

Development Review Committee

Staff Report

April 15, 2015



Case No:	15MOD1000
Project Name:	Dohrman Office Building
Location:	4165 Westport Road
Owners:	Dohrman Realty, LLC
Applicant:	Scott Prince
Representative:	Scott Prince
Project Area/Size:	0.46 ac.
Existing Zoning District:	OR-3, Office/Residential
Existing Form District:	SMC, Suburban Marketplace Corridor
Jurisdiction:	City of St. Matthews
Council District:	9 – Bill Hollander
Case Manager:	Matthew R. Doyle, Planner I

REQUEST

- Amendment to Binding Element

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The subject sites are plan certain under Docket 9-18-76 and located in the City of St. Matthews.

The applicant requests to delete a portion of binding element 4. Currently, it reads as follows:

4. The only permitted freestanding sign shall be located as shown on the approved district development plan. The sign shall not exceed 30 square feet in area per side and 5 feet in height. No sign shall have more than two sides.

The applicant would like to delete the second sentence regarding the size of the sign, so that it can be permitted in accordance with the City of St. Matthews' sign regulations.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Office	OR-3	SMC
Proposed	Office	OR-3	SMC
Surrounding Properties			
North	Single family residential	R-4	N
South	Animal hospital and offices	C-1	SMC
East	Offices	C-1	SMC
West	Multi-family residential	R-7	SMC

PREVIOUS CASES ON SITE

9-18-76: Approval of a change in zoning from R-7 Apartment to R-9 Apartment as well as the general district development plan. A Revised Detailed District Development Plan was subsequently approved in 1996.

INTERESTED PARTY COMMENTS

N/A

APPLICABLE PLANS AND POLICIES

Development Code (April 2001)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR AN AMENDMENT TO BINDING ELEMENT

- 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 or historic resources on the subject site. Tree canopy requirements of the Land Development Code will continue to 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 will continue to be provided.

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

STAFF: Provisions of sufficient open space will continue to be provided.

- 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 will continue to 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 continue to 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 Land Development Code.

TECHNICAL REVIEW

N/A

STAFF CONCLUSIONS

- The proposed amendment appears to be adequately justified based on staff analysis in the staff report.

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 the Amendment to Binding Element.

REQUIRED ACTION

- **RECOMMEND** that the City of St. Matthews **APPROVE** or **DENY** the Amendment to Binding Element.

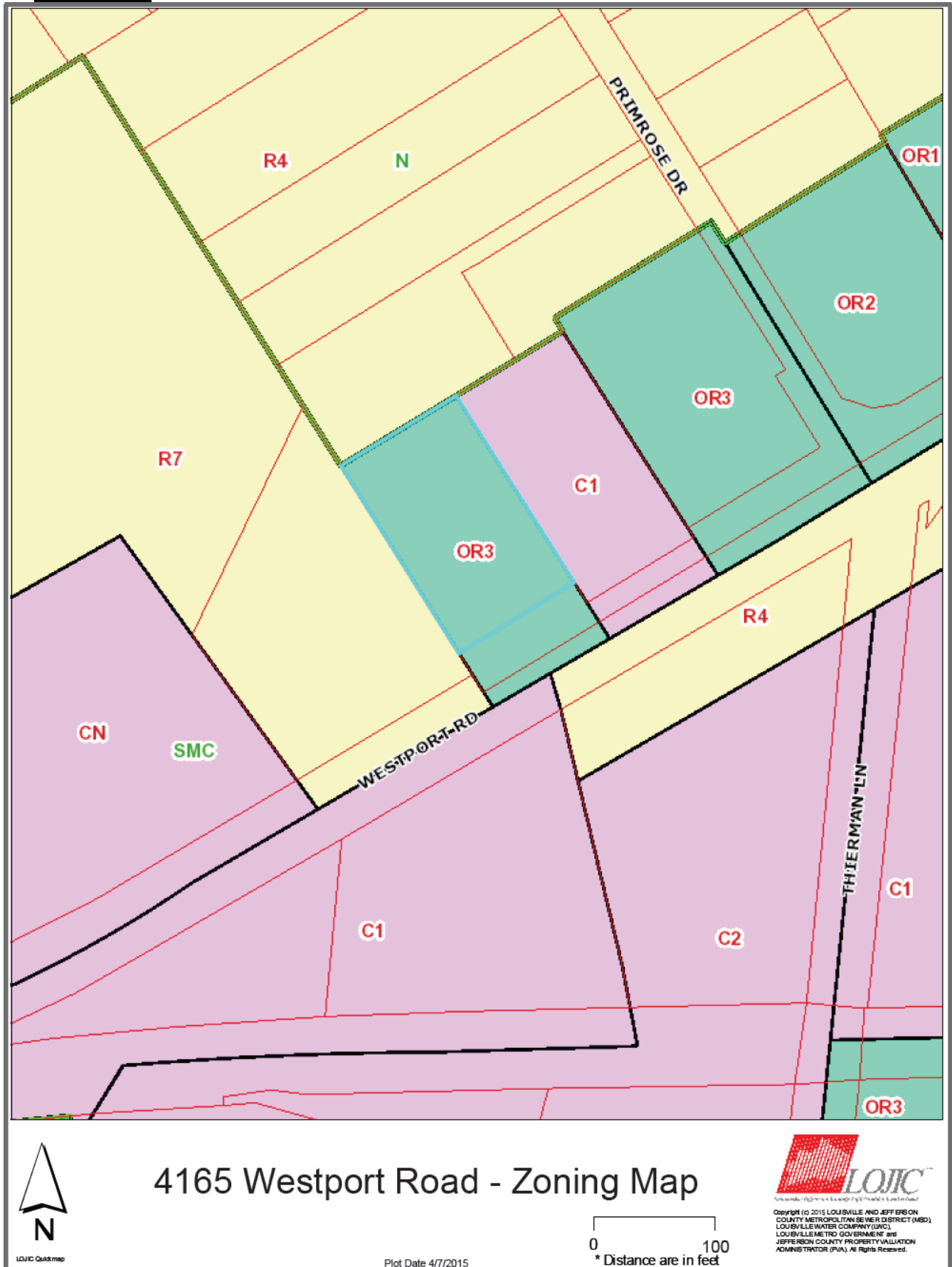
NOTIFICATION

Date	Purpose of Notice	Recipients
4/1/15	Hearing before DRC	1 st tier adjoining property owners Registered neighborhood groups

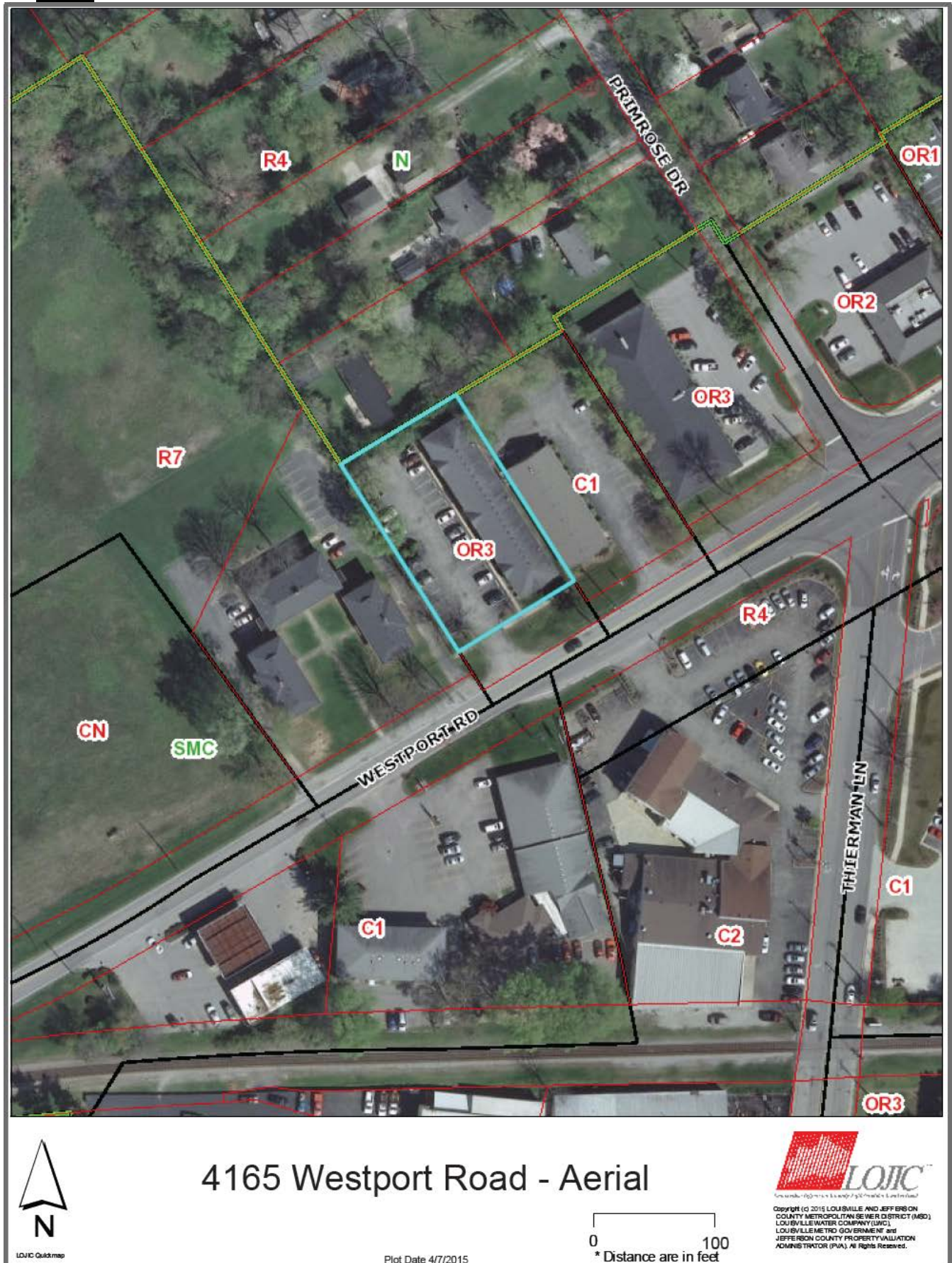
ATTACHMENTS

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

1. **Zoning Map**



2. Aerial



3. Existing Binding Elements

All binding elements from the approved Detailed District Development Plan dated April 15, 1976 are applicable to this site, in addition to the following:

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 and City of St. Matthews, except for land uses permitted in the established zoning district.
2. There shall be no medical offices or other uses requiring a parking ratio greater than one space per 400 square feet of floor area unless parking can meet the requirement of the proposed use.
3. The development shall not exceed 10,500 square feet of gross floor area.
4. The only permitted freestanding sign shall be located as shown on the approved district development plan. The sign shall not exceed 30 square feet in area per side and 5 feet in height. No sign shall have more than two sides.
5. No outdoor advertising signs (billboards), small free-standing (temporary) signs, pennants or banners shall be permitted on the site.
6. There shall be no outdoor storage on the site.
7. Outdoor lighting shall be directed down and away from surrounding residential properties.
8. 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. A copy of the recorded deed dedicating 20 feet as Right of Way shall be submitted to the City of St. Matthews.
 - 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.
9. 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.
10. 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.
11. 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.

4. Proposed Change to Binding Elements

4. The only permitted freestanding sign shall be located as shown on the approved district development plan. ~~The sign shall not exceed 30 square feet in area per side and 5 feet in height.~~ No sign shall have more than two sides.