

Development Review Committee
Staff Report
July 17, 2019



Case No:	19WAIVER1028
Project Name:	Signature Point Sidewalk Waiver
Location:	1111 Rose Hill Ln
Owner(s):	Signature Point Development, LLC.
Applicant:	Signature Point Development, LLC.
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- **Waiver** of Land Development Code section 5.8.1.B to not provide sidewalks on proposed “Court A” adjacent to lots 174-178 on the approved Detailed District Development Plan.

CASE SUMMARY/BACKGROUND

The subject site is under development with a mix of single-family and multi-family housing proposed. The most recent revision to the development plan was approved on April 4, 2019 under docket 19DEVPLAN1061. The applicant is requesting a waiver to not provide sidewalks on one side of a proposed street within the development.

STAFF FINDING

The request is adequately justified and meets the standard of review. The lots adjacent to the waiver area will still be served by sidewalks in another adjacent right-of-way. The rest of the development will have all sidewalks required by the Land Development Code.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

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

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 sidewalk connectivity will still serve all lots within the development as required by the Land Development Code.

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

STAFF: Land Use & Development Goal 1, Policy 1.3 promotes sidewalks along the streets of all developments. Land Use & Development Goal 1, Policy 1 states that in order for promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate. Land Use & Development Goal 3, Policy 5 states that developments should be evaluated for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality. The proposed waiver will not violate the comprehensive plan, as the development will still be well served by a sidewalk network.

- (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 required sidewalks will be constructed in within the development and in adjacent rights-of-way.

- (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 regulations would create an unnecessary hardship on the applicant, as the lots in question would double sidewalks that would not otherwise add to the connectivity of the development.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Waiver**.

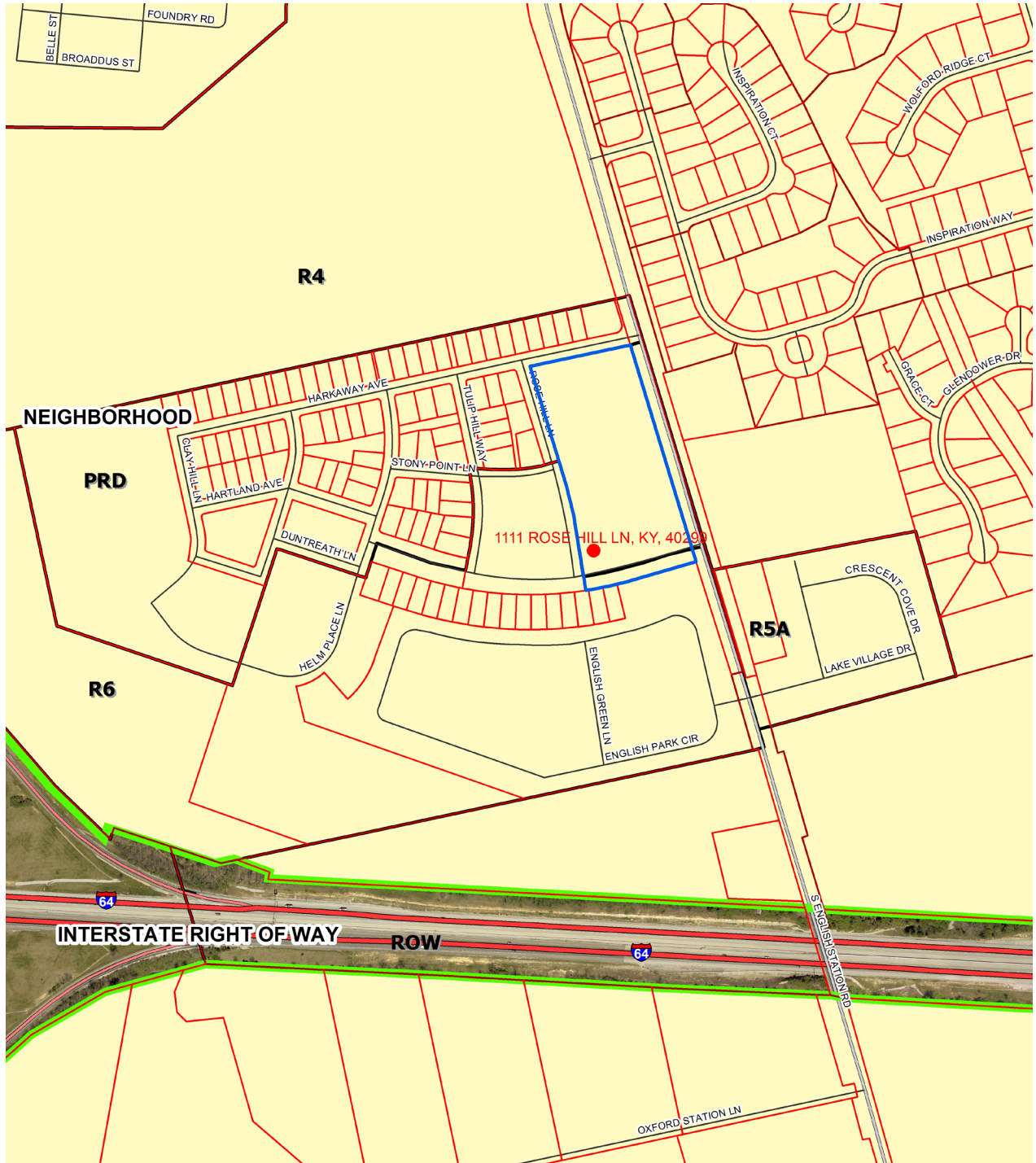
NOTIFICATION

Date	Purpose of Notice	Recipients
7-1-19	Hearing before DRC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 20

ATTACHMENTS

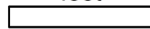
1. Zoning Map
2. Aerial Photograph

1. Zoning Map



19WAIVER1028

feet



400

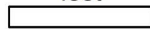
Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

2. Aerial Photograph



19WAIVER1028

feet



400

Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.