

**Development Review Committee**  
**Staff Report**  
July 1, 2015



<b>Case No:</b>	15MINORPLAT1038
<b>Project Name:</b>	9001 Shepherdsville Road
<b>Location:</b>	9001 Shepherdsville Road
<b>Owner/Applicant:</b>	CW Properties, LLC
<b>Representative:</b>	C.R.P & Associates, Inc.
<b>Project Area/Size:</b>	5.17 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 of 7.8.60.B.4

**CASE SUMMARY/BACKGROUND/SITE CONTEXT**

The applicant proposes to create five lots from one lot at the intersection of Shepherdsville Road and E. Manslick Road. The existing lot is comprised of two single family dwellings with two driveways having access to Shepherdsville Road which serve each residence. The applicant is requesting a waiver of Land Development Code (LDC) section 7.8.60.B.4 to allow proposed Lots 1 & 2 to maintain the existing driveways, thus, allowing individual direct driveway access for two new single family lots from Shepherdsville Road, a primary collector level roadway (Note: Shepherdsville Road transitions from a minor arterial to a primary collector at the intersection of E. Manslick, a minor arterial level roadway). Proposed Lots 3, 4, & 5 are presented with a 50' x 65' private access/shared driveway easement to provide shared access from Shepherdsville Road.

**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 individual 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 the existing lot contains two single family residences with existing individual driveways serving each residence.

- (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 individual driveways serving the single family residences on proposed Lots 1 & 2 are existing, and the applicant is further mitigating traffic by providing a shared driveway/private access easement to serve as access to Shepherdsville Road for Lots 3,4, & 5.

- (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 the single family residences and driveways on lots 1 & 2 are existing, and Lots 3, 4, & 5 are being proposed with shared access.

- (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 applicant has incorporated other design measure that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived as Lots 3, 4, & 5 are sharing one access point to Shepherdsville Road and non-compliance with the permitted density in an R-4 zoning district are being rectified by subdividing the single family structures of the existing lot into separate lots in compliance with the density and minimum lots standards of the zoning and form district.

## TECHNICAL REVIEW

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

Transportation Review staff has inspected the existing and proposed location for driveway access to Shepherdsville Road for this subdivision. While staff would prefer that lots 1 & 2 create a shared driveway, staff has no objections to the use of the existing driveways to serve these lots. Driveways for lots 1 & 2 will need to be finished with concrete or asphalt within the right-of-way. The location of the proposed access for lots 3, 4, & 5 meet the required seven second sight distance.

## 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 to Lots 1 & 2 from Shepherdsville Road, a primary collector level roadway.

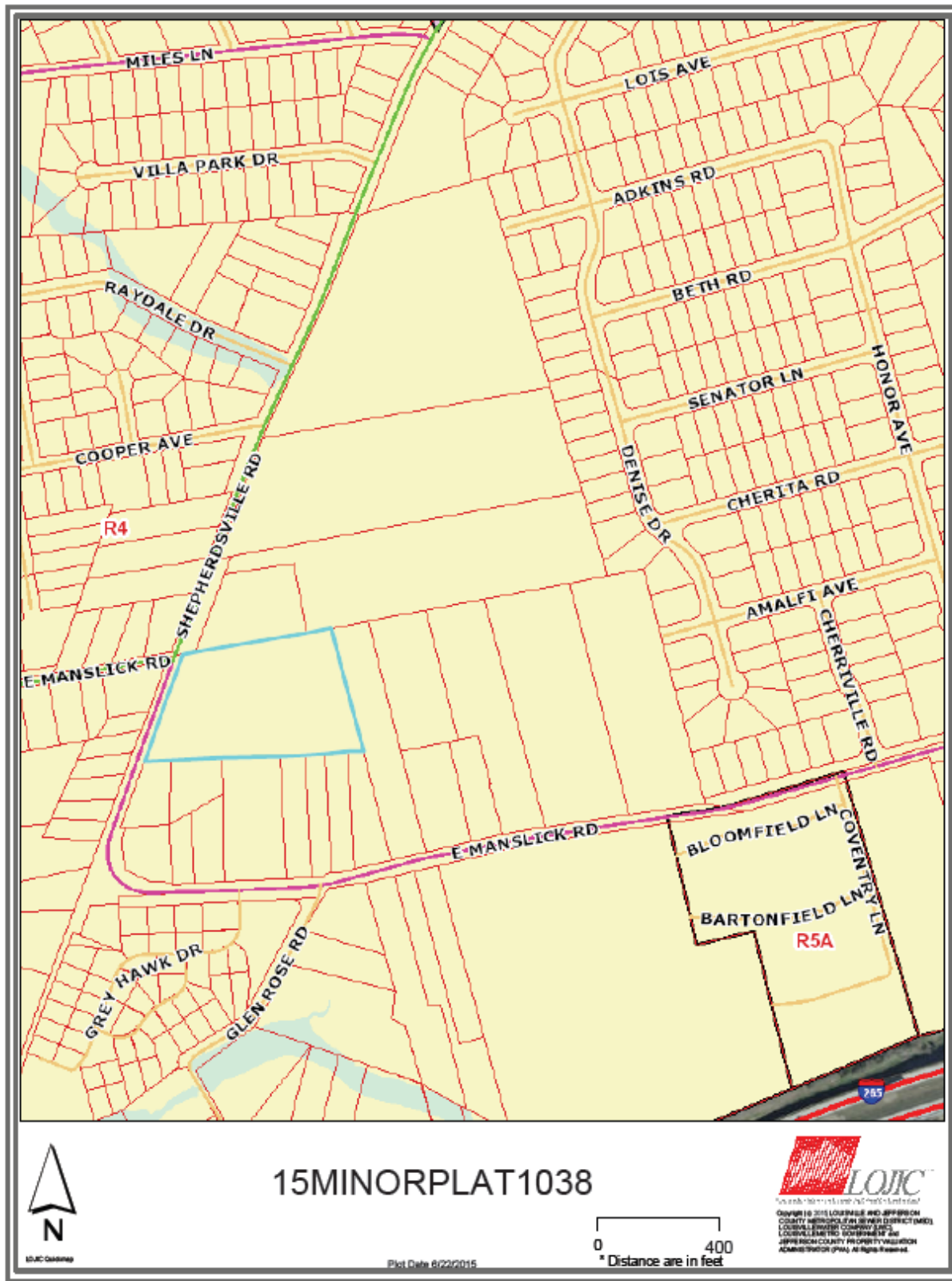
## NOTIFICATION

Date	Purpose of Notice	Recipients
6/18/15	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

