

Development Review Committee

Staff Report

June 20, 2018



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|--------------------------|---------------------------------------|
| Case No: | 18DEVPLAN1067 |
| Project Name: | IBEW Parking Lot |
| Location: | 4325 Preston Highway |
| Owner(s): | Local Union No 369 Electrical Workers |
| Applicant: | Qk4 |
| Representative: | Ashley Bartley |
| Jurisdiction: | Louisville Metro |
| Council District: | 21 – Vitalis Lanshima |
| Case Manager: | Dante St. Germain, Planner I |

REQUESTS

- **Revised Detailed District Development Plan**

CASE SUMMARY

The subject property is located on Preston Highway near the interchange of I-65 with I-264. Louisville Male High School abuts the property to the south-east. International Brotherhood of Electrical Workers Local 369 abuts the property to the north and north-west, with Preston Highway and the I-65 right-of-way to the south-west.

The site currently contains a vacant building which was most recently used for a restaurant and a tire shop. The applicant proposes to demolish the structure and expand parking from the IBEW lot to the north and north-west. A billboard currently occupies a portion of the south-east edge of the lot. The billboard is proposed to remain.

The lot currently has two wide curb cuts with direct access to Preston Highway. The applicant proposes to reduce this to a single curb cut, with additional access to the lot being provided from the existing IBEW parking.

STAFF FINDING

The proposal is in compliance with the Land Development Code and meets the standard of review. The proposal increases tree canopy over what is provided on the lot currently. Provisions for safe and efficient vehicular and pedestrian traffic are being provided. Adequate drainage facilities are provided and the overall character of the site will be consistent with surrounding land uses.

TECHNICAL REVIEW

- The plan has received preliminary approval from all applicable agencies.

INTERESTED PARTY COMMENTS

No interested party comments were received.

CASE BACKGROUND

This property was rezoned in May 1978 from C-1 Commercial to C-2 Commercial to allow the conversion of a vacant service station into a wholesale used car business. This occurred under docket number 9-25-78. In January 1985, under the same docket number, a revised detailed district development plan was approved by the Land Development and Transportation Committee to convert the structure into a package liquor store and beer garden.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP

- 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: LOJIC has not identified any hydric soils or steep slopes at this site. The site is located in a karst terrain area, but is currently developed. The proposal will increase the amount of tree canopy being provided on the 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 has been provided, and Metro Public Works has approved the preliminary development plan. Sidewalks along Preston Highway are being provided. The number and width of curb cuts to Preston Highway are being reduced.

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

STAFF: There is no open space requirement with this plan and proposed landscaping will improve the character of the 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: The Metropolitan Sewer District has approved the preliminary development plan and will ensure 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.

- 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. The proposal is an expansion of the existing parking lot to the north and north-west of the subject site.

- 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.

REQUIRED ACTIONS

- **APPROVAL or DENIAL** of the Revised Detailed District Development Plan

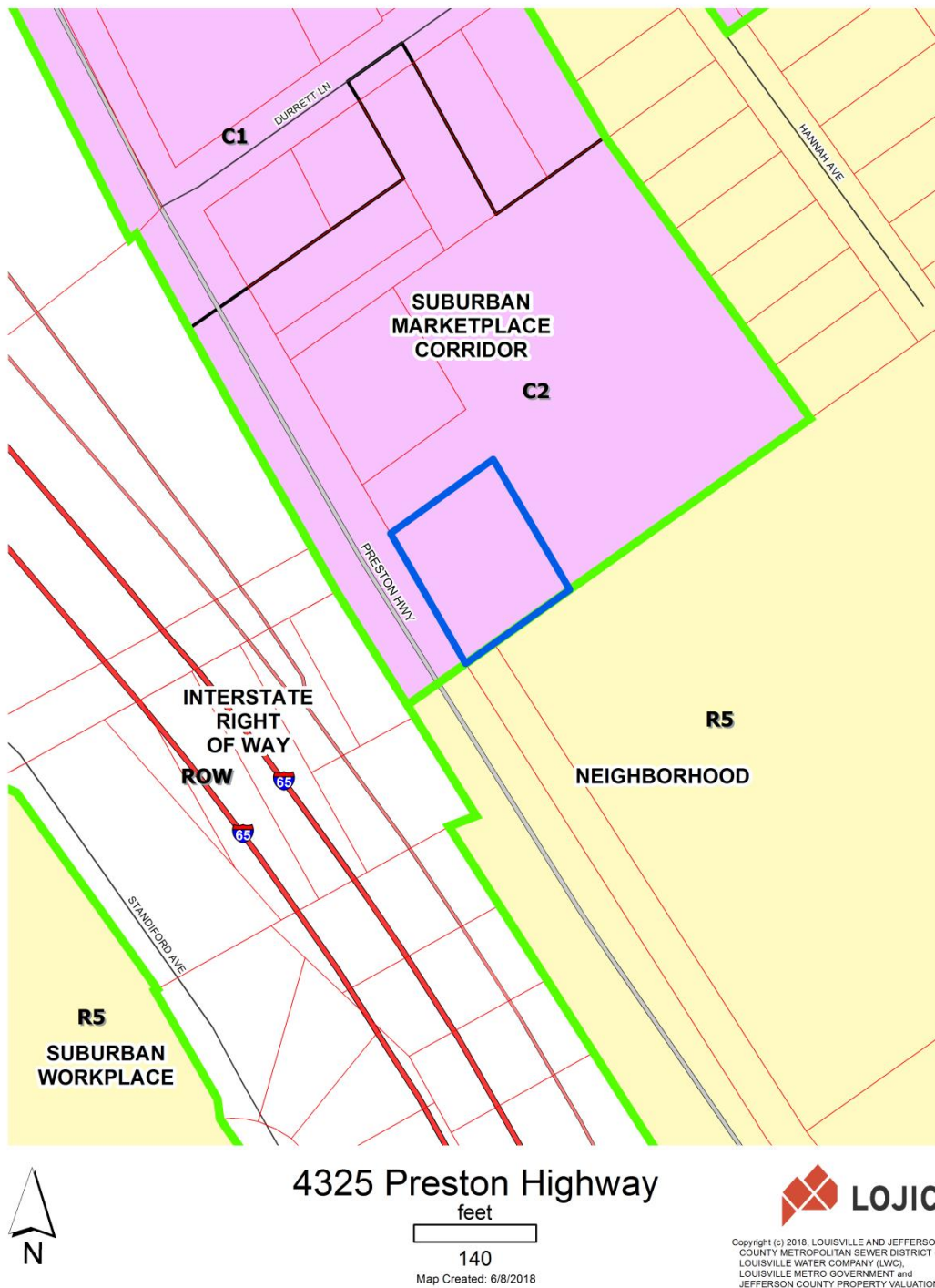
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|------------|-------------------|---|
| 06/06/2018 | Meeting of LD&T | 1 st tier adjoining property owners Registered Neighborhood Groups in Council District 21 |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements – To Be Removed
4. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph



4325 Preston Highway

feet



140

Map Created: 6/8/2018



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COUNTY METROPOLITAN SEWER DISTRICT (MSD),
LOUISVILLE WATER COMPANY (LWC),
LOUISVILLE METRO GOVERNMENT and
JEFFERSON COUNTY PROPERTY VALUATION
ADMINISTRATOR (PVA). All Rights Reserved.

3. Existing Binding Elements – To Be Removed

- ~~1. No further development will occur on this site unless a district development plan is approved by the Planning Commission.~~
- ~~2. The size and location of any advertising signs will be submitted to the Planning Commission for approval prior to occupancy of the structure.~~
- ~~3. There will be no drive-thru window for this business.~~
- ~~4. The plan must be reapproved by the Water Management Section of the Jefferson County Public Works and Transportation Cabinet and the City of Louisville Department of Public Works prior to issuance of certificates of occupancy.~~
- ~~5. Unless use in accordance with the approved plan and binding elements has been substantially established within one year of the date of the approval of the plan or rezoning whichever is later the property shall not be used in any manner until such time as a district development plan has been approved by the Planning Commission.~~
- ~~6. The above binding elements may be amended as provided for in the Zoning District Regulations.~~

4. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No small freestanding signs, pennants, balloons, or banners shall be permitted on the site. No outdoor advertising signs shall be permitted, except for the outdoor advertising sign in place on June 20, 2018.
3. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.
4. Before any permit (including but not limited to building, parking lot, change of use or site disturbance) is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.

- b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - c. The property owner/developer must obtain approval of a detailed plan for 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 reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
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.