

# Land Development & Transportation Staff Report

July 12, 2018



<b>Case No:</b>	17DEVPLAN1089
<b>Project Name:</b>	ABEL Office
<b>Location:</b>	2401 Stanley Gault Parkway
<b>Owner(s):</b>	Sebring Eastpoint Properties, LLC
<b>Applicant:</b>	ABEL Construction
<b>Representative(s):</b>	AL Engineering, Inc – Alex Rosenberg
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	19 – Julie Denton
<b>Case Manager:</b>	Joel P. Dock, Planner II

## REQUEST(S)

- **Revised Detailed District Development Plan**

## CASE SUMMARY

A 34,000 square foot expansion is proposed to a 1-story, 56,500 square foot indoor athletic complex. The expansion will allow for the occupancy of the space for a new office tenant and warehousing space for this tenant. The athletic complex use will not be expanded.

## Associated Cases

- 9-5-89: Change in zoning to PEC for Eastpoint Business Center
- 9-5-89 (subject site): DDDP (approved October, 2006); RDDDP (approved November, 2006)

## STAFF FINDING

The revised detailed district development plan appears to be adequately justified and meets the standard of review based on staff analysis in the staff report. The applicant will need to finalize preliminary plans with MSD prior to final stamp and approval.

## STANDARD OF REVIEW AND STAFF ANALYSIS FOR REVISED DETAILED DISTRICT DEVELOPMENT PLAN

- 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 proposed improvements do not adversely impact natural resources. No construction activities will occur with the 25' MSD regulatory buffer of the intermittent stream without consent.

- 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 are provided as pedestrian connections and adequate parking have been provided.

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

STAFF: Open space is not a requirement of this project. Landscaping will be provided as required.

- 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 will approve 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 that contains a mix of employment opportunities and a variety of industrial uses.

- 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 the requirements of the Land Development Code as this non-residential use is located within an existing activity center in a manner compatible with surrounding uses.

## **REQUIRED ACTIONS**

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

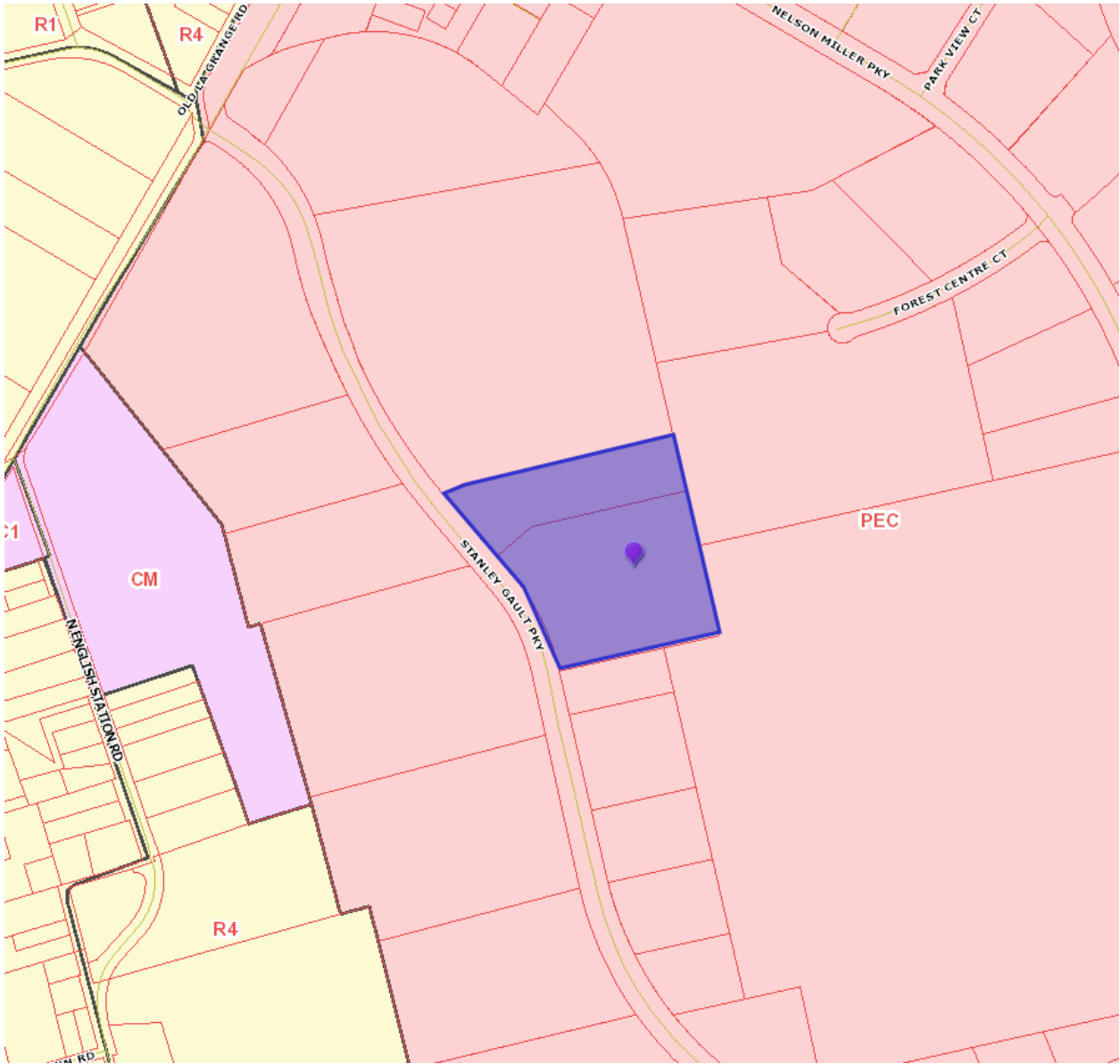
## **NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
<b>6/29/18</b>	Hearing before LD&T	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 19

## **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**

**All binding elements from the approved General Development Plan (9-5-89) 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. The location, size and height of any freestanding sign shall be submitted to DPDS staff for review and approval.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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 Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
6. 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.
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.

The materials and design of proposed structure shall be substantially the same as depicted in the rendering as presented at the October 11, 2006 Development Review Committee meeting.

#### 4. Proposed Binding Elements

**All binding elements from the approved General Development Plan (9-5-89) 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.
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  - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
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contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

8. The materials and design of proposed structure shall be substantially the same as depicted in the rendering as presented at the October 11, 2006 Development Review Committee meeting **and July 12, 2018 Land Development & Transportation Committee meeting.**