

## Change of Zoning Proposal from RR to R-4

### Statement of Compliance with all Applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan

Applicant/Owner: Premier Land Development Co.  
Property Address: 11700 Mary Morley Lane  
Louisville, KY 40229  
Engineers, Land Planners and Landscape Architects: Mindel Scott and Associates, Inc.

### Introductory Statement

This application is to change the zoning of this 6 acre tract from RR Rural Residential to the R-4 Single Family Residential district and specifically for a conservation subdivision. The site is surrounded on 3 sides by land that is zoned R4 Single Family Residential. It adjoins 2 existing subdivisions, Primrose Meadows to the east and Creek View to the north, both are R4 residential subdivisions. The adjacent Section 3 of Primrose Meadows is also a conservation subdivision and this proposal extends the existing stub of Gosling Shoals Way and proposes a very similar development.

In 2007, this property was included in a change of zoning request by what was then identified as the Thixton Lane Neighborhood Association Inc, to change the zoning of approximately 55 individual tracts to RR Rural residential thereby limiting development to 5 acre or larger lots. The fact that the change of zoning was done by individual land owners and not part of an overall proposal for development of the area was unique and also allowed for a broken pattern of zoning across the area. The goal was to limit development and preserve the rural appearance of the area. This was done despite the fact that this area is mostly unconstrained by steep slopes, bad soil and other natural factors that typically restrict development. It was done despite there being access to sewers via a regional sewer treatment plant that serves this area and which makes this area prime land for development and with development even being needed to repay the government for the investment of the sewer facility and make it function economically.

Further, this site is located within the city of Louisville, and as such should be considered an urban area. Some added benefits of this location include its proximity to parks in the area with McNeely Lake Park, one of the largest in the Metro Park system located to the west and just over a mile radius from the site and Broad Run Park of The Parklands, one of the nation's largest new metropolitan parks, located due east and within a 3 mile radius.

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### Guideline 1: Community Form

This site is located within the Suburban Neighborhood Form District which, "is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas." This

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proposal is compatible as it falls into the low density range, less than 5 dwelling units per acre and in this case at 3.7 dwelling units per acre. Though the conservation subdivision regulations allow for higher density, the density proposed falls below the density allowed for the R-4 zone of a maximum of 4.84 dwelling units per acre.

### **Guideline 2: Centers**

Included in the goals of this guideline is to promote efficient uses of land and investment in existing infrastructure, to lower utility costs by reducing the need for extensions and provide an opportunity for a mixture of residential development that includes housing types and building styles that accommodate people of different ages and incomes that are compatible with the existing development pattern of the particular Form District, and to encourage vitality and sense of place in neighborhoods and the community.

This application complies with these goals in that as previously mentioned the site is located so as to be served by the existing regional sanitary sewer treatment plant. Sewers have already been constructed through the site to serve Section 3 of Primrose Meadows which is currently under construction and for both these reasons this proposal will utilize existing infrastructure. The homes proposed will be similar to those that exist in both Primrose Meadows the existing sections of Creek View, but with the smaller lots allowed in a conservation subdivision. Therefore, this proposal is consistent with the existing development pattern and will accommodate different needs with the smaller yards. The residential lots and open space proposed are easily accessible with the extension of sidewalks throughout the development and to the adjacent subdivision. The designated conservation area will further expand upon the open space provided in both of the adjacent subdivisions and provides an amenity and natural habitat that is a benefit to the neighborhood with the preservation of the existing wooded area in the 1.8 acres of open space.

### **Guideline 3: Compatibility**

This guideline is to allow a mixture of land uses and densities near each other as long as they are designed to be compatible with each other and to preserve the character of the existing neighborhoods. The proposed Creek View Section 3 addresses these guidelines by providing a mix of the existing residential styles and densities found in the 2 adjacent subdivisions.

Policies 1, 2, 3, 10, 21, 22 and 23 of this guideline specifically outline issues of compatibility relating to and including building materials, building height, design, density, screening, buffering and open space. Policies 14 and 15 recommend the development of appropriate/inclusive housing that is compatible with the site and building design of nearby housing, as well as, providing a variety of housing prices and encourages the use of clustering. These items are addressed with this proposal of similar home styles, with similar building materials being provided on smaller lots, with sidewalks along all road frontages and with the preservation of a relatively large open space and the provision of buffering for the adjacent large tract lots.

### **Guideline 4 and 5: Open Space and Natural Areas**

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These guidelines are closely related, with Open Space identifying the intent to ensure well-designed permanently protected open space that meets community needs, while with Natural Areas the intent is to protect natural areas/features and locate development in areas that do not have severe environmental limitations. This proposal complies with both by the clustering the homes on smaller lots, by providing open space that shall be maintained by the homeowners association and by proposing to permanently protect the existing trees, the most significant resource on this site.

**Guideline 7, 8 and 9: Circulation, Transportation Facility Design, and Alternative Forms of Transportation**

These guidelines are to ensure that a balanced and comprehensive transportation network is provided with new developments for the safe movement of people and by all types of transportation modes, as possible. This proposal complies with these with the extension of Gosling Shoals Way, the stub of same to provide for potential future development of the adjacent property, with the proposed Court "A" and with the provision of sidewalks along all street frontages. The roads and sidewalks will be designed in accordance with Metro Public Works standards, shall provide for the safe movement vehicles and bicycles on the roads and for pedestrians on the walks.

**Guideline 10: Flooding and Stormwater**

Storm water and through drainage is addressed with the proposed storm sewer and with proper grading to direct the water to the existing detention basin in the adjacent Primrose Meadows Subdivision Section 2. This plan has received preliminary approval and will be further reviewed at construction design by the Metropolitan Sewer District (MSD). This site is not located within a flood area per the Flood Insurance Rate Map #21111C0130E for Louisville and Jefferson County, Kentucky.

**Guideline 13: Landscape Character**

The intent of this guideline is to protect and link urban woodland fragments in conjunction with greenways planning, promote tree canopy as a resource, enhance visual quality and buffer incompatible land uses. As a Conservation subdivision this proposal will preserve 30% of the land area comprising this development in an open space that will be managed and preserved by the Home Owners Association. Being located next to an existing conservation subdivision, it connects with and expands upon the open space in that development.

**Guideline 14: Infrastructure**

The intent of this guideline pertains to the provision of adequate community facilities to serve the use. This subdivision will extend the existing available utilities to meet its needs. The extension of utilities shall be reviewed by and coordinated with the appropriate agencies.

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