Development Review Committee
Staff Report
September 20, 2023

Case No:	23-WAIVER-0130
Project Name:	1440 Bland Street Warehouse
Location:	1440 Bland Street
Owner(s):	Louisville Parts and Holdings LLC
Applicant:	Louisville Parts and Holdings LLC
Jurisdiction:	Louisville Metro
Council District:	6 – Philip Baker
Case Manager:	Ethan Lett, Planner I

REQUEST(S)

- **Waiver** from LDC Section 5.5.1.A.3.b to not provide alley access

CASE SUMMARY/BACKGROUND

This request follows the approval of a development plan for a 27,526 sq. ft. warehouse building with associated parking and loading docks. The plan proposed primary access from Bland Street with an access point to an existing alleyway at the rear of the parking lot. The alley sits at a higher elevation than the proposed parking lot, and though the alley right-of-way is 20 feet in width, the pavement is only approximately 10 feet at its widest point. The applicant has requested a waiver to not provide the alley access.

Associated Cases:
23-DDP-0052 – Revised Detailed District Development Plan approved August 2, 2023

STAFF FINDING

Staff finds that the requested waiver is adequately justified for approval based on staff's analysis contained in the standard of review.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The waiver will not adversely affect adjacent property owners since the lack of alley access will prevent increased traffic from passing the residences abutting the alley.

(b)   The waiver will not violate specific guidelines of Plan 2040;

STAFF: Community Form Goal 1, Policy 12 calls for the proposal to Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. The

alleyway is too narrow to safely and conveniently accommodate traffic to and from the development site. Due to the proximity to residences, the strict application of the regulation would increase rather than minimize potential adverse impacts. While the use of alleyways is encouraged, the intent of the policy is not to require alley access at the expense of the welfare of adjacent properties.

(c)   <u>The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant</u>

STAFF: The extent of waiver of the regulation is not the minimum necessary to afford relief to the applicant since the alley is not adequately improved to accommodate the traffic from the development site.

(d)   <u>Either:</u>
<u>(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);</u> **OR**
<u>(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.</u>

STAFF: 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. At its widest point, the alley is only approximately 10 feet, and the pavement narrows as it passes by the abutting residence. Navigating medium or heavy trucks through the alley would be highly impracticable and creating an unnecessary access point for traffic flow would adversely affect the welfare and quiet enjoyment of adjacent residences.

REQUIRED ACTIONS:

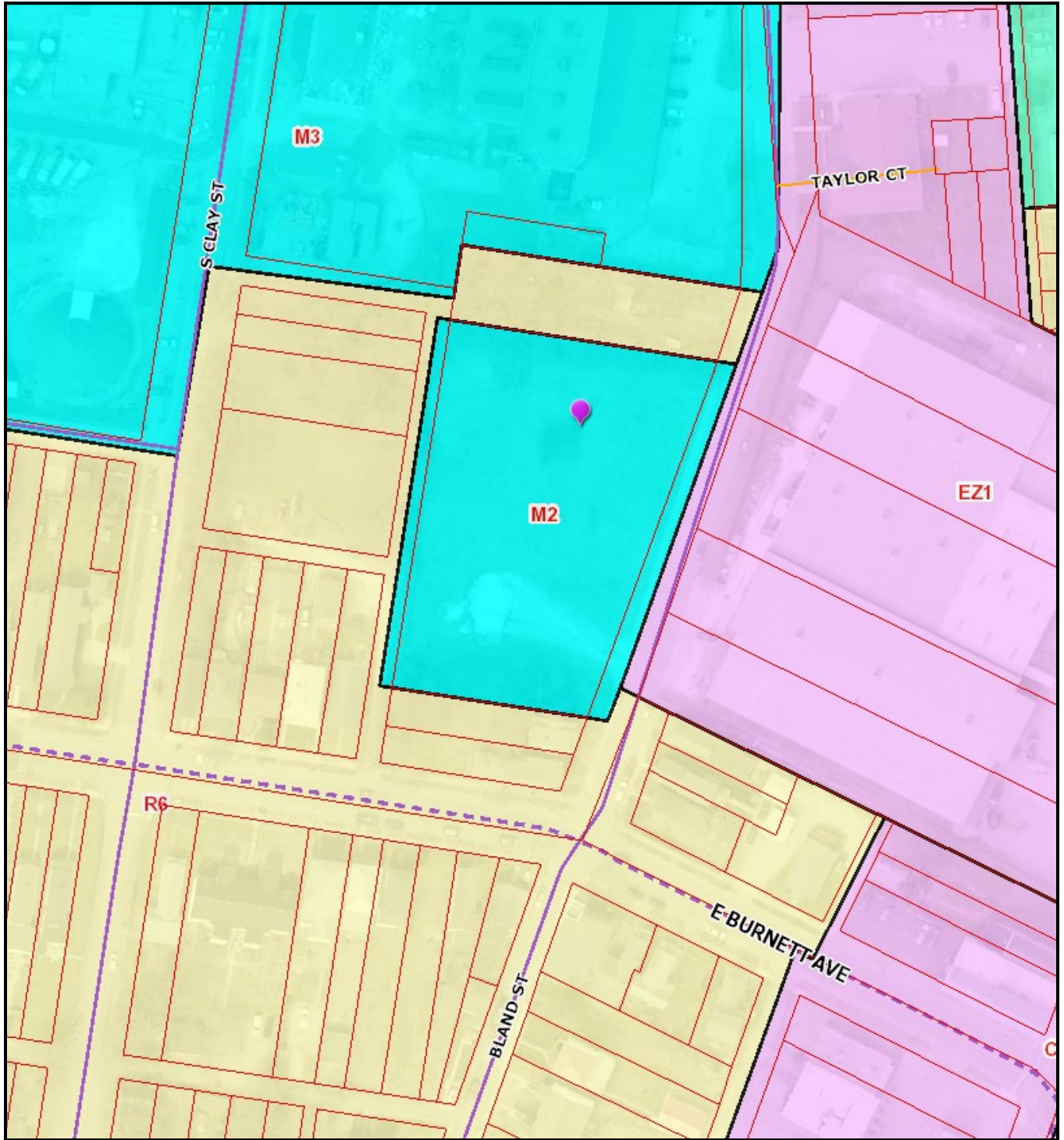- **APPROVE** or **DENY** the **Waiver**

NOTIFICATION

Date	Purpose of Notice	Recipients
9/6/2023	Hearing before DRC	1st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 6

ATTACHMENTS

1.   Zoning Map
2.   Aerial Photograph

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2. Aerial Photograph