

Development Review Committee

Staff Report

September 6, 2023



Case No:	23-DDP-0049
Project Name:	Dunkin' Donuts
Location:	6460 Outer Loop
Owner(s):	Patel Land 2, LLC
Applicant:	Patel Land 2, LLC
Jurisdiction:	Louisville Metro
Council District:	23 – Jeff Hudson
Case Manager:	John Michael Lawler, Planner I

REQUEST(S)

- Revised Detailed District Development Plan

CASE SUMMARY

The applicant is proposing a restaurant with drive-thru facilities. Vehicular access for the site is from an existing access easement that connects to Outer Loop. No new vehicular access is being created. Pedestrian access to the site is from the existing sidewalk along Outer Loop through a crosswalk and an existing sidewalk along the access easement. The site was previously rezoned from C-1 to C-2 under Docket # 9-85-97 for use as a drive-in restaurant.

STAFF FINDING

Staff finds that the proposal meets the guidelines of the Comprehensive Plan and requirements of the Land Development Code.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and AMENDMENT TO BINDING ELEMENTS

- 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 do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site.

- 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 has been provided, and Metro Public Works and the Kentucky Transportation Cabinet have approved the preliminary development plan.

- 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 pertinent to the current 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 has approved 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 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. Buildings and parking lots will meet all required setbacks.

- 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 Land Development Code.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Revised Detailed District Development Plan**

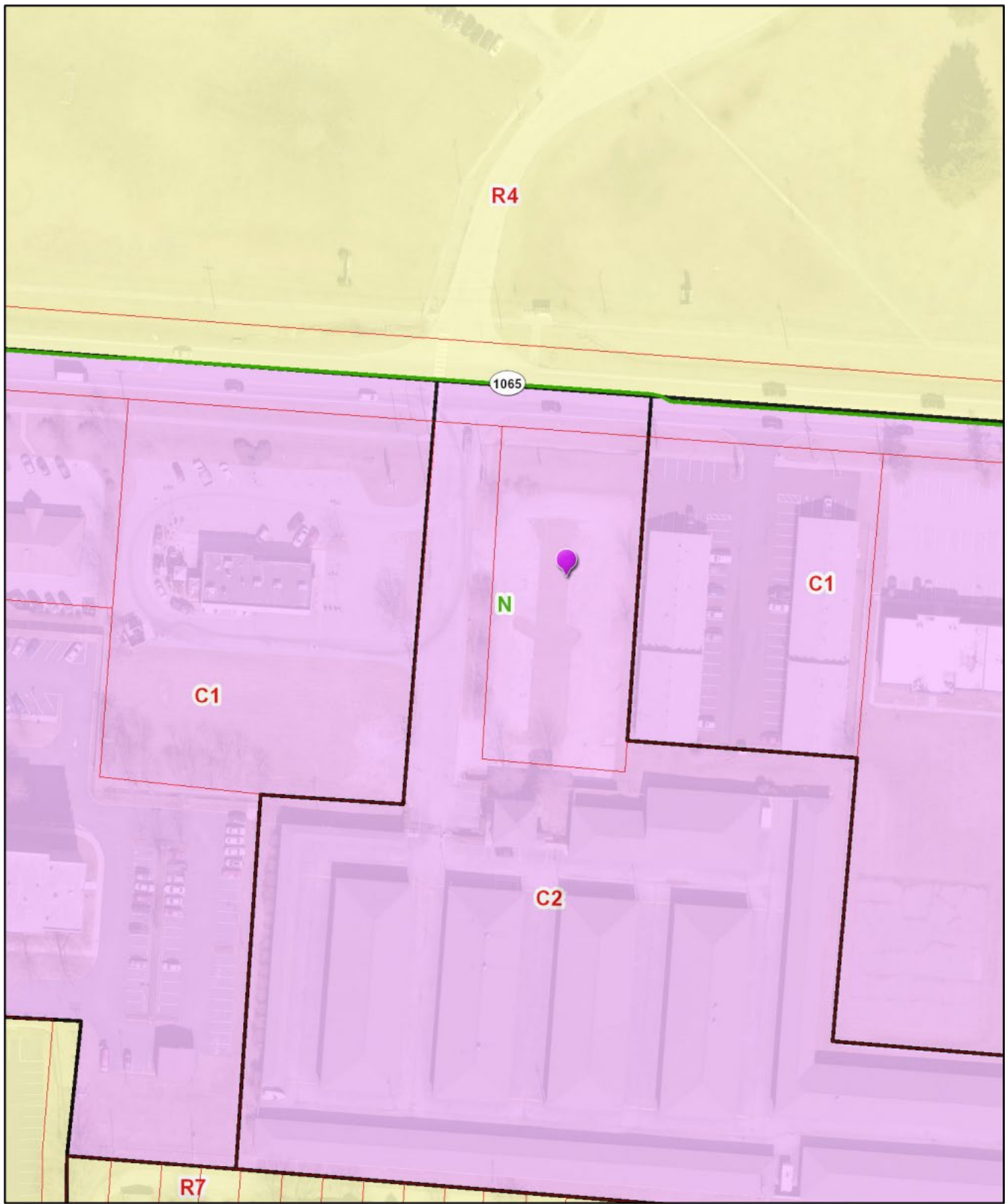
NOTIFICATION

Date	Purpose of Notice	Recipients
x/xx/xxxx	Hearing before DRC on September 6, 2023	1 st tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 23

ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



3. Existing Binding Elements with Proposed Changes

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission except for land uses permitted in the established zoning district.
2. Use of the subject site shall be limited to a Drive-In restaurant and other uses permitted in the C-1 commercial district. There shall be no other use of the property unless approved by the LD&T. Notice of a request to amend this binding element shall be given in accordance with Planning Commission policy. The LD&T Committee shall determine if a public hearing on the request to amend this binding element is needed.
- ~~3. The development shall not exceed 2,290 square feet of gross floor area.~~
4. There shall be no direct vehicular access to Outer Loop.
5. The only permitted freestanding sign shall be a monument style sign, located as shown on the approved development plan. No portion of the sign, including the leading edge of the sign frame, shall be closer than zero feet to the front property line. The sign shall not exceed 50 square feet in area per side and 10 feet in height. No sign shall have more than two sides.
6. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants balloons, or banners shall be permitted on the site.
7. There shall be no outdoor storage on the site.
8. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff so that no light source is visible off-site.
9. Before any permit (including but not limited to building, parking lot, change of use or alteration pennit)is requested:
 - a. The development plan must receive full construction approval from the Jefferson County Department of Public Works and Transportation (~~400 Fiscal Court Building~~) and the Metropolitan Sewer District (~~700 West Liberty~~).
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in ~~Article 12~~ **Chapter 10 of the LDC** prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
- ~~10. If a building permit 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.~~
11. 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. 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.
12. Outdoor music (live, piped, radio or amplified), outdoor entertainment, or outdoor PA system permitted on the site shall not be audible beyond the property line.
13. The property owner/developer shall provide copies of these binding elements to tenants, contractors and other parties engaged in development of this project, and shall inform them of the content of these binding elements. Further, the property owner/developer shall require contractors to similarly notify all of their sub-contractors whose duties relate to the binding elements. The property owner/developer shall ensure their compliance with the binding elements.
- ~~14. The hours of operation shall be 10:00am to 11:00pm Sunday through Thursday, and 10:00am to 1:00am Friday and Saturday.~~