

**STATEMENT OF COMPLIANCE**  
**PAVILLION PARK DEVELOPMENT, LLC**  
**THE VILLAS OF PAVILION PARK**  
**14ZONE1053**

**MARCH 6, 2015**

The applicant, Pavillion Park Development, LLC ("Applicant") proposes to rezone a portion of the Pavilion Park development from R-5A to PRD to allow for the reconfiguration of existing condominium units into townhomes on individual lots. The Applicant is also seeking to update the existing binding elements from Case No. 9-35-04 and the Preliminary Subdivision Plan from Case No. 10-17-04 to incorporate the proposed lots into the Pavilion Park neighborhood. No new construction is contemplated as part of this proposal, only the creation of individual lots for the existing condominium units. The proposed rezoning will allow for the condominium owners to terminate the condominium regime and create individual lots for the existing units.

**Cornerstone 2020**

The proposed rezoning complies with the intent of the Cornerstone 2020 Comprehensive Plan. The subject property is located in the Neighborhood Form District and is part of the Pavilion Park neighborhood. Pavilion Park was originally planned as a mixed residential development, including both single family lots and patio homes developed under a horizontal property regime. Nine patio homes were built before the Great Recession, when the development of Pavilion Park came to a halt. The original developer lost the project to its lender, which sold it to the Applicant. The Applicant has been working since acquisition to change the mixture of units to include more single family lots and fewer patio homes. For the last year and a half, the Applicant and the existing condominium owners have worked to reach agreement on the redevelopment of the neighborhood. This application is the result of those efforts.

The proposal complies with Guidelines 3, 4 and 5 of the Comprehensive Plan. The proposal includes no new construction, and the units that already exist on the subject property are compatible in scale and design with the rest of the neighborhood. The proposal includes a platted open space that is directly adjacent to other open space that bounds a small creek in the neighborhood and is intended to serve all of its residents. The creek will not be impacted in any way other than what was previously approved.

The proposal complies with Guidelines 7 and 8 of the Comprehensive Plan. The proposal includes no new construction, and the existing Crestline Road will become a 30' access easement. Existing visitor parking will remain on the proposed open space lot. The units will be served by their existing driveways. The access easement will be maintained by the homeowners association, and the unit owners will become part of that association.

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The proposal complies with Guidelines 10, 11, 12 and 13. The proposal includes no new construction, and the existing stream buffers will remain. The landscaping around the subject property will be enhanced by the Applicant per its agreement with the unit owners. All of the landscaping and buffering not on the proposed lots will be maintained by the homeowners association if the proposal is successful.

### **The PRD Regulation**

The proposal complies with at least two of the criteria contained in Section 2.7.3 of the Land Development Code, the PRD Regulation. The subject property is bounded on one side by a small creek, which limits the size of the proposed lots. The proposal does not impact the creek or the buffer around it.

The proposal is not part of an officially adopted neighborhood plan.

The proposal will result in a new housing type in the neighborhood: platted townhomes. The existing units were developed under a horizontal property regime and will remain, just under a different form of ownership.

While the proposal will not expand the variety of housing types, it will allow for the existing unit owners to have broader financing and refinancing options, which should make the units more attractive to buyers.

The proposal creates permanently protected open space that augments the existing open space intended to serve the entire neighborhood.

For all of the reasons set forth above, the Applicant requests that the Planning Commission recommend to the Louisville Metro Council that it rezone the subject property from R-5A to PRD. The Planning Commission should further approve necessary changes to the binding elements affecting the subject property and should approve a revised preliminary subdivision plan to incorporate the newly-created lots into the overall Pavilion Park neighborhood.

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