Development Review Committee

Staff Report

August 17, 2022

Case No:	22-DDP-0069
Project Name:	2824 Montgomery St
Location:	2824 Montgomery St
Owner(s):	Houseal Investment LLC
Applicant:	Houseal Investment LLC
Jurisdiction:	Louisville Metro
Council District:	5 – Donna Purvis
Case Manager:	Jay Luckett, AICP, Planner II

REQUEST(S)

- **Urban Neighborhood Planned Development Option**

CASE SUMMARY/BACKGROUND

The applicant is proposing to utilize the Planned Development Option available within the UN zoning district to convert an existing structure into 4 dwelling units. The subject site is within the Traditional Neighborhood form district in the Portland neighborhood of Louisville Metro. Off-street parking will be provided from the alley known as Tyler Ave. On-street parking is available in the area, and TARC service is available near the site along Portland Ave and N 29th St.

STAFF FINDING

The proposal would permit additional housing options in an area that is near a variety of services, amenities and employment opportunities.

TECHNICAL REVIEW

Multifamily dwellings may be permitted within the UN zoning district provided that: (i) the Planned Development Option Area is subject to design guidelines approved by the Louisville Metro Planning Commission and the legislative body (the "Legislative Body") having jurisdiction over the Planned Development Option Area (the "Approved Guidelines"). The design guidelines may establish lot size not normally permitted by the traditional neighborhood form district; and (ii) the design of the dwellings is in accordance with the Approved Guidelines.

MSD and Transportation Planning have approved the preliminary development plan.

The Board of Zoning Adjustment will consider a variance to permit the proposed parking area to encroach into a required side yard at the August 29 meeting.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

REQUIRED ACTIONS

- **RECOMMEND that Louisville Metro Council APPROVE** or **DENY** the **Planned Development Option with Conditions of Approval.**

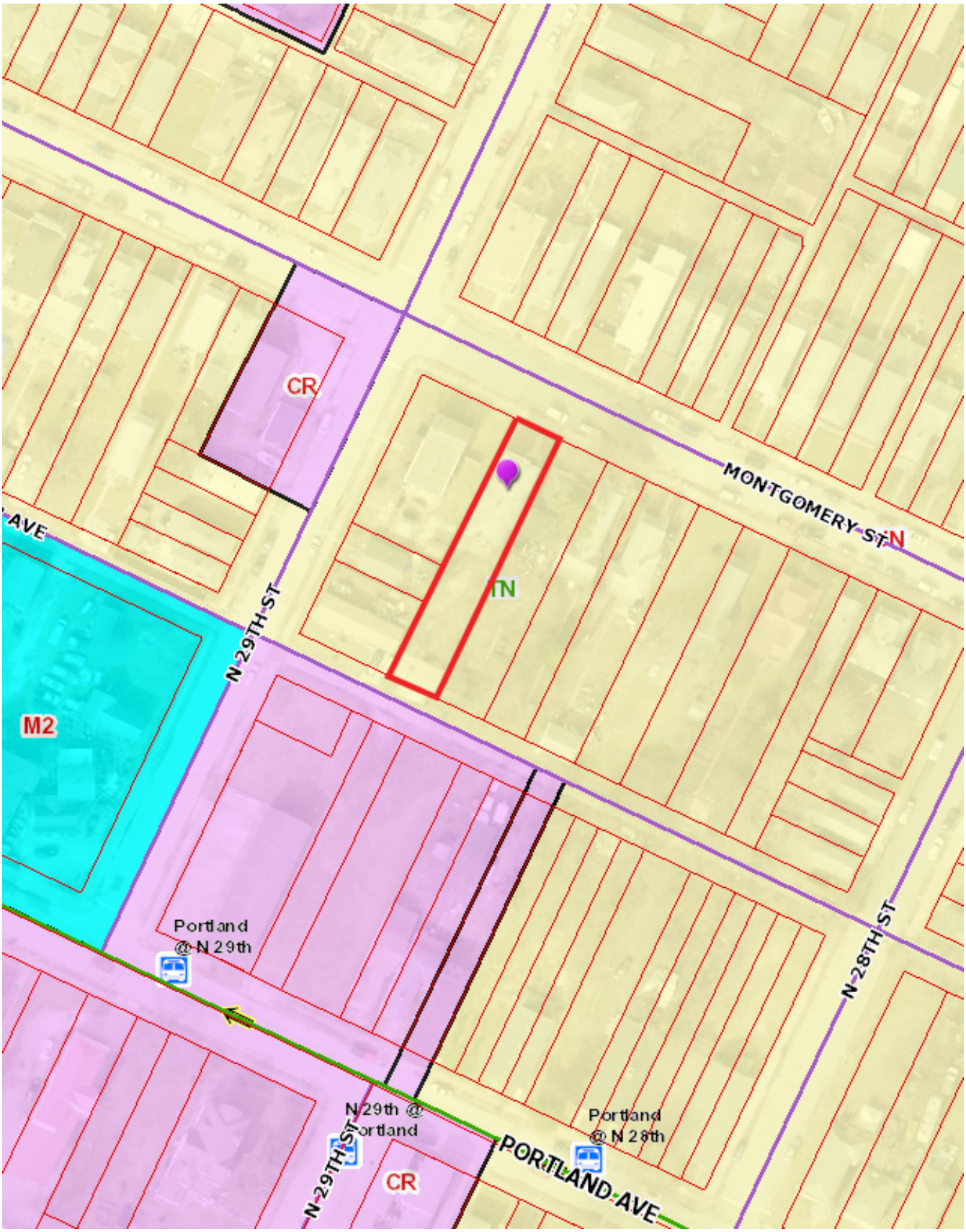
NOTIFICATION

Date	Purpose of Notice	Recipients
8-5-22	Hearing before Planning Commission	1st tier adjoining property owners and residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 5

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Conditions of Approval

1. Zoning Map


CR
TN
MONTGOMERY ST N
N 29TH ST
M2
Portland @ N 29th
N 29th @ Portland
N 29TH ST
CR
PORTLAND AVE
Portland @ N 28th
N 28TH ST

2. Aerial Photograph

3. Proposed Conditions of Approval

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon conditions of approval unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any conditions of approval shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

2. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:

    a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
    b. The appropriate variances shall be obtained from the Board of Zoning Adjustment to allow the development as shown on the approved district development plan.

4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All conditions of approval requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

5. The applicant, developer, or property owner shall provide copies of these conditions of approval to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these conditions of approval. These conditions of approval shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these conditions of approval. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these conditions of approval.