

Development Review Committee

Staff Report

August 17, 2022



Case No:	22-WAIVER-0098
Project Name:	Humana Centerwell Senior Primary Care
Location:	3000 W. Market Street
Owner(s):	Louisville Urban League
Applicant:	Louisville Urban League
Jurisdiction:	Louisville Metro
Council District:	5-Donna Purvis
Case Manager:	Julia Williams, AICP, Planning Supervisor

REQUEST(S)

- Waivers:
 1. Waiver from 5.5.1.A.1.b to permit the structure to not have primary entrances along 30th and W. Market
 2. Waiver from 5.6.1.C.1 to permit the structure to have less than 50% clear windows and doors at the street level

CASE SUMMARY/BACKGROUND

The proposal is for a 7,500 SF medical office at the corner of W. Market Street and 30th Street. The site also contains the Sports and Learning Complex which was approved in 2019 (19DEVPLAN1088/19VARIANCE1052).

STAFF FINDING

Staff finds that the proposal meets the guidelines of the Comprehensive Plan and requirements of the Land Development Code.

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposal.

INTERESTED PARTY COMMENTS

None received.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 5.5.1.A.1.b

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

STAFF: The waiver will not adversely affect adjacent property owners since the structure will be mainly served by the nearby parking lot and interior drop off.

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

STAFF: Community Form Goal 1, Policy 4 calls to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 2, Policy 2 encourages development of non-residential and mixed uses in designated activity centers provided that proposed uses, density and design are compatible with adjacent uses and meets Form District guidelines; or when a proposed use requires a special location in or near a specific land use, transportation facility or when a use does not fit well into a compact center (e.g., car dealerships or lumberyards). The other structures on the site are inward focused but have articulation on the building so as not to create a blank wall along the main roadways serving the site.

- (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 pedestrian will still be served at the nearby interior entrance.

- (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 applicant has incorporated other design measures that exceed the minimums of the district since there is sufficient pedestrian access in and around the site.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 5.6.1.C.1

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

STAFF: The requested waiver will not adversely affect adjacent property owners as the building provides enough articulation along the facades to compensate for not having all clear windows and doors.

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

STAFF: Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 1, Policy 12 calls for the proposal to Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage

elimination or reduction of parking minimums in areas readily accessible to transit routes. Community Form Goal 2, Policy 11 calls for ensuring appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood and Village Form Districts to ensure compatibility with nearby residences. Community Form Goal 2, Policy 15 calls for parking in activity centers should reflect the area's associated Form District standards to balance safety, traffic, transit, pedestrian, environmental and aesthetic considerations. There are some variations in materials and some clear glass at the street level but not enough to meet the 50% requirement. The street trees, as required, can be used to mitigate the request.

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

STAFF: The extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant since the proposed medical office land use and the need for privacy is affecting the building.

- (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 deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant since the proposed medical office land use and the need for privacy is affecting the building. The street trees, as required, can be used to mitigate the request.

REQUIRED ACTIONS:

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

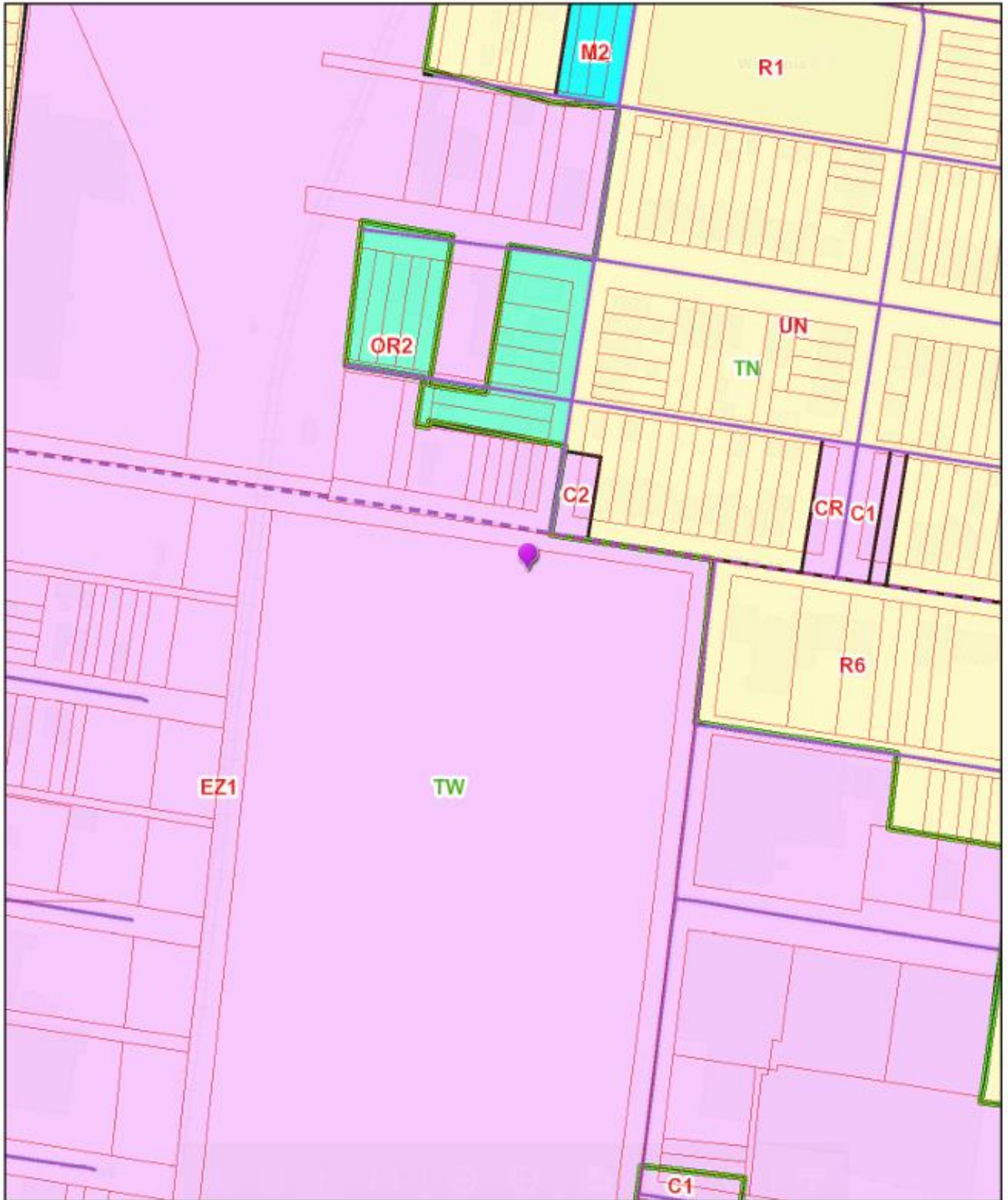
NOTIFICATION

Date	Purpose of Notice	Recipients
8/3/22	Hearing before DRC on 8/17/22	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 5

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

