

# Planning Commission

## Staff Report

April 24, 2025



<b>Case No:</b>	25-ZONE-0004
<b>Project Name:</b>	Manslick Commons II
<b>Location:</b>	5820 E. Manslick Rd & a portion of 8908 Maple Road
<b>Applicant:</b>	Manslick Development, LLC
<b>Representative(s):</b>	Bardenwerper, Talbott, & Roberts, PLLC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	24 – Ginny Mulvey-Woolridge
<b>Case Manager:</b>	Molly Clark, Planner II

### REQUEST(S)

- **Change-in-Zoning** from R-4 single family residential to PRD planned residential development
- **Detailed District Development Plan/Major Preliminary Subdivision Plan** with binding elements

### CASE SUMMARY

The development plan calls for a change in zoning to allow for development under the Planned Residential Development (PRD) standards. North of the Gene Snyder Expressway and to the west of Smyrna Parkway, the site contains 10.29 acres. The applicant is proposing to construct a 55-lot single-family subdivision. The PRD district allows for a maximum 7.26 du/ac. The net density being proposed is 5.64 du/ac. Access will be created via E Manslick Road.

### STAFF FINDING

The zoning change is compliant with the Comprehensive Plan. The Detailed District Development Plan/Major Preliminary Subdivision Plan is compliant with the Land Development Code.

### TECHNICAL REVIEW

- Land Development Code (2025)
- 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 ZONING/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 Land use and Development policies of 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**

The Following is a summary of staff's analysis of the proposed rezoning against the Land Use and Development Policies of Plan 2040:

### The site is located in the Neighborhood Form District

The 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 PRD zoning district is a single-family residential district which permits smaller lot sizes and more flexible construction. The proposed district is compatible with adjacent land uses as the PRD district which density is no greater than would be allowed in R-5 single-family zoning district. The proposal would promote aging in place by permitting housing with a reduced maintenance requirement, allowing aging residents to remain in the neighborhood. The proposed district can be utilized to

encourage fair and affordable housing by allowing a variety of ownership options and unit costs throughout Louisville Metro. The subject site is located west of Smyrna Parkway and north of the Gene Snyder, a major transportation corridor that allows users access to activity and employment centers. The subject site is located on E Manslick Road which is a primary collector level roadway.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

#### **STANDARD OF REVIEW AND STAFF ANALYSIS FOR 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 applicant is providing the required open space with recreational components are required by the Land Development Code.

- (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 to PRD planned residential development
- **APPROVE** or **DENY** the **Detailed District Development Plan/Major Preliminary Subdivision 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.

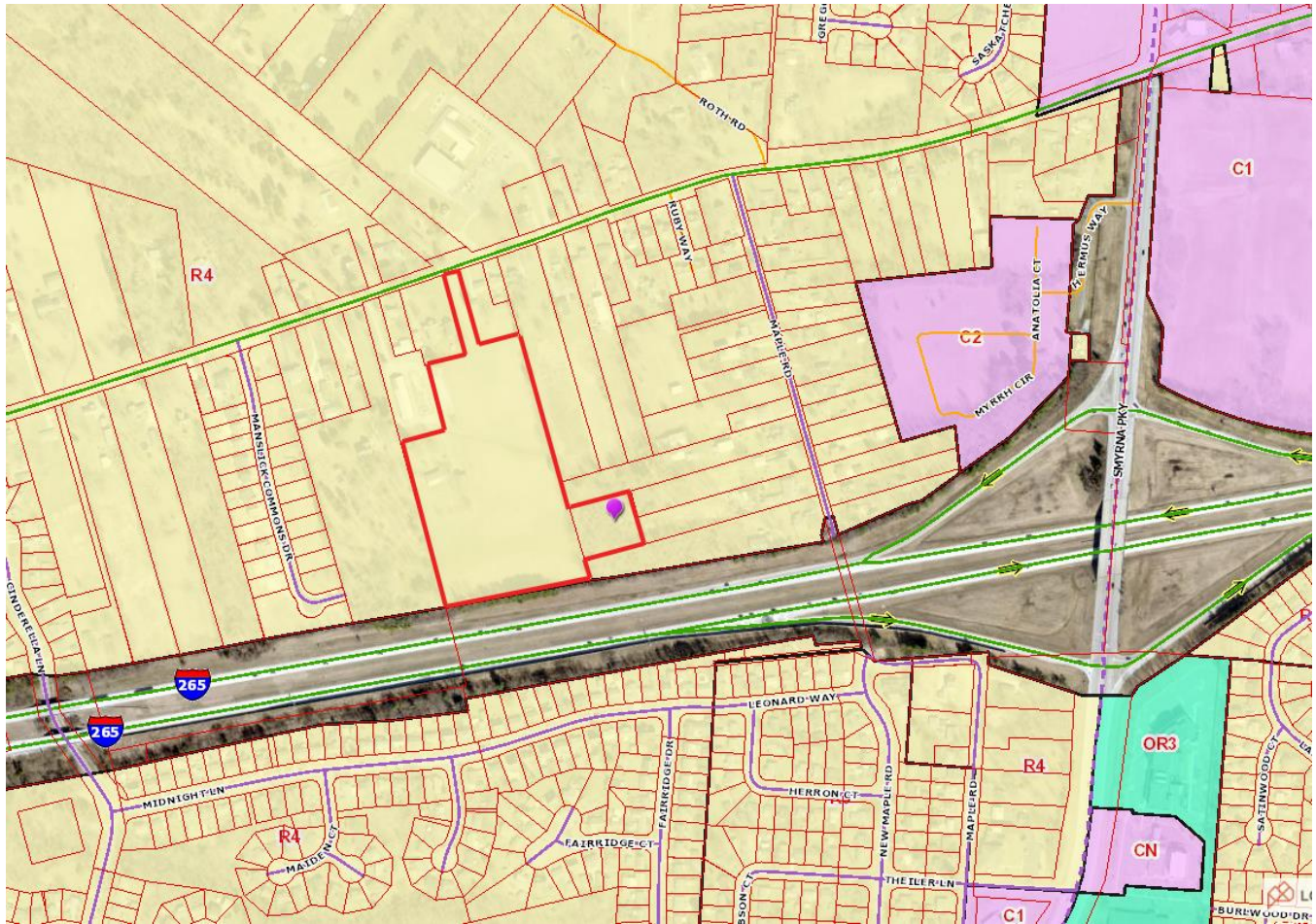
## **NOTIFICATION**

Date	Purpose of Notice	Recipients
2-26-25	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 24
3-26-25	Hearing before Planning Commission	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 24
4-07-25	Hearing before PC	Sign Posting on property
04-13-25	Hearing before PC	Legal Advertisement in the Courier-Journal

## **ATTACHMENTS**

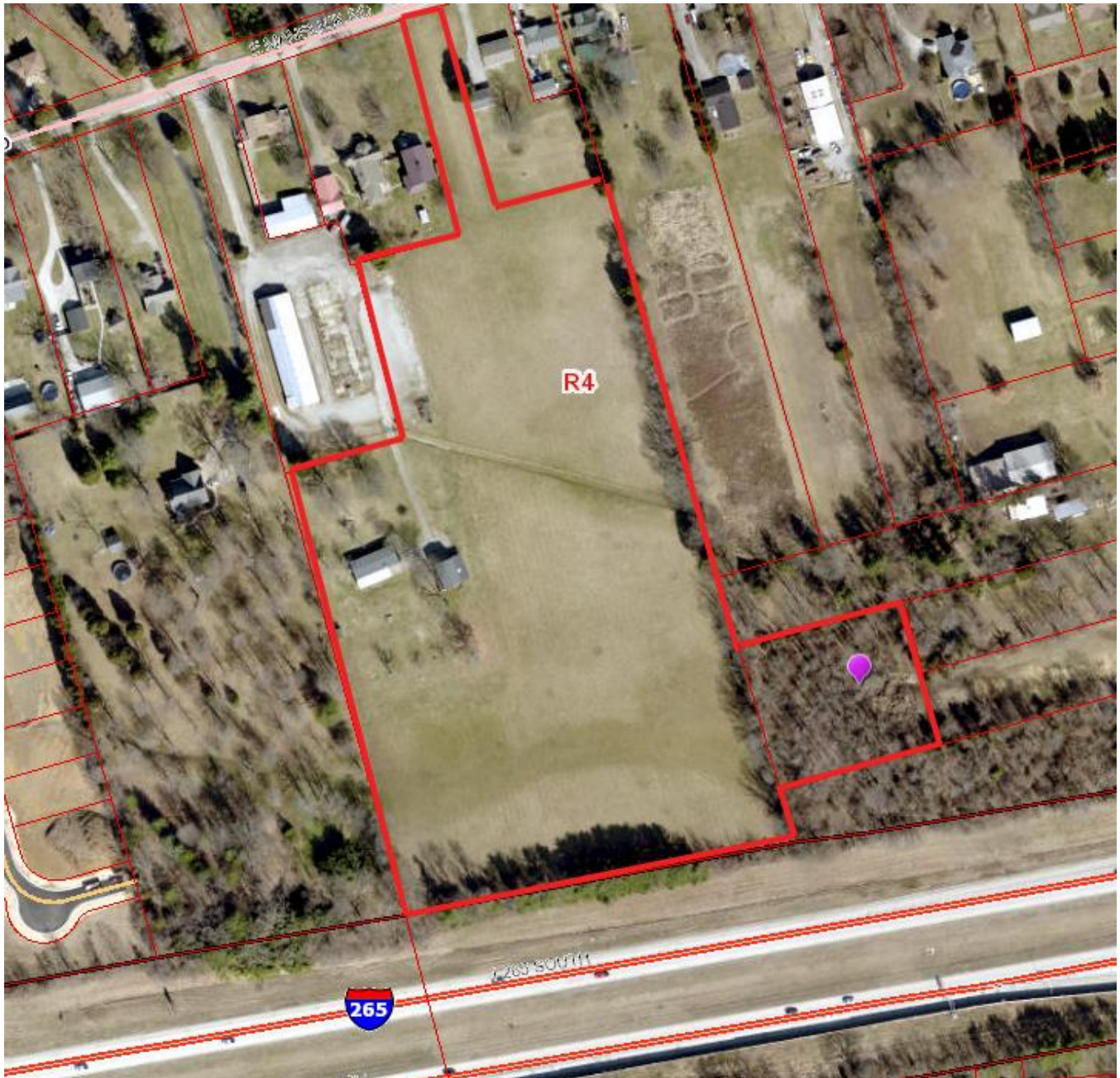
1. Zoning Map
2. Aerial Photograph
3. Comp Plan 2040 Checklist
4. Proposed Binding Elements

## 1. Zoning Map





2. **Aerial Photograph**



### 3. Comp 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><b><u>Community Form: Goal 1, Policy 7.</u></b> 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.</p> <p>✓ <b><u>Staff Analysis:</u></b> The site is located west of Smyrna Parkway and north of the Gene Snyder, a major transportation corridor that allows users access to activity and employment centers. The subject site is located on E Manslick Road which is a primary collector level roadway.</p>
2	<p><b><u>Community Form: Goal 1, Policy 9.</u></b> 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.</p> <p>✓ <b><u>Staff Analysis:</u></b> The proposed district is compatible with adjacent land uses as the PRD district which density is no greater than would be allowed in R-5 single-family zoning district.</p>
3	<p><b><u>Community Form: Goal 2, Policy 9.</u></b> Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.</p> <p>✓ <b><u>Staff Analysis:</u></b> The land is primarily vacant and will result in the development of housing.</p>
4	<p><b><u>Community Form: Goal 3, Policy 10.</u></b> 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.</p> <p>✓ <b><u>Staff Analysis:</u></b> The subject site does not have any environmental constraints.</p>
5	<p><b><u>Community Form: Goal 4, Policy 2.</u></b> Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.</p> <p>✓ <b><u>Staff Analysis:</u></b> Natural elements appear to be preserved as the site will maintain required buffers and tree canopy. The site does not contain historic structures.</p>
6	<p><b><u>Community Form: Goal 4, Policy 3.</u></b> 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.</p> <p>✓ <b><u>Staff Analysis:</u></b> The site does not contain any historic structures and is not considered a historic site.</p>
7	<p><b><u>Mobility: Goal 1, Policy 4.</u></b> 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</p>

Plan 2040 Plan Elements/Staff Analysis	
	public transportation system.
✓	<b>Staff Analysis:</b> The proposed district is not a high-density district. The nearest transit site is located two miles from the subject site.
8	<b>Mobility: Goal 2, Policy 4.</b> Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.
✓	<b>Staff Analysis:</b> The density is no greater than permitted in the R-5 district which is not a high-density district. While the area is not developed in a pattern of R-4 or R-5, connectivity for the district through adjacent districts permitting similar density is appropriate.
9	<b>Mobility: Goal 3, Policy 2.</b> 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.
✓	<b>Staff Analysis:</b> The site will be easily accessible by car. The site is located west of Smyrna Parkway and north of the Gene Snyder, a major transportation corridor that allows users access to activity and employment centers
10	<b>Mobility: Goal 3, Policy 5.</b> Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.
✓	<b>Staff Analysis:</b> The proposed major preliminary subdivision plan has received preliminary approval from Transportation Planning.
11	<b>Mobility: Goal 3, Policy 6.</b> Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.
✓	<b>Staff Analysis:</b> The proposed major preliminary subdivision plan has received preliminary approval from Transportation Planning.
12	<b>Mobility: Goal 3, Policy 9.</b> 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.
✓	<b>Staff Analysis:</b> The proposed major preliminary subdivision plan has received preliminary approval from Transportation Planning.
13	<b>Mobility: Goal 3, Policy 10.</b> Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.
✓	<b>Staff Analysis:</b> The proposed major preliminary subdivision plan has received preliminary approval from Transportation Planning.
14	<b>Mobility: Goal 3, Policy 21.</b> Prevent safety hazards caused by direct residential access to high speed roadways.
✓	<b>Staff Analysis:</b> No direct access to high-speed roadways is provided for individual units.
15	<b>Community Facilities: Goal 2, Policy 1.</b> Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.
✓	<b>Staff Analysis:</b> The development is being located in an area that is served by existing utilities and is capable of being served by public or private utility extensions.
16	<b>Community Facilities: Goal 2, Policy 2.</b> 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.
✓	<b>Staff Analysis:</b> The development is being located in an area that is served by existing utilities and is capable of being served by public or private utility extensions.
17	<b>Community Facilities: Goal 2, Policy 3.</b> 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).
✓	<b>Staff Analysis:</b> MSD has reviewed the proposed major preliminary subdivision plan and has given preliminary approval for the plan.



Plan 2040 Plan Elements/Staff Analysis	
18	<p><b><u>Livability: Goal 1, Policy 5.</u></b> Encourage development that recognizes and incorporates the unique characteristics of identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.</p> <p>✓ <b><u>Staff Analysis:</u></b> There are no existing landscapes to be preserved with the proposed development. The applicant will be providing the required tree canopy for the site.</p>
19	<p><b><u>Livability: Goal 1, Policy 17.</u></b> 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>✓ <b><u>Staff Analysis:</u></b> There are no environmental constraints on the subject site. A karst survey was conducted and no karst features were located.</p>
20	<p><b><u>Livability: Goal 1, Policy 21.</u></b> 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>✓ <b><u>Staff Analysis:</u></b> The site is not located in the regulatory floodplain.</p>
21	<p><b><u>Housing: Goal 1, Policy 1.</u></b> 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>✓ <b><u>Staff Analysis:</u></b> The proposed district encourages a variety of housing types within the same development. The applicant is proposing smaller sized lots.</p>
22	<p><b><u>Housing: Goal 1, Policy 2.</u></b> 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>✓ <b><u>Staff Analysis:</u></b> The proposed district promotes housing options and environments that support aging in place as seniors.</p>
23	<p><b><u>Housing: Goal 2, Policy 1.</u></b> Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.</p> <p>✓ <b><u>Staff Analysis:</u></b> The proposed zoning district would permit inter-generational mixed-income development. While the site is not well connected to the neighborhood and the surrounding area, there are some neighborhoods serving uses that are proposed in close proximity to the site.</p>
24	<p><b><u>Housing: Goal 2, Policy 2.</u></b> 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>✓ <b><u>Staff Analysis:</u></b> The proposed district will be located near a growing commercial activity center</p>
25	<p><b><u>Housing: Goal 3, Policy 1.</u></b> 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>✓ <b><u>Staff Analysis:</u></b> The proposed district encourages fair and affordable housing by allowing a variety of ownership options and unit costs throughout Louisville Metro. The district expands opportunities for people to live in quality, variably priced housing in locations of their choice by enabling the provision of affordable housing in dispersed locations throughout Louisville Metro.</p>
26	<p><b><u>Housing: Goal 3, Policy 2.</u></b> As neighborhoods evolve, discourage displacement of existing residents from their community.</p> <p>✓ <b><u>Staff Analysis:</u></b> The proposed district allows for an increase in residential occupancy on a site that is mostly vacant.</p>
27	<p><b><u>Housing: Goal 3, Policy 3.</u></b> 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>

## Plan 2040 Plan Elements/Staff Analysis



**Staff Analysis:** The proposed district encourages the use of innovative design methods by expanding the ability to provide a variety of housing types and styles.

### 4. Proposed Binding Elements

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission.
2. The applicant shall submit a landscape plan for approval by Planning Commission staff showing plantings and/or other screening and buffering materials to comply with the Chapter 10 of the Land Development Code prior to recording the record plat. The applicant shall provide the landscape materials on the site as specified on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.
3. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
4. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
5. All street signs shall be installed by the Developer, and shall conform with the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street, and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
6. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
7. After release of the drainage bond, mosquito abatement on open space lots shall be the responsibility of the Homeowners Association. Accumulations of water in which mosquito larvae breed or have the potential to breed are required to be treated with a mosquito larvacide approved by the Louisville Metro Health Department. Larvacides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.
8. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
  1. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
  2. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.

3. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.
9. The signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.
10. A deed of consolidation or minor plat creating the proposed subdivision boundary will need to be recorded prior to recording of the record plat.
11. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.
12. No residential structures shall be permitted within 250 feet of the edge of pavement of the Gene Snyder Freeway's nearest travel lane.