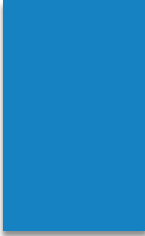


Louisville Metro Planning Commission Public Hearing - January 21, 2021
Louisville Metro Land Design & Transportation Committee - December 10, 2020
Neighborhood Meeting - September 16, 2020



Docket No. 20-ZONE-0086, 20-MSUB-0008,
20-WAIVER-0100, 20-WAIVER-0113

Proposed change in zoning from R-4 to PRD to allow a 42-lot subdivision on approximately 7.39 acres on property located at 3311 Tucker Station Road

Tucker Station Development, LLC
c/o Dave Weis & Jason Orthober

Attorneys: Bardenwerper Talbott & Roberts, PLLC
Land Planners, Landscape Architects & Engineers: Sabak, Wilson & Lingo

Riggs Lake

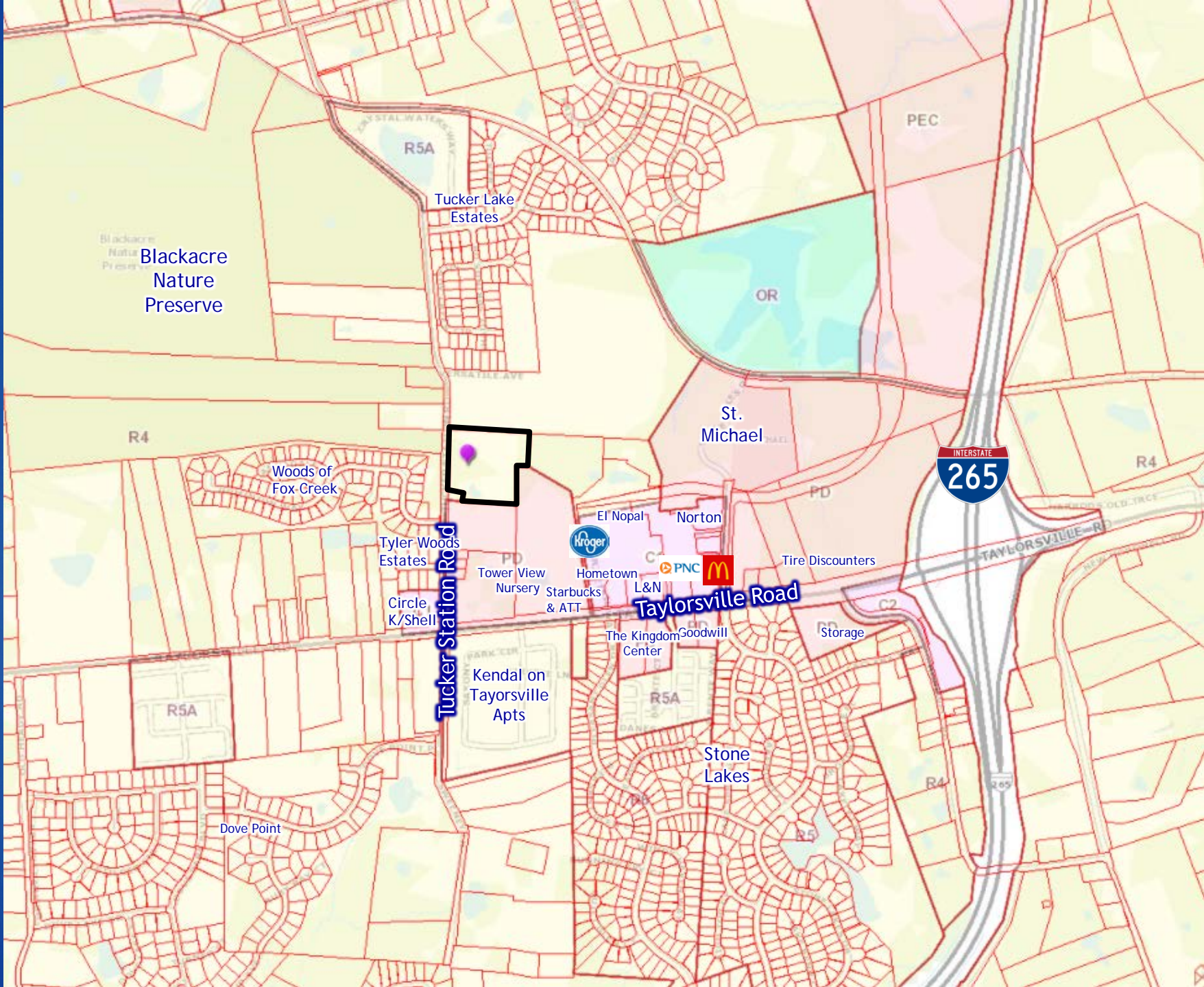
Saint Michael
Catholic Church

Saint Michael
Catholic School

SITE

re
ncy





Blackacre
Nature
Preserve

R4

Woods of
Fox Creek

Tyler Woods
Estates

Circle
K/Shell

R5A

Dove Point

Tucker
Station
Road

Kendal on
Tayorsville
Apts

R5A

Tucker Lake
Estates

Tower View
Nursery
& ATT

Kroger

Hometown
L&N

The Kingdom
Center

Tayorsville Road

Goodwill

Stone
Lakes

El Nopal

Norton

St.
Michael

R5A

Tire Discounters

Storage

PEC

INTERSTATE
265

R4

TAYORSVILLE RD

R4

OR

PD

PD

C2

PD

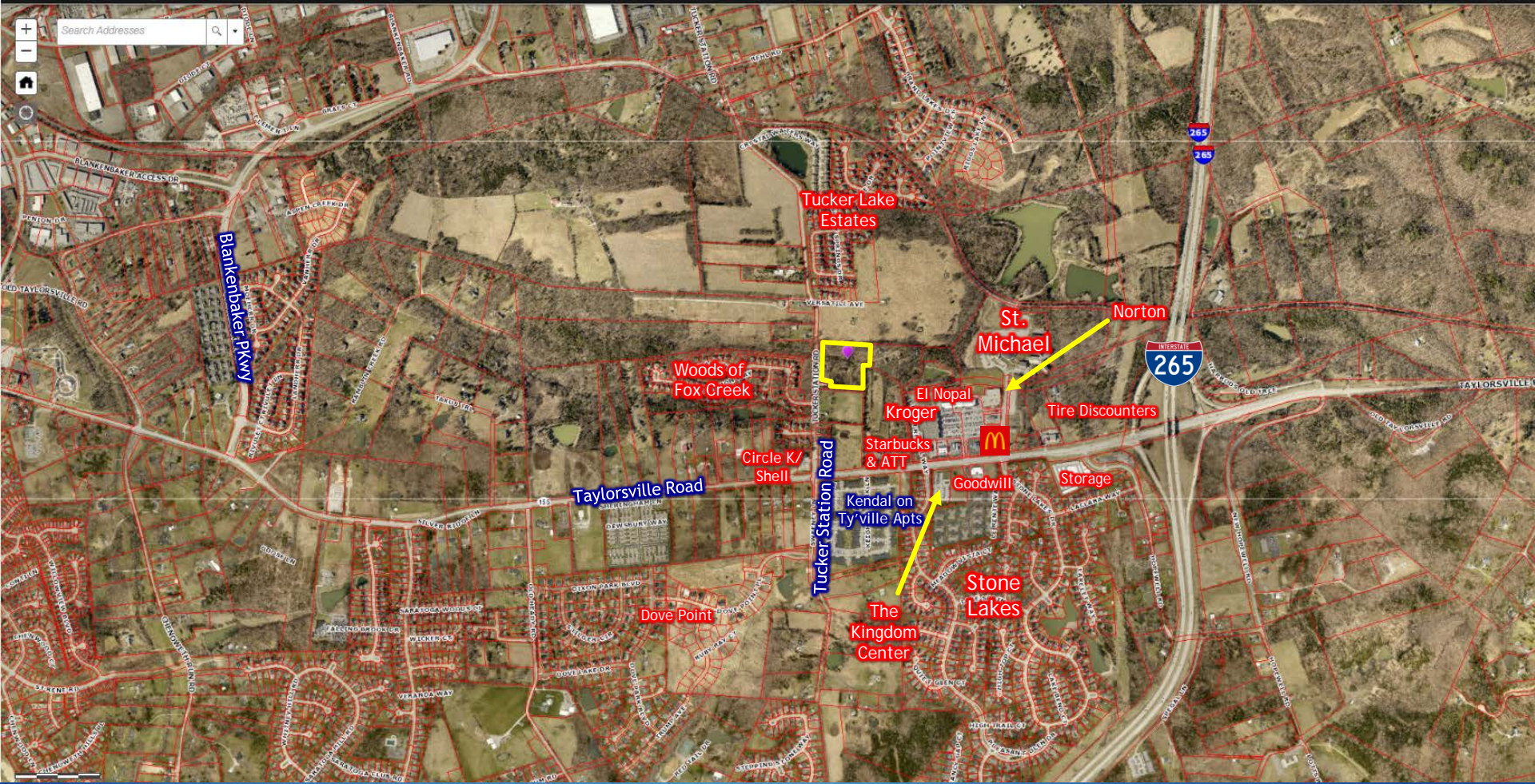
PD

PD

R5

265

Development located on Tucker Station Road, near Taylorsville Road Intersection.



Development located on Tucker Station Road, near Taylorsville Road Intersection.



Development located near Tyler Village Commercial Activity Center.



Future Urton Lane Extension will put Development directly on significant intersection.



Future Urton Lane Extension will put Development directly on significant intersection and likely major arterial.



SITE

Urton Lane
Extension
Intersection

New
Development

Taylorsville Road

Tucker Station Rd

Ex. Norfolk
Southern Railroad

Future Urton
Lane Extension

Ex. Stone

Future Rehli Road
Interchange

INTERSTATE
265



Future Urton Lane Expansion

View from Site

SITE



View from Taylorsville Road



Existing businesses in Tyler Village Commercial Activity Center



Existing businesses in Tyler Village

Louisville, Kentucky
Google
Street View



Tyler Village



Looking west down Taylorsville from Stone Lakes Drive. The Kroger-anchored Tyler Village is to the right.



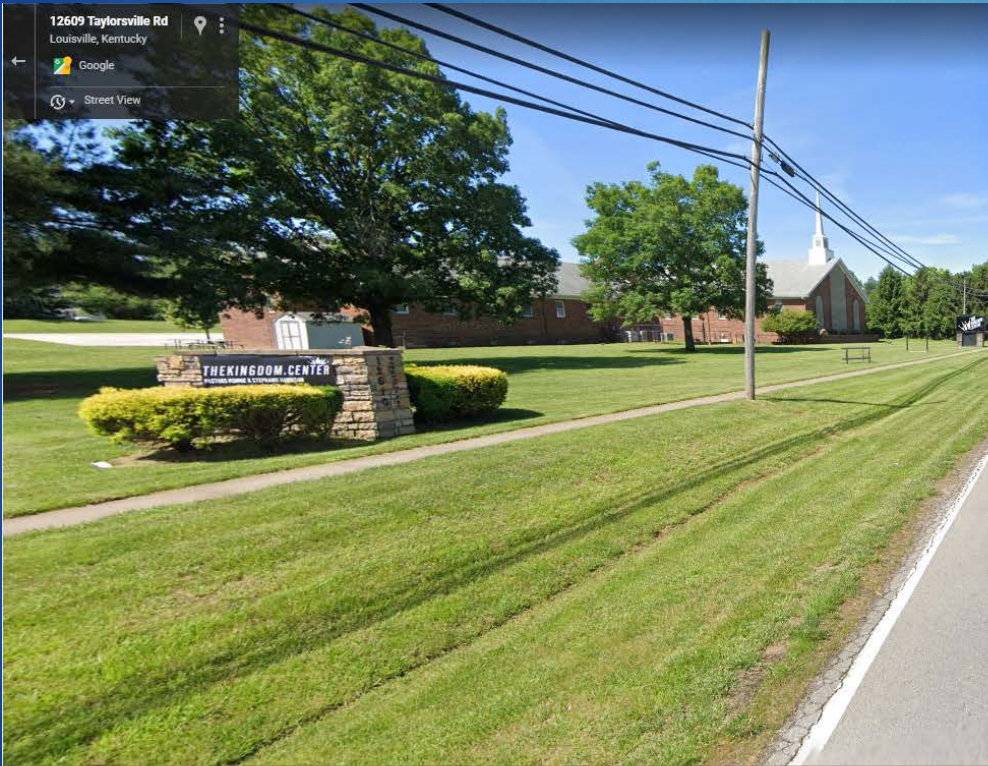
12613 Taylorsville Rd
Louisville, Kentucky

Google

Street View



Entrance to the Kroger-anchored Tyler Village Commercial Activity Center

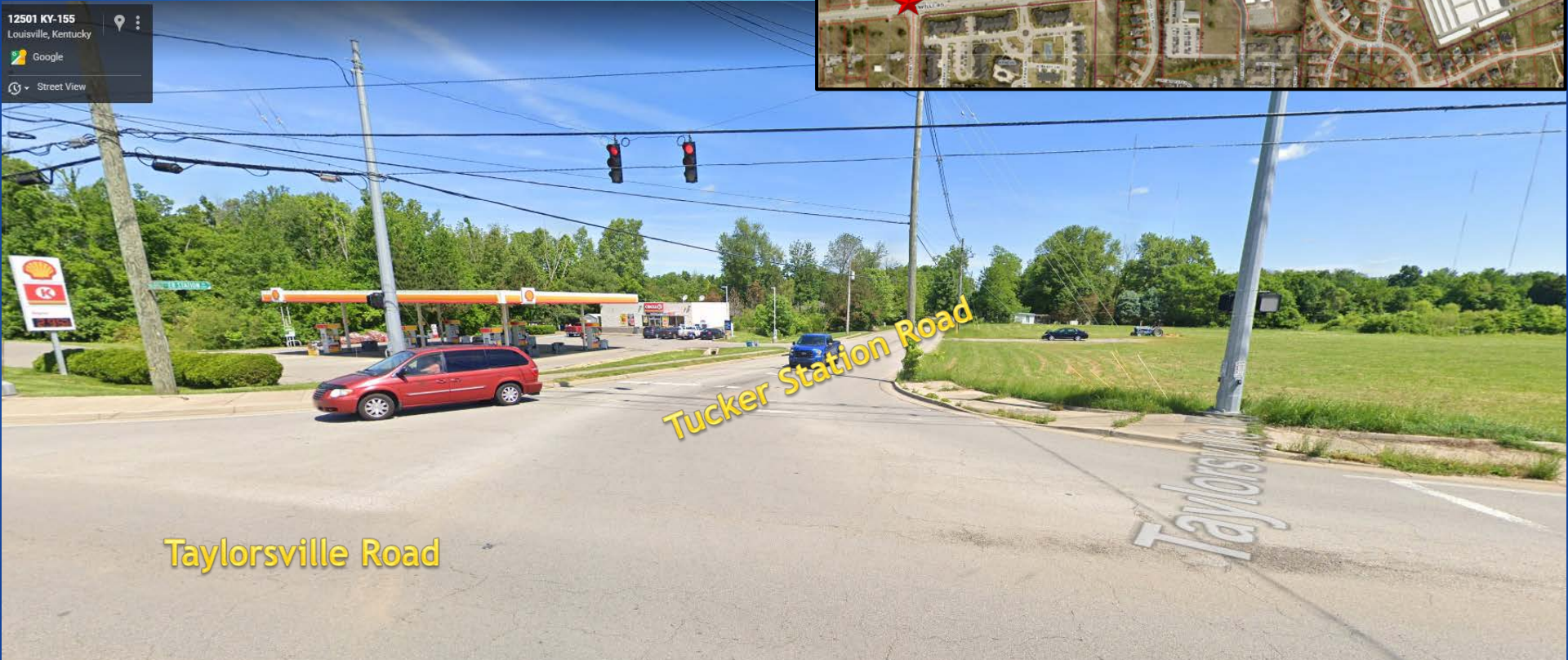


Looking further west down Taylorsville Road. The Kingdom Center is on the left and Tyler Village on right.



Looking further west down Taylorsville Road. Kendal Apts are on the left and Tower View Farms & Nursery is on right.

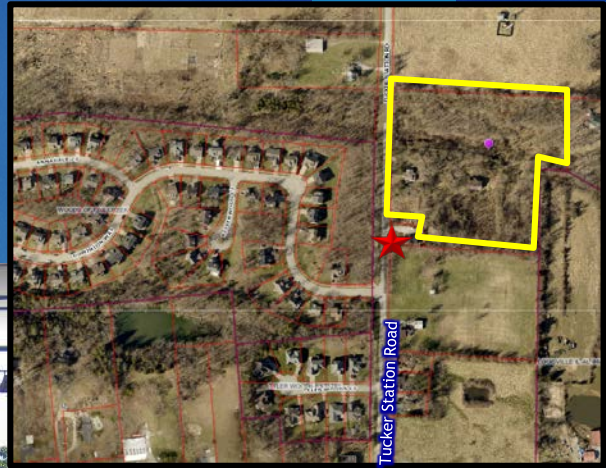
12501 KY-155
Louisville, Kentucky
Google
Street View



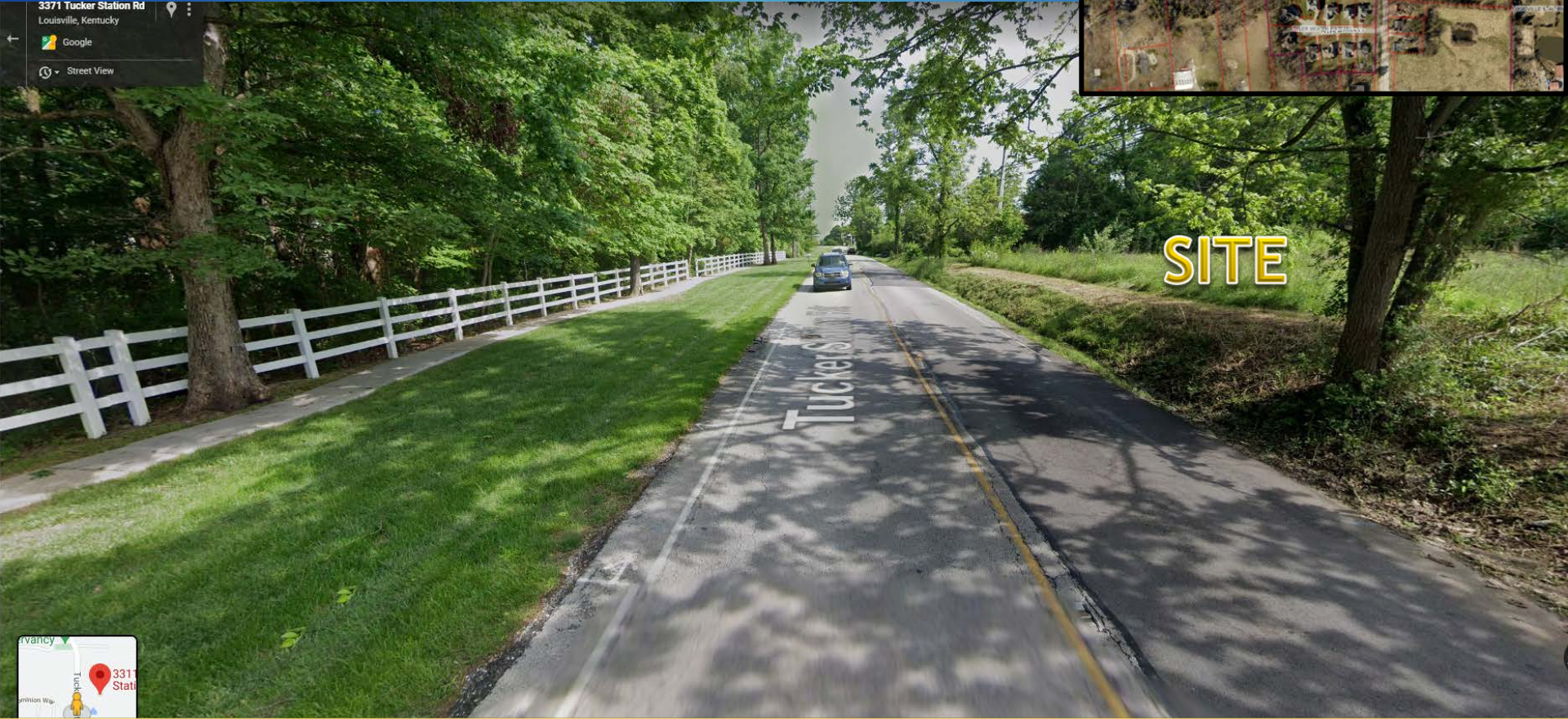
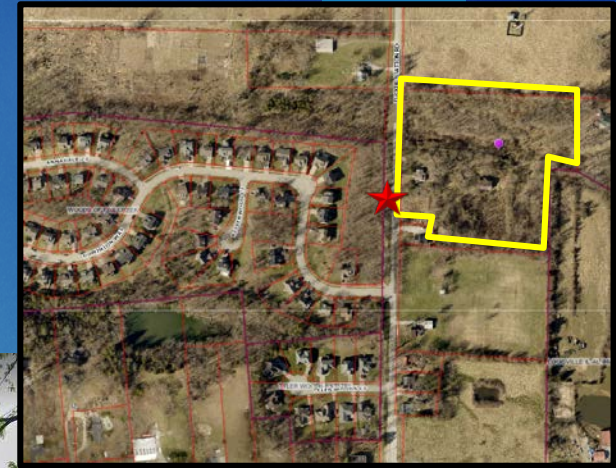
Looking north down Tucker Station Road from Tuckersville Road.



View of entrance to Fox Creek Subdivision.

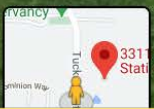


View of house adjacent to, and south of site.

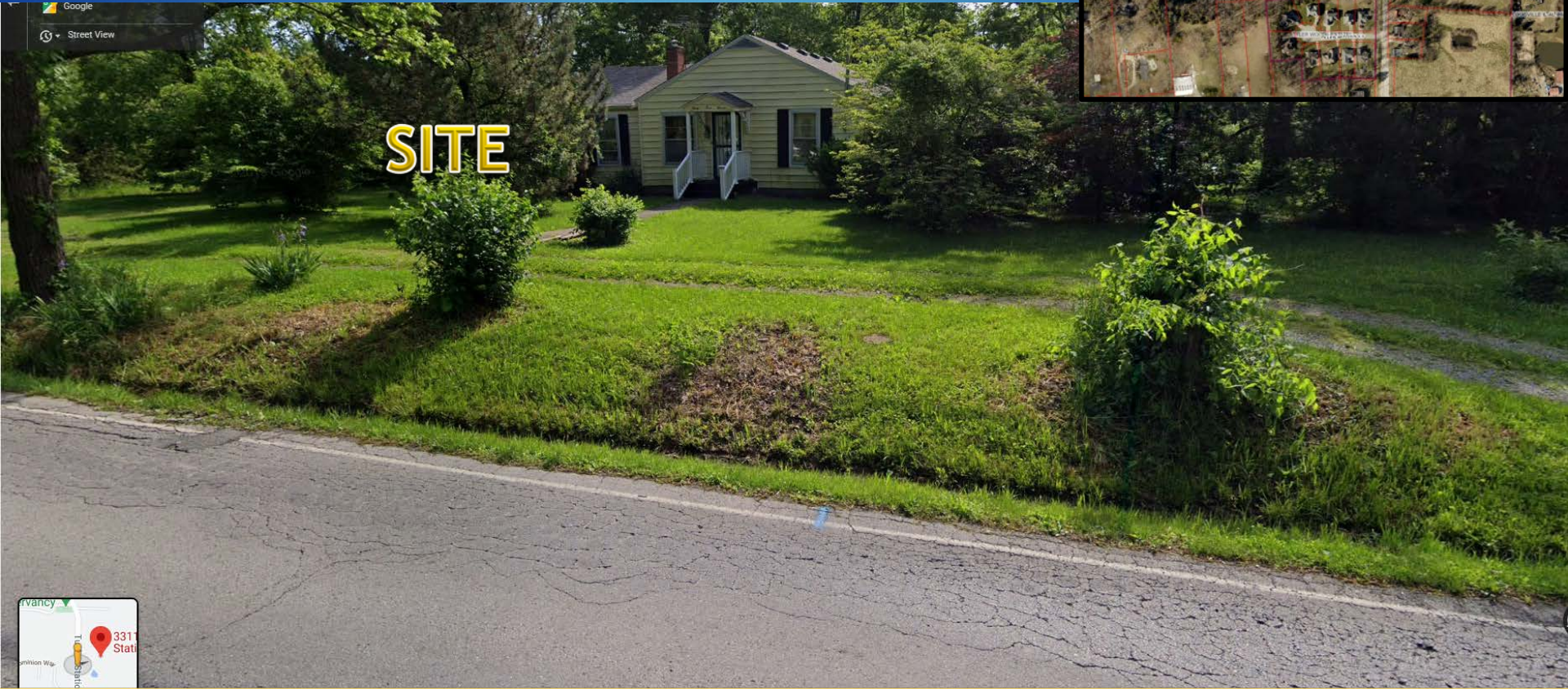


SITE

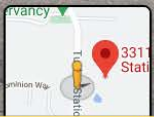
3371 Tucker Station Rd
Louisville, Kentucky
Google
Street View



Looking north down Tucker Station Road. Site is to the right.



SITE



View of existing house on site.

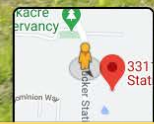




SITE

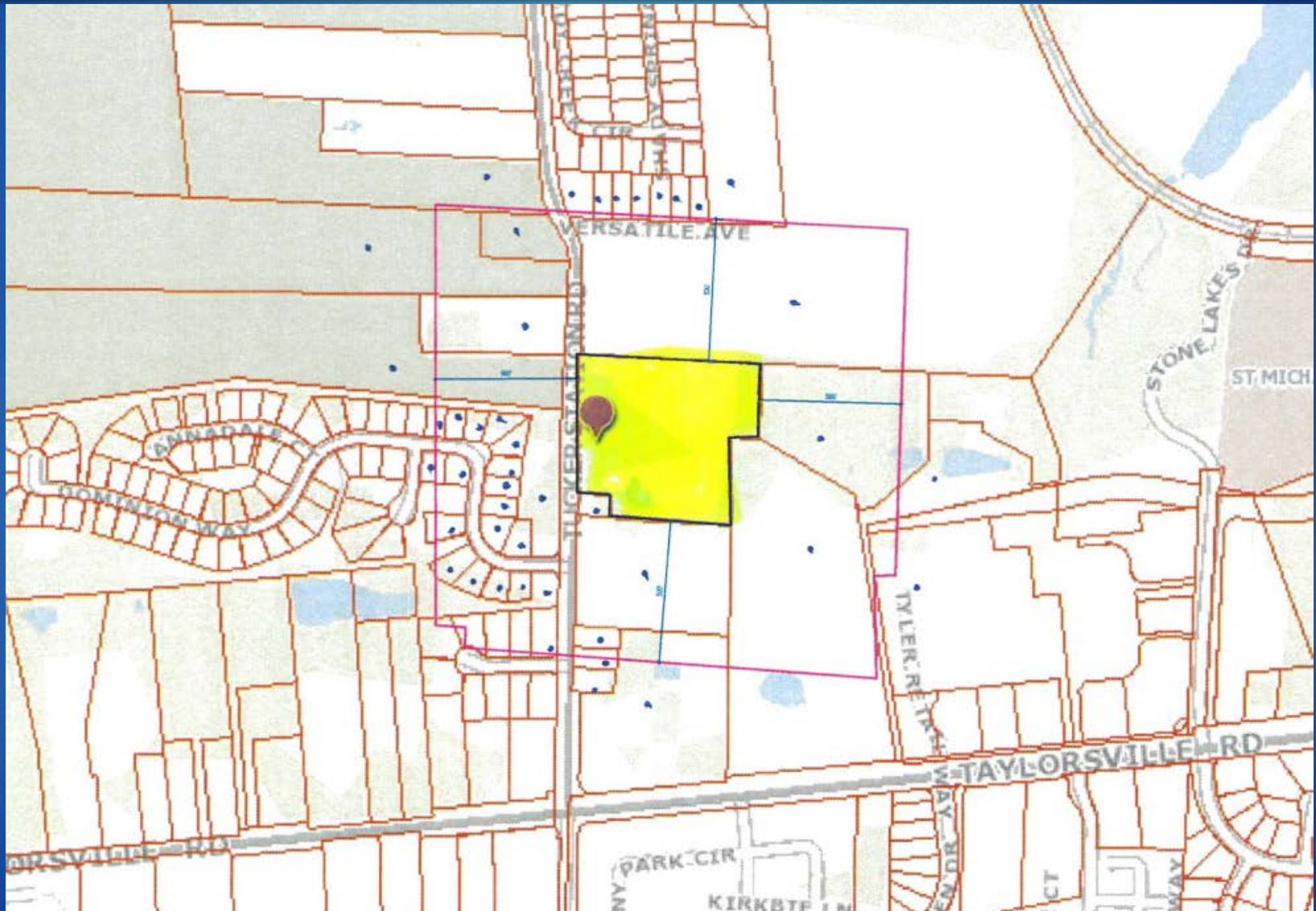
Looking further north down Tucker Station Road towards the end of the site.

3210 Tucker Station Rd
Louisville, Kentucky
Google
Street View



Looking south down Tucker Station Road towards the site.

Adjoining property owner notice list map wherein 46 neighbors plus those on the DPDS "interested party list" were invited to the neighborhood meeting and subsequent LD&T and Planning Commission public hearing.



Former proposed development plan



Urton Lane Extension



Updated development plan with significant increases in landscape buffers to replicate those across Tucker Station Road



Urton Lane Extension

Landscape Buffers increased to shield 4 rear facing units

SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNER
10015 WOODBINE DRIVE, SUITE 100, LOUISVILLE, KY 40258
(502) 261-1111

NO.	REVISION	DATE

URTON LANE EXTENSION DEVELOPMENT
TUCKER STATION ROAD, LOUISVILLE KY
URTON DEVELOPMENT, LLC

DRAWING NO. 3302
SCALE 1"=40'
DATE 11-29-20
DRAWING NO. 1
SHEET 1 OF 1

NORTH
SCALE 1"=40'

Open space area shaded in light green



Urton Lane Extension

DOMINION WAY



Detail on increases in landscape buffers to replicate those across Tucker Station Road



Groupings of plantings random and dense for natural appearance

Planned
Residential
Development
District
“PRD”

Single Family
Residential

Purpose is to provide flexibility in design of residential developments in a manner that promotes implementation of Cornerstone 2020.

PRD allows zero lot line, townhouses, cluster housing, reduced lot sizes and other innovative design.

- ▶ Plan meets infill objectives consistent with adopted plan.
- ▶ Creates variety of housing styles serving differing needs
- ▶ Expands diversity of housing
- ▶ Creates permanently protected open space

Planned Residential Development District "PRD" Single Family Residential

	Required	Proposed
Maximum Density	7.26 du/a	7.19 du/a
Maximum floor Area	2.0 FAR	(approx) 0.4
Stories	Max 35 ft	(approx) 22-23 ft

Comprehensive Plan vs. Land Development Code

- The Comprehensive Plan serves as a scheme of general planning and is designed as a general guide.
- No waivers are required for the Comprehensive Plan.
- Land development Code, which is based upon the Comprehensive Plan, is regulatory, objective, and specific.
- Waivers and variances are required from the Land Development Code.
- **Comprehensive Plan is guide, not a strait-jacket**

Over 50 years of Court Decisions Defining the application of the Comprehensive Plan

Ward v. Knippenberg, 416 SW2d 746 (Ky. 1967)

With respect to the first proposition, it seems clear that a zoning agency is not bound to follow every detail of a land use plan. As we understand it, such a plan is simply a basic scheme generally outlining planning and zoning objectives in an extensive area. It is in no sense a final plan and is continually subject to modification in the light of actual land use development. It serves as a guide rather than a strait-jacket.

Morris v. Carter, 2007 Ky.App. Lexis 259

A local legislative body is not required to follow the Comprehensive Plan in every detail. The Comprehensive Plan serves as a scheme of general planning and zoning objectives in an area with what can be perceived as the best way to zone an area with the current and foreseeable development. But in no way is the Comprehensive Plan a final plan and it is continually subject to modification as developments continue to impact the land and change its foreseeable use. In fact, the Comprehensive Plan was intended to ". . . [serve] as a guide rather than a strait-jacket ."



The Tyler Rural Settlement Plan is part of the Comprehensive Plan

Compliance with Tyler Rural Settlement Plan

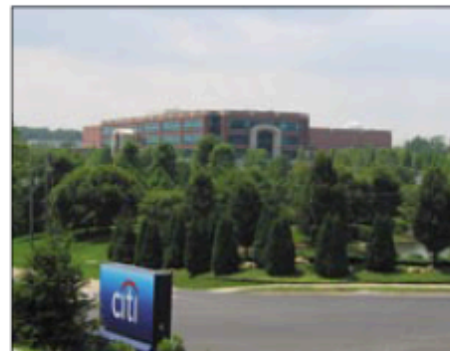
Development plan complies with and satisfies the objectives,
general scheme and conservation design principles of the Tyler
Rural Settlement Plan



Meadow Trail and Barn at Blackacre.



Tucker Lake Estates along Tucker Station Road.



Employment Center to the North.

Land Use / Community Form

Introduction

Land Use and Community Form comprise a key component of the neighborhood planning process. The determination of land uses and how they relate to one another within the district and to adjacent properties directly influences how a vision can be realized. The neighborhood plan helps to identify existing land uses inconsistent with the vision and provide guidance for future development that is harmonious with surrounding land uses and contributes to the realization of the vision. Thereby, the neighborhood plan becomes the key tool used to shape decisions by developers and elected officials.

Land Use Priorities, Analysis & Recommendations

As previously stated, the Tyler Settlement District is overwhelmingly low-density, single-family residential land use and rural in character. Preservation of the rural character, as well as the natural resources of the area has been identified as a priority for the District. This priority must be balanced against the desire to allow landowners to develop their land. Analysis of the District reveals that aside from Blackacre, undeveloped land within the District is rather limited. Radio transmission towers reside on a 46-acre parcel sandwiched between Tucker Lakes Estates and a privately owned 22-acre parcel where the Robert Tyler farmstead buildings remain. A 39-acre parcel at the northwestern limits of the District remains undeveloped, but access to this property is limited by the railroad to the north. Another 32-acre parcel remains undeveloped located directly off of Taylorsville Road. The enactment of Special District standards on larger land parcels would help to ensure that development would occur in a manner sensitive to the land use priorities identified above.

Aside from retail activities, employment generating land uses do not exist within the District. Employment centers are located on a large scale immediately to the north of the District and make an attractively short commute by automobile possible. The recently developed retail activity center deviates sharply from the rest of the District, especially in design, and it is not physically at the center, but rather along the only arterial road (Taylorsville Road) at the periphery of the neighborhood (See Appendix: Street Classification Map). The activity center is of such a scale that it will serve not only the Tyler Settlement District, but also adjacent neighborhoods. Preservation of the rural, low-density character of the District has been identified as a priority. Land adjacent to the activity center and along Taylorsville Road to Tucker Station Road may be most appropriately used for higher density residential (5 to 12 units per acre), commercial or office use provided it is designed and planned to preserve, protect and enhance historic elements (including the house at 12523 Taylorsville Road and the Robert Tyler Farmstead), architectural features, scenic vistas, open spaces, and natural resources of the Tyler Settlement District as described and recommended in this plan. (See pages 27-28)



Land Use / Community Form

Introduction

Land Use and Community Form comprise a key component of the neighborhood planning process. The determination of land uses and how they relate to one another within the district and to adjacent properties directly influences how a vision can be realized. The neighborhood plan helps to identify existing land uses inconsistent with the vision and provide guidance for future development that is harmonious with surrounding land uses and contributes to the realization of the vision. Thereby, the neighborhood plan becomes the key tool used to shape decisions by developers and elected officials.

Land Use Priorities, Analysis & Recommendations

As previously stated, the Tyler Settlement District is a rural, low-density

will serve not only the Tyler Settlement District, but also adjacent neighborhoods. Preservation of the rural, low-density character of the District has been identified as a priority. Land adjacent to the activity center and along Taylorsville Road to Tucker Station Road may be most appropriately used for higher density residential (5 to 12 units per acre), commercial or office use provided it is designed and planned to preserve, protect and enhance historic elements (including the house at

Tucker Lake Estates along Tucker Station Road.



Employment Center to the North.

Aside from retail activities, employment generating land uses do not exist within the District. Employment centers are located on a large scale immediately to the north of the District and make an attractively short commute by automobile possible. The recently developed retail activity center deviates sharply from the rest of the District, especially in design, and it is not physically at the center, but rather along the only arterial road (Taylorsville Road) at the periphery of the neighborhood (See Appendix: Street Classification Map). The activity center is of such a scale that it will serve not only the Tyler Settlement District, but also adjacent neighborhoods. Preservation of the rural, low-density character of the District has been identified as a priority. Land adjacent to the activity center and along Taylorsville Road to Tucker Station Road may be most appropriately used for higher density residential (5 to 12 units per acre), commercial or office use provided it is designed and planned to preserve, protect and enhance historic elements (including the house at 12523 Taylorsville Road and the Robert Tyler Farmstead), architectural features, scenic vistas, open spaces, and natural resources of the Tyler Settlement District as described and recommended in this plan. (See pages 27-28)

As stated by Cornerstone 2020, open spaces, accessibility and connectivity of these land uses are also important. Appropriate open spaces and greenway corridors must be integrated into the other uses in order to maintain the rural and natural character of the District. Linkages for pedestrians and other alternate forms of transportation to the automobile must be provided to connect the residential uses of the District to the activity center, employment centers adjacent to the District and other adjacent neighborhoods. Connections to larger greenways, such as Floyd's Fork, should be emphasized to further the "Active Living" goal of an active and healthy community. (See Appendix: Core Graphic 6). Finally, linkages within the District should, whenever possible, follow historic farm road corridors in order to preserve and enhance the heritage that makes this land unique.

Community Form Priorities, Analysis & Recommendations

The Comprehensive Plan designates the entire Tyler Settlement District as Neighborhood Form. Cornerstone 2020 characterizes the Neighborhood Form as "...predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape..." and "...open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services." It goes on to say that "high-density uses will be limited in scope to minor or major arterials..." and "...neighborhood centers should be at a scale that is appropriate for nearby neighborhoods." Additionally, the Neighborhood Form "should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycles and transit." Although they cannot be considered conservation development, recently constructed residential subdivisions within the District have respected the Neighborhood community form.

While the majority of the Tyler Settlement District conforms with the Neighborhood Form descriptions detailed above, development pressures threaten to undermine the balance of land uses within the neighborhood and the rural character of the District. Land values have risen based on speculation of future commercial developments along Taylorsville



Tower View Farm along Taylorsville Road.



Future Land Uses at Tyler Retail Center.

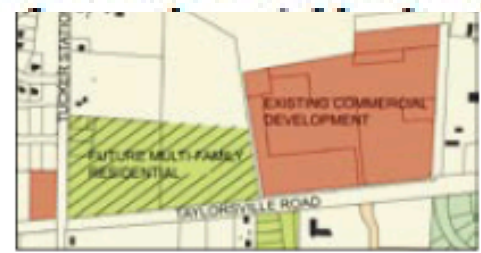


As stated by Cornerstone 2020, open spaces, accessibility and connectivity of these land uses are also important. Appropriate open spaces and greenway corridors must be integrated into the other uses in order to maintain the rural and natural character of the District. Linkages for pedestrians and other alternate forms of transportation to the automobile must be provided to connect the residential uses of the District to the activity center, employment



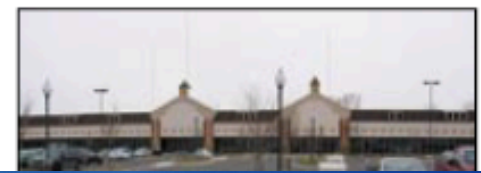
Form. Cornerstone 2020 characterizes the Neighborhood Form as “...predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape...” and “...open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services.” It goes on to say that “high-density uses will be limited in scope to minor or major arterials...” and

landscape...” and “...open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services.” It goes on to say that “high-density uses will be limited in scope to minor or major arterials...” and “...neighborhood centers should be at a scale that is appropriate for nearby neighborhoods.” Additionally, the Neighborhood Form “should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycles and transit.” Although they cannot be considered conservation development, recently constructed residential subdivisions within the District have respected the Neighborhood community form.

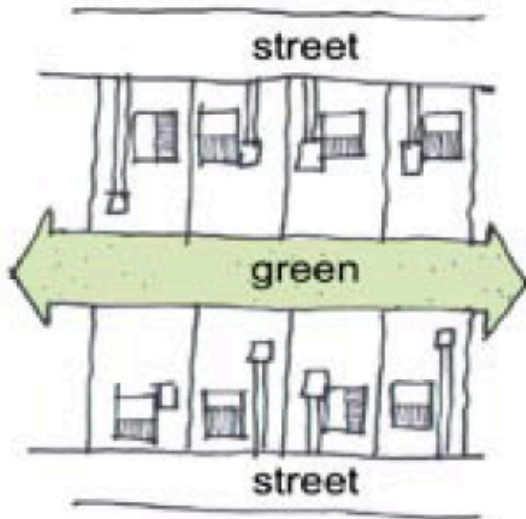


Future Land Uses at Tyler Retail Center.

While the majority of the Tyler Settlement District conforms with the Neighborhood Form descriptions detailed above, development pressures threaten to undermine the balance of land uses within the neighborhood and the rural character of the District. Land values have risen based on speculation of future commercial developments along Taylorsville



CONSERVATION DESIGN CONCEPTS



*Conservation Development Concept Sketch.
Community green space behind housing pro-
vides opportunity for multi-use trail circulation
separate from vehicles.*

Conservation Design Concepts

The Task Force was presented with several illustrations intended to explain Conservation Design concepts. Some were illustrations borrowed from books by Randall Arendt and others were recreations of concepts illustrated by PennSCAPES. The discussions with the Task Force spawned by these illustrations included several ideas. Of primary focus was the notion that it would be preferable to site homes located on smaller lots, resulting in large, contiguous areas of open space, rather than typical subdivisions where all the land is divided amongst larger lots with no open space. The open space could allow for preservation of historic or natural elements; buffering from adjacent roads or properties; community greens or gathering spaces; recreation areas; multi-use trail corridors; agricultural or forestry practices; and alternative methods of sanitary waste disposal. Any of these amenities would make for a more desirable neighborhood than most typical subdivisions currently do.

Other notions portrayed in the illustrations and discussed by the Task Force include the following:

- Create community greens or open spaces with fronts of buildings oriented toward them

SITE HOMES ON SMALLER LOTS

Our plan utilizes 4,000 sf - 6,000 sf lots in lieu of the standard R-4 9,000 sf lot size.

Tyler Plan SD 2 M for 4-units and 50 ft buffers only applies to multi-family, not single family residential



CONTIGUOUS OPEN SPACE

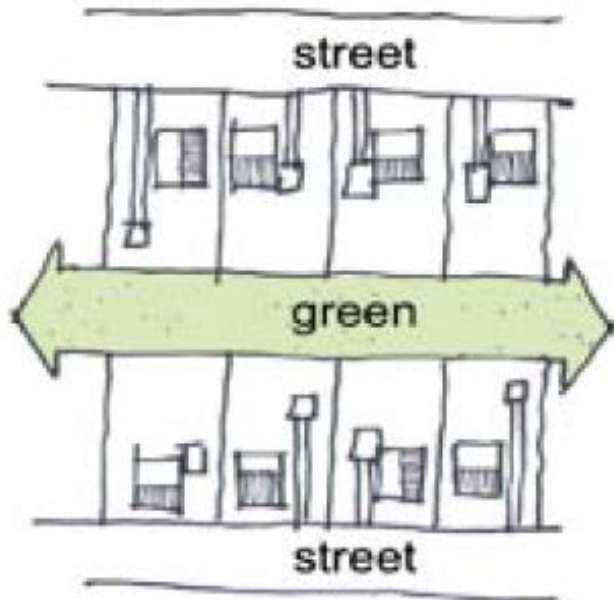
Per the LDC, we could not count non-buildable lots 43 or 44 towards our open space calculation but they are all technically contiguous to the open space lot 45.

When you add lots 43, 44 and 45 together it equals 1.2 acres of contiguous open space.

That is 16% of the 7.39 net acre total put into open spaces



Central green open space
between the homes, identical
to the Conservation
Development Concept Sketch



Conservation Development
Concept Sketch



Urton Lane Extension

CONSERVATION DESIGN CONCEPTS

BUFFERING FROM ADJACENT ROADS

Our project has a 50' landscape buffer along the north/south axis parallel to Tucker Station Road

The orientation of the southern homes increases the amount of green space even further, allowing it to be fully buffered with landscaping

Will install horse fence along Tucker Station and landscaping.



CONSERVATION DESIGN CONCEPTS

COMMUNITY GREENS AND GATHERING SPACE

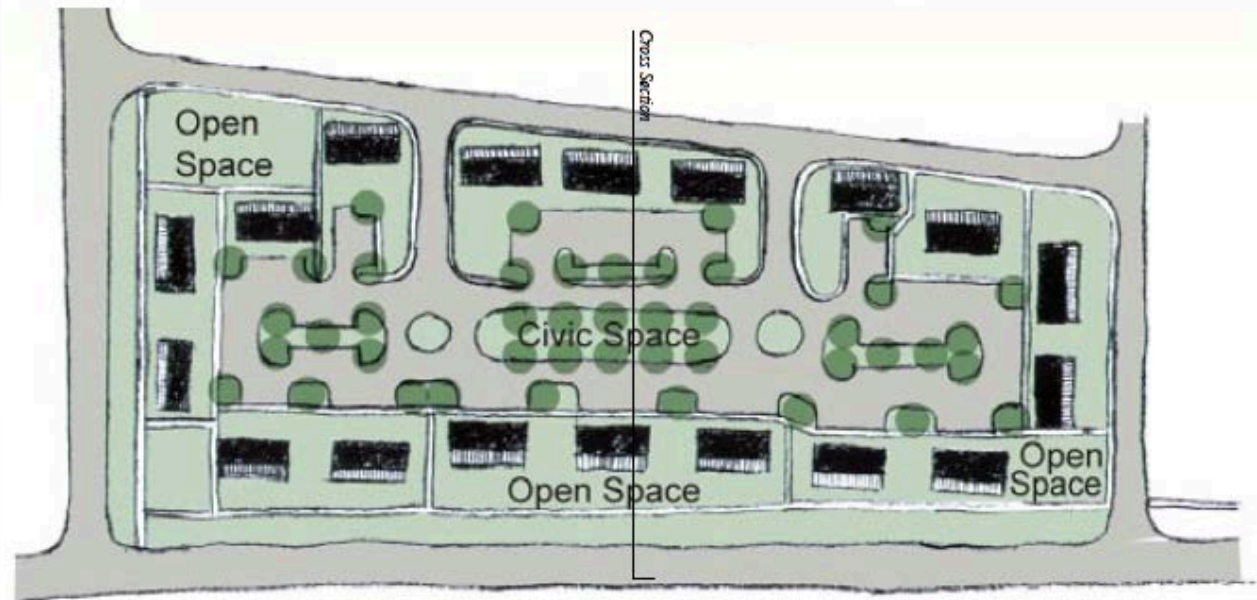
Our plan has a contiguous open space network that we plan to provide with walking trails and areas for social gathering in the form of patios, grouped seating and benches



Conservation Design Concept

Single family homes back up to roads in entire example from Tyler Rural Settlement Plan

Plan complies with Tyler Plan SD 2 G with orientation towards street



Examples of homes backing up to and near Tucker Station



Comparison of plans with different orientation of one building.



All Homes developed have cottage, rural architectural style and covered front porches

introduction vision statement neighborhood identity land use mobility special district design plan imp

- Limit garages and service sides of properties to rear yard access or orientation by encouraging the use of alleys
- Enact Architectural Standards that emphasize front pedestrian entrances with covered porches to encourage social interaction



Waiver from Section 5.3.1.D.1.b.vi to allow more than 4 contiguous units



#13849

10902 Terrance Rd &
6106 Biltown Rd
Approved 5/24/10



#19ZONE1028

9418 Pirouette Ave
Approved 9/19/19



#13848

1400 English Station Rd
& 12201 Avoca Rd
Approved 5/24/10



Example patio home style and design



Examples from another
development by the developer



Examples from another
development by the developer



Examples from another
development by the developer



Examples from another
development by the developer



Examples from another
development by the developer



Examples from another development by the developer



Examples from another
development by the developer



Examples from another
development by the developer



Rezoning and Plan is appropriate and should be recommended to Metro Council

KRS 100.213 Rezoning

1. Proposed change complies with the applicable guidelines and 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.

