

# Development Review Committee

## Staff Report

October 4, 2017



<b>Case No:</b>	17DEVPLAN1154
<b>Project Name:</b>	Willis-Klein
<b>Location:</b>	4041 Westport Road
<b>Owner(s):</b>	M.J. Klein, LLC
<b>Applicant:</b>	M.J. Klein, LLC
<b>Jurisdiction:</b>	St. Matthews
<b>Council District:</b>	9– Bill Hollander
<b>Case Manager:</b>	Jon Crumbie, Planning & Design Coordinator

### REQUEST(S)

- Revised Detailed District Development Plan to allow the construction of a 2-story, 10,800 square feet building and parking reconfiguration.

### CASE SUMMARY/BACKGROUND

The applicant is proposing a new 10,800 square feet two-story building along the southern property line, next to the rail road tracks. The applicant is also proposing to create a drainage area along the corner of the south and east property lines.

### Related Cases

**17CUP1032** An application for a Conditional Use Permit to allow off-street parking in an R-5 zoning district. This request was approved by the Board of Zoning Adjustment on August 7, 2017.

**9-23-85** A change in zoning from M-2 to C-2 commercial at 211 Clover Lane and 4041 Westport road on property located on the southeast corner of Clover Lane and Exchange Avenue. The proposal was approved by the City of St. Matthews on July 9, 1995.

### STAFF FINDING / RECOMMENDATION

The revised detailed district development plan appear to be adequately justified and meets the standard of review based upon the information in the staff report, the testimony and evidence provided at the public meeting. The Development Review Committee must determine if the proposal meets the standards established in the Development Code (April 2001 version) for a revised detailed district development plan.

## **TECHNICAL REVIEW**

There are no outstanding technical review items.

## **INTERESTED PARTY COMMENTS**

Staff received no comments for this proposal, but a neighborhood meeting was held for the Conditional Use permit on May 22, 2017 and six people attended the meeting.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and 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: There does not appear to be any environmental constraints on the subject site. Landscaping requirements of the Development Code will be provided on the subject site.

- 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 have previously been provided and will be improved.

- 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 for this development.

- 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 has approved the preliminary development plan and will ensure the provisions 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 are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways.

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

**REQUIRED ACTIONS**

- **APPROVE or DENY** the **Revised Detailed District Development Plan** for new building expansion and parking reconfiguration.

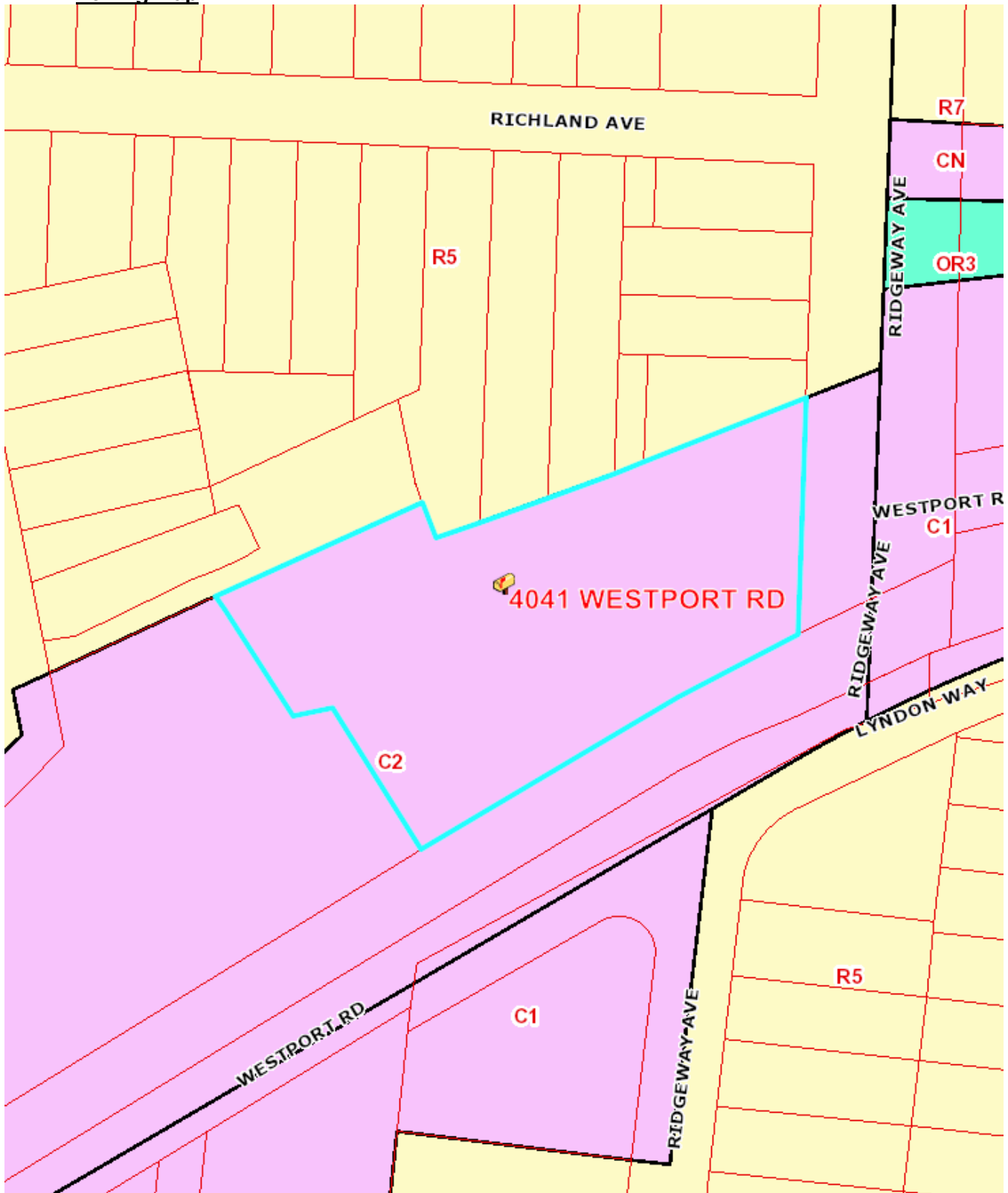
**NOTIFICATION**

Date	Purpose of Notice	Recipients
9/15/2017	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 9

**ATTACHMENTS**

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

1. Zoning Map



2. Aerial Photograph



3. Existing Binding Elements

1. The development will be in accordance with the approved district development plan. No further development will occur.
2. The development of Tract 1 shall not exceed 23,528 square feet of gross floor area. The development of Tract 2 shall not exceed 21,591 square feet of gross floor area. The retail floor space of Tract 2 shall not exceed 16,400 square feet of gross floor area plus 900 square feet of floor area devoted to restaurant use.
3. The property described in Section1 hereof shall not be used as a tavern, bar or saloon where alcoholic beverages are served outside of any building on this property.
4. Before certificates of occupancy are issued:
  - a) The development plan must be reapproved by the Transportation Engineering, Water Management and Fire Safety Sections of the Jefferson County Public Works and Transportation Cabinet.
  - b) The size and location of any proposed signs must be approved by the City of St. Matthews. The city of St. Matthews may require that signs be smaller than would otherwise be permitted by the Zoning District Regulations.
5. If a certificate of occupancy is not issued within one year of the date of approval of the plan or rezoning whichever is later 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. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use, and all binding elements must be implemented prior to requesting issuance of the certificate.
7. The above binding elements may be amended as provided for in the Zoning District Regulations, upon approval of the City Council.

**4. Proposed Binding Elements**

2. The development of Tract 1 shall not exceed ~~23,528~~ 26,975square feet of gross floor area. The development of Tract 2 shall not exceed 21,591 square feet of gross floor area. The retail floor space of Tract 2 shall not exceed 16,400 square feet of gross floor area plus 900 square feet of floor area devoted to restaurant use.