

Development Review Committee

Staff Report

November 16, 2016



Case No:	16EXTENSION1004
Project Name:	Dixie Auto Sales
Location:	7800 Dixie Highway
Owner(s):	BHPH Properties, LLC
Applicant:	BTM Engineering, Inc.
Representative(s):	BTM Engineering, Inc.
Project Area/Size:	9.57 acres
Existing Zoning District:	C-2
Existing Form District:	SMC
Jurisdiction:	Louisville Metro
Council District:	25 – David Yates
Case Manager:	Brian Davis, AICP, Planning Manager

REQUEST

- Extension of Expiration

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant is requesting an extension of expiration of a detailed development plan for an expansion of an existing auto sales display area. The owner's business has not grown as anticipated and the proposed expansion of the display area has not been needed. The owner anticipates implementing the approved development expansion within the next 12 months.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Commercial	C-2	SMC
Proposed	Commercial	C-2	SMC
Surrounding Properties			
North	Vacant	C-2	SMC
South	Multi-family	C-2	SMC
East	Commercial/Residential	C-2/M-2	SMC
West	Commercial/Residential	C-1	SMC

PREVIOUS CASES ON SITE

17385: Rezoning from C-1 to C-2 on a 0.44 acre portion of the 1.3 acre tract (approved 10/4/2012).

14EXTENSION1008: Extension of expiration to extend the expiration date two years to November 8, 2016 (granted 9/29/2014).

INTERESTED PARTY COMMENTS

No interested party comments have been received by staff.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

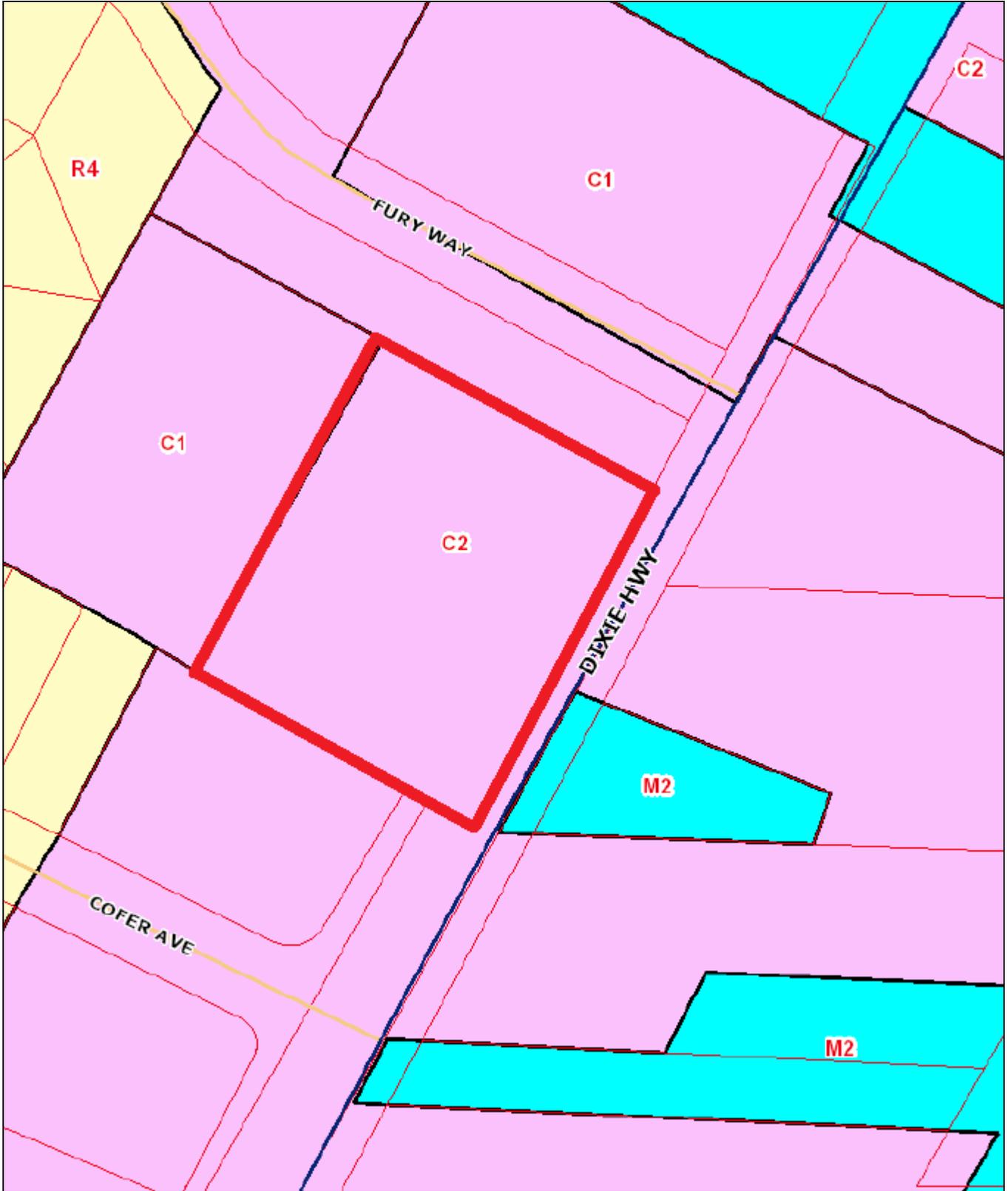
STAFF CONCLUSIONS

The applicant is requesting an extension of expiration until November 8, 2018. The application for extension was filed with the office of Planning and Design Services prior to the expiration date of the first extension.

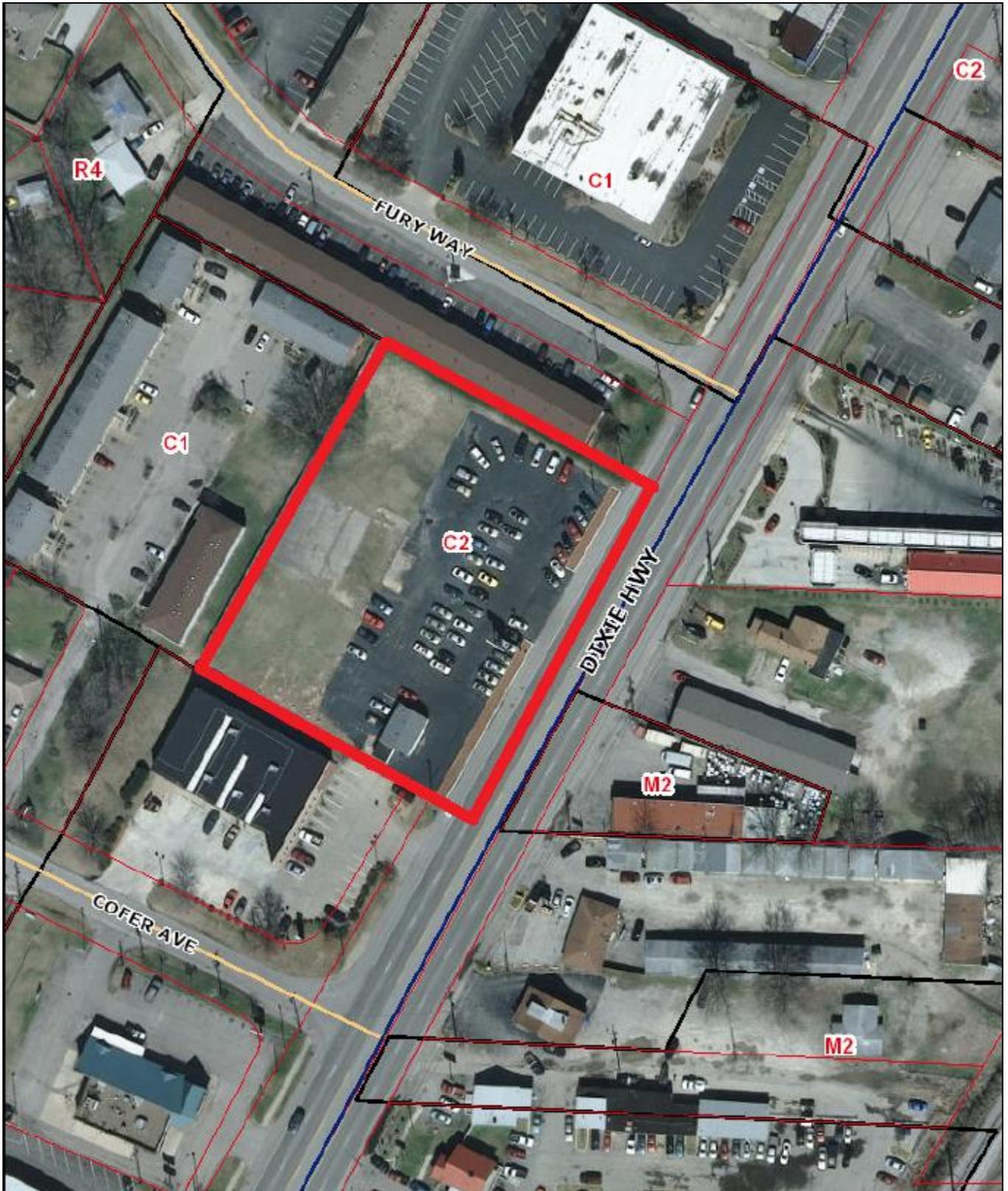
ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



3. Binding Elements

1. The development plan shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agree 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 (and to the City of Lyndon, St. Matthews, Hurstbourne, or Middletown) for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The development shall not exceed 912 square feet of gross floor area.
3. 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 in a form acceptable to Planning Commission legal counsel shall be secured from the adjoining property owner and recorded prior to construction approval. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services.
4. Signs shall be in accordance with Chapter 8 or as presented at the public meeting (96 square feet in area and 26.5 feet in height).
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 materials and design of existing/proposed structures shall be substantially the same as depicted in the photos/rendering as presented at the October 4, 2012, Planning Commission public hearing.