

**Letter of Explanation
Revised Detailed District Development Plan
and Revised Downtown Development Review Overlay
for
Angel's Envy
101 South Jackson Street
(Submitted: March 2, 2015)**

Applications for a Revised Detailed District Development Plan and a Revised Downtown Development Review Overlay are being submitted for the property located at 101 South Jackson Street. The property is zoned M-2 and EZ-1, is located in the Downtown Form District and the East Main-Market Overlay District. There are currently two vacant buildings located on the property which are proposed to be remodeled, expanded and connected to house a distillery facility with space for associated tasting events.

The March 2, 2015 submittal revisions to the site layout are a change from an above-ground detention basin to an underground detention basin, a change in the location of the proposed parking spaces, the addition of a second loading dock and a minor increase in the area the building connector.

The August 6, 2014 Development Review Committee approved a Revised Detailed District Development Plan for the site by Case No: 13DEVPLAN1024. On July 25, 2013 an Overlay District Permit was approved for the Downtown Development Review Overlay by Case No: 13DDRO1002-EWD. At that time, the subject site consisted of two separate properties with the addresses of 101 South Jackson Street and 503 East Market Street. The properties were consolidated by D.B. 10261, Pg. 607 on June 27, 2014 and according to the Jefferson County Property Valuation Administration website the current property address is 101 South Jackson Street.

Please provide a staff level approval, due to the minor nature of the revisions.

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13DEVPLAN1024

District Development Plan Justification:

In order to justify approval of any district development plan, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

- 1. Are there any natural resources on the property, including trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites? And are these natural resources being preserved?**

The development is re-using existing historic building and further additions and/or renovations shall match the existing buildings in design and building materials. There are not any natural resources on this site, it is a historically previously developed site.

- 2. Is safe and efficient vehicular and pedestrian transportation provided both within the development and the community?**

There are existing pedestrian throughfares on and around the site. The existing surrounding vehicular is adequate and the development's proposed vehicular design ties into the surrounding roadways in a safe and unobtrusive manner.

- 3. Is sufficient open space (scenic and recreational) to meet the needs of the proposed development being provided?**

There is adequate openspace on the site including a proposed detention basin and existing green space.

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- 4. Are provisions for adequate drainage facilities provided on the subject site in order to prevent drainage problems from occurring on the subject site or within the community?**

The proposed detention basin has been enlarged since the last approval of this development plan to accommodate more stormwater from on site.

- 5. Is the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses compatible with the existing and projected future development of the area?**

The proposed improvements match the surrounding urban fabric in character and design. The proposed use is compatible with the surrounding uses and zoning.

- 6. Is the proposal in conformance with the Comprehensive Plan and Land Development Code?**

This development plan has been previously approved by Planning Design Services and this plan is a revision of that plan. All revisions proposed are in conformance with the Comprehensive Plan and the LDC.

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General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The waiver will not affect adjacent property owners because along S. Jackson Street and E. Market Street the vessels will be behind a decorative fence and landscaping.

2. Will the waiver violate the Comprehensive Plan?

The waiver will not violate the Comprehensive Plan because this is an adaptive reuse of an existing industrial facility in an urban context.

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3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

It is the minimum necessary because other vessels necessary for the facility are being located in the loading dock area. The loading dock area has been designed as efficiently as possible. Because the site is an adaptive reuse of an existing industrial site in an urban area there is limited land area available for elements necessary to production. Additionally, the storage vessels seeking the waiver are efficiently located to the layout of the building's internal production operations.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The strict application of the regulations will deprive the applicant of reasonable use of the land and will create an unnecessary hardship due to the site's unusual circumstance of having four frontages on public right-of-ways it is not possible to adaptively reuse the site and not have production elements located somewhere other than the rear of the principal structure. The applicant is providing design features to compensate for non-compliance by adding decorative fencing and landscaping.

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