

Development Review Committee
Staff Report
July 19, 2017



Case No:	17DEVPLAN1096
Project Name:	Hidden Lakes Dental
Location:	3801 Hurstbourne Pkwy
Owner(s):	Fifth Third Bank of KY, Inc.
Applicant:	Avalon Properties
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

Revised Detailed District Development Plan for a dental office.

CASE SUMMARY/BACKGROUND

The applicant is proposing to expand an existing vacant bank building located at the intersection of Hurstbourne Pkwy and Ambrosse Ln and make it a dental office. The resulting office will be 4600 SF on a .986 acre site. It is zoned C-2 in the Suburban Marketplace Corridor form district. The site was originally developed as a gas station under docket 9-29-88, and was subsequently revised to the existing bank under the same docket on May 22, 1997. The applicant is proposing to alter the parking lot in order to accommodate the new use and to come into compliance with Land Development Code regulations with respect to parking and landscaping requirements.

STAFF FINDING

The Plan is in compliance with the Land Development Code.

TECHNICAL REVIEW

The plan has received preliminary approval from MSD and Transportation Planning.

INTERESTED PARTY COMMENTS

Staff has received no interested party comments on this case.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP

- 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: The Hurstbourne Parkway buffer will be maintained. There are no other significant natural resources present on site. Tree canopy requirements of the Land 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 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: Open space is not a requirement of this 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.

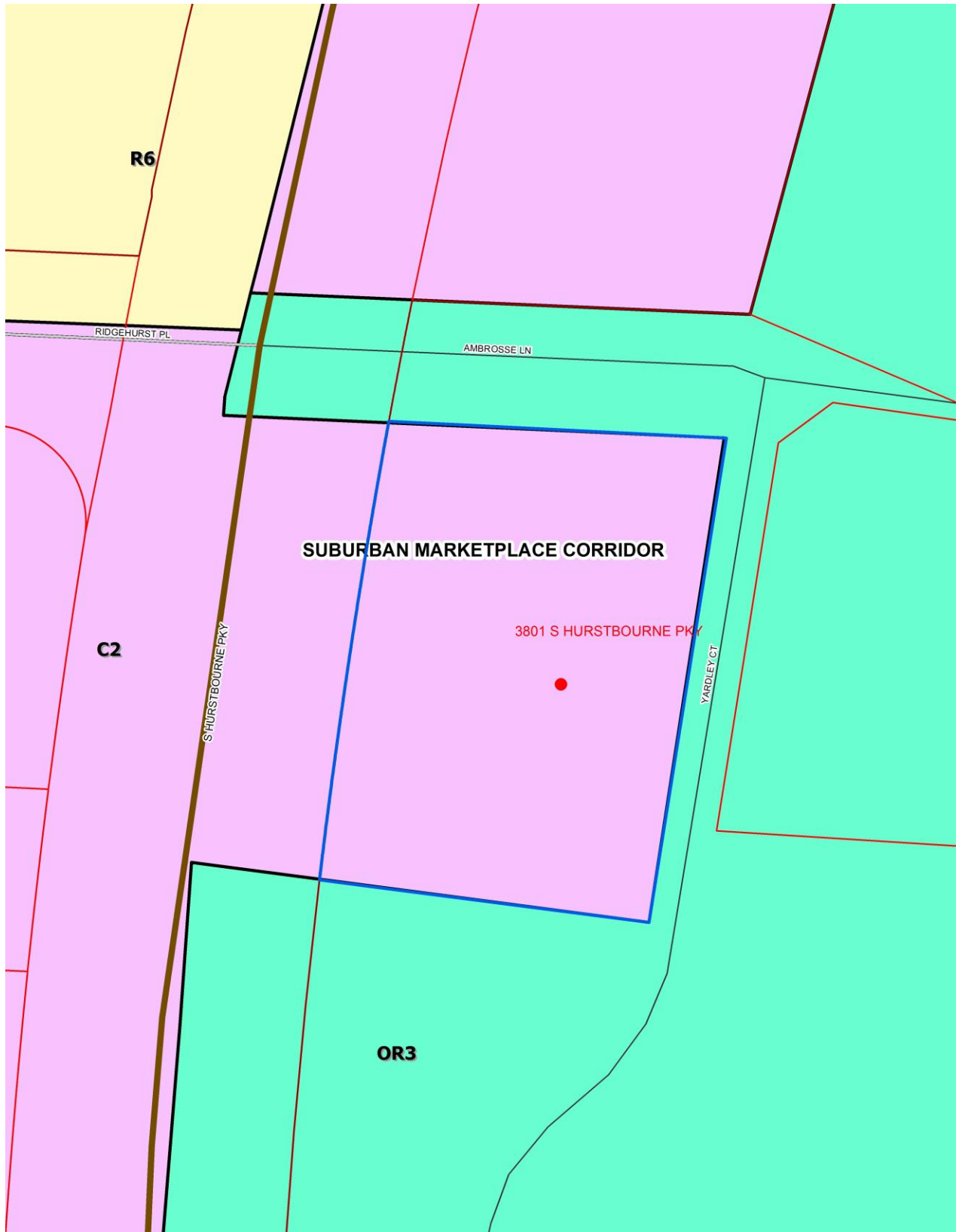
NOTIFICATION

Date	Purpose of Notice	Recipients
7-7-17	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 11

ATTACHMENTS

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

1. **Zoning Map**



2. Aerial Photograph



3. Existing Detailed Plan 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 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. The development shall not exceed ~~2,800~~ **4,600** square feet of gross floor area.
3. ~~There shall be no direct vehicular access to Ambrosse Lane. (Deleted per LD&T Plan Approval 06-12-97 Docket 9-29-88)~~
4. ~~The existing curb cut is to be closed and the access to the site shall be as shown on the plan. . (Deleted per LD&T Plan Approval 06-12-97 Docket 9-29-88)~~
5. ~~The only permitted freestanding sign shall be 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 30 feet to front property line. The sign shall not exceed 54 square feet in area per side and 6 feet in height. No sign shall have more than two sides. Signs shall be in accordance with Chapter 8 of the Land Development Code. (Modified by DRC on 03-09-11 Case #15431)~~
6. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants 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. Lighting levels attributable to the fixtures located on the subject site shall not exceed two foot candles at the property line.
9. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) 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. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways or Jefferson County Public Works.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. An access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be secured from the adjoining property owner and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Development

Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

10. 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.
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. There shall be no outdoor music (live, piped, radio or amplified), outdoor entertainment, or outdoor PA system permitted on the site.
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.