

Development Review Committee

Staff Report

June 28, 2017



Case No:	17DEVPLAN1082
Request:	Revised Detailed District Development Plan
Project Name:	Vinings at Claibourne
Location:	13508 Factory Lane
Owner:	St. Joseph Catholic Orphan Society
Applicant:	Vinings at Claibourne, LLC
Representative:	Blomquist Design Group, LLC
Property Area:	9.74 acres
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
Case Manager:	Laura L. Mattingly, Planner II

REQUEST

- Detailed District Development plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The proposal is for a 274 unit multi-family apartment complex, consisting of four 4-story apartment buildings and three small 2-unit buildings. The proposal includes a proposed private access easement with two access points from the proposed Terra Crossing Blvd, one of which is shared with a future development site to the south. A variance to exceed the maximum transition zone building height of 45' was granted under case number 16ZONE1019. The site is currently vacant and is located in eastern Louisville. This lot is shown on the General Development Plan for St. Joseph Property as lot 3A.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Vacant	OR-3	SW/N
Proposed	Multi-Family	OR-3	SW/N
<i>Surrounding Properties</i>			
North	Vacant	R-4	N
South	Vacant	C-2	SW/N
East	Vacant	OR-3	N
West	Single & Multi-Family Residential	R-4/R-7	SW

PREVIOUS CASES ON SITE

- 14370:** Community Facility Review for an elevated water storage tank (2010).
- 14925:** Minor Subdivision Plat to create two lots from one (2010).
- 16ZONE1019:** Change in zoning from R-4 and PEC to OR-3 and C-2 and a General District Development Plan for mixed-use. A variance was granted to allow building height to exceed 45' in a transition zone. Approved by Planning Commission on January 19, 2017.

INTERESTED PARTY COMMENTS

None received.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP

- 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. A note has been added that a karst survey has been completed and no karst features were found. Additionally, as there is potential for archeological deposits, a note has been added that any discoveries during construction will be reported to the Landmarks Commission. 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 through proposed private access easement that will eventually connect the existing Terra Crossing Blvd to Factory Lane, and Metro Public Works has approved the preliminary development plan.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: All open space requirements have been met. The applicant has provided 50,899 square feet of open space.

- 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. Existing development includes nearby multi-family housing and an industrial park to the west. Future development shown on the general plan includes multi-family, retail, restaurants and a theatre and must be similar to the designs shown at Planning Commission approval of the change in zoning. 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 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.

TECHNICAL REVIEW

- The proposed development plan is in order and has received preliminary approvals from Transportation Planning Review and the Metropolitan Sewer District.
- Minor plat, 17MINORPLAT1057, will need to be approved in order to create proposed lot and grant a private access easement.
- Binding element #16 of the General Plan states that a Unified Signage plan must be approved prior to or with the first detailed plan. Applicant must submit this signage plan for approval by DRC.

STAFF CONCLUSIONS

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 LDC for approving a Detailed District Development Plan.

Required Actions

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

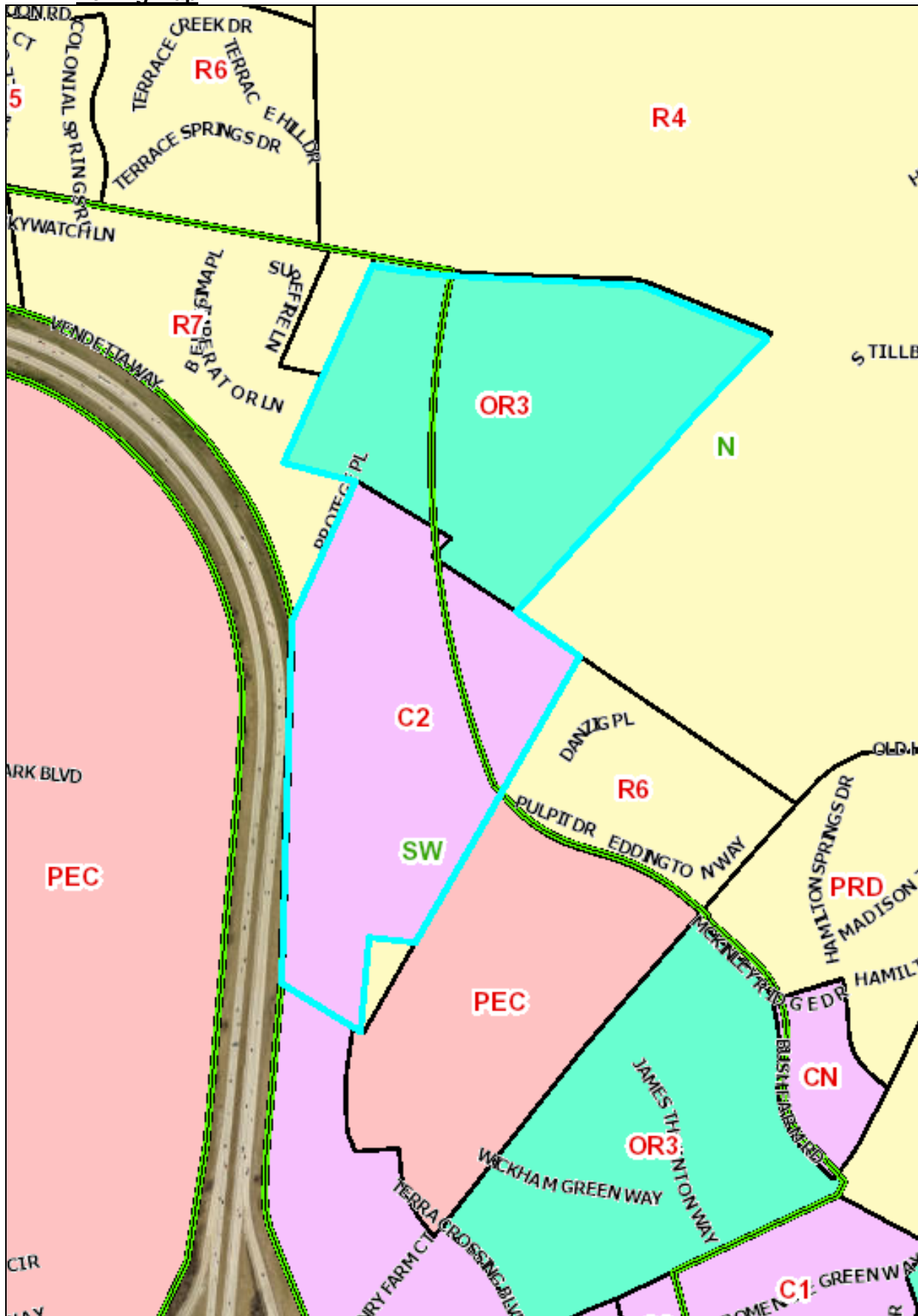
NOTIFICATION

Date	Purpose of Notice	Recipients
06/12/2017	Public Hearing - DRC	Neighborhood notification recipients
06/13/2017	Public Hearing - DRC	1 st tier adjoining property owners

ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



3. Proposed Binding Elements

All binding elements from the approved General Development Plan (16ZONE1019) are applicable to this site, in addition to the following:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The density of the development shall not exceed 28.13 dwelling units per acre (274 units on 9.74 acres).
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
5. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter
 - c. A minor subdivision plat shall be recorded creating the lot lines as shown on the general development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
6. A certificate of occupancy must be received from the appropriate code enforcement department 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.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.
8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

9. The property owner shall provide a vehicular connection and a cross over access easement if the property to the north is ever developed for a nonresidential use. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.
10. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the June 28, 2017 Development Review Committee meeting.