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ZONE CHANGE JUSTIFICATION STATEMENT
3343-3425 Taylor Blvd, 1225 Longfield
Case Number 17ZONE1038

The applicant Bluegrass Developers, LLC, propose a zoning change for the property located at 3343-3425 Taylor Blvd and 1225 Longfield Ave. The property is 2.98 acres in size. The property is located within the Traditional Neighborhood Form District. The site has approximately 670' of frontage along Taylor Blvd and 312' of frontage along Longfield with existing alley access to the east(rear of site).

COMPREHENSIVE PLAN GUIDELINES

Compliance with specific applicable Guidelines and Policies of the Comprehensive Plan identified as applicable are as follows:

Community Form/Land Use Guideline 1. Community Form:

The Traditional Neighborhood Form District is characterized by a grid pattern of streets with sidewalks and often including alleys. The proposal is consistent with Guideline 1.B.2 in that it preserves the existing street and alley pattern. The uses are intended to be neighborhood serving and the site is located along an existing commercial corridor surrounded by residential uses on both sides and is easily accessible by multiple modes of travel.

The proposal shall be consistent with Guideline 1.B.2 in the utilization of design elements compatible with the Traditional Neighborhood and surrounding sites to create pedestrian scale, interest and outdoor seating areas.

While the existing structures on the site are not planned to remain, proposed structures will be designed in accordance with the Traditional Neighborhood Form to comply with Guideline 1.B.2.

Community Form/Land Use Guideline 2. Centers:

This development is consistent with Guidelines 2.A.1 and 2.A.7 in that it proposes commercial uses to be located along an arterial at its intersection with a collector roadway.

Meeting Guideline 2.A.3, the site is surrounded by a population sufficient to support it as well as being located along a major transit route and arterial.

To comply with guideline 2.A.4., this development provides a more compact layout of the proposed uses than usually seen in a more suburban setting. Pedestrian routes will be provided to connect and delineate connections between the lots of the development.

Per guideline 2.A.5, the development aims to provide neighborhood serving uses which are accessible by multiple modes of travel and will be connected to the existing surrounding sidewalk and transit systems.

While no proposed residential uses are proposed on the site, it is immediately adjacent to existing residential uses per Guideline 2.A.6.

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The site will comply with 2.A.13 and 2.A.15 by consolidating access to lots as much as possible to reduce the overall number of curb cuts. Parking and drive lanes will be shared. Pedestrian routes from the street and transit stop locations will be delineated into and through the site.

The site will comply with 2.A.14 in that it is the reuse of an existing site and utility connections are easily available at the perimeter of the site. Screening will occur in compliance with the Land Development Code.

The location of the site complies with 2.A.16 regarding traffic impacts because it offers easy access to multi modal forms of travel. Sidewalk repairs and replacement will occur along the site's frontages and a transit stop exists along Taylor Blvd.

Community Form/Land Use Guideline 3. Compatibility:

Per guide 3.A.2 building elevations will comply with the Land Development Code for the Traditional Neighborhood.

The non-residential expansion shall be mitigated with respect to guidelines 3.A.4, 5, 6 and 7 by the use of setbacks, buffering with landscaping or fencing, tree coverage, and screening of refuse areas.

The site is compatible with Policy 3.A.8 regarding lighting by illuminating the exterior as needed for safety of users and employees but located in a manner not to be obtrusive to surrounding existing homes. Proposed site lighting will comply local ordinances and Land Development Code.

Per Policy 3.A.11, the site is located directly along a transit corridor and near existing activity centers.

The site will be compliant with Policies 3.A.21 and 3.A.22 by meeting requirements of the Form District and Land Development Code for landscaping, screening, and buffer areas. All of these items will meet district dimensional requirements for compliance with Policy 3.A.23.

In accordance with Guideline 3.A.24, parking and loading areas shall be screened and buffered to mitigate impacts to the surrounding neighborhoods. Proposed site lighting will comply local ordinances and Land Development Code and located in a manner not to be obtrusive to surrounding existing homes.

Signage shall comply with the form district and the Land Development Code in compliance with Guideline 3.A.28.

Community Form/Land Use Guideline 4. Open Space:

Green space will be provided within buffer and landscape areas and tree canopy requirements will be met to comply Guideline 4.A.3. Where possible, outdoor dining areas will be provided. Maintenance of any public open spaces within the development shall be the responsibility of the site owner or operator in accordance with Guideline 4.A.7.

As the proposed project is to redevelop and already urbanized area, the natural features referenced in Guidelines 4.A.2 and 4.A.5 are not present on the site. Trees on site will be protected or replaced to meet the requirements of the tree canopy guidelines of the Land Development Code.

Community Form/Land Use Guideline 5. Natural Areas and Scenic and Historic Resources:

As the proposed project is to redevelop and already urbanized area, the natural features referenced in Guideline 5.A.1 are not present on site. Trees on site will be protected or replaced to meet the requirements of the tree canopy guidelines of the Land Development Code.

With respect to Guidelines 5.A.2 and 5.A.4, the existing structures on site are not historic and some existing uses are considered a nuisance use to the surrounding neighborhoods. Proposed structures will be required to meet Land Development Code criteria for the Traditional Neighborhood Form District.

Soil and slope issues referenced in Guideline 5.A.6 will not impact the redevelopment of this site.

Marketplace Guideline 6. Economic Growth and Sustainability:

The site complies with Guideline 6.A.2 as it provides sidewalk connections to the surrounding neighborhood and to a transit stop, giving access for employees and users who do not have a vehicle.

In accordance with Guideline 6.A.6, the site is located along an arterial to which it has sufficient access. The surrounding sections of Taylor Blvd contain existing commercial uses.

Mobility/Transportation Guideline 7. Circulation:

Per Policies 7.A.1 and 7.A.2, the site will maintain the existing Traditional Neighborhood grid pattern. Right-of-way is sufficient and would not need to be dedicated. Any improvements for sidewalks, entrance construction or required paving will be provided by the developer.

Per Policies 7.A.3 and 7.A.4, transportation facilities are readily available for access to surrounding land uses. A sidewalk and transit stop are along the site's frontage and the surrounding neighborhood streets are traversable by bicycle making many modes of travel an option for users. The existing grid pattern of roadways and alleys will be maintained. The site is intended to serve the surrounding neighborhood and is accessible by the sidewalk system connections to the surrounding area.

The site complies with Guideline 7.A.6 as lots within the development shall connect to each other and will also provide connections to the rear alley.

The site meets Guideline 7.A.9 because sidewalks exist along most of the frontages. Where sidewalk does not exist, it will be installed or repaired as necessary. The existing right-of-way appears to be sufficient to make these improvements.

Adequate on-site parking is provided per Guideline 7.A.10 so as to not burden parking within the surrounding neighborhood.

The site complies with Guidelines 7.A.13 and 7.A.16 as lots within the development shall connect to each other and will also provide connections to the rear alley.

Mobility/Transportation Guideline 8. Transportation Facility Design:

Access is compatible with Policy 8.A.9 as transportation facilities are readily available for access to surrounding land uses. A sidewalk and transit stop are along the site's frontage and the surrounding neighborhood streets are traversable by bicycle making many modes of travel an option for employees and users. The existing grid pattern of roadways and alleys will be maintained for vehicles. Per Policy 8.A.11, the grid pattern and hierarchy of streets will be maintained and follow the established link to the surrounding area.

Mobility/Transportation Guideline 9. Bicycle, Pedestrian and Transit:

Policies 9.A.1 and 9.A.2 require development to promote the use of bicycling and connections for pedestrians. For this development, existing facilities for bicyclists and pedestrians are readily available for access to surrounding land uses. A sidewalk and transit stop are along the site's frontage and the surrounding neighborhood streets are traversable by bicycle making many modes of travel an option for users. Sidewalk connections will be provided into and through the site.

Livability/Environment Guideline 10. Flooding and Storm Water:

No streams or waterways are located on the site. All requirements Metropolitan Sewer District (MSD) for water quality and storm water management will be met.

Livability/Environment Guideline 12. Air Quality:

The proposal for site development has been reviewed by the Louisville Metro Air Pollution Control District and no concerns were noted.

Livability/Environment Guideline 13. Landscape Character:

The site is currently developed and no natural corridors exist as described in Guideline 13.A.3

Community Facilities Guideline 14. Infrastructure

In compliance with Policy 14.A.2, 14.A.3 and 14.A.4, all utility services are available and adequate.

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Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

The variance requests to allow greater setbacks will accommodate better internal site circulation while reducing the number of required curb cuts to the adjacent roadway.

2. Explain how the variance will not alter the essential character of the general vicinity.

Due to fewer vehicular curb cuts being provided, there are fewer interruptions for pedestrian flow along the site frontage. Connections to the rear alley are provided consistent with the Traditional Neighborhood requirements.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

These variances will not create a hazard or nuisance to the public as they allow for better traffic flow to the adjacent street as well as internal circulation and defined pedestrian connections will be provided to the site.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

These variances will not allow an unreasonable circumvention of the requirements of the zoning regulations as other requirements are being met and buffering is being provided.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

These variances arise due to the limitation of permitted access points into the site by the state transportation cabinet.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Strict application of these provisions would limit the applicant's ability to access the site and safely circulate within it.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

No they are not. No work has begun on this site.

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General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The waiver will not adversely affect adjacent property owners because the proposed traffic pattern and layout is similar to that of existing businesses in the immediate area.

2. Will the waiver violate the Comprehensive Plan?

No, the waiver will not violate the Comprehensive Plan. Buffering will be provided. Access for pedestrians is being provided as well as interconnectivity between lots and to the rear alley. The waiver will allow for a reduction in the number of vehicular access points and a more continuous length of sidewalk along the frontage for pedestrian traffic.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Yes, previous layouts have been submitted that meet the code but were not acceptable by the Kentucky Transportation Cabinet due to a greater number of access points. Reducing the number of access points to the site required that more area be provided internally to accommodate maneuvering. This request is the minimum relief necessary to allow for access and circulation for the applicant to and within the site.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

Appropriate buffering and/or street wall will be provided to meet the current land development code and to mitigate the location of the proposed parking and drive lanes.

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