

Development Review Committee

Staff Report

February 17th, 2021



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| Case No: | 20-DDP-0081 |
| Project Name: | Feeders Supply Rear Addition |
| Location: | 6820 Bardstown Road |
| Owner(s): | Cedar Springs FC I & II, LLC |
| Applicant: | Jason Hall PE, Prism Engineering & Design Group |
| Jurisdiction: | Louisville Metro |
| Council District: | 22 – Robin Engel |
| Case Manager: | Molly Clark, Planner I |

REQUEST(S)

- Waivers:
 1. Waiver from 5.9.2.A.1.b.i (21-Waiver-0008) to provide pedestrian access from the adjacent public right of way through the site to the existing building.
- (Revised) Detailed District Development plan

CASE SUMMARY/BACKGROUND

The applicant is proposing to create a 3,528 square foot addition in the rear of the existing shopping center. The applicant is also relocating 3 parking spaces in an area with existing pavement. This proposed development is related to case number 9-42-85 and 9-22-90. According to the Land Development Code, the applicant is required to create pedestrian connection to adjacent right of ways which would be Beulah Church Road and Bardstown Road in which the applicant is asking for a waiver.

STAFF FINDING

Staff finds that the aside from the waiver the proposal meets the guidelines of the Comprehensive Plan and requirements of the Land Development Code. The proposed rear addition does not alter the character of the existing shopping center and will not take away from existing parking numbers or clear and existing landscaping.

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposal.

INTERESTED PARTY COMMENTS

Staff has not received any formal comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF 5.9.2.A.1.b.i:

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, most of the site is already developed, the parking area proposing 3 new parking spaces will be placed in existing pavement. No existing landscaping will be cleared for the proposed addition or parking.

(b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Guideline 1 policy 6, the comprehensive plans calls for the Discouragement of non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. The applicant is proposing to expand the addition to the read of the shopping center but still maintaining enough distance from the adjacent residential complex. The proposed 3 parking spaces will be located behind the shopping center in an area with existing pavement. With guideline 11 policy 6, Cornerstone 2040 also calls for the encouragement of a more compact development patten in activity Centers that result in efficient land use and cost-effective infrastructure investment. The shopping center has already been built out and the proposed rear addition will be in the rear of the property where it will not disturb existing conditions.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant. The existing site has the entrance to Feeders Supply facing a different ROW (Bardstown Road). To create pedestrian connection to Beulah Church Road and Bardstown Road from the entrance would be very costly for the applicant. The sidewalk network on Beulah Church also proposes challenges seeing as it is very disconnected. There are also no sidewalks on this portion of Bardstown Road

(d) Either:

(i) The applicant has 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

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant. Creating pedestrian connection to Bardstown Road and Beulah Church Road would be very costly since the shopping center is already built out.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP

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 do not appear to be any environmental constraints or historic resources on the subject site. The site is already built, the small addition is being proposed in existing pavement. No clearing and grading will take place.

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 has been provided, and Metro Public Works and the Kentucky Transportation Cabinet have approved the preliminary development plan.

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

STAFF: There are no open space requirements pertinent to the current proposal. The proposed addition is for an existing shopping center that has already been built.

- 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 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. The proposed addition will be built in an area with existing pavement.

- 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. Proposed rear addition will not alter any existing landscaping on the site. Buildings and proposed parking spaces will meet all required setbacks.

- 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.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Waiver**
- **APPROVED** or **DENY** the **Revised Detailed District Development Plan**

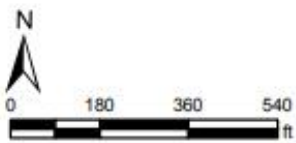
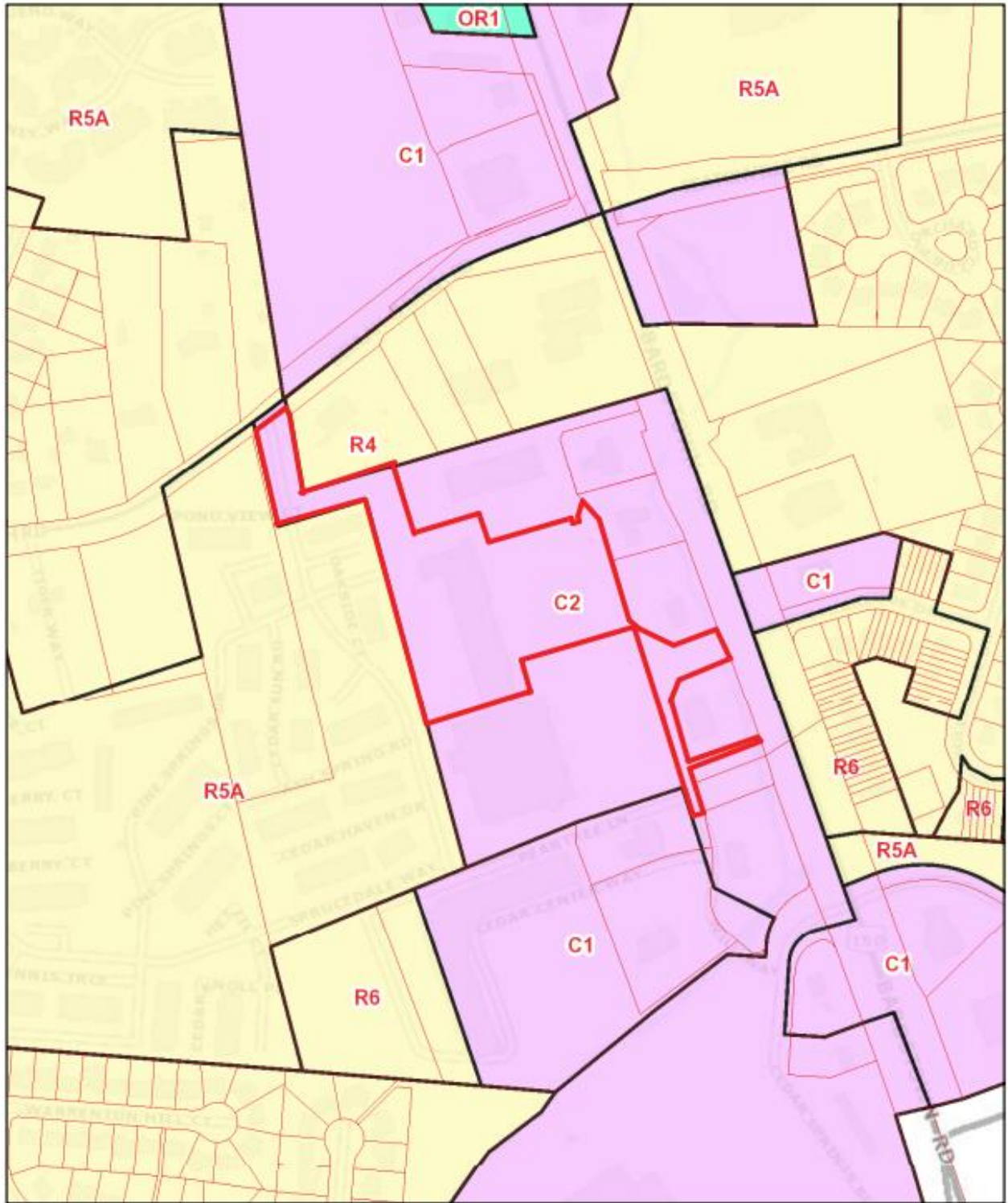
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|--------|------------------------|---|
| 2/3/21 | Hearing before 2/17/21 | 1 st tier adjoining property owners Registered Neighborhood Groups in Council District 22 |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements

1. Zoning Map



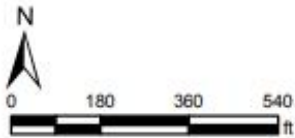
Wednesday, February 10, 2021 | 7:59:25 AM



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2. Aerial Photograph



Wednesday, February 10, 2021 | 7:57:32 AM



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3. Existing Binding Elements

- 1) The development shall be in accordance with the approved district development plan, land use and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission. All binding elements contained on the General District Development Plan shall remain in effect for the detailed plan.
- 2) The development shall not exceed 5,300 square feet of gross floor area. (Referring to existing bank)
- 3) Before a building or alteration permit and/or a certificate of occupancy is requested:
 - a. The development plan must be reapproved by the Jefferson County Department of Public Works and Transportation and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in article 12. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
- 4) The only permitted freestanding sign shall be located on the approved district development plan. The sign shall not exceed 56 square feet in area and 15 feet in height.
- 5) No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.
- 6) If a building permit is not issued within one year of the date of approval of the plan, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
- 7) A certificate of occupancy must be received from the appropriate code enforcement office 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.