

Development Review Committee

Staff Report

April 14, 2021



Case No:	19ZONE1016 & 19ZONE1017
Project Name:	Langdon Place Rezoning Elevations
Location:	2813 Langdon Dr, 2816 Weissinger Rd, 9121 Blossom Lane
Owner(s):	Leigh Ann Properties LLC
Applicant:	Leigh Ann Properties LLC
Jurisdiction:	Louisville Metro
Council District:	17 – Markus Winkler
Case Manager:	Dante St. Germain, AICP, Planner II

REQUEST

- **Review of Elevations** as required by Binding Elements on each rezoning request

CASE SUMMARY/BACKGROUND

The subject sites are located in the City of Langdon Place, at the intersection of Langdon Drive and Weissinger Road, and at the intersection of Blossom Lane and Weissinger Road. The sites consist of three parcels in total, two of which were rezoned to R-5B to allow the construction of two residential duplexes, and one of which was rezoned to R-5A to allow the construction of a residential six-plex.

The two zoning changes were heard together at a night hearing which took place on October 12, 2020. The Planning Commission recommended approval of the zoning changes to Metro Council, with a binding element on each case which read:

Materials and design of the proposed structure or structures shall be reviewed and approved by the Planning Commission or a Committee thereof. Final approved design shall be available in the case file at the offices of Planning and Design Services and the Planning Commission.

Additionally, a binding element on 19ZONE1016 (the duplex site) was added reading:

Brick color will be approved by the Louisville Metro Planning Commission or a sub-committee thereof.

These binding elements were retained by Metro Council when the rezoning requests were approved on December 10, 2020 (existing binding elements are in Attachments 3 and 4 at the end of this report). The applicant returns to the Development Review Committee to have the elevations of the proposed structures reviewed for fulfillment of these binding elements.

STAFF FINDING

The elevations are in compliance with the Land Development Code. The Development Review Committee must determine if the elevations can be approved in compliance with the binding elements.

TECHNICAL REVIEW

Land Development Code (2021)

INTERESTED PARTY COMMENTS

No interested party comments have been received by staff in relation to the elevations.

REQUIRED ACTIONS

- **APPROVE** or **REJECT** the **Elevations**

NOTIFICATION

Date	Purpose of Notice	Recipients
03/31/2021	Hearing before DRC	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 17

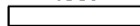
ATTACHMENTS

1. Zoning Maps
2. Aerial Photographs
3. Binding Elements (19ZONE1016)
4. Binding Elements (19ZONE1017)

1. Zoning Maps



19ZONE1016
feet

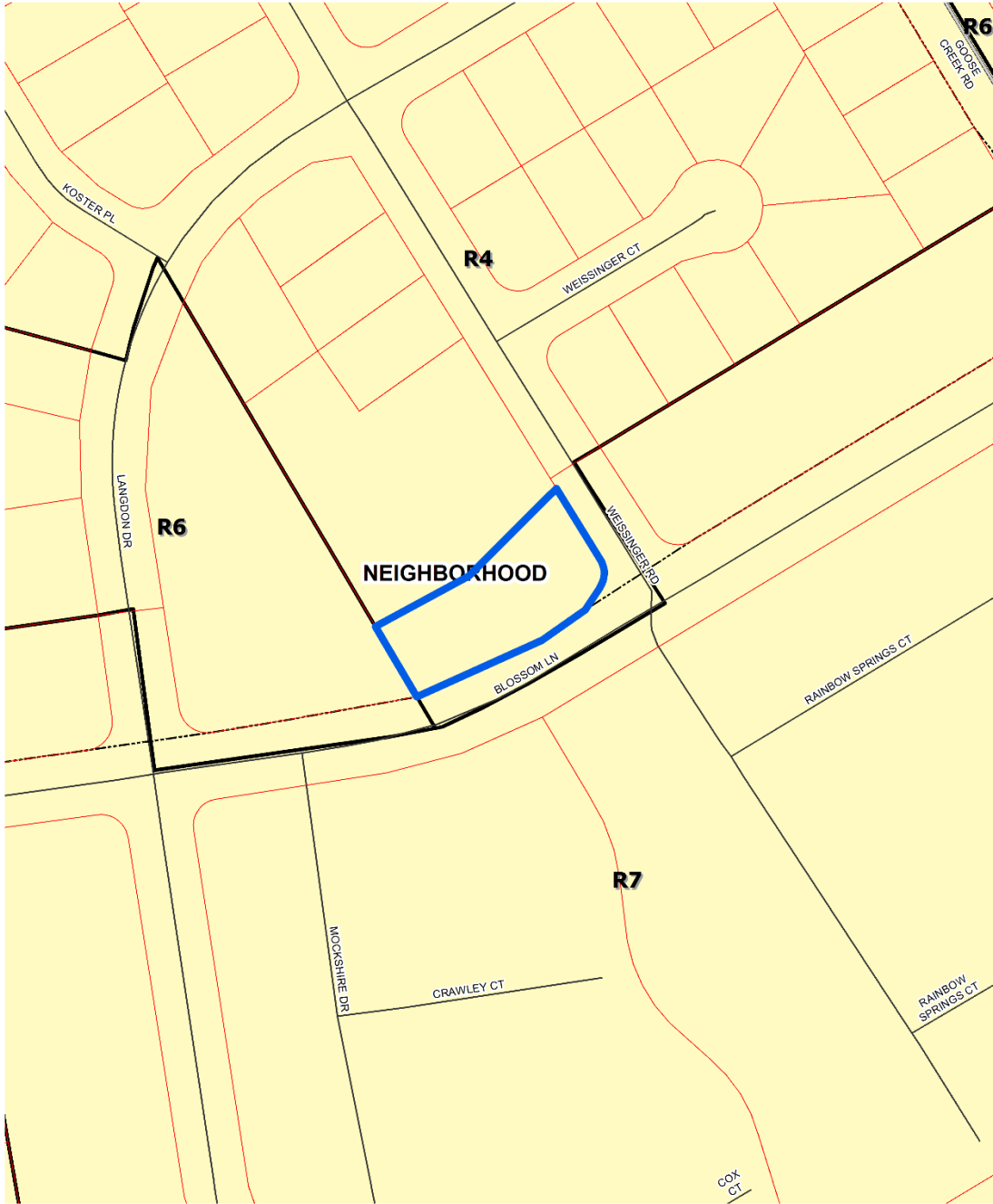


140

Map Created: 3/12/2019



Copyright (c) 2019, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.



9121 Blossom Lane



140

Map Created: 3/12/2019

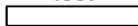


Copyright (c) 2019, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

2. Aerial Photographs



19ZONE1016
feet



140

Map Created: 3/12/2019

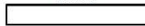


Copyright (c) 2019, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.



9121 Blossom Lane

feet



140

Map Created: 3/12/2019



Copyright (c) 2019, LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (MSD), LOUISVILLE WATER COMPANY (LWC), LOUISVILLE METRO GOVERNMENT and JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA). All Rights Reserved.

3. Binding Elements (19ZONE1016)

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 Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - d. Materials and design of the proposed structure or structures shall be reviewed and approved by the Planning Commission or a Committee thereof. Final approved design shall be available in the case file at the offices of Planning and Design Services and the Planning Commission.
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.
7. Brick color will be approved by the Louisville Metro Planning Commission or a sub-committee thereof.

8. The plantings between the subject site and the Jesse Murray House shall be evergreens.
9. Any significant changes or alterations to the proposed structures (e.g. building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property, and/or any amendments to the binding elements shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

4. Binding Elements (19ZONE1017)

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 Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - d. Materials and design of the proposed structure or structures shall be reviewed and approved by the Planning Commission or a Committee thereof. Final approved design shall be available in the case file at the offices of Planning and Design Services and the Planning Commission.
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.

7. There shall be no construction parking on Weissinger Road.
8. The plantings between the subject site and the Jesse Murray House shall be evergreens.
9. Any significant changes or alterations to the proposed structures (e.g. building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property, and/or any amendments to the binding elements shall be reviewed before the Planning Commission with final action to be determined by Metro Council.