



Parking Waiver Application

Louisville Metro Planning & Design Services

Case No.: 19-PARKWAIVER-0008 Intake Staff: RM

Date: 10/21/19 Fee: \$250

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/government/Planning-Design>.

Project Information:

Type of parking waiver(s) proposed (please check all that apply):

- Parking Waiver to reduce minimum parking requirement from 21 (with credits) spaces to 20
- Parking Waiver to increase maximum parking allowed from _____ spaces to _____
- Parking Waiver to use on-street parking spaces that are not directly adjacent or abutting the site
- Parking Waiver to use parking spaces located in a public parking lot

Primary Project Address: 7701 Smyrna Parkway

Additional Address(es): _____

Primary Parcel ID: 0645-0023-0000

Additional Parcel ID(s): _____

Proposed Use: commercial retail Existing Use: vacant commercial land

Deed Book(s) / Page Numbers²: DB 8071, Pg 791

The subject property contains .95 acres. Number of Adjoining Property Owners: 38

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: 09-006-86 Docket/Case #: OCT 21 2019

Docket/Case #: _____ Docket/Case #: _____

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Parking Waiver Justification:

In order to justify approval of any parking waiver, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

For all Parking Waivers:

1. **The Parking Waiver is in compliance with the Comprehensive Plan.**

See attached.

2. **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.**

See attached.

For Waivers to reduce the minimum number of required parking spaces; OR use on-street parking spaces that are not directly adjacent to or abutting the development site; OR use parking spaces located in a public parking lot:

1. **The requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use.**

See attached.

2. **Adjacent or nearby properties will not be adversely affected.**

See attached.

3. **The requirements found in Table 9.1.2 do not accurately depict the parking needs of the proposed use and the requested reduction will accommodate the parking demand to be generated by the proposed use.**

See attached.

4. **There is a surplus of on-street or public spaces in the area that can accommodate the generated parking demand.**

See attached.

Waivers to provide more parking spaces than the maximum allowed:

1. **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.**

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2. **The requested increase is the minimum needed to do so.**

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Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: Kennie & Patricia Combs

Name: Susan Cox

Company: _____

Company: SC Development LLC

Address: 2604 Evergreen Wynde

Address: 2768 N. Highland Avenue

City: Louisville State: KY Zip: 40223

City: Jackson State: TN Zip: 38305

Primary Phone: 502-548-9689

Primary Phone: 731-660-2391

Alternate Phone: _____

Alternate Phone: _____

Email: KR.COMBS@TWC.COM

Email: scox@susancoxdevelopment.com

Owner Signature (required): X [Handwritten Signature]

Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name: Jon Baker, Esq.

Name: Brandy Zackery

Company: Wyatt, Tarrant & Combs, LLP

Company: Arnold Consulting Engineering Svcs.

Address: 500 West Jefferson Street, Suite 2800

Address: P.O. Box 1338

City: Louisville State: KY Zip: 40202

City: BowlingGreen State: KY Zip: 42102

Primary Phone: 502-562-7316

Primary Phone: 270-780-9445

Alternate Phone: _____

Alternate Phone: _____

Email: jbaker@wyattfirm.com

Email: bzackery@a-ces.com

Certification Statement: A certification statement must be submitted with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, _____, in my capacity as _____, hereby
representative/authorized agent/other

certify that _____ is (are) the owner(s) of the property which
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: _____

Date: _____

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I understand that knowingly providing false information on this application may result in any action taken hereon being declared void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B Crime.

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Please submit the completed application along with the following items:

Property information

- Land Development Reports for all properties included in the submittal¹
- A copy of the current recorded deed(s) for all properties included in the submittal² (*must show "End of Document" stamp on last page*)

Site plan and supporting documentation

- Two copies of the site plan, including the following elements.
 - Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
 - Vicinity map that shows the distance from the property to the nearest intersecting street
 - North arrow
 - Street name(s) abutting the site
 - Existing and proposed structures and parking spaces
- A Parking Study per Chapter 9.1.17 of the Land Development Code

Mailing labels to notify Adjoining Property Owners (APOs)³

- Notice of filing of this application is required to be mailed within 17 days of the filing deadline day. A copy of the notice should be provided to Planning & Design Services as soon as possible to be emailed to the Council District notification list. A notice template can be found on the Planning & Design website.
- One set of mailing label sheets for: 1st and 2nd tier APOs; 2nd through 6th class city, if applicable; those listed on the application; and any property owner within 100 feet of any on-street parking spaces or public parking lot proposed to be used to meet the requirements
- One copy of the APO mailing label sheets

Fee (cash, charge or check made payable to Planning & Design Services)

- Application Fee according to fee schedule below:

<i>Number of parking spaces requested for waiver:</i>	<i>Fee:</i>
Reduction of fewer than 5 spaces or less than 10%	\$250
Reduction of more than 10% but less than 30% or to exceed the maximum	\$400
Reduction of 30%-50%	\$500
Reduction of greater than 50%	\$700

- Clerk's Fee: **\$25**
(*If two or more applications are submitted simultaneously for the same site, only one clerk's fee is required*)

Resources:

1. Land Development Reports can be obtained online by entering the site address at: <https://www.lojic.org/lojic-online>
2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2nd floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: <https://search.jeffersondeeds.com>
3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: <https://jeffersonpva.ky.gov/property-search>

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09/21/2019

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PARKING WAIVER JUSTIFICATION STATEMENT
TO REDUCE MINIMUM PARKING REQUIREMENT

SC DEVELOPMENT, LLC
7701 SMYRNA PARKWAY
OCTOBER 21, 2019

CASE No. _____

The Applicant, SC Development, LLC, is requesting approval of a revised detailed development plan on 0.95 acres of property zoned C-1 Commercial and located on the southeast corner of the Outer Loop and Smyrna Parkway intersection in Louisville, Kentucky (the "Property"). Currently, the Property is vacant with no structures. The Property was rezoned to C-1 under Docket No. 09-006-86, and was last utilized as a convenient food mart, a use similar to what is being proposed with this submittal. Today, the Applicant is seeking to develop a new 9,100 square foot Dollar General Store ("DG Store") to serve the surrounding area, which is comprised of a mix of uses including residential, institutional, commercial and office. The immediate area is served by pedestrian connections along Smyrna Parkway and Outer Loop and TARC Route #43 is available along this portion of Outer Loop. Smyrna Elementary School and Moore High School are situated directly across Outer Loop from the Property.

After the applicable parking space credits are applied – a 10% credit per LDC 9.1.3.F.1 for being along a TARC Route and an additional 20% credit for site design per LDC Appendix 5A Green Development (Site Design Criteria #s 1 and 5) – the minimum required parking for the DG Store use is 21 parking spaces. A minor parking waiver is required for the Property to allow for 20 parking spaces instead of 21 parking spaces because: 1) the proposed DG Store is adequately served by 20 parking spaces; and 2) the Property fronts Outer Loop, which is a designated parkway, and the Applicant wishes to remove parking spaces from along the parkway frontage, thereby allowing for room to install more landscaping and trees within the parkway buffer to appropriately screen the vehicular use and parking areas on the Property.

The Applicant has made a good faith effort to design the site with as many parking spaces as possible while also providing quality site design and removing parked vehicles away from the Outer Loop parkway. The Property was platted in the 1980s and was previously used as a convenience mart that also provided fueling stations for vehicles. Today, the fuel canopy that occupied space very near, if not within, the Outer Loop

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parkway buffer area has been removed, as has the primary structure. Thus, the vacant property is currently comprised of grass and remnants of pavement. If approved, the Applicant will utilize cement paving materials with new construction that will contain a Solar Reflective Index (SRI) of at least 29 for at least 50% of the impervious non-roof surface within the site, per LDC Appendix 5A.7. (See PCA's "Concrete Shines as Solar Reflectance Material" information attached hereto, the material of which the Applicant will use during site construction.)

The requested waiver of one parking space is the smallest possible reduction of parking spaces that would accommodate the proposed use on the site. The proposed parking waiver to allow twenty (20) parking spaces on the Property is justifiable because when considering the Property is located within a walkable area and is served by an existing TARC Route, the twenty (20) parking spaces are adequate to accommodate the parking demand generated by the development. Therefore, adjacent and nearby properties will not be adversely affected.

Moreover, the Applicant will heavily landscape the site and combine enhanced plantings with a privacy fence along the rear property line to separate the commercial use from residential uses to the south. No on-street parking spaces exist in the area, yet none are necessary to serve the demand generated by the proposed use. (Please see the attached letter from Dollar General, dated October 21, 2019, wherein Dollar General states twenty (20) parking spaces is sufficient to meet the demand generated by its average 15 to 20 transactions per hour, per store). Also not needed to serve the proposed DG Store are public spaces in the area, although large parking fields do exist on the campuses of two Jefferson County public schools located across Outer Loop from the Property. The Property is within a block of properties fronting Outer Loop and consisting of mostly commercial and office uses with multi-family uses very nearby. The proposed convenient retail store is within close walking distance to these uses as well as to the residential neighborhood to the south.

After available LDC parking credits are applied, the requested waiver is the minimum necessary to afford relief as the Applicant is seeking to reduce the LDC's minimum parking requirement for the site by only one parking space. Because the waiver of one parking space from the 21-parking-space minimum requirement represents less than 10% of the required parking for the property, the Applicant, pursuant to LDC 9.1.17.6, requests to not perform a parking study.

For the foregoing reasons, as well as the reasons stated in the justification statement submitted with the change in zoning application, SC Development, LLC respectfully requests that the Louisville Metro Planning Commission, the Planning Director or

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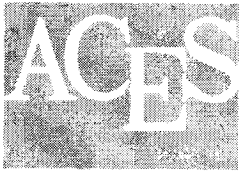
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designee approve a waiver to allow the parking on the Property be below the minimum allowed by the Land Development Code by 1 space.

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Arnold Consulting Engineering Services, Inc.

P.O. Box 1338
Bowling Green, KY 42101

1136 South Park Drive, Suite 201
Bowling Green, KY 42103

Phone (270)780-9445
Fax (270)780-9873

Legal Description

A certain tract of land lying in Jefferson County, Kentucky, being located in the city of Louisville; being the property located at 7701 Smyrna Parkway per LOJIC Mapping Records as of the date of this survey; being Tract 1 of Minor Subdivision Docket No. 322-87 as previously recorded in Deed Book 5745 Page 971, and being the property previously recorded in Deed Book 8071 Page 791, and being more particularly described as follows:

The basis of the bearings for this legal description is grid north as established by Kentucky State Plane Coordinates, North Zone 1601. All iron pins set are 1/2"x18" iron pins with 1" yellow plastic cap stamped "B. Hester PLS 4147".

Beginning at a 5/8" iron pin with 1 1/4" plastic cap stamped "John Thomas PLS 3259", said pin being located at the intersection of the south right of way of the Outer Loop (r/w varies per Deed Book 2873 Page 11, Deed Book 3489 Page 292 & KYTC Proj. No. 56468-3 Dated 1956) with the east right of way of Smyrna Parkway (r/w varies per Deed Book 5469 Page 836 & KYTC Proj. No. SSP 056 1065 007-009).

Thence, leaving the east right of way of Smyrna Parkway and with the south right of way of Outer Loop, S 85°20'51" E a distance of 211.78' to a 5/8" iron pin found, said pin being a common corner to Tract 2 of the aforementioned minor subdivision, Kennie & Patricia Combs (Deed Book 8041 Page 625) and being the northeastern most property corner of the subject property.

Thence, leaving the south right of way of Outer Loop and with the line of Tract 2 the following two calls, S 03°55'53" W a distance of 184.12' to a 5/8" iron pin found.

Thence, N 85°31'38" W a distance of 225.09' to a 5/8" iron pin with 1 1/4" plastic cap stamped "John Thomas PLS 3259" found in the east right of way of the aforementioned Smyrna Parkway, said pin being the southwestern most corner of the subject property and being located N 04°07'39" E a distance of 1.95' from a 5/8" iron pin found at the southwestern most corner of the aforementioned Tract 2 and being located N 34°34'42" W a distance of 2.76' from a 1" iron pipe found.

Thence, leaving the line of Tract 2 and with the right of way of Smyrna Parkway the following two calls, N 03°22'31" E a distance of 158.28' to a 5/8" iron pin found.

Thence, N 33°17'56" E a distance of 30.29' to the point of **Beginning**, containing 41,487 +/- square feet (0.95 acres) as surveyed by Arnold Consulting Engineering Services, Inc., Charles B. Hester, PLS 4147, completed on August 29, 2019.

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DOLLAR GENERAL

Dollar General Corporation
100 Mission Ridge
Goodlettsville, TN 37072

October 21, 2019

Louisville Metro Planning & Design
444 S. 5th Street
Louisville, KY 40202

Re: Parking requirements at the proposed Dollar General location on Smyrna Parkway

To Whom May Concern

Through the years, Dollar General has refined the design criteria for new store development. With over 16,000 stores in productive operation, we have gathered significant data.

One area which we are balanced between development cost and customer need is parking requirements and accessibility for our build-to-suit locations. Our stores average 15 to 20 transactions per hour. We have estimated and confirmed that 20 spaces will accommodate the customer flow rate that our business generates. This standard has also been sufficient for traffic generated at the peak Christmas season levels.

Thanks for your consideration and feel free to contact me with any other questions you may have.

Best Regards,

C. Laurance Lane

Dollar General Corporation
A&E Sr. Plan Coordinator Central Region
615.855.4557
lalane@dollargeneral.com

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19-PAR-KW-PCR-0009



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Concrete as Solar Reflectance Material

Concrete Shines as Solar Reflectance Material

Concrete does a very good job of reflecting solar energy. That is the finding from a Portland Cement Association (PCA) study which measured the solar reflectance index (SRI) of 45 concrete mixes.

Lighter colored materials (such as concrete) generally have a higher solar reflectance. They reflect heat from the sun and do not warm the air very much. Shade, from trees and buildings, and the natural process of evaporation of water from the surface of plants also help keep the air cool.

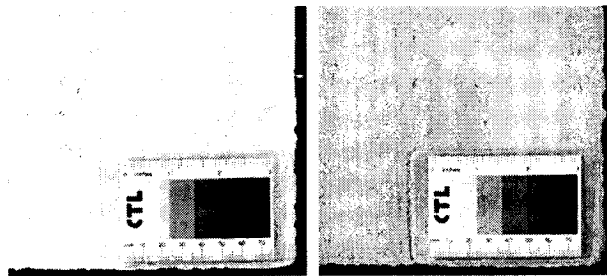
Darker surfaces such as black roofs and dark pavements generally have a low solar reflectance. They absorb heat from the sun and warm the air through convection, which is generally considered undesirable for its effect on the environment. This may have an immediate, local effect, like heat gain in urban areas, commonly known as heat islands.

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The Test

The PCA SRI study measured the solar reflectance of 45 concrete mixes in accordance with ASTM C 1549, *Standard Test Method for Determination of Solar Reflectance Near Ambient Temperature Using a Portable Solar Reflectometer*. These concretes were selected because they represent the range of concrete and concrete constituents typically used in exterior flat work in the United States.

After the typical mix designs were tested, researchers created a mix with the darkest of each ingredient (cement, sand, aggregates and fly-ash) to test in a worst case scenario.



Test samples of concrete flatwork, showing a range of solar reflectivity.

Regardless of mix constituents, concrete in the United States reduce heat islands and qualify for points in the LEED Green Building Rating System. Solar reflectance (sometimes called albedo) is the ratio of solar energy that falls on a surface to the amount reflected. It is measured with a solar spectrum reflectometer on a scale of 0 (not reflective) to 1: (100 percent reflective). Generally, materials that appear light-colored have high solar reflectance and those that appear dark-colored have low solar reflectance. The study revealed that all 45 concretes tested according to ASTM C 1549 have a solar reflectance of at least 0.3 and an SRI of at least 29, and meet or exceed LEED requirements.

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For a detailed report describing test procedures, concrete mixes, materials, and other aspects of the study, see [Solar Reflectance of Concretes for LEED Sustainable Sites Credit: Heat Island Effect](#), SN2982, authored by Medgar L. Marceau and Martha G. VanGeem, Portland Cement Association, Skokie, Illinois, USA, 2007, 95 pages.

Reference

For a detailed report describing test procedures, concrete mixes, materials, and other aspects of the study, see [Solar Reflectance of Concretes for LEED Sustainable Sites Credit: Heat Island Effect](#), SN2982, authored by Medgar L. Marceau and Martha G. VanGeem, Portland Cement Association, Skokie, Illinois, USA, 2007, 95 pages.

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