

Pope Lick Station

14ZONE1064

14005 Taylorsville Road

Who Are We? - Concerned Groups and Neighbors



**Fisherville Area
Neighborhood Association**



**FUTURE
FUND INC.**
PROTECTING FLOYDS FORK

Jefferson County Soil and Water Conservation District

**Louisville Chapter of the
Sierra Club**

Why We are Opposed to this Project

- This opposition is well founded and informed by the existing land use codes and guidelines as well as the character of the area as summarized below:
- The proposed development is out of character for the area and its current zoning:
 - The existing area is largely Rural Residential and this and adjoining properties are also subject to the Floyds Fork District Review Overlay (DRO) protections.
 - The entire area is subject to a pending zoning review as a part of the new Floyds Fork Area Plan. Inputs from that pending study should factor into a scenic corridor property fronting the entrance to the Parklands.

Why We are Opposed to this Project

- This same parcel was denied commercial zoning in 1976 in a previous application:
 - “The court voted Dec. 9 (1976) not to change the property's residential zoning. Fiscal Court agreed with the Louisville-Jefferson County Planning Commission's finding that the store constituted spot zoning and the building conflicted with existing single-family homes”. - Courier-Journal 2/11/1987
 - The existing gas station commercial zoning across the street was a zoning artifact going back to 1950's and predated both the current land use and DRO codes.
 - A “fast food” “strip mall” proposal is not what the base zoning, existing area's character, or the front door to The Parklands requires!

Why We are Opposed to this Project

- Existing Floyds Fork District Review Overlay (DRO) protections provide for:
 - Retaining existing tree cover, in particular on hillsides
 - Avoiding disturbance of slopes that are greater than 20%
 - Minimizing or avoiding the use of:
 - Cut and fill
 - Terracing
 - Retaining walls
 - Parking at the front of the property
 - Visual Impact of new structures
 - Preserving scenic vistas from the scenic byways and parklands.
 - **Pope Lick Station ignores all of these provisions!**

Why We are Opposed to this Project

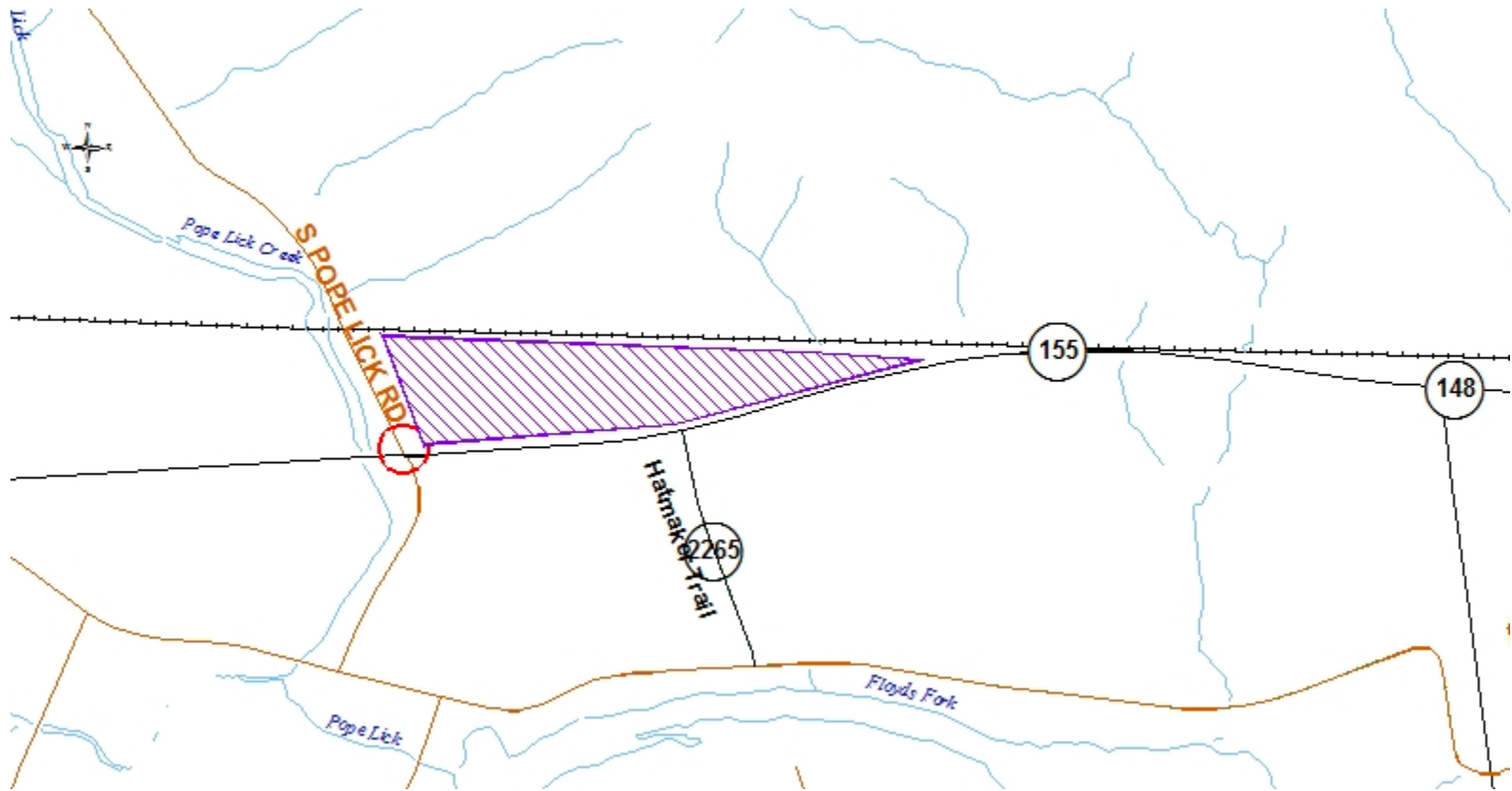
- The applicant is proposing to clear cut all of the existing tree cover and has not retained or provided for the minimum required tree cover of 25%.
 - The applicant has not detailed existing tree cover, stating that it is “about 50%”; our review indicates the cover is far more extensive.
 - A tree protection plan has not been filed.
- To our knowledge no other property in the Floyds Fork DRO has successfully obtained a commercial rezoning from RR zoning since 1993 – this is not the place to start!

Viewshed Impacts

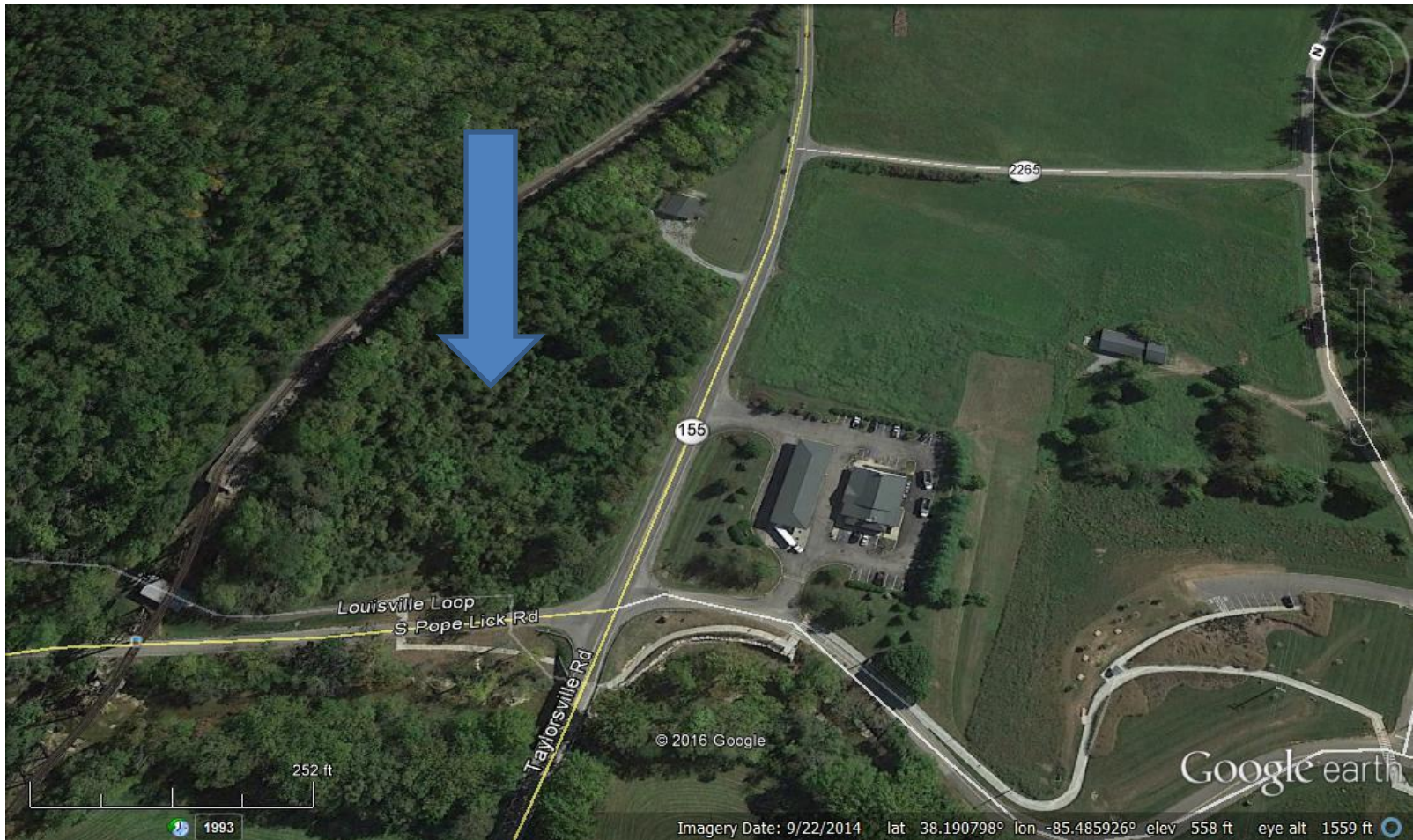
- This project is placed on a prominent hillside in the middle of the RR zoned DRO, visible from the Louisville Loop, Pope Lick Park, and has significant viewshed impacts:
 - Fronts on Taylorsville Road which is a scenic corridor
 - Proposes to clear cut existing hillside, removing visual and sound screen to the railroad that is now provided by existing vegetation

Property Location

Pope Lick Road at Taylorsville Road



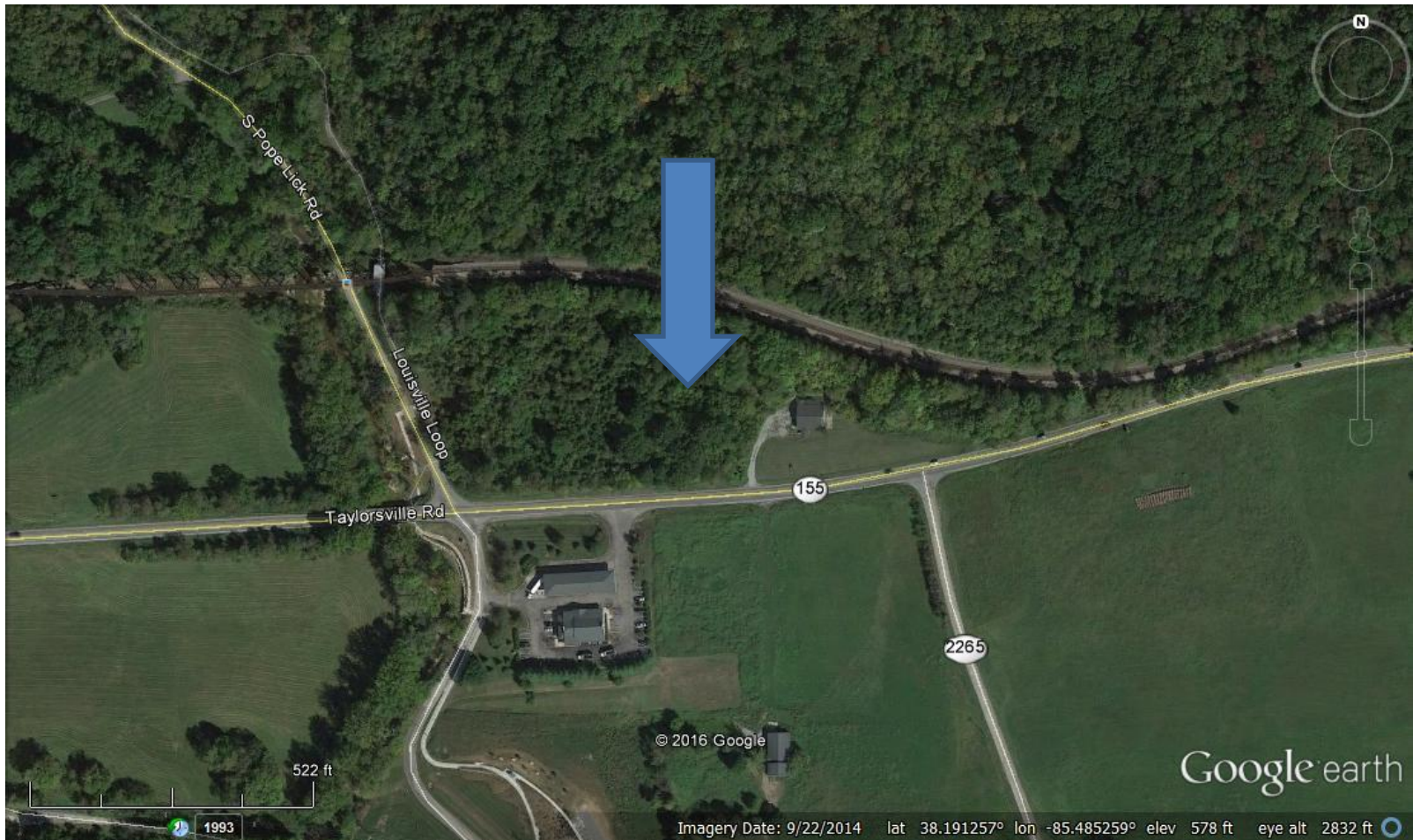
14005 Taylorsville Road



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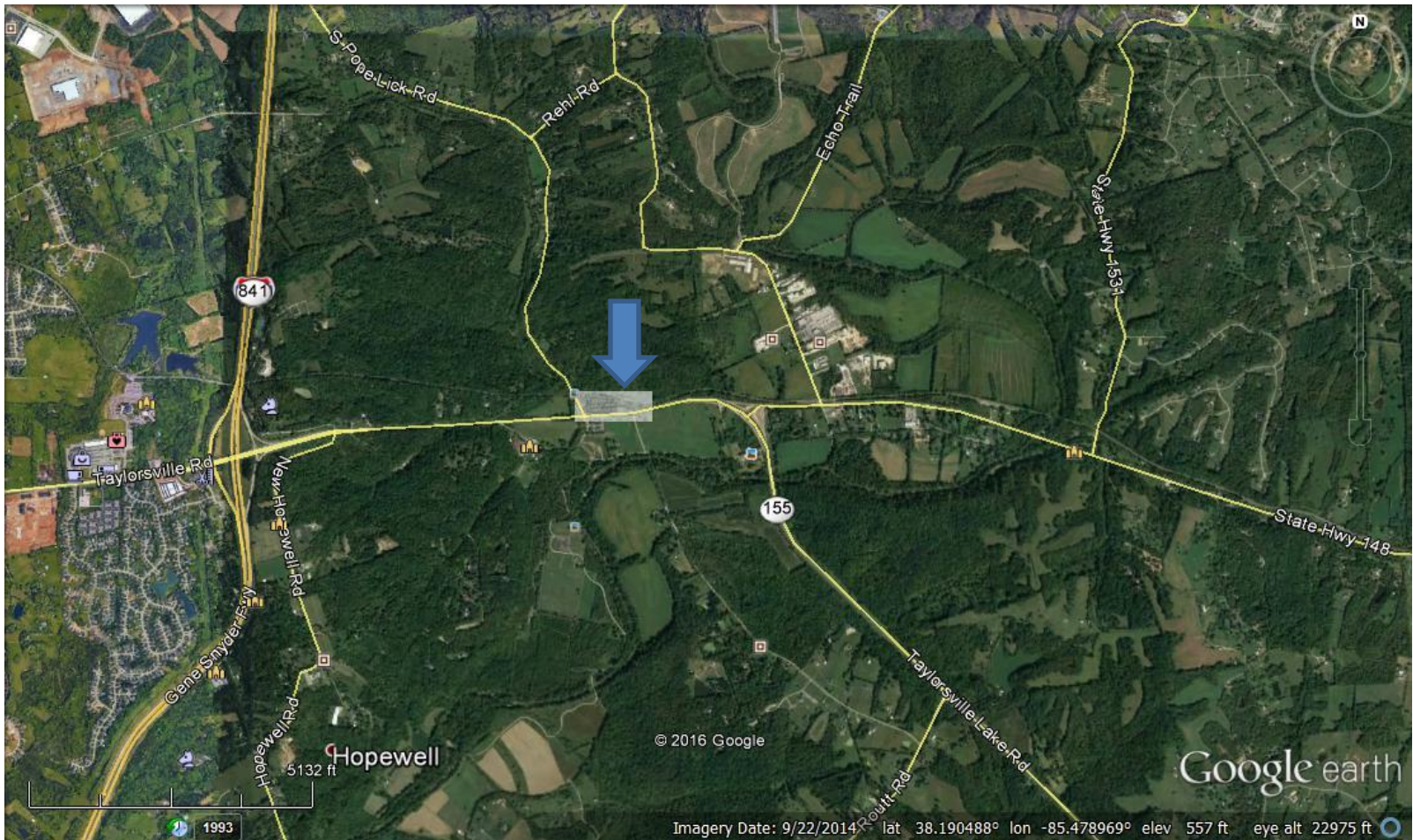
14005 Taylorsville Road



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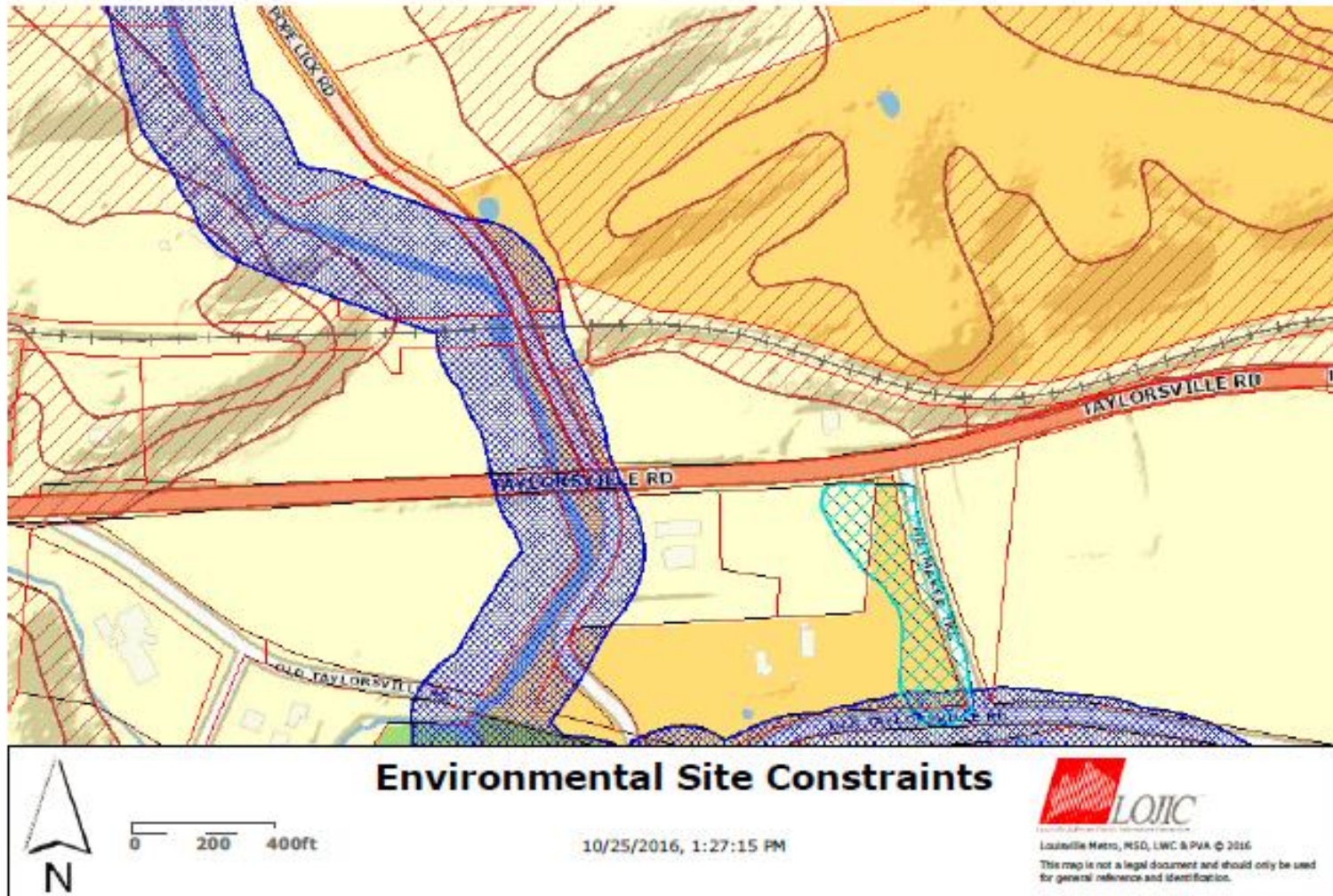
14005 Taylorsville Road



Property Site Constraints

- Environmental
 - Drainage to Pope Lick & Floyds Fork Floodplain & Wetland
 - Steep Slopes
 - Karst Potential
 - Soils Severely limited for Septic
 - No Provisions for septic or storm water facilities on plan
- Public Health and Safety
 - Traffic Issues
 - Norfolk Southern RR

Property Site Constraints per LOJIC



NRCS Site Evaluation – Soils Report



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Jefferson County, Kentucky

14005 Taylorsville Road

NRCS Site Evaluation – Soils Report

- **Septic Tank Absorption Fields— Summary by Rating Value**
 - Very limited - 96.4% of the site...
- **Suitabilities and Limitations for Use**
- "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

NRCS Site Evaluation – Soils Report

Soil Rating Polygons



Very limited



Somewhat limited



Not limited

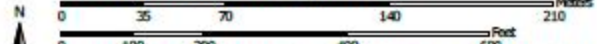


Not rated or not available

Custom Soil Resource Report
Map—Septic Tank Absorption Fields (14005 Taylorsville Road)



Map Scale: 1:2,460 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 16N WGS84

Sewer .vs. Septic Disconnect

- MSD can not guarantee timing for sewers in the area
- Best MSD estimates – “no sooner than 2 years and perhaps in the 2-5 year range”
- Plan was reviewed as a proposed on site septic system by MSD

Jefferson County Health Department Feedback

- As of 10/21/2016
 - No Site Evaluation Conducted
 - Familiar with Property and Setting – “Challenging”
 - Comments on Plan Review:
 - No unlimited Connections without Sanitary sewer connection – Quote Below
 - “The property has limited options when it comes to utilizing an onsite sewage disposal system, therefore no building permits shall be issued without Health Department approval unless the Owner provides documentation (from MSD) of connection (PSC) to sanitary sewer with a minimum six inch sanitary sewer. “
 - No room on plan for septic system, lateral fields or repair areas

Karst Evaluation

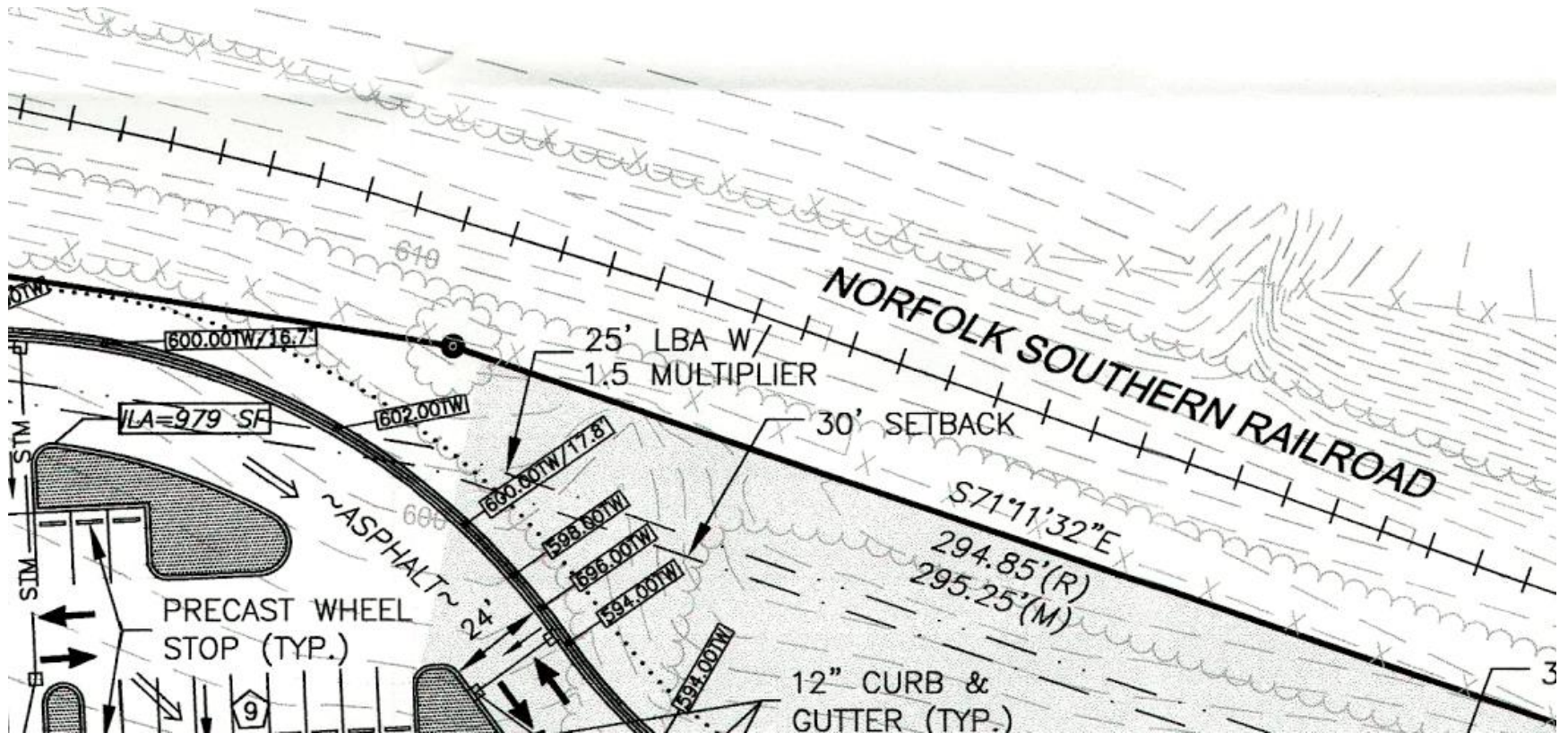
Asher Engineering, Inc. _____
Environmental & Engineering Consulting

May 24, 2016

Karst Evaluation - Conclusions

- Conclusions
 - “Close proximity to karst activity is significant”
 - Grant Lake Limestone and floodplain alluvium
 - Karst observed in area by consultant
 - Site is appropriate for construction of commercial building and pavements if geotechnical engineer on site during construction...
 - Recommended that site plan be noted as such
 - No opinion registered as to septic suitability

Norfolk Southern Railroad (NSR) Issues: 30' Variance and Excavation



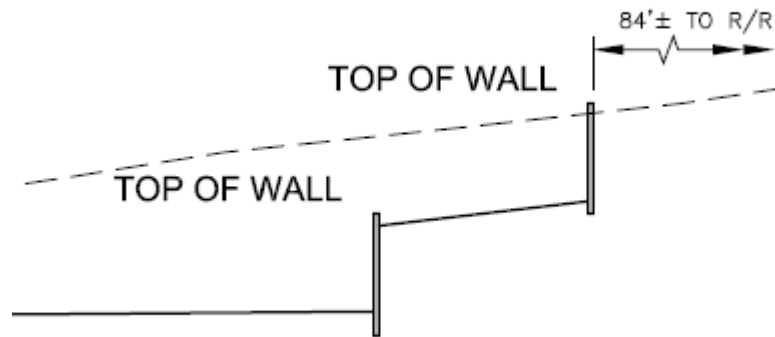
NSR Track



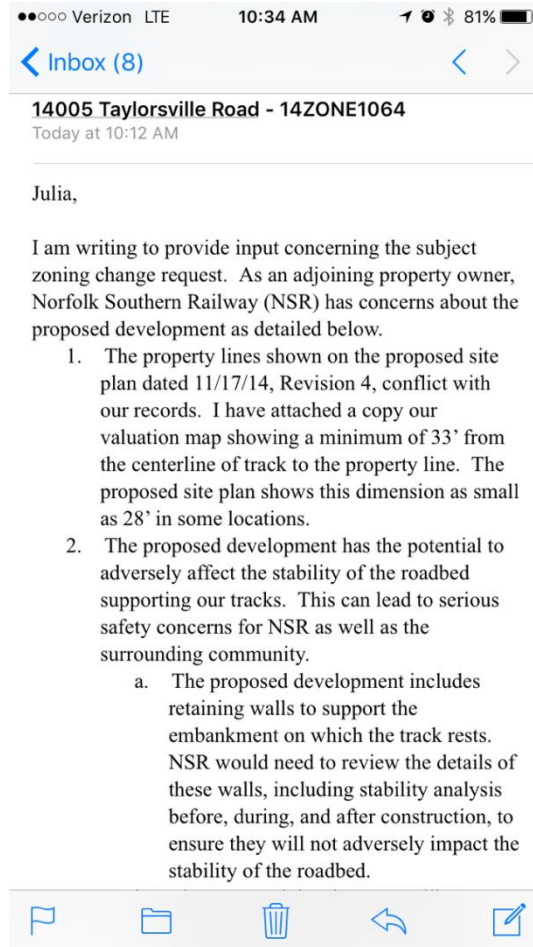
NSR Track



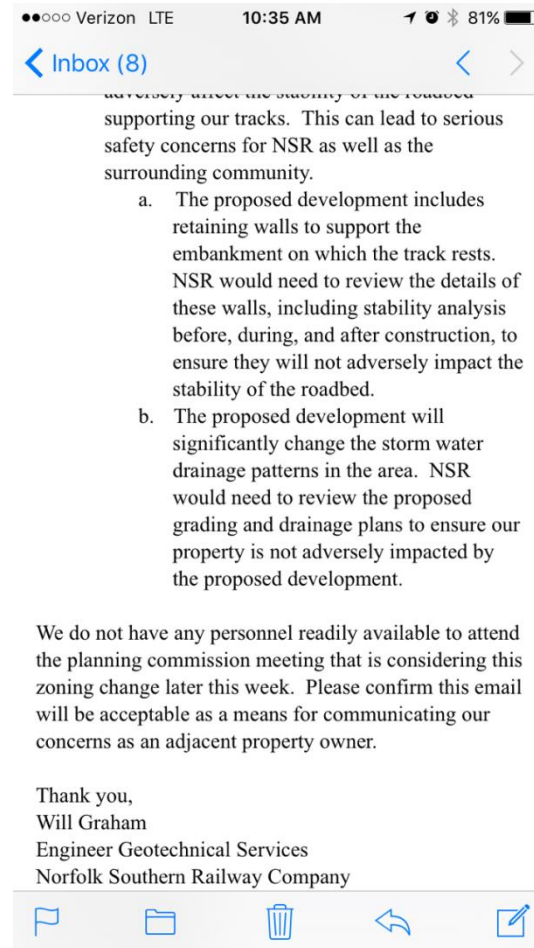
Retaining Walls Adjacent to Railroad



NSR Position



NSR Position



NSR Response

- “The proposed development has the potential to adversely affect the stability of the roadbed supporting our tracks. This can lead to serious safety concerns for NSR and the surrounding community.”
- NSR has additional right of way and drainage concerns
- Calling for stability analyses “before, during, and after construction.”

Variance #2 Health and Safety Issues

- STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE #2
 - Chapter 5.3.1.C.5 to permit the encroachment of the parking lot and retaining wall into the 30' setback along the north property line.
 - (a) The requested variance will not adversely affect the public health, safety or welfare. STAFF: The requested variance will not adversely affect the public health, safety or welfare since the encroachment is adjacent to a railroad.
 - (b) The requested variance will not alter the essential character of the general vicinity. STAFF: The requested variance will not alter the essential character of the general vicinity since the encroachment is adjacent to a railroad.
 - (c) The requested variance will not cause a hazard or nuisance to the public. STAFF: The requested variance will not cause a hazard or nuisance to the public since the encroachment is adjacent to a railroad

The DRO – A Second Layer of Development Standards

Development Review Overlay District

A. General Regulations:

1. The Development Review Overlay District - DRO Definition and Purposes:
 - a. The Development Review District is an overlay shown on the zoning district maps. It constitutes a second level of development standards in addition to those specified by the underlying zoning district.
 - b. The purpose of the district is to protect the quality of the natural environment. The district achieves these purposes by promoting compatible development of land and structures. The Development Review District is to protect the public and property owners in the district..

DRO Guidance on Hillsides

- 4. Hillsides
 - a. Design subdivisions and locate structures to preserve the natural character of the land to the greatest extent possible.
 - b. Areas with slopes of 20% or greater generally should not be disturbed.
 - d. Minimize cuts and fills. Necessary cuts, fills and ether earth modifications should be replanted with appropriate vegetation. Minimize the practice of terracing hillsides in order to provide additional building sites. Structural containment of slopes should be minimized; retaining walls exceeding six feet in height should be avoided.

DRO on Non-Residential Development

- Parking lots should be provided only at the side or rear of the buildings to reduce visual impact of the use while providing an appropriate level of visibility.
- Buildings should be planned and designed and vegetation should be managed to preserve and enhance scenic vistas along roadways shown on Map A.
- The visual impact of new structures proposed for prominent hillsides visible from public facilities, scenic corridors and the stream itself should be minimized. Trees should be retained or planted to screen them or to create a filtered view of these structures (one tree per 25 feet of building facade length).
- When it is necessary to use retaining walls, their height should be minimized. A series of smaller retaining walls is preferable to one large wall, provided that the series of walls can be built without excessive removal of vegetation during construction. Retaining walls faced with brick or stone are preferable.

DRO on Trees and Vegetation

2. Trees and Vegetation

- a. Existing wooded areas, in addition to the riparian buffer strip, should be retained wherever possible. Hillside vegetation in particular should be preserved.
- b. Wooded areas shown on the development plan as being retained should be preserved and maintained in healthy condition. As trees die or are removed, replacements should be provided.

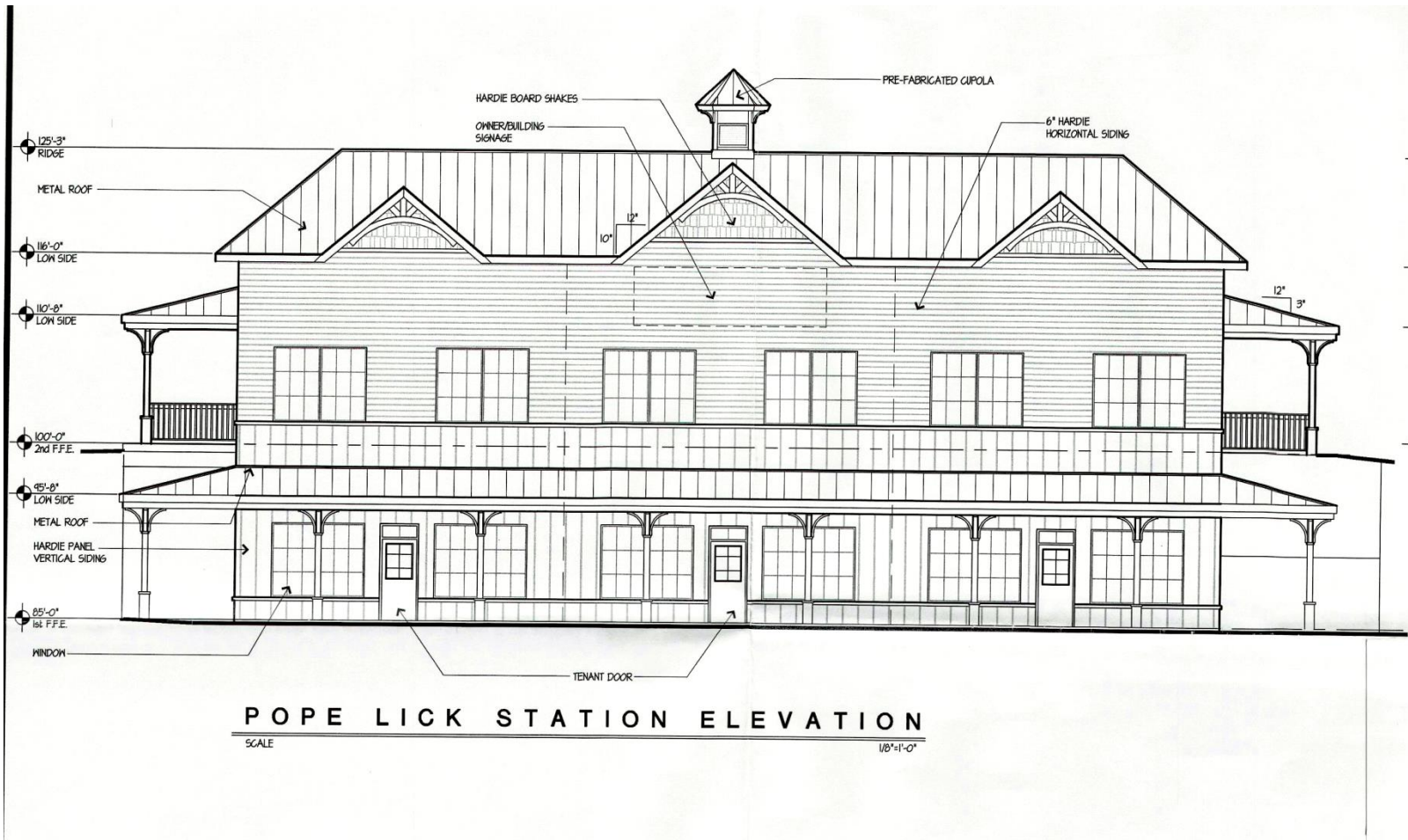
DRO on Drainage and Water Quality

- a. On site wastewater disposal systems should be located to minimize potential water pollution. Lateral fields should be sited at least 150 feet from the ordinary high water mark of a stream shown on Map A.
- b. Areas identified as wetlands in studies approved by government agencies should be preserved in their natural state. Drainage, flooding patterns and any hydrologic system(s) needed to sustain the wetlands should not be altered. Existing vegetation and wildlife habitat should be preserved.

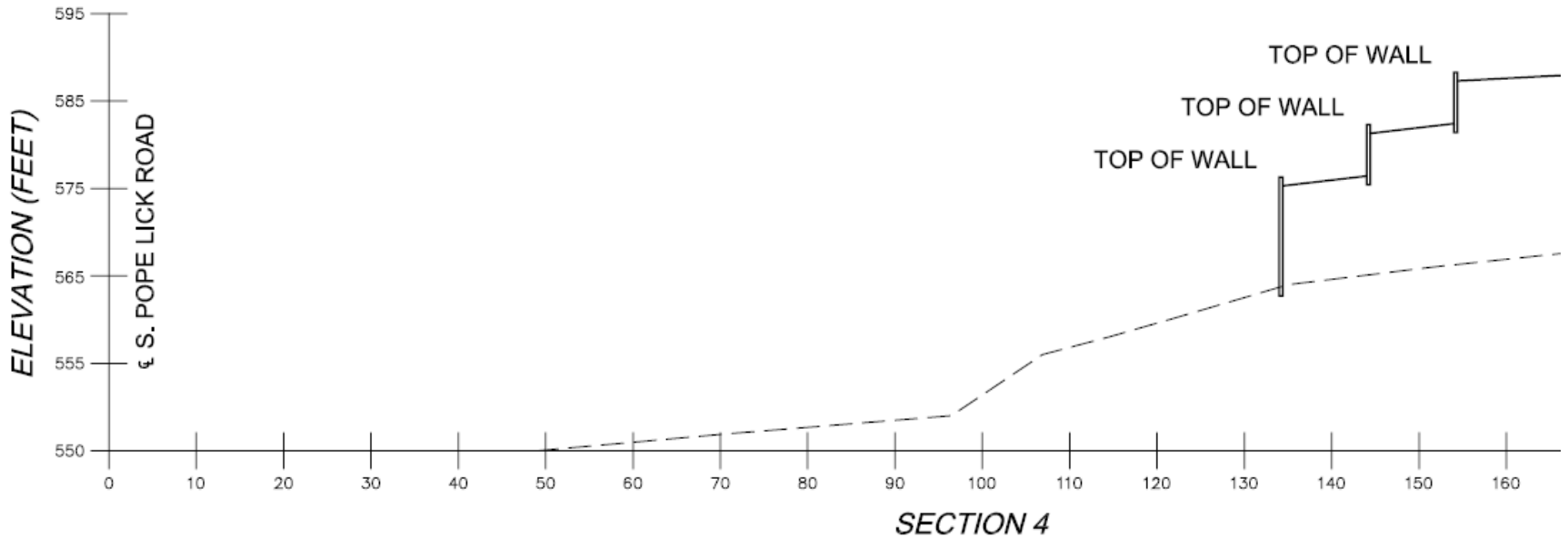
Pope Lick Station Trail View



Pope Lick Station Elevation



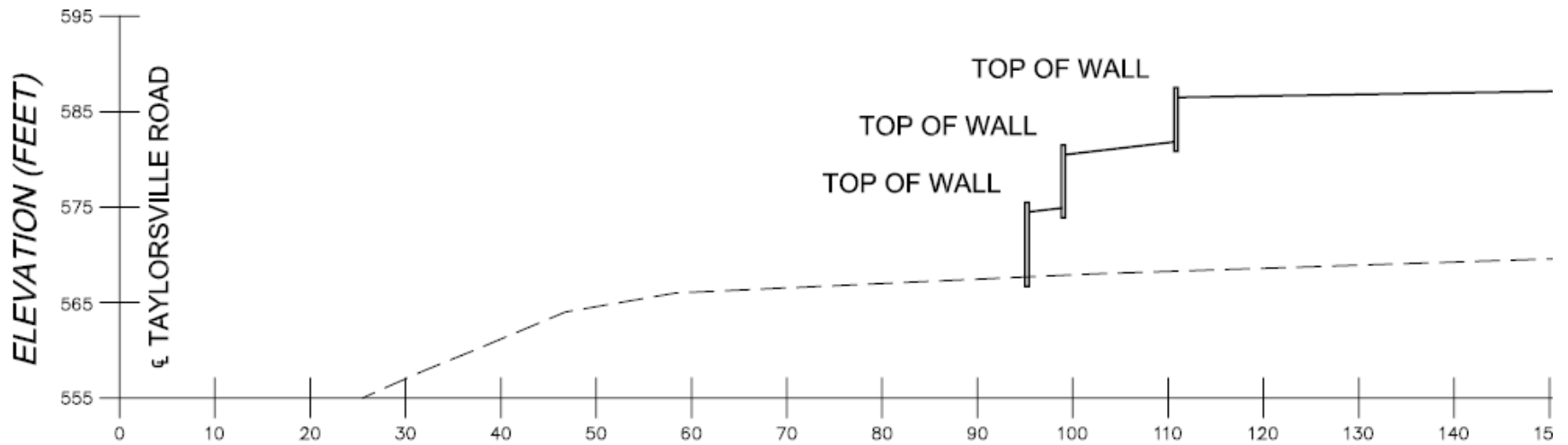
Pope Lick Road Section



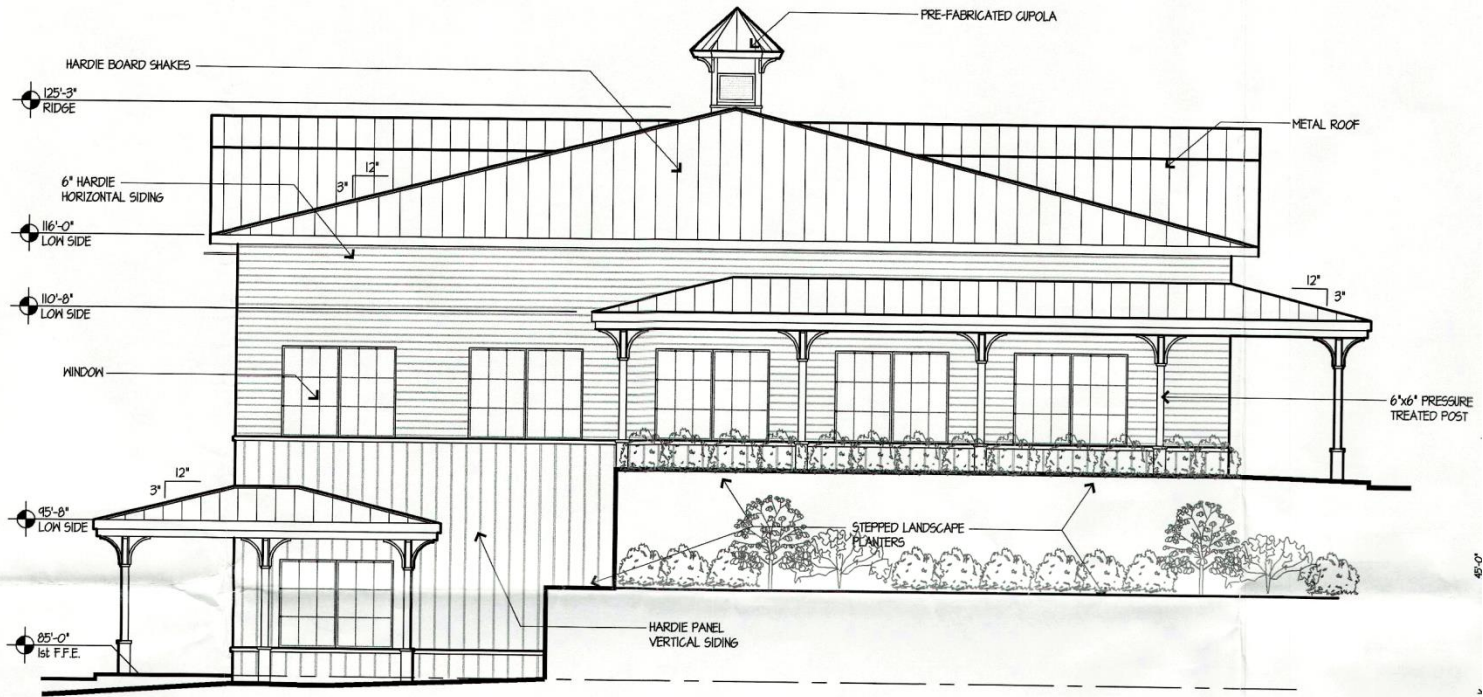
Taylorsville Road from Circle K Berm



Taylorville Road Section



Taylorville Road Elevation



TAYLORSVILLE ROAD ELEVATION

SCALE

1/8"=1'-0"



The View From The Park



Pope Lick Road & The Louisville Loop



Pope Lick @ Taylorsville Rd.



View From Circle-K



Hatmaker Trail View



Circle-K Visual Impacts



Area Viewshed



We can do better...

- The staff reports, NSR safety concerns, and near zero percent compliance with the DRO reg.'s give us ample reasons to request:
- Please deny this rezoning based on the concerns presented herein. We feel that any proposal should address and respect rather than ignore the base zoning and provisions of the Floyds Fork DRO.

Traffic Issues...



And More Traffic



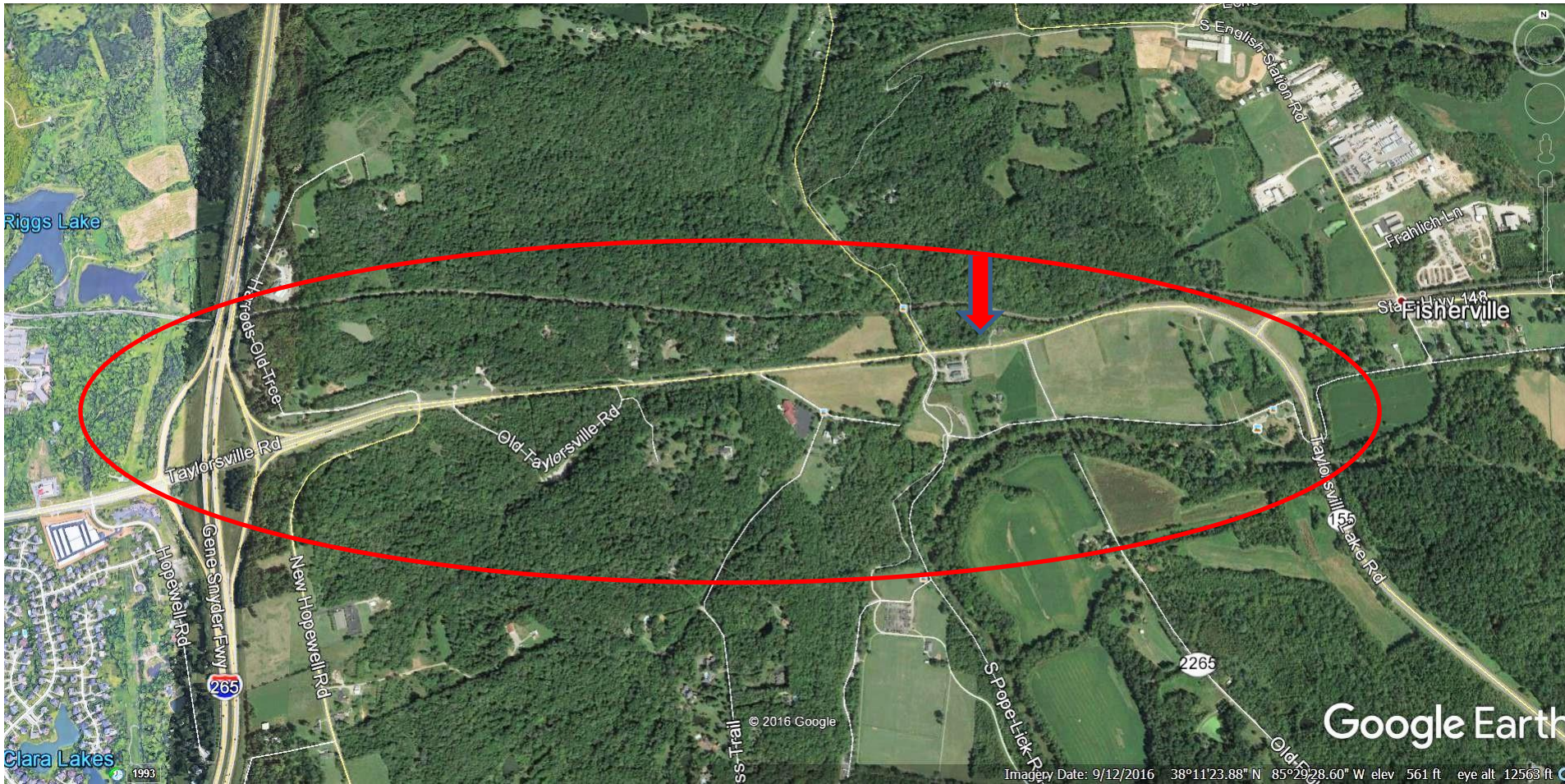
Traffic Impacts

- Traffic Impacts will be significant:
 - The applicants' study indicates 19,500 vehicle trips per day currently and this developments adverse impact to traffic.
 - The project requires both east and west bound turn lanes, which are not shown on the applicants' plans.
 - The plans note that the required right of ways may not be finalized.
 - The area is already backlogged at peak traffic times and dangerous

Traffic Concerns

- Pope Lick at Taylorsville Road already an “F” grade intersection
- Conclusions:
 - Based upon the volume of traffic generated by the development and the amount of traffic forecasted for the year 2018, there will be an impact to the existing highway network. The proposed entrance will require an eastbound left turn lane and a westbound right turn lane.

Highway 155 (Taylorsville Rd.) from I265 to Taylorsville Lake Rd



Analysis of Accidents on Hwy 155 from I265 to Taylorsville Lake Rd fm 1/1/06 to 10/27/16

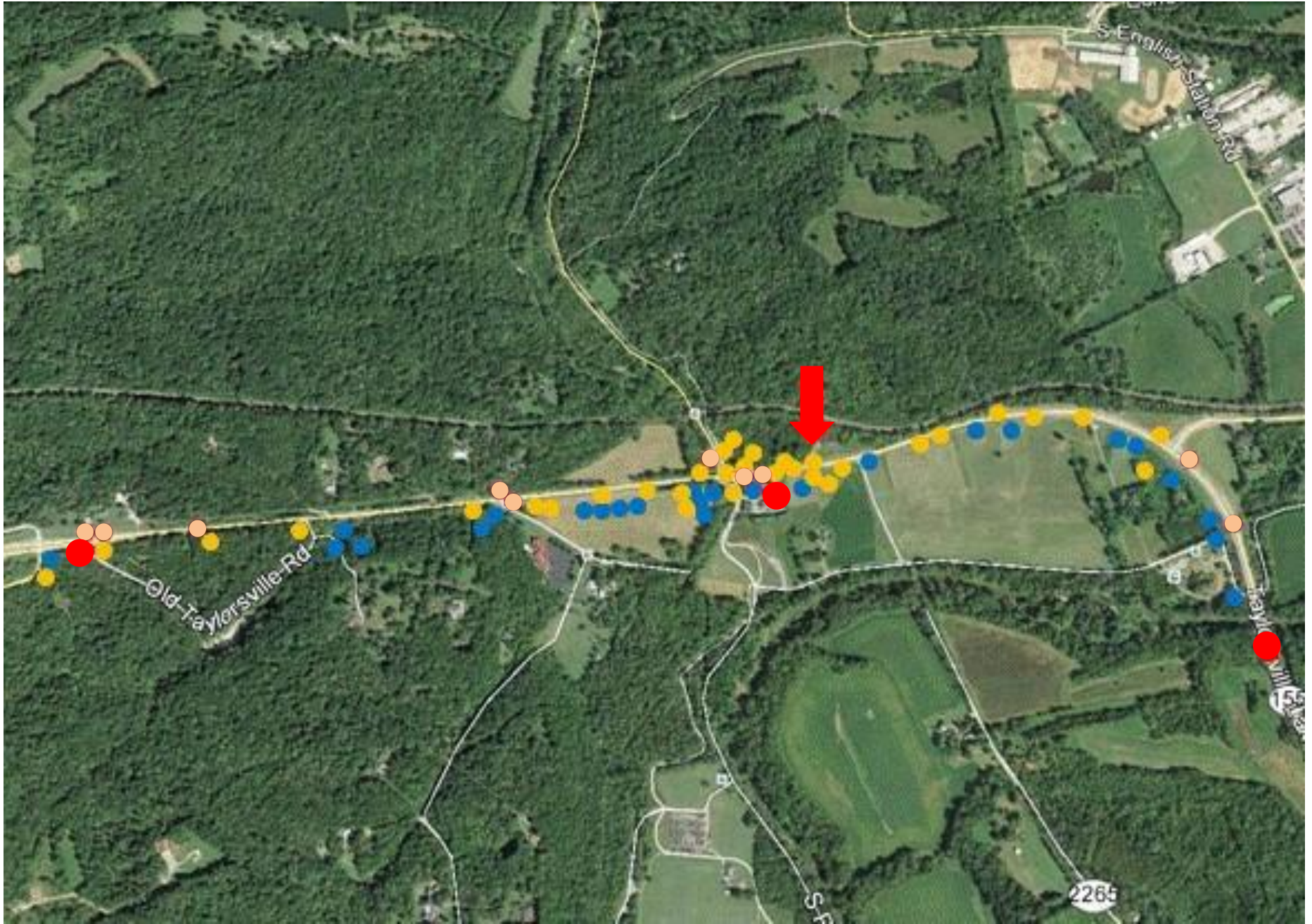
- There have been 464 collisions involving 963 vehicles
- There have been 4 people killed and 169 people injured
- There have been 36 injuries for every 100 accidents
- 39% of the accidents occurred at or within ½ mile of the Pope Lick intersection
- 42% of the injures occurred at or within ½ mile of the Pope Lick intersection
- The number of accidents have doubled from 2006 to present
- The number of injuries have nearly tripled from 2006 to present
- Rate of accidents is 5/month in the period from 1/1/14 to present
- Rate of injures is 2/month in the period from 1/1/14 to present

- **Taylorsville Rd from the Gene Snyder to Taylorsville Lake Rd is unsafe now !**
- **New development without major road improvements will only make it more unsafe !**

● Deaths 1/1/06-10/27/16

Injuries and Deaths 1/1/2006 to 11/14/16

● Injuries 1/1/06-12/31/09
● Injuries 1/1/06-12/31/09
● Injuries 1/1/06-12/31/09



Collision Rates Increasing

Up from 15 per Year in 2006 to over 70 per Year in 2015

**Collisions per Year
Taylorsville Road
US265 to KY148**

