

Development Review Committee

Staff Report

February 3rd, 2016



Case No:	16DEVPLAN1004
Project Name:	Portland Habitat House
Location:	504 N 34 th Street
Owner(s):	Habitat for Humanity of Metro Louisville
Applicant(s):	Habitat for Humanity of Metro Louisville
Representative(s):	Kelsey Giauque
Project Area/Size:	1200 square feet
Existing Zoning District:	R-6, Multi-family residential
Existing Form District:	TW, Traditional Workplace
Jurisdiction:	Louisville Metro
Council District:	5 – Cheri Bryant Hamilton
Case Manager:	Laura Mattingly-Humphrey, Planner I

REQUEST

- Category 3 Development Plan review
- Waiver of 5.8.1.B to not provide a sidewalk abutting the home

CASE SUMMARY

Habitat for Humanity is proposing a single family home on a vacant lot on the 500 block of N 34th Street. The parcel is within the boundaries of the Portland Neighborhood, therefore a Category 3 Development Plan review is required under ordinance 153.04. The home will be a 1200 SF one-story, three bedroom home. This is an older, established neighborhood and there are no connected sidewalks on the street. The applicant is requesting a waiver of the requirement to add a sidewalk.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	R-6	TW
Proposed	Single family residential	R-6	TW
Surrounding Properties			
North	Single family residential	R-6	TW
South	Single family residential	R-6	TW
East	Single family residential, Duplex	R-6	TW
West	Warehouse/Storage	R-6	TW

SITE CONTEXT

The site is a rectangular shape and approximately .155 acres in area, a typical size and shape for its zoning classification and form district. The site is located on the edge of a residential neighborhood but lies between I-

264 to the west, a railroad yard to the east and industrial and office uses to the north. Immediately surrounding the site is mostly single family homes except for an industrial outdoor storage site that adjoins the rear of the property. The rear of the home is served by alley access.

PREVIOUS CASES ON SITE

No previous cases

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments to date.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CATEGORY 3

- 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: Existing trees at the rear of the site will be preserved.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community are met. Most of the neighborhood is connected with sidewalks and although this block of N 34th Street is not connected with sidewalks, this single family home will be accessed from the alley and will not be impacting traffic in the neighborhood significantly.

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

STAFF: Open space is not required for this proposal.

- 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: Adequate drainage facilities on the subject site have been reviewed and approved by MSD.

- 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 compatibility of the overall site design and land use follow the projected future development of the area as it is infill development and compatible with surrounding uses.

- 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: The proposal meets all applicable Cornerstone 2020 guidelines for Traditional Workplace, Residential development, with the exception of Guideline 7, Policy 9 which calls for walkway facilities abutting the development, for which the applicant has applied for a sidewalk waiver.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR A WAIVER of
Section 5.8.1.B. to not provide a sidewalk along N 34th Street:**

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

STAFF: The waiver will not adversely affect adjacent property owners as this is an existing residential neighborhood with no established sidewalks on this block of N 34th Street. A complete sidewalk network project would have to be a public project, for which there are no plans at this time.

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

STAFF: Guideline 7, Policy 9, which states that development proposals should provide walkway facilities abutting the development, is technically violated by not providing a sidewalk. However, this violation is adequately justified, as the neighborhood is well-established and the sidewalk would remain fragmented unless a public project was launched to connect this street with other established sidewalks in the neighborhood.

- (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 since the proposed development meets or exceeds all other applicable regulations of the Land Development Code.

- (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 land or create an unnecessary hardship as the applicant is a non-profit, volunteer based organization working on a budget for each home built and do not have the means necessary to build a public sidewalk on the property.

TECHNICAL REVIEW

There are no outstanding technical review items. The plan has received preliminary approvals from MSD and Public Works.

STAFF CONCLUSIONS

The new structure will be compatible with the surrounding residential area. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Development Review Committee

must determine if the proposal meets the standard for a Category 3 review established in the Land Development Code.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the Category 3 Development Plan
- **APPROVE** or **DENY** the waiver of 5.8.1.B

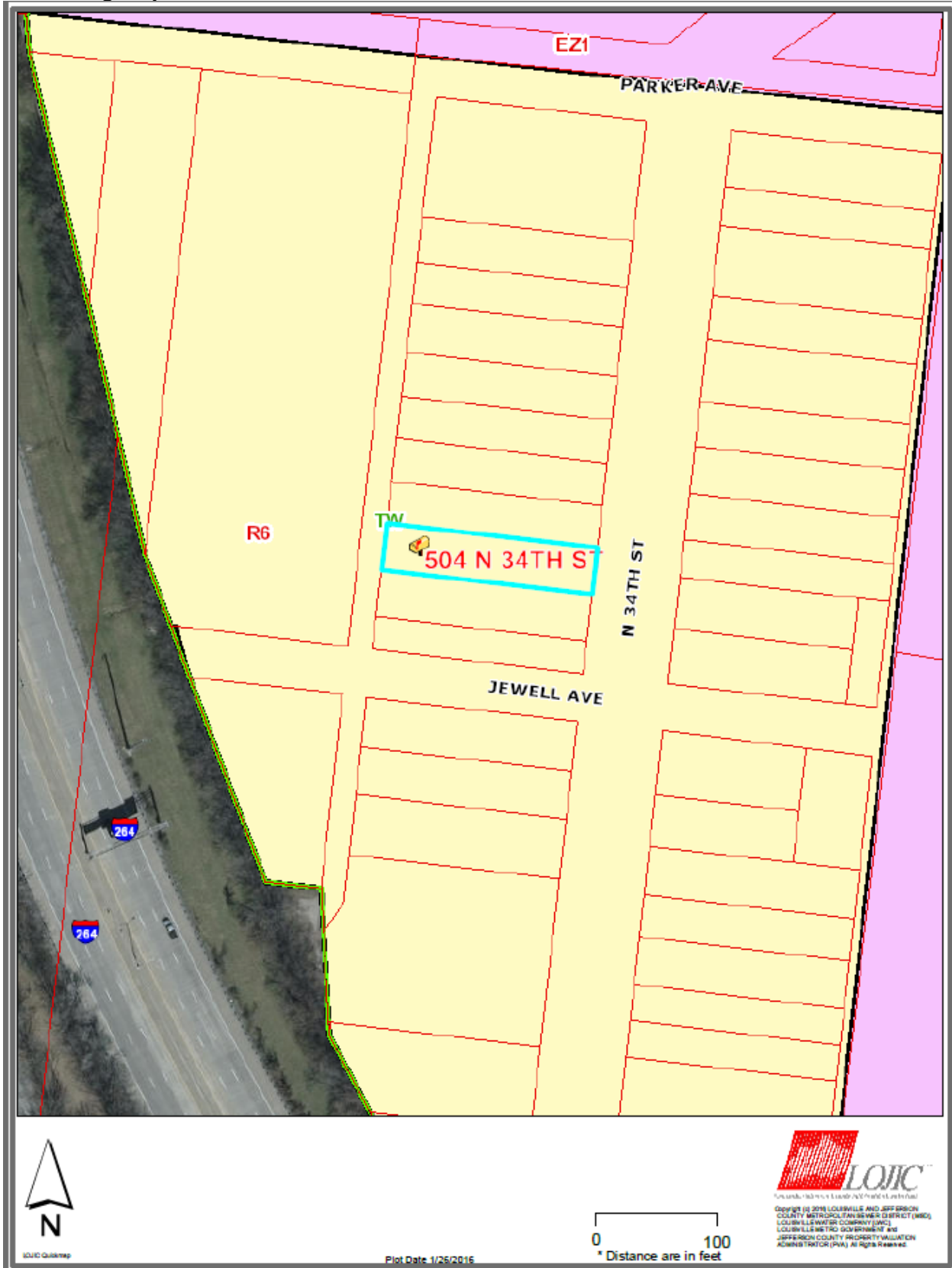
NOTIFICATION

Date	Purpose of Notice	Recipients
1/21/16	APO Notice of hearing	First tier adjoining property owners
1/25/16	Notice of Hearing	Registered neighborhood groups

ATTACHMENTS

1. Zoning Map
2. Aerial Map

1. Zoning Map



2. Aerial Map

