

Planning Commission

Staff Report

April 21, 2016



Case No:	16AREA1000
Request:	Area-wide Change in Zoning R-4, C-1, C-2 to EZ-1
Project Name:	Renaissance South Business Park
Location:	Multiple properties within the Renaissance South Business Park
Owner:	Louisville Renaissance Zone Corporation/Others
Applicant:	Louisville Metro Council
Representative:	Greg Ehrhard, Pat Dominick
Jurisdiction:	Louisville Metro
Council District:	13 – Vicki Welch
Case Manager:	Jon E. Crumbie, Planning & Design Coordinator

REQUEST

Area-wide rezoning of 24 parcels from R-4 (Residential Single Family District), and C-1 & C-2 (Commercial Districts) to EZ-1 (Enterprise Zone for 29.5 acres located on the west side of Interstate 65 between Outer Loop (to the north) and Gene Snyder Freeway (to the east)).

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The case is an area-wide rezoning in response to the Louisville Metro Council's Resolution No. 16, Series 2016, adopted on February 11, 2016. The resolution requests that the Planning Commission make a recommendation to Louisville Metro Council on proposed rezoning of a portion of the Louisville Renaissance Zone from R-4, C-1, and C-2 to EZ-1. The subject property includes a total of 23 parcels with an area of 29.5 acres.

The proposed zoning district of EZ-1 (Enterprise Zone) is intended as a specialized district for the location of commercial and industrial uses. It allows all uses permitted in the C-2 (Commercial) and M-3 (Industrial) zones while restricting certain residential uses. No change in form district is needed for the area-wide rezoning request and proposed land uses.

The subject property is part of an area known as the Louisville Renaissance Zone, which was established by the Louisville Metro Council (the "Council") by Ordinance No. 199, Series 2003 to promote aviation and airport-compatible developments. The Louisville Renaissance Zone Corporation was designated as the development agency for the area. In 2004, the Council adopted a November 2003 Pilot Program Preliminary Planning report as a comprehensive redevelopment plan for the Louisville Renaissance Zone that encourages appropriate airport-compatible land uses. However, such land uses are constrained by the existing zoning classifications in portions of the Louisville Renaissance Zone. Efforts to change those zoning classifications began in 2006 with the first Louisville Renaissance Zone area-wide rezoning approved under Case No. 9-52-06 for 142 acres. The second area-wide rezoning for the Louisville Renaissance Zone was completed in 2011 under Case No. 15567 for 595 acres.

The subject property is closely associated with the Minors Lane Relocation program, a massive voluntary relocation project designed to assist area residents to relocate out of this airport noise impact area. Most of the subject property is located in an area with aircraft noise above 65 DNL (average day and night noise level).

The community, primarily through the Louisville Regional Airport Authority, has invested more than 150 million dollars to acquire homes in the area of the subject property and to relocate residents to other areas better suited for residential use. The Minors Lane Relocation program includes 1,064 residences, and most have been relocated out of the area. As former residents of Minor Lane Heights and surrounding areas relocated, the site where those residences once stood is now a large tract of mostly unimproved land.

Federal regulations require that the land acquired through the relocation program be made available for redevelopment after the imposition of restrictions limiting the property to airport-compatible uses. The subject property is requested to be rezoned to permit the productive reuse of the site for airport-compatible uses and to allow the implementation of the public policies promulgated by the Council.

The subject property is located west of Interstate 65 between Outer Loop (to the north) and Gene Snyder Freeway (to the south). To the north of the subject property and across Outer Loop is a large landfill area in the M-3 industrial zoning district. A mobile home park and a vacant land are located to the east with a mixture of EZ-1, R-4 and C-2 zoning districts. To the south of the subject property and across the Gene Snyder Freeway is a large vacant land in the R-4 zoning district. To the west is the industrial/distribution center for the UPS Supply Chain Solutions in the EZ-1 zoning district. Also located to the west of the subject property is the UPS Centennial Hub that was rezoned to EZ-1 in 2006 as part of the first area-wide rezoning. The Centennial Hub and its related infrastructure improvements serve as good examples of what could be developed at the subject property in the future.

The subject property is primarily vacant land with scattered single-family residential use. An elementary school (the Minors Lane Elementary School) is located in the middle of the site and will remain open. Sound proofing of the elementary school was completed with federal funds under the Airport Noise Mitigation Program. The area is relatively flat with a portion of the site located in the 100-year floodplain. To mitigate the impact on the floodplain, a large compensation lake has been constructed at the north end of the site. The lake is planned to be expanded to mitigate additional floodplain areas to be developed in the future.

PREVIOUS CASES ON SITE

A portion of the subject property has previous zoning actions as listed below:

Case No. 9-64-84: Change in zoning from R-4 Residential to R-6 Apartment located at 8915 Minors Lane, known as Holiday Village Subdivision, was denied by the Planning Commission on April 18, 1985, but approved by Jefferson County Fiscal Court on November 26, 1985.

Case No. 9-41-86: Change in zoning from R-4 Residential to C-1 Commercial at 8602 Minors Lane was approved by the Planning Commission on July 17, 1986 and Fiscal Court on September 9, 1986.

Case No. 9-8-88: Change in zoning from C-1 Commercial to C-2 Commercial at 9110 Minors Lane was approved by the Planning Commission on April 7, 1988 and Fiscal Court on May 10, 1988.

Case No. 9-52-06: Change in zoning from R-4 and R-5 Residential to EZ-1 at 8108 Paul Road and Zib Lane was approved by the Planning Commission on November 2, 2006 and Fiscal Court on November 28, 2006.

Case No. 15567: Change in zoning from R-4 & R-5 Residential Single Family, R-6 & R-7 Residential Multi Family, and C-1 & C-2 Commercial to EZ-1 at multiple properties was approved by the Planning Commission on March 24, 2011 and Fiscal Court on May 17, 2011.

INTERESTED PARTY COMMENTS

A neighborhood meeting was held at the Minors Lane Elementary School on March 2, 2016. During the meeting, representatives of the Louisville Renaissance Zone Corporation answered various questions regarding plans for development, and general zoning issues

- Questions were raised regarding the existence of any proposals for specific development at the site, as well as whether a general overall development plan exists for the property. Attendees were informed that, unlike the area-wide rezoning that occurred in 2006, no specific development plan is accompanying this rezoning proposal.
- One attendee asked if this rezoning would change the zoning of her property. That person was advised that her property is not included in the area to be rezoned.
- One attendee who stated he owned real estate in the area on which a commercial business is located asked if his property was included in the area to be rezoned. The attendee was advised that his property is not included in the subject area, but that based on information available via LOJIC, that his property was already zoned C-2.

APPLICABLE PLANS AND POLICIES

The following plans and policies are applicable to the area-wide rezoning:

- Cornerstone 2020
- Land Development Code
- Renaissance Zone South of Louisville International Airport (Pilot Program Tax Increment Financing District within Jefferson County, Pursuant to KRS 65.490 to 65.499) Pilot Program Preliminary Planning, November 2003

STANDARD OF REVIEW FOR REZONING

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

WHEREAS, the Planning Commission finds that the area wide rezoning complies with the applicable guidelines and policies of Cornerstone 2020.

WHEREAS, the Planning Commission finds that the area-wide rezoning request complies with Guideline 1, Community Form. The intent of the Suburban Workplace Form District as the proposed zoning allows industrial and commercial uses. The site's size and proximity to related large-scale industrial uses make it suited for large users in an integrated setting rather than isolated industrial sites.

WHEREAS, the Planning Commission finds that the area-wide rezoning request complies with Guideline 6, Economic Growth and Sustainability. Economic growth in the area makes the subject property a desirable location for workplace district adjacent to the airport. Furthermore, the subject property is restricted to airport-compatible uses pursuant to the Voluntary Relocation program. Residential and other noise sensitive land uses are not compatible with nearby airport use. The area-wide rezoning is an integral part of the continuing expansion of Airport-related industrial uses contemplated for the Louisville Renaissance Zone. This site presents an ideal redevelopment and reinvestment opportunity for converting what is currently mostly unimproved land that is unsuitable for residential or neighborhood-serving commercial purposes into a center of economic productivity in a Suburban Workplace Form District.

Mobility/Transportation: WHEREAS, the Planning Commission finds that the area-wide rezoning request complies with Guideline 7, Mobility/Transportation. The Future development at the subject property will capitalize on the site's proximity to the Airport and prime interstate access, promoting the efficient and timely movement of goods to and from the site.

Livability/Environment: WHEREAS, the Planning Commission finds that the area-wide rezoning request complies with Guideline 8, Livability/Environment. The Minors Lane Relocation program created changes in the character of the area from residential to commercial and industrial uses. The existing single-family and multi-family residential zoning classifications are inappropriate since the area is impacted by airport noise and not suitable for residential use.

WHEREAS, the Planning Commission further finds that based on the reasons stated above, or otherwise stated in the staff report, and as depicted in the maps presented at the Planning Commission public hearing, the area wide rezoning complies with all other Guidelines and Policies of Cornerstone 2020.

WHEREAS, the Planning Commission further finds that the existing zoning classification is inappropriate and the proposed zoning classification is appropriate. The area wide rezoning will ensure that new development will be designed to be compatible with the scale and form of existing development in the area, as well as with the pattern of existing uses.

Relationship to Renaissance Zone South of Louisville International Airport (Pilot Program Tax Increment Financing District within Jefferson County, Pursuant to KRS 65.490 to 65.499) Pilot Program Preliminary Planning, November 2003:

The Pilot Program Preliminary Planning document calls for land to be redeveloped according to an integrated comprehensive plan for industrial uses that capitalize on their proximity to the adjacent economic development assets. The proposed area-wide rezoning responds to this planning document by taking a large area of land that is not suited to its present residential zoning and neighborhood-serving commercial zoning and proposing a zoning district that allows the broadest range of airport-compatible uses.

The existing zoning classification is inappropriate and the proposed classification is appropriate:

The existing single-family residential classification accounts for most of the total area. This residential zoning district is inappropriate since the area is negatively impacted by airport noise and not suitable for residential use.

The proposed zoning district of EZ-1 (Enterprise Zone) is intended as a specialized district for the location of commercial and industrial uses. It allows all uses permitted in the C-2 (Commercial) and M-3 (Industrial) zones. EZ-1 is the most appropriate zoning classification for the subject property. It will permit the broadest range of airport-compatible land uses while restricting residential use.

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:

There have been major changes which have substantially altered the residential character of the area that existed when the property was first zoned R-4, R-5, R-6, R-7, C-1 and C-2. Over the years, the area has experienced major changes in character due to the growth of industry and the result of the voluntary relocation program. The area is no longer residential or neighborhood-serving commercial in nature.

STAFF CONCLUSIONS

The area-wide rezoning request for the 24 parcels with a total of 25.9 acres is valid and complies with the comprehensive plan and the Renaissance Zone Pilot Program Preliminary Planning document. The existing single-family classification is inappropriate since the area is impacted by airport noise and not suitable for residential use. The existing commercial zoning classifications would not fully permit the type of airport-compatible land uses contemplated for the redevelopment of the area. Over the years, the area has experienced major changes in character due to the growth of industry and the result of the voluntary relocation program. The most appropriate zoning classification is EZ-1 Enterprise Zone, which will permit the broadest range of airport-compatible land uses while restricting residential use.

As specific development plans are filed in the future for each of the development areas in the subject property, further environmental, traffic and air quality studies may be required.

Required Actions

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission **RECOMMENDS** to the legislative council of Louisville Metro government that the change in zoning as described in the staff report and maps presented at the Planning Commission public hearing, be **APPROVED or DENIED**

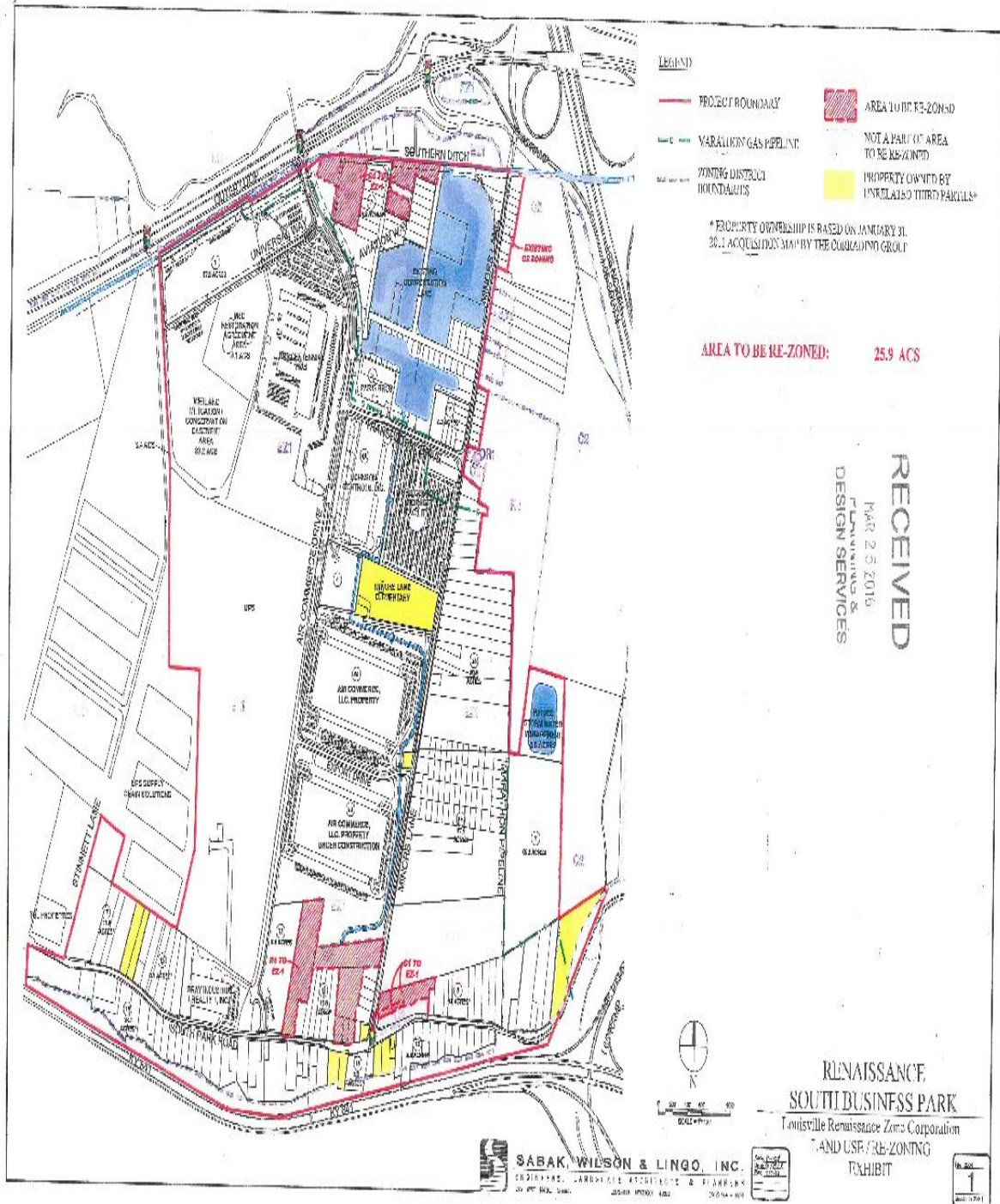
NOTIFICATION

Date	Purpose of Notice	Recipients
03/25/16	Hearing before LD&T on 14/14/16	Affected property owners and 1 st and 2 nd tier adjoining property owners Subscribers of Council District 13 Notification of Development Proposals
03/25/16	Hearing before PC on 14/21/16	Affected property owners and 1 st and 2 nd tier adjoining property owners Subscribers of Council District 13 Notification of Development Proposals

ATTACHMENTS

- 1. Property Map
- 2. Property List

- 1. Property Map



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2. **Property List**

PARCELID	PROPERTY ADDRESS	CURRENT ZONE	PROPOSED ZONE
065800340000	2505 South Park Road	R-4	EZ-1
065801770000	2503 South Park Road	R-4	EZ-1
065801960000	Multiple Addresses	R-4	EZ-1
065800040000	9010 Minors Lane	R-4	EZ-1
065801620000	None	R-4	EZ-1
065801100000	2607 South Park Road	R-4	EZ-1
065801080000	2609 South Park Road	R-4	EZ-1
065801120000	2611 South Park Road	R-4	EZ-1
065901480000	9109 Minors Lane	EZ-1,C-1,C-2	EZ-1
064903420000	8000 Paul Road	R-4	EZ-1
064903390000	8004 Paul Road	R-4	EZ-1
064904450000	None	R-4	EZ-1
064904440000	None	R-4	EZ-1
064904430000	None	R-4	EZ-1
064904420000	None	R-4	EZ-1
064904410000	None	R-4	EZ-1
064904400000	None	R-4	EZ-1
064904390000	None	R-4	EZ-1
064900960000	None	R-4	EZ-1
064902150000	803 Faulkner Lane	R-4	EZ-1
064901870000	8007 Faulkner Lane	R-4	EZ-1
064901860000	8009 Faulkner Lane	R-4	EZ-1
064902250000	8000 Fred Lane	R-4	EZ-1
064904380000	None	R-4	EZ-1