

Development Review Committee
Staff Report
March 20, 2019



Case No:	18WAIVER1046
Project Name:	Assumption High School Parking
Location:	2919 Bardstown Road
Owner/Applicant:	Assumption High School
Representative:	Mike Hill, Land Design & Development , Inc.
Jurisdiction:	Louisville Metro
Council District:	8 – Brandon Coan
Case Manager:	Steve Hendrix, Planning & Design Coordinator

REQUESTS:

1. **Waiver** of Land Development Code section 10.2.10 to allow pavement to encroach into a 10 foot Vehicular Use Landscape Buffer Area along Bardstown Road and a portion of Lancashire Drive.
2. **Waiver** of Land Development Code section 10.2.4 to not provide the required 25 foot perimeter Landscape Buffer Area and required plantings along the south and east property lines.

CASE SUMMARY/BACKGROUND

The existing parking lot is located on the east side of Bardstown Road between Lancashire Avenue and Manchester Road. This was the former site of the American Legion Highland Post 201 that had the log cabin appearance. The site has a zoning classification of C-1, Commercial and is within a Suburban Marketplace Corridor Form District. North, across Lancashire Avenue is a Circle K convenience store within a C-1 zoning district. South of the site is a grassed open area with trees and across Manchester Road are single family dwellings within an R-5 zoning district. East of the parking lot is a church activities building within an R-5 district. West and across Bardstown Road is a laundry/cleaners within a C-1 zoning district. The parking lot is used by Assumption High School and St. Raphael the Archangel Catholic Church.

STAFF FINDINGS

The waiver requests are adequately justified and meet the standard of review.

TECHNICAL REVIEW

Public Works has provided preliminary approval. There are no outstanding technical issues concerning this request.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 10.2.10 to allow pavement to encroach into a 10 foot Vehicular Use Area Landscape Buffer Area along Bardstown Road and a portion of Lancashire Avenue

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

STAFF: The waiver will not adversely affect adjacent property owners since the land uses across Bardstown Road and Lancashire Road are both commercial.

- (b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Plan 2040 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize impacts from noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Plan 2040 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas.

The sites along Bardstown Road and Lancashire Avenue will still have landscaping and neither is adjacent to a residential use.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the parking lot is already in place.

- (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 regulations would create an unnecessary hardship on the applicant since the parking lot is already in place and since landscaping is still proposed along those sections.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 10.2.4.A. TO NOT PROVIDE THE Required 25' Perimeter Landscape Buffer Area and required plantings and screening along the south and east property lines.

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

STAFF: The waiver will not adversely affect adjacent property owners since the parking lot pavement will be approximately 150 feet from the residential properties across Manchester Road and has an existing grassed yard with mature trees. The waiver along the eastern property lines is adjacent to church property.

(b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Plan 2040 calls for protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate. Plan 2040 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize impacts from noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Plan 2040 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas.

The existing parking lot is adjacent to church property on both the south and east sides. The parking lot is approximately 150 feet from the residential properties across Manchester Road. A church activities building is located on the eastern side of the parking lot.

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

STAFF: The extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant since the parking lot is existing.

(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 the parking lot is in place and since both sides are adjacent to church property.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Waivers**

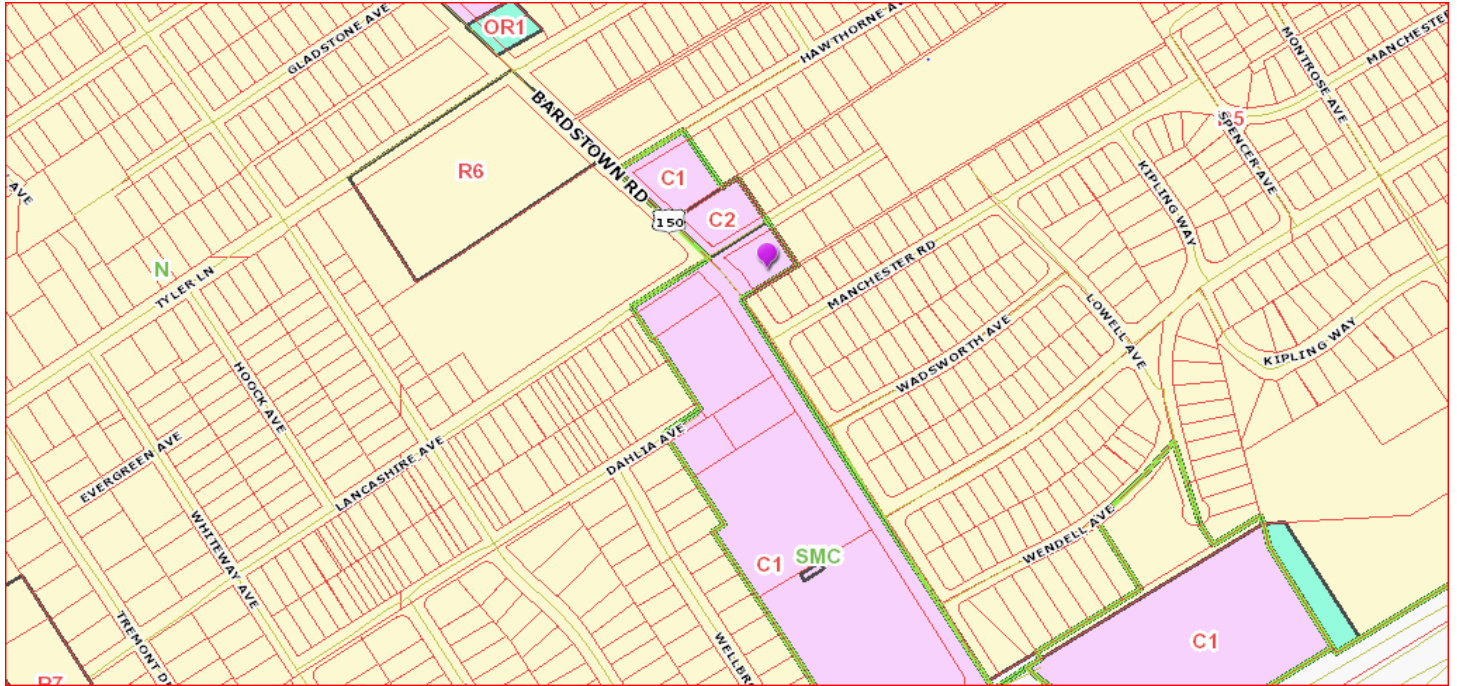
NOTIFICATION

Date	Purpose of Notice	Recipients
3-11-2019	Hearing before DRC	1 st tier adjoining property owners
3-12-2019		Registered Neighborhood Groups in Council District 8

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan

1. Zoning Map



2. Aerial Photograph



