

# Development Review Committee

## Staff Report

August 31, 2016



<b>Case No:</b>	16MOD1005
<b>Project Name:</b>	Julie Pogue Properties
<b>Location:</b>	8223 Shelbyville Road
<b>Owner:</b>	Julie Poque Properties
<b>Representative:</b>	Stephen Macfarlane
<b>Project Area/Size:</b>	0.17 acres
<b>Existing Zoning District:</b>	OR-1, Office Residential
<b>Existing Form District:</b>	N, Neighborhood
<b>Jurisdiction:</b>	City of Lyndon
<b>Council District:</b>	18– Marilyn Parker
<b>Case Manager:</b>	Joel P. Dock, Planner I

### REQUEST

- **Amendment to Binding Element**

### CASE SUMMARY

The applicant proposes to amend binding element #8 of docket 9-74-93 to allow a 38 SF freestanding sign along Shelbyville Road. Binding Element #8 reads as follows:

*The only permitted freestanding signs shall be located as shown on the approved district development plan. The signs shall not exceed 6 square feet in area and 5 feet in height.*

The applicant proposes to amend the binding element to read:

*The only permitted freestanding sign shall not exceed 38 square feet in area and 7.5 feet in height.*

No additional binding elements or changes to the approved development plan are being requested at this time.

### LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Office	OR-1	N
Proposed	Office	OR-1	N
Surrounding Properties			
North	Single-family	R-5	N
South	Religious Building	R-4	N
East	Office	OR-1	N
West	Office	OR-1	N

## PREVIOUS CASES ON SITE

9-74-93: Change-in-zoning to OR-1.

## INTERESTED PARTY COMMENTS

Staff has not received any inquiries on this proposal.

## APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code (Lyndon)

## STANDARD OF REVIEW AND STAFF ANALYSIS FOR 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 does not appear to be any environmental constraints or historic resources 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. The proposed sign does not restrict visibility or movement of vehicular or pedestrian traffic.

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

STAFF: Provisions for open space are not a requirement of this request.

- (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 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 design of the sign is compatible with the existing signage of the area which ranges from small freestanding signs to monument and columnar styles of varying sizes and material.

- (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 proposal complies with the applicable guidelines of the Comprehensive Plan and Land Development Code, specifically Chapter 8 of the Land Development Code as adopted by the City Lyndon.

### TECHNICAL REVIEW

The proposed signage is in compliance with Chapter 8 of the Land Development Code.

### STAFF CONCLUSIONS

The amendment to binding element appears to be adequately justified and meets the standard of review based on staff analysis in the staff report. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standards for approving an amendment to binding element as established in the LDC.

### REQUIRED ACTIONS

- **RECOMMEND APPROVAL** or **DENIAL** of the amendment to binding element # 8 to the City of Lyndon.

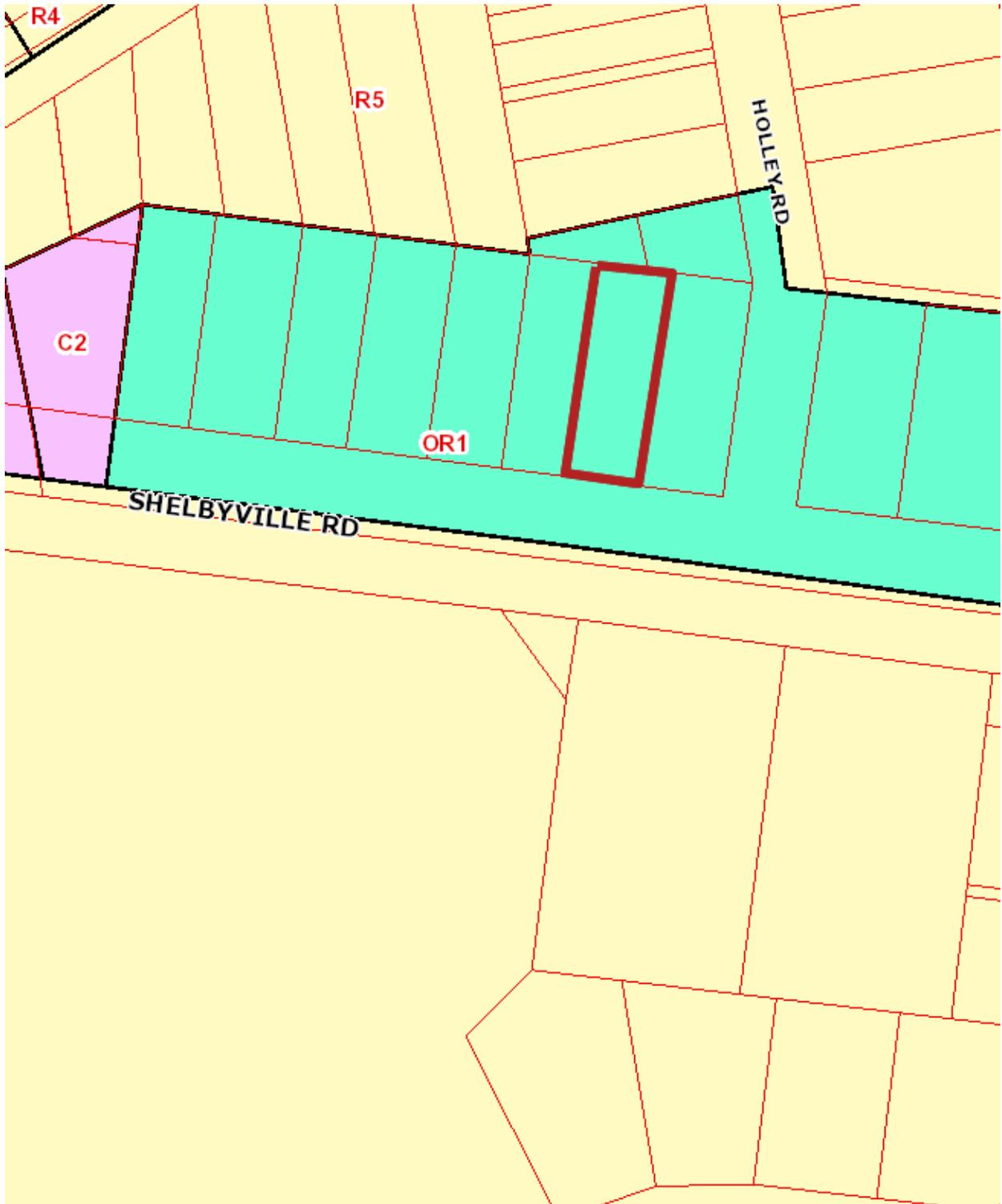
### NOTIFICATION

Date	Purpose of Notice	Recipients
8/18/16	DRC	Adjoining property owners, applicant, owner, and registered users of Council District 18.

### ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial

