

**DOCKET NO. 18ZONE1001**

Change in zoning from R-4 to R-5A (originally filed as rezoning to R-6) to allow an 46-unit single family residential townhome community (originally proposed as a 84-unit apartment community) on a former pool facility site being approximately 5.8 acres at 3620 Charlane Pkwy.

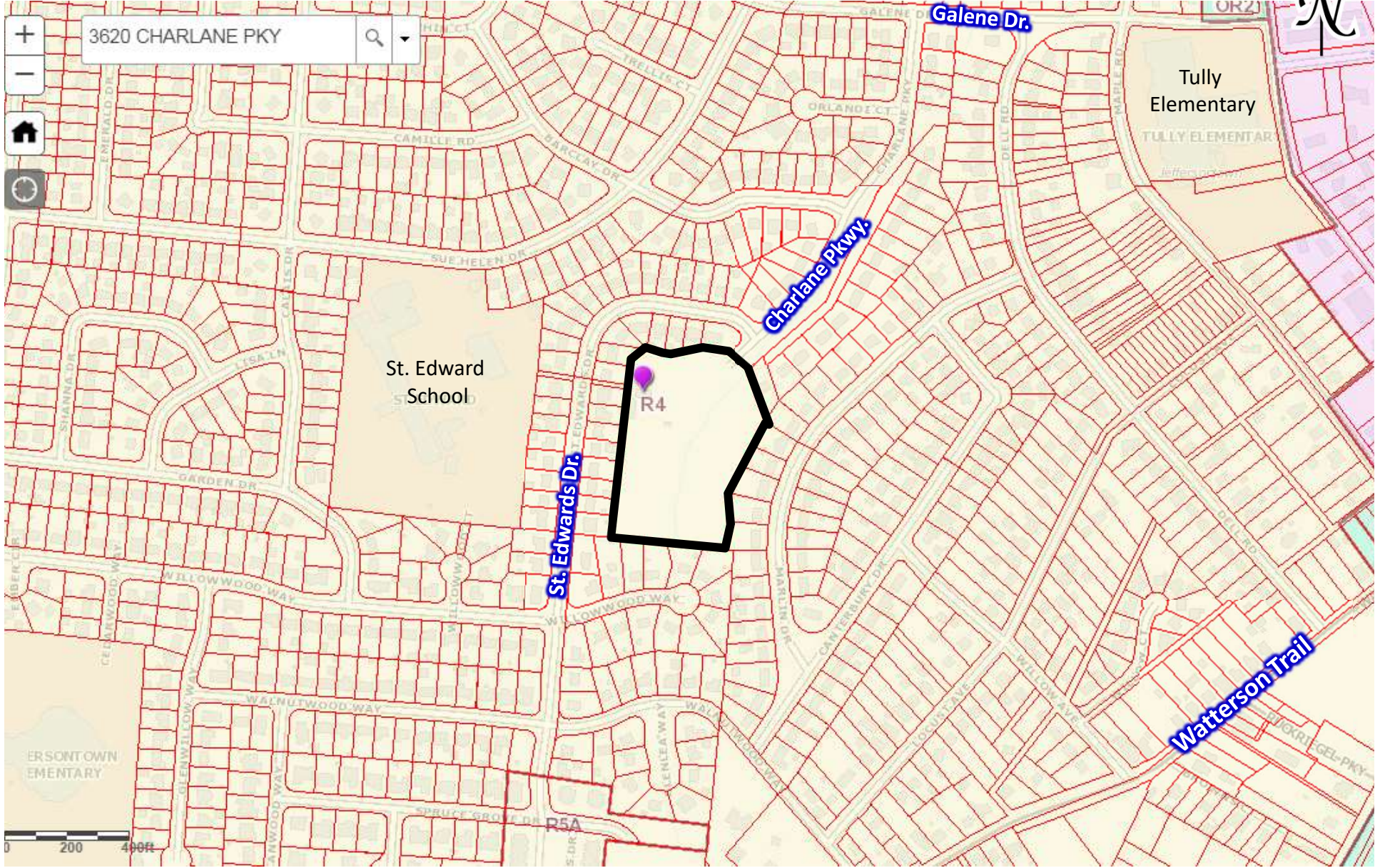
c/o Elder Construction

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Tab 1  
LOJIC Zoning Map





3620 CHARLANE PKY



St. Edward School

R4

Galene Dr.

Charlane Pkwy.

St. Edwards Dr.

Watterson Trail

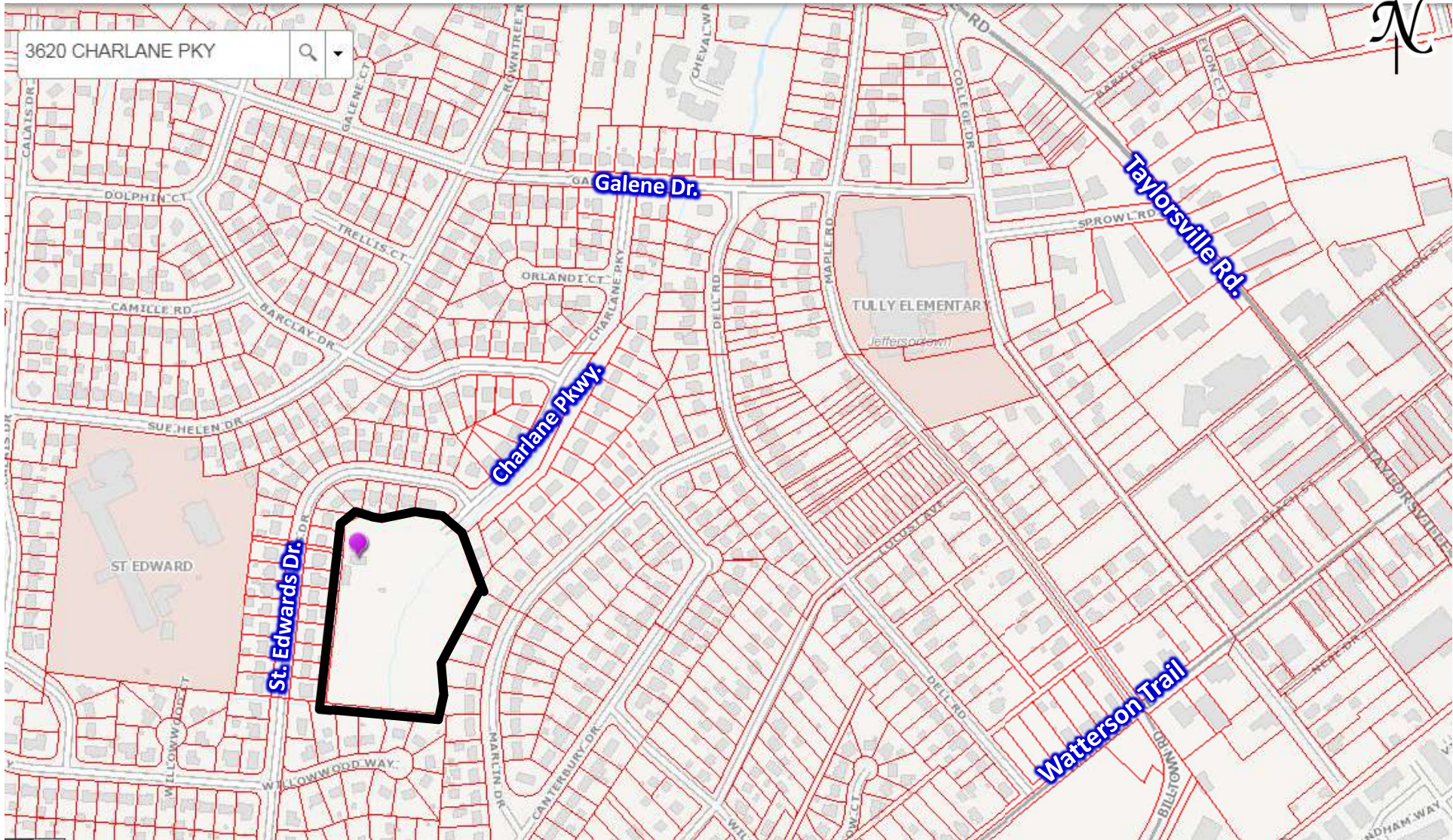
Tully Elementary

TULLY ELEMENTAR

ERSONTOWN EMENTARY

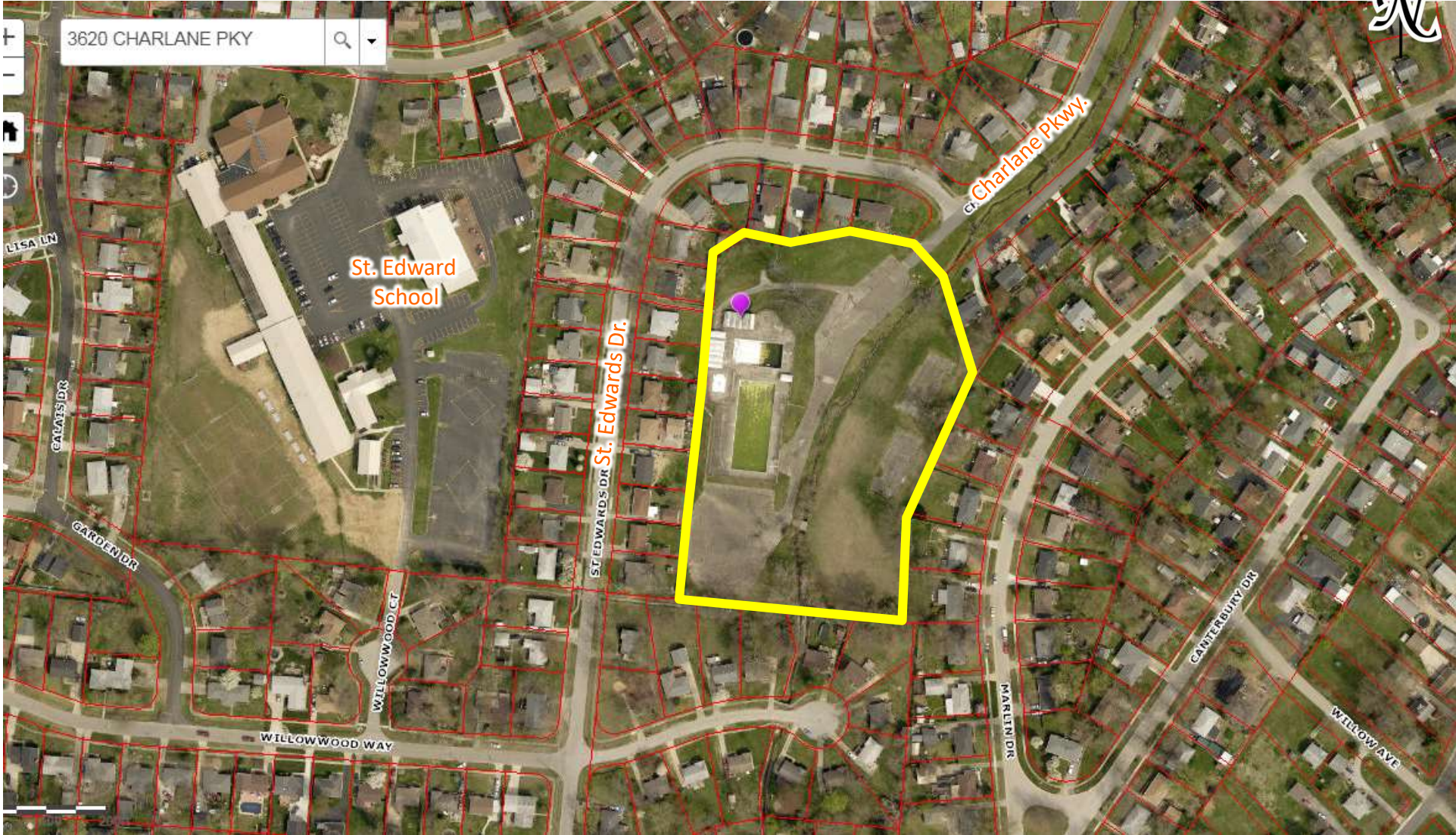
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Tab 2  
Aerial photograph of the site and  
surrounding area







St. Edward School

St. Edwards Dr.

Marlin Dr.

Charlane Pkwy.

Sign in

Map

Google

Imagery ©2018 Google, Map data ©2018 Google, United States, Terms, Send feedback 100 ft

Tab 3  
Ground level photographs of the  
site and surrounding area





KA



Looking southwest towards the site from Charlane Pkwy.

24



Looking southwest towards entrance of site from the end of Charlane Pkwy.

*Handwritten signature or initials*



Looking southwest towards entrance of site from the end of Charlane Pkwy.

AK



Looking northeast from entrance of site the end of Charlane Pkwy.



05.11.2016 10:51



Google

## Tab 4

Neighborhood Meeting notice list map,  
letter to neighbors inviting them to the  
meeting and summary of meeting

Adjoining property owner notice list map wherein 90 neighbors were invited to the neighborhood meeting and the subsequent LD&T and Planning Commission public hearing.





# BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223  
(502) 426-6688 • (502) 425-0561 (FAX) • WWW.BARDLAW.NET

Nicholas R. Pregliasco  
Direct dial: 426-0388, ext. 139  
Email: [NRP@BARDLAW.NET](mailto:NRP@BARDLAW.NET)

January 10, 2018

Dear Neighbor,

**RE: Proposed change in zoning from R-4 to R-6 to allow an 84-unit apartment complex on approximately 5.8 acres just south of Charlane Park and Bridge Creek subdivisions at 3620 Charlane Pkwy.**

We are writing to invite you to a meeting we have scheduled to present neighbors with our zone change plan to allow an 84-unit apartment complex to be located as above.

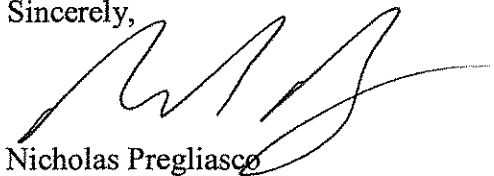
Accordingly, we have filed a plan for pre-application review on Monday, January 8, 2018 with the Division of Planning and Design Services (DPDS) that has been assigned case manager **Laura Mattingly** and case number **18ZONE1001**. We would like to show and explain to neighbors this plan so that we might hear what thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Wednesday, January 24<sup>th</sup> at 7:00 p.m.** at the **Jeffersonian in the Watterson Room** located at **10617 Taylorsville Road, Louisville, KY**.

If you cannot attend the meeting but have questions or concerns, please call me at 426-6688 or the land planning and engineering firm representative Kevin Young at 426-9374.

We look forward to seeing you.

Sincerely,



Nicholas Pregliasco

cc: Hon. Stuart Benson, Councilman, District 20  
Hon. Bill Dieruf, Mayor, City of Jeffersontown  
Laura Mattingly, case manager with Division of Planning & Design Services  
Kevin Young, land planners with Land Design & Development

## Neighborhood Meeting Summary

A neighborhood meeting was held on Wednesday, January 24th at 7:00 p.m. at the Jeffersonian in the Watterson Room located at 10617 Taylorsville Road. Those in attendance included the applicant's representatives, Nick Pregliasco, attorney with Bardenwerper Talbott & Roberts, Kevin Young land planner with Land Design & Development, Inc. as well as the applicant, David Elder, Sr. Nick Pregliasco presented a PowerPoint presentation explaining the proposal showing a LOJIC map, aerial photographs, pictures of the site, as well as the proposed development plan on an aerial photograph. Nick explained the zoning process in detail, the next steps, and the fact that all that signed in would receive notices going forward. Nick provided those in attendance with the name and contact information for the case manager, as well as agreed to send the presentation to those in attendance, which was done after the meeting.

Nick Pregliasco fielded questions from those in attendance, as did Kevin Young as to technical details. Many of the questions related to drainage in the area, with detailed explanations from those in attendance as to how bad the drainage currently is. Nick explained, as did Kevin, that the proposal includes a new detention basin, where one does not currently exist, which will be oversized to not only address the new impacts of this proposed development, but to also help address the larger issue in the area. Many of those in attendance discussed concerns over traffic, which is currently very bad when Saint Edward and Tully Elementary get out of school in the afternoon and at times during drop off in the morning. Mr. Pregliasco and Mr. Young explained the access points to Taylorsville Road and answered questions as to traffic.

A number of the residential owners to the South of the project were in attendance and voiced concerns over a two-story building being constructed along their rear property line, particularly concerned over balconies. Mr. Pregliasco and Mr. Young explained the grade differential with this property and the adjoiners to the South and how this property sits approximately 7 feet lower and with the proposed wood fencing and additional landscaping, along with the distance to the actual homes, this will not be as large an impact as believed.

There was a lot of discussion and concerns about apartment communities in a residential neighborhood and that it will attract a bad element to the area. The style and design of the buildings, as well as building materials, were presented and explained in detail with an explanation that the developer will not want to put this much money in a project to have trouble renting due to those living there.

Additional questions related to the layout of the buildings and parking area and Mr. Young explained that due to the intermittent stream in the middle of the property, it just didn't work to have buildings on the interior with the parking on the exterior. There was a detailed explanation of the benefits of having the buildings as a buffer.

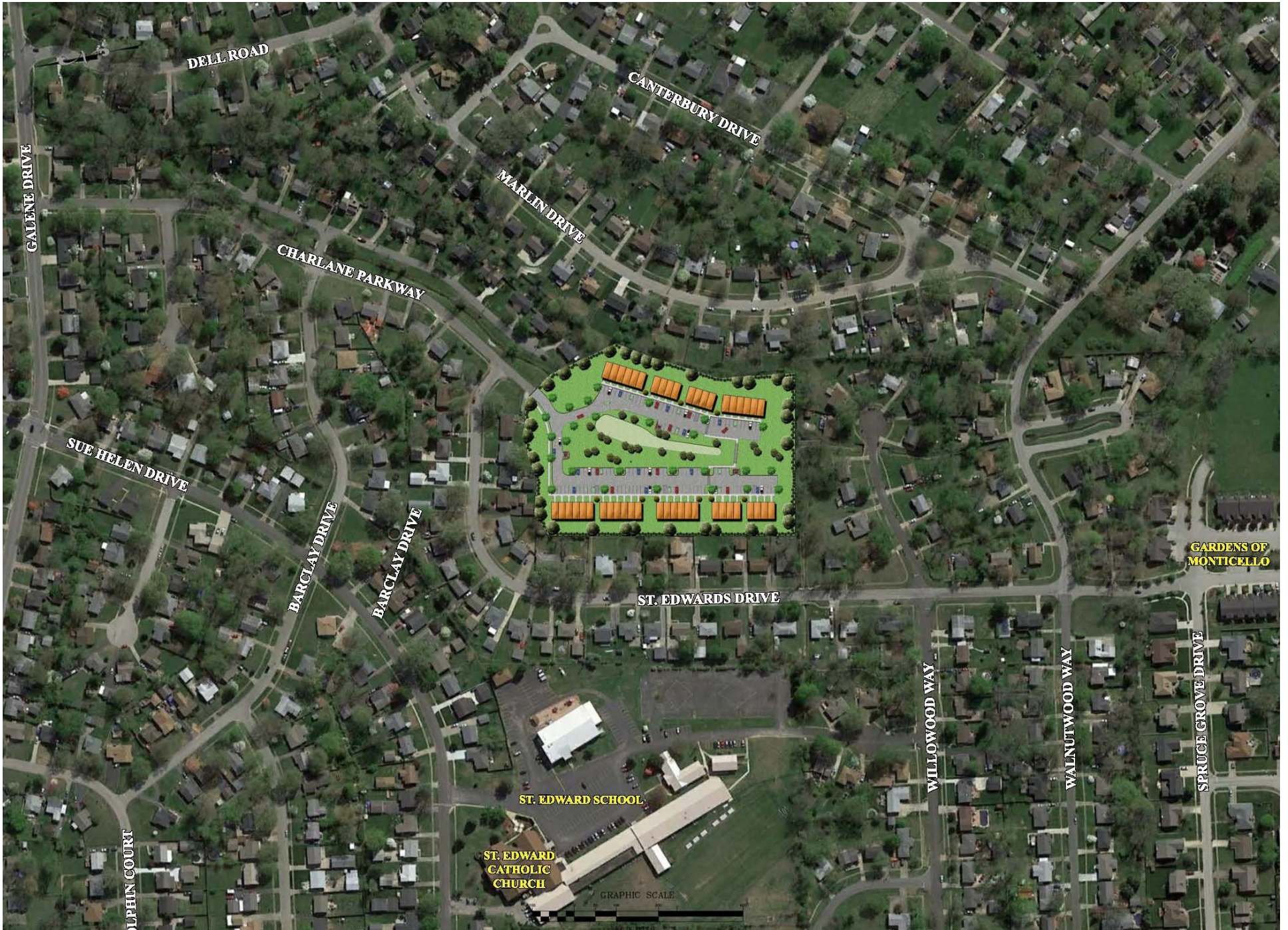
Some in attendance had received an article about the developer that suggested he tears down apartments, etc. Mr. Pregliasco explained this was misunderstood and only related to a commercial

development where a dilapidated small apartment building was being proposed for redevelopment as a new commercial development.

Many in attendance acknowledged the current problems with a maintenance perspective and the rats that live in the old buildings on site, but they want another use rather than apartments.

**Tab 5**  
**Development Plan**





DELL ROAD

CANTERBURY DRIVE

MARLIN DRIVE

CHARLANE PARKWAY

GALENE DRIVE

SUE HELEN DRIVE

BARCLAY DRIVE

BARCLAY DRIVE

ST. EDWARDS DRIVE

GARDENS OF MONTICELLO

WILLOWOOD WAY

WALNUT WOOD WAY

SPRUCE GROVE DRIVE

ALPHIN COURT

ST. EDWARD SCHOOL

ST. EDWARD CATHOLIC CHURCH

GRAPHIC SCALE





Original proposed apartment community development plan shown at the January 24, 2018 Neighborhood Meeting

# Original apartment community development plan



# Proposed townhome development plan





# Tab 6 Building Elevations





Proposed elevation for single family residential townhome community

Original elevation for apartment  
community development plan



Proposed elevation for townhome  
development plan



## Tab 7

Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

Attorneys at law

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223  
(502) 426-6688 • WWW.BARDLAW.NET

## **STATEMENT OF COMPLIANCE WITH THE APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN**

<u>Applicant:</u>	David Elder, Sr.
<u>Owner:</u>	HLSC, LLC
<u>Location:</u>	3620 Charlane Parkway
<u>Proposed Use:</u>	Multi-family residential community
<u>Engineers, Land Planners and Landscape Architects:</u>	Land Design & Development, Inc.
<u>Requests:</u>	Change in Zoning from R-4 to R-6

### **GUIDELINE - 1 COMMUNITY FORM**

The applicant, David Elder, Sr., proposes a 2-story apartment community with a total of 84 units on 5.8+/- acres at the end of Charlane Parkway, in the city of Jeffersontown.

The subject property was the former location of a community pool, but has long been vacant and fallen into disrepair. The subject property is located a very short distance from St. Edward School, Tully Elementary, the Historic Gaslight Square District, and all businesses located therein, thereby making it attractive to people who want to live close to work or to their children's school, as it provides opportunities for this anticipated community of residents to gain quick and easy access to schools and workplaces in the J-Town area, including the Historic Gaslight Square District. Also, this proposal provides the area with diverse housing opportunities in an area predominantly containing only single family residences, with attractive apartment housing choice for residents who desire to live within short commutes.

The applicant's apartment community contains 4 apartment buildings, with a 9-unit garage and 128 surface parking spaces.

Gross density will be 14.5 dwelling units per acre, less than the 17.42 dwelling units per acre allowed in the R-6 zoning district proposed. Buildings will be constructed of attractive durable building materials (brick and "hardy plank" lap siding) and will feature high-end architectural details, as shown in the PowerPoint presentation shown at the recent neighborhood meeting and accompanying this application.

Perimeter setbacks and landscape buffer areas are provided along all property lines as required by the Land Development Code (LDC), with no waivers or variances requested. The buildings all face the interior of the site, providing additional buffering from the parking lots and the resident activities, with the buildings providing a screen and buffer to the resident activities

along the north and south property lines. The applicant is proposing fencing and additional landscaping to further buffer the rear of the buildings from the adjacent property owners, which, along with the drop in elevation of this site compared to the neighboring residential will provide further buffering and screening.

This property is located in the Suburban Neighborhood form district characterized by predominantly residential uses that range from low to high density, and will provide an apartment housing option lacking in the area. The proposal will further provide further diversity in the housing in the housing options for people with differing ages and incomes. The long ago abandoned pool facility will be a redevelopment of a vacant and problematic site as it currently sits today.

### **GUIDELINE – 2 CENTERS**

The proposed apartment community conforms with the overall Intents of and specifically with applicable Policies 1, 4, 5, 7, 11, 12, 13, 14 and 15 of Guideline 2 of the for all the reasons listed above and because it will make efficient adaptive re-use of property that lies within the Neighborhood Form District and is located, as said, close to workplaces, schools, and significant shopping opportunities. Being located where it is, residents seeking new housing options will have easy access to the referenced workplaces, plus the commercial centers nearby. Internal open space focal points are included on the detailed district development plan (DDDP) accompanying this application. This application will provide a mixture of housing options that will accommodate people of different ages, and with the style and design of the proposed buildings will match well with the surrounding residential area. As said, the parking is located in the interior of the site to reduce impact on the neighboring properties. By providing diversity in the housing opportunities in the area, it will allow more people to live in the area reducing commute times.

### **GUIDELINE – 3 COMPATIBILITY**

The proposed apartment community conforms with the overall Intents of 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 for all the reasons described above and because this proposed apartment community is in a density range and design to provide differing housing opportunities, while still maintain the residential character of the area. The current vacant pool site is no longer a viable use and this adaptive re-use compliments the area. Buildings will be 2 stories in height (except for the 1-story garage) and constructed with attractive building materials comparable to residential communities in the area, as shown on the elevations in the PowerPoint accompanying this application. Perimeter landscaping, screening and buffering will be provided and/or retained along all property lines, as described above, which include attractive wood fencing along the perimeter, as the owners of the adjacent properties requested this type screening. Along the south property line, where there is the most concern, the over 7 foot elevation drop to this property, along with the fencing and landscaping, will drastically reduce any impacts from the buildings, as will be submitted and shown in the process through detailed elevation renderings. Buildings are situated and located along the exterior of the site, so as not to disrupt lower intensity adjoiners through the noise of residents coming and going and the impacts of vehicle parking.

Sidewalks are provided where required within the site, and accommodations are made for pedestrian and bicycle transportation as well as the handicapped and elderly. Odors won't exist as in commercial and industrial developments, and air quality concerns related to traffic

congestion or delay will be greatly mitigated by the fact that this is a residential apartment community purposely located where it is so as to reduce commuting distances. Refuse will be picked up on a regular basis from the dumpster location picked to provide the least impact to adjoining properties. Lighting will be residential in character and directed down and away from adjoining properties in conformance with LDC regulations, and further shielded by the buildings, with no lighting proposed along the exterior of the buildings facing adjoining properties. All signage will be in conformance with LDC regulations. No waivers or variances from the LDC regulations are being sought with this application.

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

The proposed apartment community conforms with the overall Intents of and specifically with applicable Policies 1, 2, 3, 4, 5, 6 & 7 of Guideline 4 and with the Intents of Guideline 5 for all the reasons described above and because it will feature open space interspersed among the buildings, parking areas and streets. There is an intermittent stream in the interior of the property, that will be maintained, while also providing detention to not only serve this proposed development, but sized in a way to provide more detention than required to help the flooding issues that occur in the area. The proposed development plan shows 30% open space, double the amount required by the LDC. That open space will be available for both passive and active recreational enjoyment by residents and will provide gathering areas for an overall positive appearance and living experience for the community. Landscaping will also be provided and/or trees retained along property perimeters, along street frontages and around buildings. Setbacks and buffers along property lines will ensure good transitions between the proposed apartment community and other adjoining and nearby existing land uses, as will be demonstrated by the applicant. Maintenance of landscaping, natural and open space areas will be performed by the corporate landlord of this rental community. 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. No known natural or historic resources will be disturbed. The intermittent stream will be maintained and will be improved as discussed above.

#### **GUIDELINE – 6 MARKETPLACE**

The proposed apartment community conforms with the overall Intents of and specifically with applicable Policies 1, 2, 3, and 5 of Guideline 6 because, as noted above, residents will largely be those who, because of this proposed apartment community, will be able to reside near work and schools, which thus strengthens the live-work relationship which is important to the continuing ability of the larger metro area to function. The proposed apartment community will also provide the diversity of housing needed in this area predominated by single family residences. It will also support and be supported by the businesses, services, schools and churches in and around the Historic Gaslight Square District. This proposal also reduces public costs for land development by utilizing an existing vacant property, with easy connections to existing infrastructure for water, sewer, electric and phone services.

#### **GUIDELINES – 7 (CIRCULATION), 8 (TRANSPORTATION FACILITY DESIGN), and 9 (BICYCLE, PEDESTRIAN AND TRANSIT)**

The proposed apartment community conforms with the overall Intents and applicable Policies 1, 2, 3, 4, 6, 9, 10, 11, 13, 14, 16, 17, and 18 of Guidelines 7; Policies 4, 5, 9, 10, and 11 of Guideline 8 and Policies 1, 2, 3, and 4 of Guideline 9 because the proposed DDDP has been

designed in conformance with all Metro Public Works and Transportation Planning design standards. Good internal circulation, with a single access to Charlane Parkway to avoid impacts to adjoiners, corner clearances and parking are provided. Access to College Drive and Taylorsville Road is easy with multiple means of accessing same. While not required by Metro Public Works and Transportation Planning, due to the number of proposed units, the applicant is working with Diane Zimmerman to prepare a Traffic Impact Study (TIS) and will provide further evidence the fact that this apartment community of this size and traffic generation/distribution at this location will technically work. The DDDP and TIS accompanying this application must receive Metro Transportation Planning's preliminary approval prior to office public review. Sidewalks will be provided where required with connections internal to the site as well.

### **GUIDELINES – 10, 11 and 12 - FLOODING AND STORMWATER, WATER QUALITY and AIR QUALITY**

The proposed apartment community conforms with the overall Intents and applicable Policies of Guidelines 10, 11 and 12 because, all drainage will run to an internal detention basins, which will be oversized to not only address the run off from the proposed development, but to also address the flooding issues in the area. The sufficiently sized detention basin will then flow from there to existing drainage channels and pipes. In these ways the DDDP complies with all MSD storm water management requirements as respects no increase in peak rates of run-off post verse pre-development. This DDDP must, of course, receive the preliminary stamped of approval by MSD prior to docketing for public review. Louisville Water Company will provide water to the site. A soil erosion and sediment control plan will also be implemented to control sediment and erosion drainage during construction. MSD water quality regulatory requirements will also be addressed at construction stage. Air quality, perhaps most importantly of all, is addressed by virtue of the referenced shorter commuting distances explained hereinabove.

### **GUIDELINE 13 – LANDSCAPE CHARACTER**

The proposed apartment community conforms with the overall Intents and applicable Policies of Guideline 13 for all the reasons described above as respects the wood fence and attractive additional landscaping over that required, and because landscaping and/or trees retained around buildings, and property perimeter. Open space is provided as described hereinabove and shown on the DDDP for a positive natural appearance and for passive recreational enjoyment by residents. Tree canopy requirements will be met.

### **GUIDELINE 14 – INFRASTRUCTURE**

The proposed apartment community conforms with the overall Intents and applicable Policies of Guideline 14 because, as noted above, water, sewer, electric, phone and cable service connections are available by nearby connection to ensure a reduced cost for infrastructure.

\*\*\*\*

For all these reasons those set forth in the applicant's detailed Statement of Compliance with the Cornerstone 2020 Comprehensive Plan, as evidenced by the DDDP and by virtue of other evidence submitted with this application and to be presented at LD&T and Planning Commission meetings, the proposed apartment community complies with all other applicable Intents, Policies and Guidelines of the Comprehensive Plan.



Respectfully submitted,

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Nicholas Pregliasco  
Bardenwerper, Talbott & Roberts, PLLC  
Building Industry Association of Greater Louisville Bldg.  
1000 N. Hurstbourne Parkway, Second Floor  
Louisville, KY 40223

## Tab 8

Proposed findings of fact  
pertaining to compliance with the  
Comprehensive Plan



# BARDENWERPER, TALBOTT & ROBERTS, PLLC

Attorneys at law

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223  
(502) 426-6688 • WWW.BARDLAW.NET

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

<u>Applicant:</u>	David Elder, Sr.
<u>Owner:</u>	HLSC, LLC
<u>Location:</u>	3620 Charlane Parkway
<u>Proposed Use:</u>	Multi-family residential community
<u>Engineers, Land Planners and Landscape Architects:</u>	Land Design & Development, Inc.
<u>Requests:</u>	Change in Zoning from R-4 to R-5A

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on November 15, 2018 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 applicant, David Elder, Sr., proposes a single family townhome community with a total of 46 condominium units to be sold to individual purchasers on 5.8+/- acres at the end of Charlane Parkway, in the city of Jeffersontown, being revised from 84 proposed rental apartments at the time of the neighborhood meeting to 46 townhomes; and

**WHEREAS**, the subject property was the former location of a community pool, but has long been vacant and fallen into disrepair; the subject property is located a very short distance from St. Edward School, Tully Elementary, the Historic Gaslight Square District, and all businesses located therein, thereby making it attractive to people who want to live close to work or to their children's school, as it provides opportunities for this anticipated community of residents to gain quick and easy access to schools and workplaces in the J-Town area, including the Historic Gaslight Square District; and this proposal provides the area with diverse housing opportunities in an area predominantly containing only single family residences, with an attractive townhome housing choice for residents who desire to live within short commutes; and

**WHEREAS**, the applicant's 46 unit single family residential townhome community contains 9 buildings with 127 surface parking spaces; and

**WHEREAS**, gross density will be 7.93 dwelling units per acre, less than the 12.01 dwelling units per acre allowed in the R-5A zoning district proposed; buildings will be constructed of attractive durable building materials (brick and "hardy plank" lap siding) and will feature high-

end architectural details, as shown in the PowerPoint presentation shown at the Planning Commission public hearing and accompanying this application; and

**WHEREAS**, perimeter setbacks and landscape buffer areas are provided along all property lines as required by the Land Development Code (LDC), with no waivers or variances requested; the buildings all face the interior of the site, providing additional buffering from the parking lots and the resident activities, with the buildings providing a screen and buffer to the resident activities along the north and south property lines; the applicant is proposing fencing and additional landscaping to further buffer the rear of the buildings from the adjacent property owners, which, along with the drop in elevation of this site compared to the neighboring residential will provide further buffering and screening; and

**WHEREAS**, this property is located in the Suburban Neighborhood form district characterized by predominantly residential uses that range from low to high density, and will provide a condominium townhome community intended for empty-nesters who most often are elderly retired people who are interested in maintenance free living, as opposed to that form of housing that still predominates most of Metro Louisville – i.e., standard single family homes on larger lots which residents are normally expected to maintain by themselves; the Jeffersontown area of Metro Louisville is like almost all others where traditional style, detached single family homes are the norm; there are very few maintenance free housing options in the J-Town area that allows homeownership; and the proposed maintenance free townhomes community of attached housing on smaller lots and thus adds to the diversity of housing types in this area lacking in the area; and the long ago abandoned pool facility will be a redevelopment of a vacant and problematic site as it currently sits today; and

### **GUIDELINE – 2 CENTERS**

**WHEREAS**, the proposed townhome community conforms with the overall Intents of and specifically with applicable Policies 1, 4, 5, 7, 11, 12, 13, 14 and 15 of Guideline 2 of the for all the reasons listed above and because it will make efficient adaptive re-use of property that lies within the Neighborhood Form District and is located, as said, close to workplaces, schools, and significant shopping opportunities; being located where it is, residents seeking new housing options will have easy access to the referenced workplaces, plus the commercial centers nearby; internal open space focal points are included on the detailed district development plan (DDDP) accompanying this application; this application will provide a mixture of housing options that will accommodate people of different ages, particularly those seeking maintenance free living, and with the style and design of the proposed buildings will match well with the surrounding residential area; as said, the parking is located in the interior of the site to reduce impact on the neighboring properties; and by providing diversity in the housing opportunities in the area, it will allow more people to live in the area reducing commute times; and

### **GUIDELINE – 3 COMPATIBILITY**

**WHEREAS**, the proposed townhome community conforms with the overall Intents of 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 for all the reasons described above and because this proposed townhome community is in a density range and design to provide differing housing opportunities, while still maintain the residential character of the area; the current vacant pool site is no longer a viable use and this adaptive re-use compliments the area. Buildings will be 2 stories in height and constructed with attractive building materials comparable to residential communities in the area,

as shown on the elevations in the PowerPoint accompanying this application and shown at the Planning Commission public hearing; Perimeter landscaping, screening and buffering will be provided and/or retained along all property lines, as described above, which include attractive wood fencing along the perimeter, as the owners of the adjacent properties requested this type screening; along the south property line, where there is the most concern, the over 7 foot elevation drop to this property, along with the fencing and landscaping, will drastically reduce any impacts from the buildings, as will be submitted and shown in the process through detailed elevation renderings; buildings are situated and located along the exterior of the site, so as not to disrupt lower intensity adjoiners through the noise of residents coming and going and the impacts of vehicle parking; and

**WHEREAS**, sidewalks are provided where required within the site, and accommodations are made for pedestrian and bicycle transportation as well as the handicapped and elderly; odors won't exist as in commercial and industrial developments, and air quality concerns related to traffic congestion or delay will be greatly mitigated by the fact that this is a residential townhome community purposely located where it is so as to reduce commuting distances; refuse will be picked up on a regular basis; lighting will be residential in character and directed down and away from adjoining properties in conformance with LDC regulations, and further shielded by the buildings, with no lighting proposed along the exterior of the buildings facing adjoiners; all signage will be in conformance with LDC regulations; and no waivers or variances from the LDC regulations are being sought with this application; and

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

**WHEREAS**, the proposed townhome community conforms with the overall Intents of and specifically with applicable Policies 1, 2, 3, 4, 5, 6 & 7 of Guideline 4 and with the Intents of Guideline 5 for all the reasons described above and because it will feature open space interspersed among the buildings, parking areas and streets; there is an intermittent stream in the interior of the property, that will be maintained, while also providing detention to not only serve this proposed development, but sized in a way to provide more detention than required to help the flooding issues that occur in the area; the proposed development plan shows 50% recreational open space, over three times the amount required by the LDC and half of the total site; that open space will be available for both passive and active recreational enjoyment by residents and will provide gathering areas for an overall positive appearance and living experience for the community; landscaping will also be provided and/or trees retained along property perimeters, along street frontages and around buildings; setbacks and buffers along property lines will ensure good transitions between the proposed townhome community and other adjoining and nearby existing land uses, as will be demonstrated by the applicant; maintenance of landscaping, natural and open space areas will be performed by the corporate landlord of this rental community; 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; no known natural or historic resources will be disturbed; and the intermittent stream will be maintained and will be improved as discussed above; and

#### **GUIDELINE – 6 MARKETPLACE**

**WHEREAS**, the proposed townhome community conforms with the overall Intents of and specifically with applicable Policies 1, 2, 3, and 5 of Guideline 6 because, as noted above, residents will largely be those who, because of this proposed townhome community, will be able

to reside near work and schools, which thus strengthens the live-work relationship which is important to the continuing ability of the larger metro area to function; the proposed townhome community will integrate well, being single family residences like those in the area; it will also support and be supported by the businesses, services, schools and churches in and around the Historic Gaslight Square District; this proposal also reduces public costs for land development by utilizing an existing vacant property, with easy connections to existing infrastructure for water, sewer, electric and phone services; and

**GUIDELINES – 7 (CIRCULATION), 8 (TRANSPORTATION FACILITY DESIGN), and 9 (BICYCLE, PEDESTRIAN AND TRANSIT)**

**WHEREAS**, the proposed townhome community conforms with the overall Intents and applicable Policies 1, 2, 3, 4, 6, 9, 10, 11, 13, 14, 16, 17, and 18 of Guidelines 7; Policies 4, 5, 9, 10, and 11 of Guideline 8 and Policies 1, 2, 3, and 4 of Guideline 9 because the proposed DDDP has been designed in conformance with all Metro Public Works and Transportation Planning design standards; good internal circulation, with a single access to Charlane Parkway to avoid impacts to adjoiners, corner clearances and parking are provided; access to College Drive and Taylorsville Road is easy with multiple means of accessing same; while not required by Metro Public Works and Transportation Planning, due to the number of proposed units, the applicant is working with Diane Zimmerman, Traffic Engineer to provide further evidence that a townhome community of this size and traffic generation/distribution at this location will technically work; the DDDP and TIS accompanying this application received Metro Transportation Planning's preliminary stamp of approval prior to docketing for LD&T and Planning Commission; and sidewalks will be provided where required with connections internal to the site as well; and

**GUIDELINES – 10, 11 and 12 - FLOODING AND STORMWATER, WATER QUALITY and AIR QUALITY**

**WHEREAS**, the proposed townhome community conforms with the overall Intents and applicable Policies of Guidelines 10, 11 and 12 because, all drainage will run to an internal detention basins, which will be oversized to not only address the run off from the proposed development, but to also address the flooding issues in the area; the sufficiently sized detention basin will then flow from there to existing drainage channels and pipes; in these ways the DDDP complies with all MSD storm water management requirements as respects no increase in peak rates of run-off post verse pre-development; this DDDP received the preliminary stamp of approval by MSD prior to docketing for LD&T and Planning Commission public review; Louisville Water Company will provide water to the site; a soil erosion and sediment control plan will also be implemented to control sediment and erosion drainage during construction; MSD water quality regulatory requirements will also be addressed at construction stage; and air quality, perhaps most importantly of all, is addressed by virtue of the referenced shorter commuting distances explained hereinabove; and

**GUIDELINE 13 – LANDSCAPE CHARACTER**

**WHEREAS**, the proposed townhome community conforms with the overall Intents and applicable Policies of Guideline 13 for all the reasons described above as respects the wood fence and attractive additional landscaping over that required, and because landscaping and/or trees retained around buildings, and property perimeter; open space is provided as described hereinabove and shown on the DDDP for a positive natural appearance and for passive recreational enjoyment by residents; and Tree canopy requirements will be met; and

## **GUIDELINE 14 – INFRASTRUCTURE**

**WHEREAS**, the proposed townhome community conforms with the overall Intents and applicable Policies of Guideline 14 because, as noted above, water, sewer, electric, phone and cable service connections are available by nearby connection to ensure a reduced cost for infrastructure; and

\* \* \*

**WHEREAS**, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books, 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-6 and approves the Detailed District Development Plan.