

**Pre-Application
Staff Report**
TBD



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| Case No: | 17ZONE1053 |
| Request: | C-2 to M-2 |
| Project Name: | 12909 Dixie Hwy |
| Location: | 12909 Dixie Hwy |
| Owner: | AHP Hernandez |
| Applicant: | Same |
| Representative: | Same |
| Jurisdiction: | Louisville Metro |
| Council District: | 14 – Cindi Fowler |
| Case Manager: | Laura Mattingly, AICP, Planner II |

REQUEST(S)

- Change in zoning from C-2 & R-5 to M-2
- Detailed District Development Plan

CASE SUMMARY/BACKGROUND

The applicant is proposing a truck and trailer parking area on a along Dixie Highway in the Pleasure Ridge Park neighborhood. The site currently has an existing storage shed that will remain. The area for truck parking is asphalt and has two access points on Dixie Hwy. The applicant will have 10 trucks and trailers that will be parked on the property.

STAFF FINDINGS

Staff recommends all required landscaping be provided in this area. Additionally, any access improvements will greatly increase the chances of approval. The applicant next step is to hold a neighborhood meeting.

TECHNICAL REVIEW

- See agency comments for development plan review comments.

INTERESTED PARTY COMMENTS

None received.

STANDARD OF REVIEW FOR REZONING

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

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

The site is located in the Suburban Marketplace Corridor Form District

Suburban Marketplace Corridors: Suburban Marketplace Corridors are generally located along major roadways with well-defined beginning and ending points and established depths along the length of the corridor. The pattern of development is distinguished by a mixture of medium to high intensity uses. Accommodations for transit users, bicyclists and pedestrians are encouraged in an effort to attract a variety of users as well as to minimize automobile dependency and traffic congestion. Connectivity to nearby uses should be encouraged. Developers should be encouraged to design new commercial development in compact groups of buildings, which use the same curb cut, share parking, have a common freestanding sign identifying the uses and have a common buffering or streetscape plan with respect to any abutting uses of lower density or intensity. This form may include medium to high-density residential uses that are designed to be compatible with both the non-residential uses along the corridor and the lower density residential uses in adjacent form districts. Medium density residential uses may serve as a transition area from lower to higher density residential uses and should be encouraged in this form. Proposed new commercial uses are encouraged, to locate within the boundaries of existing corridors. Reuse of locations within existing corridors is preferred over expansion of a corridor. Proposals to expand defined corridors represent significant policy decisions. When considering proposals that result in an extension of suburban marketplace corridors, particular emphasis should be placed on: (a) use or reuse of land within existing corridors; (b) potential for disruption of established residential neighborhoods; and (c) compliance with the site and community design standards of the Land Development Code. This proposal is not compatible with surrounding commercial uses, and does not propose any improvements for pedestrians or bicyclists. In addition, there are no landscape buffers proposed which would increase the compatibility of the use and screen incompatible uses. On the other hand, the proposal is re-using an existing vacant site and not proposing an expansion of the corridor.

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.

NOTIFICATION

| Date | Purpose of Notice | Recipients |
|------|--------------------------|--|
| | Hearing before LD&T | 1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 10 Notification of Development Proposals |
| | Hearing before PC / BOZA | 1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 10 Notification of Development Proposals |
| | Hearing before PC / BOZA | Sign Posting on property |
| | Hearing before PC / BOZA | Legal Advertisement in the Courier-Journal |

ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

Suburban Marketplace Corridor: Non-Residential

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|---|---|---|---------------|---|
| 1 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal integrates into the existing pattern of development, which includes a mixture of medium- to high-density uses. | - | The proposal is not consistent with the existing pattern of uses in this area, as this is an industrial proposal within a commercial area. |
| 2 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal provides accommodations for transit users, pedestrians and bicyclists and provides connectivity to adjacent developments. | - | The proposal does not include public sidewalks or pedestrian connections. |
| 3 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal includes a compact group of buildings using the same curb cut, parking and signs, and that have a common buffering or streetscape plan with respect to any abutting lower density or intensity uses. | - | The proposal does not include curb cut improvements or any buffering or streetscape improvements. |
| 4 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal is of a medium to high density designed to be compatible with both non-residential development in the corridor and adjacent low density residential development in other form districts. | - | The use is not compatible with those along the corridor as it is not commercial in nature and is not compatible with the nearby residential uses. |
| 5 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal is located within the boundaries of the existing form district, and if the proposal is to expand an existing corridor, the justification for doing so addresses the use or reuse of land within the existing corridor, the potential for disruption of established residential neighborhoods, and compliance with the site and community design standards of the Land Development Code. | ✓ | The proposal is located within the Suburban Marketplace Form District and within an existing site, therefore it is not expanding the existing corridor. |
| 6 | Community Form/Land Use Guideline 2: Centers | A.1/7: The proposal, which will create a new center, is located in the Suburban Marketplace Corridor Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use. | NA | The proposal is not located within a new center and does not propose new construction. |

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| 7 | Community Form/Land Use Guideline 2: Centers | A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it. | NA | The proposal is not a retail development. |
| 8 | Community Form/Land Use Guideline 2: Centers | A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment. | ✓ | The reuse of the existing buildings is compact, efficient use and is cost-effective. |
| 9 | Community Form/Land Use Guideline 2: Centers | A.5: The proposed center includes a mix of compatible land uses that will reduce trips, support the use of alternative forms of transportation and encourage vitality and sense of place. | NA | The proposal is not a new center. |
| 10 | Community Form/Land Use Guideline 2: Centers | A.6: The proposal incorporates residential and office uses above retail and/or includes other mixed-use, multi-story retail buildings. | NA | The proposal is not a new center and therefore not subject to this element. |
| 11 | Community Form/Land Use Guideline 2: Centers | A.12: If the proposal is a large development in a center, it is designed to be compact and multi-purpose, and is oriented around a central feature such as a public square or plaza or landscape element. | NA | The proposal is not a large development in a new center. |
| 12 | Community Form/Land Use Guideline 2: Centers | A.13/15: The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns. | - | The proposal lacks a safe vehicular connection to the property to the abutting properties. |
| 13 | Community Form/Land Use Guideline 2: Centers | A.14: The proposal is designed to share utility hookups and service entrances with adjacent developments, and utility lines are placed underground in common easements. | ✓ | As the site is existing, the proposal is using existing infrastructure. |
| 14 | Community Form/Land Use Guideline 2: Centers | A.16: The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities. | - | Although the site is located along a major arterial and transit route, the proposal does not include public sidewalks or pedestrian connections. |
| 15 | Community Form/Land Use Guideline 3: Compatibility | A.2: The proposed building materials increase the new development's compatibility. | +/- | It is unknown if the development is changing any building materials. |

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| 16 | 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. | ✓ | This proposal is not a non-residential expansion into a residential area. |
| 17 | Community Form/Land Use Guideline 3: Compatibility | A.5: The proposal mitigates any potential odor or emissions associated with the development. | - | There does not appear to be any mitigation measures of this kind associated with the proposal. |
| 18 | Community Form/Land Use Guideline 3: Compatibility | A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities. | - | The proposal does not include curb cut or streetscape improvements which would improve traffic safety. |
| 19 | 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. | +/- | More information on lighting is needed in order to determine. |
| 20 | 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. | ✓ | Dixie Hwy is a major arterial with nearby access to a freeway. |
| 21 | 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. | - | None of the required buffers are proposed. |
| 22 | 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. | - | None of the required buffers are proposed. |
| 23 | 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. | - | All building heights, setbacks and lot dimensions exist but are incompatible with nearby commercial establishments, which are set closer to the road. |

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| 24 | 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. | ✓ | This site is not directly adjacent to any residential. |
| 25 | 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. | - | There is no VUA buffering proposed. |
| 26 | 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 | There is not proposed parking garage. |
| 27 | 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. | +/- | Staff has not seen elevations of proposed signage. |
| 28 | 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. | NA | There is no open space requirement with this proposal. |
| 29 | 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 | There is no open space requirement with this proposal. |
| 30 | Community Form/Land Use Guideline 4: Open Space | A.5: The proposal integrates natural features into the pattern of development. | - | No tree canopy or landscaping is proposed. |
| 31 | 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. | ✓ | The proposal is preserving all the existing greenspace on site, including the tree canopy on the east side of the site. |

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| 32 | 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. | NA | This site has not been recognized as historic. |
| 33 | 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. | ✓ | LOJIC has not identified any hydric soils or steep slopes on site. |
| 34 | 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 downtown. |
| 35 | 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. | ✓ | This proposal is industrial and located near other industrial developments to the south. |
| 36 | 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 | This proposal is not retail commercial and does not anticipate large amounts of traffic. |
| 37 | 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. | ✓ | This proposal is located on a major arterial. |
| 38 | 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. | - | The proposal does not include any curb or roadway improvements. |

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| 39 | 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. | - | This proposal does not include pedestrian or bicycle facilities. |
| 40 | 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. | ✓ | This use does not constitute connections to adjacent properties. |
| 41 | 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. | +/- | It is unknown at this time if dedication of right of way is required. |
| 42 | Mobility/Transportation Guideline 7: Circulation | A.10: The proposal includes adequate parking spaces to support the use. | +/- | The applicant needs to provide correct parking calculations. |
| 43 | 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. | ✓ | Connections to adjacent properties is not appropriate for this use. |
| 44 | 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. | NA | This proposal is located on an existing roadway network and is not creating any new roadways. |
| 45 | 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 is being achieved from the abutting public right of way. |
| 46 | 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. | ✓ | This proposal is located on an existing roadway network that is sufficient. |

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| 47 | 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. | - | This proposal does not include pedestrian or bicycle facilities. |
| 48 | 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 currently reviewing the proposal. |
| 49 | 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 currently reviewing the proposal. |
| 50 | 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. | NA | This area is highly developed and there are no existing natural corridors. |
| 51 | Community Facilities Guideline 14: Infrastructure | A.2: The proposal is located in an area served by existing utilities or planned for utilities. | ✓ | This area is fully developed and has adequate existing infrastructure for the proposal. |
| 52 | Community Facilities Guideline 14: Infrastructure | A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes. | +/- | There is existing infrastructure in place for potable water but it is unknown where the nearest fire hydrant is located. |
| 53 | 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 currently reviewing the proposal. |