

Planning Commission Staff Report Addendum

April 15, 2021



Case No:	20-ZONE-0102
Project Name:	Woodland Warehouse
Location:	8201 Minor Lane
Owner(s):	Barrington Investment Company, LLC
Applicant:	Barrington Investment Company, LLC
Representative(s):	Bardenwerper, Talbott & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox
Case Manager:	Joel P. Dock, AICP, Planner II

TECHNICAL REVIEW

Notice of the public hearing on April 15, 2021 was sent to adjoining property owners and current resident(s) of each dwelling within the mobile home community in both Spanish and English on March 25, 2021. Staff remains in continued conversations with the applicant regarding the closure plan as outlined in the binding elements. Based on comments made by Commissioners at the public hearing on March 4, 2021 the following binding elements have been revised (**bold/underline**):

6. Prior to requesting a permit to carry out development as shown on the approved plan for any area within the residential community at 8201 Minor Lane (Shadeswood Avenue), including but not limited to building, parking lot, change of use, clearing/grading, site disturbance, alteration permit, or demolition permit:
 - a. The developer(s) and/or property owner(s) shall host a meeting with all residents of the property. Notice of this meeting shall be given to all residents 14 days in advance of the meeting. A copy of this notice shall also be provided to Planning and Design Services and placed in the case file of record. At this meeting, the developer and/or owner shall state the intent to close the park, identify the earliest date at which closure will begin (**minimum of 60 days from the meeting required by this part**), and provide contact information for themselves and other persons involved in the closure and relocation.
 - b. A “housing counselor(s)” or other individual(s) with similar experience in local housing services **as determined by the Planning Director** shall be retained to evaluate, document, and provide resources to each occupant (and their families) to assist with relocation. Upon conclusion of this outreach, the counselor shall provide documentation to Planning and Design Services and placed in the case file of record which states the time period of the outreach effort, summarizes services and resources provided, and indicates how many, if any, declined counseling.
 - c. A direct line to an on-site manager shall also be provided to each occupant(s) and Planning and Design Services. The on-site manager shall be responsible for ensuring the property is maintained in good condition during relocation and assist the housing counselor(s). The on-site manager, if experienced in local housing services **and approved by the Planning Director**, may serve as the housing

counselor. **Should counseling from the on-site manager be declined, the resident shall be offered an independent counselor at no-cost.** The on-site manager shall remain available on location for the duration of the park's closure.

- d. **Okolona Fire and 3rd division of Louisville Metro Police** shall be notified of the closure prior to the first meeting with residents. A contact with each should be established. **The developer(s) and/or property owner(s) shall make good faith efforts to implement any reasonable recommendations made by these agencies with respect to safety and security within a timely manner.**
 - e. Units and their associated structures or improvements shall be removed promptly after the occupant(s) vacates the premises. No unoccupied unit shall sit abandoned for more than 6 weeks.
 - f. In addition to the elements cited above, all other requirements of applicable local, state, and federal law shall be met.
7. Closure of the residential community at 8201 Minor Lane (Shadeswood Avenue) as provided for in Binding Element # 6 shall not begin during a State of Emergency (COVID-19). **This shall not preclude the voluntarily departure by an existing resident.**
 8. **The closure of the residential community at 8201 Minor Lane (Shadeswood Avenue), including the removal of all units, accessory structures, and other improvements (fences, satellite dishes, decks, etc.) shall be removed within 1-year of the meeting required by binding element 6.a, unless an extension is granted by the Planning Commission.**
 9. **The applicant, developer, or property owner shall provide copies of these binding elements to all residents regardless of tenure.**

Revisions have been provided to the applicant's representative and conversations between the applicant and staff will continue until the date of the public hearing.

Additional questions/comments by Commissioners at the public hearing on March 4, 2021:

- What is the current lease schedule and terms?
- What is the cost of moving household goods?
- What is the cost of trailer relocation?
- What is the formal abandonment process for owners within the community?
- Are there opening in nearby communities for relocation of units? Where?

NOTIFICATION

Date	Purpose of Notice	Recipients
3/25/21	Hearing before Planning Commission	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 13

PROPOSED BINDING ELEMENTS (ALL)

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. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet, 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.
3. 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.
4. 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.
5. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
6. Prior to requesting a permit to carry out development as shown on the approved plan for any area within the residential community at 8201 Minor Lane (Shadeswood Avenue), including but not limited to building, parking lot, change of use, clearing/grading, site disturbance, alteration permit, or demolition permit:
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