

Board of Zoning Adjustment Staff Report

April 6, 2015



Case No(s):	15CUP1003
Project Name:	Jewish Hospital /St. Mary's Heliport
Location:	250 Abraham Flexner Way
Owner(s):	Jewish Hospital/St. Mary's Healthcare
Applicant(s):	Jewish Hospital/St. Mary's Healthcare
Representative(s):	Kelli Jones
Project Area/Size:	14,400 square feet
Existing Zoning District:	C-3, Commercial
Existing Form District:	D, Downtown
Jurisdiction:	Louisville Metro
Council District:	4 – David Tandy
Case Manager:	Jon E. Crumbie, Planner II

REQUESTS

- Conditional Use Permit to allow a heliport in a C-3 Zoning District.

CASE SUMMARY/BACKGROUND

The applicant is proposing to reinstall a heliport on top of an existing parking garage on the hospital campus. There will be no fueling or storage of the helicopter on site. The parking garage previously housed a helistop prior to renovations in the early 1990s. The heliport will be solely for the transportation of emergency patients or other medical needs as directed by Jewish Hospital. The newly renovated vestibule and elevator will take the patient from the helicopter directly into the hospital for treatment. Currently, air ambulance worthy emergency patients needing to be treated specifically at Jewish Hospital are delivered to University Hospital, and then transported by ground ambulance to Jewish Hospital 4 blocks away for specific treatments.

SITE CONTEXT

The site is irregular in shape and has frontage on East Muhammad Ali Boulevard, South Floyd Street, and Abraham Flexner Way. The site abuts the medical campus to the north, south, and west, and I-65 right-of-way to the west.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Hospital	C-3, OR-3	D
Proposed	Hospital	C-3, OR-3	D
Surrounding Properties			
North	Medical Offices	C-3, OR-3	D
South	Medical Offices	C-3, OR-3	D
East	I-65 right-of-way	C-3, OR-3	D
West	Medical Offices	C-3, OR-3	D

PREVIOUS CASES ON SITE

- B-22-98** An application for a variance from the Zoning district Regulations to allow a proposed sign to encroach into the required front and street side yard on property known as 500 South Floyd Street and being in the City of Louisville.
- 9-13-92** An application for a change of zoning from OR-3 to C-3 with related variances and waivers on property located on the northeast corner of Abraham Flexner Way and Brook Street.
- 15DEVPLAN1024** An application for a Revised Detailed District Development plan to allow a heliport onto an existing parking garage.

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

TECHNICAL REVIEW

The applicant has applied for a revised plan which should be staff approvable.

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 meets all applicable policies of the Comprehensive Plan. Lighting will be code 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 subject site is located in the downtown area that has a mix of medical uses and is a focal point for the downtown medical complex and Louisville Metro. All the medical uses in the area have similar, scale, intensity, traffic, noise, and lighting.

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 Louisville fire district #2 did not comment on the proposal.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested? There are 7 requirements and 3 items will be met. The applicant will be asking to modify item A. and item D. The Board of Zoning Adjustment must decide if item E. and F. are met. **The applicant submitted justification statements for the modifications on page 7 and 8.**

Heliports may be allowed in any district upon the granting of a Conditional Use Permit and compliance with the following requirements:

A. Landing Areas - Landing areas shall be set back at least 50 feet from any property line. **The landing area will be 35 feet from the property line.**

B. Application - Applications for landing areas shall be sealed by a registered engineer, architect or surveyor depicting pertinent setback and spacing requirements and all associated approach/departure flight paths.

C. Evidence of Air Rights - Evidence shall be furnished to the Board of the acquisition of property or air rights over all land at the ends of all runways where the required glide path of aircraft, for the class of the airport, is 35 feet or less elevation from the ground.

D. All buildings and structures shall be at least 30 feet from any property line. **The heliport will be 19 feet from the property line.**

E. Permitted Hours of Operation – The Board shall determine hours of operation for aviation uses that may impact residential and other noise sensitive uses. **The heliport will be open 24 hours everyday.**

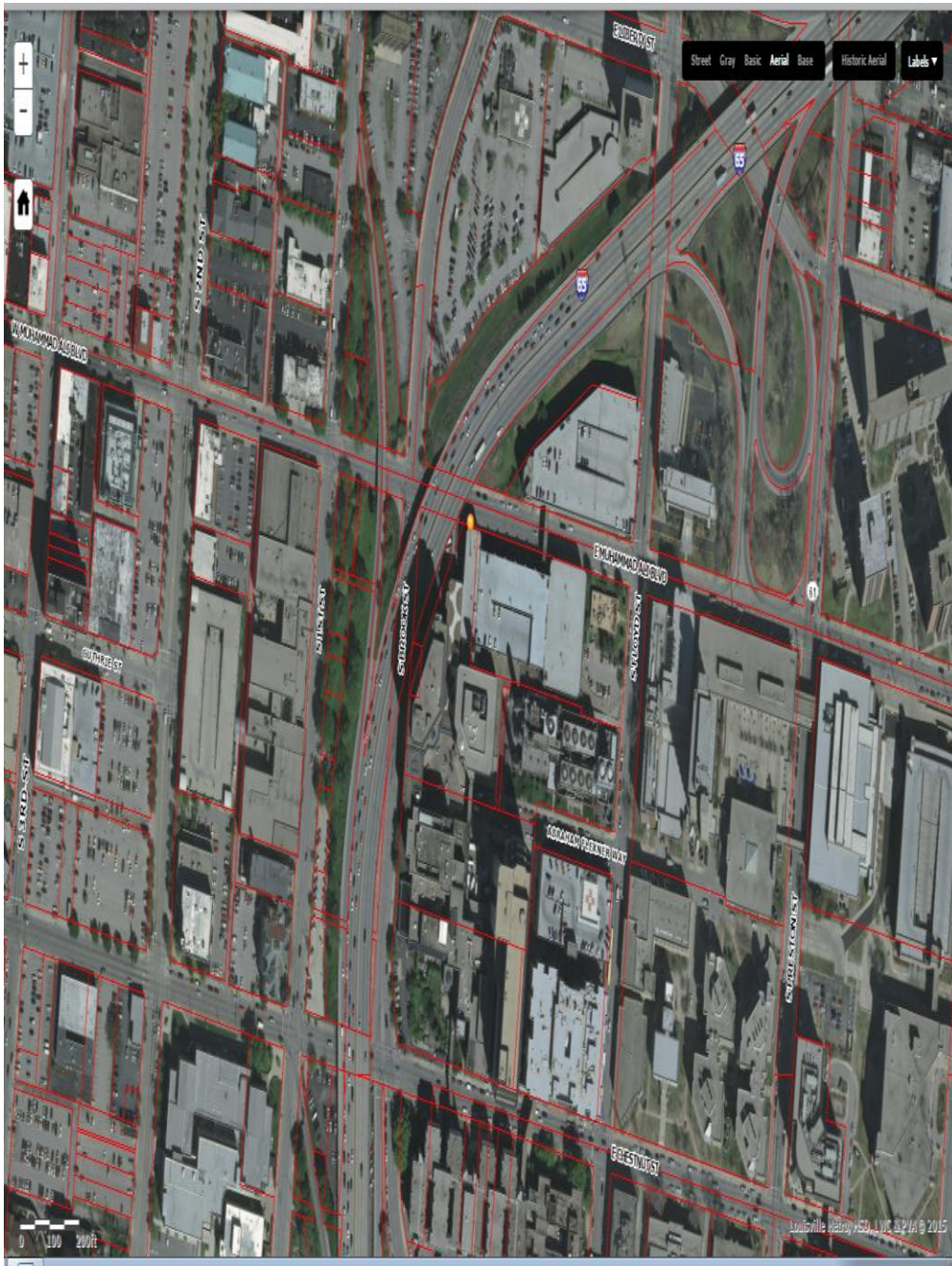
F. Parking – A minimum of one off-street parking space for each 100 square feet of waiting room space shall be provided. Where no waiting room is provided, two spaces for each craft staging or tie down pad or area shall be provided. The Board of Zoning Adjustment may waive the need for parking areas under appropriate conditions. **No parking will be provided.**

G. Lighting – Strobe lights shall be used only if no alternative lighting is permitted by federal regulation.

1. LOGIC Map



2. Aerial Map



3. Cornerstone 2020 Staff Checklist

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
3	Community Form/Land Use Guideline 3: Compatibility	A.1: The proposal is generally compatible within the scale and site design of nearby existing development and with the form district's pattern of development.	✓	The applicant will be adding a heliport to an existing structure.
10	Community Form/Land Use Guideline 2: Centers	A.13/15: The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns.	✓	A parking garage is located to the east of the proposal.
15	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 proposal and has no comments.
16	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	+/-	Transportation Planning has reviewed the proposal and has comments.
17	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 proposal.
21	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.	+/-	Requirements of 4.2.58(heliports) must be met with respect to landing areas and building setbacks.
41	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	✓	A parking garage is located to the east of the proposal.
47	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 blue line 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 the proposal and has comments.
48	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 proposal and has no comments.
49	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	✓	There are existing utilities in the area.

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



SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
THE HENRY CLAY • 608 S. THIRD STREET
LOUISVILLE, KY 40202
PHONE : (502) 584-6271 • FAX : (502) 584-6292

February 23, 2015

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Mr. Jon Crumie
Louisville Metro Planning and Design Services
444 S. 5th Street
Louisville, KY 40202

**RE: Conditional Use Permit and RDDDP
KentuckyOne Health Jewish Helistop**

Mr. Crumie,

Enclosed please find a plan and applications for the above mentioned project. The applicant is proposing to reinstall a helipad on top of an existing parking garage on the hospital campus. The proposed location of the helistop straddles a property line. One property is plan certain; therefore we are requesting approval of a Revised Development Plan along with the CUP.

The proposed helistop will be solely for the transportation of emergency patients or other medical needs as directed by Jewish Hospital. The newly renovated vestibule and elevator will take the patient from the helicopter directly into the hospital for treatment. There will be no fueling or storage of the helicopter on site. This parking garage previously housed a helistop prior to renovations in the early 1990s. The proposed location is surrounded by other hospital uses and interstate 65, so negative impacts to neighbors will be reduced or eliminated. A noise study was conducted and it was determined that I-65 has a greater impact on the surrounding area than the helistop will. A copy of the results of this noise study is included.

Currently, air ambulance worthy emergency patients needing to be treated specifically at Jewish Hospital are delivered to University Hospital, and then transported by ground ambulance to Jewish Hospital some 4 blocks away for specific treatments. This new helistop will streamline the process and allow the patients faster access to the help they need.

With respect to the specific requirements of the Land Development Code under LCD 4.2.58, please note the following:

- A. Landing Areas - Landing areas are set back 35' from the property line. The applicant will request a modification to this requirement from the Board.
- B. Application - Please see the enclosed drawing that has been sealed by a registered Architect.

PATRICK R. DOMINIK, Landscape Architect • DAVID J. SEDLAR, Civil Engineer • DENNIS L. KRAUS, Land Surveyor
ERIC W. PENLAND, Civil Engineer • JOSEPH S. MARSHALL, Civil Engineer
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- C. Evidence of Air Rights - This heliport is approximately 66' from the ground; therefore, this regulation does not apply.
- D. Setback - The Helistop is on top of an existing parking garage. The helistop structure will be located approximately 19' from the property line. The applicant will request a modification to this requirement from the Board.
- E. Permitted Hours of Operation - This helistop will be available on a 24 hour basis as needed for the transport of emergency patients.
- F. Parking - No parking will be required for this helistop. The helicopter will be housed at Bowman Field and will only land to deliver patients and then leave again.
- G. Lighting - No strobe lighting is proposed. A detail of the proposed lighting has been included. It will not be visible from the adjacent roads, including I-65.

Per our meeting on January 14th, we are pursuing an expedited schedule for this project. Please schedule this case no later than the April 1st DRC and the April 6th BOZA per our adjusted schedule. Timing is critical for approvals because funding will be lost at the end of the fiscal year. Please contact me with any questions. I can be reached at 502-584-6271 or kelli.jones@swlinc.com.

Sincerely,



Kelli Jones, RLA/ASLA

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Audio Measurements

Test Flight, April 5th, 2014

Project: Heliport
KentuckyOne Health

Project No.: 2013-32

Date: 4/07/2014

Location: KentuckyOne Health

A 'test flight' was conducted on Saturday April 5th, by Air Methods over the proposed location of the Jewish Hospital helipad location.

During this test flight, an audiometer was used to measure the decibel level of the helicopter.

The baseline 'noise' level prior to the test flight was measured at 69 – 71 decibels.

The noise level for the test flight, in which the helicopter 'hovered' over the proposed location of the helipad was measured at 94 – 98 decibels.

The loudest point was measured at 100-101 decibels in the far right corner, where the building started and there was more draft of air and reverberation from the buildings.

Decibel level will vary due to environmental conditions (wind, rain, temperature, etc.).

The helipad will be used only periodically and is not a regularly scheduled use.

For further clarification, contact me at 502-523-6799 or via email at Wiser@JRArchitects.com

Respectfully submitted,
JRA Architects

Steve Wiser, AIA
Director of Healthcare Design

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JRA Architects
829 E. Market Street, Suite B, Louisville, Kentucky 40206
Tel: 502.583.4697 Fax: 502.583.4159 www.jrarchitects.com

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NEIGHBORHOOD MEETING NOTIFICATION

DATE SENT: February 6, 2015

TO: All 1st & 2nd Tier Adjoining Property Owners of 250 Abraham Flexner Way & 236 E. Muhammad Ali Boulevard, Neighborhood Group Representatives expressing interest in this area, and Councilman David Tandy (District 4).

FROM: Jewish Hospital & St. Mary's Healthcare

RE: Conditional Use Permit for a Helistop at Jewish Hospital

A proposal to re-instate a helistop on top of the existing parking garage at Jewish Hospital will be submitted for the properties located at 250 Abraham Flexner Way & 236 E. Muhammad Ali Boulevard.

In accordance with procedures of Louisville Metro Planning and Design Services, we have been directed to invite adjoining property owners and neighborhood group representatives to discuss this proposal before an application can be filed. This will be an informal meeting to give you the opportunity to review the proposed plan and discuss the proposal with the owner and their representatives. This meeting will be held in addition to the established public meeting procedures of the Planning Commission and/or Board of Zoning Adjustment.

The meeting to discuss this development proposal will be held as follows:

Wednesday, February 18th at 6:00 P.M.
at the Jewish Hospital Rudd Heart & Lung Center
16th Floor – Conference Center – Hall 3
201 Abraham Flexner Way
Louisville, KY 40202

At this meeting, representatives from Jewish Hospital & St. Mary's Healthcare; Sabak, Wilson & Lingo, Inc.; and JRA Architects will explain the proposal and then discuss any concerns you have. The purpose of this meeting is to increase your understanding of this proposal early in the process. We encourage you to attend this meeting and to share your thoughts.

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Neighborhood Meeting Sign-In Sheet

KENTUCKYONE HEALTH JEWISH HELISTOP

CONDITIONAL USE PERMIT

February 18, 2015

	Name	Address	E-mail
1.	Steve Ausler	530 S. Jackson St	steveaus@ulh.org
2.	Barbara Mackovic	250 E. Liberty	barbaramackovic
3.	Steve Nison	829 E MARKET ST	@kentuckyone health.org
		WISON EJR ARCHITECTS.COM	
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NEIGHBORHOOD MEETING MINUTES

KentuckyOne Health Jewish Helistop

February 18, 2014

Attendees:

Kelli Jones – Sabak, Wilson & Lingo, Inc.
Steve Wisner – JRA Architects
Barbara Mackovic – KentuckyOne Health
Steve Amsler – Jewish Hospital Medical Center

Minutes:

The applicant and their representatives arrived by 5:45 to prepare for the 6:00 meeting. At 6:15, no other parties had arrived so the meeting was adjourned. There was no presentation and there was no discussion.

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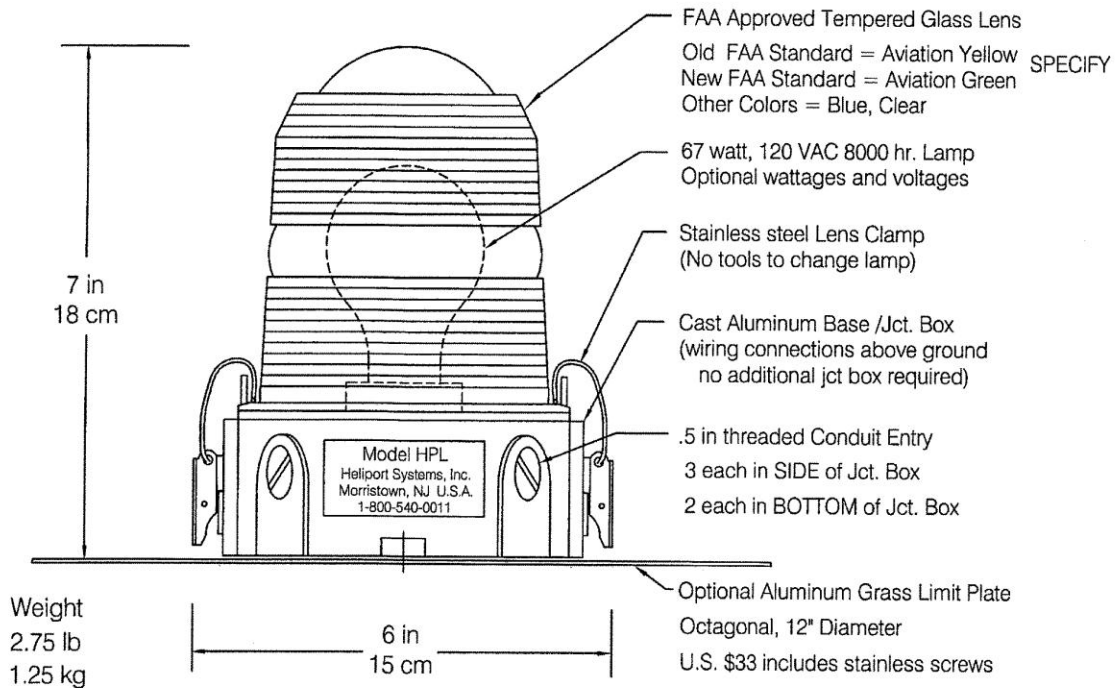
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OMNIDIRECTIONAL HELIPORT PERIMETER LIGHT Model HPL



- Illuminates PERIMETER of heliport
- Omnidirectional - visible from all flight paths
- Low Profile - cannot be struck by helicopter
- FAA Specification L-860/1
- U.S. \$95 entire fixture with Lamp. Alum. Grass Plate optional



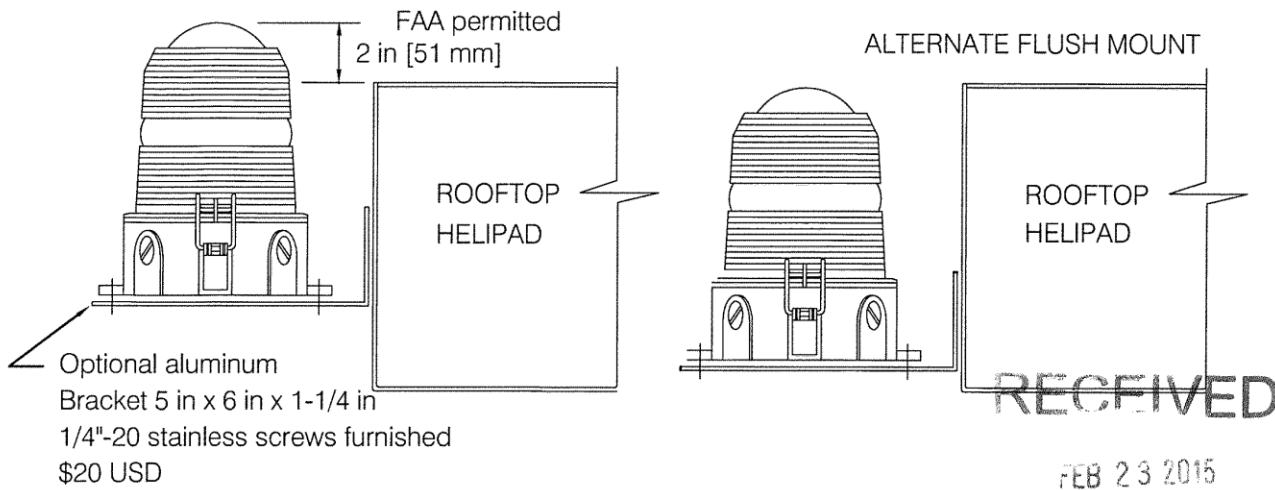
HELIPORT SYSTEMS, INC.

55 Madison Ave., Suite 150
Morristown, NJ 07960-6012
U.S.A.

Tel 973-540-0011 Fax 973-540-0131
Email: Info@heliport.com
www.heliport.com

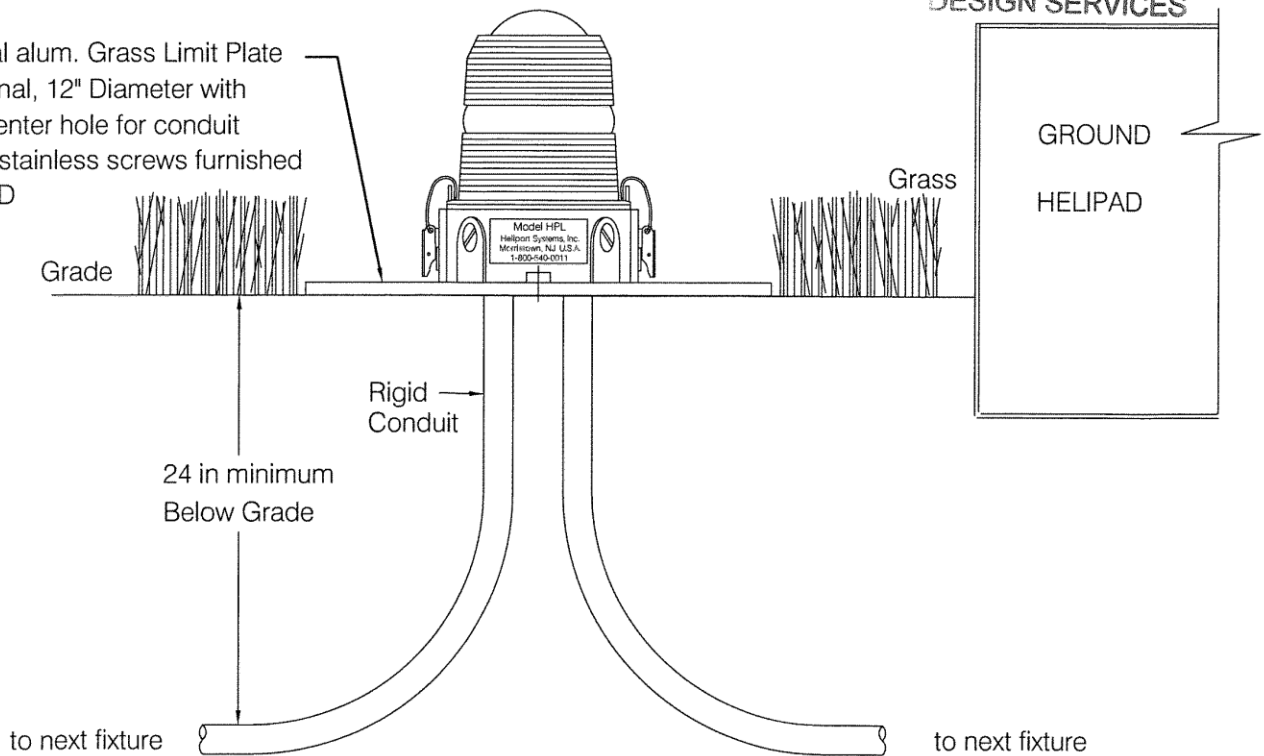
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Model HPL Mounting Details



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Optional alum. Grass Limit Plate
Octagonal, 12" Diameter with
large center hole for conduit
1/4"-20 stainless screws furnished
\$33 USD



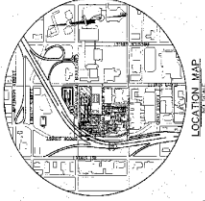
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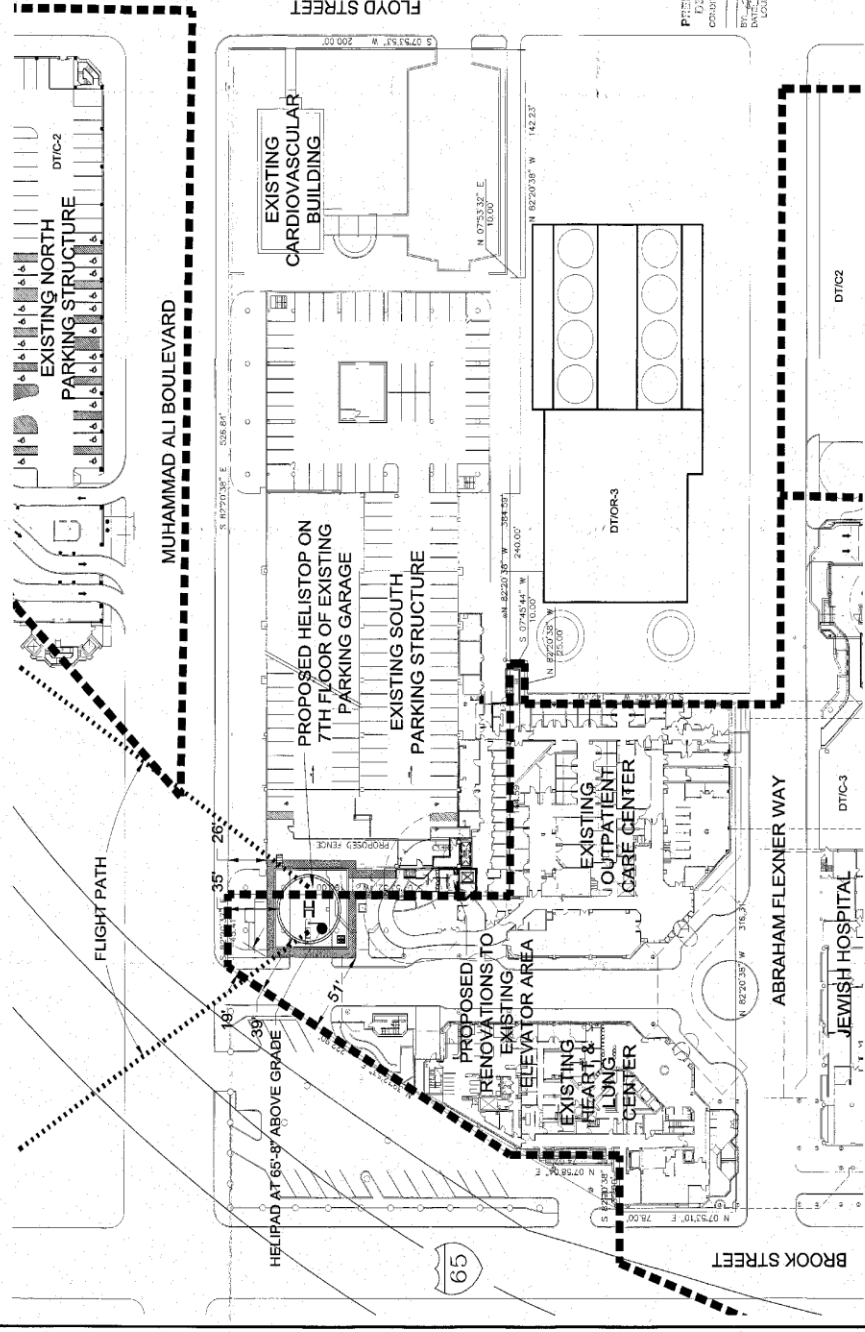
S.A. BAK, WILSON & LINGCO, INC.
 ENGINEERS, ARCHITECTS & PLANNERS
 1500 WEST 10TH AVENUE, SUITE 1000
 DENVER, CO 80202

REMOVED DISTRICT DEVELOPMENT PLAN
 & CONDITIONAL USE PERMIT
 KENTUCKY HEALTH CARE HOSPITAL
 230 ABRAHAM FLEXNER WAY & 233 E. WASHINGTON AVENUE
 DENVER, CO 80202
 S.D. 9527, P.O. BOX 6, DENVER, CO 80202
 S.D. 9527, P.O. BOX 6, DENVER, CO 80202

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SITE DATA
 EXISTING GRADE
 PROPOSED GRADE
 HORIZONTAL DISTANCE
 VERTICAL DISTANCE
 5.00 FEET



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 DESIGN SERVICES
 KENTUCKY HEALTH CARE HOSPITAL
 230 ABRAHAM FLEXNER WAY
 DENVER, CO 80202
 PRELIMINARY APPROVAL
 DEVELOPMENT PLAN
 CONDITIONS:
 BY: [Signature]
 LOCAL OFFICE OF PLANNING & COMMUNITY DEVELOPMENT

K71-101019

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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 a heliport without further review and approval by the Board.