

# Land Development and Transportation Committee Staff Report March 13, 2025



<b>Case No:</b>	25-DDP-0007
<b>Project Name:</b>	Beulah Crossings Townhomes
<b>Location:</b>	6803 Beulah Church Road
<b>Applicant:</b>	Beulah Church Road LLC
<b>Representative:</b>	Land Design & Development
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	23 – Jeff Hudson
<b>Case Manager:</b>	Ethan Lett, AICP, Planner I

## **REQUEST(S)**

- **Detailed District Development Plan** with binding elements

## **CASE SUMMARY**

The proposal is for a residential development consisting of 190 townhome units divided among 26 2-story buildings. The development includes associated parking and drive lanes, a clubhouse, and recreational open space with a pool and dog park. Located just south of the I-265 Gene Snyder Freeway, the subject site is zoned R-5A Residential Multi-Family and is in the Neighborhood form district. Environmental conditions include total tree canopy cover and wetlands. Cedar Creek Road, an existing stub street off Beulah Church Road, will be extended to provide two access points to the development. The site was previously rezoned and approved for 184 townhome units under General Plan docket # 23-ZONE-0030.

## **STAFF FINDING**

The proposed plan meets the requirements of the Land Development Code and the guidelines of the Comprehensive Plan.

## **TECHNICAL REVIEW**

General Plan Binding Element #16 requires that any significant increase to proposed structures, density on the property, amendments to binding elements, or changes in use be reviewed by the Planning Commission with final action determined by Metro Council.

Transportation Planning and MSD have preliminarily approved the proposal.

Highview Neighborhood Plan (2015)

## **INTERESTED PARTY COMMENTS**

Please see attached citizen letters.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and 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: While this project involves the removal of over 14 acres of mature, existing tree canopy, undergrowth, and the potential degradation of wildlife habitats, the proposal will preserve the minimum amount of tree canopy necessary to meet tree preservation requirements, and new tree saplings will be provided to meet total tree canopy requirements. Additionally, there are both jurisdictional and non-jurisdictional wetlands present on the site and an ephemeral stream. The site is also located in a known habitat zone for the federally endangered Indiana bat and federally threatened northern long-eared bat. The applicant is aware that potential disruptions with jurisdictional wetlands and threatened/endangered species' habitats will require consultation and permitting through state and federal agencies.

- 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 Metro Public Works 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: Open space will be provided to meet 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 site design and land uses are compatible with the existing and future development of the area. While predominantly single-family residential, the general vicinity includes a mix of residential uses of various densities. The site layout has been designed so that views of the parking lots from the roadway are minimized. Preserved tree canopy areas and new landscaping will provide appropriate buffering and screening between the site and adjacent residences.

- 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 development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. Housing Goal 1, Policy 1 calls for encouraging 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. The townhome-style units provide a housing choice option that is distinct but compatible with the single-family or garden-style apartment options that are most prevalent in areas within the Neighborhood form district.

#### **REQUIRED ACTIONS:**

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **Detailed District Development Plan** with binding elements

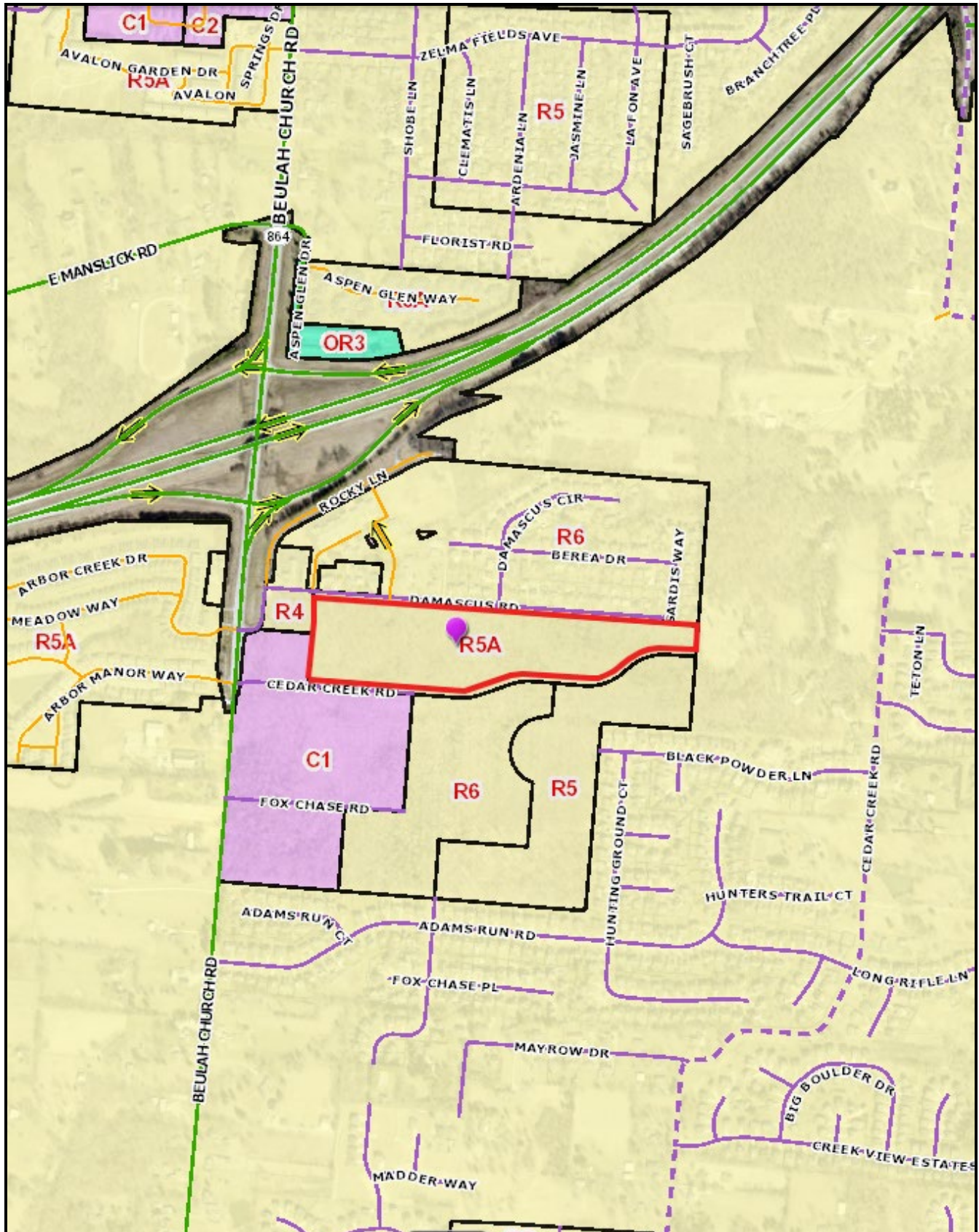
#### **NOTIFICATION**

Date	Purpose of Notice	Recipients
2/28/2025	Hearing before LD&T	1 <sup>st</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 23

#### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. Zoning Map





2. Aerial Photograph



### **3. Proposed Binding Elements**

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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. 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.
3. 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. A minor subdivision plat or legal instrument shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Office of Planning prior to obtaining a building permit.
  - 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. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the March 13, 2025 Land Development and Transportation Committee meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
4. The site shall be developed in accordance with environmental permitting requirements noted in the Water/Wetland Delineation Summary Report dated September 1, 2022.
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.