

Board of Zoning Adjustment Staff Report

March 6, 2017



Case No:	16CUP1040
Project Name:	Fort Locks
Location:	8202 & 8204 National Turnpike
Owners:	Valley Station Towne Center, LLC
Applicant:	Land Design & Development
Representative(s):	Derek Triplett
Project Area/Size:	5.7 acres
Existing Zoning District:	C-2, Commercial
Existing Form District:	SW, Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	13 – Vicki Welch
Case Manager:	Jon E. Crumby, Planning & Design Coordinator

REQUEST

- Modified Conditional Use Permit to allow additional mini-warehouse units in a C-2 zoning district.

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct 28,440 square feet of new mini-warehouse space and 56 parking spaces which will be 24,500 square feet of covered recreation vehicle and boat parking. The storage of recreation vehicles is an allowed use in the C-2 zoning district. The mini-warehouse units will be located in three new structures and the covered area for recreation vehicles will be in one structure. The existing storage area to the east is 38,415 square feet.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	C-2	SWC
Proposed	Mini-Warehouses	C-2	SWC
Surrounding Properties			
North	Commercial	C-2	SWC
South	Commercial	C-2	SWC
East	Commercial	C-2	SWC
West	Residential	M-2	SWC

SITE CONTEXT

The site is irregular in shape and located on the west side of National Turnpike. The site is surrounded by commercial and industrial uses to the north, south, east, and residential to the west.

PREVIOUS AND ASSOCIATED CASES ON SITE

- 16CUP1009** An application was submitted for a modification of the Conditional Use Permit to allow additional mini-warehouses in a C-2 zone and landscape waiver to allow an easement overlap. The modification and landscape waivers were approved on May 16, 2016.
- B-105-89** An application was submitted for a modification of the Conditional Use Permit for mini-warehouses in a C-2 zone. The modification was approved on October 7, 1996.
- B-105-89** An application was submitted for a Conditional Use Permit for mini-warehouses in a C-2 zone. The reconsideration was approved on August 7, 1989.
- B-105-89** An application was submitted for a Conditional Use Permit for mini-warehouses in a C-2 zone. The request was denied on July 24, 1989.

INTERESTED PARTY COMMENTS

A neighborhood meeting was held on December 14, 2016. Attachment no. 4 is a copy of the neighborhood meeting minutes.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMITS

Mini-warehouses may be allowed in the C-2 District where the premises abut on a roadway classified as a collector or major or minor arterial as designated in the Comprehensive Plan for all of Jefferson County, Kentucky, upon the granting of a Conditional Use Permit and compliance with the listed requirements. **The applicant is requesting relief from Item B.**

A. The property shall be landscaped so as to blend in with the surrounding area and shall be screened and buffered from adjacent uses of a non-industrial nature.

B. No building, structure or pavement shall be located closer than 30 feet to side property lines or property lines abutting residential areas. This area is reserved as a landscape buffer area. **The proposed mini-warehouse will be located 14 feet at its closest point from the south property line.**

C. No outside storage shall be allowed on the property.

D. No storage of toxic or hazardous materials shall be allowed on the property.

E. There shall be no retail or wholesale sales or distributing activities on site.

F. No structure on the site shall be taller than one story and shall not exceed 15 feet in height (except for one freestanding sign as allowed in G below).

G. Signs - Only one freestanding sign shall be allowed and shall conform to limits established for the form district in which the sign is located.

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 hearing, BOZA must determine if the proposal meets the standards for granting the modified CUP as established in the Land Development Code.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the modified Conditional Use Permit

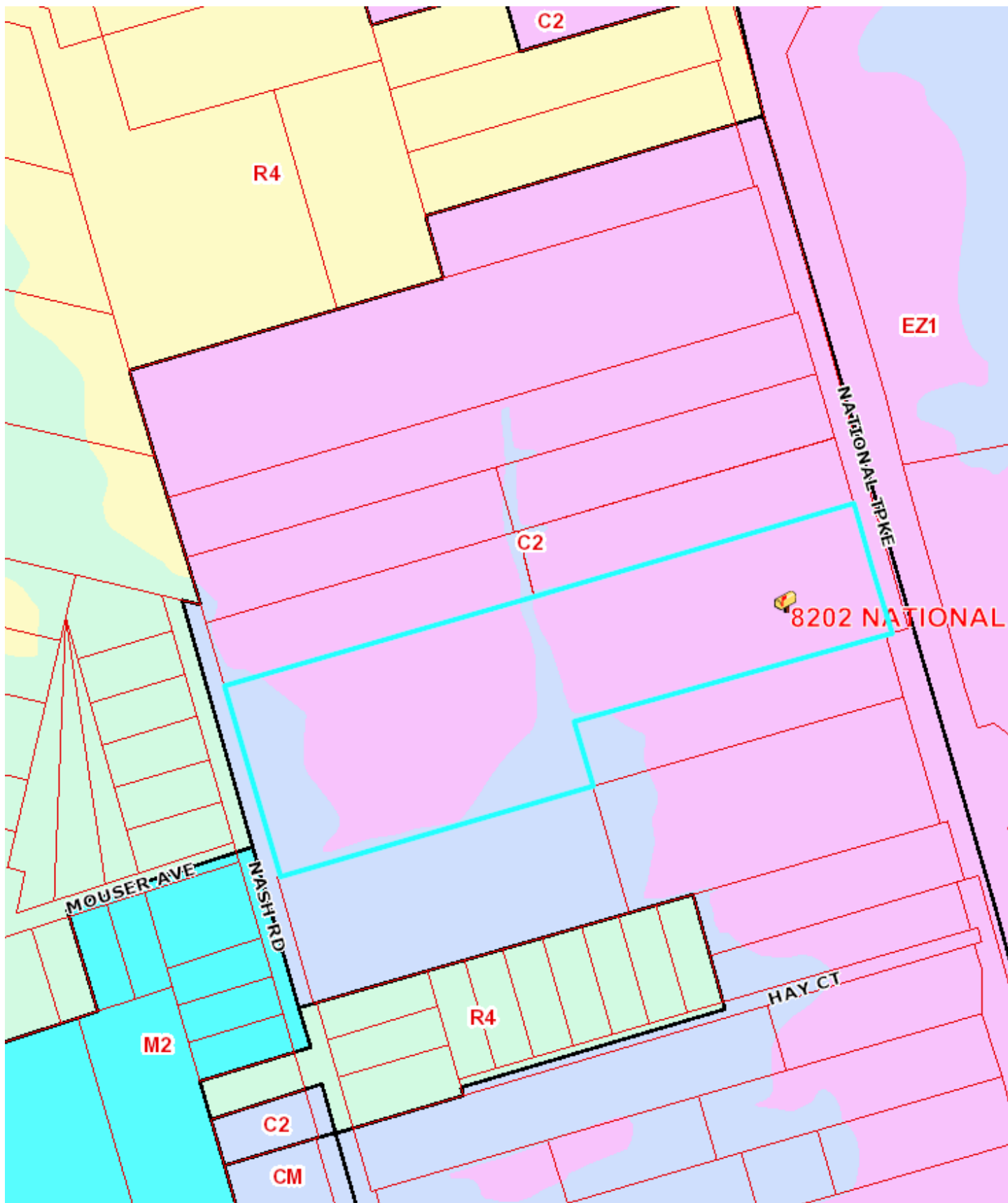
NOTIFICATION

Date	Purpose of Notice	Recipients
2/16/17	Notices	Adjoining Properties
2/17/17	Post the Sign	Site

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Conditions of Approval (16CUP1009)
4. Neighborhood meeting minutes

1. Zoning Map



This aerial map displays a property located at 8202 National Pike, outlined in red. The surrounding area is divided into various zoning districts, labeled in red text: R4 (Residential Single-Family), C2 (Community Center), EZ1 (Employment), M2 (Medium Density Residential), and CM (Community Medium Density Residential). The property is situated between Nash Rd and National Pike, and between Mouser Ave and Hay Ct. The map also shows surrounding streets: MOUSER AVE, NASH RD, NATIONAL PIKE, and HAY CT. The property is currently vacant, with some trees and a small pond visible. The surrounding area includes residential neighborhoods, commercial areas, and a large body of water (likely a river or lake) to the west.

3. Existing Conditions of Approval (16CUP1009)

1. The site shall be developed in strict compliance with the approved development plan. No further development shall occur on site without the prior review and approval by the Board.
2. The site shall be landscaped in accordance with the requirements of Chapter 10 of the Land Development Code.
3. Loading doors and vehicle maneuvering area shall be located away from the exterior of the property.
4. No storage of toxic or hazardous materials shall be allowed on the property.
5. There shall be no retail or wholesale sales or distributing activities on site.
6. No outdoor storage shall be allowed on the property.
7. Only one free standing sign shall be allowed. Such sign may be illuminated but shall be non-flashing and stationary in all components. Such sign shall not exceed 20 feet in height nor exceed a total of 64 square feet in area per side.
8. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within one year of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a mini-warehouse without further review and approval by the Board.

4. Neighborhood Meeting Minutes

LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222
(502) 426-9374 FAX (502)426-9375

Nov. 30, 2016 Neighborhood Meeting Summary
8202 National Turnpike
Case#: 16CUP1040

Presenters:

Attorney: Michael Tigue, PLLC
Design Professional: Derek Triplett, RLA

- Michael Tigue began the meeting by presenting the rendered site plan to the attendees and explaining the proposal.
- One neighbor who lives on Nash Rd brought up her concerns about increased traffic flow on Nash Rd.
 - Michael Tigue responded to her concern by stating that the proposed use associated with this Modified Conditional Use Permit will generate much less traffic than other uses allowed within the current zone (C-2).
- The property owner at 8315 Nash Rd. (the property abutting the Southern property line of the subject site) questioned if his property will be screened from the subject site.
 - Derek Triplett responded that screening will be provided by combination of the proposed mini-warehouse building and existing and/or proposed vegetation.
 - The questioner responded that a chainlink fence with screening fabric would also be an option we could consider.
- Concerns were raised by the neighbors on the current state of the concrete ditch within the MSD easement that this site discharges.
 - Derek Triplett responded that construction plans will request MSD inspect ditch quality.
- A neighbor raised concerns that the site lighting would extend into her property
 - Michael Tigue responded that the site will adhere to City and State guidelines that regulate the amount of light that is permitted to leave the site, which will prevent the light from entering her property.