

March 15

Land Development & Transportation Committee
Staff Report
February 22, 2018



Case No.	16ZONE1072
Project Name	Greenbelt Warehouse
Location	7001 Greenbelt Highway
Owner	Eagle Point CD LLC
Applicant	Eagle Point CD LLC
Representative	Dinsmore & Shohl LLP
Jurisdiction	Louisville Metro
Council District	1 – Jessica Green
Case Manager	Laura Mattingly, AICP, Planner II

REQUEST

- Change in Zoning from R-4 Single-Family Residential to EZ-1 Enterprise Zone on 27.21 acres
- Change in Form District from Neighborhood to Suburban Workplace
- Waiver of Section 5.5.4.B.1 to not provide the berm along lot lines with residentially zoned parcels
- Detailed District Development Plan with Binding Elements

change language all property lines

CASE SUMMARY / BACKGROUND

The applicant is requesting zone and form district changes for two undeveloped parcels totaling 27.21 acres on Greenbelt Highway across from the Jefferson Riverport International, an industrial park located on the Ohio River. The proposed development consists of a 271,250 square foot warehouse and 101,312 square foot vehicular parking area containing 296 parking spaces.

The site has two access points off Greenbelt Highway, near its northern and southern boundary. The northern access point, nearest existing single-family residential uses, will be right-in/right-out only, with an existing median on Greenbelt Highway to remain. Truck traffic will be directed to the southern access point where the security station is located, and where vehicles accessing the loading docks will be required to stop when entering and leaving the site.

This case was postponed indefinitely at the June 15, 2017 Planning Commission hearing in order to allow the applicant time to work with Riverport to come to an agreement on the triangular shaped parcel along Greenbelt Hwy.

Previous Cases:

9222: Single Family Residential subdivision for 77 buildable lots. Expired.

STAFF FINDING

Staff finds that the proposal is ready to be scheduled for the next available public hearing. Outstanding MSD comments need to be addressed prior to public hearing.

TECHNICAL REVIEW

- The floodplain compensation ratio requirement has been increased from 1:1 to 1:1.5 since this case was last heard. MSD is currently reviewing to ensure that this ratio can be met.

INTERESTED PARTY COMMENTS

Letters were received prior to the last public meeting in June 2017 from a representative of Hunters Hill Subdivision with concerns regarding the close proximity of another warehouse and trucking company to single family homes.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR REZONING / FORM DISTRICT CHANGES

The site is proposed to be located in the Suburban Workplace Form District

A Suburban Workplace is a form characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. Suburban workplaces often contain a single large-scale use or a cluster of uses within a master planned development. New larger proposed industrial uses are encouraged to apply for a planned development district.

In order to provide adequate transportation access in suburban workplaces connected roads, public transportation and pedestrian facilities should be encouraged. Walkways to workplace-serving uses are encouraged for workplace employees. Development within suburban workplace form districts may need significant buffering from abutting uses.

NOTIFICATION

Date	Purpose of Notice	Recipients
4/13/17 2/5/18	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 1 Notification of Development Proposals
	Hearing before PC / BOZA	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 1 Notification of Development Proposals
	Hearing before PC / BOZA	Sign Posting on property
	Hearing before PC / BOZA	Legal Advertisement in the Courier-Journal

ATTACHMENTS

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

1. Zoning Map



1. Aerial Photograph



2. Proposed Binding Elements

1. The site shall be maintained in accordance with all applicable sections of the Land Development Code (LDC) and agreed-upon binding elements unless amended pursuant to the LDC. Amendment of any binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any amendments not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons or banners shall be permitted.
3. 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.
4. Before any permit is requested, including but not limited to permits for building, parking lot, change of use, site disturbance, alteration or demolition:
 - 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 for any work within the state right-of-way.
 - c. A minor subdivision plat shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - d. 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
 - e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - f. A reciprocal access and crossover easement agreement(s), in a form acceptable to the Planning Commission legal counsel, shall be created for access to the site from Greenbelt Highway as shown on the Detailed District Development Plan presented at the _____ meeting of the Planning Commission. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument
5. 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.
6. The applicant, developer or property owner shall provide a copy of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development and/or use of this site and shall advise all parties of their content. 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. These binding elements shall run with the land and the owner(s) and occupant(s) of the property shall at all times be responsible for compliance with them.
7. No overnight idling or idling of trucks while loading or unloading equipment shall be permitted on-site.
8. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the _____ Planning Commission meeting.

Concerns - Commissioners

- Sound wall
- Hours of operation - Lighting?
- Vegetation in preservation area
- More specific tree preservation - BE
- Possibly more floodplain compensation (not required)

Neighbor

- Noise - Proximity, trees take too long to mature
- Traffic - Access too close to subdivision access
- Drainage -
 - Location on opposite side of industrial area