

Eagle Point CD, LLC (Greenbelt Property)  
CASE NO. 16ZONE1072  
7001 GREENBELT HIGHWAY  
LOUISVILLE, KENTUCKY 49258

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DEC 19 2016  
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**ZONING CHANGE  
JUSTIFICATION STATEMENT**

The applicant, Eagle Point CD, LLC ("Eagle Point"), requests a change in zoning from R-4 Single Family Residential to EZ-1 Enterprise Zone and a change in Form District from Neighborhood to Suburban Workplace for the property located at 7001 Greenbelt Highway. The proposed development is a 271,250 square foot warehouse building with associated parking and truck maneuvering area. The plan also includes approximately 244,000 square feet of tree canopy protection area and floodplain compensation/detention basin. The proposed access is from Greenbelt Highway, with no access through the subdivision to the north of the property. The applicant also proposes a substantial buffer of at least 50 feet (from property line to parking lot) adjacent to the properties to the north of the subject property.

The proposed development complies with the Cornerstone 2020 Comprehensive Plan as set out below:

**Guideline 1-Community Form/Land Use**

The proposed development complies with Guideline 1-Community Form/Land Use and its applicable policies because the proposed use is compatible with the existing pattern of warehouses along this section of Greenbelt Highway, including those warehouses along Logistics Drive and Riverport Drive, which are just west of the subject property. The proposed Form District Change is appropriate because of the lack of demand for residential uses on the subject property and its proximity to other uses appropriate in the Suburban Workplace form district. Just to the south of the subject property, on the east side of Greenbelt Highway, is an area of industrial uses.

**Guideline 2-Centers**

The proposed development complies with Guideline 2-Centers and its applicable policies because the proposed use is compact and located adjacent to other similar warehouse uses. The proposed plan is consistent with the intent of Guideline 2, "[t]o encourage commercial revitalization in redeveloping areas." Likewise, the proposed plan is consistent with the policy to "[e]ncourage new developments . . . that provide *commercial*, offices and/or residential uses."

**Guideline 3-Compatibility**

The proposed development complies with Guideline 3-Compatibility and its applicable policies because the proposed structure will be of a style and material similar to other warehouses in this area of Greenbelt Highway. Furthermore, the development, which

will include a substantial buffer, provides an “[a]ppropriate transition[] from non-residential to residential uses.” The plan has been modified to take concerns raised by neighbors during the neighborhood meeting, namely by moving the main entrance to the facility to the south side of the subject property and by attempting to preserve more trees along the northern boundary of the subject property. Finally, the plan has been designed to minimize the traffic impact on Greenbelt Highway and there will be no access to the subject property from the residential subdivision to the north of the subject property.

### **Guideline 6-Economic Growth and Sustainability**

The proposed development complies with Guideline 6-Economic Growth and Sustainability and its applicable policies because the proposed plan calls for development of an area where warehouses presently exist. Furthermore, the parcel is along a major arterial street, Greenbelt Highway.

### **Guideline 7-Circulation and Guideline 9-Bicycle, Pedestrian & Transit**

The proposed development complies with Guideline 7-Circulation and Guideline 9-Bicycle, Pedestrian & Transit and their applicable policies because the parcel in question is along TARC Route 19 and long term bike parking will be provided inside the facility. Furthermore, the plan provides for with 323 parking spaces and a truck maneuvering area. The applicant will explore the actual parking demand at the time the proposed building is leased or acquired, which may result in a reduction in overall parking.

### **Guideline 10-Flooding and Stormwater and Guideline 11-Water Quality**

The proposed development complies with Guidelines 10 and 11 and their applicable policies because the applicant will provide water quality and erosion control measures to comply with the most up to date MSD requirements applicable to the subject property.

### **Guideline 14-Infrastructure**

The proposed use complies with Guideline 14-Infrastructure and its applicable policies because necessary water system improvements required to service the development will be made at the developer’s expense.

For these reasons, the proposed development complies with Cornerstone 2020, and the Planning Commission should recommend approval of the proposed rezoning to the Louisville Metro Council.

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**WAIVER JUSTIFICATION STATEMENT  
FOR  
16ZONE1072**

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The proposed waiver will not adversely affect adjacent property owners as the waiver only applies along property lines adjacent to vacant property owned by the City which is undevelopable in its current state. The property line adjacent to the existing subdivision will have more than adequate screening with a combination of preserved trees and evergreen plantings.

The proposed waiver will not violate the Comprehensive Plan. In addition to the many reasons listed in the applicant's filings regarding the rezoning and change in form district, the applicant will provide an alternative design to screen the property to the north of the subject property. The applicant has also modified the design of the proposed development to lower any potential impact from the proposed development on those properties to the north.

The extent of the proposed waiver of the regulation is the minimum necessary to afford relief to the applicant. The applicant is providing, in most areas, much more than the required buffer width but would like to keep existing mature trees in place in the buffer as opposed to removing those trees and creating a berm in their place. In addition, the applicant will provide a significant amount of evergreen trees in the locations closest to the residential properties to the north of the subject property.

The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements of the regulation. In lieu of a berm, the applicant is proposing to increase the buffering provided to the adjacent subdivision to the north with a continuous evergreen screen with type 'A' trees planted 15' on center. This exceeds the screening requirement of the LDC and compensates for non-compliance. In addition to these plantings, the applicant has redesigned its plan to move the main entrance to the southern side of the property, away from the Hunters Hill neighborhood and is willing to review other design measures to further limit the impact of the proposed development.

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