



**BELLARMINE UNIVERSITY, INC.**

2001 Newburg Road  
Louisville, KY 40205

---

March 17, 2016

Dear Neighbor,

**RE: Neighborhood meeting regarding a proposed zone change from R-4, R-7, OR-3, M2 & M3 to C-2 to allow offices, for intercollegiate and non-intercollegiate athletic practice fields and intercollegiate and non-intercollegiate athletic stadium on the north side of Champions Trace Lane, west of Newburg Road at 3416, 3420 & 3430 Newburg Rd. & 4200 Champions Trace Ln.**

We are writing to invite you to a neighborhood meeting that has been scheduled in order to present our proposed zoning change and development plan as noted above.

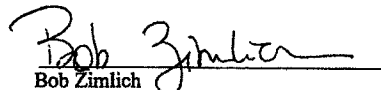
Accordingly, we will soon file a draft plan for pre-application review with the Division of Planning and Design Services (DPDS) that will be assigned a case number and case manager. We will have this information at the time of the neighbor meeting. At the meeting, we would like to show and explain to neighbors this draft plan so that we might hear what thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Thursday, March 31<sup>st</sup>** at 7:00 p.m. at the **Caretenders/Almost Family Building** located at **4545 Bishop Lane**.

If you cannot attend the meeting but have questions or concerns, please call me, our zoning attorney Bill Bardenwerper at 426-6688, or our land planning and engineering firm representatives, Scott Hannah or John Campbell at (812) 280-8201.

We look forward to seeing you.

Sincerely,



Bob Zimlich  
VP for Administration & Finance

cc: Hon. Pat Mulvihill, Councilman, District 10  
Bill Bardenwerper, attorney with Bardenwerper, Talbott & Roberts, PLLC  
Scott Hannah & John Campbell, land planners with Heritage Engineering, LLC  
Brian Davis, Planning Supervisor with Division of Planning & Design Services



### Neighborhood Meeting Summary

Bill Bardenwerper, counsel for the applicant, called the meeting to order at 7pm on March 31, 2016 in a conference room at the Care Tenders building located at 4545 Bishop Lane, a short distance from the site on Newburgh Road. He showed a PowerPoint presentation of the area, including all surrounding roads, relevant adjacent buildings and a site plan, including one superimposed on an aerial photograph. He gave an overview of the DPDS case management review process, the rezoning and development plan approval processes through an LD&T meeting, Planning Commission public hearing and final decision by the Louisville Metro Council. He explained what specific rezoning requests are being made on which particular parcels. He said that the Detailed District Development Plan (DDDP) seeks to avoid waivers and variances along property lines common with single-family homes. The only waivers are ones internal to the site and adjoining one apartment complex, he said. Even in areas where pavement already encroaches into certain setback areas, he said that the Bellarmine DDDP for its athletic facilities will seek to restore those areas with landscape buffers and also with fences if neighbors want them.

John Campbell with Heritage Engineering walked through the DDDP from property line to property line, talking about each setback and various levels of screening and buffering currently proposed in those areas. He and Mr. Bardenwerper talked about the various iterations of the DDDP leading to this meeting in an attempt to distribute the uses in a way that would have the least impacts on neighboring properties.

They showed the conversion of an old church to athletic offices, renovation of an old parking lot to add landscaping and possible fence screening, creation of a practice field and tennis courts, creation of a stadium for athletics, and shared use of an existing medical office building parking lot next-door for overflow parking purposes during game-day events when more parking may be needed.

These facilities will be used for both intramural and intercollegiate athletics and possibly eventually even an NCAA Division 2 football team, although that has not yet been decided by the Bellarmine Board of Trustees.

Bob Zimlich, Vice President of Finance and Administration, with help from Assistant Vice President of Facilities Jeff Dean, presented and answered questions with respect to the history and growth of the Bellarmine main campus, growth of its athletic programs, and the fact that Bellarmine desperately needs more fields for student athletes to participate in intramurals and intercollegiate athletic programs, both for practice and game purposes.

John Campbell explained how drainage will work and where principal access points will be and also about the likelihood that the only notable traffic impacts will be on game days which occur most likely on Saturdays and Sundays, not during weekday peak hour traffic events.

Different adjoining property owners on different sides of the site spoke about controlling lighting, which Bellarmine representatives agreed they would do through strict compliance with the lighting provisions of the Land Development Code. Some adjoining property owners next to the old church parking lot appeared to prefer that no fence be installed there because they currently enjoy use of the parking lot.

Bellarmine representative said they would consider not building the fence and possibly allowing those residents to continue using the parking lot. No decisions were made on that.

In another area of the site plan, there were some adjoiners who wanted to make sure they had good screening both in terms of landscaping and fencing.

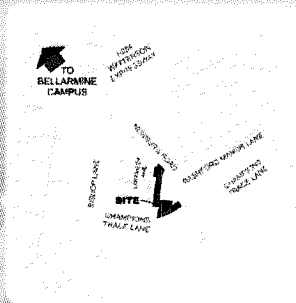
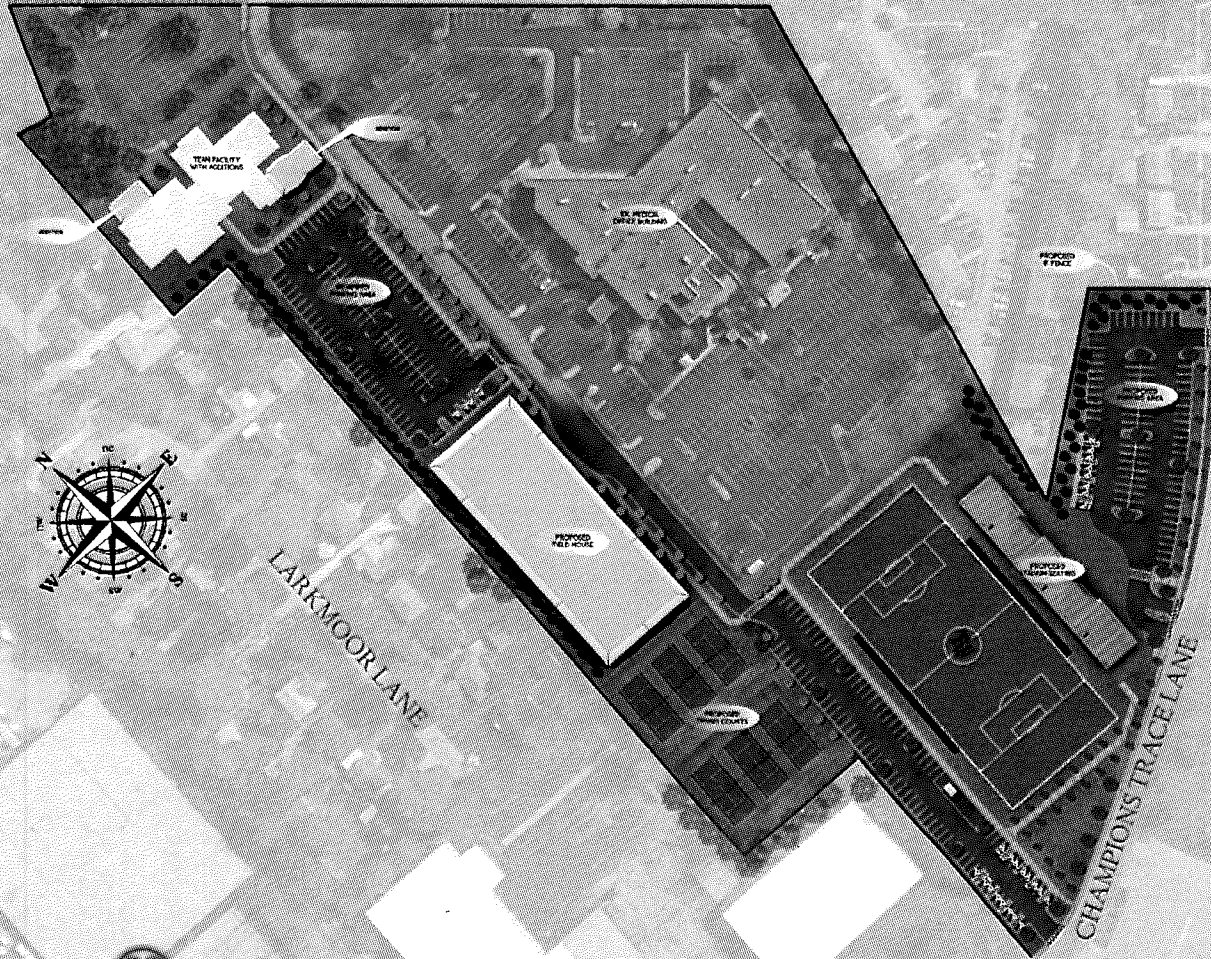
Nearly everyone present expressed great respect for Bellarmine and support of this project. But the residential adjoiners wanted to make sure that they still had the ability to live in normal peace and quiet within their homes.

Respectfully submitted,

Bill Bardenwerper

e:\client folder\bellarmine\neighbor meeting\neighborhood meeting summary.doc

NEWBURG ROAD

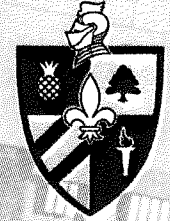


LOCATION MAP



LARKMOR LANE

CHAMPIONS TRACE LANE



BELLARMIN  
UNIVERSITY

# SPORTS PARK

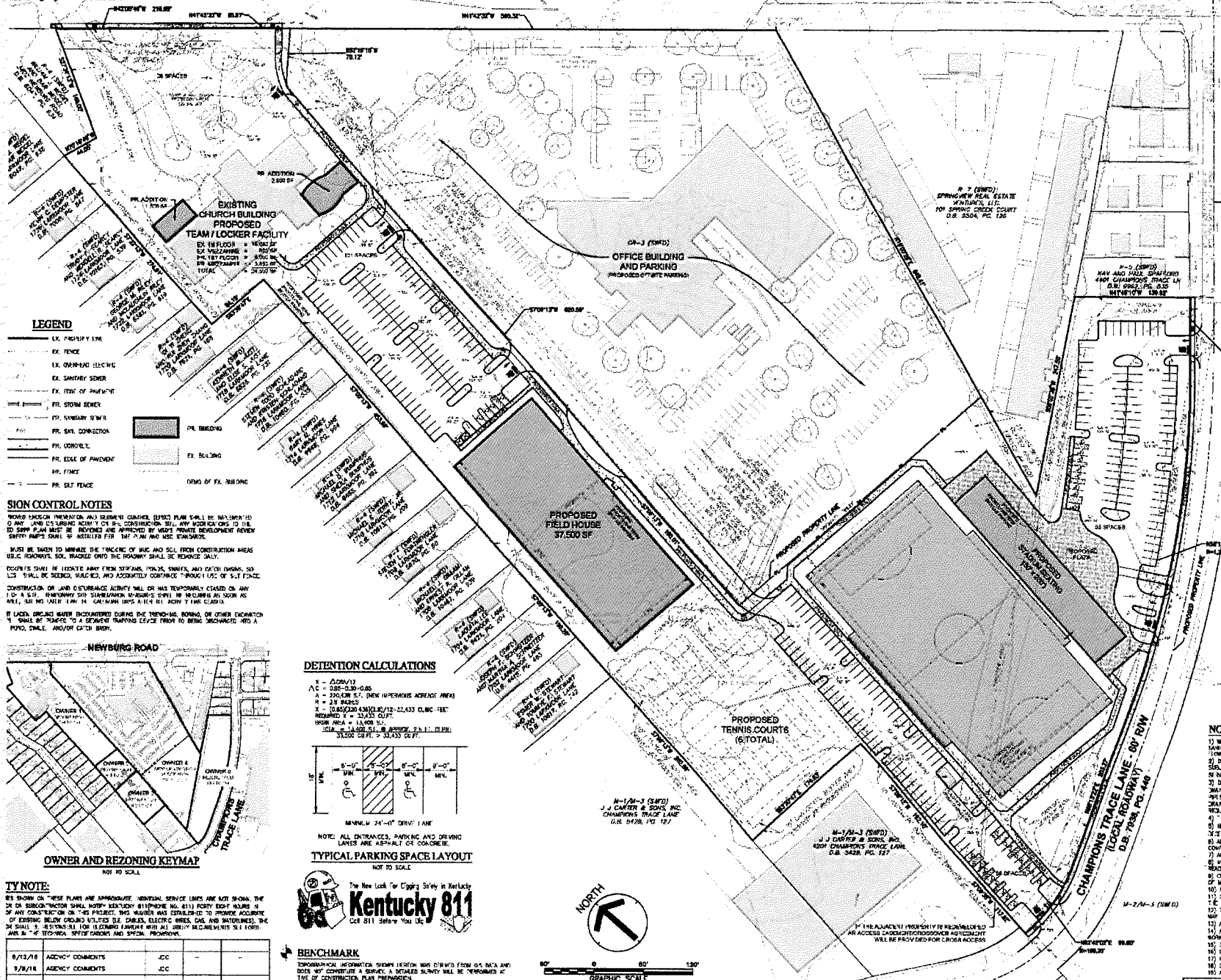
NEWBURG ROAD / CHAMPIONS TRACE LANE

LOUISVILLE, KENTUCKY

HERITAGE ENGINEERING, LLC



NEWBURG ROAD - 145' RAW  
(ARTERIAL ROADWAY)



**LEGEND**

- EX. PROPERTY LINE
- EX. FENCE
- EX. CHIMNEY ELECTRIC
- EX. SANITARY SEWER
- EX. FEED OF SANITARY
- EX. STORM SEWER
- EX. SANITARY SEWER
- EX. SAN. CONNECTION
- EX. DRIVEWAY
- EX. EDGE OF PAVEMENT
- EX. FENCE
- EX. SLIT FENCE
- PR. BUILDING
- EX. BUILDING
- DRWG. OF EX. BUILDING

**SIGN CONTROL NOTES**

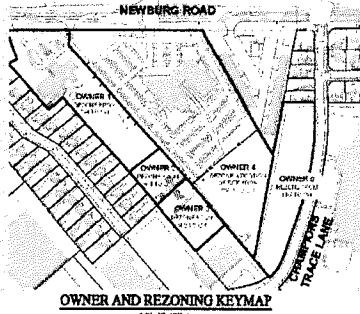
WORK UNDER PRESENT AND PROPOSED CONDITIONS (EXISTING PLANS SHALL BE REVISIONED) OR ANY "AND" USES ARISING FROM THIS PLAN SHALL BE REVISIONED. ANY WORK OR USES TO THE EXISTING PLAN MUST BE REVIEWED AND APPROVED BY THE PLANNING DEPARTMENT BEFORE ANY PERMITS SHALL BE INSTALLED FOR THE PLAN AND USE STANDARD.

MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS TO THE ROADWAY. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

EXPOSURE SHALL BE PROTECTED FROM STORMS, POLLS, SNOWS, AND OTHER HAZARDS. SOIL SHALL BE PROTECTED, TRACKED, AND PROPERLY CONTAINED THROUGHOUT THE SLIT FENCE.

CONSTRUCTION OR LAND CLEARANCE ACTIVITY SHALL BE TEMPORARILY CEASED ON ANY 1/2" OF A SLIT. TEMPORARY STOP SIGNIFICATION MUST BE INSTALLED AS SOON AS PRACTICABLE TO PREVENT TRAFFIC FROM ENTERING THE ROADWAY.

IF LATER CIRCUMSTANCES OCCUR DURING THE TEMPORARY WORKING, OR OTHER EXISTING SHALL BE PLACED TO A COMPLETE STOPPING LEGS FROM BEING DISRUPTED AND A STOP SIGN, AND/OR CATCH BASIN.



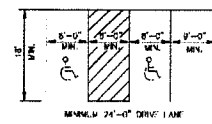
**TY NOTE:**

AS SHOWN ON THESE PLANS ARE APPROXIMATE. VERTICAL SERVICE LINES ARE NOT SHOWN. THE 20' OR SUBSTANTION SHALL BE REVIEWED BY THE PLANNING DEPT. 811 FIGHT BACK NUMBER 31 OF ANY CONSTRUCTION OR "AS" PROJECT. THIS NUMBER HAS ESTABLISHED TO PROVIDE ACCURATE OF EXISTING BELIEF DRAWING UTILITIES (E.G. CABLES, ELECTRIC WIRES, GAS, AND WATERLINES). THE 30' SHALL BE 30' MINIMUM. FOR EXISTING EASEMENTS WITH ALL RELEVANT DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE PLANNING DEPT. BEFORE ANY CONSTRUCTION.

DATE	AGENCY COMMENTS	JCC	
8/13/18	AGENCY COMMENTS	JCC	
8/18/18	AGENCY COMMENTS	JCC	

**DETENTION CALCULATIONS**

$$\begin{aligned}
 X &= \Delta \text{DEVELOP} \\
 AC &= 0.05 - 0.30 - 0.05 \\
 A &= 290,000 \text{ S.F. (NEW IMPROVED ACRES AREA)} \\
 X &= 2.8 \text{ FEET} \\
 Z &= (0.05)(290,000)(2.8) / (12 - 22,433 \text{ CUBIC FEET}) \\
 X &= 31,433 \text{ CUBIC FEET} \\
 \text{POND AREA} &= 13,400 \text{ S.F.} \\
 \text{POND DEPTH} &= 2.3 \text{ FEET} \\
 \text{POND VOLUME} &= 31,433 \text{ CUBIC FEET} \\
 \text{POND AREA} &> 31,433 \text{ CUBIC FEET}
 \end{aligned}$$



**TYPICAL PARKING SPACE LAYOUT**

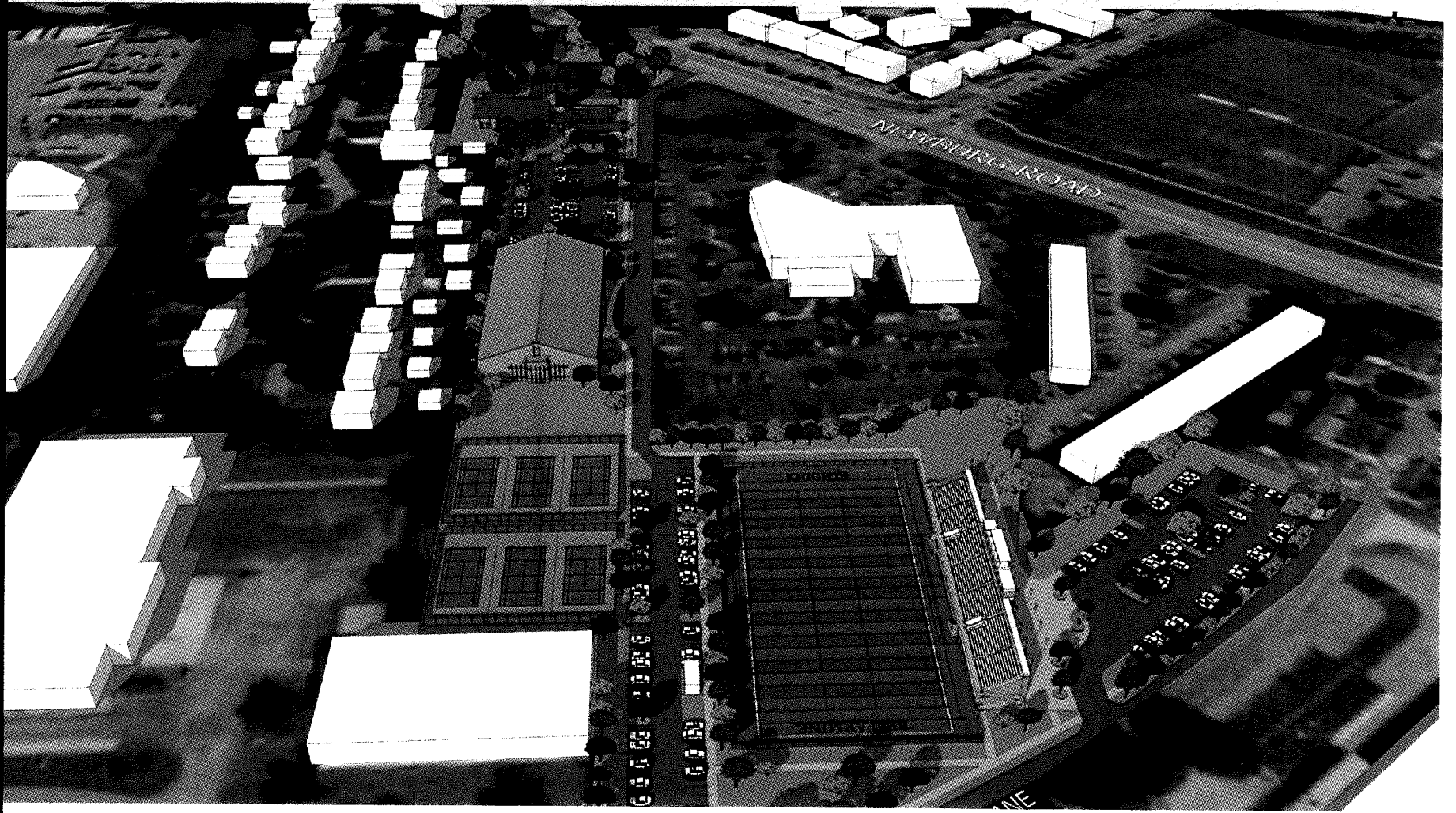
NOT TO SCALE



**BENCHMARK**  
TOPOGRAHICAL INFORMATION SHOWN HEREON WAS OBTAINED FROM G.S. 0423 AND DOES NOT CONSTITUTE A SURVEY. A DETAILED SURVEY WILL BE PERFORMED AT THE TIME OF CONSTRUCTION PLAN PREPARATION.



- NO
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

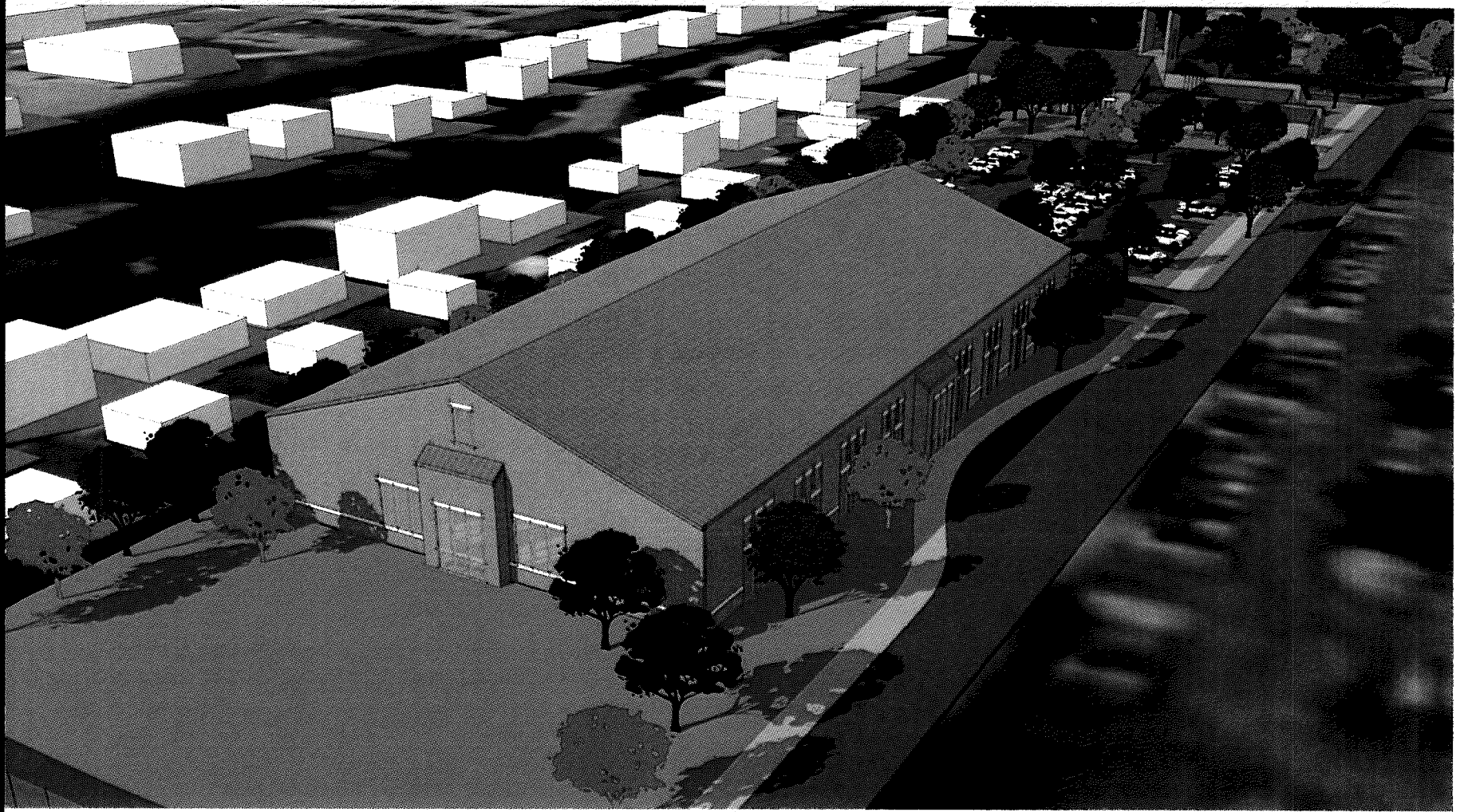




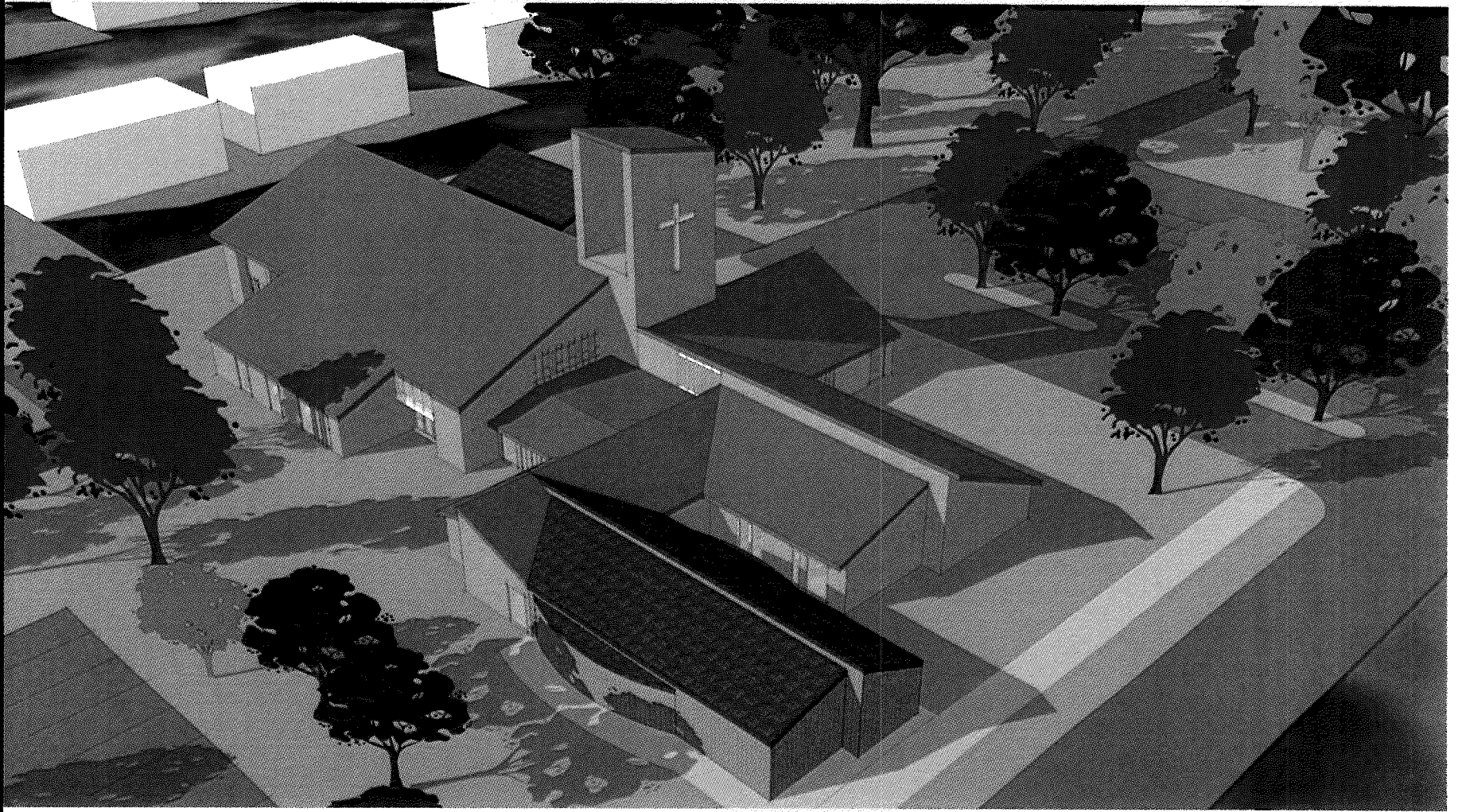




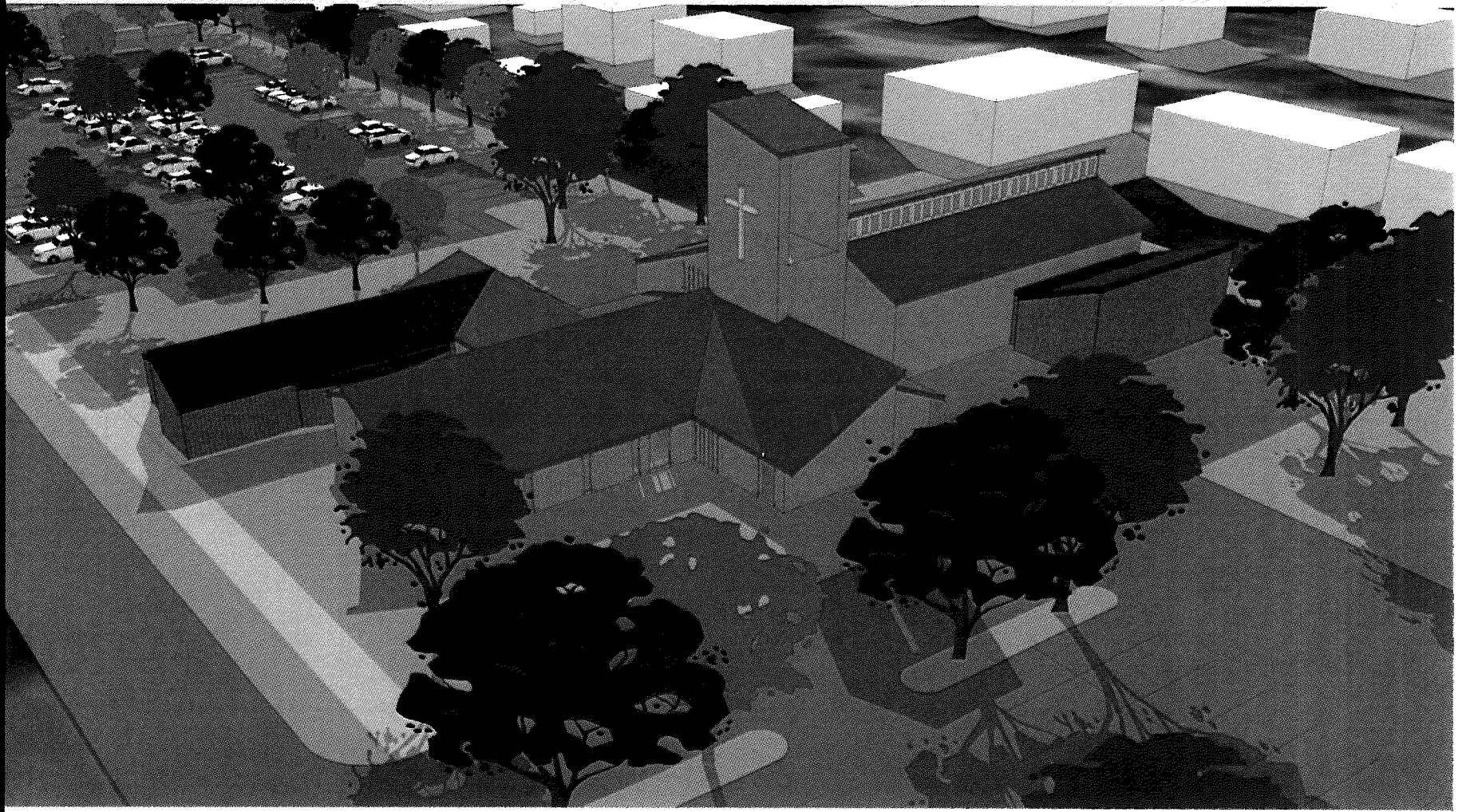


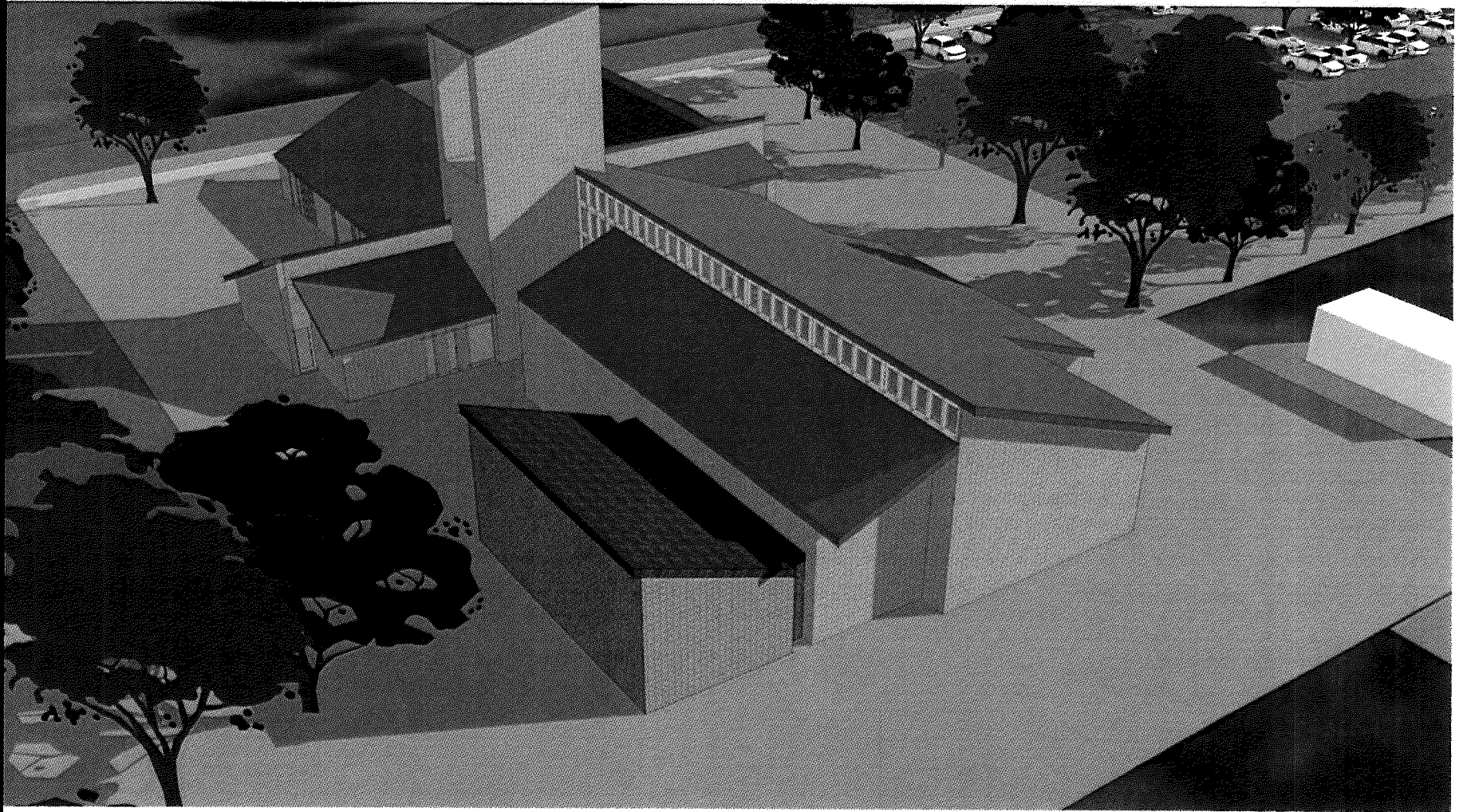












# BARDENWERPER, TALBOTT &

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PA  
(502) 426-6688 • WWW.BARDENLAWLINE

## STATEMENT OF COMPLIANCE WITH THE APPROPRIATE POLICIES OF THE CORNERSTONE 2020 CODE

Project: Bellarmine  
Applicant: Bellarmine  
Location: 340 S. 34  
4200 CH  
Engineers, Land Planners  
and Landscape Architects: Heritage  
Request: Change  
M3 to C

### Introductory Statement

This application is intended to address Bellarmine  
facilities both for intramural and intercollegiate athletic play  
nearly fully built out, as the university has grown tremendously  
other properties near campus to address this already existing  
athletic facilities. This site is as close as the university can  
for the expansion of facilities as planned and shown on the  
application.

### Guideline 1: Community

The Suburban Workplace, Suburban Marketplac  
Neighborhood Form Districts in which this property is loc  
accommodate facilities of these kinds.

### Guideline 2: Activity Cen

The Intents and applicable Policies 1, 2, 4, 5, 7, 10,  
follows.

As noted in the PowerPoint presentation accompan  
intensely developed with workplace and commercial use  
family homes and subdivisions adjoining this site, the  
commercial and industrial. Bellarmine University has work  
planners to ensure that its facilities nicely fit within the

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223  
(502) 426-6688 • WWW.BARDLAW.NET

## **STATEMENT OF COMPLIANCE WITH THE APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN**

Project: Bellarmine University Athletic Fields

Applicant: Bellarmine University, Inc.

Location: 3408, 3416, 3420 & 3430 Newburg Rd.  
4200 Champions Trace Lane

Engineers, Land Planners  
and Landscape Architects: Heritage Engineering

Request: Change in zoning from R-4, R-7, OR-3, M2,  
M3 to C-1

### **Introductory Statement**

This application is intended to address Bellarmine University's shortage of athletic facilities both for intramural and intercollegiate athletic play. The present Bellarmine campus is nearly fully built out, as the university has grown tremendously in recent years. There are no other properties near campus to address this already existing and ever growing demand for athletic facilities. This site is as close as the university can get in an area that seems compatible for the expansion of facilities as planned and shown on the development plan accompanying this application.

### **Guideline 1: Community Form**

The Suburban Workplace, Suburban Marketplace, Regional Center and Suburban Neighborhood Form Districts in which this property is located or nearby all anticipate and/or accommodate facilities of these kinds.

### **Guideline 2: Activity Centers**

The Intents and applicable Policies 1, 2, 4, 5, 7, 10, 11, 12, 13 and 15 of this Guideline as follows.

As noted in the PowerPoint presentation accompanying this application, this is an area intensely developed with workplace and commercial uses. Although there are some single family homes and subdivisions adjoining this site, the predominant uses in the area are commercial and industrial. Bellarmine University has worked closely with its engineers and land planners to ensure that its facilities nicely fit within the land that it has been able to acquire



showing good perimeter buffer for those properties that are potentially adverse. Bellarmine also expects to acquire rights to jointly utilize existing parking, such as an adjoining office building, when that parking is not otherwise used for its primary purpose. Notably that would be game days at the proposed new stadium facility when the users would not need that parking lot.

### **Guideline 3: Compatibility**

This application complies with the Intents and applicable Policies 1, 2, 3, 20, 21, 22, 23, 24, 28 and 29 of this Guideline as follows.

This project involves some new buildings, but mostly the reuse of old buildings and construction of new ground level athletic facilities. Those buildings will be designed, and the ground level athletic facilities will likewise be designed, to have a good look both from the streets accessing these properties and from residential areas surrounding them. Bellarmine University has been particularly sensitive to assure good quality screening and buffering along these athletic facilities.

### **Guideline 4, 5 & 13: Open Space, Natural Areas and Landscape Change**

This application complies with Intents and applicable Policies 1, 3 and 6 of Guideline 4, Policy 1 of Guideline 5 and Policies 1, 2, 4, 5 and 6 of Guideline 13 as follows:

Because this application involves athletic facilities, it involves the design of recreational open space. That open space will be mostly green, except for some parking brought to the area. But even that parking will be landscaped, screened and buffered, unlike parking that already exists in this over industrial area.

### **Guideline 6: Economic Growth and Sustainability**

This application complies with the Intents and applicable Policies 1, 2, 3, 4 and 5 of Guideline 6 as follows:

Bellarmine University is a major employer as a nationally recognized higher education institution. As such, it needs to be able to provide recreation facilities and services for both those competing on an intramural basis and those involved in intercollegiate sports. The purpose of this new athletic complex. The university will thus be enabled to meet the demands of a growing student body and resulting University workforce.

### **Guidelines 7, 8 and 9: Circulation; Transportation Facility; Alternate Transportation Modes**

This application complies with the Intents and applicable Policies 1, 2, 3, 12, 13, 14 and 18 of Guideline 7, applicable Policies 5, 8, 9, 10 and 11 of Guideline 8 and applicable Policies 1, 2, 3, 4 and 5 of Guideline 9 as follows.

As shown on the development plan and in the PowerPoint presentation accompanying this application, this development will assure that street improvements are made to provide good access, good site visibility and excellent internal circulation. Existing parking

**Waiver Findings of Fact**

Waiver of Section 10.2.10, Table 10.2.6 to reduce the required VUA LBA along a portion of the western property line to allow parking to encroach

**WHEREAS**, this is where a church building, to be converted to team locker rooms and administrative office facilities, already exists; and

**WHEREAS**, the waiver will not adversely affect adjacent property owners because additional landscaping will be placed in the area where the encroachment exists and where the waiver is proposed; and

**WHEREAS**, the waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the original rezoning application; and

**WHEREAS**, the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because this particular encroachment only exists along a very short stretch along the east property line; and

**WHEREAS**, strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because the applicant would have to remove an existing building encroachment; and

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby approves this Waiver.

## Waiver Findings of Fact

Waiver of Section 10.2.10, Table 10.2.6 to reduce the required property perimeter and VUA LBA along a portion of the eastern Property line adjoining the R-7 property to allow encroachment of parking and proposed plaza.

**WHEREAS**, this is where a parking lot already exists, to be improved with landscaping and sidewalk; and

**WHEREAS**, the waiver will not adversely affect adjacent property owners because additional landscaping and sidewalk will be placed in the area where the encroachment exists and where the waiver is proposed; and

**WHEREAS**, the waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the original rezoning application; and

**WHEREAS**, the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because this particular encroachment only exists along a very short stretch along the east property line; and

**WHEREAS**, strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because the applicant would have to remove existing parking which adjoins other office building parking; and

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby approves this Waiver.