

# Development Review Committee

## Staff Report

March 20, 2019



<b>Case No:</b>	19DEVPLAN1026
<b>Project Name:</b>	Knopp Ave Contractor Storage Yard
<b>Location:</b>	4647 Knopp Ave
<b>Owner(s):</b>	Mark Vincent
<b>Applicant:</b>	Mark Vincent
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	13 – Mark Fox
<b>Case Manager:</b>	Jay Lockett, AICP, Planner I

### REQUEST(S)

- **Waivers**

1. Waiver of Land Development Code section 5.8.1.B to not provide sidewalks in the Knopp Ave. right-of-way.
2. Waiver of Land Development Code section 5.9.2.A.1.b.i to not provide pedestrian access from the building entrance to Knopp Ave.
3. Waiver of Land Development Code section 5.9.2.A.1.b.ii to not provide pedestrian and vehicle connections to abutting non-residential sites.

### CASE SUMMARY/BACKGROUND

The applicant is proposing to establish a contractor storage yard in order to securely store trucks and other equipment. There are three waivers requested associated with the Category 2-B development plan being reviewed under docket 19DEVPLAN1026. The site is zoned EZ-1 in the Suburban Workplace form district. It is located in an area with many similar heavy industrial and storage uses.

### STAFF FINDING

The requests are adequately justified and meet the standards of review.

### TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

### INTERESTED PARTY COMMENTS

The owner of the properties to the north of the subject site, Raymond Handy, came into the office to discuss the project with staff. He expressed concerns about the applicant using the private road known as Purvis Rd to access the subject site.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 1**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners as there are no sidewalks along Knopp Ave and there are no residential or commercial uses nearby likely to generate significant pedestrian traffic.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: The waiver will not violate the guidelines of the Comprehensive Plan. Mobility Goal 3, Policy 5 states that we should evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality. Mobility Goal 3, Policy 5 states that we should ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development. Mobility Goal 3, Policy 10 states that we should ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel. The proposal is unlikely to generate any pedestrian traffic, as the site is to be used exclusively for the storage of trucks and equipment. The site is located in a heavy industrial area, with many secure storage sites, auto salvage yards, and truck transfer facilities that generate minimal pedestrian traffic. There is no existing pedestrian network in the area to connect to and it is unlikely that sidewalks will be constructed on Knopp Ave in the future.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver is the minimum necessary to afford relief to the applicant.

## STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 2

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as most sites in this area are industrial uses with fenced perimeters for security.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: The waiver will not violate the guidelines of the Comprehensive Plan. Mobility Goal 3, Policy 5 states that we should evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality. Mobility Goal 3, Policy 5 states that we should ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development. Mobility Goal 3, Policy 10 states that we should ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel. The proposal is unlikely to generate any pedestrian traffic, as the site is to be used exclusively for the storage of trucks and equipment. The proposed use of a contractor storage yard needs a fenced perimeter for security, which would prevent the creation of the required pedestrian connection.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver is the minimum necessary to afford relief to the applicant.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the proposed use has exceptional security needs that necessitate a fenced perimeter and will not generate any pedestrian traffic.

### STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 3

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as most sites in this area are industrial uses with fenced perimeters for security.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: The waiver will not violate the guidelines of the Comprehensive Plan. Mobility Goal 3, Policy 5 states that we should evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality. Mobility Goal 3, Policy 5 states that we should ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development. Mobility Goal 3, Policy 10 states that we should ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel. The nature of development in this area is industrial and many sites are secured with fences. It is unlikely that anyone will have business at multiple abutting sites and would need to take advantage of connections between sites. The proposed use needs a fenced perimeter for security purposes that would prevent connections between abutting sites.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver is the minimum necessary to afford relief to the applicant.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the proposed use has exceptional security needs that necessitate a fenced perimeter and it is unlikely that anyone will have business at multiple sites.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Waivers**

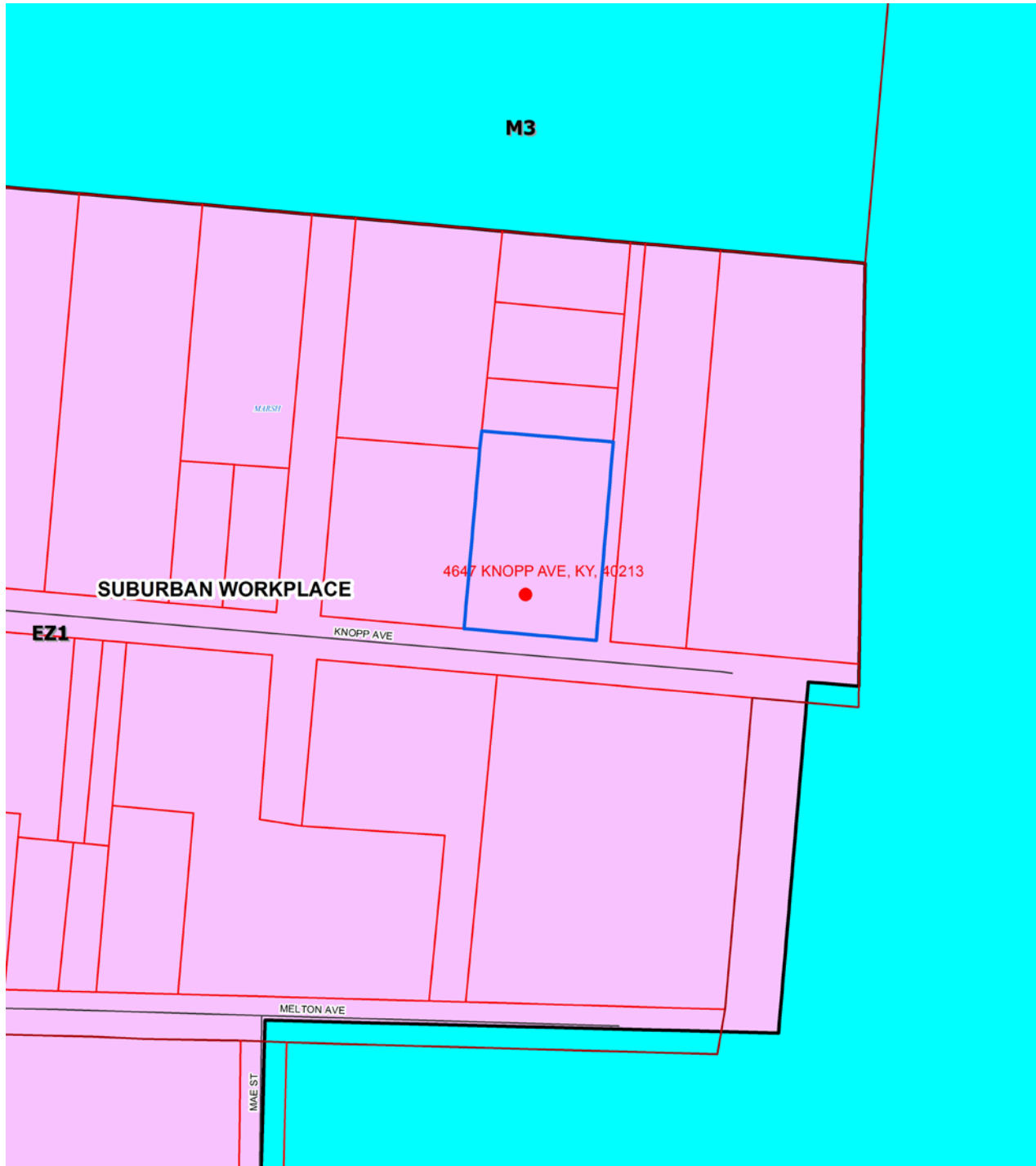
**NOTIFICATION**

Date	Purpose of Notice	Recipients
3-8-19	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 13

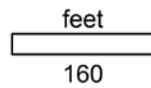
**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



19DEVPLAN1026

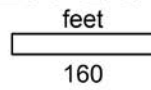


Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

2. Aerial Photograph



19DEVPLAN1026



Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.