

Development Review Committee

Staff Report

September 16, 2015



Case No:	15DEVPLAN1123
Request:	Revised Detailed District Development Plan
Project Name:	Old Henry Crossing Lot 11C & D
Location:	2101 Highwickham Place
Owner:	OREO 2 LLC
Applicant:	OREO 2 LLC
Representative:	Stites & Harbinson PLLC Sabak, Wilson & Lingo Inc.
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
Case Manager:	Christopher Brown, Planner II

REQUEST

- Revised Detailed District Development Plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

Existing Zoning District: CM, Commercial Manufacturing
 Existing Form District: N, Neighborhood
 Existing Use: Vacant
 Proposed Use: Office
 Parking Spaces Proposed: 481
 Plan Certain Docket #: 9-99-98

The applicant is proposing to increase the footprint and square footage of Building Five by 21% to allow a total square footage of 35,348 SF. The revisions to the previously approved plan meet all Land Development Code requirements. The building architecture follows the standards set forth in the original pattern book.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	C-M	N
Proposed	Office	C-M	N
Surrounding Properties			
North	Office and vacant	C-M & C-1	N
South	Elementary school	R-4	N
East	Single family residential	R-4	N
West	Quarry lake	M-3	SW

PREVIOUS CASES ON SITE

9-99-98: Approval of a change in zoning from R-4 to R-5A, R-6, OR-3, C-1, C-2, and C-M, as well as the General District Development Plan.

- 14DEVPLAN1127: Detailed District Development Plan was approved by LD&T for three office buildings located on Lot 11C & D.
- 14VARIANCE1088: Variances were approved by the Board of Zoning Adjustments to allow two of the three office buildings to exceed the maximum setback.

INTERESTED PARTY COMMENTS

Staff has not received any communication from interested parties.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and AMENDMENT TO BINDING ELEMENTS

- 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 does 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 will be provided. Transportation Planning Review has approved the preliminary development plan.

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

STAFF: Provisions of sufficient open space will be provided.

- 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 provisions 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.

- 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.

TECHNICAL REVIEW

- There are no outstanding technical review comments that need to be addressed.

STAFF CONCLUSIONS

The standard of review has been met for the revised detailed district development plan. 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 for approving the RDDDP.

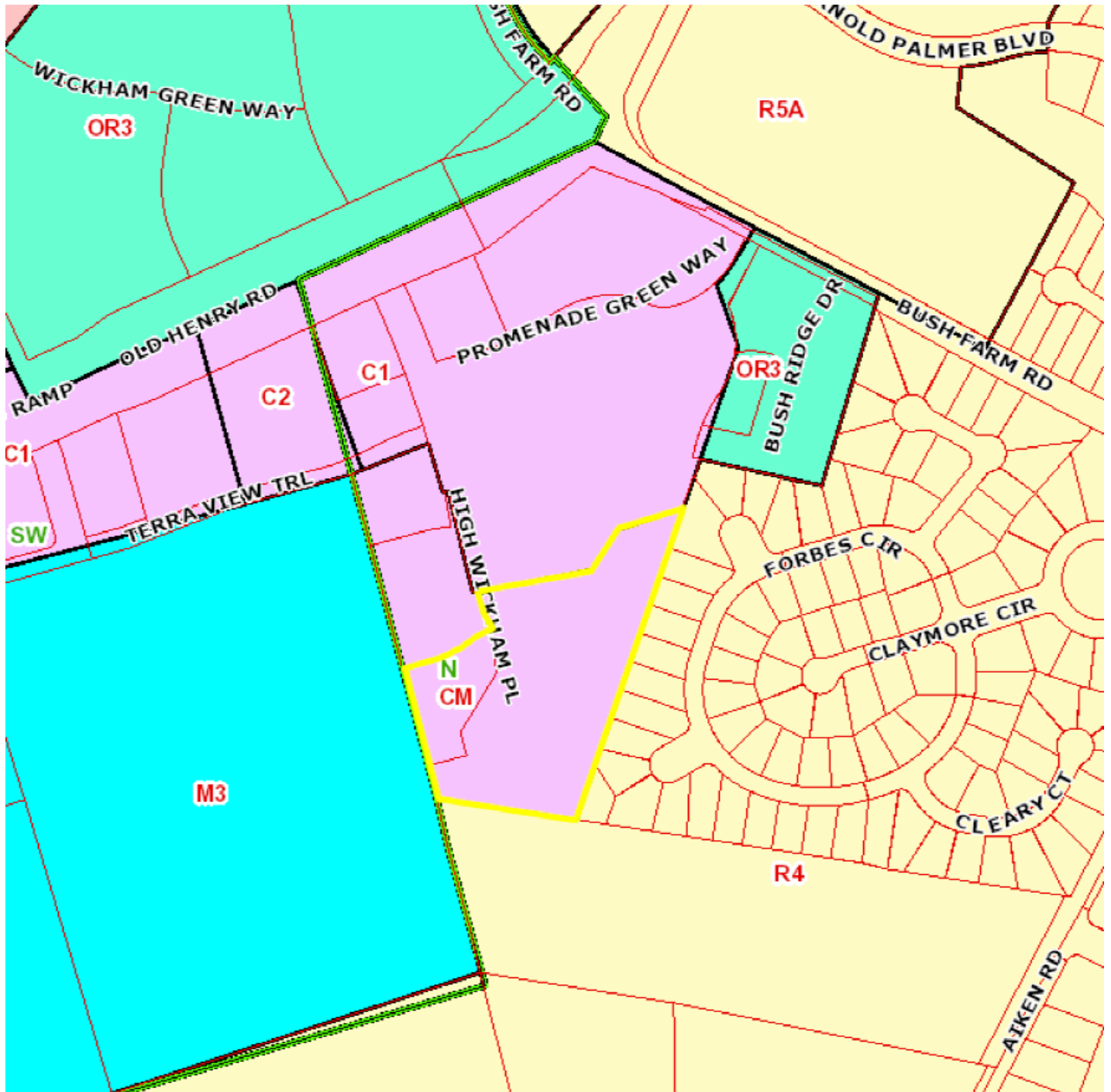
NOTIFICATION

Date	Purpose of Notice	Recipients
9/3/15	Hearing before DRC	1 st tier adjoining property owners Registered parties within Council District 19

ATTACHMENTS

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

1. Zoning Map



2. Aerial



3. Existing Binding Elements

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
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 (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The appropriate variances shall be obtained from the Board of Zoning Adjustment to allow the development as shown on the approved district development plan.
 - 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 Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - d. A reciprocal access and crossover easement and shared parking agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - e. 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.
 - f. An update to the Traffic Impact Study completed in March 2007 shall be provided to Planning and Design Services in a form acceptable to Transportation Planning Review.
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 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.

7. The materials and design of proposed structures shall be substantially the same as depicted in the renderings as presented at the October 23, 2014 Development Review Committee meeting.
8. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90-degree cutoff and height of the light standard shall be set so that no light source is visible off-site.
9. Building Four on Lot D of the approved district development plan shall not be permitted an increase in maximum height of one-story, unless it meets at least two of the design criteria listed under Building Design Criteria within Appendix 5A of the Land Development Code.

4. Proposed Binding Elements

4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro **Develop Louisville Office of Construction Review, Louisville Metro Public Works Transportation Planning** and the Metropolitan Sewer District.
7. The materials and design of proposed structures shall be substantially the same as depicted in the renderings as presented at the ~~October 23, 2014~~ **September 16th, 2015** Development Review Committee meeting.