

# Development Review Committee

## Staff Report

September 16, 2015



<b>Case No:</b>	15WAIVER1020
<b>Project Name:</b>	Ford Kentucky Truck Plant Parking Lot
<b>Location:</b>	3001 Chamberlain Lane
<b>Owner(s):</b>	Ford Motor Land Development Corp
<b>Applicant:</b>	Same as above
<b>Representative:</b>	Phil Gambrell, Luckett & Farley
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	17 – Glen Stuckel
<b>Case Manager:</b>	Sherie' Long, Landscape Architect

### REQUESTS

Waiver #1: Waiver of the Land Development Code Sections 5.8.1.B and 5.9.2.A.1.b, to not provide a sidewalk along the Collins Lane frontage.

Waiver #2: Waiver of the Land Development Code Section 10.2.12, to exceed the maximum distance between Interior Landscape Areas (ILAs).

### CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant, Ford Truck Plant, is proposing to construct a new parking lot facility adjacent to Collins Lane west of the main plant. Access to the proposed 450 parking spaces will be from Collins Lane. Perimeter buffer plantings will be provided between Collins Lane right-of-way and the new parking lot. Also the existing vegetation along the adjacent stream to the south will be preserved as a buffer between the new parking lot and the adjacent residential properties. The parking lot design and location of the interior islands does not meet the maximum distance requirements, therefore a waiver is being requested to allow the interior islands be exceed the maximum 120 feet. Plus a sidewalk waiver is also being requested along the Collins Lane frontage.

### BACKGROUND/ PREVIOUS CASES

Case No. 14VARIANCE1046, variance to allow an attached banner/sign to exceed the maximum size, approved by BOZA Committee June 16, 2014

Case No. 14LSCAPE1052, landscape plan for construction of new building and associated trailer docks, approved June 16, 2014.

Case No. 14WAIVER1016, landscape waiver to eliminate the 3 foot continuous screen between the parking lot and Chamberlain Lane; and landscape waiver to eliminate the 120' between interior landscape areas, approved by Planning Commission May 14, 2014.

Case No. 14DEVPLAN1097, Category 3 Development Plan for additional vehicle use area, revision the truck routes, and relocated the cyclone building, approved November 20, 2014.

Case No. 13DEVPLAN1004, Category 3 Development Plan for construction of a new 40,500sf manufacturing building, approved June 05, 2013.

Case No. 13DEVPLAN1031, Category 3 Development Plan for expansion of the facility, approved 2013.

Case No. 13 DEVPLAN1061, Category 3 Development Plan for expansion of the facility, approved 2013.

Docket No. B-17628-12, variance to allow an attached banner/sign to exceed the maximum size, approved by BOZA Committee May 7, 2012

Case No. 3-2-06, Category 3 Development Plan to relocate Gate 10, approved by Staff March 2006.

Docket No. B-182-94, variance to allow a freestanding sign to encroach into the required Westport Road street side yard, approved by BOZA Committee October 3, 1994

Docket No. 9-36-92, change in zoning from R-4 to PEC, approved by the Planning Commission August 6, 1992

**LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE**

	Land Use	Zoning	Form District
<b><i>Subject Property</i></b>			
<b>Existing</b>	Industrial	PEC	SW
<b>Proposed</b>	NA		
<b><i>Surrounding Properties</i></b>			
<b>North</b>	Industrial & Commercial	PEC	SW
<b>South</b>	Residential	R-4	SW
<b>East</b>	Industrial & Commercial	PEC	SW
<b>West</b>	Industrial	PEC	SW

**INTERESTED PARTY COMMENTS**

Staff has received no comments.

**APPLICABLE PLANS AND POLICIES**

Land Development Code  
Cornerstone 2020

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER**

**Waiver #1: Waiver of the Land Development Code Sections 5.8.1.B and 5.9.2.A.1.b, to not provide a sidewalk along the Collins Lane frontage.**

(a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since there are no sidewalks on this side of the street on properties located in the vicinity. The applicant is providing internal sidewalk connection within the subject property.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. Guideline 9, Policy 1 states that new development should provide, where appropriate, for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. The waiver request does not violate the comprehensive plan since there are no sidewalks on this side of the street and there is no transit stop close to the subject property.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF: The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since there is pedestrian connections being provided in the interior of the parking lot to the subject site facilities.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR  
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: A strict application of the provision of the regulation would create a hardship due to the physical restraints of the topography because of the stream location. To construct the sidewalk would be very costly.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR LANDSCAPE WAIVER**

### **Waiver #2: Waiver of the Land Development Code Section 10.2.12, to exceed the maximum distance between Interior Landscape Areas (ILAs).**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the required square footage of ILA is being provided on the site along with the required number of interior trees.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 13, Policy 5 calls for standards to ensure the creation and/or preservation of tree canopy as a valuable community resource. The purpose of interior landscape areas is to break up large impervious areas and allow for a greater distribution of tree canopy coverage. The waiver does not violate the comprehensive plan since the required number of trees are being provided and located throughout the parking lot which provides distribution of the tree canopy coverage. Plus a parking lot locate adjacent to Chamberlain Lane, within this property, was granted a waiver which is similar to this request.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since both ILA square footage requirement and ILA tree requirements are being met.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirement being waived. The applicant is exceeding the minimum ILA square footage requirement and providing additional trees beyond the minimum interior tree planting requirement. The applicant is also exceeding the required tree canopy for the site.

### TECHNICAL REVIEW

No outstanding technical review items.

### STAFF CONCLUSIONS

Since there is a physical restraint (Hite Creek) limiting the constructability of the sidewalk, there is no transit stops close to the subject property and all sidewalks along Collins Lane are located on the opposite side of the street the waiver to not provide sidewalks is supported. The waiver to allow the interior landscape islands to exceed the maximum distance between interior islands is similar to a previous approved parking lot located adjacent to Chamberlain Lane where a waiver was approved allowing the maximum distance between interior islands to exceed the 120'. Therefore, the Development Review Committee must determine if the proposal meets the standard for waivers established in the Development Code based on the testimony and evidence provided at the public hearing.

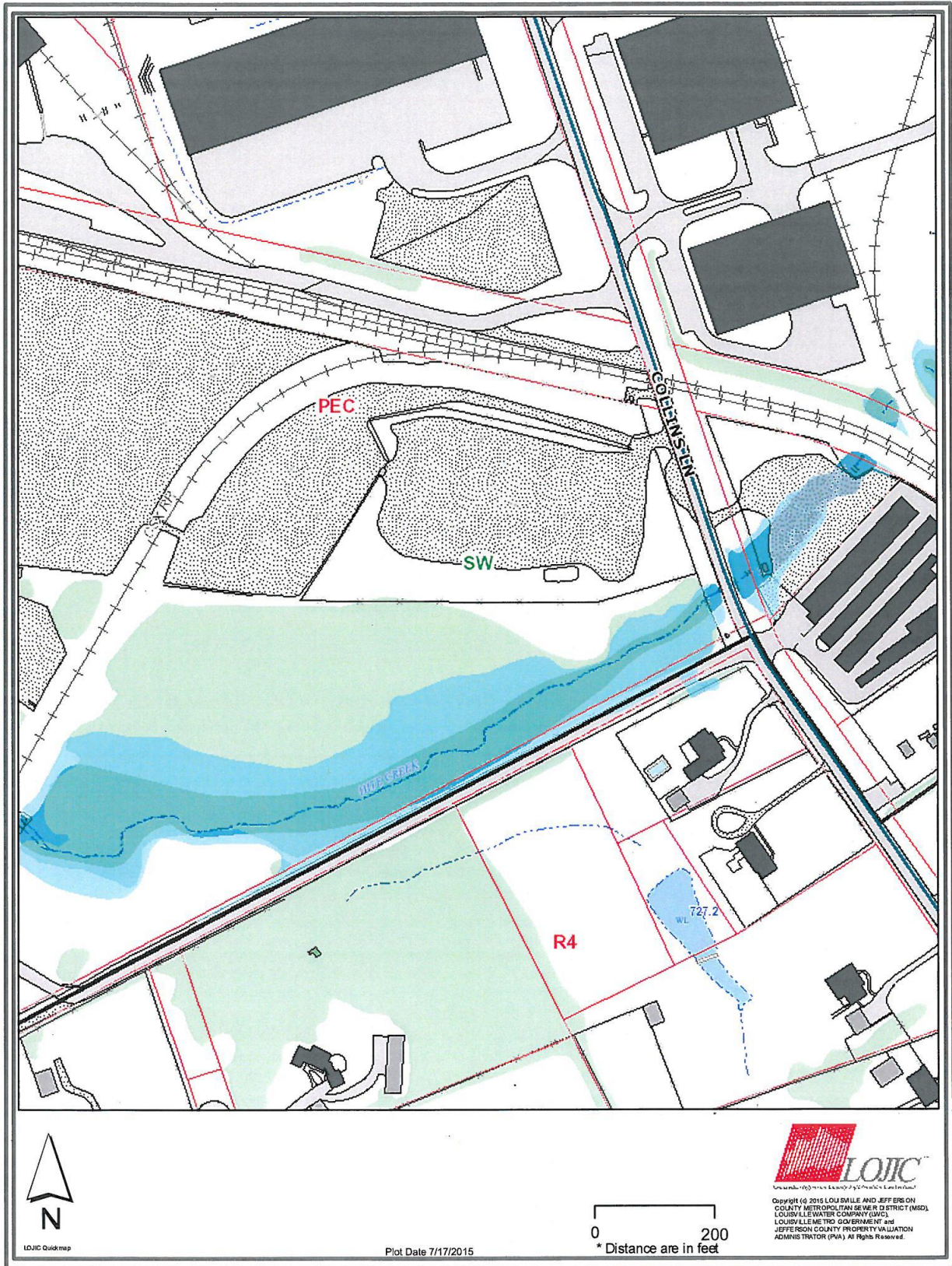
### NOTIFICATION

Date	Purpose of Notice	Recipients
08/31/2015	Public Hearing - DRC	Neighborhood notification recipients
09/03/2015	Public Hearing - DRC	1 <sup>st</sup> tier adjoining property owners

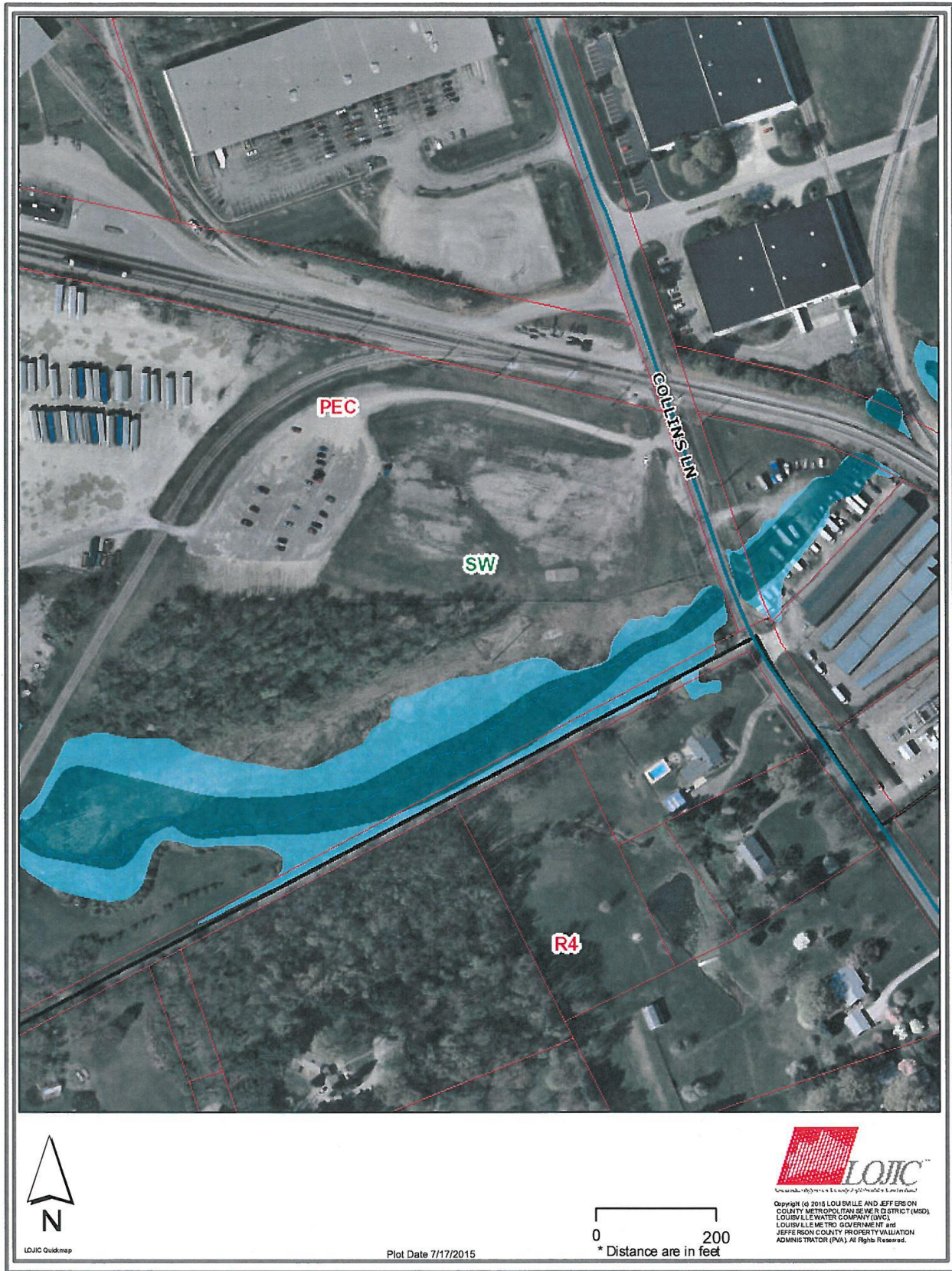
### ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Applicant's Justification Statement
5. Site Photographs

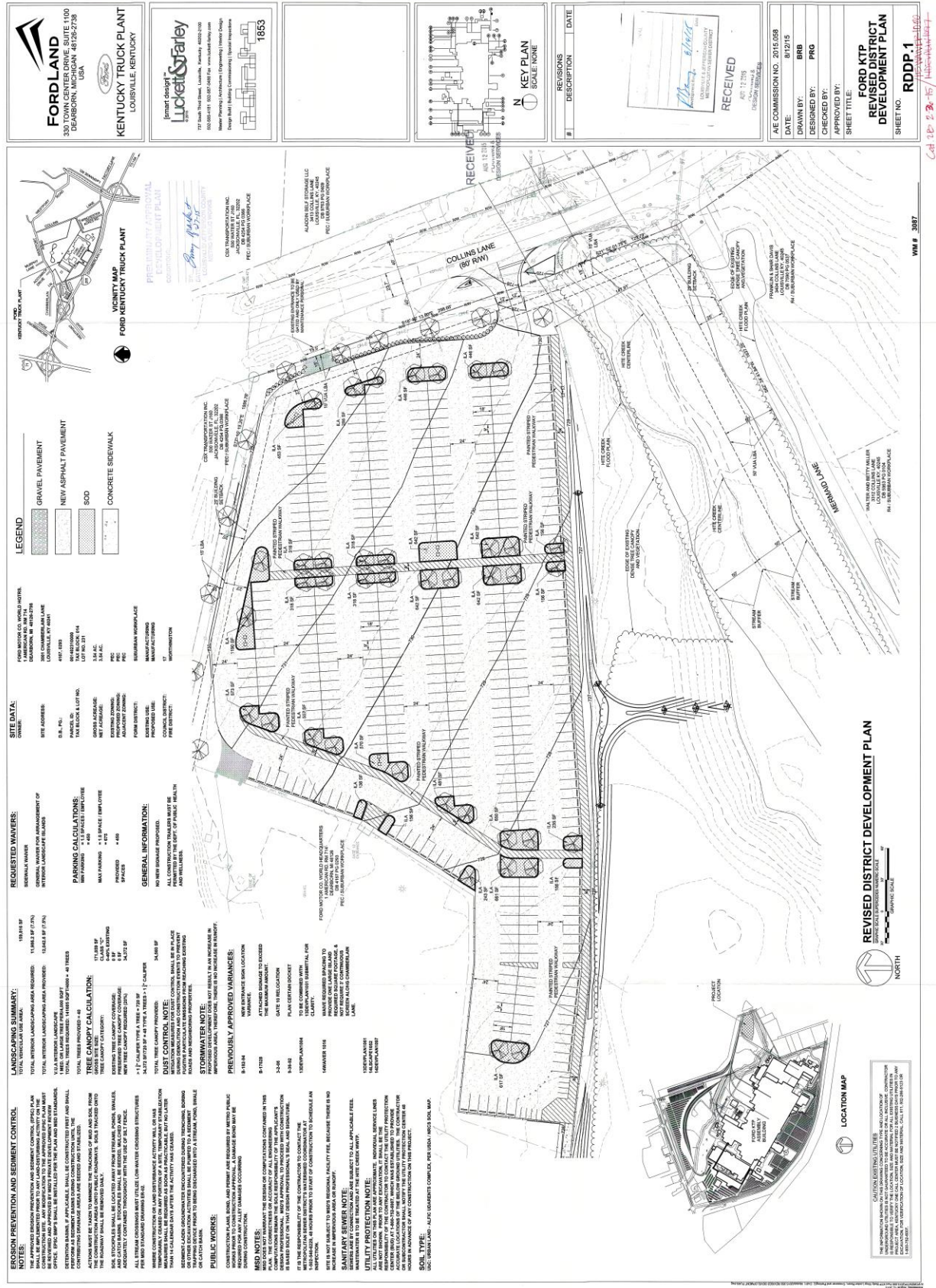
Attachment 1: Zoning Map



Attachment 2: Aerial Photograph



Attachment 3: Site Plan



## Attachment 4: Applicant's Justification Statements

### Sidewalk Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?**

The intent of the Land Development Code is satisfied in this regard in this area by the sidewalk on the opposite side of the street. This sidewalk provides the adequate access for employees which is one of the design goals of the form district.

**2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?**

The compliance with the regulation is not appropriate because of the complexities that are associated with it. The required sidewalk would have to cross Hite Creek to reach the adjacent properties. The bridge that would be required for this crossing would be very difficult and costly to accomplish.

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**3. What impacts will granting of the waiver have on adjacent property owners?**

The granting of this waiver will not have any affects on the adjacent property owners. There are currently no sidewalks on this side of Collins Lane. All of the sidewalks that are provided on Collins Lane are on the opposite side of the street.

**4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?**

The strict application of this regulation would create an unnecessary hardship because of the cost and difficulties in placing the required sidewalk. With Hite Creek running through this portion of the property, having to construct a bridge over the creek would be very costly and difficult to accomplish.

15WAIVER1020



**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

No, the waiver request will not adversely affect the adjacent property owners.

**2. Will the waiver violate the Comprehensive Plan?**

No, the intent of the comprehensive plan is still being met by meeting and exceeding the requirement in square footage for interior landscape island space. The applicant is requesting a waiver for the arrangement of those islands into several large islands in lieu of the typical spacing.

**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

Yes, this is the minimum necessary.

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**4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

Yes, the applicant has incorporated other design measures by exceeding the minimum interior landscape square footage requirements for this parking lot.

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# Attachment 5: Site Photographs



