

# Development Review Committee

## Staff Report

June 17, 2015



<b>Case No:</b>	15MINORPLAT1050
<b>Project Name:</b>	9205 Pennsylvania Run Road
<b>Location:</b>	9205 Pennsylvania Run Road
<b>Owner/Applicant:</b>	Leroy and Marilyn Brondige
<b>Representative:</b>	Cardinal Surveying
<b>Project Area/Size:</b>	6.7 acres
<b>Existing Zoning District:</b>	R-4, Single Family Residential
<b>Existing Form District:</b>	N, Neighborhood
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	23 – James Peden
<b>Case Manager:</b>	Brian Davis, AICP, Planning Supervisor

### REQUEST

- Minor Plat Waiver

### CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to shift the lot lines of two tracts, resulting in new single-family direct driveway access from Tract 2 to Pennsylvania Run Road, a primary collector level roadway. Existing Tract 2 is a land locked parcel of 5.4 acres with no existing access from a public or private road. The applicant is requesting a waiver of Land Development Code (LDC) section 7.8.6.0.B.4 to allow additional single-family access to a collector level road from Tract 2.

### LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<b>Subject Property</b>			
<b>Existing</b>	Single family residence	R-4	N
<b>Proposed</b>	New single family residential lot	R-4	N
<b>Surrounding Properties</b>			
<b>North</b>	Single family residential	R-4	N
<b>South</b>	Single family residential	R-4	N
<b>East</b>	Single family residential	R-4	N
<b>West</b>	Single family residential	R-4	N

### PREVIOUS CASES ON SITE

Staff found no previous cases associated with this site.

## INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

## APPLICABLE PLANS AND POLICIES

Cornerstone 2020  
Land Development Code

### STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of LDC 7.8.60.B.4 for additional single family access to a collector level roadway

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

STAFF: The waiver will not adversely affect adjacent property owners as all lots with primary structures and public street frontage on this segment of Pennsylvania Run Road from Bates Road to Cooper Chapel Road have existing individual direct driveway access to Pennsylvania Run Road.

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

STAFF: Guideline 3, policy A.6 strives to mitigate adverse impacts of traffic from proposed development on nearby existing communities. The waiver will not violate specific guidelines of Cornerstone 2020 as the site being proposed for additional single-family driveway access is along a segment of Pennsylvania Run Rd that is less dense than its northern portion across Interstate-265 and the neighborhoods in the immediate vicinity are of a low density, while also having only one intersecting road before it's southern termination at Cooper Chapel Road.

- (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 existing Tract 2 is land locked with no access to a public or private roadway.

- (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 deprive the applicant of the reasonable use of the land as existing Tract 2 is landlocked with no access to a public or private road and proposed access is consistent with the existing access points for single-family lots along this segment of Pennsylvania Run Road.

## TECHNICAL REVIEW

The minor subdivision plat is in order and has received preliminary approvals from the Metropolitan Sewer District, Construction Review, and Highview Fire Department.

Transportation Review has expressed concerns with the sight distance of potential access from Tract 2 to Pennsylvania Run Road, citing a crest curve from the north with a sight distance of 5 seconds and a sight distance from the south that is closer to the 7 second requirement (6.75 seconds).

## STAFF CONCLUSIONS

- The proposed waiver appears adequately justified based on staff analysis in the staff report. With the exception of the requested waiver the lots meet all other zoning district, form district, and subdivision regulations.

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC for approving the waiver.

## REQUIRED ACTIONS

- **APPROVE** or **DENY** the minor plat waiver of section 7.8.60.B.4 to allow individual direct driveway access from Tract 2 to Pennsylvania Run Rd, a primary collector level roadway.

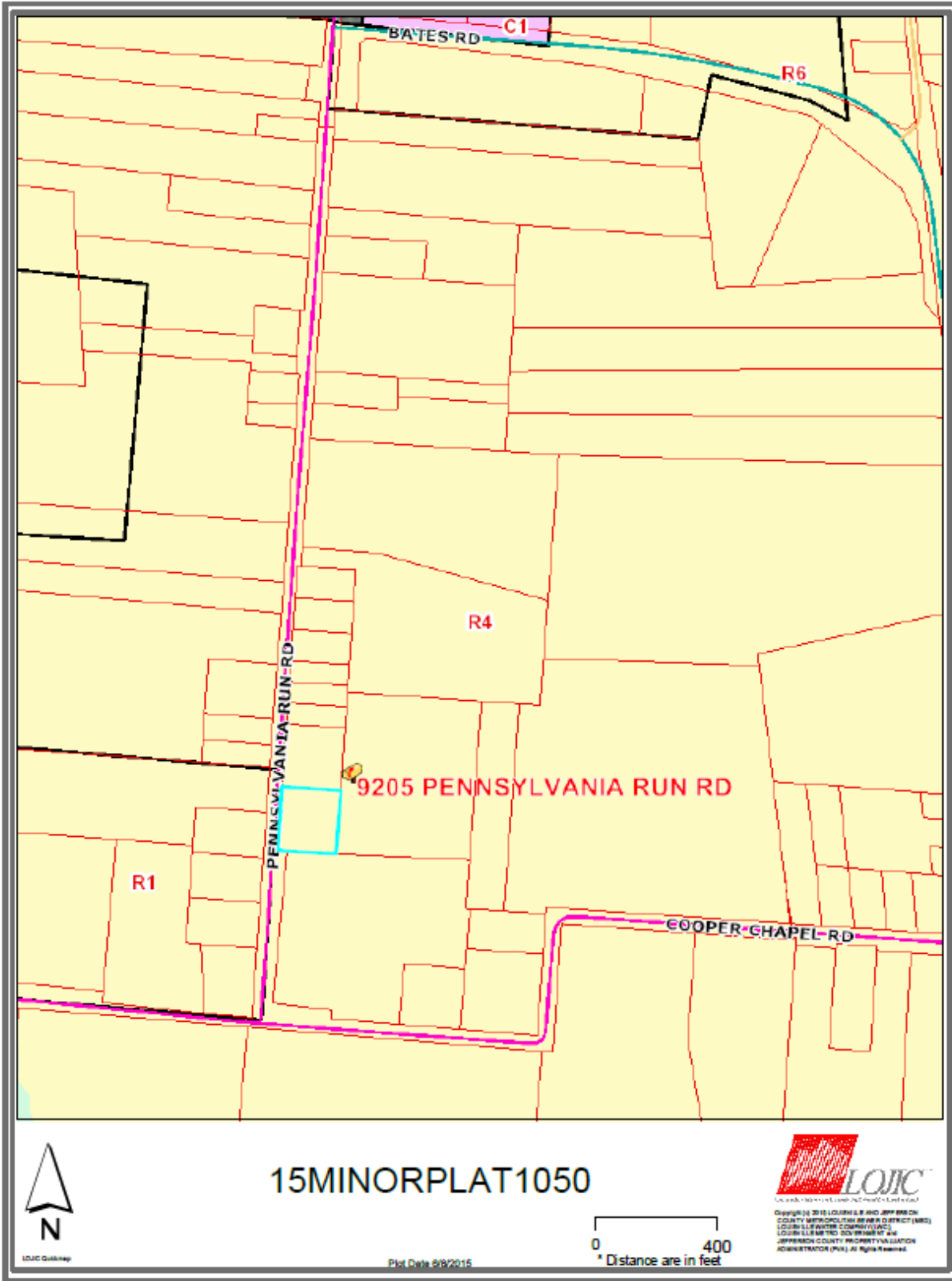
## NOTIFICATION

Date	Purpose of Notice	Recipients
6/17/15	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered neighborhood groups

## ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

