

Board of Zoning Adjustment Staff Report

April 21, 2014



Case No:	13CUP1000
Project Name:	Louisville Soccer
Location:	3001 Stober Road
Owner(s):	Louisville Soccer Alliance, LLC
Applicant:	Louisville Soccer Alliance, LLC
Representative(s):	Michael Hayes
Project Area/Size:	1.18 acres
Existing Zoning District:	M-3, Industrial
Existing Form District:	Suburban Workplace
Jurisdiction:	Watterson Park
Council District:	10 – Jim King
Case Manager:	Jon E. Crumbie, Planner II

REQUEST

- Conditional Use Permit to allow an athletic facility in an M-3 zoning district.

SUMMARY/BACKGROUND

The Louisville Soccer Alliance is seeking approval to use an existing building and adjacent side yard as a training facility for soccer. The building is currently in decline and the alliance will be restoring it completely and installing a multipurpose athletic floor on the interior and importing top soil and creating a grass surface in the east side lot for outdoor training. 33 parking spaces will be provided and signage will be placed on the building. The facility will be in operation weekdays 3:30p.m. - 9:00p.m. and on Saturday 8:00a.m. - 4:00p.m.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Vacant Building	M-3	SWC
Proposed	Athletic Facility	M-3	SWC
<i>Surrounding Properties</i>			
North	Office Warehouse	M-3	SWC
South	Office Warehouse	M-3	SWC
East	Auto Collision Center	M-3	SWC
West	Office Warehouse	M-3	SWC

PREVIOUS CASES ON SITE

There are no previous related cases or enforcement actions on the subject property.

INTERESTED PARTY COMMENTS

Staff has received correspondence from the City of Watterson Park and Office of the Mayor (see attached letters).

SITE CONTEXT

The site is irregular in shape and located on the northwest corner of Stober Road and Watterson Park Road. The site is adjacent to an office warehouse to the north, south, and west, and auto collision center to the east. The site is part of a well-established Suburban Workplace District which abuts the Norfolk Southern Railroad to the south.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMITS

1. Is the proposal consistent with the applicable policies of the Comprehensive Plan?

STAFF: The proposal will be consistent with the applicable policies of the Comprehensive Plan. The applicant will add additional landscaping and buffering to the property. The existing access to the site will be improved. Adequate parking spaces are provided on-site to meet the LDC. Proposed signage and lighting will be LDC compliant.

2. Is the proposal compatible with surrounding land uses and the general character of the area including such factors as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting, appearance, etc?

STAFF: The proposal will be located in an existing building in an industrial area. The proposal will be compatible with the surrounding lands uses with respect to height, scale, odor, drainage, dust, lighting, and appearance will be greatly improved.

3. Are necessary public facilities (both on-site and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. adequate to serve the proposed use?

STAFF: The proposal has been reviewed by Transportation Planning and MSD and both have approved the plan. The Camp Taylor Fire Protection District reviewed the proposal and had comments that will need to be addressed.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?

STAFF: There are 6 requirements and items A., B., E., and F. will be met. Item C. does not apply. The applicant will be asking to modify item D.

Athletic Facilities

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 are permitted in the M-1, M-2, M-3 districts, and in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7 and R-8 Districts on tracts of 20 acres or more, and in compliance with the following requirements,

- A. The athletic facilities are located in a suburban form district; and
- B. Pedestrian and vehicular circulation patterns, including location of parking lots and driveways, must be designed to safely accommodate recreational users and avoid conflict with truck traffic, as determined by the Director of Works;

- C. If recreational uses are located within 500 feet of residential use or zone, the applicant shall submit a lighting plan documenting compliance with Section 4.1.3 (Lighting ordinance); and
- D. No structure, parking area or outdoor recreation facility shall be located within 30 feet of a property line, unless further restricted in accordance with paragraph F. below. **The parking area will be located 7 feet at its closest point from the Stober Road property line and 3 feet from the Watterson Park road property line. The modification will allow parking to encroach into the landscape buffer areas along Stober Road and Watterson Park Road. Also parking will be located 16 feet from the north property line. The existing structure will be located 21 feet from the nearest property line and the athletic field will be 2 feet off the north property line and 1 foot off the east property line.**
- E. Signs – Shall be in accordance with the on-premises sign standards of chapter 8 of the LDC for non-residential uses.
- F. Athletic facilities in the M-3 districts subject to a Conditional Use Permit may serve three purposes:
1. To allow a transitional use of industrially zoned land, while preserving the community's supply of industrially zoned property until such time as market demand justifies use of such property in a manner that will significantly meet the community's economic development needs; or
 2. To allow use of parcels for permanent open space or recreation purposes serving employees of an industrial development; or
 3. To accommodate greenways or similar open space use of environmentally constrained land, with or without trail systems or other recreational facilities.
4. Thus, athletic facilities are permitted only when the applicant indicates which of the three purposes the proposed use will meet, and can demonstrate the following to the satisfaction of the Board of Zoning Adjustment or the Board's designee:
- a. If Transitional Use: The proposed athletic facilities do not entail construction of permanent facilities that are inconsistent with industrial use of the site.
 - b. If Permanent Open Space/Recreation Use: The site is an integral component of a multi-lot business or industrial park, and the recreation facilities primarily benefit persons working at the industrial park.
 - c. If Greenway or Environmentally Constrained: The site is subject to environmental constraints regulated in Chapter 4 Parts 6, 7, or 8, and is precluded from development by conservation easement or restriction on the development plan.

TECHNICAL REVIEW

There are no outstanding technical review items.

STAFF CONCLUSIONS

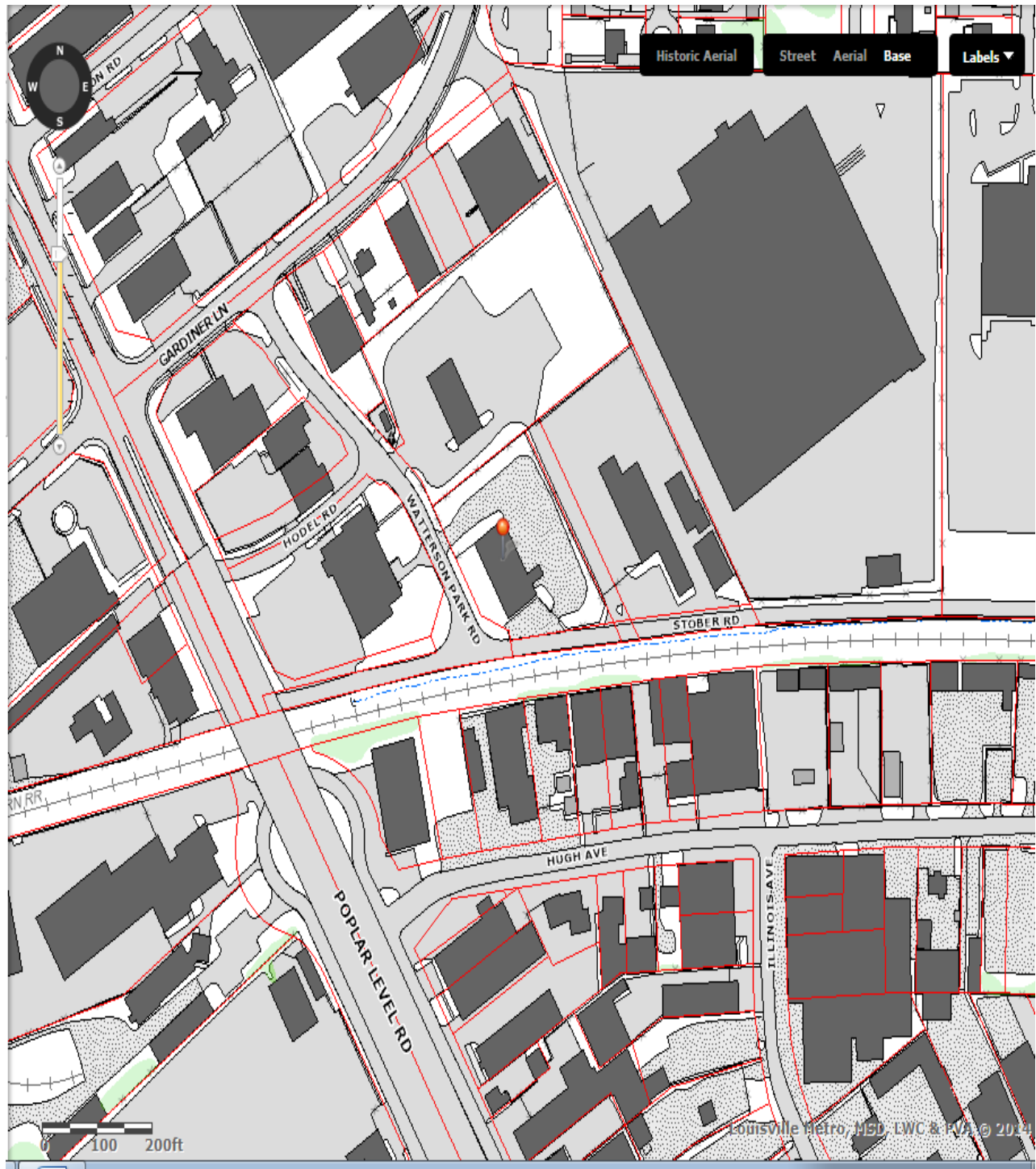
The proposal will be compatible with the surrounding industrial development and will provide ample landscaping and buffering. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, BOZA must determine if the proposal meets the standards for granting the Conditional Use Permit as established in the LDC.

NOTIFICATION

Date	Purpose of Notice	Recipients
04/03/14	APO Notice	First tier adjoining property owners Neighborhood notification recipients
04/04/14	Sign Posting	Subject Property Owner

ATTACHMENTS

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

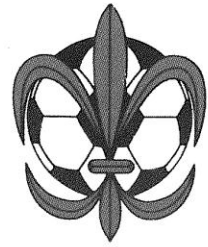
#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments	Final Finding	Final Comments
1	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.10: The proposal integrates into the pattern of development, which features buildings set back from the street in a landscaped setting.	√	The structure is located in an existing industrial area and will be improved		
4	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	-	Elevations were not provided for the structure.	√	Elevations have been provided and reviewed by staff.
5	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated.	√	The proposal is located in an M-3 zoning district and is not adjacent to residentially zoned or used property.		
6	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	-	APCD has reviewed the plan.	√	APCD has approved the proposal.
7	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	-	Metro Public Works has reviewed the plan and has comments.	√	Transportation Planning has approved the proposal.
8	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	-	Lighting is not shown on the plan.	√	Lighting will consist of wall packs for security.
10	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	-	Landscaping is not shown on the proposal.	√	A landscape plan has been provided to staff.

11	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	-	Landscaping is not shown on the proposal.	√	A landscape plan has been provided to staff.
12	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	√	The structure is located in an existing industrial area and will be improved. Setbacks and building heights are similar.		
13	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians.	-	Metro Public Works has reviewed the plan and has comments.	√	Transportation Planning has approved the proposal.
14	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street.	-	Landscaping is not shown on the proposal.	√	A landscape plan has been provided to staff.
16	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	-	Signage is not shown on the proposal.	√	Attached signs will be added to the north and south façade and will be LDC compliant.
21	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	-	Landscaping is not shown on the proposal.	√	A landscape plan has been provided to staff.
23	People, Jobs and Housing Goal K4, Objective K4.1	Marketplace Guideline 6: Economic Growth and Sustainability	A.1: Limit land uses in workplace districts to those land uses necessary to meet the needs of the industrial subdivision or workplace district and their	√	The proposal is located in an M-3 zoning district and is not adjacent to residentially zoned or used property. An existing structure will be		

			employees.		remodeled and used with no change to the footprint of the building.		
32	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	+/-	Staff does not know the number of employees, but a gravel area for parking has been provided.	√	Transportation Planning has approved the proposal.
38	Livability, Goals B1, B2, B3, B4, Objectives B1.1-1.8, B2.1-2.7, B3.1-3.4, B4.1-4.3	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blueline streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.	√	MSD has reviewed and approved the proposal.		
39	Livability Goals C1, C2, C3, C4, all related Objectives	Livability/Environment Guideline 12: Air Quality	The proposal has been reviewed by APCD and found to not have a negative impact on air quality.	-	APCD has reviewed the plan.	√	APCD has approved the proposal.
41	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	√	The area is served by existing utilities.		
42	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	+/-	Proposal is located in the Camp Taylor Fire District. Staff talked to the district and they will have several comments.	+/-	Any Camp Taylor Fire District requirements will need to be met.
43	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	-	Staff does not know if the site has sewage disposal.	√	The site will have septic fields along a portion of Watterson Park.

4. Applicant's Justification Statement and Proposed Findings of Fact

LOUISVILLE



SOCCER

1/23/14

Detailed Letter of Explanation for Conditional
Use Permit Application for 3001 Stober Road

The Louisville Soccer Alliance is seeking permission to use the old clear span building located at 3001 Stober Road and it's adjacent side yard as a training facility for soccer. The building is currently in a horrible state of repair and we will be restoring it completely and installing a multipurpose athletic floor on the interior and importing top soil and creating a grass surface in the east side lot for outdoor training.

We have no intention of changing the building size in anyway but all exterior surfaces of the building will be either replaced or painted and we will be relocating the restrooms and office are on the inside to free up more clear space for training. It is currently our intention to have all work completed with the goal of practicing soccer inside the building before October of 2014.

There are very few existing clear span buildings in this area that would support indoor athletic training and we feel that indoor athletic training would be a great use of this property that has remained vacant for over three years with very few other interested buyers. The property is very near our base of membership and is also near the Ohio Valley Volleyball Center, several baseball and softball facilities, St. X High School, Assumption and Collegiate's athletic facilities and Bellarmine University.

Respectfully,

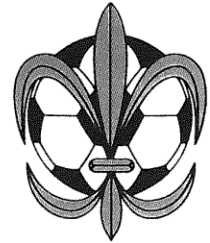
Louisville Soccer Alliance Board of Directors

A handwritten signature in dark ink, appearing to be a stylized 'M' or 'J' followed by a long horizontal stroke.

Received: February 11, 2014

14cup1000

LOUISVILLE



SOCCER

Neighborhood Meeting

TO: Adjacent Property Owners & Interested neighbors and Others

SUBJECT: Neighborhood Meeting regarding Louisville Soccer Alliance; to be held
Tuesday, November 19, 2013 at 6:30pm at the offices of Hayes Contracting, 4433 Poplar
Level Road

FROM: Louisville Soccer Alliance

A neighborhood meeting has been schedule to discuss the proposed conditional use permit
application and development at the existing 3001 Stober Road property.

This will be an informal meeting to give adjoining property owners and interested
neighbors and others the opportunity to review the proposed plan and discuss the proposal
with the owner's and representatives. This meeting will be held in addition to the regular
procedures of the Planning Commission.

This meeting will be held Tuesday, November 19th at 6:30pm at the offices of Hayes
Contracting, which is located at 4433 Poplar Level Road.

We encourage you to attend and look forward to seeing you there.

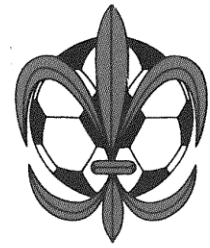
For information in advance of the meeting, please call:

Michael Hayes
President, Louisville Soccer
(502) 459-8070

Louisville Soccer Alliance, Inc.
P.O. BOX 34113 · Louisville, KY 40232
Telephone: 502.459.8068 Fax: 502.459-8069

Received: February 11, 2014

14cup1000



11/20/13

To Whom it May Concern

Regarding the General notes form Neighborhood meeting held on 11/19/13 regarding the planned Conditional Use permit being requested for 3001 Stober Rd as requested by Louisville Soccer Alliance.

Attendees:

Michael Hayes - representing Louisville Soccer Alliance and the General Contractor Hayes Contracting

Gemma Dattilo - representing Louisville Soccer Alliance as Executive Director

Clint Davis - representing Louisville Soccer Alliance as its Engineering Consultant

Norman Liebert - Mayor, City of Watterson Park
4246 Regina Ln.
Louisville, KY 40213
(502) 216-2000

Linda Chesser - Council member, City of Watterson Park
4308 Conaem Dr.
Louisville, KY 40213
(502) 452-6001

Scott Frisch - Resident of Watterson Park and Louisville Soccer Alliance Coach
4308 Annshire Ave.
Louisville, KY 40213
(502) 419-9669

Pete Van Note - Interested Business neighbor from 1403 Hugh Ave.
2504 Rudy Ln.
Louisville, KY 40207
(502) 641-4120

Louisville Soccer Alliance, Inc.
P.O. BOX 34113 · Louisville, KY 40232
Telephone: 502.459.8068 Fax: 502.459-8069

Received: February 11, 2014


14cup1000

The meeting was to begin at 6:30 and all members of the City of Watterson Park arrived early and informal discussions began regarding the plans that were displayed about the office of Hayes Contracting located at 4433 Poplar Level Rd. There was much discussion about the vandalism that the proposed property has endured and how the City of Watterson Park has been hoping for a new occupant for several years. The City perceives itself to be a very nice place to live and work and this vacant building has been one of the few negative properties within the City limits.

Around 6:30 Pete Van Note arrived to "be a nosy neighbor" as he explained and we began a review of the plans for the use of the property. Mr. Van Note owns and leases a building used for auto repair on the south side of the railroad tracks that adjoin the 3001 Stober Rd. property.

There were no mentions of any concerns about the use of the property from anyone in attendance. The interior use was discussed and the possibility for outdoor training adjacent to the building was discussed along with the possibility of future night time lighting. The general feeling that we took from the meeting was that the more activity that we had at this facility after normal business hours would only help the overall security of the area and that the proposed use should enhance the City of Watterson Park.

Respectfully submitted,



Michael E. Hayes
President

Louisville Soccer Alliance, Inc.
P.O. BOX 34113 · Louisville, KY 40232
Telephone: 502.459.8068 Fax: 502.459-8069

Received: February 11, 2014

14cup1000



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

February 5, 2013

Oliver H. Barber, Jr.
Barber, Banaszynski & Hiatt, PSC
802 Lily Creek Road, Suite 101
Louisville, KY 40243

Dear Mr. Barber,

I have reviewed your proposal with great enthusiasm and appreciate your endeavor to create an indoor soccer training facility. The Louisville Soccer Alliance has long served Louisville's young athletes, teaching them leadership and life skills that have enhanced our community for over twenty years.

As you well know, engaging our youth with sports provides a platform for reaching goals and promoting health and wellness. While we do not have direct funding specific for your project, there could be funding through other sources that may benefit your organization. I have enclosed our Economic Growth and Innovation, "Resources For Your Business Needs" pamphlet and forwarded your proposal to Tommy Clark, in Louisville Metro Economic Growth and Innovation. I have instructed Mr. Clark to meet with you and review how we can advance your exciting vision. His email is: tommy.clark@louisvilleky.gov and his phone number is 502-574-6822.

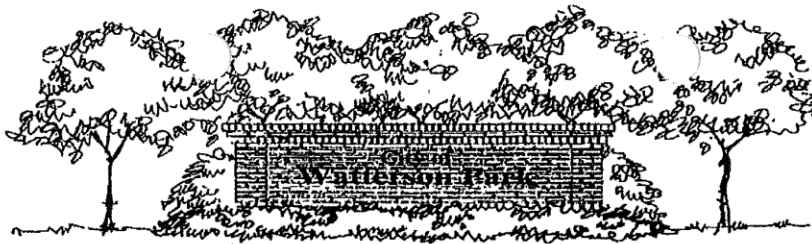
Keep up the great work. It is impressive your organization serves over thirty zip codes, what a valuable asset to our community!

Sincerely,

Greg Fischer
Mayor

WWW.LOUISVILLEKY.GOV

LOUISVILLE METRO HALL 527 WEST JEFFERSON STREET LOUISVILLE, KENTUCKY 40202 502.574.2003



P.O. Box 32391 Louisville, KY 40232
City Phone (502) 458-7613 Fax (502) 458-7613

MARCH 18, 2014

MS. TAMMY MARKERT AICP PTP
TRANSPORTATION PLANNING COORDINATOR
444 SOUTH FIFTH STREET SUITE 320
LOUISVILLE, KENTUCKY 40202

RE: LOUISVILLE SOCCER ALLIANCE PROJECT

DEAR MS. MARKERT:

THE WATTERSON PARK CITY COUNCIL HAS DISCUSSED THE PROPOSAL OF THE LOUISVILLE SOCCER ALLIANCE PROJECT AT ITS MEETING OF MARCH 12, 2014. WE CERTAINLY APPRECIATE YOUR EFFORTS TO CONVERT THE OLD FORD TRACTOR PROPERTY, AN EYESORE, INTO A VIBRANT AND BEAUTIFUL SOCCER COMPLEX FOR YOUTH AND FANS ALIKE. WE WERE PLEASED TO ASSIST YOU WITH THE LIGHTING OF THIS AREA. WE LOOK FORWARD TO THE SUCCESS OF THIS PROJECT.

THE CITY OF WATTERSON PARK HAS NO PLANS TO EVER WIDENING STOBBER ROAD, THEREFORE WOULD NOT NEED ANT ROAD FRONTAGE FROM LOUISVILLE SOCCER ALLIANCE COMPLEX.

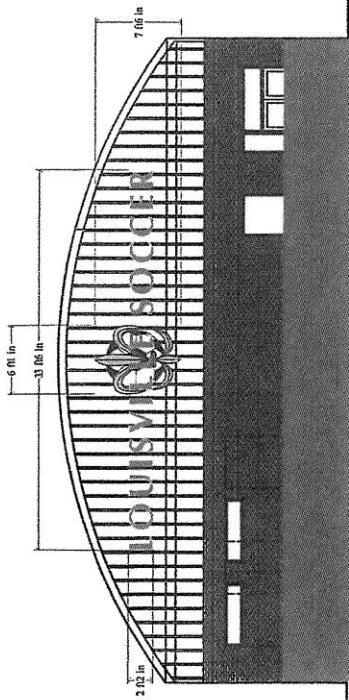
WE ARE EXCITED ABOUT THIS PROJECT, BECAUSE IT ENHANCES OUR COMMUNITY, SHOWS LEADERSHIP OF OUR YOUTH, AND WILL BECOME THE PRIDE OF OUR NEIGHBORHOOD. MUCH SUCCESS TO YOU ON YOUR GOOD WORK.

SINCERELY,

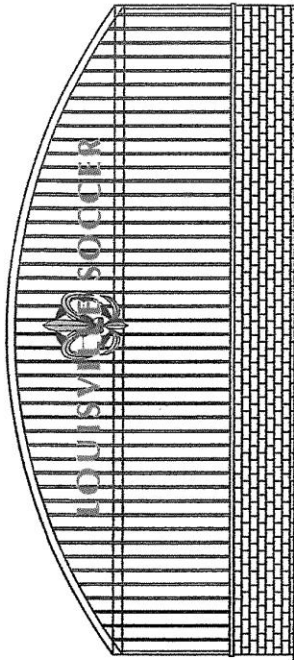
NORM LIEBERT
MAYOR, WATTERSON PARK

CC: OLIVER H. BARBER JR.
MIKE HAYES ✓

13CUP1000



SOUTH ELEVATION



NORTH ELEVATION

Derby City Sign
AND ELECTRIC, INC.

502.454.9512 Fax 502.454.9495

Saved As: Louisville Soccer
Square Footage: 120
Description: LED Channel Letters
Cost:

To: Mike Hayes
From: Ken Ackermann
Date: 11-9-13



13CUP1000**Conditions of Approval**

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for athletic fields without further review and approval by the Board.