

Justification Statement/Statement of Compliance with the Cornerstone 2040 Comprehensive Plan

Case No. 22-zonepa-0055

Project Name: River City Housing

Location: 1239 South Clay Street

Owner: River City Housing, Inc.

Applicant: River City Housing Inc.

Proposed Use: Single Family (two Semi-detached, single-family homes)

Proposed Zoning District and Use: Zoning District Change from R6 to U-N



The proposed Zoning District change is consistent with updating current Neighborhood Form Districts in the Shelby Park area to Urban Neighborhood Zoning (U-N). The proposed U-N zoning is compatible with the demand for smaller homes on smaller lots in the Shelby Park Area since this lot is only 4,303 SF. The R6 Zoning that blankets this area around Shelby Park was meant to allow for various types of densities of housing, and to support multi-unit/multifamily to increase density. However, the Shelby Park area like Germantown and Paris Pointe, is experiencing redevelopment of existing housing back to single family use.

The zoning change is compatible with Plan 2040 in the following ways:

- The proposed use is compatible with all adjacent uses in compliance with the Community Form Guidelines and specifically with Policy 3.1.3. This is an appropriately scaled residential use in the Neighborhood Form District, a district which has uses that vary from high to low density. This use will blend compatibly into the existing neighborhood areas and landscape. In addition, the housing type will bring a desired and well-designed housing product to the area, providing needed diversity to the housing stock in the area.
- This site is located in proximity to major transportation facilities along Oak Street and Shelby Street just one block in either direction, allowing access to Commercial Shopping along Goss Avenue, and recreational activities at Shelby Park. TARC service is available along these routes. Additionally, sidewalks run along South Clay Street consistent with the Goals of the Mobility Guidelines in the Comprehensive Plan.
- The proposed use is designed to be compatible with the immediately adjacent property and with many of the nearby uses, it will not result in damage to the character of the existing neighborhood and will not be a use that will cause a nuisance either, through noise, light or odors.

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- The proposed development complies with the policies that are required and that are applicable pursuant to the Land Development Code. The elevations and renderings included with the application will demonstrate that the proposed buildings will be attractive and compliant with the development code addressing any design or aesthetics concerns. Furthermore, the enclosed site plan demonstrates compliance with set-backs. The applicant will comply with all necessary tree-canopy and landscaping requirements. Furthermore, no odors are expected to emanate from the proposed building and all activities will be limited to car traffic, anticipated to be mostly during daylight hours, and no hazardous materials are anticipated to be used in the building.
- This proposed development will comply with applicable water management requirements. First, Storm Water Management requires MSD review and is addressed in detail on the submitted detailed district development plan. Second, Water Quality is also subject to the regulatory authority of MSD and will be addressed by the district development plan. Third, Air Quality is subject to the authority of the Air Pollution Control District and will also be addressed on the district development plan and subject to review by that agency. Any items not addressed on the development plan will need to be addressed in order to obtain building permits (e.g. silt fencing, etc.). The intent of these guidelines is to protect the air and water quality and to ensure damage to streams and nearby properties is minimized by property drainage system design.
- The proposed use will comply with the Landscape and Tree Canopy requirements in a manner consistent with Community Form Goal 3. Tree canopy will be preserved (consistent with Community Form Goal 4) or added as is appropriate and in compliance with the Land Development Code. The submitted plans will be further refined and reviewed by Planning Commission staff and the Applicant site engineering firm in order to ensure compliance. For the above reasons, as well as the materials submitted with the application and during the application process as well as the testimony to be given at the upcoming public hearings, this application complies with the intent, the relevant policies and the Guidelines of Plan 2040.

Respectfully,

Christopher Crumpton, P.E.

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