

Development Review Committee
Staff Report
August 17, 2022



Case No:	22-WAIVER-0120
Project Name:	Louisville Country Club
Location:	25 Mockingbird Valley Trail
Owner(s):	Louisville Country Club Realty Co
Applicant:	Louisville Country Club Realty Co
Jurisdiction:	Louisville Metro
Council District:	16 – Scott Reed
Case Manager:	Clara Schweiger, Planner I

REQUEST(S)

- **Sidewalk Waiver** to not construct sidewalks along Indian Hills Trail.

CASE SUMMARY/BACKGROUND

The applicant submitted a Category 2B plan to construct additional parking and reconfigure parking spaces as well as build a retaining wall. This proposal meets the threshold to provide sidewalks along the Indian Hills Trail frontage. Indian Hills Trail is a collector level roadway. The subject site contains the Louisville Country Club and is zoned R-1 in the Neighborhood form district and contains approximately 121.60 acres. The site is located near the intersection of Indian Hills Trail and Country Club Rd and abuts the City of Indian Hills.

09-063-06 – Mockingbird Valley Area Wide Rezoning to rezone 451.303 acres from R-4 and R-5 to R-1 and R-3.

STAFF FINDING

The proposal is adequately justified and meets the standard of review.

TECHNICAL REVIEW

Mockingbird Valley Neighborhood Plan (2006)

- The Mockingbird Valley Neighborhood Plan recommends that no sidewalks be built on Mockingbird Valley Rd and other local roads.

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 a sidewalk along Indian Hills Trail:

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

STAFF: The waiver will not adversely affect adjacent property owners, as no sidewalks exist on Indian Valley Trail, and there is not a likelihood for sidewalks to be constructed in the future.

(b) Granting the waiver will result in a development in compliance with the Comprehensive Plan and the overall intent of this Land Development Code; and

STAFF: Community Form Goal 2 Policy 16 encourages activity centers to be easily accessible by bicycle, car, transit, and for pedestrians and people with disabilities. Large activity centers should be considered for designation as transit nodes. Mobility Goal 1 Policy 1 calls to promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate, by including: pedestrian facilities between retail land uses and major concentrations of pedestrian activity, particularly in the Louisville Central Business District and other activity centers; street-level pedestrian connections between all principal buildings within a unified development site including commercial to office and residential to commercial uses; sidewalks along the streets of all developments; walkways between residential areas and nearby neighborhoods, schools, public recreation facilities, parks, office/industrial and retail/service uses; direct, accessible walkways to public transportation stops; and retail and office uses, especially in the Urban Center Neighborhood, Traditional Neighborhood, Village, Traditional Marketplace Corridor, Traditional Workplace Form Districts that are located close to the roadway to minimize the distance pedestrians and transit users have to travel. Mobility Goal 2 Policy 1 calls to provide transportation facilities and systems that accommodate all users and allow for context-sensitive solutions that recognize the distinguishing characteristics of each of the Form Districts. Mobility Goal 3 Policies 1-4 calls to provide transportation services and facilities to promote and accommodate growth and change in activity centers through improved access management. Provide walking and bicycling opportunities to enable activity centers to minimize single-occupant vehicle travel. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Evaluate developments for their ability to promote public transit and pedestrian use. Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following: nodal connections identified by Move Louisville; impact on freight routes; time of operation of facilities; safety; appropriate linkages between neighborhoods and employment; and the potential for reducing travel times and vehicle miles traveled. Mobility Goal 3 Policy 11 calls to provide street improvements and/or transit solutions to mitigate the impacts of development and re-development. Improvements may include, but not be limited to, the following: on-site road system construction; off-site shoulder improvements and pavement widening; addition of acceleration and deceleration lanes; addition of turn lanes or traffic signals on streets bordering the site to street; intersection widening completely off-site; right-of-way donation; addition and/or widening of on-site or off-site sidewalks; installation of bicycle facilities; installation of new transit stops and amenities; and improvement of existing transit stops and amenities. Livability Goal 1 Policy 35 calls to ensure critical connections are built and maintained in the pedestrian and bicycle networks including the development of sidewalks, bike lanes, shared use paths and walkways to promote the use of multi-modal transportation options.

Granting the Waiver will result in a development in compliance with the Comprehensive Plan and the overall intent of this Land Development Code.

(c) The applicant cannot reasonably comply with one of the listed methods of compliance; and

STAFF: The applicant could not reasonably comply with the methods listed in 6.2.6.C for the portion of sidewalk requested to be waived. The applicant cannot reasonably construct sidewalks, or a reduced amount of sidewalk due to the existing topography of the site and the number of trees existing on the site. The applicant cannot reasonably construct a sidewalk off-site at an alternative location in the Council district due to the relative cost of the sidewalk versus the cost of the proposed development

(d) Strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and

STAFF: The strict application of the provisions of the regulations would create an unnecessary hardship on the applicant, as the section of Indian Hills Trail abutting the site has significant barriers to construction due to topography and number of trees along the roadway. And the cost of constructing sidewalks is high relative to the cost of the proposed development.

(e) There are site constraints that make sidewalk construction impracticable or sidewalks do not exist in the area and there is not a likelihood for sidewalks to be constructed in the future, except for areas where sidewalks are recommended within a Planning Commission or legislatively adopted plan recommending sidewalk construction.

STAFF: Sidewalks do not exist in the area and there is not a likelihood for sidewalks to be constructed in the future. Sidewalk construction is impractical due to the topography and number of trees in the area.

REQUIRED ACTIONS:

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

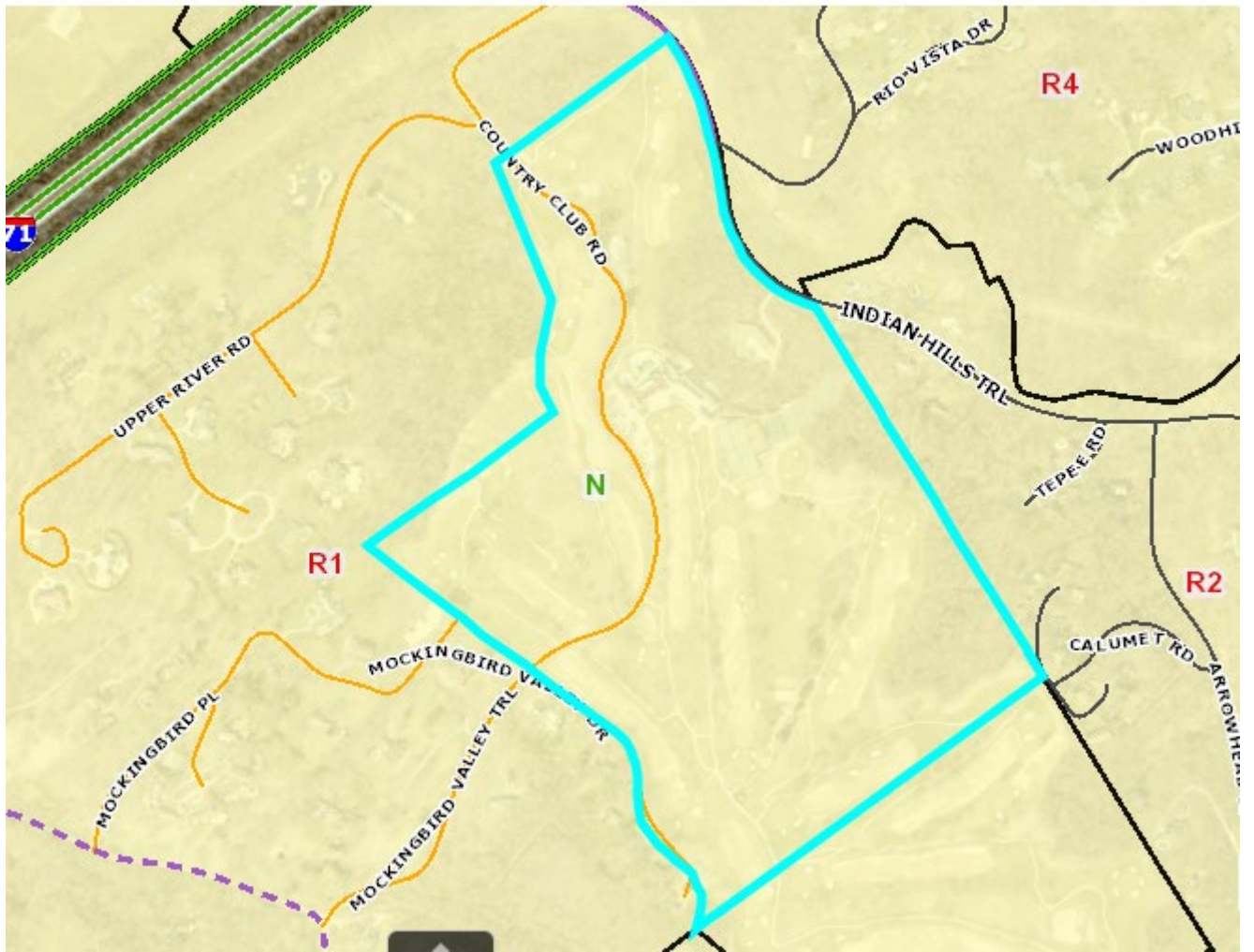
NOTIFICATION

Date	Purpose of Notice	Recipients
8-2-22	Hearing before DRC	1 st tier adjoining property owners and residents. Registered Neighborhood Groups in Council District 16.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

