

Development Review Committee

Staff Report

December 17, 2014



Case No:	14DEVPLAN1147
Project Name:	Stor-All Cane Run Road
Location:	4100 Cane Run Road
Owner:	Stor All Cane Run Road, Inc.
Applicant:	Stor All Cane Run Road, Inc.
Representative:	POD Group
Project Area/Size:	7.99 ac.
Existing Zoning District:	C-2, Commercial
Existing Form District:	SMC, Suburban Marketplace Corridor
Jurisdiction:	Louisville Metro
Council District:	1 – Attica Scott
Case Manager:	Matthew R. Doyle, Planner I

REQUEST

- Revised Detailed District Development Plan (RDDDP) for two mini-warehouse buildings

CASE SUMMARY/BACKGROUND/SITE CONTEXT

This is a plan certain site that was approved for a change in zoning from R-4 to C-2 with a Conditional Use Permit (CUP) for mini-warehouses in Docket 9-72-96. It is located on the north side of Cane Run Road immediately west of I-264.

The applicant requests approval of the RDDDP to construct the third and final phase of this mini-warehouse development that began in 1997. The applicant proposes to construct two buildings in phase 3, which are shown as building 8 and 9 on the proposed plan. Building 8 would total 13,500 sq. ft. and building 9 would total 18,000 sq. ft.

Originally, the approved Detailed District Development Plan (DDDP) showed a total of 10 buildings on the site, of which buildings labeled as 1-6 were constructed as shown in phase 1. The last RDDDP approved in 2012, however, combined the two mini-warehouses shown in phase 2 and did not show any building footprints in phase 3. The square footage listed in the site data for phase 3 reserved the amount necessary to maintain the approved total square footage of the entire development.

As noted in the above paragraph, phase 3 would have two buildings with a combined square footage of 31,500, which is 400 sq. ft. shy of the 31,900 reserved on the 2012 RDDDP. The total number of the buildings in the development would change to 9, with 1 office/apartment and 8 mini-warehouses. The original DDDP had a total of 10 buildings. The binding elements have been updated to reflect this minor change, as some of them specifically refer to "building 10" as well as the specific square footage and number of mini-warehouses permitted. One of those is binding element 16, which has specific requirements for the style and design of the perimeter buildings. In the current proposal, building 9 replaces building 10 shown on the original DDDP and referred to in the binding elements as one of the three perimeter buildings. In accordance with binding element 16, the exterior walls of building 9 must be split face block with natural gray color, the doors must be a dark green color, and this committee must approve the style and design of the building.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Mini-warehouses	C-2 w/ CUP	SMC
Proposed	Mini-warehouses	C-2 w/ CUP	SMC
Surrounding Properties			
North	Railroad right-of-way	C-2, EZ-1	SMC, SW
South	Commercial retail	C-2	SMC
East	Single family residential	R-4	N
West	Mobile home park	R-6, C-2	SMC

PREVIOUS CASES ON SITE

- 9-72-96: Approved a change in zoning from R-4 to C-2 with a CUP for mini-warehouses and a DDDP for the development.
- 17740: A modified CUP was approved for phase 2 of the development.
- 17592: An RDDDP was approved for phase 2 of the development.

INTERESTED PARTY COMMENTS

Staff has not received any communication from interested parties.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP AND AMENDMENT TO 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: There does not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site.

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

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community will be provided. Transportation Planning Review has approved the preliminary development plan.

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

STAFF: Provisions of sufficient open space will be provided.

- 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: The Metropolitan Sewer District will ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- 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 overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways.

- 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 development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

TECHNICAL REVIEW

The proposed development plan is in order and has received preliminary approvals from Transportation Planning Review and MSD.

A minor plat creating the lot lines and granting a reciprocal access and crossover easement agreement among the tracts in the development has been submitted in Case 14MINORPLAT1122. Binding elements 10d and 10e have been added to ensure these instruments are not only created, but also recorded.

On Monday, December 15th, the Board of Zoning Adjustment during business session will either approve the modification of the CUP or schedule it for a public hearing.

STAFF CONCLUSIONS

- The proposed RDDDP appears to be adequately justified based on staff analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC for approving the RDDDP.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the RDDDP, the style and design of building 9, and the proposed changes to the binding elements.

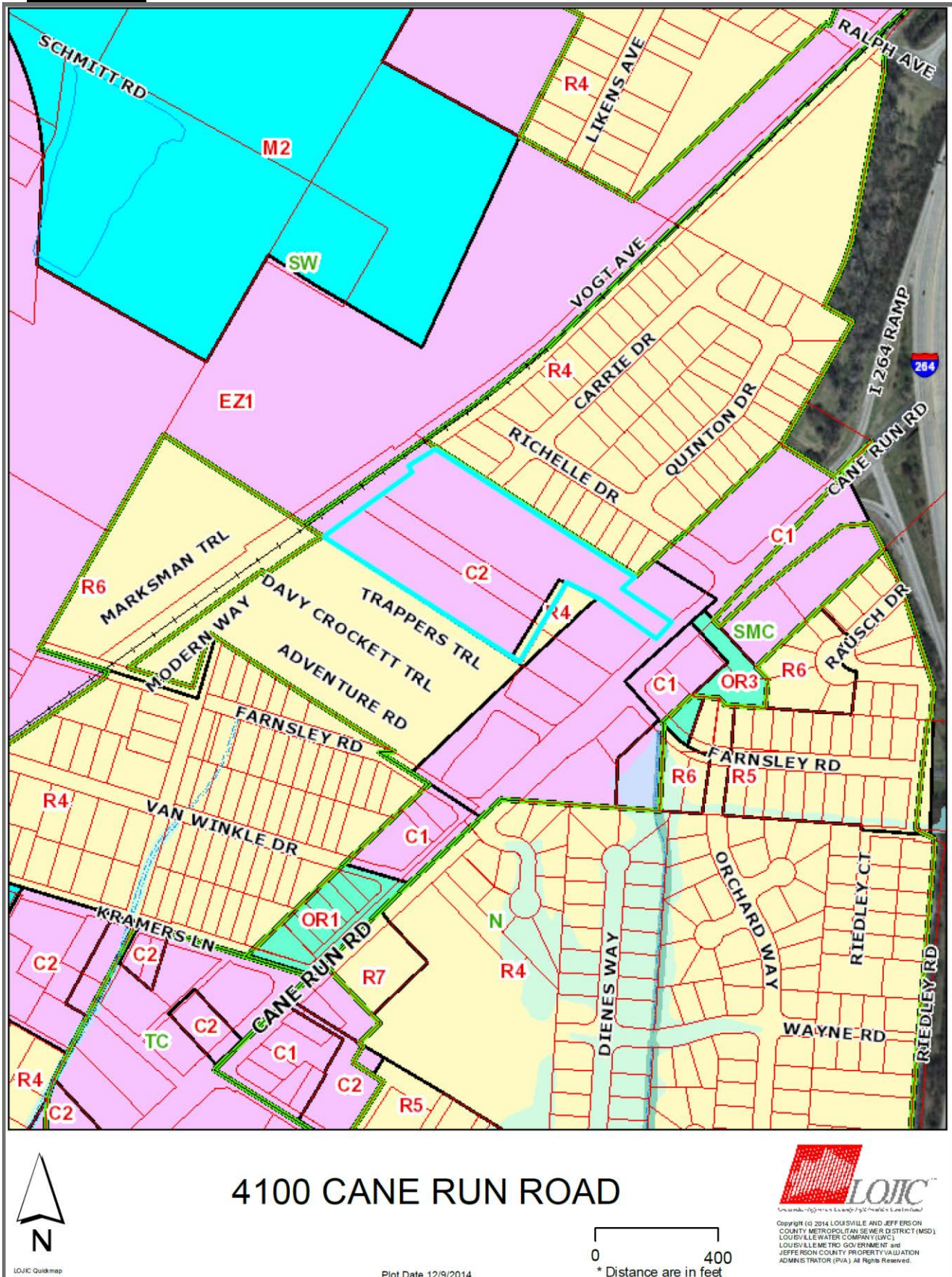
NOTIFICATION

Date	Purpose of Notice	Recipients
12/4/14	Hearing before DRC	1 st tier adjoining property owners Registered neighborhood groups

ATTACHMENTS

1. Zoning Map
2. Aerial
3. Existing Binding Elements
4. Proposed Binding Elements

1. **Zoning Map**



2. Aerial



4100 CANE RUN ROAD



LOJIC Quickmap

Plot Date 12/9/2014

0 400
* Distance are in feet



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3. Existing Binding Elements

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission except for land uses permitted in the established zoning district.
2. The development shall not exceed 800 square feet of gross floor area for the office, 1000 square feet of gross floor area for the apartment and 119,200 square feet of gross floor area for the mini-warehouse storage (9 mini-warehouse buildings).
3. There shall be no direct vehicular access to Carrie Drive.
4. The only permitted freestanding sign shall be located as shown on the approved district development plan. The sign shall not exceed 64 square feet in area per side and 10 feet in height. No sign shall have more than two sides.
5. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants or banners shall be permitted on the site. The existing billboard shall be removed.
6. There shall be no outdoor storage on the site.
7. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff so that no light source is visible off-site. Lighting levels attributable to the fixtures located on the subject site shall not exceed two foot candles at the property line.
8. Construction fencing shall be erected at the edge of the area of development prior to any grading or construction to protect the existing tree stands and their 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.
9. The applicant shall submit a plan for approval by the Planning Commission staff landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Any modification of the tree preservation plan requested by the applicant may be approved by the Planning Commission staff landscape architect if the changes are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
 - a. Proposed site plan (showing buildings, edges of pavement, property/lot lines, easements, existing topography, and other significant site features (LOJIC topographic information is acceptable).
 - b. Preliminary drainage considerations (retention/detention, ditches/large swales, etc.).
 - c. Location of all existing trees/tree masses existing on the site as shown by aerial photo or LOJIC maps.
 - d. Location of construction fencing for each tree/tree mass designated to be preserved.
10. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from the Jefferson County Department of Public Works and Transportation (400 Fiscal Court Building) and the Metropolitan Sewer District (700 West Liberty).
 - 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 Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
- 11. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
- 12. A certificate of occupancy must be received from the appropriate code enforcement office 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.
- 13. An 8-foot high solid wood fence shall be constructed along the proposed exterior line of Building Number 10 to screen and buffer the mini-warehouses from the adjoining mobile home park. The portion of the fence adjoining Building 10 may be removed when that building is constructed during Phase 3.
- 14. All landscaping shall be installed during Phase 1 and maintained thereafter.
- 15. The property owner/developer shall provide copies of these binding elements to tenants, contractors and other parties engaged in development of this project, and shall inform them of the content of these binding elements. Further, the property owner/developer shall require contractors to similarly notify all of their sub-contractors whose duties relate to the binding elements. The property owner/developer shall ensure their compliance with the binding elements.
- 16. The exterior walls of the perimeter buildings 2, 3 and 10 shall be split face block with natural gray color. The doors shall be a dark green color. Prior to requesting a building permit, the developer shall obtain approval from the Land Development and Transportation Committee for the style and design of the buildings.

4. Proposed Binding Elements

- 2. The development shall not exceed 800 square feet of gross floor area for the office, 1000 square feet of gross floor area for the apartment and ~~449,200~~ **118,800** square feet of gross floor area for the mini-warehouse storage (~~9 8~~ mini-warehouse buildings).
- 10. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from the Jefferson County Department of Public Works and Transportation (400 Fiscal Court Building) and the Metropolitan Sewer District (700 West Liberty).
 - 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 Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. **A minor subdivision plat shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.**
 - e. **A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created and recorded among all tracts in the development. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.**

13. An 8-foot high solid wood fence shall be constructed along the proposed exterior line of Building Number ~~40~~ **9** to screen and buffer the mini-warehouses from the adjoining mobile home park. The portion of the fence adjoining Building ~~40~~ **9** may be removed when that building is constructed during Phase 3.
16. The exterior walls of the perimeter buildings 2, 3 and ~~40~~ **9** shall be split face block with natural gray color. The doors shall be a dark green color. Prior to requesting a building permit, the developer shall obtain approval from the Land Development and Transportation Committee for the style and design of the buildings.