



Change in Zoning / Form District Application

Louisville Metro Planning & Design Services

Case No.: 15ZME1028 Intake Staff: KMC

Date: 9/18/15 Fee: 4025³⁰

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Change in Zoning / Form District from R-4 to PEC

Project Description (e.g., retail center and office development, etc.): Zone change from R-4 to PEC to allow warehouses

Project Name: _____

Primary Project Address: 2211 Tucker Station Road

Additional Address(es): _____

Primary Parcel ID: Block 39, Lot 68

Additional Parcel ID(s): _____

of Residential Units: n/a Commercial Square Footage: 46,400 sf

Proposed Use: Warehouse Existing Use: vacant/residential

Existing Zoning District: R-4 Existing Form District: Sub. Workplace

Deed Book(s) / Page Numbers²: Deed Book 9011, Page 656

The subject property contains 6.9 +/- acres. The area to be rezoned contains 6.9 +/- acres.

Number of Adjoining Property Owners (APOs): _____ (refer to tax map from PDS)

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: 15ZONE1028 (pre-app) Docket/Case #: 12237

Docket/Case #: 10-17-98 Docket/Case #: _____

CONTACT INFORMATION:

Owner Information:

Entity or Individual Name: Adam Koch

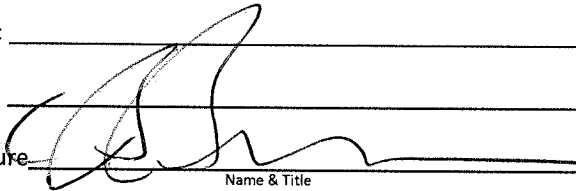
By: Bill Bardenwerper as Attorney and Agent

Address 3937 Kennison Court

City Louisville State KY Zip Code 40207

Phone: _____

E-mail: _____

Signature  _____
Name & Title

Applicant Information:

Entity or Individual Name: Same as Owner

By: _____

Address _____

City _____ State _____ Zip Code _____

Phone: _____

E-mail: _____

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Plan Prepared by: Primary Contact _____

Print Name Kathy Linares

Company Name: Mindel Scott & Associates

Address 5151 Jefferson Blvd

City Louisville State KY Zip Code 40219

Phone: 502.485.1508

E-mail: klinares@mindelscott.com

Attorney: Primary Contact X

Print Name William B. Bardenwerper

Company Name: Bardenwerper Talbott & Roberts, PLLC

Address 1000 N. Hurstbourne Parkway 2nd floor

City Louisville State KY Zip Code 40223

Phone: 502-426-6688

E-mail: wbb@bardlaw.net

CERTIFICATION STATEMENT: A Certification Statement must be submitted with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Bill Bardenwerper _____ Attorney and Agent for the
in my capacity as property owner _____
Representative/authorized agent/other

hereby certify that Adam Koch _____ is/are the owner(s) of the property which is the
name of LLC / corporation / partnership / association / etc.

subject of this application, and that I am authorized to sign this application on behalf of the owner.

Signature:  _____ Date: 9/18/15

I understand that knowingly providing false information on this Application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010 et seq., knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his duty is punishable as a Class B misdemeanor.

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BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

STATEMENT OF COMPLIANCE WITH THE APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Applicant/Owner: Adam Koch

Location: 2211 Tucker Station Road

Proposed Form and Zoning
Districts and Use: Zone change from R-4 to PEC for use as a
warehouse

Engineers, Land Planners and
Landscape Architects: Mindel Scott & Associates

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INTRODUCTORY STATEMENT

The subject property adjoins both R-4 used and zoned as well as industrially zoned and used properties. Indeed, when you look at the Form District and zoning maps, this particular property appears as a gap-tooth, "peninsula" of currently residentially zoned property nearly surrounded by a sea of intensely zoned and utilized industrial type properties. The proposed Zoning District change is consistent with the Suburban Workplace and nearby PEC uses and zoning located within the adjoining Blankenbaker Station Business Park and other workplaces that are located close by.

GUIDELINE 1: COMMUNITY FORM

The applicable form district for this property is the Suburban Workplace Form District which is a form characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. This application and the Detailed District Development Plan (DDDP) accompanying this application demonstrate compliance with the Suburban Workplace Form District given how the proposed buildings satisfy the Land Development Code (LDC) setback requirements from Tucker Station Road and given proposed landscaping screening and buffering along Tucker Station Road and adjoining residential property lines. The aerial photograph accompanying the PowerPoint Presentation attached to the Neighborhood Meeting Summary further illustrates how this property adjoins or is located close to other warehouses, distribution and industrial uses, fitting within the Suburban Workplace Form District.

GUIDELINE 2: ACTIVITY CENTERS

The Intents and applicable Policies 1, 2, 4, 5, 7, 11, 13, 14, 15 and 16 of this Guideline all pertain to such things as assuring an efficient use of land and investment in existing infrastructure, reducing commuting time and distances so as to not exacerbate air pollution problems, locating

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in existing activity centers and appropriate form districts, developing non-residential and mixed uses in such centers, assuring compact and mixed compatible uses, appropriately designing shared parking and buildings in such centers, and assuring adequate utilities and utility easements as necessary.

This application complies with all of these Intents and applicable Policies of this Guideline for the following reasons. While activity centers are normally thought of as commercial centers, what they really are are places where similar or compatible activities are all located in close proximity one to the other so that they either feed off of and support one another or work in some sort of symbiotic relationship. Given that, for the most part, especially to the east and northwest, this is an intensely developed workplace area, this rezoning and accompanying development plan are appropriate for this area. Infrastructure exists because all manner of other office, warehouse, distribution and industrial activities are located next door or close by, thus another similar use activity, like this, makes sense from the standpoint of access to and through the area as well as where employees typically commute to jobs of this kind. The proposed small warehouse buildings located on this property fit well, while leaving setbacks, landscaping and buffering where required by the LDC or to address the interests of adjoining property owners. Parking is appropriately designed to be shared among the several warehouse buildings.

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GUIDELINE 3: COMPATIBILITY

The Intents and applicable Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 19, 20, 21, 22, 23, 24, and 29 all pertain to the issues of impact mitigation. Sometimes this can be through building design and materials. Given that the adjoining Blankenbaker Station encompasses a wide variety of relatively well-designed intense office, warehouse, distribution and light industrial building designs, the buildings proposed for this site will be held to a similar standard. These buildings will be attractive, and images of them will be presented by time of the LD&T review in this case. The impacts of noise generated from trucks, as well as lighting from trucks and from parking lots, will be mitigated with landscaping, fencing as may be needed, and by Metro approved points of access to assure that the adjoining R-4 neighbors are not disrupted during hours of operation. The DDDP, and necessary binding elements to further elaborate on that plan, can also address transitional issues, such as buffers, setbacks, screening and landscaping.

GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY

The Intents and applicable Policies 1, 2, 3, 4, 6, 8, and 10 of this Guideline all pertain to the issues of assuring availability of adequate usable land for such uses as these, to reduce public and private costs for land development, to preserve workplaces, to provide for appropriate access, to invest in developing and redeveloping industrial areas, to locate industries where other industries already exist and in the activity centers in and around those industrial areas, to assure that transportation is adequate in and out of industrial areas and properties such as this, and to continue to redevelop and adaptively reuse vacant properties like this.

This application will comply with the Intents and applicable Policies of this Guideline because this property adjoins an already existing business park (“Blankenbaker Station”) with an opportunity for more compatible buildings on a vacant property in an area appropriate for continued, indeed more, of the same type uses as this kind. Roads which provide access are (or must be) constructed to provide safe transportation routes to and from this site, and the point of

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access to this property must be one that is approved by Metro Transportation Planning/Public Works prior to docketing for LD&T Committee consideration.

GUIDELINES 7, 8 and 9: CIRCULATION, TRANSPORTATION FACILITIES AND ALTERNATIVE TRANSPORTATION MODES

The Intents and applicable Policies 1, 2, 9, 10, 11, 12, 13, 14 and 15 of Guideline 7, Policies 5, 6, 7, 9, 10, 11 and 12 of Guideline 8, and Policies 1, 2, 3 and 4 of Guideline 9 all pertain to the multiplicity of issues that are typically reviewed by Metro Transportation Planning and Public Works in connection with those agencies' reviews of DDDPs such as the one submitted with this application.

This application will comply with all these Intents and applicable Policies of these Guidelines by time of the LD&T review for sure, if not already, because of the fact that, by the time this application is docketed for LD&T review, Metro Transportation Planning will have reviewed the DDDP and assured compliance with all of these applicable Policies. In that regard, Mindel Scott & Associates (MSA), a professional land planning and engineering firm that has worked on this DDDP, has already taken into account in its design such issues as appropriate access, internal circulation, adequate parking, adequacy of street access, appropriate site distances and even whether sidewalks and bicycles need to be provided/accommodated. All of these things are either addressed on the DDDP accompanying this application or will be further considered prior to docketing for, or at the time of, LD&T and Planning Commission consideration if not presently shown on the submitted DDDP.

GUIDELINES 10 & 11: FLOODING, STORMWATER AND WATER QUALITY

The Intents and applicable Policies 1, 3, 7, 10 and 11 of Guideline 10 and Policies 3 and 5 of Guideline 11 raise issues that are already regulated by MSD. By the time that the DDDP accompanying this application is docketed for LD&T review, it must have received the preliminary stamp of approval from MSD demonstrating compliance with all of these Policies. That is to say that on-site detention will be required or the regional fee must be paid. Wetlands, if any, and streams will be protected. Further, at construction stage, work done on this property must be performed in compliance with the soil erosion and sediment control guidelines of MSD and probably also with the new water quality standards adopted by MSD.

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GUIDELINE 12: AIR QUALITY

This Intents and applicable Policies 1, 2, 4, 6, 7, 8 and 9 of this Guideline all pertain to the various issues of air quality regulated by the Air Pollution Control District (APCD).

This application complies with these Intents and applicable Policies of this Guideline for a number of reasons, mainly because APCD adopts regulations that require compliance. But moreover, because one of the goals of the Comprehensive Plan as evident in this Guideline is to reduce commuting distances and to assure that major truck traffic, to the maximum extent possible, utilize routes that are typically traveled by trucks, this project helps reduce vehicle miles traveled. Plus, the proposed warehouse facility is located next to an existing business park with proposed access to and from it, which truck traffic and employees are already accessing. Metro Transportation Planning and Public Works make the determination of truck access and travel routes.

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GUIDELINE 13: LANDSCAPE CHARACTER

The Intents and applicable Policies 1, 2, 4, and 6 of this Guideline all pertain to the issues of LDC compliance with landscaping requirements and to the need to screen and adequately buffer adjoining uses that might be of a different nature, such as the R-4 parcels next door and along the Scenic Corridor of Tucker Station Road. Accordingly, the landscape plan discussed at LD&T and public hearing and eventually to be filed, any rezoning and development plan approvals must address all issues contained in the LDC and as raised by the Comprehensive Plan.

GUIDELINES 14 & 15 : INFRASTRUCTURE AND COMMUNITY FACILITIES

The Intents and applicable Policies 2, 3, 4, 6 and 7 of Guideline 14 and Policies 3, 4, and 9 of Guideline 15 all pertain to the issues of assuring that adequate water supply, sewage treatment, other utility services and public services are available to serve sites, including industrial ones, of this kind. This application and the accompanying DDDP demonstrate, in part, how utilities and public services, such as fire and emergency, are available at this site or close by.

* * * * *

For all these reasons and others to be explained at the LD&T Committee meeting and public hearing, this application complies with all others applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

William B. Bardenwerper
Bardenwerper Talbott & Roberts, PLLC
Building Industry Association of Greater Louisville Bldg.
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223

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