

Planning Commission
Staff Report
October 29, 2015



Case No:	15AMEND1004
Project Name:	LDC Text Amendment – Athletic Facilities
Case Manager:	Brian Mabry, AICP, Planning Coordinator

REQUEST

Hold a public hearing and recommend action on amendments to the text of the Land Development Code (LDC) regarding athletic facilities.

SUMMARY

- April 2011 – Metro Council passed a resolution, sponsored by CM Robin Engel, requesting Staff to work on an amendment to allow athletic fields in residential zoning districts that are in suburban form districts.
- June 2011 – Planning Commission held a public hearing and recommended approval to Metro Council to allow athletic fields that are 20-acres or more on residentially zoned property in suburban form districts.
- July 2011 – Metro Council approved Ord. 148-2011 (Attachment A), adopting the Planning Commission recommendation. In addition, the text amendment added increased setback requirements for structures within an athletic facility.
- May 2015 – Mr. Mark Madison of Milestone Design Group began informally speaking with Planning and Design Services Staff about amending the Land Development Code regarding the 20-acre minimum parcel size requirement for athletic facilities. The standard applies to athletic facilities in residential zoning districts in order to receive a Conditional Use Permit (CUP) and is not eligible for a Waiver.
- Mr. Madison is working with Valley View Church, 8911 3rd Street Rd, to develop an athletic facility at 1700 Regency Park Drive. The proposed facility is not adjacent to or near the church and so it is not considered an accessory use. The site under consideration is 11 acres.
- The LDC text amendment request is not the subject of a formal resolution sponsored from a Metro Councilmember; however, CM Vicki Aubrey Welch, in whose district the proposed athletic facility would be located, has informally advocated for the change in the LDC. See the attached email (Attachment B) for the request and Ms. Welch's informal approval of the concept.
- September 10, 2015 – The request went before a meeting of the Planning Committee. Their minutes are attached as Attachment C.

PLANNING COMMITTEE MEETING

At its meeting on September 10, 2015, Staff provided the Planning Committee with two options in regard to this text amendment:

1. Remove the 20-acre requirement all together; or
2. Reorganize the standards so that the 20-acre rule is eligible for a Waiver from the Planning Commission, its designee, or the Board of Zoning Adjustment, as appropriate.

The Planning Committee unanimously voted on a third option which reorganized the 20-acre standard so that it would be eligible for a Waiver and reduced the minimum parcel size from 20 acres to 10. In addition, the Planning Committee requested that Staff investigate the following supplements to the proposed amendment in advance of the Planning Commission hearing: (1) definition of athletic facility and (2) review of CUP application by the Air Pollution Control District (APCD).

Definition of Athletic Facility

The Planning Committee requested that the text amendment contain a definition of "Athletic Facility." Staff surveyed comparable cities and found the following.

Community	Definition
Dayton, OH	Sports facility. A place designed and equipped primarily for observation of sports, leisure time activities and other customary and usual recreational activities. Such a facility is typified by temporal peaks in vehicle trip generation. This term includes, but is not limited to, a stadium, ballpark or arena.
Raleigh, NC	Outdoor Sports or Entertainment Facility. A predominantly outdoor facility, including any associated structures, for playing sports and conducting entertainment, including but not limited to, sports fields with or without seating, stadiums, track and field facilities and amphitheatres.
Charlotte, NC	Stadium. A structure or facility designed, intended, or used primarily for outside and/or inside athletic events or other performances and containing seating for spectators of those events, but not including a raceway or dragstrip.

Note: Other surveyed communities that yielded no results include, but are not limited to, Nashville, Lexington, Indianapolis and Memphis.

Louisville Metro's LDC already has a definition for the term Sports Fields, which reads:

An open space area specifically designed and equipped for large-scale structured recreation including but not limited to baseball, football and soccer.

Further, in Chapter 4, Part 2, Conditional Uses, Athletic Facilities are partially defined in the preamble to the standards for such facilities. This provision reads, "Indoor and outdoor athletic facilities, including sports fields, basketball and tennis courts, and related facilities such as equipment storage facilities, spectator seating, refreshment stands, restrooms, locker rooms and parking except for paint ball ranges..."

Staff proposes using the existing language in Chapter 4, Part 2, as the basis for the new definition of Athletic Facility, to be included in the Definitions Section of the LDC, and shown in Attachment D.

Review of CUP by the APCD

The Planning Committee requested that this LDC text amendment include a requirement that the APCD review all CUP requests for athletic facilities. However, as a full member of the Technical Review Committee, the LDC already requires the APCD to review all CUP applications in Sec. 11.1.2. Therefore, Staff believes that incorporating a requirement that the APCD must specifically review all athletic facility CUP applications would be unnecessarily redundant.

APPLICABLE PLANS AND POLICIES

This amendment to Chapters 1 and 4 of the LDC addresses the following policies of the comprehensive plan.

Policy	Commentary
Guideline 1: Community Form	The proposed amendment provides for greater usage of larger residentially zoned tracts for neighborhood-serving recreational uses that can be designed to be compatible with surrounding form districts.
Guideline 3: Compatibility	The proposed revision would apply to larger residentially zoned tracts of land that have the ability to provide the needed setbacks and screening to ensure compatibility to adjacent properties. The Conditional Use Permit process also provides for greater input by adjacent property owners in the review and approval of specific land uses without the need to permanently change the zoning of property.
Guideline 4: Open Space	The proposed amendment would allow for more outdoor recreation areas. The guideline encourages open space that is created by new development to help meet the recreational needs of the community.
Guideline 6: Economic Growth and Sustainability	The proposed revision would allow for greater use of larger residentially zoned tracts of land that can provide a service and facility to the community, while ensuring compatibility to surrounding uses.
Guideline 16: Community Facilities	The proposed amendment would allow for more community facilities, in terms of recreational areas, and meets the intent of this guideline which is to encourage community facilities with compatibility to nearby existing development, to mitigate potential adverse impacts on surrounding land uses, or to buffer community facilities from conflicting nearby uses.

NOTIFICATION

Notification of the Planning Commission public hearing has been conducted in accordance with KRS 100 requirements.

STAFF CONCLUSIONS

Staff recommends approval of this amendment as the proposal would allow for enhanced economic development opportunities, additional areas for recreational uses and would continue to protect residential areas from potentially incompatible athletic facilities, while allowing for Waiver requests on lot size when necessary.

ATTACHMENTS

- A. Ordinance 148-2011
- B. Email from Councilmember Welch
- C. Planning Committee Minutes for September 10, 2015, Meeting
- D. Draft LDC Text Amendment