

LD&T MINUTES

OCTOBER 24, 1991

DOCKET NO. 9-86-88 (Jefferson County)

Developer: Frisch's Restaurant
Location: Maplebrook
Request: Detailed District Development Plan

A 6,429 square foot Frisch's Restaurant is proposed on a site which is zoned C-1 Commercial. The original general district development plan was approved with a 10-foot LBA adjacent to Chamberlain Lane. The new owners (applicants) stated that they were originally unaware that this 10-foot LBA was depicted on the original detailed district development plan. According to staff, a compromise has been reached wherein the applicant agrees to provide the necessary LBA in appearance but for Frisch's site it would be 9 feet and partially located within the right-of-way because of the reduced area of the lot, and for that property across Chamberlain Lane it would be 10 feet but all in the right-of-way because of the location of the service road. In turn, the applicant will enhance entrance ways in a manner as presented.

The applicant's representative discussed the discrepancies on the original plan regarding the 10-foot LBA, and their proposal in complying with the intent and concept of what was proposed on that plan.

Upon discussion, the LD&T Committee, the applicant and staff agreed that the point of transition for the 10 foot landscape buffer area will be the western boundary of Lot 13 and the western boundary of Lot 6C, (Lot 15).

A detailed district development plan must be submitted prior to development of each lot, and a landscaping plan will be reviewed and approved subject to the landscape plan for the length of the corridor. The Staff Landscape Architect will review the plan and an additional binding element may be added relative to the new revision.

The site in question is a "Lease Lot" formed from out parcel #2 (0.6 acres) and a lot originally proposed for a 650 square foot drive-thru restaurant. Also, the original General Development Plan indicates that Lot #2 is restricted to a maximum building area of 800 square feet (1,450 square feet total combined).

The binding element approved on the general district development plan restricts all freestanding signs to 9 feet in height and 64 square feet in area. A sign plan will be submitted subject to review and approval by the Planning Commission.

The plan meets all other design criteria.

On a motion by Commissioner Herron, the following resolution was unanimously adopted:

RESOLVED, that the Land Development and Transportation Committee does hereby APPROVE Docket No. 9-86-88, subject to the following binding elements:

1. The development will be in accordance with the approved district development plan. No further development will occur without prior approval from the Planning Commission.
2. The development shall not exceed 6,430 square feet of gross floor area.

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3. Before a building or alteration permit and/or a certificate of occupancy is requested:
 - a) The development plan must be reapproved by the Jefferson County Department of Public Works and Transportation and the Metropolitan Sewer District.
 - b) The size and location of any proposed sign must be approved by the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.
 - c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 and as agreed to as of this date for the length of the road herein made part of the plan and as such Frisch's is but one part. Such plan shall be of record and the Frisch's portion thereof implemented prior to requesting a certificate of occupancy and maintained thereafter.
4. No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.
5. If a building permit is not issued within one year of the date of approval of the plan, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
6. The above binding elements may be amended as provided for in the Zoning District Regulations.

The vote was as follows:

YES: Commissioners Auerbach, Butler, Duffy, Herron and Hettinger.

NO: None.

NOT VOTING: No one.

Courtney Yartz, Jim Birch and Bud Karlen were present.