

Development Review Committee

Staff Report

June 18, 2014



Case No:	14DEVPLAN1058
Request:	Revised Detailed District Development Plan and Binding Elements
Project Name:	Bridgeman Foods
Location:	3309 Collins Ln.
Owner:	JR Real Estate, LLC
Applicant:	JR Real Estate, LLC
Representative:	Blomquist Design Group, LLC
Jurisdiction:	Louisville Metro
Council District:	17 – Glen Stuckel
Case Manager:	David B. Wagner – Planner II

REQUEST

- Revised Detailed District Development Plan
- Binding Elements

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant is proposing a 14,000 SF expansion to the existing office building which will be used as a warehouse. A second entrance will be added for the warehouse addition that will allow direct access to Chamberlain Crossing Drive. A 5' sidewalk is proposed along Chamberlain Lane and pedestrian sidewalk connections from Collins Lane and Chamberlain Lane to the office building entrance will be added as well.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	College	PEC	SW
Proposed	Office/Warehouse	PEC	SW
Surrounding Properties			
North	Manufacturing/Vacant	PEC	SW
South	Retail	CM	SW
East	Manufacturing/Vacant	PEC	SW
West	Single Family Residential	R-4	SW

PREVIOUS CASES ON SITE

- 13143: Re-zoning from R-4 to PEC and Detailed District Development Plan for a business school

INTERESTED PARTY COMMENTS

- Staff received an inquiry from David Ryan (3216 Collins Lane) and answered general questions.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP AND 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: The proposal maintains most of the landscaping that currently exists on the site. The applicant will have to obtain approval of a revised landscape plan as well.

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

STAFF: The applicant is providing additional sidewalks along Chamberlain Lane and pedestrian sidewalk connections from the public rights-of-way to the office building entrance. An access drive to Chamberlain Crossing Drive will be provided as well for the warehouse addition. In view of these improvements, safe and efficient vehicular and pedestrian transportation will be provided.

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

STAFF: Open space is not required for this proposal.

- 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: MSD has approved the drainage facilities for the site.

- 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 proposal is compatible with the surrounding area as the warehouse addition faces existing industrial development or planned industrial development. It re-uses existing buildings, parking, and infrastructure while providing additional pedestrian and vehicular access improvements. Therefore, the development is compatible with surrounding development.

- 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 proposal conforms to the Comprehensive Plan and Land Development Code.

TECHNICAL REVIEW

- The proposal complies with the requirements of the LDC.

STAFF CONCLUSIONS

The proposal is compatible with the surrounding area as the warehouse addition faces existing industrial development or planned industrial development. It re-uses existing buildings, parking, and infrastructure while providing additional pedestrian and vehicular access improvements.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must **APPROVE** or **DENY** the proposal for a Revised Detailed District Development Plan and Binding Elements.

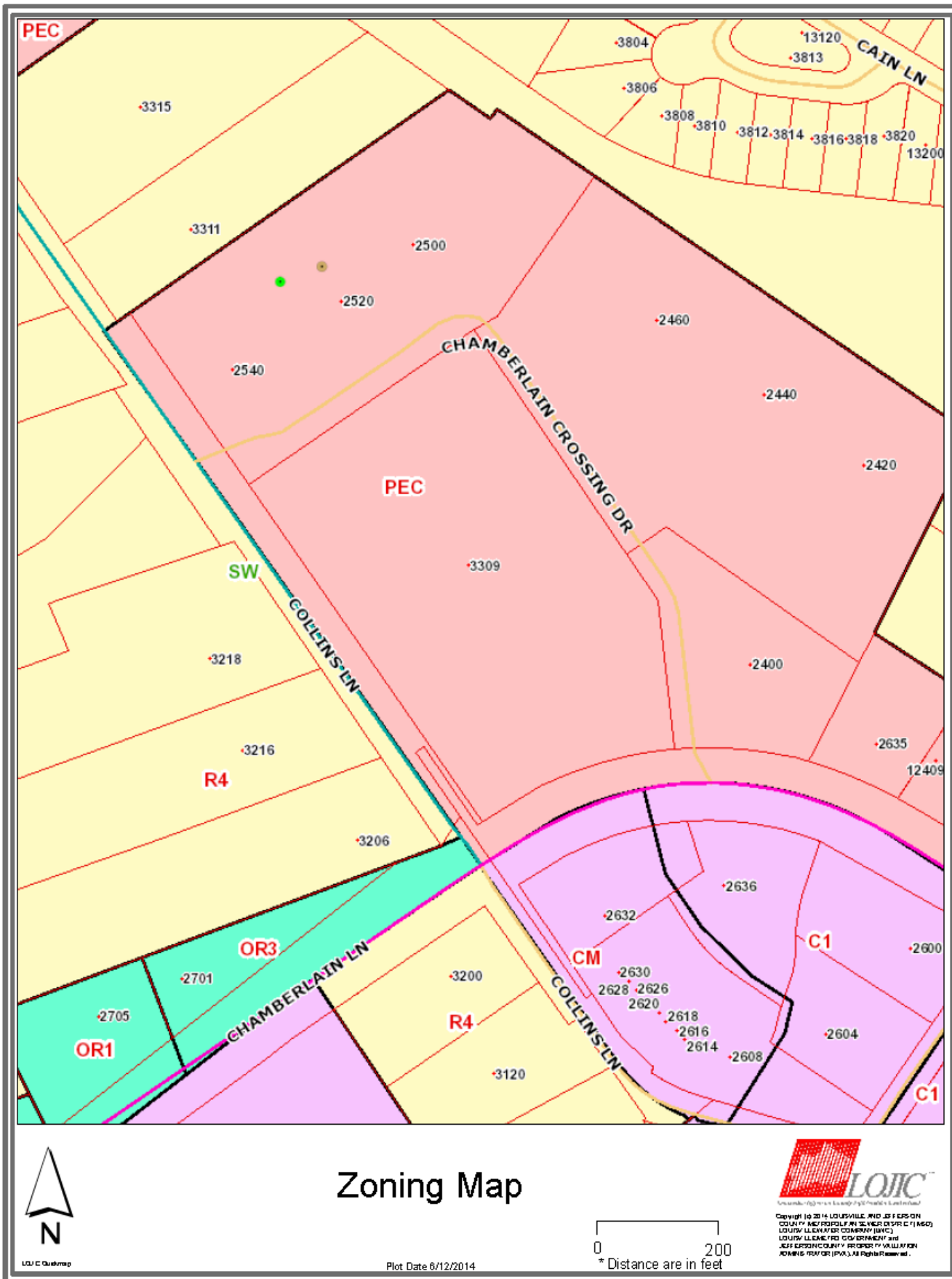
NOTIFICATION

Date	Purpose of Notice	Recipients
6/6/14	Meeting before DRC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Subscribers to Council District 17 Notification of Development Proposals

ATTACHMENTS

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

1. **Zoning Map**



2. Aerial Photograph



3. Existing 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. The development shall not exceed **32,805** square feet of gross floor area.
3. Signs shall be in accordance with Chapter 8 or as presented at the public hearing (**70** sq. ft. in area and **15** ft. tall).
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 Department of Inspections, Permits and Licenses, 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.
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 property shall not be used for a use included in the PEC zoning district solely through its inclusion as a permitted use in the M-2 zoning district until such change in use has been reviewed and approved by the Planning Commission or authorized committee thereof in a public meeting noticed in accordance with the Planning Commission's policies in effect at the time of the proposed change in use. Any such review shall be to determine compliance with the standards for Revised Detailed District Development Plans in effect at the time of the review.

4. 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. 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.
3. 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 Department of Inspections, Permits and Licenses, 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 reciprocal access and crossover easement 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 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. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
4. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
 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 property shall not be used for a use included in the PEC zoning district solely through its inclusion as a permitted use in the M-2 zoning district until such change in use has been reviewed and approved by the Planning Commission or authorized committee thereof in a public meeting noticed in accordance with the Planning Commission's policies in effect at the time of the proposed change in use. Any such review shall be to determine compliance with the standards for Revised Detailed District Development Plans in effect at the time of the review.
 7. 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.