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MAR 27 2017

**ZONE CHANGE JUSTIFICATION STATEMENT**  
**1073 Mary Street**  
**Case Number 16ZONE1084**

PLANNING & DESIGN SERVICES

The applicants Alma and Milenko Simic, propose a zoning change for their property located at 1073 Mary Street from R-6 to R-7. The property is 0.172 acres in size. The property is located within the Traditional Neighborhood Form District. It has 50' of frontage along Mary Street with existing alley access to the west and an unmade alley to the rear/north.

**COMPREHENSIVE PLAN GUIDELINES**

Compliance with specific applicable Guidelines and Policies of the Comprehensive Plan identified as applicable are as follows:

**Community Form/Land Use Guideline 1. Community Form:**

A Traditional Neighborhood Form District is "characterized by predominantly residential uses, a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings... Although many existing traditional neighborhoods are fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan".

The site is within the Traditional Neighborhood Form District and, as it is consistent with this form district, no change in form is proposed. The proposal is consistent with Guideline 1.B.2 in that it preserves the existing street and alley pattern, lotting pattern and is located near a commercial corridor and amenities easily accessible by multiple modes of travel. While the existing structure on the site is not planned to remain, the proposed structure will be designed to be consistent with the character of the existing surrounding neighborhood.

**Community Form/Land Use Guideline 2. Centers:**

This development is consistent with Guideline 2.A.7 in that it is located near a commercial corridor and amenities easily accessible by multiple modes of travel.

**Community Form/Land Use Guideline 3. Compatibility:**

The proposed building matches the linear layout of surrounding homes and while being a larger footprint, it is also situated on a lot twice as large as those surrounding it, making it compliant with Guideline 3.A.1. The Mary Street elevation is designed to utilize typical architectural elements such as front porch and street facing entrance.

Policy 3.A.2 requires compatibility of building materials. An effort has been made in the design of this proposed structure to mimic the look and materials of the surrounding neighborhood in a way that is compatible with historic structures in the area.

The site will be compliant with Policy 3.A.3 by providing a larger buffer than required with the existing single family residence to the east as well as providing screening along this property line.

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While this development is of a slightly higher density, it will comply with Policy 3.A.6 regarding traffic impacts because it offers easy access to multi modal forms of travel. A wide sidewalk and transit stop are along the site's frontage and the surrounding streets are traversable by bicycle.

The site is compatible with Policy 3.A.8 regarding lighting by illuminating the exterior as needed for safety of residents but located in a manner not to be obtrusive to surrounding existing homes.

Policy 3.A.10 encourages a variety of housing types. This development will introduce a new housing style to the area. While denser than a traditional single family development, the proposal is supported given the amount of commercial uses in the immediate area and the availability of transportation to these destinations. Per Policy 3.A.11, the site is located directly along a transit corridor and near existing activity centers.

Policy 3.A.13 requests that accessibility be provided for those with disabilities. The units are proposed as condominiums and individual owners would be allowed to make interior improvements for accessibility accommodations. A transit stop is located along the site frontage, making bus transportation easily available for any residents who are not able to drive a vehicle.

In accordance with Policies 3.A.14 and 3.A.15, the introduction of this new housing type to the area will provide an opportunity for a variety of ownership options and unit costs. The residential use will be compatible with surrounding existing homes while clustering units.

The site will be compliant with Policies 3.A.21 and 3.A.22 by providing a larger buffer than required with the existing single family residence to the east as well as providing screening along this property line. Additionally, no exception is requested for setbacks, lot dimensions or heights. All of these items will meet district guidelines for compliance with Policy 3.A.23. It is notable that the maximum height for R-6 and R-7 are the same, so height would not be an issue for the rezoning.

**Community Form/Land Use Guideline 4. Open Space:**

Due to the linear layout of the site and, as such, proposed building shape and access orientation, the Private Yard Area will not be able to be provided between the principal structure and the Accessory Structure/Use Area per LDC Figure 5.4.1. To fulfill the intent of the Private Yard/Open Space requirement and Policies 4.A.2, 4.A.3, 4.A.4 and 4.A.7, a patio amenity has been provided with direct access from each unit. In addition, decks and Juliette balconies are to be provided for each unit. The maintenance responsibility for these outdoor spaces would be that of the unit owners or homeowner's association. Per Policy 4.A.5, trees will be planted within the site open spaces. The 30% minimum amount of open space required will be exceeded and is 44% for the new development.

**Community Form/Land Use Guideline 5. Natural Areas and Scenic and Historic Resources:**

Per Policy 5.A.1, the building will be designed to follow the slope of the existing ground dropping off to the rear of the site. The existing building is proposed to be removed. A home inspection report has been performed and pertinent excerpts included with this application. The home inspection report shows substantial structural damage to the foundation and rotting and termite damage of the wooden structure. The existing building is plain without any elaborate traditional architectural features. While the existing building will not be able to remain, an effort has been made in the design of this proposed structure to mimic the look and materials of the surrounding neighborhood in a way that is compatible with historic structures of the areas to comply with Policies 5.A.2 and 5.A.4.

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**Mobility/Transportation Guideline 7. Circulation:**

Per Policies 7.A.1 and 7.A.2, the site will maintain the existing Traditional Neighborhood grid pattern as well as vehicle parking accessible from the alley.

Per Policy 7.A.6, transportation facilities are readily available for access to surrounding land uses. A wide sidewalk and transit stop are along the site's frontage and the surrounding streets are traversable by bicycle making many modes of travel an option for residents. The existing grid pattern of roadways and alleys will be maintained for vehicles.

**Mobility/Transportation Guideline 8. Transportation Facility Design:**

Access is compatible with Policy 8.A.9 as transportation facilities are readily available for access to surrounding land uses. A wide sidewalk and transit stop are along the site's frontage and the surrounding streets are traversable by bicycle making many modes of travel an option for residents. The existing grid pattern of roadways and alleys will be maintained for vehicles. Travel through lower density areas will not be required. Per Policy 8.A.11, the grid pattern and hierarchy of streets will be maintained and follow the established link to the surrounding area.

**Mobility/Transportation Guideline 9. Bicycle, Pedestrian and Transit:**

Policies 9.A.1 and 9.A.2 required development to promote the use of bicycling and connections for pedestrians. For this development, existing facilities for bicyclists and pedestrians are readily available for access to surrounding land uses. A wide sidewalk and transit stop are along the site's frontage and the surrounding streets are traversable by bicycle making many modes of travel an option for residents. Each unit would have space for bicycle storage.

**Livability/Environment Guideline 10. Flooding and Storm Water:**

No streams or waterways are located on or near the site. Per the Metropolitan Sewer District(MSD) design manual, the impervious area coverage is the same for both the existing(R-6) and proposed (R-7) zoning.

**Community Facilities Guideline 14. Infrastructure**

In compliance with Policy 14.A.2 and 14.A.3, all utility services are available and adequate. Confirmation letters of availability have been received from both MSD and the Louisville Water Company. Space for trash container storage will be provided at the rear of the building and is easily accessible from the alley.

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