

Land Development and Transportation Committee
Staff Report
September 27, 2018



Case No:	18DEVPLAN1098
Project Name:	Park Jefferson Tract 3
Location:	5494 Shepherdsville Rd
Owner(s):	Pinehurst Properties, LLC.
Applicant:	Pinehurst Properties, LLC.
Jurisdiction:	Louisville Metro
Council District:	2 – Barbara Shanklin
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- **Outdoor Amenity Area design review**
- **Revised Detailed District Development Plan with Amendments to Binding Elements**

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a 146,428 SF warehouse with 3,072 SF of associated office space on an approximately 7.9 acre site. The site is zoned M-2 in the Suburban Workplace form district, in the Okolona area of Louisville Metro. The site was rezoned to M-2 under docket number 9-54-93.

STAFF FINDING

The requests are adequately justified and meet the standards of review.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and/or 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: Northern Ditch, a blue-line intermittent stream lies along the western side of the site. The required 25' vegetative buffer per MSD requirements will be provided on 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 has been provided, and Metro Public Works have approved the preliminary development plan.

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

STAFF: The required amenity is being provided onsite per Land Development Code requirements.

- 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 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.

- 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. Buildings and parking lots will meet all required setbacks.

- 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.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Outdoor Amenity Area**
- **APPROVED** or **DENY** the **Revised Detailed District Development Plan and Amendments to Binding Elements**

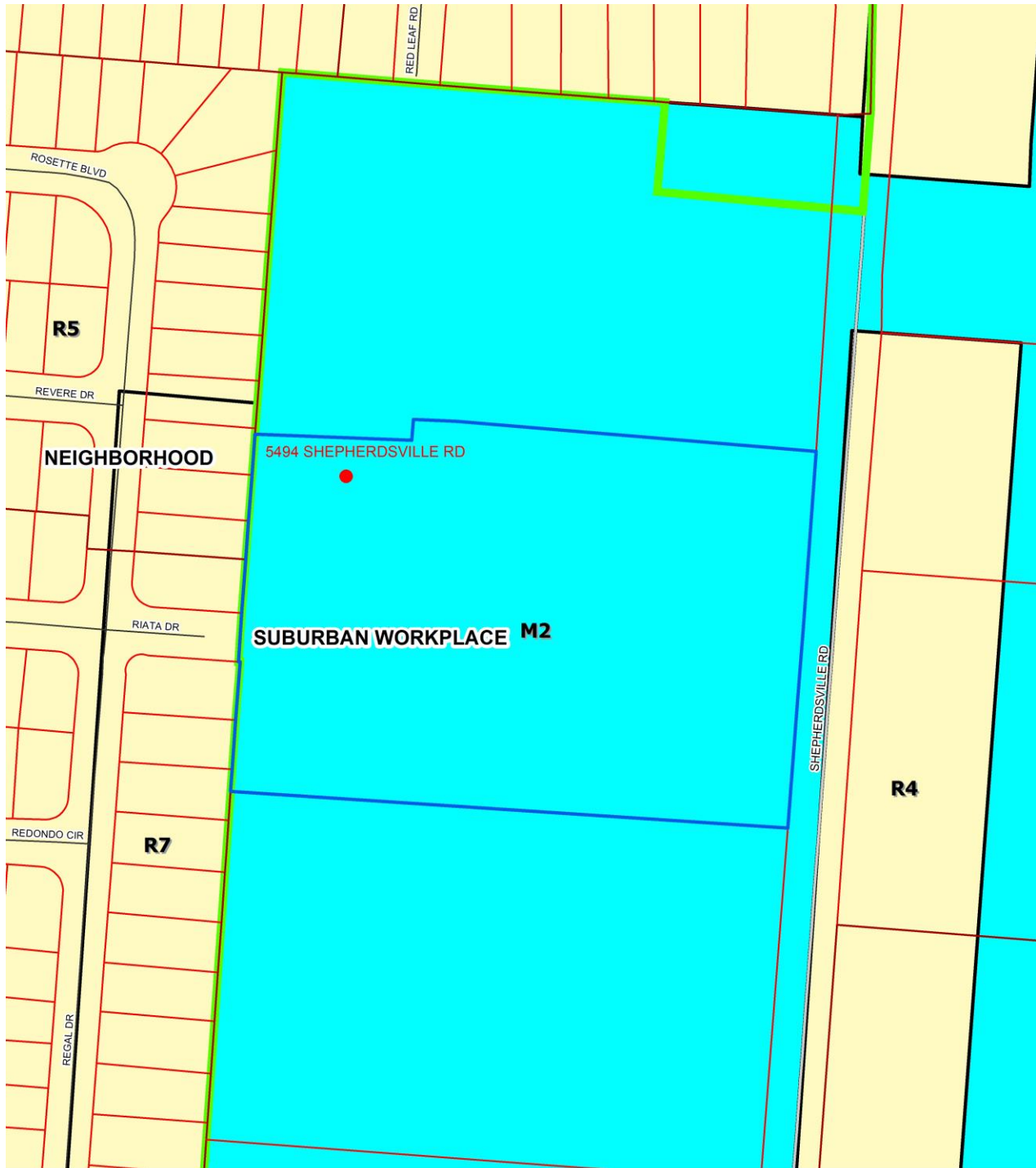
NOTIFICATION

Date	Purpose of Notice	Recipients
9-12-18	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District __

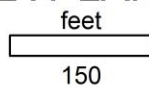
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing General Plan Binding Elements
4. Existing Detailed Plan Binding Elements with Proposed Changes
5. Proposed Detailed Plan Binding Elements

1. **Zoning Map**

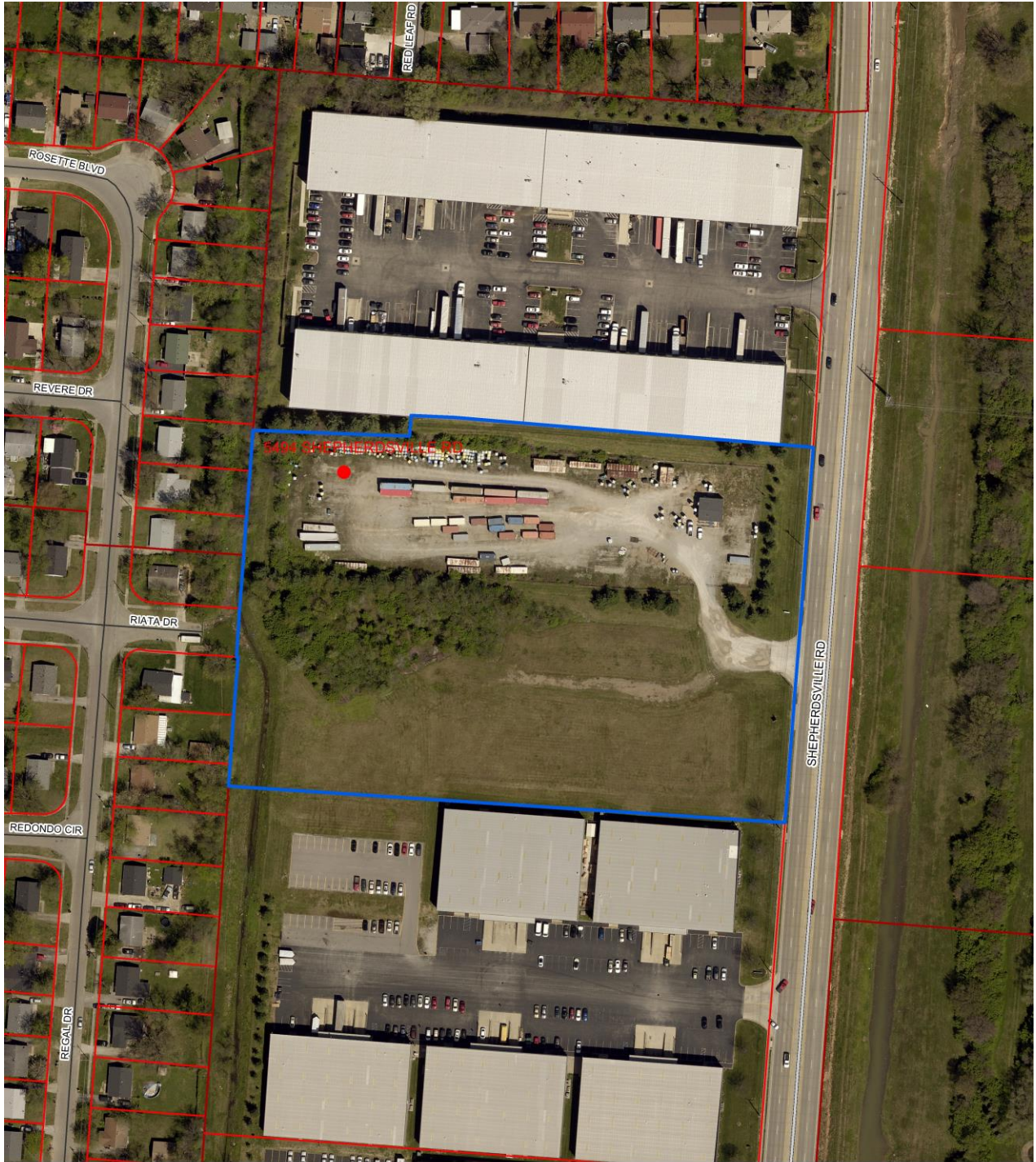


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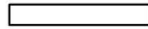
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2. Aerial Photograph



18DEVPLAN1098

feet



150



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3. Existing General Plan Binding Elements

1. The development shall be in accordance with the approved district development plan, land use 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.
2. The development shall be in accordance with the approved preliminary plan. No further subdivision or re-subdivision of the land into greater number of lots than originally approved will occur without prior approval from the Planning Commission.
3. Prior to development of each site or phase of this project, a detailed district development plan shall be submitted to the Planning Commission for approval. Each plan shall be in adequate detail and subject to additional binding elements. The additional binding elements may relate, but not be limited, to the following items:
 - a) screening, buffering, landscaping, tree preservation
 - b) density, floor area, size and height of buildings
 - c) points of access and site layout with respect to on-site circulation
 - d) land uses
 - e) signs
 - f) loading berths q 9) parking
 - h) sidewalks
 - i) site design elements relating to alternative transportation modes
 - j) outdoor lighting
 - k) minor subdivision plat approval
 - l) air pollution
 - m) the timing of construction to coincide with the availability of flood protection measures, municipal sewer and water service, and adequate fire protection
 - n) dumpsters
 - o) soil erosion and sedimentation control plan.
4. There shall be no vehicular access to Rangeland Road.
5. No outdoor storage shall be permitted on lots 15 and 16.
6. The following uses are prohibited:
 - Flea market
 - Animal and poultry raising, commercial
 - Animal pound
 - Coal and coke, storage and sales
 - Distilleries, breweries and non-industrial alcoholic spirits
 - Firearms
 - Garage, public
 - Grain blending and packaging, but not milling
 - Insecticides, fungicides, disinfectants, and related industrial and household chemical compounds (blending only)
 - Lumber yards
 - Plating, electrolytic process
 - Railroad freight terminals and yards
 - Solid waste transfer station
 - Tire retreating and vulcanizing shop I
 - Truck and transfer terminal, freight and motor freight and motor

freight stations
Waterfront shipping
Radio and television towers and antennas
Manufacture, processing, treatment or storage of furs and fur goods.

7. In the event that the applicant is not required to reconstruct the shoulder along Rangeland Road and install a sidewalk and no entrance is provided along Rangeland Road, the applicant agrees to continue the landscaping along the west property line around the Rangeland Road property line.
8. No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.
9. Outdoor lighting shall be directed down and away from surrounding residential properties.
10. The applicant shall submit a plan for approval by the Planning Commission staff's landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by the Planning Commission staff's landscape architect if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
 - a. Proposed site plan showing existing buildings, edges of pavement, property/lot lines, easements, existing topography, and other significant site features t-LOJIC topographic information is acceptable).
 - b. Preliminary drainage considerations (retention/detention, ditches/large swales, etc.).
 - c. Accurate location of all existing trees/tree masses.
 - d. All tree/tree masses which are to be preserved.
 - e. Location of construction fencing for each tree/tree mass designated to be preserved.
11. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."

4. Existing Detailed Plan Binding Elements with Proposed Changes

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 750 square feet of gross floor area and 80,000 square feet of mobile office storage area.~~
3. The only permitted freestanding sign shall be located as shown on the approved district development plan. No sign shall have more than two sides.
4. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants or banners shall be permitted on the site.
- ~~5. There shall be no outdoor storage on the site, except for mobile office storage.~~

6. Outdoor lighting shall be directed down and away from surrounding residential properties.
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)~~ **Develop Louisville** and the Metropolitan Sewer District (400 S. Sixth Street).
 - ~~b. The size and location of any proposed freestanding sign must be approved by the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.~~
 - 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 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.
 - d. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in ~~Article 12~~ **Chapter 10** prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - ~~e. An access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be secured from the adjoining property owner and recorded. 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.~~
- ~~8. If a building permit is not issued within one year of the date of approval of the plan, 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.

5. Proposed Detailed Plan Binding Elements

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 only permitted freestanding sign shall be located as shown on the approved district development plan. No sign shall have more than two sides.
3. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants or banners shall be permitted on the site.

4. Outdoor lighting shall be directed down and away from surrounding residential properties.
5. 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 Develop Louisville and the Metropolitan Sewer District
 - b. 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.
 - 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.
6. 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.
7. 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.