

# Development Review Committee

## Staff Report

December 18, 2019



<b>Case No:</b>	19-DDP-0035/19-PARKWAIVER-0007
<b>Project Name:</b>	Autotruck Federal Credit Union
<b>Location:</b>	13210 OBannon Station Way
<b>Owner(s):</b>	Autotruck Federal Credit Union
<b>Applicant:</b>	Autotruck Federal Credit Union
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	19 – Anthony Piagentini
<b>Case Manager:</b>	Jay Lockett, AICP, Planner I

### REQUEST(S)

- **Revised Detailed District Development Plan** with revisions to Binding Elements
- **Parking Waiver** to exceed the maximum allowable parking

### CASE SUMMARY

The applicant is proposing to add 13 new parking spaces to an existing 2,629 SF financial institution for a total of 25 spaces. Per Chapter 9 of the Land Development Code, the maximum allowable parking for the use on this site is 13 spaces. The site was developed in accordance with the Detailed District Development Plan approved in 2008 under docket 10277 and is located within the Eastpoint Business Center that was rezoned under docket 9-5-89.

### STAFF FINDING

The requests are adequately justified and meet the standards of review. The applicant has submitted a parking study that demonstrates a greater parking need for the use than allowed by the Land Development Code. All required buffering and screening will be provided for the expanded parking area and the use is compatible with surrounding development.

### TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

### INTERESTED PARTY COMMENTS

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

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

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

STAFF: The proposal would allow for an existing use to serve its customers safely and efficiently. The proposed additional parking is in keeping with the development and use patterns of the form district and the surrounding area.

- (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 possible on the subject site, and made a good faith effort to secure agreements with other sites for joint-use parking.

- (c) The requirements found in Table 9.1.2 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 allow for the provision of the number of parking spaces needed to accommodate the use. The applicant has provided a parking study for the subject site as well as similar uses that demonstrated the need for additional capacity at peak business hours.

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

STAFF: The requested increase is the minimum needed to satisfy the parking needs of the applicant.

**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. 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, and Metro Public Works and the Kentucky Transportation Cabinet have 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. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. 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** with revisions to Binding Elements.

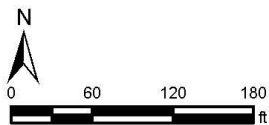
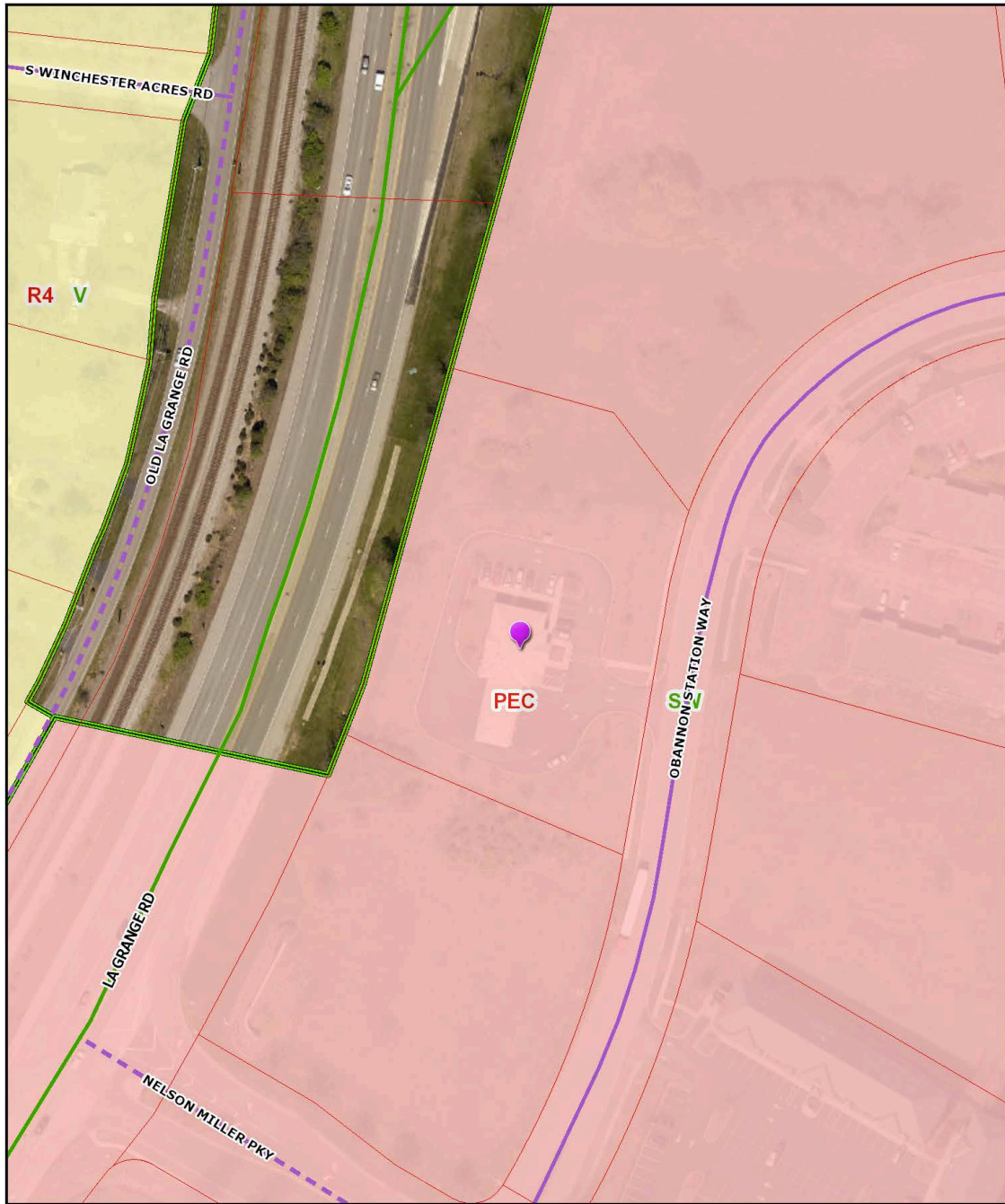
**NOTIFICATION**

Date	Purpose of Notice	Recipients
12-5-19	Hearing before DRC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 19

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements with Proposed Changes
4. Proposed Binding Elements

1. Zoning Map



**19-DDP-0035**

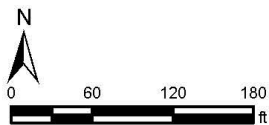
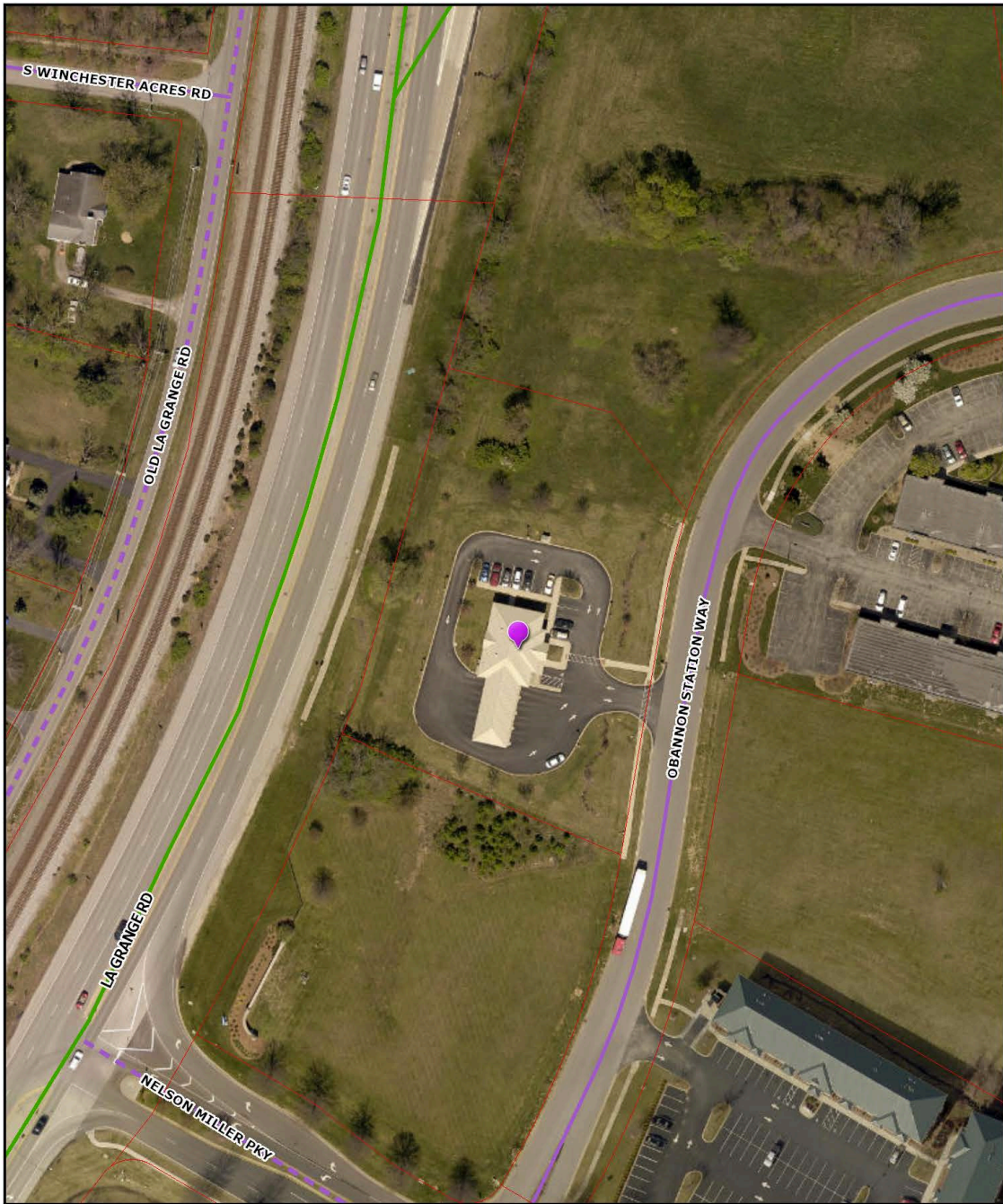
Friday, December 6, 2019 | 8:55:49 AM



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

2. Aerial Photograph



**19-DDP-0035**

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### 3. Existing Binding Elements with Proposed Changes

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. 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.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) 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. 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.
  - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.**
- ~~5. If a building permit is not issued within two years of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.~~
6. 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.
7. 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.
8. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the February 6, 2008 Development Review Committee meeting.
9. As adjacent properties develop, vehicular connections shall be provided within proposed 30' access easement.

#### **4. Proposed Binding Elements**

**All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:**

2. 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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