

4.

Request:

Project Name: Crawford Avenue Apartments

Location:

Applicant:

Representative:

Jurisdiction:

Council District:

Case Manager:

Development Review Committee

Staff Report

April 9th, 2025



Case No:	24-ZONE-0128
Project Name:	Crawford Avenue Apartments
Location:	4514 R & 4516 R Crawford Avenue and 7006 Textile Avenue
Applicant:	Hideout Properties, LLC.
Representative:	Hideout Properties, LLC
Jurisdiction:	Louisville Metro
Council District:	12 – Jonathan Joseph
Case Manager:	Molly Clark, Planner II

REQUEST

- **Amendment to Binding Elements** to abandon binding elements from 9-48-84

CASE SUMMARY

The subject site consists of 2 lots that are subject to a recent rezoning from R-5A multi-family and R-4 single family to R-6 multi-family residential to construct 48 apartment units that will be contained within 3 proposed buildings on one subject site. A portion of the site was rezoned to R-5A for a duplex under 9-48-84, for which the binding elements are proposed to be abandoned. This does not change the plan or binding elements proposed in case number 24-ZONE-0128, which will remain.

STAFF FINDING

The request is adequately justified for approval based on the analysis contained in the standard of review

INTERESTED PARTY COMMENTS

Staff has not received any interested party comments.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 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: There do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site under case number 24-ZONE-0128.

- 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 have approved the preliminary development plan under case number 24-ZONE-0128.

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

STAFF: There are no open space requirements pertinent to the current proposal. Future multi-family development proposed on the subject site under case number 24-ZONE-0128 will be required 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. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks.

- 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 request to abandon existing binding elements conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Amendment to Binding Elements** to abandon binding elements from 9-48-84

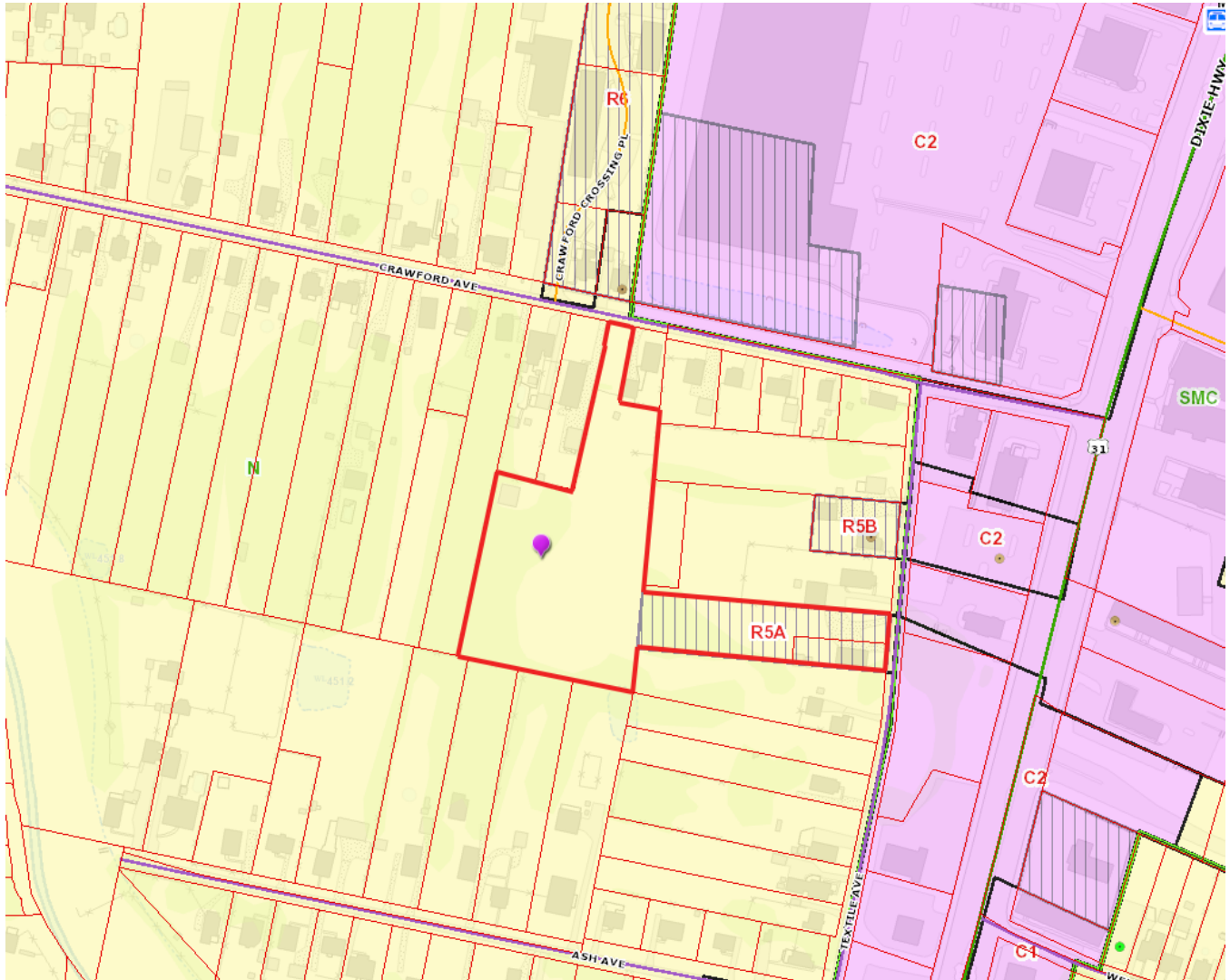
NOTIFICATION

Date	Purpose of Notice	Recipients
3-28-25	Hearing before DRC	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

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Binding Elements to be abandoned
4. Proposed Binding Elements per 24-ZONE-0128

1. **Zoning Map**



2. **Aerial Photograph**



3. **Binding Elements to be abandoned (9-48-84)**

1. ~~The development will be in accordance with the approved district development plan. Not further development will occur.~~
2. ~~The density of the development shall not exceed two dwelling units per acre (2 units on 1 acre).~~
3. ~~No building materials may be stored on this site with the exception of those which may be used to construct a building on the site.~~

- ~~4. Before a certificate of occupancy is issued the development plan must be reapproved by the Transportation Engineering, Water Management and Fire Safety Sections of the Jefferson County Public Works and Transportation Cabinet.~~
- ~~5. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use.~~
- ~~6. The above binding elements may be amended as provided for in the Zoning District Regulations.~~

4. Proposed binding elements per 24-ZONE-0128

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.
 - 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 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.

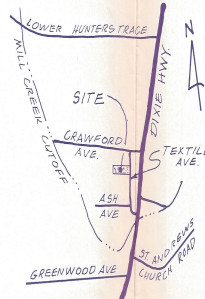
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors, and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with 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.
7. Applicant shall construct and maintain an 8ft vinyl privacy fence as shown at the March 6, 2025, Planning Commission hearing.

DOCKET NO. 9-48-84
Change in zoning from R-4 Residential to R-1A Residential-Apartment
at 7006 Textile Avenue on property located on the west side of
Textile Avenue, 569 feet more or less north of Ash Avenue, 394 feet
more or less south of Crawford Avenue, fronting 100 feet on Textile
Avenue, extending west to a maximum depth of 435 feet more or less
and being in the unincorporated area of Jefferson County.

Owner and Developer: Ernest H. Schaeffer
4508 Crawford Avenue
Louisville, Kentucky 40258

Existing Use: Single Family
Proposed Use: Apartment

1. The development will be in accordance with the approved district development plan. No further development will occur.
2. The density of the development shall not exceed two dwelling units per acre (2 units on 1 acre).
3. No building materials may be stored on this site with the exception of those which may be used to construct a building on the site.
4. Before a certificate of occupancy is issued the development plan must be approved by the Transportation Engineering, Water Management and Fire Safety Sections of the Jefferson County Public Works and Transportation Cabinet.
5. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use.
6. The above binding elements may be amended as provided for in the zoning District Regulations.



LOCATION MAP
NOT TO SCALE

NOTICE
PERMITS SHALL BE ISSUED
ONLY IN CONFORMANCE WITH THE
BINDING ELEMENTS OF THIS DISTRICT
DEVELOPMENT PLAN

SITE DATA

EXIST ZONING R-4
PROPOSED ZONING R-5A
ACRES IN SITE 1.0'
TOTAL FLOOR AREA 2054 S.F.
FLOOR AREA RATIO 0.047

APPROVED DISTRICT
DEVELOPMENT PLAN

DOCKET NO. 9-48-84
APPROVAL DATE August 16, 1984
EXPIRATION DATE N/A

SIGNATURE OF PLANNING COMMISSION SECRETARY

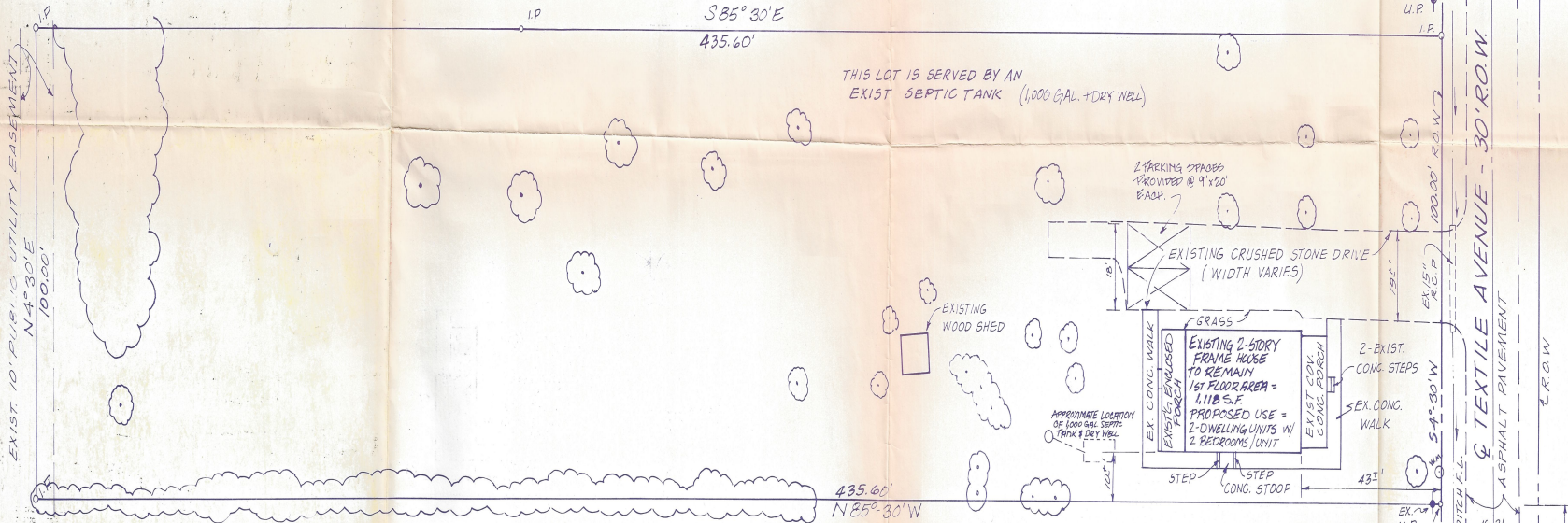
Kathy Melley
See Binding Elements

PLANNING COMMISSION

SCALE
1" = 20'

RECEIVED
JUN 28 1984

LOUISVILLE & JEFFERSON COUNTY
PLANNING COMMISSION



PRELIMINARY REVIEW
DEVELOPMENT PLAN

SHALL COMPLY WITH ORDINANCE #28

28 June 84 *John J. Clarke*

PREPARED BY
FACKTOR & ASSOCIATES
LANDSCAPE ARCHITECTS & PLANNERS
4313 NOTTINGHAMSHIRE DRIVE
LOUISVILLE, KENTUCKY 40299
(502) 499-8842

PRELIMINARY APPROVAL
SURFACE WATER CONTROL

Conditions of Approval:

Michael Dean 6/28/84
WATER MANAGEMENT ENGINEER
JEFFERSON COUNTY

PRELIMINARY APPROVAL
DEVELOPMENT PLAN

CONDITIONS:

Mark A. Schaeffer
DATE: 6-28-84
JEFFERSON COUNTY
DEPT. OF PUBLIC WORKS

REQUEST FOR CHANGE OF ZONING DISTRICT MAP
FOR

ERNEST H. SCHAEFFER PROPERTY

7006 TEXTILE AVENUE
LOUISVILLE, KY 40258

OWNER

ERNEST H. SCHAEFFER
4508 CRAWFORD AVENUE
LOUISVILLE, KY. 40258

6/28/84

9-48-84

9-48-84

PLANNING COMMISSION MINUTES

AUGUST 16, 1984

✓ DOCKET NO. 9-48-84

Change in zoning from R-4 Residential to R-5A Residential-Apartment at 7006 Textile Avenue on property located on the west side of Textile Avenue, 569 feet more or less north of Ash Avenue, 394 feet more or less south of Crawford Avenue, fronting 100 feet on Textile Avenue, extending west to a maximum depth of 435 feet more or less and being in the unincorporated area of Jefferson County.

Owner and Developer: Ernest H. Schaeffer
4508 Crawford Avenue
Louisville, Kentucky 40258

Existing Use: Single Family
Proposed Use: Apartment

Notice of this public hearing appeared in The Louisville Times on July 17, 1984, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicant.

A summary analysis of the staff report was given by a staff member (See Appendix for staff report in full).

Ron Facktor, 4813 Nottinghamshire Drive, spoke in favor of this request. He submitted 13 slides.

The following spoke in opposition:

Judie Burris, 7014 Textile Avenue. She submitted 5 photographs and petitions containing 100 signatures in opposition.

Clyde Brown, 4508 Ash Avenue.

Charles Holt, 4603 Ash Avenue.

Mr. Facktor and Ernest Schaeffer, 4508 Crawford Avenue, spoke in rebuttal.

Commissioner Mullins requested the inclusion of a binding element requiring that the building materials be removed from the site.

During the business session, Commissioner Karzen made a motion to recommend approval on this case, and Commissioner Lurding seconded the motion. Commissioner Mullins asked if the motion includes an additional binding element relating to the removal of the building material currently stored on the site. Phil Bills of the Planning Commission staff stated that he could draft a binding element to

*Minutes approved on
Sept. 6, 1984*

PLANNING COMMISSION MINUTES

AUGUST 16, 1984

DOCKET NO. 9-48-84 (continued)

this effect, but that he feels uncomfortable doing so because a binding element worded this way could preclude him from constructing a garage in the future. Charles Davis of the Planning Commission staff suggested that the binding element be worded to state that no building materials would be allowed except those which would be used for a structure on the site.

Upon questioning from Chairman Hutchinson, Commissioner Mullins stated that the binding element as suggested by Mr. Davis would be acceptable.

Commissioner Lurding stated that he finds a binding element to this effect redundant and perhaps inviting because the Zoning District Regulations do not permit storage in this zone anyway. Commissioner Mullins stated that she agrees that it is redundant, but that she wants to address the concerns of the residents.

A vote was then taken on the motion to approve, and the following motion was unanimously adopted:

WHEREAS, The Commission finds the proposal to be in conformance with Guidelines E-1 and R-14 because no new construction is proposed, and because the plan has been granted preliminary approval by the Water Management Section of the Jefferson County Public Works and Transportation Cabinet; and

WHEREAS, The Commission finds the proposal to be in conformance with Guidelines U-1, U-3, and U-4 because the applicant intends to provide an on-site sewage disposal system approved by the Health Department and the State, and because the proposed density falls within the proposed density range; and

WHEREAS, The Commission finds the proposal to be in conformance with Guidelines R-1, R-3, R-4, and R-14 because the applicant has agreed to binding elements relating to the design and density and has also agreed by binding element to remove building materials except those which will be used for any future structure on the site, and because the proposed residential use is compatible with the adjacent residential uses, and because the existing residential building will be utilized; and

WHEREAS, The Commission finds the proposal to be in conformance with Guideline R-5 because the proposed density falls within the low density range and is compatible with adjacent densities; and

PLANNING COMMISSION MINUTES

AUGUST 16, 1984

DOCKET NO. 9-48-84 (continued)

WHEREAS, The Commission finds the proposal to be in conformance with all other applicable guidelines of the Comprehensive Plan; now, therefore, be it

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby recommend to the Fiscal Court of Jefferson County, Kentucky, that the proposed change in zoning from R-4 Residential to R-5A Residential-Apartment on the following described property be APPROVED.

BEING LOT No. 5 in the revised plan of the G. M. Schnell's Subdivision; plat of which is recorded in Plat and Subdivision Book 7, page 101 and page 51, in the Office of the Clerk of the County Court of Jefferson County, Kentucky and containing one (1) acre.

GENERAL DISTRICT DEVELOPMENT PLAN

On a motion by Commissioner Karzen, seconded by Commissioner Lurding, the following resolution was unanimously adopted:

WHEREAS, The General District Development Plan has received preliminary approval from the Transportation Engineering, Water Management and Fire Safety Sections of the Jefferson County Public Works and Transportation Cabinet; and

WHEREAS, The Planning Commission has recommended approval of the related zoning case and for the reasons stated in that recommendation; now, therefore, be it

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby APPROVE the General District Development Plan for Docket Number 9-48-84 with the following binding elements:

1. The development will be in accordance with the approved district development plan. No further development will occur.
2. The density of the development shall not exceed two dwelling units per acre (2 units on 1 acre).
3. No building materials may be stored on this site with the exception of those which may be used to construct a building on the site.

PLANNING COMMISSION MINUTES

AUGUST 16, 1984

DOCKET NO. 9-48-84 (continued)

4. Before a certificate of occupancy is issued the development plan must be reapproved by the Transportation Engineering, Water Management and Fire Safety Sections of the Jefferson County Public Works and Transportation Cabinet.
5. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use.
6. The above binding elements may be amended as provided for in the Zoning District Regulations.