

CHANGE IN ZONING JUSTIFICATION STATEMENT
CASE No. 18ZONE1033

Meadows Pointe, LLC
Meadows Pointe
R-4 Single-Family Residential to PRD Planned Residential Development District

August 6, 2018

REQUEST SUMMARY

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Meadows Pointe, LLC (the "applicant") is requesting a change in zoning from R-4 Single-Family Residential to PRD Planned Residential Development District for Meadows Pointe, a single-family development proposing thirty-one (31) attached and semi-detached townhome dwellings, all on their own individual lots, on property located at 14714 and 14706 Old Henry Road (the "Property"). The proposed PRD development is similar in nature to a number of approved R-5A developments in the general area, but unlike these developments approved under R-5A, the proposed PRD zoning allows for the Property to be subdivided into individual single-family lots. Compared to a condominium design under R-5A, however, the townhome concept under PRD zoning is more manageable to finance both on the development/construction front end as well as the mortgage/purchase perspective back end. As a result, the market has well received the type of residential developments comparable to what the applicant proposes here, as strong demand exists for townhomes of high-quality design and building materials situated on low-maintenance single-family lots. With increasing commercial and office development along the Old Henry corridor, combined with the already established commercial activity center at nearby Factory Lane and LaGrange Road, the Property is an ideal location for the proposed zero-lot-line townhome development. Indeed, the proposed Meadows Pointe brings a different housing style that will add diversity to the area, which is predominately suburban-style R-4, single-family housing spotted with R-5A, multi-family housing developments.

In conjunction with the change in zoning, the applicant is requesting a variance from Land Development Code Section 5.3.1.D.1.b.v to allow a rear yard setback of 12.5 feet for a number of lots internal to the development. (Collectively, the proposed zoning request, variance and associated subdivision plan are hereinafter referred to as the "Proposal").

The proposed rezoning complies with the Cornerstone 2020 Comprehensive Plan ("Comprehensive Plan") as more fully explained herein and, therefore, should be approved.

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**PLANNED RESIDENTIAL DEVELOPMENT DISTRICT
DEVELOPMENT STANDARDS**

The PRD District is intended to provide flexibility in design of residential developments in a manner that promotes implementation of the Comprehensive Plan Land Development Code for all of Louisville – Jefferson County, Kentucky ("LDC") Section 2.7.3.A. The PRD allows zero lot line, townhouse, cluster housing, reduced-lot sizes and building setbacks, and other innovative designs which meet the intent of the Comprehensive Plan.

In addition to the criteria listed below, the PRD regulation also requires that applicants proposing developments that create 50 or more dwelling units and that do not reserve ten percent of their proposed developments for affordable and appropriate housing must address how the proposal complies with the housing elements in relationship to other guidelines and policies of the Comprehensive Plan. Here, the applicant proposes 31 dwelling units within Meadows Pointe and, therefore, this regulatory provision of the LDC does not apply.

Per Section 2.7.3.B of the LDC, PRD developments must meet at least two of the following criteria:

1. The site has certain topographic and landform limitations or environmental constraints and the proposed plan preserves these features from development and disturbance; or
2. The site meets infill objectives consistent with recommendations of an officially adopted neighborhood plan, corridor plan or urban renewal plan; or
3. The proposal creates a variety of housing styles serving the needs of people of differing ages or incomes; or
4. The proposal expands the diversity of housing types available within a neighborhood; or
5. The proposal creates permanently protected open space that meets outdoor recreation needs, preserves wildlife habitat, or extends a community-wide greenway system.

The proposed Meadows Pointe PRD complies with four of the five above criteria, namely 1, 3, 4, and 5. In relation to #s 1 and 5, the Property has topographical and landform challenges with elevations considerably lower than the land adjacent to the west, north and east. The Property receives drainage by overland flow and ground springs from streets, residential land and an intermittent stream flowing southward along its northeastern corner. The proposed plan will accommodate the stormwater flows from the west and north through drainage swales within permanent sewer and drainage easements. The plan will preserve the intermittent stream in permanent open space and will provide a stream buffer at least 25 feet from the top of bank for its protection from development and disturbance. As a result, a substantial amount of area on the eastern side of the Property will be protected open space with an intermittent stream buffered for its protection from development and disturbance, which, in turn, preserves wildlife habitat and corridors for animals to safely move between developed properties.

In relation to requirements 3 and 4, the development will offer attached housing on fee simple, zero-lot-line tracts with a projected construction budget of higher cost per square foot than the existing surrounding housing. The sizes of individual units will be less than the surrounding homes and the individual lots will have smaller yards for ease of maintenance as compared to the surrounding single-family homes on larger lots, which residents must expend more time, energy and money to maintain. The proposed sale prices for the townhomes will start at above \$300,000.00 and will target a variety of age groups who desire a tightly-knit community with manageable upkeep and accessibility to major thoroughfares and nearby commercial activity centers. Accordingly, the Proposal will introduce a distinct housing type to the neighborhood, thereby contributing to and expanding the variety of housing within an area. An increase in diversity of housing within the neighborhood will provide opportunities to prospective purchasers of differing ages and/or incomes.

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**GUIDELINE 1
COMMUNITY FORM**

Core Graphic 1 of the Comprehensive Plan identifies the subject property within the Neighborhood Form Area, an area characterized predominantly by residential uses that vary from low to high density and that blend compatibly into the existing overall landscape and neighborhood areas. The Neighborhood Form is intended to provide diverse housing types and housing choices for differing ages and incomes, as well as furnish appropriate accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycles, and transit.

The Property is located within an established residential center along Old Henry Road, a minor arterial, and not far from the I-265/Old Henry Road interchange. Single-family residential zoning surrounds the Property, which is primarily bordered by rear yards of lots situated within the Woodmont subdivision. The Property is just north of the Old Henry Road and Factory Lane intersection, where R-5A Multi-Family Residential developments exist on both sides of the intersection. And just south of this same intersection on Old Henry Road is the Hamilton Springs residential community, which was rezoned to PRD in 2010 (Case No. 13856). Similar to the aforementioned nearby R-5A and PRD developments on Old Henry Road, the proposed PRD zoning will provide an appropriate transition between the soon-to-be widened Old Henry Road thoroughfare and the Woodmont residences that back up to the Property.

Meadows Pointe is an efficient and compact development and the proposed PRD zoning will offer a mix of residential choices in the area, thereby contributing to the diversity of opportunity for potential home owners who wish to reside on their own, low-maintenance lot within the neighborhood. An internal sidewalk will connect to a walking trail that overlooks the intermittent stream on the Property, which will provide safe pedestrian movements throughout the development. As a result, the Proposal adds to the range of housing styles in the area, thereby promoting the Neighborhood Form goal of providing diverse housing options for differing ages and incomes. Accordingly, the proposed development complies with Guideline 1 of the Comprehensive Plan.

**GUIDELINE 2
CENTERS**

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The proposed rezoning of the Property from R-5A to PRD advances Guideline 2 of Cornerstone 2020, which encourages a mixture of uses, housing types and residential densities within activity centers. The proposed development promotes the Centers policies by providing an efficient housing development, quality building style and low-maintenance lots that are in short supply in the area. The innovative design of Meadows Pointe promotes a distinct and unique sense of place in the neighborhood. Being in an area undergoing robust growth in residential, commercial and office development on nearby properties, the subject property is within an existing residential activity center adequately serviced by two nearby commercial/office activity centers.

The Property's close proximity to the Old Henry Road/Gene Snyder Freeway interchange combined with recent and future road improvements to the Old Henry corridor ensure adequate infrastructure for residents, nearby employees, and the movement of goods. Additional commercial services are located nearby within the activity center located at Factory Lane and La Grange Road, including a shopping center

anchored by a Kroger grocery store. For the foregoing reasons, the proposed development complies with Guideline 2 of the Comprehensive Plan.

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**GUIDELINE 3
COMPATIBILITY**

The proposed rezoning is in agreement with the intent and applicable policies of Guideline 3 because the single-family townhomes the applicant intends to build on the Property will be compatible with the scale, form and function of the surrounding single-family residential uses. The townhomes will average around 2,280 square feet in area, be built from durable, quality building materials consistent with the building materials utilized in the established single-family neighborhood surrounding the Property, and will not exceed the maximum 35-foot height limitation permitted in the Neighborhood Form District. The 75-foot parkway setback along Old Henry Road will not be affected by the Proposal, for the site has been designed to have the townhomes setback approximately 100 feet from the Old Henry right-of-way.

As mentioned, the Property is surrounded on all sides by properties zoned single-family residential – predominantly the Woodmont neighborhood. This PRD Proposal will act as a suitable transition between Old Henry Road and the Woodmont properties that back up to the Property. Indeed, the adjacent residential lots behind and to the sides of the Property, excluding the Forrester property which shares half of the southern property line, are located on land that sits above and slopes down toward the Property. As a result, the proposed townhomes will not overlook adjacent private yards. A combination of existing mature trees around the Property's perimeter the applicant intends to preserve together with newly planted trees and landscaping along the perimeter and throughout the site will provide an appropriate screen between adjacent residential developments, ultimately strengthening compatibility and privacy.

Perimeter landscape buffer areas, interior landscaping, and tree canopy areas will comply if not exceed LDC requirements. As shown on the subdivision plan, a walking trail will be provided on a portion of the property that overlooks the stream that traverses the northeast section of the Property and will connect to an internal sidewalk to ensure pedestrian connectivity inside the development and out to Old Henry Road. Outdoor lighting will be residential in character and will comply with Land Development Code requirements. Therefore, the proposed development complies with Guideline 3 of the Comprehensive Plan.

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**GUIDELINES 4 AND 5
OPEN SPACE, NATURAL AREAS, AND SCENIC AND HISTORIC RESOURCES**

As part of the Proposal, the applicant intends to provide almost double the amount of open space required by the LDC. There are no historic or cultural resources on the site. A stream runs across the northeast portion of the Property and will be protected by a 25-foot stream buffer. A walking path above the stream is intended to promote pedestrian activity in an area where residents can enjoy the permanently preserved natural area. Setbacks to perimeter property lines are increased to keep intact a portion of the mature tree canopy between the Property and surrounding single-family residences. Accordingly, the proposed development meets Guidelines 4 and 5 of the Comprehensive Plan.

**GUIDELINES 7, 8, AND 9
CIRCULATION, TRANSPORTATION FACILITY DESIGN, AND BICYCLE, PEDESTRIAN,
AND TRANSIT**

The proposed development complies with Cornerstone 2020's Guidelines 7, 8, and 9 because the Property will have proper site access and will not adversely affect adjacent areas. The applicant will be required to dedicate additional right-of-way, which will provide increased land area on which Louisville Metro Public Works and KYTC can implement improvements along Old Henry Road, a minor arterial roadway. The corresponding subdivision plan submitted herewith incorporates a depiction of KYTC's future improvements to Old Henry Road – as shown on KYTC's roadway plan for this section of Old Henry Road – so the Proposal's access design is appropriately coordinated with future roadway improvements. Verge areas within the Old Henry right-of-way will be provided per Metro Public Works; KYTC review is also required. A private residence (Forester property) adjacent to the south of the Property prevents a vehicular connection from the Property to local road Oakvista Way.

Meadows Pointe will be served by interconnected private roadways, with an interior sidewalk connected to a walking trail on the northeast side of the property to promote pedestrian movement. Each of the proposed townhomes will have a 2-car garage and an 18-foot wide driveway that connects to one of three 24-foot wide private access roads which, together, provide a uniform access to Old Henry Road. Circulation and turning radii will all meet minimum standards of Metro Transportation Planning and Public Works.

Adequate parking spaces are provided on the subject property as required by the Land Development Code, including handicapped spaces as required by the ADA. A common parking area is also provided onsite to accommodate extra guest parking that

may not fit within the individual driveways, should said driveway space already be occupied. The subject property is not on an existing transit route, so there are no transit specific requirements. As mentioned, the private drives internal to the development will have 24 feet of pavement width within a 50-foot wide access easement, which provides ample room to accommodate bicycle traffic. Therefore, the proposed development complies with Guidelines 7, 8, and 9 of the Comprehensive Plan.

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**GUIDELINES 10 AND 11
FLOODING, STORMWATER, AND WATER QUALITY**

Guidelines 10 and 11 of Cornerstone 2020 were put in place to minimize the potential for impacts of flooding and stormwater, protect water quality and assure the rate of flows of post-development stormwater drainage from the property being developed remains the same or less than the rate of flows of pre-development stormwater drainage. The proposed rezoning complies with Guidelines 10 and 11 of the Comprehensive Plan because the Proposal will include onsite stormwater detention and post-development peak flows will be limited to pre-development peak flows for the 2, 10, 25 and 100-year storms or to the capacity of the downstream system, whichever is more restrictive, thereby protecting adjacent and downstream properties from adverse impacts of stormwater drainage leaving the Property. As required by a note on the subdivision plan, local regulatory floodplain will be developed prior to MSD construction plan approval. Any fill required in the local regulatory floodplain shall be compensated on the Property at a ratio of 1.5 to 1.

To ensure completion of proposed storm-water infrastructure, the Property will be subject to MSD drainage bonding prior to construction plan approval. Moreover, the final design of this project must meet all MS4 water quality regulations established by MSD. The layout of the site may change at the design phase to facilitate proper sizing of green best management practices. Due to the Property's near proximity to Oldham County, Oldham County Environmental Authority must provide its approval of the sanitary sewer connection prior to MSD's approval of the construction plan. In addition, prior to site disturbance, an Erosion Prevention and Sediment Control Plan utilizing MSD's best management practices will be implemented. For the foregoing reasons, the proposed development complies with Cornerstone 2020's Guidelines 10 and 11.

**GUIDELINE 12
AIR QUALITY**

The Proposal complies with Cornerstone 2020 Guideline 12 because the applicant proposes a development that will cause very low impacts to existing traffic within the area. The efficient design of the site's access and internal roadway network will freely

move automobiles to, from and around the site thereby not causing any degradation of air quality in the immediate area. The previous property owner dedicated necessary right-of-way along Old Henry Road frontage to accommodate mandated roadway improvements, which will assist KYTC and Public Works can improve existing roadway infrastructure, help prevent traffic congestion in the area, and ensure adequate road infrastructure for all proposed uses relying on Old Henry Road. A combination of sidewalk and walking path within the proposed development will encourage pedestrian activity around the site as well as provide a pedestrian connection to Old Henry Road. All of these measures will improve traffic conditions and, as a result will minimize air pollution. Therefore, the proposed rezoning complies with Cornerstone 2020 Guideline 12.

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**GUIDELINE 13
LANDSCAPE CHARACTER**

The proposed rezoning complies with Guideline 13 of the Comprehensive Plan because it will meet the landscaping requirements of the Land Development Code. The intent of Guideline 13 is to make sure new communities, like Meadows Pointe, include internal landscaping and provide perimeter screening and buffering to provide appropriate transitions between developments. Today, the site enjoys a robust tree canopy and the applicant intends to preserve an amount of the existing trees to exceed the tree canopy required by the LDC. Perimeter setback areas on the Property will be maintained to help preserve mature trees, which constitute an effective natural screen between the Property and the adjacent single-family residences. A waiver may be required for a detention basin to be located within the 50-foot parkway buffer along Old Henry Road. If such a waiver is required, however, plantings will be installed within the parkway buffer to meet or exceed applicable LDC obligations. Accordingly, the proposed development complies with Guideline 13.

**GUIDELINES 14 AND 15
INFRASTRUCTURE AND COMMUNITY FACILITIES**

The proposed rezoning complies with Guidelines 14 and 15 of the Comprehensive Plan because utilities are available and can be affordably brought to the Property. Furthermore, as mentioned, property will be dedicated to the Old Henry Road right-of-way, which will assist in facilitating the improvements KYTC has planned for Old Henry Road. Sewers are available by lateral extension and will be serviced by Oldham County. The development is served by the Anchorage and/or Middletown Fire Department.

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