

Land Development and Transportation Committee Staff Report

May 25, 2017



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| Case No: | 17DEVPLAN1049 |
| Request: | Approval of a Category 3 Development Plan and associated Waiver. |
| Project Name: | Renaissance South Business Park |
| Location: | 2501 South Park Road |
| Area: | 40.6 acres |
| Zoning: | EZ-1 |
| Form District: | Suburban Workplace |
| Owner: | C.T. Miller |
| Applicant: | Michael Powers – Molto Properties LLC. |
| Representative: | Patrick Dominik – Sabak, Wilson, and Lingo Inc. |
| Jurisdiction: | Louisville Metro |
| Council District: | 13 – Vicki Aubrey Welch |

REQUEST

- Approval of a Category 3 Development Plan for a proposed 677,160 sf. Warehouse as located within an EZ-1 zoning district in a Suburban Workplace Form District.
- Waiver from LDC Section 5.9.2.A.1.b.i to not provide a clearly defined, safe pedestrian access from the adjacent public right of way as found along South Park Road to the non-residential building entrance.

CASE SUMMARY/SITE CONTEXT

The subject site is located in southern Louisville Metro south/southeast of the Louisville International Airport and north of the Gene Synder Freeway. The applicant is proposing to construct a 677,160 sf. warehouse with 12,690 sf. of office space (50 foot in height) on sixteen EZ-1 zoned parcels within the Suburban Workplace Form District along the northern side of South Park Road, and bounded by Air Commerce Drive to the west, and to the east by Minor Lane. The site, twenty three parcels in total, consist of five parcels with single family residential, three vacant parcels, and 15 public and semi-public parcels. The site is currently a mixture of wooded and grassy areas. The proposed building will have office space located at the four corners of the structure with one entrance/exit door on each face and comprised largely of glass windows (1" insulated glass) with composite metal panel canopies at an approximate height of 28 feet on the eastern and western facing corners of the building. The building façade is comprised of a tilt-up wall panel construction (insulated precast panels) with 16, 4' x 10' windows on the northern and southern wall faces while the eastern and western sides will have the tilt-up wall panel construction with five doors into the warehouse area of the structure. The site has one ingress/egress, 35 feet wide) off of Minor Lane, and three ingresses/egresses off of Air Commerce Drive, two having a 35 foot width and one being 24 foot in width for passenger vehicles.

The proposed site will have a 596,426 sf. vehicular use area (VUA), comprised of both passenger vehicle parking and tractor trailer parking spaces, with two entrances off of Air Commerce Drive and one off of Minor Lane with 35 foot wide ingresses/egresses. The parking requirements have been met for 200 employees (combined 1st and 2nd shift)

with a minimum of 134 parking spaces and/or 400 parking spaces being the maximum allowed, the applicant is showing 337 passenger vehicle parking spaces including 12 ADA parking spaces. The VUA is comprised of 169 parking spaces due west (including 6 ADA spaces), 16 parking spaces on the northwestern corner of the building, 16 parking spaces on the southwestern corner, 101 passenger parking spaces due east of the building (including 6 ADA spaces), 20 parking spaces on the northeastern corner of the building, and 15 parking spaces on the southeastern corner of the building for passenger cars. The VUA has 79 trailer parking spaces due north of the building, 66 tractor trailer loading berths, 2 office loading berths on the east and west sides closest to the offices, and eleven warehouse entrance/exit doors. The development plan shows 43 future parking spaces shown in the northwestern corner of the proposed development along with 15 future parking spaces in the northeastern corner of the development plan, all for passenger parking. South of the proposed building, located in the VUA, there are 77 tractor trailer parking spaces along with 68 tractor trailer loading berths, and two office loading berths at the eastern and western corners of the building, and 10 warehouse entrance/exit doors as shown on the elevations provided. The building has a two five foot wide sidewalks that are found along the eastern and western sides, an approximate length of 822 feet, leading to the entrances on each corner of the structure and to four amenity areas found on the eastern and western sides of the structure and having dimensions of 605 sf. for the northeastern and northwestern amenity areas and 608 sf. for the amenity areas found on the southeastern and southwestern side of the structure abutting the VUA, totaling 2,426 sf. or approximately 19% of the proposed office area as found in the proposed structure exceeding LDC Section 5.12.2 requirements per case no. 16AMEND1003 and passed by the Planning Commission on Feb. 4, 2016 and Metro Council on April 27, 2017 and adopted as Ordinance No. 076, Series 2017. The applicant has met the bicycle parking requirements indicating that they will provide 10 bicycle parking spaces, 2 short term and 8 long term spaces.

The development plan indicates that interior landscaping area (ILA) requirements will be exceeded with (required: 9,415 sf./7.5% of the VUA = 125,527 sf.) 41,981 sf. or 33% of the total VUA area to be provided and 32 trees to be planted. The tree canopy calculations indicate that 428,617 sf. (24% of the gross site area = 1,767,321 sf or 40.6 acres) of the subject site currently has trees. The applicant has proposed to provide the required 20% tree canopy requirement of the total site area and will provide 354,000 sf. of tree canopy. The proposed 354,000 sf. (20% of the total site area) of tree canopy will consist of 252,210 sf. of existing tree cover and be comprised of 208 three inch caliper Type "A" trees (two separate mature crown sizes) totaling 214,800 sf. and 145 nine foot high Type "A" trees totaling 139,200 sf.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

| | Land Use | Zoning | Form District |
|--------------------------------------|--|--------|--------------------|
| <i>Subject Property</i> | | | |
| Existing | Vacant | EZ-1 | Suburban Workplace |
| Proposed | Office/Warehouse | EZ-1 | Suburban Workplace |
| <i>Surrounding Properties</i> | | | |
| North | Public and Semi-Public | EZ-1 | Suburban Workplace |
| South | Public and Semi-Public/Single Family Residential/Commercial | EZ-1 | Suburban Workplace |
| East | Vacant/Single Family Residential/Industrial | EZ-1 | Suburban Workplace |
| West | Public and Semi-Public/Commercial - City of South Park View (6 th Class City) | EZ-1 | Suburban Workplace |

PREVIOUS CASES ON SITE

- 15MINORPLAT1071 – Creation of two tracts and dedication of Right of Way along South Park Road. Unapproved or open currently.
- 16MINORPLAT1086 – creation of two lots from 1 on an EZ-1 zoned parcel located on 44.898 acres. Unapproved or open currently.
- 15MISC1024 – Renaissance South Business Park Lot 5B – World Logistics Center South. This case is currently open and file cannot be located in library or in eBWeb.
- 14DEVPLAN1117 – Cat 3 with two waivers. 621,920 sf., 46 foot tall warehouse on tract 5 at the Renaissance South Business Park, 511 parking spaces, and a waiver of the amenity area and pedestrian connection from Minor Lane. Both waivers and the Cat 3 proposal were approved by the Development Review Committee (DRC) on Oct. 15, 2014. (North of subject Site)
- 15DEVPLAN1100 – Cat 3 plan to construct a 645,840 sf. warehouse in EZ-1 with waivers to eliminate a pedestrian connection and reduce the outdoor amenity area including an alternative tree canopy compliance request on 44.9 acres. (North of Subject Site)
- 16SUBDIV1001 – Renaissance South Section 3, A record plat to allow the creation of two tracts bounded by the western edge of Air Commerce Drive and South Park Road being the southern bounding, case was withdrawn.
- 16AREA1000 – Area wide rezoning III, rezoning 23 parcels from R-4, C-1, and C-2 to EZ-1 on Air Commerce Drive located on 25.9 acres. Approved by the planning commission on April 21, 2016 and adopted by Ordinance No. 84, Series 2016 on June 9, 2016.
- 16RECORDPLAT1003 – Major Subdivision record plat for proposed Renaissance South Business Park (same as cases 15MINORPLAT1071 and 16SUBDIV1001). Case was closed on 8/11/2017 and has an unpaid balance of \$415.00 USD as shown in Hansen.
- 15SUBDIV1009 – Creation of 3 new lots on 24.3 acres, The Land Development and Transportation Committee approved the case on August 13, 2015.

INTERESTED PARTY COMMENTS

- No interested party comments have been received by staff to date.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code (May 2017)

TECHNICAL REVIEW

- Applicant currently has 23 parcels which do not have a consolidated deed.
- Applicant has asked that “flexibility in parking be provided due to the variability in future parking needs. Final parking provided at the time of construction will fall within the minimum and

maximum parking requirements of LDC Chapter 9. Current parking as provided (not including future parking as shown on the development plan) is within the requirements.

- Applicant will dedicate a 40 foot right of way along the north side of South Park Road frontage this would need to be performed via a deed or minor plat.
- The perennial pond and hydric soils as found on the subject site are being reviewed by the owner, Louisville Renaissance Zone Corporation, in conjunction with the Army Corps of Engineers (USACE) and the Kentucky State Department of Water (DOW) to permit the affected portions of property under a Phase 2 permit issued on January 25, 2013 (LRL-2011-52-mdh. A Phase 4 permit for the balance of the subject property has been applied for with the USACE and DOW which is currently pending approval, as referenced by permit LRL-2016-435. The applicant has stated that no disturbance to jurisdictional streams, ponds, or wetlands can occur until the permit is issued. Please see the applicant comments on Memorandum dated April 28, 2017 on the second page in the Committee packet.
- Per Ordinance No. 076, Series 2017, the applicant has provided 2,426 sf. of amenity area which exceeds the 10% minimum of the total office square footage as shown on the development plan.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of section 5.9.2.A.1.b.i. to not provide a pedestrian access from South Park Road to the non-residential building entrance, as shown on the development plan:

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: No. This waiver is interior to the site and will have no bearing on adjacent property owners. Sidewalk connections are provided at appropriate locations at the building comers that serve employees and visitors. Perimeter sidewalks in the public right-of-way exist or will be provided along Minor Lane, South Park Road, and Air Commerce Drive, so perimeter access for adjoining properties is accommodated.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: No. Sidewalk connectivity to the public rights-of-way of Minor Lane and Air Commerce Drive are provided in 4 separate locations which serve the office locations within the building. These connections will also serve vehicular parking areas for visitors and employees. Providing a sidewalk through heavy truck traffic, loading, and trailer storage areas to South Park Road would present a pedestrian safety problem if connected to South Park Road. Therefore, granting this waiver would not violate the Comprehensive Plan.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF: Yes. As previously stated, 4 connections are proposed at comer office locations, which serve as the primary access for pedestrians to the building. Existing sidewalks, or new sidewalks, are provided along all perimeter public rights-of-way to Minor Lane, South Park Road, and Air Commerce Drive. The waiver request is solely to not provide the sidewalk connection to South Park Road and represents the minimum relief necessary for the applicant.

- (d) Either:
 (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
 (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The applicant is providing 4 connections to the public sidewalk in Minor Lane and Air Commerce Drive that meets the requirements of the regulation. In addition, public sidewalks exist or will be provided along all perimeter public sidewalks on Minor Lane, Air Commerce Drive, and South Park Road. These design measures meet and exceed the requirements of the regulation and compensate for non-compliance for the portion of required walk to South Park Road. In addition, a pedestrian sidewalk through a truck loading, maneuvering, and trailer storage area would create an unsafe condition.

Finally, the applicant anticipates considerable grade/elevation change - approx. 15 feet - between the building entry and the sidewalk on South Park Road, making ADA compliance difficult to achieve. As a result, the strict application of this regulation would represent an unnecessary hardship on the applicant.

STAFF CONCLUSIONS

The proposed category 3 development plan and associated waiver from LDC Section 5.9.2.A.1.b.i appears to be adequately justified based on staff analysis in the staff report. Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC Sections 5.5 through 5.12, excluding LDC section 5.6 for the proposed Category 3 Development plan located at 2501 South Park Road (primary address).

REQUIRED ACTION

APPROVE or DENY the Category 3 Development Plan as located at 2501 South Park Road for a proposed 664,200 sf. warehouse with 12,960 sf. of office space having vehicular use area (VUA) of 596,426 sf. comprised of 125,527 sf. of passenger parking and 470,899 sf. of loading area VUA.

APPROVE or DENY the general waiver from LDC Section 5.9.2.A.1.b.i to not provide a clearly defined, safe pedestrian access from the adjacent public right of way, South Park Road, through the off-street parking area to a non-residential building.

Condition of Approval: deed of consolidation for the twenty three parcels on the subject site/s and a request for the applicant to provide a consolidated deed to Planning and Design Services for the case file.

NOTIFICATION

| Date | Purpose of Notice | Recipients |
|--------------|---------------------|--|
| May 25, 2017 | Hearing before LD&T | 1 st tier adjoining property owners Subscribers of Council District 13 Notification of Development Proposals |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

