

Development Review Committee

Staff Report

August 10, 2021



Case No:	21-DDP-0032/21-PARKWAIVER-0008
Project Name:	Dayton Freight
Location:	4001 Ralph Ave
Owner(s):	Streams Edge Property, LLC.
Applicant:	Dayton Freight
Jurisdiction:	Louisville Metro
Council District:	1 – Jessica Green
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- **Parking Waiver** to exceed the maximum allowable parking of 107 spaces by 28 spaces.
- **Revised Detailed District Development plan.**

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct 6 new employee parking spaces, as well as add new trailer parking and maintenance areas onto an existing truck transfer facility. The site is approximately 12.05 acres and is zoned EZ-1 in the Suburban Workplace form district. The site is located in western Louisville Metro and is surrounded by industrial uses and zoning districts. It was rezoned under docket 9-43-81 with Revised Detailed District Development Plans approved under dockets 17629 and 17DEVPLAN1137. Parking on the subject site became nonconforming with the latest changes to Chapter 9 of the Land Development Code as the existing parking on site exceeds the allowable maximum for the site under current code.

STAFF FINDING

The request is adequately justified and meet the standards of review. The additional parking will not violate the comprehensive plan or negatively impact adjacent property owners. The plan will allow for the expansion of an existing industrial use within an existing industrial center. All required planting and screening will be provided adjacent to the new parking areas.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this plan.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

STANDARD OF REVIEW FOR PARKING WAIVER

- a The Parking Waiver is in compliance with the Comprehensive Plan; and

STAFF: The proposal would allow for the expansion of an existing industrial site within an appropriate area for that development. The increase of parking minimums is consistent with Plan 2040.

- b The applicant made a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through joint use provisions; and

STAFF: The applicant has provided as many spaces as they need on the subject site.

- c The requirements found in Table 9.1.3B do not allow the provision of the number of parking spaces needed to accommodate the parking needs of the proposed use; and

STAFF: The requirements found in table 9.1.2 do not accurately depict the parking needs of the proposed use. The Institute of Transportation Engineers considers employee level to be an acceptable method for determining parking need for industrial uses, and many other cities utilize that method for determining parking needs for industrial sites.

- d The requested increase is the minimum needed to do so.

STAFF: The requested increase is the minimum necessary to accommodate the site expansion.

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 do not appear to be any environmental constraints or historic resources 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, and Transportation Planning Staff has approved the preliminary development plan.

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

STAFF: There are no open space requirements pertinent to the current proposal.

- 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 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.

- 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. Buildings and parking lots will meet all required setbacks.

- 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.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Parking Waiver**
- **APPROVE** or **DENY** the **Revised Detailed District Development Plan**

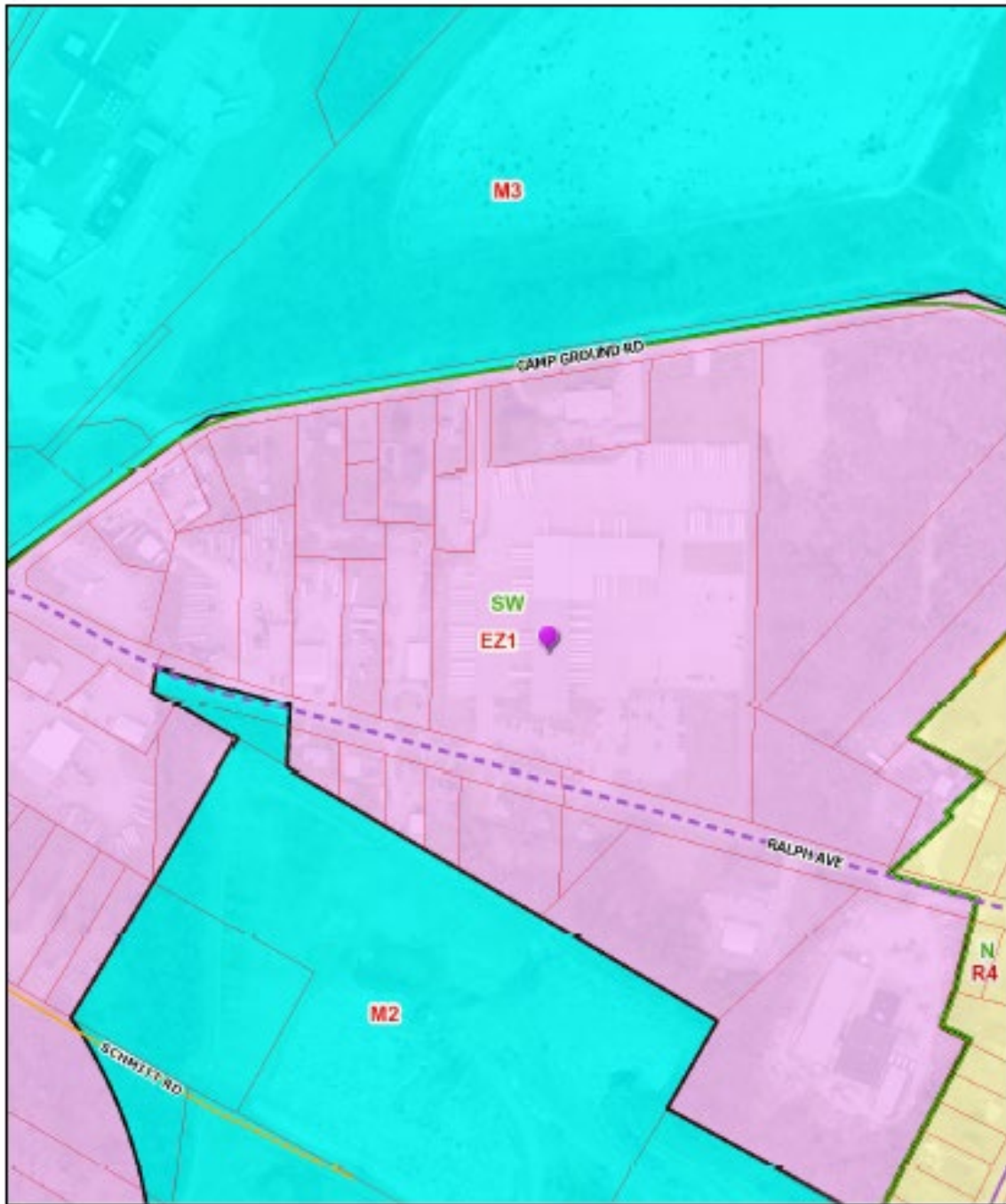
NOTIFICATION

Date	Purpose of Notice	Recipients
8-5-21	Hearing before LD&T	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 1

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements with proposed changes

1. Zoning Map



21-DDP-0032

Tuesday, August 10, 2021 | 3:24:31 PM



LOJIC © 2021

This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



21-DDP-0032

Tuesday, August 10, 2021 | 3:28:11 PM



LOJIC © 2021

This map is not a legal document and should only be used for general reference and identification.

3. Existing Binding Elements

1. The development will be constructed in accordance with the approved district development plan. No further development will be allowed until a revised district development plan has been reviewed and approved by the Planning Commission.
2. The size and location of any proposed business identification signs will be submitted to the Planning Commission for review and approval prior to issuance of any sign permits.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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.
6. 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.
7. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
8. 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.
9. 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.
10. When sidewalks are constructed along the portion of Ralph Avenue adjacent to this property, a clearly defined, safe pedestrian access will be provided by the owner of the property from the public sidewalk through off street parking to building entrance.