

Planning Commission

Staff Report

March 6, 2025



Case No:	24-ZONE-0128
Project Name:	Crawford Avenue Apartments
Location:	4514 R, 4516 R Crawford Avenue and 7006 Textile Avenue
Applicant:	Michael Ernest Schaeffer
Representative:	Bardenwerper, Talbott & Roberts, PLLC.
Jurisdiction:	Louisville Metro
Council District:	12 – Jonathan Joseph
Case Manager:	Molly Clark, Planner II

REQUEST(S)

- **Change in zoning** from R-4 single family residential and R-5A multi-family residential to R-6 multi-family residential
- **Revised Detailed District Development plan** with Binding Elements

CASE SUMMARY

The subject site consists of 2 lots that are zoned R-5A multi-family and R-4 single family within the Neighborhood form district totaling 3.84 acres. The applicant is proposing to rezone the property to R-6 multi-family residential to construct 48 apartment units that will be contained within 3 proposed buildings on one subject site. Proposed access will be made from the development to Textile Avenue. Pedestrian access will be made from Textile Avenue and Crawford Avenue. A portion of the site was rezoned to R-5A under 9-48-84.

STAFF FINDING

The zoning change is compliant with the Comprehensive Plan. The Revised Detailed District Development Plan is compliant with the Land Development Code. There are no variances or waivers being requested.

TECHNICAL REVIEW

MSD and Transportation Planning have provided preliminary approval of the proposal.

INTERESTED PARTY COMMENTS

All comments received have been placed in the record and made available to the Committee in advance of the public hearing.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING / FORM DISTRICT

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Neighborhood Form District

Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas.

The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages, incomes and abilities. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to, large lot single family developments with cul-de-sacs, traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other streets, villages and zero-lot line neighborhoods with open space, and high density multi-family housing.

The Neighborhood Form may contain open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. The Neighborhood Form should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycle and transit.

Neighborhood streets may be either curvilinear, rectilinear or in a grid pattern and should be designed to support physical activity for all users and invite human interaction. Streets are connected and easily accessible to each other, using design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets. Examples of design elements that encourage this interaction include narrow street widths, street trees, sidewalks, shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

The proposed rezoning from single family to multi-family is located approximately 790 feet from the intersection of Crawford Avenue and Dixie Highway, where Dixie Highway is a major arterial roadway. The subject site is located nearby several neighborhood serving commercial uses on Dixie Highway and is located approximately 1000 feet from a TARC stop on Dixie Highway. The subject site for the proposed rezoning is directly across the street from another R-6 multi-family zoned apartment complex. The applicant will be providing screening around the entire site and will be providing 22,000 square feet of preserved tree canopy that will also provide screening between the multi-family and single family residential.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR (R)DDDP and/or AMENDMENT TO BINDING ELEMENTS

- (a) The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: The site does not have any environmentally sensitive areas.

- (b) The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Transportation Planning has approved the preliminary development plan.

- (c) The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: The proposed development shows sufficient open space to meet the Land Development Code requirements.

- (d) The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- (e) The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall design of the project is consistent with existing and future development in the area.

- (f) Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The plan is in conformance with the requirements of the Land Development Code.

REQUIRED ACTIONS:

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **Change-in-Zoning** from R-4 single family residential and R-5A multi-family residential to R-6 multi-family residential
- **APPROVE** or **DENY** the **Revised Detailed District Development Plan with Binding Elements**

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

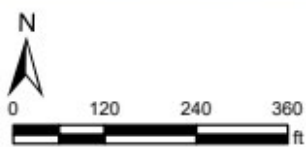
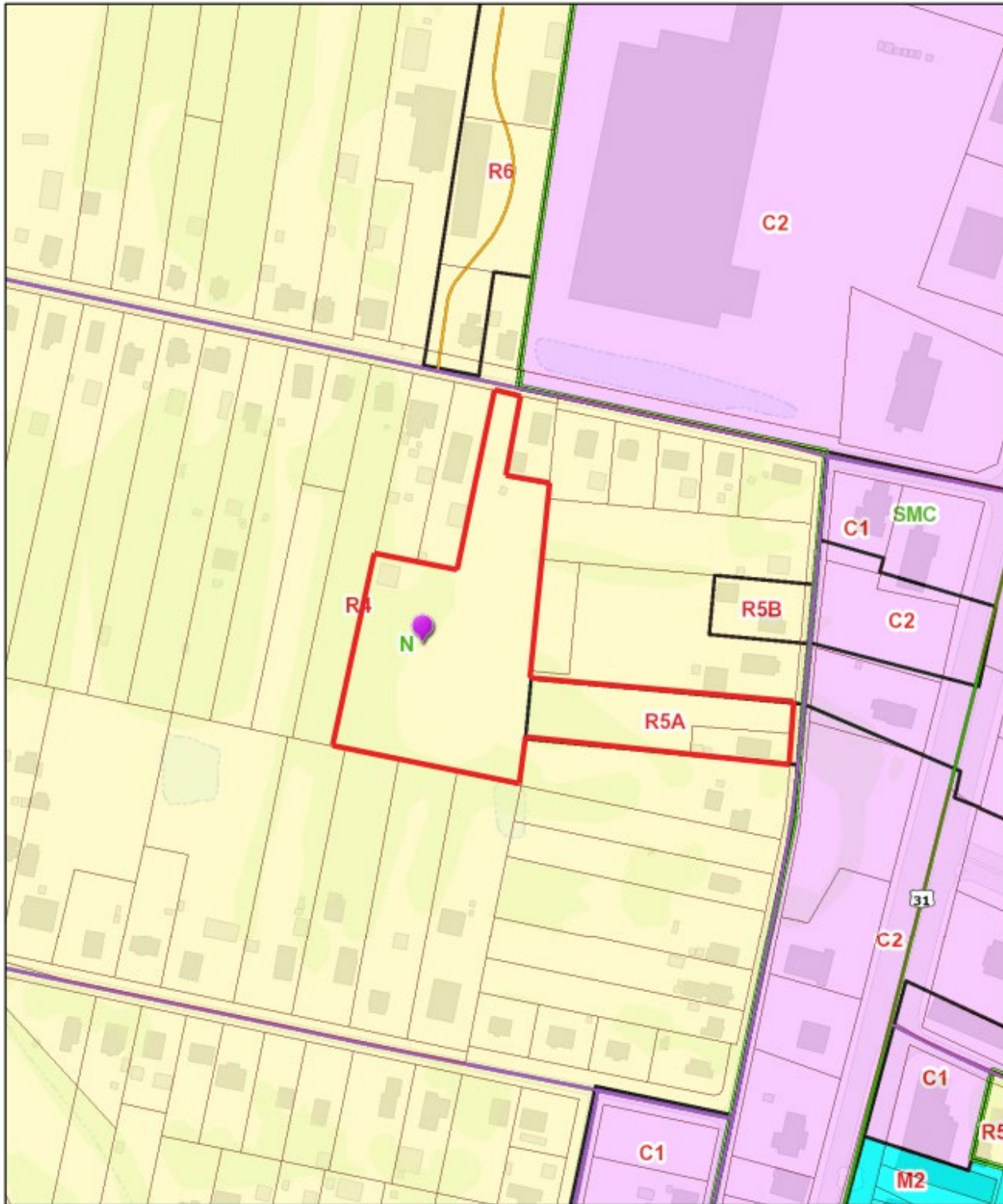
NOTIFICATION

Date	Purpose of Notice	Recipients
1-30-25	Hearing before LD&T	1 st and 2 nd tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 12
2-20-25	Hearing before PC	1 st and 2 nd tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 12
2-14-25	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Plan 2040 Checklist
4. Proposed Binding Elements

1. Zoning Map

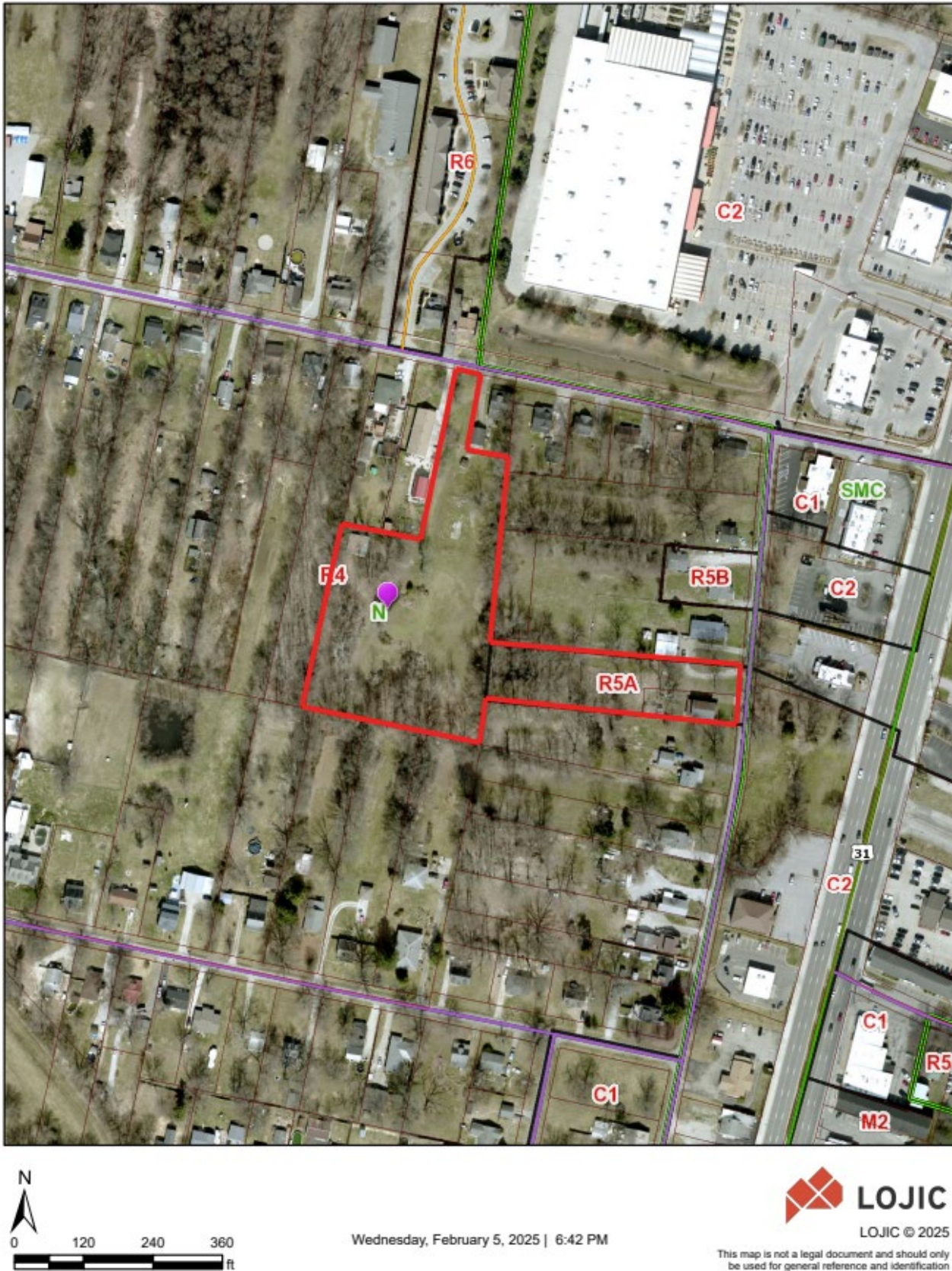


Wednesday, February 5, 2025 | 6:40 PM



This map is not a legal document and should only be used for general reference and identification

2. Aerial Photograph



3. Plan 2040 Checklist

+	Exceeds Guideline
✓	Meets Guideline
-	Does Not Meet Guideline
+/-	More Information Needed
NA	Not Applicable

Neighborhood: Residential

Plan 2040 Plan Elements/Staff Analysis	
1	<p><u>Community Form: Goal 1, Policy 7.</u> <i>Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned.</i></p> <p>✓ <u>Staff Analysis:</u> The proposed rezoning from single family to multi-family is located approximately 790 feet from the intersection of Crawford Avenue and Dixie Highway, where Dixie Highway is a major arterial roadway. The subject site is located nearby several neighborhood serving commercial uses on Dixie Highway and is located approximately 1000 feet from a TARC stop on Dixie Highway.</p>
2	<p><u>Community Form: Goal 1, Policy 9.</u> <i>Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.</i></p> <p>✓ <u>Staff Analysis:</u> The subject site for the proposed rezoning is directly across the street from another R-6 multi-family zoned apartment complex. The applicant will be providing screening around the entire site and will be providing 22,000 square feet of preserved tree canopy that will also provide screening between the multi-family and single family residential.</p>
3	<p><u>Community Form: Goal 2, Policy 9.</u> <i>Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.</i></p> <p>✓ <u>Staff Analysis:</u> The proposed zoning will allow a vacant lot to redevelop with a higher density of residential units.</p>
4	<p><u>Community Form: Goal 3, Policy 10.</u> <i>Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.</i></p> <p>✓ <u>Staff Analysis:</u> There are no environmental constraints on the subject site.</p>
5	<p><u>Community Form: Goal 4, Policy 2.</u> <i>Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.</i></p> <p>✓ <u>Staff Analysis:</u> There are no distinctive cultural features such as landscape, natural elements, or built features to preserve on the site. The applicant will be preserving 22,245 square feet of existing tree canopy on the subject site.</p>
6	<p><u>Community Form: Goal 4, Policy 3.</u> <i>Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.</i></p> <p>✓ <u>Staff Analysis:</u> there are no historical structures or historical features to be preserved on the site.</p>
7	<p><u>Mobility: Goal 1, Policy 4.</u> <i>Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient</i></p>

Plan 2040 Plan Elements/Staff Analysis	
	public transportation system.
✓	Staff Analysis: The subject site for the proposed rezoning will be located approximately 790 feet away from Dixie Highway which is a major commercial corridor in this particular area. It will also be located approximately 1000 feet from a TARC bus stop at Dixie Manor.
8	Mobility: Goal 2, Policy 4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.
✓	Staff Analysis: The subject for the proposed rezoning will have direct access to Crawford Avenue a local road, which will be approximately 790 feet away from Dixie Highway which is a major arterial roadway.
9	Mobility: Goal 3, Policy 2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.
✓	Staff Analysis: The proposed rezoning from single family to multi-family is located approximately 790 feet from the intersection of Crawford Avenue and Dixie Highway, where Dixie Highway is a major arterial roadway. The subject site is located nearby several neighborhood serving commercial uses on Dixie Highway and is located approximately 1000 feet from a TARC stop on Dixie Highway.
10	Mobility: Goal 3, Policy 5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.
✓	Staff Analysis: The proposed rezoning from single family to multi-family is located approximately 790 feet from the intersection of Crawford Avenue and Dixie Highway, where Dixie Highway is a major arterial roadway. The subject site is located nearby several neighborhood serving commercial uses on Dixie Highway and is located approximately 1000 feet from a TARC stop on Dixie Highway.
11	Mobility: Goal 3, Policy 6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.
✓	Staff Analysis: There is adequate infrastructure to serve the proposed development.
12	Mobility: Goal 3, Policy 9. When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.
✓	Staff Analysis: There is adequate infrastructure to serve the proposed development.
13	Mobility: Goal 3, Policy 10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.
✓	Staff Analysis: There is adequate infrastructure to serve the proposed development.
14	Mobility: Goal 3, Policy 21. Prevent safety hazards caused by direct residential access to high speed roadways.
✓	Staff Analysis: No direct residential access to high-speed roadways are being proposed.
15	Community Facilities: Goal 2, Policy 1. Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.
✓	Staff Analysis: The proposed development has received MSD preliminary approval. The subject site is able to be served by existing and proposed utilities.
16	Community Facilities: Goal 2, Policy 2. Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.
✓	Staff Analysis: Louisville Water Company has determined that there is infrastructure near the development.
17	Community Facilities: Goal 2, Policy 3. Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).
✓	Staff Analysis: The proposed development has received preliminary approval from MSD.
18	Livability: Goal 1, Policy 5. Encourage development that recognizes and incorporates the unique characteristics of

Plan 2040 Plan Elements/Staff Analysis	
	<p>identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.</p> <p>✓ Staff Analysis: The applicant is proposing to preserve 22,000 square feet of mature tree canopy with the proposed rezoning and multi-family development.</p>
19	<p>Livability: Goal 1, Policy 17. Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.</p> <p>✓ Staff Analysis: There are no environmental constraints on the subject site and the proposal is unlikely to negatively impact the groundwater.</p>
20	<p>Livability: Goal 1, Policy 21. Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.</p> <p>✓ Staff Analysis: The subject site is not located in the regulatory floodplain.</p>
21	<p>Housing: Goal 1, Policy 1. Encourage a variety of housing types including, but not limited to, detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing. Allow for accessory residential structures and apartments. Housing types should reflect the Form District pattern.</p> <p>✓ Staff Analysis: The proposed rezoning will allow for a higher density multi-family structure with 44 proposed units. This will bring multi-family development into a neighborhood with a variety of housing.</p>
22	<p>Housing: Goal 1, Policy 2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.</p> <p>✓ Staff Analysis: The proposed rezoning will provide more rental options in housing for the immediate area. It is also in close proximity the commercial corridor and TARC bus line located on Dixie Highway.</p>
23	<p>Housing: Goal 2, Policy 1. Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.</p> <p>✓ Staff Analysis: The subject site is located within an existing residential area with a mixture of owner occupied and renter occupied housing options. The proposed rezoning will provide more rental options in housing for the immediate area. It is also in close proximity the commercial corridor and TARC bus line located on Dixie Highway.</p>
24	<p>Housing: Goal 2, Policy 2. Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.</p> <p>✓ Staff Analysis: The subject site for the proposed rezoning will be located approximately 790 feet away from Dixie Highway which is a major commercial corridor in this particular area. It will also be located approximately 1000 feet from a TARC bus stop at Dixie Manor.</p>
25	<p>Housing: Goal 3, Policy 1. Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro.</p> <p>✓ Staff Analysis: The proposed rezoning to R-6 multi-family residential will be located in a residential neighborhood with a mixture of owner occupied and rental occupied dwelling units. There is an R-6 zoned site across the street from the subject site in close proximity to neighborhood serving commercial uses.</p>
26	<p>Housing: Goal 3, Policy 2. As neighborhoods evolve, discourage displacement of existing residents from their community.</p> <p>✓ Staff Analysis: No residents will be displaced from the proposed rezoning and proposed multi-family development.</p>
27	<p>Housing: Goal 3, Policy 3. Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.</p> <p>✓ Staff Analysis: The proposed rezoning will allow for 44 newly constructed dwelling units in an area with a mixture of single family and multi-family residential uses.</p>

4. Proposed Binding Elements

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. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - e. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the March 6, 2025 Planning Commission meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro 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.