

Development Review Committee

Staff Report

November 6, 2019



Case No:	19-DDP-0053
Project Name:	Container Rick House
Location:	11601 Diode Ct
Owner(s):	Bolivar Specialties, LLC
Applicant:	Patrick Nall, DKN Architects
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer
Case Manager:	Lacey Gabbard, AICP, Planner I

REQUEST:

1. District Development Plan

CASE SUMMARY/BACKGROUND

The subject site is zoned M-3 Industrial in the Suburban Workplace form district in the Jefferson Bluegrass Industrial Park. It is located south of Electron Drive and north of Blankenbaker Parkway. The site is currently undeveloped, and is surrounded by other M-3 zoned parcels to the east and south, and PEC Planned Employment Center zoned properties to the north and west.

The applicant is proposing to construct a 1,280 square foot office building and a 120,000 square foot warehouse structure made of a double row placement of shipping containers stacked six (6) stories high to be utilized for storage and ageing of bourbon barrels.

Previous cases:

- 9-45-87: Change in zoning from R-4 Residential Single Family to M-3 Industrial.

STAFF FINDINGS

The district development plan is adequately justified and meets the standard of review.

TECHNICAL REVIEW

Public Works and MSD have provided preliminary approval.

INTERESTED PARTY COMMENTS

Staff has received an email from an interested party, which is included in the case file.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP

- (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. Public Works' preliminary approval is pending the sidewalk waiver requests. MSD has provided preliminary approval.

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

STAFF: The proposed Outdoor Amenity Area meets 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 District Development Plan**

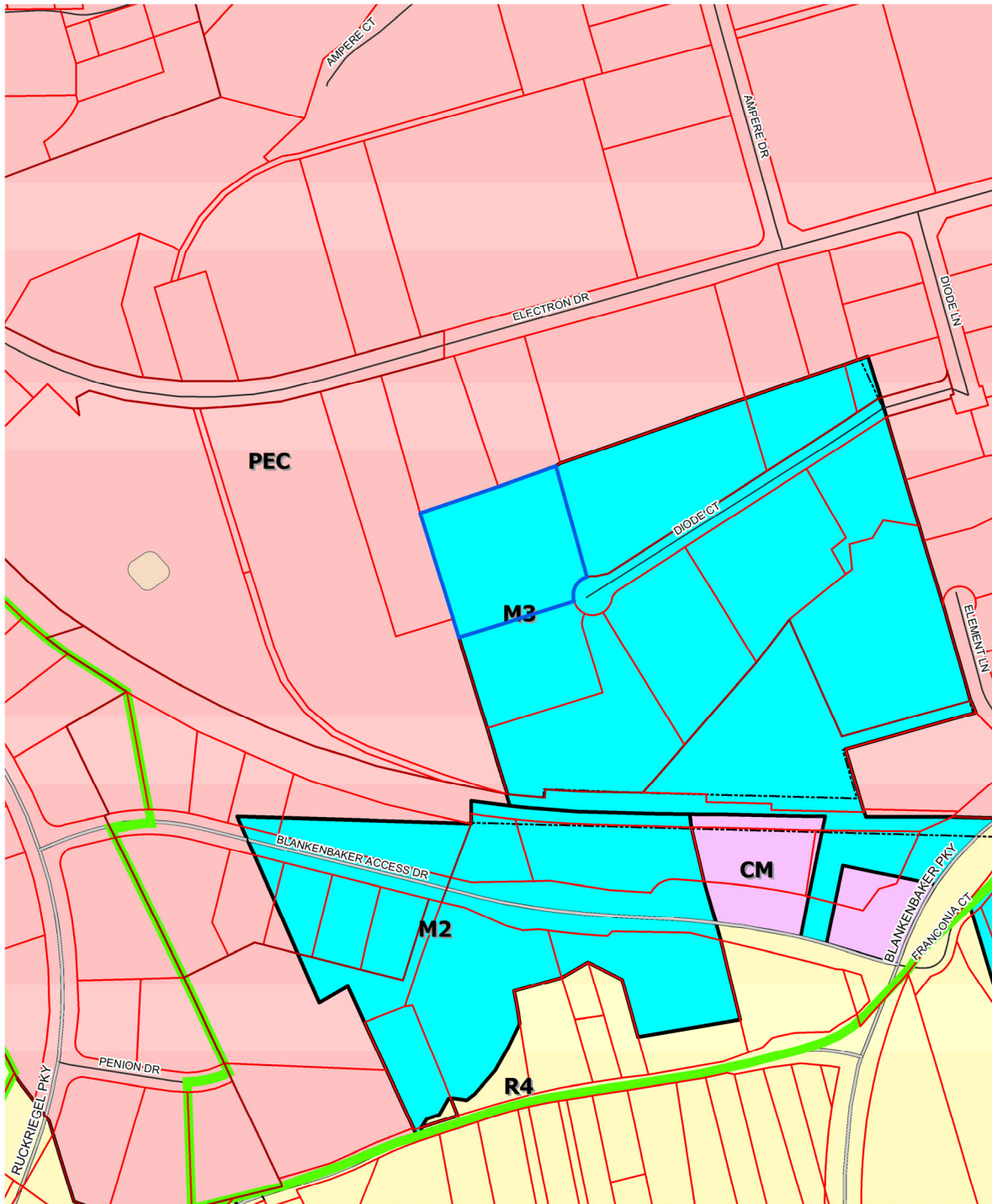
NOTIFICATION

Date	Purpose of Notice	Recipients
11-6-19	Hearing before DRC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 11

ATTACHMENTS

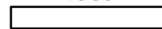
1. Zoning Map
2. Aerial Photograph
3. General Plan Binding Elements
4. Proposed Site Plan Binding Elements

1. **Zoning Map**



11601 DIODE CT

feet



400

Map Created: 10/24/2019

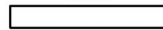


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2. Aerial Photograph



11601 DIODE CT
feet



Map Created: 10/24/2019



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3. General Plan Binding Elements

1. Detailed district development plans shall be submitted for each site or phase of development. Each plan shall be subject to additional binding elements. The additional binding elements may relate, but not be limited, to the following items:

- a. Screening, buffering, landscaping.
- b. Points of access.
- c. Floor area, size and height of buildings.
- d. Land uses.
- e. Signs.

2. Before a building permit is issued:

- a. The detailed development plan must be reapproved by the Jefferson County of Department of Public Works and Transportation and Metropolitan Sewer District.
- b. A major subdivision plat shall be recorded to develop the lots as shown.

3. The subdivision identification sign shall be located as shown on the approved district development plan. The sign shall be 15 feet in height and shall not exceed 125 square feet in area.

4. There will be no direct access to the site for construction equipment or any future use by means of the at grade crossing located across the Southern railroad tracks.

5. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.

6. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements must be implemented prior to requesting issuance of the certificate.

7. The above binding elements may be amended as provided for in the Zoning District Regulations.

4. Proposed Site Plan 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 for review and approval; any changes/additions/alterations not so referred shall not be valid.

2. Prior to development (includes clearing and grading) of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed district development plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements.

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 Construction Review, 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. Final elevations/renderings shall be submitted for review and approval by Planning Commission staff. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.

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. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.

8. 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.