

**Development Review Committee**  
**Staff Report**  
December 6, 2017



<b>Case No:</b>	17WAIVER1037
<b>Project Name:</b>	Collins Ford Sidewalk Waiver
<b>Location:</b>	4220 Bardstown Rd
<b>Owner(s):</b>	Collins Development, LLC.
<b>Applicant:</b>	Collins Development, LLC.
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	2 – Barbara Shanklin
<b>Case Manager:</b>	Jay Lockett, Planner I

**REQUEST(S)**

- Waiver of Land Development Code section 5.8.1.B to not provide sidewalks along Norfolk Dr.

**CASE SUMMARY/BACKGROUND**

The applicant is proposing to expand an existing automobile sales and service facility by adding an additional body shop. The tract containing the expansion borders Fegenbush Ln and Norfolk Dr. Land Development Code section 5.8.1.B requires all developments to provide sidewalks in abutting Rights-of-Way. There are already sidewalks along the tract in the Fegenbush Ln Right-of-Way, but none along Norfolk Dr. There is a drainage swale and several utility poles along the area where the sidewalk is required presenting some constructability concerns. The applicant has requested a waiver from these requirements.

**STAFF FINDING**

If the required sidewalks were completed, they would remain disconnected from the existing network by a single parcel, a small shopping center at the intersection of Fegenbush Ln and Norfolk Dr. The applicant is offering to install sidewalks in front of this shopping center along Fegenbush Ln as mitigation. These mitigation efforts would help justify the waiver in this case, as installing the sidewalks along Fegenbush Ln would offer an immediate benefit to the surrounding area. This sidewalk would tie into an existing pedestrian network, and likely see significantly higher use than the required sidewalks along Norfolk Dr.

The waiver is adequately justified with this additional mitigation effort.

**TECHNICAL REVIEW**

There are no outstanding technical review 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 OF SECTION 5..8.1.B TO NOT PROVIDE SIDEWALKS ALONG NORFOLK DR:**

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

STAFF: The waiver will not adversely affect adjacent property owners since there are currently no existing sidewalks along Norfolk Dr, and the expansion represents a relatively minor expansion of the existing use.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. Guideline 9, Policy 1 states that new development should provide for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. Granting this waiver would not violate the comprehensive plan, as the mitigation offered serves to adequately offset any negative impact on the surrounding area caused by not providing the required sidewalks along Norfolk Dr.

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

STAFF: The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since they are willing to install sidewalks offsite to mitigate the negative impacts to the surrounding neighborhood.

**REQUIRED ACTIONS:**

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

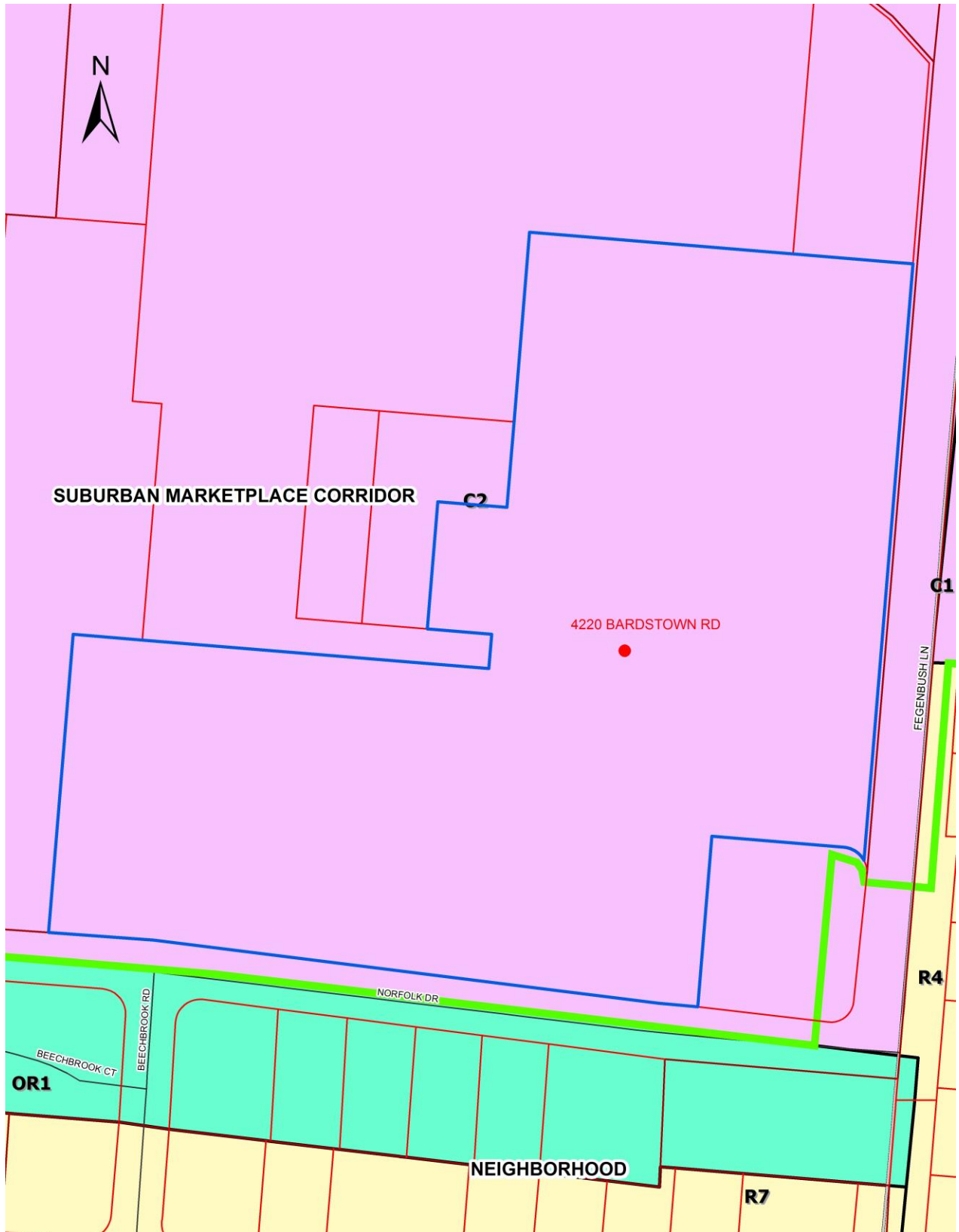
**NOTIFICATION**

Date	Purpose of Notice	Recipients
11-3-17	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 2

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

