

Development Review Committee

Staff Report

November 19, 2014



Case No:	14DEVPLAN1092
Project Name:	Todd's Place Express Carwash
Location:	4405 Bardstown Road
Owner:	Minnie D. Fegenbush Revocable Trust
Applicant:	Todd Grace
Representative:	BlueStone Engineers, PLLC
Project Area/Size:	2.43 acres
Existing Zoning District:	C-2, Commercial
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	2 – Barbara Shanklin
Case Manager:	Matthew R. Doyle, Planner I

REQUEST

- Revised Detailed District Development Plan (RDDDP) for a car wash

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The site is plan certain as approved in Case 10374. It is located along Bardstown Road between Fegenbush Lane and Breckenridge Lane across from Resthaven Memorial Cemetery in Buechel.

The applicant proposes a RDDDP to construct a car wash on the subject site. It would be a conveyor type operated by the customer with 1-2 employees on site for maintenance activity. The plan provides 3 general parking spaces and 1 parking space for each vacuum for a total of 23 spaces. Total proposed square footage for the building is 5,010. The proposal also subdivides the property into 2 lots with all of the currently proposed development on Lot 1.

The proposed RDDDP appears to meet or exceed the requirements of the Land Development Code.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	C-2	N
Proposed	Car wash	C-2	N
Surrounding Properties			
North	Single family residential	R-4	N
South	Cemetery	R-4	N
East	Single family residential	R-4	N
West	Vacant	C-2	SMC

PREVIOUS CASES ON SITE

10374: Change in zoning from R-4 Single Family Residential to C-2 Commercial and adoption of the Detailed District Development Plan for auto service, sales, and storage complex.

INTERESTED PARTY COMMENTS

Staff has not received any communication from interested parties.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and AMENDMENT TO BINDING ELEMENTS

- 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: There does not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site.

- 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 will be provided. Transportation Planning Review has approved the preliminary development plan.

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

STAFF: Provisions of sufficient open space will be provided.

- 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 has approved the preliminary development plan and will ensure the provisions 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 are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways.

- 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: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

TECHNICAL REVIEW

The proposed development plan is in order and has received preliminary approvals from Transportation Planning Review and MSD.

STAFF CONCLUSIONS

- The proposed development plan appears to be adequately justified based on staff analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC for approving the RDDDP.

REQUIRED ACTIONS

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

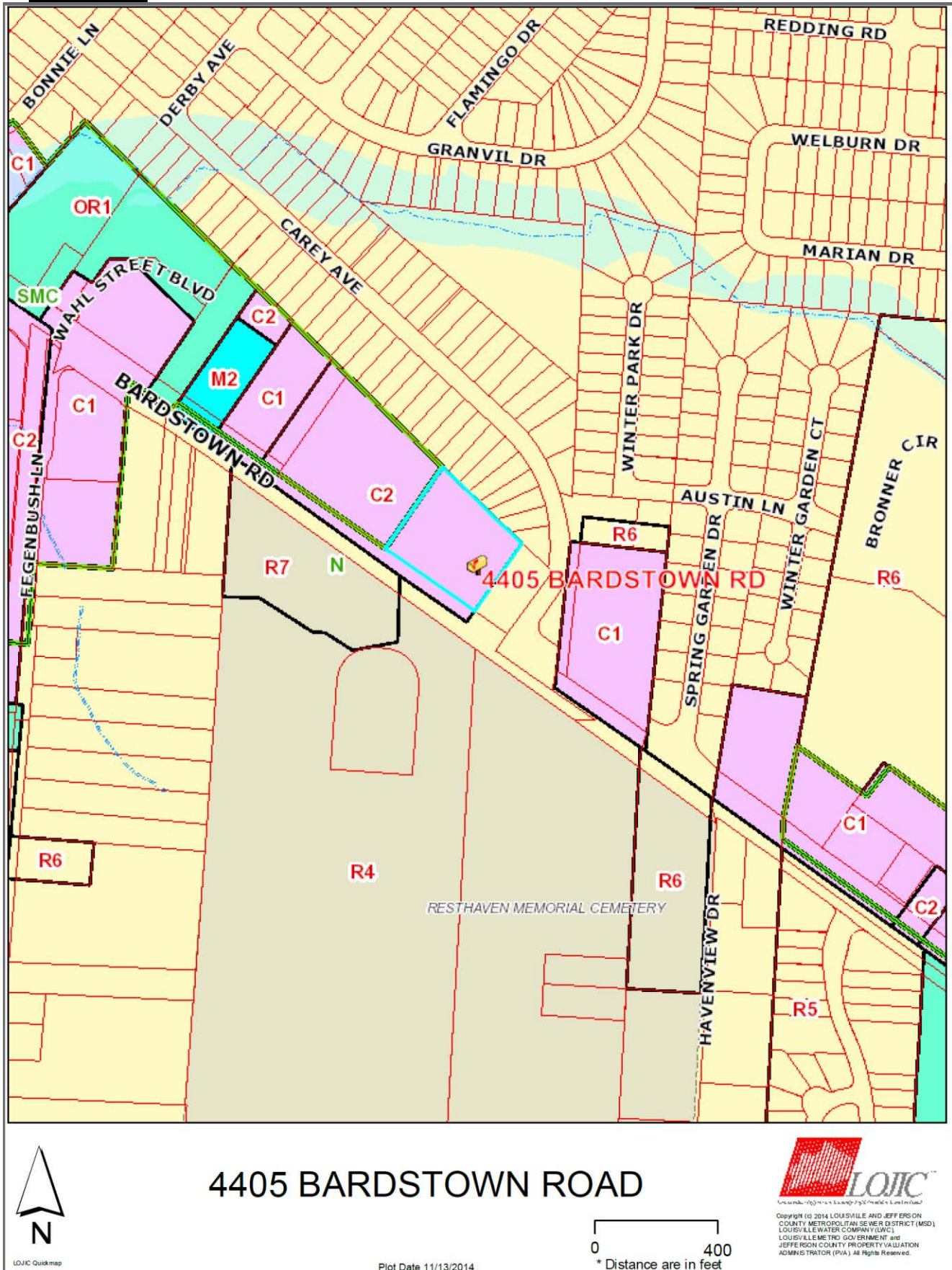
NOTIFICATION

Date	Purpose of Notice	Recipients
11/06/14	Hearing before DRC	1 st tier adjoining property owners Registered neighborhood groups

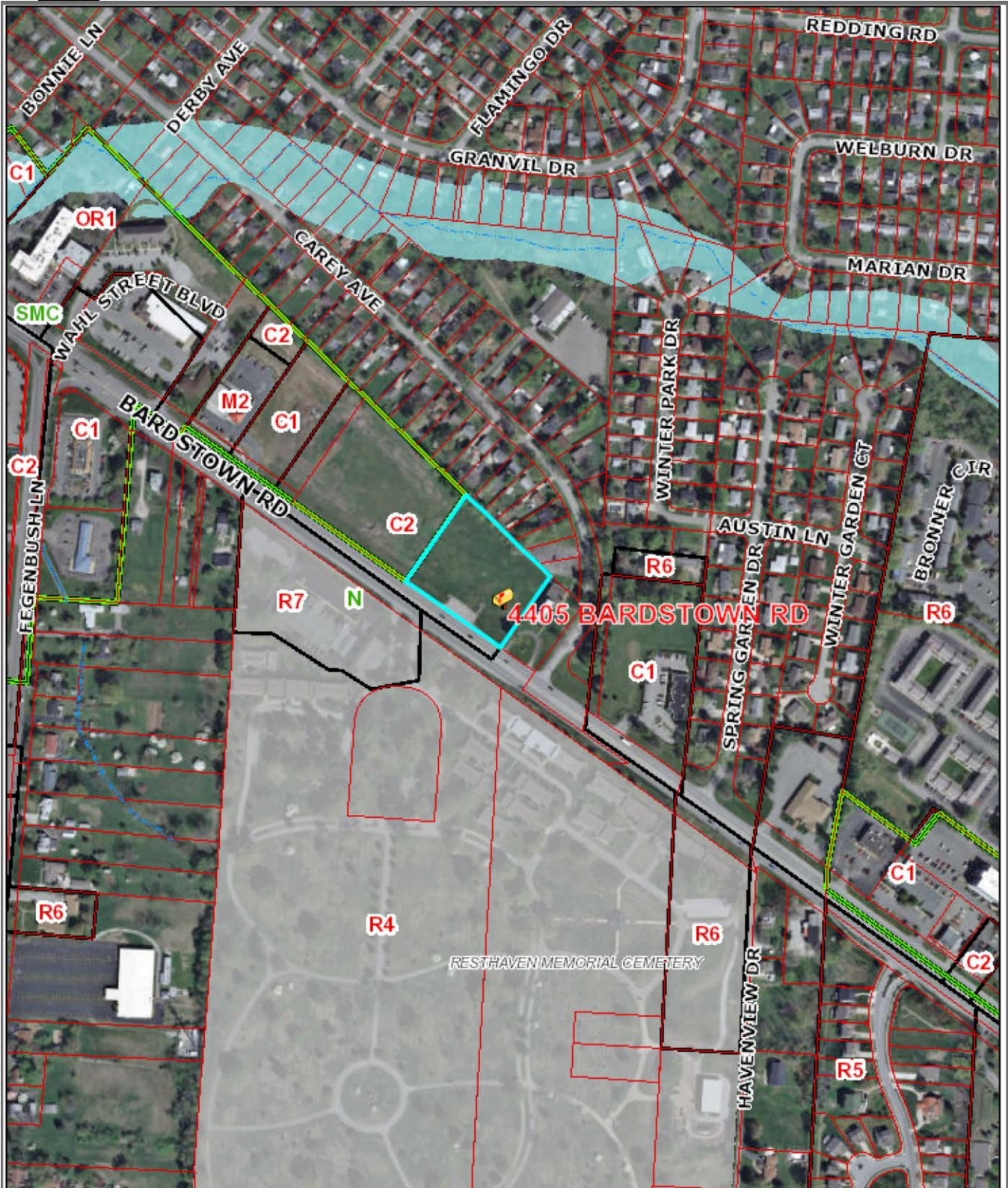
ATTACHMENTS

1. Zoning Map
2. Aerial
3. Existing Binding Elements
4. Proposed Binding Elements

1. Zoning Map

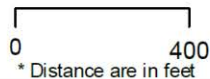


2. Aerial



LOJIC Quickmap

4405 BARDSTOWN ROAD



Plot Date 11/13/2014



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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 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. The development shall not exceed 10,500 square feet of space on Tract 1 and 5,250 square feet of space on Tract 2, for a total of 15,750 square feet of gross floor area.
3. Signs shall be in accordance with Chapter 8 or as presented at the public hearing (60 square feet in area and 6 feet tall).
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 Inspections, Permits and Licenses, Louisville Metro Public Works 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 reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - d. A minor subdivision plat shall be recorded creating the lot lines as shown on the development plan.
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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
7. The materials and design of proposed structures on the site shall be reviewed by staff per revised renderings to be submitted by the applicant to ensure the enhancement of animating features as agreed upon at the August 21, 2008, Planning Commission Public Hearing.

4. 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. The development shall not exceed 10,500 square feet of space on Tract 1 and 5,250 square feet of space on Tract 2, for a total of 15,750 square feet of gross floor area.~~
- ~~3. Signs shall be in accordance with Chapter 8 or as presented at the public hearing (60 square feet in area and 6 feet tall).~~
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 Inspections, Permits and Licenses **Construction Review**, Louisville Metro Public Works 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 reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - d. A minor subdivision plat shall be recorded creating the lot lines as shown on the development plan.
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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
- ~~7. The materials and design of proposed structures on the site shall be reviewed by staff per revised renderings to be submitted by the applicant to ensure the enhancement of animating features as agreed upon at the August 21, 2008, Planning Commission Public Hearing.~~

The materials and design of proposed structure shall be substantially the same as depicted in the renderings as presented at the November 19, 2014 Development Review Committee meeting.
8. **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.**
9. **Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90-degree cutoff and height of the light standard shall be set so that no light source is visible off-site.**

10. **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.**