

# Development Review Committee

## Staff Report

March 3, 2021



<b>Case No:</b>	21-DDP-0004
<b>Project Name:</b>	McDonald's
<b>Location:</b>	1100 & 1102 S Hurstbourne Parkway
<b>Owner(s):</b>	McDonald's USA LLC, Archland Property I LLC
<b>Applicant:</b>	McDonald's USA LLC
<b>Jurisdiction:</b>	City of Hurstbourne
<b>Council District:</b>	18- Marilyn Parker
<b>Case Manager:</b>	Julia Williams, AICP, Planning Supervisor

### **REQUEST(S)**

- Revised Detailed District Development plan

### **CASE SUMMARY/BACKGROUND**

The applicant is proposing to renovate the existing McDonald's and add small additions. The dumpster is being moved and the drive thru area is being reconfigured. A sliver of the property is plan certain under case # 9-45-78 where there is a binding element that indicates "No restaurant characterized by fast food served over the counter primarily for carry out service shall be permitted in the development". This binding element will need to be revised.

### **STAFF FINDING**

Staff finds that the proposal meets the guidelines of the Comprehensive Plan and requirements of the Land Development Code.

### **TECHNICAL REVIEW**

Land Development Code (2011) Hurstbourne

Transportation Planning has preliminarily approved the proposal.

MSD has the following comments that will need to be addressed on the final plan:

1. WM#11542
2. Plan rejected refer to the preliminary plan checklist for required content found on MSD's website <http://www.msdlouky.org/insidemsd/formsstormwater.htm> Resubmit with all applicable information. Comments may follow once additional information is provided on the plan.
3. Applicant must submit and receive an approved downstream sanitary capacity facility request prior to preliminary plan approval.
4. Note: Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District's Design Manual and Standard Specifications and other local, state and federal ordinances.
5. Note: all retail shops must have individual connections per MSD's fats, oil and grease policy.
6. Note: Sanitary sewer service provided by existing PSC, subject to Fee's and any applicable charges.

7. Note: This project is subject to MS4 Water Quality Regulations once the incremental area of disturbance sums equal to or greater than 1 acre of disturbance. Per this preliminary development plan, the area of disturbance is XXXX S.F. (fill in the XXX)
8. Note: An EPSC plan shall be developed and approved in accordance with MSD Design Manual and Standard Specifications prior to construction plan approval.
9. Note: Site may be subject to regional facility fees. Subject to KYTC approval for the increased run off.
10. Additional comments may follow once the plan is revised.

### **INTERESTED PARTY COMMENTS**

None received.

### **STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and 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 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: 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 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.

- 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.

**REQUIRED ACTIONS:**

- **RECOMMEND** that the City of Hurstbourne **APPROVE** or **DENY** the **Revised Detailed District Development Plan and Binding Elements**

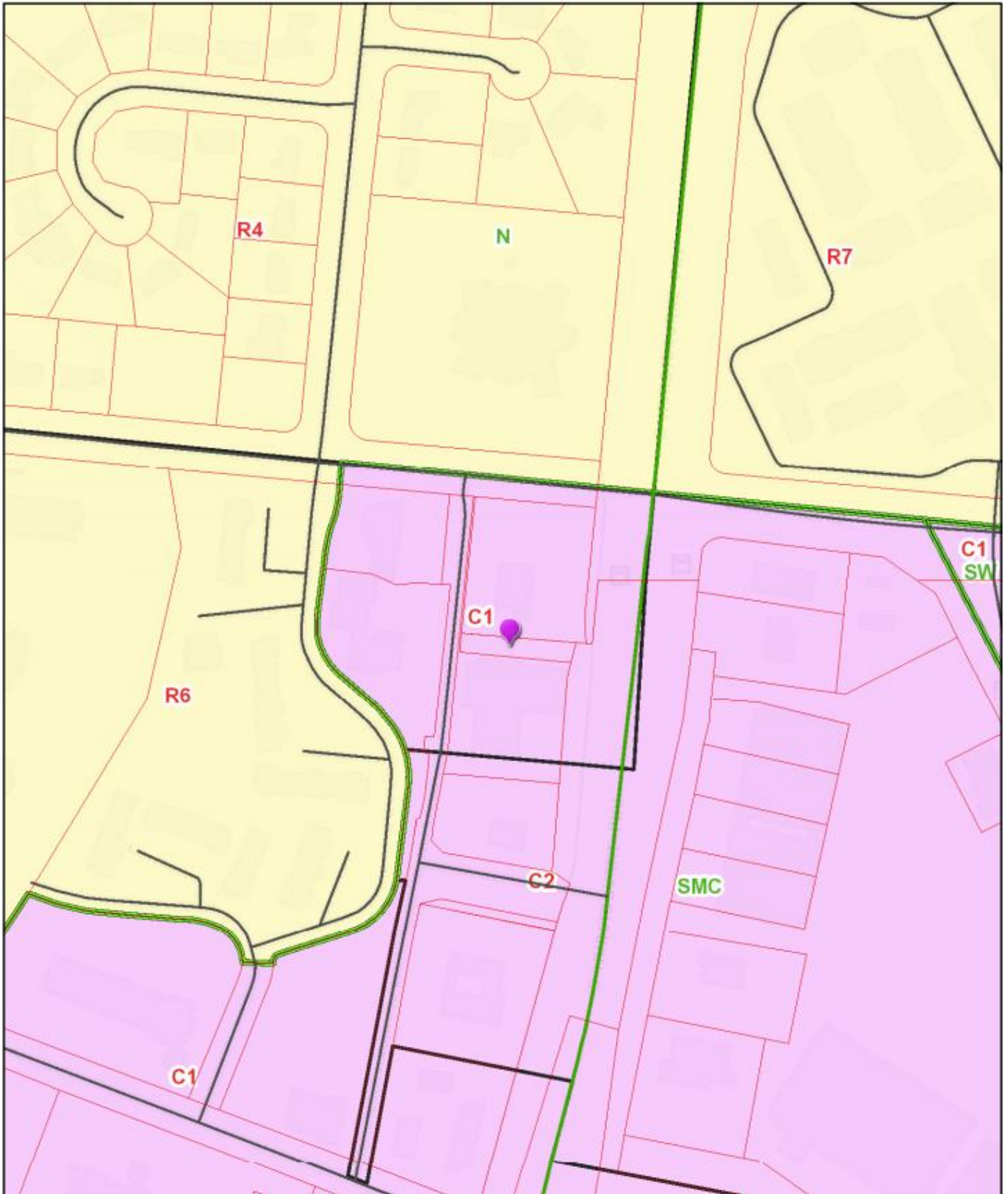
**NOTIFICATION**

Date	Purpose of Notice	Recipients
2/8/21	Hearing before DRC on 3/3/21	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 18

**ATTACHMENTS**

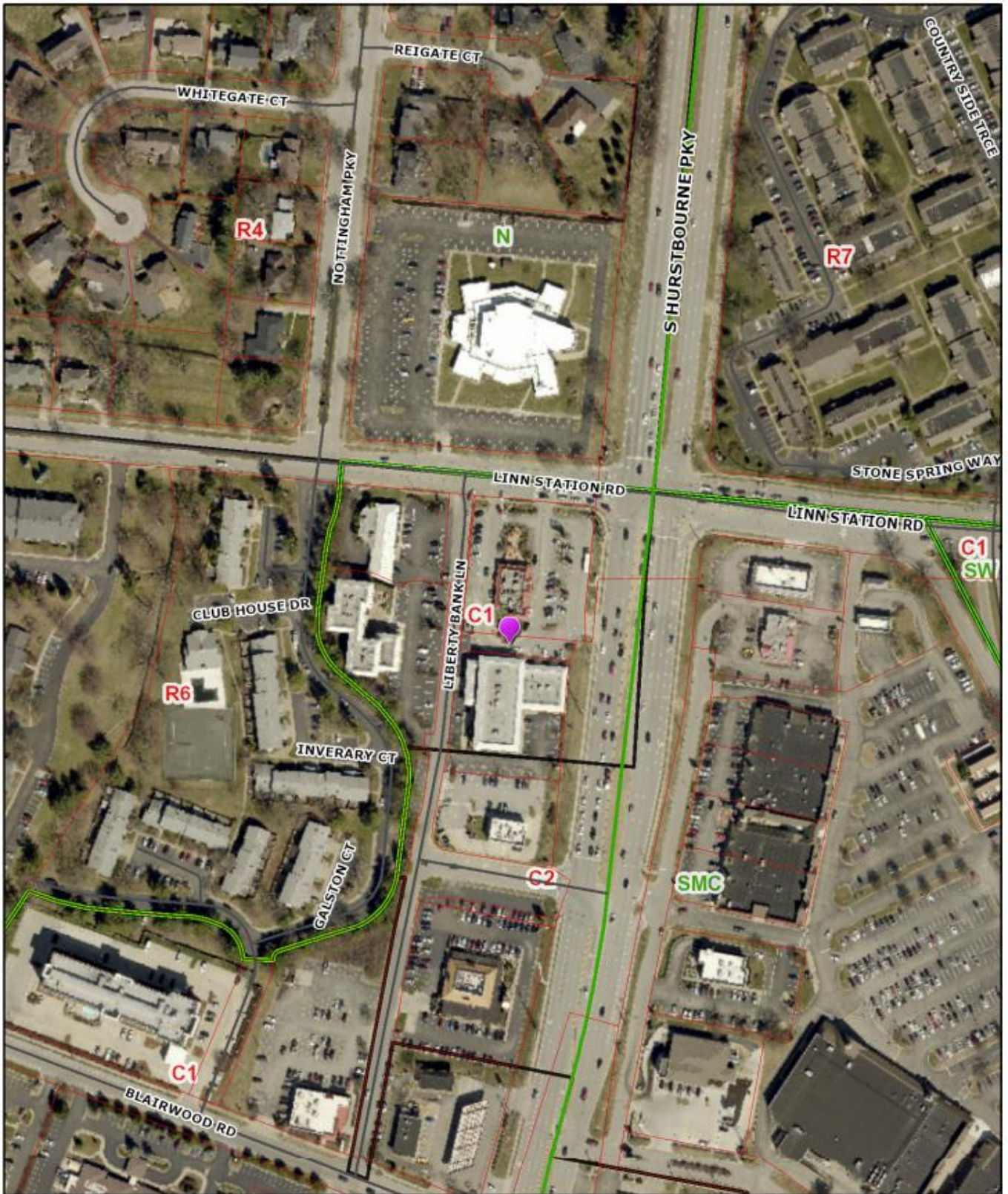
1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements with Amendments

1. Zoning Map





2. Aerial Photograph



3. **Existing Binding Elements with Amendments**

1. The C-2 Commercial district will be limited to uses permitted in the C-1 Commercial district plus a lounge serving alcoholic beverages with live entertainment.
2. No restaurant characterized by fast food served over the counter primarily for carry out service shall be permitted in the development, **except for what is shown on the approved development plan for 1102 S Hurstbourne Parkway.**
3. The development will be constructed in accordance with the approved District Development Plan.
4. The screening and planting will be constructed as shown on the approved District Development Plan.
5. The size and location of any permanent advertising sign will be submitted for approval by the Planning Commission prior to construction.
6. The plan must be reapproved by the Water Management Section of the Jefferson County Work Department and Traffic Engineering Department before building permits are issued.
7. Unless use in accordance with the approved plan and binding elements has been substantially established within two years from the date of approval of the plan or re-zoning whichever is later, the property may not be used in any manner until such time as a district development plan has been approved by the Planning Commission.