

Development Review Committee

Staff Report

October 14, 2020



Case No:	20-DDP-0044
Project Name:	Logistics Air Park
Location:	5540 Minor Lane
Owner(s):	Jim Calvery, LaGrange LLC
Applicant:	Jim Calvery, LaGrange LLC
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox
Case Manager:	Lacey Gabbard, AICP, Planner I

REQUESTS:

1. District Development Plan

CASE SUMMARY/BACKGROUND

The subject site is zoned PEC Planned Employment Center in the Suburban Workplace form district. It is comprised of six parcels located east of I-65, north of Outer Loop and west of Minor Lane. Currently, the subject site appears to be undeveloped.

The currently approved plan, 20-DDP-0019, includes all six of the lots on the subject site. The applicant is proposing to add a parking area on the north parcel of the subject site, on Lot 1. Per 20-DDP-0019, Lot 1 also includes a 931,397 square foot office/warehouse.

There is an associated variance, 20-VARIANCE-0123, from Land Development Code section 4.8 to allow parking to encroach into the 100 foot waterway buffer by a maximum of 42 feet. This request will be heard by the Board of Zoning Adjustment on October 26, 2020. The Development Review Committee does not act upon this request.

Previous cases:

- 20-DDP-0019: Revised Detailed District Development Plan for Lot 1 and Detailed District Development Plan with Binding Elements for Lot 6
- 19DEVPLAN1120: Revised General and Detailed District Development Plan with waiver requests
- 18ZONE1049: Change in zoning from R-4, R-7 and C-2 to PEC Planned Employment Center and change in form district from Suburban Marketplace Corridor and Neighborhood to Suburban Workplace

STAFF FINDINGS

The District Development Plan is adequately justified and meets the standard of review. Staff recommends that approval be based on the condition that the variance request for the parking to encroach into the waterway buffer be approved by the Board of Zoning Adjustment.

TECHNICAL REVIEW

Public Works and MSD have provided preliminary plan approval.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP

- (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 historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site. The applicant is requesting a variance to encroach into the 100 foot waterway buffer which will be heard by the Board of Zoning Adjustment on October 26, 2020.

- (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. Public Works and MSD have provided preliminary approvals.

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

STAFF: This proposal has no Outdoor Amenity Area requirements.

- (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:

- **APPROVE** or **DENY** the **District Development Plan**

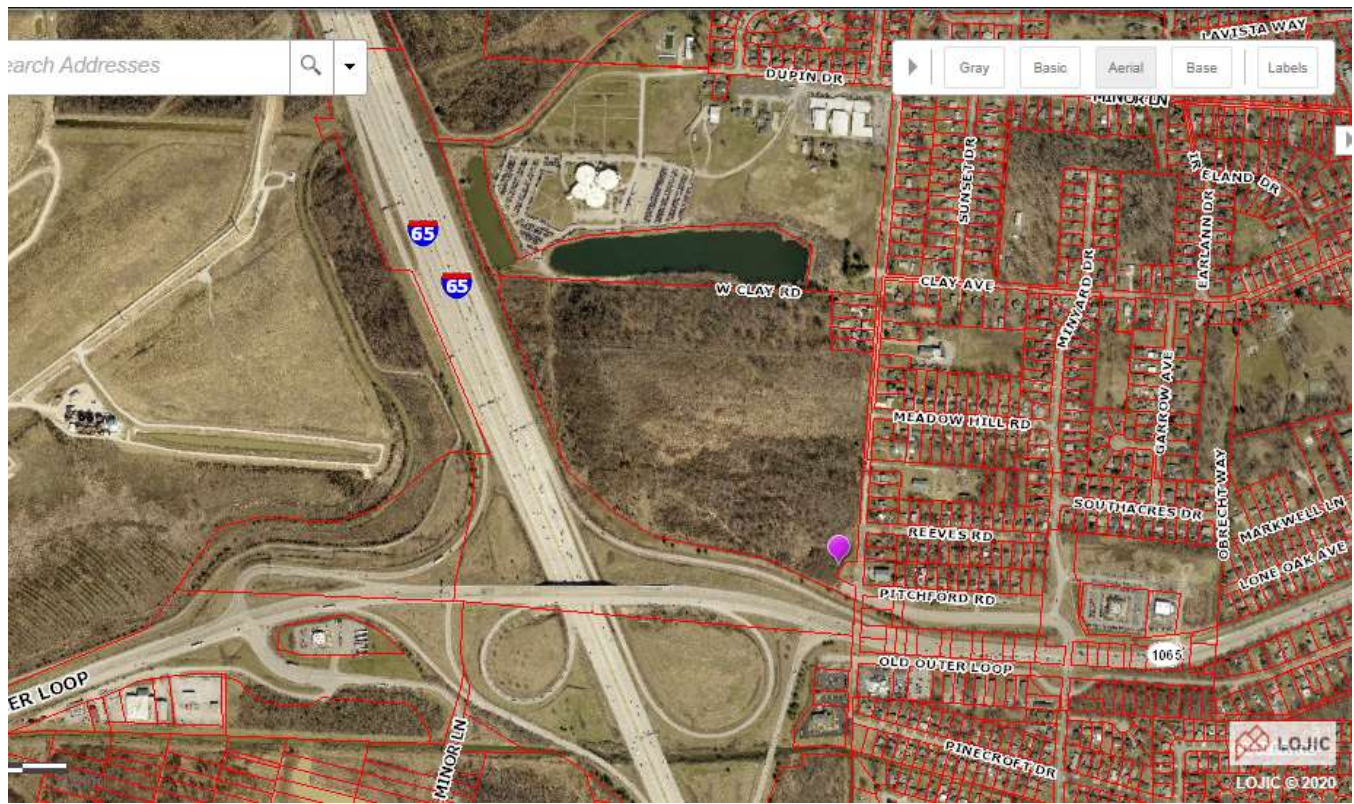
NOTIFICATION

Date	Purpose of Notice	Recipients
10-14-20	Hearing before DRC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 13

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Binding Elements Applicable to Overall Development / Lot 1

2. Aerial Photograph



3. Binding Elements Applicable to Overall Development / Lot 1

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. Prior to development (includes clearing and grading) of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed district development plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements. The façade elevations submitted at this time shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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 Codes and Regulations, Construction Permits, and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. 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.
 - d. A minor plat shall be approved and recorded creating the lots as shown on the approved development plan.
5. 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.
6. 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 the 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.
7. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.
8. No deliveries shall be permitted by any commercial use between 10:00pm and 7:00am.

9. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the development site and the adjoining property owner(s) to the North and recorded prior to development of that site for any non- residential use. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services.

10. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between all parcels shown on the approved development. Rights of access shall be retained for the benefit of the public to access the archaeological feature on Lot 2. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services. Such agreement shall be recorded prior to construction plan approval.

11. A unified signage plan shall be created that sets consistent standards for the design, appearance and location of signs within the development. This plan shall be submitted for review and approval by Planning Commission staff prior to issuance of certificate of occupancy.

12. Landscaping shall be provided which is substantially similar to that described on the applicant's landscape exhibit presented at the 2/7/19 public hearing of the Planning Commission.

13. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the 2/7/19 Planning Commission meeting. One tree shall be planted within 15 feet of the building, for each 50 feet of façade length facing public streets or residentially used property. Trees may be clustered but distance between trees shall not exceed 100 feet. Tree species shall be selected from the Preferred Plant List that will equal or exceed the height of the adjacent building, at maturity. This shall be in addition to trees required in parking lot interior landscape areas.

14. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.

15. The following roadway improvement shall be made prior to the occupancy of the subject site:
Outer Loop Road at Minor Lane

- a. Remove the existing raised median on the west leg of the intersection to provide dual left turns from Outer Loop Road to Minor Lane.
- b. Add an additional southbound lane on the north leg of the intersection to provide 1 right turn lane, 1 shared through-left turn lane and 1 exclusive left turn lane. Widening on this leg will require significant shoulder widening to provide positive off-tracking for heavy making a right turn from Minor Lane to Outer Loop Road.
- c. Widen the northbound approach of Briarcliff Road north of the Old Outer Loop Road to provide full pavement width for two lanes. Reconfigure the northbound lanes to provide 1 exclusive left turn lane and 1 shared through right turn lane.
- d. Provide a westbound right turn lane on Outer Loop Road to Minor Lane.

Minor Lane Extension at Development Drive

Configure the newly created intersection with stop control on the southbound approach of Minor Lane.

Any revision to these recommendations shall be in coordination with KYT and shall be presented to Director of Public Works for review and approval.

16. The following M-2 uses are prohibited unless approved by the Planning Commission in a public hearing. Any application for amendment shall include notification o all those that spoke at the public hearing, as well as 1st and 2nd tier adjoining property owners.

Auction sales, outdoor
Fairgrounds
Flea market
Railroad freight terminal and yards
River terminals
Outdoor storage of materials and equipment
Waterfront shipping
Uses, manufacture, processing, treatment, or storage of the following:
 Aluminum extrusion
 Animal pound
 Coal and coke, storage and sales
 Foundry products (electrical only)
 Hosiery mill
 Insecticides, fungicides, disinfectants, and related industrial and household chemical compounds (blending only)
 Paint and coating, except manufacturing gun cotton nitro-cellulose lacquers and reactive resin cooking
 Poultry or rabbit, packaging or slaughtering (wholesale)
 Tire treading and vulcanizing shop

17. The following M-1 uses are prohibited:
 Uses, manufacture, processing, treatment, or storage of the following: Adhesive, excluding manufacturing of basic components
 Chemicals (packaging only)
18. The developer shall adhere to LDC section 4.4.6 as it pertains to inactive cemeteries.