

Opposition - In Lowc

Savannah Terrace Apts

-# ↓ residences

# Land Development & Transportation Staff Report

December 14, 2017



<b>Case No:</b>	16ZONE1080
<b>Project Name:</b>	Fort Locks Self-Storage
<b>Location:</b>	7650 Dixie Highway
<b>Owner(s):</b>	Valley Station Towne Center
<b>Applicant:</b>	Fort Locks Self-Storage, Inc.
<b>Representative(s):</b>	<del>Michael Tigue, Land Design &amp; Development</del> Jon Baker, Wyatt
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	25 – David Yates
<b>Case Manager:</b>	Joel P. Dock, Planner II

## REQUEST(S)

- **Change-in-Zoning** from R-4, Single-Family Residential to C-2, Commercial
- **Conditional Use Permit** for mini-warehouse, Land Development Code (LDC), section 4.2.35
- **Variance** from LDC, section 5.3.1.C.5 for pavement to encroach upon the 50' non-residential to residential setback
- **Detailed District Development Plan**

## CASE SUMMARY

A change-in-zoning from R-4, single-family residential to C-2, commercial with a Conditional Use Permit for mini-warehouse is being requested to expand in an existing mini-warehouse facility with frontage along Dixie Highway. The expansion would occur on a vacant parcel resting between existing single family residential properties. The expanded storage area would include two mini-warehouse structures and two covered areas for accessory recreational vehicle storage. Relief is being requested from item "C" of the conditional use permit standards outline in LDC 4.2.35 to allow for outdoor storage within these two covered areas. No access to local roads serving residential properties is proposed. All access will be through the existing facility from Dixie Highway. The existing facility is zoned M-2, Industrial and is surrounded by the same.

## STAFF FINDING

The request is ready to be scheduled for a public hearing.

## TECHNICAL REVIEW

- MSD and Transportation Planning have provided preliminary approvals for the project.
- The applicant should demonstrate that the proposed covered storage area is less than or equal to 15' in height. If not, the applicant should request relief from item "G"

## INTERESTED PARTY COMMENTS

No interested party comments have been received by staff at this time.

## **STANDARD OF REVIEW FOR REZONING**

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

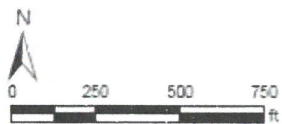
## **NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
11/30/17	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 25
	Hearing before Planning Commission	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 25
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

## **ATTACHMENTS**

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

1. Zoning Map



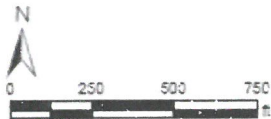
Tuesday, December 5, 2017 12:12:45 PM



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This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



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#### 4. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
  - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
  - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
  - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Land Development Code, Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
  - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
  - e. A legal instrument shall be recorded consolidating the property as shown on the approved development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services
  - f. Army Corps of Engineers approval required for any encroachments into federally regulated wetlands
5. A certificate of occupancy must be received from the appropriate code enforcement department 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
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of

this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

7. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
8. 9. The storage of "heavy-trucks" shall be prohibited. ~~This includes any boat in excess of 25' including the trailer it is stored upon, Non-motorized campers in excess of 25', vehicles with two-axes, and utility trailers over 16' not including the tongue.~~ *Accessory RV use*
9. 8. No access from Stuart, Elnora, Russell, or Virginia Avenues and Greenwood Manor Road shall be permitted without notification to property owners along these ways and approval by the Planning Commission or designee. *Specifically authorized as an accessory use w/ no limitations on height or length.*