

# Development Review Committee

## Staff Report

January 4, 2023



<b>Case No:</b>	22-DDP-0055
<b>Project Name:</b>	Midea Warehouse Expansion
<b>Location:</b>	2700 Chestnut Station Court
<b>Owner(s):</b>	Chestnut Station, LLC
<b>Applicant:</b>	Mindel Scott & Associates, INC.
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	11 – Kevin Kramer
<b>Case Manager:</b>	Molly Clark, Planner II

### REQUEST(S)

- Revised Detailed District Development plan with amendment to binding elements.

### CASE SUMMARY/BACKGROUND

The subject site is zoned PEC in the Suburban Workplace Form District. There is currently an existing 30,557 sf office warehouse on the site. The applicant is proposing a 2 story 130,200 sf addition to the existing office warehouse bringing the total sf to 160,757 sf. The applicant is also providing 8,152 sf amenity area as required by the code.

9-42-06 and 10-32-06 – Property was rezoned on November 30, 2006, from R-4 to PEC in conjunction with a major preliminary subdivision plan. Lot 4 from the previous plan has since been combined with lot 1.

15DEVPLAN1119 – Revised Detailed District Development Plan. Lot 4 from the previous plan has since been combined with lot 1.

### STAFF FINDING

Staff finds that the Revised Detailed District Development plan is in order, that it meets the guidelines of the Comprehensive Plan and requirements of the Land Development Code.

### TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposal.

### INTERESTED PARTY COMMENTS

Staff has not received any interested party comments

**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 do 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 has been provided and Metro Public Works approved the preliminary development plan.

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

STAFF: There are no open space requirements pertinent to the current proposal. Future multi-family development proposed on the subject site will be required to meet Land Development Code requirements.

- 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. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks.

- 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:**

- **APPROVE** or **DENY** the **Revised Detailed District Development Plan with Amendment to Binding Elements**

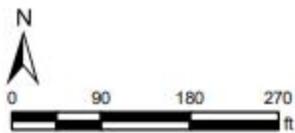
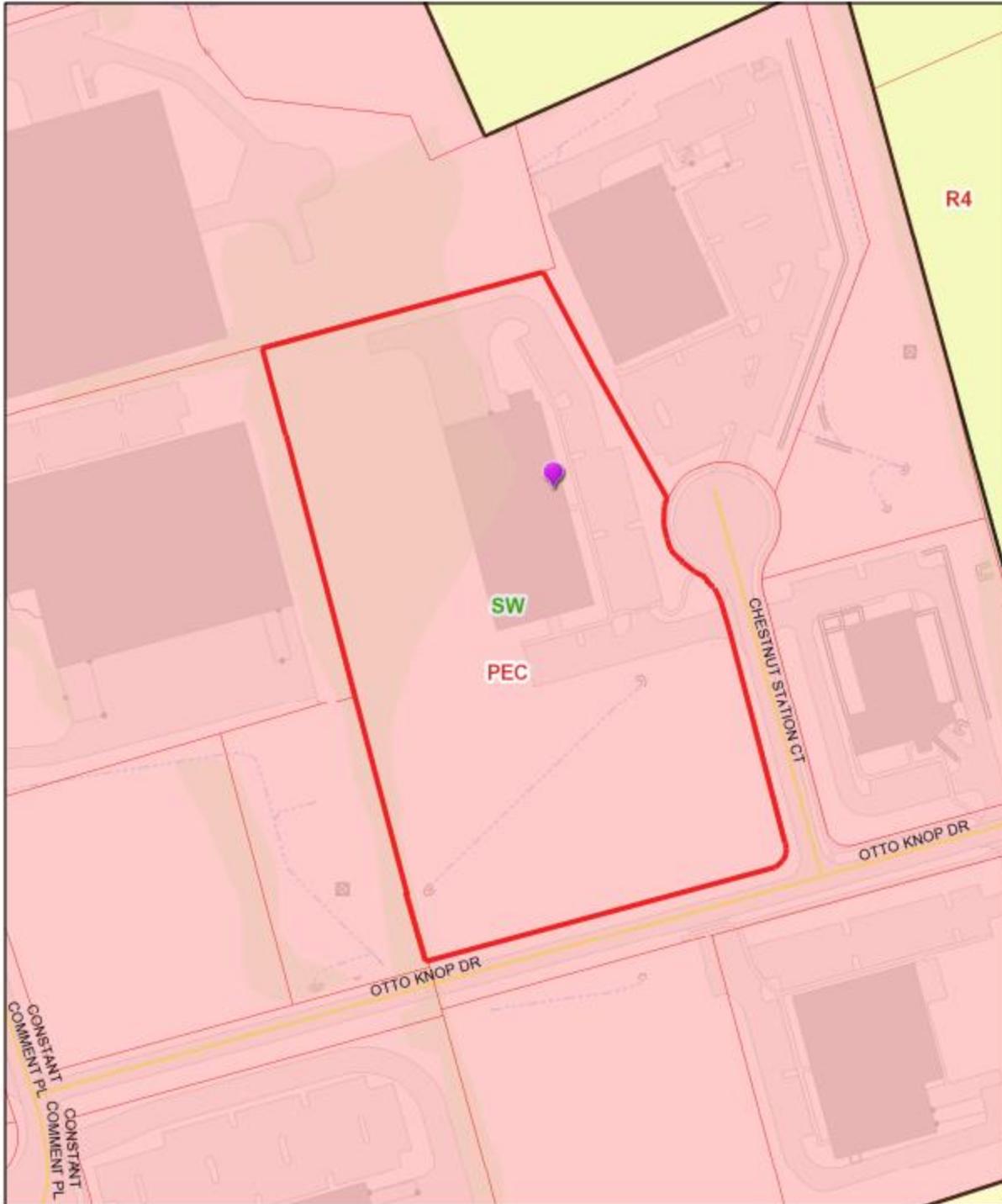
**NOTIFICATION**

Date	Purpose of Notice	Recipients
12/22/22	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 11

**ATTACHMENTS**

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

1. Zoning Map



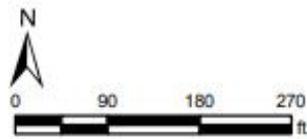
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This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



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### **3. Existing Binding Elements**

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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. The development shall not exceed 60,000 square feet of gross floor area for Lot 1.  
~~The development shall not exceed 25,000 square feet of gross floor area for Lot 4.~~  
The development shall not exceed 56,450 square feet of gross floor area for Lot 5.  
The development shall not exceed 43,050 square feet of gross floor area for Lot 6.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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 Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
  - b. 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.
  - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
6. 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.
7. 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.

- ~~8. The façade elevations shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.~~
9. No idling of trucks shall take place within 200 feet of residences. No overnight idling of trucks shall be permitted on-site.

#### **4. Proposed Binding Elements**

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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. The development shall not exceed **160,757** square feet of gross floor area for Lot 1. The development shall not exceed 56,450 square feet of gross floor area for Lot 5. The development shall not exceed 43,050 square feet of gross floor area for Lot 6.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
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7. 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.

8. No idling of trucks shall take place within 200 feet of residences. No overnight idling of trucks shall be permitted on-site.