

Board of Zoning Adjustment

Staff Report

March 29, 2021



Case No:	20-CAT3-0019/20-VARIANCE-0177
Project Name:	Louisville Renaissance Zone Lot 1
Location:	2430 Outer Loop
Owner(s):	Louisville Renaissance Zone Corp
Applicant:	Louisville Renaissance Zone Corp
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- **Variance** to encroach up to 60 feet into the 100-foot streamside buffer along Southern Ditch as shown on the development plan.
- **Category 3 Development Plan** with approval of Outdoor Amenity Area design.

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a 322,800 SF industrial warehouse and associated parking. The subject site is approximately 21.455 acres and is zoned EZ-1 in the Suburban Workplace form district. The subject site is located within the larger Louisville Renaissance Zone industrial development and is along Outer Loop to the west of I-65 in south-central Louisville Metro. Access to the site will be provided along the rear via Universal Way from Air Commerce Dr.

STAFF FINDING

The request is adequately justified and meet the standards of review. The applicant will ensure that surface water is treated via stormwater best management practices and MSD regulations to ensure water quality is maintained and runoff is contained on the subject site. The Category 3 development plan is in order and the required outdoor amenity space is in compliance with the Land development Code. Final plantings for amenities will be shown on the approved landscape plan.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

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

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

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

STAFF: The proposed development would not appear to present any adverse impacts.

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

STAFF: The requested variance will not alter the essential character of the general vicinity as the development is consistent with similar development in the area.

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

STAFF: The requested variance will not cause a hazard or nuisance to the public as the applicant will install adequate infrastructure to contain pollutants and runoff during rain events.

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

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations as the proposed development is consistent with other development in the same zone.

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 requested variance does not arise from special circumstances.

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: The strict application of the provisions of the regulation would not deprive the applicant of reasonable use of the land, but would require a reduction in the scale of the development.

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 are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as no development has occurred.

ADDITIONAL CRITERIA PER LDC 4.8.4.B

- a. The variance is necessary because the requirements of this section represent an extreme hardship such that minimal or no reasonable economic use of the land is available without reducing the width of the required Buffer Area.

STAFF: The requirements of this section do not represent an unreasonable hardship and strict enforcement of the provisions would not remove the ability to use the land in an economic way.

- c. Encroachment into the required Buffer Area shall be limited to the minimum necessary to accommodate the proposed use.

STAFF: the encroachment appears to be the minimum necessary to develop the site consistent with existing improvements.

- d. The Applicant shall commit, to the satisfaction of the County, to mitigation measures that substantially offset any potential adverse impacts of the proposed encroachment during site preparation, construction, and post-construction.

STAFF: The applicant has demonstrated that adequate mitigation measures will be installed according to MSD requirements and stormwater best management practices to ensure stormwater runoff is contained on the subject site and that pollutants will not wash into the waterway.

- e. Approval of the variance will not result in a reduction in water quality.

STAFF: The Metropolitan Sewer District has approved the preliminary plan

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Variance**
- **APPROVE** or **DENY** the **Category 3 Development Plan** with outdoor amenity area design.

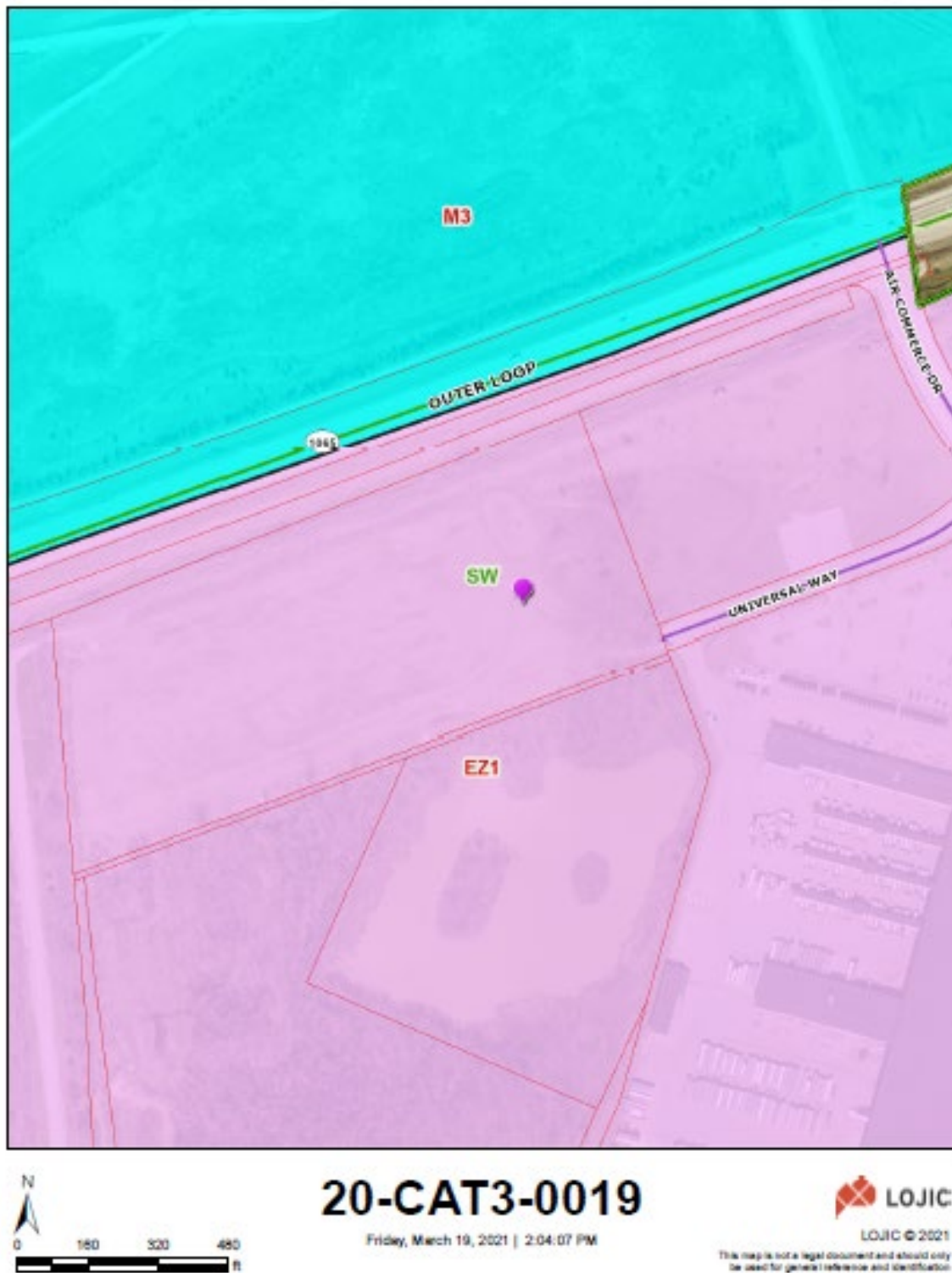
NOTIFICATION

Date	Purpose of Notice	Recipients
3-10-21	Hearing before BOZA	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 13

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph



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Friday, March 19, 2021 | 2:02:39 PM



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This map is not a legal document and should only be used for general reference and identification.