

# Land Development & Transportation Committee

## Staff Report

July 29, 2020



<b>Case No:</b>	20-DDP-0034
<b>Project Name:</b>	Greenbelt Highway Warehouse
<b>Location:</b>	7001 Greenbelt Highway
<b>Owner(s):</b>	Chris Dischinger, Eagle Pointe CD, LLC
<b>Applicant:</b>	Jeff Robinson, Summit Construction
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	1 – Jessica Green
<b>Case Manager:</b>	Lacey Gabbard, AICP, Planner I

### REQUESTS:

#### 1. Revised Detailed District Development Plan

### CASE SUMMARY/BACKGROUND

The subject site is zoned EZ-1 Enterprise Zone in the Suburban Workplace form district. It is located on the east side of Greenbelt Highway, between the intersections of Logistics Drive and Riverport Drive on the opposite side of the street. The applicant is proposing an office warehouse with 12,000 square foot of office space and a total footprint of 314,500 square feet.

The applicant has submitted a plan that revises the currently approved plan, 19DEVPLAN1015, to accommodate two access points as required by the Pleasure Ridge Park Fire District and the Kentucky Transportation Cabinet (KYTC). The southernmost entrance as shown on the proposed plan passes through a Louisville Metro owned parcel that is zoned R-4 Residential Single Family, so a zoning change has been submitted to PDS. The second entrance is proposed to connect to the current terminus of Santa Fe Trail, a stub street in the Hunters Hill Subdivision to the north of the subject site. The access point at Santa Fe Trail will be a gated entrance for emergency access only. Other than the access points and the resulting site data adjustments (such as the square footages of VUA and tree canopy areas), the proposed plan has not changed from the previously approved plan.

Previous cases:

- 16ZONE1072: Change in zoning from R-4 Residential Single Family to EZ-1 Enterprise Zone and a change in form district from Neighborhood to Suburban Workplace and a waiver to not provide the 6' berm along all property lines
- 19DEVPLAN1015: Revised Detailed District Development Plan for a warehouse; included landscape waivers, an Outdoor Amenity Area review, and requests for a sidewalk waiver and pedestrian access waiver (not approved)

### STAFF FINDINGS

The Detailed District Development Plan is adequately justified and meets the standard of review.

## **TECHNICAL REVIEW**

Staff is recommending the addition of two binding elements that refer to the pending zoning change related to the proposed Greenbelt Highway access:

10. Prior to the issuance of a certificate of occupancy for proposed structures indicated on the approved development plan, a change in zoning, detailed district development plan, and landscape plan on property owned by Louisville Metro Government for the proposed access to Greenbelt Highway must be reviewed and approved.
11. A minor subdivision plat or other legal instrument for the proposed access easement shall be reviewed and approved by PDS prior to certificate of occupancy.

16ZONE1072 shows an 18,000 square foot amenity area. The approved plan, 19DEVPLAN1015, met the amenity area requirements of the Land Development Code and the amenity area was approved. The amenity area on the currently proposed plan has not changed.

Public Works and MSD have provided preliminary plan approval.

## **INTERESTED PARTY COMMENTS**

Staff has not received any comments pertaining to this request. A phone call was received from a resident of the subdivision to the north of the subject site, requesting information regarding screening between the two properties and the idling of trucks.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP**

- (a) The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site.

- (b) The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided. Public Works and MSD have provided preliminary approval.

- (c) The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: The proposed Outdoor Amenity Area meets Land Development Code requirements.

- (d) The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- (e) The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks.

- (f) Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Revised Detailed District Development Plan**

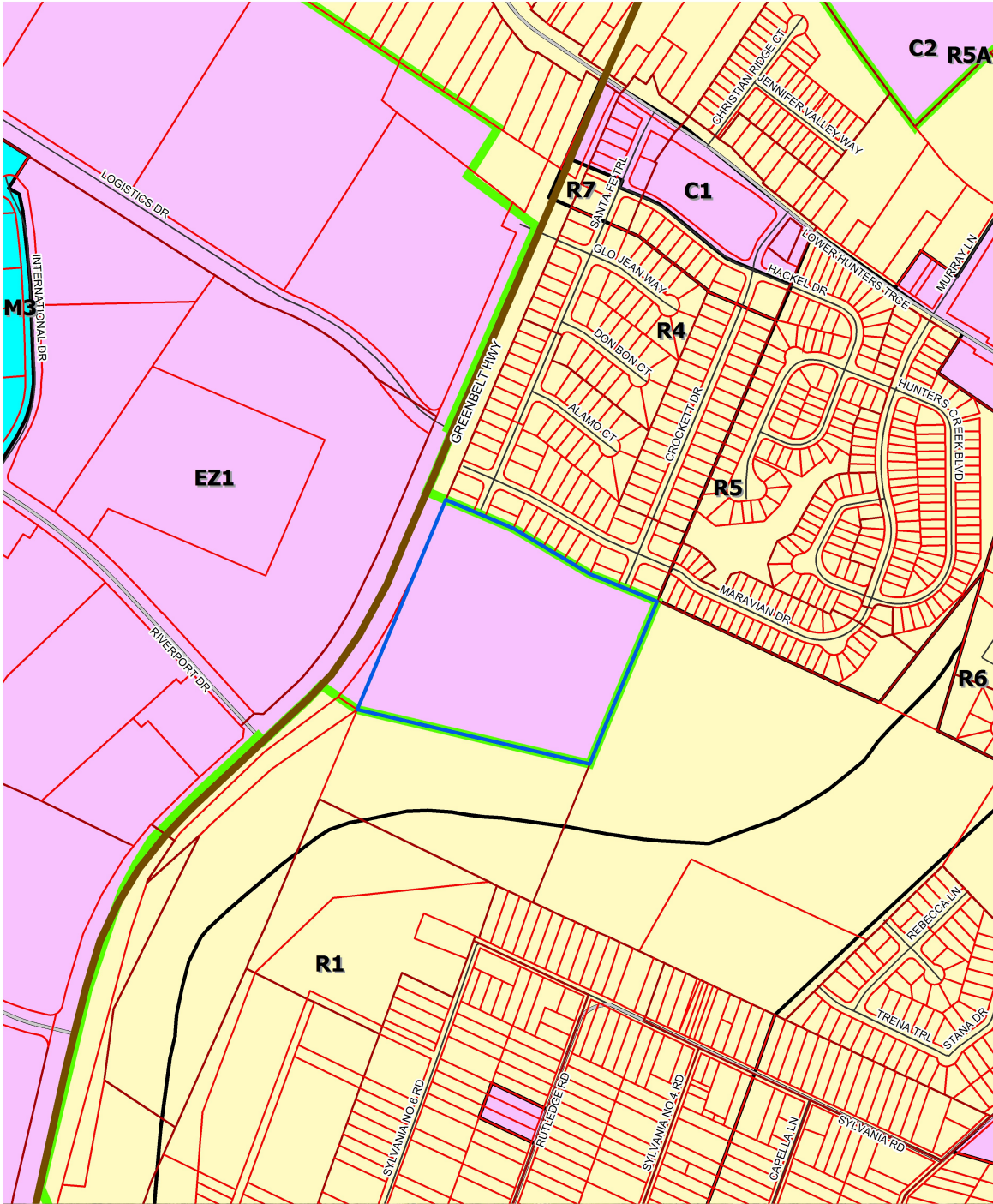
**NOTIFICATION**

Date	Purpose of Notice	Recipients
7-29-20	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 1

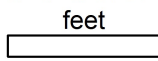
**ATTACHMENTS**

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

1. **Zoning Map**



**7001 GREENBELT HWY**



Map Created: 3/15/2019



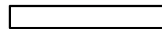
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2. Aerial Photograph



7001 GREENBELT HWY

feet



640

Map Created: 3/15/2019



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### 3. Existing 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.~~
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 within 200 ft. of residential property lines. Signs shall be posted restricting idling and establishing a slow acceleration zone along the northern drive aisle.~~

~~8. The materials and design of proposed structures shall be reviewed for Land Development Code compliance by Planning & Design Services staff prior to construction approval.~~

~~9. Northern access shall not be used for truck traffic between the hours of 10:00p.m. and 6:00a.m.~~

### **3. Proposed Binding Elements**

1. 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.
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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.

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8. The materials and design of proposed structures shall be reviewed for Land Development Code compliance by Planning & Design Services staff prior to construction approval.
9. Northern access shall not be used for truck traffic between the hours of 10:00p.m. and 6:00a.m.
10. Prior to the issuance of a certificate of occupancy for proposed structures indicated on the approved development plan, a change in zoning, detailed district development plan, and landscape plan on property owned by Louisville Metro Government for the proposed access to Greenbelt Highway must be reviewed and approved.
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