

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

April 24, 2014

New Cases

CASE NO. 13ZONE1021

Project Name: Riverport Phase 5
Location: 1364 & 14045 Dixie Highway; and 6501-6502,
6504, 6506, and 6512 Lewis Lane
Owner: Station Development LLC
Applicant: Station Development LLC
Representative: Ashley Bartley, Qk4
Jurisdiction: Louisville Metro
Council District: 14 – Cindi Fowler
Case Manager: **Christopher Brown, Planner II**

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Request:

A change in Form District from Neighborhood to Suburban Workplace and change in zoning from R-4 to M-2; Sidewalk Waiver, Landscape Waiver, and a Detailed District Development Plan are being requested.

The following spoke on behalf of Case No. 13ZONE1021:

David Reed, Qk4, 1046 East Chestnut Street, Louisville, KY 40204

Kathryn Knopf, 1411 Bohannon, Louisville, KY

Dale Reeder, 13801 Old Distillery Rd Louisville, KY 40272

Warren Rogers, 13600 Old Distillery Road, Louisville, KY 40272

DISCUSSION:

Christopher Brown presented the case (see staff report for detailed presentation.) He explained that the associated proposed closure of Lewis Lane is going through the process under a separate case number. He explained that the applicant will not be reducing the plantings/screening in the 50-foot buffer area, only asking if the buffer can overlap with some utility easements. The applicant will be providing a 50-foot cemetery buffer for an undisclosed cemetery, as well as a proposed 15-foot cemetery access easement. He added that binding elements that are applicable to other Riverport projects will also be applicable to

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this one. The binding elements can be revised to address any special needs that may arise as tenants come in to the lots.

The zoning change is proposed for the entire 162.124 acre lot.

In response to a question from Commissioner Brown, Mr. Brown said the road closure has been through the initial agency review.

David Reed, an applicant's representative, said this is a non-contiguous expansion; however, the applicant intends to use the same patterns and setbacks to try to duplicate the site in southwestern Jefferson County. He said the applicant hopes to bring some continuity of development and also good-paying jobs.

Regarding the use of the covenants, Mr. Reed said the applicant will use the existing binding elements which specify the types of buildings, building designs, large setbacks, etc. He said a "significant" berm and landscape buffer will be used next to adjoining residential properties. He said mixed use situations (residential near industrial) exist in other Riverport developments along Greenbelt Highway and Lower River Road. He said the existing residential properties next to this site will be protected. Regarding environmental permitting, he said Redwing Engineering has submitted to the Corps of Engineers and other multiple agencies the applicant's methods of addressing environmental concerns. Those issues are being reviewed by the relevant agencies. He said some approvals have already been received.

Commissioner Brown asked about the justification for the sidewalk waiver. Mr. Reed said that the Riverport parent facility development has found that, because the lots are so large, it really becomes a wasteful pattern to put in sidewalks on both sides of the roads. TARC routes that serve the Riverport area, and which would likely serve this area, have found that the single-side sidewalk plan works well. Because only four lots are being served here, and there is a contiguous sidewalk system that serves all of them, the waiver is seen as an efficient means of using resources and not wasting the concrete that would otherwise be required.

In response to a question from Commissioner Brown, Mr. Reed said the applicant has been coordinating their development efforts with Louisville & Paducah Railroad. There are three existing crossings (see development plan.)

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He said that the applicant has agreed with P&D Railroad that two secondary crossings will be closed, and a new one will be opened at Watson Lane.

Commissioner Jarboe said Phase 5 seems to be more intense and expressed concern about its impact on adjacent residential properties. Mr. Reed said the impact on neighbors is unknown at this time because they do not know yet who the occupants will be or what the use will be. He said Riverport built around existing neighborhoods and have always tried to be responsible and be mindful of the residents.

Mr. Brown said he received a phone call from Kathryn Knopf who said she had concerns about how the sewer infrastructure will be addressed here, and also issues about the potential uses.

Dale Reeder, a nearby resident, said he was concerned about the buffers. He is also concerned about the uses – he asked if this site is zoned for warehouses only, or if more intense manufacturing could come in here in the future. He said there had been rumors for years about a chicken processing plant. Commissioner Blake told Mr. Reeder that there is a list of uses that are permitted in the M-2 zoning category – this might put some rumors to rest. Mr. Brown said he would send him that information and also answer any questions he might have.

Regarding the site plan, Mr. Reeder said he has lived at his address for 66 years, and had never heard the term “Weaver’s Run”. It’s always been “Long Pond”.

Warren Rogers, a nearby resident, asked where the water runoff from the berm was going to go. He also asked if there were plans for sidewalks along Dixie Highway. He said other businesses along Dixie Highway have had to install sidewalks. He also asked for specifics about the land scape waiver.

Mr. Reed addressed the question about water runoff first. He said there will be a drainage ditch system along the Riverport side of the berm, which will transport water towards the south part of the property and drain it into Weaver Run. This will keep the water away from the adjoining residential properties. He said the landscape waiver has been requested to allow a drainage easement for the development of that drainage system next to the berm. Mr. Rogers asked about the water flow on the other side of the berm. Mr. Reed said there should be no

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more, and maybe less, than the water flow that is there now. He said he would be willing to sit down and discuss the specifics of that drainage with Mr. Rogers.

In response to a question from Ms. Knopf, Mr. Reed said the drainage would come out near the end of Lewis Lane.

Mr. Reed addressed Mr. Rogers' question about sidewalks along Dixie Highway. He said that Riverport is meeting its obligations by constructing sidewalks along the frontages of the three parcels of Riverport property along the Dixie Highway frontages.

Ms. Knopf asked if the proposed landscaping will be similar to the other Riverport property. Mr. Reeder asked why the applicant is rezoning this land instead of using the land they already have. Larry Fall, an applicant's representative, said the largest lot at the current Riverport location is 24 acres. He said this site will be used for larger-lot businesses.

Mr. Reeder asked why the applicant did not "tap in" to the sewers that are already there (from the highway)? Mr. Reed said that, right now, the sewers are proposed along Weaver Run and outside Mr. Reeder's fence line (in between the creek and Mr. Reeder's fence line.) He explained that the current sewers are not deep or large enough to handle the development that is proposed.

Mr. Reeder asked if there is an emergency exit planned that does not cross the railroad tracks, in the event of a derailment. Mr. Reed said there are two exits planned, one at Lewis Lane and one at Watson. Mr. Reeder said they both cross railroad tracks. Mr. Reed said there isn't one, and added that this project has been presented with these exits in these locations. Commissioner Brown said this might be something the Fire Department might ask for, but it is not a Land Development Code requirement.

The Committee by general consensus scheduled Case No. 13ZONE1021 for the June 19, 2014 Planning Commission public hearing.