

19-VARIANCE-0004

O'Reilly Auto Parts



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

Lacey Gabbard, AICP, Planner I

December 16, 2019

Request

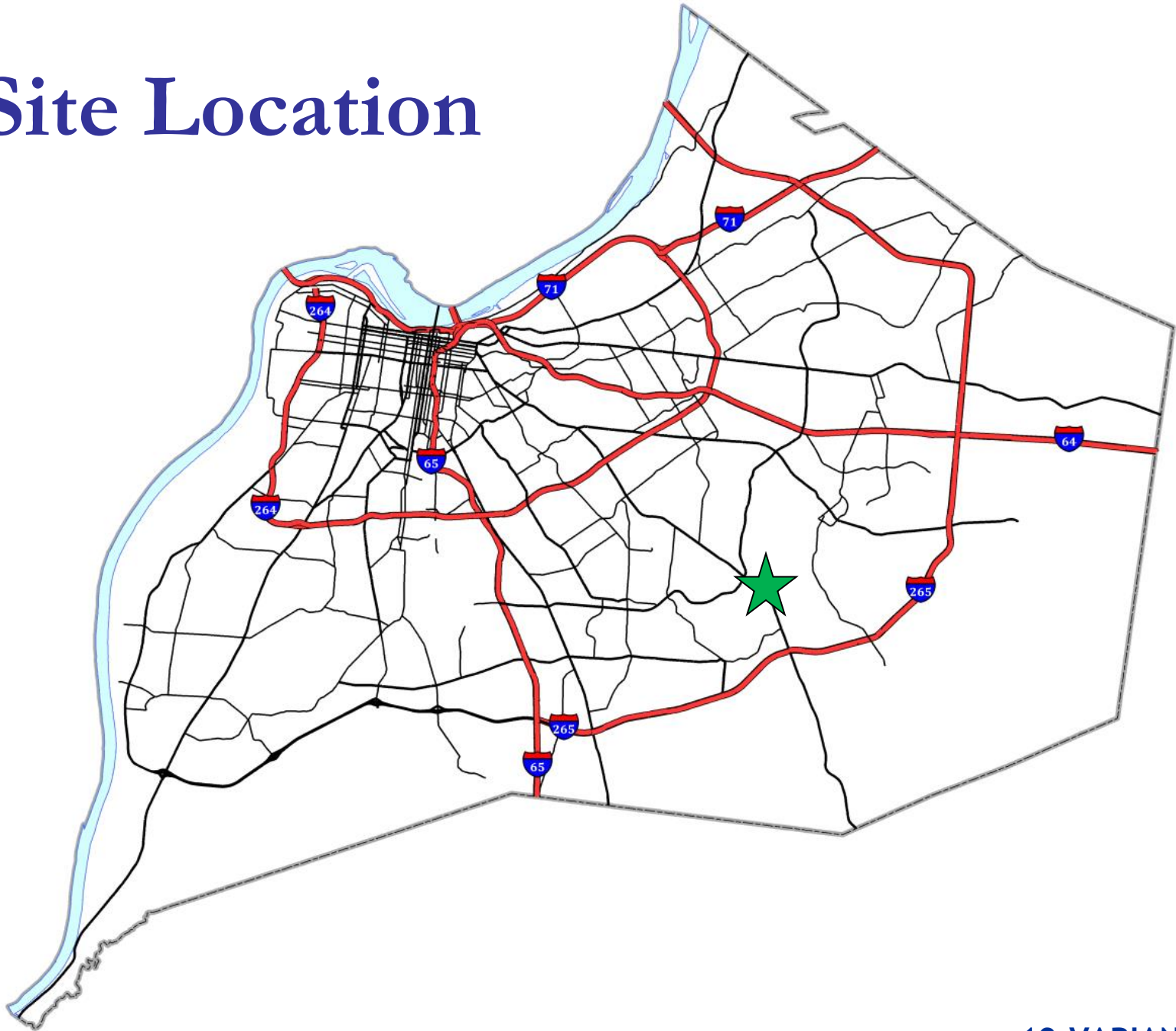
- **Variance:** from Land Development Code section 5.3.1.C.5 to allow the proposed building to exceed the 80 foot maximum front yard setback

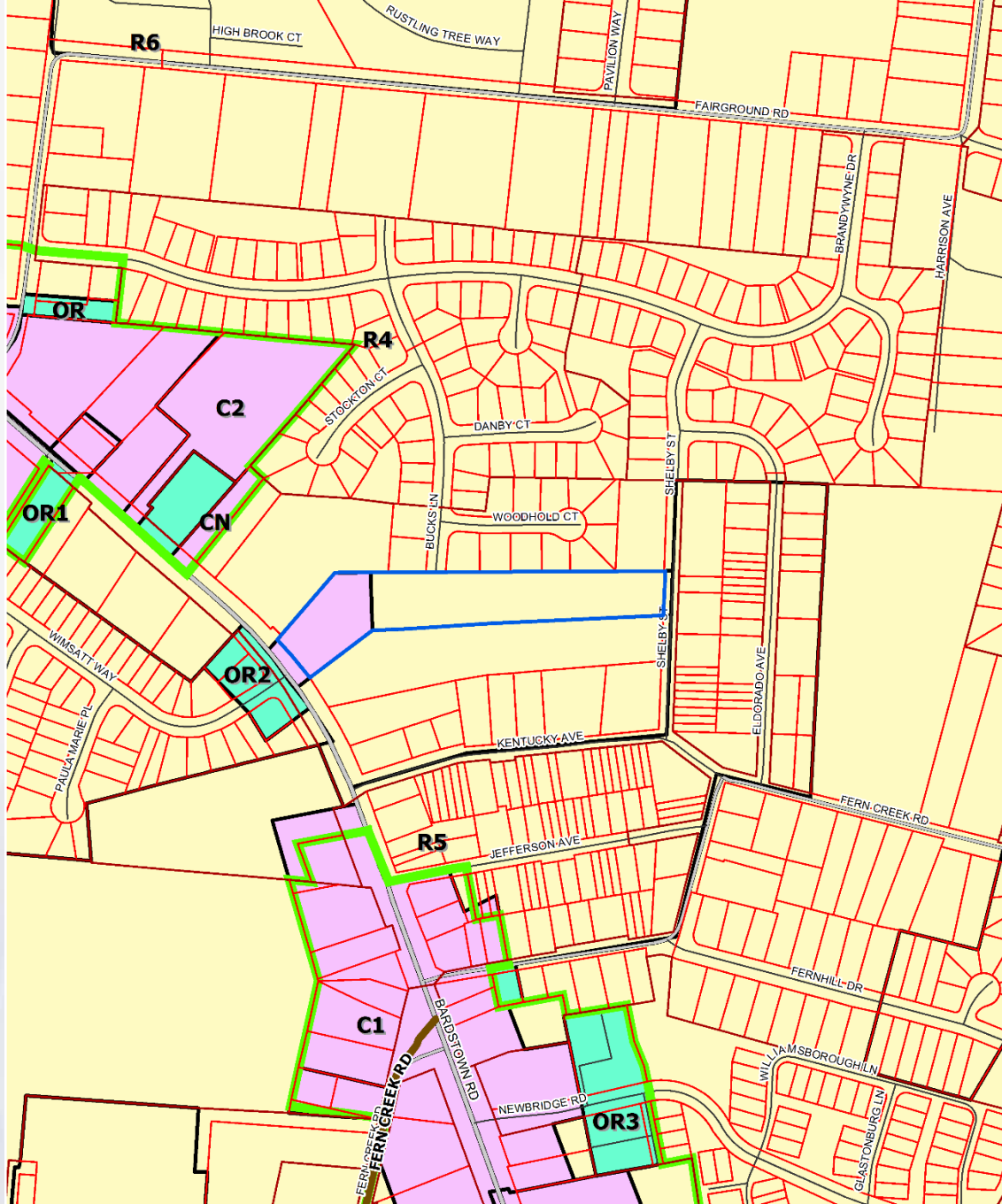
Location	Requirement	Request	Variance
Front Yard	80 feet max	104.2 feet	24.2 feet

Case Summary / Background

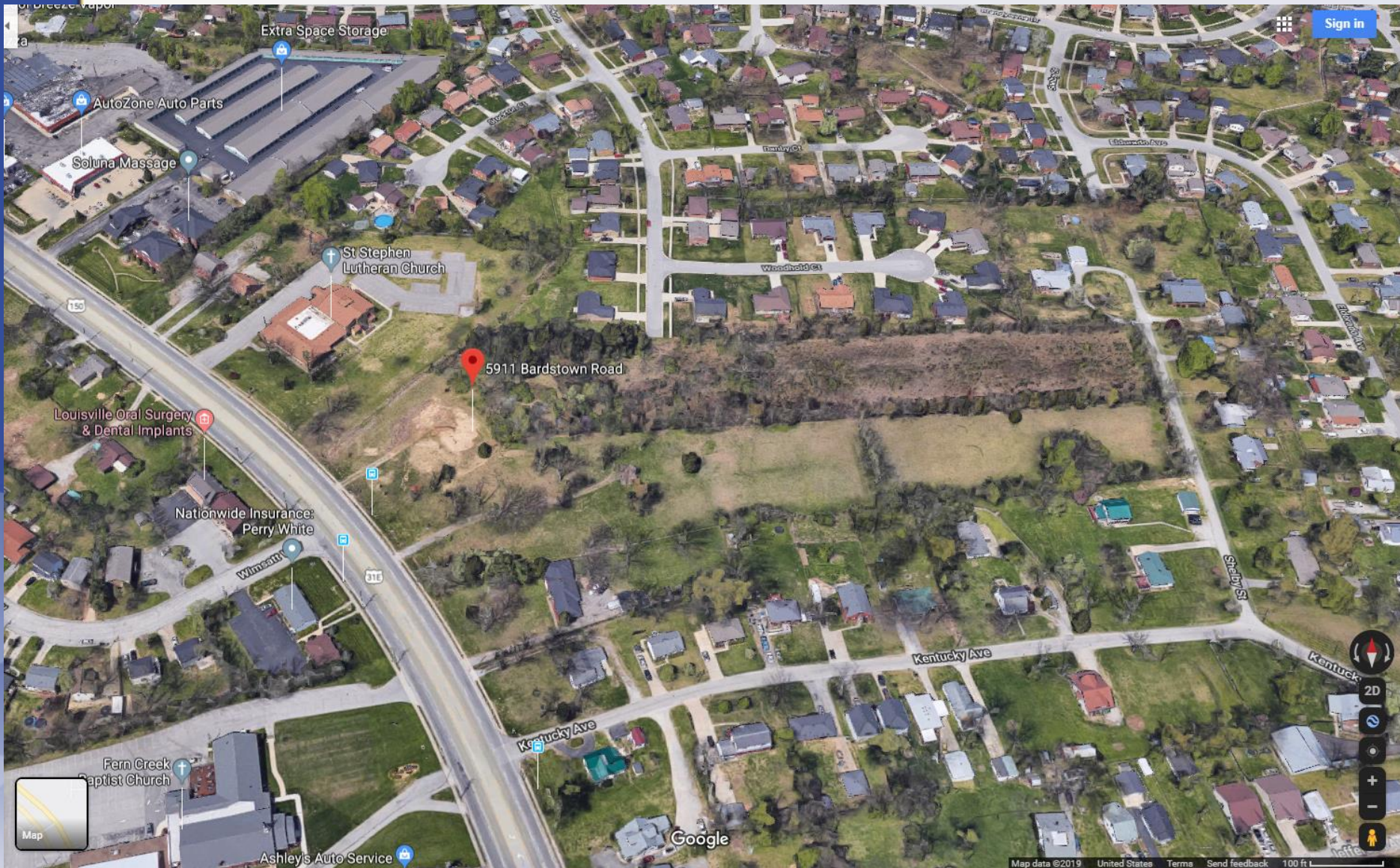
- The subject site is zoned C-1 Commercial in the Neighborhood form district. It is located on the east side of Bardstown Road.
- The site is currently undeveloped.
- The applicant is proposing to construct a 7,225 square foot O'Reilly's Auto Parts
- The applicant is requesting a variance to allow a 104.2 foot front yard setback off Bardstown Road

Site Location









Site Plan

MSD NOTES:

1. Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District Design Manual and Standard Specifications and other local, state and federal regulations.
2. Sanitary sewer service will be provided by connection and subject to applicable fees. A Downstream Facilities Capacity request has been approved by MSD.
3. No portion of the site is within the 100 year flood plain per FEMA Map No. 211100022E dated 3/20/09 to 2/20/09.
4. Drainage pattern depicted by arrows (AAA) is for conceptual purposes.
5. If the site has three drainage an easement, plot will be required prior to MSD granting construction plan approval.
6. On-site detention will be provided. Post-developed peak flows will be limited to pre-developed peak flows for 2.10, 25, and 100 year storms or to the capacity of the down-stream system, whichever is more restrictive.
7. This project is subject to USE Water Quality Regulations on the nonpoint area of disturbance must meet the greater than 1 acre of disturbance. Per this preliminary development plan, the area of disturbance is 41,040 S.F.
8. NPDES approval required prior to MSD construction plan approval.
9. Runoff volume project has been calculated based on RFF x 1.5.

DETENTION BASIN CALCULATIONS

$X = 2.07A/12$
 $AZ = 0.54 \cdot 1.27 \cdot 0.27$
 $A = 1.13$ ACRES
 $R = 2.3$ INCHES
 $X = (0.54)(1.13)/12 = AC-FT.$
 $X = (2.7)(1.13)(2.3)/12 = 0.558$ AC-FT.
 REQUIRED $X = 2.547$ CUFT.
 PROVIDED BASIN = 2,180 SQ.FT.
 TOTAL = 2,180 SQ.FT. @ APPROX. 1.5 FT. DEPTH
 = 3,270 CUFT. > 2,547 CUFT.

GENERAL NOTES:

1. Paving areas and drive lanes to be a hard and durable surface.
2. Slope for roadway improvement permit will be required for any work done in the right-of-way.
3. No in-curve or drainage run off to state roadways.
4. There shall be no commercial signs in the Right of Way.
5. Site lighting shall not shine in the eyes of drivers. If it does it shall be re-oriented, shielded, or turned off.
6. Construction lighting shall be erected prior to any construction or grading activities preventing obstruction of road systems of trees to be preserved.
7. The fencing shall enclose the area beneath the canopy of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
8. Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from existing roads and neighboring properties.
9. Wheel stacks or curbing, at least six inches high and wide, shall be provided to prevent vehicles from overhanging abutting sidewalks, properties or public right-of-ways, to protect landscaped areas and adjacent properties. Wheel stacks shall be located at least 10 feet from any adjacent wall, fence, property line, woody vegetation, walkway or structure.
10. Compatible utilities shall be placed in a common trench unless otherwise required by appropriate agencies.
11. A Karst Survey shall be performed on 10-2-2018 by Mike Hill, ACP, and no Karst features were observed.
12. A minor plot shall be recorded prior to construction plan approval.
13. The proposed computer and enclosures shall comply with Louisville Metro Land Development Code Chapter 10.
14. All signage shall comply with Louisville Metro Land Development Code Chapter 5 and proper permits shall be obtained.
15. Wetland delineation to be completed prior to construction plan approval.
16. The Developer/Property Owner shall install a concrete parking pad, bench pad and then notify TARD when the construction is complete. TARD will then install a standard bench. In addition, the Developer/Property Owner shall clean the site as needed.

PROJECT DATA

EXISTING SITE AREA = 1.13 ACRES (49,432 SF)
 AREA TO BE DEDICATED = 69 ACRES (2,918 SF)
 PROPOSED SITE AREA = 1.09 ACRES (47,314 SF)
 EXISTING ZONING = C-1
 PROPOSED ZONING = M-1
 PROPOSED USE = AUTOMOTIVE SUPPLY
 EXISTING BUILDING AREA = 7,225 SF
 PROPOSED BUILDING HEIGHT F.A.R. = 17.5 FT., 1 STORY
 = 0.15 (1.0 MAX. ALLOWED)

PARKING REQUIRED
 7,225/200 SF MIN. = 36 SPACES
 7,225/200 SF MAX. = 36 SPACES
 TOTAL PARKING REQUIRED = 36 SF
 TOTAL PARKING PROVIDED = 34 (2 ADA SP INCLUDED)

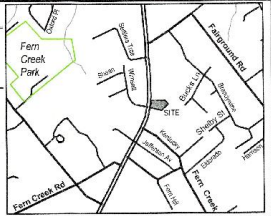
BIKE PARKING REQUIRED
 2 SHORT TERM/2 LONG TERM
 2 SHORT TERM/
 2 LONG TERM PROVIDED INSIDERS

TOTAL VEHICULAR USE AREA = 30,075 SF
 INTERIOR LANDSCAPE AREA REQUIRED = 1,506 SF (7.5%)
 EXISTING IMPERVIOUS AREA = 2,765 SF
 PROPOSED IMPERVIOUS AREA = 28,498 SF

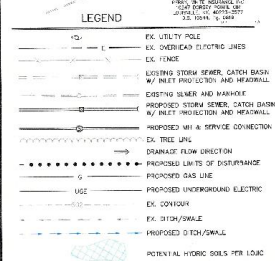
VARIANCE REQUEST

1. A VARIANCE IS REQUESTED FROM LOUISVILLE METRO LAND DEVELOPMENT CODE SECTION 5.3.1.C.5 TO ALLOW THE PROPOSED BUILDING TO EXCEED THE 8' MAXIMUM BUILDING SETBACK.
1. A WAIVER IS REQUESTED FROM THE LOUISVILLE METRO LAND DEVELOPMENT CODE SECTION 10.2.4.4 TO REDUCE THE 25' LANDSCAPE BUFFER AREA ADJACENT TO THE R-4 ZONED PROPERTY TO THE SOUTH TO 8'.
2. A WAIVER IS REQUESTED FROM THE LOUISVILLE METRO LAND DEVELOPMENT CODE SECTION 10.2.4.4 TO PERMIT THE PROPOSED PAVEMENT AND DUMPSTON ENCLOSURE TO ENCRUST INTO THE 25' LANDSCAPE BUFFER AREA ADJACENT TO THE R-4 ZONED PROPERTY TO THE EAST.
3. A WAIVER IS REQUESTED FROM THE LOUISVILLE METRO LAND DEVELOPMENT CODE SECTION 10.2.4.8.3 TO PERMIT MORE THAN A ONE OVERLAP OF THE NORTH PROPERTY LINE VARIABLE LANDSCAPE BUFFER AREA AND THE PROPOSED 15' SETBACK AND DRAINAGE EASEMENT. EXISTING PLANTINGS WITHIN LSA WILL BE PRESERVED WHERE POSSIBLE, BUT REQUIRED LSA PLANTINGS ARE REQUESTED TO BE WAIVED.

WAIVER REQUEST



LOCATION MAP NOT TO SCALE



TREE CANOPY CALCULATIONS

TOTAL SITE AREA (CLASS C SITE)	= 49,432 SF
EXISTING TREE CANOPY AREA	= 22,808 SF (56% OF SITE AREA)
EXISTING TREE CANOPY TO BE PRESERVED	= 0 SF
TOTAL TREE CANOPY AREA REQUIRED	= 265 (24,714 SF)
TOTAL TREE CANOPY TO BE PROVIDED	= 24,715 SF (25%)



RECEIVED
OCT 2 2018
PLANNING & DESIGN SERVICES

OWNER:
 CORRIDOR HOLDINGS, LLC
 81 WABLER ROAD
 LOUISVILLE, KY 40207

SITE ADDRESS:
 5911 BARBETOWN ROAD
 LOUISVILLE, KY 40291
 TAX BLOCK 0060, LOT 0069
 D.B. 0974, PG. 0328

RELATED CASE:
 16934
 W/M# 10540

COUNCIL DISTRICT - 82
 FIRE PROTECTION DISTRICT - FERN CREEK

NO.	DATE	DESCRIPTION	BY
1	10-27-18	ASSET COMMENTS	ASH
2	10-27-18	ASSET COMMENTS	ASH

PROFESSIONAL SEAL

PROJECT DATA
 FILE NAME: 17165-0000
 DATE: 10-27-18
 SCALE: AS SHOWN
 DRAWN BY: JMM
 CHECKED BY: M

L&D
 LAND DESIGN & DEVELOPMENT, INC.
 IN VULNER
 9300 SHILLYVILLE ROAD, SUITE 11000
 LOUISVILLE, KY 40222

REUSED DETAILED DISTRICT DEVELOPMENT PLAN
17165
 SHEET
1
 OF 1

19-06P-0017
 19-VARIANCE-0004

Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Site Photos-Subject Property



Conclusion

- The variance request appears to be adequately justified and meets the standard of review.
 - Staff recommends the Board discuss with the applicant the site restrictions that support this variance request.

Required Action

- **Variance:** from Land Development Code section 5.3.1.C.5 to allow the proposed building to exceed the 80 foot maximum front yard setback.
Approve/Deny