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THE HAYMARKET by ASHBOURNE FARMS

3020 River Road

Proposed Change in Zoning R-5 to C-1

**INTRODUCTION**

The Haymarket by Ashbourne Farms is a proposal of Ashbourne Farms, LLC (the "Applicant") for the reuse of the former Lebanese American Country Club property at the intersection of River Road and Mockingbird Valley Road. The proposed redevelopment of the subject property will create an urban farm, fresh food and to-go food market and coffee shop using the existing buildings on the site. In addition to the redevelopment of the existing buildings, the proposal will include some additional parking, raised bed and traditional gardens and a few small accessory farm structures. The proposal complies with the applicable provisions of Plan 2040.

**COMMUNITY FORM**

The proposed development complies with the Community Form plan element and its applicable objectives and guidelines. The subject property is located in the Neighborhood Form District but is also on a block of mixed commercial uses, including hotels, restaurants, service stations and offices. The subject property, while not zoned for commercial use, has been used in a non-residential way for decades. In addition, although the subject property is located at the northern end of the Mockingbird Valley neighborhood, I-71/I-264 provide a separation between the subject property and the residential core of the neighborhood.

The proposed development will not be a detriment to the surrounding neighborhood in any way. The proposal will retain the existing scale of the existing buildings and will provide landscape buffers and plantings that exceed LDC requirements. In addition, the proposed development represents a neighborhood-serving group of uses, including a coffee shop. The proposed development should not cause any off-site impacts related to noise, light or odor.

**MOBILITY**

The proposed development complies with the Mobility plan element and its applicable objectives and guidelines. The proposed development is located on River Road at Mockingbird Valley Road and currently has an entrance on each frontage. The proposed development will move the River Road entrance from its current location to the west, creating a much safer condition at the intersection. In addition, the proposed entrance on Mockingbird Valley Road will be just to the south of the existing entrance. An additional entrance is proposed near I-71/I-264, though that entrance is planned for employees only.

In addition to accommodating cars, the proposed development will include a sidewalk along Mockingbird Valley Road and pedestrian connections throughout the site. The Louisville Loop runs

along the north side of River Road in this location. The applicant will also provide bicycle parking as required by the LDC.

### **COMMUNITY FACILITIES**

The proposed development complies with the Community Facilities plan element and its applicable objectives and guidelines. The proposed development is served by adequate utilities, including water and sewer. The proposed development should serve to support the Louisville Loop by providing another destination for pedestrians and cyclists using the Loop.

### **ECONOMIC DEVELOPMENT**

The proposed development complies with the Economic Development plan element and its applicable objectives and guidelines. The proposed development will repurpose existing structures on a commercial block in order to provide a new food and beverage option in a part of town not currently served well in that regard. The proposed development will also serve to connect Louisville to the agricultural communities that surround it by providing an outlet for the sale of Kentucky-grown produce and farm products. In addition, the proposed development will bring life back to the subject property on a more consistent basis than had recently been the case with the Lebanese American Country Club use.

### **LIVABILITY**

The proposed development complies with the Livability plan element and its applicable objectives and guidelines. The subject property is located within the Ohio River floodplain and will comply with the Metro floodplain ordinance. The applicant is reusing existing structures, which will be made flood proof. The proposed accessory structures will also be flood proof. Equipment used in the buildings will be designed so it can be moved at times of high water.

The proposed development will also increase the tree canopy on the subject property and will provide traditional and raised bed gardens. The applicant proposes to pave a portion of the parking area with grass pavers, to limit the amount of pavement on the site. The applicant will also comply with MSD water quality requirements for stormwater.

### **HOUSING**

The proposed development complies with the Housing plan element and its applicable objectives and guidelines. The subject property will be an asset to the adjacent Mockingbird Valley neighborhood, providing a food option not currently available in the area. In addition, the proposed development may serve as a “gateway” to the Mockingbird Valley area with an attractive, well-kept commercial facility surrounded by landscaping and gardens.

### **CONCLUSION**

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The proposed redevelopment complies with Plan 2040. The proposed redevelopment will provide a neighborhood scale commercial use at an appropriate location, will reuse an existing non-residential property in the floodplain, will connect customers to the farmers who grow their food, and will provide additional tree canopy and green space.

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## WAIVER JUSTIFICATION STATEMENT

Ashbourne Farms, LLC

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The proposed waiver, which will allow the applicant to provide a 10 foot vehicle use area (“VUA”) landscape buffer area (“LBA”) along Mockingbird Valley Road instead of the required 15 foot VUA LBA, will not adversely affect the adjacent property owners. The waiver is necessary because the applicant proposes to reuse the existing parking area along Mockingbird Valley Road and extend it further down Mockingbird Valley Road southeast towards the Interstate 71 overpass. The existing parking area that the applicant proposes to extend provides only a 10 foot VUA LBA along Mockingbird Valley Road. There will be no adverse impact to adjacent property owners as the proposed waiver will keep the existing VUA LBA consistent with current conditions.

The proposed waiver will not violate the Comprehensive Plan. The property is within the Neighborhood Form District, which the Comprehensive Plan states may include “neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services.” The waiver will permit the applicant to reuse the existing structures formerly used as the Lebanese American Country Club as a retail market, coffee shop, and urban garden. The proposed use is consistent with other small-scale commercial uses in the area such as River Road Barbeque across River Road and the Kingfish and River House restaurants on Mockingbird Valley Road.

The extent of the proposed waiver is the minimum necessary to afford relief to the applicant. The proposed waiver will permit the applicant to simply reuse and extend the existing parking area along Mockingbird Valley Road. The waiver is necessary because the existing parking area—which will be reused and extended—provides only a 10 foot VUA LBA.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant as it would prohibit the applicant from simply reusing and extending the existing parking area, and would require the applicant to reduce the size of the proposed urban garden to accommodate only 5 additional feet of VUA LBA.

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## WAIVER JUSTIFICATION STATEMENT

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The proposed waiver, which will allow the applicant to encroach 3 feet into the 15x100 foot parkway buffer along River Road will not adversely affect the adjacent property owners. The waiver is necessary because the existing parking area—which will be reused—sits within the required parkway buffer. The plan will improve on the existing configuration of the parking area as the existing entrance at Mockingbird Valley Road and River Road will be replaced by an entrance on River Road to the west. Sidewalks and internal pedestrian infrastructure will be added as well. There will be no adverse impact to adjacent property owners.

The proposed waiver will not violate the Comprehensive Plan. The property is within the Neighborhood Form District, which the Comprehensive Plan states may include “neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services.” The waiver will permit the applicant to reuse the existing structures formerly used as the Lebanese American Country Club as a retail market, coffee shop, and urban garden. The proposed use is consistent with other small-scale commercial uses in the area such as River Road Barbeque across River Road and the Kingfish and River House restaurants on Mockingbird Valley Road.

The extent of the proposed waiver is the minimum necessary to afford relief to the applicant. The proposed waiver will permit the applicant to simply reuse the existing parking area and structures. The waiver is necessary because the existing parking area—which will be reused and improved—sits within the required parkway buffer.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant as it would prohibit the applicant from reusing the existing parking area.

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**WAIVER JUSTIFICATION STATEMENT**

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The proposed waivers, which will allow the applicant to not provide a vehicular connection to the adjacent commercial property, will not adversely affect the adjacent property owners. The waiver is necessary because the adjacent property, used as a hotel, is not configured for a vehicular connection and the close proximity of the two properties means that a vehicular connection would not provide any meaningful benefit to either property. The applicant proposes a pedestrian connection between the two properties that will provide a safe and convenient connection for guests at the neighboring property. This will allow guests at the adjacent property full access to the proposed retail market, coffee shop, and urban garden. Providing a vehicular connection would require the adjacent commercial property to sacrifice parking spaces for a connection best provided by a pedestrian sidewalk. Thus, the waiver will not cause any adverse impact to adjacent property owner and will instead minimize the adverse impacts from the proposed development.

The proposed waiver will not violate the Comprehensive Plan. The property is within the Neighborhood Form District, which the Comprehensive Plan states may include “neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services.” The waiver will permit the applicant to reuse the existing structures formerly used as the Lebanese American Country Club as a retail market, coffee shop, and urban garden, and provide a pedestrian connection between the proposed development and the adjacent commercial use. The proposed use is consistent with other small-scale commercial uses in the area such as River Road Barbeque across River Road and the Kingfish and River House restaurants on Mockingbird Valley Road, and the lack of a vehicular connection is consistent with the lack of a vehicular connection between the gas station at the corner of Zorn Avenue and River Road and the same adjacent commercial properties that neighbor the subject properties.

The extent of the proposed waiver is the minimum necessary to afford relief to the applicant. The proposed waiver will permit the applicant to provide only a pedestrian connection to the adjacent commercial property. The waiver is necessary because the adjacent property, is not configured for a vehicular connection and the close proximity of the two properties means that a vehicular connection would not provide any meaningful benefit to either property.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant as it would require both the applicant and the adjacent property to reconfigure their parking and vehicle use areas to provide a vehicular connection that provides no meaningful benefit to either property.

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**WAIVER JUSTIFICATION STATEMENT**

**Ashbourne Farms, LLC**

**3020 River Road**

The proposed waiver will allow the applicant to redevelop the subject property and renovate the existing building on site without providing 50% glazing on either the Mockingbird Valley or River Road facades. The existing building contains minimal glazing at this time. In order to improve the appearance of the building, the applicant will be renovating the structure and providing features to the site that will greatly enhance its appearance.

The proposed waiver will not violate the Plan 2040 Comprehensive Plan. The subject property is located in the floodplain, so improvements to the building are limited by the requirements of the Louisville Metro Floodplain Ordinance. The applicant will enhance the appearance of the subject property through the addition of landscaping and other features that are allowed under the floodplain ordinance.

The extent of the waiver is the minimum necessary to afford relief to the applicant. The proposed building renovation will modify the look of the building with decorative features and landscaping but will not add glazing to the facades.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the subject property. The proposed development must use the existing building in order to comply with the Louisville Metro Floodplain Ordinance. Requiring extensive expenditures on the structure to add glazing would make other parts of the renovation impossible based on the limited improvements available under that ordinance.

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