

Board of Zoning Adjustment

Staff Report

August 7, 2023



Case No:	23-CUP-0143
Project Name:	Derby Park RV Resort
Location:	2900 S 7 th Street Road
Owner(s):	Louisville 2900, LLC
Applicant:	Frost Brown and Todd, LLP Bowman Consulting Group, LTD
Jurisdiction:	City of Shively
Council District:	3 – Kumar Rashad
Case Manager:	Molly Clark, Planner II

REQUEST(S)

- Conditional Use Permit from section 4.2.11 of the Land Development Code (City of Shively) for a proposed Camping and Recreational Vehicle (RV) park.

CASE SUMMARY/BACKGROUND

The subject site is zoned EZ-1 in the Traditional Workplace Form District. The overall subject site contains 58 acres. The applicant will only be developing a portion of the site for a proposed RV park. The portion of the site being used for the RV park has areas that are paved and areas that are gravel as shown on the proposed development plan. The site also contains existing buildings along the northeastern property line that are used as an outdoor flea market. The property appears to have been used for camping and RV parking in the past.

STAFF FINDING

The standards of the Conditional Use Permit have been met and demonstrated or noted on the development plan, or conditions of approval have been included to ensure compliance with the listed standards. The applicant should provide the maximum number RVs and/or campers permitted on the site and provide details on any landscaping to be provided along the public road frontage.

TECHNICAL REVIEW

- Transportation Planning has not yet given preliminary approval of the plan. Right-of-way has been added as requested and approval is pending.
- MSD has preliminarily approved the proposal.
- A revised detailed district development plan, case number 23-DDP-0033, is pending and requires the approval of the Planning Commission or designee.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT (LDC 4.2.11)

Camping Areas and Recreational Vehicles Parks, Public and Private Camping Areas and Recreational Vehicles Parks, Public and Private may be allowed in any district upon the granting of a Conditional Use Permit and compliance with the following requirements:

A. Buffer Strips - An open space buffer strip shall be maintained along all property lines in which campfires, or any other camping appurtenances shall not be located. The open space buffer strip shall be a minimum of 10 feet along any side or rear property line and a minimum of 30 feet along any front or street side property line.

STAFF: The buffer strip has been provided and shown on the site plan. Structures that are not associated with the camping area are not subject to this requirement.

B. Signs - Except in districts where signs are allowed, there shall be no more than one non-illuminated sign not to exceed 30 square feet in area, with a maximum height of 10 feet, located at the major entrances.

STAFF: Applicant is proposing to use the existing signage on site. The traditional workplace form district allows for 120 square foot sign and 22 feet in height for 4 or more tenants on a major arterial. 7th Street Road is a major arterial.

C. Traffic Impacts - Facilities shall be located and designed so that no entrance or exit shall require movement of traffic to or from the camping area or park through a recorded single-family subdivision.

STAFF: Ingress and egress will not be proposed through a recorded single-family subdivision. RV park will have direct access from 7th Street Road.

D. Limits on Periods of Use - No property, camp, or individual camp site shall be sold or leased for a longer period than one month, that does not conform to the minimum lot area established for the district in which it is located or to a minimum lot area of 6,000 square feet for a district having no minimum lot area.

STAFF: RV Park is not proposed to be plated out or have lease lines. Periods of stay will not exceed one month.

E. Trash and Garbage Collection - The RV Park or Camping Area Management shall be responsible for internal trash and garbage collection. Central trash collection points shall be completely screened from view from outside the park.

STAFF: There are no trash or garbage collection areas delineated on the plan. However, trash and garbage collection is noted and will be the responsibility of the park manager.

F. Health and Safety - Parking pads for recreational vehicles and individual camp sites shall not be exposed to conditions that create hazards to the property or the health or safety of the occupants. No portion of the park or camping area subject to flooding or subsidence shall be used for any purpose which would expose persons or property to hazards.

STAFF: The plan does not show where in the park camp fire sites will be located, if any. A portion of the site is in the combined sewer floodplain. A condition of approval is proposed to ensure that only passenger vehicles can park in the combined sewer floodplain area.

G. Vehicular Use Areas - Vehicular use areas shall be paved and shall be clearly marked as to internal circulation and direction of travel. Pavement widths for travel lanes shall be as follows:

1. One-way Travel Lane - 18 Feet
2. Two-way Travel Lane - 24 Feet
3. Cul-de-sac Diameter - 80 Feet

STAFF: The plan does not specify RV spaces or drive aisles. The site must comply with the minimum widths established by the CUP.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **CONDITIONAL USE PERMIT** from section 4.2.11 of the Land Development Code (City of Shively) for a proposed Camping and Recreational Vehicle (RV) park subject to conditions of approval contained in the staff report.

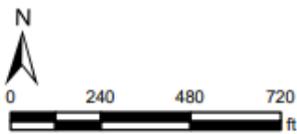
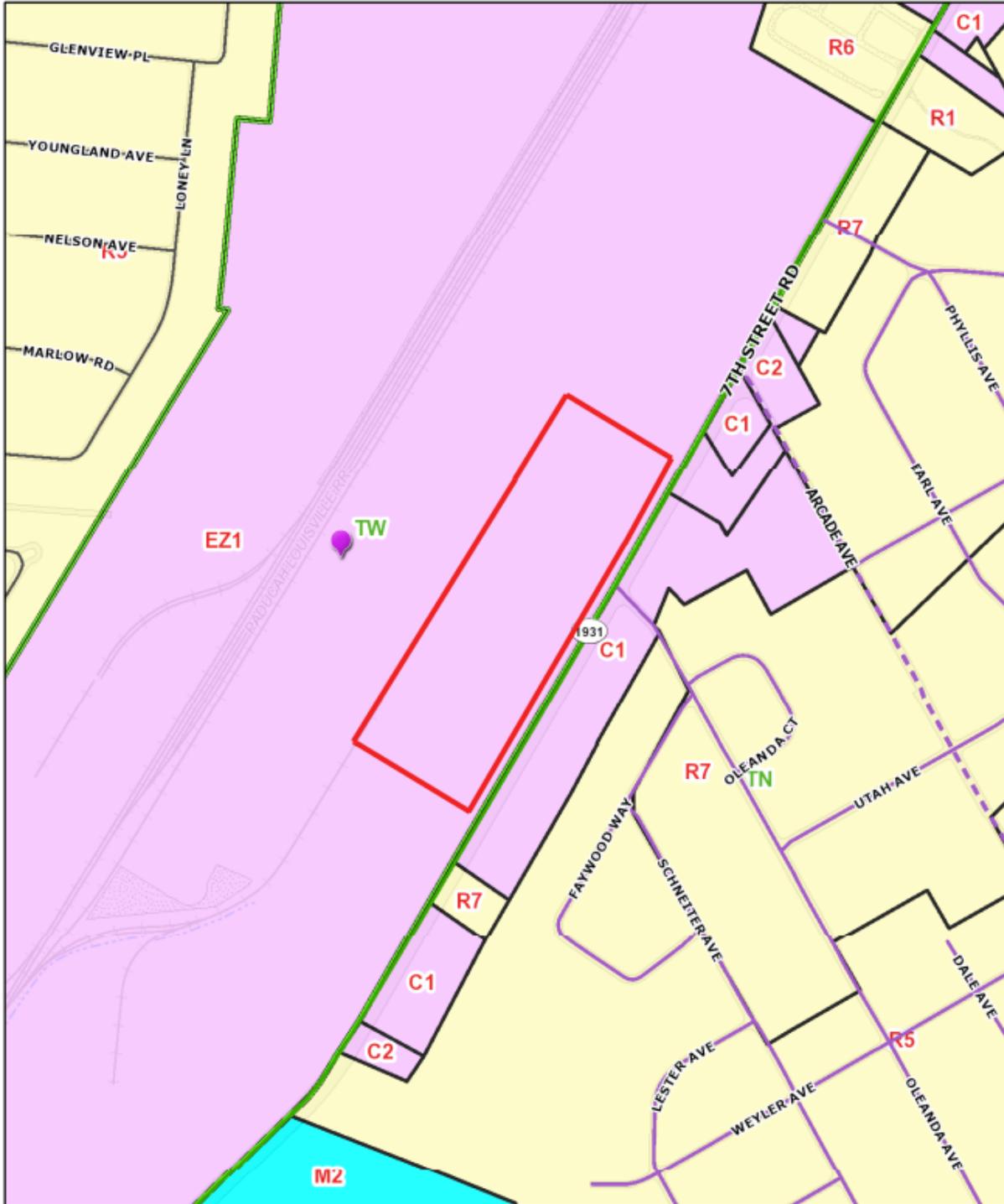
NOTIFICATION

Date	Purpose of Notice	Recipients
7-20-23	Hearing before BOZA	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 3
4-18-23	Neighborhood Meeting	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 3
7-26-23	Hearing before BOZA	Sign Posting on property

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Site Photos
5. Proposed Conditions of Approval

1. Zoning Map



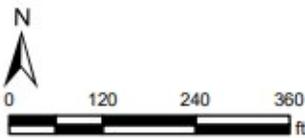
Monday, July 31, 2023 | 2:31:33 PM



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

2. Aerial Photograph



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

3. Site Plan



DERBY PARK RV RESORT
CONDITIONAL USE PERMIT PLAN

OWNER: COWAY REALTY, LLC
 11111 SANTA MONICA BLVD., SUITE 600
 LOS ANGELES, CA 90048

DATE: 07/10/2023
 PROJECT NO: 2023-000000000

DATE: 07/10/2023
 PROJECT NO: 2023-000000000

FOR REVIEW ONLY

NO.	DATE	DESCRIPTION
1	07/10/2023	ISSUED FOR REVIEW

PLAN CERTAIN #09-003-86
 MSD WM #XXXXXX

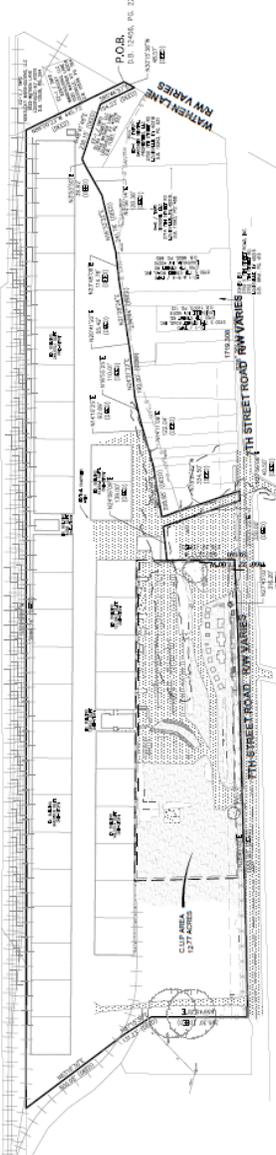
23-CUP-0143



LOCATION MAP
 NOT TO SCALE



TYPICAL PARKING DETAIL
 NOT TO SCALE



HEALTH DEPT. NOTES
 HEALTH DEPT. PERMITS: 1. HEALTH DEPT. PERMIT NO. 2023-000000000

GENERAL NOTES:

- ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
- ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.
- ALL UTILITIES SHALL BE PROTECTED BY CONCRETE CURBS AND CHAINS.
- ALL UTILITIES SHALL BE MARKED WITH PULVERIZED RED OXIDE IRON.
- ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES.
- ALL UTILITIES SHALL BE REPAIRED OR REPLACED AS NECESSARY.
- ALL UTILITIES SHALL BE PROTECTED BY CONCRETE CURBS AND CHAINS.
- ALL UTILITIES SHALL BE MARKED WITH PULVERIZED RED OXIDE IRON.
- ALL UTILITIES SHALL BE MAINTAINED AT ALL TIMES.
- ALL UTILITIES SHALL BE REPAIRED OR REPLACED AS NECESSARY.

SITE DATA

GRID: 1000' X 1000'
 AREA: 100,000 SQ FT
 PERMITS: 1. HEALTH DEPT. PERMIT NO. 2023-000000000

TREE CANOPY CALCULATIONS

TOTAL: 100%
 MINIMUM: 10%
 MAXIMUM: 100%

OVERALL PROPERTY BOUNDARY

100' X 100' X 100' X 100'

CONDITIONAL USE PERMIT

100' X 100' X 100' X 100'

LANDSCAPE REQUIREMENTS

100' X 100' X 100' X 100'

CONDITIONAL USE PERMIT PLAN

100' X 100' X 100' X 100'

4. Site Photos

Photos of the Subject site:







Photo of the overall site while used as an RV park and camping area:



5. Proposed Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a Camping and Recreational Vehicle (RV) park until further review and approval by the Board.
3. No property, camp, or individual camp site shall be leased for a period greater than 30 days.
4. Only passenger vehicle parking is permitted in the combined sewer floodplain area as show on the development plan.
5. Travel lanes shall be maintained as stated in the standards of the conditional use permit:
 1. One-way Travel Lane - 18 Feet
 2. Two-way Travel Lane - 24 Feet
 3. Cul-de-sac Diameter - 80 Feet