

**Louisville Metro Planning Commission**  
**Applicant's Proposed Findings of Fact**  
**ZONING MAP AMENDMENT**  
**Case No. 16ZONE1056**

The Louisville Metro Planning Commission, having reviewed evidence submitted to its staff and heard in public hearings on January 31, 2017 and August 29, 2017 and having reviewed the staff report and testimony in the same public hearings, makes the following findings and takes the following action:

**WHEREAS**, the applicant, LDG Multifamily, LLC (the "Applicant") proposes to rezone the subject property from R-4 Single-family Residential R-5A Multi-family Residential and OR-1 Office Residential to R-7 Multi-family Residential. The subject property is approximately 9.61 acres and is located at the southeast corner of River Road and Timber Ridge Drive. The subject property is located in the Village Form District which may contain a small-scale village center with a mixture of uses, such as offices, shops, restaurants, services and a diversity of housing types that may be higher in density than the rest of the district.

**WHEREAS**, the proposed development complies with the Cornerstone 2020 Comprehensive Plan ("Cornerstone 2020") as set out below;

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and applicable Policies of **Guideline 1-Community Form** because it provides a different housing type than that which is available in the immediate area; because the subject property is adjacent to other zoning districts that allow high density residential development; because the proposed development will maintain a significant amount of wooded open space; and

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and applicable Policies of **Guideline 2-Centers** because the subject property is located adjacent to a Village center and will be supported by the commercial uses located there; because the proposed development is compact, using approximately half the site for building area and preserving the remainder; because the proposed development is compatible with the adjacent commercial, multi-family and institutional uses surrounding the subject property; because the applicant has offered to help design pedestrian improvements to improve accessibility between the subject property and the commercial properties across Timber Ridge Drive.

**WHEREAS**, the Planning Commission finds that the proposed development complies with the intent and applicable Policies of **Guideline 3-Compatibility** because the subject property was previously approved for a medical office building, two 45-foot tall condominium buildings and a branch bank; because the site of the proposed branch bank has been developed as a Kroger fuel station, while the remainder has remained undeveloped; because the proposed 45-foot tall apartment building will be compatible with surrounding uses, as there are several multi-story buildings in the area; because the site will be landscaped to buffer the parking area nearest to Timber Ridge Drive, and the Applicant will use building materials compatible with those in the area; because the Applicant has redesigned the proposed building to include more suburban design elements, including a hipped roof and balconies; because the density of the proposed

development is compatible with the office and commercial uses surrounding it, although it is higher than the surrounding single-family area; because the proposed development includes significant setbacks from both River Road and Timber Ridge Drive; because Policy 13 of Guideline 3 encourages the location of housing for the elderly near shopping and transit routes; because Policy 14 of Guideline 3 states that appropriate/inclusive housing should be provided throughout Jefferson County and that variable-priced housing should be dispersed throughout the community; because Policy 15 states that “[f]orm district standards should encourage the use of innovative methods to increase the production of appropriate/inclusive housing;” and because the proposed development providing appropriate/inclusive housing for the elderly in an area that is served by commercial and institutional uses.

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and Policies of **Guideline 4-Open Space** because approximately 40% of the land area of the subject property is and will remain green space, including a significant stand of trees along River Road; because the proposed development has been designed to limit the amount of the subject property being disturbed; because the Applicant has proposed to plant additional trees on the subject property to create a net increase in tree canopy on the subject property; because the Applicant proposes to create a courtyard, including a pool, for outdoor recreation; and because the subject property is located a short car ride from both Putney Pond and Hays Kennedy parks, providing residents significant opportunities to enjoy the outdoors on their own terms.

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and applicable Policies of **Guideline 5-Natural Areas and Scenic and Historic Resources** because, as shown on the plan, nearly all of the natural areas on the subject property are being preserved or enhanced with additional trees; because the portion of the subject property nearest River Road will be preserved as a Woodland Protection Area, preserving both the view along River Road and at the intersection of River Road and Timber Ridge Drive; and because there are no historical resources on the subject property to preserve.

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and applicable Policies of **Guideline 7-Circulation** because the proposed development includes 198 dwelling units restricted to residents over the age of 55; because the subject property is located on Timber Ridge Drive, which also serves office and retail centers in the heart of Prospect; because Louisville Metro Public Works has requested, and the Applicant has undertaken, a traffic study finding that there will be a negligible impact on area traffic; because residents of the proposed development will have access to many of the surrounding retail uses by using the sidewalk network in the commercial area; because the Applicant is dedicating right of way where necessary and will make a restricted payment in lieu of providing a sidewalk along River Road to enhance bicycle mobility in the River Road corridor; and because the proposed development includes parking that exceeds the minimum required in the Land Development Code.

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and applicable Policies of **Guideline 9-Bicycle, Pedestrian and Transit** because the proposed development will provide funding for future bicycle improvements on River Road and will provide pedestrian connections to the sidewalk network along Timber Ridge Drive.

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and applicable Policies of **Guidelines 10-Flooding and Stormwater and 11-Water Quality** because the proposed development has been designed to minimize the disturbance of the floodplain area of the subject property and to minimize the impact on the intermittent stream that runs through the subject property; because the Applicant is providing a combination water quality/detention basin to slow the flow of and clean surface water coming from the building and site parking; because the proposed development is also minimizing the amount of impervious surface by building up, not out, and providing an appropriate, code-compliant level of parking; and because the Applicant will use best management practices to ensure that sediment from erosion does not impact the floodplain area of the subject property.

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and applicable Policies of **Guideline 12-Air Quality** because the proposed development is surrounded by services for residents, including restaurants, banking, a grocery, at least two pharmacies, offices, and other commercial uses; because all of these services are within an easy walk from the subject property; and because the location of the proposed development near so many services will limit car travel from the subject property and its attendant air quality issues.

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent and applicable Policies of **Guideline 13-Landscape Character** because the proposal, through the preservation of a significant stand of trees along River Road, the planting of additional trees between the proposed building area and the existing trees along River Road, and the planting of significant buffers along its property lines, far exceeds the requirements for tree canopy and will result in a net increase in tree canopy; and because the Applicant proposes to leave the old driveway, gate the entrance onto River Road and not to have any signage or lighting on that portion of the subject property, retaining the existing rural character of that end of the subject property.

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent of Cornerstone 2020 to "[p]romote the integration of appropriate housing units in all neighborhood, traditional neighborhood, and village form districts so that no form district can be employed as a means to exclude appropriate housing from residential neighborhoods."

**WHEREAS**, the Planning Commission finds that the proposal complies with the intent of Cornerstone 2020 "allow a variety of housing types . . . to provide housing choices for people of differing ages and incomes and should encourage the integration of appropriate housing."

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it approve the zoning amendment proposed in Case No. 16ZONE1056.