

Louisville Metro Planning Commission - November 16, 2017  
Louisville Metro Land Development and Transportation Committee - October 26, 2017  
Eastwood Village Council Meeting - October 9, 2017  
Neighborhood Meetings - July 10, 2017; August 12, 2017

Docket No. 17ZONE1032

Zone change from R-4 to R-5 to allow a 102 buildable lot, single-family residential subdivision located at 16401, 16401R and 16317 Shelbyville Rd and 16500 Glen Lakes Dr



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1. LOJIC Zoning Map
2. Aerial photographs of the site and surrounding area
3. Ground level photographs of the site and surrounding area
4. Neighborhood Meeting notice list map
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6. Gardiner Park Retail Center in state of flux pending anchor-tenant
7. Similar house style and designs
8. Proposed findings of fact pertaining to compliance with the Comprehensive Plan

Attorneys: Bardenwerper Talbott & Roberts, PLLC

Land Planners, Landscape Architects and Engineers: Mindel Scott & Associates, Inc.



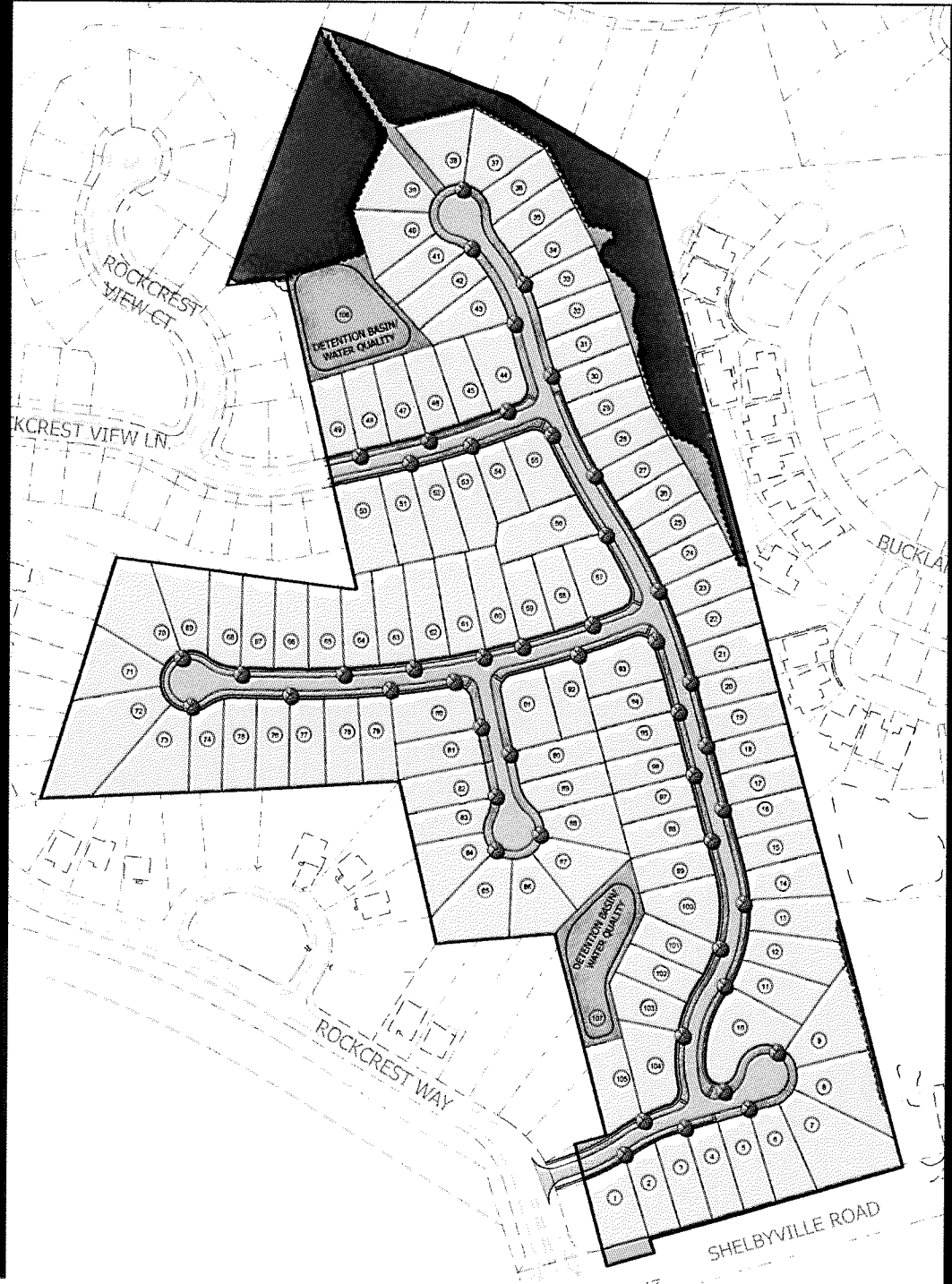


Adjoining property owner notice list map wherein 227 neighbors were invited to the various neighborhood meetings and the subsequent LD&T and Planning Commission public hearing.

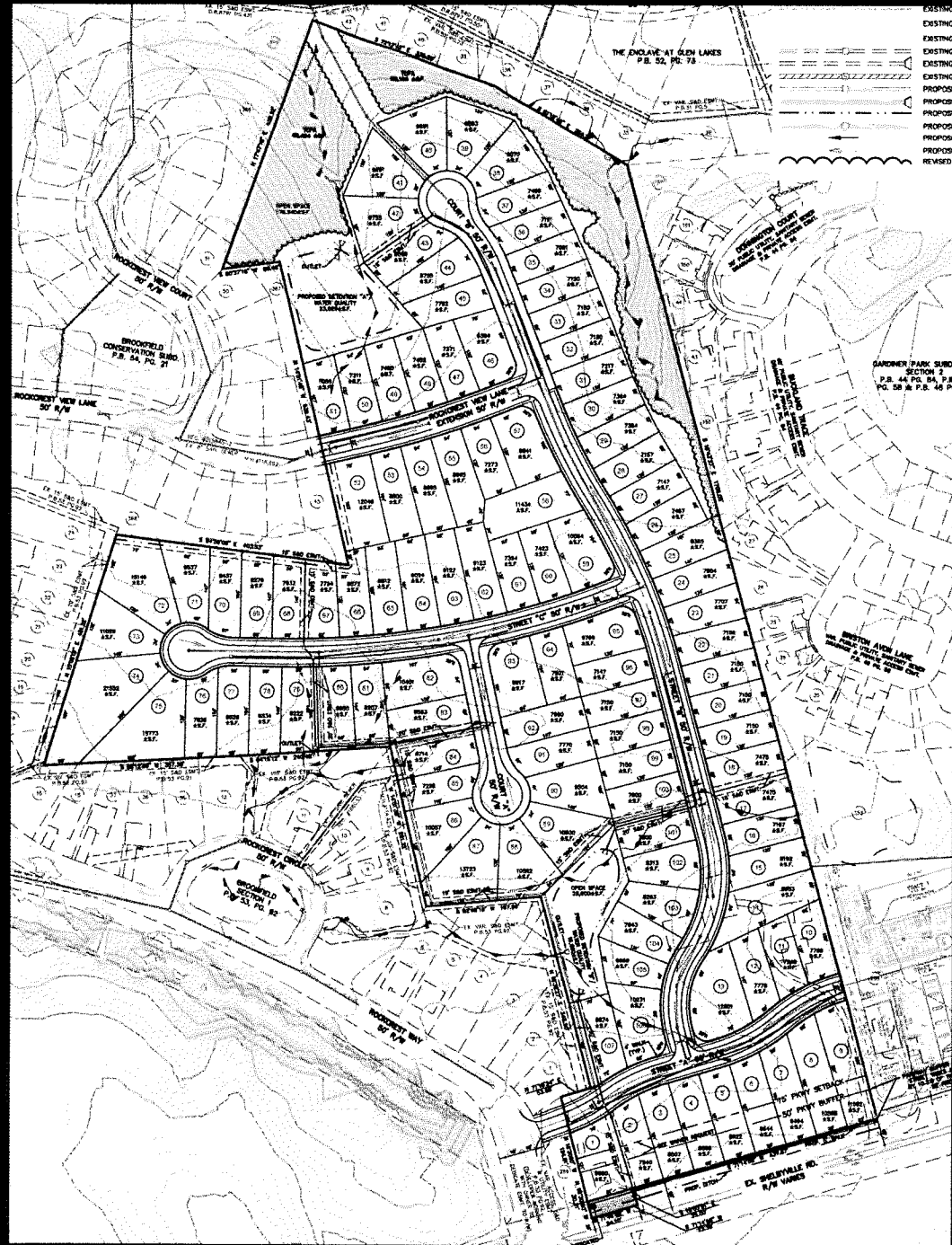




R-5 plan shown at the July 10<sup>th</sup> neighborhood meeting with cul-de-sac lots along Shelbyville Road and rear portion of lots facing Shelbyville Rd.

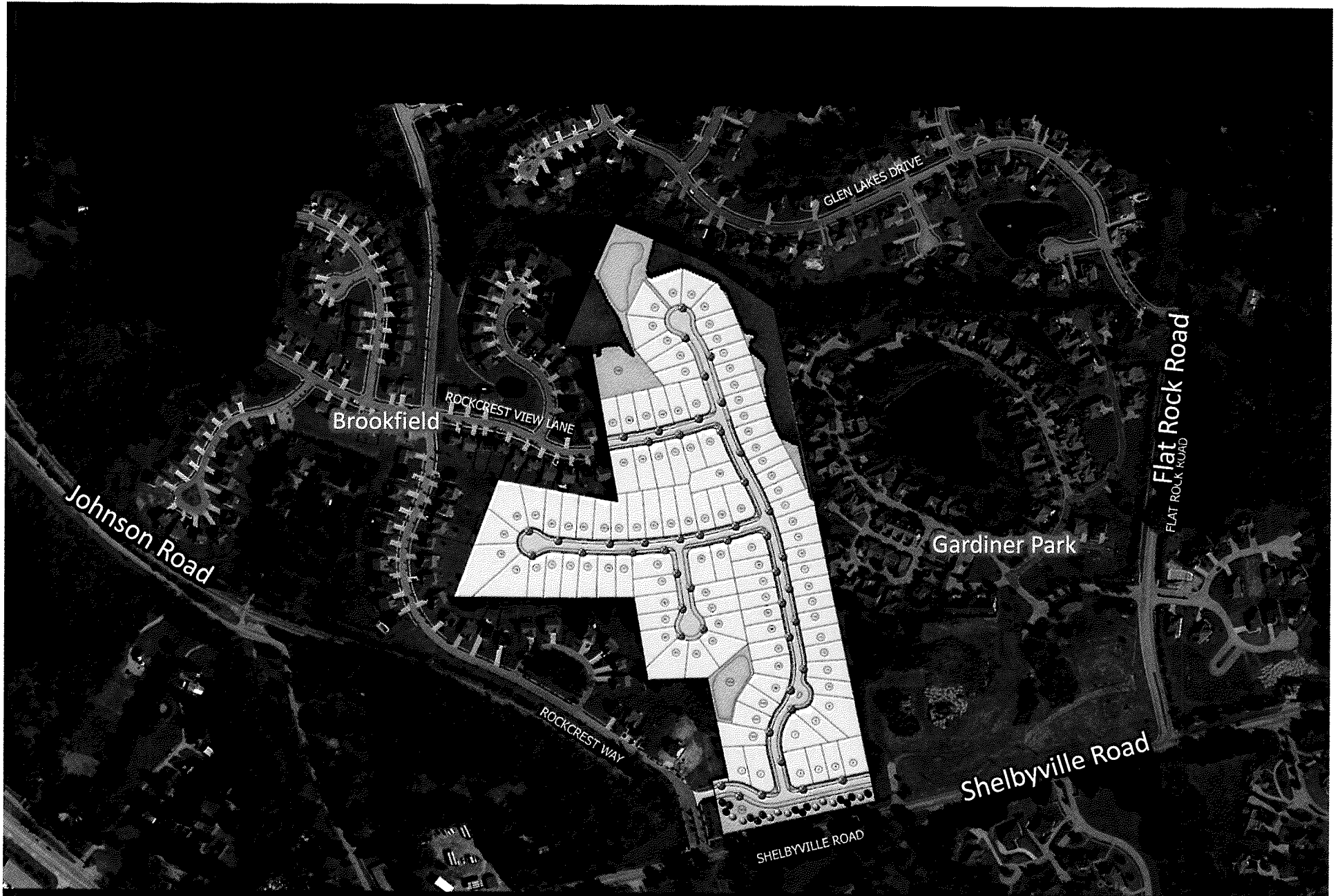


R-5 plan shown at the August 12<sup>th</sup> neighborhood meeting with stub-street lots along Shelbyville Road and rear portion of lots facing Shelbyville Rd.



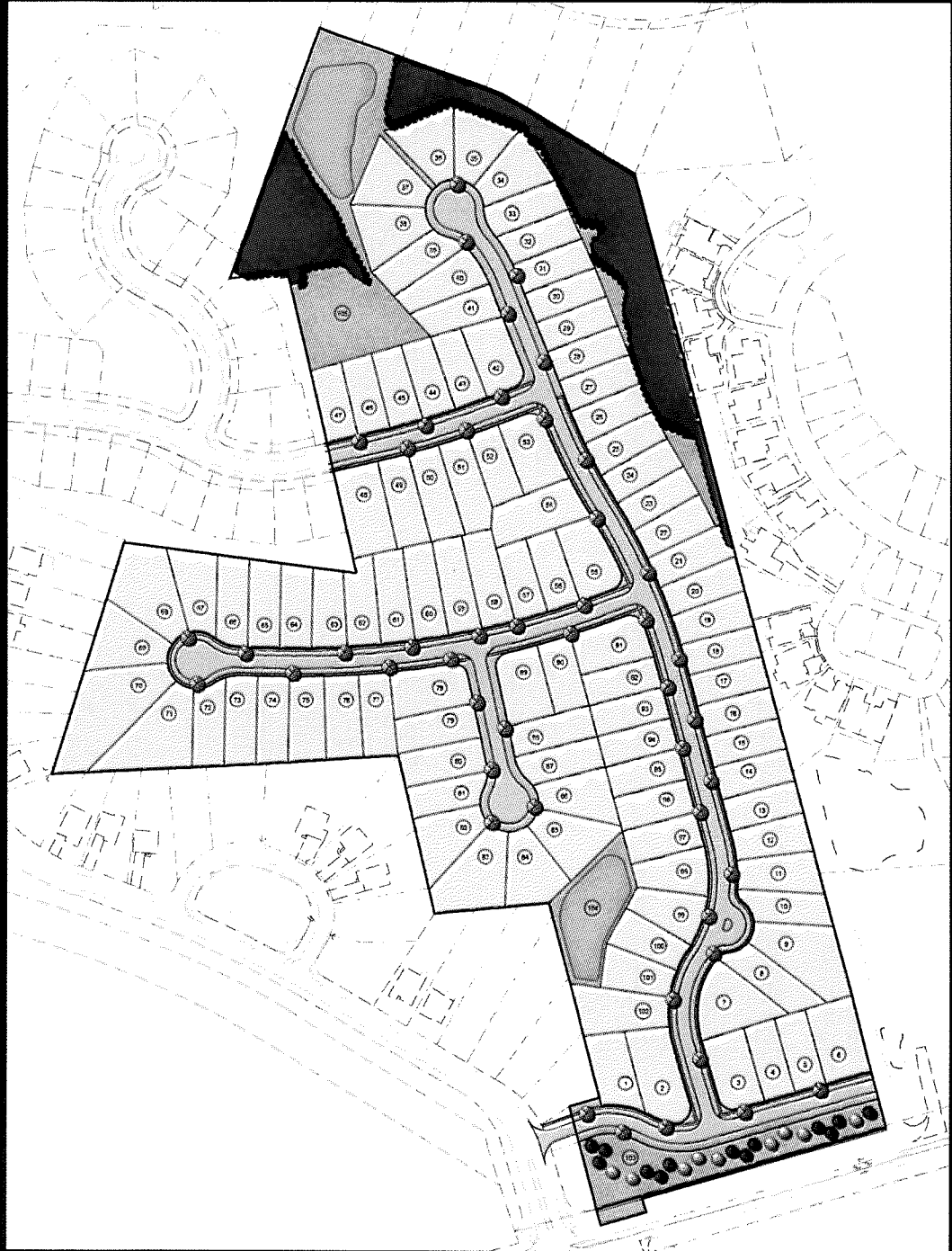


Current development plan with stub-street to the Gardiner Park commercial development and lots facing Shelbyville Road.



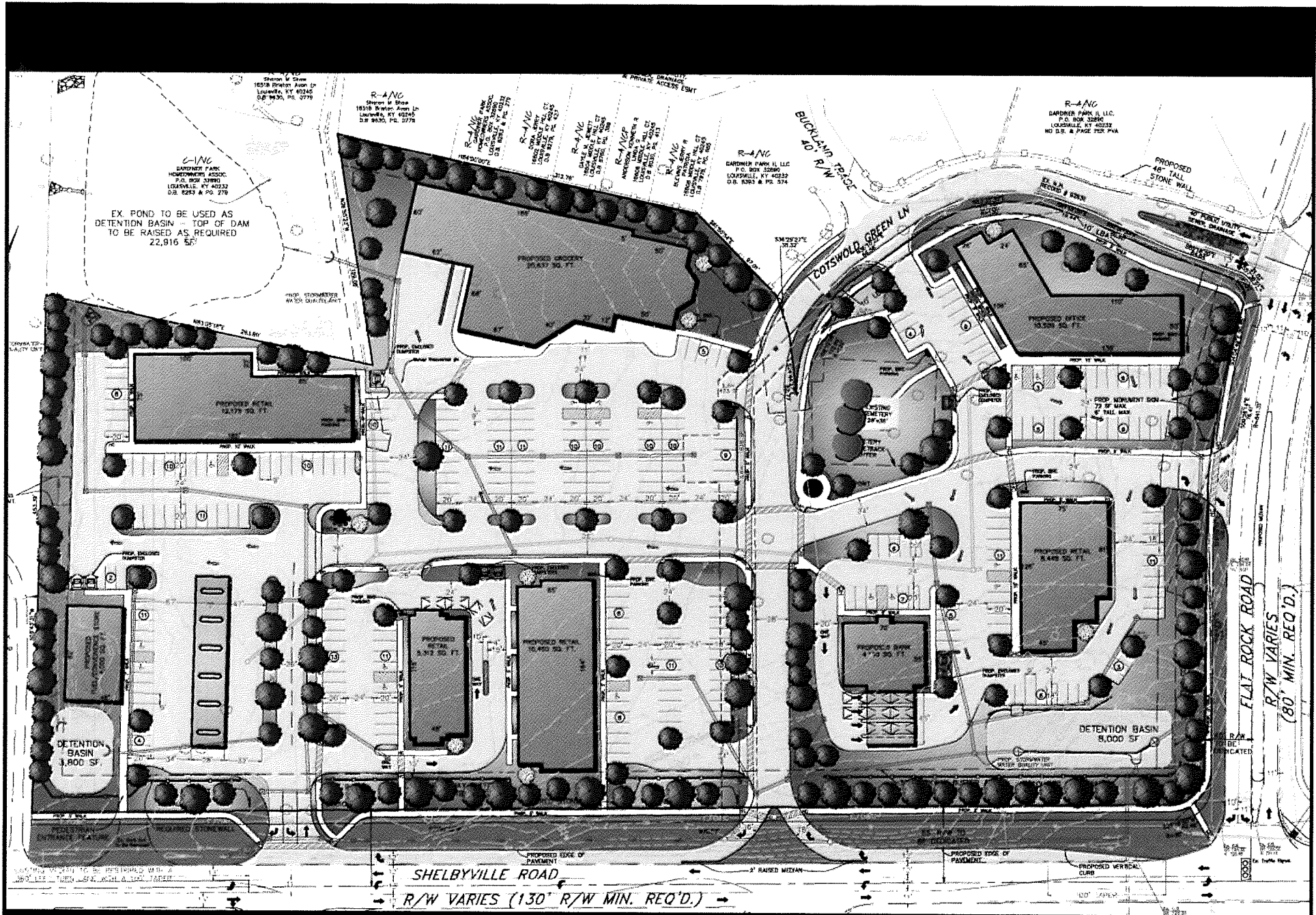
Current development plan with stub-street to the Gardiner Park commercial development and lots facing Shelbyville Road.

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	<u>Brookfield I R-4 existing</u>	<u>Brookfield Conserv. Sub. Reg.</u>	<u>Bryant Farm R-4 existing</u>	<u>Bryant Farm R-5 Rezoning</u>
Density	2.38 du/a	3.68 du/a	4.84 du/a max	3.31 du/a
Lot Count	n/a	n/a	93	102
Lot SF	11,980 sf avg.	6,050 sf typical	9,000 sf min	7,150 sf typical
Lot Width	60 ft min	55 ft typical	60 ft min	55 ft min
Open space	16% provided	31% provided	0% provided	15% provided
House Design Standards	Not Required	Not Required	Not Required	Required



2014 grocery co-op plan









2067 sf





2349 sf



3449 sf





2129 sf



2716 sf





2323 sf





2646 sf



3074 sf





3322 sf



3371 sf

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

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

Applicant: Ball Homes

Owner: Pinnacle Properties of Louisville and William R. Bryant Living Trust

Location: 16500 Glen Lake Drive, 16401 R US Highway 60, 16401 and 16317 Shelbyville Road

Proposed Use: Single-Family Residential

Engineers, Land Planners and Landscape Architects: Mindel Scott & Associates

Request: Zone Change from R-4 to R-5

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on November 9, 2017 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

### GUIDELINE 1 – COMMUNITY FORM

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

### GUIDELINE 3 – COMPATIBILITY

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



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

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

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

**GUIDELINE 6 – MARKETPLACE**

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

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

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

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

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

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

**GUIDELINES 10 AND 11 – STORMWATER AND WATER QUALITY**

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

**GUIDELINE 13 – LANDSCAPE CHARACTER**

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

\* \* \* \* \*

**WHEREAS**, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books and on the approved detailed district development plan, this application also complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan;

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-4 to R-5 and approves the Detailed District Development Plan.