

Development Review Committee

Staff Report

February 17, 2016



Case No:	15DEVPLAN1200
Request:	Revised Detailed District Development Plan
Project Name:	Patti Lane Mini Warehouse
Location:	2808 Patti Lane
Owner:	Blacksmith Homes, LLC
Applicant:	David Smtih
Representative:	John Addington, BTM Engineering
Jurisdiction:	Jeffersontown
Council District:	11 – Kevin Kramer
Case Manager:	Laura Mattingly-Humphrey, Planner I

REQUEST

- Detailed District Development Plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant is proposing a change of use from office to retail for the existing office space within the mini-warehouse building at 2808 Patti Lane. Currently, a portion of the warehouse is used for auto-service. The applicant would like to use the 480 SF office space for retail tire sales. Four parking spaces have been added to satisfy the parking requirement, giving the development a total of 6 parking spaces including the two service bays.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Mini-Warehouse/Auto Service	C-2	SMC
Proposed	Mini-Warehouse/Auto Service/Retail	C-2	SMC
Surrounding Properties			
North	Office/Restaurant	C-2	SMC
South	Retail	C-1, C-2	SMC
East	Retail	C-1	SMC
West	Apartments	R-7	N

PREVIOUS CASES ON SITE

9-86-02: Change in zoning from C-1 to C-2.

B-79-00: Conditional Use Permit to allow mini-storage facility in a C-2 zone.

INTERESTED PARTY COMMENTS

Interested parties raised concerns regarding the conduct of employees while on the job site as well as the safety of the auto service facility due to a recent fire.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDP

- 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: The proposed changes are not disturbing any of the vegetation on 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 by meeting the vehicle use area and parking standards, and Metro Public Works 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 with 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 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 land uses are compatible with the existing and future development of the area. Buildings and parking lots will meet all required setbacks and the proposed use fits in well with the existing auto service facility, as well as the mix of surrounding businesses.

- 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 requirements of the Land Development Code and meets or exceeds the applicable Non-Residential Suburban Marketplace Corridor guidelines and policies found in Cornerstone 2020.

TECHNICAL REVIEW

- The proposed development plan is in order and has received preliminary approvals from Transportation Planning Review, the Metropolitan Sewer District, as well as the Jeffersontown Fire Department.

STAFF CONCLUSIONS

The Revised Detailed District Development Plan 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 recommending approval of the RDDDP established in the Land Development Code.

REQUIRED ACTIONS

Recommend **APPROVAL** or **DENIAL** of the revised development plan to the city of Jeffersontown.

NOTIFICATION

Date	Purpose of Notice	Recipients
2/2/2016	Public Hearing - DRC	Neighborhood notification recipients
2/3/2016	Public Hearing - DRC	1 st tier adjoining property owners

ATTACHMENTS

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

2808 PATTI LN

PATTI LN

R7

R4

C1

C2

2. Aerial Photograph



3. **Existing Binding Elements**

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. Any changes, additions, alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. There shall be no outdoor storage on the site.
4. Outdoor lighting shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff and height of the light standard shall be set so that no light source is visible off-site.
5. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
6. The applicant shall identify and submit for approval be designated DPDS staff, a plan showing the location of Tree Preservation Areas on site (exclusive of area dedicated as public right-of-way) prior to beginning any construction procedure (i.e. clearing, grading, demolition). All construction shall be conducted in accordance with the approved Tree Preservation Plan. A partial plan may be submitted to delineate clearing necessary for preliminary site investigation. All Tree Preservation Plans must be prepared in accordance with the standards set forth by DPDS.
7. 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. 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.
8. 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.
9. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system.
10. The applicant developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors, and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

