

Development Review Committee

Staff Report

May 6, 2015



Case No:	15DEVPLAN1032
Request:	Revised Detailed District Development Plan and Binding Elements
Project Name:	Riverport Building 4 Expansion
Location:	10650 Freeport Dr. & 7101-7111 Trade Port Dr.
Owner:	Louisville/Jefferson County Riverport
Applicant:	Prologis Management, LLC
Representative:	Mindel, Scott & Associates, Inc.
Jurisdiction:	Louisville Metro
Council District:	12 – Rick Blackwell
Case Manager:	David B. Wagner – Planner II

REQUEST

- Revised Detailed District Development Plan
- Binding Elements

CASE SUMMARY/BACKGROUND/SITE CONTEXT

This request is to add an 88,400 SF addition to the existing 332,000 SF industrial warehouse building. Both lots will be consolidated into one and parking spaces have been added to provide for the increase in employees. There will be a third access to Trade Port Drive while the single access point along Freeport Drive will be utilized for vehicular traffic. The plan notes the provision of the required 15' VUA LBA along both streets and renderings have been provided which will match the existing building's design.

Existing Zoning District: EZ-1, Enterprise Zone
Proposed Zoning District: N/A
Form District: Suburban Workplace
Existing Use: Industrial Warehouse
Proposed Use: Industrial Warehouse
Minimum Parking Spaces Required: 333
Maximum Parking Spaces Allowed: 500
Parking Spaces Proposed: 489

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Industrial Warehouse	EZ-1	SW
Proposed	Industrial Warehouse	N/A	N/A
Surrounding Properties			
North	Industrial Warehouse	EZ-1	SW
South	Industrial Warehouse	EZ-1	SW
East	Industrial Warehouse	EZ-1	SW
West	Vacant	R-1	SW

PREVIOUS CASES ON SITE

- 9-58-96: Rezoning from R-1 to EZ-1 for warehouse and commercial uses in the Riverport Development and a Detailed District Development Plan several years later for the current use

INTERESTED PARTY COMMENTS

- Staff has not received any inquiries from interested parties.

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 conserves as many natural resources as possible that currently exist on the site while still allowing the development.

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

STAFF: Safe and efficient vehicular and pedestrian transportation is provided by the sidewalks and vehicular access to the public road network through the entrances provided on the site.

- 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 existing warehouse development in this area. The only change is the expansion of the building, at the east end of the site, which faces other similar uses in the industrial park. There are additions to the parking and ILA which all comply with the LDC requirements. The plan is also incorporating the full 15' VUA LBA along the streets.

- 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: This development conforms to the intent of the Suburban Workplace Form District and the Comprehensive Plan as it would continue the pattern of warehouse development within an established industrial park. The required landscaping along both streets will be provided and the design of the addition will match the existing building on the site. Adequate vehicular, pedestrian, and bicycle access is provided through the public right-of-way network and existing infrastructure will be utilized for this development. This proposal is appropriately located as it lies at the corner of a minor arterial and local level roadway.

TECHNICAL REVIEW

- The proposal complies with the requirements of the LDC.
- MSD and Transportation Review have given preliminary approval for the plan.

STAFF CONCLUSIONS

Revised Detailed District Development Plan and Binding Elements

Staff analysis in the standard of review section of the staff report indicates the proposed RDDDP and Binding Elements are justified.

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 for granting a RDDDP and Binding Elements established in the Land Development Code.

Required Actions

- 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 Revised Detailed District Development Plan and Binding Elements listed in the staff report.

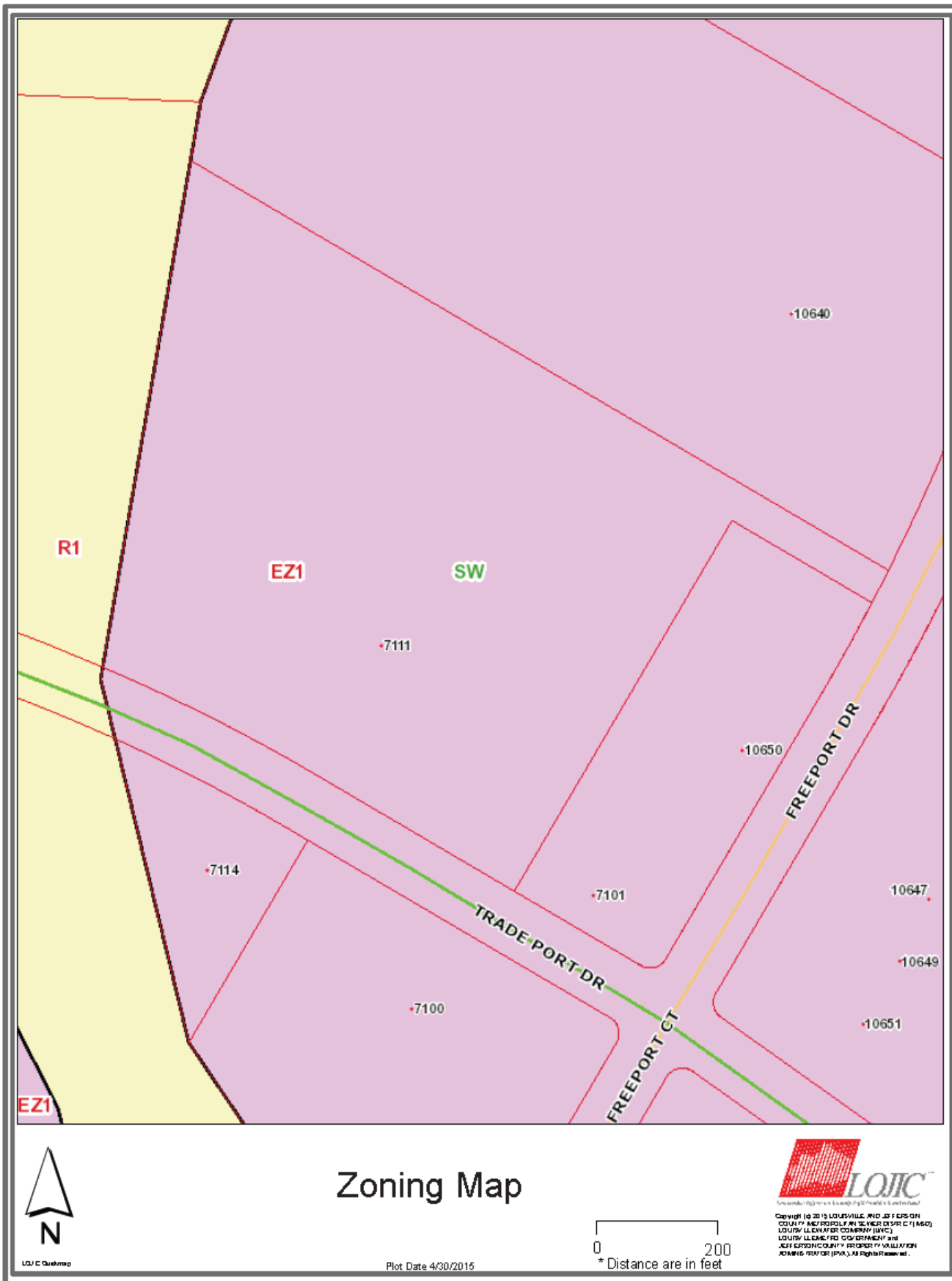
NOTIFICATION

Date	Purpose of Notice	Recipients
4/23/15	Meeting before DRC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Subscribers to Council District 12 Notification of Development Proposals

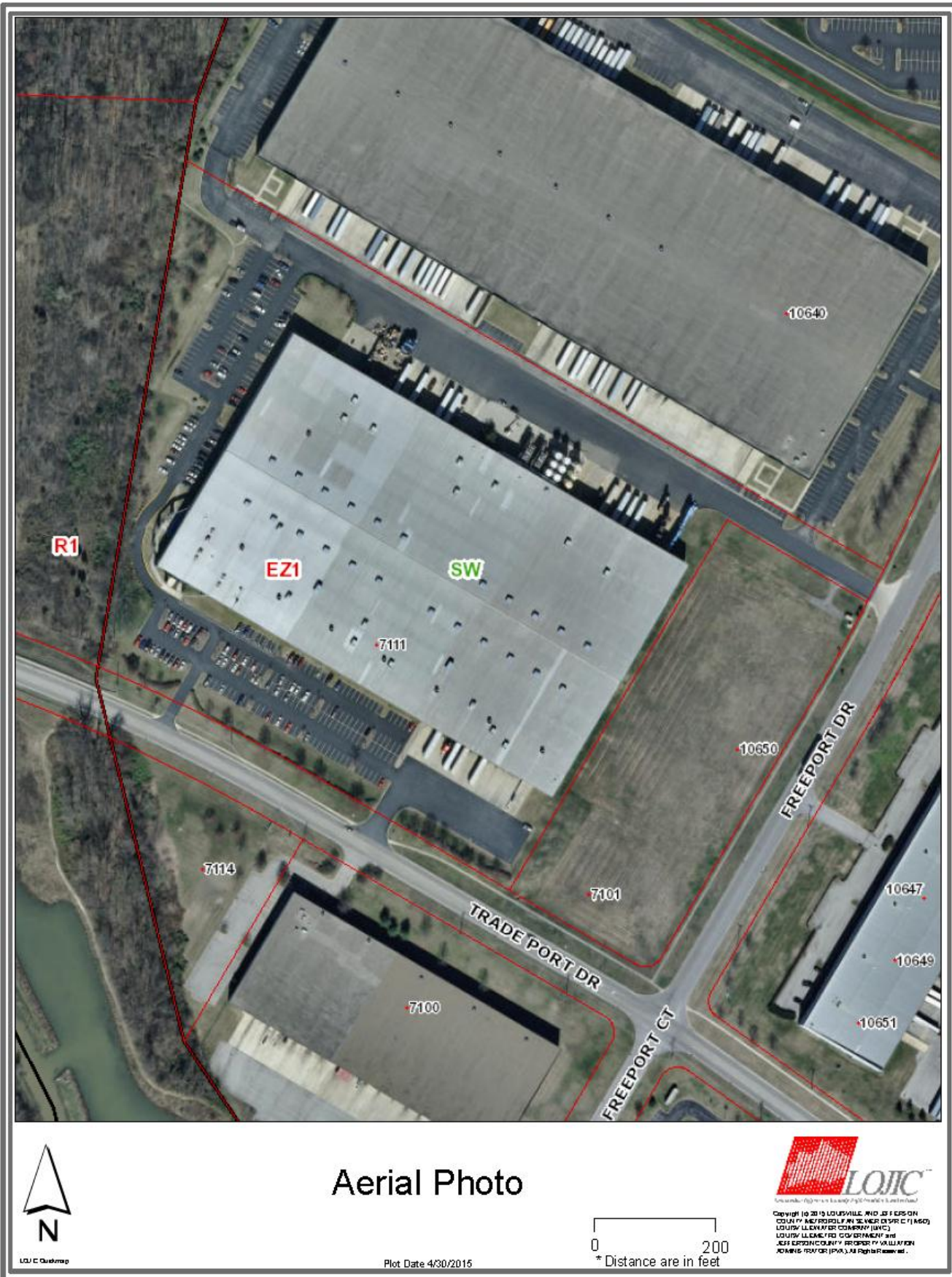
ATTACHMENTS

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

1. **Zoning Map**



2. Aerial Photograph



3. Existing Binding Elements

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

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission except for land uses permitted in the established zoning district.
2. The development shall not exceed 332,000 square feet of gross floor area.
3. There shall be no freestanding sign permitted on site without prior approval by the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.
4. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants balloons, or banners shall be permitted on the site.
5. There shall be no outdoor storage on the site.
6. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff so that no light source is visible off-site. Lighting levels attributable to the fixtures located on the subject site shall not exceed two foot candles at the property line.
7. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from the Jefferson County Department of Public Works and Transportation (400 Fiscal Court-Building) and the Metropolitan Sewer District (700 West Liberty).
 - b. Either:
 - i. 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 the Division of Planning and Development Services; Transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument, **and**
 - ii. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Development Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - OR**
 - iii. A major subdivision plat creating the lots and roadways as shown on the approved district development plan shall be recorded prior to issuance of any building permits.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such-plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
8. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission

9. A certificate of occupancy must be received from the appropriate code enforcement office 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.
10. The property owner/developer shall provide copies of these binding elements to tenants, contractors and other parties engaged in development of this project, and shall inform them of the content of these binding elements. Further, the property owner/developer shall require contractors to similarly notify all of their sub-contractors whose duties relate to the binding elements. The property owner/developer shall ensure their compliance with the binding elements.

4. Proposed 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. 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 Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. 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.
 - d. A legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
4. 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.
5. 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.

6. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the May 6, 2015 Development Review Committee meeting.
7. There shall be no outdoor storage on the site.