

Development Review Committee

Staff Report

May 11, 2022



Case No:	22-DDP-0025
Project Name:	The Louisville Collegiate School Athletic Facility
Location:	3451 Newburg Road
Owner(s):	Louisville Collegiate School Athletic Facility
Applicant:	Nathan Wright, PLA – Mindel Scott
Jurisdiction:	Louisville Metro
Council District:	10 – Pat Mulvihill
Case Manager:	Molly Clark, Planner I

REQUEST(S)

- Revised Detailed District Development plan with amendments to binding elements.

CASE SUMMARY/BACKGROUND

The subject site is zoned C-2 in the Suburban Marketplace Corridor form district. The applicant is proposing to revise the previously approved revised detailed district development plan to expand the parking lot, build a new large athletic field with proposed bleachers with a press box that will seat 369 spectators, as well demolish and rebuild a 13,530 square foot building that houses the concession stand, virtual golf and restrooms. The applicant is also proposing to expand the existing detention basin along South Fork Beargrass Creek.

Previous cases:

- 9-13-03: Change in zoning from R-7 Residential Multi-Family and PRO Planned Research Office to C-2 Commercial for Louisville Collegiate School
- 12835: Revised Detailed District Development Plan for Louisville Collegiate School Athletic Fields with a sidewalk waiver.
- 16949: Revised Detailed District Development Plan for Louisville Collegiate School Athletic Fields expansion
- 21-DDP-0017: Revised Detailed District Development plan for Louisville Collegiate School Athletic Fields expansion

STAFF FINDING

The requests are adequately justified and meet the standards of review.

TECHNICAL REVIEW

The Revised Detailed District Development Plan and waiver requests is adequately justified and meets the standard of review.

INTERESTED PARTY COMMENTS

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

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and AMENDMENT TO BINDING ELEMENTS

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites:

STAFF: There do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code are not required for this proposal.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community:

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development:

STAFF: There are no open space requirements pertinent to the current proposal.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community:

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area:

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. The proposal will allow for continued operation of a private school athletic field in an established activity area.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Revised Detailed District Development Plan** with **Amendments to Binding Elements**

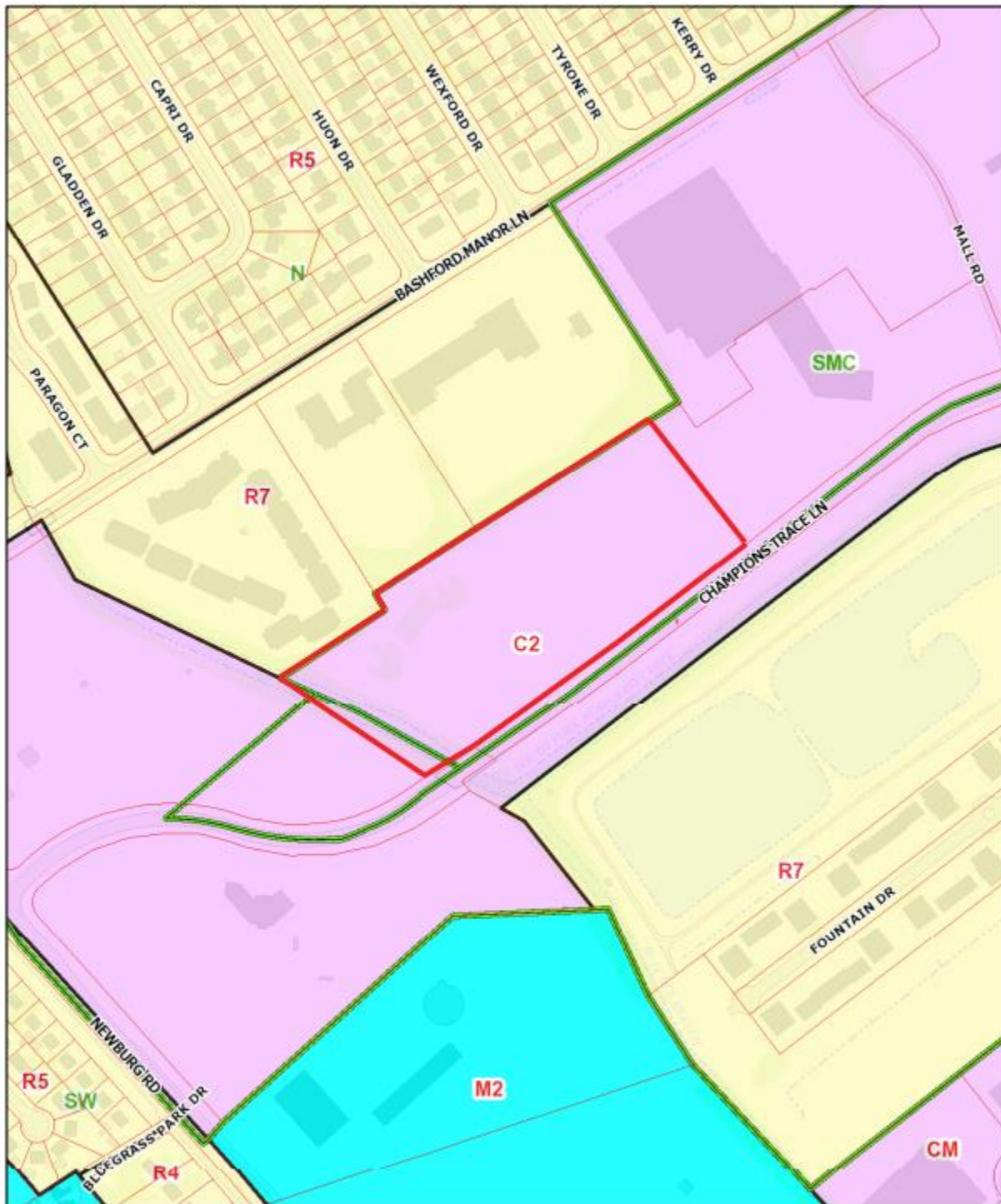
NOTIFICATION

Date	Purpose of Notice	Recipients
4-29-2022	Hearing before DRC	1 st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 10

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements with proposed changes

1. Zoning Map



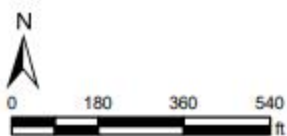
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2. Aerial Photograph



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3. Existing Binding Elements with proposed changes

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes, additions or alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The development shall not exceed 4,320 square feet of gross floor area for the building, a 576 square foot equipment storage building, a ~~8,500~~ **13,530** sf concession/restroom/field house building, a 784 sf maintenance building, a 7,500 sf stadium and the athletic fields as shown on the plan.
3. There shall be no freestanding sign permitted on site without prior approval. Monument style signs that meet the size and height limits established in the “Policies for Future Development Along Designated Parkways” may be approved by DPDS staff. Signs that exceed those limits are permitted only if approved by LD&T or the Commission. LD&T or the Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.
4. No outdoor advertising signs, small free-standing signs, pennants, balloons, or banners shall be permitted on the site.
5. There shall be no outdoor storage, display or sales except as permitted under Section 9.7 of the Jefferson County Development Code and within designated areas on the approved development plan.
6. Outdoor lighting (for parking lot illumination and security) shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff and height of the light standard shall be set so that no light source is visible off-site. Light levels due to lighting on the subject site shall not exceed 0.5 foot candles measured at the property line. The applicant shall obtain certification by a qualified expert in measurement of lighting levels prior to requesting a certificate of occupancy. Such certification shall be maintained on site at all times thereafter
7. Construction fencing shall be erected when off-site trees or tree canopy exists within 3’ of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
8. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from the Department of Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit.

Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

9. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
10. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
11. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
12. If work is required within the easements causing removal or damage of landscape materials, the property owner shall be responsible for replacement of materials according to the approved landscape plan.
13. The dumpster shall not be emptied between the hours of 10 p.m. and 7 a.m.
14. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the ~~April 28, 2003 Planning Commission~~ **May 11th, 2022 Development Review Committee** meeting.
15. The applicant will install an emergency phone at the concession stand.
16. No “restricted use” chemicals (fertilizers) or pesticides will be used on the site and no insecticides will be used on the site.
17. The sidewalk along the east side of Newburg Road between Bashford Manor Lane and Champions Trace Drive shall be constructed within 3 years of the date of approval of the plan presented at the August 19, 2009 DRC meeting. A bond shall be posted with the Kentucky Transportation Cabinet to ensure completion of the construction.
18. The design of the building façade of the proposed stadium shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval for the stadium.