

Land Development & Transportation Committee

Staff Report

October 22, 2020



Case No:	20-ZONE-0010 & 20-STREETS-0002
Project Name:	Old Six Mile Apartments
Location:	9311 Old Six Mile Lane
Owner(s):	9311 Old Six Mile, LLC
Applicant:	Ramage Company
Representative(s):	Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction:	City of Jeffersontown
Council District:	11 – Kevin Kramer
Case Manager:	Joel P. Dock, AICP, Planner II

REQUEST(S)

- **Change-in-Zoning** from R-4 to R-6, multi-family
- **Street Closure**
- **Detailed District Development Plan**

CASE SUMMARY

A change in zoning to allow for the construction of 60 multi-family dwellings, along with a road closure to provide additional land to the proposal has been requested. Five, 3-story structures, recreational open space, and 115 parking spaces will be provided to accommodate the proposal. A road closure for Tucker Road accompanies the request. Portions to be closed are unimproved. The right-of-way extends from Old Six Mile to Taylorsville Road.

STAFF FINDING

The proposal is in order and ready for a public hearing before the Planning Commission. The Planning Commission will make a recommendation to the City of Jeffersontown. No waivers or variances have been requested.

TECHNICAL REVIEW

- Preliminary approval has been received from Louisville MSD and Transportation Planning
- 100% consent has not been received on the road closure; therefore, a public hearing with 30-days advanced notice will be required. Agency review has been coordinated and easements will be provided as needed. No objections to the closure were issued to staff. No future need was indicated by Jeffersontown.
- Historic Preservation staff has reviewed the proposal and provided, "Neither of these houses would be individually eligible for listing on the National Register of Historic Places due to loss of historic integrity. They also would not qualify as contributing to a potential historic district due to the loss of historic context. Per the Wrecking Ordinance 150.110, there would be no 30-day hold required."

STANDARD OF REVIEW FOR ZONING/FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable Land use and Development policies of Plan 2040; **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

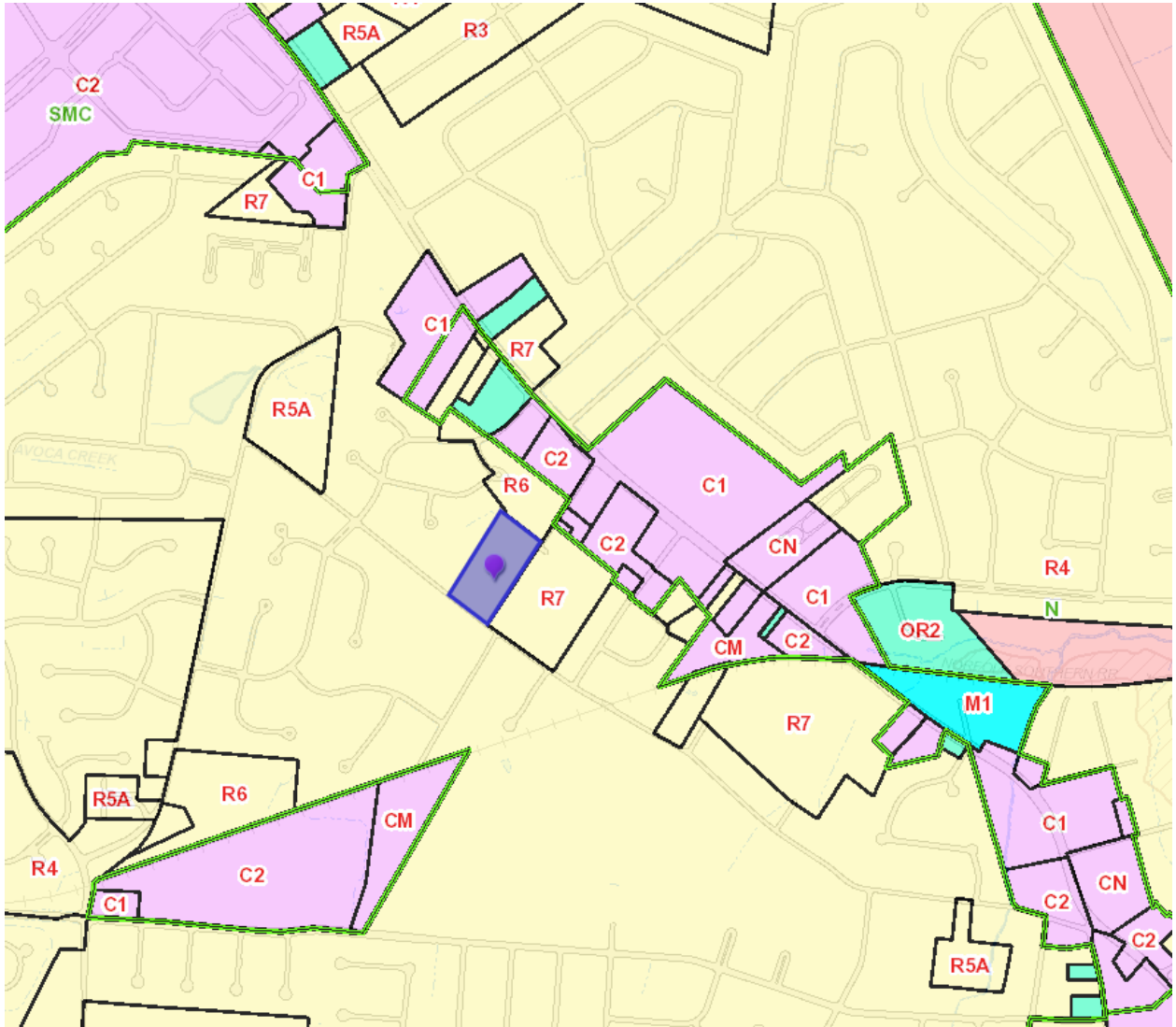
NOTIFICATION

Date	Purpose of Notice	Recipients
10/8	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 11
	Hearing before Planning Commission	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 11
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

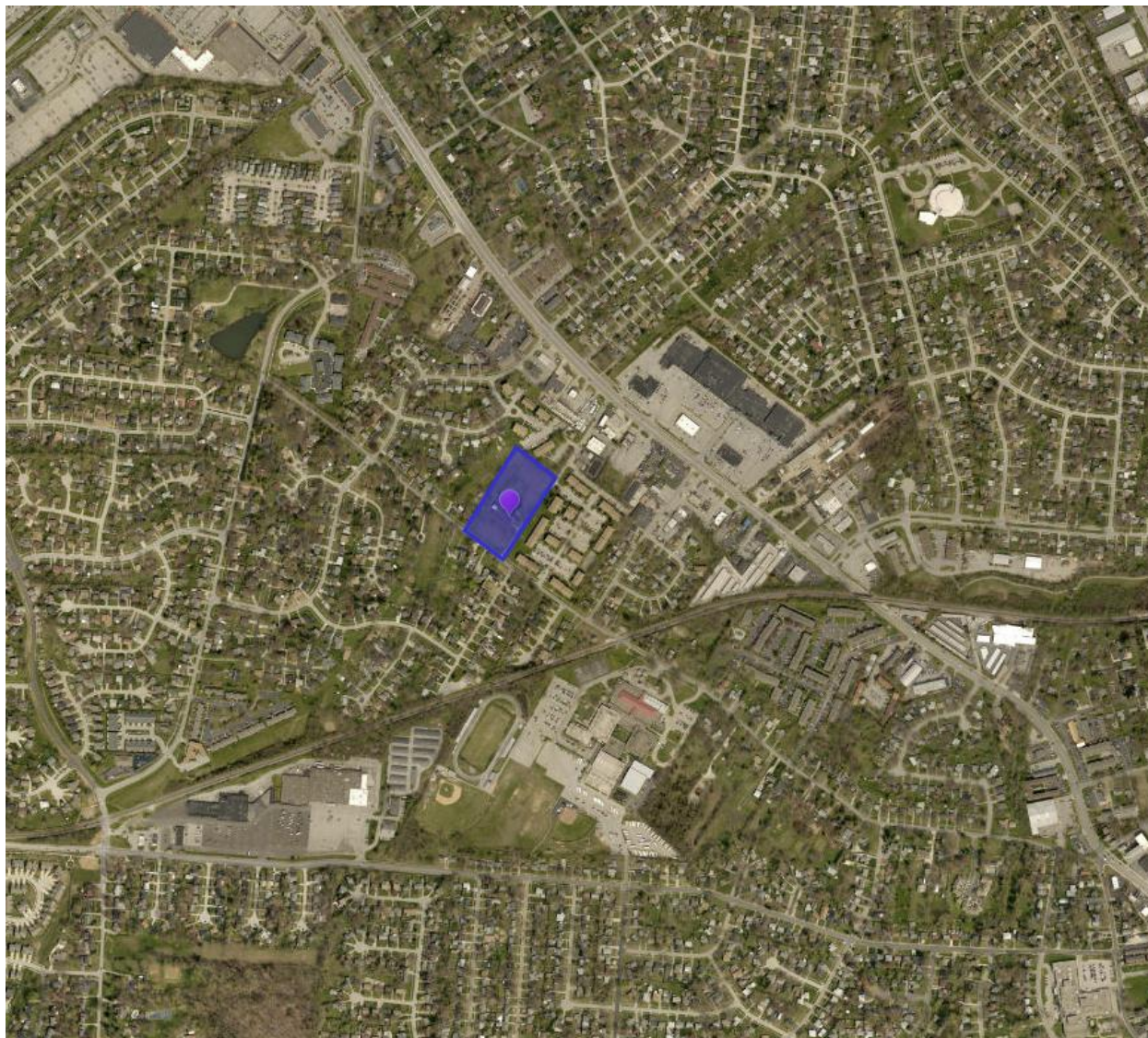
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. **Zoning Map**



2. Aerial Photograph



3. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
 - a. The development plan must receive full construction approval from City of Jeffersontown, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter
 - c. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the _____ Planning Commission meeting. A copy of the approved rendering will be available in the case file on record in the offices of the Louisville Metro Planning Commission.
 - d. A road closure for Tucker Road must be approved and recorded
3. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
4. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
5. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
6. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
7. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.