

Case No. 16VARIANCE1009

**Tom Drexler Plumbing –
Proposed Utility Garage**



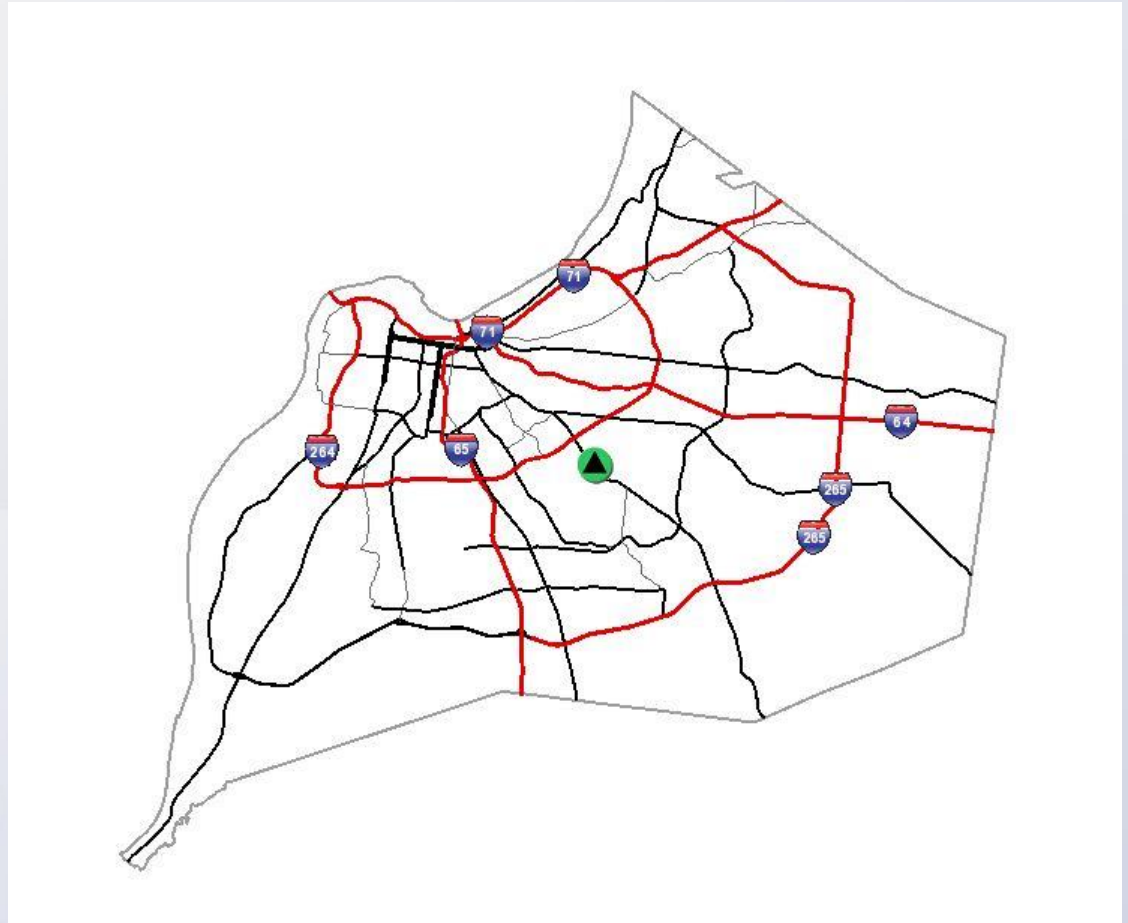
**Louisville Metro Board of Zoning Adjustment Public
Hearing**

Ross Allen, Planner I

March 21, 2016

Location

- 3718 Bardstown Road
- Council District 10 – Pat Mulvihill



Request(s)

- Variance from LDC section 5.2.4.3.a to exceed the maximum front setback of 15 feet for a non-residential use in the Town Center Form District.
- Sidewalk Waiver #1 from LDC section 5.8.1.B to not provide sidewalks along the right of way street frontage located at 3718 Bardstown Road.
- Sidewalk Waiver #2 from LDC section 5.8.1.B to not provide sidewalks along the right of way street frontage located at the rear of 3718 Bardstown Road which abuts the Buechel Bypass.

Case Summary / Background

- **Variance:** The applicant is requesting a variance from LDC section 5.2.4.3.a to exceed the maximum front setback of 15 feet as designated for a non-residential use in the Town Center Form District located at 3718 Bardstown Road.
- **Sidewalk Waiver #1:** The applicant is requesting a waiver to provide sidewalks along their street frontage, at 3718 Bardstown Rd.. There are currently no sidewalks along the southern side of Bardstown Road between Hikes Lane (northern) to Buechel Bypass/Bardstown Road intersection (southern).
- **Sidewalk Waiver #2:** The applicant is requesting a waiver to provide sidewalks along their rear street frontage along the Buechel Bypass.

Case Summary / Background

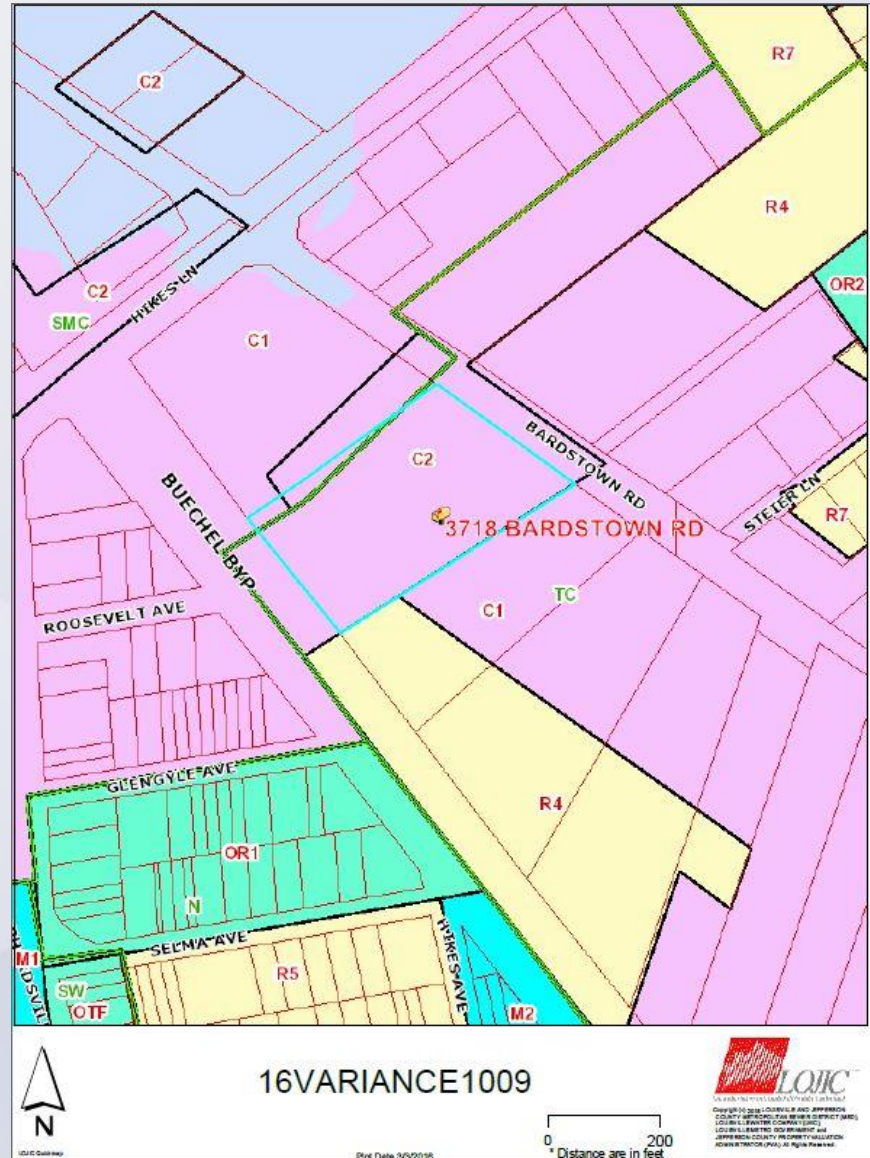
The applicant is proposing to build a 5,580 square feet 1 story garage along the northern property line. As a result of the proposed garage a sidewalk waiver was triggered, since no sidewalks are currently in place in the front of the applicant's property along the southern side of Bardstown Road.

The applicant is requesting that the owner of 3718 Bardstown Road be allowed to not provide sidewalks in the front of the property along the public Right-of-way. The northern side of Bardstown Road bounded by Hikes lane, to the north, and Buechel Bypass/Bardstown Road, to the south, the southern side of Bardstown in this vicinity has no sidewalks along the entire length from the previously described bounds. An approved plan, 15DEVPLAN1132 approved on 10/14/2014, for a CVS pharmacy shows sidewalks would be provided, this property abuts the applicant's property to the north. Also, along the southern side of Bardstown Road roughly 238 feet southeast of the property there is a transit stop.

The rear of the property abuts the Buechel Bypass, the applicant is also requesting a waiver from providing sidewalks along the Buechel Bypass.

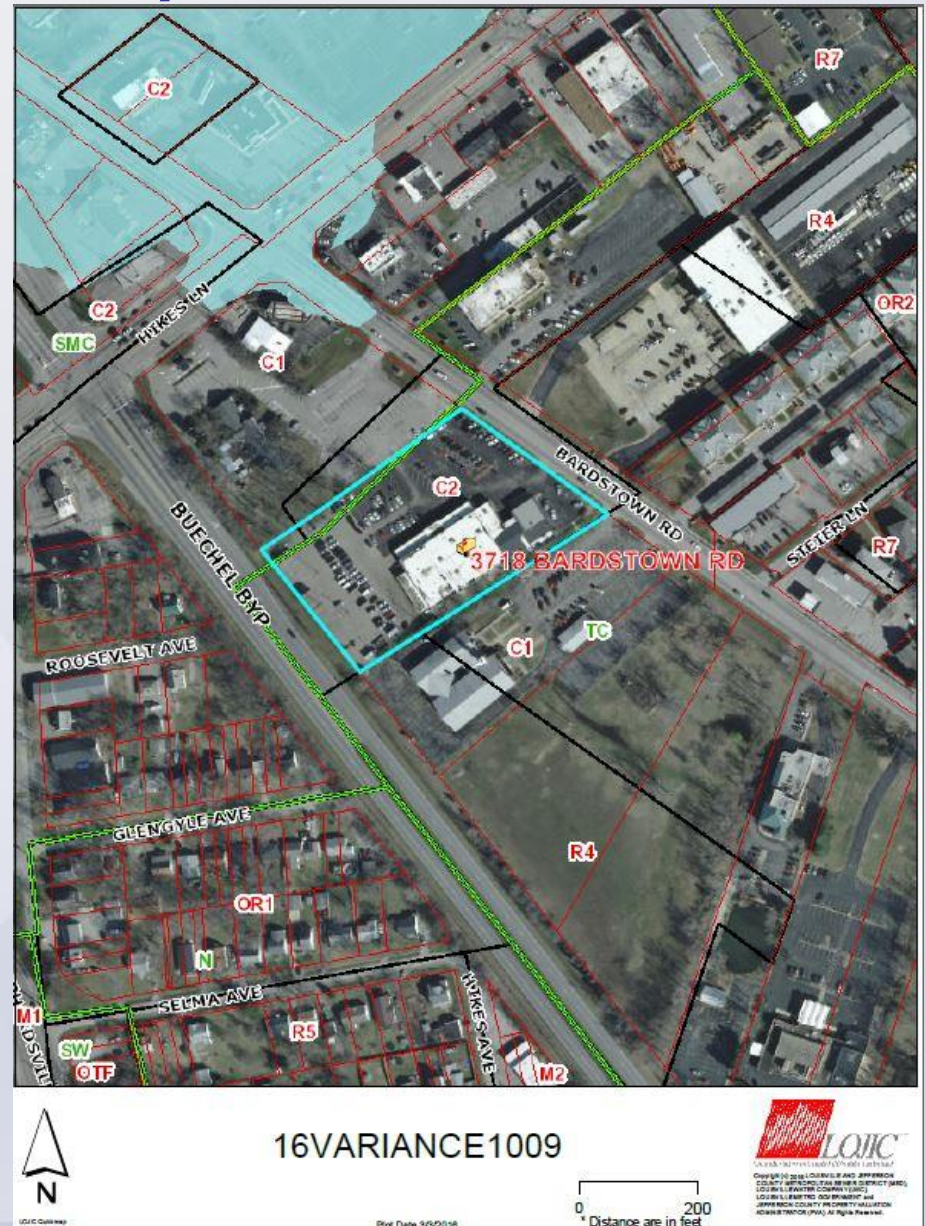
Zoning/Form Districts

- **Subject Property:**
- Existing: C-1, C-2/Suburban Marketplace Corridor (SMC), Town Center (TC)
- Proposed: Existing: C-1, C-2/Suburban Marketplace Corridor (SMC), Town Center (TC)
- **Adjacent Properties:**
- North: C-1, C-2/Suburban Marketplace Corridor (SMC), Town Center (TC)
- South: R-4; C-1/Suburban Marketplace Corridor (SMC), Town Center (TC)
- East: C-1/Town Center (TC)
- West: C-1/ Suburban Marketplace Corridor (SMC)



Aerial Photo/Land Use

- **Subject Property:**
- Existing: C-1, C-2/Suburban Marketplace Corridor (SMC), Town Center (TC)
- Proposed: Existing: C-1, C-2/Suburban Marketplace Corridor (SMC), Town Center (TC)
- **Adjacent Properties:**
- North: C-1, C-2/Suburban Marketplace Corridor (SMC), Town Center (TC)
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- East: C-1/Town Center (TC)
- West: C-1/ Suburban Marketplace Corridor (SMC)



Applicant's Site Plan



SITE DATA

EXISTING ZONE	C-2 (COMMERCIAL)
EXISTING CORP. DISTRICT	TOWN CENTER, SUBURBAN MARKETPLACE CORRIDOR
EXISTING USE	OFFICE & WAREHOUSE (COMMERCIAL)
PROPOSED USE	UTILITY - SUPPORT STRUCTURE, PARKING GARAGE FOR WORK VEHICLES
PROPERTY AREA	2.879 ACRES (125,420 S.F.)
BUILDING SQUARE FOOTAGE	MAIN BUILDING: 24,293 S.F. / 1ST FLOOR
EXISTING	2,347 S.F. / 2ND FLOOR
	= 26,440 S.F. (TOTAL AREA)
PROPOSED STRUCTURES	OFFICE USE GROUP: 20,990 S.F.
	WAREHOUSE USE GROUP: 5,400 S.F.
	WAREHOUSE / STORAGE BUILDINGS: 4,480 S.F. / DETACHED STRUCTURES
	TOTAL PROPOSED CONSTRUCTION: 28,770 SQUARE FEET
	1-STOREY PARKING-GARAGE BUILDING: 5,880 SQ. FT.
BUILDING HEIGHT	TOTAL PROPOSED CONSTRUCTION: 18' OF EXIST. BLDG. AREA
FLOOR AREA RATIO	40 FT. +/- MAX. (EXISTING) - 20 FT. (PROPOSED)
DENSITY	0.246 (EXISTING) - 0.296 (PROPOSED)
PROPOSED SVA	N/A
REQUIRED SVA	SAME AS EXISTING (UNAFFECTED)
EXISTING TREE CANOPY	EXISTING UNCHANGED
REQUIRED TREE CANOPY	N/A

PARKING DATA

REQUIRED PARKING	MINIMUM REQUIREMENTS
	OFFICE: 1 SPACE PER 330 SQ. FT. OF GROSS FLOOR AREA
	= 20,990 SQ. FT. / 290 - 443 SPACES
	WAREHOUSE: 1 SPACE PER 6 EMPLOYEES
	= 6 EMPLOYEES / 1.5 = 4 SPACES
	TOTAL MINIMUM REQUIRED: 14 SPACES
	MAXIMUM REQUIREMENTS
	OFFICE: 1 SPACE PER 200 SQ. FT. OF GROSS FLOOR AREA
	= 20,990 SQ. FT. / 200 S.F. = 105 SPACES
	WAREHOUSE: 1 SPACE PER 1 EMPLOYEE
	= 4 EMPLOYEES / 1.0 = 4 SPACES
	TOTAL MAXIMUM ALLOWED: 111 SPACES
PROVIDED PARKING	83 TOTAL SPACES, INCLUDING 2 ADA COMPLIANT
	64 SURFACE LOT SPACES / 17 PROP. GARAGE SPACES

EROSION PREVENTION & SEDIMENT CONTROL NOTES

THE APPROVED EROSION PREVENTION & SEDIMENT CONTROL (E.P.S.C.) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DEVELOPING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED E.P.S.C. PLAN MUST BE REVIEWED AND APPROVED BY ADO'S PRIVATE DEVELOPMENT REVIEW OFFICE. E.P.S.C. BMPs SHALL BE INSTALLED PER THE PLAN AND ADO STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CORRESPONDING DRAINAGE AREAS ARE SEEDS AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEDED, MACHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SET TRENCH.

ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER ADO STANDARD DRAWING 68-2.

WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE INSTALLED AS SOON AS PRACTICABLE, BUT NOT LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

SEDIMENT LADEN GROUNDWATER DISCHARGES DURING TRENCHING, BORING, OR OTHER EXCAVATION ACTIVITIES SHALL BE PLUMBED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SWALE, OR CATCH BASIN.

GENERAL NOTES

EXISTING USE AND BOUNDARY INFORMATION SHOWN HEREON IS AN ESTIMATE BASED ON DATA COMPILED FROM ADO'S LOGIC WEB SITE, ALONG WITH SELECT FIELD MEASUREMENTS AND SITE OBSERVATIONS.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR SOIL AND EROSION CONTROL, AND MUST CONTROL MEASURES PRIOR TO ANY DURING CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN THE MEASURES THROUGHOUT THE CONSTRUCTION PERIOD TO PREVENT EROSION OF SOIL AND ENTRY OF SOIL-BEARING WATER AND AIRBORNE DUST ONTO ADJACENT PROPERTIES AND INTO THE PUBLIC STORMWATER SYSTEMS.

PARKING LOT STRIPING TO APPROPRIATE EXISTING THROUGHOUT SITE, PARKING LOT TO BE SEDED WITH NEW STRIPING AS SHOWN ON THIS LAYOUT PLAN.

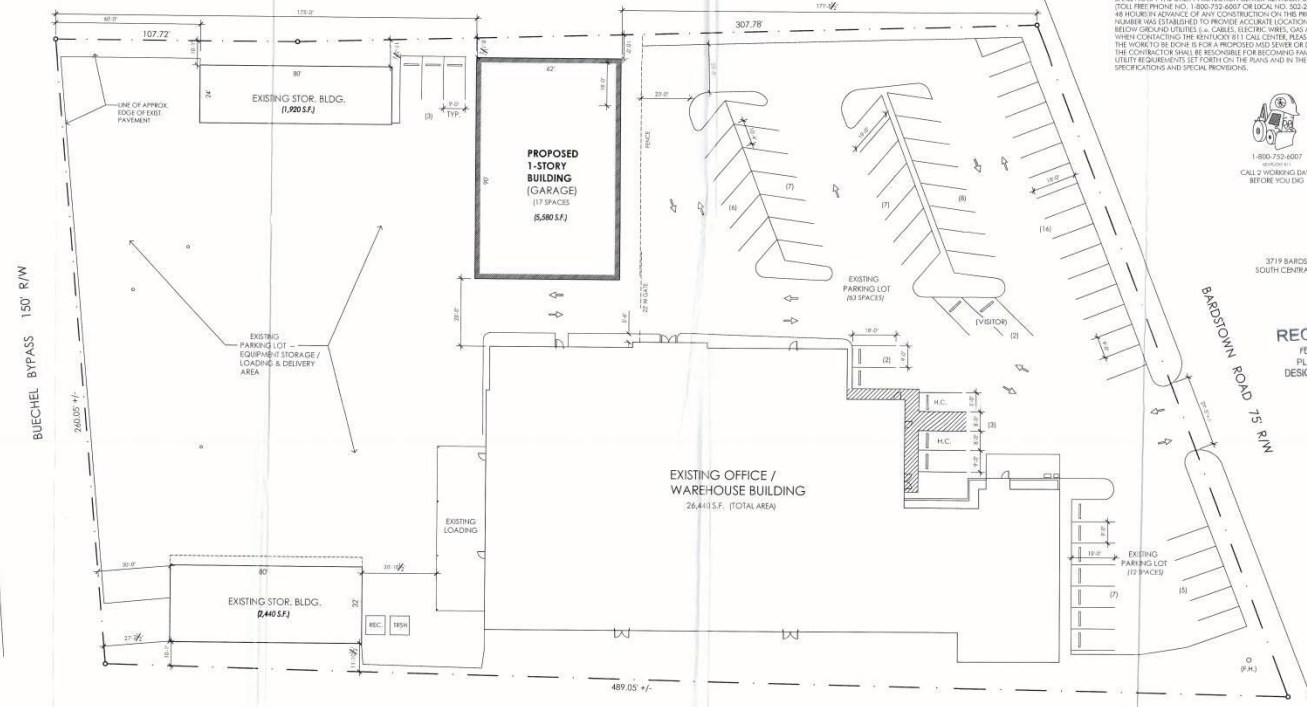
EXCAVATION AND DISPOSAL OF MATERIALS SHALL BE DONE IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL LAWS, CODES, AND ENVIRONMENTAL REGULATIONS.

ALL BUILDING REMOVAL/DEMOLITION SHALL INCLUDE FOUNDATION REMOVAL AND ALL FILL MATERIALS.

THE EXISTING UTILITIES SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL CONTACT TRUE-TON FIELD 1-800-752-6007 FOR LOCATION OF UNDERGROUND UTILITIES BEFORE EXCAVATION BEGINS.

UTILITY NOTE

ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUB-CONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER (KENTUCKY 811) AT LEAST 72 HOURS PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY 48 HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER HAS ESTABLISHED THE APPROXIMATE LOCATION OF EXISTING BELOW-GROUND UTILITIES (i.e. CABLES, ELECTRIC WIRES, GAS AND WATER LINES). WHEN CONCRETING THE FOUNDATION OF ANY CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECORDING HANDS WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS AND IN THE TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.



3719 BARDSTOWN ROAD
SOUTH CENTRAL BELL TELEPHONE

RECEIVED
FEB 22 2016
PLANNING & DESIGN SERVICES

DANIEL GRIMM, ARCHITECT
ARCHITECTURE PLANNING
8407 Shelbyville Rd
Suite 216
Louisville, KY 40222
Phone: 502.44.8714
email: dgrimm@dgrimmarch.com

Tom Drexler Plumbing, Inc.
Proposed Utility Garage Building
3718 Bardstown Rd
Louisville, KY 40218

OWNER INFORMATION
CONTACT: TOM DREXLER
COMPANY: T & D DREXLER PROPERTIES
ADDRESS: 2232 BARDSTOWN RD., LOUISVILLE, KY 40205
PHONE: 502-448-8714
EMAIL: TOM@TOMDREXLERPLUMBING.COM

DRAWN BY: **DBG**
DESIGNED BY: **DBG**
ISSUE NO: **1 - PERMIT**
SCALE: **1" = 20'-0"**
DATE: **12.4.2015**
SHEET NUMBER

SP1
SITE DEVELOPMENT PLAN
PAGE: **OF**



Site Photos-Subject Property



Looking Southeast along Bardstown Road in the front of the Tom Drexler Property.



Looking southwest along the northern property line of the Tom Drexler Property.

Site Photos-Subject Property



Looking due west towards the area where the proposed 1 story building (Garage). The structure would be behind the fence but in front of the existing storage building (in the rear white and grey color)



Looking northwest at the fence that would be in front of the proposed 1 story building (garage).

Variance and Sidewalk Waiver

- Variance from LDC section 5.2.4.3.a to exceed the maximum front setback of 15 feet.
- Sidewalk Waiver #1 from LDC section 5.8.1.B to not provide sidewalks along 3718 Bardstown Rd. street frontage.
- Sidewalk Waiver #2 from LDC section 5.8.1.B to not provide sidewalks along the Buechel Bypass.

Applicable Plans & Policies

- Cornerstone 2020: does not meet the following three criteria

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
13	Community Form/Land Use Guideline 2: Centers	A.16: The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities.	-	The proposal is designed to support easy access by car but lacks sidewalks along Bardstown Road where bicyclists and pedestrians may access transit route/s.
38	Mobility/Transportation Guideline 7: Circulation	A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation.	-	The southern side along Bardstown Road between Hikes Lane and BuechelBypass/Bradstown Road currently has no sidewalks which would support various modes of transportation.
46	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	-	The proposal is requesting to not provide a sidewalk for the movement of pedestrians, bicyclists, and transit users around/near the development.

Applicable Plans & Policies

**Land Development Code
Corner Stone 2020**

Technical Review

- No outstanding technical review items.

Staff Analysis and Conclusions

- The variance request appears to be adequately justified and meets the standard of review however waiver #1 does not meet the standard of review given the site context in relation 15DEVPLAN1132. Waiver #2 to not provide sidewalks along the Buechel Bypass meets the standard of review again based on the general vicinity. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance established in the Land Development Code from sections 5.1.10

Required Actions

- Variance from LDC section 5.2.4.3.a to exceed the maximum front setback of 15 feet.

Approve/Deny

- Sidewalk Waiver#1: along the street frontage of Bardstown Road. Approve/Deny
- Sidewalk waiver #2: along the street frontage of the Buechel Bypass. Approve/Deny