

Development Review Committee

Staff Report

May 10, 2023



Case No:	22-DDP-0120
Project Name:	Progress Park
Location:	4501 Progress Blvd
Owner(s):	Progress Park, LLC
Applicant:	Mike Pifer
Jurisdiction:	Louisville Metro
Council District:	2 – Barbara Shanklin
Case Manager:	Ethan Lett, Planner I

REQUEST(S)

- Revised Detailed District Development plan

CASE SUMMARY/BACKGROUND

The subject site was rezoned from R-4 to C-2 under Docket Number 17ZONE1046 for an airstream hotel and event center. A conditional use permit for a campground and recreational vehicle park was simultaneously approved under the same docket number. The applicant is proposing to add a 10,138 square foot event center and 16 additional rental units to the existing airstream hotel and camp. A 400 square foot bath house and 3 new ponds are also being proposed. A 6,000 square foot event center was proposed under the original change in zoning but was never constructed. The proposed structure is a 5,560 square foot building with 4,488 square feet of covered patio space and will be supported by 153 parking spaces. Additional rental units for short-term occupancy are proposed in groups in various locations across the property. The site will maintain considerable tree canopy coverage and provide an enhanced landscape buffer along the southern boundary abutting the single-family residences.

STAFF FINDING

Staff finds that the proposal meets the guidelines of the Comprehensive Plan and requirements of the Land Development Code. The proposal should be approved on condition that the modified conditional use permit is approved at BOZA.

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposal. This proposal is scheduled to be heard at the June 26th BOZA hearing to modify the existing conditional use permit for a camping area and recreational vehicle park.

INTERESTED PARTY COMMENTS

None received.

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: The proposed development conserves natural resources including a large amount of trees and vegetation. The site provides substantial buffers, open space and open water areas, and recreational spaces.

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

STAFF: The subject site is located in a poorly connected area but provides for pedestrian and vehicular safety within the subject site. Connection to single-family residential areas would be inappropriate.

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

STAFF: Sufficient amounts of open space are provided. The proposed development provides buffers, scenic and recreational open spaces with trees, vegetation, and existing and proposed open water spaces.

- 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: Appropriate transitions between uses that are substantially different in scale and intensity or density have been provided by way of landscape buffering and access prohibitions.

- 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 proposed development is unique for an urbanized area as camping areas are more commonly associated with parks or rural areas. While it may be unique, it would not appear that the location of the proposed development would create a nuisance or disruption to the mix of uses present in the area. This is primarily due to the project's low impact on the natural environment and enhanced landscape buffering. For these reasons, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

REQUIRED ACTIONS:

- **APPROVED** or **DENY** the **Detailed District Development Plan**

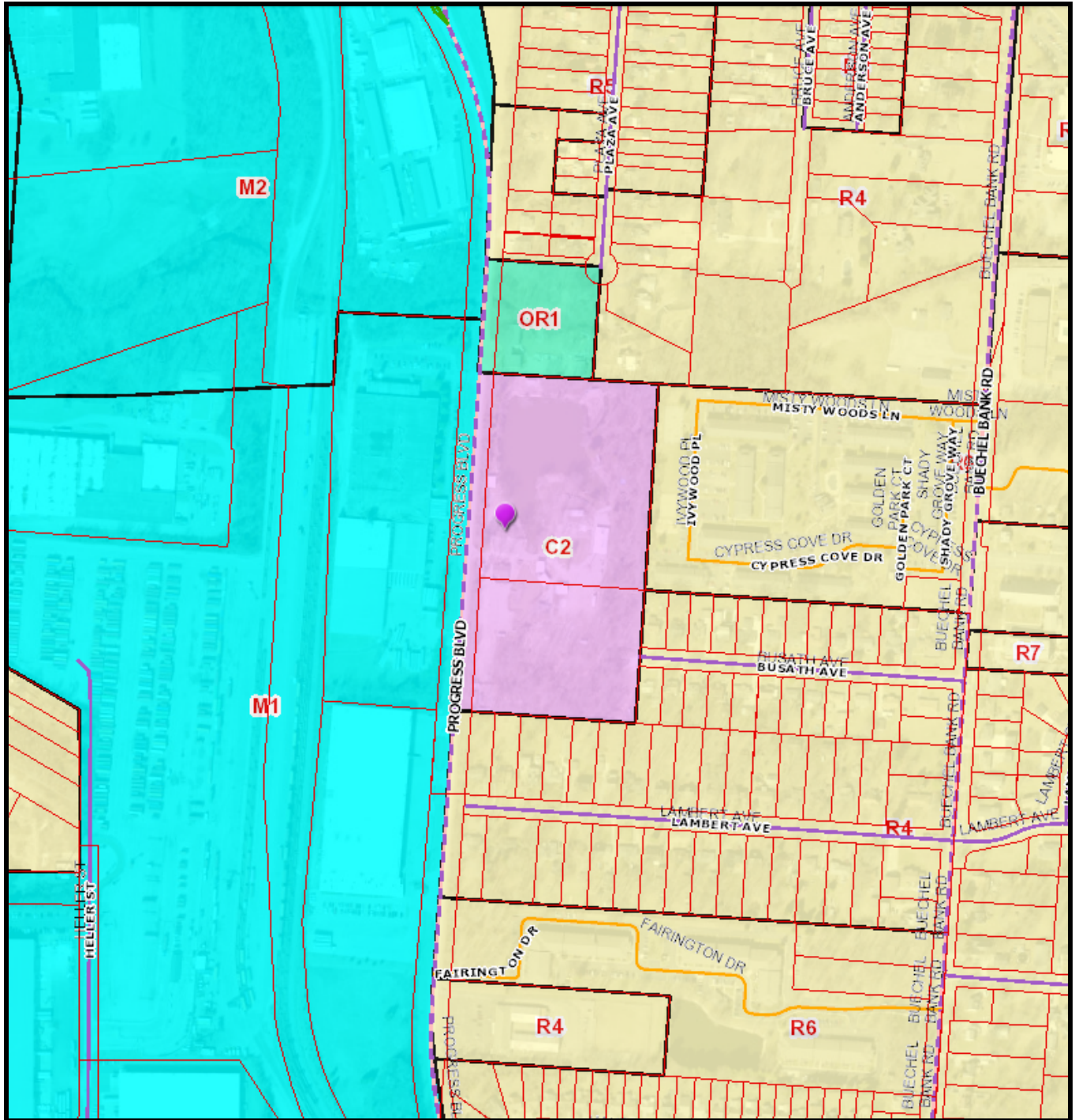
NOTIFICATION

Date	Purpose of Notice	Recipients
5/10/2023	Hearing before DRC	1 st and 2 nd tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 2

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements

1. Zoning Map



2. Aerial Photograph



3. Existing Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. 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. Construction Fencing shall also be provided along the Limits of Disturbance as shown on the approved district development plan.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - c. 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
5. There shall be a staff member on site during all scheduled events and between the hours 6:00 p.m. and 7:00 a.m.
6. There shall be no long term rentals on the property with the exception of the existing homes on the property with one for the staff member(s).
7. The property shall not be used as a mobile home park
8. A solid 8 foot wooden fence shall be installed and maintained (kept in good repair) around the entire perimeter of the property as presented at the October 30, 2017 neighborhood meeting and as presented at the June 5, 2018 Planning Commission public hearing.
9. All scheduled events held at the event center and outdoor reception area shall end no later than 12 a.m. (midnight) on Friday and Saturday and no later than 10 p.m. Sunday through Thursday. Indoor live music or amplified music at the event center shall not be audible from any single family residential property line.

10. There shall be no outdoor live music or outdoor amplified music between the hours of 10:00 p.m. and 7:00 a.m. anywhere on site on Friday and Saturday and between the hours of 9:00 p.m. and 7:00 a.m. on Sunday through Thursday.
11. The maximum number of scheduled large events (over 100 people) at the event center and outdoor reception area shall be 72 per year.
12. The property shall be prohibited from obtaining an A.B.C. license. Alcoholic beverages may be provided during an event by a caterer holding the appropriate license.
13. No commercial deliveries shall occur before 9 a.m.
14. The dumpster shall not be visible to neighbors.
15. Only one fire pit, being a maximum of 3 feet in diameter, will be allowed at each cluster of airstreams.
16. The property shall not be used as a pay lake.
17. Enhanced landscaping shall be installed to shield the two southern clusters of retail units on the property from Busath Avenue and Lambert Avenue prior to the installation and rental of facilities on-site. Except as specifically shown on the detailed district development plan, the vegetation along the northern portion of the subject property shall remain and not be removed.
18. All rental units shall be installed such that they are not facing any adjoining residential property on Busath Avenue or Lambert Avenue.
19. The property shall NOT be used for any other use except those uses designated on the approved district development, unless a revised district development plan and the change of use is approved by the full Planning Commission with notification to all 1st and 2nd tier adjoining property owners and all those who spoke at the public hearing on June 5, 2018.
20. A copy of the campgrounds' rules and regulations shall be provided to all guests and posted in a convenient location visible to all guests upon entry. The rules and regulations shall include, but not limited to the following:
 - Check in/Check out procedures
 - Minimum age for rental
 - Use of fire pits
 - Use of Lake
 - Garbage disposal
21. Applicant shall work with the owner of 4019 Busath Avenue to agree upon modifications to the proposed wood fence that will be located close to the above residence. In the event an agreement is not reached, the applicant shall, at a minimum, move the fence in this location into the subject property 15 feet to provide a buffer or reduce the size of the fence adjoining, whichever is preferred by the adjoining property owner.
22. Quiet hours for rental units shall be 10:00 p.m. – 7:00 a.m.
23. There shall be no use of gas or diesel generators between the hours of 6:00 p.m. and 8:00 a.m. anywhere on the site.