

# Planning Commission

## Staff Report

June 1<sup>st</sup>, 2023



<b>Case No:</b>	23-AREA-0001
<b>Project Name:</b>	Berrytown Neighborhood Plan
<b>Location:</b>	Berrytown Neighborhood
<b>Owner(s):</b>	N/A
<b>Applicant:</b>	Louisville Metro
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	Markus Winkler (17)
<b>Case Manager:</b>	Rachel Casey, Urban Planner

### REQUEST(S)

- Approval of the Berrytown Neighborhood Plan
- Adoption of the Berrytown Neighborhood Plan Executive Summary as an Amendment to Plan 2040

### CASE SUMMARY/BACKGROUND

The Berrytown Neighborhood Plan was initiated by Metro Councilmember Anthony Piagentini and then continued by Metro Council President Markus Winkler after political re-districting in 2022. The study area comprises the Berrytown neighborhood in eastern Jefferson County. The study area now lies entirely within Metro Council District 17, though it was within Metro Council District 19 when the planning process began in 2022. The plan was developed by the planning and design firm OHM Advisors, in collaboration with Louisville Metro's Office of Advanced Planning.

The planning process began in January 2022 and wrapped up in January 2023. The goal of the process was to engage the residents of the study area and proactively articulate a vision for the future. Primary topics of discussion were establishing Berrytown's historic legacy as a Black neighborhood, maintaining and increasing home ownership, improving safety on the roads, updates to Berrytown Park, and creating an active neighborhood association.

### ADVISORY GROUP/COMMUNITY ENGAGEMENT PROCESS

In accordance with Chapter 161 of the Louisville Metro Code of Ordinances (Neighborhood Development Plans), the Office of Advanced Planning and the Metro Council offices discussed the possibility of an Advisory Group. Because this planning area is small and almost exclusively residential, the decision was made to forego an Advisory Group. Community meetings for the plan were very well-attended, with most attendees returning for all seven meetings. Every individual that attended a plan meeting is included as a contributor.

Metro Staff initially met with Berrytown residents to discuss the possibility of a neighborhood plan in Fall 2021. Once the planning process began in January 2022, community meetings were held monthly for 6 months between March and September of 2022. Each meeting was advertised through yard signs, physical flyers that were distributed door to door, and posters in community spaces. After the initial meeting, an email list was also used to communicate information about the plan and meetings.

A website was created that hosted meetings dates, video recordings of prior meetings, and plan information. This website also hosted the draft plan for community review. Because there was such high attendance at the in-person meetings and this community is older in age, no online surveys were performed.

After the initial five meetings that were focused on visioning and developing ideas for the future, the planning team compiled the information into draft recommendations that were reviewed at the meeting on September 20, 2022. Following this meeting, a draft plan was developed and presented to the community on October 18, 2022. Metro agencies submitted comments through the end of the year, and the community submitted collective comments in early January 2023.

Updates were made and the draft plan was post on the Advanced Planning website, with a comment period of three weeks, which ended in March 2023.

## **VISION STATEMENT**

The vision statement was created from the input gathered at the first two community meetings. The vision statement reads as follows:

*Berrytown is a safe, welcoming, and inclusive community, that preserves the historic Black legacy by promoting the continuation of home ownership. It is a thriving and sustainable community, supported by resilient infrastructure, with safe, pedestrian-friendly streets that provide access to jobs, parks, transit, schools, businesses, and other resources. Berrytown fosters a civically engaged community with a small town feel in a forested neighborhood.*

The Vision Statement reflects the community values of promoting Berrytown’s historic housing legacy, desire for safe and connected streets, and pride in their historic neighborhood.

## **PLAN COMPONENTS**

In accordance with Chapter 161 of the Louisville Metro Code of Ordinances (Neighborhood Development Plans), a neighborhood plan must contain three mandatory components: Land Use/Community Form, Mobility, and Housing. Other optional plan components may also be included in a neighborhood plan. The Berrytown Neighborhood Plan contains five plan components: Land Use/Community Form, Housing, Mobility, Berrytown Park, and Quality of Life. This section will describe the Recommendations under each plan component – however, there are Action Items under each Recommendation that can be viewed in the plan.

### *Land Use & Community Form Recommendations*

The Land Use & Community Form plan component is focused on evaluating land uses and promoting policies that will preserve the character of the area and enhance quality of life. Land Use & Community Form recommendations are based on the study and analysis of existing conditions, issues and opportunities, and the public input process from the planning process. The Land Use & Community Form recommendations are as follows:

LU1.1 Create a Neighborhood Association with 501(c)3 status.

- 1.1.1: Add the Neighborhood Association to the notification list for development applications in the area. Notify members of upcoming cases.
- 1.1.2: Add civically engaged community members to the notification list for development applications in the area.

LU2.1 Promote future development that reflects the historic design of the neighborhood.

- 2.1.1: Seek developers and developments that increase affordable home ownership for residents.
- 2.1.2: Encourage infill housing and improvements that build value and are sensitive to the design of the surrounding community.
- 2.1.3: Investigate Community Land Trust status with leadership from the neighborhood.

LU2.2 Work with various partners to decrease the number of vacant and abandoned properties.

- 2.2.1: Utilize the Berrytown CLT 501(c)3 status to purchase and clean up abandoned properties.
- 2.2.2: Invite Louisville Metro staff to speak to the BNA about the root causes of vacant and abandoned properties, and discuss existing and future solutions.

LU2.3 Ensure that infill development is consistent with surrounding form.

- 2.3.1: Evaluate infill standards in suburban contexts in the Land Development Code to make sure design of new developments is consistent.

### *Housing Recommendations*

The Housing plan component is focused on supporting the Housing goals in Plan 2040. In the Berrytown Neighborhood Plan, the themes of the Housing component are home-ownership, allowing people to age in place, and preserving historic homes. These recommendations are based on the study and analysis of existing conditions, issues and opportunities, and the public input process from the planning process. The Housing recommendations are as follows:

H3.1 Develop increased opportunities for owner-occupied housing.

- 3.1.1: Create a neighborhood-wide goal for the home ownership rate in Berrytown (currently 55%) to meet or exceed the home ownership rate for Jefferson County (currently 60%).
- 3.1.2: Seek assistance for low-income families and seniors to afford home repairs and increase energy efficiency.
- 3.1.3: Encourage and properly utilize programs that help residents with increasing utility and property tax costs.
- 3.1.4: Consider a local historic preservation district with design guidelines to preserve and enhance the character of Berrytown.
- 3.1.5: Seek nomination and obtain National Register of Historic Places designation for Berrytown.

H4.1 Communicate the geographic location and identity of the Berrytown neighborhood.

- 4.1.1: Encourage new development in the neighborhood to identify their location as Berrytown.

### *Mobility Recommendations*

The Berrytown Neighborhood Plan seeks strategies to improve mobility within the area by evaluating existing transportation patterns and general connectivity. Final recommendations are based on the study and analysis of existing conditions, issues and opportunities, and the public input process from the planning process. The Mobility recommendations are as follows:

M5.1 Improve the vehicular transportation network to adjacent neighborhoods.

- 5.1.1: Identify improvements on Heafer Road to calm traffic and create safe crossings to Berrytown Park.
- 5.1.2: Consider re-opening Ridge (Avoca) Road to create more connectivity.
- 5.1.3: Begin neighborhood-wide education and enforcement of business car sales/repair impeding through traffic on public streets.

- 5.1.4: Encourage new developments undergoing rezoning in and adjacent to the Berrytown neighborhood to conduct a traffic study as part of the development review process.
- 5.1.5: Create right-of-way through Louisville Metro Government property at Heafer and La Grange Road. Dedicate excess land to the Berrytown CLT.
- 5.1.6: Study and consider options for traffic calming on through roads such as Heafer Road, North English Station Road, and Berrytown Road.

M5.2 Improve the safety and continuity of the pedestrian network.

- 5.2.1: Create a walking path loop in Berrytown Park.
- 5.2.2: Create sidewalk routes that connect the Berrytown neighborhood.
- 5.2.3: Add sidewalks along the Fire Training Facility property on Heafer Road to connect to N English Station Road.
- 5.2.4: Add sidewalks along N English Station Road in support of a loop for the neighborhood and for school bus stops.
- 5.2.5: Create a continuous sidewalk connection to Eastpoint Business Center, Anchorage and Middletown to the south, to access amenities and employment opportunities.
- 5.2.6: Conduct an overall lighting study based on pedestrian need, crash data, and recommended light levels - in particular, analyze the need for street lighting in the double curve of North English Station Road; bend in Heafer; Berrytown; and Hiawatha.

M5.3 Improve transit connections.

- 5.3.1: Encourage TARC to investigate the timing and availability of pick up/drop offs during typical education and employment hours.
- 5.3.2: Study bus shelter location associated with Berrytown Park, including a safe street crossing.
- 5.3.3: Create a working partnership between TARC and the Neighborhood Association to promote ridership.

*Berrytown Park Recommendations*

Berrytown Park is a vital asset for this community. Like many Metro Parks, its facilities are aging and investment is needed. Unlike many neighborhood plans, the Berrytown Park component will lead to direct investment thanks to funding secured by Metro Council. Final recommendations are based on the study and analysis of existing conditions, issues and opportunities, and the public input process from the planning process. The Berrytown Park recommendations are as follows:

BP6.1 Implement capital improvements, such as new features and updates, to Berrytown Park.

BP6.2 Perform necessary maintenance in neglected areas of Berrytown Park.

*Quality of Life Recommendations*

The Quality of Life plan component is focused on primarily policy and programming recommendations to strengthen community bonds, maintain the tree canopy, implement placemaking, and create an aesthetically pleasing and inviting neighborhood. Quality of Life recommendations are based on the study and analysis of existing conditions, issues and opportunities, and the public input process from the planning process. The Quality of Life recommendations are as follows:

QoL7.1 Maintain and enhance the historic tree canopy in Berrytown.

- 7.1.1: Encourage new development to contribute to the neighborhood-wide goal of 45% tree canopy coverage, matching the tree canopy goal for Louisville Metro set forth in the *Urban Tree Canopy Assessment* (2015).
- 7.1.2: Conduct a tree health audit for the Berrytown neighborhood.
- 7.1.3: Work with partners to create a tree preservation and rehabilitation program.
- 7.1.4: Coordinate a twice a year tree and trash clean up day in the Berrytown neighborhood.

QoL8.1 Preserve and promote Berrytown’s history to build pride in Berrytown’s independent past.

- 8.1.1: Install placemaking and identity banners throughout the neighborhood, especially at gateways.
- 8.1.2: Improve access to social services (food pantry, TARC access, and senior activities)
- 8.1.3: Add a Little Food Pantry in Berrytown.
- 8.1.4: Add a Little Library in Berrytown.
- 8.1.5: Identify and improve cemeteries by locating them, keeping trees in good health, grounds maintenance, and signage
- 8.1.6: Create ongoing local festival events in Berrytown Park

## **PLANNING COMMITTEE**

The Berrytown Neighborhood Plan went before Planning Committee on May 8<sup>th</sup>, 2023. The plan was generally well-received, with specific commendation for the newly formed Berrytown Neighborhood Association and the capital funding secured for Berrytown Park improvements. The Planning Committee voiced concern about Recommendation 7.1.1, related to tree canopy, and wanted to ensure that the language in the Neighborhood Plan was not in conflict with the Land Development Code. To address this concern, Recommendation 7.1.1 was updated as follows (new language is bold): “Encourage new development to contribute to the neighborhood-wide goal of **45%** tree canopy coverage, matching the tree canopy goal for Louisville Metro **set forth in the *Urban Tree Canopy Assessment* (2015).**” In addition, under the heading “Next Steps and Responsible Parties,” new language was included to clarify this goal’s relationship to the Land Development Code: “**The 45% coverage goal is meant to increase tree canopy on a neighborhood scale and does not necessarily apply to individual sites and does not supersede the requirements in the Land Development Code.**” This statement is also repeated in the narrative body of the plan, on page 47. Metro Staff believes that this update supports the desires of the neighborhood while ensuring that there is no conflict between the Berrytown Neighborhood Plan and the Land Development Code.

## **STAFF FINDING**

The Berrytown Neighborhood Plan is in conformance with Plan 2040. More specifically, the recommendations support the following goals of the comprehensive plan:

### **Community Form Goal 1**

The proposed recommendations guide the form and design of development to be responsive to the distinctive physical, historic and cultural qualities of the Berrytown area.

### **Community Form Goal 2**

The proposed recommendations encourage sustainable growth and density around corridors.

### **Community Form Goal 3**

The proposed recommendations enhance the Berrytown area by protecting and integrating open space, watersheds and other natural resources.

### **Community Form Goal 4**

The proposed recommendations promote the historic resources that contribute to the Berrytown area's authenticity.

### **Mobility Goal 2**

The proposed recommendations promote a safe, accessible and efficient transportation system.

### **Mobility Goal 3**

The proposed recommendations encourage land use and transportation patterns that connect the Berrytown area and support future growth.

### **Community Facilities Goal 2**

The proposed recommendations support community facilities to improve quality of life.

### **Community Facilities Goal 3**

The proposed recommendations support updates and improvements to Berrytown Park.

### **Livability Goal 1**

The proposed recommendations encourage the protection and enhancement of the natural environment and integration with the built environment as development occurs.

### **Livability Goal 2**

The proposed recommendations promote equitable health and safety outcomes for all.

### **Livability Goal 3**

The proposed recommendations promote equitable access to land use planning and policy-making resources.

### **Housing Goal 1**

The proposed recommendations guide future growth and development in Berrytown to ensure diverse housing options.

### **Housing Goal 3**

The proposed recommendations are founded in supporting housing affordability for all.

## **TECHNICAL REVIEW**

Plan 2040  
LMCO Chapter 161

## **INTERESTED PARTY COMMENTS**

The draft of the plan that is being presented today contains minor changes requested by members of the neighborhood and other interested parties. The draft plan was posted online and several hard copies were distributed to the neighborhood. The comment period was open for three weeks.

## **STANDARD OF REVIEW FOR NEIGHBORHOOD/AREA PLANS**

Criteria for approving neighborhood/area plan and adopting neighborhood/area plan Executive Summary as an amendment to Plan 2040:

1. The proposed neighborhood/area plan complies with the applicable guidelines and policies in Plan 2040.

### **REQUIRED ACTIONS:**

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the Berrytown Neighborhood Plan.
- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the adoption of the Berrytown Neighborhood Plan Executive Summary as an amendment to Plan 2040.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan.

### **NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
<b>05/24/2023</b>	Hearing before PC	Registered Neighborhood Groups in Council District 17
<b>05/25/2023</b>	Hearing before PC	Legal Advertisement in the Courier-Journal

### **ATTACHMENTS**

1. Berrytown Neighborhood Plan
2. Berrytown Neighborhood Plan Executive Summary

