

Planning Commission
Staff Report
May 7, 2020



Case No:	20-CAT3-0003
Project Name:	Xebec Property
Location:	6330 R Strawberry Lane
Owner(s):	Southland Realty, LLC
Applicant:	Xebec Realty Partners, LLC
Jurisdiction:	Louisville Metro
Council District:	21 – Nicole George
Case Manager:	Lacey Gabbard, AICP, Planner I

REQUESTS:

1. **Category 3 Development Plan**
2. **Outdoor Amenity Area**

CASE SUMMARY/BACKGROUND

The subject site is zoned EZ-1 Enterprise Zone in the Suburban Workplace form district. It is located on the southeast side of Strawberry Lane and the southwest side of Eiler Avenue.

The subject site is currently undeveloped and includes several parcels totaling 36.51 acres. The applicant is proposing to construct a 176,352 square foot warehouse and a second 262,920 square foot warehouse. Because employee counts for these warehouses are unknown at this time, the applicant is requesting flexibility on the parking requirements but proposes that final parking provided at the time of construction will fall within the minimum and maximum requirements of the Land Development Code.

The applicant is requesting to pay the fee-in-lieu for sidewalks along Eiler Avenue.

STAFF FINDINGS

The Category 3 Development Plan and the Outdoor Amenity Area are compliant with the Land Development Code.

TECHNICAL REVIEW

Public Works and MSD have provided preliminary approval.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this proposal.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Category 3 Development Plan**

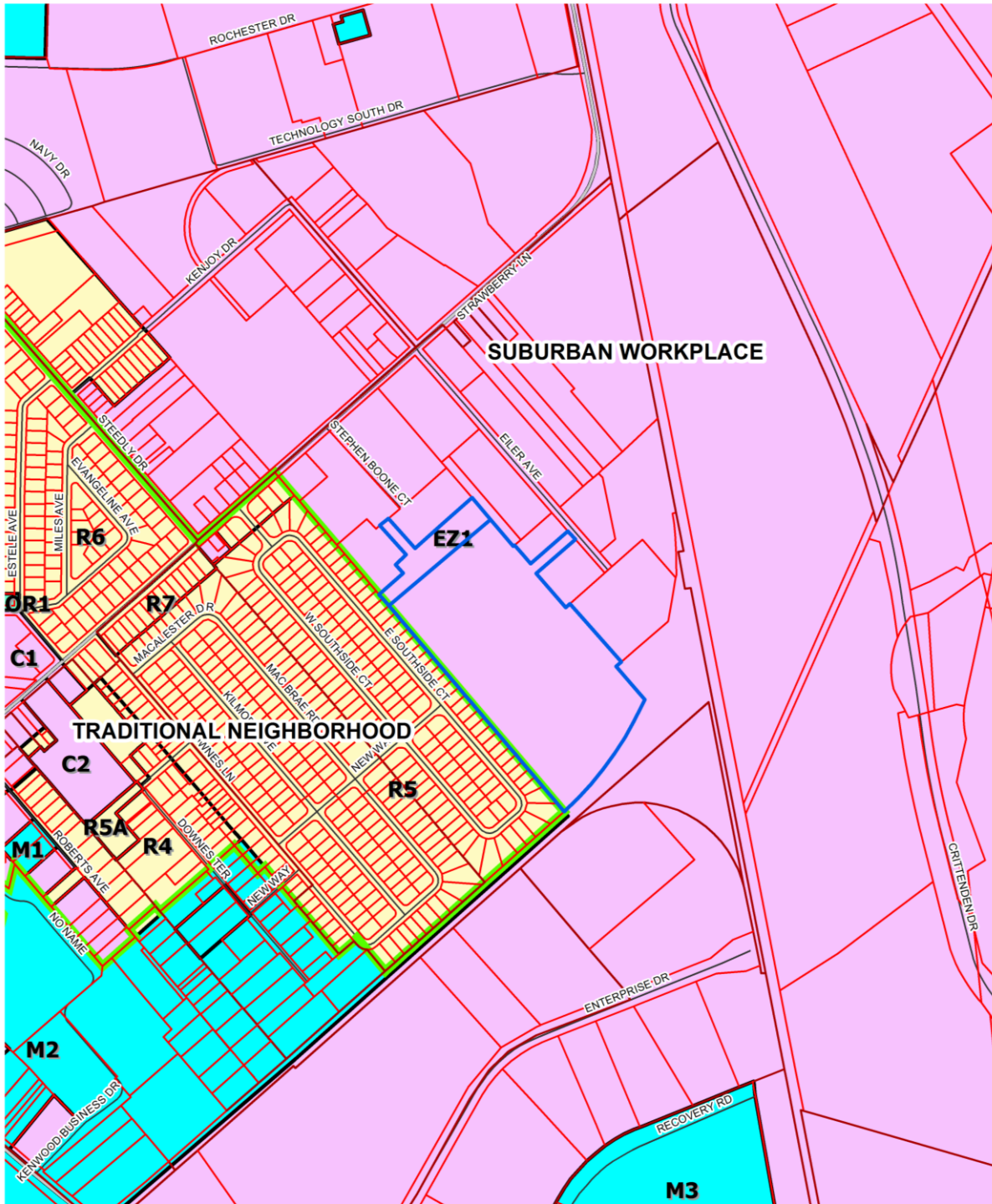
NOTIFICATION

Date	Purpose of Notice	Recipients
5-7-20	Hearing before PC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 21

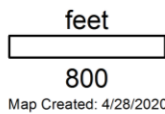
ATTACHMENTS

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

1. **Zoning Map**

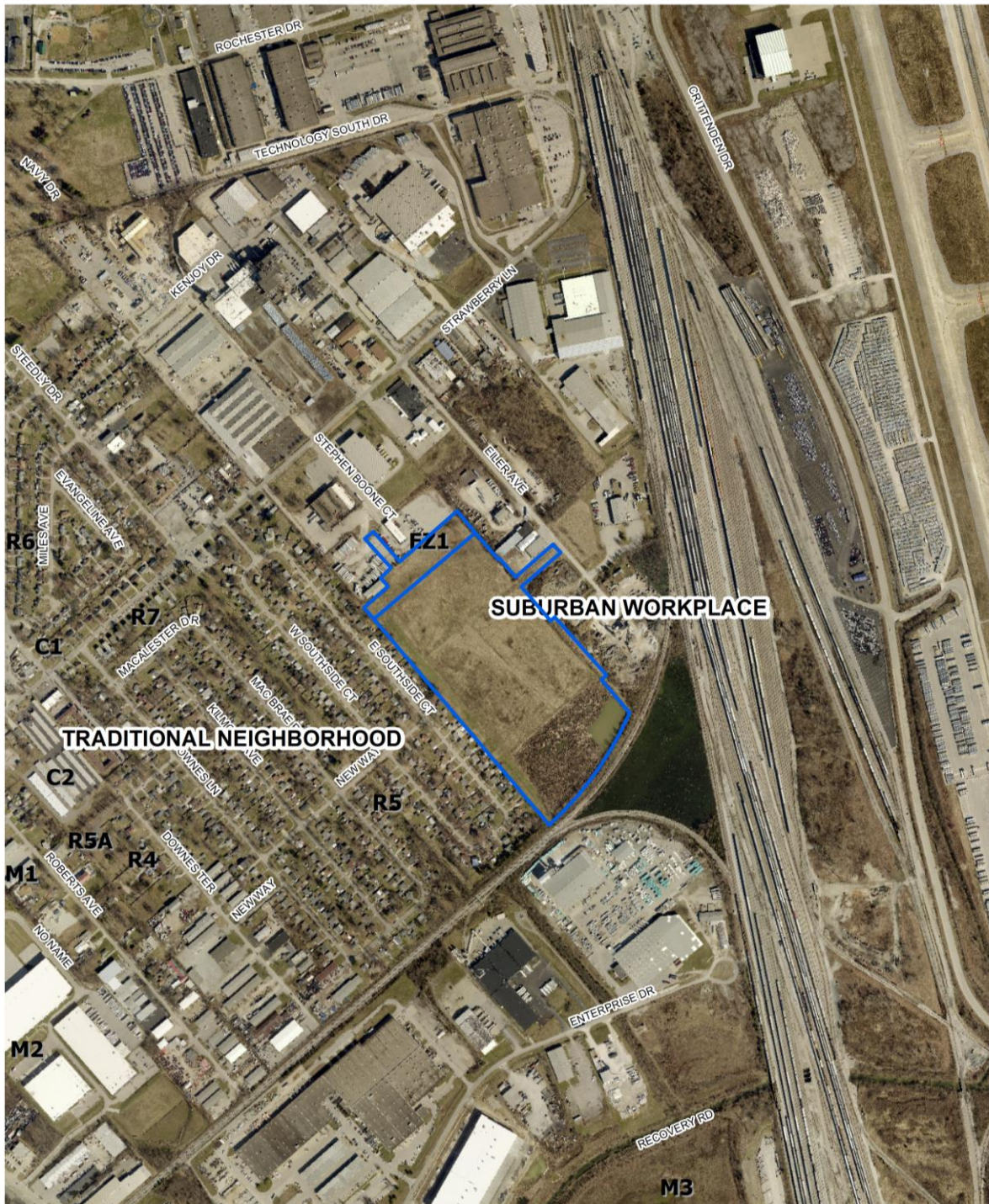


6330 R STRAWBERRY LANE

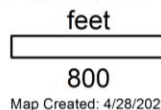


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2. Aerial Photograph



6330 R STRAWBERRY LANE



Map Created: 4/28/2020



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3. Proposed Binding Elements

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. Prior to development (includes clearing and grading) of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed district development plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. Before any permit (including but not limited to building, parking lot, change of use, site disturbance or alteration permit is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. 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.
 - c. A minor subdivision plat or legal instrument shall be recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - d. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the May 7, 2020 Planning Commission meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
6. 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.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
8. 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.