

Development Review Committee Staff Report

September 30, 2020



Case No:	20-INTERP-0002
Project Name:	Tyler Town Center – Guideline Interpretation
Location:	I-265 and Taylorsville Road
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	Joel P. Dock, AICP, Planner II

REQUEST(S)

- Guideline Interpretation Process

CASE SUMMARY/BACKGROUND

In accordance with section 5, part B of the Tyler Town Center Planned Development District (PDD) Design Guidelines, Planning and Design Services is requesting a guideline interpretation concerning the application of *Through Street Landscape Requirements* provided in section 4.4.1.C.2, more specifically staff's ability to deviate where needed from design guidelines requiring landscape berms. Recently, staff has been made aware of concerns from citizens that the berm requirements are not being satisfied.

To summarize, The *Landscape Content Intent* statement of section 4.4.1 provides, "Low impact development (LID) practices are encouraged to manage stormwater, Planning and Design Services (PDS) staff shall allow flexibility in landscape design where needed." The PDD district is separated into multiple areas subject to differing design guidelines, see attachment 3. Areas IIA, IIB, and IIC are to include, "...a visually continuous berm, minimum height of 4' and maximum height of 6'." Area III provides, "shrubs shall be located on or fronting the berm with at least 2/3 of the frontage length heavily planted (one shrub per five feet)." It does not provide detail concerning the height of the berm.

Landscape plans have been approved within the PDD along Taylorsville Road that did not include a berm or deviated from the strict application of the berm requirements as provided above, including 19-LSCAPE-0067, 13LSCAPE1080, and 17163. Staff has approved these plans based on the flexibility afforded to staff in the intent statement.

STAFF FINDING

Staff finds that the guidelines have been applied correctly based on the flexibility afforded to staff in the *Landscape Content Intent*. Additionally, the berm requirement in Area III provides no height requirement; therefore, discretion must be exercised.

INTERESTED PARTY COMMENTS

The office of Metro Councilman Stuart Benson has made Planning and Design Services aware that citizens in the area have voiced concern that the berm is not being provided as required. Staff has not spoken to any citizen directly on this matter.

REQUIRED ACTIONS:

- **CONFIRM or DENY** staff's application of the design guideline to allow landscaping flexibility where needed

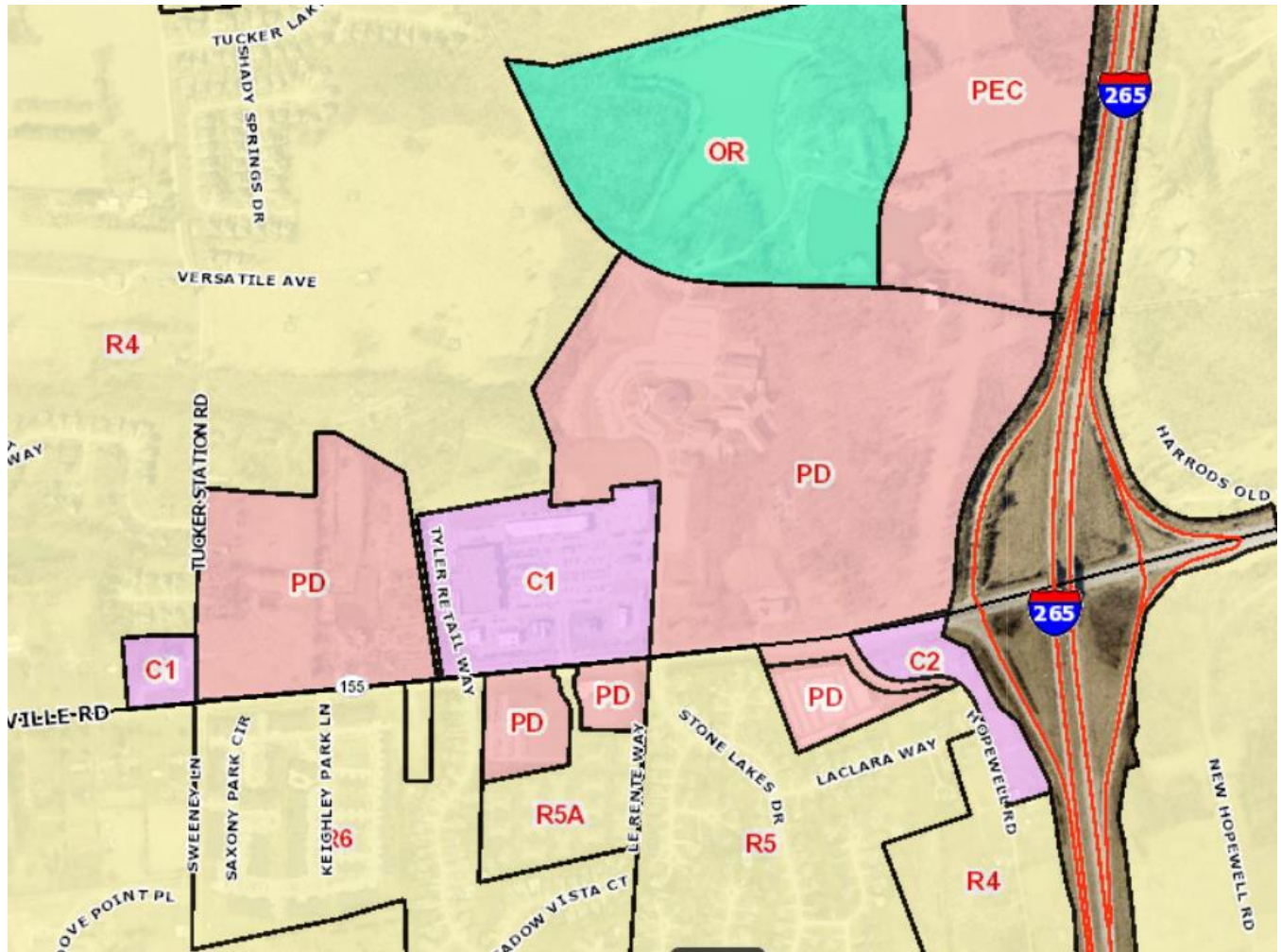
NOTIFICATION

Date	Purpose of Notice	Recipients
9/17/20	Hearing before DRC	Owners of Property within the PDD 1 st and 2 nd Tier Adjoining Property Owners to the PDD Registered Neighborhood Groups in Council District 20

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Tyler Town Center Land Use Map

1. Zoning Map



2. Aerial Photograph



3. Tyler Town Center Land Use Map

