

Development Review Committee

Staff Report

9/26/2018



Case No:	18DEVPLAN1101
Project Name:	Russell Neighborhood Health Clinic
Location:	663 S 15 th Street
Owner(s):	Park DuValle Community Health Clinic
Applicant:	Steve Wiser
Jurisdiction:	Louisville
Council District:	4—Barbara Sexton Smith
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- **Waiver** of Land Development Code, section 5.5.1.A.1.a to face the primary customer entrance away from the primary street serving the development.

CASE SUMMARY/BACKGROUND

The subject property is located on the Northeast corner of Broadway, and 15th Street. It is located in the C-2 zoning district and Traditional Marketplace Corridor form district. The site is currently vacant. The applicant is proposing a 10,800 sq. ft. health care facility, including a waiver to face the customer entrance towards the primary street serving the development.

STAFF FINDING

The waiver request is not adequately justified, and it does not meet the guidelines of the Comprehensive Plan and requirements of the Land Development Code. The Development Review Committee should further discuss how transit users and those with disabilities will easily access the site if the main entrance is located facing the parking lot.

TECHNICAL REVIEW

Transportation Planning and MSD have preliminarily approved the proposal.

INTERESTED PARTY COMMENTS

No interested parties contacted staff concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

(a) **The waiver will adversely affect adjacent property owners; and**

STAFF: The requested waiver will adversely affect adjacent property owners as it will detract from the pedestrian experience currently afforded to those business owners, and residents in the area, because the site will not be readily available to individuals that use public transit and persons with disabilities as the transit stop is immediately abutting the subject property.

(b) **The waiver will violate specific guidelines of Cornerstone 2020; and**

STAFF: Guideline 3, Policy 1 states to ensure compatibility of all new development and redevelopment with the scale and site design of nearby existing development and with the pattern of development within the form district. Guideline 6, Policy 3 states to encourage redevelopment, rehabilitation and reinvestment opportunities in downtown, older and declining neighborhoods and older industrial areas that is consistent with the form district pattern. 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 walkways for access to public transportation stops in the Tradition Marketplace Corridor close to the roadway to minimize the distance pedestrians and transit users have to travel. The Traditional Marketplace form calls for "Buildings generally have little or no setback, roughly uniform heights and a compatible building style. Buildings are oriented toward the street. Buildings typically have 2-4 stories. New development and redevelopment should respect the predominant rhythm, massing and spacing of existing buildings."

The proposal does not comply with these guidelines because the design does not reflect the intent of the Traditional Marketplace Corridor form district as it is not readily accessible by pedestrians and transit users. The proposal also does not follow the intent of the form district by ensuring that the development will preserve and improve existing patterns of development. The Comprehensive Plan discusses that form district pattern rather than zoning districts should be used as the basis for design standards and how buildings relate to other nearby buildings. The proposal does not relate to nearby buildings, as they have the primary entrance facing the primary street. The proposal does not align with the intent of the Traditional Marketplace Corridor, as primary customer entrance facing away from the primary street will not allow transit riders, and those with disabilities to have an ease of access to the site.

(c) **The extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant; and**

STAFF: The extent of the waiver of regulation is not the minimum necessary because orientation towards the road is easily achievable and the applicant has not provided sufficient evidence to suggest that placing an entrance towards the road is not achievable or warranted.

(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 not deprive the applicant of the reasonable use of the land because the primary entrance can be easily oriented to face the primary street which provides for ease of access for those with disabilities, pedestrians, bicyclists and transit users enhances the character, and for those reasons stated above orientation towards the roadway is achievable and in compliance with the Comprehensive Plan.

REQUIRED ACTIONS:

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

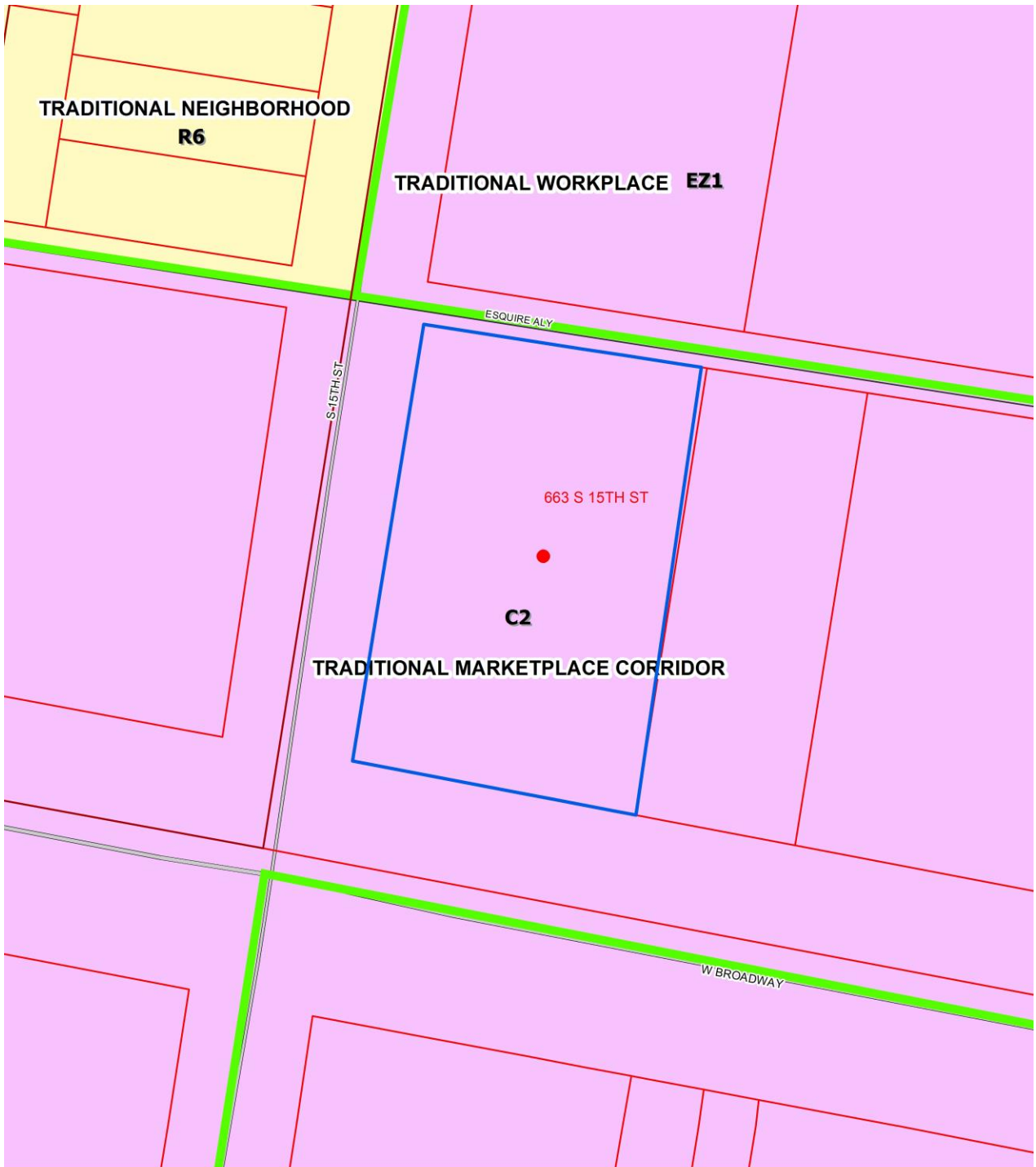
NOTIFICATION

Date	Purpose of Notice	Recipients
	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4

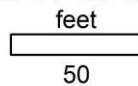
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



18DEVPLAN1101



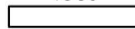
Copyright (c) 2017, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

2. Aerial Photograph



18DEVPLAN1101

feet



50



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.