

Development Review Committee

Staff Report

April 4, 2018



Case No:	18DEVPLAN1009
Project Name:	9310 Taylorsville Road
Location:	9310 Taylorsville Road
Owner(s):	Otte Family Limited Partnership
Applicant:	William Fowler
Representative:	Nick Pregliasco, Bardenwerper, Talbott & Roberts, PLLC
Jurisdiction:	Jeffersontown
Council District:	11 – Kevin Kramer
Case Manager:	Laura Mattingly, AICP, Planner II

REQUEST(S)

- Revised Detailed District Development Plan with Binding Elements

CASE SUMMARY/BACKGROUND

The subject site is located on the west side of Taylorsville Road, approximately ½ mile southeast of S. Hurstbourne Pkwy. The applicant is proposing to divide the existing 3.5 acre lot into 2 tracts. Tract 1 will have a 16,750 SF one-story office building. Tract 2 will have 8,200 SF one-story retail building. Parking will be shared between the two tracts with a total of 139 spaces. Both tracts will be accessed by the existing curb cut on Taylorsville road.

Previous Cases:

16870: Change in Zoning from R-4, Single Family Residential to C-1, Commercial. Recommended for approval by Planning Commission on April 5, 2012.

STAFF FINDING

Staff finds that the revised detailed district development plan appears to be adequately justified and meets the standard of review based on the staff analysis.

TECHNICAL REVIEW

- MSD and Transportation have given preliminary approvals.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP

- 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: LOJIC identified Karst Terrain at this location. The applicant conducted a survey and found no Karst features on site. The proposal does not include the preservation of any trees but will be meeting tree canopy requirements with new plantings.

- 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 appear to have been provided through the existing roadway connections, a shared access from Taylorsville Road, sidewalks and pedestrian connections.

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

STAFF: There is no requirement for open space for this proposal.

- 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 must approve 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 appear compatible with the existing and future development of the area. The one-story structures are similar in scale and setbacks are similar to other non-residential development along Taylorsville Road.

- 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 generally conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

REQUIRED ACTIONS

- **RECOMMEND APPROVAL or DENIAL** to the City of Jeffersontown of the Revised Detailed District Development Plan

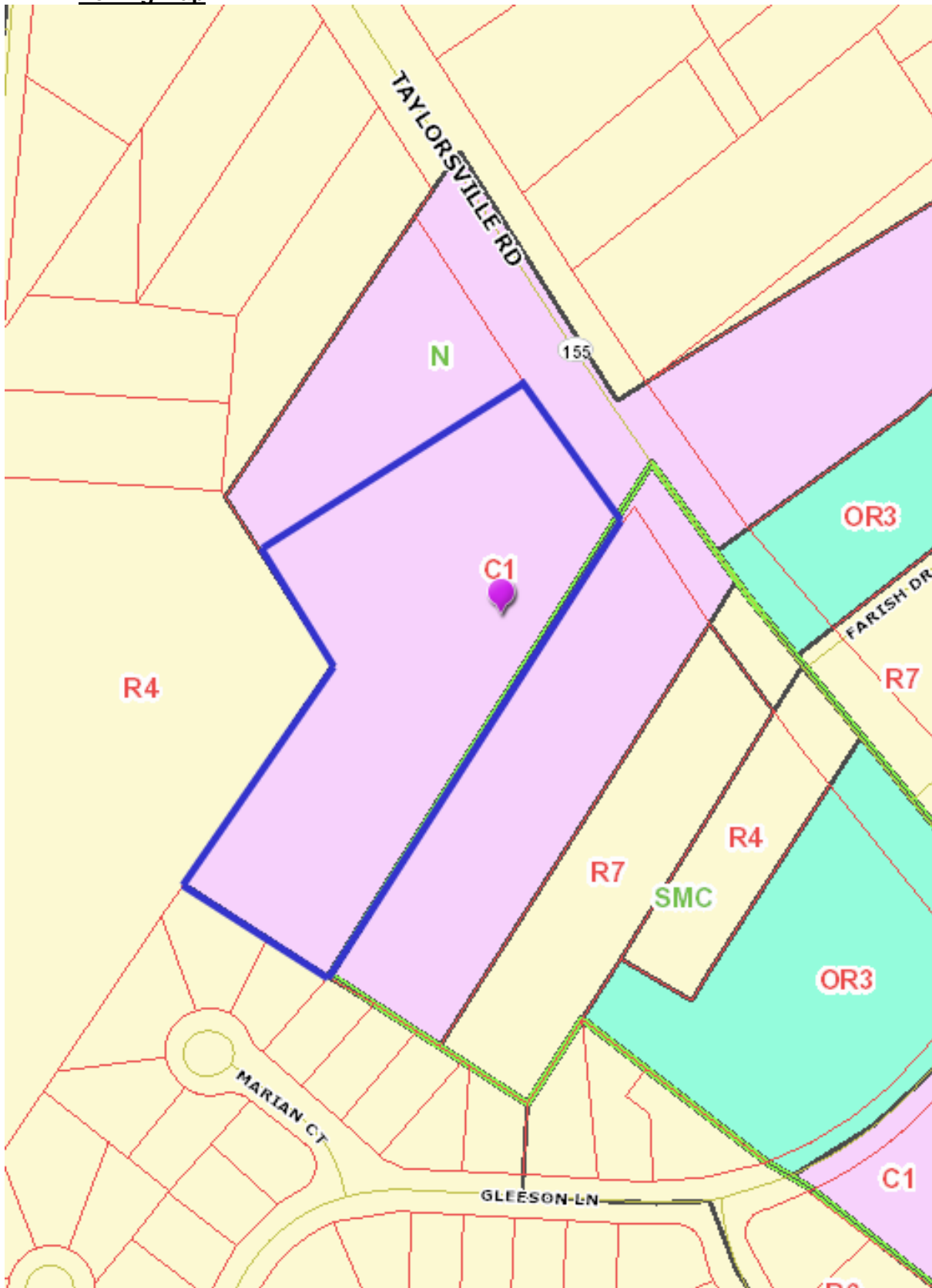
NOTIFICATION

Date	Purpose of Notice	Recipients
3/21/2018	Hearing before DRC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 9

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. **Zoning Map**



2. Aerial Photograph



3. **Existing Binding Elements**

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. The development shall not exceed **20,100** square feet of gross floor area with **3,600** square feet on **Tract 1** and **16,500** square feet on **Tract 2**.
3. Signs shall be in accordance with Chapter 8 or as presented at the public hearing (**80** square feet in area and **10** feet in height).
4. 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.
5. 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 Inspections, Permits and Licenses, 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. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
6. The materials and design of existing/proposed structures shall be substantially the same as depicted in the photos/rendering as presented at the **April 5, 2012** Planning Commission public hearing.
7. There shall be only one shared point of access to Taylorsville Road, despite the fact that the retail-office center is divided in half along Taylorsville Road.
8. No parking spaces shall face Taylorsville Road in order that headlights from parked cars do not shine into Taylorsville Road fronting residential properties.

9. The style and design of the branch bank building shall be substantially as shown on the photographs or elevation renderings presented to neighbors and at the public hearing in this case.
10. No free-standing restaurants with drive-thru shall be permitted.
11. C-1 uses of the property shall also exclude automobile rental agencies, automobile service stations and automobile repair shops, bowling alleys, car washes, hotels and motels, ice storage houses, miniature golf and driving ranges and pawn shops.
12. Hours of operation, except for branch bank ATM machine, shall be limited to 6:00 am to 12:00 midnight.
13. Lighting shall be shoe-box style, directed down and away from adjoining properties.
14. Trash removal and parking lot cleaning may not occur between the hours of 10:00 pm and 7:00 am.
15. Perimeter and VUA landscaping and screening and buffering shall minimally be as shown on the concept plan presented at the April 5, 2012 public hearing.
16. These binding elements and any revised or new detailed district development plan may not be considered by the Planning Commission without a minimum of two weeks advanced mail notice to two tiers of adjoining property owners and all those who appeared at the Planning Commission public hearing.

4. Proposed Binding Elements

- ~~2. The development shall not exceed **20,100** square feet of gross floor area with **3,600** square feet on Tract 1 and **16,500** square feet on Tract 2.~~
5. 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 Inspections, Permits and Licenses, Develop Louisville, 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. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of

approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

17. Prior to issuance of any construction permit for the building on Tract 2, a traffic impact study is required to be conducted and approved by KYTC and Transportation staff.