

Development Review Committee Staff Report

July 6, 2016



Case No:	16DEVPLAN1054
Project Name:	Holy Family Church Center
Location:	3940 Poplar Level Road
Owner:	Roman Catholic Bishop of Louisville
Representative:	Milestone Design Group – Mark Madison
Project Area:	0.56 acres (5.21 total acres on-site)
Existing Zoning District:	OR-3, Office/Residential
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	10 – Pat Mulvihill
Case Manager:	Joel P. Dock, Planner I

REQUEST

- **Revised Detailed District Development Plan** for office expansion and parking

CASE SUMMARY

The applicant is proposing an office expansion to the former Holy Family School building which is currently used for pastoral offices. Parking will be redesigned to meet the needs of the expansion and accommodate for a new sidewalk along Mercer Road. Direct vehicular and pedestrian access to the entrance of the expanded office area is provided along Mercer Avenue, while other points of access to remainders of the site are provided from Poplar Level Road and Cheak Street.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Religious Institution Offices	OR-3/R-5	N
Proposed	Religious Institution Offices	OR-3/R-5	N
<i>Surrounding Properties</i>			
North	Residential	R-5	N
South	Commercial	C-1	SW
East	Residential	R-5	N
West	Commercial	C-1	SW

PREVIOUS CASES ON SITE

9-25-01: Change-in-Zoning from R-5 to OR-3 for office use and associated parking with variances and waivers

INTERESTED PARTY COMMENTS

Staff has not received any inquiries.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020

Land Development Code (April, 2016)

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 proposal does not appear to adversely impact the conservation of natural resources on the property proposed for development as there are no environmental constraints and the expansion is located on an existing development site.

- 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 the development and the community is provided as a new sidewalk will be constructed along Mercer Avenue and pedestrian and vehicular access is provided along Mercer Avenue, Poplar Level Road, and Cheak Street.

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

STAFF: All landscaping required is being provided. The expansion does not require additional open space to be provided.

- 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 provisions 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 designs (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 existing and projected future development as the site is located in an area of mixed office, commercial, and residential uses. The expansion supports the future development of the area through the reuse of a former school building by providing employment within proximity of commercial establishments and residential living along a major transit corridor.

- 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 proposal is in conformance with the goals and objectives of the Comprehensive Plan, specifically Guideline 3, Policies 1, 2, 4, & 12 which encourage compatibility of uses and materials, redevelopment of sites and buildings, and accessibility for vehicular traffic and all pedestrian users through development in mixed-use areas.

TECHNICAL REVIEW

The development plan is in order and has received preliminary approvals from the agency responsible for transportation review and the Metropolitan Sewer District.

The office use existing on-site in the R-5 zoning district is a permitted use within Louisville Metro as defined by the Land Development Code (April, 2016). Definition for "Religious Building" is provided below:

Any building and the grounds of a building used by an association of persons for religious worship and associated buildings and grounds used for instruction regarding the tradition and tenets of religious faith or for offices of persons engaged in the faith based activities of the religion or for social and recreational purposes or child care centers, or as a meeting hall.

STAFF CONCLUSIONS

The Revised Detailed District Development Plan appears to be adequately justified and meets the standard of review based on staff analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standards for approval of a revised detailed district development plan as established in the LDC.

REQUIRED ACTIONS

- **APPROVE** or **DENY** of the Revised Detailed District Development Plan.

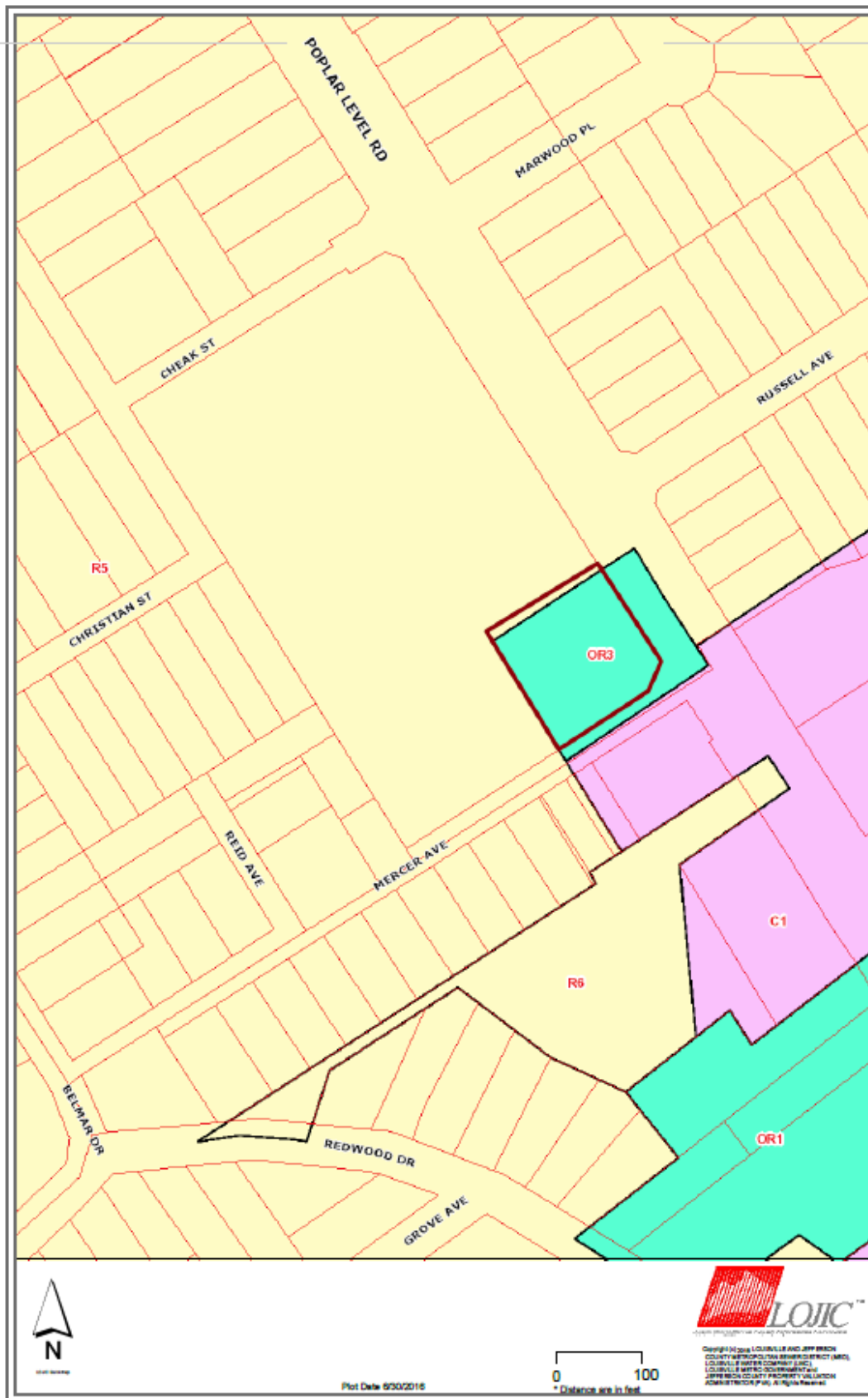
NOTIFICATION

Date	Purpose of Notice	Recipients
6/24/16	DRC	Adjoining property owners, applicant, owner, and registered users of Council District 10.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Binding Elements for Plan

1. Zoning Map



2. Aerial



3. Binding Elements

- ~~1. The development will be in accordance with the approved district development plan. No further development will occur without prior approval from the Planning Commission.~~
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. The development shall not exceed ~~9,856~~ **8,502** square feet of gross floor area.
3. Before a building/alteration permit or certificate of occupancy is requested:
 - ~~a) The development plan must be reapproved by the City of Louisville Department of Inspections Permits and Licenses and the Metropolitan Sewer District.~~
 - 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) The size and location of any proposed sign must be approved by the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.~~
 - ~~c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.~~
 - 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, if required by the thresholds of this chapter. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.**
- ~~4. If a certificate of occupancy 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.~~
5. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements must be implemented prior to requesting issuance of the certificate.
6. **Signs shall be in accordance with Chapter 8 of the Louisville Metro Land Development Code.**
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. **No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.**
9. The above binding elements may be amended as provided for in the Zoning District Regulations.