

**MINUTES  
LOUISVILLE PLANNING COMMISSION  
JULY 10, 2007**

Louisville Planning Commission met in regular session with Chairman Campbell presiding. The meeting was called to order at 7:17 P.M.

**MEMBERS PRESENT**

John Campbell, Chairman  
William Ferrell  
Guy Guidone  
John Phillippi  
E. Thomas Ault, City Manager  
Cynthia Kerchner, Mayor-Council Member

**MEMBER ABSENT**

Ken Grosswiller

**CITY PERSONNEL PRESENT**

Robert Duffrin, Law Director  
Sue Mendenhall, Deputy City Clerk  
Deborah Sanborn, Director of Planning & Development

**COMMUNICATIONS**

Law Director Rob Duffrin stated Paradise Church has filed an appeal. The city will respond to it. He feels the church will file another administrative appeal. He feels they may file a law suit. The members may get personally sued, but he stated they have qualified immunity and will be protected in that regard. Also, the city will likely have an action to file for sanctions for attorney's fees and so forth.

**MINUTES OF THE JUNE 10, 2007 MEETING**

MEMBER FERRELL MOVED, MEMBER GUIDONE SECONDED, and the Motion carried to approve the Minutes of the June 10, 2007 meeting as presented. The vote: All yea.

Chairman Campbell swore in those in attendance planning to speak before the board.

**NEW BUSINESS**

**PC 07-18 & PC 07-19 ST JOSEPH CARE CENTER, 2308 RENO DRIVE, HAS APPLIED FOR A CONDITIONAL ZONING CERTIFICATE FOR AN ASSISTED LIVING ADDITION AND SITE PLAN REVIEW**

Director of Planning & Development, Deborah L. Sanborn presented the following staff report recommending the conditional use permit and site plan be approved contingent upon rezoning being completed and the following items submitted for review and approval: Storm water design plans to be approved by city engineer; Lighting plan; Landscaping plan; and Building plans for Fire Department reference.

- St. Joseph Care Center proposes to construct a 36,000 sf addition to their assisted living facility to accommodate up to 32 additional residents
- The subject parcel is located in an R-1 zoning district
- Legislative action to rezone the property to R-3 is pending with Council
- Nursing homes are conditionally permitted in R-3 zoning districts
- The following discussion addresses both the site plan review for the addition and the public hearing for the conditional use permit

**CONDITIONALLY PERMITTED USES REVIEW  
AND SITE PLAN REVIEW IN AN R-3 DISTRICT  
ASSISTED LIVING FACILITY**

| STANDARD                             | REQUIREMENT   | ACTUAL   |
|--------------------------------------|---|--|
| REGULATIONS FOR CUP's                |   |  |
| Building setback from property lines | 100 ft from all lines   | Proposed addition 160 ft from west lot line, 190 ft from north lot line, 240 ft from south line and over 300 ft from west line |
| Noise                                | No loudspeakers   | N/A  |
| Signage                              | No more than 1 sign oriented to each abutting road                                    | <i>Not indicated on site plan</i>  |
| Location                             | Location on collector or intersection of local street and collector                   | Existing facility located on Reno Road   |
| STANDARD                             | REQUIREMENT   | ACTUAL   |
| Utilities                            | Uses shall not require uneconomical extensions of utilities                           | Utilities available on site  |
| Landscaping                          | Uses should be properly landscaped to be harmonious with surrounding residential uses | <i>Landscaping plan not submitted</i>  |

|   |   |  |
|---|---|--|
| Maintenance   | Installations shall be maintained in a neat orderly condition bond may be required  | Based on maintenance of existing facility, no bond will be required  |
| <b>R-3 DISTRICT REQUIREMENTS</b>  |   |  |
| Permitted uses  | One, two and multi-family dwellings nursing homes with CUP  | Assisted living facility   |
| Minimum lot area  | None noted for nursing home   | In excess of 16 acres  |
| Minimum lot frontage  | 50 ft   | Existing frontage along Reno in excess of 300 ft   |
| Minimum front side and rear yard depth  | Must meet 100 ft CUP setback requirement  | See discussion comments above  |
| Maximum building height   | 35 ft   | <i>Unknown</i>   |
| <b>PARKING AND LOADING REQUIREMENTS</b>   |   |  |
|   | Where the off-street parking for a use are not defined, the parking for such use shall be developed so as to be sufficient to meet all the parking needs of the proposed use                | No parking requirements listed for nursing homes/assisted living facilities<br>Based on experience with existing facility and research into other codes, proposed 23 spaces will be sufficient |
| Parking space size  | 10 ft x 18 ft   | 10ft x 18 ft   |
| Parking area design <ul style="list-style-type: none"> <li>▪ Paving</li> <li>▪ Storm drainage</li> <li>▪ Lighting</li> </ul>                            | <ul style="list-style-type: none"> <li>▪ Hard surface</li> <li>▪ Drainage approved by Engineer</li> <li>▪ Lighting directed away form adjacent properties</li> </ul>                        | <i>Storm water management must comply with Section 1185 of the Louisville ordinance. Engineering must be approved by city engineer. No lighting indicated on plan.</i>                         |
| Parking entrances and exits <ul style="list-style-type: none"> <li>▪ Access drive location</li> <li>▪ Access drive width</li> <li>▪ Material</li> </ul> | At street intersection corners, approach shall be at least 20 ft from the center of the curve; no more than 2 approaches to one street; min. 10 ft at back and max. 40 ft at curb; concrete | No new entrance/exit proposed  |

Code Sections: 1129.02(b)(9); 1153.01; 1157

Rodney Lamberson, of Strollo Architects, stated they are in the process of working with Hetler-Largent for developing the site. This plan fits well with the existing center. They will be consistent with the existing landscaping. The building is 2-story and is consistent with the existing building. They will use similar materials throughout the building. The parking is based on the number of staff plus one space per 3 units which is 17, they have 18 spaces. Fire access will be to the rear.

MEMBER PHILLIPPI MOVED, MEMBER FERRELL SECONDED, and the Motion carried to conditionally approve the site plan contingent upon the rezoning being completed and submission of the specified items. The vote: All yea.

MEMBER PHILLIPPI MOVED, MEMBER FERRELL SECONDED, and the Motion carried to approve the conditional use permit contingent upon the rezoning being completed. The vote: All yea.

PC 07-20 SITE PLAN REVIEW FOR PROPOSED SPLASH-N-DASH CAR & PET WASH, 500 BLOCK N CHAPEL, H BRENT CISLER, APPLICANT

Director of Planning & Development, Deborah L. Sanborn presented the following staff report recommending the Planning Commission conditionally approve the site plan contingent upon the items being submitted and all necessary approvals secured.

SITE PLAN REVIEW  
SPLASH-N-DASH CAR & PET WASH

| STANDARD                  | REQUIREMENT  | PROPOSED                                  |
|---------------------------|--|---|
| B-5 DISTRICT REQUIREMENTS |  |   |
| Permitted uses            | Various retail, office and service uses including car wash | Car and pet wash facility                 |
| Minimum lot area          | None   | 26,500 sf                                 |
| Minimum lot frontage      | 50 ft  | 350 ft N Chapel<br>310 ft N Depot         |
| Minimum front yard depth  | 50 ft  | <i>30 ft N Chapel<br/>Variance needed</i> |
| Minimum rear yard depth   | 25 ft  | 30 ft                                     |
| Minimum side yard width   | 50 ft corner/side yard                                     | <i>30 ft N Depot<br/>Variance needed</i>  |
| Maximum building height   | 35 ft  | Height unknown                            |
| PARKING AND LOADING       |  |   |

|   |   |   |
|---|---|---|
| Minimum number of off street parking spaces   | 20 spaces for carwash<br>2 for pet wash   | 24 - Staff included stacking spaces toward this requirement   |
| Parking space size  | 10 ft x 18 ft   | 9 ft x 18 ft<br><i>Redesign needed</i>  |
| Parking area design <ul style="list-style-type: none"> <li>▪ Paving</li> <li>▪ Storm drainage</li> <li>▪ Lighting</li> </ul>                            | Hard surface with internal drainage system;<br>All lighting directed away from adjoining properties   | <i>Storm water management must comply with Section 1185 of the Louisville ordinance. Engineering must be approved by city engineer.<br/>No lighting plan submitted</i>  |
| Parking entrances and exits <ul style="list-style-type: none"> <li>▪ Access drive location</li> <li>▪ Access drive width</li> <li>▪ Material</li> </ul> | At street intersection corners, approach shall be at least 20 ft from the center of the curve; no more than 2 approaches to one street; min. 10 ft at back and max. 40 ft at curb; concrete | 1 entrance/exit on N Depot<br>In excess of 100 ft from intersection 24 ft wide at back of walk and 34 ft at curb<br>1 entrance/exit on N Chapel<br>in excess of 100 ft from intersection 36 ft at back of walk and curb<br>1 exit on N Chapel in excess of 100 ft from intersection 15 ft at back of walk and 20 ft at curb |
| Yard restrictions   | In all B districts off-street parking may be located in required front yard must provide a minimum 10 ft landscaped buffer strip between parking and ROW                                    | <i>7 ft buffer on plan along N Depot outside of property line<br/>7 ft buffer on plan along N Chapel and 2 landscape triangles at corners of lot<br/>Variance or redesign needed</i>  |

Code Sections: 1107; 1143; and 1157

The following items must be submitted:

1. Revised site plan;
2. Storm water design plans to be approved by city engineer;
3. Landscaping plan indicating types, numbers and location of plantings in parking lot landscape buffer;
4. Lighting plan for parking lot; and
5. Building plans for Fire Department review.

Travis Mayer, Architect, stated the pet wash consists of a large stainless steel tub with dryer vacuums, ramps, brushes and shampooers.

Sister Andriene Ihnor, 272 Kennedy, asked whether there is a size restriction for dogs and about sanitation.

Mr. Smith stated there are limitations on the size of dog you can get into the tub. Sanitation with traps and strainers is required by state law. The first option on the switch for the spray wand is disinfectant.

MEMBER FERRELL MOVED, MEMBER GUIDONE SECONDED, and the Motion carried to approve the site plan. The vote: All yea.

PC 07-21 SKETCH PLAN REVIEW FOR OUTLOT 244 ATLANTIC BLVD AND PART OF OUTLOT 243 CALIFORNIA AVE, RON BURNS, APPLICANT

Undeveloped residential acreage

ZONING

|          |                              |
|----------|------------------------------|
| Parcel : | R-1 Single-Family            |
| North:   | R-1 Single-Family (Township) |
| South:   | R-1 Single-Family            |
| East:    | R-1 Single-Family            |
| West:    | R-1 Single-Family            |

- Section 1177.03 of the Louisville Subdivision Regulations requires a 3 stage review for subdivisions. The first stage is a sketch plan review to discuss the proposal in light of the regulations to determine if the proposal is feasible and what problems may be encountered.
- The proposed development is located north of US 62 and east of California Ave
- The property is not currently owned by the applicant but rather 3 different owners
- This sketch plan proposes the development of 94 lots which will be used for single-family structures

DISCUSSION

- The following table indicates the items necessary for preliminary plat review for reference for discussion
- Traffic impact study would be required to determine capacity of existing infrastructure
- Staff requested copy of preliminary wetlands determination
- Emergency access from US 62 and permission from ODOT required
- Applicant requested information concerning capacity of existing water and sewer services

Preliminary Plat Review Checklist

| PRELIMINARY PLAT REQUIREMENTS  | YES | NO | <u>COMMENTS</u>   |
|--|-----|----|---|
| Scale not more than 100 ft. to the inch                                |     |    |   |
| Proposed subdivision name, tract and original lot number               |     |    |   |
| Name, address, telephone numbers of owner/developer and engineer       |     |    |   |
| <u>Boundary lines: bearings and distances</u>                          |     |    |   |
| Total site data: acreage, number of lots, etc.                         |     |    |   |
| Easements: location, width & purpose                                   |     |    |   |
| Streets adjacent to the subdivision: names, widths                     |     |    |   |
| Streets in development: widths, names                                  |     |    | Minimum right-of-way width is 50 ft for single-family residential development |
| Utilities in & adjacent to subdivision: sanitary, storm, water & wells |     |    | Note water and sewer currently available only on California                   |
| Topography: contours with intervals not more than 5 ft.                |     |    |   |
| Unusual subsurface conditions if applicable                            |     |    |   |
| Watercourses & other conditions in an adjacent to the development      |     |    | Wetlands, creeks and pond present on site and adjacent land                   |
| Planned public improvements  |     |    |   |

|                                      |  |  |   |
|--------------------------------------|--|--|---|
| Storm water management               |  |  | Must comply with Section 1185 of the Louisville Code  |
| Zoning requirements for R-1 district |  |  | Minimum lot area - 12,000 sf<br>Minimum width at building line 80 ft<br>Minimum frontage - 50 ft<br>Front yard depth – 40 ft<br>Rear yard depth – 40 ft<br>Side yard width - 1 story - 10 ft<br>2 story - 10 ft one side total 25 feet both sides |

Rich Largent, Civil Engineer, representing Mr. Burns stated the side slopes of the basins will govern whether they will be fenced. They are in the early stages of design. Pond ownership is to be determined, possibly a home owners association, or the city. There are four possible areas for detention basins on the site. They will likely be dry excavated ponds for storm water quantity and quality.

Mr. Largent stated the streets that dead end will be temporary cul-de-sacs. The proposed east-west street lines up with Walsh. There are wetlands on the site. There has been a preliminary assessment of the site to identify streams and wetlands that will be governed by the Army Corp of Engineers. An actual delineation will be done. There are two large areas left as open space for park areas. The property has legal access on SR 62 which will be left open for emergency access. More than half of the lots are over the minimum sq ft requirement.

Having no further business the meeting was adjourned at 8:10 P.M.

Respectfully submitted,

Sue Mendenhall  
Deputy City Clerk