



# District Development Plan Application

Louisville Metro Planning & Design Services

Case No.: 15DEVPLAN1006 Intake Staff: LM

Date: 5/4/15 Fee: 310.00

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

### Project Information:

Application Type:       Detailed District Development Plan       Revised District Development Plan       General District Development Plan

Project Description (e.g., retail center and office development, etc.):      Indoor firearms practice range and gun shop

Project Name:      Point Blank Range and Gun Shop

Primary Project Address:      There is no assigned Address

Additional Address(es):      NA

Primary Parcel ID:      002307130000

Additional Parcel ID(s):      NA

# of Residential Units:      NA      Commercial Square Footage:      15,080 s.f.

Proposed Use:      Indoor range & gun shop      Existing Use:      undeveloped

Existing Zoning District:      C-2      Existing Form District:      SMC

Deed Book(s) / Page Numbers<sup>2</sup>:      D.B. 7436, pg. 212

The subject property contains 2.4 acres.      Number of Adjoining Property Owners:      15

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup>       Yes       No

If yes, please list the docket/case numbers:

Docket/Case #: 9-82-78      Docket/Case #: \_\_\_\_\_  
Docket/Case #: \_\_\_\_\_      Docket/Case #: \_\_\_\_\_

**Contact Information:**

Owner:  Check if primary contact      Applicant:  Check if primary contact

Name: Kristen Hedden      Name: Thomas O. Willingham

Company: Middletown Partners, LLC      Company: Point Blank Range & Gun

Address: 12949 Shelbyville Road Ste 102      Address: 10930 Deerfield Road

City: Louisville      State: KY      Zip: 40243      City: Cincinnati      State: OH      Zip: 45242

Primary Phone: X 502-245-8900      Primary Phone: (513) 657-4815

Alternate Phone: \_\_\_\_\_      Alternate Phone: \_\_\_\_\_

Email: X Kristen@haganmail.com      Email: Tom@shootpointblank.com

Owner Signature (required): *Kristen Hedden*

Attorney:  Check if primary contact      Plan prepared by:  Check if primary contact

Name: NA      Name: Kevin Young

Company: \_\_\_\_\_      Company: Land Design and Development, Inc.

Address: \_\_\_\_\_      Address: 503 Washburn Ave

City: \_\_\_\_\_      State: KY      Zip: 40222

Primary Phone: \_\_\_\_\_      Primary Phone: 502-426-9374

Alternate Phone: \_\_\_\_\_      Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_      Email: richard@ldd-inc.com

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**Certification Statement:** A certification statement must be submitted with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, X Kristen Hedden, in my capacity as X Director of Dev., hereby  
representative/authorized agent/other

certify that Middletown Partners, LLC. is (are) the owner(s) of the property which  
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: *Kristen Hedden*      Date: X 4/27/15

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

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**District Development Plan Justification:**

In order to justify approval of any district development plan, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. **Are there any natural resources on the property, including trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites? And are these natural resources being preserved?**

There are no existing natural features on the site.

2. **Is safe and efficient vehicular and pedestrian transportation provided both within the development and the community?**

Yes, the site is located at the intersection of a collector road and an arterial. The proposed curb cut is aligned with the existing curb cut on the opposite side of the public street.

3. **Is sufficient open space (scenic and recreational) to meet the needs of the proposed development being provided?**

Open Space is not a requirement

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4. **Are provisions for adequate drainage facilities provided on the subject site in order to prevent drainage problems from occurring on the subject site or within the community?**

There is an existing detention basin on the site and it has been properly sized for the proposed development.

5. **Is the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses compatible with the existing and projected future development of the area?**

The existing land uses are commercial and industrial. The proposed development is compatible with the established land patterns and existing uses.

6. **Is the proposal in conformance with the Comprehensive Plan and Land Development Code?**

It is in compliance. Adequate parking is being provided. The required setbacks are being complied with. The landscape requirements are being complied with.

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**Letter of Explanation  
Detailed District Development Plan  
Point Blank Range and Gun Shop  
330 North English Station Road  
(Revised 6-11-2015)**

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The Applicant is requesting a Detailed District Development Plan review for a fire arms practice range as permitted by Section 4.3.15 of the Louisville Metro Land Development Code. The property is located in the city of Middletown at the southwest intersection of Aiken Road and North English Station Road. The property is C-2 and is located in the Suburban Marketplace Corridor Form District.

The proposed operation will be enclosed in a sound proof building. There will be no outdoor ranges associated with this development. The building will be 15,080 s.f. and will be one story tall. Sufficient parking will be provided on-site.

Waiver requested from Louisville's Land Development Code, Chapter 5.6.1.B & C.1 due to proposed use and necessitous interior building layout, the Aiken Road building facade does not meet requirements. The waiver will not violate the Comprehensive Plan nor will it adversely affect adjacent property owners. The building's facade has an adequate balance of material, height, and projection varieties to accomplish the intent of the regulation and the building also matches the character of the existing surrounding buildings. The strict application of the regulations would create public safety hazards as well as causing the applicant undue hardships.

A Waiver is requested from Chapter 10, Part 2 to allow the proposed required Landscape Buffer Area along North English Station Road to contain existing utility easements for greater than 50% of its proposed square footage. Landscaping will be provided with the stipulation that any landscaping removed or damaged, during utility work or construction, shall be replaced immediately by the property owner.

A Waiver is requested from Chapter 5, Part 5.2.B to waive the vehicular connection to the south property line due to the significant change in grade on the abutting property and the existing concrete retaining wall on the abutting property.

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# General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15DEVPLAN1066 Intake Staff: LM

Date: 5/29/15 Fee: 100

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

## Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

- Landscape Waiver of Chapter 10, Part 2
- Other: Waiver of Section \_\_\_\_\_

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: Proposed 10' LBA along N. English Station Way encounters several existing easements and will encompass over 50% of the LBA.

Primary Project Address: 330 North English Station Road

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Additional Address(es): \_\_\_\_\_

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Primary Parcel ID: 002307130000

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Additional Parcel ID(s): \_\_\_\_\_

Proposed Use: Firing Range & Retail Existing Use: Undeveloped

Existing Zoning District: C-2 Existing Form District: Sub. Marketplace Corr.

Deed Book(s) / Page Numbers<sup>2</sup>: 7436/212

The subject property contains 2.8 acres. Number of Adjoining Property Owners: 2

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup>  Yes  No

If yes, please list the docket/case numbers:

Docket/Case #: 9-82-78 Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

15DEVPLAN1066

**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

The waiver requested is along N. English Station Way and proposed LBA does not abut an adjacent property. Landscaping will still be provided and a note added to the plan that any landscaping damaged or removed during utility work will be immediately replaced at owner's expense

**2. Will the waiver violate the Comprehensive Plan?**

The LBA will still be provided and will not violate the Comprehensive Plan. The applicant wants only to waive the stipulation presented in the Land Development Code, Section 10.2.4.B that a LBA cannot include utility easements in more than 50% of it's area.

**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

Existing utility lines and easements run alongside the entire eastern property line of this proposed development. There is physically no place to move the required LBA along the eastern property line that will not interfere with existing easements.

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**4. 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?**

The applicant is requesting a waiver of the Land Development Code's Section 10.2.4.B. that states the LBA shall not encroach into more than 50% of utility easements due to the nature of the property. This development is proposing a separate tract that will not be developed. It shall be left as it exists currently, a local area detention basin and greenspace.

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# General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15DEVPLAN1066 Intake Staff: LM

Date: 5/29/15 Fee: ✓

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

## Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

- Landscape Waiver of Chapter 10, Part 2
- Other: Waiver of Section Ch.5.6.1.B.&C.1

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: Proposed use and interior layout does not allow the Aiken Road prop. building façade to meet requirements for Building façade treatment & 50% clear windows & doors.

Primary Project Address: 330 North English Station Road

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 002307130000

Additional Parcel ID(s): \_\_\_\_\_

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Proposed Use: Gun Shop & Range Existing Use: Undeveloped

Existing Zoning District: C-2 Existing Form District: Sub. Marketplace Corr.

Deed Book(s) / Page Numbers<sup>2</sup>: 7436/212

The subject property contains 2.8 acres. Number of Adjoining Property Owners: 2

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup>  Yes  No

If yes, please list the docket/case numbers:

Docket/Case #: 9-82-78 Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

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**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

The proposed Aiken Road building façade has a balanced variety of materials, height, and projections to achieve the intent of LDC Chapter 5, Section 6.1.B.1. The proposed façades animating features are 49% of the total building length and the regulation requires 60% of the total length. The proposed building façade is homogenous in character with the majority of the existing structures along both Aiken and North English Station Road and will not have an adverse affect on adjacent properties.

**2. Will the waiver violate the Comprehensive Plan?**

The waiver will not cause the development to violate the Comprehensive Plan due to the proposed use of the the site being fully allowed within the site's particular zoning and form districts.

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**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

The applicant is severely restricted in changing the façade of the proposed building, in adding 50% windows and doors, due to the proposed use and the related fundamental design of the proposed building. The request is the minimum waiver from the Land Development Code necessary to relieve the applicant from restrictions that cannot be accomplished on the proposed building due to proposed use and perfunctory interior building design.

**4. 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?**

The strict application of the regulation's provisions would deprive the applicant from using the land for the proposed use for which the land was purchased and would create unnecessary hardships for the applicant. The provisions are not reasonable due to the intended use of the proposed building and in turn if the building façade design requirements were utilized in the building design they would create private and public safety concerns.

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# General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15DEMAN/1606 Intake Staff: KMC

Date: 6/11/15 Fee: \_\_\_\_\_

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

## Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

- Landscape Waiver of Chapter 10, Part 2
- Other: Waiver of Section 5.5.2.B

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: Request to waive the vehicular connection to the south property line due to existing barrier of a retaining wall and a steep change in grade. Please see attached photo

Primary Project Address: 330 North English Station Road

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 002307130000

Additional Parcel ID(s): \_\_\_\_\_

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Proposed Use: Gun Shop & Range Existing Use: Undeveloped

Existing Zoning District: C-2 Existing Form District: Sub. Marketplace Corr.

Deed Book(s) / Page Numbers<sup>2</sup>: 7436/212

The subject property contains 2.8 acres. Number of Adjoining Property Owners: 2

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup>  Yes  No

If yes, please list the docket/case numbers:

Docket/Case #: 9-82-78 Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

An existing Walmart shopping center is the abutting property to the south of the subject site. Due to this there is no potential in the near future for the vehicular connection to be implemented even without the other obstacles of the existing retaining wall and steep grade. The existing parking area on the Walmart is located approximately 10 ft higher than the subject site's proposed parking lot. Walmart has constructed a concrete retaining wall on their property to create a level platform for their existing parking lot and they have installed landscaping on their property in the area where the vehicular connection is most likely to occur.

**2. Will the waiver violate the Comprehensive Plan?**

The waiver will not cause the development to violate the Comprehensive Plan due to the unusual circumstances of the existing concrete retaining wall prohibiting a vehicular connecton.

**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

It is the minimum necessary because the applicant is complying with the otherland development Code vehicular design requirements.

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**4. 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?**

b. It is physically impossible to develop the subject site and provide a vehicular connection due to the change in grade on the abutting property.

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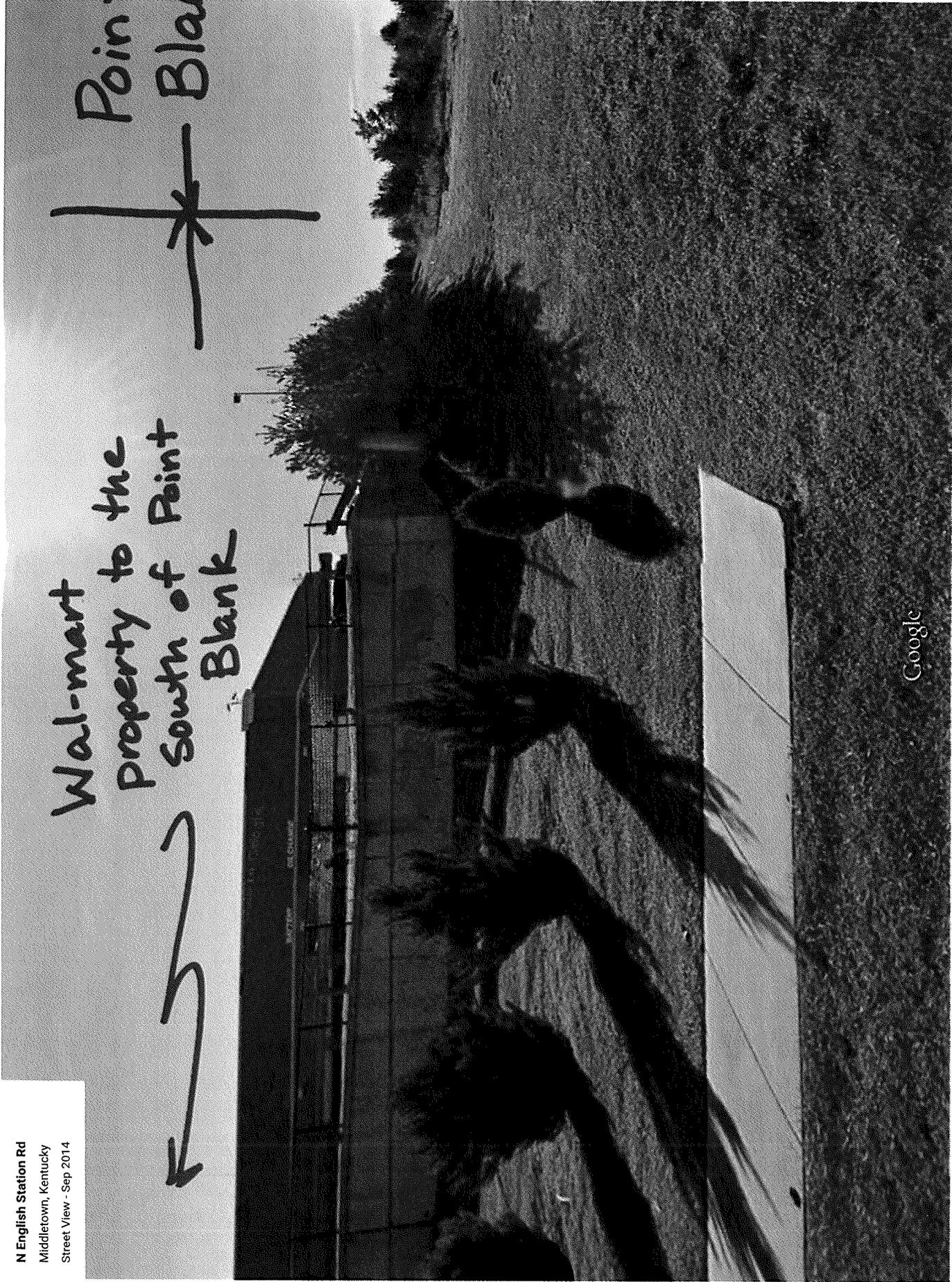
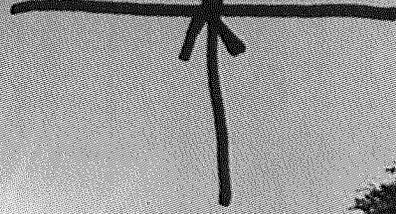
N English Station Rd  
Middletown, Kentucky  
Street View - Sep 2014

Wal-mart

Property to the  
South of Point  
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