

Moss Creek Enterprises, LLC

Statement of Compliance

Rezoning from R-5A to R-6

September 4, 2015

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Introduction:

Moss Creek Enterprises, LLC ("Applicant") proposes to rezone a portion of the Moss Creek development from R-5A to R-6 to allow for the redevelopment of that portion of Moss Creek as apartments. The subject property is already zoned multi-family, and the proposed development will allow for the redevelopment of this portion of Moss Creek at a higher density than previously approved. The proposed development will use existing streets and already built utility infrastructure.

Guideline 1-Neighborhood Form District:

The subject property is located within the Neighborhood Form District, a designation that allows "diverse housing types in order to provide housing choice for differing ages and incomes." The overall Moss Creek project includes stand-alone condominiums, duplexes, triplexes and planned townhomes. The project is surrounded by single family homes. Adding apartments will definitely increase the diversity of housing types in the area.

Guideline 3-Compatibility:

The proposed development complies with the intent and applicable Policies of this Guideline. The proposed buildings are multi-family, like almost all of the buildings elsewhere in Moss Creek. The buildings will be two-story, like those adjacent to the subject property. The applicant will also include a fence between the proposed buildings and the tri-plex units adjacent to the subject property. The small increase in units will not unduly increase traffic on the streets within the overall development or neighborhood. Lighting will be similar to that of surrounding residential areas, as well.

Guideline 4-Open Space:

The proposed development complies with the intent and applicable Policies of this Guideline. The proposed development contains open buffer areas and spaces between and around the proposed buildings. The applicant also owns the open space for the overall Moss

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Creek development, and residents of the proposed apartments will be able to use that space, too.

Guideline 5-Natural Areas and Scenic and Historic Resources:

The proposed development complies with the intent and applicable Policies of this Guideline. The proposed development has been designed to use existing infrastructure and to respect the boundaries of the drainage ditch on one side of the project. There are no identified scenic or historic resources on the subject property.

Guidelines 7-Circulation and 8-Transportation Facility Design:

The proposed development complies with the intent and applicable Policies of these Guidelines. The proposed development is using existing roads built as part of the Moss Creek development and has provided to Public Works funds to complete and repair the road system. The proposed development will not materially differ in impact on the existing roads compared to the approved development for the subject property.

Guideline 9-Bicycle, Pedestrian and Transit:

The proposed development complies with the intent and applicable Policies of this Guideline. The proposal is for residential development adjacent to a Kroger center and within the Moss Creek development. While there are no special lanes or facilities being provided, the fact that residents can walk to shopping will encourage a significant amount of walking and cycling.

Guidelines 10-Flooding and Stormwater and 11-Water Quality:

The proposed development complies with the intent and applicable Policies of these Guidelines. The proposed development has been designed to use existing infrastructure in an existing development. The proposed development will also be subject to review by MSD to ensure that adequate stormwater and water quality measures are implemented.

Guideline 13-Landscape Character:

The proposed development complies with the intent and applicable Policies of this Guideline. The proposed development will include landscaping as required by the LDC and fencing to further provide privacy to the adjacent tri-plex section of Moss Creek.

For the reasons set forth above, the Planning Commission should recommend to Louisville Metro Council that it approve the requested rezoning.

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