

**Land Development & Transportation
Staff Report**
April 13, 2017



Case No:	16ZONE1091
Project Name:	Mason Dixon Business Park
Location:	4520 Mason Dixon Lane
Owner(s):	Mason Dixon Properties, LLC.
Applicant:	Mason Dixon Properties, LLC.
Representative(s):	Mindel, Scott & Associates, Inc.
Project Area/Size:	3.61 acres
Existing Zoning District:	R-4
Existing Form District:	SW, Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	10 – Pat Mulvihill
Case Manager:	Joel P. Dock, Planner I

REQUEST

- **Change-in-Zoning** from R-4, Single-Family Residential to M2, Industrial
- **General District Development Plan**

CASE SUMMARY/SITE CONTEXT

The applicant requests a change-in-zoning from R-4, single-family residential to ~~M-2~~, Industrial on ~~3.61 acres~~ of a larger ~~43 acre industrial site in Central Louisville Metro~~, roughly ~~one mile South of Interstate-264~~ along Poplar Level Road. No structures are being proposed as part of this rezoning application. The change-in-zoning will combine the larger development site into a single industrial zoning district to facilitate development.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	R-4	SW
Proposed	Vacant	M-2	SW
Surrounding Properties			
North	Industrial (subject site)	M-2	SW
South	Vacant/Commercial	R-4/C-2/CM	N
East	Industrial	M-2	SW
West	Camp Taylor Fire Dept.	M-1	SW

PREVIOUS CASES ON SITE

16DEVPLAN1149: Category 3 development plan for industrial redevelopment (withdrawn)

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW FOR REZONINGS

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies of Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR PROPOSED REZONING

The Following is a summary of staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020:

The site is located in the Suburban Workplace Form District

Suburban Workplace is a form characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. Suburban workplaces often contain a single large-scale use or a cluster of uses within a master planned development. New larger proposed industrial uses are encouraged to apply for a planned development district.

In order to provide adequate transportation access in suburban workplaces connected roads, public transportation and pedestrian facilities should be encouraged. Walkways to workplace-serving uses are encouraged for workplace employees. Development within suburban workplace form districts may need significant buffering from abutting uses.

TECHNICAL REVIEW

A category 3 development plan was submitted and reviewed under docket 16DEVPLAN1149, but was ultimately withdrawn due to site constraints. *Cornerstone 2020* Guideline 8, Policy 9 provides that access to development through areas of significantly lower intensity should be avoided. It has been held common that a primary means of access through a lower-intensity zoning district is not permitted. Primary access to allow for the redevelopment of the industrial site would have been achieved through a single-family zoning district. In approving this zoning change the site would be in conformance with the aforementioned policy.

Agency comments have been addressed. Preliminary approval has been received from the Metropolitan Sewer District and Transportation Planning.

A detailed district development plan would be required upon redevelopment of the existing industrial property for structures planned within the portion proposed for rezoning.

STAFF CONCLUSIONS

The proposed application for change in zoning from R-4 to M-2, supporting documentation, and general district development plan are in order. This case has been noticed in accordance with KRS 100.214 for the Planning Commission public hearing on April 20, 2017.

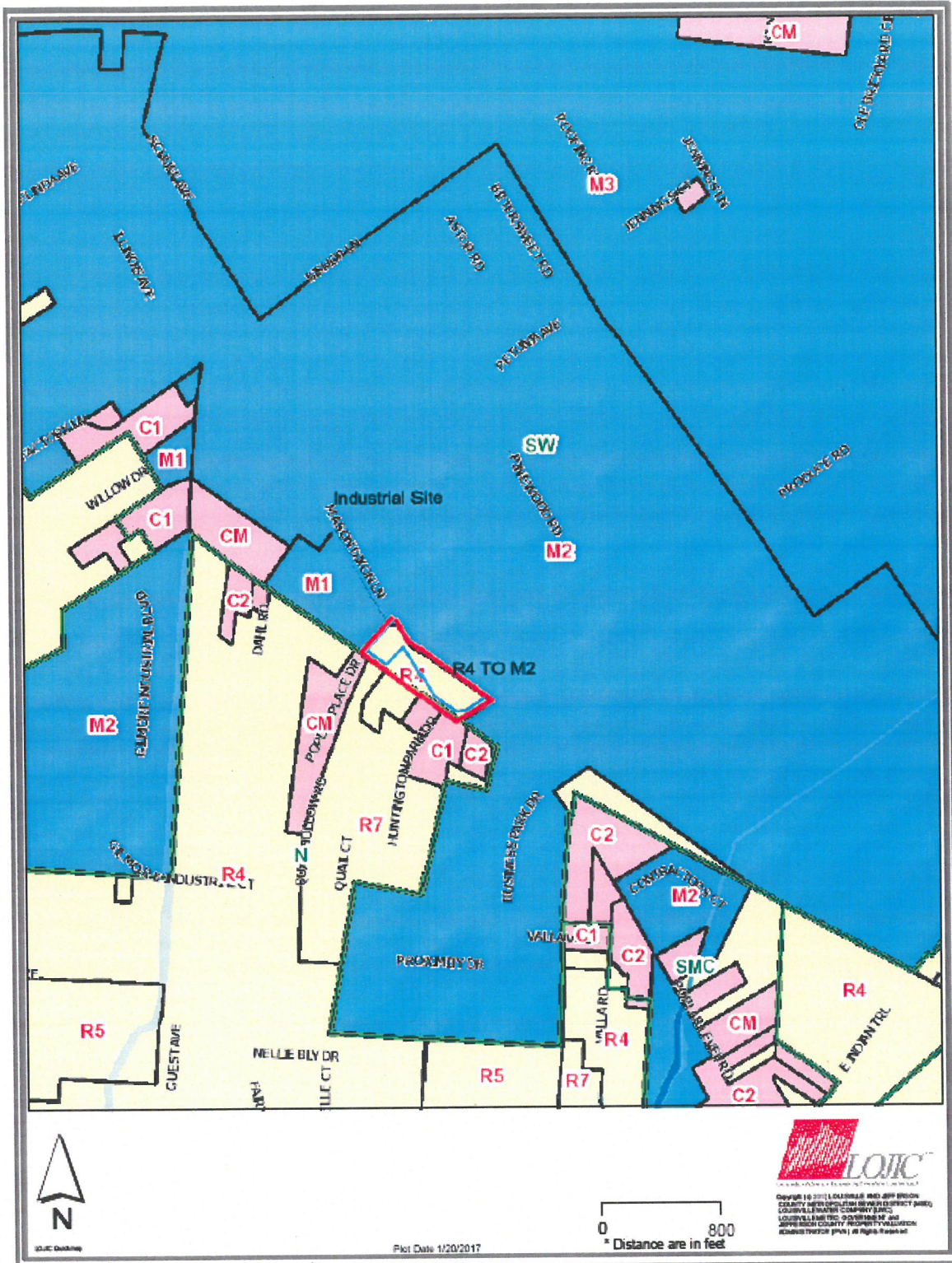
NOTIFICATION

Date	Purpose of Notice	Recipients
3/30/2017	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers of Council District 10 Notification of Development Proposals
4/5/2017	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers of Council District 10 Notification of Development Proposals
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

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

1. Zoning Map



3. **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. Prior to development (includes clearing and grading), the applicant, developer, or property owner shall obtain approval of a detailed district development plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.