

Planning Commission Staff Report

December 20, 2018



Case No:	18ZONE1048
Project Name:	Stewart – McMahan Blvd.
Location:	4115 & 4117 Taylorsville Road
Owner(s):	Jeremy Brent Pearman
Applicant:	Stewart Companies, LLC
Representative(s):	Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	18 – Marilyn Parker
Case Manager:	Joel P. Dock, AICP, Planner II

REQUEST(S)

- **Change-in-Zoning** from R-4, Single-family Residential to PRD, Planned Residential Development
- **Detailed District Development Plan**

CASE SUMMARY

Nineteen single-family, attached side-wall dwellings are proposed on 3.1 acres of land at the intersection of Taylorsville Road and McMahan Boulevard. The site is roughly 0.5 miles east of Breckenridge Lane and roughly 1.5 miles West of Hurstbourne Parkway. An activity center is present to the immediate east and interstate access is provided nearby from Breckenridge Lane. Primary vehicular access is provided from McMahan Boulevard and pedestrian access is available from all road frontages through the site to each dwelling.

STAFF FINDING

The proposed change in zoning conforms to the Guidelines and Policies of the Comprehensive Plan. The proposed district allows for variability in options amongst available single-family residences in the area and provides for greater flexibility in meeting the needs of all persons within the community, including persons with disabilities or the elderly, along with inclusive and affordable options. The proposed use and district are no more intense than an R-5, single-family zoning district. The detailed district development appears to be adequately justified based on staff's analysis contained in the standard of review.

TECHNICAL REVIEW

- Final renderings will need to be approved prior to issuance of permits. A binding element to this effect has been included.
- A revised plan may be submitted upon agreement with the adjoining property owner at 4121 Taylorsville Road and review by MSD to allow for a sewer and drainage easement at the rear of the property at 4121 Taylorsville Road and future sanitary sewer connection for this property. The applicant and representatives have been in communication with the owner. The changes to the sewer connectivity would not appear to have an impact on this review.

STANDARD OF REVIEW FOR ZONING 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 guidelines and policies Cornerstone 2020; 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 Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING

The Following is a summary of staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020:

The site is located in the Neighborhood Form District

The Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas.

The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages and incomes. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to large lot single family developments with cul-de-sacs, neo-traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other streets, villages and zero lot line neighborhoods with open space, and high density multi-family condominium-style or rental housing.

The Neighborhood Form may contain open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. The Neighborhood Form should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycles and transit.

Neighborhood streets may be either curvilinear, rectilinear or in a grid pattern and should be designed to invite human interaction. Streets are connected and easily accessible to each other, using design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets. Examples of design elements that encourage this interaction include narrow street widths, street trees, sidewalks, shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

The proposed district allows for the introduction of non-standard single-family housing options; thus, increasing housing choice amongst available single-family options. The area contains a variety of densities within close proximity to the subject site. While the PRD district is not actively present in the immediate vicinity at this time, a wide variety of residential districts are present and housing choices vary. The PRD district allows for greater flexibility in housing style than is typical of standard single

family development. This allows for a greater variety of needs to be served, including persons with disabilities or the elderly and inclusive and affordable options.

The units have been oriented to an active presence along McMahan Blvd and internal open space with garages oriented towards internally roadways. Streets are designed to invite human interaction and easy access through the use of connectivity and design elements. The streets are designed to serve vehicles and sidewalks are provided for pedestrians with directly access to each dwelling. The mixing of vehicles and pedestrians has been avoided by the proposed design and the site has been designed for safe multi-modal interaction. The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development as internal and external sidewalk networks have been provided.

The proposed use and district are no more intense than an R-5, single-family zoning district. No additional transitions or mitigation is needed to separate single-family homes from abutting single-family homes. The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space as an internal park and exterior open space has been provided as amenities for future residents. Standard single family development does not have an open space requirement in the Neighborhood Form. Any required or provided open space exceeds expectations for standard single-family development. The proposal is an alternative form of single-family housing.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: The minimum tree canopy required will be provided and the site does not contain other significant natural features (steep slopes, water courses or flood plains). Residences construction prior to 1950 is present and the demolition of these structures may require review for National Register eligibility.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided as internal and external sidewalks have been provided with connectivity to each single-family dwelling.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: Sufficient open space to meet the needs of the development is provided as open space, landscaping, and tree canopy requirements are being met. The streets are designed to serve vehicles and sidewalks are provided for pedestrians with direct access to each dwelling. The mixing of vehicles and pedestrians has been avoided by the proposed design and the site has been designed for safe multi-modal interaction.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. The units have been oriented to have an active presence along McMahan Blvd and internal open space with garages oriented towards internally roadways is provided. Streets are designed to invite human interaction and easy access through the use of connectivity and design elements. The proposed use and district are no more intense than an R-5, single-family zoning district. The proposal is an alternative form of single-family housing. The area contains a mixture of densities and style, including multi-unit and multi-story structures.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan as demonstrated in Cornerstone 2020 Staff Analysis for the change in zoning request and to requirements of the Land Development Code.

REQUIRED ACTION(S)

- **RECOMMEND** to the Louisville Metro Council that the **Change in zoning** from R-4, Single-family Residential to PRD, Planned Residential Development on property described in the attached legal description be **APPROVED or DENIED**
- **APPROVE or DENY** the **Detailed District Development Plan**

NOTIFICATION

Date	Purpose of Notice	Recipients
11/16/18	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Registered Groups in Council District 18 & 11
	Hearing before Planning Commission	1 st and 2 nd tier adjoining property owners Registered Groups in Council District 18 & 11 (11/30/18)
12/7/18	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Analysis
4. Proposed Binding Elements

1. **Zoning Map**



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

Neighborhood: Residential

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
1	Community Form/Land Use Guideline 1: Community Form	B.3: The proposal supports the creation of a mix of residential housing choices and densities for the neighborhood.	✓	The proposed district allows for the introduction of non-standard single-family housing options; thus, increasing housing choice amongst available single-family options. The area contains a variety of densities within close proximity to the subject site.
2	Community Form/Land Use Guideline 1: Community Form	B.3: If the proposal is classified as high density (greater than 12 dwelling units per acre), it is located on a major or minor arterial or in a location that has limited impact on adjacent low or moderate density developments.	✓	The proposed district is for low-density development comparable to the R-5 single-family district and allows for single-family development options.
3	Community Form/Land Use Guideline 1: Community Form	B.3: If the proposal introduces a new housing type to the neighborhood, it is designed to be compatible with nearby land uses.	✓	While the PRD district is not actively present in the immediate vicinity at this time, a wide variety of residential districts are present and housing choices vary. The units have been oriented to an active presence along McMahan Blvd and internal open space with garages oriented towards internally roadways.
4	Community Form/Land Use Guideline 1: Community Form	B.3: Neighborhood streets are designed to invite human interaction and easy access through the use of connectivity, and design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets.	✓	Streets are designed to invite human interaction and easy access through the use of connectivity and design elements. The streets are designed to serve vehicles and sidewalks are provided for pedestrians with directly access to each dwelling. The mixing of vehicles and pedestrians has been avoided by the proposed design and the site has been designed for safe multi-modal interaction.
5	Community Form/Land Use Guideline 3: Compatibility	A.1: The proposal is generally compatible within the scale and site design of nearby existing development and with the form district's pattern of development.	✓	The proposal is compatible with the scale and site design of nearby development as the area contains a variety of multi-unit and multi-story development.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
6	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility. (Only for a new development in a residential infill context, or if consideration of building materials used in the proposal is specifically required by the Land Development Code.)	✓	Renderings in compliance with the Land Development Code will be provided to staff for review and approval prior to issuance of any permits. The orientation of the units indicates that doors and windows will be provided facing McMahan Blvd and internal open spaces.
7	Community Form/Land Use Guideline 3: Compatibility	A.3: The proposal is compatible with adjacent residential areas, and if it introduces a new type of density, the proposal is designed to be compatible with surrounding land uses through the use of techniques to mitigate nuisances and provide appropriate transitions between land uses. Examples of appropriate mitigation include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences.	✓	The proposal is compatible with adjacent residential areas, and if it introduces a new type of density, the proposal is designed to be compatible with surrounding land uses through the use of techniques to mitigate nuisances and provide appropriate transitions between land uses. The proposal does not introduce a new type of density as the density proposed is a single-family density at 7.26 du/ac and a variety of densities are present in the area.
8	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	✓	Access to the subject site is from an arterial roadway and traffic will be no more than is common for single-family development.
9	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	✓	Lighting will be complaint with LDC 4.1.3.
10	Community Form/Land Use Guideline 3: Compatibility	A.10: The proposal includes a variety of housing types, including, but not limited to, single family detached, single family attached, multi-family, zero lot line, average lot, cluster and accessory residential structures, that reflect the form district pattern.	✓	The proposed district allows for a variety of housing types consistent with the variety of options already available in the area.
11	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	✓	The proposal is for low-density development at a level that does not exceed the permitted density of the R-5, single-family district.
12	Community Form/Land Use Guideline 3: Compatibility	A.13: The proposal creates housing for the elderly or persons with disabilities, which is located close to shopping, transit routes, and medical facilities (if possible).	✓	The PRD district allows for greater flexibility in housing style than is typical of standard single family development. This allows for a greater variety of needs to be served, including persons with disabilities or the elderly.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
13	Community Form/Land Use Guideline 3: Compatibility	A.14/15: The proposal creates appropriate/inclusive housing that is compatible with site and building design of nearby housing.	✓	The PRD district allows for greater flexibility in housing style than is typical of standard single family development. This allows for a greater variety of needs to be served, including inclusive or affordable housing.
14	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	✓	The proposed use and district are no more intense than an R-5, single-family zoning district. No additional transitions or mitigation is needed to separate single-family homes from abutting single-family homes.
15	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	✓	The proposed use and district are no more intense than an R-5, single-family zoning district. No additional transitions or mitigation is needed to separate single-family homes from abutting single-family homes.
16	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	✓	Setbacks and lot dimensions are reduced for PRD to allow for the provision of alternative housing styles. The overall size of the development with respect to density is consistent with an R-5 zoning district.
17	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	✓	The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space as an internal park and exterior open space has been provided as amenities for future residents.
18	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District.	✓	Standard single family development does not have an open space requirement in the Neighborhood Form. Any required or provided open space exceeds expectations for standard single-family development. The proposal is an alternative form of single-family housing.
19	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	✓	The property does not appear to have any significant natural features. Tree canopy will be provided as required.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
20	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	✓	The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems. The property does not appear to have any significant natural features. Tree canopy will be provided as required.
21	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	+/-	There are two structures on site that were constructed prior to 1950 and follow the historic pattern of large lot residential development along Taylorsville Road. These structures may be eligible for nomination to National Register. A 30-day hold may be placed on the demolition permit.
22	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.	✓	The proposal has been reviewed and approved by MSD. Any impacts on this project to wet or highly permeable soils will be the responsibility of MSD in approving the final design. The site contains no other environmental features.
23	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	✓	The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development as public sidewalks will be provided.
24	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	✓	The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands as no site connections to adjacent roadways are required and the site has primary access to an arterial roadway.
25	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	✓	No additional right-of-way was required of this development

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
26	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	✓	No stub streets have been required of this development
27	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	✓	Access is through arterial roadways from commercial areas and will not impact adjacent residential.
28	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	✓	The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site as primary access for multiple dwelling is provided form an arterial roadway.
29	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	✓	The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development as internal and external sidewalk networks have been provided.
30	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.	✓	The proposal's drainage plans have been approved by MSD.
31	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	✓	No natural corridors are present
32	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	✓	The proposal is located in an area served by existing utilities or planned for utilities.
33	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	✓	The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
34	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	✓	The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.

4. 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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. 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.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways
 - d. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - e. A major subdivision plat creating the lots and roadways as shown on the approved district development plan shall be recorded prior to issuance of any building permits, except that grading/clearing and foundation only permits may be issued to ensure the accuracy of property lines as they relate to common side walls for residential units.
 - f. A reciprocal access agreement or other legal instrument in a form acceptable to Planning Commission's Legal Counsel shall be recorded allowing for pedestrian and vehicular access as shown on the approved development
5. 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.
6. 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.

9. Covenants, Conditions, and Restrictions ("CCRs") shall be prepared by the developer to be submitted to and reviewed and approved by Planning Commission legal counsel, prior to recording of the subdivision's Record Plat, for consistency with any binding elements that mandate inclusion in the CCRs, as well as the inclusion of the following requirements: (a) all road, drainage, sanitary sewer, water, other necessary infrastructure and other required landscaping and facilities shall be installed by the developer prior to turn-over of maintenance responsibilities to the Home Owners Association ("HOA"); (b) any shared water meters and property service connections for sanitary sewers shall be the sole responsibility of the HOA; (c) any water, sewer and drainage facilities that cross lot lines shall be included in blanket easements for purposes of both lot owner and HOA access and maintenance; and (d) where attached residences are proposed, easements shall be provided to provide for incidental encroachments, property maintenance and repair.
10. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
11. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity, unless approved by the Louisville Metro Planning Commission. A note to this effect shall be placed on the record plat.
12. Final renderings shall be provided to Planning Commission staff for review and approval prior to the issuance of any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit).

~~To be revised per staff presentation~~

#13 Landscaping shall be substantially similar to that shown on the applicant's landscaping exhibit @ the PH 12/20/18.
Landscaping shall be installed @ height of no less than 8-10'

#14 Turn lane - Commissioner Brown

Land Development & Transportation Staff Report

November 29, 2018



Case No:	18ZONE1048
Project Name:	Stewart – McMahan Blvd.
Location:	4115 & 4117 Taylorsville Road
Owner(s):	Jeremy Brent Pearman
Applicant:	Stewart Companies, LLC
Representative(s):	Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	18 – Marilyn Parker
Case Manager:	Joel P. Dock, AICP, Planner II

REQUEST(S)

- **Change-in-Zoning** from R-4, Single-family Residential to PRD, Planned Residential Development
- **Detailed District Development Plan**

CASE SUMMARY

Nineteen single-family, attached side-wall units are proposed on 3.1 acres of land at the intersection of Taylorsville Road and McMahan Boulevard. The site is roughly 0.5 miles east of Breckenridge Lane and roughly 1.5 miles West of Hurstbourne Parkway. An activity center is present to the immediate east and interstate access is provided nearby from Breckenridge Lane. Primary vehicular access is provided from McMahan Boulevard and pedestrian access is available from all road frontages.

STAFF FINDING

The plan is in order and ready to be docketed for the next available public hearing before the Planning Commission.

TECHNICAL REVIEW

- Renderings for the redesigned orientation and pedestrian connectivity to each unit have not yet been updated for the record. Renderings should be provided.

STANDARD OF REVIEW FOR ZONING 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 guidelines and policies Cornerstone 2020; 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 Cornerstone 2020 which have substantially altered the basic character of the area.

NOTIFICATION

Date	Purpose of Notice	Recipients
11/16/18	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Registered Groups in Council District 18 & 11
	Hearing before Planning Commission	1 st and 2 nd tier adjoining property owners Registered Groups in Council District 18 & 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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. 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.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways
 - d. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - e. A major subdivision plat creating the lots as shown on the approved district development plan shall be recorded prior to issuance of any building permits
 - f. A reciprocal access agreement or other legal instrument in a form acceptable to Planning Commission's Legal Counsel shall be recorded allowing for pedestrian and vehicular access as shown on the approved development
5. 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.
6. 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.

9. Covenants, Conditions, and Restrictions (“CCRs”) shall be prepared by the developer to be submitted to and reviewed and approved by Planning Commission legal counsel, prior to recording of the subdivision’s Record Plat, for consistency with any binding elements that mandate inclusion in the CCRs, as well as the inclusion of the following requirements: (a) all road, drainage, sanitary sewer, water, other necessary infrastructure and other required landscaping and facilities shall be installed by the developer prior to turn-over of maintenance responsibilities to the Home Owners Association (“HOA”); (b) any shared water meters and property service connections for sanitary sewers shall be the sole responsibility of the HOA; (c) any water, sewer and drainage facilities that cross lot lines shall be included in blanket easements for purposes of both lot owner and HOA access and maintenance; and (d) where attached residences are proposed, easements shall be provided to provide for incidental encroachments, property maintenance and repair.
10. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
11. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity, unless approved by the Louisville Metro Planning Commission. A note to this effect shall be placed on the record plat.
12. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the _____ 2018 Planning Commission meeting

Change in Zoning Pre-Application Staff Report



Case No:	18ZONE1048
Project Name:	Stewart – McMahan Blvd.
Location:	4117 Taylorsville Road
Owner(s):	Multiple Owners
Applicant:	Stewart Companies, LLC
Representative(s):	Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	18 – Marilyn Parker
Case Manager:	Joel P. Dock, AICP, Planner II

REQUEST(S)

- **Change-in-Zoning** from R-4, Single-family Residential to PRD, Planned Residential Development
- **Detailed District Development Plan**

CASE SUMMARY

Twenty-eight single-family, attached side-wall units are proposed on 4 acres of land at the intersection of Taylorsville Road and McMahan Boulevard. The site is roughly 0.5 mile east of Breckenridge Lane which provides interstate access and roughly 1.5 miles West of Hurstbourne Parkway. A large multi-purpose center is present to the immediate east. Primary access to the subject site is obtained from McMahan Boulevard.

STAFF FINDING

At this time, the project fails to be in conformance with the guidelines and policies of Cornerstone 2020. While a PRD district allows for the introduction of alternative housing choices and increased diversity, the design of the project is incompatible with the area and pattern of development of the Neighborhood form district. The project is poorly designed for pedestrian access, the safe movement of those pedestrians, and provides only for the automobile user. The reversal of the proposed units in combination with a reconfiguration of the road network including additional drive lanes/alley ways serving accessory structures and sidewalk connectivity may help bring the project into conformance with certain plan elements.

TECHNICAL REVIEW

- Miles Road shall be extended into the development and connection made (LDC 5.9.2.A.1.a.i)
- It does not appear that public parking for guests can be fully accompanied by on-street areas as driveways occupy the majority of frontage along the streets. Public/guest parking area shall be provided in proximity to dwelling units (LDC 2.7.3.G.2.c)
- LDC 2.7.3: Planned residential developments shall meet at least two of the following criteria: 1. The site has certain topographic and landform limitations or environmental constraints and the proposed plan preserves these features from development and disturbance; or 2. The site meets infill objectives consistent with recommendations of an officially adopted neighborhood plan, corridor plan or urban renewal plan; or 3. The proposal creates a variety of housing styles serving the needs of people of differing ages or incomes; or 4. The proposal expands the diversity of housing types available within a neighborhood; or 5. The proposal creates

permanently protected open space that meets outdoor recreation needs, preserves wildlife habitat, or extends a community-wide greenway system. Applicants shall include a justification statement as part of the application. The justification statement shall explain how the proposed development fulfills the above requirements. This justification is separate from the "statement of compliance"

STANDARD OF REVIEW FOR ZONING 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 guidelines and policies Cornerstone 2020; 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 Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING

The Following is a summary of staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020:

The site is located in the Neighborhood Form District

The Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas.

The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages and incomes. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to large lot single family developments with cul-de-sacs, neo-traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other streets, villages and zero lot line neighborhoods with open space, and high density multi-family condominium-style or rental housing.

The Neighborhood Form may contain open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. The Neighborhood Form should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycles and transit.

Neighborhood streets may be either curvilinear, rectilinear or in a grid pattern and should be designed to invite human interaction. Streets are connected and easily accessible to each other, using design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets. Examples of design elements that encourage this interaction include narrow street widths, street trees, sidewalks, shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

The proposed district allows for the introduction of non-standard single-family housing options; thus, increasing choice for this occupancy/housing type. It further allows for greater flexibility in housing style than is typical of standard single family development. Although the PRD district promotes a diversity of housing choice, the design and overall layout of the proposal is, at this time, not in conformance with the guidelines and policies of the Cornerstone 2020.

The style and design of the proposed development is inconsistent with the surrounding pattern of development exhibited by adjoining residential properties as the prominence of the garage conceals the primary structure. As a result, the living space and occupant are removed from the street/front yard and interaction with pedestrians or other passers-by on the street are eliminated. Additionally, it places an accessory structure in direct conflict with the primary structure by placing it in the front. This is inconsistent with the design of surrounding properties, as well as common approaches to residential design throughout the community. The reversal of the proposed units in combination with a reconfiguration of the road network including additional drive lanes/alley ways serving accessory structures may help bring the project into conformance with certain plan elements.

Streets should be designed to invite human interaction and easy access. The proposed design does not invite human interaction as the garage location removes the potential for interaction between residents and the street. The design further reduces the ability of pedestrians to move within the development or from residence to residence as the location and scale of the garages create an unsafe environment for pedestrians due to the width of individual and neighboring driveways. Access for pedestrians to individual units is not apparent from the street. The reversal of the proposed units and a reconfiguration of the road network including additional drive lanes/alley ways serving accessory structures may help bring the project into conformance with certain plan elements.

The proposal does not provide for the movement of pedestrians, bicyclists and transit users around and through the development. The design of the project creates an unsafe scenario for pedestrians due to the width and continuous nature of the individual driveways. No connections have been made to public ways and no discernable front entrance is provided for residents to exit upon ways leading to public ways and transit. The lack of proper entrance to primary structures raises additional concerns in the event of a fire or medical event. It would appear that the one way in/out is through a garage door. In the event the door jams, how will emergency services access the structure from the street. The reversal of the proposed units and a reconfiguration of the road network including additional drive lanes/alley ways serving accessory structures may help bring the project into conformance with certain plan elements.

NOTIFICATION

Date	Purpose of Notice	Recipients
	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 18
	Hearing before Planning Commission	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 18
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist

1. **Zoning Map**



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

Neighborhood: Residential

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
1	Community Form/Land Use Guideline 1: Community Form	B.3: The proposal supports the creation of a mix of residential housing choices and densities for the neighborhood.	✓	The proposed district allows for the introduction of non-standard single-family housing options; thus, increasing choice for this occupancy/housing type.
2	Community Form/Land Use Guideline 1: Community Form	B.3: If the proposal is classified as high density (greater than 12 dwelling units per acre), it is located on a major or minor arterial or in a location that has limited impact on adjacent low or moderate density developments.	✓	The proposal is for low-density development comparable to an R-5 zoning district.
3	Community Form/Land Use Guideline 1: Community Form	B.3: If the proposal introduces a new housing type to the neighborhood, it is designed to be compatible with nearby land uses.	+/-	A new housing type is being introduced to the neighborhood. The style and design of this type is inconsistent with the surrounding pattern of development exhibited by adjoining residential properties as the prominence of the garage conceals the primary structure. As a result, the living space and occupant are removed from the street/front yard and interaction with pedestrians or other passers-by on the street are eliminated. Additionally, it places an accessory structure in direct conflict with the primary structure by placing it in the front. This is inconsistent with the design of surrounding properties and common approaches to residential design throughout the community. The reversal of the proposed units and a reconfiguration of the road network including additional drive lanes/alley ways serving accessory structures may resolve lack of compliance with this plan element.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
4	Community Form/Land Use Guideline 1: Community Form	B.3: Neighborhood streets are designed to invite human interaction and easy access through the use of connectivity, and design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets.	+/-	Streets should be designed to invite human interaction and easy access. The proposed design does not invite human interaction as the garage location removes the individual from the street. The design further reduces the ability of pedestrians to move within the development or from residence to residence as the location and scale of the garages create an unsafe environment for pedestrian due to the width of individual and neighboring driveways. Access for pedestrians to individual units is not apparent from the street. The reversal of the proposed units and a reconfiguration of the road network including additional drive lanes/alley ways serving accessory structures may resolve lack of compliance with this plan element.
5	Community Form/Land Use Guideline 3: Compatibility	A.1: The proposal is generally compatible within the scale and site design of nearby existing development and with the form district's pattern of development.	+/-	The style and design of this type is inconsistent with the surrounding pattern of development exhibited by adjoining residential properties as the prominence of the garage conceals the primary structure. As a result, the living space and occupant are removed from the street/front yard and interaction with pedestrians or other passers-by on the street are eliminated. Additionally, it places an accessory structure in direct conflict with the primary structure by placing it in the front. This is inconsistent with the design of surrounding properties and common approaches to residential design throughout the community. The reversal of the proposed units and a reconfiguration of the road network including additional drive lanes/alley ways serving accessory structures may resolve lack of compliance with this plan element.
6	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility. (Only for a new development in a residential infill context, or if consideration of building materials used in the proposal is specifically required by the Land Development Code.)	+/-	Renderings will be required.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
7	Community Form/Land Use Guideline 3: Compatibility	A.3: The proposal is compatible with adjacent residential areas, and if it introduces a new type of density, the proposal is designed to be compatible with surrounding land uses through the use of techniques to mitigate nuisances and provide appropriate transitions between land uses. Examples of appropriate mitigation include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences.	+/-	The style and design of this type is inconsistent with the surrounding pattern of development exhibited by adjoining residential properties as the prominence of the garage conceals the primary structure. As a result, the living space and occupant are removed from the street/front yard and interaction with pedestrians or other passers-by on the street are eliminated. Additionally, it places an accessory structure in direct conflict with the primary structure by placing it in the front. This is inconsistent with the design of surrounding properties and common approaches to residential design throughout the community. The reversal of the proposed units and a reconfiguration of the road network including additional drive lanes/alley ways serving accessory structures may resolve lack of compliance with this plan element.
8	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	✓	Access to the subject site is from an arterial roadway and traffic will be no more than is common for single-family development.
9	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	+/-	Will street lighting be provided?
10	Community Form/Land Use Guideline 3: Compatibility	A.10: The proposal includes a variety of housing types, including, but not limited to, single family detached, single family attached, multi-family, zero lot line, average lot, cluster and accessory residential structures, that reflect the form district pattern.	+/-	The proposed district allows for a variety of housing types. The type of housing proposed should be consistent with the form district. Accessory structures should not be in front of the primary structure.
11	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	✓	The proposal is for low-density development comparable to an R-5 zoning district
12	Community Form/Land Use Guideline 3: Compatibility	A.13: The proposal creates housing for the elderly or persons with disabilities, which is located close to shopping, transit routes, and medical facilities (if possible).	+/-	The PRD district allows for greater flexibility in housing style than is typical of standard single family. Will specific housing for the elderly be provided?

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
13	Community Form/Land Use Guideline 3: Compatibility	A.14/15: The proposal creates appropriate/inclusive housing that is compatible with site and building design of nearby housing.	+/-	While the district allows for the provision of appropriate/inclusive housing, the design of the structures may preclude the ability of the residences to be inclusive as the design lends itself to an auto-dependent occupant. Inclusive development would entail that occupants may safely exit/enter homes onto walks within the development and be able to safely move within their development to access public ways leading to transit. The design provokes the sense that an occupant must own a vehicle.
14	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	✓	The proposed use and district are no more intense than an R-5, single-family zoning district. No additional transitions or mitigation is needed to separate single-family homes from abutting single-family homes.
15	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	✓	The proposed use and district are no more intense than an R-5, single-family zoning district. No additional transitions or mitigation is needed to separate single-family homes from abutting single-family homes.
16	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	✓	Setbacks and lot dimensions are reduced for PRD to allow for the provision of alternative housing styles. The overall size of the development with respect to density is consistent with an R-5 zoning district.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
17	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	+/-	Plan Comment: For developments with gross densities between 4.84 and 7.26 dwelling units per acre, land area equal to 50% of the difference in each lot area and 6,000 square feet shall be placed in common open space and shall be owned in common and maintained by the owners of lots in the development. Open space as required by paragraph 5a. shall meet the general standards and standards for "open space for outdoor recreation" or "open space for natural resource protection/public health and safety" as established in Section 5.11.4 of the LDC. TOTAL OPEN SPACE REQUIREMENT IS 46,200. $[(6,000 \times 28) - (\text{SUM OF ALL LOTS})] / 2 = 46,200$. PLEASE USE CORRECT CALCULATIONS ON PLAN.
18	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District.	+/-	Open space shall be functional and safe. The applicant should consider the relocation of open space away from major roadways.
19	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	+/-	A tree line is present along McMahan Blvd and other property lines. Will any of this be placed in TCCA?
20	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	✓	The proposal generally proposal respects the natural features of the site.
21	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	+/-	Two residential structures are present that could be preserved to maintain the existing pattern of development along Taylorsville Road. The removal of these structures does not preclude the developer from respecting the pattern of development along the corridor.
22	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.	+/-	MSD review and approval required.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
23	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	+/-	Any contributions required should be made
24	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	+/-	Miles Road shall be extended (Existing stub streets shall be extended to serve the new development and connect with adjacent residential areas)
25	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	+/-	Any dedications required shall be made
26	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	+/-	Miles Road shall be extended (Existing stub streets shall be extended to serve the new development and connect with adjacent residential areas)
27	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	✓	Access is through arterial roadways from commercial areas and will not impact adjacent residential.
28	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	+/-	Miles Road shall be extended (Existing stub streets shall be extended to serve the new development and connect with adjacent residential areas)
29	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	+/-	The proposal does not provides for the movement of pedestrians, bicyclists and transit users around and through the development. The design of the project creates an unsafe scenario for pedestrians due to the width and continuous nature of the individual driveways. No connections have been made to public ways and no discernable front entrance is provided for residents to exit upon ways leading to public ways and transit.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Analysis
30	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue-line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.	+/-	MSD review and approval required.
31	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	✓	No natural corridors are present
32	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	✓	Utilities would appear to be available based on existing development
33	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	+/-	Fire department review and approval needed. Staff has additional concerns about the lack of proper entrance and exit from structures in the event of a fire. It would appear that the one way in and out is through a garage door. In the event the door jams, how will emergency services access the structure from the street.
34	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	+/-	<ul style="list-style-type: none"> * Each proposed lot/building must connect to its own sanitary sewer PSC with a minimum six inch sanitary sewer. * Owner must provide documentation of connect to sanitary sewer, PSC, with a minimum six inch sanitary sewer. * Sanitary sewer service to be provided by lateral extension as approved by MSD. * All construction and sales trailers must be permitted by the Department of Public Health and Wellness in accordance with chapter 115 of Louisville Jefferson County Metro Ordinances. * Mosquito control in accordance with chapter 96 of Louisville Jefferson County Metro Ordinances.