

Land Development & Transportation Staff Report

July 12, 2018



Case No:	17ZONE1043
Project Name:	Taylor Styles Salon
Location:	9101 Taylorsville Road
Owner(s):	Robert Childers
Applicant:	Robert Childers
Representative(s):	Bardenwerper, Talbott, & Roberts, PLLC
Project Area/Size:	1.11 acres
Jurisdiction:	Louisville Metro
Council District:	18– Marilyn Parker
Case Manager:	Joel P. Dock, Planner II

REQUEST(S)

- **Change-in-Zoning** from R-4, Single-Family Residential to C-1, Commercial
- **Detailed District Development Plan**

CASE SUMMARY

The applicant proposes to repurpose an existing single-family residential property for a beauty salon (1st floor) and recording studio (2nd floor). Site improvements include: vehicle use areas/parking facilities, refuse collection area, pedestrian connection to proposed sidewalk in the public way, minimal building addition between the existing garage and principal structure, and landscaping. The subject site is located three parcels southeast of Hurstbourne Parkway on the east side of Taylorsville Road. Commercial uses dominate the intersection at Hurstbourne/Taylorsville, as well as the west side of Taylorsville Road from this major intersection to Six Mile Lane. The east side of Taylorsville Road beginning at Axminster Drive consists primarily of residential uses and two office uses in the neighborhood form district before reaching a more established commercial area.

STAFF FINDING

The request is in order and ready to be scheduled for the next available public hearing before the Planning Commission.

TECHNICAL REVIEW

- MSD and Transportation Planning Review have preliminarily approved the plan.
- A waiver application shall be submitted for the encroachment of the drive lane into the 20' LBA along the southeast property line.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR

2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

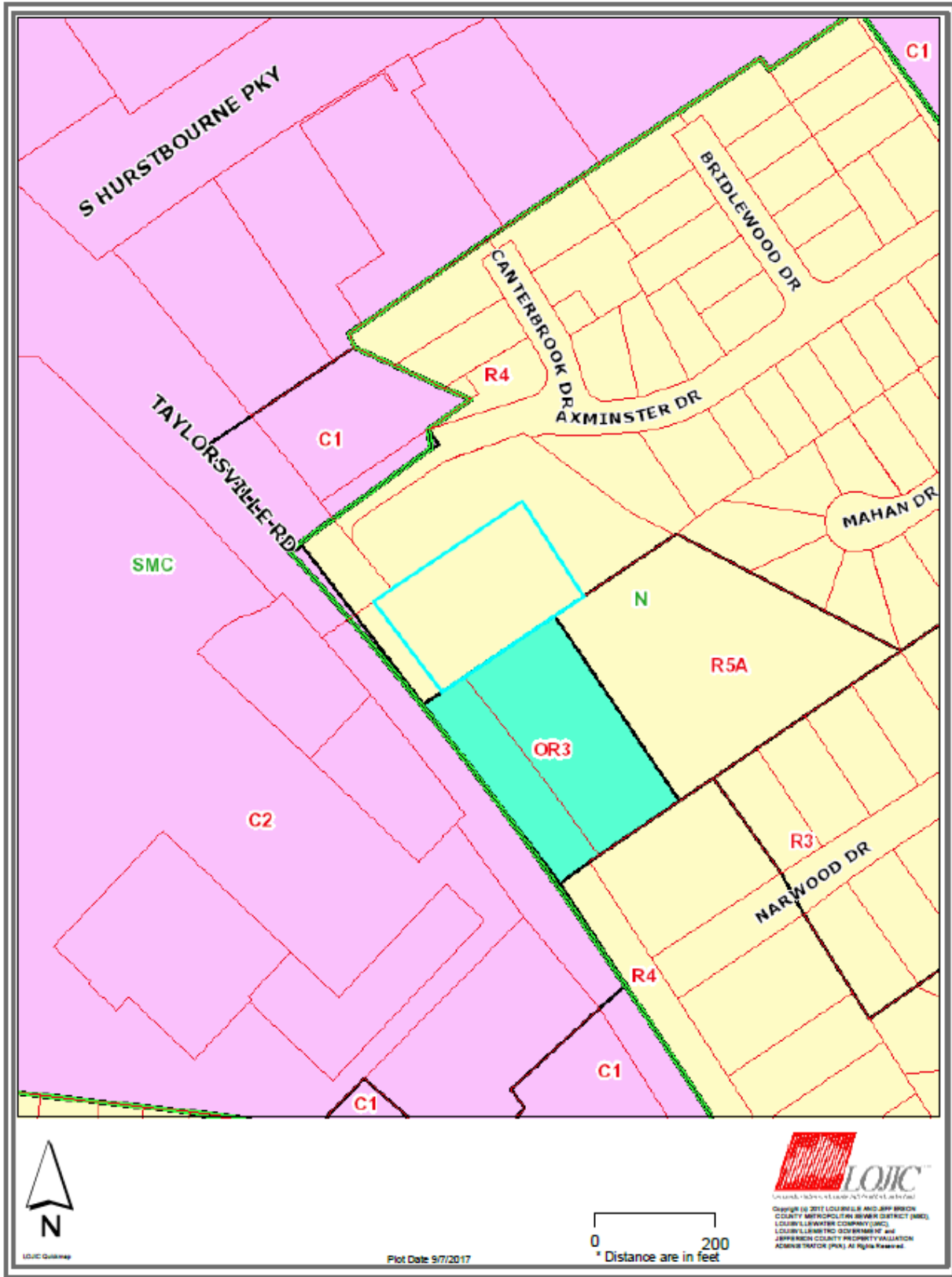
NOTIFICATION

Date	Purpose of Notice	Recipients
06/29/18	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers of Council District 18 Notification of Development Proposals
	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers of Council District 18 Notification of Development Proposals
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. **Zoning Map**



2. Aerial Photograph



3. 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.
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, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review 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 Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
5. 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.
6. 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.