

Development Review Committee

Staff Report

October 4, 2017



Case No:	17DEVPLAN1152
Project Name:	Tim Tam Tavern
Location:	1022 Clarks Ln
Owner(s):	Hulsman and Sullivan
Applicant:	Mose Putney
Jurisdiction:	Louisville Metro
Council District:	10 – Pat Mulvihill
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- Revised District Development Plan

CASE SUMMARY/BACKGROUND

A portion of the site was rezoned from C-1 to C-2 under docket 9-160-85 to bring the zoning into compliance with the tavern that was already an existing use at that time. The applicant is proposing to add an approximately 845 SF kitchen onto the existing tavern, as well as make improvements to the parking lot and streetscape of the development.

STAFF FINDING

The Revised District Development Plan is in compliance with the Land development Code and meets the standard of review.

TECHNICAL REVIEW

Transportation Planning and the applicant are working on final determinations within the right of way.

The Metropolitan Sewer District has given preliminary approval for this development.

INTERESTED PARTY COMMENTS

Staff has received no inquiries from any interested parties concerning this project.

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 on site.

- 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.

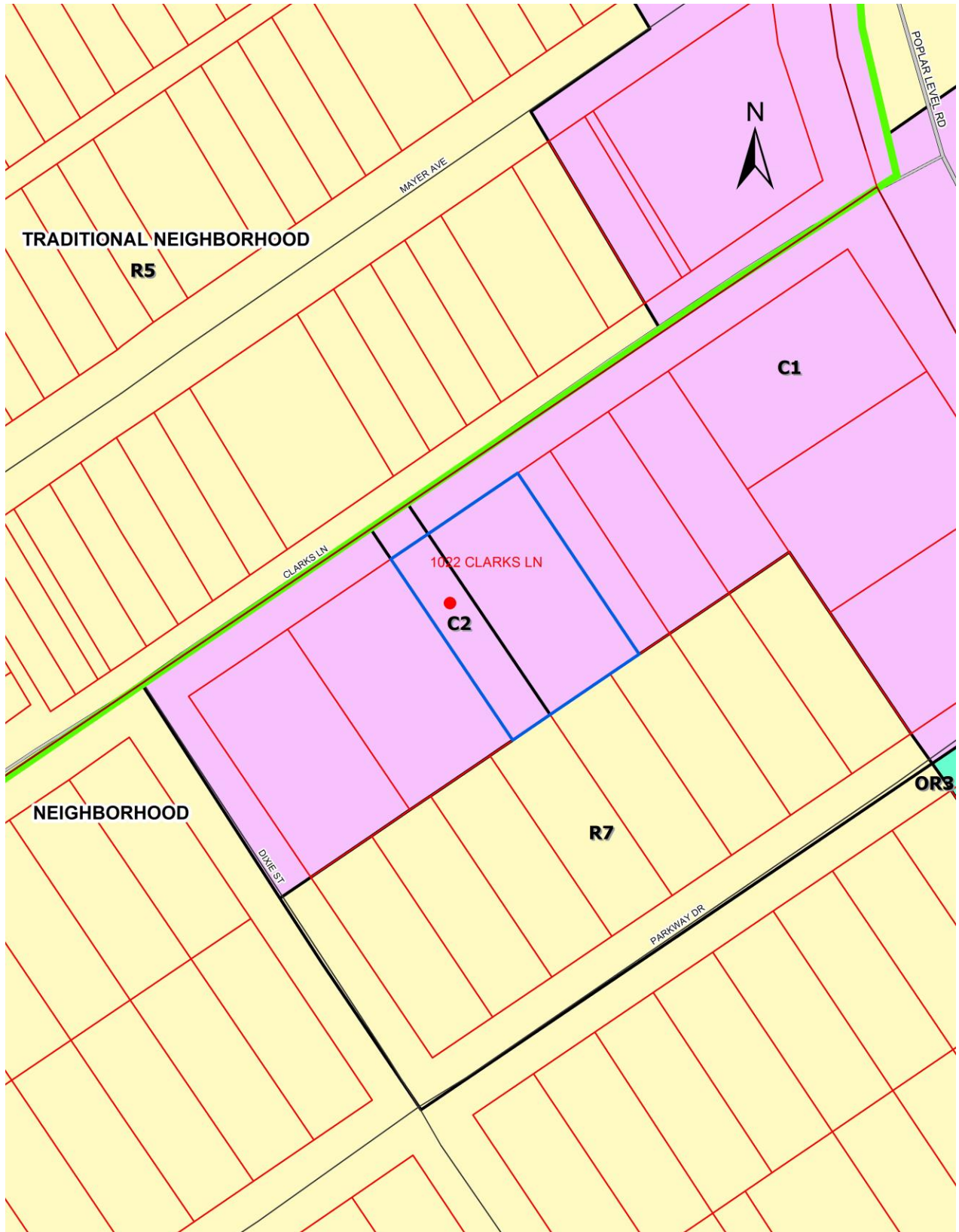
NOTIFICATION

Date	Purpose of Notice	Recipients
9-22-17	Hearing before LD&T	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 10

ATTACHMENTS

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

1. **Zoning Map**



2. Aerial Photograph



3. Existing Binding Elements

1. The development will be in accordance with the approved district development plan. No further development will occur.
2. The use of the property shall be limited to a tavern or any use permitted in the C-1 district. The tavern shall not exceed 1,500 square feet of gross floor area. The second floor shall be used as a residence.
3. A solid wooden fence 7 feet in height will be erected along the southeast property lines of property owned by the applicant.
4. Before a certificate of occupancy is issued:
 - a. The development plan must be reapproved by the City of Louisville Department of Public Works and 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. A certificate of occupancy must be obtained within 6 months of the date of approval of the plan or rezoning, whichever is later. The property shall not be used for any new use until a revised district development plan is approved. All binding elements must be implemented prior to requesting issuance of the certificate.
6. The above binding elements may be amended as provided for in the Zoning District Regulations.

Proposed Binding Elements

1. ~~The development will be in accordance with the approved district development plan. No further development will occur.~~ **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 use of the property shall be limited to a tavern or any use permitted in the C-1 district. The tavern shall not exceed 1,500 square feet of gross floor area. The second floor shall be used as a residence.~~
3. A solid wooden fence 7 feet in height will be erected along the southeast property lines of property owned by the applicant.
4. Before a certificate of occupancy is issued:

- a. ~~The development plan must be reapproved by the City of Louisville Department of Public Works and the Jefferson County Department of Public Works and Transportation.~~ **The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.**

- 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.~~ **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.**

5. ~~A certificate of occupancy must be obtained within 6 months of the date of approval of the plan or rezoning, whichever is later. The property shall not be used for any new use until a revised district development plan is approved. All binding elements must be implemented prior to requesting issuance of the certificate.~~ **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.**

6. **Signs shall be in accordance with chapter 8 of the Land Development Code**

7. ~~The above binding elements may be amended as provided for in the Zoning District Regulations.~~