

Louisville Metro Planning Commission Public Hearing - April 12, 2021
Louisville Metro Land Design & Transportation Committee - February 11, 2021 and February 25, 2021
Neighborhood Meeting - July 1, 2020

Docket No. 20-ZONE-0060

Zone Change from R-4 to R-6 with related variance and waiver to allow a 324-unit apartment community on property located at 8000 and 8006 Cedar Creek Road

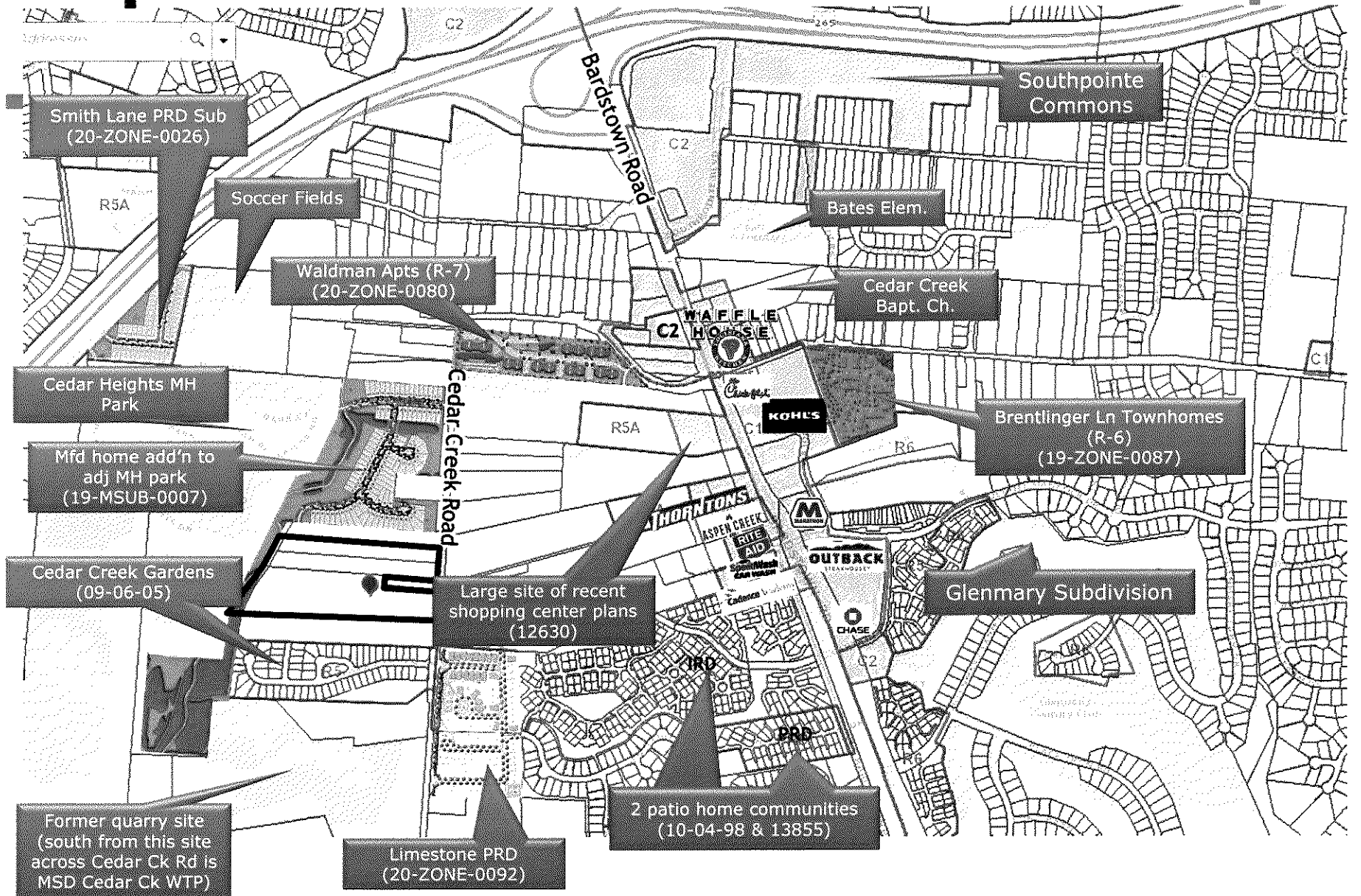
HAGAN
P R O P E R T I E S

Attorneys: Bardenwerper Talbott & Roberts, PLLC

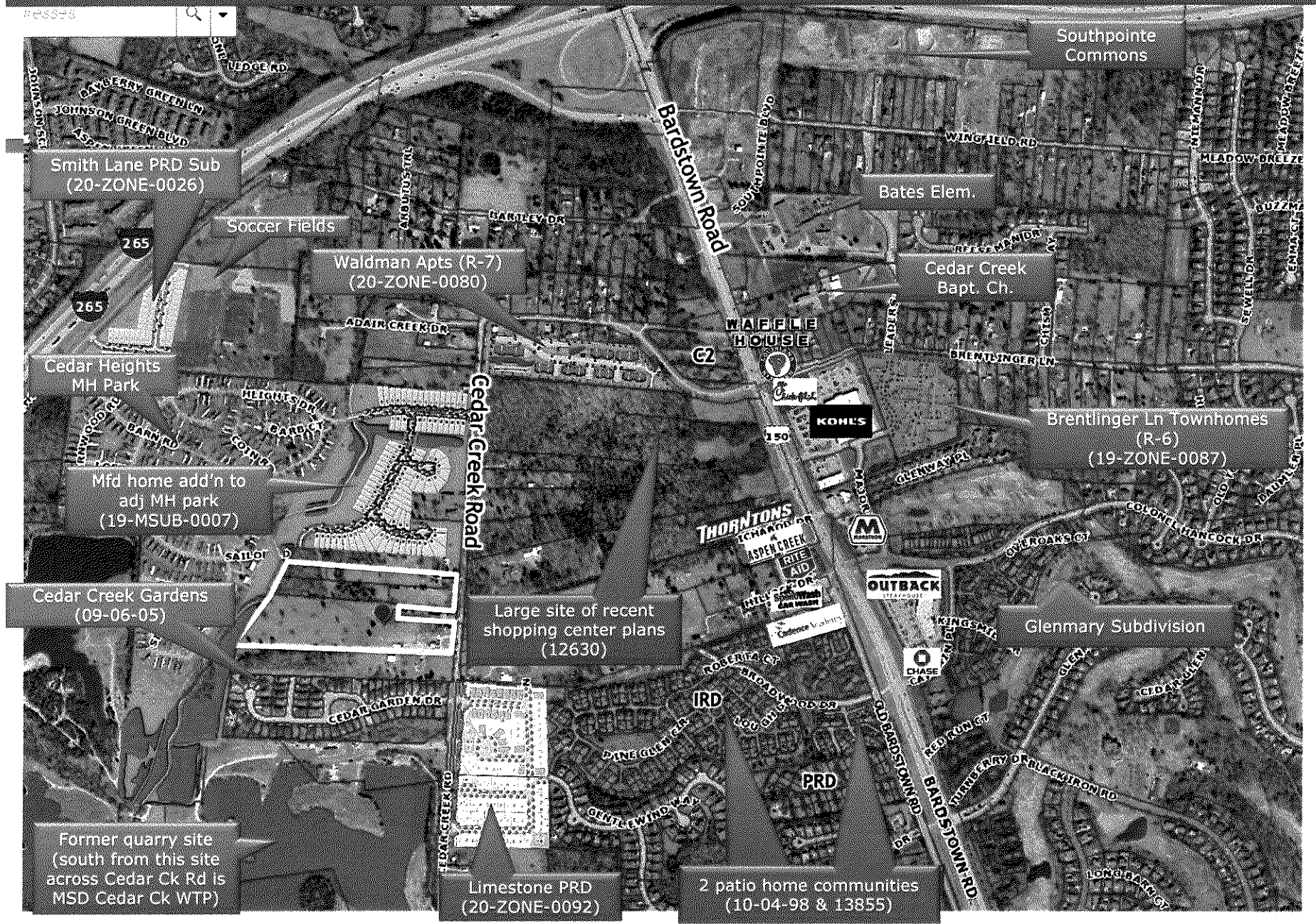
Land Planners, Landscape Architects & Engineers: Land Design & Development, Inc.

Traffic Engineer: Diane B. Zimmerman Traffic Engineering, LLC

LOJIC Zoning Map



Aerial photo of the site & surrounding area



reses

Southpointe Commons

Smith Lane PRD Sub (20-ZONE-0026)

Bates Elem.

Soccer Fields

Waldman Apts (R-7) (20-ZONE-0080)

Cedar Creek Bapt. Ch.

Cedar Heights MH Park

Waffle House

Brentlinger Ln Townhomes (R-6) (19-ZONE-0087)

Mfd home add'n to adj MH park (19-MSUB-0007)

Large site of recent shopping center plans (12630)

Cedar Creek Gardens (09-06-05)

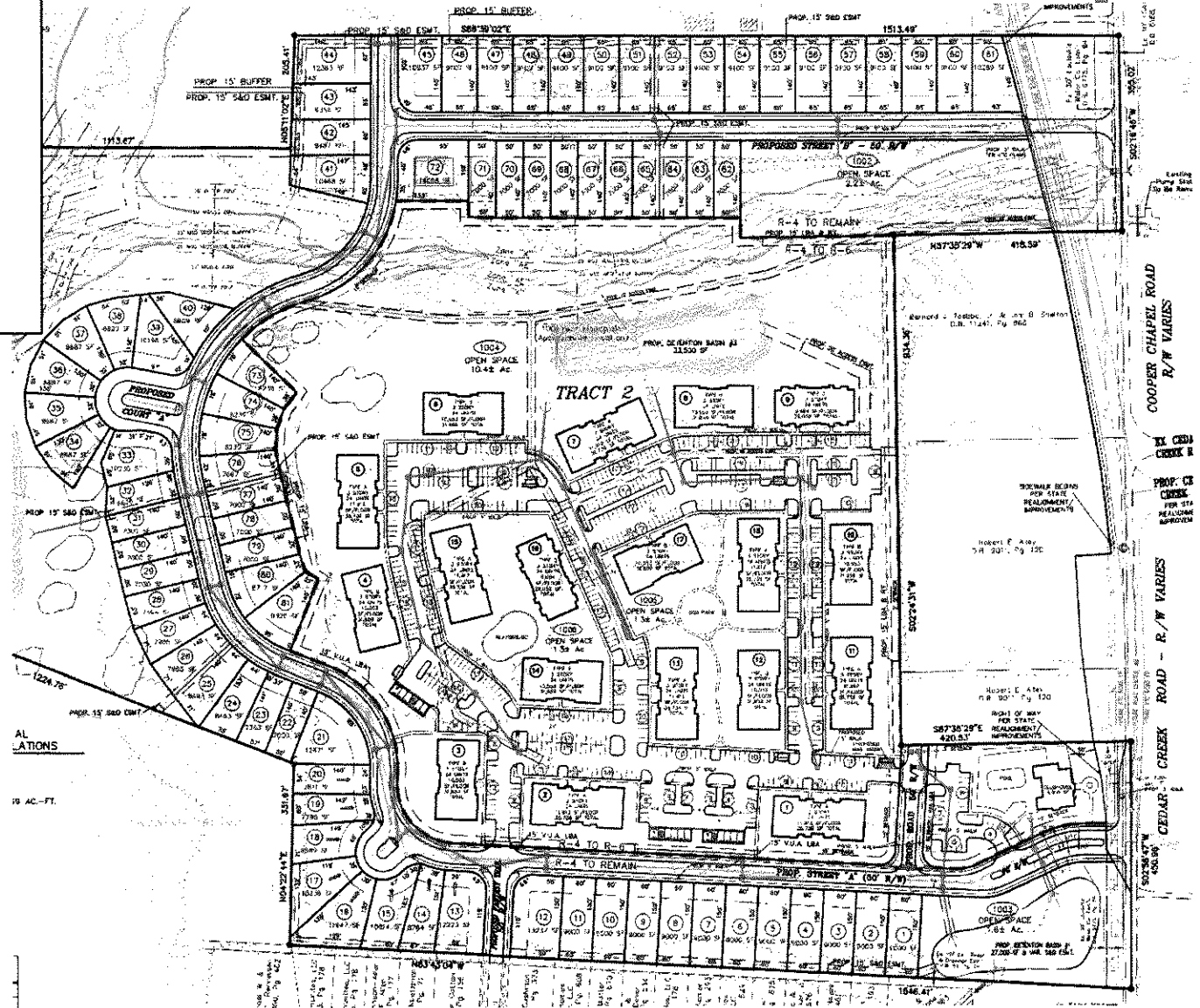
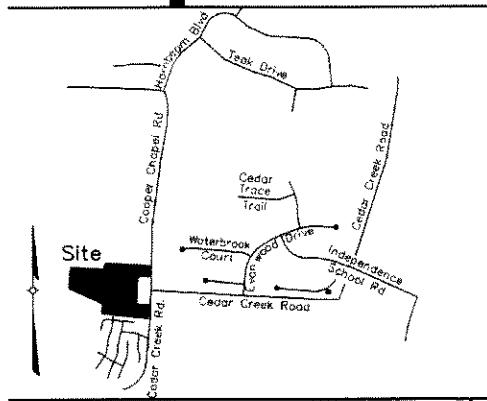
Glenmary Subdivision

Former quarry site (south from this site across Cedar Ck Rd is MSD Cedar Ck WTP)

Limestone PRD (20-ZONE-0092)

2 patio home communities (10-04-98 & 13855)

In addition to what is shown on the previous LOJIC map and aerial photo, this 432 unit (14.78 du/a) apartment rezoning and DDDP at Cedar Creek Road and Cooper Chapel Road was approved on February 18, 2021



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PUBLIC HEARING

CASE NO. 20-ZONE-0057

Request: Change in zoning from R-4 to R-6 with detailed district development plan, major preliminary subdivision (development potential transfer), and height variance

Project Name: 8300 Cooper Chapel Road
Location: 8300 Cooper Chapel Road
Owner: Toebe Bernard Sr. Revocable Trust
Applicant: LDG Development, LLC
Representative: Dinsmore & Shohi LLC
Jurisdiction: Louisville Metro
Council District: 23 – James Peden
Case Manager: Joel P. Dock, AICP, Planner II

NOTE: COMMISSIONERS DANIELS AND PETERSON LEFT

Notice of this public hearing appeared in The Courier Journal, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

04:52:01 Joel Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Cliff Ashburner, Dinsmore and Shohi, 101 South 5th Street, Louisville, Ky. 40202
Diane Zimmerman, 12803 High Meadows Pike, Prospect, Ky. 40059
Kevin Young, Land Design and Development, 503 Washburn Avenue, Louisville, Ky. 40222

Summary of testimony of those in favor:

05:07:32 Cliff Ashburner gave a power point presentation. This is a mixed residential proposal and the plan works for the property to the south, Heritage Creek, as well as creating a development pattern for the property to the north. The proposal provides a variety of housing choices. There are infrastructure issues but there's a plan for dealing with those.

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05:13:03 Diane Zimmerman explained the traffic study. All the intersections evaluated are operating at acceptable levels of service (with A, B and C's). A southbound right turn lane would be required at the southern entrance and the new agreed upon right turn lane at the Beulah Church intersection are the required improvements. Also, Ms. Zimmerman explained the new road alignment.

05:18:31 Kevin Young discussed the intermittent streams and trees being preserved.

Cliff Ashburner said the area is very walkable.

Commissioner Brown asked if right-of-way is being dedicated and sidewalks being provided at the last entrance. Kevin Young said no but they will if necessary. It's open space now but can be added to the plan.

Commissioner Carlson asked if they are going to build the culvert. Mr. Ashburner said yes.

Kevin Young discussed relocating the pump station (Phase 1).

The following spoke in opposition to this request:

Larry Webb, 11400 Courage Court, Louisville, Ky. 40229
John Wilburn, 1114 Reality Trail, Louisville, Ky. 40229

Summary of testimony of those in opposition:

05:27:30 Larry Webb is concerned about the traffic. They want to use Fantasy Trail – it can be closed by the legislative body – neighbors don't want it open. Residents don't want it used as a cut-through.

05:32:11 John Wilburn said the proposal may be affordable housing (accepting vouchers). There's nothing in walking distance. Safety is an issue and the only ones benefitting from this proposal is the developer.

Rebuttal

05:35:21 Cliff Ashburner said some people may not want to live in a house and an apartment will be the best for them. Traffic improvements will be made. Commissioner Carlson asked if there has been any discussions with TARC for coming to the area. Mr.

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Ashburner said he doesn't know. Joel Dock listed the TARC stops in the area. TARC follows demand. Commissioner Brown gave an update on the state plan.

Deliberation

05:46:30 Planning Commission deliberation.

An audio/visual recording of the Planning Commission hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Zoning Change from R-4 to R-6

On a motion by Commissioner Brown, seconded by Commissioner Howard, the following resolution based on the Plan 2040 Staff Analysis and testimony heard today was adopted.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 1: Community Form because, the proposed higher density development is not located along a current transit line. However, the subject property is located between 2 major arterials, Bardstown Road and Preston Highway, which provide for a variety of 1st and 2nd order goods and services, as well as employment opportunities are available. The Commerce Crossing business park I located at the intersection of Cooper Chapel and Preston Highway. Adequate infrastructure will be facilitated by KYTC improvement along the site frontage; all transition between uses will be provided as required by the Land Development Code. The rezoned area is centrally located within the site and encircled by development that is similar to adjacent developed an undeveloped land; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 2: Community Form because, the new development will provide residential uses at dispersed locations throughout Louisville Metro in accordance with the Land Development Code; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 3: Community Form because, the subject property contains steep slopes and waterways that will be left undisturbed or mitigated during construction. Any costs incurred through mitigation of slopes will be the property owners/developer's responsibility. Waterways will be undisturbed except for permitted perpendicular crossings and restoration is required of all stream banks; and

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WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 4: Community Form because, waterways will be preserved as required and incorporated into the design of the development; this site will be subject to the requirements of the Wrecking Ordinance Subsection 150.110 and a potential 30-day hold on the permit. Documentation of the structure may be required prior to wrecking; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 1: Mobility because, the proposed higher density development is not located along a current transit line but is located between 2 major arterials, Bardstown Road and Preston Highway, which provide for a variety of 1st and 2nd order goods and services, as well as employment opportunities are available. The Commerce Crossing business park I located at the intersection of Cooper Chapel and Preston Highway. Demand for transit and an efficient public transportation system is increasing in the general area as Bardstown Road and Preston Highway development with the areas around them; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 2: Mobility because, the subject site is located along a primary collector roadway which serves to move traffic from local areas to major arterials; thus, the higher density proposed is appropriately located and will not create a nuisance of local residential neighborhoods; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 3: Mobility because, the proposed zoning district is not currently connected via transit, but demand is increasing at nearby major corridors as they and the areas that surround them develop. The development site will provision all necessary improvement to facilitate easy access by foot, car, bicycle, or transit. Commerce Crossing business park is located with proximity and a variety of other employers are present along nearby corridors; the project will provide all necessary improvements to ensure the transportation network is sufficient to provide access to and from the site and nearby areas; the project will provide all necessary improvements to ensure the transportation network is sufficient to provide access to and from the site and nearby areas. KYTC improvement along the frontage are being accommodated. Stub roadways will be provided to the north and the south as required by the Land Development Code; access to the site is from a primary collector roadway and no direct access to high speed roadway is provided; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 2: Community Facilities because, the project will be served by existing utilities or capable of being served by public or private utility extensions; an adequate supply of potable water and water for fire-fighting purpose will

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be available. Highview Fire District, station 3 is within proximity to the site; an adequate means of sewage treatment and disposal to protect public health and to protect water quality as MSD preliminary approval has been received and waterways will be protected as required; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 1: Livability because, waterways will be preserved as required and incorporated into the design of the development. Tree canopy will also be provided as required. An area to the rear of the site and adjacent to the golf course will remain in open space and contains a protected waterway; Geotechnical and slope stability reports have been provided and incorporated into the record. All development on-site will follow the procedures and standards as laid out for development of such terrains in these reports to mitigate potential adverse impacts; impacts to the floodplain will be mitigated as required by MSD and waterways will be protected in accordance with applicable ordinances and standards from MSD and the Land Development Code;

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 1: Housing because, the proposed zoning district and the pattern of development proposed encourages a variety of housing types in an area of homogeneously developed single-family residential subdivisions between major activity corridors and with convenient access to public parks and recreational opportunities. Sidewalks are available to easily connect people to McNeely Park; the proposed district promotes environments that support aging in place as the district provides opportunities for individuals in transition or aging from nearby residences to remain in the community and have access to parks and recreation. Nearby corridors provide services and demand for transit is expected to increase with the development of the area; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 2: Housing because, the proposed district increases opportunity for mixed-income and mixed-use development in an area that is primarily developed as single-family residential subdivisions. The development will be well-connected to the adjoining neighborhood to the south as stub roadways will be provided to connect and provide easy access to McNeely Park; The proposed development is not located along a current transit line but is located between 2 major arterials, Bardstown Road and Preston Highway, which provide for a variety of 1st and 2nd order goods and services, as well as employment opportunities. The Commerce Crossing business park is located at the intersection of Cooper Chapel and Preston Highway. Demand for transit and an efficient public transportation system is increasing in the general area as Bardstown Road and Preston Highway development with the areas around them. The site is within proximity to McNeely Park and recreational amenities; and

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WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 3: Housing because, the proposed district breaks up the R-4, single-family residential district that predominates the areas which reduces access to fair and affordable housing. The proposed district though greater density and smaller lot size standards increases opportunity and access to fair and affordable housing in dispersed location throughout Louisville Metro; no displacement will occur as a result of the proposal and the proposal will increase opportunity to provision fair and affordable housing; the proposed district breaks up the homogenous pattern of residential development in the area and increases opportunity to produce fair and affordable housing and the use of innovative methods to provision such housing.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to Metro Council the change in zoning from R-4, Single Family Residential to R-6, Multi-Family Residential on property described in the attached legal description be **APPROVED**.

The vote was as follows:

YES: Commissioners Brown, Howard, Mims and Lewis

NO: Commissioners Carlson and Clare

NOT PRESENT AND NOT VOTING: Commissioners Daniels, Peterson, Seitz and Sistrunk

Variance from Land Development Code (LDC), section 5.3.1.C to increase the maximum height of structures on Tract 2 from 35' to 39'

On a motion by Commissioner Brown, seconded by Commissioner Howard, the following resolution based on the Standard of Review and Staff Analysis and testimony heard today was adopted.

WHEREAS, the requested variance will not adversely affect public health, safety, or welfare as the proposed increased height does not impede the safe movement of vehicles or result in environmental degradation; and

WHEREAS, the requested variance will not alter the essential character of the general vicinity as the difference between 35' and 39' is rather unremarkable; and

WHEREAS, the requested variance will not cause a hazard or nuisance to the public as the requested 4' height increase does not impede the safe movement of vehicles or result in environmental degradation;

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WHEREAS, the requested variance will not allow an unreasonable circumvention of zoning regulations as the increased height allows for increased height within residential units; and

WHEREAS, the requested variance does not arise from special circumstances which do not generally apply to land in the general vicinity or the same zone as a 35' height maximum applies to all R-6 zoning; and

WHEREAS, the Louisville Metro Planning Commission finds, the strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land for the reasons previously stated in these findings; and

WHEREAS, the Louisville Metro Planning Commission further finds the circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the site has not been developed and relief is being sought.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** a Variance from Land Development Code (LDC), section 5.3.1.C to increase the maximum height of structures on Tract 2 from 35' to 39'.

The vote was as follows:

YES: Commissioners Brown, Howard, Mims and Lewis

NO: Commissioners Carlson and Clare

NOT PRESENT AND NOT VOTING: Commissioners Daniels, Peterson, Seitz and Sistrunk

Detailed District Development/Major Preliminary Subdivision Plan (Development Potential Transfer)

On a motion by Commissioner Brown, seconded by Commissioner Howard, the following resolution based on the Standard of Review and Staff Analysis and testimony heard today was adopted.

WHEREAS, the subject property contains steep slopes and waterways that will be left undisturbed or mitigated during construction. Any costs incurred through mitigation of slopes will be the property owners/developer's responsibility. Waterways will be undisturbed except for permitted perpendicular crossings and restoration is required of all stream banks. Tree canopy will also be provided as required. An area to the rear of the site and adjacent to the golf course will remain in open space and contains a

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protected waterway. Geotechnical and slope stability reports have also been provided and incorporated into the record. All development on-site will follow the procedures and standards as laid out for development of such terrains in these reports to mitigate potential adverse impacts; and

WHEREAS, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community will be provided as internal and external sidewalks will be provided. Stub roadways are shown to the north to allow future connection and a stub roadway from the south will be continued into the development; and

WHEREAS, sufficient open space is provided as all recreational open space requirements have been met and waterways are being protected; and

WHEREAS, the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community; and

WHEREAS, the Louisville Metro Planning Commission finds, the proposal is compatible with the scale and site design of the area and future growth by way of general compliance with the Land Development Code with the exception of an unremarkable increase in the maximum height from 35' to 39'; and

WHEREAS, the Louisville Metro Planning Commission further finds the proposed development plan conforms to Plan 2040. While the site is not located along a current transit line, it is located between 2 major arterials, Bardstown Road and Preston Highway, which provide for a variety of 1st and 2nd order goods and services, as well as employment opportunities. The Commerce Crossing business park is located at the intersection of Cooper Chapel and Preston Highway. Demand for transit and an efficient public transportation system is increasing in the general area as Bardstown Road and Preston Highway development with the areas around them. The subject site is located along a primary collector roadway which serves to move traffic from local areas to major arterials; thus, the higher density proposed is appropriately located and will not create a nuisance upon local residential neighborhoods. Further, the proposal increases opportunity and access to fair and affordable housing in dispersed location throughout Louisville Metro. It also provides opportunities for individuals in transition or aging from nearby residences to remain in the community and have access to parks and recreation.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development/Major Preliminary Subdivision Plan (Development

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Potential Transfer), **ON CONDITION** that the development plan is updated to reflect the right-of-way dedication along the open space lot 1003 for a total of 40 feet from the centerline and the sidewalk within that public right-of-way abutting the lot 1003, **SUBJECT** to the following 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. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
 - a. The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter
 - d. The materials and design of proposed structures on Tract 2 shall be substantially the same as depicted in the rendering as presented at the February 18, 2021 Planning Commission meeting. Final renderings must be reviewed and approved by Planning and Design Services staff. A copy of the approved rendering will be available in the case file on record in the offices of the Louisville Metro Planning Commission.
 - e. A major subdivision plat creating the lots and roadways as shown on the approved district development plan shall be recorded.
3. 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.
4. 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.

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5. 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.
6. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
7. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
8. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
9. All street signs shall be installed by the Developer and shall conform with the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
10. Single-family residential development on Tract 1 (development potential transfer) shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
11. Prior to the recording of the record plat for any section or phase of Tract 4 copies of the recorded documents listed below shall be filed with the Planning Commission.
 - a. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.
 - c. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.
12. Building envelopes shown on single-family residential lots shall be substantially similar to those shown on the preliminary plan and must be shown and recorded on the

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record subdivision plat. Limits of disturbance shall also be shown and recorded with the record subdivision plat.

13. The discovery of karst geologic features such as sinkholes, springs, sinkhole collapse features and caves shall be reported to the Planning Director or designee. All work within the area shall discontinue until such time as the applicant's engineer (geotechnical engineer) licensed in the State of Kentucky with experience in the review and analysis of karst geologic features practicing in accordance with KRS 322 has reported to the Planning Director or designee and the Planning Director or designee has approved the continuation of site disturbance and construction.

14. A right turn lane from westbound Cooper Chapel Rd. to northbound Beulah Church shall be constructed prior to the issuance of the first Certificate of Occupancy.

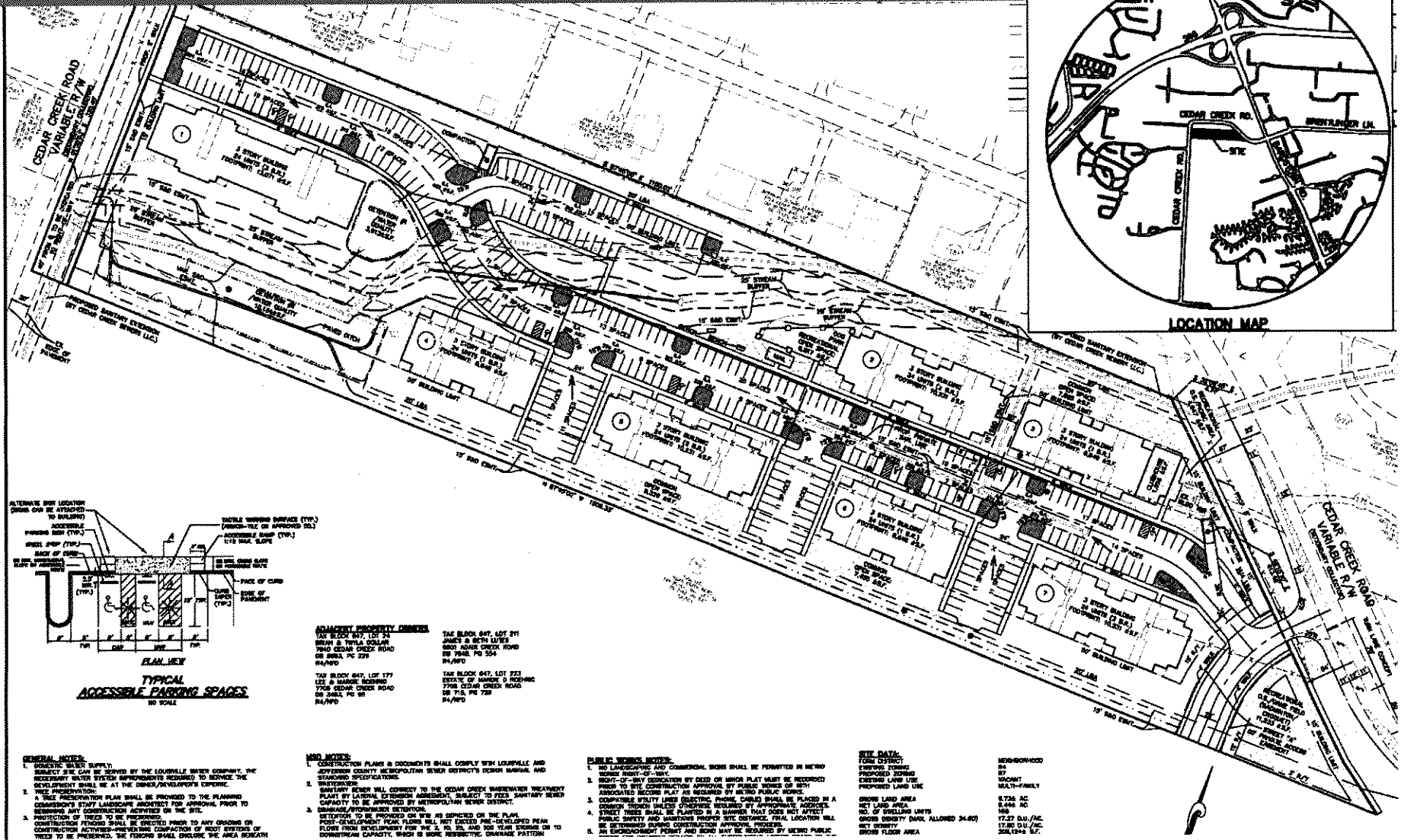
The vote was as follows:

YES: Commissioners Brown, Howard, Mims and Lewis

NO: Commissioners Carlson and Clare

NOT PRESENT AND NOT VOTING: Commissioners Daniels, Peterson, Seitz and Sistrunk

And, as shown on the previous LOJIC map and aerial photo, this 168-unit (17.27 du/a) apt. rezoning also along Cedar Creek Road was approved on January 21, 2021. The rezoning was not for R-6, which allows up to 17.42 du/a, but for R-7 allowing 34.8 du/a.



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PUBLIC HEARING

20-ZONE-0080

Request: Change in Zoning from R-4 to R-7 with Detailed District Development Plan and Binding Elements
Project Name: Cedar Creek Road Apartments
Location: 7703-7705 Cedar Creek Road & Parcels 064702750000 & 064702730000
Owner: Lonnie and Imogene Lawson, Garry and Denise Lawson
Applicant: Highgates Development
Representative: Frost Brown Todd/Mindel Scott & Associates
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel
Case Manager: Dante St. Germain, AICP, Planner II

Notice of this public hearing appeared in The Courier Journal, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

08:01:01 Dante St. Germain provided an overview of the request and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The applicant is requesting a change in zoning from R-4 to R-7 to construct a new 168-unit multi-family residential development. The plan includes a private access easement stub to the south which was added at the request of the Land Development & Transportation Committee.

The following spoke in favor of this request:

Tanner Nichols, 400 West Market Street, Louisville, Ky. 40202
David Mindel, Mindel, Scott and Associates, 5151 Jefferson Boulevard, Louisville, Ky. 40219
Adam Kirk, 137 McClellan Springs Drive, Georgetown, Ky.

Summary of testimony of those in favor:

Tanner Nichols spoke on behalf of the applicant and presented a PowerPoint presentation (see video). Tanner Nichols stated this apartment development provides a

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good transition between the commercial activity along Bardstown Road and other properties on Cedar Creek Road.

Commissioner Mims asked about a traffic study. Tanner Nichols said the study showed a left turn lane was not warranted, but the applicant agreed to include one at the request of LD&T.

Adam Kirk stated there was no change of the level of service at the intersection of Bardstown and Cedar Creek. There was a 2-3 second increase in the overall delay. This development is generating 52 trips during the p.m. peak hour. The impacts are minimal.

Commissioner Mims asked if the proposal is in the area of the Fern Creek Area Study. Ms. St. Germain said the study does cover the proposed site but it's very old (2001). The Southeast Metro Regional Center Planning Study is a more recent study and those recommendations take precedence over the older one. There were no recommendations for this site.

Mr. Reverman asked if the right turn lane (assuming it's constructed) on Bardstown Rd. southbound onto Cedar Creek Rd. was included in the traffic study. Ms. Beth Stuber said that was verified this morning (expanded the scenarios). There was no change in level of service.

Mr. Mims asked if the right turn lane was being required. Ms. Stuber said it's been discussed and the other development on the corner will have more impact. The intersection is failing due to existing traffic.

Deliberation

08:31:30 Planning Commission deliberation.

An audio/visual recording of the Planning Commission hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Zoning Change from R-4 to R-7

On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution based on the Plan 2040 Staff Analysis and testimony heard today was adopted.

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WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 1: Community Form because, the site is located near Bardstown Road, a major transit corridor and activity corridor; the proposal would provide an appropriate transition between the more intensive commercial uses appropriate along the Bardstown Road corridor and the less intensive residential uses farther from the corridor.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 2: Community Form because, the proposal would allow new development providing residential uses.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 3: Community Form because, no wet or highly permeable soils, or severe, steep or unstable slopes are evident on the site.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 4: Community Form because, no distinctive cultural features are evident on the site. The site is lightly wooded and no built features are evident on site.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 1: Mobility because, the site is located near an existing activity corridor along Bardstown Road, and the proposal would permit higher density and intensity uses.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 2: Mobility because, access to the site is via Cedar Creek Road, a secondary collector at this location.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 3: Mobility because, the proposal will allow a mixture of compatible land uses in the neighborhood, and the proposal will improve accessibility by pedestrians and people with disabilities. The site is easily accessible by bicycle, car, and transit. The proposal will permit housing near an existing activity and employment center; Transportation Planning has approved the proposal; no direct residential access to high speed roadways is proposed.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 2: Community Facilities because, the relevant utilities have approved the proposal; Louisville Water Company has approved the proposal; MSD has approved the proposal.

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WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 1: Livability because, required tree canopy will be provided on the site. An intermittent stream on the site will be protected by required buffers; karst features on the site will be protected.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 1: Housing because, the proposal would increase the variety of housing types in the neighborhood and allow for accessory residential structures and apartments; the proposal would support aging in place by increasing the variety of housing near an existing activity corridor and transit corridor at Bardstown Road.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 2: Housing because, the proposal would permit and encourage inter-generational, mixed-income development near an existing activity corridor that is connected to the neighborhood and surrounding area; the proposal would permit housing in proximity to a multi-modal transportation corridor providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. The proposal would permit higher density residential uses, located near a transit corridor and near an activity corridor.

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets Land Use & Development Goal 3: Housing because, the proposal would increase the variety of ownership options and unit costs throughout Louisville Metro; no existing residents are located on the site; the proposal would allow the use of innovative methods of housing.

RESOLVED, that the Louisville Metro Planning Commission does hereby RECOMMEND to Metro Council the change in zoning from R-4, Single Family Residential to R-7, Multi-family Residential on property described in the attached legal description be APPROVED.

The vote was as follows:

YES: Commissioners Carlson, Clare, Mims, Peterson, Sistrunk and Howard
NOT PRESENT AND NOT VOTING: Commissioners Brown, Daniels, Seitz and Lewis

Development Plan and Binding Elements

PLANNING COMMISSION MINUTES

January 21, 2021

PUBLIC HEARING

20-ZONE-0080

On a motion by Commissioner Carlson, seconded by Commissioner Sistrunk, the following resolution based on the Standard of Review and Staff Analysis and testimony heard today was adopted.

WHEREAS, required tree canopy will be provided on the site. An intermittent stream is located on the site; required buffers around the stream are being provided; and

WHEREAS, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan; and

WHEREAS, open space is being provided in compliance with the requirements of the Land Development Code; and

WHEREAS, the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community; and

WHEREAS, the Louisville Metro Planning Commission finds, the overall site design is in compliance with existing and planned future development in the area. The proposal serves as a buffer between existing single-family development and proposed commercial development at the Bardstown Road corridor; and

WHEREAS, the Louisville Metro Planning Commission further finds the development plan conforms to applicable guidelines and policies of the Land Development Code and Plan 2040.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **SUBJECT** to the following 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.

PLANNING COMMISSION MINUTES

January 21, 2021

PUBLIC HEARING

20-ZONE-0080

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. A minor plat or legal instrument shall be recorded consolidating the parcels into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - e. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the January 21, 2021 Planning Commission meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
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,

PLANNING COMMISSION MINUTES
January 21, 2021

PUBLIC HEARING

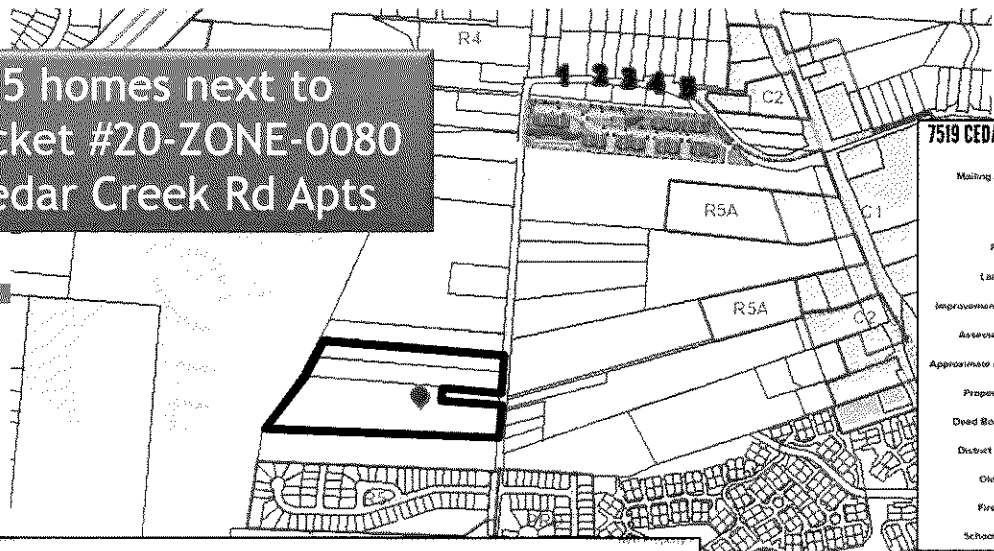
20-ZONE-0080

contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

The vote was as follows:

YES: Commissioners Carlson, Clare, Mims, Peterson, Sistrunk and Howard
NOT PRESENT AND NOT VOTING: Commissioners Brown, Daniels, Seitz and Lewis

5 homes next to
Docket #20-ZONE-0080
Cedar Creek Rd Apts



1

7611 CEDAR CREEK RD

1

Mailing Address: 7611 CEDAR CREEK RD, LOUISVILLE, KY 40291 123R

Owner: WALSHON NAYMEND I & ELIZABETH C

Parcel ID: 064700130000

Land Value: \$43,200

Improvements Value: \$175,910

Assessed Value: \$179,110

Approximate Acreage: 0.48002

Property Class: 510 RES1 FAMILY DWELLING

Deed Book/Page: 5386 0556

District Number: 500015

[View in Maps](#) [Print](#) [View Neighborhood Sales List](#)

7603 CEDAR CREEK RD

2

Mailing Address: 7603 CEDAR CREEK RD, LOUISVILLE, KY 40291 123R

Owner: MEREDITH BRADLEY JOHNSON

Parcel ID: 064700090000

Land Value: \$30,000

Improvements Value: \$95,140

Assessed Value: \$115,140

Approximate Acreage: 0.41015

Property Class: 510 RES1 FAMILY DWELLING

Deed Book/Page: 18855 9

District Number: 500015

[View in Maps](#) [Print](#) [View Neighborhood Sales List](#)

Area Type	Gross Area	Finished Area
Main Unit	840	840
Basement	140	0

7519 CEDAR CREEK RD

3

Mailing Address: 7519 CEDAR CREEK RD, LOUISVILLE, KY 40291 126R

Owner: LEATHERS NORMAN THOMAS

Parcel ID: 064700480000

Land Value: \$30,000

Improvements Value: \$193,000

Assessed Value: \$223,000

Approximate Acreage: 0.6661

Property Class: 510 RES1 FAMILY DWELLING

Deed Book/Page: 11879 777

District Number: 500015

Old District: 21

Fire District: FERN CREEK

School District: Jefferson County

[View in Maps](#) [Print](#) [View Neighborhood Sales List](#)

Area Type	Gross Area	Finished Area
Main Unit	1174	1174
Basement	744	744
Attic	1625	0

7517 CEDAR CREEK RD

4

Mailing Address: 7517 CEDAR CREEK RD, LOUISVILLE, KY 40291 126R

Owner: CAMP ALLISON J

Parcel ID: 064701810000

Land Value: \$30,000

Improvements Value: \$81,280

Assessed Value: \$111,280

Approximate Acreage: 0.3719

Property Class: 510 RES1 FAMILY DWELLING

Deed Book/Page: 10576 0769

District Number: 500015

Old District: 21

Fire District: FERN CREEK

School District: Jefferson County

[View in Maps](#) [Print](#) [View Neighborhood Sales List](#)

Area Type	Gross Area	Finished Area
Main Unit	1054	1054
Basement	768	0
Attic	1625	0

7515 CEDAR CREEK RD

5

Mailing Address: 7515 CEDAR CREEK RD, LOUISVILLE, KY 40222-5243

Owner: MARY DEANNE W A DORF

Parcel ID: 064701770000

Land Value: \$30,000

Improvements Value: \$0

Assessed Value: \$30,000

Approximate Acreage: 0.1253

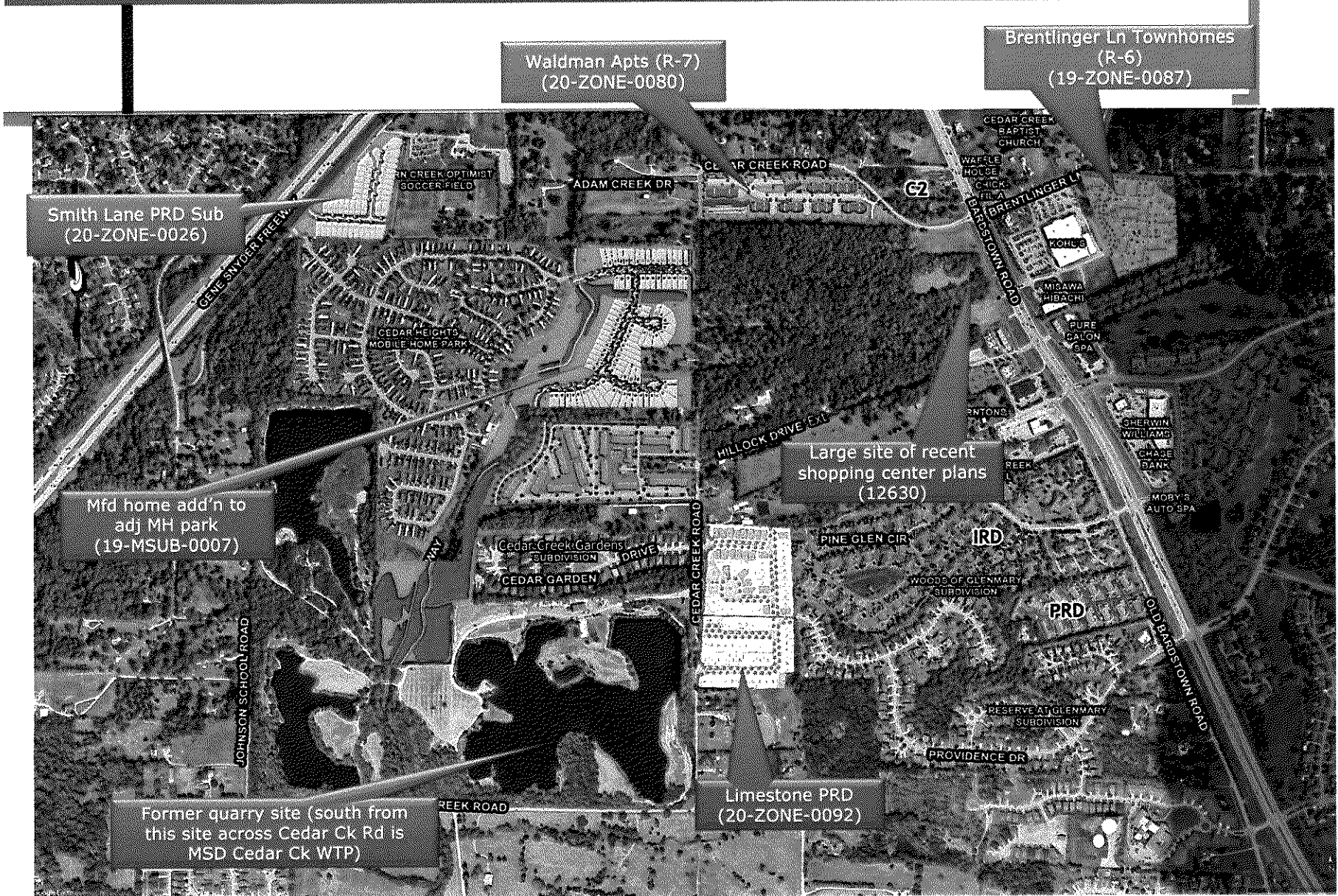
Property Class: 500 RES VACANT LAND

Deed Book/Page: 8581 0264

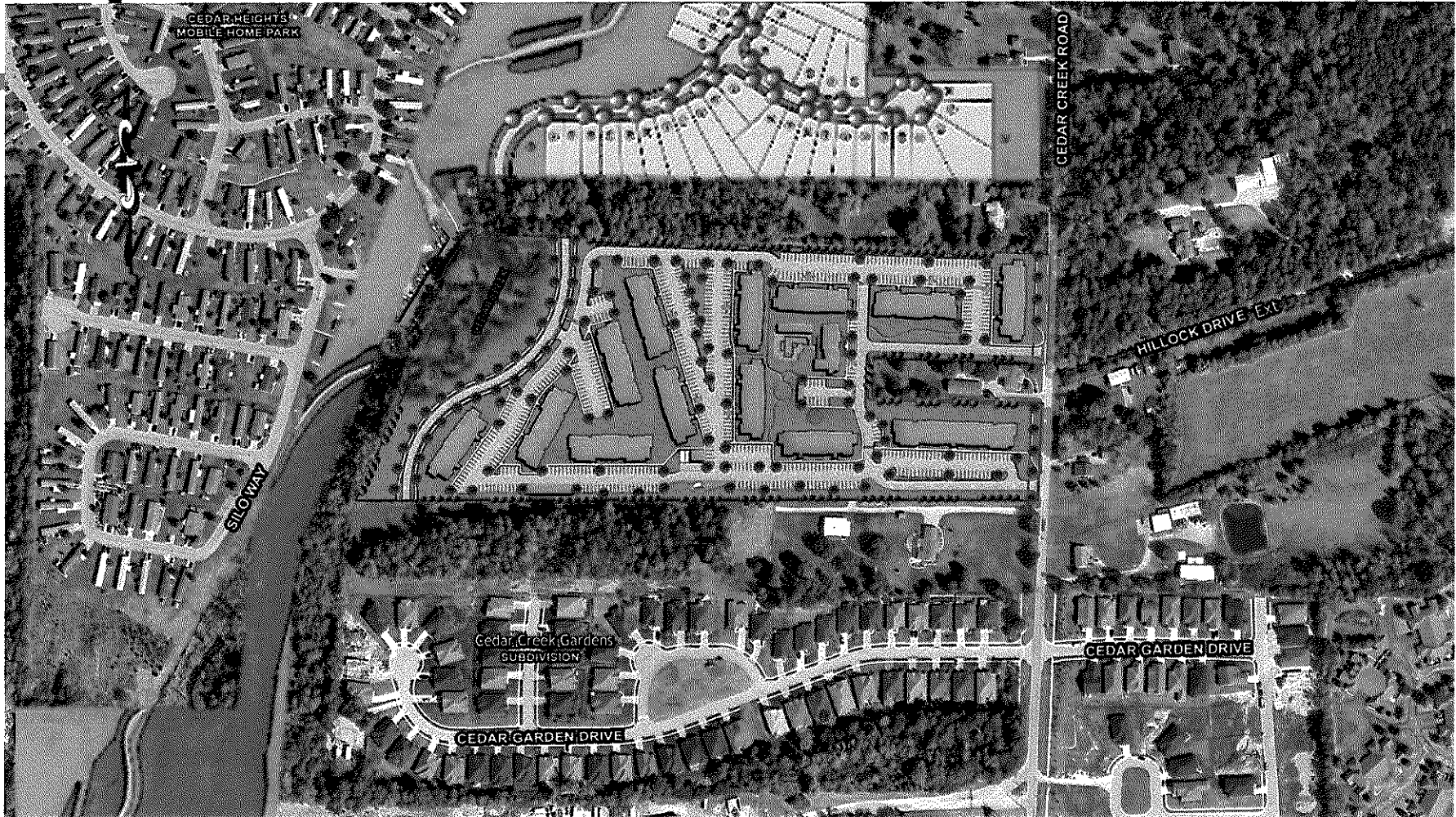
District Number: 400014

MAIN UNIT NOT AVAILABLE FOR THIS PROPERTY

Aerial photo of the site and surrounding area w/ proposed DDDP



Proposed DDDP w/ mobile home park to left (west), mfg home addition to mobile home park at top (north) and R-5 SF subd. at bottom (south).



Proposed future interconnectivity



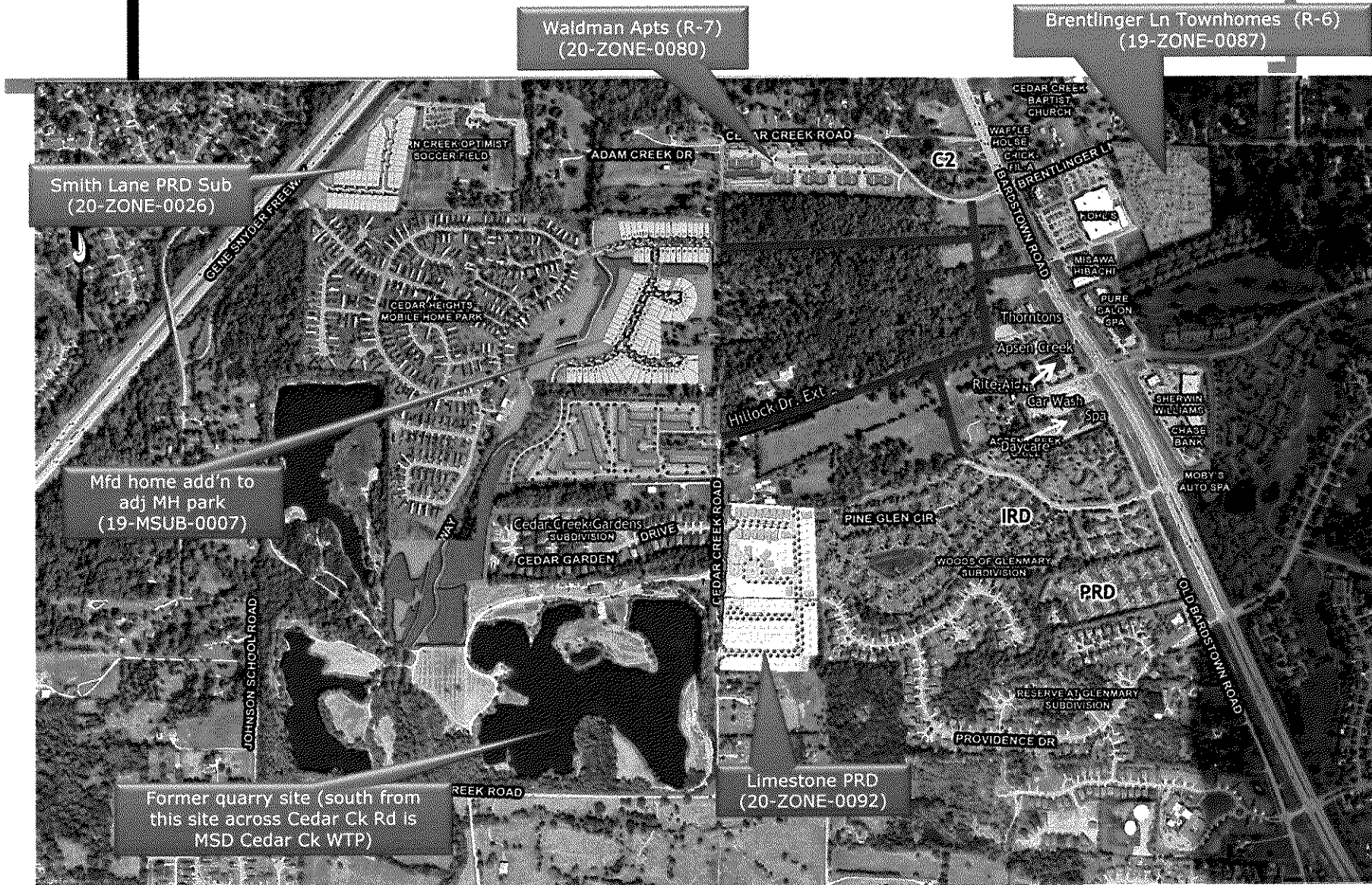
Constraints on connectivity



Outer Streambank Buffer area

Gas Pipe Line

General locations of probable new public roads connecting Bardstown Road activity center to housing developments on Cedar Creek Road



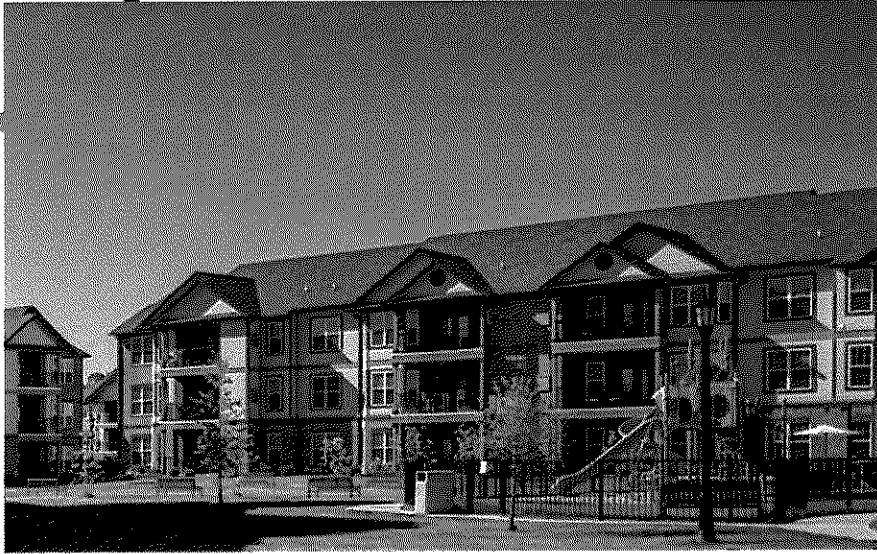
Similar design of three-story buildings at another Hagan Apt Community



Similar design of interiors at another Hagan Apt Community



Similar design of pool and amenities at another Hagan Apt Community



Various Amenities:

- Pool
- Clubhouse
- Exercise facilities
- Pet Spa
- Car Care Facility



Building Elevation



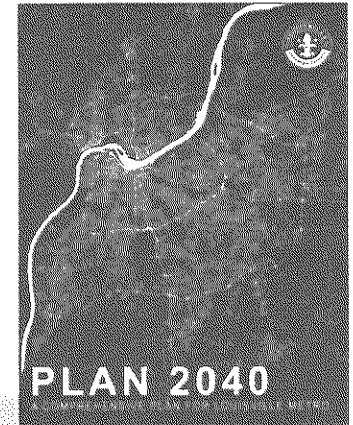
P1 BRICK 1/2" x 4" x 8" x "COMMON"	P2 BRICK 1/2" x 4" x 8" x "COMMON"	P1 WINDOW FRAME, DOOR FRAME, RAILINGS, METAL DETAILS & GUARDRAILS 1 1/2" x 3/4" x 1/2" x 1/2" "COMMON"	P2 SIDING & TRIM 1 1/2" x 6" x 1/2" x 1/2" "COMMON"	P3 SIDING 1 1/2" x 6" x 1/2" x 1/2" "COMMON"	P4 SIDING 1 1/2" x 6" x 1/2" x 1/2" "COMMON"	P5 FASCIAS & SOFFIT 1 1/2" x 6" x 1/2" x 1/2" "COMMON"	R6 VINYL SHAKES 1 1/2" x 6" x 1/2" x 1/2" "COMMON"	W1 WINDOWS 1 1/2" x 6" x 1/2" x 1/2" "COMMON"	R1 COMPOSITION ROOF 1 1/2" x 6" x 1/2" x 1/2" "COMMON"



**2040 COMP PLAN & METRO
GOVT'S RECENT "REMOVING
BARRIERS INITIATIVES" --**

to address housing
demand/supply issue

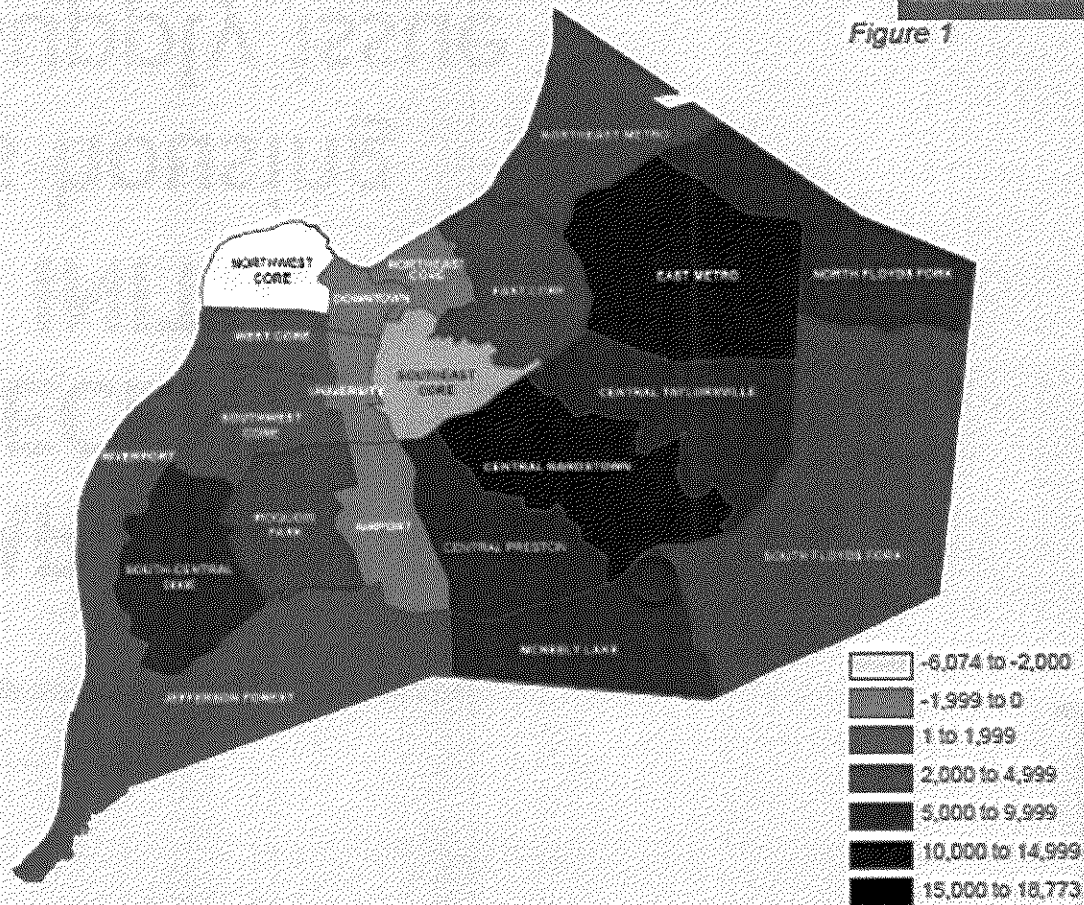
SIGNIFICANT POPULATION GROWTH PREDICTED IN PLAN 2040



Population Change 2010-2040

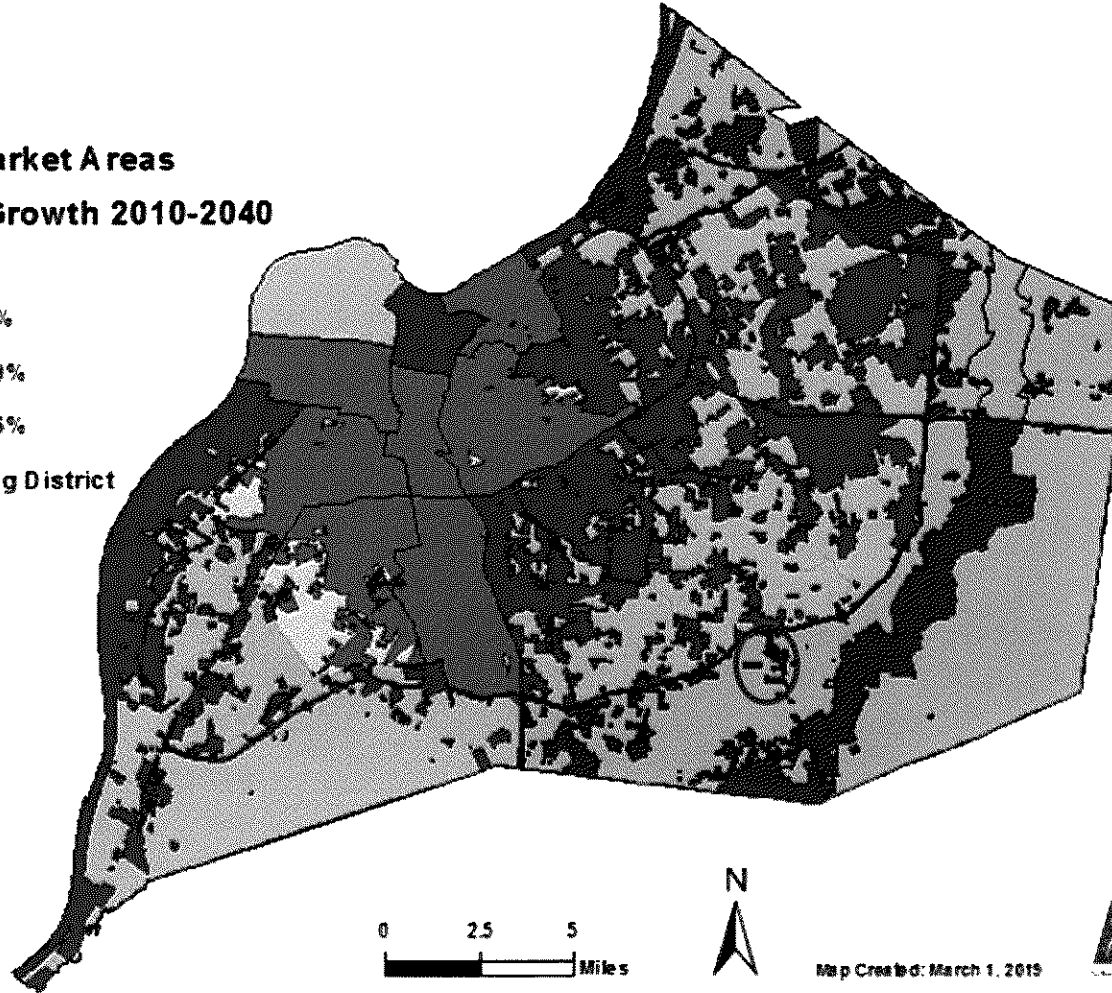
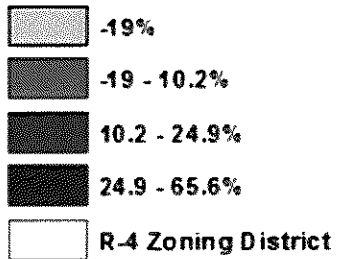
The Population Change Map (Figure 1) shows the total projected in population in specific areas of Jefferson County. For example, Central Bardstown and East Metro are expected to grow by 15,000 and 18,773 people by 2040. Population growth in the study areas located outside of the Watterson Expressway are projected to continue at a faster pace than growth inside. The largest numeric growth is expected to be in areas outside the Watterson Expressway and inside the Gene Snyder Freeway, in East Metro and Central Bardstown. The largest population decline is projected in the Northwest Core.

Population Percent



SIGNIFICANT POPULATION GROWTH

Plan 2040 Market Areas Population Growth 2010-2040



Map Created: March 1, 2019

Advancing Equity

Removing Barriers to Equitable Development
in Louisville Metro



Develop Louisville
April 2019



Figure 2. The map shows the projected population growth of *Plan 2040* relative to the R-4, single-family zoning district. The map also serves as a supplement to Table 2 above.

SIGNIFICANT EMPLOYMENT GROWTH

Advancing Equity

Removing Barriers to Equitable Development
in Louisville Metro



Plan 2040 Market Areas

Employment Growth 2002-2013

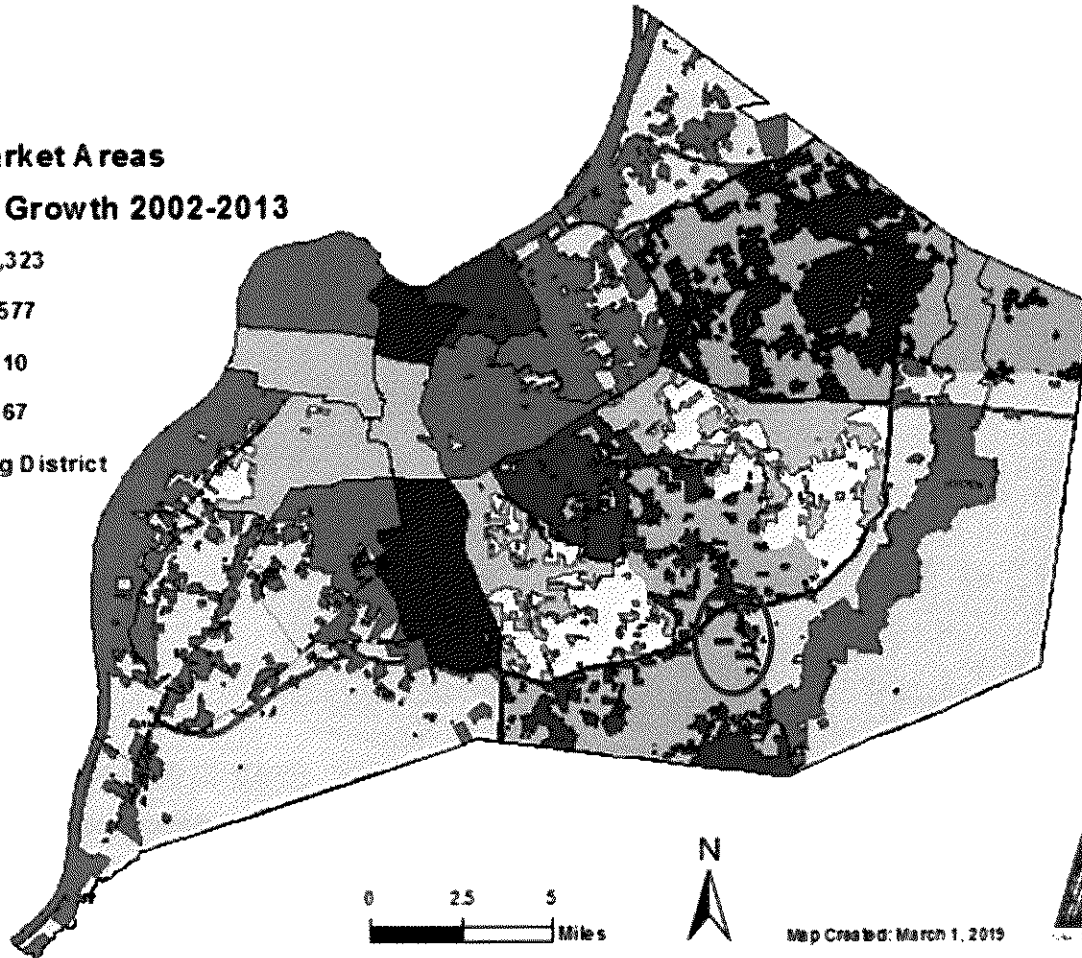
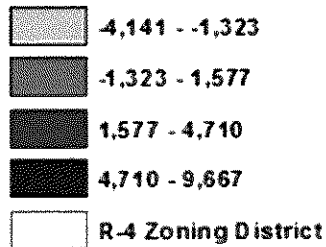


Figure 4. The map shows the employment growth from 2002-2013 relative to the R-4, single-family zoning district. The map also serves as a supplement to Table 2 above.

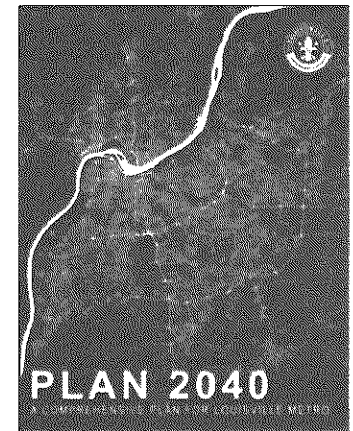
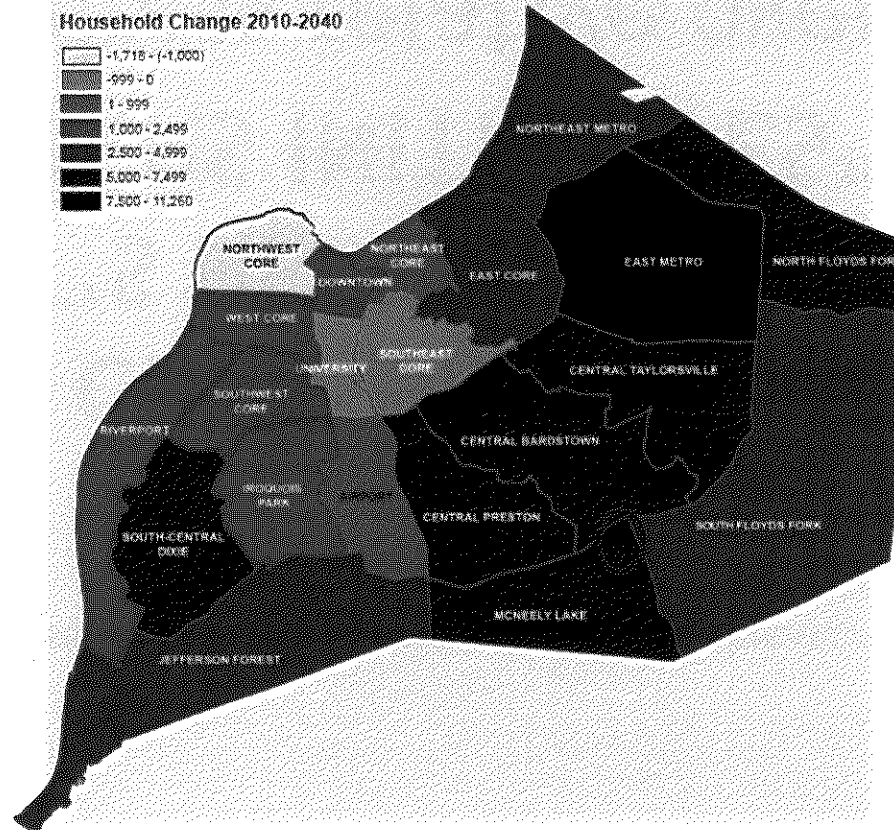
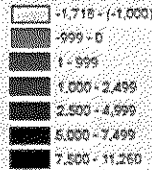
SIGNIFICANT HOUSEHOLD GROWTH

By 2040 the number of households will increase by:

+31%
Louisville MSA

+21%
Jefferson County

Household Change 2010-2040





**2040 COMP PLAN & METRO
GOVT'S RECENT "REMOVING
BARRIERS INITIATIVES" --**

to address relative over-supply
of R-4 "large lot" land and
development



R-4 zoning comprises 53% of the land in Louisville Metro, a potential barrier to middle housing

Summary of Residential Zone Standards

R-5A through R-8A allow multifamily, but these zones apply to **only about 6%** of Jefferson County.


Densities in zones that allow MF are generally too low, except for R-8A which only applies to 0.02% of land.

 Red indicates potential barriers to production of Missing Middle Housing and affordability.

Zone	Use	Max FAR	Max Density	% of County Mapped
R-4	SF	0.5 (1.5 ADI; additional for CS)	4.84 (6.05 MRDI)	53.50
R-5	SF	0.5 (1.5 ADI; additional for CS)	7.26 (9.07 MRDI)	10.51
UN	SF	0.75 (3.0 with PD option)	1 per lot (58.08 with PD option)	0.08
R-5A	MF	.5	12.01	1.32
R-5B	Duplex	.5	2 per lot	0.08
R-6	MF	.75	17.42	3.12
R-7	MF	1	34.8	1.53
R-8A	MF	3	58.08	0.02



**2040 COMP PLAN & METRO
GOVT'S RECENT "REMOVING
BARRIERS INITIATIVES" --
to address dearth of housing
opportunity**



Louisville Housing Needs Assessment says: *“without sufficient variety in housing types, sizes, and price points, it is impossible for each market area to demonstrate the rich social and cultural diversity that exists in Louisville”.*

Solutions and Recommendations:

Increase density, reduce lot size, encourage greater range of housing options

INTRODUCTION

The development plan for an apartment community on Cedar Creek Road in Louisville, KY shows 324 apartment units. Figure 1 displays a map of the site. Access to the community will be from two entrances on the Cedar Creek Road and a proposed access road. The purpose of this study is to examine the traffic impacts of the development upon the adjacent highway system. For this study, the impact area was defined to be the intersections of Bardstown Road with Cedar Creek Road and Southpointe Boulevard, the intersection of Cedar Creek Road at Cedar Garden Drive and the proposed entrances on Cedar Creek Road.

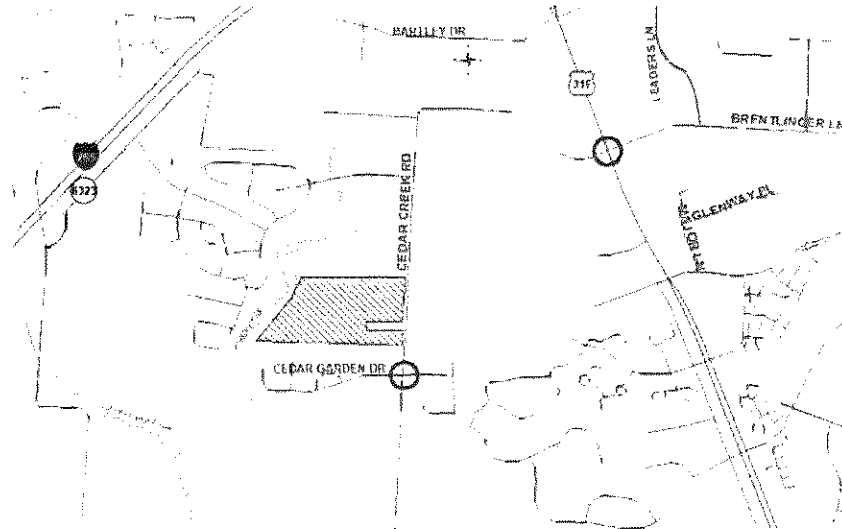


Figure 1. Site Map

EXISTING CONDITIONS

Cedar Creek Road, is a Metro-maintained road with an estimated 2020 ADT of 2,900 vehicles per day between the Bardstown Road and Gentry Lane, as estimated from the Kentucky Transportation 2019 count at station 316. The road has two ten-foot lanes with three-foot shoulders. The speed limit is 35 mph. There are no sidewalks. The intersection with Bardstown Road is controlled with a traffic signal. There is a dedicated left turn lane on each approach at the intersection, and northbound Bardstown Road and westbound Brentlinger Lane have dedicated right turn lanes.

Cedar Creek Road Apartments
Traffic Impact Study

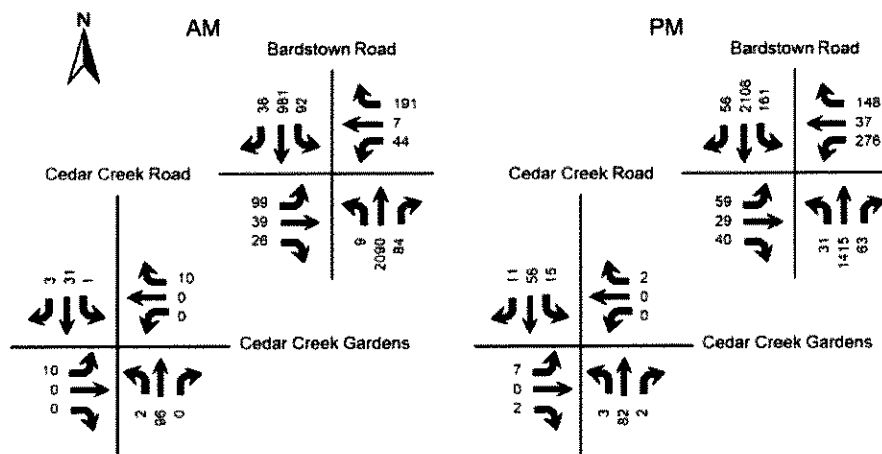


Figure 2. Existing Peak Hour Volumes

FUTURE CONDITIONS

The project completion date is 2023. An annual growth rate of 1.0 percent was applied to all 2020 volumes except Bardstown Road through traffic; 0.5 percent annual growth was used for Bardstown Road through traffic. This is determined by reviewing 2018 and 2015 counts at the intersection of Cedar Creek Road and Bardstown Road. Additionally, trip generation for 60 additional single-family homes in Cedar Creek Gardens, 88 single family homes on Heights Drive, 116 multifamily units on Brentlinger Lane, Southpointe Commons (approved development plan) and Bartley Drive Credit Union were included. Figure 3 displays the 2023 No Build peak hour volumes.

Cedar Creek Road Apartments
Traffic Impact Study

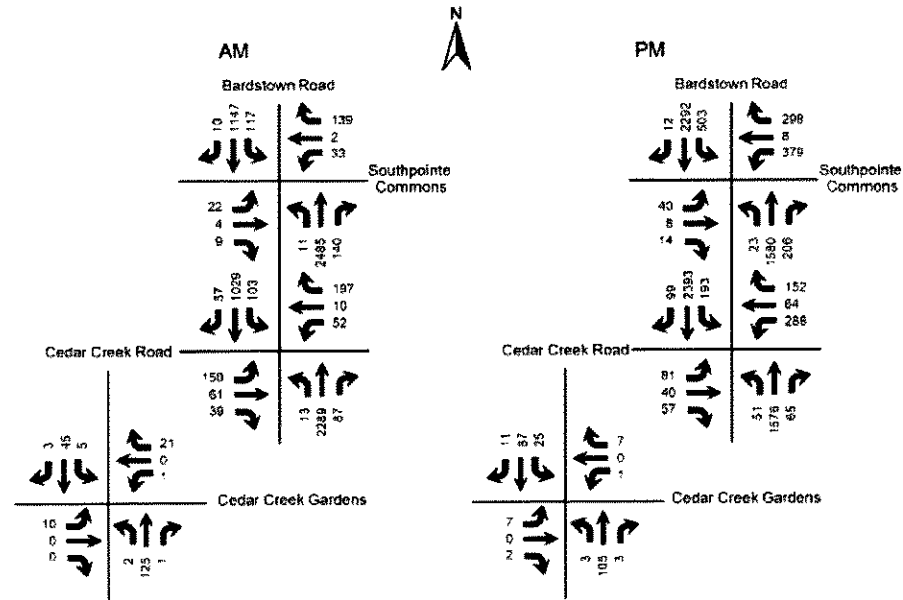


Figure 3. 2023 No Build Peak Hour Volumes

TRIP GENERATION

The Institute of Transportation Engineers Trip Generation Manual, 10th Edition contains trip generation rates for a

Table 1. Peak Hour Trips Generated by Site

Land Use	A.M. Peak Hour			P.M. Peak Hour		
	Trips	In	Out	Trips	In	Out
Multifamily Housing Mid-Rise (324 units)	108	28	80	137	84	53

Cedar Creek Road Apartments
Traffic Impact Study

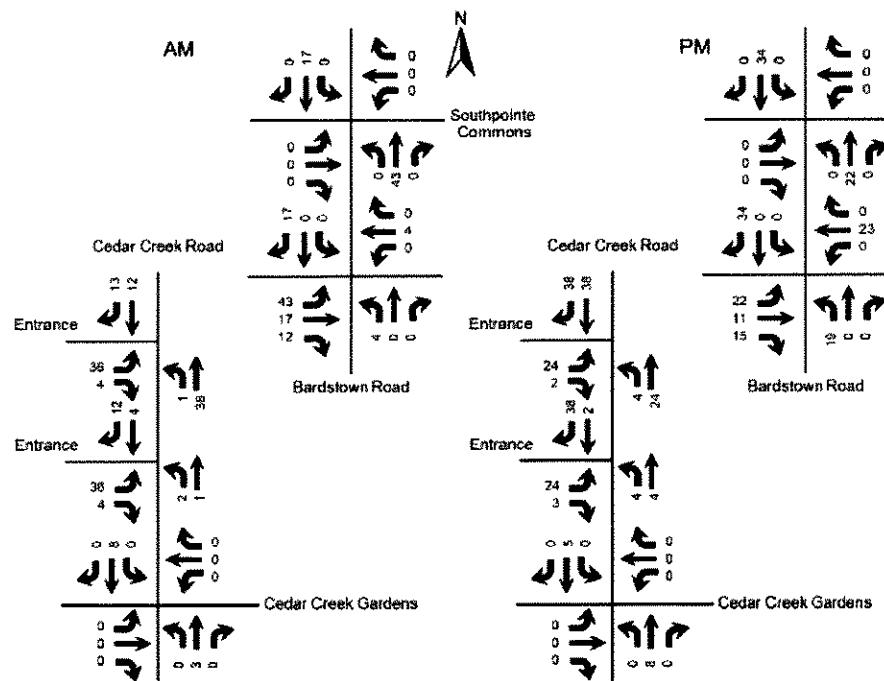


Figure 5. Peak Hour Trips Generated by Site

Cedar Creek Road Apartments
Traffic Impact Study

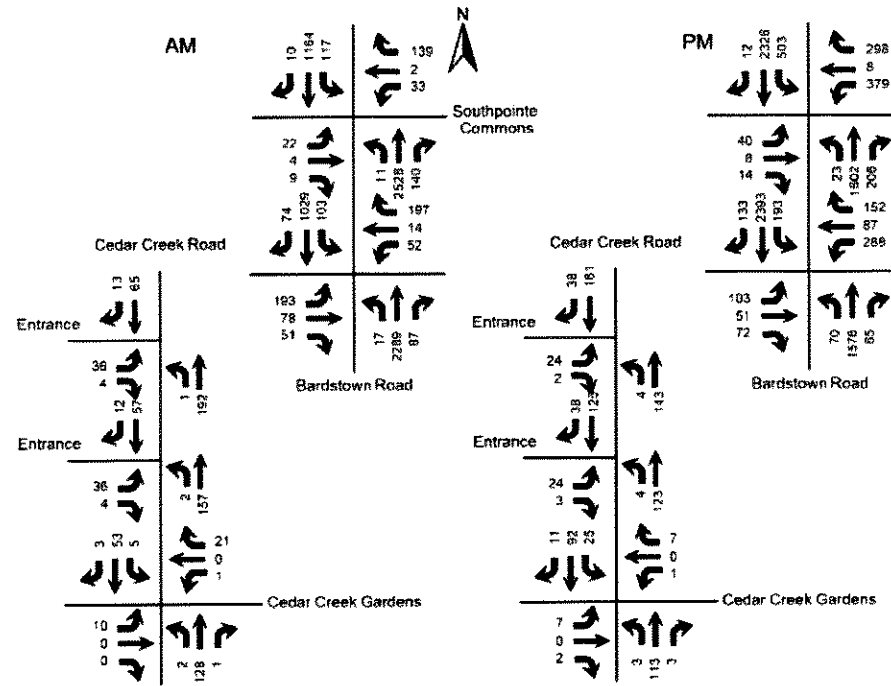


Figure 6. Build Peak Hour Volumes

ANALYSIS

The qualitative measure of operation for a roadway facility or intersection is evaluated by assigning a "Level of Service". Level of Service is a ranking scale from A through F, "A" is the best operating condition and "F" is the worst. Level of Service results depend upon the facility that is analyzed. In this case, the Level of Service is based upon the total delay experienced at an intersection.

To evaluate the impact of the proposed development, the vehicle delays at the intersections were determined using procedures detailed in the Highway Capacity Manual, 6th edition. Future delays and Level of Service were determined for the intersections using the HCS Streets (version 7.9) software. The delays and Level of Service are summarized in **Table 2**. The Build results include an eastbound right turn lane on Cedar Creek Road.

Cedar Creek Road Apartments
Traffic Impact Study

Table 2. Peak Hour Level of Service

Approach	A.M.			P.M.		
	2020 Existing	2023 No Build	2023 Build	2020 Existing	2023 No Build	2023 Build
Cedar Creek Road at Cedar Creek Gardens						
Cedar Creek Gardens Eastbound	A 9.5	B 10.1	B 10.2	A 9.6	B 10.2	B 10.3
Cedar Creek Gardens Westbound	A 8.8	A 9.1	A 9.1	A 8.7	A 9.1	A 9.1
Cedar Creek Road Northbound (left)	A 7.3	A 7.3	A 7.3	A 7.3	A 7.4	A 7.4
Cedar Creek Road Southbound (left)	A 7.4	A 7.5	A 7.5	A 7.4	A 7.5	A 7.5
Cedar Creek Road at South Entrance						
Entrance Eastbound			A 9.8			B 10.3
Cedar Creek Road Northbound (left)			A 7.3			A 7.6
Cedar Creek Road at North Entrance						
Entrance Eastbound			B 10.1			B 10.8
Cedar Creek Road Northbound (left)			A 7.4			A 7.6
Bardstown Road at Cedar Creek Road						
	C 22.7	C 28.3	C 31.3	D 46.8	D 35.9	C 32.9
Cedar Creek Road Eastbound	E 73.6	E 78.9	E 79.8	E 74.2	E 76.9	E 77.8
Brentlinger Lane Westbound	E 79.4	E 79.9	E 73.0	F 115.6	F 142.8	F 106.3
Bardstown Road Northbound	B 19.9	C 26.4	C 30.2	C 24.4	C 26.3	C 27.1
Bardstown Road Southbound	A 8.7	A 9.6	B 10.2	D 46.3	B 17.8	B 17.4
Bardstown Road at Bartley/Southpointe						
		B 19.3	B 17.3		D 39.1	D 42.1
Bartley Drive Eastbound		F 87.9	F 88.0		F 110.4	F 109.2
Southpointe Boulevard Westbound		E 77.5	E 79.7		F 83.7	F 87.6
Bardstown Road Northbound		B 11.9	B 11.5		B 14.7	B 16.3
Bardstown Road Southbound		C 24.9	B 18.7		D 42.2	D 46.2

Key: Level of Service. Delay in seconds per vehicle

Cedar Creek Road Apartments
Traffic Impact Study

The entrance was evaluated for turn lanes using the Kentucky Transportation Cabinet Highway Design Guidance Manual dated September, 2020. Using the volumes in Figure 6, no turn lanes are required at the entrance. See the Appendix for the chart.

CONCLUSIONS

Based upon the volume of traffic generated by the development and the amount of traffic forecasted for the year 2023, there will be a minimal impact to the existing highway network, with the signalized intersections continuing to operate at acceptable levels of service. An eastbound right turn lane on Cedar Creek Road will be constructed.

CONCLUSIONS

Based upon the volume of traffic generated by the development and the amount of traffic forecasted for the year 2023, there will be a minimal impact to the existing highway network, with the signalized intersections continuing to operate at acceptable levels of service. An eastbound right turn lane on Cedar Creek Road will be constructed.

Compliance with Plan 2040

KRS 100.213

Findings necessary for proposed zoning change

- (1)** The zone change is in agreement with the comprehensive plan, or
- (2)** Major changes of an economic, physical, or social nature which were not anticipated in comprehensive plan and which have substantially altered the basic character of such area.

GUIDE RATHER THAN A STRAIT-JACKET

.... "zoning agency is not bound to follow every detail of a land use plan. . . . [The plan] is simply a basic scheme . . . and continually subject to modification. . . . **It serves as a guide rather than a strait-jacket.**"

Ward v. Knippenberg, Ky., 416 S.W.2d 746, 748 (1967)

Complies with the Comprehensive Plan COMMUNITY FORM

- Adds to the mix of housing types
- Compatible with surrounding area given current mix of housing types
- Open natural spaces for aesthetic and recreational enjoyment, maintained in perpetuity
- Appropriate buffering and landscaping
- Sidewalks
- LDC requirements met except for one waiver and one variance
- No nuisance factors (no traffic, odors, lighting, noise)
- Proximate to activity centers, workplaces and schools
- Community facilities, including pool, clubhouse, dog park & playground

Complies with the Comprehensive Plan MOBILITY

- Area roads have adequate carrying capacity
- Road connections and stubs for interconnectivity and proper, efficient flow of traffic
- Located on collector level roadway with access to major arterial, same as the #20-ZONE-0057 and #20-ZONE-0080 cases
- Sidewalks provided and bicycles accommodated
- Internal roads, including required rear connection, satisfy Jefferson County's design and construction standards
- Internal roads dedicated to public use

Complies with the Comprehensive Plan COMMUNITY FACILITIES

- Adequate sewer capacity
- Adequate water capacity
- Adequate electrical capacity
- Road capacity exists
- Fire protection exist

Complies with the Comprehensive Plan ECONOMIC DEVELOPMENT

- Located where significant employment and population growth is expected and already occurring
- Helps provide a strong economic base
- Increases tax base
- Generates jobs and enhances economic activity
- Improvements to local infrastructure

Complies with the Comprehensive Plan LIVABILITY

- Protects natural features and blue-line stream
- Incorporates natural features into design of protected open-space
- Impervious surfaces impact on storm water systems mitigated through Regional Facilities Fees
- Satisfies MSD regulations and requirements
- No nuisances that are out of place with residential living
- Sidewalks and bike racks added
- Air quality impacts minimized because vehicle miles travelled are reduced

Complies with the Comprehensive Plan HOUSING

- Increases multifamily housing supply to better match demand
- Improves mix of housing types, sizes and styles while still being design-compatible
- High quality apartment design with significant amenities
- Multigenerational housing opportunities for singles, families with/without children, and empty-nesters

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) 425-0561 (FAX) • WWW.BARDLAW.NET

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

Applicant: Hagan Properties

Owners: Angela Nichole Stivers; Stacey M. Nunez and Joseph Kevin Wright;

Project Name/Location: Cedar Creek Road apts; 8000 Cedar Creek Road

Proposed Use: Multifamily Residential
Zone change from R-4 to R-6 with variance and

Request: waiver

Engineers, Land Planners, Landscape Architects: Land Design & Development, Inc.

Traffic Engineer: Diane B. Zimmerman Traffic Engineering, LLC

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on April 12, 2021 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

INTRODUCTION

WHEREAS, this multi-family community is proposed by a Louisville company that has specialized in high end apartments and retail development, both building and managing mostly on and around Louisville's Brownsboro Road, Shelbyville Road, Westport Road and Blankenbaker Parkway corridors; Hagan Properties has decided to take what it's successfully built there and offer it to Louisville's mid-county area, notably south Bardstown Road where development activity has exploded since turn on the new century; what's known as the South Fern Creek or Cedar Creek area is one of Louisville's prime growth areas for development of this exact kind because of these principal factors: (a) availability of sanitary sewers which MSD spent major taxpayer money to accommodate environmentally positive growth; (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

This "Application Package" complies with Plan Element 4.1, its 5 Goals and their Objectives plus the following Policies.

As to Goal 1, Policies 2, 2.1, 3.1.3, 4, 5, 6, 7, 9 10, 11, 12, 14, 16, 17, 18, 19, 20 and 23, it complies as follows, in addition to the other ways set forth above and below:

WHEREAS, the site is located in the Neighborhood Form District which encourages low-high density and intensity uses and a range of housing opportunities, notably including multi-family dwellings which can be rental apartments, which this plan proposes; proposed density in this instance is in the high range, both as contemplated by these Policies and because, when a public road was required within this development, density was increased; spread among 14 mostly 3-story apartment buildings, the designs and sizes are also contemplated by these Policies as appropriate for this Form District and neighborhood; and this area of south Louisville has recently experienced other rezonings and development plan approvals for buildings designed and with densities of this kind, same as in the aforementioned areas of the East Louisville; and

WHEREAS, Land Development Code required height restrictions, interior and perimeter landscaping, minimum parking, maximum lighting and signage and most required setbacks will also be met; and

WHEREAS, also, located as this proposed multi-family zoned community is just a short drive west and then south along Cedar Creek Road from Bardstown Road and a sizeable and ever-growing commercial activity center and also a very short distance from Bates Elementary school, travel distances for purposes of shopping and school are reduced, and walking and biking become very real possibilities, especially over time as sidewalk extensions are completed; and this helps contribute to improved air quality; and

WHEREAS, the brick and quality siding components and traditional style and design of these buildings assure compatibility all adjoining residential communities; plus LDC required and some enhanced landscaping, screening and buffering help assure appropriateness for the neighborhood and compatibility with adjoining residential uses; and

WHEREAS, as a consequence of what surrounds this proposal and the fact that this is a proposed rental community, like the north and west adjoining mobile home park and recently approved manufactured home addition to same, impacts such as traffic, odors, lighting, noise and aesthetic factors will not prove to be nuisance factors; after all the larger area was built out not as entirely single family residential; rather it involves the aforementioned mobile home park and manufactured home community next door and also a large regional sewer plant and an industrial quarry site nearby, in addition to a wide range of residentially sized lot and housing types in close proximity to a large and growing retail activity center along a major arterial near an interstate interchange; plus, as a residential community itself, it would not be designed with the kinds of negative impacts that would harm the quiet enjoyment of its own residents; and

As to Goal 2, Policies 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16 and 17, it complies as follows, in addition to the other ways set forth above and below:

WHEREAS, as said, the proposed multi-family community is located in a Neighborhood Form District, near already built shopping and large rental community and in close proximity to Bates elementary school; as such, and with good and improving pedestrian and vehicular access along Cedar Creek Road with street and sidewalk connections to other neighborhoods, the proposed multi-family community is part of a large mixed residential, retail and school activity center that extends from the heart of Fern Creek, south down Bardstown Road to the Fern Creek Fire Station, east for about a mile out Seatonville Road and about the same distance out Cedar Creek Road – the latter two accessing a mix of diverse residential communities offering standard single family, condominium, and apartment style housing; and

WHEREAS, also, as such, 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, shopping and education along Bardstown road that extend all directions from Snyder Freeway; given all that is proximate to and surrounds this particular site and given the particular design of this proposed multi-family community, it nearly appears as though this development within the larger community and proximate to the referenced activity center, was always planned this way; and

As to Goal 3, Policies 1, 2, 3, 6, 9, 10 and 13, it complies as follows, in addition to the other ways set forth above and below:

WHEREAS, the detailed district development plan (DDDP) filed with the rezoning application for this proposed multi-family community includes a large community clubhouse and pool plus other communal open spaces, such as a dog park and playground, for use by residents; and those spaces will be maintained in perpetuity by the owner of the apartment community; and

WHEREAS, as to Goal 4, this is not a historic site with historic buildings; and

WHEREAS, as to Goal 5, this proposed multi-family community is neither large nor public enough to include an element of public art; and

PLAN ELEMENT 4.2: MOBILITY

This Application Package complies with Plan Element 4.2, its 3 Goals and their Objectives plus the following Policies.

As to Goal 1, Policies 1, 2, 3, 4 and 6; Goal 2, Policies 1, 2, 3, 4, 5, 6, 7 and 8; and Goal 3, Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, 18, 19, 20 and 21, it complies as follows, in addition to the other ways set forth above and below:

WHEREAS, this proposed multi-family community — located as it is within an existing and growing mixed use area proximate to a large activity center, with good access from an arterial road (Bardstown Road) and (like two other recently approved apartment communities) directly off a major collector level road (Cedar Creek Road) and thereby well connected as it is proposed to be close to a nearby elementary school, restaurants, retail shopping and other residential

developments and communities — is part and parcel of good pedestrian, bicycle and road networks; locating its development along and with access to and from those networks, Hagan will, at its cost, construct sidewalks and Cedar Creek Road frontage improvements; in doing so, it will prepare construction plans that will assure safe access with good site distances and turning radii; and

WHEREAS, also, 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; these are preliminarily depicted on the DDDP filed with this application; and

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

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

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

WHEREAS, in addition to these pretty standard design elements, Hagan has been required to construct at the rear of its site what will become a public road connection to one recently planned within a recently approved adjoining development; and

PLAN ELEMENT 4.3: COMMUNITY FACILITIES

This Application Package complies with Plan Element 4.3, its 3 Goals and their Objectives plus the following Policies.

As to Goal 2, Policies 1, 2 and 3, it complies as follows, in addition to the other ways set forth above and below:

WHEREAS, Bates Elementary school is located but a short distance away from this site up Bardstown Road; north along Bardstown Road are both Fern Creek serving middle and secondary schools; a fire station is located a short distance away down south along Bardstown Road; and a public library and community center are located in the heart of Fern Creek; and

PLAN ELEMENT 4.4: ECONOMIC DEVELOPMENT

This Application Package complies with Plan Element 4.4, its 2 Goals and their Objectives, plus the following Policies.

As to Goal 2, Policies 1 and 3, it complies as follows, in addition to the other ways set forth above and below:

WHEREAS, as Louisville Metro's population continues to grow, so does demand for housing of all types; this proposed 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; and

PLAN ELEMENT 4.5: LIVEABILITY

This Application Package complies with Plan Element 4.5, its 4 Goals and their Objectives plus the following Policies.

As to Goal 1, Policies 5, 7, 8, 10, 11, 12, 13, 15, 16, 23, 26, 27, 28, 29, 30, 31, 32, 33 and 35; and Goal 4, Policies 1 and 2, it complies as follows, in addition to the other ways set forth above and below:

WHEREAS, the DDDP filed with this application contemplates that storm water will be accommodated by virtue of a new MSD regional basin instead of one on site; sanitary sewer service is available at the nearby Cedar Creek regional wastewater treatment plant; it can be accessed via lateral extension to and from an existing nearby manhole; Cedar Creek will be protected with a 100 foot streambank setback; and

WHEREAS, measures will also be taken to assure that erosion and sediment impacts are fully controlled and/or mitigated; and

WHEREAS, the location of this proposed multi-family community is near a large existing and expanding activity center, air quality impacts will be minimized because vehicle miles travelled are reduced; and

PLAN ELEMENT 4.6: HOUSING

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, 2 and 3; Goal 2, Policies 1, 2 and 3; and Goal 3, Policies 1, 3 and 4, it complies as follows, in addition to the other ways set forth above:

WHEREAS, by bringing new, high-end apartments with significant amenities to the south Bardstown Road area, Hagan is offering the south-end Louisville metro area a different type of rental community than it has heretofore experienced in an area where the main living opportunities are single family houses and patio homes; because of the likely number of bedrooms offered, it's possible that renters, taking advantage of proximity to the nearby Bates Elementary school, will have children; because of recent decades' changes in many lifestyles and living environments, moving ever more people from ownership to rental housing communities, Hagan buildings are likely to be multigenerational and thus, this community can probably expect empty-nesters to be among its principal occupants; and because of all this, Hagan's application

improves the diversity of housing in this area and expands the supply, thereby helping to keep prices from escalating and making quality rental housing more attainable by more people; and

WHEREAS, the Comp Plan does not prohibit the demolition of one or two existing single family houses on large lots, as proposed in this isolated instance; rather the Comp Plan tries to preserve single family communities of houses, so as to protect an affordable housing stock, which is not what is involved in this case; and

* * *

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

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves the DDDP with Binding Elements and recommends to the Louisville Metro Council that it rezone the subject property from R-4 to R-6.

Respectfully submitted by
Bill Bardenwerper and
John Talbott
BARDENWERPER TALBOTT & ROBERTS, PLLC
1000 N. Hurstbourne Parkway
Louisville, KY 40223
502-426-6688

VARIANCE FINDINGS OF FACT

Variance of Section 5.4.2.A.4 to reduce the 3-story setback to 15 ft for a portion of the north property line at building 13.

WHEREAS, the variance will not adversely affect the public health, safety or welfare because this reduced setback for added building height is mostly an aesthetic issue, given that LDC required setbacks are otherwise maintained; and the height of the building this is not a public health, safety or welfare issue but rather is an aesthetic/impact mitigation one that is addressed by overall site and building design; and

WHEREAS, the variance will not alter the essential character of the general vicinity because the allowance of the variance keeps the building façade front-facing towards Cedar Creek Road, with parking oriented away from the street which is better design and more in keeping with the current character of the area; and

WHEREAS, the variance will not cause a hazard or a nuisance to the public because the small setback variance for added height is, as stated, an aesthetic issue, not a public health, safety or welfare matter; granting of the variance will not cause noise, odor, lighting or traffic nuisances but instead will help assure a viable housing community as contemplated by the 2040 Comprehensive Plan and other recent initiatives advanced by PDS and pending before the Planning Commission; and

WHEREAS, the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because what is proposed are attractive and site sensitive buildings, which will complement the character of the area, add residents to the area, support area businesses and also add significant vitality to the area; and

WHEREAS, the variance arises from special circumstances, which do not generally apply to land in the general vicinity because the rear public road connection required by Metro Public Works is adding significant cost to the project that the reduced setback for the added building height will partially help to offset; and

WHEREAS, strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship because the applicant would lose density, making the project impractical and financially infeasible; and

WHEREAS, the circumstances are not the result of actions of the applicant taken subsequent to the adoption of the regulation which relief is sought but rather are a consequence of the added cost of the public road and a design not functionally or practically working for all the reasons set forth hereinabove; and

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves this Variance.

WAIVER JUSTIFICATION

Waiver of Section 10.2.4.B to allow 100% overlap of the proposed LBA and the 15 ft sewer and drainage easement next to building 13 along the north property line.

WHEREAS, the waiver will not adversely affect adjacent property owners because the proposed development should not suffer aesthetically or otherwise, given that desired levels of landscaping can still be accommodated on site and the LBA depth will not be reduced; further, the waiver will not adversely affect adjacent property owners because it is a typical occurrence for sewer and drainage easements to be located along property lines and since the easement is needed to provide a space within it that will help keep any increased runoff from this development from causing a negative impact to the adjacent properties; and

WHEREAS, the waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Goals, Objectives and Policies of the 2040 Comp Plan filed with the original zone change application and since adequate drainage facilities will be provided to serve the development; and this waiver request will not affect any other aspect of this development's compliance with either the Plan 2040 or the requirements of the Land Development Code; and

WHEREAS, the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because much of the easement will remain unaffected by the proposed overlap and because the waiver is the minimum necessary to allow for the best design of the development, with the façade presence facing Cedar Creek Road matching the buildings internal to the site; and it has been generally accepted that drainage easements be located along property lines; and

WHEREAS, strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because the development as proposed cannot be built without the overlap, and reducing the number of units would not address this condition while still preserving preferred design elements; and additionally, reducing the number of units would make the development cost-prohibitive or require a reduction in the amenities provided in the development; and

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves this Waiver.



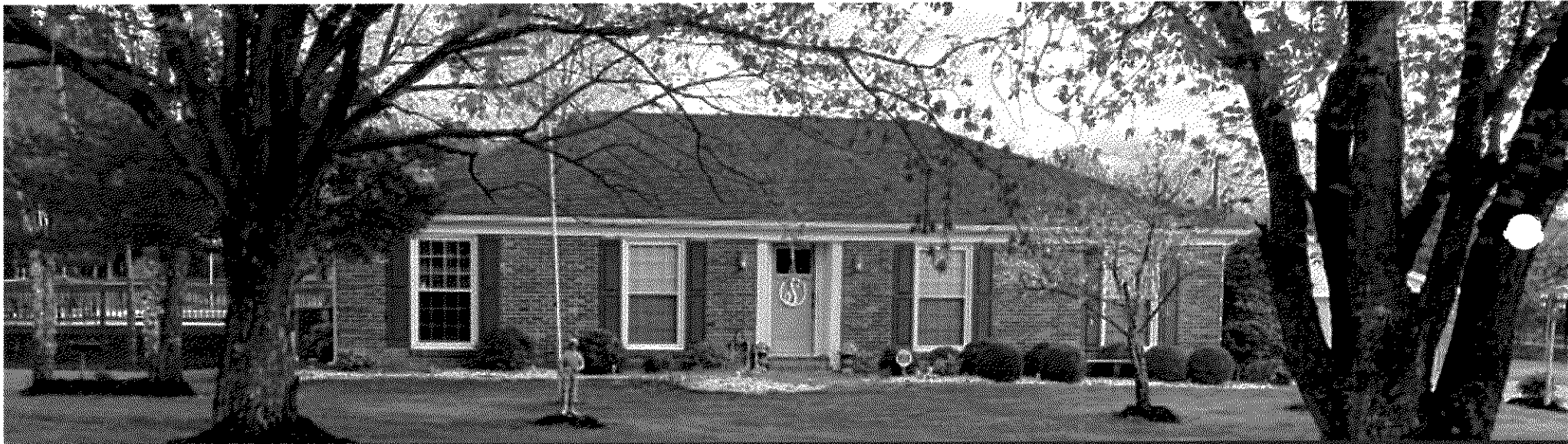
CEDAR CREEK ROAD DEVELOPMENT

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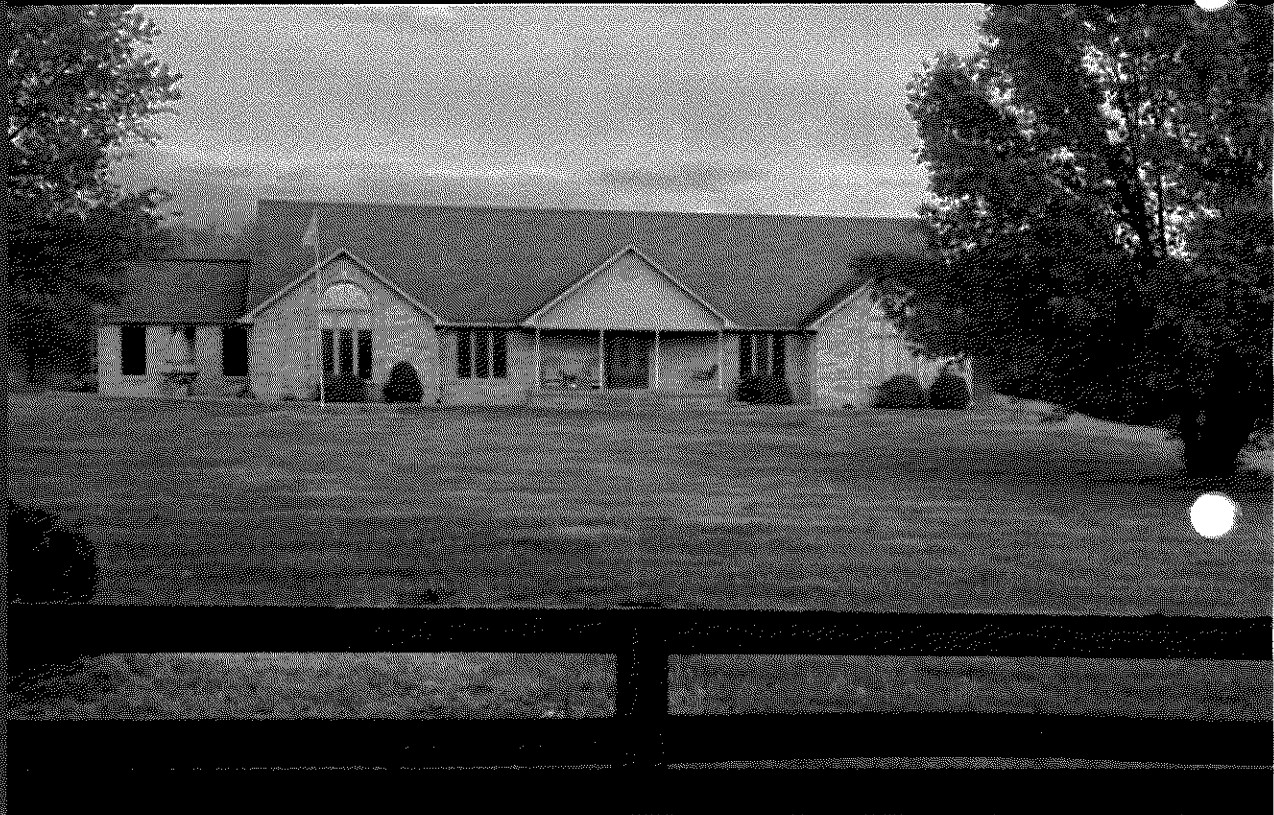
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Neighborhood Meeting – July 1, 2020

DOCKET NO. 20-ZONEPA-0036

(DANTE ST. GERMAIN, DPDS CASE MANAGER)

ZONE CHANGE FROM R-4 TO R-6 TO ALLOW A 336-UNIT
APARTMENT COMMUNITY ON PROPERTY LOCATED AT
8000 CEDAR CREEK ROAD

HAGAN
PROPERTIES

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JUL 08 2020

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Attorneys: Bardenwerper Talbott & Roberts, PLLC

Land Planners, Landscape Architects & Engineers: Land Design & Development, Inc.

20-ZONE-0036

NEIGHBORHOOD MEETING LETTER

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • 1000 N. HIGHTSHORNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDENWERPER.COM

William B. Bardenwerper
Email: WBARDEN@BARDENWERPER.COM
Mobile: (502) 415-2333

John C. Talbott
Email: JTALBOT@BARDENWERPER.COM
Mobile: (502) 741-4763

June 16, 2020

RE: Neighborhood meeting for proposed change in zoning from R-4 to R-7 to allow a 336-unit apartment community on 19.7 acres of property located on 3 parcels bearing addresses of 8000 and 8006 Cedar Creek Road

Dear Neighbor:

We are writing to notify you about an upcoming "neighborhood meeting" regarding the above referenced project. Because of the COVID-19 emergency orders requiring and/or recommending social distancing, the neighborhood meeting will be held virtually. The details are set forth in this letter and the supporting attachments. If you cannot obtain access to the virtual meeting, we may be able to assist you in that regard or otherwise assure a telephone or in-person conversation.

Our client Layson Hagan with Hagan Properties is seeking to rezone the property referenced above from R-4 to R-7. The project is proposed to consist of a 336-unit multi-family community in 14 three-story apartment buildings with a clubhouse. The overall project is located on approximately 19.7 acres, with 3 +/- acres of open space. We have filed a plan for pre-application review with Planning and Design Services (PDS) that has been assigned case number 20-ZONEPA-0036, and the assigned case manager is Dante St. Germain.

The virtual meeting will be held on Wednesday, July 1st beginning at 6:30 p.m.

Enclosed for your review are the following:

1. The development plan and aerial photograph sheet
2. LOJIC site location zoning map sheet showing the location of the site
3. Detailed summary sheet of the project
4. Contact information sheet
5. Instruction sheet on how to join the virtual meeting.
6. Information sheet on how to obtain case information online from PDS's online customer service portal.
7. PDS's "After the Neighborhood Meeting" sheet

If you are unable to attend the virtual meeting, or have any questions or comments, please feel free to email or call either one of us, or contact the PDS case manager listed on the attached contact information sheet.

We look forward to our opportunity to visit virtually or by phone.

Sincerely,


Bill Bardenwerper & John Talbott

cc: Hon. Robin Engel, Councilman, District 22
Dante St. Germain, Case Manager with Planning & Design Services
Kevin Young & Derek Triplett, land planners with Land Design & Development, Inc.
Diane B. Zimmerman, P.E., Traffic Engineering, LLC
Layson Hagan, applicant with Hagan Properties

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20-ZONE-00100

PROCESS

- Pre-App Filing
- Neighborhood Meeting
- Formal Filing
- Land Development & Transportation Committee (LD&T)
- Planning Commission (PC)
- Metro Council

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DPDS CASE MANAGER CONTACT INFORMATION

Dante St. Germain, AICP

Planning & Design Services

444 South Fifth Street, Suite 300

Louisville, KY 40202

(502) 574-4388

Dante.St.Germain@louisvilleky.gov

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20 - ZONE - 0060

NOTICE OF POTENTIAL CHANGES

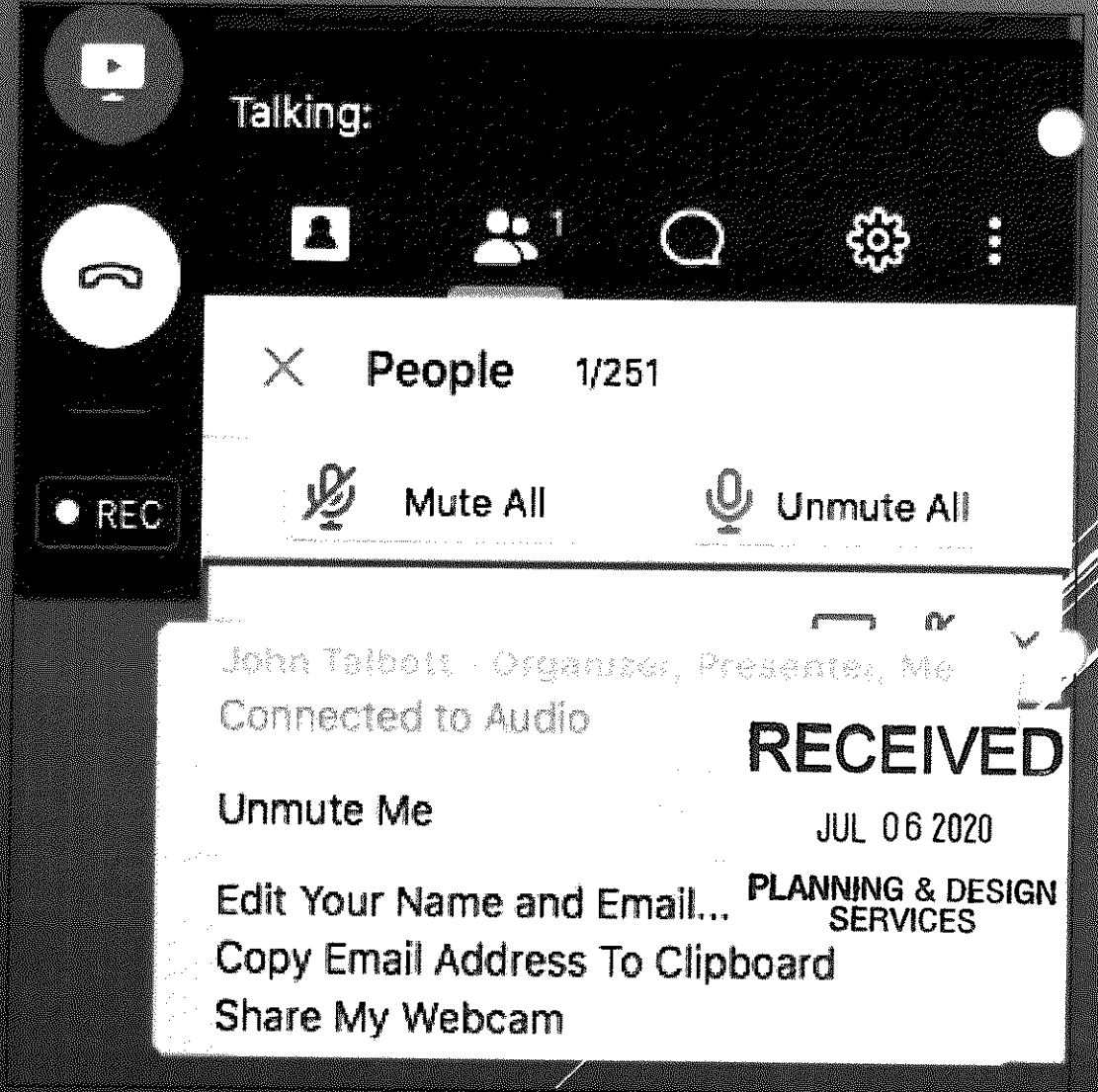
- Please be advised that every effort is made to make the information today accurate, but it is subject to change and correction.
- Changes will likely be made to the development plan and use after various agencies and DPDS staff review the plan.
- Plan changes will be available for review with Louisville Metro Planning & Design's Online Customer Service Portal and at the time of the public hearing.
- You may also contact the DPDS case manager if you have any questions, or contact any others listed on the Contact Information Page where contact information is provided.

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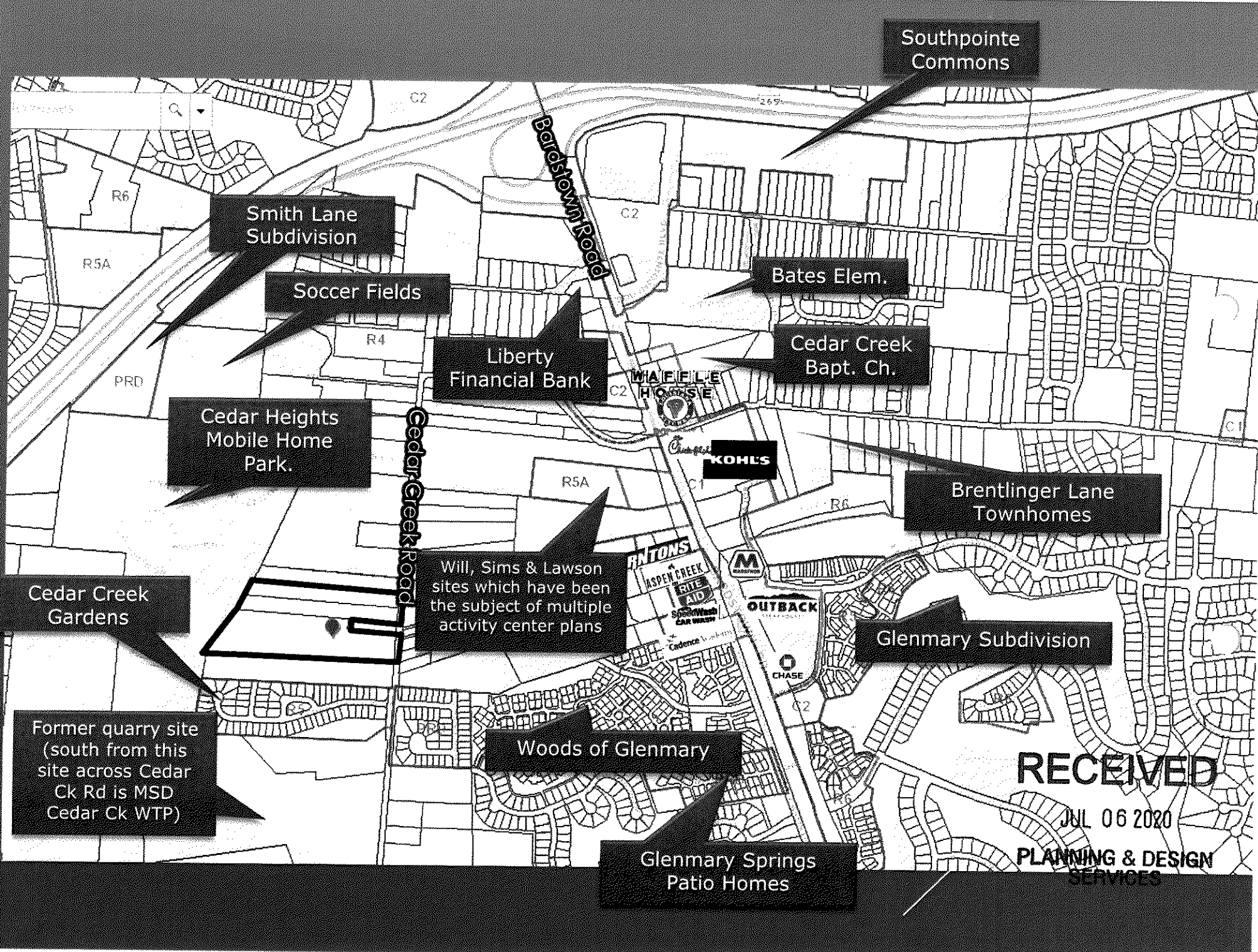
How to edit name



Send Name in Chat for
identification and
questions



20-ZONE-0060



Southpointe Commons

Smith Lane Subdivision

Soccer Fields

Liberty Financial Bank

Bates Elem.

Cedar Creek Bapt. Ch.

Cedar Heights Mobile Home Park.

KOHL'S

Brentlinger Lane Townhomes

Cedar Creek Gardens

Will, Sims & Lawson sites which have been the subject of multiple activity center plans

ANTONS ASPEN CREEK RITE AID

OUTBACK

Glenmary Subdivision

Former quarry site (south from this site across Cedar Ck Rd is MSD Cedar Ck WTP)

Woods of Glenmary

CHASE

Glenmary Springs Patio Homes

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Search

Southpointe Commons

Smith Lane Subdivision

Bates Elem.

Soccer Fields

Liberty Financial Bank

Cedar Creek Bapt. Ch.

Cedar Heights Mobile Home Park.

Waffle House

KOHL'S

Brentlinger Lane Townhomes

Will, Sims & Lawson sites which have been the subject of multiple activity center plans

THORNTONS

ASPEN CREEK RITE AID

OUTBACK

Cedar Creek Gardens

Glenmary Subdivision

Woods of Glenmary

Former quarry site (south from this site across Cedar Ck Rd is MSD Cedar Ck WTP)

Glenmary Springs Patio Homes

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JUL 08 2024
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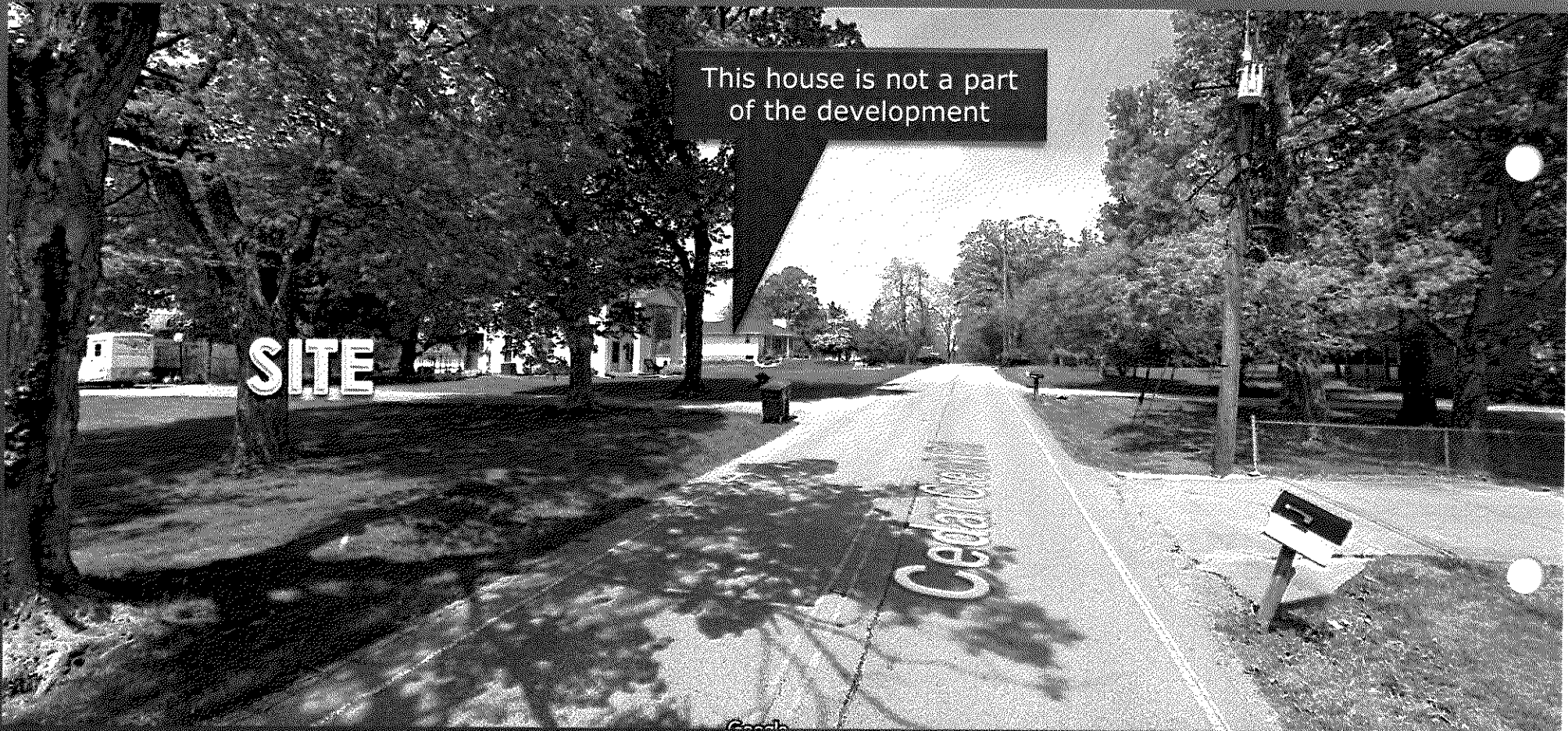


View of Cedar Creek Road looking south. Site is to the right.

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View of Cedar Creek Road looking north. Site is to the left.

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BARTLEY DRIVE

CEDAR CREEK BAPTIST CHURCH

FERN CREEK OPTIMIST SOCCER FIELD

CEDAR CREEK ROAD

ADAM CREEK DR

WAFFLE HOUSE CHICK-FIL-A

GENE SNYDER FREEWAY

BARDSTOWN ROAD

KOHL'S

HEIGHTS DRIVE

CEDAR HEIGHTS MOBILE HOME PARK

CEDAR CREEK ROAD

Will, Sims & Lawson sites which have been the subject of multiple activity center plans

MISAWA HIBACHI

THORNTONS

PURE SALON SPA

ASPEN CREEK GRILL

SHERWIN WILLIAMS

CHASE BANK

MOBY'S AUTO SERVICE

JOHNSON SCHOOL ROAD

HILLOCK DRIVE

CEDAR RIDGE SUBDIVISION

PINE GLEN CIR

WOODS OF GLENMARY SUBDIVISION

Former quarry site (south from this site across Cedar Ck Rd is MSD Cedar Ck WTP)

CEDAR GARDEN DRIVE

OLD BARDSTOWN ROAD

RESERVE AT GLENMARY SUBDIVISION

PROVIDENCE DR

CEDAR CREEK ROAD

CEDAR HEIGHTS
MOBILE HOME PARK

HEIGHTS DRIVE

CEDAR CREEK ROAD

HILLOCK DRIVE

SILO WAY

CEDAR CREEK

CEDAR RIDGE
SUBDIVISION

CEDAR GARDEN DRIVE

CEDAR GARDEN DRIVE

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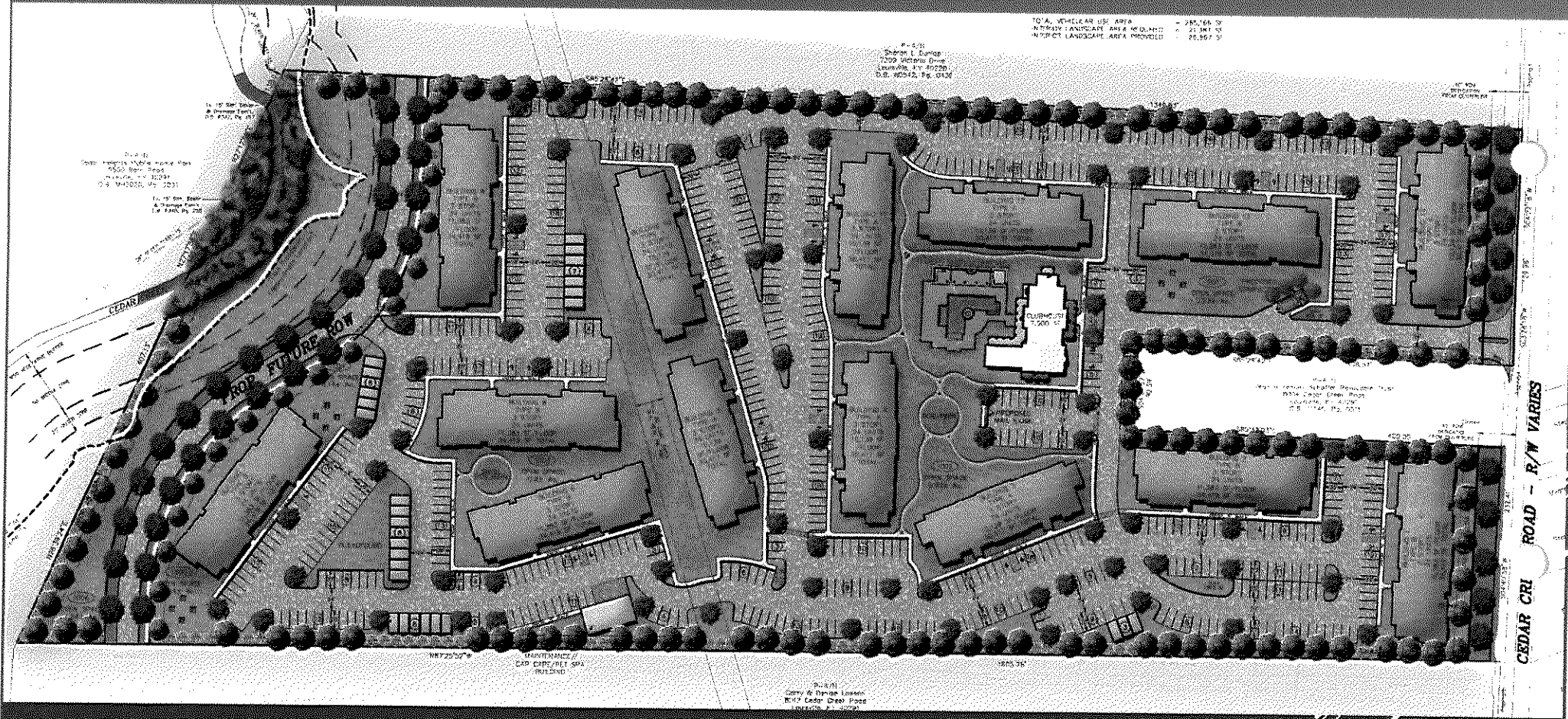
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GREENSCAPES

GRAPHIC SCALE

20 - ZONE - 00100



TOTAL VEHICLE AND BUS AREA = 285,166 SF
 APPROX. LANDSCAPE AREA REQUIRED = 21,941 SF
 NET NET LANDSCAPE AREA PROVIDED = 25,967 SF

#1-420
 Sharon L. Dumas
 1209 Sycamore Drive
 Leesville, SC 29556
 D.B. 80042, Pg. 0436

#1-421
 4500 Bell Road
 Columbia, SC 29224
 D.B. 80000, Pg. 0031

#1-422
 4500 Bell Road
 Columbia, SC 29224
 D.B. 80000, Pg. 0031

#1-423
 4500 Bell Road
 Columbia, SC 29224
 D.B. 80000, Pg. 0031

#1-424
 4500 Bell Road
 Columbia, SC 29224
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#1-425
 4500 Bell Road
 Columbia, SC 29224
 D.B. 80000, Pg. 0031

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20 - ZONE - 0060

Similar design of three-story buildings at another Hagan Apt Community



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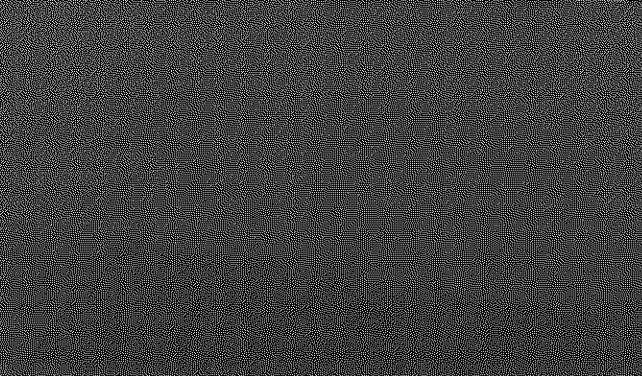
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20-ZONE-0060

Similar design of interiors at another Hagan Apt Community



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20-ZONE-00100

Similar design of pool and amenities at another Hagan Apt Community



Various Amenities

- Pool
- Clubhouse
- Exercise facilities
- Pet Spa
- Car Care Facility



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TRAFFIC STUDY

- Being finalized by Diane Zimmerman, PE, traffic engineer
- Will be submitted to Metro Public Works and Transportation Planning for review and determination as to what, if any, road infrastructure requires improvement (based on US S Ct "essential nexus" and "rough proportionality" tests)
- Traffic counts taken while schools were in session
- Preliminary conclusion is that newly generated traffic added to moderate existing traffic will not require turn lanes on Cedar Creek Road or improvements at Bardstown Road

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SUMMARY

- Infill development site because of mobile home park to west, residential subdivisions to the south and growing retail activity center at Cedar Creek Road and Bardstown Road
- Cedar Creek Road has traffic-carrying capacity
- This area has sanitary sewer capacity for growth
- High quality Louisville apartment developer
- High quality design and construction
- Significant amenity package (pool, clubhouse, and outdoor green space)

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20-ZONE-0060

Questions?

Please use the chat box feature and you will be called on one at a time.

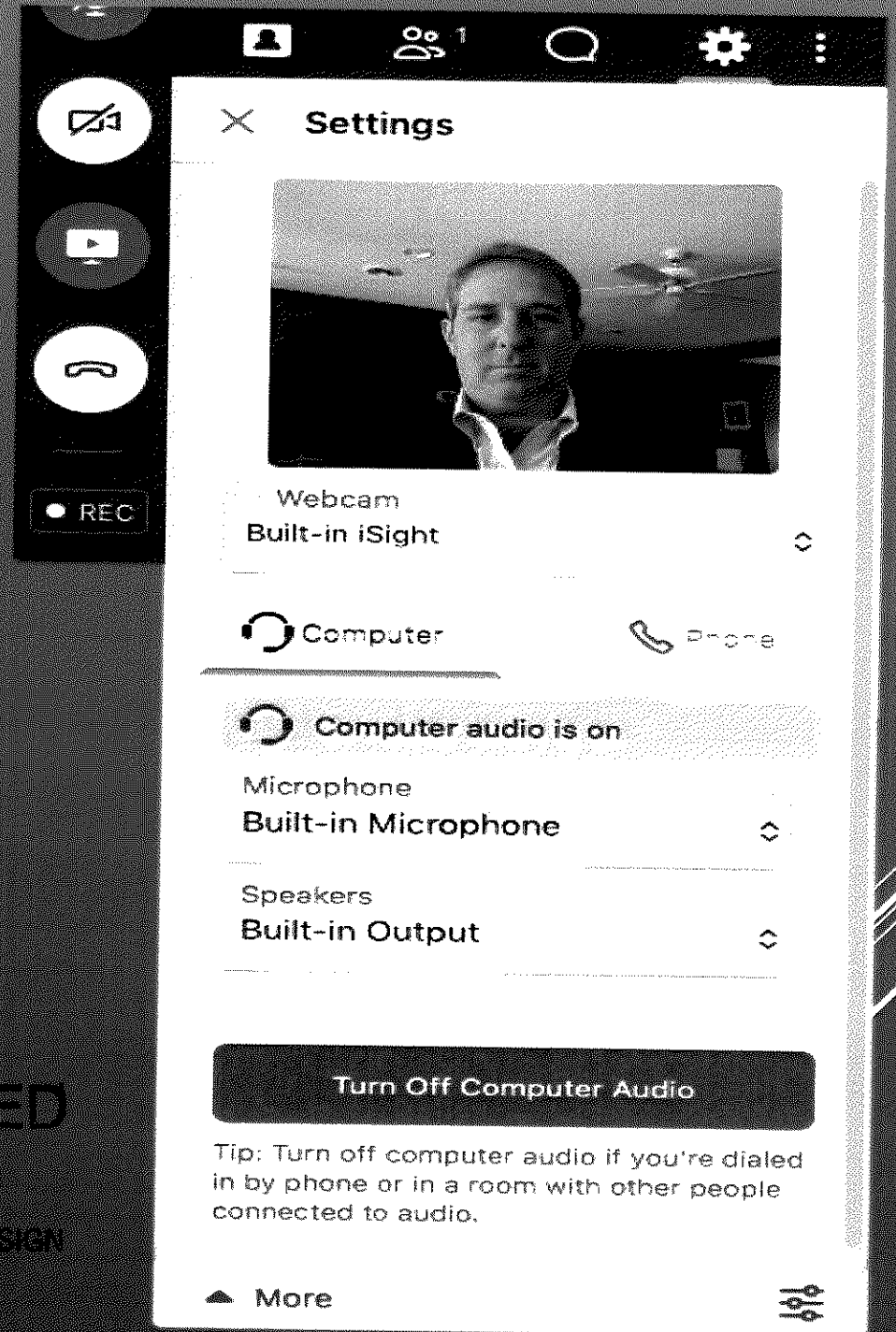
If you did not receive a letter in the mail regarding this neighborhood meeting, please e-mail Anna Martinez at amc@bardlaw.net or call her at 502.426.6688 and she will add your name to the mailing list.

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TURN OFF
COMPUTER
SPEAKERS



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