

Land Development & Transportation Staff Report

July 12, 2018



Case No:	18ZONE1027
Project Name:	CDRJ of Louisville
Location:	5315 Dixie Highway
Owner:	TT of C Louisville, Inc.
Applicant:	CDRJ of Louisville
Representative:	Duncan, Galloway, Egan, Greenwald, PLLC
Jurisdiction:	Louisville Metro
Council District:	12 – Rick Blackwell
Case Manager:	Joel Dock, Planner II

REQUEST(S)

- **Change in zoning** from C-1 to C-2, Commercial
- **Detailed District Development Plan**

CASE SUMMARY

An expansion of an existing automobile dealership along Dixie Highway, South of Interstate-264 and one-quarter mile North of Lower Hunters Trace is proposed. Improvements include the removal of exiting portions of current structure and the installation and improvement to parking and vehicle sales/display area. The remaining portions of existing structure will be converted to a detailing area.

STAFF FINDINGS

The request is in order and ready to be scheduled for the next available public hearing before the Planning Commission.

TECHNICAL REVIEW

Dixie Highway Corridor Master Plan (Central): The land uses along Dixie Highway Central from Greenwood Road to I-264 are primarily larger retail, service or commercial uses (see Figure 3-2). The larger commercial developments include Dixie Manor, Home Depot, Lowes, Walmart, Kroger, Sears Essentials, Shively Shopping Center and multiple car dealerships. Public or semi-public uses located along or near this segment of Dixie Highway include the Louisville Metro Southwest Government Center, Jewish Medical Complex, Holy Cross School, Spencerian College, a cemetery and multiple churches. There are some vacancies in buildings and one large store vacancy. In addition, there is a vacant, undeveloped parcel near I-264 that is adjacent to the P&L rail line. Most development is suburban in nature with buildings placed further from the roadway with large parking lots in front of the stores. Very few areas are built closer to the roadway or have out-parcel development. Finally, lot sizes are significantly smaller north of Lewiston Place which could limit future development without parcel consolidation.

The following design guidelines may be directly related to the proposed project and should be considered in the development of the subject site:

- Structure main entrances should face the corridor

- Sight lines of façade heights as seen from the adjacent sidewalk should be generally consistent with adjacent buildings.
- Exterior building materials should be compatible with materials used along the corridor.
- Development should include maintainable, year-round landscaping, street trees, or planter boxes along the street frontage
- Combining parking lots to create shared parking should be encouraged.
- Parking adjacent to the street or public sidewalk should use landscaping, trees, etc. to maintain the line formed by structures along the sidewalk.
- Parking lot landscaping such as shade trees and screens that buffer vehicles should be encouraged.
- Developments should be designed to support potential future intensification of the site and surrounding uses. Techniques that should be incorporated into the design guidelines include:
 - Siting parking lots and building pads in a block layout that will support a future grid street pattern;
 - Laying utilities in a planned manner that will allow for a variety of uses and higher densities in the future; and
 - Creating easements that could be used for future streets depending upon future development needs.
- Developments should provide pedestrian circulation within site and provide a connection to sidewalks adjacent to the street

Landscaping has been proposed along the façade of the building which faces Dixie Highway in order to provide an aesthetic landscaped barrier between the accessory use and the public way.

MSD and Transportation Planning Review have preliminarily approved the plan.

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

Date	Purpose of Notice	Recipients
	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 12 Notification of Development Proposals
	Hearing before PC	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 12 Notification of Development Proposals
	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

2. Aerial Photograph



3. 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, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways
 - c. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services.
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.