

Louisville Metro Planning Commission
October 1, 2015

Docket No. 15ZONE1029

Zone change from mostly C-2 and a little M-2 and R-4 to CM,
Form District Change from Regional Center to Suburban
Workplace to allow two proposed warehouse buildings on
nearly 100 acres, with about 30 acres to remain R-4 located at
the former Different Strokes Golf Course site at
6112 & 6120 New Cut Road and 8901 Kessler Road

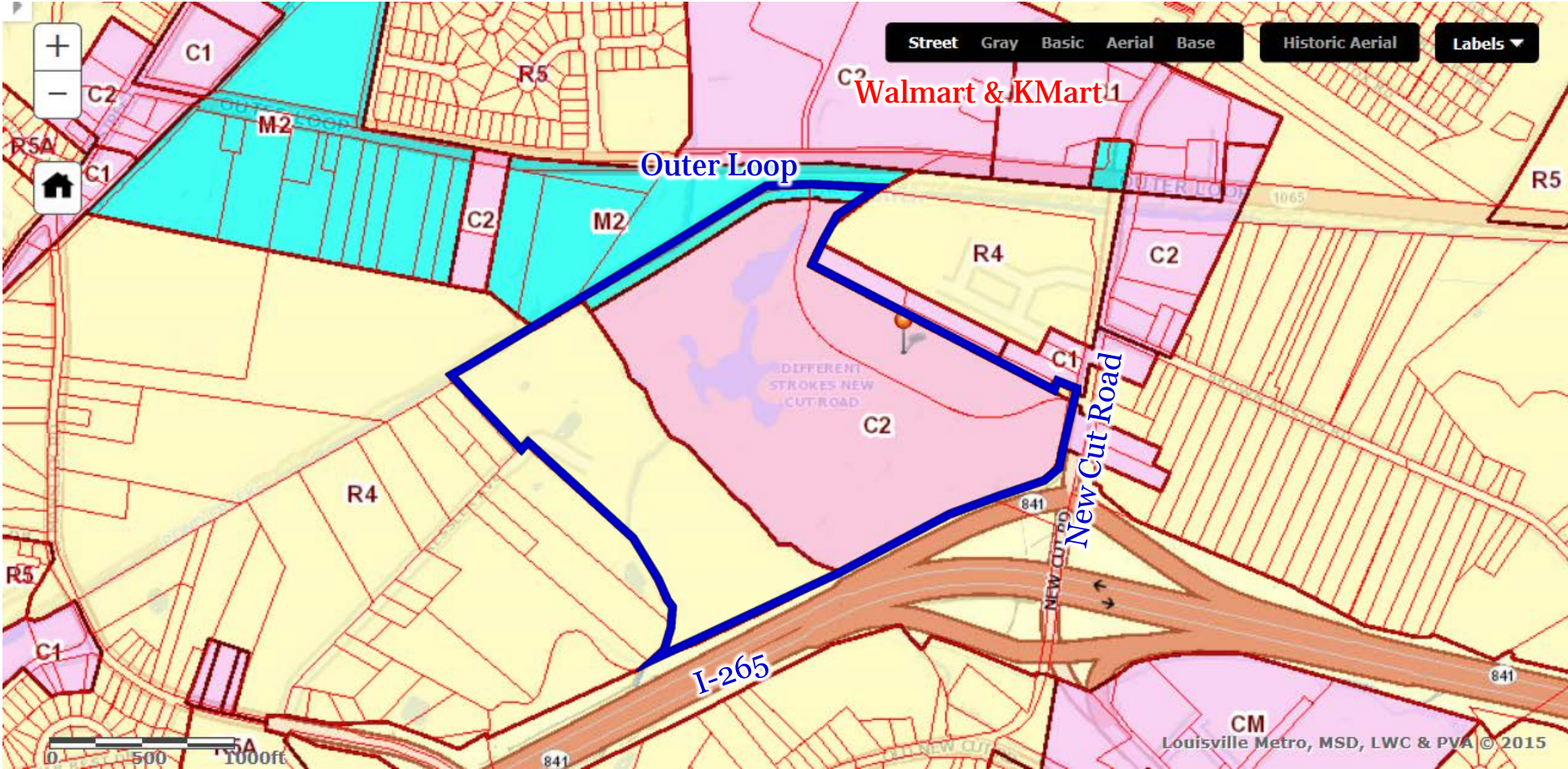
c/o New Cut Center

Attorneys: Bardenwerper Talbott & Roberts, PLLC
Land Planners, Landscape Architects & Engineers: Mindel Scott & Associates, Inc.

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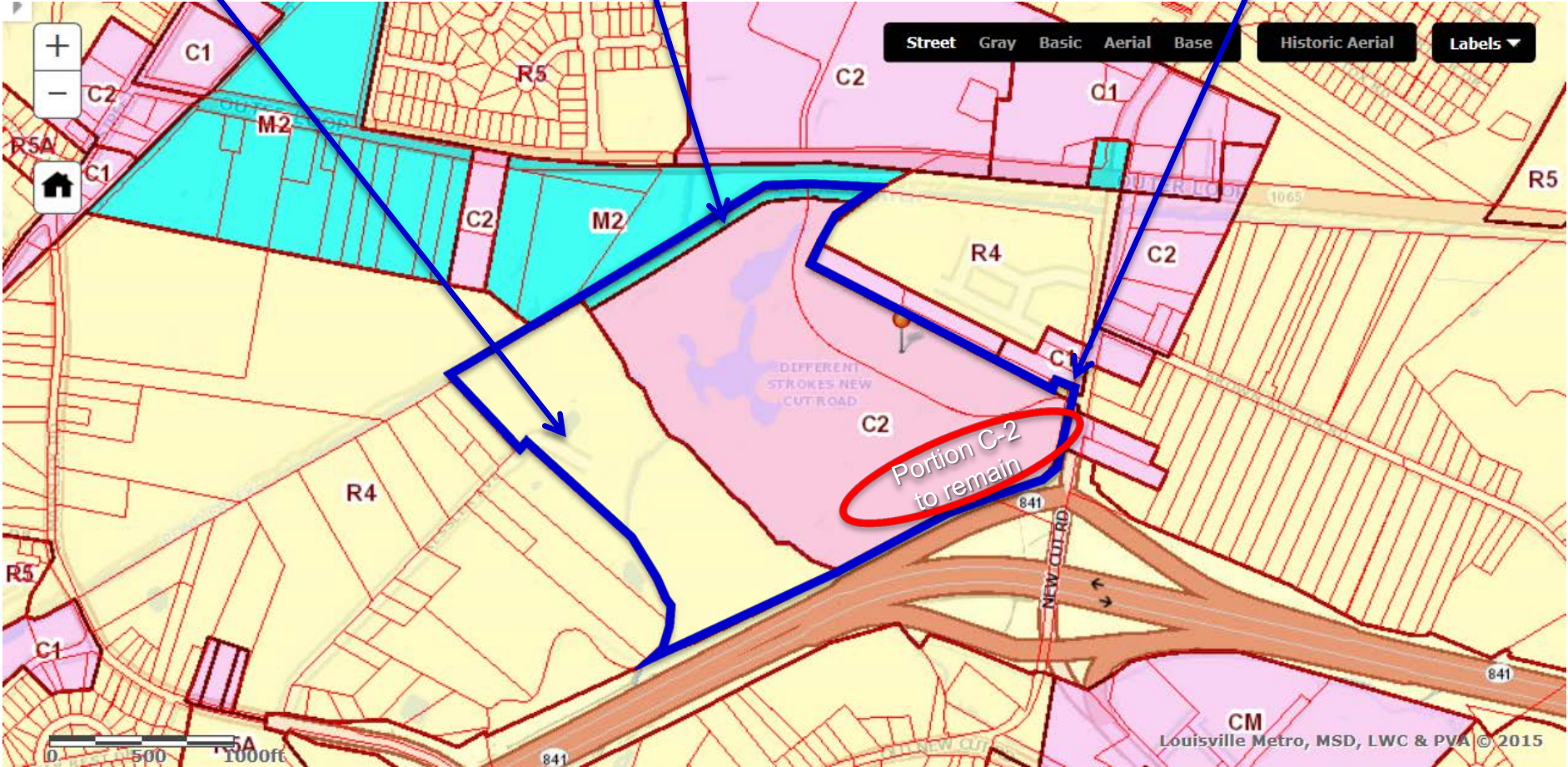
Tab 1 LOJIC Zoning Map



R-4 to remain

M-2 to C-M

Small portion of R-4 to C-2



Tab 2

Aerial photograph of the site and surrounding area





Walmart & KMart

Outer Loop

OUTER LOOP

New Cut Road

I-265

GENE SNYDER



Walmart & KMart

Outer Loop

OUTER LOOP

New Cut Road

I-265

GENE SNYDER

LOT 1
370,000 SQ. FT.
BUILDING 1
PARKING 1
TOTAL 450,000 SQ. FT.
USE: RETAIL

LOT 2
370,000 SQ. FT.
BUILDING 2
PARKING 2
TOTAL 450,000 SQ. FT.
USE: RETAIL

LOT 3
200,000 SQ. FT.
USE: OFFICE

LOT 4
100,000 SQ. FT.
USE: OFFICE

Tab 3

Ground level photographs of the site
and surrounding area



View from I-265 and New Cut Road intersection looking north towards Outer Loop. Site is on the left.

Gene Snyder Freeway

SITE

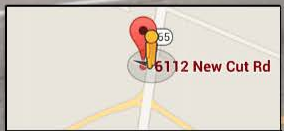
New Cut Road



View from New Cut Road looking south and west towards Gene Snyder Freeway west on-ramp and site.

SITE

New Cut Road



Back to Map

Google



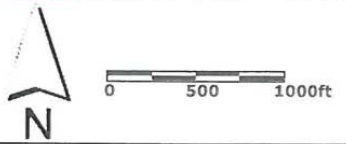
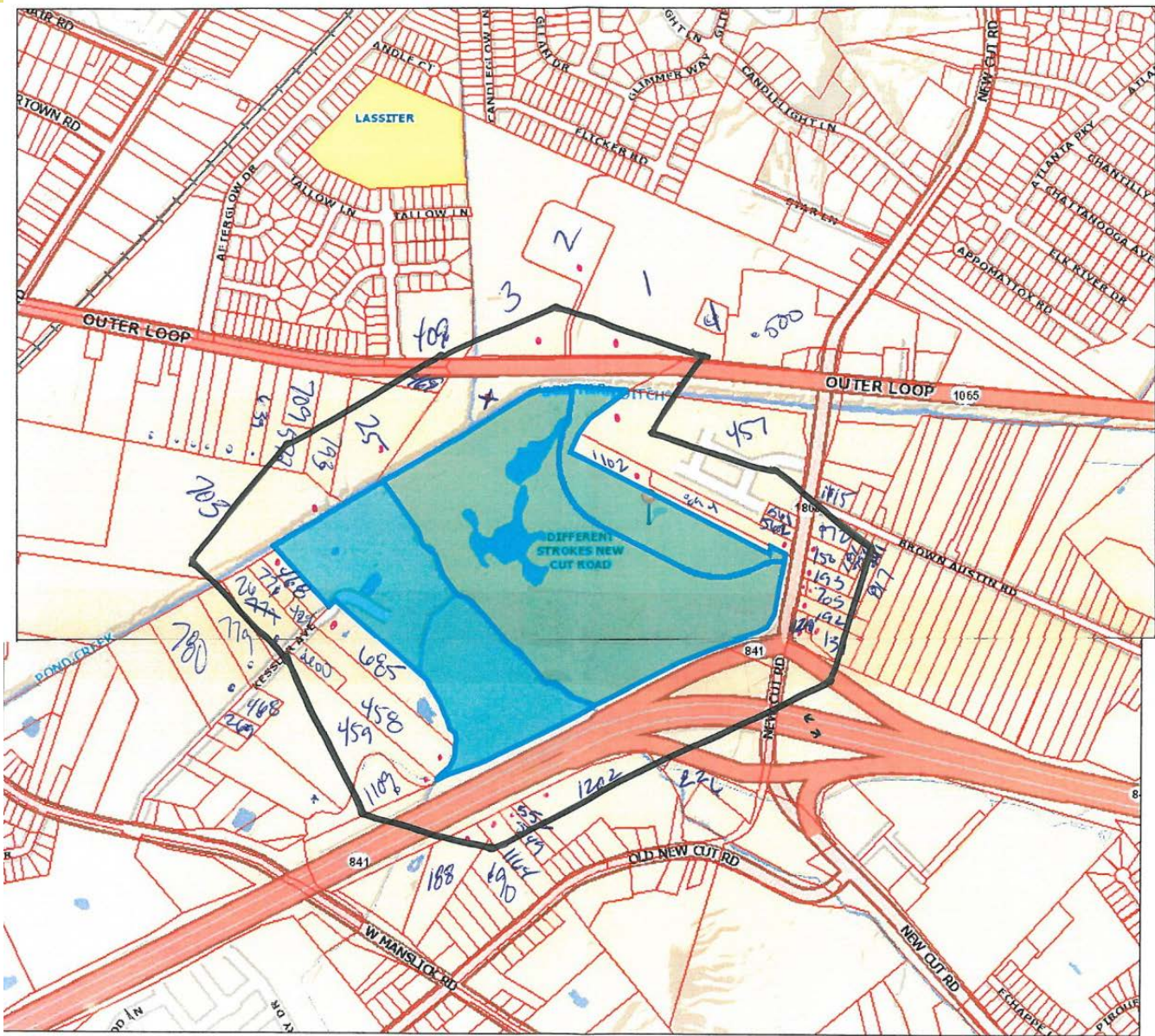
View of New Cut Road looking north towards Outer Loop. Site is to the left.



View from New Cut Road looking east towards properties across from the site. Site is to the left.

Tab 4

Neighborhood Meeting notice list map,
letter to neighbor inviting them the
meeting and summary of meeting



6/4/2015 1:28:40 PM



Louisville Metro, MSD, LWC & PVA © 2015
 This map is not a legal document and should only be used for general reference and identification.

NEW CUT CENTER
c/o Settlers Point Business Park, LLC
471 W. Main Street, Suite 203
Louisville, KY 40202

June 10, 2015

RE: Proposed change in zoning from mostly C-2 and a little M-2 and R-4 to CM in order to allow two proposed warehouse buildings; a proposed Detailed District Development Plan (DDDP) on the remaining C-2 portion to allow restaurants and gas/convenience store -- all on approximately nearly 100 acres overall, with about 30 acres of the 100 acres to remain R-4, on property located at the former Different Strokes Golf Course site at 6112 & 6120 New Cut Road and 8901 Kessler Road

Dear Neighbor,


We are writing to invite you to a meeting we have scheduled to present neighbors with our rezoning and detailed district development plan located as above.

Accordingly, we have filed a plan for pre-application review with the Division of Planning and Design Services (DPDS) (assigned case number 15ZONE1029) that we would like to show and explain to neighbors. We want to hear what thoughts, issues and perhaps concerns you may have. In that regard, a meeting will be held on **Wednesday, June 24th at 6:00 pm at the Fairdale Library** located at **10620 W. Manslick Road**.

If you cannot attend the meeting but have questions or concerns, please call me, my attorney Bill Bardenwerper at 426-6688, or my land planning and engineering firm representatives Steve Scott and Amy Cooksey at 485-1508.

We look forward to seeing you.

Sincerely,


Kenneth L. Payne

cc: Hon. Vicki Aubrey Welch, Councilman District 13
Bill Bardenwerper, attorney with Bardenwerper, Talbott & Roberts, PLLC
Steve Scott & Amy Cooksey, land planners with Mindel Scott & Associates, Inc.
Julia Williams, Case Manager with Division of Planning & Design Services

**Neighborhood Meeting Summary
Main Street Realty/New Cut Road**

The neighborhood meeting was called to order by Bill Bardenwerper at the Fairdale Library on Wednesday, June 24 at 6:30 PM. Also attending were Steve Scott with Mindel-Scott and Associates and Charlie Weiter with Main Street Realty, which is the principal entity associated with the official applicant/property owner. Mr. Bardenwerper showed a PowerPoint presentation which included aerial photographs of the area, close up and farther out, the site plan superimposed on aerial views, with LOJIC zoning maps, and proposed industrial building elevation renderings. He explained that the three proposed commercial outlots along the New Cut Road frontage were conceptual only and that they would likely be removed from the development plan submitted with the official application.

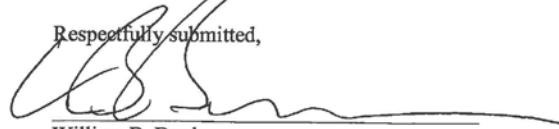
Mr. Bardenwerper and Mr. Scott explained that the area of the property that will remain zoned R-4 contains a blue-line stream. They also explained that areas to be rezoned to CM will require some filling with material likely removed from the remaining R-4 zoned area of the property, with floodplain compensation based on a ratio of 1.5 to 1 as required in the Pond Creek watershed. There may also be some wetlands mitigation.

There were lots of residents' questions about this, as properties to the south apparently get flooded. The added floodplain compensation and side-saddle detention along the existing creek will improve, and certainly not exacerbate, existing flooding problems, Mr. Bardenwerper and Mr. Scott explained.

There were also neighbor questions about the proposed point of access, with the owner of the real estate company to the north and several adjoining properties claiming that access should be located at a signal across from Brown Austin Road. They also claimed that there will not be adequate left-hand turn stacking distance coming off the Snyder Freeway traveling north along New Cut Road attempting to access the subject property.

Mr. Bardenwerper and Mr. Scott explained that the KTC District 5 Office, in consultation with Metro Transportation Planning and Public Works, make these access determinations. They said that thus far the proposed point of access, with a stub connection to the New Cut Road frontage properties to the north, has been approved by KTC. They said that this is based on previous traffic studies which involved the generation of traffic in excess of these warehouse/distribution/light manufacturing buildings. But they also said that further traffic analysis may be required if and when the commercial outlots are ever proposed for development.

Respectfully submitted,



William B. Bardenwerper
Bardenwerper, Talbott & Roberts, PLLC
Building Industry Association of Greater Louisville Building
1000 N. Hurstbourne Parkway, 2nd Floor
Louisville, KY 40223
(502) 426-6688

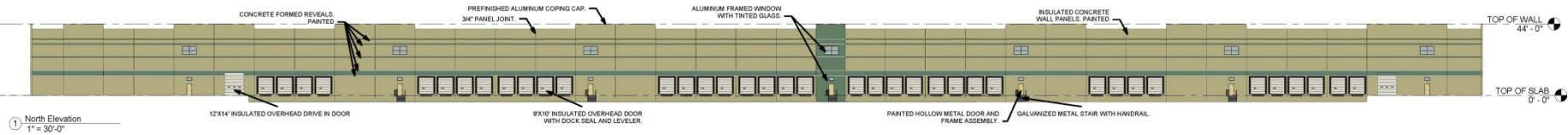
Tab 5

Color Development Plan

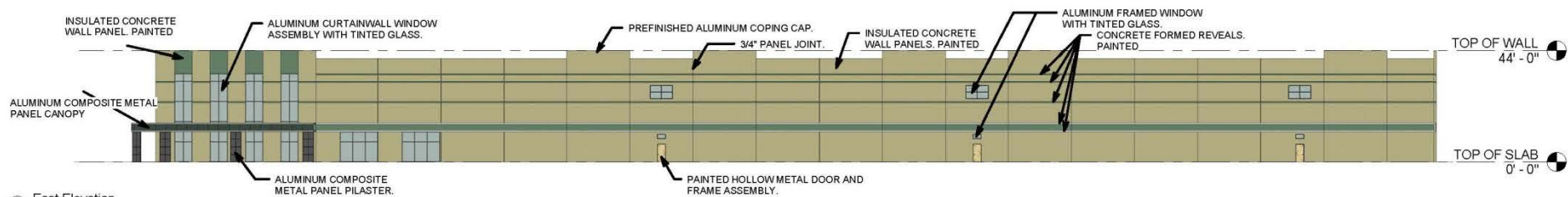


Tab 6

Building Elevations



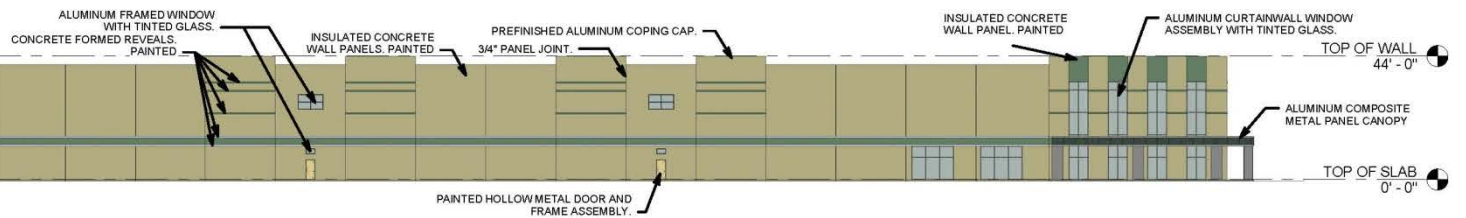
① North Elevation
1" = 30'-0"



② East Elevation
1" = 30'-0"



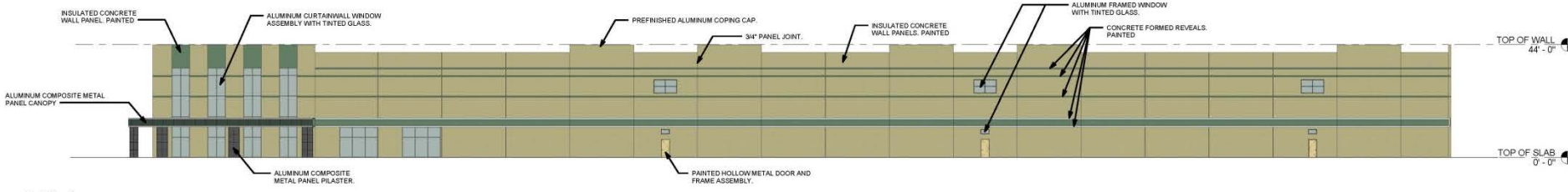
③ South Elevation
1" = 30'-0"



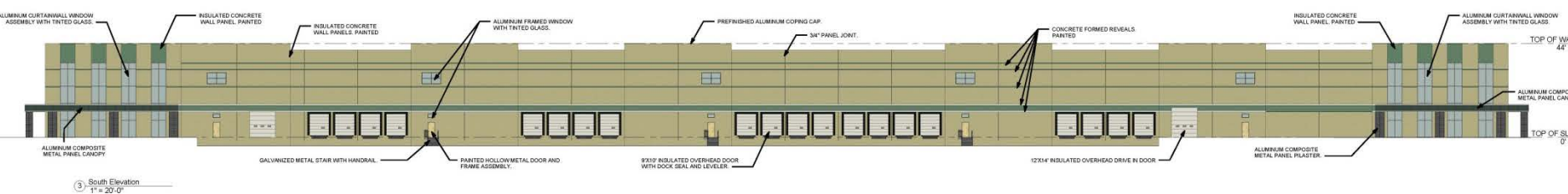
④ West Elevation
1" = 30'-0"



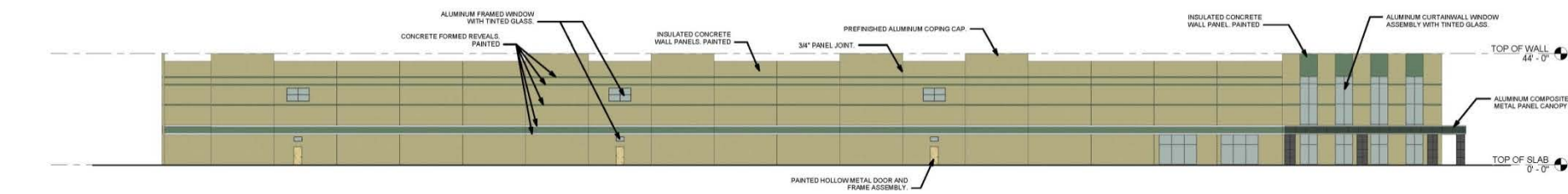
1 North Elevation
1" = 20'-0"



2 East Elevation
1" = 20'-0"



3 South Elevation
1" = 20'-0"



4 West Elevation
1" = 20'-0"

Tab 7

Proposed Cross Access Binding Element

From: Bullock, Matt (KYTC-D05) [<mailto:Matt.Bullock@ky.gov>]
Sent: Tuesday, July 07, 2015 2:47 PM
To: Williams, Julia
Cc: CWeiter@msrinc.net; Markert, Tammy O; Richardson, Jason R (KYTC-D05); Carrico, Kenny (KYTC-D05)
Subject: Main Street Realty - New Cut Rd. Development

Julia,

This letter is in reference to a proposed development by Main Street Realty in the northwest quadrant of the New Cut Road and Gene Snyder Freeway (KY 841) interchange. KYTC has reviewed the trip generation for the first phase of the development. This first phase is comprised of two warehouse distribution centers for a total of approximately 800,000 square feet. The generated peak hours trips from the latest edition of the ITE Manual are below KYTC's requirement for a traffic impact study. Please consider this letter as approval to move forward with the initial phase of the development as shown on the most recent district development plan for the two warehouses. This approval assumes that there are no roadway or entrance modifications needed on New Cut Road to accommodate the new development. A traffic impact study may be required for the next phase of the development dependent on the outlot use(s). The traffic study if required would include both the warehouses and outlots. This second phase may also require a KYTC permit for roadway or entrance improvements.

Thanks,

Matt Bullock, PE
Chief District Engineer
Department of Highways - District 5
8310 Westport Rd.
Louisville, KY 40242
(502) 210-5400
(502) 210-5494 fax

Proposed revision to proposed cross-access binding element

- **The Applicant/Owner of the Subject Property shall provide a vehicular connection to the adjacent non-residentially zoned property (“Adjacent Property”) within the area labeled on the approved development plan in this case as “Access Easement for Future Connection to Adjacent Property”. At such time as the Adjacent Property files a new or revised detailed district development plan for development/redevelopment requiring Planning Commission or Transportation Planning approval, the exact location of this vehicular connection shall be determined by the Planning Commission or Transportation Planning with input from the Applicant/Owner of the Subject Property and the owner of the Adjacent Property. At the time of commencement of construction on the Adjacent Property in accordance with said detailed district development plan, the Applicant/Owner of the Subject Property shall be required to construct said vehicular connection on the Subject Property to the extent that the owner of the Adjacent Property grants the same rights to cross access as required herein. The Applicant/Owner of the Subject Property shall provide DPDS with an access and crossover easement agreement in a form acceptable to Planning Commission legal counsel and shall record same prior to DPDS transmittal of the approved development plan in this case to the office(s) responsible for permit issuance.**

Tab 8

Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan and Waiver Justification

Tab 9

Proposed findings of fact pertaining to compliance with the Comprehensive Plan and Waiver criteria