

Development Review Committee

Staff Report

August 18th, 2021



Case No:	20-DDP-0008
Project Name:	Jiffy Lube
Location:	7379 Jefferson Blvd
Owner(s):	Covington Land Development, LLC
Applicant:	Phillip Gambrell PE, Prism Engineering
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
Case Manager:	Molly Clark, Planner I

REQUEST(S)

- **AMENDMENT TO BINDING ELEMENT**

CASE SUMMARY/BACKGROUND

The applicant is proposing to build a 3,438 square foot building that will be a automotive oil change commercial facility which was approved at the May 5th, 2021 DRC hearing. The site is currently zoned C-2 in the Regional Center form district. The subject site is currently undeveloped.

Since the last DRC hearing on August 4th, 2021, the applicant has made changes to the proposed renderings that now meet the code. Binding element 4.c. needs to be amended to reflect the most recent renderings:

- c. *The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the August 4, 2021 DRC meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.*

Previous cases:

- 9-41-88: Change in zoning from R-4 Residential Single Family to C-2 Commercial
- 15DEVPLAN1147: District Development Plan for a multi-family residential development
- 21-DDP-0008: Revised Detailed District Development Plan, approved on May 5th, 2021 DRC.

STAFF FINDING

The waiver request is adequately justified and meet the standard of review.

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposal.

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 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: No natural resources are evident on this site. Applicant is providing all the required landscaping which will be an improvement to what is existing.

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

STAFF: The proposed plan that was approved at DRC on May 5, 2021 shows vehicular and pedestrian connection.

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

STAFF: There are no open space requirements associated with this request.

- 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: Adequate drainage facilities are being approved by MSD.

- 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 applicant is providing all the required landscaping plantings.

- 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 proposal conforms to the Comprehensive Plan and the Land Development Code.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **AMENDMENT TO BINDING ELEMENT**

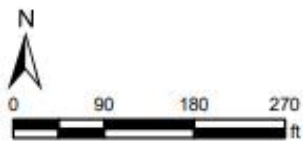
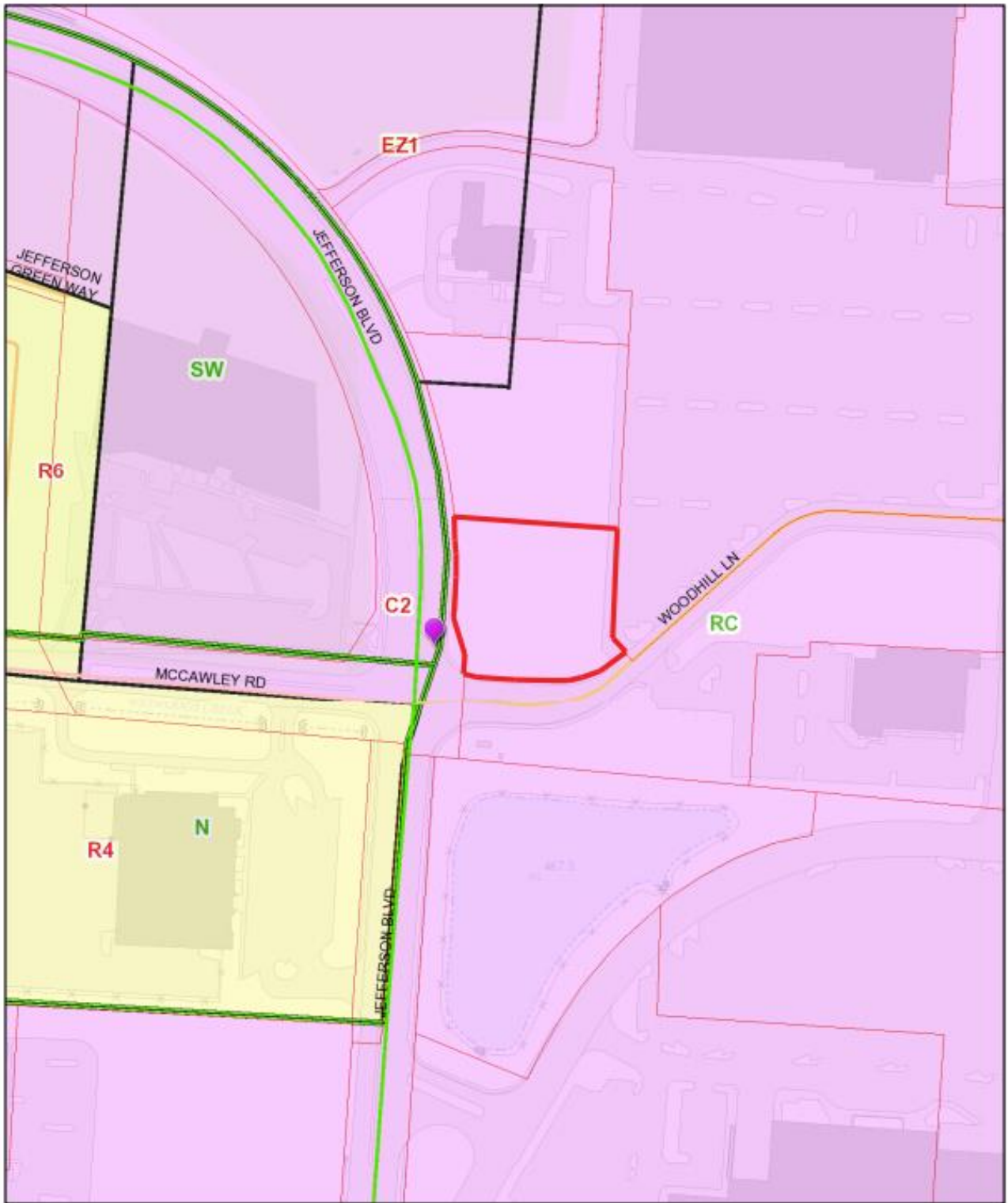
NOTIFICATION

Date	Purpose of Notice	Recipients
7/23/21	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 10

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. General Plan Binding Elements
4. Existing Site Plan Binding Elements

1. **Zoning Map**



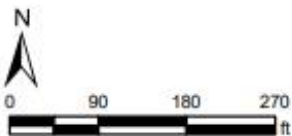
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2. Aerial Photograph



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3. General Plan Binding Elements

1. The development will be in accordance with the approved District Development Plan. No further development will occur until approved by the Planning Commission.
2. 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 Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. 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.
 - c. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the August 4, 2021 DRC meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
3. When funds are committed for the extension of Jefferson Boulevard to Fern Valley Road, the developer will dedicate and construct Jefferson Boulevard on its property. The location of the proposed 100' right-of-way will be immediately located and marked. It shall be reserved by the owner, free of structures or any obstruction, until needed for road construction.
4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
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. Storm drainage retention facilities shown on the District Development Plan shall be built during the initial phase of the mall expansion. Developer shall facilitate drainage with its project design and construction process and will meet all requirements of the MSD.
7. Ronwood Lane, Barnes Drive and Dougy Lane will not be connected to the development.
8. The developer will construct a 7-foot high continuous solid wood fence along the south property line of residences on Ronwood Lane that are adjacent to the existing Jefferson Mall. This fence will also be constructed along the property line of the mall extension site where it borders developed residential tracts.
9. Landscaping will be distributed uniformly throughout the proposed and existing Jefferson Mall development to create a uniform design as a substitute for the literal terms of Chapter 10 requiring a maximum 120 foot separation between interior landscaping.
10. Before the opening for business of retail space in the expanded development, the developer will modify the existing south central entrance (opposite Brownfield Square) to include a traffic signal, and to include interconnects and controller modifications for signals at the intersections of Outer Loop and Jefferson Boulevard and Outer Loop and Judge Boulevard. Sharing of costs with other developers and governmental agencies will be as documented in the records of the County Director of Works and Transportation.

11. The developer will provide improvements for widening McCawley Road at Preston Highway after the appropriate governmental authority has provided the required right-of-way. The maximum construction cost to the developer for these improvements shall be \$50,000.00. The developer will fund the design of the improvement (which will be approved by the Jefferson County Department of Public Works and Transportation).

12. There may be some overlap in the number of parking spaces required in the case of a regional shopping mall. Therefore, the initial requirement of parking spaces shall be 1921. Land shall be reserved to add up to 798 parking spaces when needed by the Developer or when required by the Jefferson County Director of Works and Transportation.

13. The above binding elements may be amended as provided for in the Zoning District Regulations.

4. Existing Site Plan Binding Elements

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
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 Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. 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.
 - c. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the August 4, 2021 DRC meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
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. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.
7. 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 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.