

Land Development and Transportation Committee Staff Report

November 9, 2017



Case No:	17DEVPLAN1164
Project Name:	Delcour Multi-family Apts.
Location:	5209 and 5212 Elzie Road
Owner(s):	Scott Hannah – Boyd and Sons Inc.
Applicant:	Kenneth Delcour
Representative(s):	John Campbell – Heritage Engineering Inc.
Jurisdiction:	Louisville Metro
Council District:	14 – Cindi Fowler
Case Manager:	Ross Allen – Planner I

REQUEST(S)

- Approval of a Category 3 development plan for nine proposed buildings, a Clubhouse and a pool having 192 dwelling units on two lots with a combined total of 12.2 acres.

CASE SUMMARY/BACKGROUND

The subject site is located east of the Regal Heights Subdivision, west of the Westland Mall Subdivision, south of several R-4 (single family residential) zoned parcels, and north of several R-4 zoned parcels within southwestern Jefferson County (approximately 1,152 feet west of Dixie Highway). The applicant is proposing to construct nine multi-family residential buildings with a total of 192 dwelling units on two lots, dissected by Elzie Road. Lot 1 is located north of Elzie Rd. and Lot 2 is South of Elzie Road, on a combined total of 12.2 acres.

Lot 1, north of Elzie Road, contains approximately 8.75 acres with six multi-family residential structures a clubhouse and an adjoining pool. Lot 1 has two 2 story buildings with 16 dwelling units per building and four 3 story buildings with 24 dwelling units per building. Both proposed 2 story buildings are located along the western portion of the lot abutting the rear of residences (Dorrance Drive) within the Regal Heights Subdivision. Lot 1 will also have four 3 story units, having 24 units each, located on the central, northern, and southeastern (along Elzie Road) portions of the lot with the clubhouse and adjoining pool being central to all six proposed multi-family structures.

Lot 2, south of Elzie Road, contains approximately 3.45 acres, and will have one 2 story building having 16 dwelling units located on the western side of the lot adjacent to the rear of single family residential homes along Dorrance Drive and two 3 story buildings each having 24 dwelling units along the eastern side of lot 2 closest to the rear of the Value City Furniture in the Westland Mall Subdivision.

The proposed development as found on Lot 1 will have a total of 136 dwelling units with 295 parking spaces provided including 7 ADA spaces. Lot 2 will have a total of 56 units and provide 112 parking spaces including 3 ADA spaces. All proposed buildings and Vehicular Use Areas (VUA's) are outside of the required setbacks as defined in both the transition zone standards and form district standards for the zoning district type. The applicant has indicated on the development plan that the required ILA (7.5% of the total VUA) will exceed the minimum requirement of the LDC. The tree canopy requirements have been met with the development plan indicating that 20% of the total site area being planted with approximately 106,286 sf. of trees. The open space requirement (LDC requires a density of 5 to 17 dwelling units per acre to provide 15% of the net lot area) exceeds the LDC standards with the development plan showing 21% or 2.5 acres (1.2 acres of recreational open space - pool/clubhouse, dog park, and courtyard) to be provided. All applicable portions of Land Development Code (August 2017a) have been met.

STAFF FINDING / RECOMMENDATION

Staff would ask that the Land Development and Transportation Committee approve the Category 3 development plan with nine buildings, a clubhouse and a pool having met all applicable regulations of the Land Development Code (August 2017a).

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Multi-Family Residential	R-6	Suburban Marketplace Corridor
Proposed	Multi-Family Residential	R-6	Suburban Marketplace Corridor
<i>Surrounding Properties</i>			
North	Single Family Residential/Multi-Family Residential	R-4/R-6	Suburban Neighborhood/Suburban Marketplace Corridor
South	Single Family Residential	R-4	Suburban Neighborhood
East	Multi-Family Residential/Commercial	R-6/C-1	Suburban Marketplace Corridor
West	Single Family Residential	R-4	Suburban Neighborhood

TECHNICAL REVIEW

A representative of Heritage Engineer Inc. mailed out a Notice of Intent for a Category 3 Development to all first tier adjacent property owners, postdated August 28, 2017. A Traffic Trip Generation and Distribution, dated Oct. 10, 2017, was submitted to Transportation Planning. The file should be in the packets as provided from Diane B. Zimmerman – Traffic Engineering, LLC. for the proposed project. A Traffic impact study was not required by Planning and Design Transportation Planning. The Kentucky Transportation Cabinet also did not require a traffic impact study. The Pleasure Ridge Park Fire Department has approved the preliminary plan and has requested 3 fire hydrants that will be located during the construction phase, please see page 9 of the staff report.

INTERESTED PARTY COMMENTS

Staff has received comments from interested parties please see pages 6-8 of the staff report for the concerns.

APPLICABLE PLANS AND POLICIES

Land Development Code (August 2017)
Comprehensive Plan (Cornerstone 2020)

REQUIRED ACTIONS

Approve/Deny the Category 3 Development Plan of the proposed 192 dwelling unit multi-family development located on approximately 12.2 acres on two lots, dissected by Elzie Road.

Condition of Approval: Applicant will need to provide renderings of all sides of the proposed structures for review of regulations as found in LDC Section 5.6.3/5.7.1 by staff prior to the issuance of building permits.

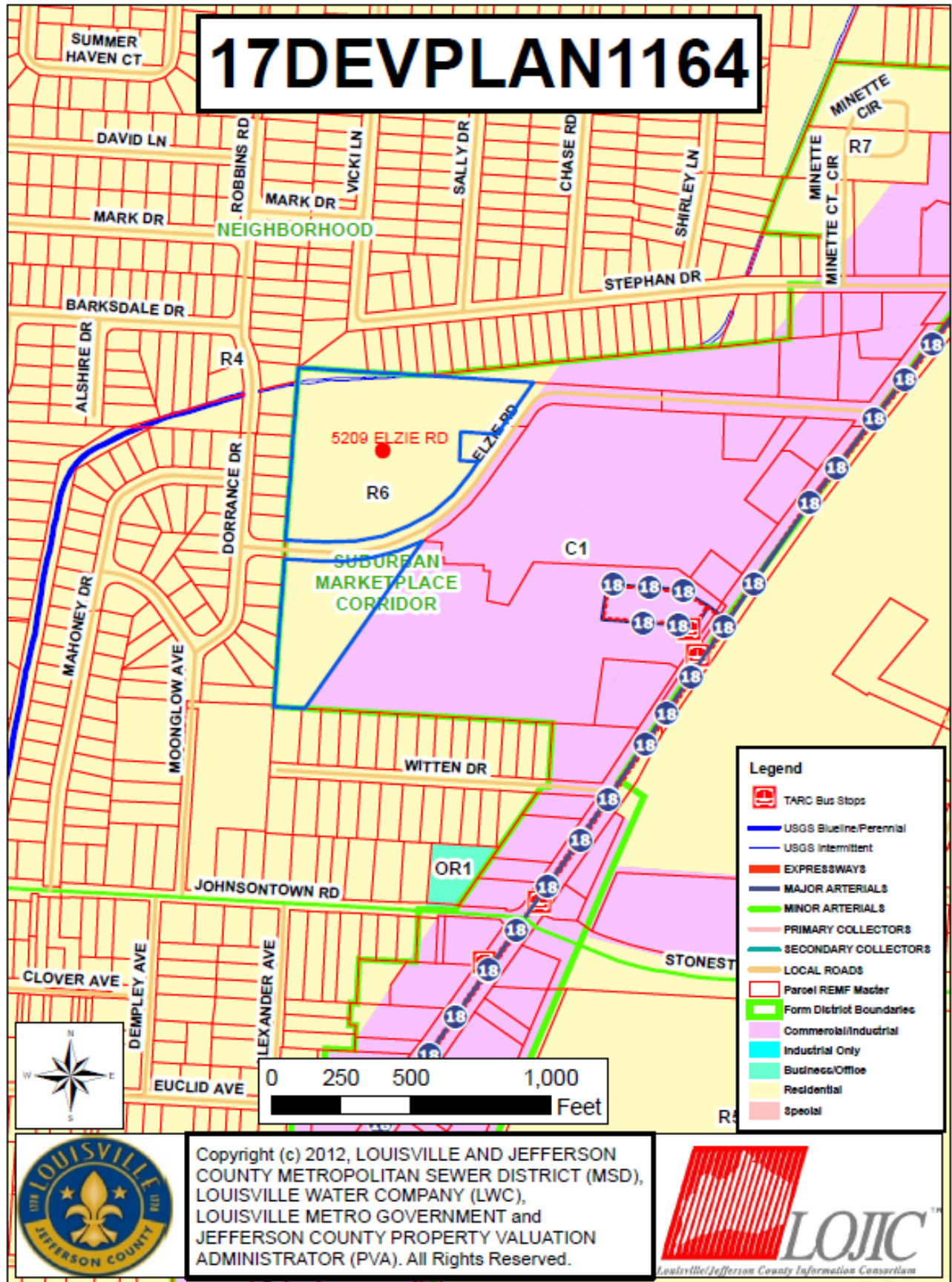
NOTIFICATION

Date	Purpose of Notice	Recipients
Nov. 9, 2017	Hearing before LD&T	1 st tier adjoining property owners Subscribers of Council District 14 Notification of Development Proposals

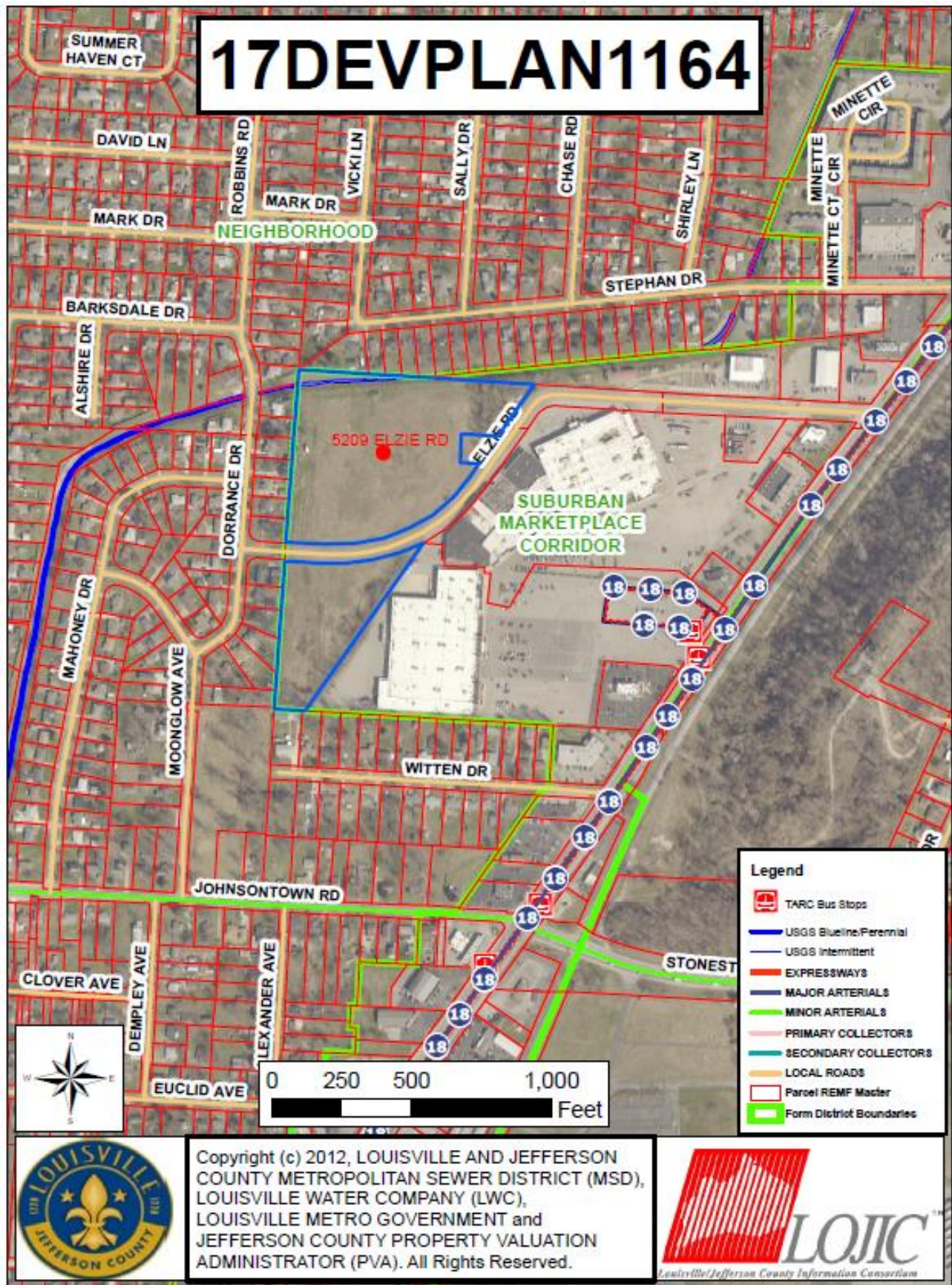
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Concerned Citizen E-mail (Aug. 24, 2017)
4. Concerned Citizen E-mail (Sept. 7, 2017)
5. PRP Fire Dept. Approval (Oct. 24, 2017)

1. Zoning Map



2. Aerial Photograph



3. **Citizen Concerns (Aug. 24, 2017)**

Allen, Ross

From: omerta@twc.com
Sent: Thursday, August 24, 2017 12:03 PM
To: Reverman, Joe
Subject: Yvonne Hatfield / 17 DEVPLAN 1164

Good Day Joe: Thanks again for your help regarding our neighborhood in moving through the proposed development on Elzie Road. This will have a tremendous impact on our neighborhood and we appreciate your information.

Last evening several neighbors came together after learning of this proposed development and had the following concerns;

1. Three story apartments backing up to their homes. These neighbors have pools, outdoor entertainment areas, and play equipment for their children, grandchildren, and guest.
2. A Traffic Study be conducted to see what impact the increase this will have on our neighborhood streets. Elzie, Dorrance, and Moonglow are already being used as a "cut through" going to the adjacent shopping center and surrounding businesses. There are currently no sidewalks on these streets and none, to our knowledge, are planned.
3. All Construction Equipment and Vehicles use Elzie Road for passage. The streets in our neighborhood are not capable of enduring the heavy loads and vehicles used in these major developments.
4. A Buffer between the apartments and residences. Examples are; A BERM with Vinyl Fencing (not wood) on top, additional landscaping with irrigation on the residential side, a solid Masonry wall - maximum height.
5. The site plan layout on the South side - moving the three (3) story building to the east side, making all three buildings two (2) story, or moving two buildings to the east and making them three (3) story. The Site Plan would then show one, two story building up close to Elzie Road could move further south a little and open up more green space. The two, three (3) story apartments would be located at the far east side of the site.
6. Existing Street Lights to remain on Elzie Road and additional lights added.
7. The materials to be used on buildings, dumpster enclosures, Clubhouse and Pool.
8. Enhance landscaping on Elzie Road with irrigation of the landscaping throughout the development and property.
9. Resident manager and Security.
10. Straighten building on North side may have to loose some parking spaces but would increase buffer along West side of the building that faces residential.
11. Development is to be maintained; mowing, trash pick-up, dead landscaping being replaced, dumpsters in good repair and enclosed, maintain Elzie Road along both sides.
12. No working on vehicles, no jacked-up vehicles, no unlicensed or inoperable vehicles, no junk piles.
13. Keeping as many existing healthy trees to assist with the Buffer.
14. Monthly Rental Fees for all types of apartments in development.

4. Concerned Citizen E-mail (Sept. 7, 2017)

Allen, Ross

From: omerta@twc.com
Sent: Thursday, September 7, 2017 4:07 PM
To: jcampbell@heritageeng.com
Cc: Allen, Ross
Subject: Yvonne Hatfield / 17DEVPLAN 1164 / Mahoney Acres Subdivision and Elzie Road Project

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon: The following are issues which the neighborhood would like to be addressed concerning the Elzie Road Development. They are;

1. The most talked about is the closing of Elzie Road. Elzie Road was being used as a major cut-through to the Target Shopping Center. Now that the Target store has closed, the traffic has decreased. The roads, Dorrance Drive and Moonglow Avenue, which were used to get to Elzie Road, do not have any sidewalks. This created a very dangerous situation for the people walking through the neighborhood, mothers pushing strollers, and children walking or riding bikes with their parents.
2. Installing a Traffic Light at the intersection of Elzie Road and Dixie Highway.
3. Moving the Three (3) story buildings from the backs of the single family homes and having a Buffer Wall.
4. Having a Masonry Wall West side of Elzie Road (both sides).
5. The ability of Emergency Responders to maneuver throughout the complex.
6. Having a professional Pest Control service inside and outside of the units on a regular basis; monthly or bi-monthly.
7. Readable and attractive signs in the complex.
8. A minimum of Fifty Percent (50%) masonry of the buildings.
9. The start and completion dates of the project.
10. Binding Elements to run with land or items listed on Plan.
11. Landscaping between houses and apartments. Plant trees that do not loose their leaves which would help in buffering year around.
12. Irrigation of the landscaping for a minimum of Three (3) years.
13. Any landscaping that dies must be replaced.
14. Dumpster areas to be masonry and large enough that the trash trucks can empty them without destroying the enclosures. These areas are to be kept clean and free of trash.
15. Pool areas kept clean and have trash receptacles available through-out.

Concerned Citizen E-mail (Sept. 7, 2017) Continued from page 7 of the Staff Report

16. No hanging of towels, clothing, household items (rugs, sleeping bags, wind chimes, etc.) on balconies, Buffer Walls, or pool fencing.
17. Parking spaces and Fire Lanes clearly marked and enforced.
18. All of the lighting in and around the complex working and adding additional street lighting along Elzie Road.
19. Sitting Benches or chairs in the Common Areas and Playground(s).
20. No working on vehicles, no jacked-up vehicles, no junked vehicles, no unlicensed vehicles, no inoperable vehicles, no junk piles.
21. Clearly marked addresses easily visible for Emergence Responders.

If you have any questions or need any additional information, please contact me at any time. Thank you very much.

Yvonne Hatfield
9004 Mahoney Drive
Louisville, Kentucky 40258-1034
PH: (502) 937-0152
E-mail: omerta@twc.com

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5. PRP Fire Dept. Approval (Oct. 24, 2017)

Allen, Ross

From: Brian Morgan <BMorgan@prpfire.org>
Sent: Tuesday, October 24, 2017 5:00 PM
To: Allen, Ross
Cc: John Campbell
Subject: 17DEVPLAN1164_5209 Elzie Rd.

We have reviewed the Preliminary Development Plan for Elzie Road. Pleasure Ridge Park Fire is ok with the preliminary plan submitted that now has an additional access on the north side of Elzie, and access has been improved with the changes to the parking area. We will still need 3 hydrant locations on the plans and Mr. Campbell has agreed to include 3 hydrants on the plans when they are submitted for our approval. Mr. Campbell stated that he would involve Pleasure Ridge Park Fire on the placement of the hydrants.

Lt. Col. Brian Morgan

Pleasure Ridge Park Fire District
9500 Stonestreet Road
Louisville, KY 40272
Office: 502.937.2125
Fax: 502.995.7279