

# Planning Commission Staff Report

June 29, 2017



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| <b>Case No:</b>          | <b>17ZONE1023</b>   |
| <b>Request:</b>          | <b>Amendment to Tyler Town Center PDD related to maximum lighting heights</b> |
| <b>Project Name:</b>     | <b>Tyler Town Center PDD Lighting Text Amendment</b>                          |
| <b>Location:</b>         | <b>Tyler Town Center PDD</b>  |
| <b>Owner:</b>            | <b>Multiple</b>   |
| <b>Applicant:</b>        | <b>Louisville Metro</b>   |
| <b>Representative:</b>   | <b>Louisville Metro</b>   |
| <b>Jurisdiction:</b>     | <b>Louisville Metro</b>   |
| <b>Council District:</b> | <b>20 – Stuart Benson</b>   |
| <b>Case Manager:</b>     | <b>Brian Mabry, Planning &amp; Design Supervisor</b>                          |

## REQUEST

- Amendment to Tyler Town Center PDD related to maximum lighting heights

## SUMMARY

The Metro Council approved the Tyler Town Center Planned Development District (PDD) on November 18, 2010. The Tyler Town Center area includes multiple properties south of the Norfolk-Southern Railroad Corridor, between Tyler Retail Way and Gene Snyder Freeway, and north and south of Taylorsville Road. Most of the Tyler Town Center PDD is in a Town Center form district; however, the westernmost portion of the PDD is in the Neighborhood form district. Currently, the PDD is mostly undeveloped. Developed areas consist of multiple uses, including but not limited to, mini-warehouse, school, automobile service, religious building, and residential. Residential and retail uses along with undeveloped land are adjacent to the PDD.

As stated in the PDD document, the Vision for the Tyler Town Center is "...to create a compact and economically viable mixed-use development pattern. It is a pedestrian-friendly community center with multi-modal access and design guidelines that promote sustainable building and site development practices."

The Tyler Town Center PDD regulations contain existing lighting standards as follows:

### 4.4.3 Lighting

- A. Street: The developer or property owner shall install ornamental street lighting along the street frontage when fronting the street. The lighting shall be adequate to provide visibility for pedestrians and drivers at night and to provide a distinct identity within the district. The poles shall be no greater than 16 feet in height and located in the amenity zone of the sidewalk. Lighting shall be fully shielded and directed downward. The lighting levels shall conform to standards found within the LDC, except that lighting under canopies (drive-through or gas station canopies) shall be limited to no more than thirty foot candles.
- B. Lot Area: The developer or property owner shall provide adequate outdoor lighting for private parking, private and public open space, rear and side of buildings. The lighting shall be arranged to provide security but minimize glare and reflection on adjacent lots and public streets.

Lighting shall be fully shielded and directed downward. To ensure adequate lighting design a lighting plan shall be submitted from a qualified lighting professional demonstrating compliance.

- C. Building Lighting: All exterior building lighting, attached or detached, shall be fully shielded, shall utilize flat or hidden lenses and shall be directed downward.

Subsection B applies to Vehicle Use Area outdoor lighting, but is silent on matters related to height or light intensity. The purpose of this proposed amendment, as set forth in Attachment 3, is to address this issue and ensure that there is no conflict in outdoor lighting standards for the Tyler Town Center compared to the proposed amendments to Section 4.1.3 in the Land Development Code, case 17AMEND1000. If Metro Council approves the LDC text amendment for case 17AMEND1000 as recommended by Staff, then the maximum lighting height for the PDD will be 20 feet, whether a specific property is in the Town Center or Neighborhood form district.

On June 9, 2017, the Planning Committee met and generally agreed with the Staff's proposal to amend the Lighting Section of the PDD.

### **PREVIOUS CASES ON SITE**

12427: Metro Council approved the Tyler Town Center PDD on November 18, 2010.

### **INTERESTED PARTY COMMENTS**

None received as of the publication of this Staff Report.

### **APPLICABLE PLANS AND POLICIES**

Cornerstone 2020  
Tyler Rural Settlement District Neighborhood Plan

These proposed amendments to the Tyler Town Center PDD text are consistent with the following policies of Cornerstone 2020.

Marketplace Strategy, Goal A1, Objective A1.2: "Ensure that planning and zoning requirements are clear, consistent, and reasonable."

Marketplace Strategy, Goal C1, Objective C1.1: "Improve the efficiency and effectiveness of the development review, approval and permitting process."

Community Form/Land Use, Compatibility, Policy 8, Lighting: "Mitigate adverse impacts of lighting from proposed development on nearby properties, and on the night sky."

These proposed amendments to the Tyler Town Center PDD text are consistent with the following policies of the Tyler Rural Settlement District Neighborhood Plan.

Land Use Recommendation 7: "...Focus new development standards on items related to lighting, height, landscape, and any other item that protects the District's unique character."

### **NOTIFICATION**

Notification of the Planning Commission public hearing has been conducted in accordance with KRS 100 requirements.

### **STAFF CONCLUSIONS**

Staff makes the proposed LDC text amendment recommendations in Attachment 3 related to Lighting in the Tyler Town Center PDD based on the following:

**WHEREAS**, the Planning Commission finds that the proposed amendments to Section 4.4.3 of the Tyler Town Center PDD comply with the applicable guidelines and policies of Cornerstone 2020.

**WHEREAS**, the Planning Commission further finds that the proposed amendments to Section 4.4.3 of the Tyler Town Center PDD comply with Marketplace Strategy, Goal A1, Objective A1.2 and C.1.1 of Cornerstone 2020. The amendments promote clarity and consistent enforcement and facilitate development review by clarifying provisions that have previously been less than certain.

**WHEREAS**, the Planning Commission further finds that the proposed amendments to Section 4.4.3 of the Tyler Town Center PDD comply with Community Form/Land Use, Compatibility, Policy 8, Lighting. The amendments refer to the Lighting provisions of the LDC, which contain form district-based lighting standards.

**WHEREAS**, the Planning Commission finds that the proposed amendments to Section 4.4.3 of the Tyler Town Center PDD comply with the applicable guidelines and policies of Tyler Rural Settlement District Neighborhood Plan.

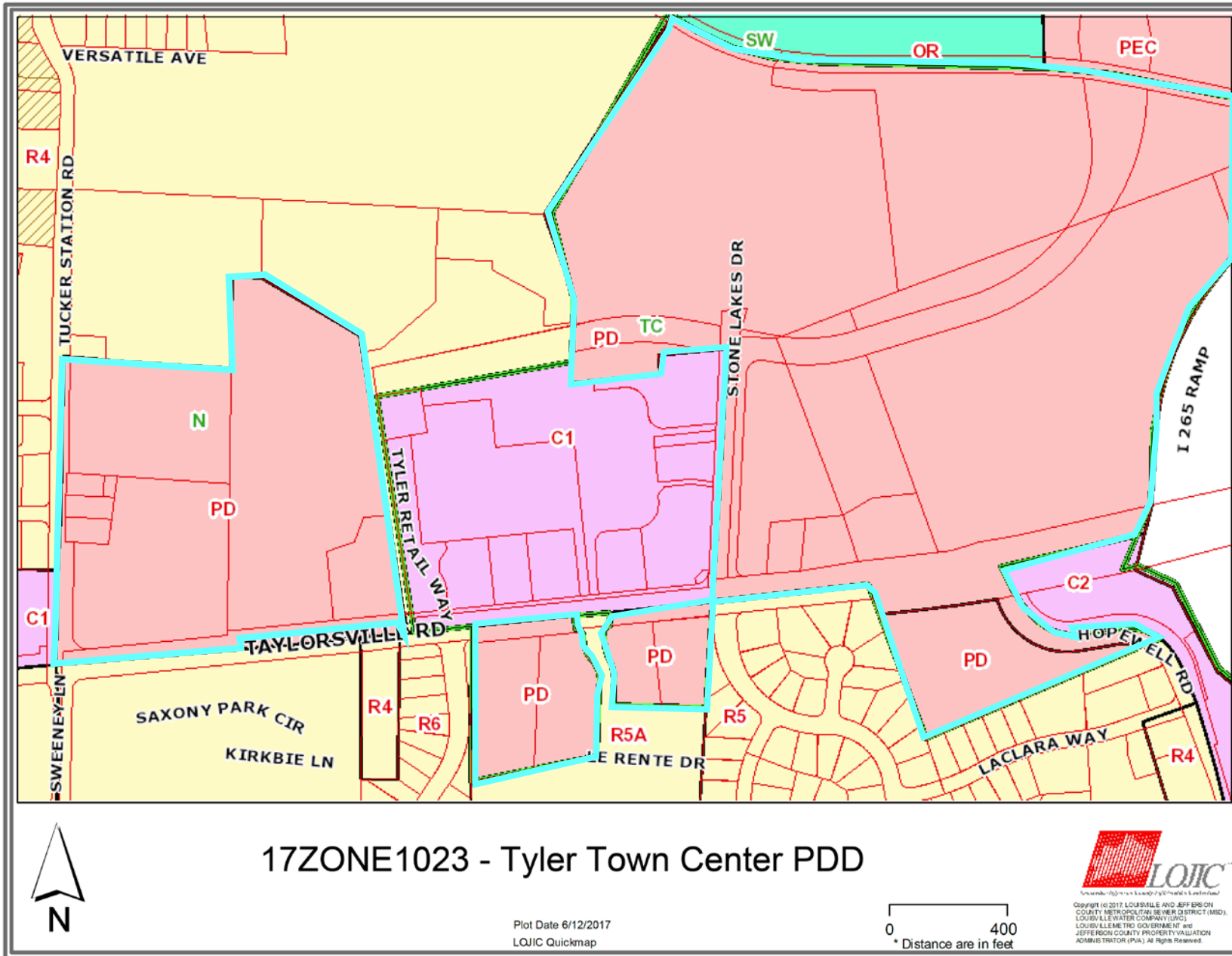
**WHEREAS**, the Planning Commission further finds that the proposed amendments to Section 4.4.3 of the Tyler Town Center PDD comply with Land Use Recommendation 7. The amendments ensure that future outdoor lighting is in character with the vision of the Tyler Town Center.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission may recommend approval, approval with modifications, or denial of the proposed LDC text amendment to the Metro Council.

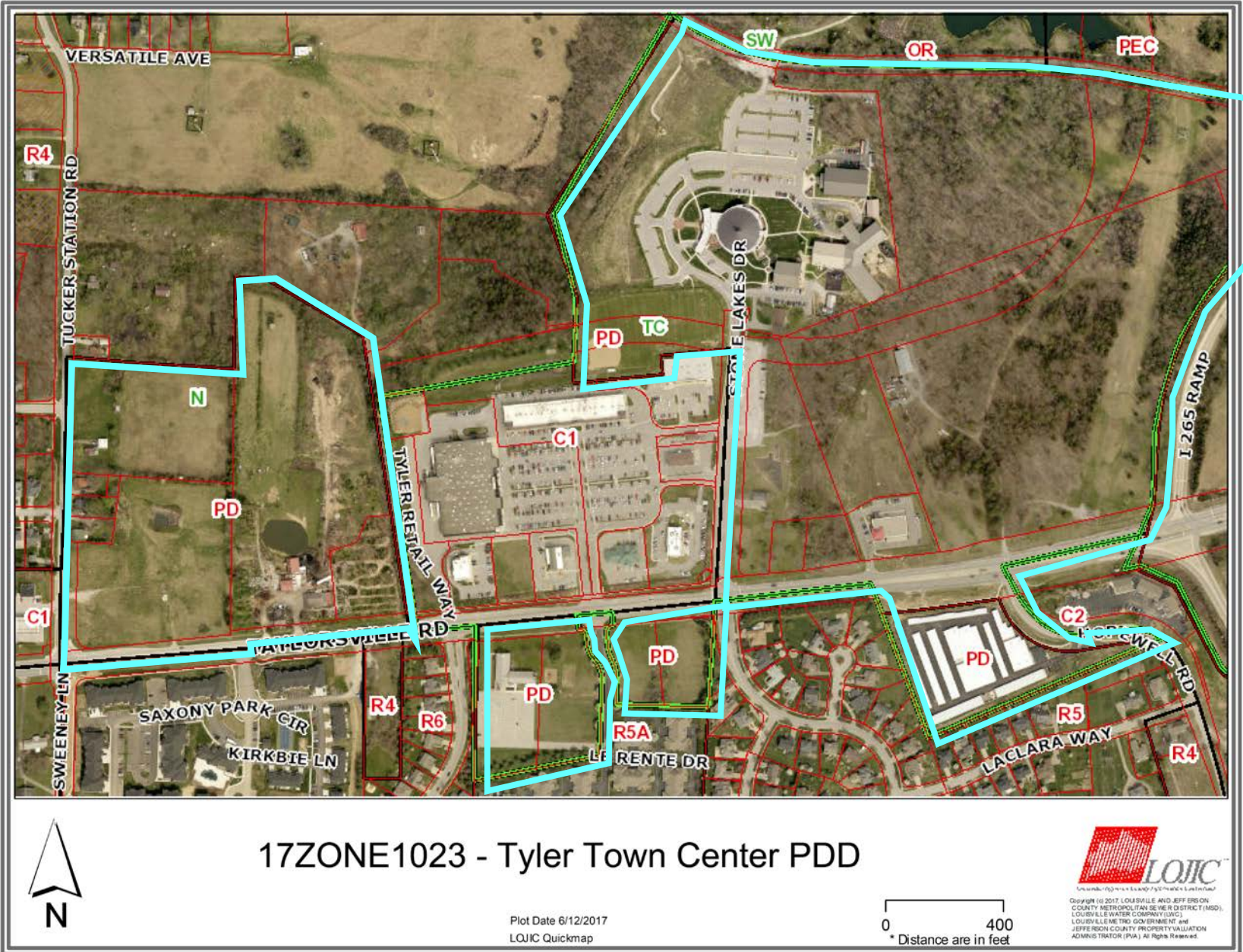
#### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Planning Commission Resolution Directing Staff to Draft Amendments to TTC PDD
4. Draft Tyler Town Center PDD Text Amendment

1. Zoning Map



2. Aerial Photograph



**3. Planning Commission Resolution Directing Staff to Draft Amendments to TTC PDD**

Resolution 17MISC1041

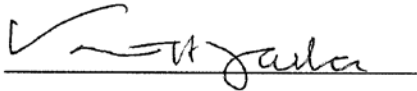
WHEREAS, the Planning Commission Staff has noted that maximum outdoor lighting heights are not addressed in Section 4.4.3, Lighting, of the Tyler Town Center Planned Development District (PDD);

WHEREAS, the Planning Director has recently been requested to interpret the appropriate maximum outdoor lighting height requirement for a property within the Tyler Town Center PDD because Section 4.4.3 of the PDD does not contain such a requirement nor does Section 4.1.3 of the Land Development Code contain such a requirement for the Town Center form district;

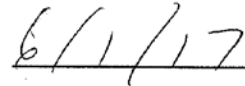
WHEREAS, the Planning Commission recognizes the need to clarify Section 4.4.3 of the Tyler Town Center PDD so that maximum outdoor lighting height requirements are addressed;

NOW THEREFORE BE IT RESOLVED THAT:

The Planning Commission requests Planning & Design Services staff draft revisions to Section 4.4.3 of the Tyler Town Center PDD and to schedule a public hearing with the Planning Commission within 120 days.



Chair



Date

#### 4. Draft Tyler Town Center PDD Text Amendment

##### 4.4.3 Lighting

- A. Street: The developer or property owner shall install ornamental street lighting along the street frontage when fronting the street. The lighting shall be adequate to provide visibility for pedestrians and drivers at night and to provide a distinct identity within the district. The poles shall be no greater than 16 feet in height and located in the amenity zone of the sidewalk. Lighting shall be fully shielded and directed downward. The lighting levels shall conform to standards found within the LDC, except that lighting under canopies (drive-through or gas station canopies) shall be limited to no more than thirty foot candles.
- B. Lot Area: The developer or property owner shall provide adequate outdoor lighting for private parking, private and public open space, rear and side of buildings. The lighting shall be arranged to provide security but minimize glare and reflection on adjacent lots and public streets. Lighting shall be fully shielded, ~~and~~ directed downward, **and shall comply with the lighting provisions in Section 4.1.3 of the Land Development Code**. To ensure adequate lighting design a lighting plan shall be submitted from a qualified lighting professional demonstrating compliance.
- C. Building Lighting: All exterior building lighting, attached or detached, shall be fully shielded, shall utilize flat or hidden lenses and shall be directed downward.