

URBAN GROWTH DESIGN REVIEW BOARD
Wednesday, October 19, 2011
City-County Planning Commission
Upstairs Conference Room - 1141 State Street

MEMBERS PRESENT:

Alice Ford
John Williams
Laura Southard
Chip Hightower
Laura Jones

STAFF PRESENT:

Jonathan Britt, Planner
Sandy M. Clark, Zoning Administrator
Daniel Faller, Plans Reviewer
Steve Hunter, Executive Director
Hon. Hamp Moore, Attorney
Mac Yowell, Engineer

ABSENT: David Sowders Bill Finley

Chairman Laura Southard called the Meeting to order at 5:06 p.m. She asked the Zoning Administrator, Sandy Clark, to call the roll and determine a quorum.

A. DETERMINATION OF QUORUM

Sandy M. Clark, Zoning Administrator, conducted roll call and determined five (5) of the seven (7) members were present at the time of roll call. The quorum was determined to be present with five members in attendance at the time roll call was taken.

B. APPROVAL OF MINUTES

Chairman Southard asked if all Commissioners had received and read the Summary Minutes of the meeting held on September 21, 2011. It was noted that there was one edit in the Minutes. Being no other questions or comments, the Motion was made by Mr. Hightower, seconded by Ms. Jones, and unanimously agreed upon by all Board Members present (5 years) to approve the Summary Minutes of the September 21, 2011 meeting with the one edit.

II. PUBLIC MEETING

Then Chairman Southard announced the first item on the agenda which has been re-arranged on the agenda due to an applicant not yet here for the meeting, described as: **ODP-05-2011 - Mount Victor Olde Towne Apartments, LLC and Lovers Lane Land and Farm, LLC** have applied for approval of an Overlay Development Plan on a tract of land containing approximately 4.2 acres located on a proposed extension of New Towne Drive, approximately 238 feet northeast of Olde Towne Blvd. The Plan proposes construction of two (2) three-story apartment buildings containing twenty-four (24) two-bedroom units and twelve (12) one-bedroom units and one (1) three-story apartment building containing twenty-four (24) one-bedroom units, for a total of twenty-four (24) two-bedroom units and thirty-six (36) one-bedroom units. Also proposed is all required parking, drainage and landscaping. This property is zoned PUD (Planned Unit Development) with Binding Elements.

John Williams recused himself from the first case due to a conflict.

Daniel Faller, Plan Reviewer of the City-County Planning Commission was sworn in by Chairman Laura Southard. Mr. Faller presented the staff report. He stated Olde Towne Apartments, LLC., and Lovers Lane Land and Farm have applied for approval of an Overlay Development Plan on a tract of land containing approximately four (4) acres, located on a proposed extension of New Towne Drive, approximately 238 feet north east of Olde Towne Blvd. The Plan proposes the construction of two (2) three-story apartment buildings, containing (24) two-bedroom units; and twelve (12) one-bedroom units, and one (1) three-story apartment building containing (24) one-bedroom units, for a total of twenty-four (24) two-bedroom units and thirty-six (36) one-bedroom units. Also proposed are all required parking, drainage and landscaping plans. This property is zoned PUD (Planned Unit Development) with Binding Elements.

Mr. Faller said that the staff review was based on the PUD (Planned Unit Development) zone, Binding Elements and the overlay development standards as follows:

Total site area:	4.00 acres	
Lot coverage:	<u>Allowed/Required</u> 70%	<u>Provided</u> Proposed: 49.5%
Building set backs:	Front: 30 feet	30 feet
	Side: 20 feet	20 feet (south)
	35 feet (Binding Elements)	35 feet (north)
	Rear: 20 feet	approximately 53 feet
Floor Area Ratio:	maximum 0.50	0.36
Building area:	Two buildings containing 22,740 square feet each - - one building containing 17,496 square feet, for a 62,976 square feet total.	
Density:	18 units per acre on the proposed lot.	
Building height:	N/A	46 feet 5 inches
Parking:	132 spaces	143 spaces
Landscape:	Landscaping plan meets the requirements of the Ordinance and Binding Elements, and is preliminarily approved. Final approval will be required before issuance of a Building Permit.	
Signage:	The applicants are proposing a 10 foot wide by 5 foot tall monument style sign.	
Drainage:	The drainage plan is preliminarily approved. Final approval will be required before issuance of a building permit.	

Traffic: A Traffic Impact Study was not required for this submission.

Access: The site will have one access on the proposed extension of New Towne Drive.

Design elements for review:

Building materials:

- Siding shall be brick; color: Old Vienna; and Fiber Cement siding, colors: Heather Grey, Antique White, Linen
- Stone band, color: Oak Ridge.
- Porch columns: Antique White
- Steel Rails
- Wood Shutters, color: Belle Meade Green.
- Simulated Leader Heads
- Pre-manufactured Cupola
- Bracket lighting
- Under porch lighting

Roof material:

- Roofing material shall be asphalt, color: colonial slate.
- Gutters and downspouts shall be aluminum in a bronze finish.

Landscape Design/plant material: Plant material is appropriate and approved.

Mr. Faller stated that it is the staff's recommendation that this Overlay Development Plan meets the criteria for approval with one (1) condition: A plat must be recorded to create the lot.

Chairman Southard asked if there were any questions for staff and/or applicants. Therein for the applicants, John Williams of 122 Ridgewood Court, Bowling Green, Kentucky, who came forward and was sworn in to testify before the Board. Mr. Williams said that the materials for the sign will be a hardi-wood type material that would have the color built in to the material. This would be a pre-finished material, or there would be an option of painting the material.

Also, for the applicants, Jeffrey Broughton, Landscape Architect with Landmark Engineering of 183 St. Charles Street, Bowling Green, Kentucky, came forward and was also sworn in to testify before the Board. Mr. Broughton said the sign will have ground lighting toward the sign, and it is designed to be a monument style sign with the lights pointed to the sign. The maximum height of the sign is expected to be about five (5) foot as the PUD zoning district has no height requirement.

In addition, for the applicants, Thomas A. Donnally, of 1344 Garvin Lane, Bowling Green, Kentucky, came forward and was sworn in to testify before the Board. Mr. Donnally stated that the applicants hope for Phase II, but right now we are only talking about Phase I and will not go over the lot coverage required for additional acreage.

Phase I has a restriction on the number of units per acre and currently there is not additional acreage being procured for Phase II. The lot coverage on the four (4) acres, along with streets does not exceed the maximum coverage. It has not been determined if there are going to be any amenities with this development as right now it is just apartments being constructed.

There was discussion about materials in the construction and the final look that will be achieved. The look will be a residential setting and feel as the applicants are looking to provide upscale apartments in the center of town. There was a comparison with Covington Oaks, a similar type facility that is located on Scottsville Road.

The next discussion was about landscaping which will have evergreen trees (12 to 15 feet height), deciduous trees (40 to 45 feet) and even Magnolia trees which sometimes get 20 to 30 feet. The Binding Elements provide for staggered trees which will provide adequate coverage and buffering screen. The lights will be shoe-box style lighting which will be a single fixture with the light pointing downward and inward. The foot-candles will be 3.6. The only lighting on the buildings will be the patio lighting. The only bracket lighting will be in the entrance drive area and no spot lights or anything bright to trespass onto neighbors. The lighting goal is to be bright enough to be safe, but not trespass onto neighbors. There will be a soft-lighting going to parking areas, but nothing bold and bright.

Jonathan Britt, Planner with the City-County Planning Commission stepped forward and stated that the light foot candle is 3.6. He said that Ms. Smith and her family, an adjacent neighbor, requested a 35 foot building set back line with landscape buffering of a dense vegetative landscape. Mr. Donnally said that they have agreed and tried to do everything that the neighbors have asked.

There was discussion about the balcony railing, which Mr. Williams indicated would be aluminum or steel railing with some circle type steeples running through the top. There will be a total of 72 units with an open air staircase in the center of the building.

Being no further questions or comments, Chairman Southard asked for a Motion.

ACTION: Upon a Motion by Alice Ford, seconded by Chip Hightower to approve the proposed Overlay Development Plan within the Lovers Lane Urban Growth Overlay District, docket #ODP-5-2011 with one condition:

- 1. A plat must be recorded to create the lot. The Motion was based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing, that the Overlay Development Plan is in agreement with the adopted development standards contained in the Zoning Ordinance Section 4.9 and Section 3.18. Further, it was requested that the findings of fact and recommendation include a summary of the evidence and testimony presented by the proponents and/or opponents of the proposed plan. A vote of four (4) yeas, so the ODP was approved.**

Chairman Southard announced the second item on the agenda described as: **ODP-04-2011 - Davita Dialysis** has applied for approval of an Overlay Development Plan on a tract of land at 391 Suwannee Trail Street, approximately 271.71 feet from Natchez Trace Avenue. The Plan proposes a freestanding sign and building sign for a medical office currently under construction at this location. This property is zoned PUD (Planned Unit Development) with Binding Elements.

Daniel Faller, Plan Reviewer of the City-County Planning Commission presented the staff report. He stated this request is a little unusual as it is only a request for a sign. Davita Dialysis and Rueff Sign Co., have filed an application for approval of an Overlay Development Plan on a tract of land containing 38,705 square feet (0.885 acre) located on Suwannee Trail Street which is approximately 271.71 feet from Natchez Trace Avenue. This plan has been reviewed based on the requirements of the **PUD** zone, Binding Elements and the overlay development standards as follows:

Sign set back:	<u>Allowed/Required</u>	<u>Provided</u>
	20 feet from edge of pavement	20 feet

Signage: The property is allowed one free-standing sign and one wall sign. The free-standing sign shall not exceed 5 feet to the top of the sign face, and 75 square feet per side, and the total structure height shall not exceed 7 feet. Wall sign shall not exceed 100 square feet or 10% of the facade area, whichever is greater.

<u>Provided - freestanding sign</u>	Top of Sign face:	5 feet from grade
	Overall height:	5 feet 4 inches from grade
	Sign face area:	22.17 square feet

<u>Provided - wall sign</u>	40.26 square feet
-----------------------------	-------------------

Design elements for review:

- | | | |
|------------|--------------------|--|
| Materials: | Freestanding sign: | Single Face Monument Sign |
| | | <ul style="list-style-type: none">○ Non - Illuminated○ Aluminum Construction○ Base: Tricoplex finish; color: Taupe.○ Reveal and Cap color: Davita Blue○ Cabinet finish color: Ivory.○ ½” Sintra Cutout Logo: Davita Blue |
| | Wall Sign: | Channel Letters |
| | | <ul style="list-style-type: none">○ Internal Neon Illumination○ 5 inch deep Aluminum Cabinets, painted white○ White Plex - faces○ Star Cabinet fitted with white face & 3M-sunflower translucent V.D.C. overlay○ 12mm white argon filled neon tubing○ Aluminum raceway painted to match building.○ “tm” Logo - Flat cut-out white plex.○ White trim-cap on copy○ Sunflower yellow trim-cap on star |

Mr. Faller stated that it is the staff's recommendation that this Overlay Development Plan meets the criteria for approval.

Chairman Southard asked if there were any questions for staff and/or applicants. Therein for the applicants, Reggie Porterfield of 2451 Cumberland Parkway, Atlanta, GA, who came forward and was sworn in to testify before the Board. Also, for the applicants, Allen Mercke with Rueff Signs, Inc., of 1530 East Washington Street, Louisville, Kentucky, came forward and was also sworn in to testify before the Board. When asked about the signage, it was determined that there would be a wall sign, with a white trim cap channel – just a standard sign trim. A review of the materials on the material board was observed and reviewed by the board members. These materials included an aluminum cabinet and steel frame that has been finished and set on a pole.

Chairman Southard asked if there were any additional questions for the applicants. Being no other questions or comments, Chairman Southard then asked for a Motion.

ACTION: Upon Motion of Laura Jones, seconded by John Williams, to approve the proposed Overlay Development Plan within the Lovers Lane Urban Growth Overlay District, docket #ODP-4-2011. The Motion is based on the findings of fact as presented in the staff report and the testimony presented in this public hearing, that the Overlay Development Plan is in agreement with the adopted development standards contained in the Zoning Ordinance Section 4.9 and Section 3.18. Further, it was requested that the findings of fact and recommendation include a summary of the evidence and testimony presented by the proponents and/or opponents of the proposed plan. All members concurred (5 years).

One of the gentlemen asked if there was a future plan for a traffic light to be placed on Lovers Lane. Staff explained that there is a building build up minimum of 400,000 square feet that would trigger placement of a light and currently there is about half of the required build out. There is currently a turn lane already in place, but the traffic light has not yet been triggered by the traffic count.

ADDITIONAL BUSINESS:

Chairman Southard asked if there was any additional business to come before this Board. She asked if there were any announcements for the Board. There will be meeting next month as a case has been filed today. Being no additional business, the meeting was adjourned by Motion of Laura Jones, seconded by Chip Hightower. All Board members agreed and the meeting adjourned.

Chairman Laura Southard

Sandy M. Clark, Zoning Administrator