

Land Development and Transportation Committee Staff Report

March 8, 2018



Case No:	18DEVPLAN1004
Project Name:	Redden Mobile Mechanic
Location:	4612 Knopp Ave.
Owner(s):	Phil Charmoli – Charmoli-Knopp Properties LLC.
Applicant:	Chris Guffey – Allegiant Construction LLC.
Representative(s):	Jason Hall – Prism Engineering & Design Group LLC.
Project Area/Size:	3.41 acres or 148,393 sf.
Zoning:	EZ-1
Form District:	Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	13 – Vicki Aubrey Welch
Case Manager:	Ross Allen – Planner I

REQUEST(S)

- **WAIVER #1:** from LDC Section 5.8.1.B/5.9.2.A.b.i to not provide a sidewalk along the southern side of Knopp Ave. for approximately 362 ft. and the north side of Melton Ave. frontage for approximately 256 ft.
- **WAIVER #2:** from LDC 10.2.10, table 10.2.6 to allow vehicular use area to encroach into the required 15' VUA LBA along Knopp Ave. and Melton Ave.
- **WAIVER #3:** from LDC 10.2.10, table 10.2.6 to eliminate the required 15 ft. VUA LBA and plantings along the unimproved right of way along the southwestern property line for an approximate distance of 202.35 ft. (property line labeled N05°02'29"E)

CASE SUMMARY/BACKGROUND

The subject property is located in South Central Louisville Metro south of the Louisville International Airport and approximately 4,024 feet west Interstate – 65. The subject property is located between Knopp Ave. and Melton Ave. having double frontage and is surrounded by EZ-1 zoned parcels within the Suburban Workplace Form District. The parcel has two existing structures, a 5,392 sf, and 5,633 sf., the proposal includes a 7,700 sf. building addition to an existing 5,633 sf. structure in the northeastern corner of the parcel and will match the existing structure that it is attached. The proposed addition will operate as a repair/storage area for heavy trucks and is a supplement/addition to the existing structure. The property is currently occupied by KC Transportation which provides trucking services in the Midwest region. The current plan has an associated landscape plan, case no. 18LSCAPE1016.

Related Cases:

15DEVPLAN1121 – A category 2B development plan for Redden Mobile Mechanic. Proposed construction of a 5,600 sf. building to operate as repair/storage for heavy trucks. Case was withdrawn.

15MISC1006 - A category 2B development plan for Redden Mobile Mechanic. Proposed construction of a 5,600 sf. building to operate as repair/storage for heavy trucks. Case was continued from a DRC hearing on 9/16/2015 and heard at LD&T on 9/24/2015. The case had the following waivers:

Waiver #1 of the Land Development Code Sections 5.8.1.B and 5.9.2.A.1.b.i, to not provide a sidewalk along the frontage of both Knopp and Melton Avenues; and not to provide the pedestrian connection from the building entrance to the right-of-way. (Approved at LDT 9/24/2015)

Waiver #2 of the Land Development Code Section 10.2.10 and Table 10.2.6, to allow the parking area and pavement to encroach into the required 15' VUA LBAs along Knopp and Melton Avenues. (Approved at LD&T 9/24/2015)

Waiver #3 of the Land Development Code Section 10.2.10 and 10.2.11, to not provide the required screening and tree planting along both Knopp and Melton Avenues. Approved at LD&T 9/24/2015 ON CONDITION that the applicant provide some type of screening along the Melton and Knopp Ave. frontages approximately 10 feet on center and work with Planning and Design staff on the final plan based on the testimony heard today and the applicant's justification; also including the removal of the invasive species along both of those frontages. The condition was met on the associated landscaping plan, case no. 15LSCAPE1165.

Waiver #4 of the Land Development Code Sections 10.2.10 and Table 10.2.6, to eliminate the required 15' VUA LBA and plantings along the unimproved Rowe Street frontage. Approved at LD&T on 9/24/2015 and shown on case no. 15LSCAPE1165.

15MISC1047 – A category 2B development plan with a 5,600 sf. addition and is currently shown as closed in Hansen, no approved plan found for this case number, no documents in EbWeb.

18LSCAPE1016 – A landscape plan submitted in conjunction with case no. 18DEVPLAN1004 and indicates that the existing tree canopy coverage is to equal 20% (29,742 sf.) with only 11% (16,134 sf.) to be preserved and the applicant is to provide overall 17% (25,494 sf.) of tree canopy on the subject site.

STAFF FINDING / RECOMMENDATION

WAIVER #1: from LDC Section 5.8.1.B/5.9.2.A.1.b.i to not provide sidewalks along the southern side of Knopp Ave. frontage for approximately 362 ft. and along the Melton Ave. frontage for approximately 256 ft. The sidewalk waiver is justifiable given that drainage channels are found along both road frontages and the subject site is within an industrial area located between two dead end roads terminating east of the subject site.

WAIVER #2: from LDC 10.2.10, table 10.2.6 to allow vehicular use area to encroach into the required 15' VUA LBA along Knopp Ave. and Melton Ave. Although the encroachment is and has taken place on the subject site the applicant will be providing screening along the Knopp Ave. and Melton Ave. frontages as shown in 18LSCAPE1016.

WAIVER #3: from LDC 10.2.10, table 10.2.6 to eliminate the required 15 ft. VUA LBA and plantings along the unimproved right of way along the southwestern property line for an approximate distance of 202.35 ft. (property line labeled N05°02'29"E). The Rowe St. right of way which has been in place since the inception of the R.H. Knopp Subdivision which was plated back in Oct. 1937 is no longer considered a functional street class as defined by Public Works. The right of way exist currently in PVA records but is used as an extension of properties to the west of the subject site. Screening along the right of way with semi-tractor trailer parking and zoned the same, EZ-1, serves no functional purpose unless the right of way is to be converted back to a functional road class, which it currently is not.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Industrial/Commercial – KC Transportation	EZ-1	Suburban Workplace
Proposed	Industrial/Commercial – KC Transportation	EZ-1	Suburban Workplace
Surrounding Properties			
North	Industrial and Vacant	EZ-1	Suburban Workplace
South	Industrial	EZ-1	Suburban Workplace
East	Industrial/Commercial	EZ-1	Suburban Workplace
West	Commercial – Cornett’s Truck and Trailer Repairs AND 60’ Unimproved ROW	EZ-1/ROW	ROW

TECHNICAL REVIEW

None

INTERESTED PARTY COMMENTS

Staff has not received any comments from interested parties.

APPLICABLE PLANS AND POLICIES

Land Development Code (LDC August 2017a)
Comprehensive Plan (Cornerstone 2020)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #1: from LDC Section 5.8.1.B/5.9.2.A.1.b.i to not provide sidewalks along the southern side of Knopp Ave. frontage for approximately 362 ft. and along the Melton Ave. frontage for approximately 256 ft. and to not provide access from the public right of way to the primary entrance.

(a.) How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

STAFF: The requested waiver complies with the Cornerstone 2020 Comprehensive Plan and the intent of the Land Development Code because the existing industrial site is located in an existing EZ-1 zoned area surrounded by other industrial uses. The existing industrial area lacks public sidewalks to connect to with neighboring properties to the east and west without existing sidewalks. Additionally, there are no transit stops in the vicinity of this property.

(b.) Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

STAFF: The Comprehensive Plan allows for waivers in difficult or inappropriate conditions. Along the frontage of the site there are topographic issues, including newly constructed MSD sewer/drainage channels along Knopp and Melton Avenues. The location of the ditch and existing

utilities make construction of a new sidewalk difficult. Additionally, no existing sidewalks nor any transit stops are present in the vicinity of the site. Knopp and Melton Avenues dead end to the west at the Waste Management Landfill.

(c.) What impacts will granting of the waiver have on adjacent property owners?

STAFF: The requested waiver will not adversely affect adjacent property owners because sidewalks do not exist and all adjacent properties do not have sidewalks in their right of ways along Knopp or Melton Avenues and having no transit stops in the general vicinity. The existing conditions and constraints are the same as they were for the same waivers approved under case no. 15MISC1006, although the current drainage system found along these frontages are no longer just a trench but are concrete culverts extending along both frontages.

(d.) Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

STAFF: The requested waiver is the minimum necessary to afford relief to the applicant because strict application of the regulations would create an unnecessary hardship on the applicant due to the construction of approximately 800 lineal feet of concrete sidewalk along the Knopp and Melton Avenues. The requirement of sidewalks along both frontages would result in the reconstruction of the newly constructed MSD drainage improvements. The existing conditions and constraints posed by the MSD drainage improvements are not conducive to constructing sidewalks in an industrialized area with dead end streets.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #2: from LDC 10.2.10, table 10.2.6 to allow vehicular use area to encroach into the required 15' VUA LBA along Knopp Ave. and Melton Ave.

(a.) Will the waiver adversely affect adjacent property owners?

STAFF: The requested waiver will not affect adjacent property owners. The site functions as an industrial use surrounded by similar industrial uses, in the existing EZ-1 zoning. The subject site is zoned EZ-1 and is surrounded by properties which are zoned EZ-1 and/or M-3. The applicant is proposing to add an addition to the existing compacted gravel lot with the operation on site to remain an industrial use.

(b.) Will the waiver violate the Comprehensive Plan (Cornerstone 2020)?

STAFF: The requested waiver will not violate the Comprehensive Plan (Cornerstone 2020) since industrial areas are discouraged within neighborhoods. The subject site is located within an existing industrial area with similar industrial uses surrounding the applicant's site. The current operation of the subject site as well as the proposed addition will not create a greater nuisance to adjacent properties.

(c.) Is the extent of the waiver of the regulation the minimum necessary to afford relief to the applicant?

STAFF: The requested waiver is the minimum necessary to afford relief to the applicant since the current operations and the proposed addition will encompass the entirety of the subject site. Any loss of usable space would hinder site operations and restrict the applicant from use of the parcel. The applicant is decreasing the parking/vehicular maneuvering area as a result of the addition for the repair/storage of heavy trucks. The requested waiver was previously approved on 15MISC1006 in Sept. of 2015.

- (d.) Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

STAFF: The strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land. The subject site is and has operated with maximum use of the property. Any loss of usable space on the property for landscaping would limit parking and the parking/maneuvering area is being decreased as a result of the proposed addition.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #3: from LDC 10.2.10, table 10.2.6 to eliminate the required 15 ft. VUA LBA and plantings along the unimproved right of way along the southwestern property line for an approximate distance of 202.35 ft. (property line labeled N05°02'29"E)

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- (b.) Will the waiver violate the Comprehensive Plan (Cornerstone 2020)?

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being decreased as a result of the proposed addition. The adjacent site to the west on the southern portion of the subject parcel is unimproved right of way which is no longer classified as a road/street by metro public works. The requirement of landscaping for screening to the VUA is not needed since the applicant will provide screening along the northwestern parcel line.

REQUIRED ACTIONS

Approve/Deny WAIVER #1 from LDC Section 5.8.1.B/5.9.2.A.1.b.i to not provide sidewalks along the southern side of Knopp Ave. frontage for approximately 362 ft. and along the Melton Ave. frontage for approximately 256 ft.

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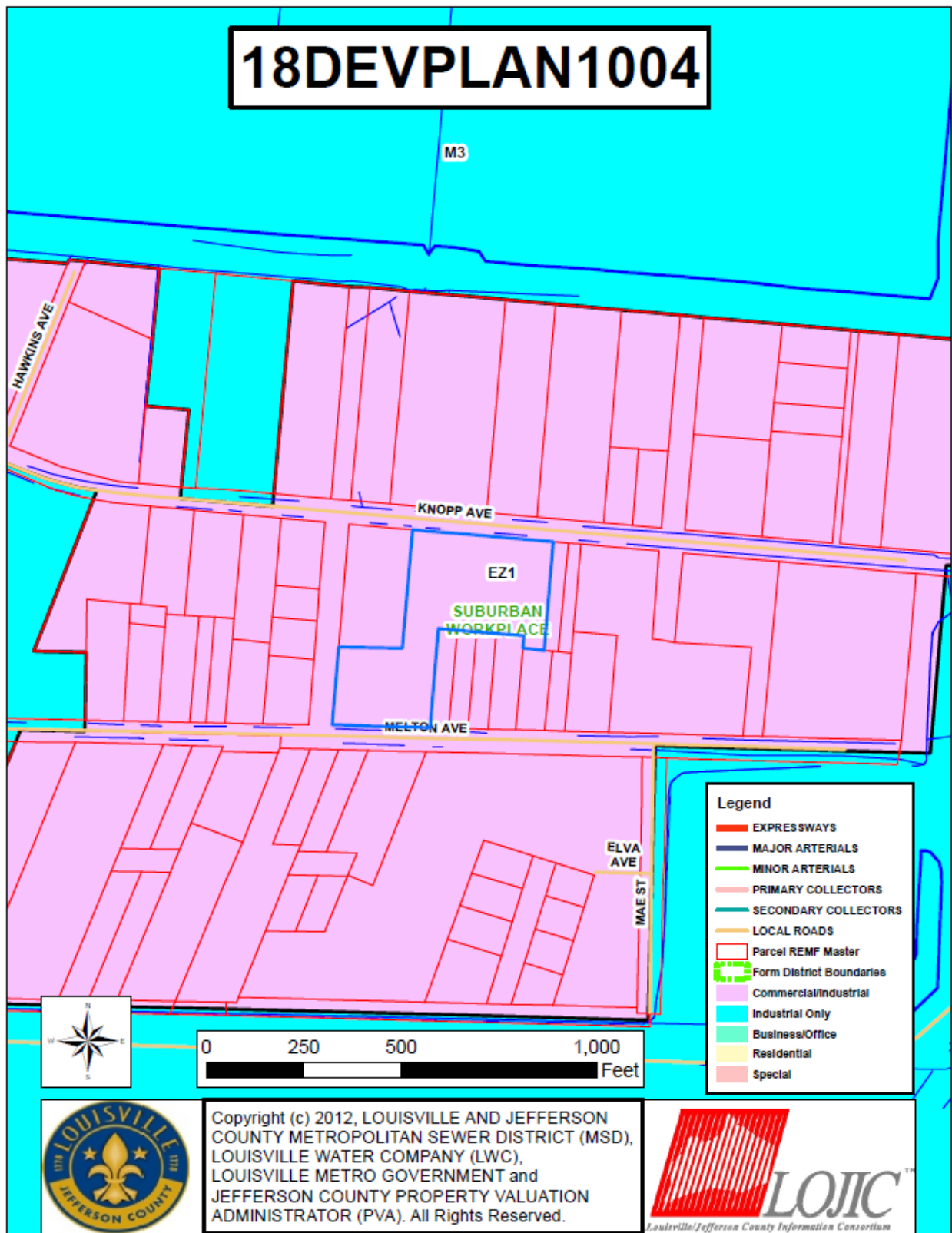
NOTIFICATION

Date	Purpose of Notice	Recipients
February 26, 2018	Hearing before LD&T March 8, 2018	1 st tier adjoining property owners Subscribers of Council District 13 Notification of Development Proposals

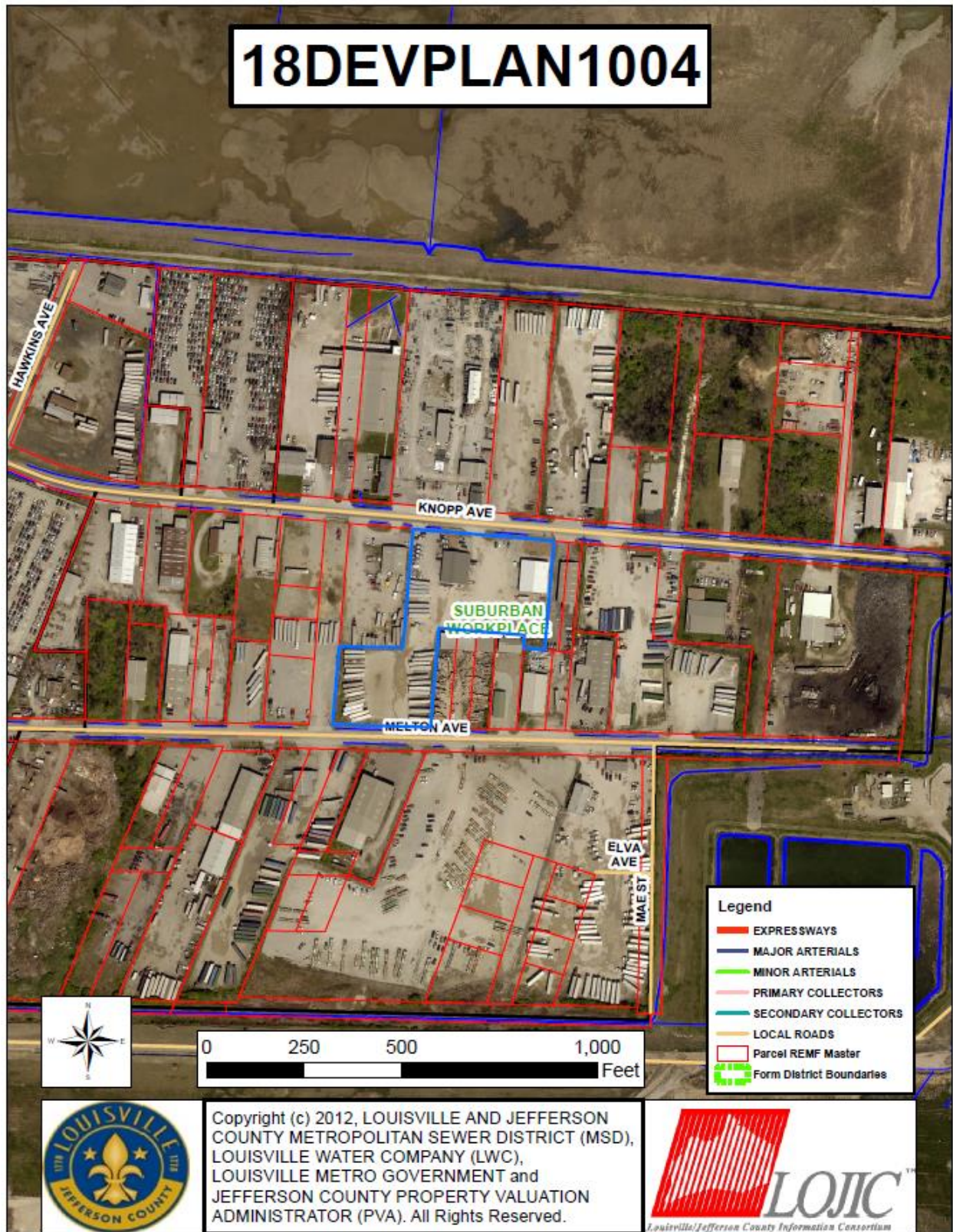
ATTACHMENTS

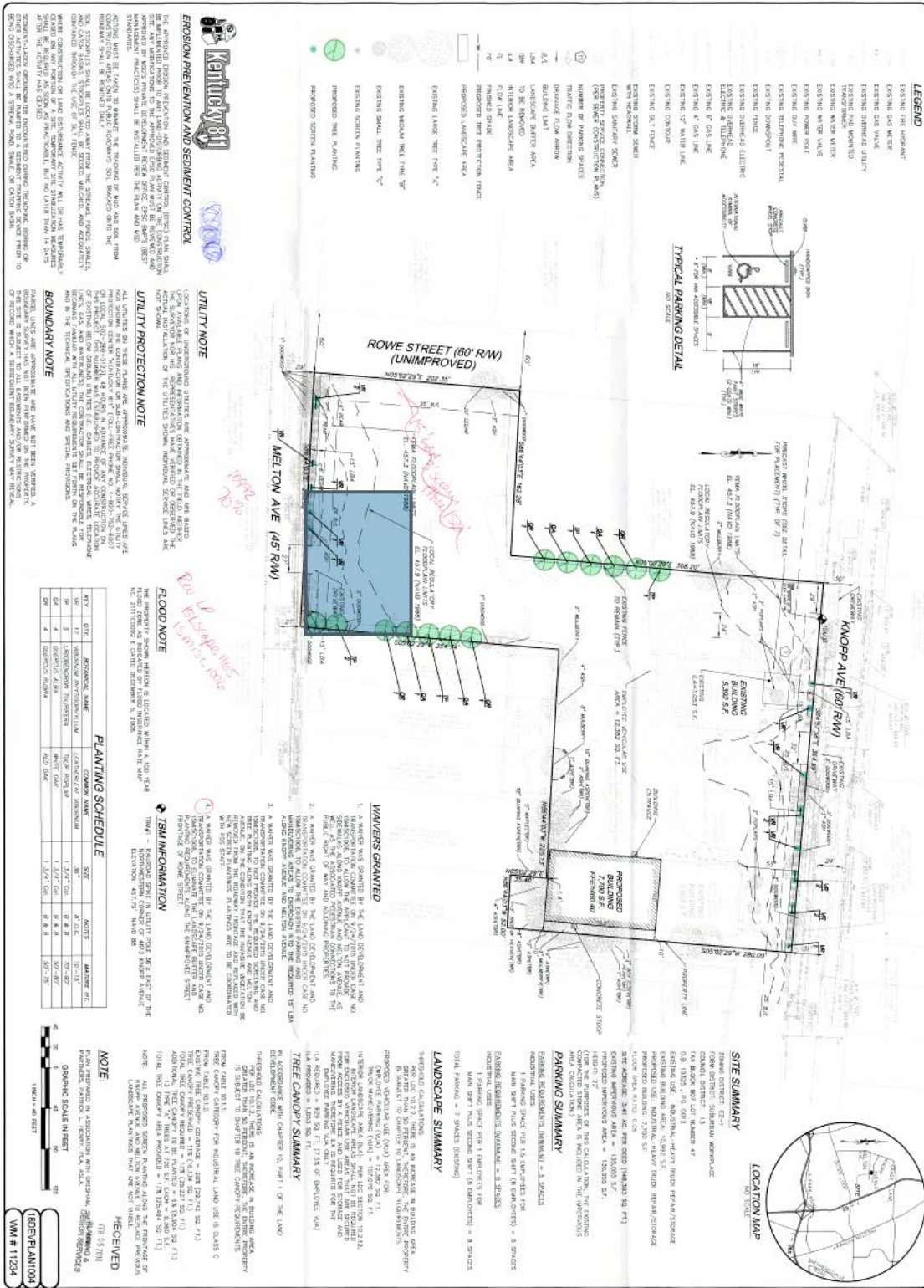
1. Zoning Map
2. Aerial Photograph
3. 18LSCAPE1016 – Landscaping Plan associated with Case no. 18DEVPLAN1004 (Category 2B Development Plan)

1. Zoning Map



2. Aerial Photograph





<p>RECEIVED</p> <p>DATE: JANUARY 4, 2018</p> <p>PROJECT NO: 216027-EE</p> <p>BY: RTG</p> <p>CHKD BY: PLH</p> <p>SCALE: 1" = 40'</p>	<p>ISSUED FOR PERMITS</p> <p>DATE: JANUARY 4, 2018</p> <p>PROJECT NO: 216027-EE</p> <p>BY: RTG</p> <p>CHKD BY: PLH</p> <p>SCALE: 1" = 40'</p>	<p>PRISM ENGINEERING & DESIGN GROUP, LLC</p> <p>2309 WATTERSON TRAIL, SUITE 200</p> <p>LOUISVILLE, KENTUCKY 40299</p> <p>PHONE: (502) 491-8899</p> <p>FAX: (502) 491-8898</p> <p>WWW.THEPRISMDESIGNGROUP.COM</p>	<p>LANDSCAPE AND TREE PRESERVATION PLAN</p> <p>REDDEN MOBILE MECHANIC EXPANSION</p> <p>4612 KNOPP AVENUE</p> <p>LOUISVILLE, KY 40213</p>	<p>CHARMOULI-KNOPP PROPERTIES, LLC</p> <p>3519 HEDGEWICK PL</p> <p>LOUISVILLE, KY 40244-8497</p>	<p>ALLEGIAN CONSTRUCTION, LLC</p> <p>15505 CRYSTAL VALLEY WAY</p> <p>LOUISVILLE, KY 40299</p>