

Planning Commission Staff Report

January 16, 2014



Case No:	13zone1012 and 12devplan1110
Project Name:	Kenwood Business Center Lot 2
Location:	7001 Southside Drive, 451 Kenwood Business Drive, & 5539 National Turnpike
Owner(s):	Kenwood Business Center LLC
Applicant:	Kenwood Business Center LLC
Representative(s):	Mindel, Scott and Associates; Bardenwerper, Talbott, and Roberts PLLC
Project Area/Size:	11.17 AC
Existing Zoning District:	C-1, R-4, and M-2
Existing Form District:	Traditional Neighborhood/Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	13- Vicki Aubrey Welch
Case Manager:	Julia Williams, Planner II

REQUEST

- ✓ Change in form district from Traditional Neighborhood to Suburban Workplace
 - ✓ Change in zoning from R-4 and C-1 to M-2
 - ✓ Variance to exceed the maximum setback from Southside Drive
 - ✓ A waiver from Chapter 5 to eliminate the 6' berm requirement from the LBA along the north property line
 - Revised Category 3 plan (13DEVPLAN1110) → ✓
 - District Development Plan *EBE* ✓
- go last

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The proposal is for an office and warehouse building on the previous Kenwood Drive-In site. A 160,542 square foot building is proposed along with 100 parking spaces on lot 2 within the existing Kenwood Business Center. The applicant is requesting a change in zoning to allow for the expansion of the industrial park that has already been created on the existing M-2 portion of the overall property. The building on lot 1 is currently under construction while lots 3 and 4 are vacant.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant Drive-In	C-1, R-4, M-2	TN and SW
Proposed	Office/Warehouse	M-2	TN and SW
Surrounding Properties			
North	Commercial, industrial, residential	C-1, C-2, R-4, M-2	TN
South	Commercial, industrial	C-1, C-2, M-2	SW
East	Commercial, residential	C-2, R-4	TN
West	Commercial	C-1, C-2	TN, SW

PREVIOUS CASES ON SITE

None found for the change in zoning portion of the site but case number 18400 (Category 3 review) is associated with Lots 1, 3, and 4.

INTERESTED PARTY COMMENTS

None received.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code

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 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 REZONING AND FORM DISTRICT CHANGES

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Traditional Neighborhood Form District and Suburban Workplace

The Traditional Neighborhood Form District is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces.

A 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.

Review of the proposed form district change against Cornerstone 2020 revealed that Traditional Neighborhood was inappropriate for the zoning. Only a slight portion of the property is in the Traditional Neighborhood Form District. Changing the entire site to Suburban Workplace was more in keeping with not only the proposal but with the industrial nature of the entirety of the Kenwood Business Center. The development along Southside Drive, especially along the east portion of Southside Drive, currently does not follow the traditional form and suburban form may be more fitting altogether.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

(a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The buildings additional setback will not affect the public because it locates the building in an area where there are other adjacent similarly sized structures.

(b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The variance will not alter the character of the area because the site had previously been used as a drive-in theatre where there were no structures built within the required setback or to fit the traditional form.

(c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The additional setback of the building will not affect the public because it maintains the existing entrance to the site and provides sidewalk and pedestrian access to the site which did not exist before.

(d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The variance is not unreasonable because the shape of the lot would not allow for sufficient use of the lot because the entrance is not very wide while the interior of the site is which allows for more building area. Not having a structure located within the required setback is consistent with what has occurred on the site for some time when the site was used as a drive in theatre.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The shape of the lot is unusual for the area which would be a special circumstance since there are no other similarly shaped lots in the vicinity.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

STAFF: Constructing a building within the required setback would limit the use of the rest of the site which would be a hardship on the applicant.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances existed prior to the zoning regulations. Any structure that would have been required on the site would have to have been setback farther than required in order to maximize the use of the site.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: Eliminating the 6' berm will not adversely affect adjacent properties because it would allow for the existing vegetation to remain and be used for screening, buffering and to meet the tree requirements within the buffer.

(b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: Eliminating the berm will not violate Cornerstone 2020 because the screening and planting materials will still be planted or existing materials will be used to meet LDC requirements. Cornerstone 2020 also promotes preservation of natural features on a site and preserving the existing trees will help to achieve that guideline.

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

STAFF: Constructing a berm would require the applicant to remove existing vegetation and would alter the existing drainage facilities. Preserving the existing vegetation along the property line instead of constructing the berm benefits both the applicant and adjacent property owners.

(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 applicant has incorporated other design measures, mainly the preservation of existing vegetation to compensate for not providing the berm.

STANDARD OF REVIEW FOR DEVELOPMENT PLAN

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 site is preserving existing vegetation instead of providing a 6 foot berm and is also preserving the drive-in theatres existing historic sign.

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

STAFF: The site is providing for all types of transportation throughout the site.

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

STAFF: Open areas on the site are mainly to provide for buffers and existing trees and vegetation.

- 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 preliminarily approved the proposal.

- 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 site is compatible with the adjacent lots as the site is providing all required buffers and is preserving existing trees on the site.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code.

STAFF: The proposal is in compliance with both the Comprehensive Plan and LDC.

TECHNICAL REVIEW

All comments have been addressed.

STAFF CONCLUSIONS

The proposal meets the guidelines of the Comprehensive Plan and mainly the requirements of the LDC. The waiver and variance are appropriate and have been mitigated. The form district change could be found in compliance with the Comprehensive Plan but also could be seen as inappropriate as the proposed classification is more appropriate due to economic changes win the area.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if 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.

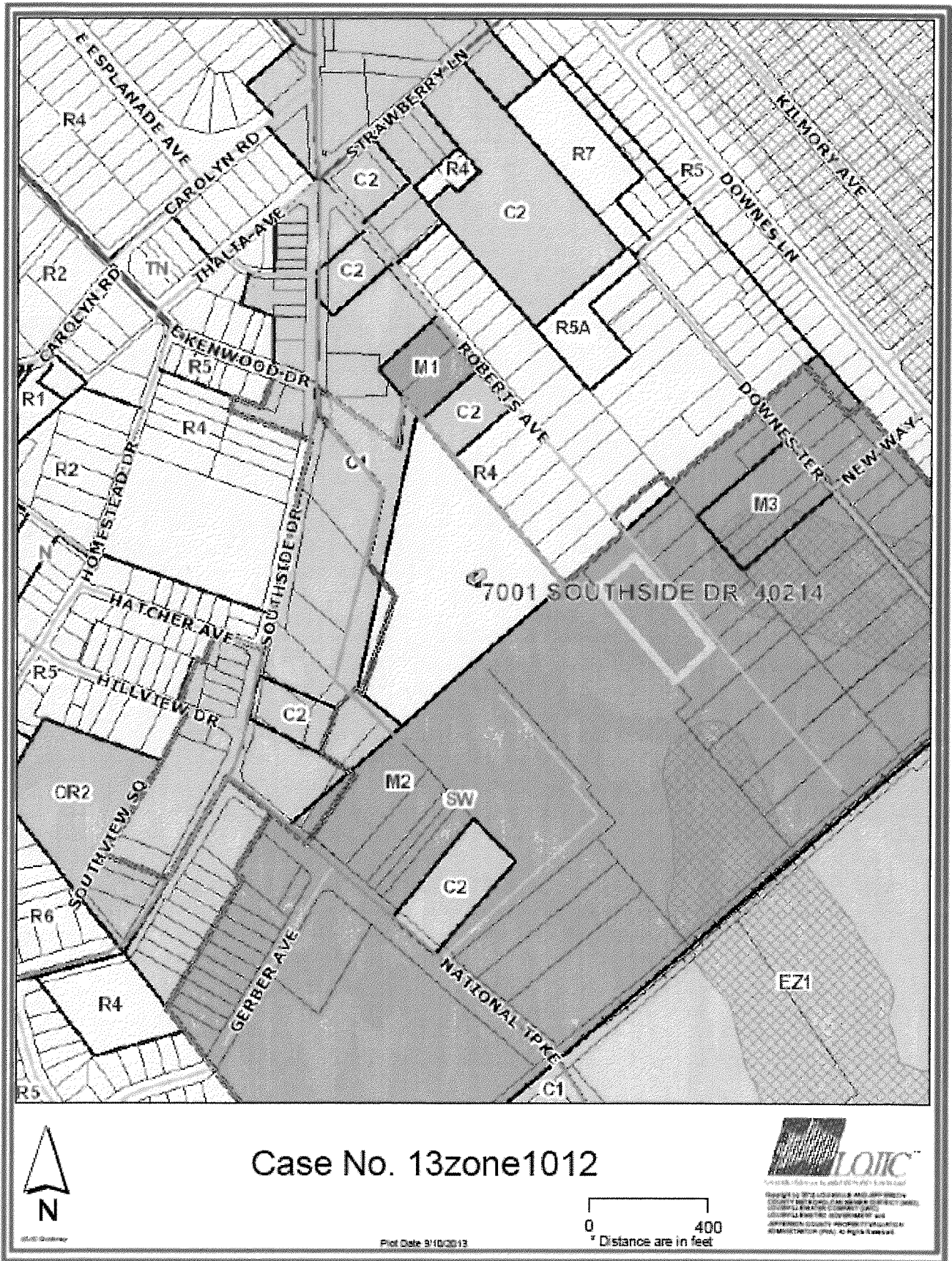
NOTIFICATION

Date	Purpose of Notice	Recipients
11/27/13	Hearing before LD&T on 12/12/13	1 st and 2 nd tier adjoining property owners Subscribers of Council District 13 Notification of Development Proposals
12/26/13	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers of Council District 13 Notification of Development Proposals
1/2/14	Hearing before PC	Sign Posting on property
1/8/14	Hearing before PC	Legal Advertisement in the Courier-Journal

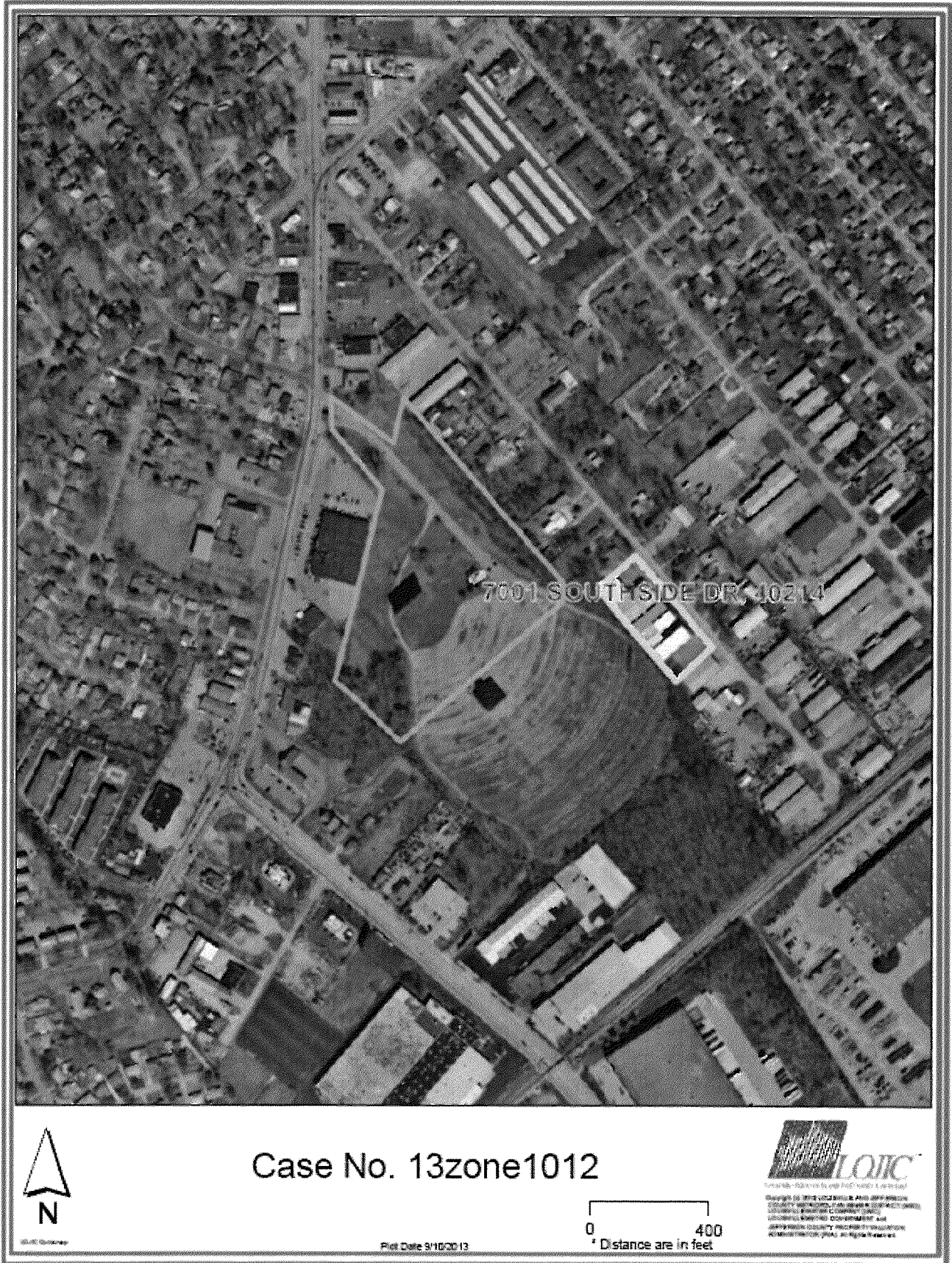
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist
4. Proposed Binding Elements
5. Applicant's Variance Justification Statement
6. Applicant's Waiver Justification Statement

Attachment 1: Zoning Map



Attachment 2: Aerial Photograph



Attachment 3: Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- √ Meets Guideline
- +/- More Information Needed
- NA Not Applicable

Traditional Neighborhood

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
1	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves the existing grid pattern of streets, sidewalks and alleys.	√	No changes are proposed to the road patterns.
2	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal introduces an appropriately-located neighborhood center including a mix of neighborhood-serving uses such as offices, shops and restaurants.	-	The proposal is not a neighborhood serving zoning district, it is a more regional serving zoning district.
3	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves public open spaces, and if the proposal is a higher density use, is located in close proximity to such open space, a center or other public areas.	√	The proposal does not affect existing public open spaces. The proposal does preserve an open area along Southside at the entrance.
4	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves and renovates existing buildings if the building design of these structures is consistent with the predominate neighborhood building design.	√	The proposal is for new construction. The existing structures on the site will be demolished.

Suburban Workplace

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
1	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.10: The proposal integrates into the pattern of development, which features buildings set back from the street in a landscaped setting.	√	The proposal is for M-2 with is prevalent in the area with a mix of other M-2 and commercial zoning. The M-2 in the area is mainly located adjacent to the railroad where there are older industrial uses.
2	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.10: The proposal integrates into a planned development that features a mixture of related uses, and that may contain either a single major use or a cluster of uses.	√	The proposal is located in an existing industrial and commercial center with clusters of both industrial and commercial uses around the site.
3	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.10: The proposal incorporates connected roads, encourages access to public transportation, and provides for pedestrians.	√	The proposal provides for vehicle and pedestrian connectivity. There is a sidewalk connection from the development along National Turnpike through the adjacent sites to the proposed site. There is also pedestrian access from Southside to the building and the other structures within the adjacent development.

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4	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	√	The building materials are consistent with the building materials in the area.
5	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated.	√	The proposal is not a non-residential expansion into a residential area. Much of the existing residential is vacant and is located in between commercial and industrial nodes.
6	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	√	APCD has no issues with the proposal.
7	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	√	Transportation Planning has not indicated any issues with traffic and the proposal.
8	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	√	Lighting will comply with LDC requirements.
9	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	√	The proposal is located along a transit corridor and within an existing activity center.
10	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	√	A 50' buffer is being provided where the site is adjacent to residential and 15' buffer is being provided where the site is adjacent to commercial. A 6 foot berm is requested to be waived to permit the existing trees to be preserved within the 50' buffer.
11	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	√	A 50' buffer is being provided where the site is adjacent to residential and 15' buffer is being provided where the site is adjacent to commercial. A 6 foot berm is requested to be waived to permit the existing trees to be preserved within the 50' buffer.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
12	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	√	The proposal meets the setbacks within the SWFD but not the required TN. Transition standards within the TN apply to the site but do not fit the lot size and any use for the site.
13	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians.	√	Loading areas are located away from the closest residential and parking areas are located interior to the site and outside the 50' LBA. Existing vegetation within the buffer will help mitigate potential light and noise issues.
14	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street.	√	Parking areas will be screened by the adjacent buffering requirements per the LDC.
15	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance.	NA	A parking garage is not proposed.
16	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	√	The historic sign along Southside Drive is being preserved and used as signage for the proposal.
17	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	√	Open space in the form of LBAs and other general green areas on the site help meet the needs of the community as pervious surface for water percolation.
18	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District.	NA	The proposal is not in the NFD.
19	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	√	There are areas of preserved trees in a TCPA.
20	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	√	There are areas of preserved trees in a TCPA. The site is mainly flat, so disturbance to the topography will be minimal.

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21	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	√	The proposal is for new construction. The historic drive-in sign is being retained and utilized as signage for the proposal.
22	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.	√	Soils are not an issue for the site.
23	People, Jobs and Housing Goal K4, Objective K4.1	Marketplace Guideline 6: Economic Growth and Sustainability	A.1: Limit land uses in workplace districts to those land uses necessary to meet the needs of the industrial subdivision or workplace district and their employees.	√	The proposal adds another industrial component to the existing industrial and commercial area that completes the existing industrial workplace that has been created.
24	People, Jobs and Housing Goal K4, Objective K4.1	Marketplace Guideline 6: Economic Growth and Sustainability	A.3: Encourage redevelopment, reinvestment and rehabilitation in the downtown where it is consistent with the form district pattern.	NA	The proposal is not located in a downtown.
25	Marketplace Strategy Goal A1, Objectives A1.3, A1.4, A1.5	Marketplace Guideline 6: Economic Growth and Sustainability	A.4: Encourage industries to locate in industrial subdivisions or adjacent to existing industry to take advantage of special infrastructure needs.	√	The proposal is located in an existing industrial area.
26	Land Use and Transportation Connection Goal E1, Objectives E1.1 and E1.3	Marketplace Guideline 6: Economic Growth and Sustainability	A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas.	NA	The proposal is not for retail.
27	Land Use and Transportation Connection Goal E1, Objectives E1.1 and E1.3	Marketplace Guideline 6: Economic Growth and Sustainability	A.8: Require industrial development with more than 100 employees to locate on or near an arterial street, preferably in close proximity to an expressway interchange. Require industrial development with less than 100 employees to locate on or near an arterial street.	√	The proposal is located on a minor arterial with additional proposed access to another minor arterial that connects to the Gene Snyder Expressway.
28	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	√	Roadway improvements to Southside Drive are not required.
29	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation.	√	The proposal promotes all forms of transportation.

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30	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	√	Cross access is being provided.
31	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	√	Additional ROW is not required. A 5' sidewalk is being provided along Southside and pedestrian circulation can be found throughout.
32	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	√	Parking is provided.
33	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites.	√	Cross access is being provided.
34	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	√	Future roadway connections are not required and would not be suitable due to the existing access points and adjacent residential.
35	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	√	Access to the development is by way of two minor arterials both supporting commercial and industrial uses.
36	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	√	No new roadways are being created with the proposal.
37	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	√	The proposal provides for all types of transportation through and around the site where it connects to adjacent sites and the existing ROW.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
38	Livability, Goals B1, B2, B3, B4, Objectives B1.1-1.8, B2.1-2.7, B3.1-3.4, B4.1-4.3	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.	√	MSD has preliminarily approved the proposal.
39	Livability Goals C1, C2, C3, C4, all related Objectives	Livability/Environment Guideline 12: Air Quality	The proposal has been reviewed by APCD and found to not have a negative impact on air quality.	√	APCD has no issues with the proposal.
40	Livability, Goals F1 and F2, all related objectives	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	√	There are sufficient open space areas that could be considered areas that would allow for migration.
41	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	√	Existing utilities serve the site.
42	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	√	Water is available.
43	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	√	MSD has preliminarily approved the proposal.

Attachment 4: 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. The development shall not exceed 160,542 square feet of gross floor area.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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 Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. A minor subdivision plat or legal instrument 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 Design 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 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. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - f. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
6. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
7. 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.
8. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.

9. 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.
10. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the January 16, 2014 Planning Commission meeting.
11. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
12. The historic sign shall be relocated within sight of Southside Drive to maintain the historic relationship to the road. In the event that a suitable location is not available at such time that the sign would be moved, property owner shall contact the Metro Historic Preservation Officer to find an appropriate site for relocation of the historic sign.

Attachment 5: Applicant's Variance Justification Statement

In order to justify approval of any variance, the Board considers four criteria. Please answer all of the following four items. (Use additional sheets, if needed.) All questions must be answered. A response of yes, no & N/A is not acceptable.

This is an application for (Section of the Code) Variance from Sections 5.7.1 and 5.2.2 to allow the proposed building for Lot 2 to be setback from the front property line by over 620 ft

Reason for request Because this is a proposed addition to an existing Suburban Workplace business park with large warehouse/light manufacturing type buildings, one building of which is already under construction. The Southside Drive frontage is very narrow, basically only wide enough for an entrance and exit way plus landscaping, after which the site gradually widens to the point that it can accommodate the type of building that is appropriate and proposed for this building park. That results in a significant setback of the first building to Southside Drive.

1. Reasons that the granting of the variance:

- a) Will not adversely affect the public health, safety or welfare because this is not a health or safety issue, but rather a form/aesthetic one, and the form of development in this proposed expanded Suburban Workplace business park is one of large buildings which, as set forth above, can't crowd the local Southside Drive arterial, as required, because the frontage there is so narrow.
- b) Will not alter the essential character of the general vicinity because the Southside Drive frontage is narrow and thus incapable of accommodating any structures. Therefore, the deep setback from Southside Drive to accommodate this large warehouse/light industrial building will not change the nature of building development along Southside Drive and will actually be compatible with the balance of what is constructed or proposed for this business park.
- c) Will not cause a hazard or a nuisance to the public because, again, this is not an issue involving hazards of any kind, but rather an issue of form/aesthetics, which are appropriately addressed as set forth above given the nature of this development in the configuration of the lot/width of frontage along Southside Drive.
- d) Will not allow an unreasonable circumvention of the requirements of the zoning regulations because of the fact that it is impossible to situate a structure within the maximum/minimum along Southside Drive.

2. Additional consideration:

- a. The variance arises from special circumstances, which do not generally apply to land in the general vicinity because of the reasons set forth above notably that the Southside Drive frontage is too narrow to fit any kind of structure and furthermore the nature of this business park calls for large warehouse/light manufacturing type buildings which predominate the properties on almost all side so of it.
- b. 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 because the applicant cannot comply with the regulation no matter what which would prevent development of this property.
- c. The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the regulation which relief is sought but rather are a result of the width of the Southside Drive frontage and overall configuration of this property.

Attachment 6: Applicant's Waiver Justification Statement

- Waiver of Chapter 10, Part 2 Landscaping Design
- Waiver of Chapter 10, Part 1, Tree Canopy
- Sidewalk Waiver
- Other Waiver of the Land Development Code, briefly explain below:

Waiver of Section 5.54.B.1 to omit the 6 ft berm, to allow the preservation of the existing tree mass/vegetation within the 50 ft LBA area for Lot #2

Reason for Request: Because the applicant is attempting to save trees in this area where they presently exist and to plant trees where they do not exist plus install fencing, either security or privacy, as appropriate instead of a berm which will eliminate the possibility of any tree preservation.

In order to justify approval of any waiver or modifications of standards, the Planning Commission considers four criteria. Please answer all of the following four items. (Use additional sheets, if needed.)

A. The waiver will not adversely affect adjacent property owners because of the goal to save existing landscaping along northeast property line adjacent to residentially zoned properties, with saved plus added landscaping including potential of fencing as maybe needed, the berm would eliminate all existing vegetation in what is designated on the plan as a TCPA.

B. The waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the original rezoning application.

C. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because the applicant is not asking to eliminate screening and buffering, but rather to provide a different kind.

D. Strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because it would be forced to install a berm that would probably stir up neighbor opposition in an area where the applicant thinks that tree preservation is preferred and serves a better purpose.

JAN 2

**Land Development and Transportation
Staff Report**
December 12, 2013



Case No:	13zone1012
Project Name:	Kenwood Business Center Lot 2
Location:	7001 Southside Drive, 451 Kenwood Business Drive, & 5539 National Turnpike
Owner(s):	Kenwood Business Center LLC
Applicant:	Kenwood Business Center LLC
Representative(s):	Mindel, Scott and Associates; Bardenwerper, Talbott, and Roberts PLLC
Project Area/Size:	11.17 AC
Existing Zoning District:	C-1, R-4, and M-2
Existing Form District:	Traditional Neighborhood/Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	13- Vicki Aubrey Welch
Case Manager:	Julia Williams, Planner II

traffic #s

REQUEST

- Change in form district from Traditional Neighborhood to Suburban Workplace
- Change in zoning from R-4 and C-1 to M-2
- Variance to exceed the maximum setback from Southside Drive
- A waiver from Chapter 5 to eliminate the 6' berm requirement from the LBA along the north property line
- Revised Category 3 plan (13DEVPLAN1110)
- District Development Plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The proposal is for an office and warehouse building on the previous Kenwood Drive-In site. A 160,542 square foot building is proposed along with 100 parking spaces on lot 2 within the existing Kenwood Business Center. The applicant is requesting a change in zoning to allow for the expansion of the industrial park that has already been created on the existing M-2 portion of the overall property. The building on lot 1 is currently under construction while lots 3 and 4 are vacant.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant Drive-In	C-1, R-4, M-2	TN and SW
Proposed	Office/Warehouse	M-2	TN and SW
Surrounding Properties			
North	Commercial, industrial, residential	C-1, C-2, R-4, M-2	TN
South	Commercial, industrial	C-1, C-2, M-2	SW
East	Commercial, residential	C-2, R-4	TN
West	Commercial	C-1, C-2	TN, SW

PREVIOUS CASES ON SITE

None found for the change in zoning portion of the site but case number 18400 (Category 3 review) is associated with Lots 1, 3, and 4.

INTERESTED PARTY COMMENTS

None received.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code

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 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 REZONING AND FORM DISTRICT CHANGES

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Traditional Neighborhood Form District and Suburban Workplace

The Traditional Neighborhood Form District is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces.

A 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

All comments have been addressed.

STAFF CONCLUSIONS

A public hearing date should be set for the proposal.

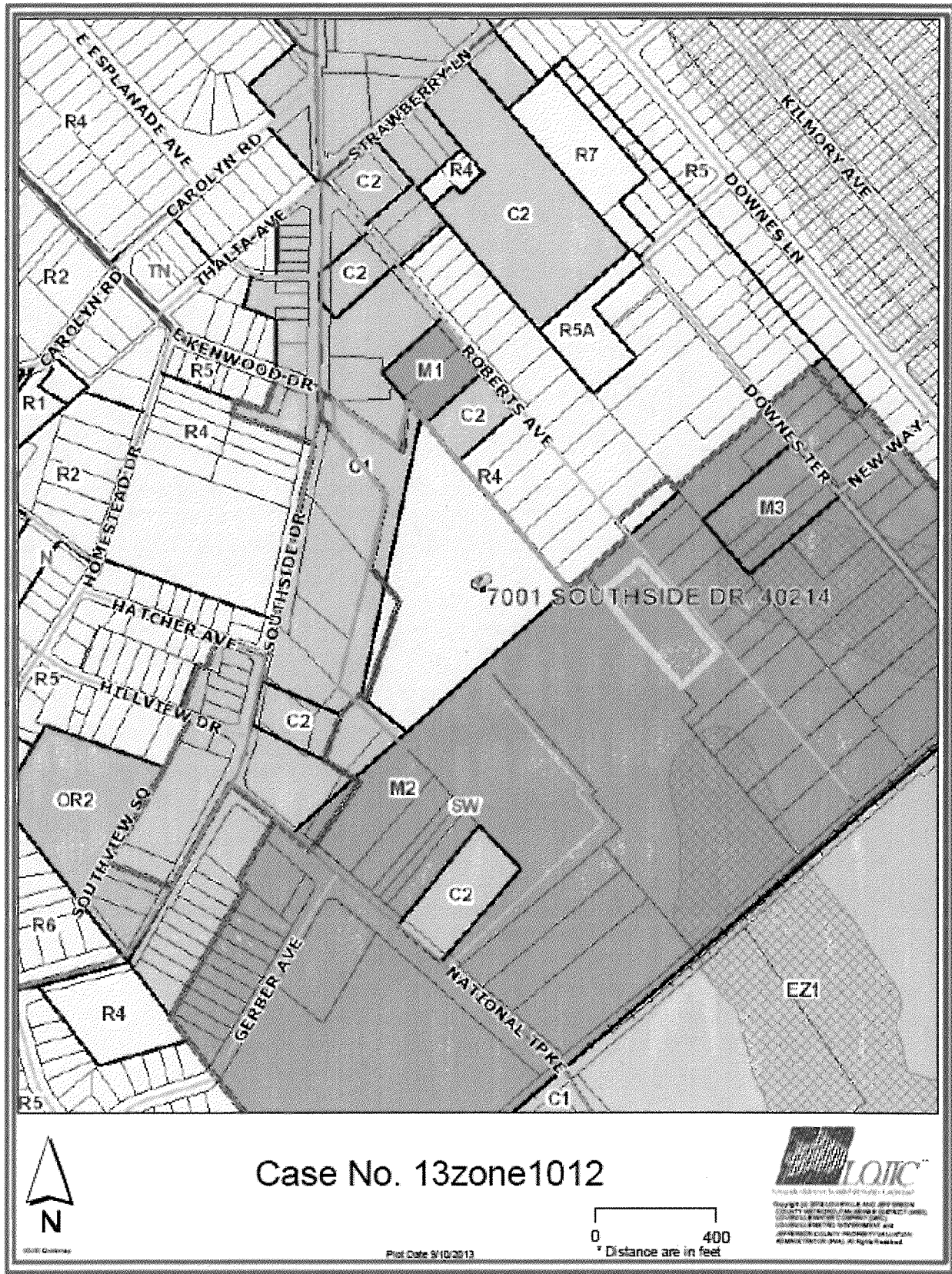
NOTIFICATION

Date	Purpose of Notice	Recipients
11/27/13	Hearing before LD&T on 12/12/13	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 13 Notification of Development Proposals
	Hearing before PC	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 13 Notification of Development Proposals
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

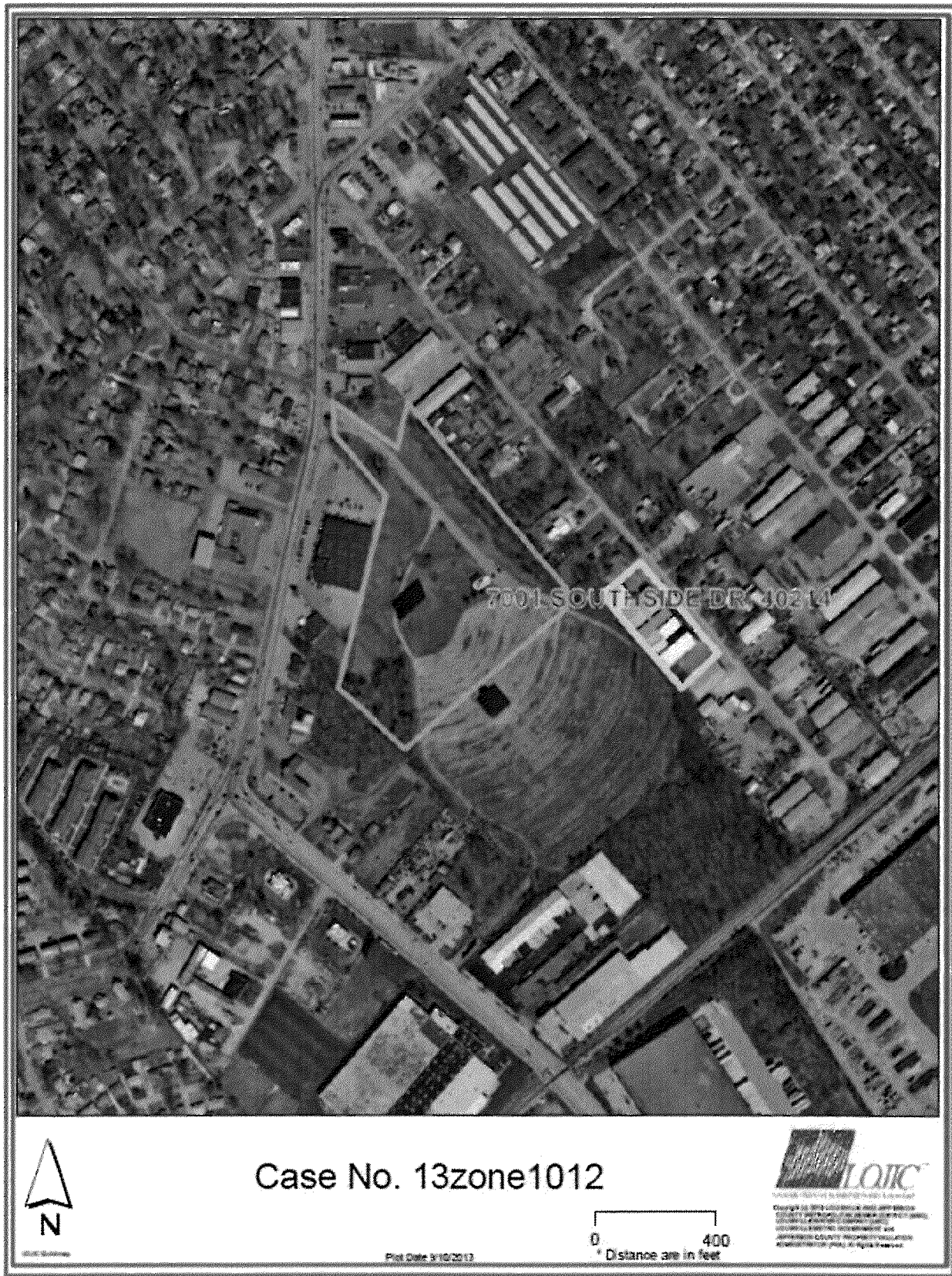
ATTACHMENTS

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

Attachment 1: Zoning Map



Attachment 2: Aerial Photograph



Attachment 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. The development shall not exceed 160,542 square feet of gross floor area.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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 Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. A minor subdivision plat or legal instrument 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 Design 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 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. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - f. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
6. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
7. 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.
8. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.

9. 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.
10. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the _____ Planning Commission meeting.
11. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
12. The historic sign shall be relocated within sight of Southside Drive to maintain the historic relationship to the road. In the event that a suitable location is not available at such time that the sign would be moved, property owner shall contact the Metro Historic Preservation Officer to find an appropriate site for relocation of the historic sign.

**Pre-Application
Staff Report**
September 11, 2013

FILE



Case No:	13zone1012
Project Name:	Kenwood Business Center Lot 2
Location:	7001 Southside Drive
Owner(s):	Kenwood Business Center LLC
Applicant:	Kenwood Business Center LLC
Representative(s):	Mindel, Scott and Associates; Bardenwerper, Talbott, and Roberts PLLC
Project Area/Size:	11.26 AC
Existing Zoning District:	C-1, R-4, and M-2
Existing Form District:	Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	13- Vicki Aubrey Welch
Case Manager:	Julia Williams, Planner II

REQUEST

- Change in zoning from C-1, R-4, and M-2 to M-2
- District Development plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The proposal is for an office and warehouse building on the previous Kenwood Drive-In site. A 150,311 square foot building is proposed along with 107 parking spaces. The applicant is requesting a change in zoning to allow for the expansion of the industrial park that has already been created on the existing M-2 portion of the overall property.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant Drive-In	C-1, R-4, M-2	TN and SW
Proposed	Office/Warehouse	M-2	TN and SW
Surrounding Properties			
North	Commercial, industrial, residential	C-1, C-2, R-4, M-2	TN
South	Commercial, industrial	C-1, C-2, M-2	SW
East	Commercial, residential	C-2, R-4	TN
West	Commercial	C-1, C-2	TN, SW

PREVIOUS CASES ON SITE

None found.

INTERESTED PARTY COMMENTS

None received.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning:

1. The proposed form district/rezoning change complies with the applicable guidelines and policies 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 REZONING

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Traditional Neighborhood Form District and Suburban Workplace

The Traditional Neighborhood Form District is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces.

A 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.

Staff recommends requesting a form district change to have the entire site in the Suburban Workplace Form District since the proposal is more in keeping with that form district.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

TECHNICAL REVIEW

Please see attached agency review comment sheet.

STAFF CONCLUSIONS

The proposal is ready for a neighborhood meeting to be set.

NOTIFICATION

Date	Purpose of Notice	Recipients
		1 st and 2 nd tier adjacent property owners and neighborhood notification recipients in council district 13.

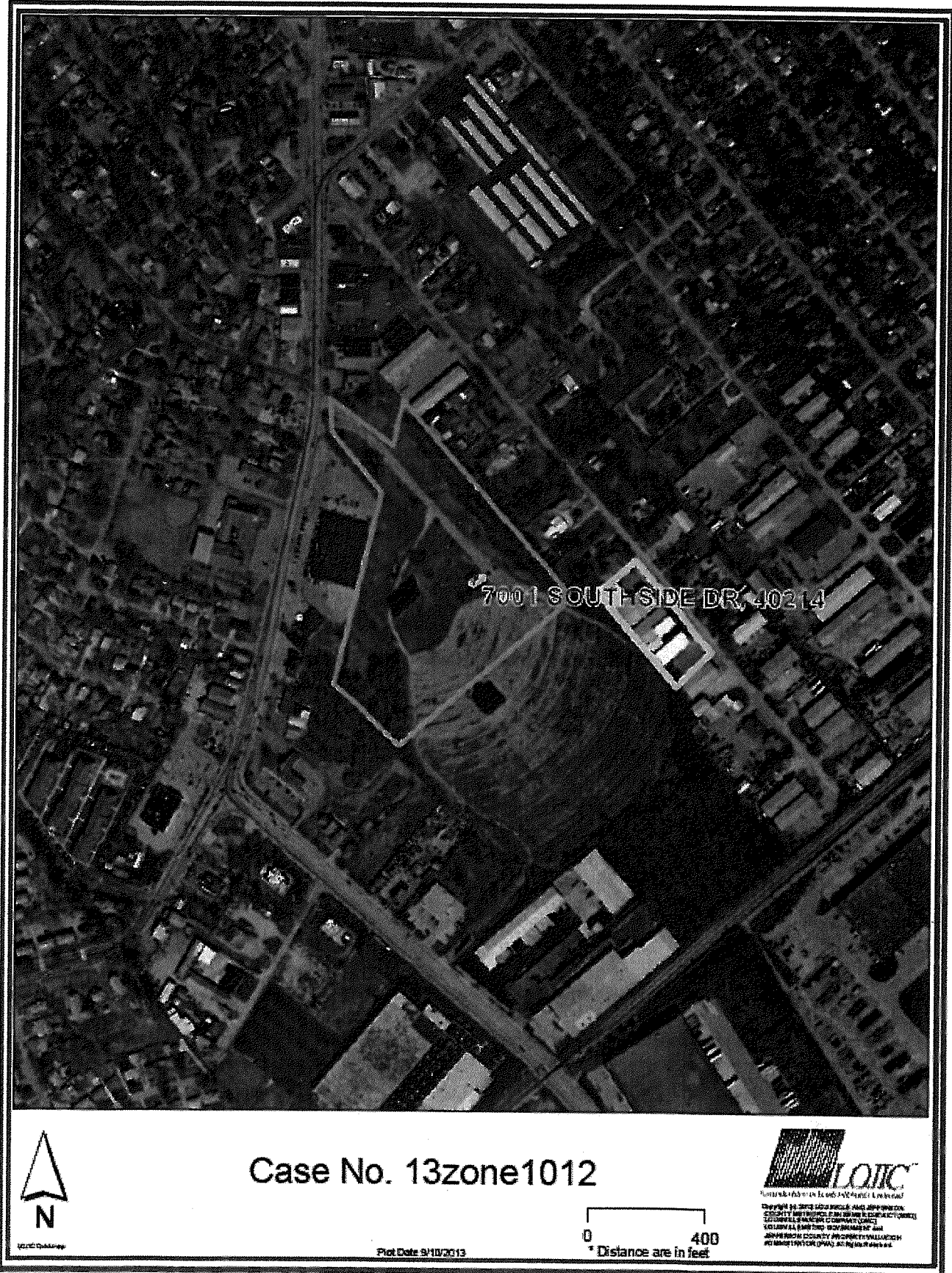
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist

Attachment 1: Zoning Map



Attachment 2: Aerial Photograph



Attachment 3: Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- √ Meets Guideline
- +/- More Information Needed
- NA Not Applicable

Traditional Neighborhood

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
1	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves the existing grid pattern of streets, sidewalks and alleys.	√	No changes are proposed to the road patterns.
2	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal introduces an appropriately-located neighborhood center including a mix of neighborhood-serving uses such as offices, shops and restaurants.	-	The proposal is not a neighborhood serving zoning district, it is a more regional serving zoning district.
3	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves public open spaces, and if the proposal is a higher density use, is located in close proximity to such open space, a center or other public areas.	√	The proposal does not affect existing public open spaces. The proposal does preserve an open area along Southside at the entrance.
4	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves and renovates existing buildings if the building design of these structures is consistent with the predominate neighborhood building design.	√	The proposal is for new construction. The existing structures on the site will be demolished.

Suburban Workplace

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
1	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.10: The proposal integrates into the pattern of development, which features buildings set back from the street in a landscaped setting.	√	The proposal is for M-2 with is prevalent in the area with a mix of other M-2 and commercial zoning. The M-2 in the area is mainly located adjacent to the railroad where there are older industrial uses.
2	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.10: The proposal integrates into a planned development that features a mixture of related uses, and that may contain either a single major use or a cluster of uses.	√	The proposal is located in an existing industrial and commercial center with clusters of both industrial and commercial uses around the site.
3	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.10: The proposal incorporates connected roads, encourages access to public transportation, and provides for pedestrians.	+/-	The proposal provides for vehicle connectivity. More information on transit and pedestrian circulation is needed.

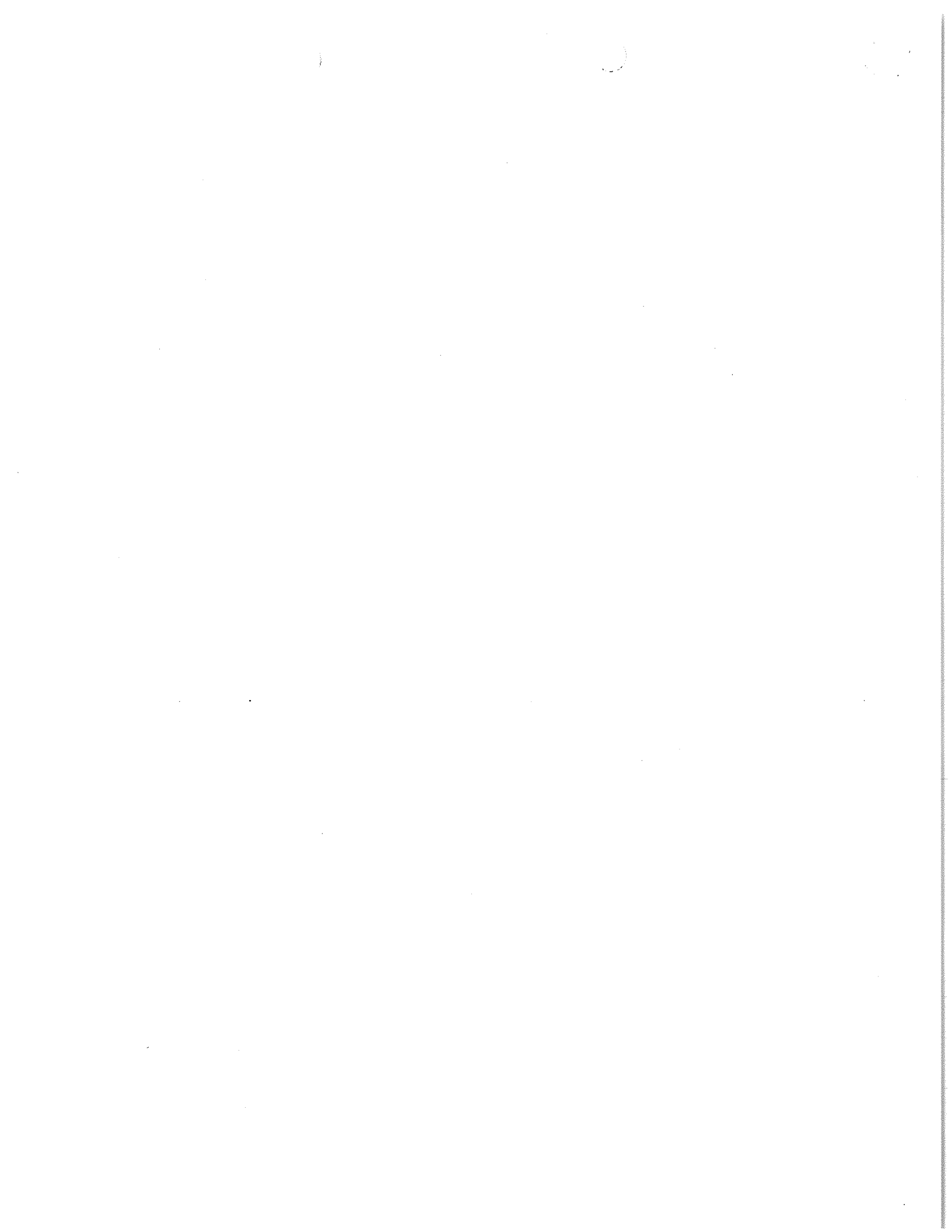
#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
4	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	+/-	Elevations need to be submitted.
5	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated.	√	The proposal is not a non-residential expansion into a residential area. Much of the existing residential is vacant and is located in between commercial and industrial nodes.
6	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	+/-	APCD is reviewing the proposal.
7	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	+/-	Transportation Planning is reviewing the proposal.
8	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	√	Lighting will comply with LDC requirements.
9	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	√	The proposal is located along a transit corridor and within an existing activity center.
10	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	+/-	A 50' buffer is being provided where the site is adjacent to residential. More information on loading and truck maneuvering is needed.
11	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	+/-	A 50' buffer is being provided where the site is adjacent to residential. More information on loading and truck maneuvering is needed.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
12	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	√	The proposal meets the setbacks within the SWFD but not the required TN. Transition standards within the TN apply to the site but do not fit the lot size and any use for the site.
13	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians.	+/-	More information on truck maneuvering is necessary.
14	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street.	√	Parking areas will be screened by the adjacent buffering requirements per the LDC.
15	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance.	NA	A parking garage is not proposed.
16	Form District Goals G1, G2, G3, G4, Objectives G1.1, G2.1-2.5, G3.1-3.3, G4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	+/-	More information is needed.
17	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	√	Open space in the form of LBAs and other general green areas on the site help meet the needs of the community as pervious surface for water percolation.
18	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District.	NA	The proposal is not in the NFD.
19	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	√	There are areas of preserved trees in a TCPA.
20	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	√	There are areas of preserved trees in a TCPA. The site is mainly flat, so disturbance to the topography will be minimal.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
21	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	+/-	The proposal is for new construction. The site is being reviewed for any historical factors.
22	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.	√	Soils are not an issue for the site.
23	People, Jobs and Housing Goal K4, Objective K4.1	Marketplace Guideline 6: Economic Growth and Sustainability	A.1: Limit land uses in workplace districts to those land uses necessary to meet the needs of the industrial subdivision or workplace district and their employees.	√	The proposal adds another industrial component to the existing industrial and commercial area that completes the existing industrial workplace that has been created.
24	People, Jobs and Housing Goal K4, Objective K4.1	Marketplace Guideline 6: Economic Growth and Sustainability	A.3: Encourage redevelopment, reinvestment and rehabilitation in the downtown where it is consistent with the form district pattern.	NA	The proposal is not located in a downtown.
25	Marketplace Strategy Goal A1, Objectives A1.3, A1.4, A1.5	Marketplace Guideline 6: Economic Growth and Sustainability	A.4: Encourage industries to locate in industrial subdivisions or adjacent to existing industry to take advantage of special infrastructure needs.	√	The proposal is located in an existing industrial area.
26	Land Use and Transportation Connection Goal E1, Objectives E1.1 and E1.3	Marketplace Guideline 6: Economic Growth and Sustainability	A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas.	NA	The proposal is not for retail.
27	Land Use and Transportation Connection Goal E1, Objectives E1.1 and E1.3	Marketplace Guideline 6: Economic Growth and Sustainability	A.8: Require industrial development with more than 100 employees to locate on or near an arterial street, preferably in close proximity to an expressway interchange. Require industrial development with less than 100 employees to locate on or near an arterial street.	√	The proposal is located on a minor arterial with additional proposed access to another minor arterial that connects to the Gene Snyder Expressway.
28	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	+/-	Transportation Planning is reviewing the proposal.
29	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation.	+/-	More information on pedestrian circulation is necessary.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
30	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	√	Cross access is being provided.
31	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	+/-	Transportation Planning is reviewing the proposal.
32	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	√	Parking is provided.
33	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites.	√	Cross access is being provided.
34	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	√	Future roadway connections are not required and would not be suitable due to the existing access points and adjacent residential.
35	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	√	Access to the development is by way of two minor arterials both supporting commercial and industrial uses.
36	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	√	No new roadways are being created with the proposal.
37	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	+/-	More information on pedestrian circulation is necessary.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
38	Livability, Goals B1, B2, B3, B4, Objectives B1.1-1.8, B2.1-2.7, B3.1-3.4, B4.1-4.3	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.	+/-	MSD is reviewing the drainage.
39	Livability Goals C1, C2, C3, C4, all related Objectives	Livability/Environment Guideline 12: Air Quality	The proposal has been reviewed by APCD and found to not have a negative impact on air quality.	+/-	APCD is reviewing the proposal.
40	Livability, Goals F1 and F2, all related objectives	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	√	There are sufficient open space areas that could be considered areas that would allow for migration.
41	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	√	Existing utilities serve the site.
42	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	√	Water is available.
43	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	+/-	MSD is reviewing the drainage.





Louisville Jefferson County Metro Government
Department of Planning and Design Services
444 S. 5th Street
Louisville, KY 40202

LouisvilleKY.gov

(502) 574-6230

IMSPLN0002
Agency Comments

Project Number: **13zone1012** Address: **7001 Southside Drive**

App Submittal

Contact Name/Phone#: **Todd Lanning (502)485-1508**

07/29/2013

Contact Email: **tlanning@mindelscott.com**

Project: **Kenwood Business Center Lot 2**

Type of Work: **Zoning Pre-Application**

Project Description: **Change in zoning from C-1, R-4, and M-2 to M-2**

The following report represents a comprehensive set of agency comments for the above mentioned development proposal. Please review and address the comments provided in order to respond appropriately and move this case forward in this review process. Questions may be directed to your case manager:

JULIA WILLIAMS

at **(502)574-6942**
Phone

or **JULIA.WILLIAMS@LOUISVILLEKY.GOV**
Email

Case Manager

Agency: Air Pollution Control District (APCD)

Reviewer: **BRADLEY COOMES**

Phone: **(502)574-7262**

Email: **bradley.coomes@louisvilleky.gov**

Status: **APPROVED**

Date:

Agency Comments:

Agency: Metro Public Works

Reviewer: **TAMMY MARKERT**

Phone: **(502)574-5810**

Email: **tammy.markert@louisvilleky.gov**

Status:

Date:

Agency Comments:

1. When plan is ready for Preliminary stamp, I'll note on stamp that site data for Lots 1 & 3, and right-of-way details are displayed on the approved Cat 3 plan.
2. Provided parking spaces over 101 require 5 Accessible parking spaces.
3. Kentucky Transportation Cabinet Review required. All KTC comments and recommendations must be incorporated into plans prior to approval by this office. See comment section of this review for KTC review comments and recommendations.
4. Please provide the dimension from the centerline of the roadway to the right of way for Southside Dr.
5. Please show and label the edge of pavement and pavement width of Southside Dr. (6.2.5)
6. Clarification. Because of the ramp to the loading dock, the existing wetland area will be filled in and a surface to drive on? Please list that drive aisle width for the 13 and 7 parking space area.
7. Additional comments may be made once revised plan is submitted to case manager for review.
8. If there are questions regarding Metro Public Works comments, please feel to meet with staff for clarification. We are located on the 2nd floor of the Metro Development Center. Appointments are not required but may reduce your wait time and are appreciated. If you would like to schedule a specific time please contact Tammy Markert at tammy.markert@louisvilleky.gov or at (502)574-3875.

Roberts Ave may be realigned

Agency: Metropolitan Sewer District (MSD)

Status:

Date:

Agency Comments:

1. Submit an updated Downstream Facilities Capacity Request for Lot 2 to MSD
2. Show storm drainage systems on Lots 1 and 3 per approved Kenwood Business Center constructions plans.

3. Modify MSD Note # 8 to include 'prior to construction approval of Lot 2' as an easement plat been submitted to MSD for the sewer and drainage systems on Lots 1 and 3?

Agency: Planning and Design Services (PDS)

Reviewer: JULIA WILLIAMS

Phone: (502)574-

Email: julia.williams@louisvilleky.gov

Status:

Date:

Agency Comments:

1. Please provide the sites zip code on the plan.
2. The site is also in the Traditional Neighborhood Form District; please indicate this in the site data.
3. Please provide flow arrows on the plan.
4. The zoning and form district boundaries need to be shown and labeled on the plan. They need to match or be close to what is shown in LOJIC.
5. A cross access agreement will be necessary between lots 1-3.
6. Please indicate on the plan the proposed building height.
7. How will the loading area be screened?
8. Please submit building elevations for all sides of the building.
9. Please show and label the 200' form district transition zone.
10. A 5' sidewalk is required along Southside.
11. 5.9.2.B.i. A Clearly defined, safe pedestrian access shall be provided from adjacent public rights-of-way (public sidewalk) through off-street parking area to non-residential building entrances. If a transit stop exists or is proposed adjacent to the site; the safe pedestrian access shall connect to the public sidewalk within 50 feet of the transit stop.
 - ii. Abutting non-residential uses shall provide for vehicular and pedestrian circulation between their sites, through parking lot or alley connections, hard surface walkways, and similar measures.
 - v. Pedestrian walkways traversing a parking lot with more than 100 spaces shall meet the following standards: Walkways adjacent to parking spaces shall be at least 4 feet wide and shall be separated from vehicles by a change in grade (4 inch minimum), curbing, bollards, wheel stops or landscaping. Walkways connecting handicapped parking spaces with building entrances shall be at least 5 feet wide. Walkways crossing parking lot drive aisles shall be delineated by striping, contrasting pavement materials, elevated pavement, or a combination of these measures. Walkways shall not be delineated to pass behind a row of parking spaces.
12. Circulation from the parking areas to the building entrances needs to be shown.
13. Show and label the locations of the proposed signs.
14. The parking is over the maximum required, please reduce.
15. A transit reduction in the parking could be applied.
16. There is a concern that more than 10% of the TCPA will be lost at the time of construction due to the locations of drive lanes. A more than 10% discrepancy would need to be addressed at DRC.
17. Show and label the full width of the LBA where there is a 50% overlap.
18. Will there be a revision to lots 1 and 3 that will need to be reviewed under a revised Category 3 application?
19. The northeast façade will need to be a primary façade. 5.7.1.B.3.b
20. Per transition standards, the front yard setback is a minimum of 15' and maximum of 25'. A variance may be necessary.
21. Will the 6' berm be able to be constructed in the 50' LBA without interfering with the driplines of the existing trees?
22. Will trucks be accessing lot 1 through lot 2?

Agency: Kentucky Transportation Cabinet (KTC)

Reviewer: KENNY CARRICO

Phone: (502) 210-5400

Email: Kenny.carrico@ky.gov

Status:

Date:

Agency Comments:

1. Additional right of way may be required across the frontage of this tract to meet the current Metro Land Development Code. The requirements are determined by Louisville Metro Transportation Planning and Public Works departments.
2. There should be no increase in drainage runoff to the right of way. Calculations will be required for any runoff to the state right of way.
3. There should be no commercial signs on the right of way.
4. There should be no landscaping in the right of way without an encroachment permit.
5. Site lighting should not shine in the eyes of drivers. If it does, it should be re-aimed, shielded or turned off.

6. Radiuses for entrances should be 1. minimum within state right of way.
7. All drainage structures within state right of way shall be state design.
8. All new and existing sidewalks shall be either brought up to or built to ADA current standards.
9. A traffic study may be required.
10. KYTC is okay with the concept on the Zoning plan with the exception of the comments in this review. This is just a preliminary okay. KYTC will review again if or when construction plans are submitted, and reserve the right to change or qualify the approval when construction plans are submitted for review.
11. An encroachment permit and bond will be required for all work done in the right of way. *Encroachment permit and bond forms are available at <http://transportation.ky.gov/Permits/Pages/Application-Forms.aspx>*

Agency: HISTORIC PRESERVATION

Reviewer: Cynthia Johnson

Phone: (502) 574-2868

Email: cynthia.johnson@louisvilleky.gov

Status:

Date:

Agency Comments:

1. The plan indicates that the existing historic sign will remain intact and reused. There is a Memorandum of Agreement with the Kentucky Heritage Council that requires the historic sign elements and integrity to be preserved. If the sign is relocated on the site, it shall be relocated within sight of Southside Drive to maintain the historic relationship to the road. In the event that a suitable location is not available at such time that the sign would be moved, property owner shall contact the Metro Historic Preservation Officer to find an appropriate site for relocation of the historic sign.

Agency: HEALTH DEPARTMENT

Reviewer: DANETTA HANNON

Phone: (502) 574-6769

Email: danetta.hannon@louisvilleky.gov

Status:

Date:

Agency Comments:

1. Each proposed building must connect to its own sanitary sewer PSC with a minimum six inch sanitary sewer.
2. Owner must provide documentation of connect to sanitary sewer, PSC, with a minimum six inch sanitary sewer.
3. All construction and sales trailers must be permitted by the Department of Public Health and Wellness in accordance with chapter 115 of Louisville Jefferson County Metro Ordinances.
4. Mosquito control in accordance with chapter 96 of Louisville Jefferson County Metro Ordinances.

Agency: LOUISVILLE WATER CC ANY

Reviewer: CHRIS KEIL

Phone: (502)569-3600

Email: ckeil@lwcky.com

Status:

August 14, 2013

Ms. Julia Williams, Case Manager
Louisville Metro Planning & Design Services
444 South 5th Street, Suite 300
Louisville, KY 40202



RE: Louisville Water Company Review
IARC Committee – Docket No. 13ZONE1012
7001 Southside Drive – Zoning Change Request

Dear Ms. Williams,

The following documents were submitted to LWC for review and comment:

- ~ Agency Notification Memorandum, dated July 30, 2013.
- ~ Letter from William B. Bardenwerper to Louisville Metro Case Manager dated July 29, 2013
- ~ Pre-Application Plan-Rezone Lot#2 Kenwood Business Center Lot 2, dated July 29, 2013.

LWC has the following comments in regard to the documents presented for review.

- LWC has adequate infrastructure in place to supply the development as proposed.
Nearest Water Main Location: Southside Drive
Nearest Water Main Size: 16 inches Pressure Zone: 660
See comments below for greater detail.
- LWC does not have the adequate infrastructure in place to supply the development as proposed. See comments below for greater detail.
- Water main sizing, layout in the development, and supply plans should be coordinated with LWC's New Development and Distribution Extensions Department.
- Fire hydrant flow tests should be requested to verify the available pressure and flow rates at the nearest existing fire hydrants.
- Easements may be needed to facilitate water main connections and/or maintain access to existing water mains.
- LWC has no objections to the document(s) as presented.

Recommendations and/or Comments:

Review of past fire flow testing in the area indicates fire flow capacity of less than 10,000 gpm and capacity to serve sustained flows of less than 4,000 gpm. Desired water demands should be stated before requesting service to this site.

Should you have any questions or require additional information, please contact me at (502) 569-3600, extension 2286 or by email at ckeil@lwcky.com.

Sincerely,



Chris Keil, P.E.
Infrastructure Planning

Agency: Louisville Metro EMA/MetroSafe GIS Addressing Division

Reviewer: RON REYNOLDS

Phone: (502)572-3492

Email: ron.reynolds@louisvilleky.gov

Status:

Date:

Agency Comments:

1. Louisville Metro EMA/MetroSafe GIS Addressing Division has the concerns listed below with the Zoning Change requested by Docket No. 13ZONE1012, for Kenwood Business Center, Lot 2.
2. The access drive from National Turnpike, running between Lots 1 & 3 has been named Kenwood Business Drive. Lot 1 Has been addressed 451 Kenwood Business Drive. Lot 3 has been addressed 450 Kenwood Business Drive. Lot 2 is addressed 7001 Kenwood Drive.

Agency: Transit Authority of River City (TARC)

Reviewer: NICHOLAS SEIVERS

Phone: (502) 561-5146

Email: nseivers@ridetarc.org

Status:

Date:

Agency Comments:

TARC Transit Authority of River City

Louisville Metro DRC Review

Docket Number

Name of Project

13Zone1012

7001 Southside Drive - Kenwood Business Center

Transit Summary

Access to Transit Service

Yes

TARC Routes Available

4

Frequency of Service

30 min peak, 60 min base

Location of Nearest Stop

Southside Drive, nearside of entrance to proposed development

The National Turnpike branch of Route 4 operates on two sides of the proposed development: Southside Drive and National Turnpike. The nearest transit stop is located on Southside Drive nearside of the entrance to the proposed Kenwood Business Center. Other transit stops are in the vicinity. Existing sidewalks and bus stops do not appear to be shown on the plan.

Transit Amenities

Easement

Concrete Pad

Yes - Recommended

Boarding Area

Yes - Recommended

Shelter

Bench

Yes - Recommended

Lighting

Trash Receptacle

Yes - Recommended

Urban Services District

No

Park and TARC

Comments

For all industrial and manufacturing uses over 1000 employees, boarding area, seat, and shelter are required per LDC Appendix 6F. However due to the nature of the use on a branch of a major transit route, TARC recommends that the Owner/ Developer make the following improvements. At the existing location of the transit stop on Southside Drive, TARC recommends that the Owner / Developer extend a 5 ft wide, ADA compliant boarding area from the curb/ edge of pavement of Southside to the existing sidewalk. At the back of the existing sidewalk, at the transit stop, TARC recommends that the Owner/ Developer construct a 3ft x 12 ft concrete pad and place upon it a bench and trash receptacle. Further, for the safety and convenience of employees and customers of the proposed development, TARC recommends that the Owner/ Developer construct sidewalks from Southside Drive and National Turnpike into the interior of the site.

TARC requests the addition of a Binding Element or a Note on the Plan: "The Owner / Developer will maintain the transit stop on an as needed basis."

TARC routes are viewable on the publicly available LOJIC online map at: <http://ags2.lojic.org/lojiconline/>, Transportation menu, click on the route in the map to link to the route map and schedule

Union Station
1000 W Broadway
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Please direct any questions regarding these comments to:
Nicholas Seivers, AICP nseivers@ridetarc.org or 502 561-5146

August 20, 2013 NS

YYY Southside Dr 7001 - Kenwood Business Center 2