

# Development Review Committee

## Staff Report

May 18, 2016



<b>Case No:</b>	16EXTENSION1000
<b>Project Name:</b>	Jefferson Centre Daycare
<b>Location:</b>	5750 Outer Loop
<b>Owner(s):</b>	Jefferson Centre, LLC.
<b>Applicant:</b>	Mindel, Scott, & Associates – Kent Gootee
<b>Representative(s):</b>	Mindel, Scott, & Associates – Kent Gootee
<b>Project Area/Size:</b>	9.57 acres
<b>Existing Zoning District:</b>	C-2
<b>Existing Form District:</b>	SMC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	23 – James Peden
<b>Case Manager:</b>	Joel P. Dock, Planner I

### REQUEST

- Extension of Expiration

### CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant is requesting an extension of expiration of a revised detailed district development plan for proposed daycare and existing mixed commercial use development. The daycare, which is towards the front of the development along Outer Loop, appears to be the only proposed structure on the subject site. The applicant stated that their client remains in the process of securing a tenant before proceeding with site development.

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

	Land Use	Zoning	Form District
<b><i>Subject Property</i></b>			
<b>Existing</b>	Commercial	C-2	SMC
<b>Proposed</b>	Commercial	C-2	SMC
<b><i>Surrounding Properties</i></b>			
<b>North</b>	Vacant	R-4	N
<b>South</b>	Multi-family	R-5A	SMC
<b>East</b>	Commercial/Residential	C-1/R-4	SMC
<b>West</b>	Commercial/Residential	C-2/R-4	SMC/N

### PREVIOUS CASES ON SITE

9-52-96: Rezoning from R-4/C-1 to C-2 (approved 10/17/96).

15241: Revised detailed district development plan for proposed daycare (approved 5/2/11).

15EXTENSION1001: Extension of expiration (granted 5/2/16)

## **INTERESTED PARTY COMMENTS**

No interested party comments have been received by staff.

## **APPLICABLE PLANS AND POLICIES**

Cornerstone 2020  
Land Development Code

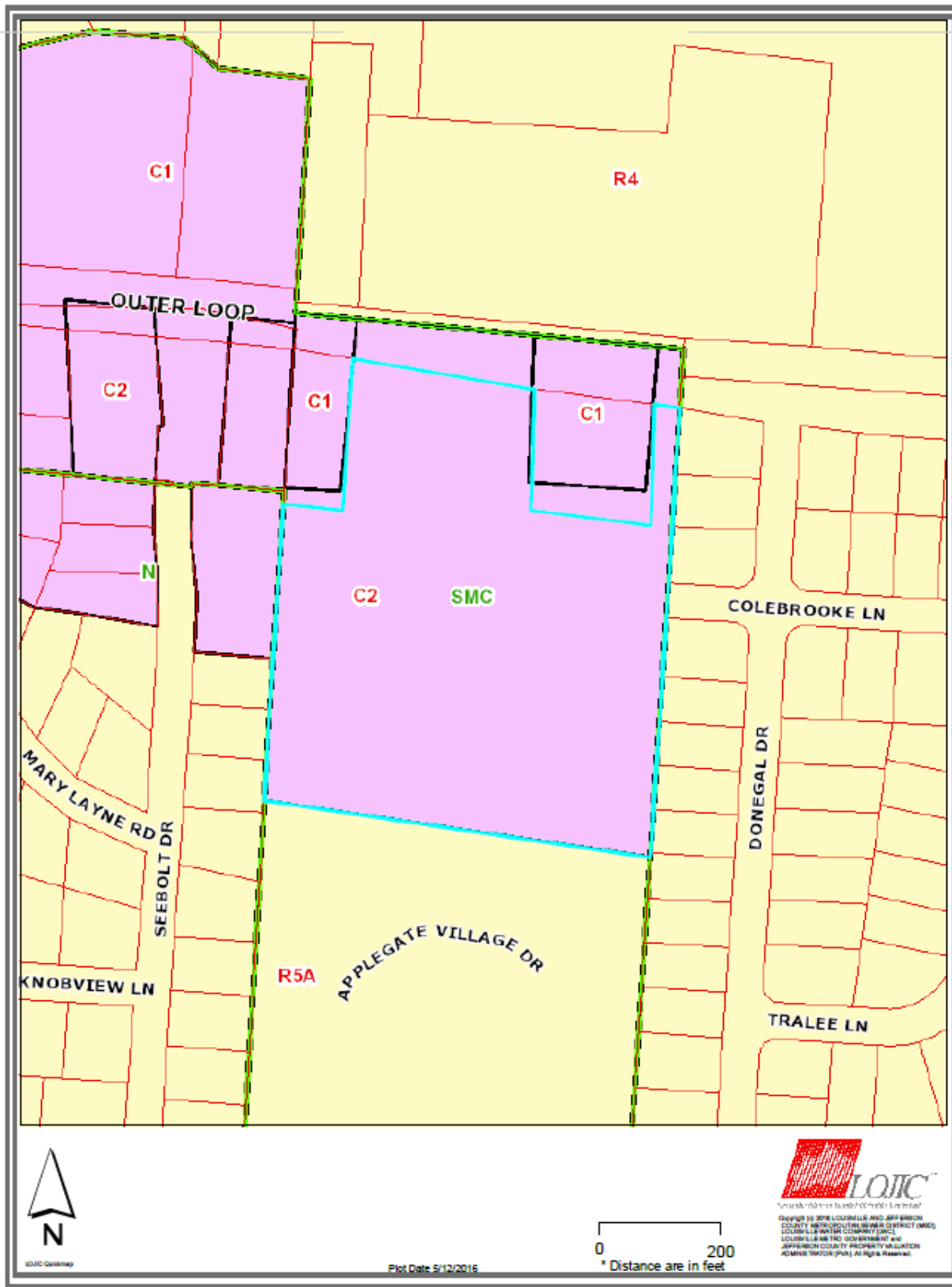
## **STAFF CONCLUSIONS**

The applicant is requesting an extension of expiration until May 2, 2017. The application for extension was filed with the office of Planning and Design Services prior to the expiration date of the first extension.

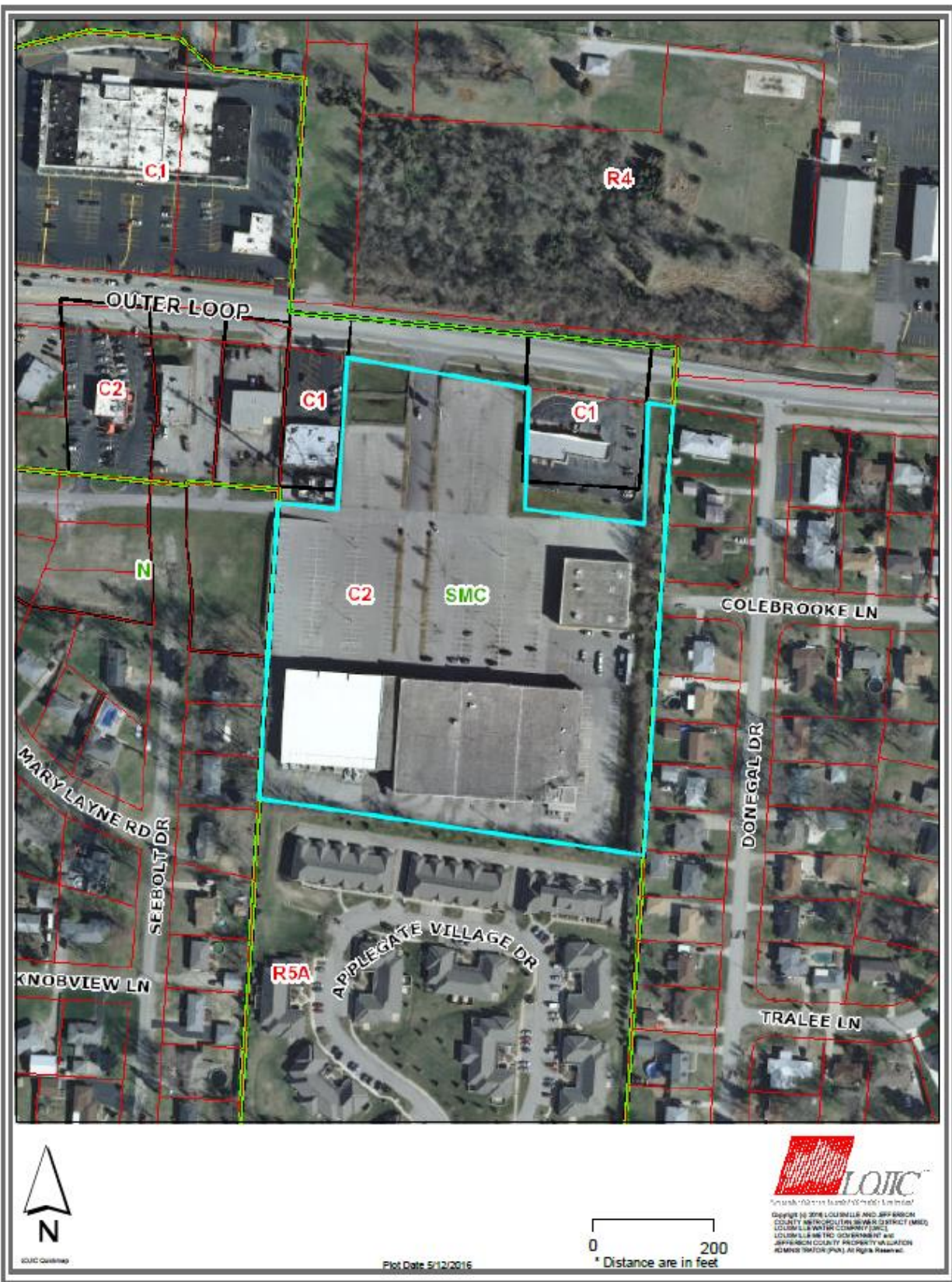
## **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

**1.**



## 2. Aerial Photograph



### **3. 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. No further development shall occur without prior approval from the Planning Commission, except for land uses permitted in the established zoning district.
2. The development shall not exceed 97,784 square feet of gross floor area.
3. a) The following list of uses shall not be permitted on the property:
  - Adult Entertainment
  - Agriculture
  - Automobile service Stations
  - Bookbinding
  - Car washes
  - Hotels and motels
  - Ice storage
  - Rubber stamp manufacture
  - Automobile sales
- b) The following list of uses shall be permitted on the property only as described below:
  - Automobile repair garages are permitted except those garages engaging in body work, automobile painting or heavy grinding or milling of auto parts.
  - Taverns or bars are permitted provided food is prepared on the premises for consumption by patrons of the establishment.
5. Evergreen screening shall be provided along the south property line, as per the review and approval of the staff landscape architect.
6. A solid six foot tall screening fence shall be provided along the west perimeter adjacent to the single family residences.
7. No outdoor advertising signs (billboards), small free- standing (temporary) signs, pennants or banners shall be permitted on the site.
8. There shall be no outdoor storage on the site.
9. Any new outdoor lighting shall be directed down and away from surrounding residential properties.
10. 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 W. Liberty Street).
  - b. The size and location of any proposed freestanding 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.
  - c. 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.
11. 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 requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

12. The property owner developer shall provide copies of these binding elements to tenants, contractors and other parties engaged in development of this project, and shall inform them of the content of these binding elements. Further, the property owner developer shall require contractors to similarly notify all of their sub-contractors whose duties relate to the binding elements. The property owner developer shall ensure their compliance with the binding elements.