

# Development Review Committee

## Staff Report

August 28, 2019



<b>Case No:</b>	19-WAIVER-0006
<b>Project Name:</b>	2001 Frankfort Ave Renovation
<b>Location:</b>	2001 Frankfort Ave
<b>Owner(s):</b>	CLW Limited Partnership
<b>Applicant:</b>	CLW Limited Partnership
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	9 – Bill Hollander
<b>Case Manager:</b>	Jay Lockett, AICP, Planner I

### REQUEST(S)

- **Waivers:**

1. **Waiver** from Land Development Code section 10.2.4.A to only provide the 8 foot screen within the property perimeter landscape buffer area.

### CASE SUMMARY/BACKGROUND

The applicant is proposing remove a raised loading dock and a portion of a patio to construct a parking lot behind an existing mixed-use structure. The subject site is located at the corner of Frankfort Ave and North Bellaire Ave in the Clifton neighborhood of Louisville Metro, and is zoned C-1 in the Traditional Marketplace Corridor. The requested waiver is associated with a Category 2B development plan being reviewed under docket 19-CAT2-0006.

### STAFF FINDING

The request is adequately justified and meets the standards of review.

### TECHNICAL REVIEW

The proposal was reviewed and approved by the Clifton Architectural Review Committee on February 28, 2019 under docket 18COA1257.

### INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this proposal.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as appropriate screening will still be provided adjacent to the residential property in the Traditional Neighborhood form district.

- (b) The waiver will not violate specific guidelines of The Comprehensive Plan; and

STAFF: The waiver will not violate the Comprehensive Plan as the proposed screening will still provide an adequate transition between uses. The site and adjacent sites will function largely the same as they have historically.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as all other landscaping and buffering requirements triggered by this proposal will be provided.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as the applicant has agreed to an easement to allow a portion of the adjacent building to encroach onto the subject site. The required buffer would damage the existing functionality of both the subject site and the adjacent site that the buffer is intended to protect.

**REQUIRED ACTIONS**

**APPROVE** or **DENY** the **Waiver**

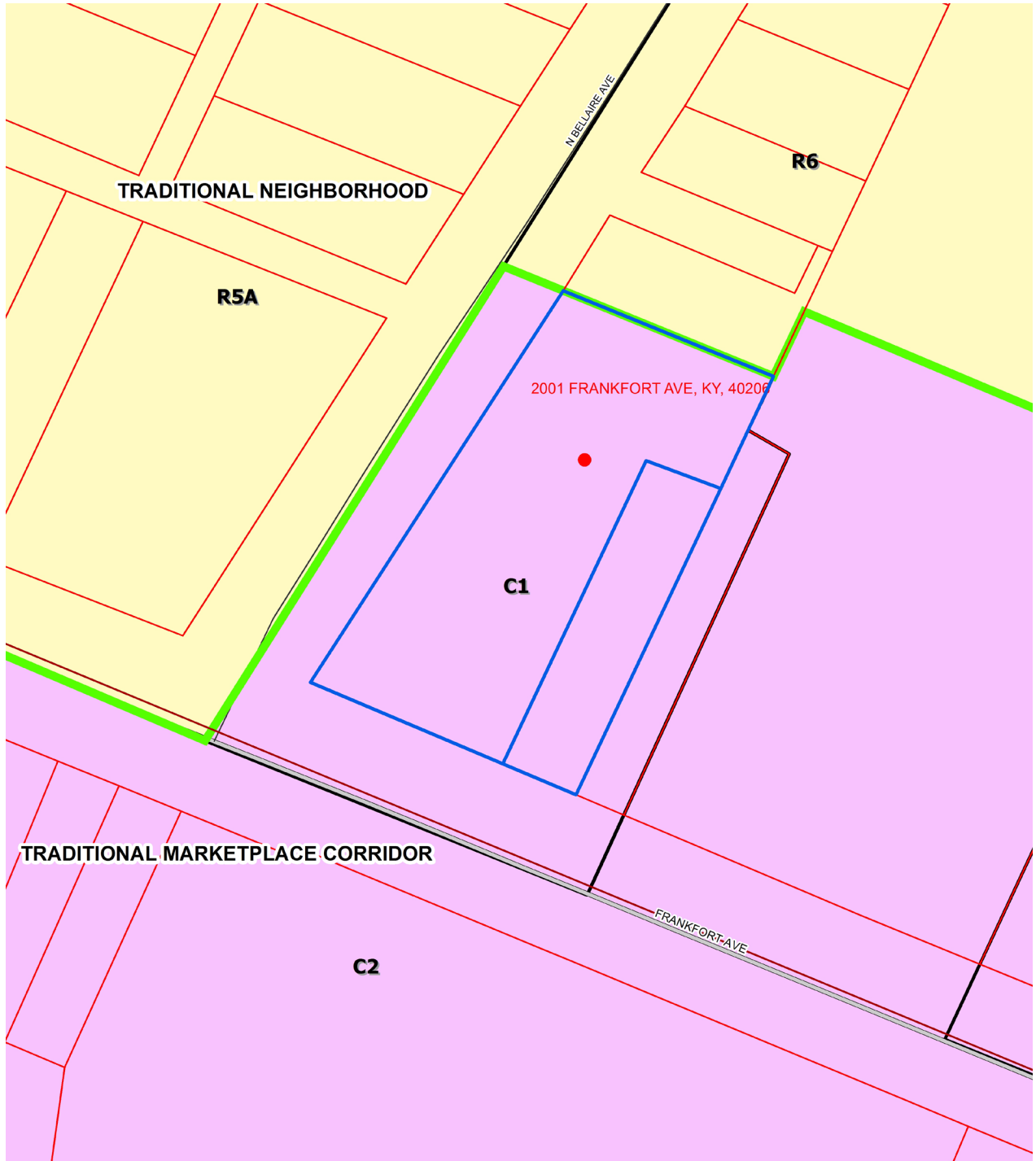
**NOTIFICATION**

Date	Purpose of Notice	Recipients
8-16-19	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 21

**ATTACHMENTS**

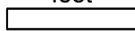
- 1. Zoning Map
- 2. Aerial Photograph

1. Zoning Map



19-WAIVER-0006

feet



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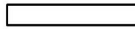
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2. Aerial Photograph



19-WAIVER-0006

feet



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