

Development Review Committee

Staff Report

July 20, 2016



Case No:	16DEVPLAN1109
Project Name:	Ernst Concrete
Location:	4121 Algonquin Parkway
Owners:	Ernst Concrete – Ben Yost
Applicant:	Ernst Concrete – Ben Yost
Representative(s):	American Engineers, Inc. – John Pacyga
Project Area/Size:	4.48 acres
Existing Zoning District:	EZ-1
Existing Form District:	SW, Suburban Workplace
Jurisdiction:	Louisville Metro
Council District:	1 – Jessica Green
Case Manager:	Joel P. Dock, Planner I

REQUEST

- **Sidewalk Waiver** associated with Category 2B staff review

CASE SUMMARY

The applicant proposes to waive the sidewalk requirement along Algonquin Parkway and make a contribution to Louisville Metro Parks and Recreation's for the construction of the Louisville Loop multi-use trail. The multi-use path will be along the frontage of the site and serve as a continuation/connection to the existing multi-use path along S. 41st Street. Sidewalk requirements are being triggered by a Category 2B proposal to redevelopment the existing concrete (central mixing) facility West of Interstate-264. Employee parking, office space, paving, mixing tunnel and conveyor, landscaping, and uniform truck parking, maneuvering, and loading spaces are among the improvements.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Central mixing facility	EZ-1	SW
Proposed	Central mixing facility	EZ-1	SW
<i>Surrounding Properties</i>			
North	Rail-line/Vacant	EZ-1	SW
South	Industrial	M-3	SW
East	Single-/multi-Family	R-6	SW
West	Rail Terminal	EZ-1	SW

PREVIOUS AND ASSOCIATED CASES ON SITE

Staff found no associated cases on-site.

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code (April 2016)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR SIDEWALK WAIVER

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

STAFF: The waiver will not adversely affect adjacent property owners as a multi-use trail is proposed along the frontage of the subject site and the contribution to be made by the applicant will aid the implementation of the Louisville Loop project.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: The proposed waiver of the sidewalk does not violate specific guidelines of Cornerstone 2020 as Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. Guideline 9, Policy 1 states that new development should provide, where appropriate, for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. A contribution to Louisville Metro Parks and Recreation will aid in the construction costs of a multi-use path to be used by all citizens for multiple modes of recreation and enjoyment.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the construction of a sidewalk at this time would be negated by the overall impact and construction of the multi-use path.

- (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 that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) as a contribution to Louisville Metro Parks and Recreation for the construction of a multi-use path in lieu-of constructing a standard sidewalk will increase accessibility in the area to multiple modes of recreation and pedestrian movement.

TECHNICAL REVIEW

The amount of the contribution to be paid to Louisville Metro Parks and Recreation for the future construction and connection of the Louisville Loop multi-use path will be \$8,050. The applicant has agreed to this amount and will make this contribution upon the granting of this waiver. The amount will pay for the full cost of the 10' asphalt trail along the Algonquin Parkway frontage of the subject site.

An alternative landscape plan will be filed with Planning and Design Services staff prior to requesting building permits. The Planning Commission will be required to approve this plan.

STAFF CONCLUSIONS

The Sidewalk Waiver appears to be adequately justified and meets the standard of review based on staff analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC for approving a Sidewalk Waiver.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the Sidewalk Waiver with a contribution to be made to Louisville Metro Parks and Recreation in the amount of \$8,050.

NOTIFICATION

Date	Purpose of Notice	Recipients
7/7/16	DRC	Adjoining property owners, applicant, owner, and registered users of Council District 1.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

The map displays a section of the Louisville, Kentucky area, specifically around the intersection of S 40th St and S 39th St. The map is color-coded by zoning district: EZ1 (pink), M3 (cyan), R5 (yellow), R6 (orange), M2 (light blue), and UN (light yellow). The map shows the layout of streets, including S 40th St, S 39th St, and Algonquin Pkwy. It also indicates the location of I 264 and its ramps. A north arrow and a scale bar (0 to 200 feet) are provided. The map is dated 7/14/2016.

Legend:

- EZ1
- M3
- R5
- R6
- M2
- UN

Map Labels:

- S 40TH ST
- S 39TH ST
- ALGONQUIN PKY
- I 264 RAMP
- I 264

Scale: 0 200
* Distance are in feet

Plot Date: 7/14/2016

LOJIC
Louisville Office of Joint Interagency Coordination

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2. Aerial Photograph

