

19-VARIANCE-0035
First Watch Middletown



Louisville Metro Board of Zoning Adjustment
Public Hearing

Lacey Gabbard, Planner I
October 21, 2019

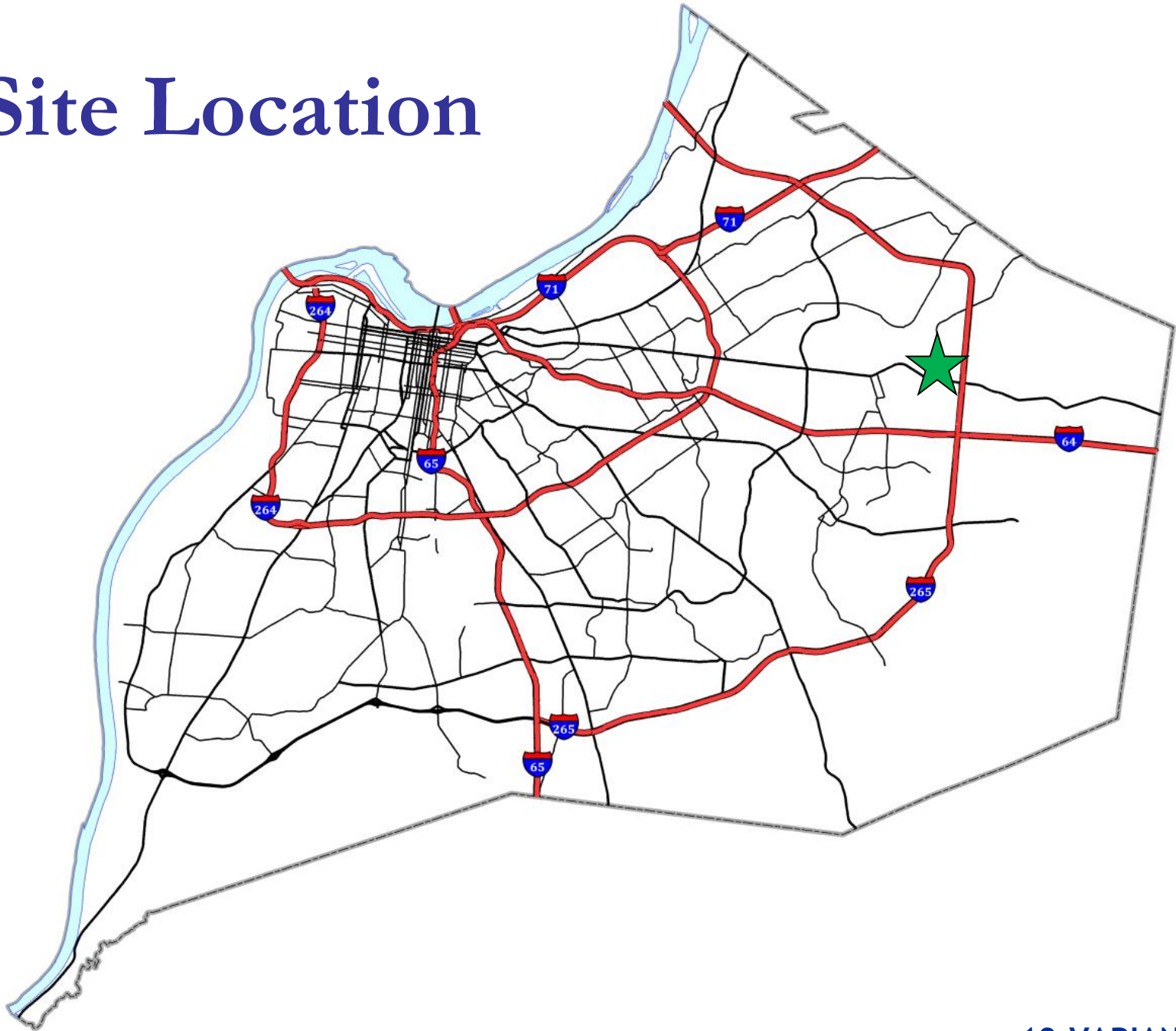
Request

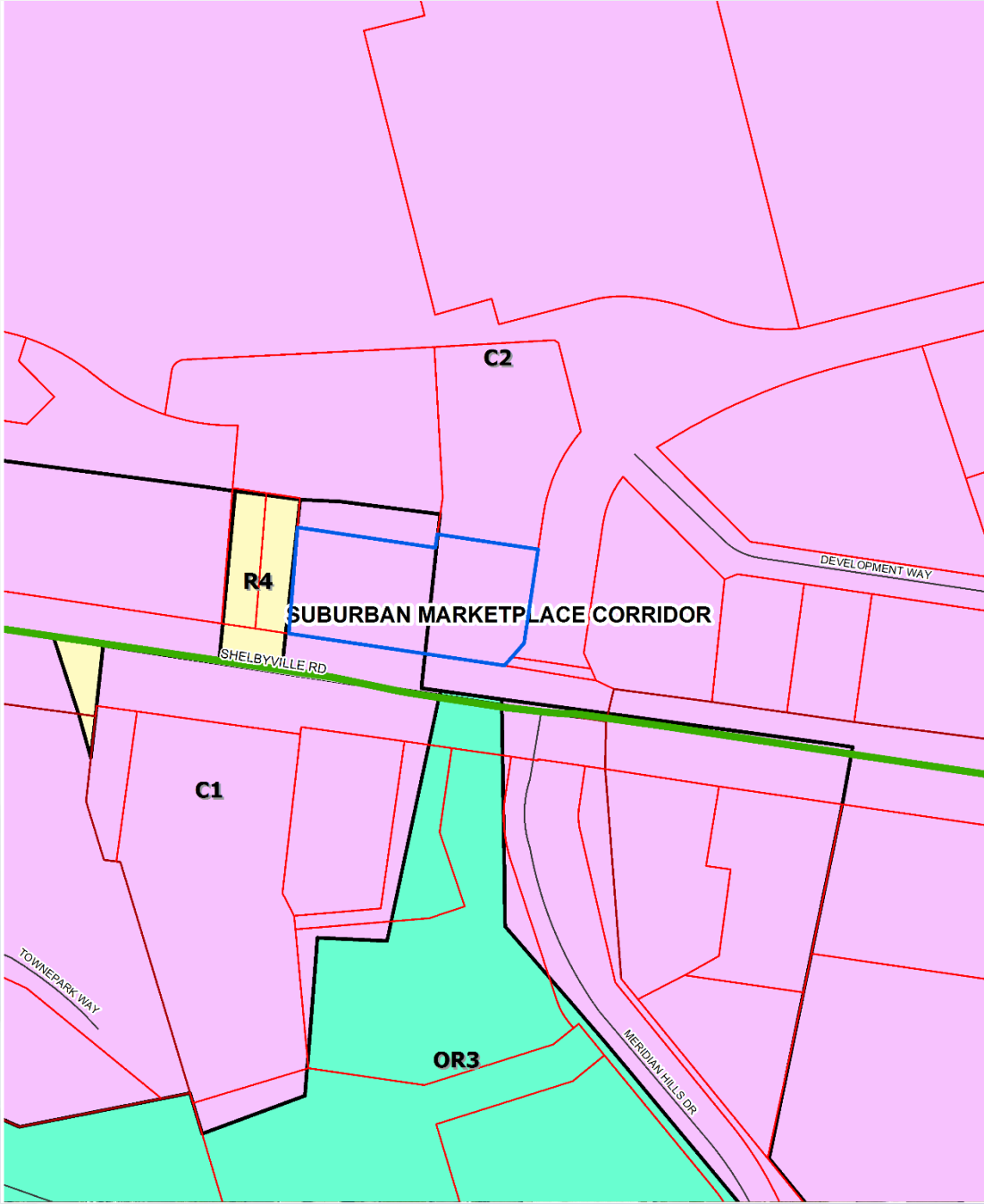
- **Variance:** from Land Development Code section 5.3.2.C.2.b to allow a proposed dumpster enclosure to be located within the 25 foot required setback area along the west property line.

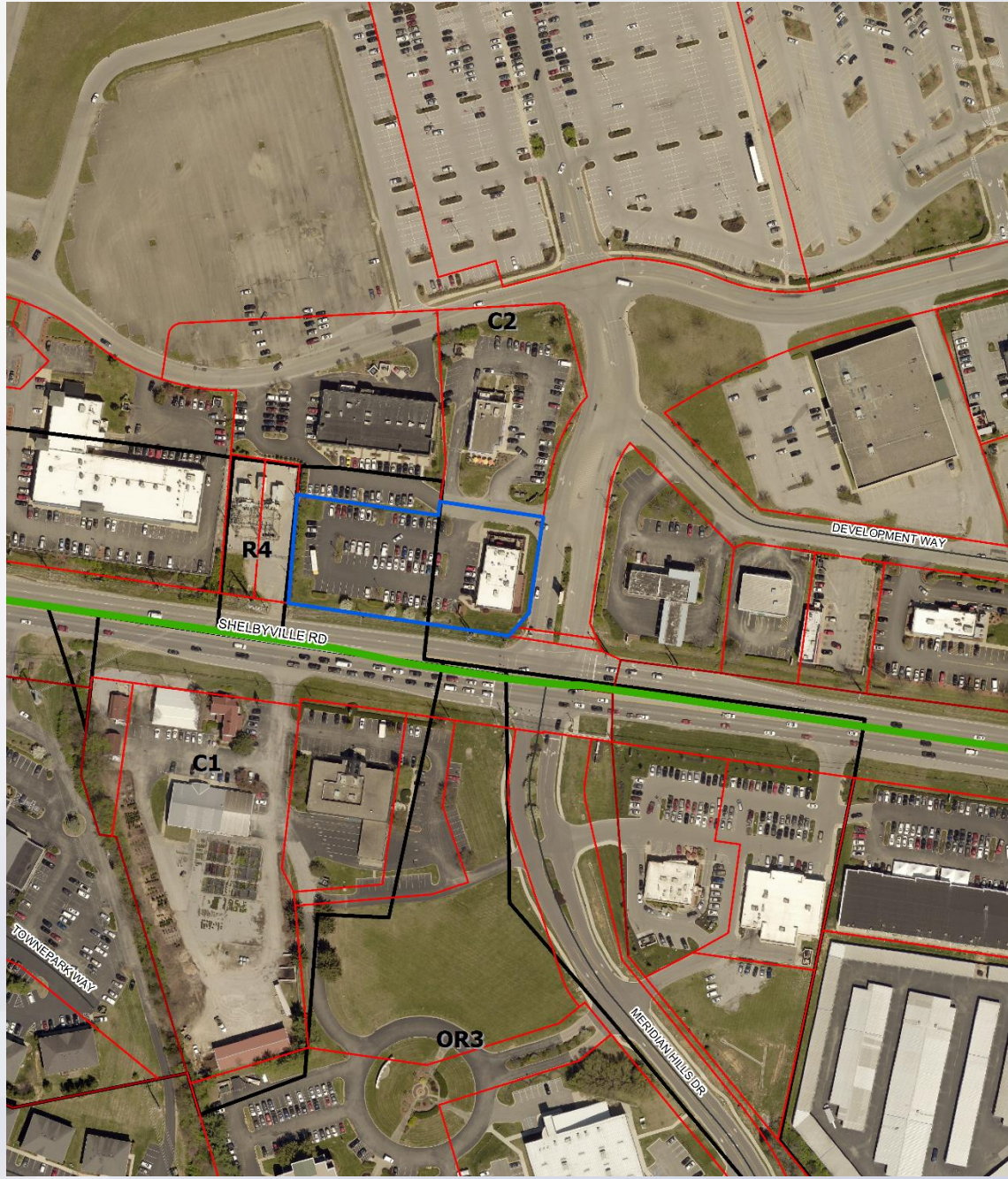
Case Summary / Background

- The subject property is zoned C-1 and C-2 and is located in the Suburban Marketplace Corridor form district.
- There is a previously approved plan on this site, and the applicant is requesting a variance to relocate the dumpster and encroach into the setback on the west property line.

Site Location







Site Plan

NO CHANGES PROPOSED TO PARKING LOT. EXISTING DRAINAGE SYSTEM TO BE UTILIZED.

THE PURPOSE OF THIS REVISED DETAILED DISTRICT DEVELOPMENT PLAN IS TO CHANGE THE LOCATION OF THE PROPOSED DUMPSTER.

VARIANCE REQUEST:

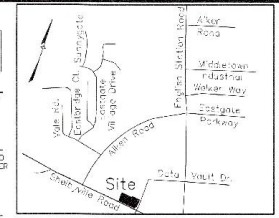
A VARIANCE OF SECTION 5.3.2.C.2.2 OF THE LOUISVILLE LAND DEVELOPMENT CODE TO ALLOW THE PROPOSED DUMPSTER ENCLOSURE TO ENCRoACH INTO THE 25' REQUIRED SETBACK.

WAIVER REQUEST:

A WAIVER OF SECTION 10.2.4.4 OF THE LOUISVILLE LAND DEVELOPMENT CODE TO ALLOW THE PROPOSED DUMPSTER ENCLOSURE TO ENCRoACH INTO THE REQUIRED 25' LANDSCAPE BUFFER AREA.

WAIVER GRANTED:

A WAIVER OF THE SIDEWALK REQUIRED A DMS SHELBYVILLE ROAD WAS APPROVED ON 4-25-2019.



PROJECT DATA

TOTAL SITE AREA	= 1.32 ACRES (57,409 SF)
EXISTING ZONING	= C-1 & C-2
EXISTING USE (TO REMAIN)	= SUBURBAN MARKETPLACE CORRIDOR
PROPOSED BUILDING AREA	= 13,532 SF
PROPOSED BUILDING HEIGHT	= 1 STORY (60 FT MAX ALLOWED)
FLOOR AREA RATIO	= 3.08 (S.C. MAX ALLOWED)
PARKING REQUIRED	MIN. MAX.
1/250 SF MAX.	= 40 SPACES (87 SPACES)
TOTAL SPACES PROVIDED	= 85 SPACES (4 ACCESSIBLE SPACES INCLUDED)
BICYCLE PARKING REQUIRED	MIN. MAX.
SHORT TERM SPACES PROVIDED	= 4
LONG TERM SPACES PROVIDED	= 1
LONG TERM SPACES PROVIDED	= 2 (LOCATED INSIDE BUILDING)

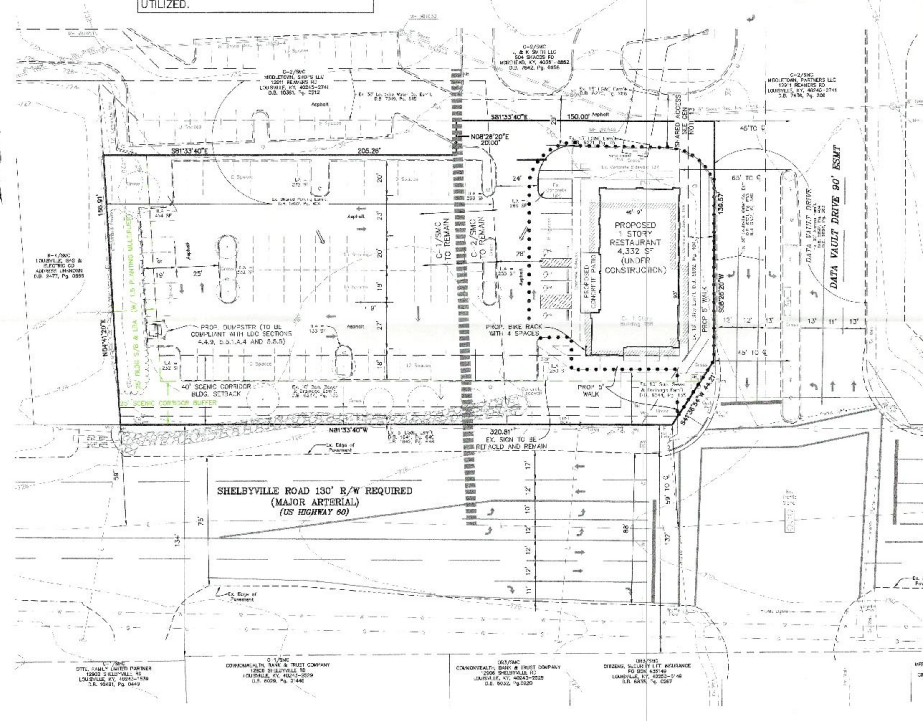
TOTAL VEHICULAR USE AREA	= 31,162 SF
INTERIOR LANDSCAPE AREA PROVIDED	= 2,338 SF (7.5%)
EXTERIOR LANDSCAPE AREA PROVIDED	= 2,360 SF
EXISTING PARKING AREA	= 29,136 SF
EXISTING INTERVARIABLE AREA	= 38,250 SF (1.14 X D.C. CLASS)

GENERAL NOTES:

- Paving areas and drive lanes to be hard and durable surface.
- An encroachment permit and bond will be required for all work done in the right-of-way.
- Site highway attachment permit will be required for any work done in the right-of-way prior to Metro Public Works construction plan approval.
- No increase in discharge run off to state roadway.
- There shall be no commercial signs in the right-of-way.
- Site lighting shall not shine in the eyes of drivers. If it does it shall be re-aimed, shielded, or turned off.
- Construction fencing shall be erected prior to any construction or grading activities preventing construction of trees to be preserved. The fencing shall enclose the area beneath the drip line of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
- Mitigation measures for dust control shall be in place during construction to prevent negative particulate emissions from reaching existing roads and neighboring properties.
- Compatible utilities shall be placed in a common trench unless otherwise required by appropriate agencies.
- City of Middletown approval required.
- Wheel stops shall be provided on any parking spaces located at least 3 feet from any adjacent wall, fence, property line, woody vegetation, wet area, or structure.
- Additional paintings will be installed within the 25' west LBA and 25' scenic corridor buffer as needed to meet the requirements of the Land Development Code and the intent of the 2003 Shelbyville Road requalification and safety project.
- 3' erod control agreement for the subject property's existing access to Beta North Drive can be found in Beta 1005 6001, Page B17.
- All signs, including attached and free-standing, will comply with the sign regulations of Middletown Land Development Code Chapter 8.

MSD NOTES:

- Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District Design Manual and Standards Specifications and other local, state and federal ordinances.
- Sanitary sewer service will be provided by an existing connection and subject to applicable fees. A downstream facilities capacity request has been approved by MSD.
- No portion of the site is within the 100 year flood plain per FEMA Map No. 211100040A.
- Drainage pattern dictated by crown (±) will be concave upwards.
- If the site has five drainage or easement lines, all will be required prior to MSD grading construction plan approval.
- All retail signs shall have individual connections per MSD's fence, sign and grease policy. All signs shall be dimensioned and approved in accordance with MSD Design Manual.
- Sign locations shall be construction plan approval.
- This project is subject to noise meter quality regulations once the International area of disturbance runs equal to or greater than 1 mile of disturbance. For this preliminary development plan, the area of disturbance is 0.6483 SF.
- MSD site disturbance permit for the work shown acquired on 7/15/19.

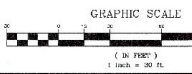
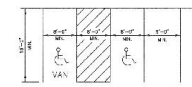


LEGEND

- EX. COLLARD
- EX. UTILITY POLE
- EX. GUY ANCHOR
- EX. 6" DIA. OVERHEAD MANHOLE
- EX. 18" DIA. VENT
- EX. 18" DIA. SEWER MANHOLE
- EX. WATER METER
- EX. WATER VALVE
- EX. GAS METER
- EX. GAS VALVE
- EX. SANITARY SEWER CLEAN-OUT
- EX. AIR CONDENSATE LINE
- EX. UNDERGROUND GAS LINES
- EX. UNDERGROUND WATER LINES
- EX. OVERHEAD LINES
- EX. CURB OF PAVEMENT
- EX. FENCE
- EXISTING STORM SEWERS, DATED BY DATE OF INSTALLATION AND REVISIONS
- EXISTING SEWER AND MANHOLE
- DRAINAGE FLOW DIRECTION
- EX. COLOUR
- PROPOSED LIMITS OF DISTURBANCE
- EX. FENCE
- EX. TREE

TREE CANOPY CALCULATIONS

TOTAL SITE AREA (CLASS C SITE)	= 1.32 ACRES (57,409 SF)
TOTAL TREE CANOPY TO BE PRESERVED	= 3,368 SF (9.3% SITE)
3144' DIA. CANOPY AREA REQUIRED	= 9,718 SF (21%)
REQUIRED NEW CANOPY TO BE PROVIDED	= 4,600 SF (9%)
1/4" TRFS REQUIRED (31,162 / 4,000)	= 8
1/4" TRFS TO BE PROVIDED	= 8 (4 EXISTING + 4 NEW)
PROPOSED NEW TRFF CANOPY TO BE PROVIDED	= 8,682 SF (16.1%)
TOTAL TRFF CANOPY TO BE PROVIDED (PRESERVED + PROPOSED)	= 14,030 SF (24.4%)



REV.	DATE	DESCRIPTION
1	12/14/18	ISSUED FOR PERMIT
2	1/7/19	ADDED COMMENTS
3	1/22/19	ADDED COMMENTS
4	2/22/19	ADDED COMMENTS

NO.	DATE	DESCRIPTION
1	12/14/18	ISSUED FOR PERMIT
2	1/7/19	ADDED COMMENTS
3	1/22/19	ADDED COMMENTS
4	2/22/19	ADDED COMMENTS

PROJECT DATA
FILE NO. 18074-1800
DATE 12-14-18
SCALE AS SHOWN
CHECKED BY: [Signature]
DATE 12-14-18

L&D
LAND DESIGN & DEVELOPMENT, INC.
1100 HIGHLAND DRIVE, SUITE 100
TAYLOR MILL, KY 40115
TEL: 502.636.1100
WWW.LANDDESIGNANDDEVELOPMENT.COM

RECEIVED
AUG 29 2019
PLANNING & DESIGN SERVICES

REVISIONS: 31-1161 DISTRICT C-2 DEVELOPMENT PLAN
FIRST WATCH - MIDDLETOWN (SHELBYVILLE ROAD)
1100 HIGHLAND DRIVE, SUITE 100
TAYLOR MILL, KY 40115
TEL: 502.636.1100
WWW.FIRSTWATCHKY.COM

REV. NO.	18074
SHEET	1
OF	1

19 DP-0043

Site Photos



Site Photos



Site Photos



Site Photos



Site Photos



Site Photos



Conclusion

- The variance request appears to be adequately justified and meets the standard of review.

Required Action

- **Variance:** from Land Development Code 5.3.2.C.2.b to allow a proposed dumpster enclosure to be located within the 25 foot required setback along the west property line. Recommend Approval/Denial to Middletown