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

<u>Applicant:</u>	Ball Homes
<u>Owner:</u>	Pinnacle Properties of Louisville and William R. Bryant Living Trust
<u>Location:</u>	16500 Glen Lake Drive, 16401 R US Highway 60, 16401 and 16317 Shelbyville Road
<u>Proposed Use:</u>	Single-Family Residential
<u>Engineers, Land Planners and Landscape Architects:</u>	Mindel Scott & Associates
<u>Request:</u>	Zone Change from R-4 to R-5

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on November 9, 2017 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, the subject property is located in the Village and Neighborhood Form Districts, which is characterized by predominately residential uses from low to medium/high density and that blend compatibility into the existing landscape and neighborhood areas with the provision for open space and greenways (in this case in the form of the Shelbyville Road "Parkway") setback; this proposed R-5 subdivision is a low density one, although developed in accordance with a zoning district other than standard R-4, meaning an ever-so-slightly higher gross density (3.31 du/a) than perhaps otherwise achievable under the R-4 zoning district classification; the applicant could have chosen the "alternative development incentives (ADI) regulation" or "conservation subdivision regulation", or it could've applied for "PRD" rezoning; but R-5 is available, well-known, understood and easy to apply at this site, as there are other residential developments in the area that are zoned R-5 or comparable; and

GUIDELINE 3 – COMPATIBILITY

WHEREAS, the proposed subdivision complies with all of the applicable Intents and Policies 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 14, 15, 16, 21, 22, 23 and 25 of Guideline 3 because this low density residential subdivision adds to the desired mixture of housing types, sizes and styles while still being design-compatible in terms of scale and building materials; the proposed subdivision does not involve any known nuisances, such as odors, noises, lighting, aesthetics or traffic different

than what already exist in the greater area; setbacks will include compatible side and rear yards, and the LDC tree canopy and landscape regulations will apply; houses face Shelbyville Road instead of back-up to it, and no waiver or variance, as originally proposed, are required here; and the detailed district development/preliminary subdivision plan (DDDP), neighborhood meeting PowerPoint and home design elevations filed with this application demonstrate all that; and

GUIDELINES 4 AND 5 – OPEN SPACE / NATURAL AREAS AND SCENIC AND HISTORIC RESOURCES

WHEREAS, the proposed subdivision and its DDDP comply with all applicable Intents and Policies 1, 2, 5, 6, and 7 of Guideline 4 and Policies 1 and 2 of Guideline 5 because unlike most standard single-family subdivisions, this one includes protected interior and perimeter open space, protecting some natural resources and features, notably a stream, and assuring good transitions to neighboring properties; the homeowners association will maintain these open areas; and an older structure on the site will be examined and its historic resources inventoried for Metro Historic Preservation review and archiving; and

GUIDELINE 6 – MARKETPLACE

WHEREAS, the proposed subdivision complies with all of the applicable Intents and Policies 2, 5, and 11 of Guideline 6 because this land is surrounded by like-kind subdivisions; and that makes it an infill single-family residential site, appropriate for the area in the larger community, where new single-family housing is in greatest demand; and

GUIDELINE 7 AND 8 – CIRCULATION AND TRANSPORTATION FACILITY DESIGN; GUIDELINE 9 - BICYCLE, PEDESTRIAN AND TRANSIT; GUIDELINE 12 – AIR QUALITY

WHEREAS, the proposed subdivision complies with all of the applicable Intents and Policies 1, 2, 4, 6, 9, 11, 13, 14, 15, and 18 of Guideline 7; Policies 3, 5, 6, 7, 8, 9, 10 and 11 of Guideline 8; Policies 1, 3 and 4 of Guideline 9; and Policies 1, 2, 4, 6 and 8 of Guideline 12 because this subdivision is situated on a major collector street (Shelbyville Road) where sewer, water and other utilities already exist, and where road capacity exists; further, this DDDP has been reviewed by Metro Transportation Planning and Public Works personnel, who gave their stamp of approval prior to its docketing for Planning Commission review; and that assures that all of these applicable Public Works standards are complied with, including regulatory standards of the Land Development Code (LDC); and

WHEREAS, the proposed DDDP proposes connectivity to the Gardiner Park retail center in order to assure less traffic on Shelbyville Road as residents from this and the connecting subdivisions can access the retail center on internal streets; and

WHEREAS, the proposed DDDP assures that all points of access into the proposed subdivision are designed to operate safely and, because of the distribution between these two streets to function at relatively low volumes, as neighborhood serving streets are expected to function; thus, negative internal traffic impacts are avoided with this proposed subdivision; and, as noted, design of the site, as shown on the DDDP accompanying this application assures that corner

clearances, driveway access, median openings, cross connections, etc. are provided as required; and

GUIDELINES 10 AND 11 – STORMWATER AND WATER QUALITY

WHEREAS, the proposed DDDP complies with all applicable Intents and Policies 1, 3, 6, 7, 10 and 11 of Guideline 10 and Policies 3 and 5 of Guideline 11 because MSD requires that post-development peak rates of storm water runoff do not exceed pre-development peak flows, which is accomplished through on-site detention; new impervious areas will not have a negative impact on existing storm water systems; and MSD has given its stamp of preliminary approval the DDDP before it is set for Planning Commission review; and at time of construction, the proposed subdivision will need to include water quality measures to address the new MSD water quality standards; and any new construction will have to comply with MSD's soil erosion and sediment control standards; and

GUIDELINE 13 – LANDSCAPE CHARACTER

WHEREAS, the proposed subdivision complies with the Intent and applicable Policies 1, 2, 4, 5 and 6 of Guideline 13 because the local LDC requires tree canopies, certain kinds of interior and perimeter landscaping; and the LDC will be fully complied with; 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 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-5 and approves the Detailed District Development Plan.