

# Planning Commission Staff Report

December 1, 2016



<b>Case No:</b>	<b>16AREA1002</b>
<b>Request:</b>	<b>Area-wide Change in Zoning for Commerce Park</b>
<b>Project Name:</b>	<b>Jeffersontown PEC Rezoning</b>
<b>Location:</b>	<b>Multiple Properties</b>
<b>Owner:</b>	<b>Multiple Owners</b>
<b>Applicant:</b>	<b>City of Jeffersontown</b>
<b>Representative:</b>	<b>City of Jeffersontown</b>
<b>Jurisdiction:</b>	<b>City of Jeffersontown</b>
<b>Council Districts:</b>	<b>11-Kevin Kramer 20- Stuart Benson</b>
<b>Case Manager:</b>	<b>Brian Mabry, AICP, Planning &amp; Design Supervisor</b>

## REQUEST

- Area-wide change in in zoning from R-4, M-1, and M-2 to PEC for multiple properties in the Jeffersontown Commerce Park.

## CASE SUMMARY/BACKGROUND/SITE CONTEXT

The City of Jeffersontown proposes this area wide rezoning from R-4, Residential; M-1, Manufacturing; and M-2, Manufacturing to PEC, Planned Employment Center on 12 properties that are currently being used as residential or that are vacant. The PEC zoning district allows the following uses:

- All uses permitted in the M-2 Industrial District (which also includes uses permitted in M-1);
- All uses permitted in the C-1 Commercial District, excluding dwellings;
- Dwellings only in connection with bona fide agricultural operations, or as living quarters for bona fide caretakers and/or watchmen and their families, employed and living on the premises in connection with any lawful use in the PEC District;
- Office buildings; and
- River Terminals.

The purpose of the PEC zoning district is as follows:

1. To provide sufficient space in attractive, landscaped, and planned industrial parks for M-2 Industrial operations.
2. To protect for future industry land which is now or can be served by rail.
3. To insure compatibility between the industrial operations within the industrial park and the existing activities and the character of the community in which the park is located.
4. To provide opportunities for employment close to residential areas, and thus to reduce travel time from home to work and the burden on the streets and transit system.

The subject properties are located west of Blankenbaker Parkway and south of Planstside Drive, with Blankenbaker Road splitting the subject properties into two sets. Those properties to the east of Blankenbaker Road are currently zoned R-4 and are all occupied by residential structures. The properties to the west of Blankenbaker Road are currently zoned R-4, M-1 and M-2 and one of them has a residential structure. The nearest railway is approximately .4 miles to the south. Interstate 64 is approximately 1.25 miles to the north and the Gene Snyder freeway is approximately 1.75 miles to the west.

If the rezoning is approved, current residential uses may continue to exist, but they may not be expanded or intensified. The parcels currently zoned M-1 and M-2 would have their list of permitted uses expanded to include commercial and office uses. In addition, the PEC zoning district requires an enhanced vehicle use area buffer compared to conventional industrially zoned properties.

On August 15, 2016, the City of Jeffersontown Staff held a neighborhood meeting to explain the request to interested citizens. Seven persons attended.

On September 20, 2016, the Jeffersontown City Council held a first reading of Ordinance No. 1353, Series 2016, to rezone the subject properties to PEC. The Jeffersontown City Council will hold the second reading and will take final action after the Louisville Metro Planning Commission holds a public hearing on the request.

### INTERESTED PARTY COMMENTS

No formal comments have been received.

### APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Jeffersontown Land Development Code

### STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

### STAFF ANALYSIS FOR REZONING

**WHEREAS**, the Planning Commission finds that the area wide rezoning complies with the applicable guidelines and policies of Cornerstone 2020.

**WHEREAS**, the Planning Commission further finds that the area wide rezoning request complies with Guideline 1, Community Form, which recommends that new development be designed to be compatible with the scale, rhythm, form and function of existing development as well as with the pattern of uses. By virtue of their location within the existing industrial park, the parcels are suited for the requested zoning district.

**WHEREAS**, the Louisville Metro Planning Commission further finds that the proposed area wide rezoning request complies with Guideline 3, Compatibility, which recommends the prohibition of the location of sensitive land uses in areas where accepted standards for noise, lighting, odors, or similar nuisances are violated or visual quality is significantly diminished. The area wide rezoning will encourage industries to locate in a designated industrial park and will allow appropriate transitions to occur at the edge of the form district rather than within the form district, if the existing zoning designations were to remain in place. In addition, the proposed area wide rezoning would eventually remove the existing sensitive residential uses from the middle of a growing industrial park.

**WHEREAS**, the Louisville Metro Planning Commission further finds that the proposed area wide rezoning request complies with Guideline 6, Economic Growth and Stability, which recommends that regional scale workplaces and industrial land uses have access to people, goods, services and appropriate locations needed for them to conduct business . The rezoning of the subject properties will preserve workplaces and allow new industrial uses adjacent to existing industrial uses within a reasonable proximity to population centers and transportation facilities such as railways and highways.

**WHEREAS**, the Louisville Metro Planning Commission further finds that the proposed area wide rezoning request complies with Guideline 8, which recommends an efficient, safe and attractive system of roadways, transit routes, sidewalks and other pathways for the timely movement of people and goods. The subject area has a network of roadways and a hierarchy of streets to provide appropriate access to the lots being rezoned.

**WHEREAS**, the Planning Commission further finds that the existing zoning classification is inappropriate and the proposed classification is appropriate. The subject properties are within or adjacent to the existing industrial park and surrounded by industrial zoned properties.

**STAFF CONCLUSIONS**

Staff analysis finds that the area wide rezoning complies with applicable Guidelines and Policies of Cornerstone 2020, that the existing zoning districts of the subject properties are inappropriate for the area, and that the proposed zoning districts are appropriate.

Required Actions

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Planning Commission **RECOMMENDS** to the Jeffersontown City Council that the area wide rezoning as described in the staff report and maps presented at the Planning Commission public hearing, be **APPROVED, or DENIED**

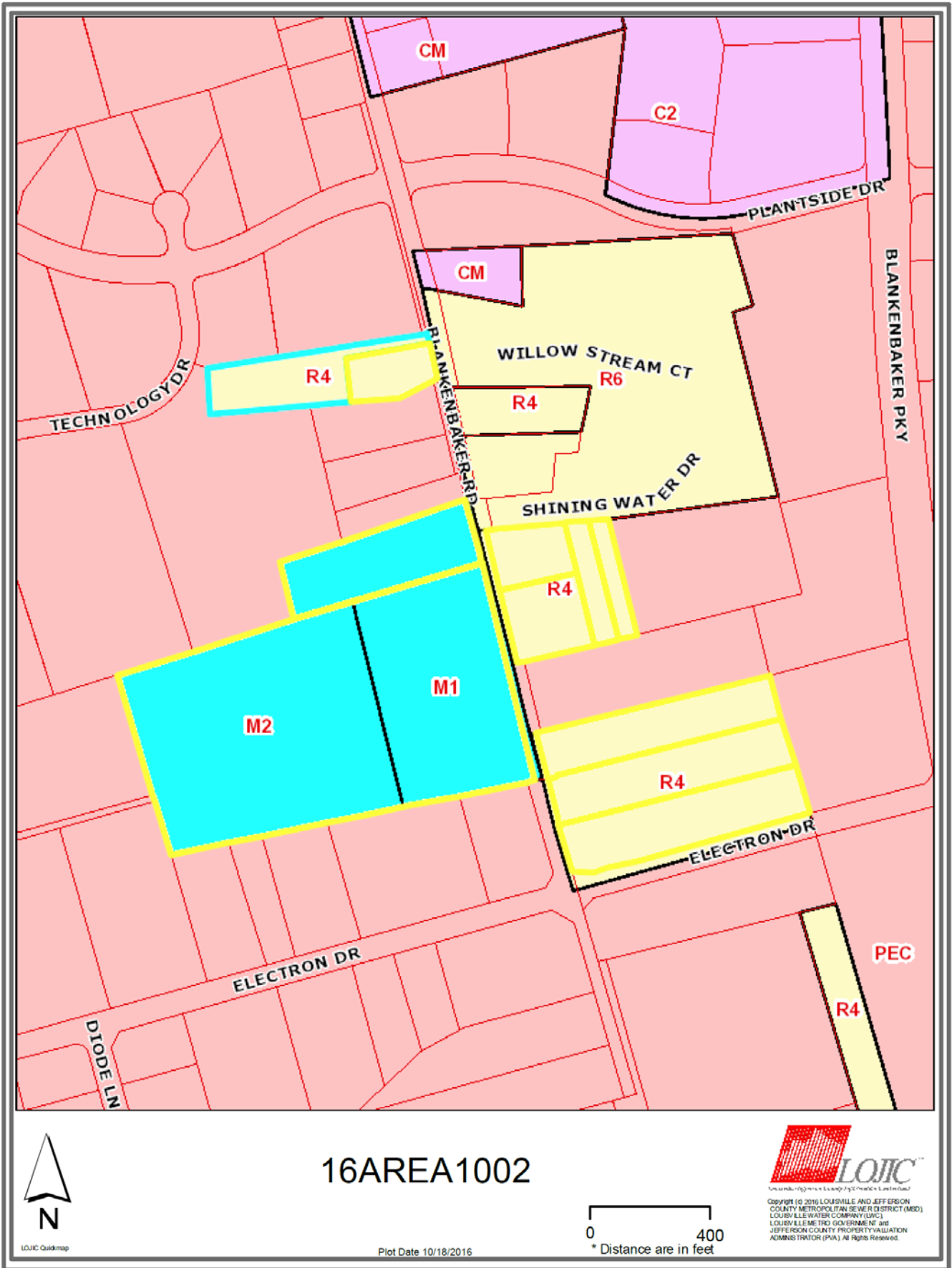
**NOTIFICATION**

Date	Purpose of Notice	Recipients
10/27/16	Meeting before LD&T on 11/10/16	Affected property owners and 1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Subscribers of Council Districts 11 and 20 Notification of Development Proposals
10/27/16	Hearing before PC on 12/1/16	Affected property owners and 1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Subscribers of Council Districts 11 and 20 Notification of Development Proposals
11/16/16	Hearing before PC	Legal Advertisement in the Courier-Journal

**ATTACHMENTS**

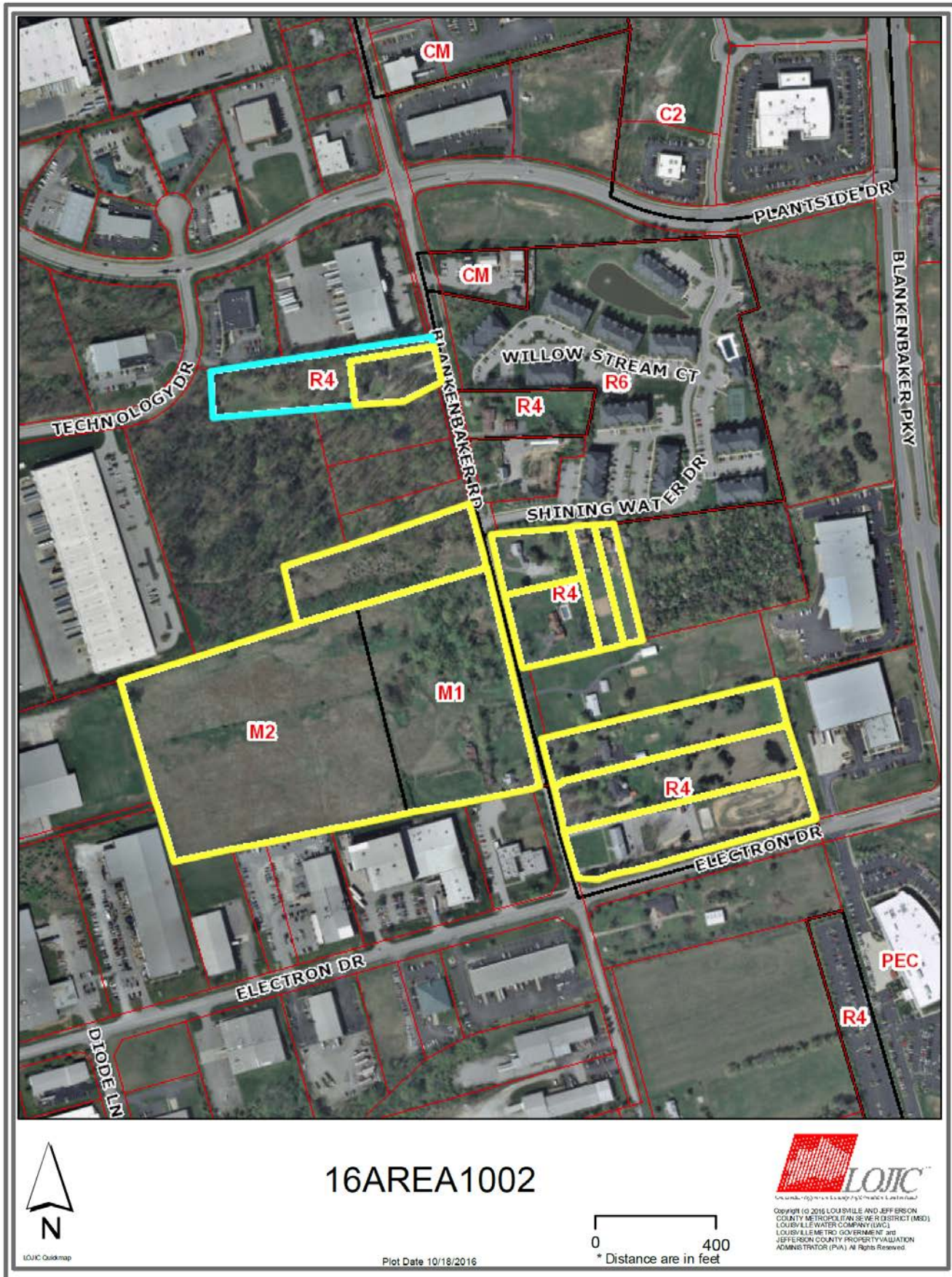
1. Zoning Map
2. Aerial Photo
3. Property List

1. Zoning Map





2. Aerial Photo



**3. Property List**

**R-4 to PEC**

<b>Owner Name:</b>	<b>Address:</b>	<b>Tax Block &amp; Lot Number:</b>
Dogpatch Properties LLC	2500R & 2502 Blankenbaker Road	00390341 00390328
Shawn & Amy Sizemore	2621 Blankenbaker Road	00390174
Robert & Donna Gividen	2623 Blankenbaker Road	00390361
Roscoe & Eleanor Church	2705 Blankenbaker Road	00390315
David B. Newton & Melissa Harris	2711 Blankenbaker Road	00390316
Lindsey Marie Irrigation	2713 Blankenbaker Road	00390323
Carl & Patricia Jenkins	2613 Shining Water Drive	00390184
Henrietta Murphy	2615 Shining Water Drive	00390183

**M-1 and M-2 to PEC**

<b>Owner Name:</b>	<b>Address:</b>	<b>Tax Block &amp; Lot Number:</b>
Dixie Properties Blankenbaker LLC	2608 Blankenbaker Road	00390139
George Benderman	2705 Blankenbaker Road	00390063