

# Land Development and Transportation Committee Staff Report

November 30, 2017



<b>Case No:</b>	17DEVPLAN1179
<b>Project Name:</b>	J-Town Village Storage
<b>Location:</b>	9127 Galene Dr
<b>Owner(s):</b>	Commercial Property Associates
<b>Applicant:</b>	Commercial Property Associates
<b>Jurisdiction:</b>	Jeffersontown
<b>Council District:</b>	11 – Kevin Kramer
<b>Case Manager:</b>	Jay Lockett, Planner I

## **REQUEST(S)**

- Waiver from Land Development Code (Jeffersontown) section 5.7.1.B.3.a and table 10.2.2 to encroach into the required Property Perimeter Landscape Buffer Area.
- Revised Detailed District development Plan

## **CASE SUMMARY/BACKGROUND**

The applicant is proposing to expand an existing mini-storage facility located in the city of Jeffersontown in the C-M zoning district. The facility was developed as part of a larger mixed commercial center that includes general retail, office and the aforementioned mini-storage facility. The current proposal is to add approximately 9412 SF of additional storage space, which would bring the total available storage space on site to 58300 SF. The site is located in the Suburban Marketplace Form District, and is adjacent to areas in the Neighborhood Form District, so the Form District Transition Standards of LDC Section 5.7 would apply. LDC Section 5.7.1.B.3.a and Table 10.2.2 require a type C.4 Property Perimeter Landscape Buffer Area, with a minimum width of 25 feet. The applicant is requesting a waiver from these parts to allow the expansion to encroach into this buffer. An existing 15 foot landscape buffer would remain in the area.

## **STAFF FINDING**

The waiver request and the Revised Detailed District Development Plan are adequately justified and meet the standard of review.

Metropolitan Sewer District and Transportation Planning have given preliminary approval to the development plan.

## **TECHNICAL REVIEW**

There are no outstanding technical review items associated with this request.

## **INTERESTED PARTY COMMENTS**

Staff has received no interested party comments associated with this request.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR (R)DDDP and/or AMENDMENT TO BINDING ELEMENTS**

- (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 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.

- (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 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: 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, with the exception of the requested waiver.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF LAND DEVELOPMENT CODE (JEFFERSONTOWN) SECTION 5.7.1.B.3.a AND TABLE 10.2.2 TO ALLOW A DEVELOPMENT TO ENCROACH INTO THE PROPERTY PERIMETER LANDSCAPE BUFFER AREA**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the existing 15 foot landscape buffer will remain.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 3, Policy 9 of Cornerstone 2020 calls for protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate. Guideline 3, Policies 21 and 22 call for appropriate transitions between uses that are substantially different in scale and intensity or density, and mitigation of the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize impacts from noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. Guideline 13, Policy 6 calls for screening and buffering to mitigate adjacent incompatible uses. The adjacent property is Jeffersontown High School, and the area of this waiver is directly adjacent to the school athletic facilities. The existing 15 foot LBA has always provided adequate screening between the properties, and will remain.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the existing 15 foot LBA will remain.

- (d) Either:

(i) The applicant has 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

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the existing buffer was installed according to the development code in force at the time, and this expansion would not significantly alter the intensity of the site.

**REQUIRED ACTIONS:**

- **RECOMMEND** that the City of Jeffersonville **APPROVE** or **DENY** the **Waiver** from Land Development Code (Jeffersontown) section 5.7.1.B.3.a and table 10.2.2.
- **RECOMMEND** that the City of Jeffersonville **APPROVE** or **DENY** the **Revised Detailed District Development Plan**

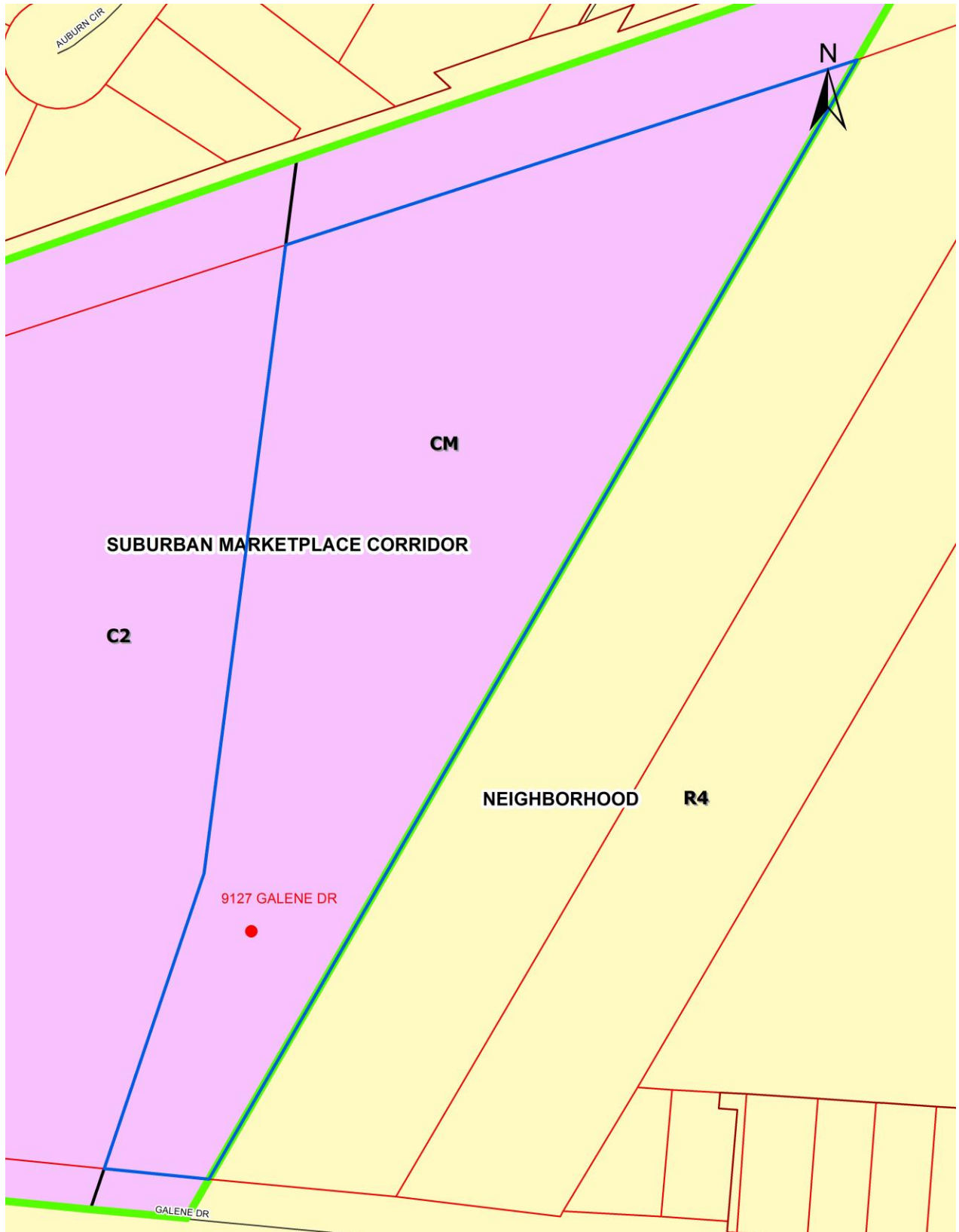
**NOTIFICATION**

Date	Purpose of Notice	Recipients
11-15-17	Hearing before LD&T	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 11

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Existing and/or Proposed Binding Elements

1. **Zoning Map**



2. **Aerial Photograph**



**4. Existing Binding Elements with Proposed Changes**

1. The development will be in accordance with the approved district development plan. No further development will occur.
2. There will be no new curb cuts to Galene Drive.
3. The development shall not exceed 160,611 square feet for the C-2 zoning district and shall not exceed ~~53,400~~ **58,300** square feet of floor area for the ~~C-4~~ **C-M** zoning district.
4. Before a building permit is issued:
  - a) The development plan must be reapproved by the Jefferson County Department of Public Works and Transportation.
  - b) The size and location of any proposed sign must be approved by the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.
5. 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.
6. 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 must be implemented prior to requesting issuance of the certificate.
7. The above binding elements may be amended as provided for in the Zoning District Regulations.