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PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Applicant & Owner: WHWJR, LLC

Location: 3930, 3934 and 3936 Massie Ave

Proposed Use: Multi-family residential townhome condominium community

Engineers, Land Planners and Landscape Architects: Carmen

Requests: Change in Zoning from R-4 to R-6

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on December 20, 2018 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

GUIDELINE - 1 COMMUNITY FORM

WHEREAS, WHWJR, LLC ("WHWJR") proposes a condominium community, with no requested waivers or variances, consisting of 12-unit townhome style condominium community on 1.4 +/- acres along the south side of Massie Avenue between Chenoweth Lane and St. Matthews Avenue, being in the City of St. Matthews; and

WHEREAS, the subject property lies within the Neighborhood Form District and adjoins the existing Surry Place condominiums; the subject property is located within the old Massie Avenue small area plan area to be considered in this proposal; the site's location provides opportunities for this anticipated community of residents to gain quick and easy access to many schools, shopping and dining opportunities and services, to workplace job opportunities along Westport Road, Shelbyville Road and Brownsboro Road and its ease of access to other suburban and downtown employment centers; this proposal will provide this area with new, attractive housing choices for residents who desire to live in a condominium form of development without the exterior and yard maintenance; and

WHEREAS, applicant proposes a townhome community, of all 2-story buildings; gross density will be on the low side of the high density range at 8.5 dwelling units per acre; buildings will be constructed of attractive durable building materials (stone and "hardy plank" lap siding) and will feature high end architectural details as will be shown by the detailed building elevations that will be submitted with the application; and

WHEREAS, perimeter setbacks and landscape buffer areas are provided along all property lines as required by the Land Development Code (LDC), which will screen and buffer resident

activities with existing tree masses or new landscaping from and as to adjoining property owners; no waivers or variances are requested with this application; and

WHEREAS, the Traditional Neighborhood form district is comprised of a significant range of housing opportunities, including multi-family dwellings; this proposed condominium regime is a great adaptive re-use of the existing three lots with dilapidated homes that provides an additional housing opportunity in an area where very few exist; and

GUIDELINE – 2 CENTERS

WHEREAS, the proposed condominium community conforms with the overall Intents of and specifically with Policies 1, 4, 5, 7, 11, 12, 13, 14, 15, and 16 of Guideline 2 of the for all the reasons listed above and because it will make efficient use of available property that lies within the Neighborhood Form District and is located in a robust area where residents currently seek new housing options not available that have easy access to the Shelbyville Road, Chenoweth Lane, and Brownsboro Road commercial corridors and nearby workplace areas; future residents will also support the businesses and services in these nearby activity centers; parking is compact and shared, and walking and biking are convenient; and the property is located close to Holy Trinity School and offers a maintenance free living opportunity needed in the area; and

GUIDELINE – 3 COMPATIBILITY

WHEREAS, the proposed condominium community conforms with the overall Intents of and specifically with Policies 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 21, 22, 23, 24 and 28 of Guideline 3 for all the reasons described above and because this proposed community is in a density range and design comparable to other nearby condominium communities and compatible with neighboring single family residential properties; buildings will be of a townhouse style 2 stories in height and constructed with attractive building materials comparable to residential communities in the area, in this case brick, masonry and “hardy plank”; perimeter landscaping, screening and buffering will be provided and/or retained along all property lines; and buildings are oriented toward internal open spaces and the access road avoiding additional impacts on the neighboring properties; and

WHEREAS, sidewalks are already provided on Massie Avenue, and accommodations will be made for pedestrian and bicycle transportation as well as the handicapped and elderly; odors won’t exist as in commercial industrial developments, and air quality concerns related to traffic congestion or delay will be mitigated by the fact that this is a residential development located close to jobs and services and internal roads and sidewalks are efficiently organized to control traffic flow and prevent delays with only minimal additional impacts over the existing three residential lots that exist; refuse will be picked up on a regular basis; lighting will be residential in character and directed down and away from adjoining properties in conformance with LDC regulations, which is further addressed by the buildings being oriented toward the interior of the site; all signage will be in conformance with LDC regulations; and no waivers or variances are sought; and

GUIDELINE – 4 OPEN SPACE

WHEREAS, the proposed condominium community conforms with the overall Intents of and specifically with Policies 1, 3, 4, 6, and 7 of Guideline 4 for all the reasons described above and because as a condominium regime all exterior areas will be open space for the enjoyment of the

entire condominium regime; and will be maintained in common by the condominium association ensuring uniform maintenance that doesn't exist currently with the single family residences; and

GUIDELINE – 6 MARKETPLACE

WHEREAS, the proposed condominium community conforms with the overall Intents of and specifically with Policies 1, 2, 3 and 6 of Guideline 6 because, as noted above, future residents will support and be supported by the businesses, services, schools and churches in and around the nearby activity centers of the very robust Shelbyville Road, Chenoweth Lane, and Brownsboro Road corridors, which are all increasingly popular places which to work, live and play; this proposal also reduces public costs for land development by utilizing connections to existing infrastructure for water, sewer, electric and phone services; and the condominium community, as proposed, will have easy access to Westport Road, Chenoweth Lane, Brownsboro Road and Shelbyville Road and several other roads in the area, and from there to other Louisville employment and commercial centers; and

GUIDELINES – 7 (CIRCULATION), 8 (TRANSPORTATION FACILITY DESIGN), and 9 (BICYCLE, PEDESTRIAN AND TRANSIT)

WHEREAS, the proposed condominium community conforms with the overall Intents and applicable Policies of Guidelines 7, 8 and 9 because the proposed Detailed District Development Plan (DDDP) has been designed in conformance with all Metro Public Works and Transportation Planning design policies; good internal circulation, appropriate access, sight distances, corner clearances and parking are provided; Massie Avenue has adequate traffic-carrying capacity; sidewalks and bike racks will be provided as required; the DDDP will require the stamp of approval from Metro Transportation Planning, prior to official review by the Planning Commission, thus assuring compliance with all Metro Public Works standards addressed by these Guidelines; and

GUIDELINES – 10, 11 and 12 - FLOODING AND STORMWATER, WATER QUALITY and AIR QUALITY

WHEREAS, the proposed condominium community conforms with the overall Intents and applicable Policies of Guidelines 10, 11 and 12 because, all drainage will run to internal underground catch basins and sufficiently sized detention basin, and from there to an existing drainage channel and in that way will comply with all MSD storm water management requirements; therefore, post development peak rates of stormwater discharge will not exceed peak pre-development rates; moreover, this DDDP received the preliminary stamped of approval by MSD, as reviewed by St. Matthews, prior to docketing for LD&T review; Louisville Water Company will provide water to the site; a soil erosion and sediment control plan will also be implemented to further manage sediment and drainage during construction; MSD water quality regulatory requirements will also be addressed; and air quality is addressed by virtue of the referenced shorter commuting distances explained hereinabove; and

GUIDELINE 13 – LANDSCAPE CHARACTER

WHEREAS, the proposed condominium community conforms with the overall Intents and applicable Policies of Guideline 13 for all the reasons described above and because landscaping will be provided and/or trees retained around buildings, along the Massie Avenue entrance and frontage, along internal streets, and along property perimeters as noted above; recreational space

is provided through the internal open space; passive recreational enjoyment will be enjoyed within internal landscaped areas and open areas; and tree canopy requirements will be met with the layout designed to retain as many of the large trees on the site as possible; and

GUIDELINE 14 – INFRASTRUCTURE

WHEREAS, the proposed condominium community conforms with the overall Intents and applicable Policies of Guideline 14 because, as noted above, water, sewer, electric, phone and cable service connections are available by nearby connection to ensure a reduced cost for infrastructure; and

* * *

WHEREAS, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books, on the approved detailed district development plan, this application also complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan;

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