

Board of Zoning Adjustment

Staff Report

July 12, 2021



Case No:	21-CUP-0050
Project Name:	Strike and Spare Mini-warehouses
Location:	2001 Crums Lane
Owner(s):	2001 Crums Lane, LLC
Applicant:	2001 Crums Lane, LLC
Jurisdiction:	Shivley
Council District:	3 – Keisha Dorsey
Case Manager:	Jon Crumbie, Planning & Design Coordinator

REQUEST(S)

- Conditional Use Permit to allow mini-warehouses

CASE SUMMARY/BACKGROUND

The applicant is repurposing the existing structure which was for a bowling alley to mini-warehouses.

STAFF FINDING / RECOMMENDATION

There are eight listed requirements for the mini-warehouse use. The applicant will need relief from items B., F., and G. Based upon the information in the staff report and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the LDC for a Conditional Use Permit.

RELATED CASES

B-39-03 An application for a variance from the Zoning District Regulations to allow an existing structure to encroach into the resultant required yard. This request was approved by the Louisville/Jefferson County Board of Zoning Adjustment on April 7, 2003.

TECHNICAL REVIEW

The City of Shively has no objections to the proposal in correspondence dated May 14, 2021.

INTERESTED PARTY COMMENTS

Neighborhood meeting was held on January 13th, 2021 and at least two people attended not including the applicants.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. Is the proposal consistent with applicable policies of the Comprehensive Plan?

STAFF: The proposal meets all applicable policies of the Comprehensive Plan.

2. Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?

STAFF: The proposed improvements are compatible with surrounding development and land uses.

3. Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?

STAFF: The subject property is served by existing public utilities and facilities. Transportation Planning and MSD have reviewed the proposal and has comments.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?

4.2.34 Mini-warehouses may be allowed in the C-2 District where the premises abut on a roadway classified as a collector or major or minor arterial as designated in the Comprehensive Plan for all of Jefferson County, Kentucky, upon the granting of a Conditional Use Permit and compliance with the listed requirements.

A. The property shall be landscaped so as to blend in with the surrounding area and shall be screened and buffered from adjacent uses of a nonindustrial nature. ***The property will be landscaped and must be approved by staff landscape architect.***

B. No building, structure or pavement shall be located closer than 30 feet to side property lines or property lines abutting residential areas. This area is reserved as a landscape buffer area. ***The structure is existing and will be repurposed, so it is not feasible to move the***

structure to allow for a landscape buffer area. The structure is 21.57 feet from the Park Drive Street side yard at its closest point and 3.28 feet at its closest point from the side property line to the west. Landscaping will be provided along Park Drive and Crums Lane.

C. No outside storage shall be allowed on the property. **Outdoor storage is not proposed.**

D. No storage of toxic or hazardous materials shall be allowed on the property. **Toxic or hazardous materials will not be allowed on the property.**

E. There shall be no retail or wholesale sales or distributing activities on site. **There will be no wholesale sales or distributing activities on site.**

F. Loading doors and vehicle maneuvering areas shall be located away from the exterior of the property. **Vehicle maneuvering will be located along the Park Drive frontage. Only the office entrance will be located on the façade facing Park Drive. The structure is existing and will be repurposed, so it is not feasible to move vehicle maneuvering to another portion of the site; although a loading area will be located along the rear of the property.**

G. No structure on the site shall be taller than one story and shall not exceed 15 feet in height (except for one freestanding sign as allowed in H below). **The structure is existing and will be repurposed, so it is not feasible to remove a portion of the existing structure that is two stories.**

H. Signs - Only one freestanding sign shall be allowed and shall conform to limits established for the form district in which the sign is located. **The existing freestanding sign located near the corner of Park Drive and Crums Lane will be used.**

2040 Checklist

Conditional Use Permit Checklist

+ Meet policy

- Does not meet policy

+/- Meets/Does not meet some portion of policy

NA – Not applicable

NIS – Information needed

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
Community Form – Goal 1			

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
4.	Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.	+	The existing structure will be used, and improved.
11.	Ensure setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet Form District guidelines.	+	Setbacks, lot dimensions and building heights are compatible with nearby developments. Most of the site is an existing structure.
12.	Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes.	+	Transportation Planning has reviewed and approved the proposal.

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
14.	Ensure that signs are compatible with the Form District pattern and contribute to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot, the number of signs by including signage for each establishment on the same support structure and encourage consistent design (size, style, and materials).	+	All signage will be Land Development Code compliant.
17.	Mitigate adverse impacts of traffic from proposed development on nearby existing communities.	+	Transportation Planning has reviewed and approved the proposal.
18.	Mitigate adverse impacts of noise from proposed development on existing communities.	+	The proposal will follow the noise ordinance.
19.	Mitigate adverse impacts of lighting from proposed development on nearby properties, and on the night sky.	+	Lighting will be Land Development Code compliant.
Goal 2 Community Facilities			
3.	Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).	+	MSD has reviewed and approved the proposal.

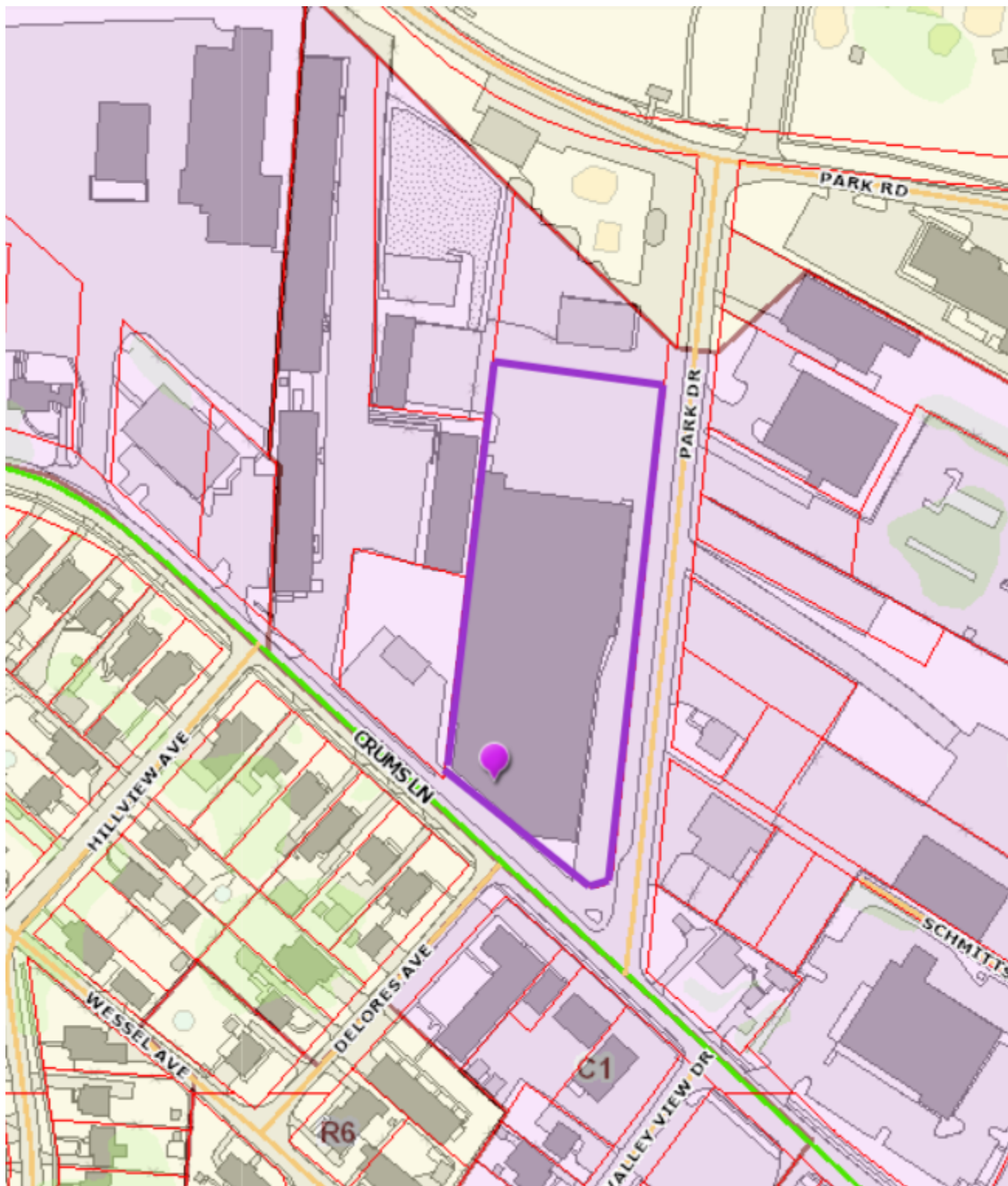
NOTIFICATION

Date	Purpose of Notice	Recipients
6/24/2021	Hearing before BOZA	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 3
6/25/2021	Hearing before BOZA	Sign Posting

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Conditions of Approval

1. **Zoning Map**



2. Aerial Photograph



3. 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 mini-warehouse use until further review and approval by the Board.