

Board of Zoning Adjustment

Staff Report

October 5, 2020



Case No:	20-CUP-0103
Project Name:	St. John Paul II Parish Life Center
Location:	3519, 3521, 3525 & 3533 Goldsmith Lane
Owner:	Roman Catholic Bishop of Louisville, Robert L. Cecil, CFO
Applicant:	Chris Brown, BTM Engineering Inc.
Jurisdiction:	Louisville Metro
Council District:	# 26 –Brent Ackerson
Case Manager:	Steve Hendrix, Planning & Design Coordinator

REQUESTS:

Conditional Use Permit to allow the expansion of a private institutional use, (church) in a single family zoning district for a parish life center, a garage/storage building and eight, (8) new parking spaces.

CASE SUMMARY/BACKGROUND

The existing church property, formerly known as St. Pius X, is located on approximately 13 acres in southeast central Louisville in the Bon Air neighborhood across from Seneca High School. The property is zoned R-5 and within a Neighborhood Form District. The request includes a new one story 6,200 square foot parish life center, a 900 square foot garage/storage building and eight new parking spaces. The parish life center and parking will be located on the southeastern section of the church property, while the garage will be on the northern part.

STAFF FINDING / RECOMMENDATION

There are five listed requirements of the Land Development Code, 4.2.65 all have been met. Based upon the information in the staff report and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the LDC for a Conditional Use Permit.

RELATED CASES

None.

TECHNICAL REVIEW

MSD and Transportation have the stamped the plan.

INTERESTED PARTY COMMENTS

A neighborhood meeting was held on July 21, 2020, at the site. Eleven, (11) interested parties were in attendance. Discussion included the building design, square footage for the new life center building, the amount of parking, the flood elevation effect upon the building entrance and street improvements. All questions were answered to the satisfaction of attendees.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. Is the proposal consistent with applicable policies of the Comprehensive Plan?

STAFF: The proposal meets all applicable policies of the Comprehensive Plan.

2. Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?

STAFF: The proposal includes the one story, 6,200 square foot Parish Life Center, a 900 square foot garage/storage building and 8 new parking spaces on an existing church site, all compatible with the surrounding land uses and the general character of the area.

3. Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?

STAFF: Yes, MSD and Transportation have stamped the plan.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested? Yes.

Private institutional uses, except for such uses specifically regulated elsewhere in this LDC, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements:

- A. Except in the R-R zoning district, all structures, except fencing, and all off-street parking shall be at least 30 feet from any property line adjacent to an existing residential use or residential zoning district. In the R-R zoning district all structures, except fencing, shall be at least 150 feet from any property line and all off-street parking shall be at least 30 feet from any property line.
The requirement has been met.
- B. The applicant must demonstrate that the impact of the traffic generated by the use can be mitigated.
Transportation has stamped the plan.
- C. Off-street parking not located within a driveway shall be located to the side or rear of the building(s). The number of required off-street parking spaces shall be determined by the Planning Director in consultation with the Director of Public Works based on the standards

for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.
The requirement has been met.

- D. All activities shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).
The applicant has been informed of this requirement.
- E. The Board of Zoning Adjustment may set hours of operation for the institutional use in order to minimize potential negative impacts on surrounding residential properties.
The applicant has been informed of this requirement.

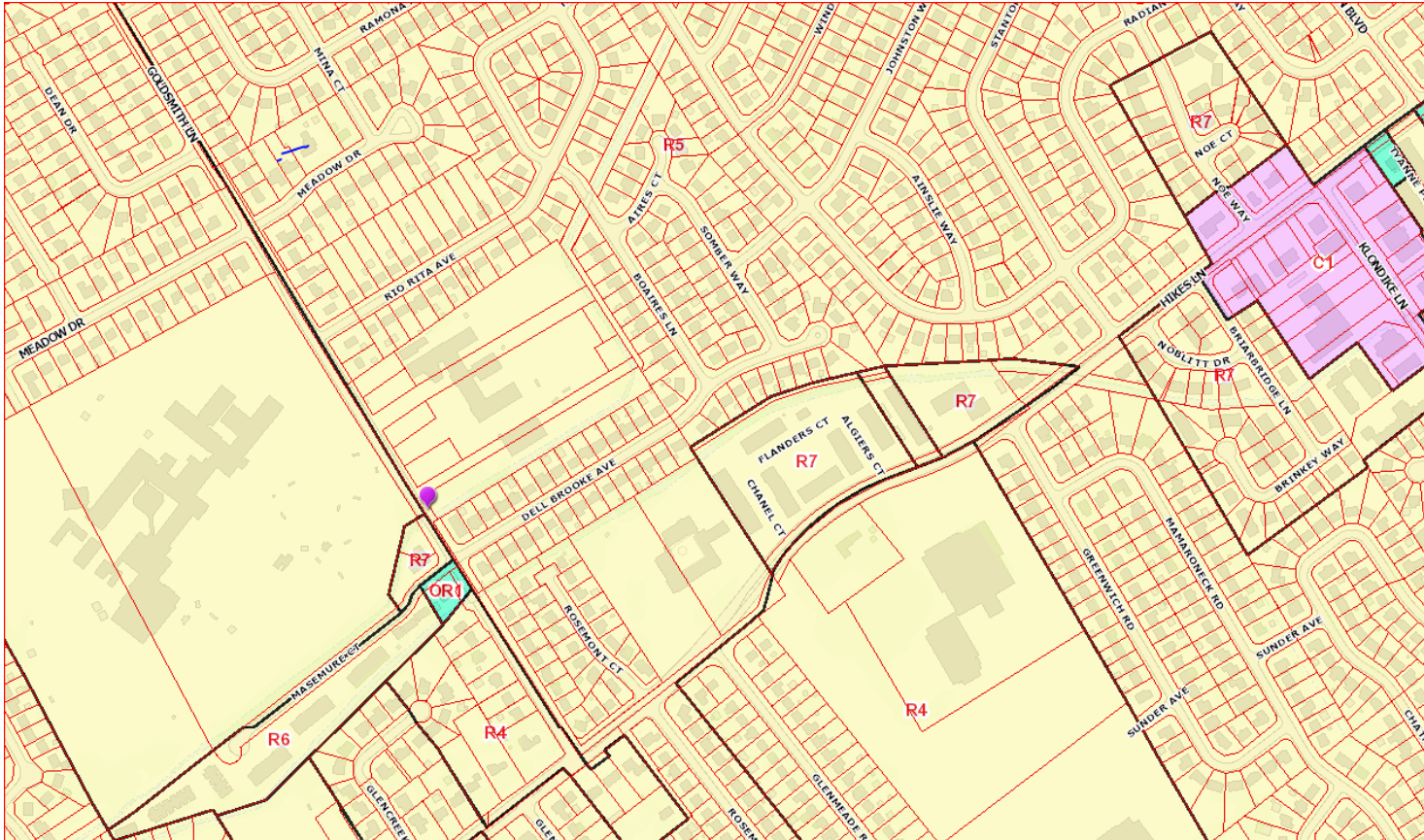
NOTIFICATION

Date	Purpose of Notice	Recipients
09/17/2020 09/18/2020	Hearing before BOZA	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District
09/21/2020	Hearing before BOZA	Sign Posting

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. 2040 Checklist
4. Conditions of Approval

Zoning Map



Aerial Photographs



2040 Checklist

Conditional Use Permit Checklist

+ Meet policy

- Does not meet policy

+/- Meets/Does not meet some portion of policy

NA – Not applicable

NIS – Information needed

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
Community Form – Goal 1			
4.	Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.	+	Church expansion on a 13 acre site.
11.	Ensure setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet Form District guidelines.	+	

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
12.	Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes.	+	Transportation Planning has reviewed and approved the proposal.
14.	Ensure that signs are compatible with the Form District pattern and contribute to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot the number of signs by including signage for each establishment on the same support structure and encourage consistent design (size, style, and materials).	NA	
17.	Mitigate adverse impacts of traffic from proposed development on nearby existing communities.	+	Transportation Planning has reviewed and approved the proposal.

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
18.	Mitigate adverse impacts of noise from proposed development on existing communities.	+	Normal church usage.
19.	Mitigate adverse impacts of lighting from proposed development on nearby properties, and on the night sky.	+	Lighting will be Land Development Code compliant.
Goal 2 Community Facilities			
3.	Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).	+	MSD has reviewed and approved the proposal.

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 proposed expansion shall not be valid until further review and approval by the Board.