

Planning Commission Staff Report

March 29, 2018



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| Case No: | 17ZONE1055 |
| Project Name: | Highview PDD Text Amendments |
| Location: | Highview Neighborhood/Town Center |
| Jurisdiction: | Louisville Metro |
| Council District: | 23 – James Peden |
| Case Manager: | Joel P. Dock, Planner II |

REQUEST(S)

- Text amendments to the Highview Planned Development District (PDD) land use and design standards pursuant to Land Development Code, part 2.8.5.A.4.

CASE SUMMARY

Several amendments to the Highview PDD are being requested to more fully implement the recommendations of the Highview Neighborhood Plan and further the creation of a “town center corridor with a diverse mix of retail, commercial, office and residential uses with a more clear framework for creating a connected pedestrian friendly environment and identifying land uses that are compatible within the community context and vision.” A Planning Committee meeting was held on January 25th, 2018. The following proposed text amendments are a reflection of conversation at this meeting and several rounds of revisions communicated between Planning and Design Services staff, Councilman Peden’s office, and Jon Henney, Gresham, Smith and Partners:

Amendment 1

Requirements for dwelling units and retail, office, or mixed use development immediately adjacent to the Rights-of-Way of Fegenbush Lane, Vaughn Mill Road, Outer Loop, Peppermill Lane, and Beulah Church Road within the Highview PDD. The following language will be added to the end of the Planned Development Use Table:

RESIDENTIAL USE RESTRICTIONS

In the Highview PDD, land development having frontage along the Rights-of-Way of Fegenbush Lane, Vaughn Mill Road, Outer Loop, Peppermill Lane, and Beulah Church Road shall be limited to non-residential uses. Mixed use development that includes a residential component is encouraged and shall be allowed, providing that the first floor is dedicated to a non-residential use and oriented towards the public way. Civil and/or institutional uses shall be permitted following a Community Facilities Review. Residential development shall be allowed without a non-residential component, provided that sufficient frontage and/or out-lot(s) is made available for future non-residential development.

Amendment 2

In the “Planned Development Use Table,” under “Gateway,” replace reference to “LU3” with “Outer Loop” and under “Central Corridor,” replace reference “LU2” with “Gateway.” These references were used to identify sub-areas of the PDD in draft versions of the plan and were subsequently dropped, but inadvertently left in the adopted plan.

GATEWAY

All ~~LU3~~ *Outer Loop* uses except:

- Automobile rental agencies shall be limited to no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning or maintenance, and having no repair or storage/dispensing of fuel
- Automobile service stations shall be limited to service bays for repair of no more than two vehicles (see definition of Automobile Service Station for the type of repairs permitted)

CENTRAL CORRIDOR

All ~~LU2~~ *Gateway* uses except for the following:

- Automobile sales agencies
- Automobile service stations
- Boat Sales and related storage
- Building materials, storage and sales provided all operations are totally enclosed in a building (Outdoor sales, display and storage as referenced in Section 4.4.8 is not permitted in association with a contractor's shop in this zoning district)
- Drive-in restaurants where all or part of the service or consumption is inside a vehicle
- Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building
- Drive through facilities

Amendment 3

Requirement for the construction of sidewalks related to changes in use or substantial expansion of an existing use or structure. The following language shall be added to the Planned Development Design Guidelines, Streetscape, Section 'J':

SIDEWALKS

In addition to those applicable sidewalk requirements of the Town Center Form District as contained in Land Development Code, Chapter 5, sidewalks shall also be required in accordance with Metro Public Works design standards for the following:

1. *Expansion of the cumulative existing gross floor area of all buildings (accessory or primary) on a development site by 50% or more, or 2,000 square feet or more, whichever is less*
2. *Increase in the number of dwelling units of an existing residential development site*
3. *Conversion of any non-residential space to a residential use*
4. *Change of use from residential to non-residential*
5. *Construction of 5 or more new parking spaces*

The Planning Director or designee is authorized to grant a waiver of these additional sidewalk requirements contained in items 1 through 5 above, provided that the applicant can demonstrate that existing conditions are such that construction of a sidewalk is not feasible or would deprive the applicant of reasonable use of the land or create an unnecessary hardship. The applicant or Planning Director or designee may request consideration of the request before the Planning Commission or designee. In such instances, the request shall follow the standards outlined in Land Development Code, section 6.2.6.B.

Right-of-way dedication or public sidewalk easement may be required to accommodate installation of sidewalks.

Amendment 4

Clarification is needed to provide a specific form district for Outer Loop and Gateway Sub-Area dimensional standards. Suburban Form Districts, Chapter 5, Part 3 contains six sub-sections. Staff is proposing Neighborhood Form District, sub-section 5.3.1.

A. Dimensional Standards

Dimensional standards for the Highview Town Center PDD Sub-Areas shall be as follows:

i. Outer Loop Sub-Area

Conform to the ~~Suburban~~ *Neighborhood* Form District dimensional standards, Chapter 5, Part 3, Sub-Section 5.3.1 with the following exceptions:

1. Building Height

Maximum building height for any use shall be 35' or 2-stories

ii. Gateway Sub-Area

Conform to the ~~Suburban~~ *Neighborhood* Form District dimensional standards, Chapter 5, Part 3, Sub-Section 5.3.1 with the following exceptions:

1. Maximum building height for any use shall be 35' or 2-stories

2. Front and Street Side Yard Setback (all uses) maintain a minimum Front and Street Side Yard setback/build-to line of 15' from the edge of right-of-way.

iii. Central Corridor Sub-Area

Conform to the Town Center Form District dimensional standards, Chapter 5, Part 2, with the following exceptions:

1. Building Height

Maximum building height for any use shall be 35' or 2-stories

2. Front and Street Side Yard Setback (all uses) maintain a maximum Front and Street Side Yard setback/build-to line of 65' from the edge of right-of-way.

Amendment 5

Clarification to lot standards.

B. Lot Standards

i. Maximum Density and Floor Area Ratio (FAR)

The maximum FAR for the Highview Town Center PDD shall be 1.0, regardless of Sub-Area.

ii. The maximum density for the Highview Town Center PDD shall be as follows:

1. Outer Loop Sub-Area

Maximum Density: 12.01 dwellings per acre (note: R5A equivalent)

2. Gateway and Central Corridor Sub-Areas

Maximum Density: 17.42 dwellings per acre (note: R6 equivalent)

iii. Use Mix

Office and Residential Uses –a specified percentage of any development site may be allocated to residential development without any corresponding decrease in the maximum allowable square footage or intensity of non-residential uses allowed, provided that all other development standards set forth in this code are complied with. In addition, office and residential uses situated above ground level retail uses are permitted and shall be excluded from calculation of the site's permissible floor area ratio.

Calculation of permissible residential density shall be based on the net site area, regardless of the amount of non-residential floor area constructed on the site.

iv. Lot Area
Min: None

Amendment 6

Clarification and revisions to provide for simplicity of application, enforcement and appropriate implementation in accordance with similar regulations outlined in the Land Development Code and recommendations of Neighborhood Plan.

D. Building Facades (applicable to new structures or when replacing 50% or more of an existing building façade)

i. Buildings shall have articulated facades with animating features (i.e., columns, piers, pilasters, or similar elements) every 20 to 40 feet to create an architectural rhythm. *Rear facades shall not be required to comply with this part, unless located within the form district transition zone or abutting a residential use.*

ii. At least 70% of the building façade facing the public right-of-way shall be located between the minimum and maximum setback/build-to-line. *This shall only apply to new construction/enlargement of the building footprint.*

iii. A minimum of fifty percent (50%) of the street level facade shall be transparent.

iv. Blank, unarticulated walls shall not extend for distances greater than twenty-five feet (25').

Note: Rear facades shall not be required to comply with this part, unless located within the form district transition zone or abutting a residential use.

v. Buildings on corner lots ~~should~~ *shall* use windows, doors or architectural detail to address facade design on both street frontages.

vi. Multi-family structures shall not have attached front facing garages. Garages shall be accessed from alleys or, in the case of a development consisting of multiple units, from an internal drive accessible from the rear

Amendment 7

Correction to text error; adding an 'L' to 'and development code.'

As noted in the existing conditions analysis of the Highview PDD, bicycle and pedestrian systems in this area are fragmented and in many cases nonexistent. As such all future developments should encourage pedestrian and bicycle systems to the fullest extent, and at a minimum what is required by the Land Development Code. Providing continuous sidewalk systems, bike parking in convenient, even covered locations will play an integral role in making Highview a more well connected, healthy and sustainable neighborhood.

STAFF FINDING

The proposed amendments are in keeping with the vision of the Highview Neighborhood Plan as the amendments further the creation of a "Downtown Highview" by focusing commercial and higher density uses into a designated center, along with the creation of a pedestrian-friendly and well connected network of walkways. The proposed amendments are supported by the following recommendations of the Neighborhood Plan:

- LU6: Limit future commercial zoning to within the Town Center and Neighborhood Activity Centers/Nodes.
- LU7: Limit multi-family residential to within or immediately adjacent to the Town Center and Neighborhood Activity Centers/Nodes
- CF1: Adopt a Plan Development District (PDD) that incorporates Town Center Architectural Design Standards and uses
- CF2: Incorporate Design principles for Neighborhood Activity Centers/Nodes
- CF3: Incorporate Design Principles for New Development/Redevelopment of Multi-Family Residential
- CF5: Incorporate Streetscape Design Standards for key corridors/adopt Streetscape Master Plan
- M5: Prioritize and implement sidewalk improvements to eliminate gaps and improve pedestrian safety
- M6: Develop a network of neighborhood travel ways that allow for residents to ride their bikes or go for walks, instead of simply driving through their neighborhoods.
- M9: Encourage “Transit Ready” development along Outer Loop and Fegenbush Lane (in Town Center area) to support High Capacity Transit Routes planned by TARC

TECHNICAL REVIEW

The proposed changes will require approval by the Louisville Metro Council. LDC 2.8 states, “major Amendments to an approved PD-Development Plan may be approved only by the legislative body with zoning authority, following the same procedure as the initial approval of the Planned Development District and PD-Development Plan,” except that “the public charrette requirement shall not apply in cases of rezonings initiated by the Planning Commission or any legislative body.” In docket 17MISC1064 the Planning Commission authorized Planning and Design Services staff to draft proposed revisions and bring those proposed changes before the Planning Commission.

REQUIRED ACTION

- **RECOMMEND** to the Louisville Metro Council that the proposed amendments as described in this staff report are adopted and made part of the PD-Development Plan, rejected, or revised.

NOTIFICATION

| Date | Purpose of Notice | Recipients |
|--------|---------------------|--|
| 2/8/18 | Hearing before LD&T | All property owners with the Highview PDD Subscribers of Council District 23 Notification of Development Proposals |
| 3/9/18 | Hearing before PC | All property owners with the Highview PDD Subscribers of Council District 23 Notification of Development Proposals |

ATTACHMENTS

1. Highview Neighborhood Plan/PDD Location Map
2. PDD Subarea Map

1. Highview PDD Location Map



2. **PDD Subarea Map**

