

Development Review Committee

Staff Report

January 31, 2018



Case No:	17DEVPLAN1224
Project Name:	Crown Packaging
Location:	2246 Ampere Dr
Owner(s):	Mijon Louisville, LLC.
Applicant:	Kelley Construction
Jurisdiction:	Jeffersontown
Council District:	11 – Kevin Kramer
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- Waiver of Land Development Code (Jeffersontown) Section 10.2.4.B to allow a utility easement to overlap a Landscape Buffer Area by greater than 50%.
- Revised Detailed District Development Plan

CASE SUMMARY/BACKGROUND

The applicant is proposing to expand an existing 51,516 SF manufacturing facility within the Holloway Industrial Park by 25,007 SF. The property was rezoned to Planned Employment Center under docket 9-96-79, with a Detailed District Development Plan for this site approved December 12, 1992 under the same docket number.

STAFF FINDING

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

TECHNICAL REVIEW

There are no outstanding technical review items associated with this request.

INTERESTED PARTY COMMENTS

Staff has received not comments from interested parties concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF 10.2.4.B TO ALLOW A UTILITY EASEMENT TO OVER LAP A REQUIRED LANDSCAPE BUFFER BY GREATER THAN 50%.

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

STAFF: The waiver will not adversely affect adjacent property owners since all required screening and buffering will still be provided on site.

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

STAFF: Guideline 3, Policy 9 calls for protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate. Guideline 3, Policies 21 and 22 call for appropriate transitions between uses that are substantially different in scale and intensity or density, and to mitigate the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. All required plantings will still be provided onsite.

- 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 since the existing parking lot limits the area in which utilities may be located to the planted area.

- 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 strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land, as locating the easement outside of the buffer would reduce the area available to locate required parking.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and/or AMENDMENT TO BINDING ELEMENTS

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site.

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

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan.

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

STAFF: Required amenity areas are being provided to serve the facility.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

REQUIRED ACTIONS:

- **RECOMMEND** that City of Jeffersontown **APPROVE** or **DENY** the **Waiver from LDC Section 10.2.4.B.**
- **RECOMMEND** that City of Jeffersontown **APPROVE** or **DENY** the **Revised Detailed District Development Plan.**

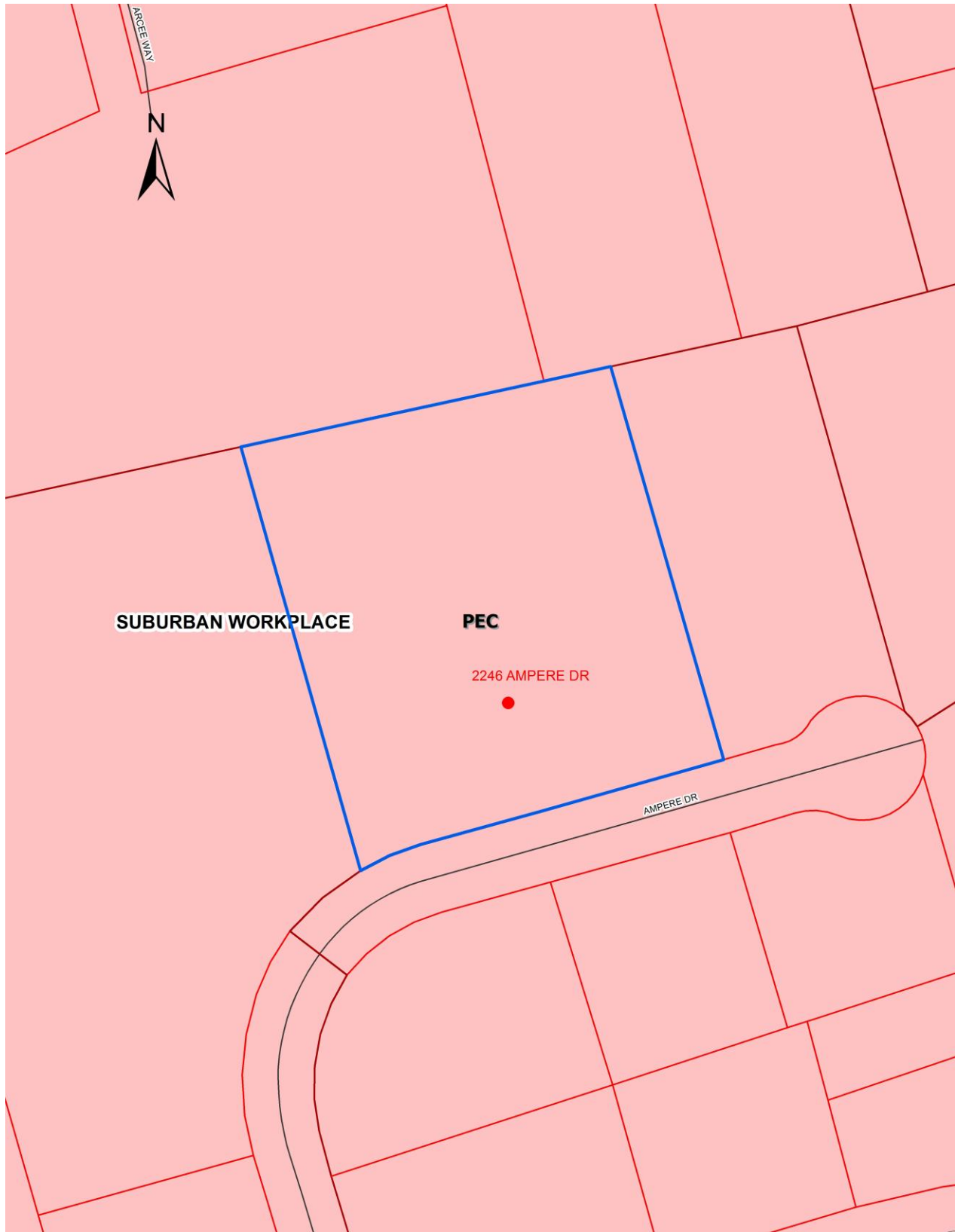
NOTIFICATION

Date	Purpose of Notice	Recipients
1-19-18	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 11

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing and/or Proposed Binding Elements

1. **Zoning Map**



2. **Aerial Photograph**



3. Existing Binding Elements with Proposed Revisions

All General District Development Plan Binding Elements approved under docket 9-96-79 applicable, in addition to the following.

1. The development shall be in accordance with the approved district development plan, land use and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission and the City of Jeffersonville. All binding elements contained on the General District Development Plan shall remain in effect for the detailed plan.
2. The development shall not exceed ~~54,348~~ 76,523 square feet of gross floor area.
3. Before a building or alteration permit and/or a certificate of occupancy is requested:
 - a) The development plan must be reapproved by the ~~Jefferson County Department of Public Works and Transportation,~~ Louisville Metro Develop Louisville and the Metropolitan Sewer District.
 - b) The size and location of any proposed freestanding sign must be approved by the staff of the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.
 - c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in ~~Article 12~~ Chapter 10. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - d) ~~A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Planning Commission.~~
4. There shall be no outdoor storage on the site.
5. ~~If a building permit is not issued within one year of the date of approval of the plan, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.~~
6. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.