

**Development Review Committee
Staff Report
August 5, 2015**



Case No:	15DEVPLAN1105
Request:	Revised Detailed District Development Plan and Binding Elements for a mini-warehouse facility
Project Name:	Kyanna Self Storage
Location:	3818 – 3824 Bardstown Rd.
Owner:	Kentuckiana Self Storage, LLC
Applicant:	Kentuckiana Self Storage, LLC
Representative:	Rich Design Studios
Jurisdiction:	Louisville Metro
Council District:	10 – Steve Magre
Case Manager:	David B. Wagner – Planner II

REQUEST

- Revised Detailed District Development Plan
- Binding Elements

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is a vacant parcel of 5.38 acres. There is street frontage on Bardstown Road and the site sits close to the southwest corner of Bardstown Road and Reynolds Lane. The elevated Buechel Bypass close to the south end of the site also serves as a physical barrier at the rear of the flag pole portion of the lot. The site is surrounded by multiple uses with mainly office, retail, and warehouse uses on the north, east, and west sides and residential uses at the southeastern end.

The applicant is proposing to remove the existing structures on site and construct a 697 unit mini storage facility with a total building footprint of 97,560 SF. The previous approval under the rezoning case had 75,710 SF of building footprint. It's only means of access would be directly to Bardstown Road with proposed fencing around the entire site. The facility would have gated access and a 600 SF office building to serve the clients. One detention basin is proposed at the northwest corner of the site and a 25' LBA has been provided along the adjoining residential lots at the southeastern corner of the site.

Existing Zoning District: CM, Commercial Manufacturing
Proposed Zoning District: N/A
Form District: Town Center
Existing Use: Vacant
Proposed Use: Mini Storage
Minimum Parking Spaces Required: 2
Maximum Parking Spaces Allowed: 3
Parking Spaces Proposed: 3

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	CM	TC
Proposed	Mini Storage	CM	TC
Surrounding Properties			
North	Retail, Entertainment	C-1	TC
South	Vacant, Residential, Warehouse	R-4, C-1, CM	TC, SW
East	Vacant, Residential, Office, Warehouse	R-4, C-1, C-2, CM	TC, SW
West	Office	C-2	TC

PREVIOUS CASES ON SITE

- 14ZONE1051: Rezoning from R-4 and C-1 to CM for Mini Storage, Detailed District Development Plan, Binding Elements, and Waivers to not provide required 75% animating features along the street frontage and to not provide cross-connectivity to adjacent sites

INTERESTED PARTY COMMENTS

- Staff has not received any inquiries from interested parties.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code

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: There does not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject 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 and around the development and the community has been provided. Sidewalks and vehicular access have been provided along Bardstown Road. Cross connectivity to adjacent sites would not be appropriate due to the nature of the mini-warehouse use on the site.

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

STAFF: Since open space is not required for this proposal, appropriate open space has been provided for this development as required by LDC regulations.

- 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 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 site design and land uses are compatible with the existing and future development of the area. The site design is compatible with existing commercial and industrial development in the area. The development will provide the required landscaping for this type of development, the buildings are placed close to the street frontage as required per this form district, and the few parking spaces are located appropriately.

- 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 applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. The site is surrounded on three sides by multiple commercial and industrial uses including office, retail, entertainment, and warehouse uses. The site is compact and will continue to utilize existing infrastructure. This proposal introduces sidewalks on the southern side of Bardstown Road in this block and will reduce from three to one the number of access points to these four lots. Proposed storage buildings and the office will be close to the street frontage and will meet appropriate front yard setback requirements for this form district. Residences are abutting properties along the southeastern end of the site and the applicant will provide appropriate screening and landscaping via fences and the storage buildings themselves. Parking and loading is oriented internally to the site preventing nuisances to adjoining property owners. Due to the necessity of a secure storage facility, fencing will be provided around the entire site with gate access provided for the customers. The site is located along a primary collector level road within an activity center with another primary collector level road intersecting just to the northeast of the site. The southwest side of the site backs up to Buechel Bypass. This roadway is an elevated road that cannot be accessed and acts as a physical barrier that will shield property owners to the southwest.

TECHNICAL REVIEW

- The proposal complies with the requirements of the LDC.
- MSD and Transportation Review have given preliminary approval for the plan.

STAFF CONCLUSIONS

Revised Detailed District Development Plan and Binding Elements

Staff analysis in the standard of review section of the staff report indicates the proposed RDDDP and Binding Elements are justified.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards for granting an RDDDP and Binding Elements established in the Land Development Code.

Required Actions

- Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must **APPROVE** or **DENY** the Revised Detailed District Development Plan and Binding Elements listed in the staff report.

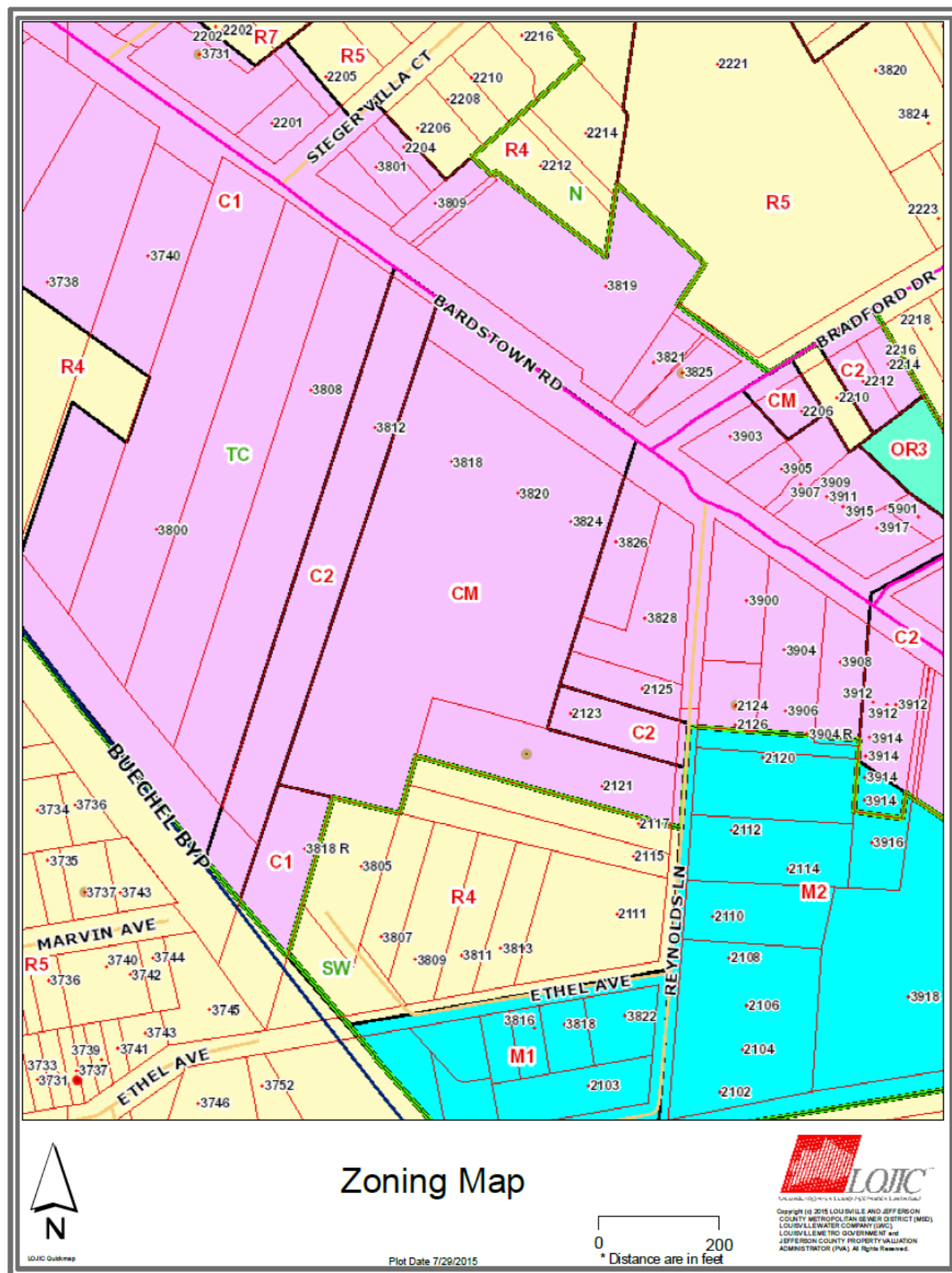
NOTIFICATION

Date	Purpose of Notice	Recipients
7/24/15	Meeting before DRC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Subscribers to Council District 10 Notification of Development Proposals

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, 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. 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.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - 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. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
4. 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.
5. 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.
6. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the February 5, 2015 Planning Commission meeting.
7. There shall be no use of this property, except a mini-warehouse facility, associated storage, and also sales of related storage materials (e.g., boxes) without prior review and approval by the Planning Commission or committee thereof.

4. Proposed Binding Elements

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.

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3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Develop Louisville and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - 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. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
4. 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.
5. 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.
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