

Development Review Committee

Staff Report

September 2, 2015



Case No:	15devplan1103
Request:	Detailed District Development Plan and Waivers
Project Name:	Blankenbaker Station II Lot 27
Location:	13001 Plantside Drive
Owner:	Hosts Development LLC
Applicant:	Hosts Development LLC
Representative:	Mindel Scott and Assoc.; Bardenwerper Talbott and Roberts
Jurisdiction:	Louisville Metro
Council District:	20-Staurt Benson
Case Manager:	Julia Williams, AICP, Planner II

REQUEST

- Waivers
 1. 5.9.2.A.1.b.ii. to not provide vehicular and pedestrian connections between parking lots of abutting developments
 2. 5.12.2.A.1 to reduce the required amount of amenity area from 16,400 sf to 3,922 sf.
- Detailed District Development plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant is proposing 164,000 SF office and warehouse space in 2 phases on an existing vacant lot. The loading dock area is located along the west elevation of the building adjacent to an existing warehouse. At the intersection of the south and west elevations is a 3,922 SF outdoor amenity area for the use of employees on the site. The outdoor amenity area design requires approval by the Planning Commission and a Land Development Code waiver from Chapter 5.12.2.A.1. 16,400 sf of amenity area is required.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Vacant	PEC	SW
Proposed	Warehouse	PEC	SW
<i>Surrounding Properties</i>			
North	Vacant	PEC	SW
South	Vacant	PEC	SW
East	Vacant	PEC	SW
West	Warehouse	PEC	SW

PREVIOUS CASES ON SITE

- 9-67-05: Rezoning from R-4 to PEC for Blankenbaker Station II.
14489: Revised General District Development Plan with General Plan Binding Element Amendments.

INTERESTED PARTY COMMENTS

None received.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP

- 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: 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 and the Kentucky Transportation Cabinet have 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 with the current proposal. A 3,922 sf amenity area is being provided.

- 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 provisions 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 land uses are compatible with the existing and future development of the area. 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 requirements of the Land Development Code with the exception of the requested land development code waiver to reduce the amount of outdoor amenity area.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #1
Section 5.9.2.A.1.b.ii.to not provide vehicular and pedestrian connections
between parking lots of abutting developments

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

STAFF: The waiver will not adversely affect adjacent property owners since adjacent properties are likely to be similar in use, office/warehouse, where cross connectivity would interfere with tractor trailer circulation on the sites.

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

STAFF: STAFF: Guideline 2, policy 13 calls to Encourage adjacent development sites to share entrance and parking facilities in order to reduce the number of curb cuts and the amount of surface parking. Guideline 7, policy 13 calls for the requirement of joint and cross access easements according to standards set forth in the Land Development Code, to reduce traffic on major thoroughfares and to reduce safety hazards. Guideline 7, policy 16 calls for the promotion of joint access and circulation systems for development sites comprised of more than one building site or lot. The purpose of the requirements to be waived are to allow similar, compatible non-residential uses to access adjacent sites without use of the main road to reduce curb cuts, the amount of surface parking, and to reduce traffic on the main thoroughfare. The site is located where cross access would create more of a nuisance due to tractor trailer maneuvering.

- (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 the site is located along roads that are not high traffic.

- (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 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 since existing roadways are not high traffic and the adjacent uses will be similar in that tractor trailers will utilize the site. Not providing cross connectivity allows each site to reduce tractor trailer conflicts.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #2
Outdoor Amenity Area

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

STAFF: The waiver will not adversely affect adjacent property owners since the amenity area will only serve the subject site.

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

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 since amenity areas will be provided on the site to accommodate the office use portions of the property.

- (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 not the minimum necessary to afford relief to the applicant since the site could either utilize the fee-in-lieu option to cover the portion of the required outdoor amenity area that cannot be provided on site through the process established within the Land Development Code or provide the required 16,400 sf of amenity area on the site.

(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 strict application of the provisions of the regulation would not deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant because the required 16,400 sf of amenity area could be provided on the site.

TECHNICAL REVIEW

- All comments have been addressed.

STAFF CONCLUSIONS

The applicant wants to provide 10% of the office space in amenity area rather than the entire square footage of the whole proposed structure. The applicant needs to justify how the site cannot meet the minimum 16, 400 sf amenity area for the proposed 200 employees predicted to occupy the structure.

The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and generally the requirements of the Land Development Code.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standards for granting LDC Waivers and a DDDP established in the Land Development Code.

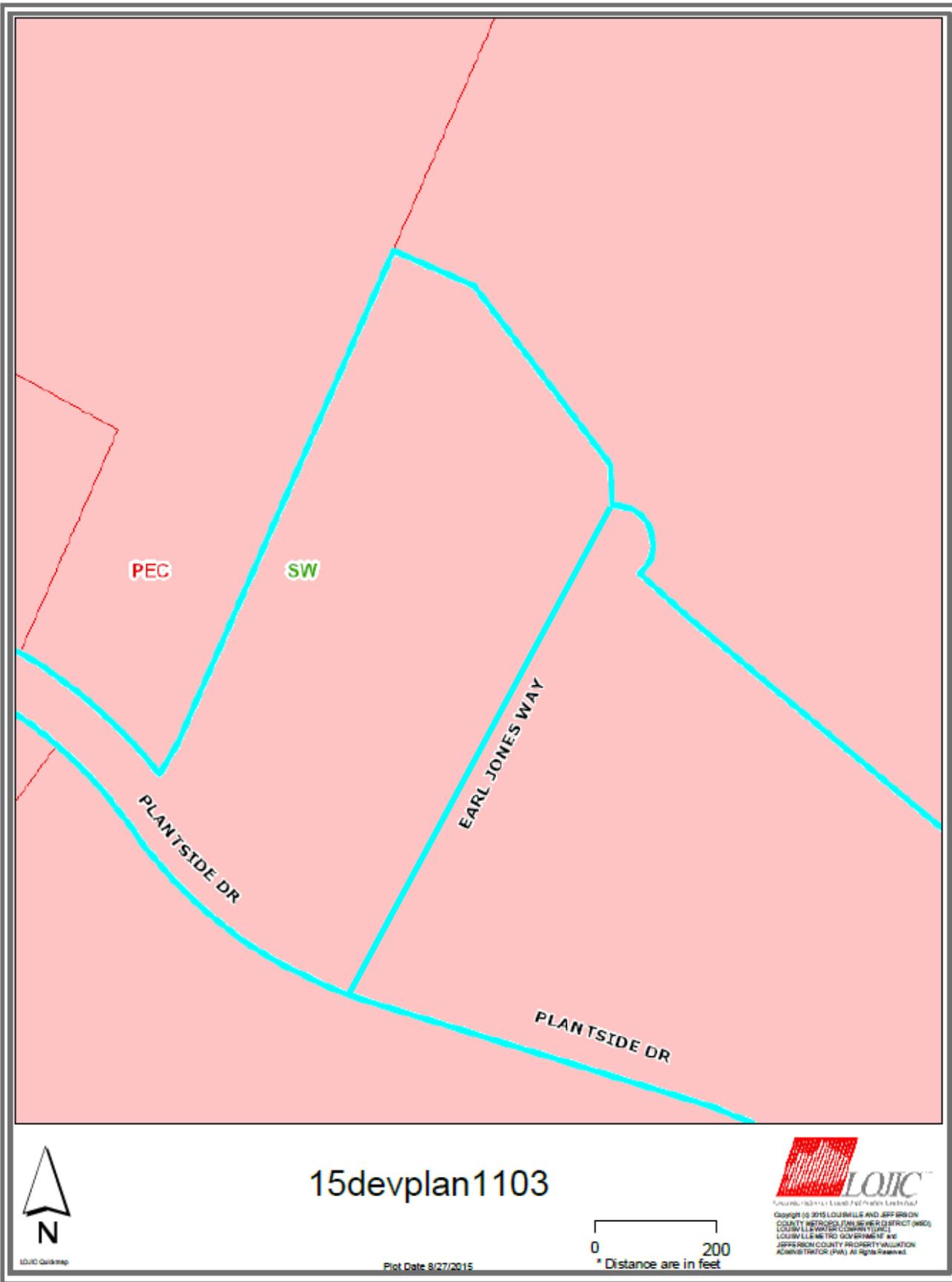
NOTIFICATION

Date	Purpose of Notice	Recipients
8/20/15	Hearing before DRC on 9/2/15	1 st tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 20 Notification of Development Proposals

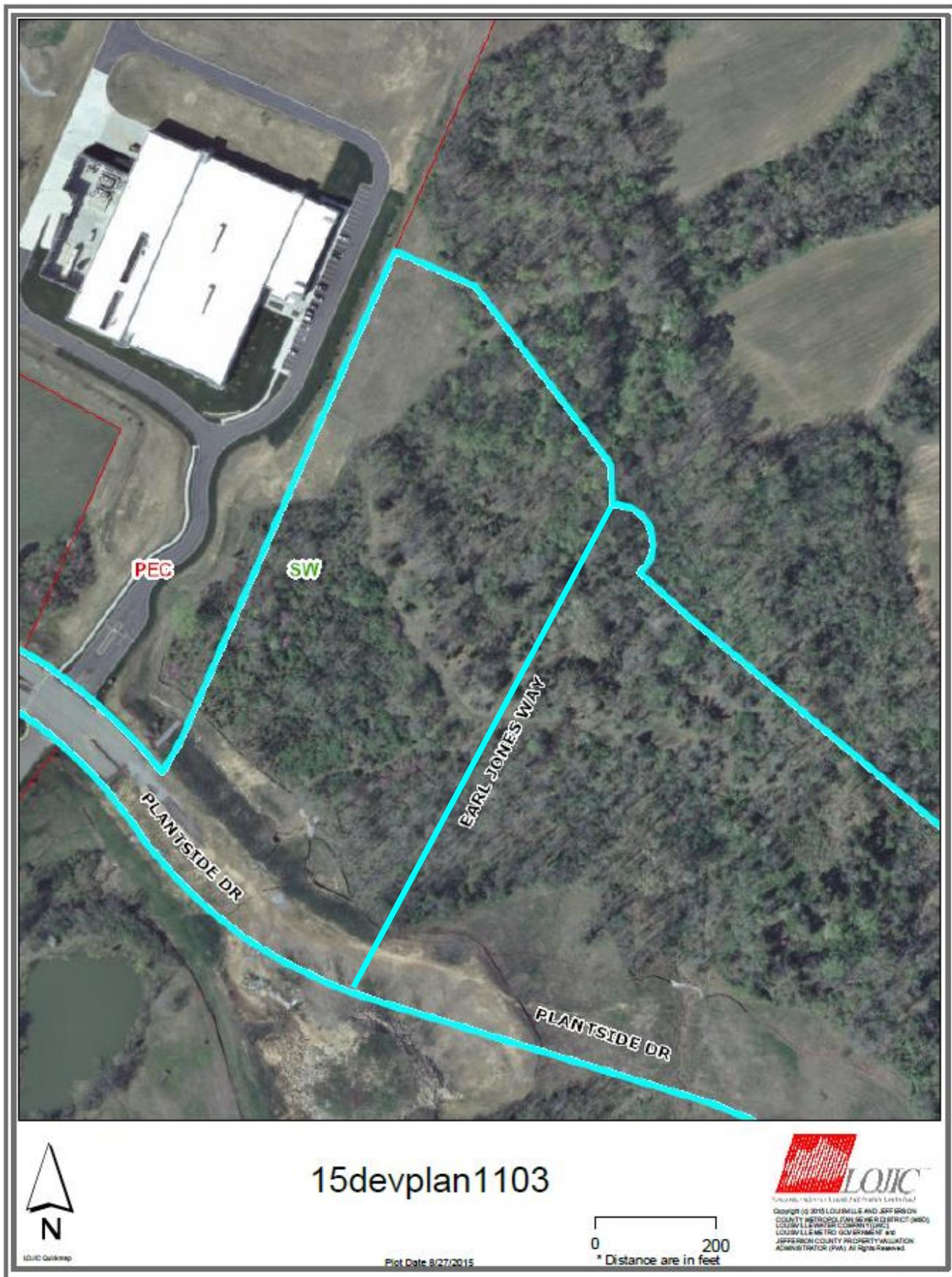
ATTACHMENTS

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

1. **Zoning Map**



2. Aerial Photograph



3. 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 164,000 square feet of gross floor area.
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. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. 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.
 - d. 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 materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the 9/2/15 DRC meeting.
9. The design of the outdoor amenity area is required to be approved by the Planning Commission or designee. The amenity area shall be shown on the landscape plan submitted for approval.