

# Board of Zoning Adjustment Modified CUP

## Staff Report

June 26, 2023



<b>Case No:</b>	22-MCUP-0009
<b>Project Name:</b>	Progress Park
<b>Location:</b>	4501 Progress Blvd
<b>Owner(s):</b>	Progress Park, LLC
<b>Applicant:</b>	Mike Pifer
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	2 – Barbara Shanklin
<b>Case Manager:</b>	Ethan Lett, Planner I

### **REQUEST(S)**

- **Modified Conditional Use Permit** for Camping Areas and Recreational Vehicle Parks (LDC 4.2.12)

### **CASE SUMMARY/BACKGROUND**

The applicant has requested a modification to a conditional use permit for a campground and recreational vehicle park approved in 2018. The subject site is a 12-acre site that is used for camping ("airstream hotel") and event space. The applicant is proposing to add a 10,138 square foot event center and a 400 square foot restroom and showering building. In addition to the 3 existing airstream campers on site, 16 additional airstream rentals are proposed across the property.

#### **Related Cases:**

17ZONE1046 – Zoning Change from R-4 to C-2 with a Conditional Use Permit for Camping and Recreational Vehicle Parks, a maximum setback Variance, Sidewalk Waiver, and a Detailed District Development Plan

22-DDP-0120 – Revised Detailed District Development Plan approved 5/10/2023

### **STAFF FINDING**

The proposal is adequately justified for approval based on staff's analysis contained in the standard of review. There are seven listed requirements for camping areas and recreational vehicle parks; all the listed requirements have been met.

### **TECHNICAL REVIEW**

- MSD and Transportation Planning have preliminarily approved the proposal.

### **STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT**

1. Is the proposal consistent with applicable policies of the Comprehensive Plan?

STAFF: The proposed additions are consistent with the comprehensive plan. The unique site design is compatible with existing development, and the site's layout, setbacks, and screening ensure that the development will have a low impact on adjoining properties.

2. Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?

STAFF: The proposal is compatible with surrounding land uses and the general character of the area. Due to the size and location of the parcel, as well as the uniqueness of the proposed use, there would not appear to be a comparable development within the form district worthy of comparison. The layout on site is consistent with the intentions of the project.

3. Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?

STAFF: Necessary public facilities are available or being provided as demonstrated on the development plan. Transportation Planning and MSD have reviewed the proposal.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?

Camping Areas and Recreational Vehicle Parks, Public and Private, may be allowed in any district upon the granting of a Conditional Use Permit, on a property with a minimum of ten acres, and in compliance with the following requirements:

A. Buffer Strips – An open space buffer strip shall be maintained along all property lines in which campfires, or any other camping appurtenances shall not be located. The open space buffer strip shall be a minimum of 10 feet along any side or rear property line and a minimum of 30 feet along any front or street side property line.

B. Signs – Except in districts where signs are allowed, there shall be no more than one non-illuminated sign not to exceed 30 square feet in area, with a maximum height of 10 feet, located at the major entrances.

C. Traffic Impacts – Facilities shall be located and designed so that no entrance or exit shall require movement of traffic to or from the camping area or park through a recorded single-family subdivision.

D. Limits on Periods of Use – No property, camp, or individual camp site shall be sold or leased for a longer period than one month, that does not conform to the minimum lot area established for the district in which it is located or to a minimum lot area of 6,000 square feet for a district having no minimum lot area.

E. Trash and Garbage Collection – The RV Park or Camping Area Management shall be responsible for internal trash and garbage collection. Central trash collection points shall be completely screened from view from outside the park.

F. Health and Safety – Parking pads for recreational vehicles and individual camp sites shall not be exposed to conditions that create hazards to the property or the health or safety of the occupants.

No portion of the park or camping area subject to flooding or subsidence shall be used for any purpose which would expose persons or property to hazards.

G. Vehicular Use Areas – Vehicular use areas shall be paved and shall be clearly marked as to internal circulation and direction of travel. Pavement widths for travel lanes shall be as follows:

1. One-way Travel Lane – 18 feet
2. Two-way Travel Lane – 24 feet
3. Cul-de-sac Diameter – 80 feet

STAFF: The requested additions are in compliance with each of these guidelines. No open fires will occur near property lines. Access is limited to two points along a primary collector roadway. No long-term rentals will be allowed with the exception of the resident grounds manager. Trash collection has been designated on the district development plan. No hazards appear to be present by the RV parking areas. Vehicular travel lanes conform to minimum standards.

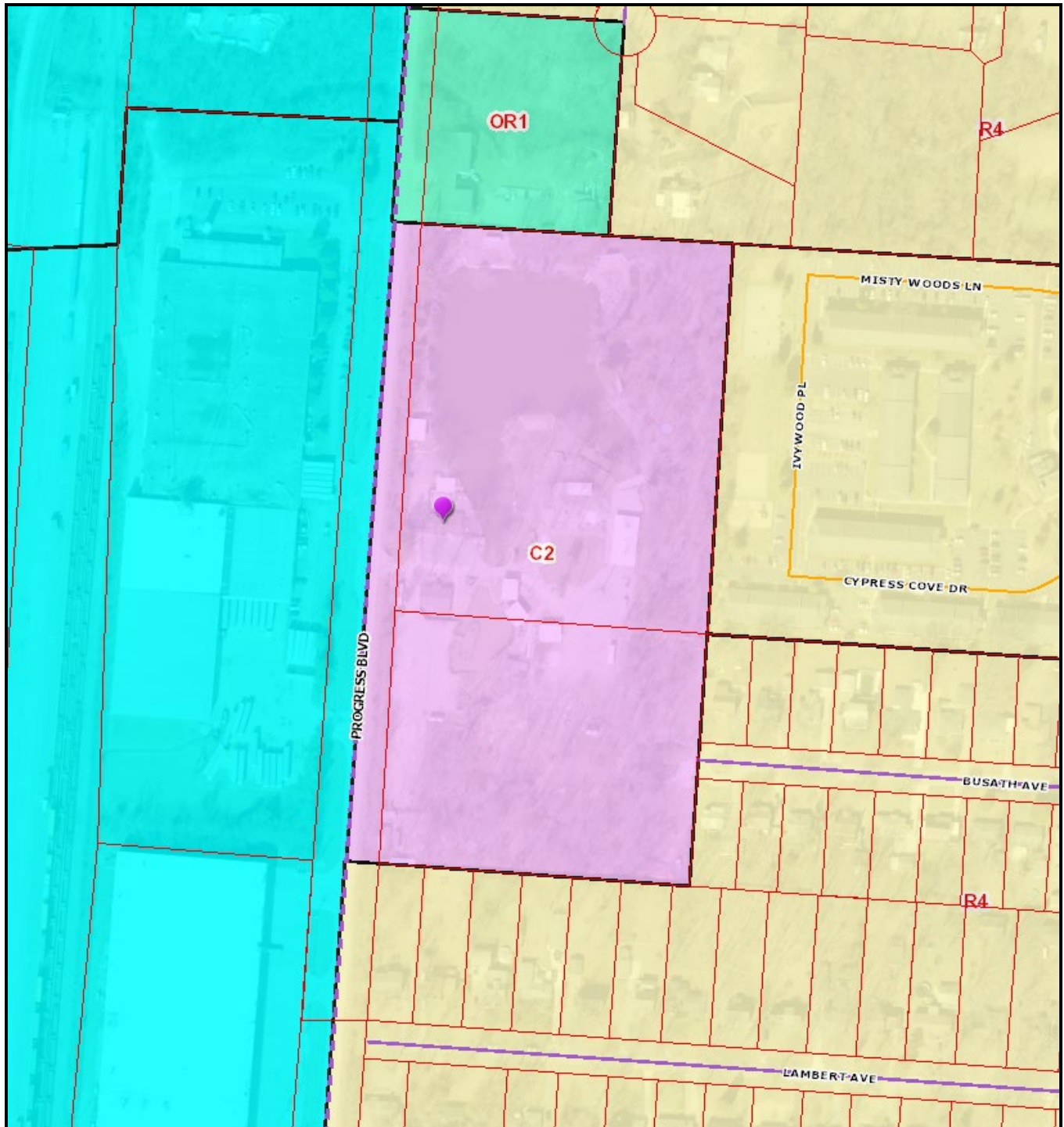
#### **NOTIFICATION**

Date	Purpose of Notice	Recipients
6/9/23	Hearing before BOZA	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 2
6/12/23	Hearing before BOZA	Sign Posting

#### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Proposed Conditions of Approval

## 1. Zoning Map





## 2. Aerial Photograph



**3. Proposed Conditions of Approval**

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a private institutional use until further review and approval by the Board.