

Development Review Committee

Staff Report
March 28, 2018



Case No:	18DEVPLAN1024
Project Name:	Franklin Street Warehouse
Location:	1014 Franklin Street
Owner(s):	Kablooey, LLC
Applicant:	Andy Blieden, Kablooey, LLC
Representative:	Greg Ehrhard, Stites & Harbison
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Laura Mattingly, AICP, Planner II

REQUEST(S)

- **Revised Detailed District Development Plan** with Binding Elements

CASE SUMMARY/BACKGROUND

The applicant is proposing to utilize a 5,453 square foot historic warehouse in the Butchertown neighborhood as an indoor athletic facility. The applicant is proposing no exterior construction at this time and will be providing the required 11 parking spaces off-site, approximately 500 feet away on Buchanan Street. The applicant has submitted a joint parking agreement.

The request for revised plan approval is in response to Binding element #1 which requires any change of use on site to be approved by the Planning Commission or designee.

Previous Cases:

17ZONE1037: Change in Zoning from R-6, Multi-Family Residential to C-M, Commercial Manufacturing. Approved by Planning Commission December 7, 2017.

STAFF FINDING

Staff finds that the revised detailed district development plan appears adequately justified and meets the standard of review.

TECHNICAL REVIEW

- MSD and Transportation Planning have given preliminary approvals.

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP

- 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: LOJIC has not identified any significant natural resources on site. The site is already developed and there will not be any further disturbance of the site as this time.

- 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 appear to have been provided through the existing roadway connections and sidewalks.

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

STAFF: There is no requirement for open space for this 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 must approve 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 appear compatible with the existing and future development of the area. The structure already exists and parking is provided off-site where surrounding homes will not be impacted.

- 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: This development generally conforms to the Comprehensive Plan and Land Development Code due to the site's existing conditions and the proposed site improvements.

REQUIRED ACTIONS

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

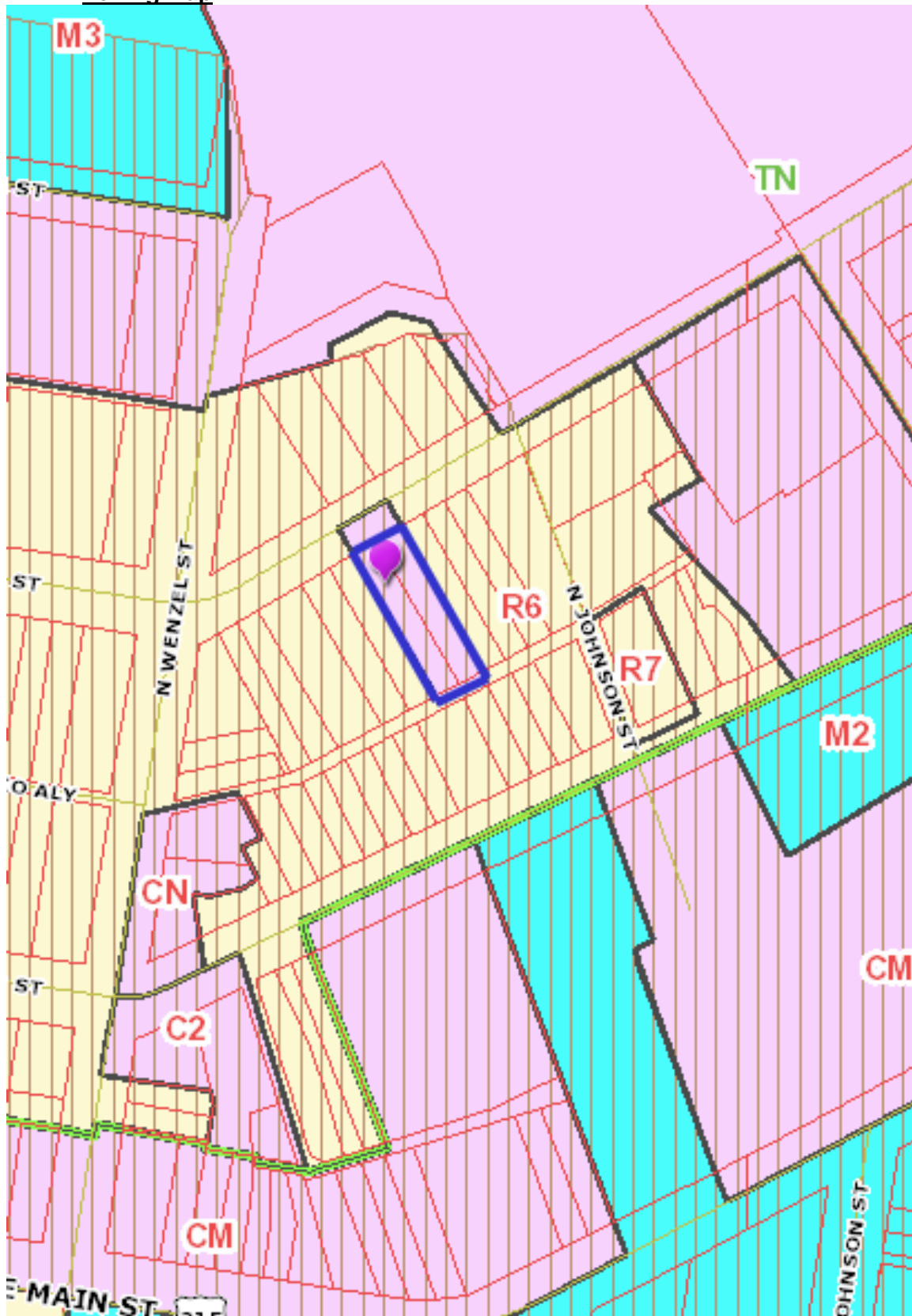
NOTIFICATION

Date	Purpose of Notice	Recipients
3/13/18	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4

ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



3. Existing 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 to the use or 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 Develop Louisville 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 minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
5. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
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. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.

8. 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.