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September 25, 2017

**SUBJECT: 9213 Fairground Run  
Rezoning from R-4 to PRD (Planned Residential Dev.)  
Justification Statement/Request**

Planning & Design Services:

A Rezoning Plan is being submitted to provide for change in zoning from the existing R-4 Neighborhood, to a Planned Residential Development that would allow construction of zero lot line housing. The entire 6.31 acres of existing property will be rezoned to provide for 35 total units. The proposed access will be very close to the existing driveway access into the property, and stormwater detention will be provided to meet the MSD requirements to reduce the post development stormwater flows to the predeveloped flows.

The proposed project meets the requirements of the Land Development Code, and will blend compatibly into the existing neighborhood areas along Fairground Road. The 1500 Square Foot "Garden Home" type of unit proposed is highly sought after in this area of the County, and helps to promote a diverse housing type. In addition, a significant amount of open space is being reserved for the project, with landscape buffering on all sides of the project.

Please review this submittal and let us have your comments. As always, thank you for your assistance. Please do not hesitate to give me a call at 292-9288 should you have questions.

Sincerely,

Christopher T. Crumpton, P. E.  
Engineering Director/Principal

CTC/mlr

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ZONING JUSTIFICATION  
Fairground's Run  
9213 Fairground Road  
Tax Block 50 Lot 32

The owner and applicant, Brian Wacker of Superior Builders, Inc. are requesting a change in zoning for property identified as Tax Block 50 Lot 32 (9213 Fairground Road). The applicant is requesting a change in zoning from R-4 to PRD respectively along with detailed district development plan and subdivision plan. The property is located in the Neighborhood Form District.

Guideline 1- Community Form

The intent of this guideline is to “ensure that new development will be designed to be compatible with the scale, rhythm, form and function of the existing development as well as with the pattern of uses” and “to use patterns of development...identified as ‘community forms’ as guides for land use decisions...” In addition, this guideline, evaluates the appropriateness of a land development proposal in the “context of the description, character and function of the form district designated for the area..., the intensity and density of the proposed land use or mixture of land uses; the effect of the proposed development on the movement of people and goods; and the compatibility of the proposed use or uses with surrounding uses including the relationship of the use, mass, scale, height, materials, building footprint, orientation, setback and design of the proposed building or buildings with the surrounding buildings.”

The applicant of this proposal has addressed, as much as possible, the many aspects, goals and objectives, guidelines and policies, of Cornerstone 2020, taking into account that this property, is currently zoned R-4 and is currently made up of narrow “L” shaped parcel of land. The applicant has prepared a detailed district development and subdivision plan for the construction of 35 townhouse single family attached homes. The property is located in a mixed use neighborhood that includes variety of residential housing, commercial and other non-residential uses.

The site is currently 5.94 acre and is location less than a half mile from commercial property along Bardstown Road. With close proximity to office and commercial centers as it approaches S. Hurstbourne Parkway from the East.

This proposal is compatible with the surrounding uses in relation to use, mass, scale... The applicant will be providing a signature entrance with landscaping and a considerable open space lot with an active pedestrian sidewalk. The proposal will not be out of character in the neighborhood since it is of similar intensity, mass and scale with the other residential housing types in this area. The proposed PRD is compatible with the surrounding R-4 and R-6 zoning classifications.

The neighborhood form area “is characterized by predominantly residential uses that vary from low to high density and that blend compatibility into the existing landscape and neighborhood. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas...”

The Neighborhood Form may contain open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services.

These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. The Neighborhood Form should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycles and transit. ...Examples of design elements that encourage interaction include narrow streets, street trees, sidewalks, shaded seating/gathering and bus stops..."

The proposal appears in compliance with the Neighborhood form area for the following reasons, among others identified elsewhere in this proposal and herein below. The site is located within the Neighborhood Form District where there is already a variety of housing opportunities and within close proximity to the commercial and non-residential uses along the Bardstown Road Corridor. This portion of Bardstown Road is made up of a mixture of commercial centers as it approaches S. Hurstbourne Parkway. The proposed development will provide recreational open space for its residents as well attached garages. The development plan provides for adequate internal circulation and site access for the proposed residences.

### Guideline 2-Centers

The intent of this guideline is to "encourage mixed land uses organized around compact activity centers that are existing, proposed or planned. To promote an efficient use of land and investment in existing infrastructure, to lower utility costs by reducing the need for extensions, to reduce commuting time and transportation related air pollution..."

The applicant of this proposal has addressed, as much as possible, the many aspects, goals and objectives, guidelines and policies, of Cornerstone 2020, taking into account that this property, is located within close proximity to the commercial corridor of Bardstown Road and S. Hurstbourne Parkway. The proposal is compact and provides a more efficient layout for this piece of property.

### Guideline 3-Compatibility

The intent of 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, to prohibit the location of sensitive land uses in areas where accepted standards for noise, lighting, odors, or similar nuisances are violated or visual quality is significantly diminished... and to preserve the character of the existing neighborhoods"

The applicant of this proposal has addressed, as much as possible, the policies of this Guideline for one the proposed use is similar to the uses in the area and is being designed in a similar intensity, mass and scale. In regard to policy 2 and 3, the proposed units will be of a mostly brick construction which is comparable to the existing residential uses in the area. The property will be landscaped according to the Land Development Code. Any proposed lighting will be standard low wattage street lighting and residential house lighting.

In regard to policy 10, this development will provide an alternative to typical single family detached housing that is prominent in this area. The development will provide home ownership to people wanting variety while giving them the fee simple option of owning an attached single family home. This type of product opens the purchaser to a wide variety of financing and loan options over typical multi-family housing types, including condominium. This type of housing is ideal for new home buyers to empty nesters wanting to downsize. This provides opportunities for a wider variety of income earners and age groups while also expanding the diversity of housing type in the neighborhood.

In regard to policy 28, any proposed signage will be compatible with the existing residential community and in compliance with Land Development Code. The developer is proposing a signature entrance and signage matching materials and scale to the Old Fairground Woods signature entrance at Pavilion Way and Fairground Road.

The Air Pollution Control District has performed a preliminary screening and indicates that this project will not have an adverse impact on air quality. The proposal has received preliminary approval from the Metropolitan Sewer District and Louisville Metro Public Works. The applicant is providing stub streets to adjacent properties for future connectivity.

#### Guideline 4. Open Space

The intent of this guideline is to “enhance the quality of life in Jefferson County by ensuring well designed permanently protected open spaces that meet the community needs.”

The proposal complies with this guideline because the applicant is providing approximately 24% of the net site in open space. The open spaces include sidewalks and landscape areas. The site is designed to use the topographic features to provide adequate detention facilities and the general layout of the site is respectful of the topographic features.

#### Guideline 5 – Natural Areas and Scenic and Historic Resources

The intent of this guideline, among others, is “to protect natural areas, features and important scenic and historic resources.”

This proposal complies with this guideline because the proposal is designed with the topographic features in mind and provides approximately 24% of the net site in open space areas. The applicant is proposing to maintain the residential character of the area by creating a matching signature entry to Old Fairground Woods and using open space close the entry setback along Fairground Road and preserving the tree canopy on site where possible. There are no stream corridors, significant environmental or historical features on site.

#### Guideline 6- Economic Growth and Sustainability

The intent of this guideline, among others, is “to ensure the availability of necessary land to facilitate commercial, industrial and residential development” by reducing public and private costs for land development.

The proposal complies with this guideline because it uses existing and adequate infrastructure for development. This location is quite appropriate for the use due to its location along a primary collector and that it is a low intensity residential use.

#### Guideline 7- Circulation

The intent of this guideline is “to provide safe and proper functioning of the street network..., to ensure that new developments do not exceed carrying capacity of streets, to ensure that internal and external circulation of all new development provides safe and efficient travel movement by all types of transportation..., to address air quality and congestion issues and to ensure that transportation facilities are compatible with form district goals and objectives...”

This proposal complies with this guideline in the fact that site access will be through a functioning street network and that the development will not exceed carrying capacity of the streets. Internal and external circulation will be designed in a manner to promote safe and efficient access by all means of transportation, not limited to vehicles.

#### Guideline 9- Bicycle, Pedestrian and Transit

The intent of this guideline is “to increase energy efficiency, as well as to promote improved air quality and recreational opportunities, to manage the demand for travel and improve the efficiency of the transportation system, to improve pedestrian access..., to reduce major conflicts between vehicular, bicycle and pedestrian movements for improved safety.”

This proposal complies with the intent and policies of this guideline because, as noted on the detailed district development plan accompanying this application, there are proposed sidewalks along the collector level street and will provide good internal circulation with private streets and walking trails, which meets the requirements of the Louisville Metro Department of Public Works.

#### Guideline 10- Flooding and Stormwater

The intent and policies of this guideline pertain to minimizing the potential impacts of flooding and effectively managing stormwater through such things as, mitigating negative development impacts the watershed and regulatory floodplain, by minimizing impervious surface area, protecting blue line streams...

This proposal complies with the intent and policies of this guideline because the development will utilize best management practices for construction activities. The applicant will make all necessary site improvements to provide adequate drainage on site and will not hamper surrounding properties and we believe will help alleviate some existing drainage issues with the proposed detention basin.

#### Guideline 11- Water Quality

The intent and policies of this guideline is to prevent the degradation of water quality due to erosion and sedimentation from developments.

This proposal complies with the intent and policies of this guideline because, among other things, the applicant will prepare and follow an erosion and sedimentation control plan prepared in accordance with MSD Soil and Erosion Control Ordinance for any proposed construction activity that may be necessary to make required improvements to the entrance. Construction on the site will utilize best management practices to ensure that water quality is not compromised by the development.

#### Guideline 12- Air Quality

The intent and policies of this guideline are to minimize, reduce or eliminate the impacts on air quality through appropriate land use planning and design.

This proposal complies with the intent and policies of this guideline because of the specific use, has been in existence for some time and is located in close proximity to other similar uses and therefore will not generate large amounts of traffic at one time. The development plan has received preliminary approval by the Air Pollution Control District.

### Guideline 13- Landscape Character

The intent and policies of this guideline is to “protect and enhance landscape character”.

This proposal complies with the intent and policies of this guideline by preserving as many existing trees as possible and by landscaping the site in accordance with the Land Development Code landscape standards.

### Guideline 14-Infrastructure

The intent and policies of this guideline is to “develop effective connections between land use patterns...to ensure that the carrying capacity of the land and infrastructure is not exceeded...”

This proposal complies with the intent and policies of this guideline in the matter that the land use is the appropriate scale and mixture for the close proximity to Bardstown Road. There are adequate facilities to serve the use, along this portion of the commercial corridor and therefore would not tax existing infrastructure.