

Case No. 17ZONE1006 - Findings of Fact

01:46:46 On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution was adopted:

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets the intents of **Guideline 1 - Community Form**. SFLS, LLC (“SFLS”) proposes a residential condominium community, consisting of 58 patio home style condominium units on 12.35 +/- gross acres at the Sanctuary Lane stub that runs from Old Bardstown Road through the Beaumont senior living community and also through the Glenmary Commons subdivision; and

WHEREAS, the Commission further finds that the subject property lies within the Neighborhood Form District and is located just west of Bardstown Road near the intersection of Long Home Road; direct access to the property via the site’s location near Old Bardstown Road ensures easy access to the Gene Snyder Freeway, to the Fern Creek town center just north of the Gene Snyder Freeway, and to a variety of significant emerging retail shopping along the Bardstown Road corridor south of the Snyder Freeway; this proposal will provide this area with new, attractive, housing choices for residents who desire to live in this community but prefer lower maintenance, less demanding condominium style living; residents of the proposed residential condominium community will include mostly “empty-nesters,” that is to say, a few young childless singles and mostly older, often retired, singles and couples; the expansion of services and infrastructure in this south Fern Creek/Cedar Creek area makes this area extremely popular, as demonstrated by the success of multiple communities now utilizing the “Glenmary” name; and

WHEREAS, the Commission further finds that SFLS proposes 2 and 4-plex patio home style buildings in which each unit will have a garage; SFLS proposes a gross density of 4.70 dwelling units per acre (the upper end of the low density range); buildings will be constructed of attractive building materials (brick and/or siding) and will feature architectural details similar to those in other nearby residential neighborhoods in order to ensure that the scale and appearance of the development will be compatible with the existing communities in this area; and

WHEREAS, the Commission further finds that the condominium council of co-owners will contract with professional groundskeepers for care of the common areas including the entrance frontage, buffers and open space areas, as is typical for planned condominium communities; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 2 – Centers**. The proposed development conforms with the overall Intents and specifically with applicable Policies 4, 5, 12 and 14 of Guideline 2 Comprehensive Plan for all the reasons listed above and because it will make efficient use of available property that lies within the Neighborhood Form District and is located in an extremely popular area where residents currently seek new housing options and have

easy access to Bardstown Road commercial and employment centers; the variety of condominium style homes that will be available at the development will diversify housing options in this area; future residents will also support the businesses and services in nearby activity centers; future residents will find that the ease of access to the Fern Creek town center plus south Bardstown Road commercial corridor and, via I-265, other nearby activity centers is an amenity; the proposed development will connect to existing utilities available at the applicant's cost, eliminating the need for costly utility extensions and reducing the overall public costs for infrastructure; and the landscaped, signature entrance and well-defined internal streets provided, as well as the architectural building style and natural open spaces provided within the community will combine to provide residents with a sense of place and recreational space; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 3 – Compatibility**. The proposed development conforms with the overall Intents and specifically with applicable Policies 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 21, 22, 23, and 28 of Guideline 3 of the Comprehensive Plan for all the reasons described above and because the proposal is a low gross density of 4.70+/- dwelling units per acre, the applicant is providing a new public street to assure adequate street infrastructure, and the buildings will be one-story in scale and constructed with attractive building materials and in modern design styles to blend easily with adjoining neighborhoods; perimeter landscaping is provided along all property lines; the subject property is adjoined on the north and south sides by residential land uses and on the west by vacant residential land; duplexes and four-plexes plus different unit types will be available to support a better choice for housing options in this area; many “empty nester” residents prefer housing that provides them access to all the positive attributes of a specific community, but do not desire to purchase and maintain single family homes, thus requiring alternatives that support a better mixture of residential density and intensity land uses; and

WHEREAS, the Commission further finds that sidewalks will be provided where required; this patio home community will connect to adjoining residential community; handicap parking, access for the disabled and other safety measures will be provided in accordance with the law; odor and air quality concerns related to traffic congestion or delay will be mitigated by the fact that internal road and any required sidewalks will be efficiently organized to control traffic flow and prevent delays with provision of multiple street connections to adjoining communities, sidewalks, and safe access for automobiles, pedestrians and bicycles; refuse will be picked up on a regular basis; and lighting will be residential in character in conformance with Land Development Code regulations; and because all signage will be in conformance with Land Development Code regulations; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guidelines 4 and 5 – Open Space and Natural Areas / Scenic and Historic Resources**. The proposed development conforms with the overall Intents and specifically with applicable Policies 1, 3, 5, 6 & 7 of Guideline 4 and with the Intents of Guideline 5 of the Comprehensive Plan for all the reasons described above and

because it will feature open spaces interspersed among the buildings that will be available for passive use by residents and will serve to provide natural areas and an overall positive appearance for the community; landscaping will also be provided along property perimeters, along street frontage and around buildings; setbacks and buffers along property lines will ensure good transitions between the proposed development and existing land uses; maintenance of landscaping, natural and open space areas will be done by professionals and contracted for by the condominium council of co-owners; this maintenance arrangement will result in a higher and more consistent level of maintenance of the open spaces than if the property were developed as a single-family subdivision; and no portion of the subject property has been designated as a natural, historic or scenic preservation site; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 6 – Economic Growth and Sustainability**. The proposed development conforms with the overall Intents and specifically with applicable Policies 1, 2 and 6 of Guideline 6 of the Comprehensive Plan because, as noted above, future residents will support and be supported by the businesses, services, schools and churches in and around nearby activity centers; this proposal also reduces public costs for land development by utilizing connections to existing infrastructure for water, sewer, electric and phone services; and the development, as proposed, will provide easy access to Bardstown Road and I-265 and several other roads in the area, and from there to greater Louisville employment and commercial centers; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guidelines 7, 8, and 9 – Circulation; Transportation Facility Design; and Bicycle, Pedestrian and Transit**. The proposed development conforms with the overall Intents and applicable Policies of Guidelines 7, 8 and 9 of the Comprehensive Plan because the proposed development connects to existing streets, which will improve the efficiency of roadway infrastructure in the area as well as support good connectivity among neighborhoods; Old Bardstown Road is adequate to handle the amount of traffic generated by this proposal; the Detailed District Development Plan (DDDP) filed with this application received the preliminary stamp of approval from Metro Public Works and Transportation Planning prior to Planning Commission review of this application at the LD&T committee meeting and public hearing, thus demonstrating compliance with all MPWTP standards for connectivity, internal circulation, driveway design, sight distances, corner clearances, and alternative modes of transportation; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guidelines 10, 11, and 12 – Flooding and Stormwater; Water Quality; and Air Quality**. The proposed development conforms with the overall Intents and applicable Policies of Guidelines 10, 11 and 12 of the Comprehensive Plan because no portion of the site lies within the 100 year floodplain, all drainage will comply with MSD requirements, and the DDDP received a preliminary stamp of approval by MSD prior to review at the Planning Commission Public Hearing; post-development peak flows of storm water run-off may not exceed pre-development conditions, which will be assured

through the MSD review of the DDDP; water quality will also be part of the construction plan design; Louisville Water Company will provide water to the site; and a soil erosion and sediment control plan will also be implemented prior to construction; and

WHEREAS, the Commission further finds that air quality will remain at good levels because, as noted above, the proposed internal road system, multiple street connections to adjoining neighborhoods and controlled entrance will distribute traffic to reduce air quality impacts relating to congestion or delays; condominium units generate much less traffic on a per unit basis than single family homes, and condominium residents generally do not have as large an impact on morning and evening peak hour traffic; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 13 – Landscape Character**. The proposed development conforms with the overall Intents and applicable Policies of Guideline 13 of the Comprehensive Plan for all the reasons described above and because landscaping will be provided around buildings, along internal streets, and along property perimeters as noted above and in accordance with the LDC; and tree canopy requirements will be met also in accordance with the LDC; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 14 – Infrastructure**. The proposed development conforms with the overall Intents and applicable Policies of Guideline 14 of the Comprehensive Plan because, as noted above, water, sewer, electric and phone connections are available by nearby connection to ensure a reduced cost for infrastructure; and

WHEREAS, the Commission further finds that, based on the staff report, the applicant's findings of fact, and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 and the Land Development Code are being met; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the requested Change-in-Zoning from R-4 Single-Family Residential to R-5A, Multi-Family Residential on property described in the attached legal description be **APPROVED**.