

Development Review Committee

Staff Report

January 17, 2018



Case No:	17DEVPLAN1212
Project Name:	Brown Foreman Expansion
Location:	402 Maclean Ave.
Owner(s):	Brown Foreman Corporation
Applicant:	Brown Foreman Corporation
Representative(s):	Chris Brown (AICP) – BTM Engineering Inc.
Project Area/Size:	16.13930 acres
Jurisdiction:	Louisville Metro
Council District:	21 – Vitalis Lanshima
Case Manager:	Ross Allen – Planner I

REQUEST(S)

WAIVER #1: A waiver from LDC Section 5.8.1.B to not provide a sidewalk for approximately 618 feet along Maclean Ave. as associated with the Category 2B Development Plan.

WAIVER #2: A waiver from LDC 5.9.2.A.b.i to not provide a clearly defined safe pedestrian access from the adjacent public right of way through off-street parking area to a non-residential building entrance along Maclean Ave.

CASE SUMMARY/BACKGROUND

The subject site, the Brown Foreman Cooperage is located in south central Jefferson County slightly west of the Louisville International Airport. The subject site is bounded by Maclean Ave. to the north, the Louisville & Nashville Railroad Lines and Crittenden Drive Connector on the west, an Airgas Supply Company to the south, and Clariant Corporation to the east.

The applicant, the Brown Foreman Corporation, is proposing to construct onto the existing cooperage including a dry storage building addition of approximately 36,648 sf., an administration building addition of approximately two stories and having 7,511 sf., a boiler room of approximately 1,000 sf., a switch room of approximately 387 sf., and an equipment pad. The proposed project will also include the addition of 43 parking spaces near the Administration Building. The total of the proposed additions are 41,546 sf. onto the existing building of approximately 203,123 sf., after the removal of approximately 27,246 sf. The overall building addition will only be an increase of 6.2% to the overall building footprint meaning that landscaping is not required per LDC Chapter 10 Part 2 since the additions and alteration to the parking combined are below 20%.

STAFF FINDING / RECOMMENDATION

WAIVER #1: Staff finds the waiver justifiable from LDC Section 5.8.1.B to not provide a sidewalk for approximately 618 feet along Maclean Ave. as associated with the Category 2B Development Plan.

WAIVER #2: Staff finds that the waiver is justifiable from LDC 5.9.2.A.b.i to not provide a clearly defined safe pedestrian access from the adjacent public right of way through off-street parking area to a non-residential building entrance along Maclean Ave.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Industrial Manufacturing - Cooperage	EZ-1	Suburban Workplace
Proposed	Industrial Manufacturing - Cooperage	EZ-1	Suburban Workplace
Surrounding Properties			
North	Industrial – CJ Int'l Inc./Yusen Air & Sea Services USA	EZ-1	Suburban Workplace
South	Industrial – Airgas Supply Co.	EZ-1	Suburban Workplace
East	Industrial – Clariant Corp.	EZ-1	Suburban Workplace
West	Lou. & Nashville RR/Crittenden Drive Connector - ROW	EZ-1	Suburban Workplace

TECHNICAL REVIEW

None

INTERESTED PARTY COMMENTS

Staff has not received any comments from interested parties.

APPLICABLE PLANS AND POLICIES

Land Development Code (LDC August 2017a)
Comprehensive Plan (Cornerstone 2020)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR A WAIVER #1: from LDC Section 5.8.1.B to not provide a sidewalk for approximately 618 feet along Maclean Ave. as associated with the Category 2B Development Plan.

- (a.) How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

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. Sidewalks would not be appropriate with the connections to the rail lines to the west and airport authority properties to the east with industrial uses along this short stretch of a dead end local road.

- (b.) 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?

STAFF: Compliance with the regulations would not provide appropriate connections and access to the subject property. Pedestrian traffic is not advisable along Maclean Avenue with the terminus of the roads at the rail line and airport properties. Guideline 9, Policy 1 of Cornerstone 2020 discusses sidewalks being provided where

appropriate. The waiver is being requested because sidewalks are not appropriate along the ROW of the subject property.

(c.) What impacts will granting of the waiver have on adjacent property owners?

STAFF: The impacts of the waiver will be minimal on adjacent property owners since there is railroad ROW to the east and additional industrial properties to the north and east that terminate at Crittenden Drives dead end into the Louisville Airport Authority properties. All of these properties are not safe areas for pedestrian traffic.

(d.) 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?

STAFF: The strict application of the provision of the regulations would cut back vehicular access along Maclean Avenue for the industrial site, reduce existing parking and place pedestrian traffic along a CSX rail line and the airport property potentially leading to unsafe conditions for pedestrians.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #2: from LDC 5.9.2.A.b.i to not provide a clearly defined safe pedestrian access from the adjacent public right of way through off-street parking area to a non-residential building entrance along Maclean Ave as associated with the Category 2B Development Plan.

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

STAFF: The waiver will not adversely affect adjacent property owners since the subject property is located at the dead end on the south side of Maclean Avenue at the CSX rail line and one of three properties that connects to the airport property to the east. It is a property that would not be easily accessed by any pedestrians.

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

STAFF: Guideline 9, Policy 1 states that new development should provide, where appropriate, for the movement of pedestrians, bicyclists and transit users with walkways for access to public transportation stops. The subject property would not be appropriate for the movement of pedestrians to and from the site due to the locations of the rail line to the west and airport to the east.

(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 internal vehicular and pedestrian connections will be provided in parking areas for employee use and access.

(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 by requiring a pedestrian connection to be provided in a potentially unsafe manner and in a location of existing parking for the property.

REQUIRED ACTIONS

Approve/Deny WAIVER #1: A waiver from LDC Section 5.8.1.B to not provide a sidewalk for approximately 618 feet along Maclean Ave. as associated with the Category 2B Development Plan.

Approve/Deny WAIVER #2: A waiver from LDC 5.9.2.A.b.i to not provide a clearly defined safe pedestrian access from the adjacent public right of way through off-street parking area to a non-residential building entrance along Maclean Ave.

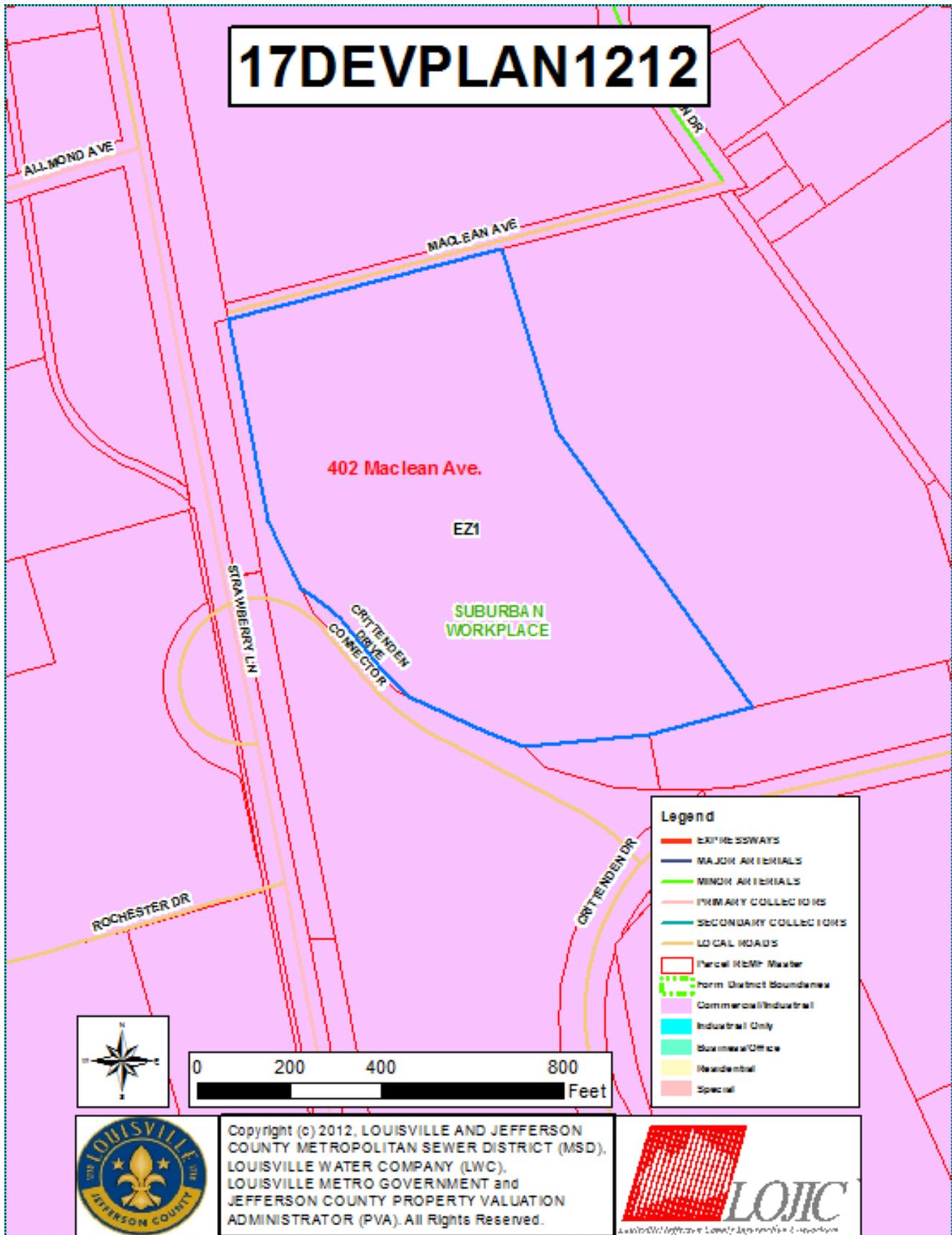
NOTIFICATION

Date	Purpose of Notice	Recipients
January 17, 2018	Hearing before DRC	1 st tier adjoining property owners notified Subscribers of Council District 21 Notification of Development Proposals

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

