

**3.**

Request:

Project Name:      Garland Avenue Duplex

Location:

Applicant:

Representative:

Jurisdiction:

Council District:

Case Manager:

# Land Development and Transportation Committee Staff Report March 13, 2025



<b>Case No:</b>	25-ZONE-0001
<b>Project Name:</b>	Garland Avenue Duplex
<b>Location:</b>	3504 Garland Avenue
<b>Applicant:</b>	GNCS, LLC.
<b>Representative:</b>	Abigail Bates
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	5 – Donna Purvis
<b>Case Manager:</b>	Molly Clark, Planner II

## **REQUEST(S)**

- **Change in zoning** from R-5 single family to R-5B, two-family residential.
- **Detailed District Development plan** with Binding Elements

## **CASE SUMMARY/BACKGROUND**

Located along Garland Avenue near the intersection with Louis Coleman Jr. Dr., the subject site is developed with a single-family home. The subject site is zoned R-5 single family residential within the Traditional Neighborhood form district. The applicant is proposing to rezone to R-5B, two-family residential to allow for a duplex. The existing structure is to remain and no improvements to the exterior of the property have been proposed. The applicant is proposing an interior alteration to the existing single-family structure to provide two dwelling units.

## **STAFF FINDING**

The proposal is ready for a public hearing date to be set.

## **TECHNICAL REVIEW**

Land Development Code (2023) Louisville Metro

## **INTERESTED PARTY COMMENTS**

All comments received have been placed in the record and made available to the Committee in advance of the public hearing.

## **STANDARD OF REVIEW FOR REZONING**

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

## **STAFF ANALYSIS FOR CHANGE IN ZONING**

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Traditional Neighborhood Form District

This form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings. Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

## **REQUIRED ACTIONS**

- **SET** the public hearing date for Planning Commission.

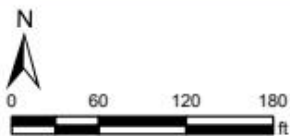
## **NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
<b>2-26-25</b>	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 5
	Hearing before PC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 5
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

## **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. Zoning Map



Monday, March 3, 2025 | 1:36 PM

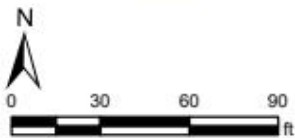


LOJIC © 2025

This map is not a legal document and should only be used for general reference and identification



## 2. Aerial Photograph



Monday, March 3, 2025 | 1:35 PM



### **3. Proposed Binding Elements**

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 binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) 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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. 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.
4. 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. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
5. 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 binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements 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 binding elements. 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 binding elements.



GARLAND AVE. 80' R/W

Conc. Sidewalk

N 82°38'54" W

I-264

S 08°54'40" W  
200.00'

Katherine Haney  
D.B. 6504 Pg. 758

0.17 Acres

N 08°54'40" E  
200.00'

SN1380 Family Trust  
D.B. 12714 Pg. 861

S 82°38'54" E  
36.66'

20' ALLEY

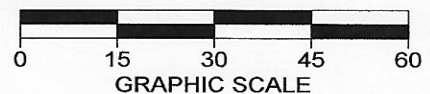


**NOTES:**

1. Site is subject to all right-of-ways, easements and restrictions of record or implied.
2. The surveyor did not make a search for easements, encumbrances, restrictions, ownership title evidence or other records that a complete and accurate title search may disclose.
3. The certification of this survey is made of this date and is subject to any future facts that more accurately describe or establish the boundary shown herein.
4. Surrounding owner information is shown per PVA records.
5. The basis of bearing was based on G.P.S. observation taken along a random traverse line on 11-21-2024. Kentucky North Zone Horizontal Datum: NAD83, Vertical Datum: NAVD88, Geoid Model: 12B, G.P.S. unit: SP60 (dual frequency), Method: VRS Network RTK.
6. Unless otherwise shown, structures shown are the footprint only.
7. Title to roads not found and are shown per tax maps drawn 8-29-1941.
8. This site is located in Zone X per Firm Map 21111C0040 F dated February 26, 2021 and is not located within a 100 year flood plain (0.1% chance). Flood Plain Certification is restricted to a review of the FIRM and shall not be construed as a confirmation or denial of flooding potential.

**LEGEND**

- = Set 1/2"x18" Iron Rebar with cap stamped "SCHROLL 3570"



**LAND SURVEYORS CERTIFICATE**

I hereby certify that the survey depicted by this plat was done by me or by persons under my direct supervision on November 21, 2024 by the method of random traverse. The unadjusted precision ratio of the survey is 1:34,475 and was not adjusted. The survey as shown hereon is an "Urban" Survey and the accuracy and precision of said survey meets all the specifications of this class.

William D. Schroll III Date 11-25-24  
Professional Land Surveyor, Kentucky Registration No. 3570

**BOUNDARY SURVEY**

*This Survey complies with KAR 18:150*

Survey of: 3504 Garland Ave.  
Louisville, Ky. 40211  
Owner: GNCS, LLC.  
815 Ulrich Ave., Louisville, Ky. 40219  
Source of Title: D.B. 12867 Pg. 792  
For: GNCS, LLC.  
815 Ulrich Ave., Louisville, Ky. 40219  
Ordered By: Glen Nash  
Scale: 1" = 30'  
Drawn Date: 11/23/24  
Job No: 3877/24  
Drawn By: Bill Schroll

**SCHROLL LAND SURVEYING LLC.**

Office Location: 7329 St. Andrews Church Rd.  
Louisville, KY. 40214  
Mailing Address: 5450 Southview Drive  
Louisville, KY. 40214  
Office: 502-367-7660 Mobile: 502-594-6773



## **JUSTIFICATION STATEMENT**

### **3504 GARLAND AVENUE REZONING**

**GNCS LLC, Applicant**

#### **INTRODUCTION**

GNCS LLC, a Kentucky limited liability company (the “Applicant”), proposes to rezone the property located at **3504 Garland Avenue, Louisville, KY 40211**, from **R5** to **R5B** to allow the continued use and development of the site as a duplex. The property was purchased by the Applicant with an existing duplex structure; however, the zoning classification was not properly aligned with the intended use. The Applicant seeks to properly rezone the property to ensure legal conformance with its current use. The proposed rezoning is consistent with the applicable elements of the 2040 Comprehensive Plan, and aligns with the goals of creating diverse housing options and promoting neighborhood revitalization.

#### **COMMUNITY FORM**

The proposed rezoning aligns with the intent and policies of the Community Form Plan Element. The property is located within an established neighborhood, and the current duplex structure is consistent with the surrounding housing types. The rezoning to **R5B** will formalize the prior use of the property and provide a legal foundation for the duplex, thus supporting the goal of providing diverse housing options. The rezoning will also deter unauthorized occupancy and squatting in the building, which has been a current issue due to the zoning mismatch causing the property to be vacant. The Applicant does not plan any physical alterations to the property other than minor cleanup of trash and debris to ensure the property remains safe and inviting for its intended residents.

#### **MOBILITY**

The proposed development complies with the intent of the Mobility Plan Element. The property is accessible by **Garland Avenue**, a roadway that provides adequate access for both residents and visitors. Since no significant site work or major redevelopment is planned, there will be no adverse impact on local traffic or mobility. The Applicant intends to maintain the existing structure and use, ensuring that the property remains an active and functional residential property, thus contributing positively to pedestrian and vehicular traffic in the area.

#### **COMMUNITY FACILITIES**

The proposed rezoning complies with the Community Facilities Plan Element. The property is already served by all necessary public utilities, including water, sewer, and electricity, which are adequate to support the duplex use. As no major construction is planned, the existing infrastructure will be sufficient for the proposed use. The Applicant’s plan to clean up the property will ensure that the property remains well-maintained and does not become a burden on local services.

#### **ECONOMIC DEVELOPMENT**

The proposed rezoning is consistent with the goals of the Economic Development Plan

Element. By properly zoning the property for its current use as a duplex, the Applicant is ensuring that the property contributes to the local economy by providing housing in an area where it is needed. This will help prevent property deterioration caused by squatters, improve property values in the area, and create a stable, long-term housing opportunity for residents. The project is in alignment with broader goals to revitalize neighborhoods and attract new investment.

### **LIVABILITY**

The proposed rezoning is in line with the Livability Plan Element. The conversion of this property into a legally zoned duplex will help provide more diverse housing options in the area, contributing to neighborhood revitalization. By addressing the issues of illegal occupancy, the project will enhance the safety and livability of the neighborhood. The Applicant's plan to clean up the site will improve the visual appeal of the property and reduce the risk of health and safety concerns related to its current condition. The proposed rezoning will foster a more vibrant and stable community environment