



Oldham County Planning and Development Services
Application for Zoning Map Amendment
Development Plan

Date: _____ Docket No: For Staff Use Only: P2-25-025 Staff: AB Fee: _____

This application must be submitted in person at the Planning and Zoning Office.

General Information: (A separate application must be submitted for each individual request.)

Name of Applicant(s): Gulf Stream Development / Tri Star Construction and Development Group, LLC

Project Address: Commerce Parkway, La Grange, Kentucky, 40031

Project Name: Commerce Contractor Office Park

City: La Grange Is the project within the incorporated city limits? Yes

Total Site Acreage: 9.0 Subdivision Name: N/A

Current Land Use: Undeveloped Proposed Land Use: Commercial Office Park

Parcel ID: 47-00-00-29F, 29G, 29H Current Zoning: R-2 Proposed Zoning: C-3

Are there any past or present related Planning and Zoning cases on this property? If yes, please list the cases:

Signatures: (The undersigned agrees that the filing of this application constitutes an agreement by the owner(s) and other parties having an interest in the subject property. Their heirs, successors, and assigns, that, if the zoning map amendment(s) requested by this application is (are) enacted by the appropriate legislative body, building permits for improvement of the subject property shall be issued only in conformance with the zoning ordinance and binding and that such binding elements shall be strictly complied with and may be enforced in the same manner as the zoning district regulations.)

Owner(s):

Name: Gulf Stream Development Signature: [Signature]

Address: 2960 Fairview Drive, Owensboro, Kentucky, 42303

Name: Tri Star Construction and Development Group, LLC Signature: [Signature]

Address: Post Office Box 69, Crestwood, Kentucky, 40014

Name: _____ Signature: _____

Address: _____

Applicant(s): (if other than owner)

Name: _____ Signature: _____

Address: _____

Phone: _____ Email Address: _____

Contact: (if other than owner)

Name: Michael G. Swansburg, Jr., Esq. Signature: [Signature]

Address: c/o Swansburg & Smith, PLLC, 117 W. Main Street, La Grange, Kentucky, 40031

Phone: (502) 805-5960 Email Address: mgs@swansburgandsmith.com

100 West Jefferson Street ~ LaGrange, Kentucky

Ph: 502-222-1476 Fax: 502-222-3213

Last Updated 11/14/2024

www.oldhamcountyky.gov

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Additional Requests:

A. Are there any variances required? No

If yes, attach a list including each variance and from which section of the Zoning Ordinance the variance is requested. Each request for a variance must also include a justification statement in response to the following questions:

1. What are the specific conditions related to this request that are unique only to the applicant's land and do not exist on other land in the same general vicinity, or in the same zoning district?
2. If this variance were not granted, how would this deprive the applicant of reasonable use of the land in a manner equivalent to uses permitted to other landowners in the same zoning district?
3. Are the unique conditions and circumstances a result of actions of the applicant taken after the adoption of the zoning regulations from which relief is sought?
4. How will the variance preserve, and not harm, the public safety and welfare of the public and maintain the essential character of the neighborhood?

Variances are needed when a major subdivision conflicts with specific dimensional requirements of the Oldham County Zoning Ordinance.

B. Are there any waivers required? No

If yes, attach a list including each waiver and from which section of the Subdivision Regulations the waiver is requested. The Commission may reduce or otherwise grant waivers from the requirements of the Oldham County Subdivision regulations whenever it encounters the situations described below.

- A. Exceptional Hardship – Where the Commission finds that strict compliance with these regulations would create an undue hardship because of exceptional unique topographic or other natural or man-made physical conditions encountered on the particular land, the Commission may modify these regulations to the extent necessary to relieve the undue hardship.
- B. Design Innovation and Large Scale Development – These regulations may be modified by the Commission in the case of plans for complete neighborhoods or other design innovations which, in the Commission's opinion, still achieve the basic objectives of these regulations.

Requests for waivers must be justified based on one or both of the above situations.

C. Is the Zoning Map Amendment part of an application for a Major Subdivision? No

If yes, a separate Major Subdivision Preliminary Plan Application is required.

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Fee \$1200 for 5-10 acre properties, C-3 zoning

Last Updated 11/14/2024

9x5 = \$45 APUs

RE-ZONING JUSTIFICATION STATEMENT (R-2 TO C-3)
COMMERCE CONTRACTOR OFFICE PARK
Commerce Parkway
La Grange, Kentucky 40031

The Co-Applicants, Gulf Stream Development / Tri Star Construction and Development Group, LLC, (hereinafter collectively, the “**Applicants**”) respectfully seeks the re-zoning of approximately 9.0 acres of property located on Commerce Parkway (hereinafter, the “**Property**”) within the limits of the City of La Grange, being Oldham County PVA Parcel Nos. 47-00-00-29F, 29G, and 29H, from the present designation of R-2 to C-3 (hereinafter, the “**Project**”). The underlying purpose of the Project is to convert an undeveloped parcel that sits between both Commerce Parkway and I-71 into a commercial contractor office park.

1. The Existing Zoning Classification for the Property Is Inappropriate, While the Proposed Classification Is Applicable.

Kentucky law provides that “[b]efore any map amendment is granted, the planning commission . . . must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply . . . : (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate.” KRS 100.213(1)-(a).

Presently, the Property is zoned “R-2,” the general purpose of which is to allow “low density, detached single-family areas and neighborhoods at densities up to 3.63 dwelling units per acre.” Oldham Co. Comprehensive zoning Ordinance (2019) p. 18. In other words, the Property presently is zoned to be developed as a low-density subdivision. But that designation, given the actual development of the area, entirely is misplaced, given the actual development of that area of La Grange. Indeed, the parcel as it stands sits on an island, surrounded by parcels designated “C-3” to the immediate east and west, while I-71 borders the property to the south and a parcel designated “C-2” rests to the north across Commerce Parkway. That this particular parcel remains designated as “R-2” fails to account for the reality of the area.

Conversely, a “C-3” designation, which the Applicants respectfully seek for the Property, generally provides for “appropriate locations for a wide variety of businesses, commercial, mass merchant[,] and miscellaneous service activities.” Oldham Co. Comprehensive Zoning Ordinance (2019) p. 41. As mentioned above, this stretch of Commerce Parkway contemplates the existence of commercial development, as

evidenced by the two (2) properties to the immediate east and west of the Property that are both designated as “C-3” zones. If one looks at the Oldham Co. Zoning Map, he or she can see that changing the Property’s zoning classification from “R-2” to “C-3” will fill in a noticeable gap to a stretch of area that already is commercial in nature.

2. The Proposed Classification Adheres to the Oldham County Comprehensive Plan

A. Land Use Objective LU-1-1: “Utilize the development review process to ensure that future land uses are compatible with surrounding land uses and to include review of existing or planned community facilities and services such as sanitary sewer, potable water, police, fire protection, schools, transportation and postal service (mail + package delivery).”

☒ The Project will ensure compatibility with adjacent development through the building of a commercial contractor park in an area of La Grange that already supports commercial activity.

B. Land Use Objective LU-3-1: “Support existing business retention and growth compatible with adjacent land uses and the availability of community facilities and services.”

☒ The Project is designed to create a new commercial contractor park in an area of La Grange that already supports commercial activity. This area of town also has existing infrastructure that can, and would, support the Project.

C. Business and Industry Objective BI-1-2: “Support existing business and industry to thrive and grow in Oldham County.”

☒ As stated above, the Project is designed to create a new commercial contractor park that will support new and existing businesses in and around the City of La Grange. In doing so, the Project will provide a number of companies with a new site to locate their business, thus supporting not only themselves but also those with whom they partner in and around Oldham County.