

**Land Development and Transportation
Committee
Staff Report
September 22, 2022**



Case No:	22-CAT3-0003
Project Name:	Proposed Office/Warehouse
Location:	6701 Enterprise Drive
Owner(s):	Kentuckiana Development, LLC
Applicant:	Heritage Engineering
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox
Case Manager:	Molly Clark, Planner II

REQUEST(S)

- **Waivers:**
 1. **Waiver** from section 10.2.4.B.3 to allow over a 50% overlap of utilities in the required LBA (22-WAIVER-0155)
- **Category 3** Development Plan with Proposed Amenity Area

CASE SUMMARY/BACKGROUND

This site is zoned EZ-1 in the Suburban Workplace form district. The applicant is proposing to construct a 175,000 SF Office/Warehouse. The applicant is also proposing a 500 SF amenity area as required by the code. This area is surrounded by other industrial uses.

This case is related to a partial street closure of Enterprise Drive under case number 22-STRCLOSURE-0015.

STAFF FINDING

Staff finds the Category 3 plan in order and that the waiver request is adequately justified and meet the standards of review. The applicant will still be providing all the required plantings.

May need to add a condition of approval that requires the recording of this street closure before construction permits can be pulled.

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposal.

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The waiver will not adversely affect adjacent property owners since the applicant will still be providing all the required plantings in all landscape buffer areas.

- (b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 1, Policy 6 calls to discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. Evaluation of impacts may include, but not be limited to, displacement of residents, loss of affordable housing units, traffic, parking, signs, lighting, noise, odor, and stormwater. Appropriate transitions from non-residential to residential uses should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential. Community Form Goal 1, Policy 20 calls to mitigate adverse visual intrusions when there are impacts to residential areas, roadway corridors, and public spaces. The applicant will still be providing all the required plantings.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the applicant is still providing all the required plantings

- (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 strict application of the provisions would create an unnecessary hardship on the applicant since the applicant is still providing all the required plantings.

REQUIRED ACTIONS:

2. **APPROVE** or **DENY** the **WAIVER** from section 10.2.4.B.3 to allow over a 50% overlap of utilities in the required LBA (22-WAIVER-0155)
3. **APPROVE** or **DENY** the **Category 3 Plan with proposed amenity area**

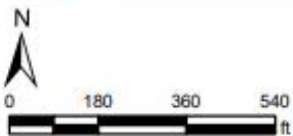
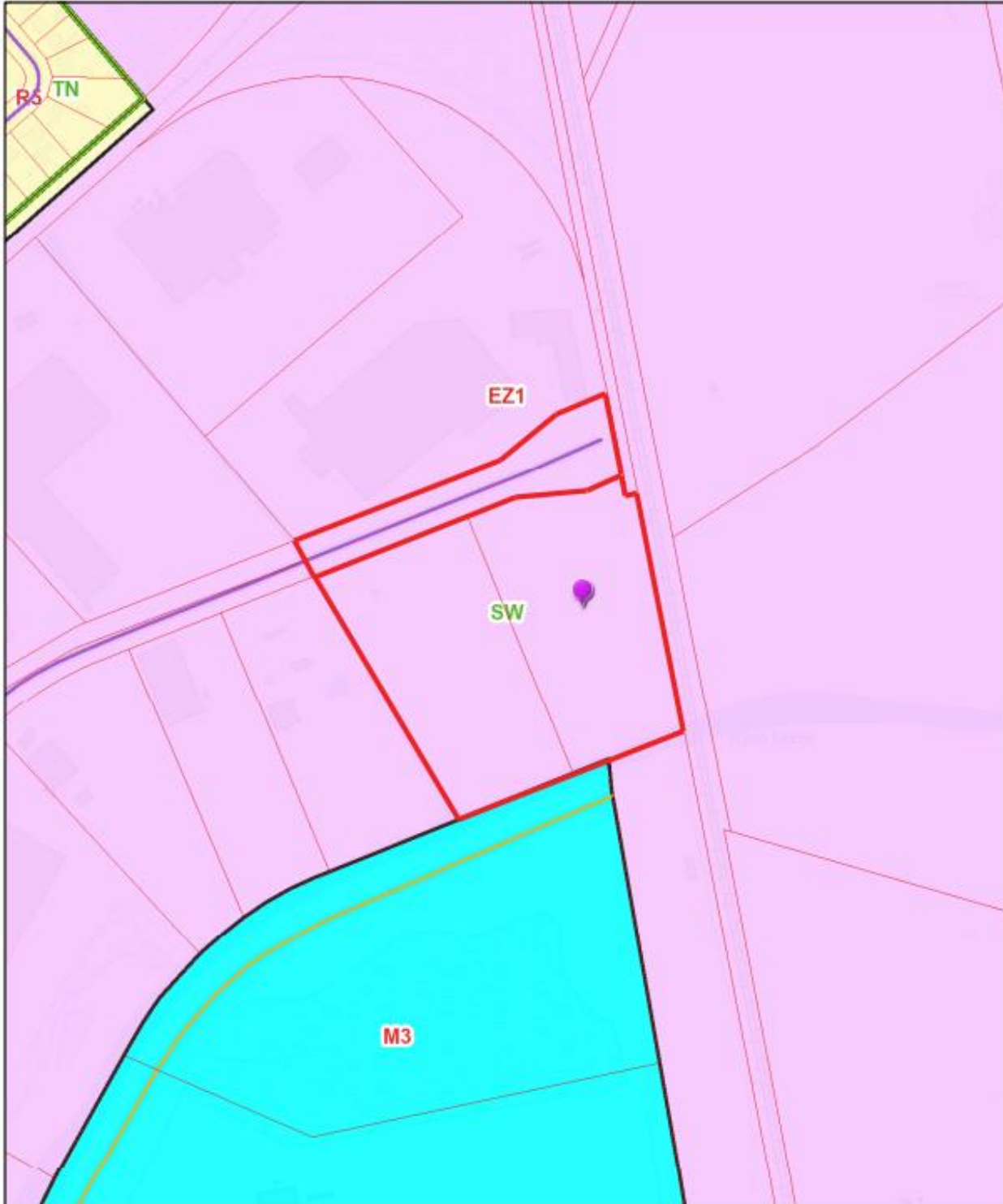
NOTIFICATION

Date	Purpose of Notice	Recipients
9/12/22	Hearing before LD&T	1 st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 13

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



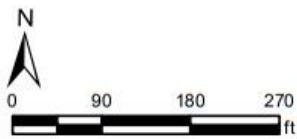
Friday, September 16, 2022 | 11:38:09 AM



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2. Aerial Photograph



Friday, September 16, 2022 | 11:24:00 AM



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