

16ZONE1058

Eastern Parkway Law Office



Louisville Metro Planning Commission Public Hearing

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Request(s)

- Change in zoning from R-7 (Multi-Family Residential) to OR (Office/Residential) for .211 acres
- Detailed District Development Plan
 - Waiver from Chapter 10, Part 2, Table 10.2.3 of the LDC to allow the proposed parking lot along the southwest property line to encroach 3.21 feet into the five-foot landscape buffer area and to allow an existing accessory structure along the northeast property line to encroach 2.5 feet into the five-foot landscape buffer area

Case Summary / Background

- Subject property near the SE corner of Eastern Parkway and Bradley Avenue.
- Applicant proposes to extend Miller Avenue, within the existing public right-of-way, to connect to subject property if the requested rezoning is approved.
- Subject property is rectangular in shape, approximately 60' in width and has a vacant 2,420 square-foot residence.
- Applicant requests rezoning to establish a stand-alone law office with no residential component.
- Also proposes a 410 square-foot expansion of the structure and to retain an existing detached garage.
- Applicant requests a waiver related to the encroachment of the existing accessory structure into an LBA and encroachment of proposed off-street parking into an LBA.

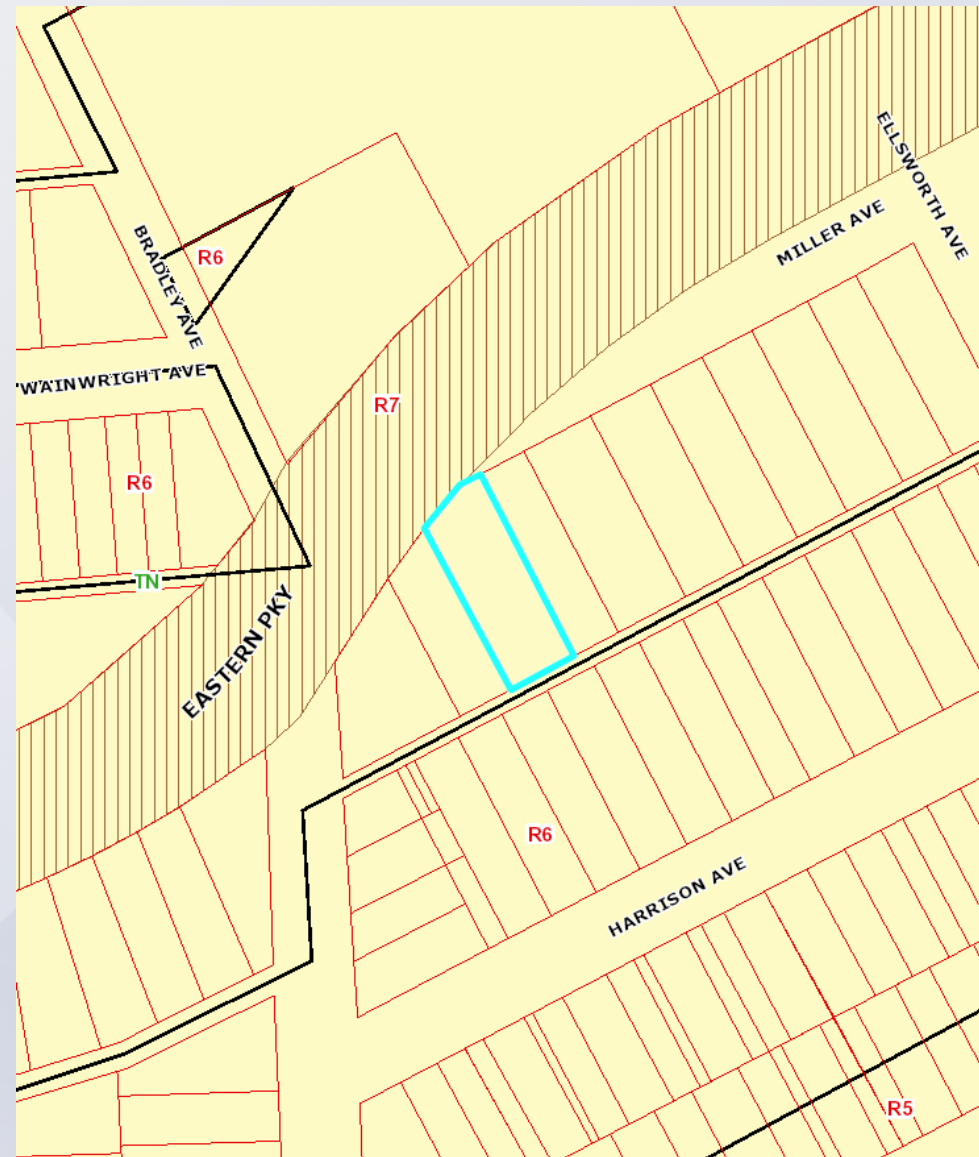
Zoning/Form Districts

Subject Property:

- Existing: R-7/TN
- Proposed: OR/TN

Adjacent Properties:

- Northwest: R-7/TN
- Southeast: R-6/TN
- Northeast: R-7/TN
- Southwest: R-7/TN



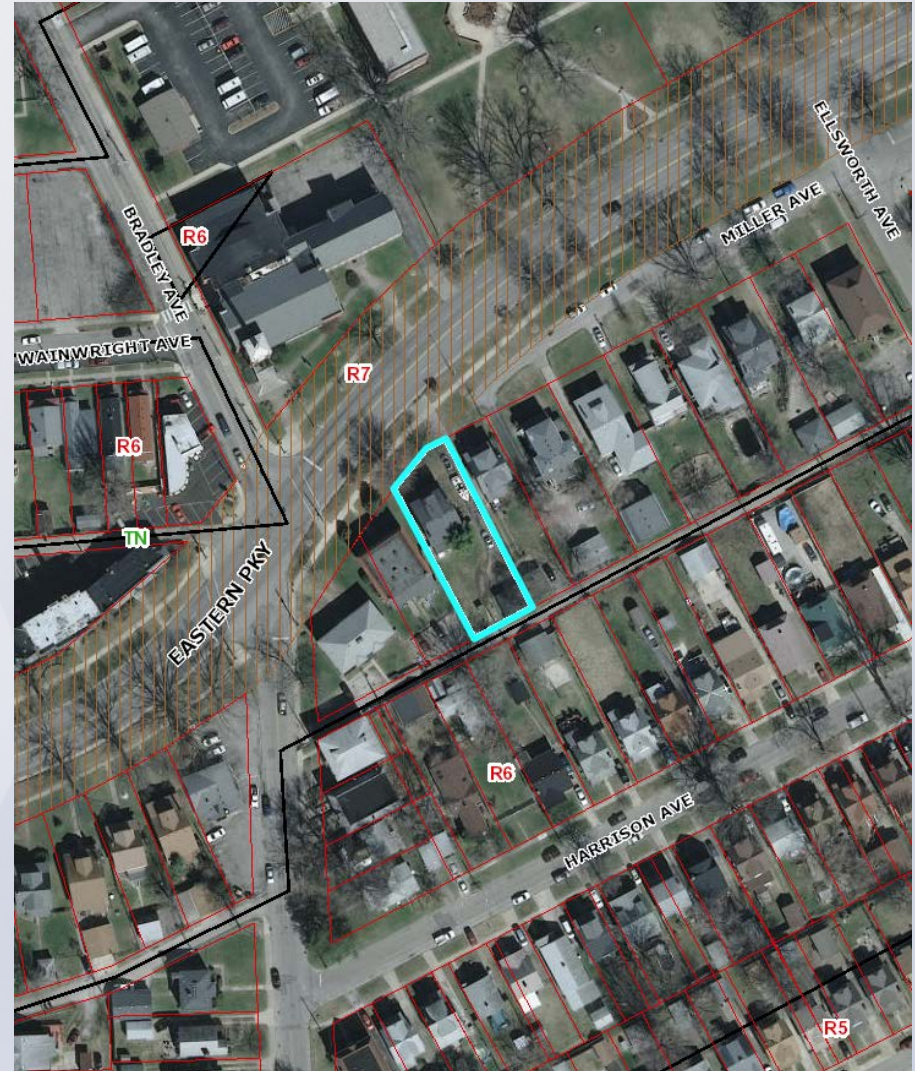
Aerial Photo/Land Use

Subject Property:

- Existing: Vacant residential
- Proposed: Office

Adjacent Properties:

- Northwest: Religious building
- Southeast: Single-family
- Northeast: Single-family
- Southwest: Multi-family



Site Photos-Subject Property



Site Photos-Surrounding Areas



Religious building to northwest



Single-Family to northeast



Multifamily to southwest

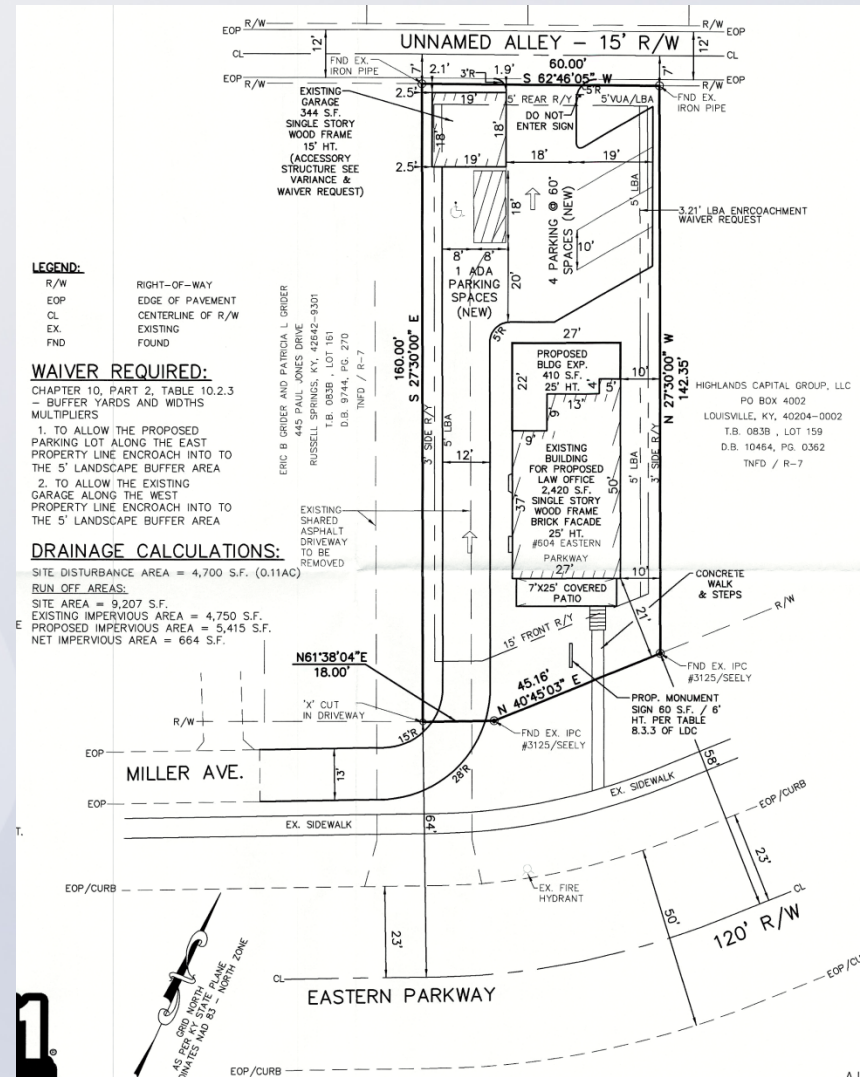


Single-Family to southeast

Applicant's Development Plan

Highlights:

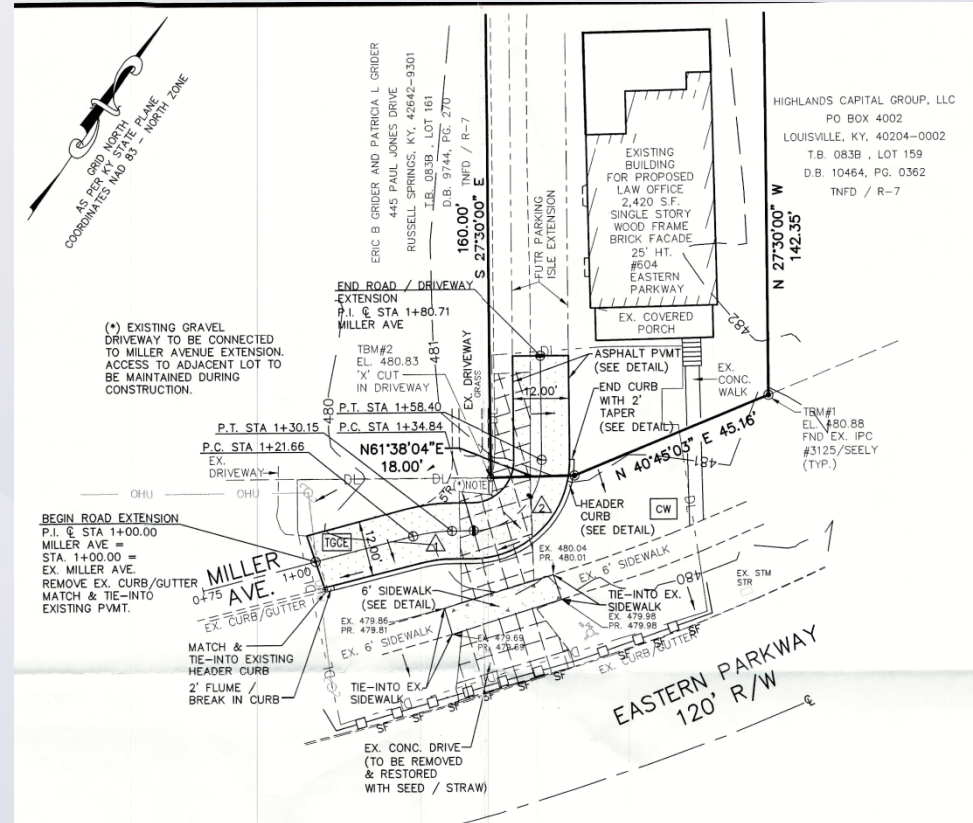
- OR zoning request
- Existing detached garage proposed to remain & 410 SF addition to rear of building
- Extension of Miller Avenue to subject property
- Removal of driveway apron within public right-of-way and restoration of parkway
- Sign meeting Parkway sign standards in LDC
- DDDP should be revised to reflect that driveway on private property of neighbor to left is not proposed to be modified



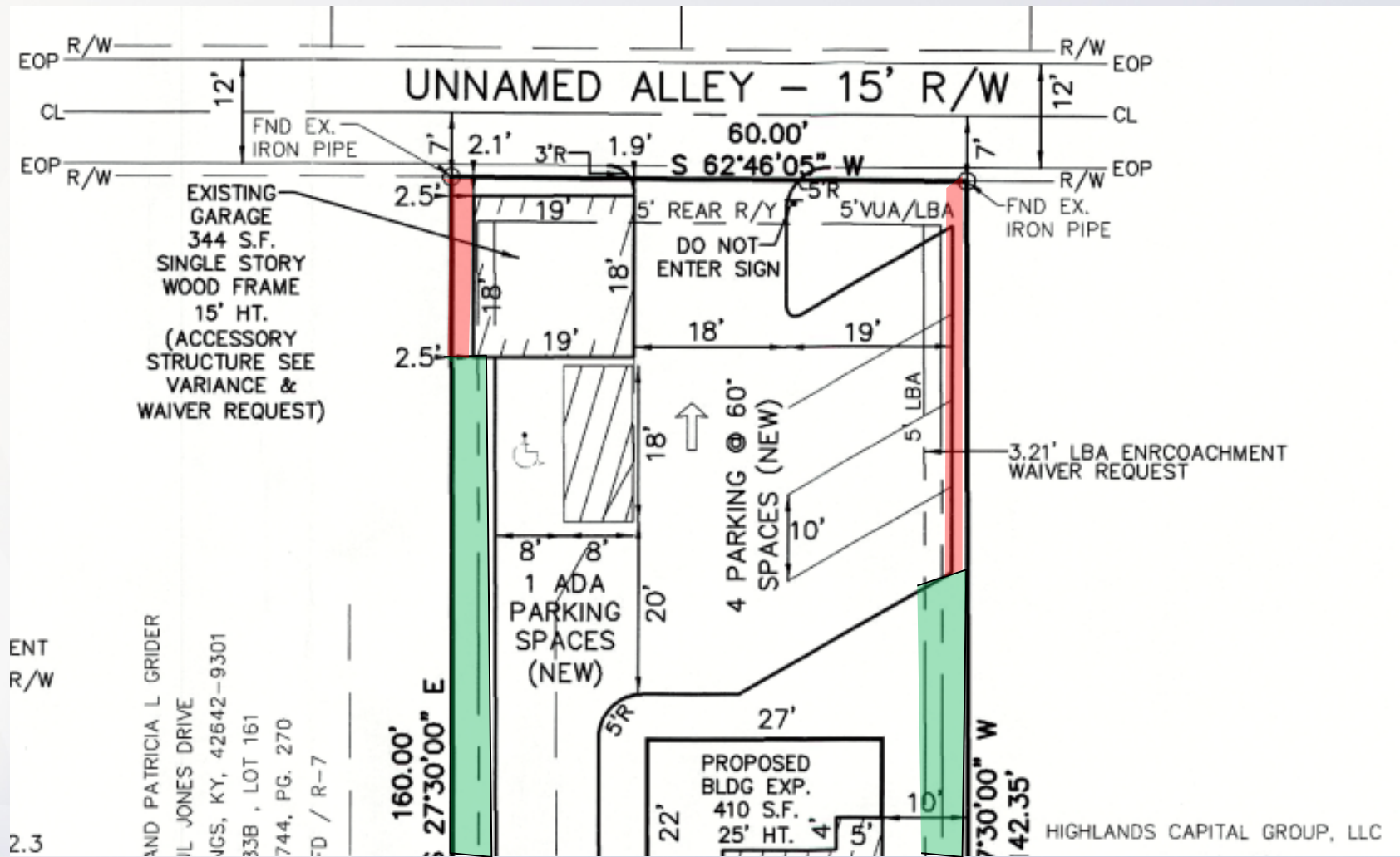
Applicant's Construction Plan

Highlights:

- Unapproved by Transportation Planning but shows intent for handling extension of Miller Ave. within public right-of-way
- Remove driveway apron in ROW and restore with seeds and straw, reconstruct 6' sidewalk
- DDDP should be revised to more accurately reflect intentions as shown on construction plans



Waiver Exhibit



Applicable Plans & Policies

- Cornerstone 2020
- Land Development Code

Technical Review

- The proposal is generally in order and has received preliminary approvals from Transportation and MSD
- Recommended Conditions of Approval
 - Reverse North arrow on DDDP
 - Remove references to Variances on DDDP
 - Revise Miller Ave. extension on DDDP to reflect proposed construction plan
 - Revise “Existing shared asphalt driveway to be removed” note on DDDP to say “Driveway on subject property to be removed”

Technical Review

- Additional Proposed Binding Element #6 added after publication of Staff Report

6. As part of the extension of the paved surface of Miller Avenue, the applicant shall:

- a. Remove the full curb cut and driveway apron within the public right-of-way adjacent to 606 and 604 Eastern Parkway.
- b. Construct a new curb and sidewalk (as may be disturbed during driveway demolition) on the Parkway adjoining both properties.
- c. Rehabilitate greenspace to include complete removal of driveway apron pavement and sub-base, back-fill to existing grade with topsoil, application of seed / straw, and maintenance as needed to establish turf.
- d. Preserve a 10-foot wide tree planting strip between the existing sidewalk and Miller Ave.
- e. Submit a 'Parkway Restoration Plan' for Metro Parks approval before construction on Parkway property.

- Accomplishes what is shown on unapproved Construction Plans

Staff Analysis and Conclusions

- Proposal preserves the street grid pattern as vehicular traffic will be required to access the site from the extension of Miller Avenue.
- Proposal preserves and renovates the existing building which is consistent with the neighborhood building design.
- Applicant proposes only a modest expansion and to renovate the interior of the structure.
- The proposal does not introduce a neighborhood center but it does include a neighborhood serving use.
- Site is surrounded by residentially zoned and used property except for a church directly across the street.

Staff Analysis and Conclusions

- The proposal does not include a mix of compatible land uses that will reduce trips, it is proposed for a single use.
- With OR zoning, the property retains the ability to be used as residential or office / residential in the future.
- The proposed office is a nonresidential expansion into an existing residential area, even though OR is a residential zoning district.
- The proposal to rezone the property from R-7, Multi-family residential, to OR, Office Residential, is only an incremental intensification of the site. R-7 allows 34.8 dwelling units per acre (total of 7 units), while OR allows only 12.05 per acre (total of 2 units).
- The rezoning would put into use the structure which appears to have been vacant for some time.

Required Actions

- Rezoning from R-7 to OR : Recommend to Metro Council for approval/denial
- Detailed District Development Plan with binding elements: Approve/Deny
- Waiver: Approve/Deny