

Planning Commission Staff Report

February 5, 2015



Case No:	14ZONE1051
Request:	Re-Zoning from R-4 and C-1 to CM for Mini Storage, Waivers, Detailed District Development Plan, and Binding Elements
Project Name:	Buechel Mini Storage
Location:	3818 – 3824 Bardstown Rd.
Owner:	KSB Sycamore, LLC
Applicant:	Pinnacle Properties
Representative:	Bardenwerper, Talbott & Roberts, PLLC Mindel, Scott & Associates, Inc.
Jurisdiction:	Louisville Metro
Council District:	10 – Vacant
Case Manager:	David B. Wagner – Planner II

REQUEST

- Re-Zoning from R-4 and C-1 to CM for Mini Storage
- Waiver #1 to not provide animating features along no less than 75% of the building façade along public streets (LDC 5.6.1.A.1)
- Waiver #2 to not provide cross connectivity to abutting developments (LDC 5.5.1.A.3.d)
- Detailed District Development Plan
- Binding Elements

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is comprised of four lots with three of the lots each having an existing house currently used as an office. There is street frontage on Bardstown Road and the site sits close to the southwest corner of Bardstown Road and Reynolds Lane. The elevated Buechel Bypass close to the south end of the site also serves as a physical barrier at the rear of the flag pole portion of the lots. The site is surrounded by multiple uses with mainly office, retail, and warehouse uses on the north, east, and west sides and residential uses at the southeastern end.

The applicant is proposing to remove the existing structures on site and construct a 732 unit mini storage facility. It's only means of access would be directly to Bardstown Road with proposed fencing around the entire site. The facility would have gated access and a 600 SF office building to serve the clients. Two detention basins are proposed at the northwest corner of the site and a 25' LBA has been provided along the adjoining residential lots at the southeastern corner of the site.

Existing Zoning District: R-4, Single Family Residential and C-1, Commercial
Proposed Zoning District: CM, Commercial Manufacturing
Form District: Town Center
Existing Use: Office
Proposed Use: Mini Storage
Minimum Parking Spaces Required: 2
Maximum Parking Spaces Allowed: 3
Parking Spaces Proposed: 3

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Office	R-4, C-1	TC
Proposed	Mini Storage	CM	TC
Surrounding Properties			
North	Retail, Entertainment	C-1	TC
South	Vacant, Residential, Warehouse	R-4, C-1, CM	TC, SW
East	Vacant, Residential, Office, Warehouse	R-4, C-1, C-2, CM	TC, SW
West	Office	C-2	TC

PREVIOUS CASES ON SITE

- Staff did not find any previous cases on the site.

INTERESTED PARTY COMMENTS

- Staff has not received any inquiries from interested parties.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

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.

STAFF ANALYSIS FOR REZONING AND FORM DISTRICT CHANGES

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Town Center Form District

The Town Center is a traditional and preferred form, larger in scale than the neighborhood center, which forms a focal point of activity. The Town Center has an identifiable core and is often located at a historic crossroads or the intersection of a major thoroughfare(s) and a

collector roadway with connections to surrounding neighborhoods through walkways, local streets and residential collector streets. The amount of floor space in town centers is usually between 100,000 and 400,000 square feet reflecting a market area designed to serve a population of between 25,000 to 75,000.

The town center form typically has a compact mixture of moderately intense uses including shopping, restaurants, offices and residences. In its most traditional form, the Town Center ordinarily includes civic uses, such as libraries, government offices, police or fire stations and religious facilities. The presence of small-scale civic open space is a common but not essential feature. Buildings are generally close to and oriented toward the street. These characteristics strengthen the role of the Town Center as a community focal point. The Town Center should have a high level of pedestrian, roadway, transit and bicycle access, a connected street pattern, shared parking and pedestrian amenities. More intense uses in the town center are located in close proximity to the major thoroughfare, and the intensity of use gradually declines toward the adjacent neighborhoods.

Town Centers are easily disrupted by new forms of development. Therefore the harmony and compatibility of infill and redevelopment in town centers should receive special attention. The establishment of new town centers requires a high level of planning and design. The Cornerstone 2020 Comprehensive Plan envisions the preservation and enhancement of those town centers that already exist and encourages creation of new town centers that are in keeping with the goals, objectives and policies.

Compliance with **Guideline 1 (Community Form)**, **Guideline 2 (Centers)** and **Guideline 3 (Compatibility)** has been found for this proposal. The site is surrounded on three sides by multiple commercial and industrial uses including office, retail, entertainment, and warehouse uses. The site is compact and will continue to utilize existing infrastructure. This proposal introduces sidewalks on the southern side of Bardstown Road in this block and will reduce from three to one the number of access points to these four lots. Proposed storage buildings and the office will be close to the street frontage and will meet appropriate front yard setback requirements for this form district. Residences are abutting properties along the southeastern end of the site and the applicant will provide appropriate screening and landscaping via fences and the storage buildings themselves. Parking and loading is oriented internally to the site preventing nuisances to adjoining property owners. Due to the necessity of a secure storage facility, fencing will be provided around the entire site with gate access provided for the customers. The site is located along a primary collector level road within an activity center with another primary collector level road intersecting just to the northeast of the site. The southwest side of the site backs up to Buechel Bypass. This roadway is an elevated road that cannot be accessed and acts as a physical barrier that will shield property owners to the southwest.

Though the proposal appears to fit with surrounding uses, the proposed use is also allowed in the C-2 zoning district with a CUP for mini storage. The applicant should justify why it is appropriate to allow a higher zoning intensity than is necessary for the proposed use.

The proposal complies with **Guideline 4 (Open Space)** as there are no open space requirements for this proposal and there are no natural features to integrate into the development.

There are no natural areas or habitats to integrate on this site nor are there any historic landmarks. Therefore, the proposal complies with **Guideline 5 (Natural Areas and Scenic and Historic Resources)**.

Compliance with **Guideline 7 (Circulation)**, **Guideline 8 (Transportation Facility Design)**, and **Guideline 9 (Bicycle, Pedestrian and Transit)** has mostly been found for this proposal. The site has vehicular access by a single proposed access point and would eliminate two other access points currently on site. Sidewalks have been provided along the street frontage which would be the first sidewalks on this side of the street along this particular block. This will help expand and encourage more sidewalks in the vicinity. The site sits along a bus

route and allows access by cyclists. The site, however, does not provide cross connections to adjacent sites due to the secure nature of the proposed use.

The proposal complies with **Guideline 10 (Flooding and Stormwater)**, **Guideline 12 (Air Quality)**, and **Guideline 14 (Infrastructure)** as the Air Pollution Control District and MSD have approved the proposal and no other utility has any issues. Existing utility infrastructure will be maintained for the development.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to Louisville Metro Council regarding the appropriateness of this zoning map amendment. Louisville Metro Council has zoning authority over the property in question.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #1
to not provide animating features along no less than 75%
of the building façade along public streets (LDC 5.6.1.A.1)**

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

STAFF: The waiver will not adversely affect adjacent property owners because most of the properties surrounding this are other businesses, and the design of the exterior walls of the mini-storage facility will be mostly attractive split face block, animated and landscaped appropriately.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 for the reasons stated above in the re-zoning comprehensive plan review.

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

STAFF: The extent of waiver of the regulation the minimum is necessary to afford relief to the applicant because the exterior of the building will be of mostly split face block material with a color and with animations and landscaping appropriate to the area.

- (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 strict application of the provisions of the regulation will deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant because the applicant would otherwise end up designing a mini-storage facility that goes well beyond the design components evident in buildings adjoining it.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #2
to not provide cross connectivity to abutting developments (LDC 5.5.1.A.3.d)**

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

STAFF: The waiver will not adversely affect adjacent property owners because this is a secure mini-storage facility that would not benefit any adjoining property to have access through.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 for the reasons stated above in the re-zoning comprehensive plan review.

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

STAFF: The extent of waiver of the regulation the minimum is necessary to afford relief to the applicant because the applicant will be better able to secure the storage facility if no cross connectivity is required with adjoining lots.

- (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 strict application of the provisions of the regulation will deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant because the applicant could not operate a secure storage facility if people could drive through it to access other properties.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP AND BINDING ELEMENTS

- 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: The site is already built out and there are no natural resources on the site to conserve.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Transportation Review has approved the proposal's transportation facilities.

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

STAFF: No open space is required on this site.

- 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: MSD has approved the drainage facilities for the site.

- 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 site design is compatible with existing commercial and industrial development in the area. The development will provide the required landscaping for this type of development, the buildings are placed close to the street frontage as required per this form district, and the few parking spaces are located appropriately.

- 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 proposal complies with the guidelines of the Comprehensive Plan as explained in the review for the re-zoning request.

TECHNICAL REVIEW

- With the exception of the required Waivers, the plan meets the requirements of the LDC.
- The plan has received preliminary approval from MSD and Transportation Review.

STAFF CONCLUSIONS

Rezoning

For all the reasons stated in the Cornerstone 2020 staff checklist and the staff analysis of the rezoning, the proposed rezoning complies with all Guidelines of the Comprehensive Plan. However, the Planning Commission should consider whether a higher intense zoning than is necessary is appropriate.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if 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.

Waivers, Detailed District Development Plan, and Binding Elements

Staff analysis in the standard of review section of the staff report indicates the proposed Waivers, DDDP, and Binding Elements are justified.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal meets the standards for granting a Waiver, DDDP, and Binding Elements established in the Land Development Code.

Required Actions

- Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission **RECOMMENDS** to Louisville Metro Council that the change in zoning from R-4, Single Family Residential and C-1, Commercial, to CM, Commercial Manufacturing, on property described in the attached legal description, be **APPROVED** or **DENIED**
- Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission **APPROVES** or **DENIES** Waiver #1 and #2 listed in the staff report
- Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission **APPROVES** or **DENIES** the Detailed District Development Plan and Binding Elements listed in the staff report

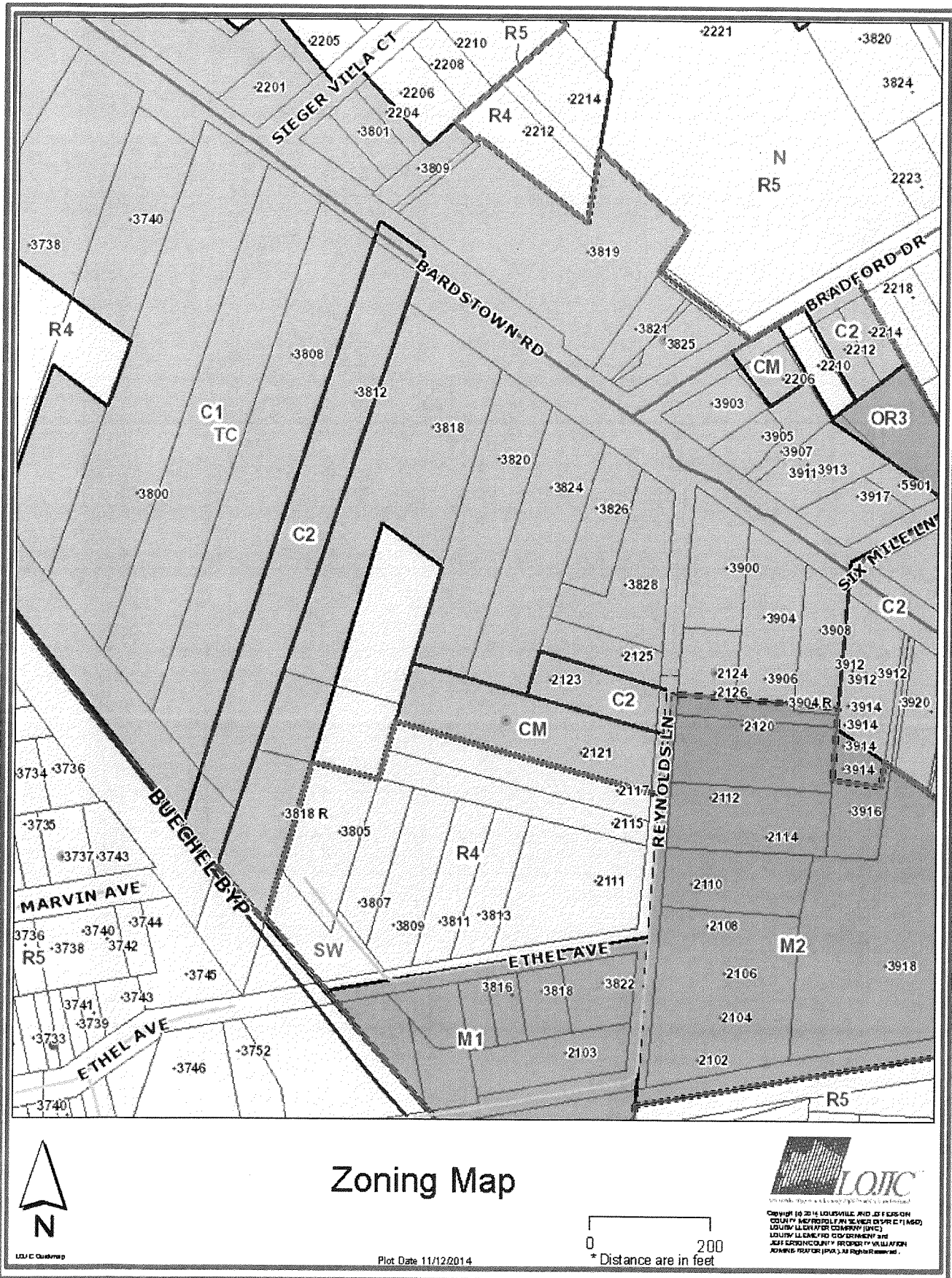
NOTIFICATION

Date	Purpose of Notice	Recipients
12/22/14	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers to Council District 10 Notification of Development Proposals
1/22/15	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers to Council District 10 Notification of Development Proposals
1/22/15	Hearing before PC	Sign Posting on property
1/28/15	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements
4. Cornerstone 2020 Staff Checklist

1. Zoning Map



2. Aerial Photograph



Aerial Photo



Copyright © 2014 LOUISVILLE, AND JOSEPHSON COUNTY, MISSISSIPPI BY SILVER STAR CITY (MSO) LOUISIANA OFFICE OF JUDICIAL INFORMATION (LOJIC) LOUISIANA OFFICE OF JUDICIAL INFORMATION AND JUSTICE ADMINISTRATION, REGISTERED BY VALLEY VIEW JOHNSON TRACTOR (PUB.), All Rights Reserved.

0 200
* Distance are in feet

Plot Date 11/12/2014

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. 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.
3. 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 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 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 legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
4. 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.
5. 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.
6. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the _____ Planning Commission meeting.

4. Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- √ Meets Guideline
- +/- More Information Needed
- Does Not Meet Guideline
- NA Not Applicable

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
1	Community Form/Land Use Guideline 1: Community Form	B.5: The proposal supports a compact mixture of moderately intense uses such as shopping, restaurants and offices, and may include civic uses such as libraries, government offices, police or fire stations and religious facilities.	√	The proposal supports a compact mixture of moderately intense uses. The site will be used for mini storage which will not adversely affect adjoining properties and there are multiple other existing uses in the area such as office, retail, warehouse, restaurant, and entertainment.
2	Community Form/Land Use Guideline 1: Community Form	B.5: Buildings are located close to and oriented toward the street.	√	The buildings along the street are within the required front yard maximum setback and are aligned along the roadway.
3	Community Form/Land Use Guideline 1: Community Form	B.5: The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern.	√	The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern. The site backs up to an elevated street which cannot be accessed and due to the security needs of this site, will have only one access point. The proposal will be the first site along this side of the block to have sidewalks and as the area re-develops, the sidewalk network will continue to improve. The site fronts on a bus route and allows for cyclists to visit the site.
4	Community Form/Land Use Guideline 1: Community Form	B.5: The proposal, if it is a high intensity use, is located in close proximity to a major thoroughfare with intensity of use decreasing toward the adjacent neighborhood.	√	The proposal is not a high intensity use yet it fronts on a primary collector level road in close proximity to the street's intersection with another primary collector level road. The intensity of the uses along the frontage street stays consistent in both directions.
5	Community Form/Land Use Guideline 2: Centers	A.1/7: The proposal, which will create a new center, is located in the Town Center Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use.	√	The proposal does not create a new center but includes new construction to provide a light industrial use.
6	Community Form/Land Use Guideline 2: Centers	A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it.	NA	The proposal is not a retail commercial development.
7	Community Form/Land Use Guideline 2: Centers	A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment.	√	The proposal is compact and results in an efficient land use pattern as it will continue to use existing infrastructure and help with drainage through the proposed detention basins.
8	Community Form/Land Use Guideline 2: Centers	A.5: The proposed center includes a mix of compatible land uses that will reduce trips, support the use of alternative forms of transportation and encourage vitality and sense of place.	NA	The proposal is not a new activity center.
9	Community Form/Land Use Guideline 2: Centers	A.6: The proposal incorporates residential and office uses above retail and/or includes other mixed-use, multi-story retail buildings.	NA	The proposal is for a single story mini storage unit and could not have multiple uses on the second floor since there are no additional stories.
10	Community Form/Land Use Guideline 2: Centers	A.12: If the proposal is a large development in a center, it is designed to be compact and multi-purpose, and is oriented around a central feature such as a public square or plaza or landscape element.	NA	The proposal is not a large development.
11	Community Form/Land Use Guideline 2: Centers	A.13/15: The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns.	+/-	The proposal will not share entrances as the site will be secured by a fence for the security of the clients. Curb cuts will be reduced from the three existing ones to the single access point. Parking will be located safely at the side of the office and be no closer to the street than the proposed buildings on site to balance aesthetic and practical concerns.
12	Community Form/Land Use Guideline 2: Centers	A.14: The proposal is designed to share utility hookups and service entrances with adjacent developments, and utility lines are placed underground in common easements.	√	The proposal will utilize existing infrastructure to provide needed utility service.
13	Community Form/Land Use Guideline 2: Centers	A.16: The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities.	√	The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities as it has vehicular access, provides sidewalks, and sits along a bus route.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
14	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	√	The proposed building materials will be compatible with nearby commercial and industrial uses.
15	Community Form/Land Use Guideline 3: Compatibility	A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated.	√	The proposal does not constitute a non-residential expansion into an existing residential area as the site is used for offices or is vacant and is surrounded on three sides by other commercial and industrial uses. The applicant is providing LBA to help mitigate nuisances to the adjoining residences which already are in an area with numerous commercial and industrial uses.
16	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	√	The proposal should not produce any noxious odor or emissions.
17	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	√	The proposal will not adversely impact traffic on nearby existing communities as two curb cuts are being eliminated and the one access point will be directly across the street from an access point on the other side of the street.
18	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	√	The proposal will comply with all lighting requirements and regulations.
19	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	√	The proposal is a higher intensity use and is located along a transit corridor and in an activity center.
20	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	√	The proposal provides appropriate transitions between uses that are substantially different in scale and intensity of development by providing landscaped buffer yards, screening via fences, and setback requirements.
21	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	√	The proposal provides appropriate transitions between uses that are substantially different in scale and intensity of development by providing landscaped buffer yards, screening via fences, and setback requirements.
22	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	√	Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards. The proposed buildings may actually be shorter than surrounding buildings and the site provides the required setbacks.
23	Community Form/Land Use Guideline 3: Compatibility	A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians.	√	Parking and loading areas located adjacent to residential areas are screened and landscaping is provided to help mitigate any nuisances by customers loading and unloading items into vehicles. The storage buildings themselves will also help to buffer the neighbors from noise and light impacts.
24	Community Form/Land Use Guideline 3: Compatibility	A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street.	√	Parking and loading areas located adjacent to residential areas are screened and landscaping is provided to help mitigate any nuisances by customers loading and unloading items into vehicles. The storage buildings themselves will also help to buffer the neighbors from noise and light impacts.
25	Community Form/Land Use Guideline 3: Compatibility	A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance.	NA	No parking garages are proposed for this development.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
26	Community Form/Land Use Guideline 3: Compatibility	A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	√	The site complies with the sign regulations for the form district in which it is located.
27	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
28	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
29	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
30	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
31	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
32	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
33	Marketplace Guideline 6: Economic Growth and Sustainability	A.3: Encourage redevelopment, reinvestment and rehabilitation in the downtown where it is consistent with the form district pattern.	√	The proposal redevelops lots with structures that are more appropriate for a residential pattern of development. This area has increasingly turned to a commercial and industrial pattern with Buechel Bypass acting as a strong physical barrier between the surrounding high intensity uses and the more appropriate location for residential uses across the bypass or northeast of Bardstown Road.
34	Marketplace Guideline 6: Economic Growth and Sustainability	A.4: Encourage industries to locate in industrial subdivisions or adjacent to existing industry to take advantage of special infrastructure needs.	√	The site is adjacent to a warehouse use that is currently zoned for light industrial uses. There are also heavier industrial zones across Reynolds Lane to the east.
35	Marketplace Guideline 6: Economic Growth and Sustainability	A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas.	NA	This proposal is not retail and will not produce large amounts of traffic.
36	Marketplace Guideline 6: Economic Growth and Sustainability	A.8: Require industrial development with more than 100 employees to locate on or near an arterial street, preferably in close proximity to an expressway interchange. Require industrial development with less than 100 employees to locate on or near an arterial street.	NA	The industrial use will not employ more than 100 employees.
37	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	√	The proposal will be the first site to provide sidewalks on this side of the street which will help to bolster the sidewalk network in the area as surrounding sites redevelop.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
38	Mobility/Transportation Guideline 7: Circulation	A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation.	√	The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern. The site backs up to an elevated street which cannot be accessed and due to the security needs of this site, will have only one access point. The proposal will be the first site along this side of the block to have sidewalks and as the area re-develops, the sidewalk network will continue to improve. The site fronts on a bus route and allows for cyclists to visit the site.
39	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	√	The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern. The site backs up to an elevated street which cannot be accessed and due to the security needs of this site, will have only one access point. The proposal will be the first site along this side of the block to have sidewalks and as the area re-develops, the sidewalk network will continue to improve. The site fronts on a bus route and allows for cyclists to visit the site.
40	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	√	The proposal will dedicate ROW as required by appropriate agencies.
41	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	√	The proposal includes adequate parking spaces to support the use.
42	Mobility/Transportation Guideline 7: Circulation	A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites.	-	The proposal does not provide for cross access to adjacent sites because of the security needed for the proposed use. The site will be entirely fenced it to secure the items stored by the clients.
43	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	-	The proposal does not provide for cross access to adjacent sites because of the security needed for the proposed use. The site will be entirely fenced it to secure the items stored by the clients.
44	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	√	The proposal avoids access to development through areas of significantly lower intensity.
45	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	-	The proposal does not provide for cross access to adjacent sites because of the security needed for the proposed use. The site will be entirely fenced it to secure the items stored by the clients.
46	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	√	The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern. The site backs up to an elevated street which cannot be accessed and due to the security needs of this site, will have only one access point. The proposal will be the first site along this side of the block to have sidewalks and as the area re-develops, the sidewalk network will continue to improve. The site fronts on a bus route and allows for cyclists to visit the site. Due to the surrounding commercial and industrial uses and the physical barrier via the Buechel Bypass, the proposal is located appropriately.
47	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.	√	MSD has approved the proposal.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
48	Livability/Environment Guideline 12: Air Quality	The proposal has been reviewed by APCD and found to not have a negative impact on air quality.	√	APCD has approved the proposal.
49	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
50	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	√	All utilities have given their approval or have not detailed any concerns with the proposal.
51	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	√	All utilities have given their approval or have not detailed any concerns with the proposal.
52	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	√	MSD has approved the proposal.

Land Development and Transportation Committee
Staff Report
January 8, 2015



Case No:	14ZONE1051
Request:	Re-Zoning from R-4 and C-1 to CM for Mini Storage, Waivers, Detailed District Development Plan, and Binding Elements
Project Name:	Buechel Mini Storage
Location:	3818 – 3824 Bardstown Rd.
Owner:	KSB Sycamore, LLC
Applicant:	Pinnacle Properties
Representative:	Bardenwerper, Talbott & Roberts, PLLC Mindel, Scott & Associates, Inc.
Jurisdiction:	Louisville Metro
Council District:	10 – Jim King
Case Manager:	David B. Wagner – Planner II

REQUEST

- Re-Zoning from R-4 and C-1 to CM for Mini Storage
- Waiver #1 to not provide animating features along no less than 75% of the building façade along public streets (LDC 5.6.1.A.1)
- Waiver #2 to not provide cross connectivity to abutting developments (LDC 5.5.1.A.3.d)
- Detailed District Development Plan
- Binding Elements

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is comprised of four lots with three of the lots each having an existing house currently used as an office. There is street frontage on Bardstown Road and the site sits close to the southwest corner of Bardstown Road and Reynolds Lane. The elevated Buechel Bypass close to the south end of the site also serves as a physical barrier at the rear of the flag pole portion of the lots. The site is surrounded by multiple uses with mainly office, retail, and warehouse uses on the north, east, and west sides and residential uses at the southeastern end.

The applicant is proposing to remove the existing structures on site and construct a 732 unit mini storage facility. It's only means of access would be directly to Bardstown Road with proposed fencing around the entire site. The facility would have gated access and a 600 SF office building to serve the clients. Two detention basins are proposed at the northwest corner of the site and a 25' LBA has been provided along the adjoining residential lots at the southeastern corner of the site.

Existing Zoning District: R-4, Single Family Residential and C-1, Commercial
Proposed Zoning District: CM, Commercial Manufacturing
Form District: Town Center
Existing Use: Office
Proposed Use: Mini Storage
Minimum Parking Spaces Required: 2
Maximum Parking Spaces Allowed: 3
Parking Spaces Proposed: 3

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Office	R-4, C-1	TC
Proposed	Mini Storage	CM	TC
Surrounding Properties			
North	Retail, Entertainment	C-1	TC
South	Vacant, Residential, Warehouse	R-4, C-1, CM	TC, SW
East	Vacant, Residential, Office, Warehouse	R-4, C-1, C-2, CM	TC, SW
West	Office	C-2	TC

PREVIOUS CASES ON SITE

- Staff did not find any previous cases on the site.

INTERESTED PARTY COMMENTS

- Staff has not received any inquiries from interested parties.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

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.

STAFF ANALYSIS FOR REZONING AND FORM DISTRICT CHANGES

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Town Center Form District

The Town Center is a traditional and preferred form, larger in scale than the neighborhood center, which forms a focal point of activity. The Town Center has an identifiable core and is often located at a historic crossroads or the intersection of a major thoroughfare(s) and a

collector roadway with connections to surrounding neighborhoods through walkways, local streets and residential collector streets. The amount of floor space in town centers is usually between 100,000 and 400,000 square feet reflecting a market area designed to serve a population of between 25,000 to 75,000.

The town center form typically has a compact mixture of moderately intense uses including shopping, restaurants, offices and residences. In its most traditional form, the Town Center ordinarily includes civic uses, such as libraries, government offices, police or fire stations and religious facilities. The presence of small-scale civic open space is a common but not essential feature. Buildings are generally close to and oriented toward the street. These characteristics strengthen the role of the Town Center as a community focal point. The Town Center should have a high level of pedestrian, roadway, transit and bicycle access, a connected street pattern, shared parking and pedestrian amenities. More intense uses in the town center are located in close proximity to the major thoroughfare, and the intensity of use gradually declines toward the adjacent neighborhoods.

Town Centers are easily disrupted by new forms of development. Therefore the harmony and compatibility of infill and redevelopment in town centers should receive special attention. The establishment of new town centers requires a high level of planning and design. The Cornerstone 2020 Comprehensive Plan envisions the preservation and enhancement of those town centers that already exist and encourages creation of new town centers that are in keeping with the goals, objectives and policies.

A final analysis of the proposal against the Comprehensive Plan will be done prior to the public hearing.

TECHNICAL REVIEW

- With the exception of the required Waivers, the plan meets the requirements of the LDC.

STAFF CONCLUSIONS

- A public hearing date is ready to be set.

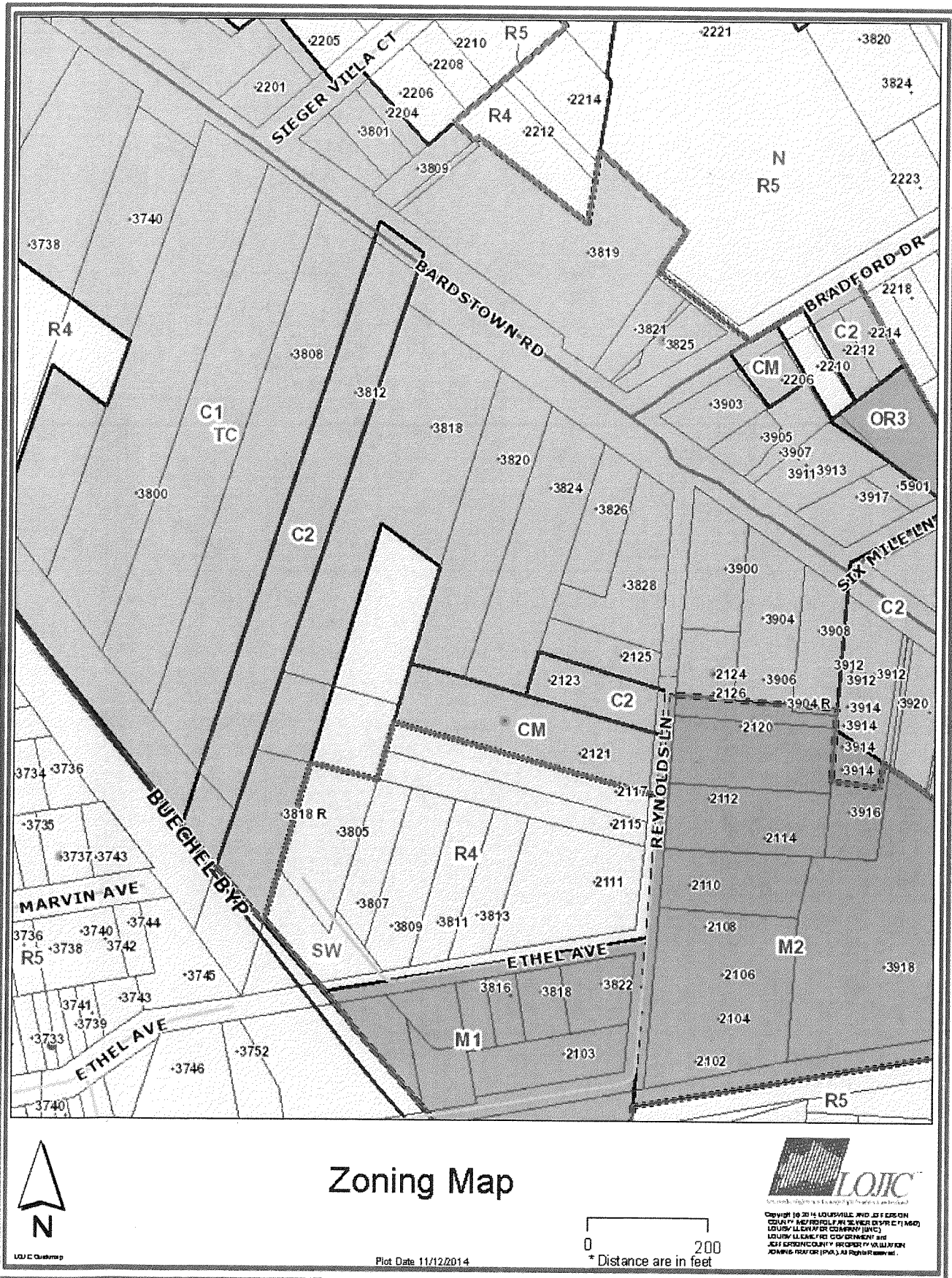
NOTIFICATION

Date	Purpose of Notice	Recipients
12/22/14	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers to Council District 10 Notification of Development Proposals

ATTACHMENTS

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

1. **Zoning Map**



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. 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.
3. 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 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 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 legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
4. 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.
5. 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.
6. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the _____ Planning Commission meeting.

Pre-Application Staff Report

November 12, 2014



Case No:	14ZONE1051
Request:	Re-Zoning from R-4 and C-1 to CM for Mini Storage, Detailed District Development Plan, and Binding Elements
Project Name:	Buechel Mini Storage
Location:	3818 – 3824 Bardstown Rd.
Owner:	KSB Sycamore, LLC
Applicant:	Pinnacle Properties
Representative:	Bardenwerper, Talbott & Roberts, PLLC Mindel, Scott & Associates, Inc.
Jurisdiction:	Louisville Metro
Council District:	10 – Jim King
Case Manager:	David B. Wagner – Planner II

REQUEST

- Re-Zoning from R-4 and C-1 to CM for Mini Storage
- Detailed District Development Plan
- Binding Elements

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject site is comprised of four lots with three of the lots each having an existing house currently used as an office. There is street frontage on Bardstown Road and the site sits close to the southwest corner of Bardstown Road and Reynolds Lane. The elevated Buechel Bypass close to the south end of the site also serves as a physical barrier at the rear of the flag pole portion of the lots. The site is surrounded by multiple uses with mainly office, retail, and warehouse uses on the north, east, and west sides and residential uses at the southeastern end.

The applicant is proposing to remove the existing structures on site and construct a mini storage facility. It's only means of access would be directly to Bardstown Road with proposed fencing around the entire site. The facility would have gated access and a 600 SF office building to serve the clients. Two detention basins are proposed at the northwest corner of the site and a 25' LBA has been provided along the adjoining residential lots at the southeastern corner of the site.

Existing Zoning District: R-4, Single Family Residential and C-1, Commercial

Proposed Zoning District: CM, Commercial Manufacturing

Form District: Town Center

Existing Use: Office

Proposed Use: Mini Storage

Minimum Parking Spaces Required: TBD

Maximum Parking Spaces Allowed: TBD

Parking Spaces Proposed: TBD

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Office	R-4, C-1	TC
Proposed	Mini Storage	CM	TC
Surrounding Properties			
North	Retail, Entertainment	C-1	TC
South	Vacant, Residential, Warehouse	R-4, C-1, CM	TC, SW
East	Vacant, Residential, Office, Warehouse	R-4, C-1, C-2, CM	TC, SW
West	Office	C-2	TC

PREVIOUS CASES ON SITE

- Staff did not find any previous cases on the site.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

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.

STAFF ANALYSIS FOR REZONING AND FORM DISTRICT CHANGES

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Town Center Form District

The Town Center is a traditional and preferred form, larger in scale than the neighborhood center, which forms a focal point of activity. The Town Center has an identifiable core and is often located at a historic crossroads or the intersection of a major thoroughfare(s) and a collector roadway with connections to surrounding neighborhoods through walkways, local streets and residential collector streets. The amount of floor space in town centers is usually between 100,000 and 400,000 square feet reflecting a market area designed to serve a population of between 25,000 to 75,000.

The town center form typically has a compact mixture of moderately intense uses including shopping, restaurants, offices and residences. In its most traditional form, the Town Center ordinarily includes civic uses, such as libraries, government offices, police or fire stations and

religious facilities. The presence of small-scale civic open space is a common but not essential feature. Buildings are generally close to and oriented toward the street. These characteristics strengthen the role of the Town Center as a community focal point. The Town Center should have a high level of pedestrian, roadway, transit and bicycle access, a connected street pattern, shared parking and pedestrian amenities. More intense uses in the town center are located in close proximity to the major thoroughfare, and the intensity of use gradually declines toward the adjacent neighborhoods.

Town Centers are easily disrupted by new forms of development. Therefore the harmony and compatibility of infill and redevelopment in town centers should receive special attention. The establishment of new town centers requires a high level of planning and design. The Cornerstone 2020 Comprehensive Plan envisions the preservation and enhancement of those town centers that already exist and encourages creation of new town centers that are in keeping with the goals, objectives and policies.

Compliance with **Guideline 1 (Community Form)**, **Guideline 2 (Centers)** and **Guideline 3 (Compatibility)** has been found for this proposal. The site is surrounded on three sides by multiple commercial and industrial uses including office, retail, entertainment, and warehouse uses. The site is compact and will continue to utilize existing infrastructure. This proposal introduces sidewalks on the southern side of Bardstown Road in this block and will reduce from three to one the number of access points to these four lots. Proposed storage buildings and the office will be close to the street frontage and will meet appropriate front yard setback requirements for this form district. Residences are abutting properties along the southeastern end of the site and the applicant will provide appropriate screening and landscaping via fences and the storage buildings themselves. Parking and loading is oriented internally to the site preventing nuisances to adjoining property owners. Due to the necessity of a secure storage facility, fencing will be provided around the entire site with gate access provided for the customers. The site is located along a primary collector level road within an activity center with another primary collector level road intersecting just to the northeast of the site. The southwest side of the site backs up to Buechel Bypass. This roadway is an elevated road that cannot be accessed and acts as a physical barrier that will shield property owners to the southwest.

Though the proposal appears to fit with surrounding uses, the area seems more appropriately described as a Suburban Workplace Form District given the nearby office and industrial uses – especially traveling down Bardstown Road to the southeast. The applicant may want to consider changing the form district along with the re-zoning. The proposed use is also allowed in the C-2 zoning district with a CUP for mini storage. Consideration should be given to that option as well.

The proposal complies with **Guideline 4 (Open Space)** as there are no open space requirements for this proposal and there are no natural features to integrate into the development.

There are no natural areas or habitats to integrate on this site nor are there any historic landmarks. Therefore, the proposal complies with **Guideline 5 (Natural Areas and Scenic and Historic Resources)**.

Compliance with **Guideline 7 (Circulation)**, **Guideline 8 (Transportation Facility Design)**, and **Guideline 9 (Bicycle, Pedestrian and Transit)** has mostly been found for this proposal. The site has vehicular access by a single proposed access point and would eliminate two other access points currently on site. Sidewalks have been provided along the street frontage which would be the first sidewalks on this side of the street along this particular block. This will help expand and encourage more sidewalks in the vicinity. The site sits along a bus route and allows access by cyclists. The site, however, does not provide cross connections to adjacent sites due to the secure nature of the proposed use.

More information is needed to determine compliance with **Guideline 10 (Flooding and Stormwater)**, **Guideline 12 (Air Quality)**, and **Guideline 14 (Infrastructure)** as the Air Pollution Control District has approved the proposal and no other utility has any issues. Existing utility infrastructure will be maintained for

the development. However, MSD has several comments that will need to be addressed to ensure adequate sewer and drainage infrastructure is provided for the development.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to Louisville Metro Council regarding the appropriateness of this zoning map amendment. Louisville Metro Council has zoning authority over the property in question.

TECHNICAL REVIEW

Property Perimeter Landscape Buffer Areas – Chapter 10.2.4 of the LDC

- CM (Class 4) to R-4 (Class 1)

LBA Type	Width (feet)	Planting Density Multiplier ²	Planting Density Requirement (per 100 linear feet)
C.4	15 ¹ ft	1.5	3 Large or Medium trees Plus 8 foot screen
	25 ft	1.5	
	35 ft	1	

¹ This option is only available in the Traditional Neighborhood, Traditional Workplace and Traditional Marketplace Corridor Form Districts.

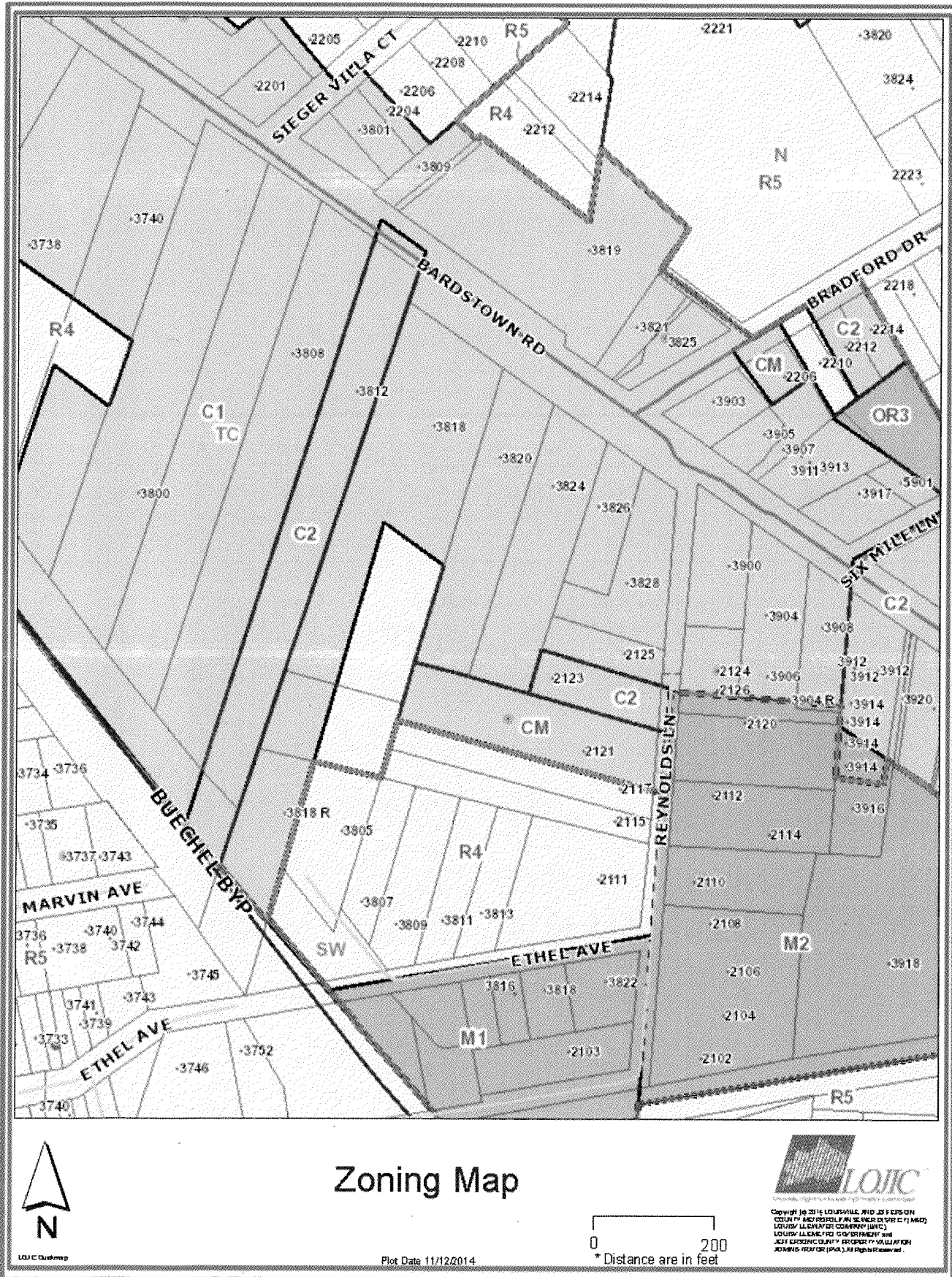
² The Planting Density Multiplier allows for a reduction in the size of Landscape Buffer Areas with a provision of an increased number of trees to offset the reduction in buffer width. (A “2” multiplier requires twice the number of trees to be planted as required in Table 10.2.4.)

Screens specified in Table 10.2.4 shall consist of shrubs, fences, berms or walls, individually or in combination, that meet the requirements outlined in Part 4, Implementation Standards. Evergreen tree plantings can be substituted for landscape material specified in Table 10.2.4, placement and species to be approved by Planning Commission staff to ensure an effective screen. The planting density multiplier (Table 10.2.3) does not apply to the minimum screen height established in Table 10.2.4.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- √ Meets Guideline
- +/- More Information Needed
- Does Not Meet Guideline
- NA Not Applicable

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
1	Community Form/Land Use Guideline 1: Community Form	B.5: The proposal supports a compact mixture of moderately intense uses such as shopping, restaurants and offices, and may include civic uses such as libraries, government offices, police or fire stations and religious facilities.	√	The proposal supports a compact mixture of moderately intense uses. The site will be used for mini storage which will not adversely affect adjoining properties and there are multiple other existing uses in the area such as office, retail, warehouse, restaurant, and entertainment.
2	Community Form/Land Use Guideline 1: Community Form	B.5: Buildings are located close to and oriented toward the street.	√	The buildings along the street are within the required front yard maximum setback and are aligned along the roadway.
3	Community Form/Land Use Guideline 1: Community Form	B.5: The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern.	√	The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern. The site backs up to an elevated street which cannot be accessed and due to the security needs of this site, will have only one access point. The proposal will be the first site along this side of the block to have sidewalks and as the area re-develops, the sidewalk network will continue to improve. The site fronts on a bus route and allows for cyclists to visit the site.
4	Community Form/Land Use Guideline 1: Community Form	B.5: The proposal, if it is a high intensity use, is located in close proximity to a major thoroughfare with intensity of use decreasing toward the adjacent neighborhood.	√	The proposal is not a high intensity use yet it fronts on a primary collector level road in close proximity to the street's intersection with another primary collector level road. The intensity of the uses along the frontage street stays consistent in both directions.
5	Community Form/Land Use Guideline 2: Centers	A.1/7: The proposal, which will create a new center, is located in the Town Center Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use.	√	The proposal does not create a new center but includes new construction to provide a light industrial use.
6	Community Form/Land Use Guideline 2: Centers	A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it.	NA	The proposal is not a retail commercial development.
7	Community Form/Land Use Guideline 2: Centers	A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment.	√	The proposal is compact and results in an efficient land use pattern as it will continue to use existing infrastructure and help with drainage through the proposed detention basins.
8	Community Form/Land Use Guideline 2: Centers	A.5: The proposed center includes a mix of compatible land uses that will reduce trips, support the use of alternative forms of transportation and encourage vitality and sense of place.	NA	The proposal is not a new activity center.
9	Community Form/Land Use Guideline 2: Centers	A.6: The proposal incorporates residential and office uses above retail and/or includes other mixed-use, multi-story retail buildings.	NA	The proposal is for a single story mini storage unit and could not have multiple uses on the second floor since there are no additional stories.
10	Community Form/Land Use Guideline 2: Centers	A.12: If the proposal is a large development in a center, it is designed to be compact and multi-purpose, and is oriented around a central feature such as a public square or plaza or landscape element.	NA	The proposal is not a large development.
11	Community Form/Land Use Guideline 2: Centers	A.13/15: The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns.	+/-	The proposal will not share entrances as the site will be secured by a fence for the security of the clients. Curb cuts will be reduced from the three existing ones to the single access point. Parking will be located safely at the side of the office and be no closer to the street than the proposed buildings on site to balance aesthetic and practical concerns.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
12	Community Form/Land Use Guideline 2: Centers	A.14: The proposal is designed to share utility hookups and service entrances with adjacent developments, and utility lines are placed underground in common easements.	√	The proposal will utilize existing infrastructure to provide needed utility service.
13	Community Form/Land Use Guideline 2: Centers	A.16: The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities.	√	The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities as it has vehicular access, provides sidewalks, and sits along a bus route.
14	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	+/-	More information is needed to determine compliance with this policy.
15	Community Form/Land Use Guideline 3: Compatibility	A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated.	√	The proposal does not constitute a non-residential expansion into an existing residential area as the site is used for offices or is vacant and is surrounded on three sides by other commercial and industrial uses. The applicant is providing LBA to help mitigate nuisances to the adjoining residences which already are in an area with numerous commercial and industrial uses.
16	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	√	The proposal should not produce any noxious odor or emissions.
17	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	√	The proposal will not adversely impact traffic on nearby existing communities as two curb cuts are being eliminated and the one access point will be directly across the street from an access point on the other side of the street.
18	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	√	The proposal will comply with all lighting requirements and regulations.
19	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	√	The proposal is a higher intensity use and is located along a transit corridor and in an activity center.
20	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	√	The proposal provides appropriate transitions between uses that are substantially different in scale and intensity of development by providing landscaped buffer yards, screening via fences, and setback requirements.
21	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	√	The proposal provides appropriate transitions between uses that are substantially different in scale and intensity of development by providing landscaped buffer yards, screening via fences, and setback requirements.
22	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	√	Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards. The proposed buildings may actually be shorter than surrounding buildings and the site provides the required setbacks.
23	Community Form/Land Use Guideline 3: Compatibility	A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians.	√	Parking and loading areas located adjacent to residential areas are screened and landscaping is provided to help mitigate any nuisances by customers loading and unloading items into vehicles. The storage buildings themselves will also help to buffer the neighbors from noise and light impacts.
24	Community Form/Land Use Guideline 3: Compatibility	A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill	√	Parking and loading areas located adjacent to residential areas are screened and landscaping is provided to help mitigate any nuisances by customers loading and unloading items into vehicles. The storage buildings

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
		gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street.		themselves will also help to buffer the neighbors from noise and light impacts.
25	Community Form/Land Use Guideline 3: Compatibility	A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance.	NA	No parking garages are proposed for this development.
26	Community Form/Land Use Guideline 3: Compatibility	A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	√	The site complies with the sign regulations for the form district in which it is located.
27	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
28	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
29	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
30	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
31	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
32	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
33	Marketplace Guideline 6: Economic Growth and Sustainability	A.3: Encourage redevelopment, reinvestment and rehabilitation in the downtown where it is consistent with the form district pattern.	√	The proposal redevelops lots with structures that are more appropriate for a residential pattern of development. This area has increasingly turned to a commercial and industrial pattern with Buechel Bypass acting as a strong physical barrier between the surrounding high intensity uses and the more appropriate location for residential uses across the bypass or northeast of Bardstown Road.
34	Marketplace Guideline 6: Economic Growth and Sustainability	A.4: Encourage industries to locate in industrial subdivisions or adjacent to existing industry to take advantage of special infrastructure needs.	√	The site is adjacent to a warehouse use that is currently zoned for light industrial uses. There are also heavier industrial zones across Reynolds Lane to the east.
35	Marketplace Guideline 6: Economic Growth and Sustainability	A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas.	NA	This proposal is not retail and will not produce large amounts of traffic.
36	Marketplace Guideline 6: Economic Growth and Sustainability	A.8: Require industrial development with more than 100 employees to locate on or near an arterial street, preferably in close proximity to an expressway interchange. Require industrial development with less than 100 employees to locate on or near an arterial street.	NA	The industrial use will not employ more than 100 employees.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
37	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	√	The proposal will be the first site to provide sidewalks on this side of the street which will help to bolster the sidewalk network in the area as surrounding sites redevelop.
38	Mobility/Transportation Guideline 7: Circulation	A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation.	√	The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern. The site backs up to an elevated street which cannot be accessed and due to the security needs of this site, will have only one access point. The proposal will be the first site along this side of the block to have sidewalks and as the area re-develops, the sidewalk network will continue to improve. The site fronts on a bus route and allows for cyclists to visit the site.
39	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	√	The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern. The site backs up to an elevated street which cannot be accessed and due to the security needs of this site, will have only one access point. The proposal will be the first site along this side of the block to have sidewalks and as the area re-develops, the sidewalk network will continue to improve. The site fronts on a bus route and allows for cyclists to visit the site.
40	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	√	The proposal will dedicate ROW as required by appropriate agencies.
41	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	+/-	More information is needed to determine compliance with this policy.
42	Mobility/Transportation Guideline 7: Circulation	A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites.	-	The proposal does not provide for cross access to adjacent sites because of the security needed for the proposed use. The site will be entirely fenced it to secure the items stored by the clients.
43	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	-	The proposal does not provide for cross access to adjacent sites because of the security needed for the proposed use. The site will be entirely fenced it to secure the items stored by the clients.
44	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	√	The proposal avoids access to development through areas of significantly lower intensity.
45	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	-	The proposal does not provide for cross access to adjacent sites because of the security needed for the proposed use. The site will be entirely fenced it to secure the items stored by the clients.
46	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	√	The proposal includes a high level of pedestrian, roadway, transit and bicycle access, and a connected street pattern. The site backs up to an elevated street which cannot be accessed and due to the security needs of this site, will have only one access point. The proposal will be the first site along this side of the block to have sidewalks and as the area re-develops, the sidewalk network will continue to improve. The site fronts on a bus route and allows for cyclists to visit the site. Due to the surrounding commercial and industrial uses and the physical barrier via the Buechel Bypass, the proposal is located appropriately.
47	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue-line streams are protected through a vegetative buffer,	+/-	More information is needed to determine compliance with this policy.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
		and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.		
48	Livability/Environment Guideline 12: Air Quality	The proposal has been reviewed by APCD and found to not have a negative impact on air quality.	√	APCD has approved the proposal.
49	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	NA	Open space is not required for this development and there are no natural features to integrate into the site design.
50	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	√	All utilities have given their approval or have not detailed any concerns with the proposal.
51	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	√	All utilities have given their approval or have not detailed any concerns with the proposal.
52	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	+/-	More information is needed to determine compliance with this policy.