

Louisville Metro Planning Commission Public Hearing - December 1, 2022
Louisville Metro Land Development & Transportation Committee - October 27, 2022
Neighborhood Meetings - March 29, 2022, May 16, 2022

Docket No. 22-ZONE-0083

Proposed zone change from R-4 to R-5 and R-6 to allow
a 148 single-family lot subdivision and 388 apartment
units on property located at
1704, 1806, and 1808 S. Pope Lick Road



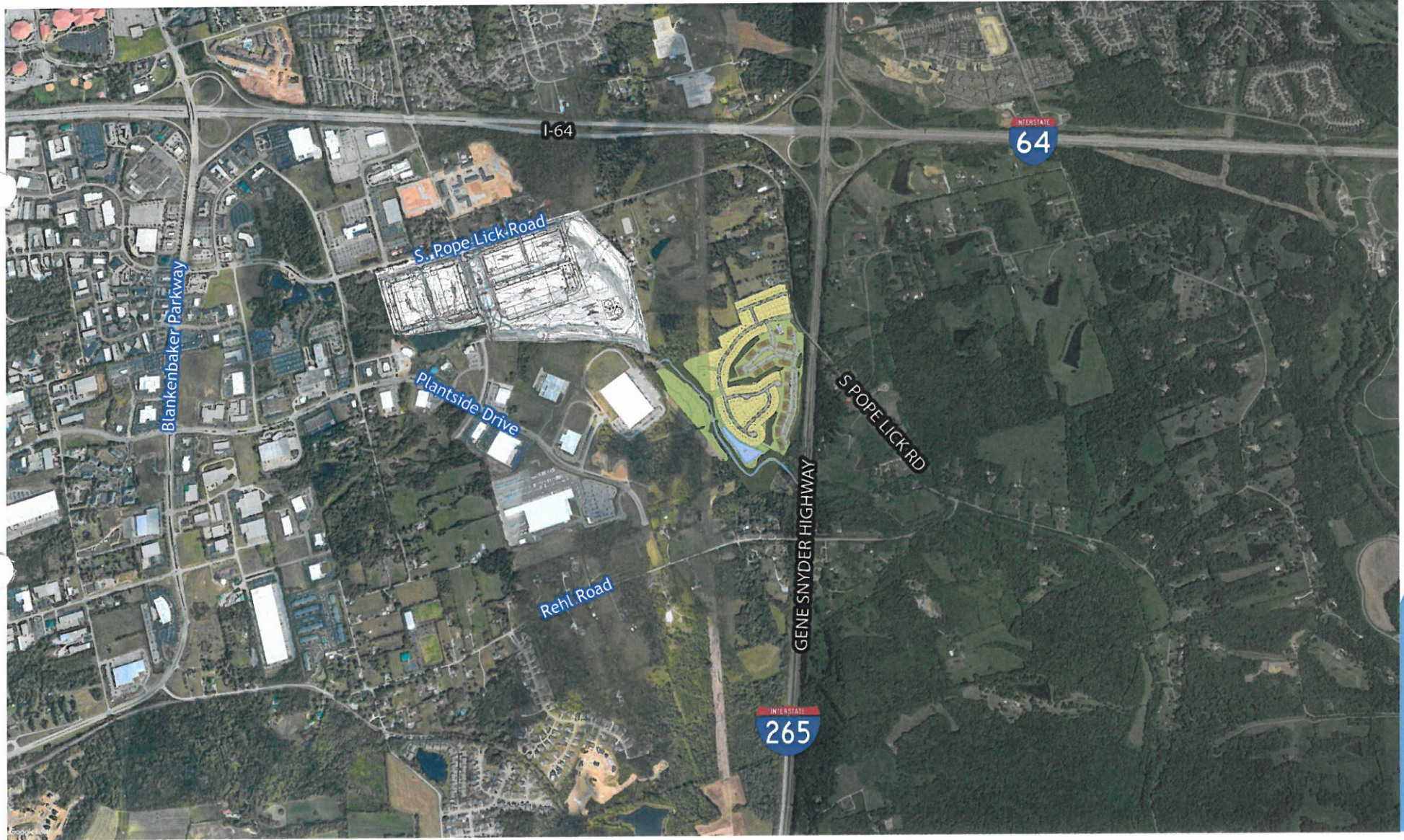
Attorneys: Bardenwerper Talbott & Roberts, PLLC
Land Planners, Landscape Architects & Engineers: Mindel Scott & Associates, Inc.

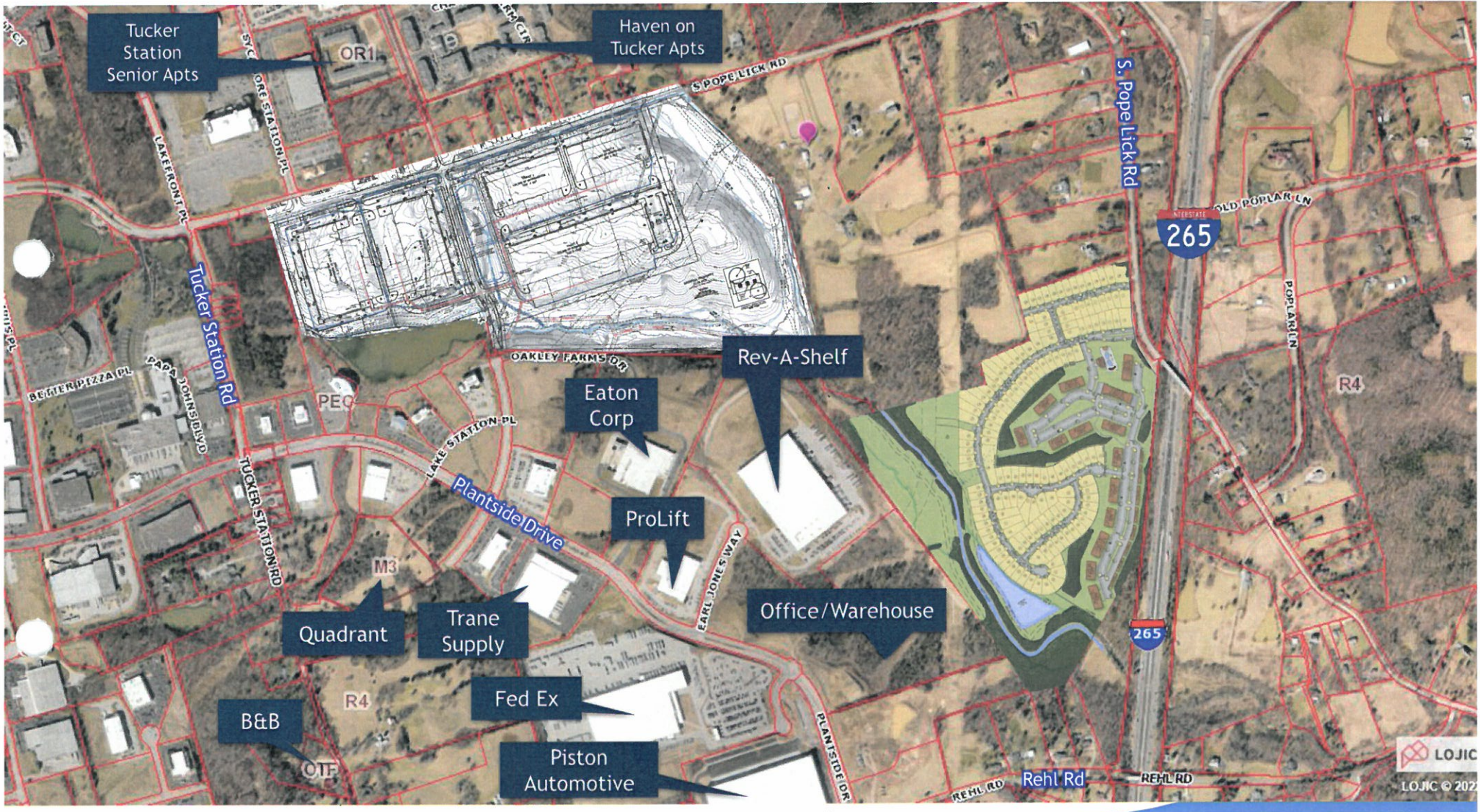




SITE







Tucker Station Senior Apts

Haven on Tucker Apts

Tucker Station Rd

S. Pope Lick Rd

265

OLD POPLAR LN

POPLAR LN

R4

BEHNER PIZZA PL

PAPA JOHN'S BLDG

PEC

OAKLEY FARMS DR

Rev-A-Shelf

Eaton Corp

Plantside Drive

ProLift

EARL JONES WAY

Office/Warehouse

Quadrant

Trane Supply

M3

B&B

R4

Fed Ex

Piston Automotive

PLANTSIDE DR

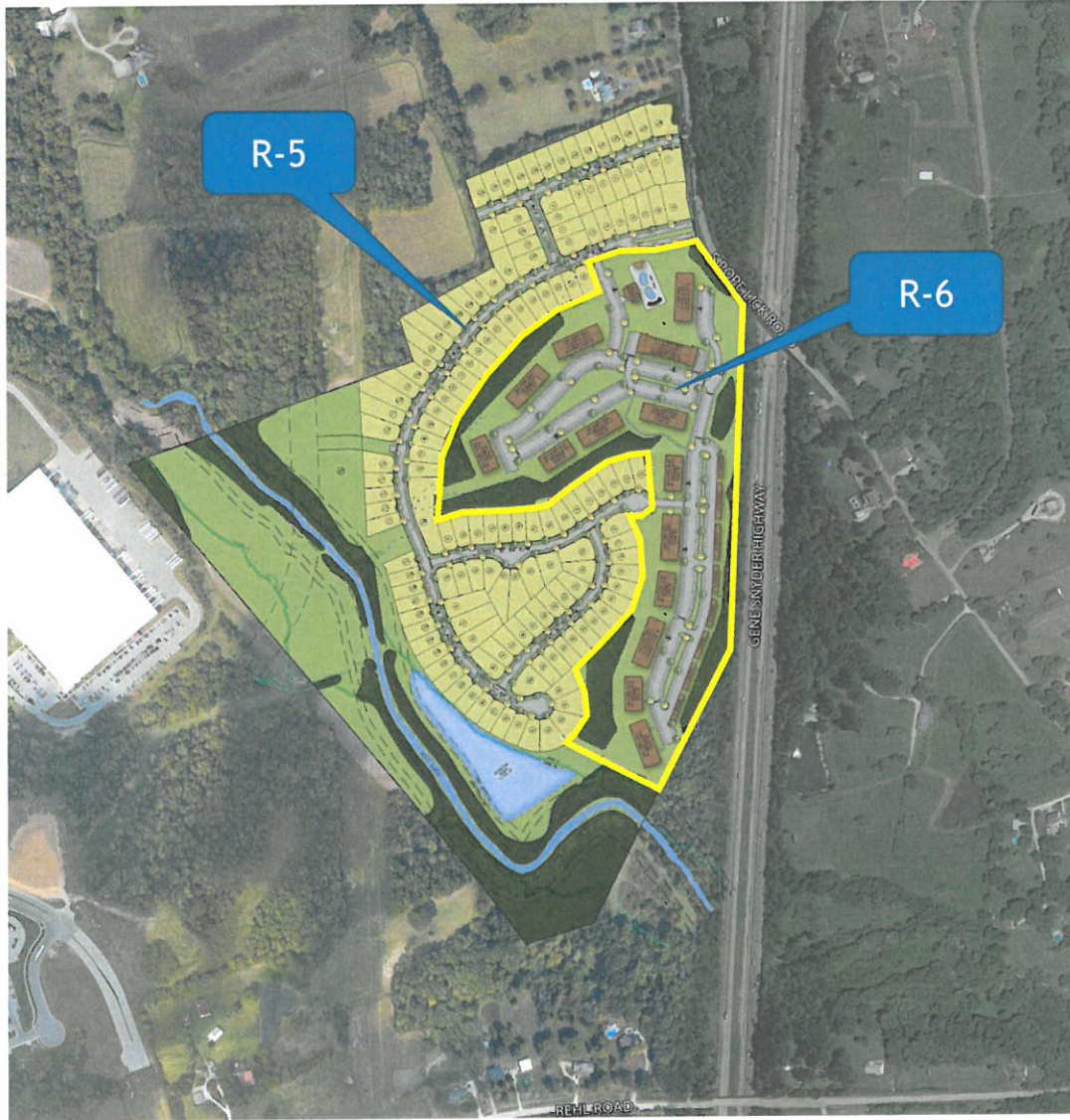
REHL RD

Rehl Rd

REHL RD

LOJIC

LOJIC © 2022





View of S. Pope Lick Road looking south. Site is to the right.



View of S. Pope Lick Road looking north. Site is to the left.

R-5 Single Family Subdivision

	R-4	Max R-5	S. Pope Lick Development
Number of Lots	287	431	148
Density	4.84	7.26	2.49

R-6 Multi-Family Apartment Community

	Max R-6	S. Pope Lick Development
Number of Lots/Units	466	388
Density	17.42	14.49



.1.3 Residential Developments

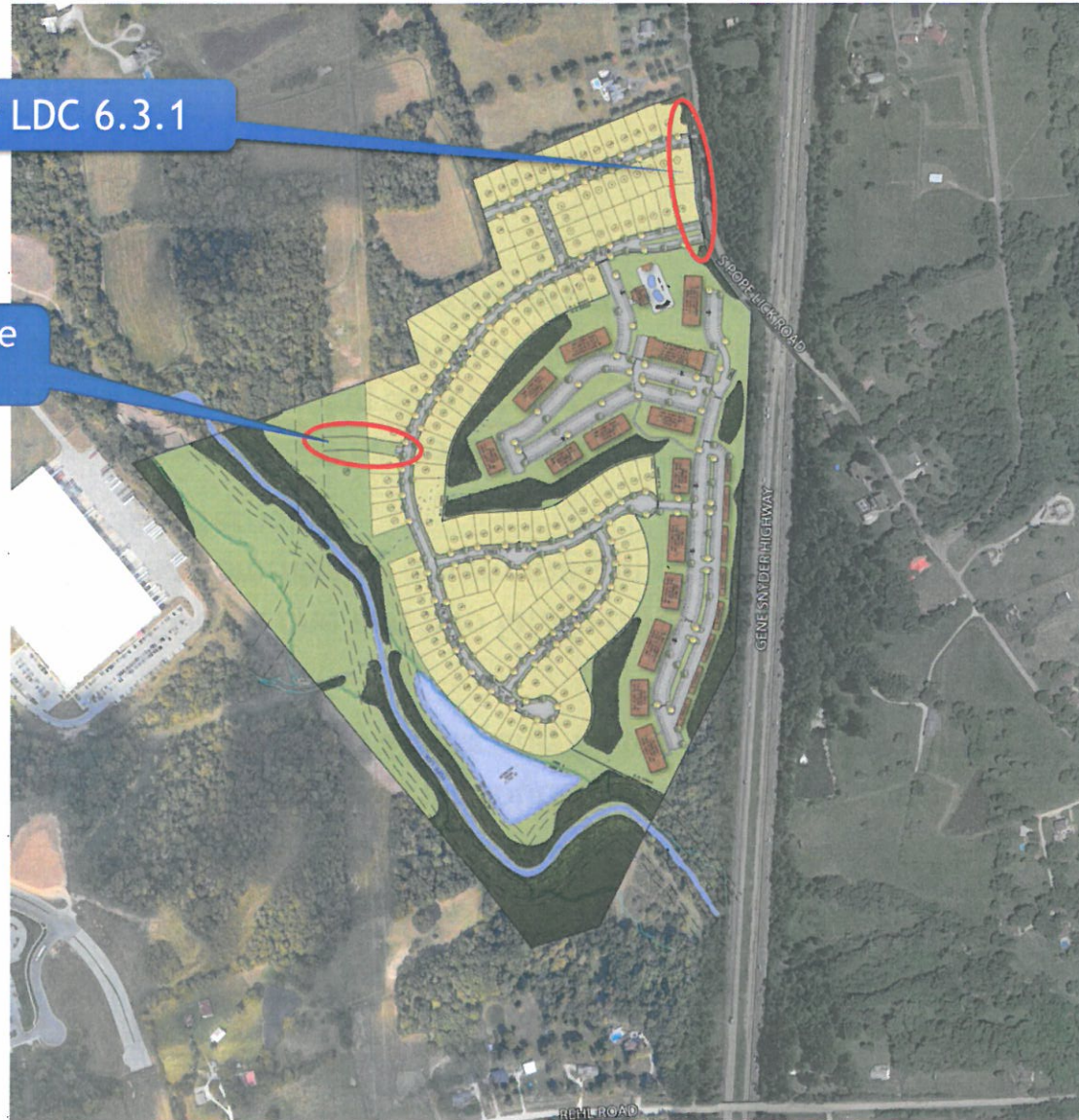
When a residential subdivision is proposed that abuts an arterial or collector roadway, it shall be designed to provide lots abutting the roadway with access only from an alley, frontage road or interior local road. (See also Section 5.4.2.B.1.a)

Direct driveway access to individual one and two family dwellings from arterial and collector roadways are prohibited unless the Planning Commission determines, in consultation with the Director of Works, that there is no acceptable access alternative.

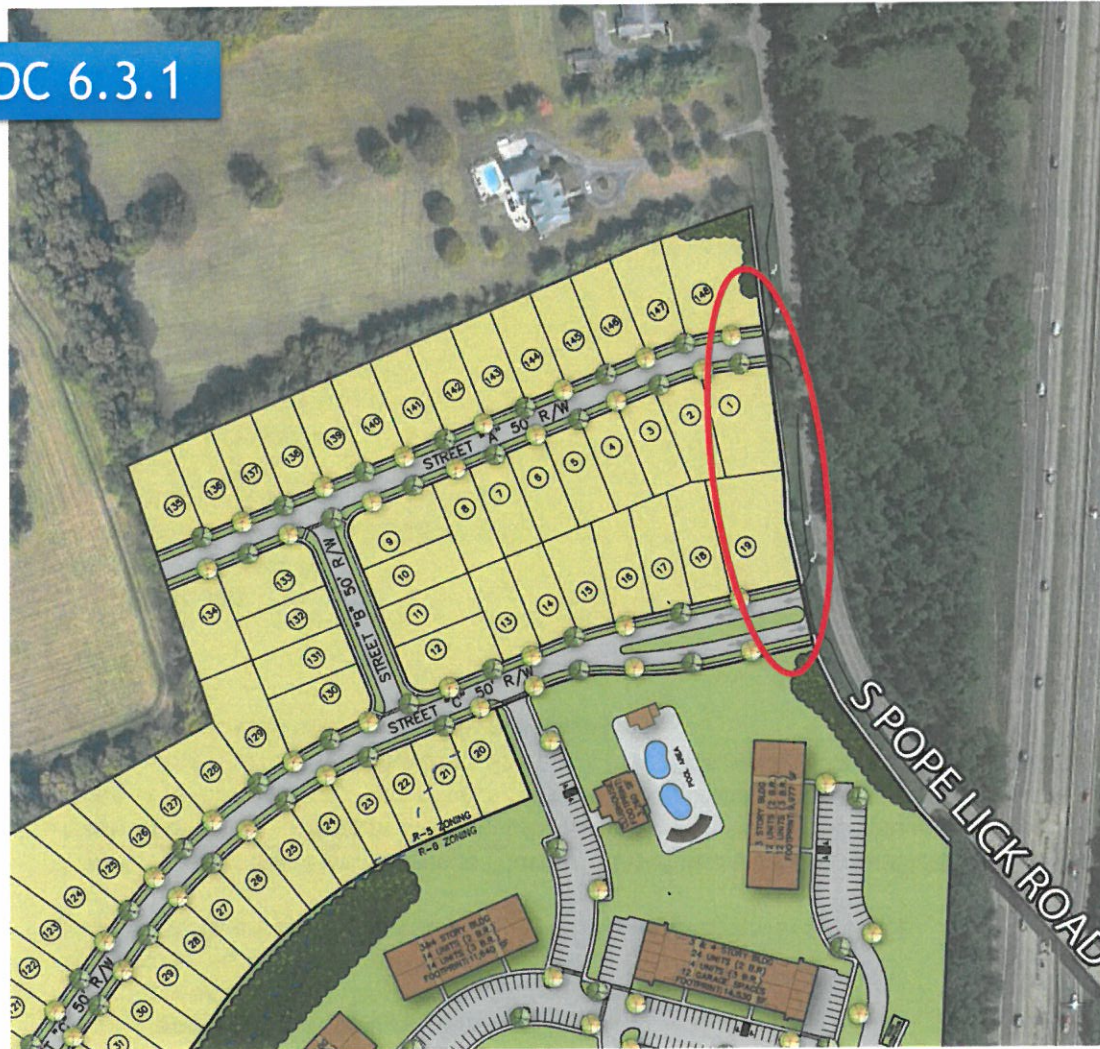
Developments with an aggregate of 200 or more dwellings (single family or multi-family) shall have at least two separate access roadways connecting directly to existing roadway(s). Developments created prior to the effective date of this paragraph and not in compliance with it may be modified, including construction of ancillary facilities and improvements to existing structures, provided that the modifications do not increase the number of dwelling units.

2 Entrances per LDC 6.3.1

Future Urton Lane
Connection



2 Entrances per LDC 6.3.1



Anchorage Middletown
Fire & EMS

From: Stephen Hanson <SHanson@amfems.org>
Sent: Tuesday, August 23, 2022 11:12 AM
To: Rocco Pigneri <rpigneri@ballhomes.com>
Subject: RE: Question on response time ----> RE: Recap of yesterday's meeting

I would consider the response time as "Normal". Based on a clear day, no adverse weather conditions or other traffic conditions. Most, if not all the roads from the firehouses to the project site are two-lane roads. Extra care is taken while responding with lights and sirens since cars in front of us can't go anywhere such as pulling over to allow us to pass. We will have to slow down and pass them by going into the oncoming traffic lane. This is why I would call the response time normal for the type of roads available to us. 8-10 mins. Should be an average time.

Thanks,

Steve Hanson
Major / Fire Marshal
Anchorage Middletown Fire & EMS
9514 Featherbell Blvd
Prospect, KY 40059
Phone: 502.813.4806
Cell: 502.376.4074
FAX: 502.245.8086
E-mail: shanson@amfems.org



Louisville Metro
Police Department
8th Division

From: Suttles, Larry <Larry.Suttles@louisvilleky.gov>
Sent: Thursday, September 8, 2022 2:25 PM
To: Rocco Pigneri <rpigneri@ballhomes.com>
Subject: RE: Emergency response time analysis for proposed subdivision

Mr. Pigneri,

I have reviewed the neighborhood layout for South Pope Lick Residential and I don't see any issues whatsoever with LMPD's emergency response. I appreciate you bringing this to our attention an giving the department an opportunity for input.

My best regards
and God bless,

Lt. Larry Suttles
LMPD 8th Division
2927 Goose Creek Rd
Louisville, KY 40241
502-574-2258

Traffic Impact Study Report

S. Pope Lick Residential

Louisville, Jefferson Co., KY

Prepared For:
Ball Homes, LLC

Prepared By:



adam kirk engineering

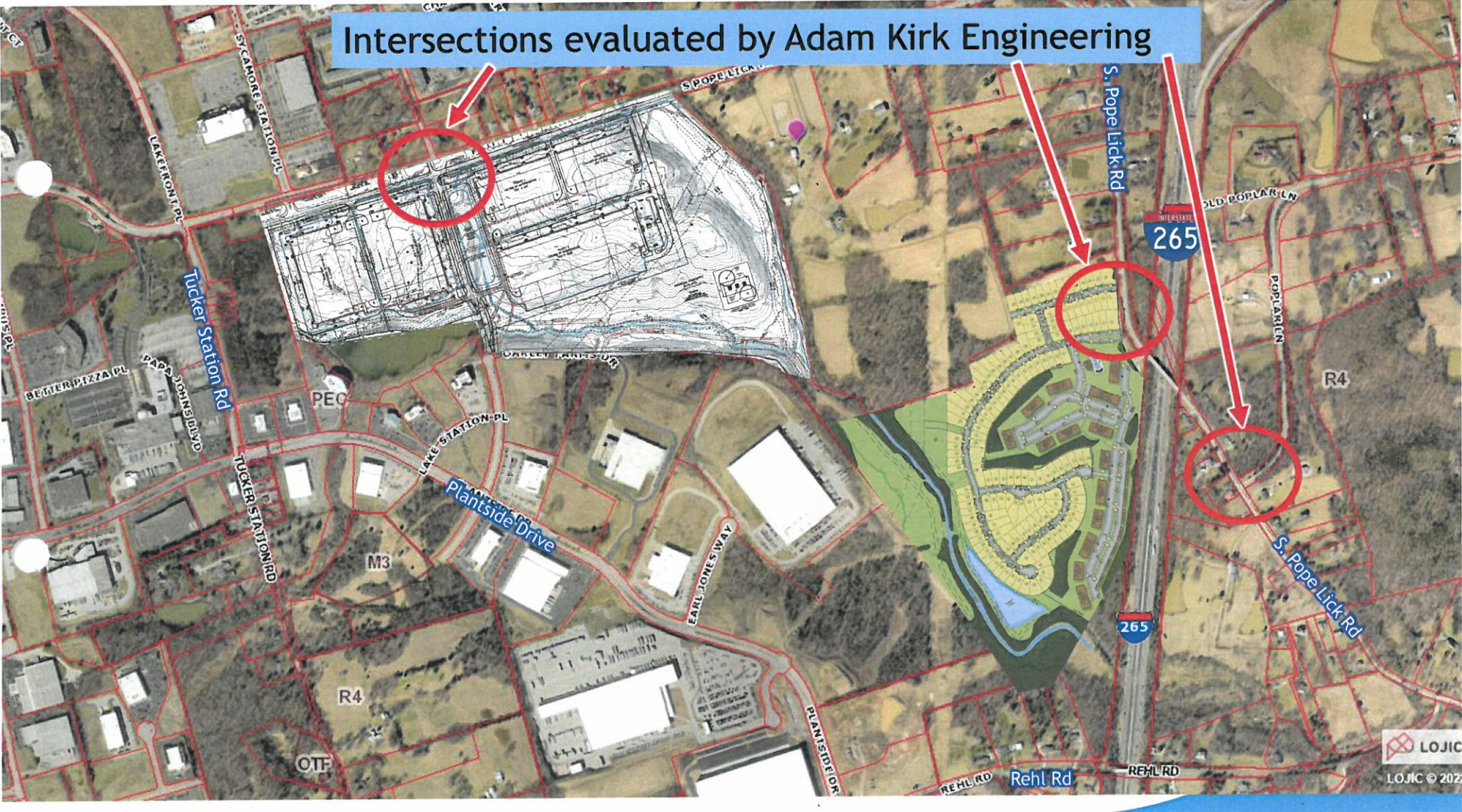
Adam Kirk Engineering
137 McClelland Springs Drive
Georgetown, KY 40324
859.421.2597
adam@adamkirkpe.com

June 13, 2022

Trip Generation

Land Use	ITE Code	Ind. Var.	Units	AM Peak			PM Peak		
				Total	Entering	Exiting	Total	Entering	Exiting
Total				255	61	194	286	177	109
Single Family Residential	210	148	units	106	27	79	144	90	54
Multifamily Residential	221	364	units	149	34	115	142	87	55
Multifamily Residential	221	388	units	159	36	123	151	92	59

Intersections evaluated by Adam Kirk Engineering



CAPACITY ANALYSIS

S. Pope Lick Rd/Tucker Station Rd

AM PEAK HOUR		Existing		2023 No Build		2023 Build		2033 No Build		2033 Build	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
S. Pope Lick Road at Tucker Station Road	Intersection	B	10.4	B	10.4	B	13.8	B	10.8	B	14.7
	eastbound (Tucker Station)	A	9.0	A	9.0	A	9.8	A	9.2	B	10.0
	westbound (S. Pope Lick)	B	11.4	B	11.5	C	16.3	B	12.0	C	17.7
	southbound (Tucker Station)	A	8.9	A	8.9	A	9.7	A	9.1	A	10.0

PM PEAK HOUR		Existing		2023 No Build		2023 Build		2033 No Build		2033 Build	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
S. Pope Lick Road at Tucker Station Road	Intersection	D	31.8	D	32.7	F	70.5	E	41.2	F	84.4
	eastbound (Tucker Station)	E	45.2	E	46.8	F	112.4	F	60.8	F	136.2
	westbound (S. Pope Lick)	B	10.5	B	10.5	B	12.4	B	10.8	B	12.8
	southbound (Tucker Station)	B	14.0	B	14.1	C	16.1	B	14.8	C	16.8

CAPACITY ANALYSIS

Access Point 1 & 2

AM PEAK HOUR		Existing		2023 No Build		2023 Build		2033 No Build		2033 Build	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
S. Pope Lick Rd at Access Point 1	Intersection	-	-	-	-	-	-	-	-	-	-
	westbound (left turn)	-	-	-	-	A	0.0	-	-	A	0.0
	northbound (Access 1)	-	-	-	-	B	12.5	-	-	B	12.7
S. Pope Lick Rd at Access Point 2	Intersection	-	-	-	-	-	-	-	-	-	-
	westbound (left turn)	-	-	-	-	A	0.3	-	-	A	0.3
	northbound (Access 1)	-	-	-	-	B	13.0	-	-	B	13.3

PM PEAK HOUR		Existing		2023 No Build		2023 Build		2033 No Build		2033 Build	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
S. Pope Lick Rd at Access Point 1	Intersection	-	-	-	-	-	-	-	-	-	-
	westbound (left turn)	-	-	-	-	A	0.1	-	-	A	0.1
	northbound (Access 1)	-	-	-	-	C	16.3	-	-	C	16.7
S. Pope Lick Rd at Access Point 2	Intersection	-	-	-	-	-	-	-	-	-	-
	westbound (left turn)	-	-	-	-	A	1.7	-	-	A	1.6
	northbound (Access 1)	-	-	-	-	C	18.3	-	-	C	19.1

CAPACITY ANALYSIS S. Pope Lick Road / Poplar Lane

AM PEAK HOUR		Existing		2023 No Build		2023 Build		2033 No Build		2033 Build	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
S. Pope Lick Road at Poplar Lane	Intersection	-	-	-	-	-	-	-	-	-	-
	eastbound (left turn)	A	5.2	A	5.2	A	5.3	A	5.2	A	5.3
	southbound (Poplar Ln)	B	11.2	B	11.2	B	11.5	B	11.4	B	11.8

PM PEAK HOUR		Existing		2023 No Build		2023 Build		2033 No Build		2033 Build	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
S. Pope Lick Road at Poplar Lane	Intersection	-	-	-	-	-	-	-	-	-	-
	eastbound (left turn)	A	5.0	A	5.0	A	5.9	A	5.1	A	5.2
	southbound (Poplar Ln)	C	15.6	C	15.7	B	14.7	C	16.7	C	17.2

XEBAC Development: 22-ZONE-0098

Xebac

SITE

I-64

INTERSTATE
64

S. POPE LICK ROAD

Blankenbaker Parkway

Tucker Station Rd

Plantside Drive

Rehl Road

GENE SNYDER HIGHWAY

S POPE LICK RD

INTERSTATE
265



2033 PM Peak Hour	PM Peak Hour Levels of Service (LOS) and Delay					
S. Pope Lick Road at Tucker Station Road	No Build		Build With Left Turn Lane (No Xebac)		Build With Turn Lanes and Traffic Signal from Xebac	
	LOS	Delay	LOS	Delay	LOS	Delay
Intersection	Pass E	41.3	Pass D	27.2	Pass B	19.7
Eastbound (Tucker Station)	Fail F	61.0	Pass E	26.2	Pass A	4.6
Westbound (S. Pope Lick)	Pass B	10.8	Pass B	13.6	Pass A	7.2
Southbound (Tucker Station)	Pass B	14.8	Pass C	17.0	Pass D	47.5
Northbound (Xebac)					Pass E	59.8

Pass = Level of Service A thru E
Fail = Level of Service F

Build condition includes left turn lanes and Traffic Signal as indicated

**Build Out Justification
Prior to Road/Intersection
Improvements**

2033 PM Peak Hour			
S. Pope Lick Road at Tucker Station Road		Build (50% SF only / 50% MF only)	
		LOS	Delay
Intersection		Fail F	50.2
Eastbound (Tucker Station)		Fail F	77.1
Westbound (S. Pope Lick)		Pass B	11.5
Southbound (Tucker Station)		Pass C	15.2

Pass = Level of Service A thru E
Fail = Level of Service F

Build condition includes left turn lane

PROPOSED BINDING ELEMENTS

1. Applicant shall build no more than 50% of the single-family units and 50% of the multi-family units prior to a left-turn lane being built for the eastbound Tucker Station Road/S. Pope Lick Intersection.
2. In the event applicant does not build a left-turn lane for the eastbound Tucker Station Road/S. Pope Lick intersection, applicant shall contribute \$30,000 towards the road construction improvements for the Tucker Station Road/S. Pope Lick Road intersection.

Proposed Style and Design of Apartments



Proposed Style and Design of Apartments



Proposed Style and Design of Apartments



Proposed Style and Design of Apartments





Proposed Style and Design
of Single-Family Homes



Proposed Style and Design of Single-Family Homes



Proposed Style and Design of Single-Family Homes



Proposed Style and Design of Single-Family Homes





Proposed Style and Design
of Single-Family Homes





Proposed Style and Design
of Clubhouse





BARDENWERPER, TALBOTT & ROBERTS, PLLC
ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • (502) 423-0561 (FAX) • WWW.BARDLAW.NET

**PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL
APPLICABLE GOALS OF THE 2040 PLAN**

Applicant: Ball Homes, LLC
Morris A. Hockersmith; Jeffrey G. and Melissa J.
Owners: Windhorst; and LRH Family, LLC
Project Name/Location: 1704, 1806, and 1808 S. Pope Lick Road
Single Family Subdivision and Multifamily apartment
Proposed Use: community
Request: Zone change from R-4 to R-5 and R-6
Engineers, Land Planners, Landscape
Architects: Mindel Scott & Associates

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on December 1, 2022 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

WHEREAS, the Applicant, Ball Homes, LLC, proposes a 148 lot single-family subdivision and a 364-unit multi-family community with open space and amenities at 1704, 1806 and 1808 South Pope Lick Road north of Rehl Road and between Pope Lick Creek to the east of the I-264 Gene Snyder Expressway in the Suburban Workplace Form District; this is in an area that is one of Louisville's prime growth areas for development of this exact kind because of these principal factors: (a) availability of sanitary sewers and all necessary infrastructure and utilities; (b) presence of significant and growing retail activity; and (c) proximity to an interstate highway system which moves traffic to and from major employment centers; and

PLAN ELEMENT 4.1: COMMUNITY FORM

WHEREAS, this "Application Package" complies with Plan Element 4.1, Goal 1, Policies 7 and 9 because the site is located in the Suburban Workplace Form District which although predominantly office uses is located near an employment center (Blankenbaker Station); proposed density in this instance is in the high range, both as contemplated by these Policies and where infrastructure and existing activity centers support it; spread among 13, 3 and 4-story apartment buildings with a total of 364 units, the designs, square footages and rental rates are also contemplated by these Policies as appropriate for this Form District and neighborhood where the plan provides appropriate transitions to adjoining development and also proposes 148 single-family lots in the low-density range (2.8 du/a proposed/7.26 du/a allowed) with substantial spatial buffering between the two housing types as shown on the proposed site plan; and

WHEREAS, to Goal 3, Policy 10, it complies because the proposed multi-family community is located on the site at higher elevations to provide a distinct transition from the single-family areas of the development; and

WHEREAS, it will add to the opportunities existing and planned in this high growth area to reside in close and convenient proximity to places of employment, food and shopping; given all that is proximate to and surrounds this particular site and given the particular design of this proposed mixed single-family and multi-family community, this development within the larger community and proximate to the referenced employment center, is entirely appropriate; and

WHEREAS, to Goal 3, Policy 10, it complies because the site is not in an area of wet or highly permeable soils, and although there are slopes that separate the two types of housing styles they do not create any potential for severe erosion that would cause property damage or environmental degradation; and

WHEREAS, to Goal 4, Policies 2 and 3 this is not a historic site with historic buildings and has no distinctive cultural features; and

PLAN ELEMENT 4.2: MOBILITY

WHEREAS, this Application Package complies with Plan Element 4.2, Goals 1 and 3 and their Objectives plus the following Policies; as to Goal 1, Policy 4 and Goal 3, Policies 2, 5, 6, 9, 10 and 21, it complies because this proposed single-family and multi-family community (located as it is within an existing and growing mixed use area proximate to a large activity center, with two good access points off a collector roadway and thereby well connected as it is proposed to be close to restaurants, retail shopping and other residential developments and communities) is plainly part and parcel of good pedestrian, bicycle and road networks; no new roadway improvements are likely to be necessary but will depend upon the traffic impact study; and there is no direct residential access to high-speed roadways; and

WHEREAS, bike racks and handicapped parking spots will be installed as and where required near buildings; and all drive lanes, parking spaces and stub connections will be designed in accordance with Metro Public Work and Transportation Planning (MPW&TP) requirements; and these are preliminarily depicted on the DDDP filed with this application; and

WHEREAS, a Traffic Impact Study (TIS) was completed by Diane Zimmerman, P.E. and was submitted in accordance with MPW&TP requirements; and

WHEREAS, TARC service is generally unavailable in areas like this, but basic and express service is available; and

WHEREAS, all necessary utilities are located proximate to this site and accessible by it via public right of way or easements; and

PLAN ELEMENT 4.3: COMMUNITY FACILITIES

WHEREAS, this Application Package complies with Plan Element 4.3, Goal 2 and their Objectives plus Policies 1, 2 and 3 because existing utilities are available to the site including an adequate supply of potable water and water for firefighting purposes as well as sewer service available by lateral extension to the Floyds Fork Wastewater Treatment Plant; and

PLAN ELEMENT 4.5: LIVABILITY

WHEREAS, this Application Package complies with Plan Element 4.5, Goal 1, plus the following Policies 5, 17 and 21 because the site is not located on karst terrain and is not located in a regulatory floodplain; on-site detention is provided subject to MSD review and approval prior to construction; there do not appear to be any unique characteristics of the general landscape apart from slopes which provide spatial and visual separation between the housing types; there are adequate stream buffers provided and there will be no negative effect on groundwater; an LDC compliant landscaping plan will be submitted which will incorporate native species wherever possible; as Louisville Metro's population continues to grow, so does demand for housing of all types; this proposed combined single-family and multi-family community is part of a developer response to that demand, and as such both stabilizes and offers increased opportunities for employment in the building trades and associated industries; and

WHEREAS, it also increases the Metro Louisville tax base essential to the provision of government services, especially important after the worst economic setback since the Great Depression which has resulted from the current Covid crisis; if Louisville and Kentucky are to economically rebound from this devastating occurrence over time, it will be because new growth opportunities are afforded like this one; and that is why this Plan Element of the Comp Plan takes on such overriding significance at this point in Louisville's history; and

PLAN ELEMENT 4.6: HOUSING

WHEREAS, this Application Package complies with Plan Element 4.6, its 3 Goals and their Objectives, plus the following Policies; as to Goal 1, Policies 1 and 2; Goal 2, Policies 1 and 2; and Goal 3, Policies 1, 2 and 3 it complies because by bringing brand-new, high-quality apartments together with single-family homes to this area, the Applicant's proposal increases the variety of fair and affordable housing types in the area; also, because of the number of bedrooms, it's possible that renters, taking advantage of proximity to the nearby activity and employment centers and because of the lifestyle changes that the Great Real Estate Recession of 2009 and Coronavirus depression of 2020 have caused, moving ever more people from ownership to rental housing communities, these buildings are multigenerational; thus, this community can probably expect empty nesters to be among its principal occupants; and there will be no displacement of any current residents; and

WHEREAS, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books, on the approved detailed district development plan, this application also complies with all other applicable Goals of the 2040 Plan;

NOW, THEREFORE, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-4 to R-5 and R-6 and approves the Detailed District Development Plan.



Questions?

Capacity Impacts and Improvements 2033 PM Peak Hour Analysis

S. Pope Lick Road at Tucker Station Road	No Build		Ball Homes (SF & MF)		Ball Homes (SF & MF) w/ LT Lane	
	LOS	Delay	LOS	Delay	LOS	Delay
Intersection	E	41.3	F	86.7	D	27.2
eastbound (Tucker Station)	F	61.0	F	141.1	E	26.2
westbound (S. Pope Lick)	B	10.8	B	13.1	B	13.6
southbound (Tucker Station)	B	14.8	C	17.1	C	17.0
northbound (Xebec)	-	-	-	-	-	-

**Scenario 1: Ball Homes ONLY
Required EB LT Lane**

S. Pope Lick Road at Tucker Station Road	No Build		Ball and Xebec		Ball and Xebec (w/ Signal and LT Lanes)	
	LOS	Delay	LOS	Delay	LOS	Delay
Intersection	E	41.3	F	122.4	B	19.7
eastbound (Tucker Station)	F	61.0	F	210.0	A	4.6
westbound (S. Pope Lick)	B	10.8	B	16.5	A	7.2
southbound (Tucker Station)	B	14.8	C	11.1	D	47.5
northbound (Xebec)	-	-	C	19.7	E	59.8

**Scenario 2: Ball Homes and Xebec
Required LT Lanes AND
Signalization**

S. Pope Lick Road at Tucker Station Road	No Build		2033 Build (MultiFamily ONLY; No Improvements)	
	LOS	Delay	LOS	Delay
Intersection	E	41.3	F	50.2
eastbound (Tucker Station)	F	61.0	F	77.1
westbound (S. Pope Lick)	B	10.8	B	11.5
southbound (Tucker Station)	B	14.8	C	15.2
northbound (Xebec)	-	-	-	-

**Scenario 3: Ball Homes Interim
Partial Buildout (50% of Trip
Generation)**