

Board of Zoning Adjustment Staff Report

April 6, 2015



| | |
|----------------------------------|------------------------------------|
| Case No(s): | 14CUP1037 |
| Project Name: | U-Haul Store |
| Location: | 4612 Preston Highway |
| Owner(s): | AMERCO Real Estate Company |
| Applicant(s): | AMERCO Real Estate Company |
| Representative(s): | Kim Dunaway |
| Project Area/Size: | 55,195 square feet |
| Existing Zoning District: | C-2, Commercial |
| Existing Form District: | SMC, Suburban Marketplace Corridor |
| Jurisdiction: | Louisville Metro |
| Council District: | 21 – Dan Johnson |
| Case Manager: | Jon E. Crumbie, Planner II |

REQUEST

- Conditional Use Permit to allow a mini-warehouse in a C-2 Zoning District.

CASE SUMMARY/BACKGROUND

AMERCO Real Estate Company is requesting a Conditional Use Permit for a proposed 4,994 square foot mini-warehouse building for the storage of U-Box Pods. The site located at 4616 Preston Highway will be subdivided to separate the U-Box Pod facility from the existing U-Haul facility. The site had a Conditional Use Permit previously approved by BOZA under docket number B-35-00 & B-36-00 that allowed mini-warehouses on site and granted a variance to allow the proposed building to encroach into the rear yard as required by the Land Development Code in 2000. The approved plan was never implemented.

A Revised Detailed District Development plan and waivers (14DEVPLAN1179) were approved on February 18, 2015 on the property. The subject site is plan certain under Docket 9-38-84. It is adjacent to I-65 along Preston Highway between Grade Lane and Durrett Lane.

The applicant requested approval of a RDDDP to allow the construction of a 4,994 sq. ft. mini-warehouse. As proposed, the development plan requires three waivers:

Waiver #1: Part of the vehicular use area and the building encroaches 10 ft. into the LBA along I-65, which requires a waiver of Land Development Code (LDC) section 10.2.4.B;

Waiver #2: The plan does not provide a vehicular connection with the abutting property to the south, which requires a waiver of LDC section 5.5.2.B.1.a. & 5.9.2.A.1.b.ii.; and

Waiver #3: The truck maneuvering for loading and unloading is between Preston Highway and the building and the ramp for the loading dock extends beyond the primary façade of the proposed mini-warehouse without providing either a screen consisting of a fence with landscaping or wall constructed of the same building materials as the principal structure. This requires a waiver of LDC section 5.5.2.B.2.

The proposed mini-warehouse would be set back approximately 104 ft. from the front property line with truck maneuvering in the front and the loading area on the front and south side of the building adjacent to a restaurant. Landscaping required per Chapter 10 of the LDC would be provided along Preston Highway. The applicant offers to screen the loading area from the restaurant with a 6 ft. wooden fence and landscaping.

SITE CONTEXT

The site is irregular in shape and located on the west side of Preston Highway. Bob Evans Restaurant is located to the south, funeral home and cemetery to the east, used car lot to the north, and I-65 right-of-way to the west. The site is flat.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

| | Land Use | Zoning | Form District |
|-------------------------------|--|---------------|----------------------|
| Subject Property | | | |
| Existing | Truck rental and storage | C-2 | SMC |
| Proposed | Truck rental and storage w/ mini-warehouse | C-2 | SMC |
| Surrounding Properties | | | |
| North | Automobile services | C-2 | SMC |
| South | Restaurant | C-1 | SMC |
| East | Funeral home and cemetery | R-1 | SMC |
| West | Interstate 65 | ROW | ROW |

PREVIOUS CASES ON SITE

- 9-38-84:** Approval of a change in zoning from C-1 to C-2 and a General District Development Plan for an expansion of a U-Haul Sales and Service facility.
- B-35-00:** BOZA approved a CUP for a mini-warehouse facility containing 6,700 sq. ft. of storage.
- B-36-00:** BOZA approved variances to allow the proposed mini-warehouses to encroach into the required yard.
- 14DEVPLAN1179:** Revised Detailed District Development Plan (RDDDP) and waivers for a proposed mini-warehouse.

INTERESTED PARTY COMMENTS

Board of Zoning Adjustment staff has not received any inquiries or comments about this case.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMITS

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

STAFF: The proposal meets all applicable policies of the Comprehensive Plan. Lighting and signage will be code compliant. Three waivers have been previously approved by DRC.

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

STAFF: The subject site is located in a commercial area that has a mix of commercial uses. All the commercial uses in the area have similar, scale, intensity, traffic, noise, and lighting.

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

STAFF: The proposal has been reviewed by Transportation Planning and MSD and both have approved the plan. The Louisville Fire Protection District #3 did not comment on the proposal.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested? There are 8 requirements and 5 items will be met which are items A., C., D., E., and H. The applicant will be requesting modifications for item B., F., and G. **The applicant provided justification for the modifications on page 10.**

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.

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. **Landscaping required per Chapter 10 of the LDC would be provided along Preston Highway. The applicant offers to screen the loading area from the restaurant with a 6 ft. wooden fence and landscaping.**

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. **The proposed building will be approximately 15 feet from the south side property line at its closest point.**

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. Loading doors and vehicle maneuvering areas shall be located away from the exterior of the property. **The loading doors and vehicle maneuvering areas will be located toward the exterior of the property.**

G. 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 proposed building will be 33' – 11" in height.**

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

TECHNICAL REVIEW

The applicant will need to obtain approval of a minor plat to subdivide the property as shown on the development plan. A shared parking and crossover access easement agreement will be recorded with the minor plat.

STAFF CONCLUSIONS

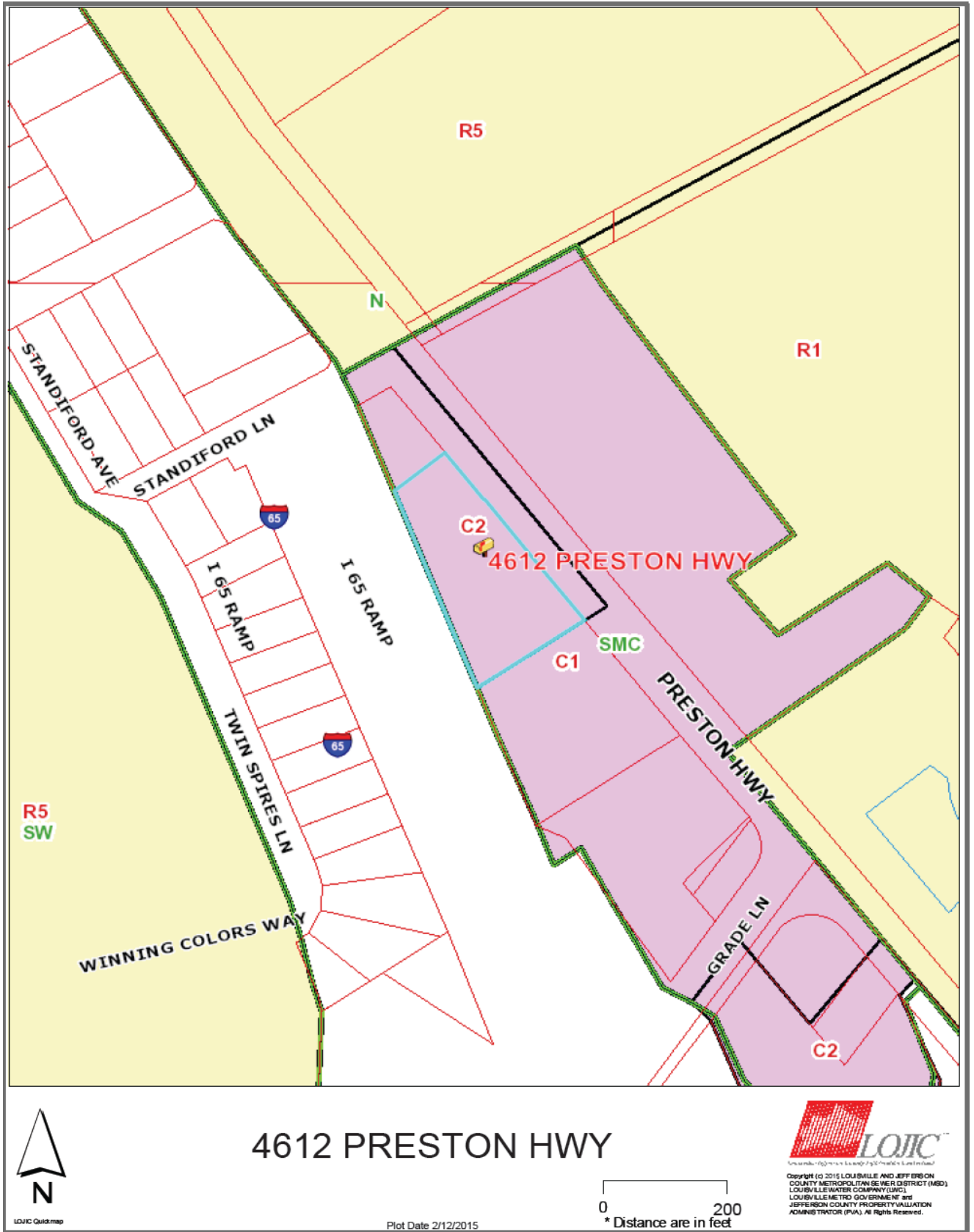
Based upon the information in the staff report, the testimony and evidence provided at the public hearing, BOZA must determine if the proposal meets the standards for granting the Conditional Use Permit as established in the LDC

NOTIFICATION

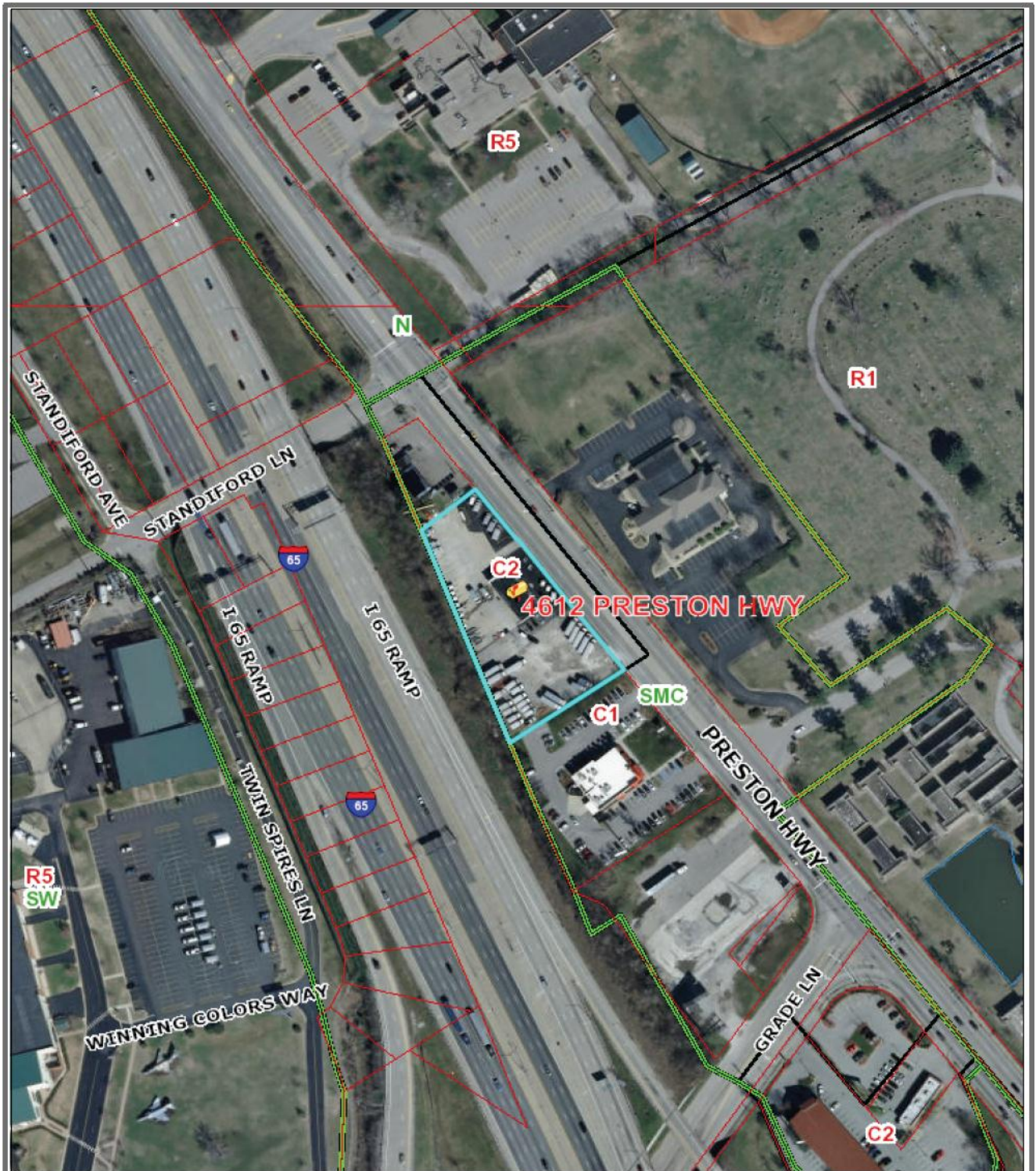
| Date | Purpose of Notice | Recipients |
|-------------|--------------------------|--|
| 03/19/2015 | APO Notice | First tier adjoining property owners Neighborhood notification recipients |
| 03/20/2015 | Sign Posting | Subject Property |

ATTACHMENTS

1. Zoning Map



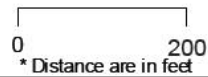
2. Aerial Photograph



LOJIC Quickmap

4612 PRESTON HWY

Plot Date 2/12/2015



Copyright (c) 2015 LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

3. Cornerstone 2020 Staff Checklist

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|---|--|---------------|---|
| 1 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal integrates into the existing pattern of development, which includes a mixture of medium- to high-density uses. | ✓ | Site is located in an area with a mix of uses. |
| 7 | Community Form/Land Use Guideline 2: Centers | A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it. | ✓ | There is sufficient population in the area to support the use. |
| 15 | Community Form/Land Use Guideline 3: Compatibility | A.2: The proposed building materials increase the new development's compatibility. | ✓ | The building material have been reviewed and approved by staff. |
| 17 | Community Form/Land Use Guideline 3: Compatibility | A.5: The proposal mitigates any potential odor or emissions associated with the development. | ✓ | APCD has reviewed the proposal and has no comments. |
| 18 | Community Form/Land Use Guideline 3: Compatibility | A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities. | ✓ | Transportation Planning has reviewed and approved the proposal. |
| 19 | Community Form/Land Use Guideline 3: Compatibility | A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky. | - | Lighting is not shown on the proposal. |
| 24 | Community Form/Land Use Guideline 3: Compatibility | A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians. | ✓ | Transportation Planning has reviewed and approved the proposal. |
| 25 | Community Form/Land Use Guideline 3: Compatibility | A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street. | ✓ | Landscaping will be provided and tree canopy requirements will be met. |
| 27 | Community Form/Land Use Guideline 3: Compatibility | A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings. | +/- | Signs are shown on the plan, but staff does not know the size. Signs must meet code or variances may be needed. |
| 42 | Mobility/Transportation Guideline 7: Circulation | A.10: The proposal includes adequate parking spaces to support the use. | ✓ | Transportation Planning has reviewed and approved the proposal. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|---|---------------|---|
| 43 | Mobility/Transportation Guideline 7: Circulation | A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites. | ✓ | A parking/crossover agreement will be recorded with the minor plat. |
| 48 | Livability/Environment Guideline 10: Flooding and Stormwater | The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue-line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices. | ✓ | MSD has reviewed and approved the proposal. |
| 49 | Livability/Environment Guideline 12: Air Quality | The proposal has been reviewed by APCD and found to not have a negative impact on air quality. | ✓ | APCD has reviewed the proposal and has no comments. |
| 51 | Community Facilities Guideline 14: Infrastructure | A.2: The proposal is located in an area served by existing utilities or planned for utilities. | ✓ | LG&E has service in the area. |
| 52 | Community Facilities Guideline 14: Infrastructure | A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes. | ✓ | The proposal is served by Louisville Fire District #3. |
| 53 | Community Facilities Guideline 14: Infrastructure | A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams. | ✓ | Sewers are located in the area. |

4. Applicant's Justification Statement and Proposed Findings of Fact

February 27, 2015

Planning & Design Services
444 S. 4th Street
Louisville, KY 40202

RE: U-Haul Store Preston Highway U-Box

To whom it may concern:

RECEIVED
FEB 27 2015
PLANNING &
DESIGN SERVICES

AMERCO Real Estate Company is requesting a Conditional Use Permit for a proposed 4,994 sq.ft. mini warehouse building for the storage of U-Box Pods. The site located at 4616 Preston Highway will be subdivided to separate the U-Box Pods facility from the existing U-Haul Facility.

The U-Box Pod concept allows the customer the flexibility of storing on site or shipping to another destination. Most of the contracts for U-Box Pods are executed on-line and a Pod is delivered off site for packing and then returned to the mini warehouse building for storage.

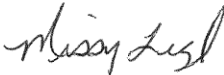
A waiver was approved under case #14DEVPLAN1179 to allow a portion of the proposed building and asphalt to encroach into the 15' LBA required along the west property line adjacent to Interstate 65 in areas as shown on the approved development plan.

A waiver was approved under case #14DEVPLAN1179 to not provide the interconnectivity between the proposed U-Box Pod site and the Bob Evans Restaurant to the south.

A waiver was approved under case #14DEVPLAN1179 to not provide a fence with landscaping or a wall for screening loading area in front of loading area along Preston Highway. Alternative screening along the south property line has been provided.

The site had a Conditional Use Permit previously approved under BOZA Docket No.'s B-35-00 & B-36-00 that allowed mini warehouse's on the site and also granted a variance to allow the proposed building to encroach into the rear yard as required by the LDC in 2000.

Sincerely,



Missy Legel

14CUP

March 23, 2015

Mr. Jon E. Crumbie, Planner II
Division of Planning & Design Services
Metro Development Center
444 South 5th Street, Suite 300
Louisville, KY 40202

RE: 14CUP1037

Dear Mr. Crumbie,

RECEIVED
MAR 23 2015
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The U-Box Pod concept allows the customer the flexibility of storing on site or shipping to another destination. Most of the contracts for U-Box Pods are executed on-line and a Pod is delivered off site for packing and then picked up and returned to the mini warehouse building for storage.

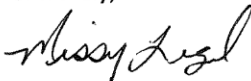
AMERCO Real Estate is requesting a modification from Chapter 4, Part 2.35.F which requires the loading doors and vehicle maneuvering areas to be located away from the exterior of the property. In a typical mini warehouse facility there are multiple buildings which align the perimeter of the property with the access doors on the interior of the property. However, the storage of Pods is done in a larger building and requires larger truck maneuvering areas; therefore this building is proposed to be constructed at the southwest corner of the lot with the flow of Pods from the south end of the building to the north end. The loading dock area on the south end is at grade and is screened from the Bob Evan's Restaurant with a fence and evergreens.

AMERCO Real Estate is requesting a modification from Chapter 4, Part 2.35.G to allow the proposed U-Box Pod building to exceed 15' in height. Each U-Box Pod is 5' wide, 8' deep and 7.5' tall, with a taller building this will allow AMERCO Real Estate to stack the Pods 3 high and therefore serve a greater number of customers from this location with a smaller footprint building. The maximum building height allowed in the SMFD is 60 feet and this building is proposed to be 33 feet 11 inches.

Site lighting will conform to Chapter 4 Part 1.3 of the Land Development Code.

No freestanding sign is proposed for this development. There will be façade signs on the East and West elevations of the building. The façade signs will conform to Chapter 8 of the Land Development Code for the SMFD.

Sincerely,



Missy Legel

Jan. 9, 2015

RE: Application for Conditional Use Permit

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Dear Neighbor:

AMERCO Real Estate Company is planning to file an application for a Conditional Use Permit on the property located at 4612 Preston Highway adjacent to the existing U-Haul Sales and Service facility. The purpose of this Conditional Use Permit application is for the Board of Zoning Adjustment review of a proposed 4,994 square feet to be constructed for the storage of POD units. This property is currently zoned C-2 and is in the Suburban Marketplace Corridor Form District.

In accordance with procedures of Louisville Metro Planning and Design Services, we are inviting adjoining property owners and neighborhood group representatives to join in an informal discussion and review of this proposal before filing the Conditional Use Permit application. This meeting will be held in addition to the established procedures of the Board of Zoning Adjustment, including a public meeting before the Board of Zoning Adjustment Committee.

The meeting to discuss this development proposal will be held on **January 21, 2015 at 6:00 p.m.** at the **LaQuinta Inn & Suites Louisville Airport & Expo located at 4125 Preston Highway Louisville, KY 40213.**

We look forward to the opportunity to share this information with our closest neighbors.

Best regards,

Chris Nester
AMERCO Real Estate Company

19CUP1037

Developer's Neighborhood Meeting Attendance Sheet **U-Box Pod Storage**

LaQuinta Inn & Suites
4125 Preston Hwy.

NEIGHBORS IN ATTENDANCE

Jan. 21, 2015

| | Name | Address | Zip Code | Phone # |
|-----|-------------|--------------------------|----------|----------|
| 1. | Kim Dunaway | 3404 Stony Spring Circle | 40220 | 671-0060 |
| 2. | Chris Neste | 4128 Bardstown Rd | 40218 | 491-4616 |
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14CUP1037

Mini Warehouse (U-Box Pods)

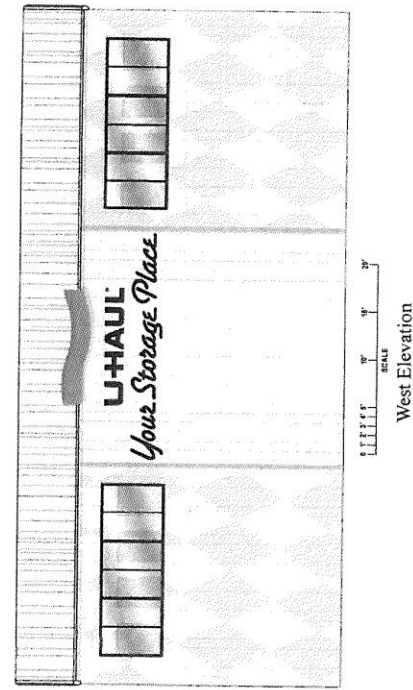
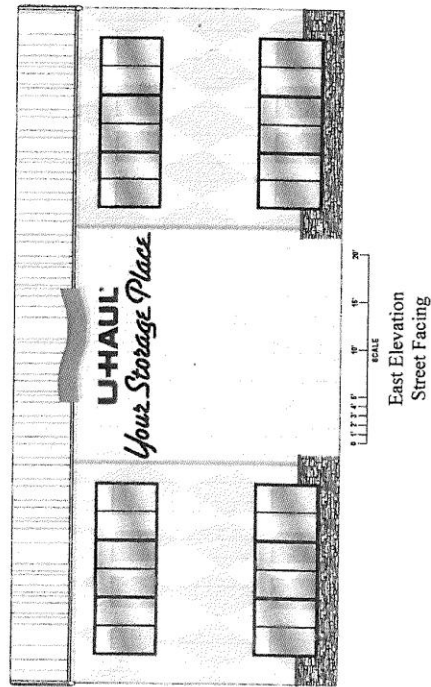
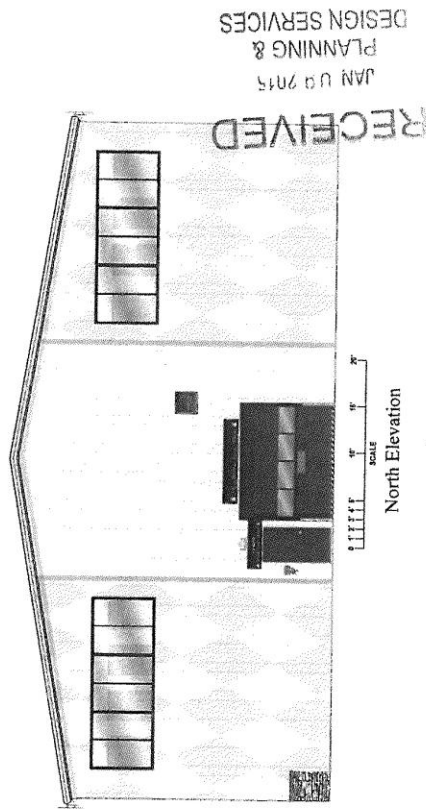
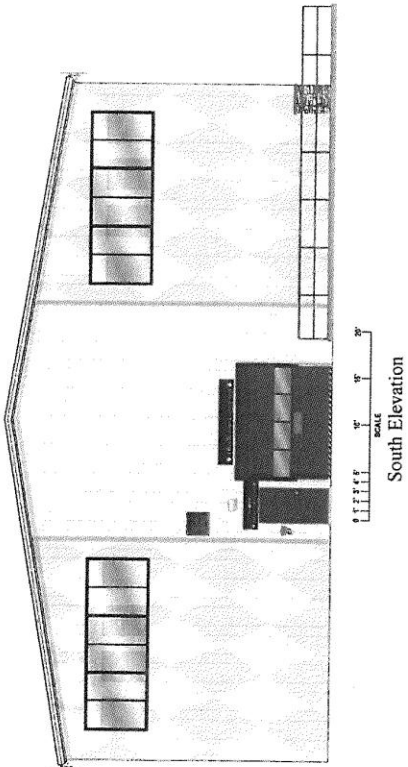
A neighborhood meeting was held on January 28, 2015 for the proposed Conditional Use Permit of the Mini Warehouse (U-Box Pods) located at 4616 Preston Highway. Notice for the meeting was mailed out January 9, 2015 and the meeting was held at 6:00p.m. at LaQuinta Inn & Suites Louisville Airport & Expo, 4125 Preston Highway, Louisville, KY 40213.

No neighbors attended the meeting.

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19CUP1037

Preliminary Drawings



14CUP1037

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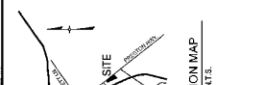
| NO. | DATE | REVISIONS |
|-----|----------|-----------------|
| 1 | 11-15-15 | OWNER'S REVIEW |
| 2 | 11-15-15 | ADDED SIGNATURE |
| 3 | 11-15-15 | ADDED SIGNATURE |
| 4 | 11-15-15 | ADDED SIGNATURE |
| 5 | 11-15-15 | ADDED SIGNATURE |

CIVIL DESIGN, INC.
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.8888
 FAX: 303.733.8889

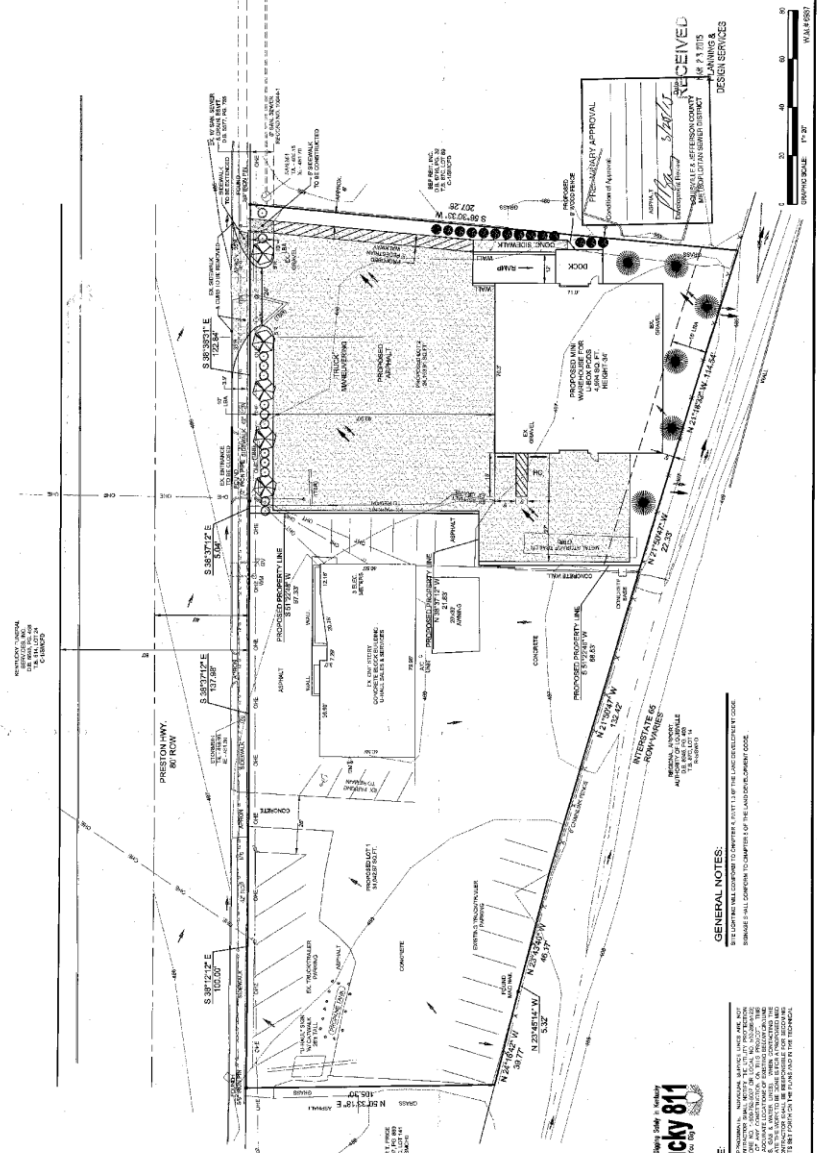
U-HAL STORE PRESTON HIGHWAY U BOX
 AMERCO REAL ESTATE COMPANY
 2000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.8888
 FAX: 303.733.8889

RECEIVED
 DENVER CITY ENGINEERING DEPARTMENT
 1500 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 RECEIVED DATE: 11/15/15
 PROJECT NO: 14CUP1037

| | |
|---------|-------------|
| DATE | 11-15-15 |
| SCALE | 1" = 10'-0" |
| PROJECT | 14CUP1037 |
| NO. | 1 |



NOTES:
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER CONSTRUCTION STANDARDS AND SPECIFICATIONS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DENVER.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. ALL UTILITIES SHALL BE PROTECTED AND DEEPENED AS NECESSARY.
 5. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE FEATURES.
 6. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 7. THE CONTRACTOR SHALL MAINTAIN ALL RECORDS AND AS-BUILT DRAWINGS.
 8. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY OF DENVER.
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APCD NOTE:
 THE CITY OF DENVER AIR POLLUTION CONTROL DEPARTMENT HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN COMPLIANCE WITH THE AIR POLLUTION CONTROL REGULATIONS.

NYC NOTES:
 THE CITY OF DENVER NATURAL RESOURCES DEPARTMENT HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN COMPLIANCE WITH THE NATURAL RESOURCES REGULATIONS.

GENERAL NOTES:
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UTILITY PROTECTION NOTE:
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APPROVED WAIVERS:
 THE CITY OF DENVER HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN COMPLIANCE WITH THE CITY OF DENVER CONSTRUCTION STANDARDS AND SPECIFICATIONS.

LANDSCAPING SUMMARY:
 ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER LANDSCAPING REGULATIONS.

TREE CANOPY CALCULATION - LOT 2:
 THE TREE CANOPY CALCULATION IS IN ACCORDANCE WITH THE CITY OF DENVER TREE CANOPY CALCULATION REGULATIONS.

PARKING SUMMARY:
 ALL PARKING SPACES SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER PARKING REGULATIONS.

STORMWATER NOTES:
 ALL STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER STORMWATER MANAGEMENT REGULATIONS.

EROSION PREVENTION AND SEDIMENT CONTROL NOTES:
 ALL EROSION PREVENTION AND SEDIMENT CONTROL MEASURES SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER EROSION PREVENTION AND SEDIMENT CONTROL REGULATIONS.

SITE DATA - LOT 1:
 THE SITE DATA IS IN ACCORDANCE WITH THE CITY OF DENVER SITE DATA REGULATIONS.

SITE DATA - LOT 2:
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PRELIMINARY APPROVAL DEVELOPMENT PLAN
 CONDITIONS:
 1. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER CONSTRUCTION STANDARDS AND SPECIFICATIONS.
 2. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER LANDSCAPING REGULATIONS.
 3. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER TREE CANOPY CALCULATION REGULATIONS.
 4. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER PARKING REGULATIONS.
 5. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER STORMWATER MANAGEMENT REGULATIONS.
 6. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER EROSION PREVENTION AND SEDIMENT CONTROL REGULATIONS.
 7. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER SITE DATA REGULATIONS.
 8. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER APCD REGULATIONS.
 9. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER NYC REGULATIONS.
 10. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER UTILITY PROTECTION REGULATIONS.

LEGEND:
 1. EXISTING SIDEWALK
 2. EXISTING DRIVEWAY
 3. EXISTING DRIVEWAY
 4. EXISTING DRIVEWAY
 5. EXISTING DRIVEWAY
 6. EXISTING DRIVEWAY
 7. EXISTING DRIVEWAY
 8. EXISTING DRIVEWAY
 9. EXISTING DRIVEWAY
 10. EXISTING DRIVEWAY

UTILITY PROTECTION NOTE:
 ALL UTILITIES SHALL BE PROTECTED AND DEEPENED AS NECESSARY. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AT ALL TIMES.

APPROVED WAIVERS:
 THE CITY OF DENVER HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN COMPLIANCE WITH THE CITY OF DENVER CONSTRUCTION STANDARDS AND SPECIFICATIONS.

LANDSCAPING SUMMARY:
 ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER LANDSCAPING REGULATIONS.

TREE CANOPY CALCULATION - LOT 2:
 THE TREE CANOPY CALCULATION IS IN ACCORDANCE WITH THE CITY OF DENVER TREE CANOPY CALCULATION REGULATIONS.

PARKING SUMMARY:
 ALL PARKING SPACES SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER PARKING REGULATIONS.

STORMWATER NOTES:
 ALL STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER STORMWATER MANAGEMENT REGULATIONS.

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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 mini-warehouse without further review and approval by the Board.