

Board of Zoning Adjustment Staff Report

November 20, 2017



Case No:	17CUP1094
Project Name:	None
Location:	4905 Rear Cooper Chapel Road
Owner(s):	Charles Davis, Jr. and Renay Davis
Applicant:	Jason Sams
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
Case Manager:	Jon Crumbie, Planning & Design Coordinator

REQUEST(S)

Modification of an approved Conditional Use Permit to allow the following:

- Removing all proposed lots lines from the plan
- Lowering the indoor air conditioned storage building from 3 stories (35 feet and 77, 625) to 1 story (25 feet and 25,880 square feet)
- Modifying the mini-warehouses to allow larger trucks to traverse the site
- Modifying the mini-warehouse access isles to allow for larger trucks to traverse the site

CASE SUMMARY/BACKGROUND

A Conditional Use Permit was approved that included the following:

- 1 Primary structure which will be a 3-story (700 units) and 35 feet in height and contain 77,640 square feet. The structure will be air conditioned.
- 7 Secondary structures (419 units) which will be 1-story and 15 feet in height and contain 54,300 square feet.
Warehouse 1 – 5,400 square feet
Warehouse 2 – 9,450 square feet
Warehouse 3 – 9,450 square feet
Warehouse 4 – 8,100 square feet
Warehouse 5 – 12,150 square feet
Warehouse 6 – 3,900 square feet
Warehouse 7 – 5,850 square feet
- 10 asphalt parking spaces including 2 ADA spaces.

The modified Conditional Use Permit will allow the following:

- 1 Primary structure which will be a 1-story (225 units) and 25 feet in height and contain 25,880 square feet. The structure will be air conditioned.
- 7 Secondary structures (448 units) which will be 1-story and 15 feet in height and contain 53,125 square feet.
Warehouse 1 – 12,150 square feet

Warehouse 2 – 2,450 square feet
Warehouse 3 – 9,450 square feet
Warehouse 4 – 8,100 square feet
Warehouse 5 – 11,750 square feet
Warehouse 6 – 3,900 square feet
Warehouse 7 – 5,325 square feet

- 10 asphalt parking spaces including 2 ADA spaces.

STAFF FINDING / RECOMMENDATION

The proposal meets the applicable policies of the Comprehensive Plan and there are eight specific standards required to obtain the conditional use permit requested. There are eight requirements and five items will be met which are items A., C., E., F., and G. Items B., and D. do not apply. Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the Land Development Code for a modified conditional use permit.

Related Cases

17CUP1024 Conditional Use Permit to allow mini-warehouses in a C-2 zoning district. This proposal was approved by the Board of Zoning Adjustment on July 10, 2017.

9-44-03 Change in zoning from R-4 Single Family Residential, R-5 Single Family Residential and R-7 Multi-Family Residential to C-1 Commercial and C-2 Commercial and a change in form district from Neighborhood Form district to Suburban marketplace form district on property located at 4901, 4903, 4905 and 4907 Cooper Chapel Road, containing 22.32 acres and being in Metro Louisville. This proposal was approved by the Planning Commission on March 4, 2004.

TECHNICAL REVIEW

There are no outstanding technical review items.

INTERESTED PARTY COMMENTS

Staff did not receive any interested party comments. A neighborhood meeting was not required for this proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

Mini-warehouses may be allowed in the C-2 District where the premises abut on a roadway classified as a collector or major or minor arterial as designated in the Comprehensive Plan for all of Jefferson County, Kentucky, upon the granting of a Conditional Use Permit and compliance with the listed

requirements. There are seven requirements and six will be met. The applicant is asking for relief of item F.

A. The property shall be landscaped so as to blend in with the surrounding area and shall be screened and buffered from adjacent uses of a non-industrial nature.

B. No building, structure or pavement shall be located closer than 30 feet to side property lines or property lines abutting residential areas. This area is reserved as a landscape buffer area.

C. No outside storage shall be allowed on the property.

D. No storage of toxic or hazardous materials shall be allowed on the property.

E. There shall be no retail or wholesale sales or distributing activities on site.

F. No structure on the site shall be taller than one story and shall not exceed 15 feet in height (except for one freestanding sign as allowed in H below). **The 1-story structure will be 25 feet in height.**

G. Signs - Only one freestanding sign shall be allowed and shall conform to limits established for the form district in which the sign is located.

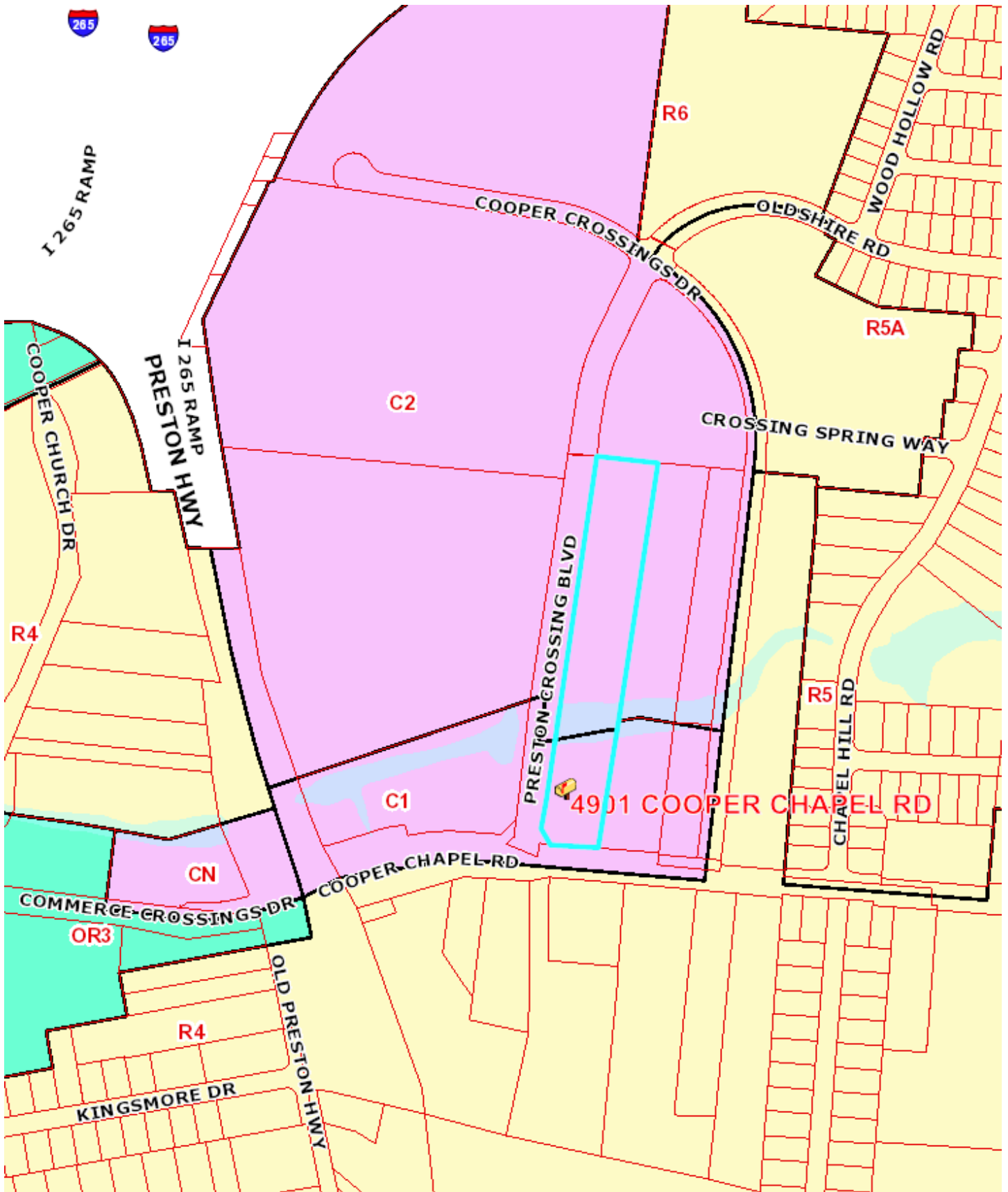
NOTIFICATION

Date	Purpose of Notice	Recipients
11/15/17	Business Session before BOZA	Registered Neighborhood Groups and subscribers in Council District 24

ATTACHMENTS

- 1. Zoning Map
- 2. Aerial Photograph
- 3. Existing Conditions of Approval

- 1. **Zoning Map**



2. Aerial Photograph



3. Existing 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 as a mini-warehouse facility without further review and approval by the Board.