

# Land Development & Transportation Committee Staff Report

November 10, 2016



<b>Case No:</b>	16DEVPLAN1175
<b>Project Name:</b>	UA Workforce Housing
<b>Location:</b>	2500 Montgomery Street
<b>Owner(s):</b>	Portland Stroll District, LLC
<b>Applicant(s):</b>	Portland Stroll District, LLC
<b>Representative(s):</b>	Mark Madison, Milestone Design Group Inc.
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	5 – Cheri Bryant Hamilton
<b>Case Manager:</b>	Laura Mattingly, Planner I

## REQUEST

- Revised Detailed District Development Plan

## CASE SUMMARY/SITE CONTEXT

The proposed development is for a 17,328 square foot multi-family development, located in the Portland neighborhood. The proposal includes 34 dwelling units on the west side of the lot. These will be located within six 2-story buildings centered around a 9,221 square foot courtyard. Also included in the proposal are 63 parking spaces, to be located on the east side of the site behind the historic Portland Christian School. The school is to remain unchanged and will continue to be used as office and storage.

## LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<b>Subject Property</b>			
<b>Existing</b>	Office & Storage	C-1	TN
<b>Proposed</b>	Office & Storage/Apartments	C-1	TN
<b>Surrounding Properties</b>			
<b>North</b>	Single Family Residential	R-6	TN
<b>South</b>	Office, Retail	C-R, R-6	TN
<b>East</b>	Single/Multi Family Residential	M-1	TN
<b>West</b>	Single Family Residential	R-6	TN

## PREVIOUS CASES ON SITE

- 19317:** Change in zoning from R-6 to C-1 to allow mixed use development.
- 19304:** Permitted Use with Special Standards for a Community Garden
- 16MINORPLAT1016:** Create two lots from one.

## INTERESTED PARTY COMMENTS

Staff has received comment from one neighborhood resident, Mr. Ed Cebe, who is opposed to the project due to its design and is worried about it bringing more crime into the area.

Mr. Waltrous, President of the Portland Neighborhood Association, also called in opposition and would like more time for the neighborhood to meet with the developer to discuss alternative design options.

### STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP

- 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: LOJIC has not identified any environmental constraints 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 have been provided through access improvements and the completion of the public sidewalk adjacent to the development. Transportation has given their preliminary approvals.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: This development has a park within 1000 feet and is in a Traditional Form District, therefore is exempt from recreational open space requirements. The applicant has still provided a 9,221 square foot court yard.

- 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, as this is an area in need of revitalization and multi-family housing will provide more housing opportunities in the area.

- 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: This development conforms to the Land Development Code and the Comprehensive Plan, as well as the goals of the Portland Neighborhood Plan by utilizing a vacant lot and offering safe, affordable housing that compliments the fabric of the neighborhood and offers an opportunity for revitalization.

## APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code  
Portland Neighborhood Plan

### TECHNICAL REVIEW

- This proposal has received preliminary approvals from MSD and Transportation.
- Urban Design has reviewed the elevations and determined that the new construction seems compatible with the size, scale, material and character of the property and neighborhood, due to its use of subordinate materials in relation to the brick of the school and its complimentary height, massing and setback.

### STAFF CONCLUSIONS

The Revised Detailed District Development plan and proposed binding element amendment appears to be adequately justified based on staff analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Land Development & Transportation must determine if the proposal meets the standards for Detailed District Development Plan approval established in the Land Development Code.

### REQUIRED ACTIONS

- **APPROVE** or **DENY** the Revised Detailed District Development Plan

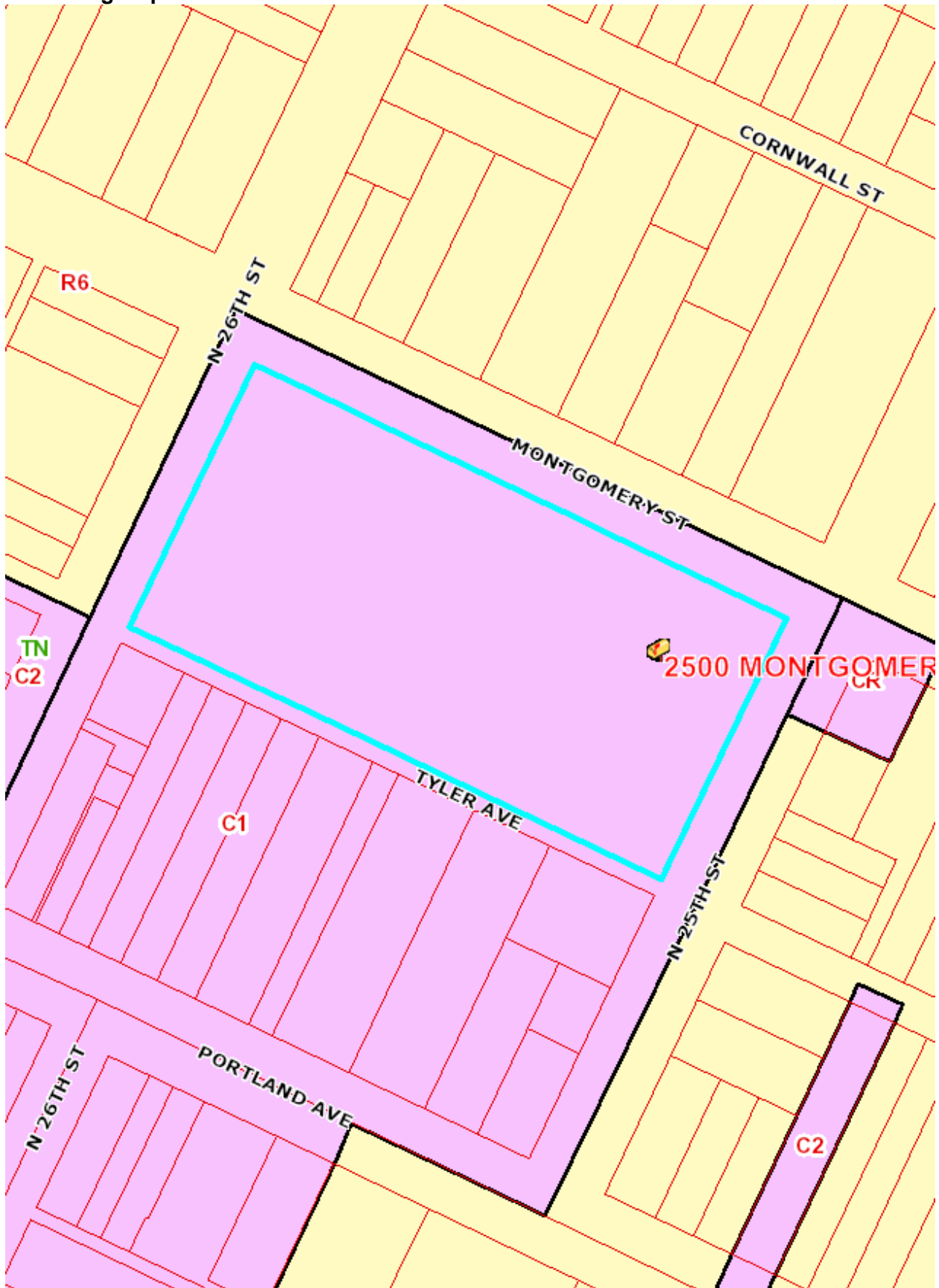
### NOTIFICATION

Date	Purpose of Notice	Recipients
October 25, 2016	APO Notice of Public Meeting	First tier adjoining property owners
October 24, 2016	Notice of Public Meeting	Registered neighborhood groups

### ATTACHMENTS

1. Zoning Map
2. Aerial Map
3. Existing Binding Elements
4. Proposed Binding Elements.

1. Zoning Map



## 2. Aerial Map





**3. Existing Binding Elements**

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee (and to the City of Lyndon, St. Matthews, Hurstbourne, or Middletown) 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. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
  - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
  - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented within one year of approval of the rezoning and shall be maintained thereafter.
4. 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.
5. Within one year of the date of approval of the rezoning, sidewalks in the rights-of-way of N 26<sup>th</sup> St and Montgomery St shall be repaired, restored and/or replaced as required by Metro Transportation Planning staff.

#### 4. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee ~~(and to the City of Lyndon, St. Matthews, Hurstbourne, or Middletown)~~ for review and approval; any changes/additions/alterations not so referred shall not be valid.
  
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
  - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
  - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented within one year of approval of the rezoning and shall be maintained thereafter.
  - c. **A minor subdivision plat shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.**
  - d. **A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.**
  
5. ~~Within one year of the date of approval of the rezoning, sidewalks in the rights-of-way of N 26<sup>th</sup> St and Montgomery St shall be repaired, restored and/or replaced as required by Metro Transportation Planning staff.~~