

Development Review Committee

Staff Report

September 14, 2016



Case No:	16DEVPLAN1160
Project Name:	Stonecrest Senior Living
Location:	1105 Dorsey Lane
Owners:	Hogan Holdings 42, LLC
Applicant:	NP Senior Living Development, LLC
Representative(s):	William Bardenwerper
Project Area/Size:	2.47 acres
Existing Zoning District:	C-1, Commercial
Existing Form District:	C, Campus
Jurisdiction:	Lyndon
Council District:	18 – Marilyn Parker
Case Manager:	Jon Crumby, Planning & Design Coordinator

REQUEST

- Revised Detailed District Development Plan to allow a home for the infirm and aged.
- Binding element amendment

CASE SUMMARY

Applicant is proposing to build a 3-story, 80,000 square feet home for the infirmed and aged that will consist of 84 rooms.

SITE CONTEXT

The site is irregular in shape and located on the northeast corner of Hurstbourne Parkway and Dorsey Lane. The proposal is located on tract 2 and 3. Tract 1 is not included in the proposal.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	C-1	C
Proposed	Home for the infirmed and aged	C-1	C
Surrounding Properties			
North	Multi-family	C-1, OR-3	C
South	Vacant	R-4	N
East	Vacant	C-1	C
West	Office	PRO	C

PREVIOUS AND ASSOCIATED CASES ON SITE

- 16CUP1029** A request for a Conditional Use Permit to allow a home for the infirm and aged in a C-1 zoning district. This case was heard by the Board of Zoning Adjustment on September 12, 2016.
- 18806** Request for a revised plan, waivers, and binding element amendment was approved by LD&T on May 9, 2013.
- 8825** The City of Lyndon approved the rezoning of the subject site property from R-4 to C-1 on March 24, 2008 following a recommendation of approval from the Planning Commission.

INTERESTED PARTY COMMENTS

Staff did received one comment concerning the drainage and where it will end up.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR REVISED DETAILED DISTRICT DEVELOPMENT PLAN AND BINDING ELEMENT AMENDMENT

- 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: Scenic views from Hurstbourne Parkway will be mitigated with a 30' parkway landscape buffer area and an architectural style along the façades facing Dorsey Lane and Hurstbourne Parkway that compliments the overall development of the area.

- 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 through a pedestrian connection to the public sidewalk and an internal network of walks and amenities.

- 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 with 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 given preliminary approval 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 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 land uses are compatible with the existing and future development of the area.

- 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 requirements of the Land Development Code with the exception of the requested land development code variances that was heard by the Board of Zoning Adjustment on September 12, 2016.

TECHNICAL REVIEW

There are no outstanding technical review items.

STAFF CONCLUSIONS

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Land Development and Transportation Committee must determine if the proposal meets the standards established in the LDC for a development plan and binding element amendment.

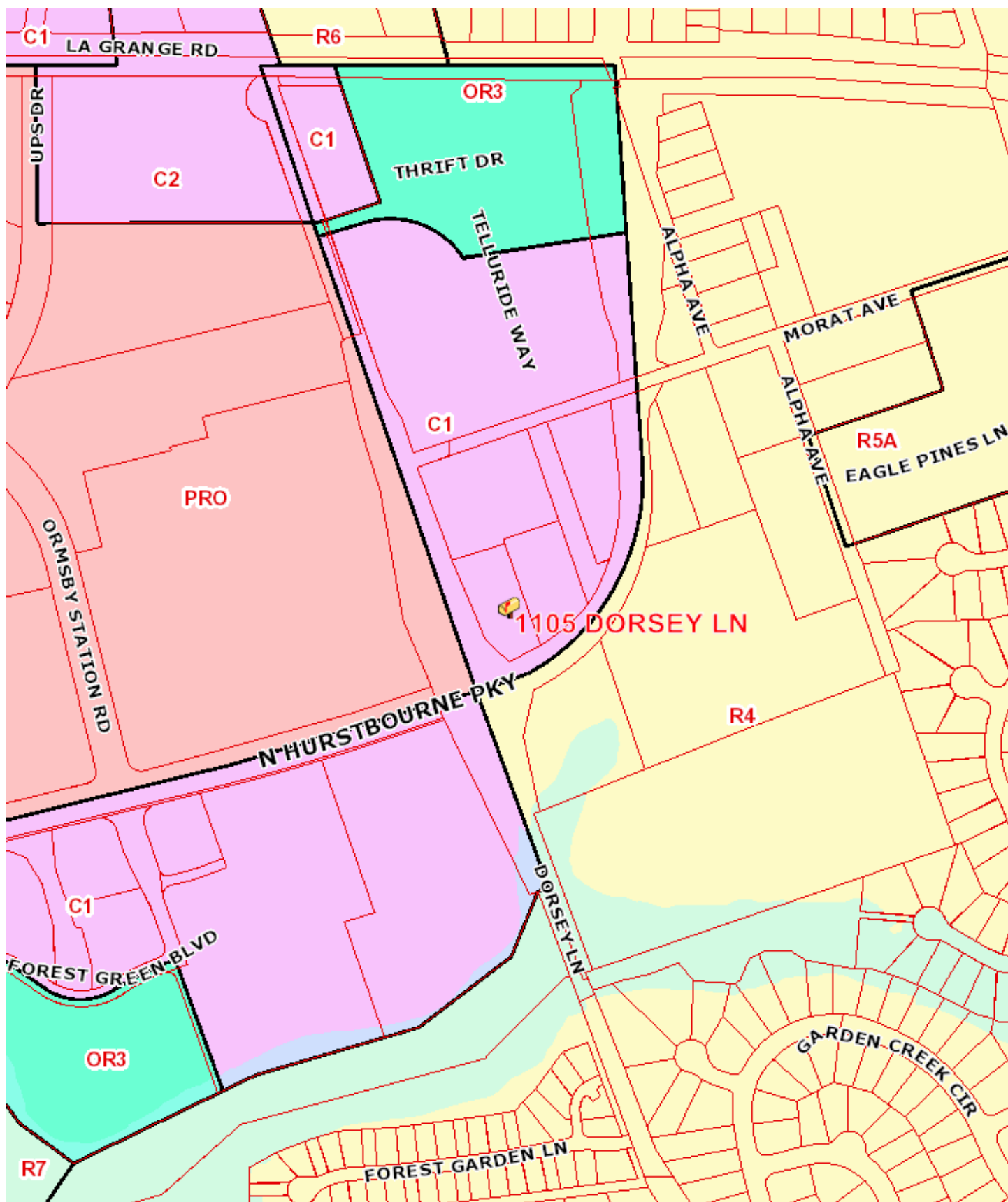
NOTIFICATION

Date	Purpose of Notice	Recipients
8/25/16	Public Hearing - DRC	Neighborhood notification recipients
8/26/16	Public Hearing - DRC	1 st tier adjoining property owners

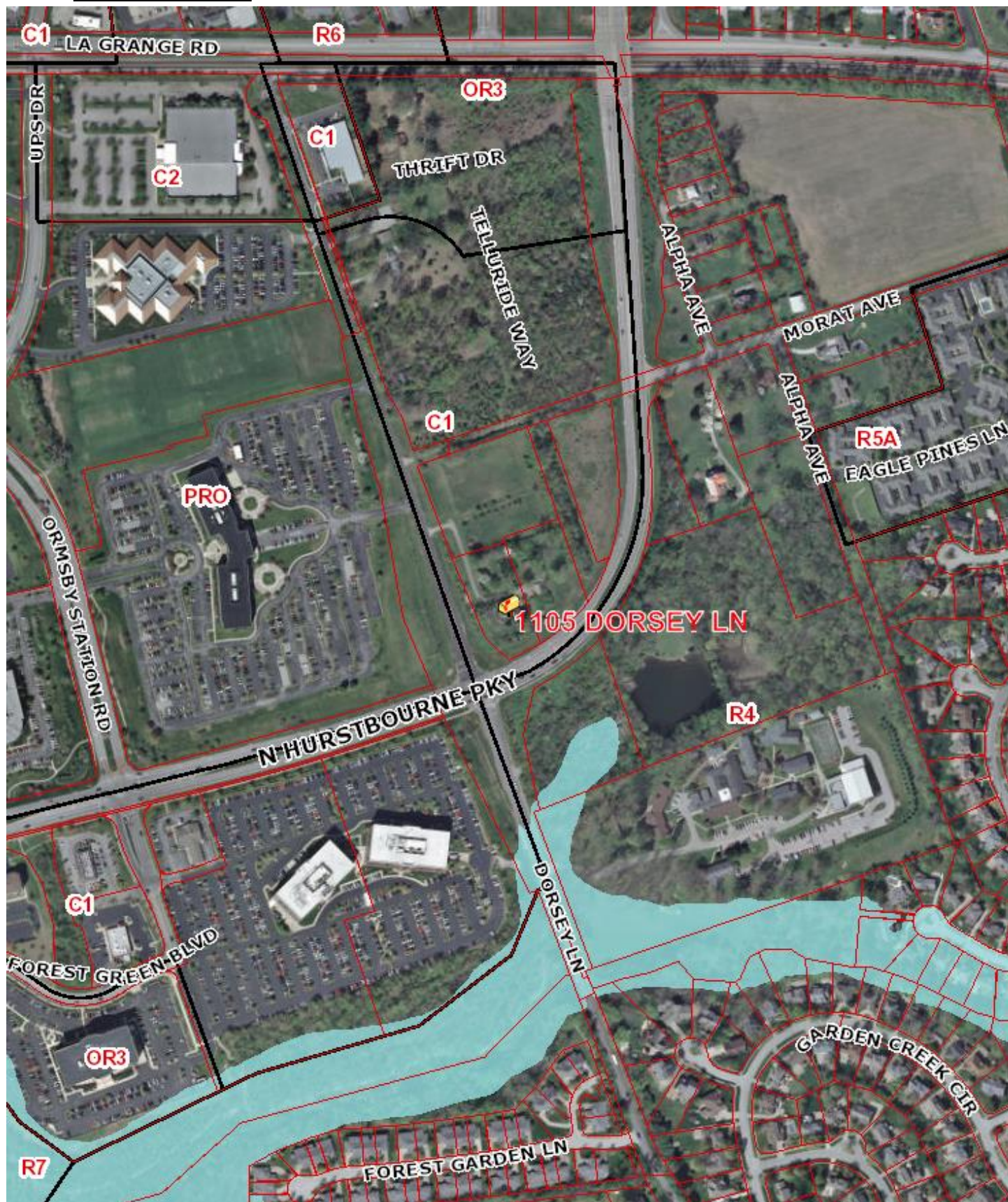
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements
4. Proposed 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 and binding elements unless amended pursuant to the Land Development Code. Modifications to the binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any modifications not so referred shall not be valid.
2. The Floor Area Ratio of the development shall not exceed 0.15 for Tract 1 and 0.15 for Tract 2.
3. Signs shall be in accordance with Chapter 8 of the LDC.
4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
5. 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.
6. Prior to issuance of a permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit):
 - 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 property owner/developer shall obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A minor plat shall be recorded creating the property lines and dedicating right-of-way per the development plan.
 - d. The appropriate variances shall be obtained from the Board of Zoning Adjustment to allow the development as shown on the approved district development plan.
7. 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.
8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
9. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the May 9, 2013 Land Development and Transportation meeting.
10. At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained thereafter. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the

land development code. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.

11. Street name signs shall be installed prior to requesting a certificate of occupancy for any structure. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.

4. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan and binding elements unless amended pursuant to the Land Development Code. Modifications to the binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any modifications not so referred shall not be valid.
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9. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the ~~May 9, 2013 Land Development and Transportation meeting~~ September 14, 2016 Development Review Committee meeting.
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