

**Letter of Explanation
Derby Park RV Resort
2900 South 7th Street Road (the “Property”)**

This Conditional Use Permit (CUP) Application is to allow a camping on the property located at 2900 South 7th Street Road. The Property is approximately 58.04 acres, and is located in the Traditional Workplace Form District and zoned EZ-1. The Property is currently used as an exposition center and hosts concerts, sporting events, and fundraisers, among other events. Additionally, the Property hosts retail businesses including flea markets and food vendors.

The Property fronts South 7th Street Road and is adjoined by a mix of commercial and industrial properties to its south and west; a mixture of commercial and residential properties to its north; and residential properties to its east across 7th Street Road.

The request is for a CUP pursuant to Land Development Code (LDC) Section 4.2.12 to allow a campground on approximately 12.77 acres of the Property located in an area zoned EZ-1. As detailed in the attached plan drafted by Bowman Consulting Group Ltd., the proposed campground area would be located in the western portion of the Property as seen from the right-of-way. No new construction is proposed in connection with this CUP Application.

Request for Relief

The applicant requests relief from the parking requirements for the Property's vehicular use areas under LDC Sec. 4.2.12(G), to permit vehicular parking on the Property's gravel lot. This relief is appropriate primarily due to the short durations of stay for campers using the Property and the lot's compliance with the Comprehensive Plan's goals and policies under the Community Form and Mobility Plan Elements. The Property's current parking design complies with Goal 1 of the Community Form Plan Element as part of the Traditional Workplace Form District because campers will park their vehicles onsite in an off-street lot and the site is served by public transportation. Similarly, granting the requested relief is consistent with Goal 2, Policies 10 and 14 of the Community Form Plan Element which encourages use of existing infrastructure to accommodate campers without the need for additional curb cuts. Existing parking infrastructure supplies adequate parking for bicycles and motorcycles, consistent with Goal 1, Policies 3 and 5.5 of the Mobility Plan Element. The Property will maintain pavement widths for travel lanes in compliance with LDC Sec. 4.2.12(G) and thus also complies with Policy 5.3 of this Plan Element's first goal. Furthermore, the requested relief does not impact the Property's compliance with Goal 3, Policy 14 of the Mobility Plan Element, which notes that parking requirements should take into account the density and relative proximity of residences and businesses in the area; the availability and use of multimodal transportation options; the character and pattern of the Form District; and advances in technology. The Property is zoned EZ-1 and located in the Traditional Workplace Form District, and surrounded by a mix of residential, commercial, and industrial uses. The Property is located along 7th Street Road, a thoroughfare designated as a Major Arterial Road which is served by TARC's local bus route. The Property contains onsite off-street parking for vehicles and possesses adequate parking for bicycles and motorcycles. As such, the Property's current parking design complies with the goals and policies of Plan 2040, and because campers will use the site intermittently, the integrity of the underlying lot will not be degraded due to daily or excessive use. Thus, the request for relief from the design requirements of LDC Sec. 4.2.12(G) is appropriate and maintains compliance with the comprehensive plan.

CONDITIONAL USE PERMIT JUSTIFICATION STATEMENT

2900 South 7th Street Road (“Property”)

23-CUPPA-0054

THIS IS A CONDITIONAL USE PERMIT REQUEST PURSUANT TO SECTION 4.2.12 OF THE LAND DEVELOPMENT CODE (LDC) TO ALLOW A PRIVATE CAMPING AREA IN AN EZ-1 ZONING DISTRICT.

This Property is seeking a Conditional Use Permit (CUP) to allow a private camping area on approximately 12.77 acres of its parcel. The Property is currently zoned EZ-1 and the applicant currently operates an exposition building on the Property. The existing zoning in the surrounding area is a mix of commercial, industrial, and residential uses. The property immediately to the west is zoned EZ-1. The properties immediately to the east are mostly zoned EZ-1 except one manufactured home park zoned R-6. Neighboring properties to the southeast of the site are zoned C-1 or C-2, and abut R-5 and R-7 residential zones. In addition, M-2 industrial zoning is located nearby, less than 600 feet to the southwest. The Property and most of the adjacent property is zoned for commercial or industrial uses. The CUP would not have an adverse impact on the neighbors and is in conformance with the Comprehensive Plan.

Conformance with Comprehensive Plan

Compliance with specific applicable plan elements, goals, objectives, and policies of the Plan 2040 A Comprehensive Plan for Louisville Metro (“Plan”) are set forth in this Justification Statement.

Plan Element 4.1 Community Form. (Goals 1.a, b, c, 2.a, b, c, d, 3.c)

According to LOJIC Online, the property currently lies within the Traditional Workplace Form District. The Traditional Workplace Form District is characterized by predominantly small-to medium-scale industrial and employment uses. Traditional Workplaces are often closely integrated with residential areas, and allow for a mixture of industrial, commercial, and office uses, with adequate buffering of nearby neighbors from noise, odors, lighting, and similar conditions. Traditional Workplaces should be served by public transportation and off-street parking should be encouraged.

The proposed CUP is appropriate for the site. Consistent with Goal 1, Objective (a), the Property is appropriately designed in mass, scale, and style to the buildings in the neighborhood and was previously approved. The applicant seeks the CUP to permit a specified use on the Property and no new construction is proposed. Because no new construction is proposed for the

site, the Property will not adversely impact the surrounding community and will maintain an appropriate design as previously approved, consistent with Objective (b) of Goal 1. The new use allows for operation of an existing business and encourages the enterprise to be located in an area already served by existing infrastructure, consistent with Goal 1, Objective (c).

Consistent with Goal 2, Objectives (a) and (b), the Property is appropriately located and designed to avoid adverse impacts to the existing form of the Traditional Workplace. The Property's existing design will not be altered because no new construction is proposed. Existing off-street parking and sidewalks will accommodate future campers without the need to construct additional parking areas or enlarge existing curb cuts, thereby avoiding negative traffic impacts and preserving the area's walkability. Additionally, the Property is located along a local TARC bus route with multiple stops near the Property, thereby permitting appropriate access and connectivity to the Property through multiple means of transport, consistent with Objectives (c) and (d).

Goal 3 seeks to enhance neighborhoods through, among other things, integrating open space into development where appropriate. Consistent with Objective (c), granting the applicant's proposed CUP would make use of the Property's existing space for recreational camping purposes while remaining compatible with the architectural designs prevalent in the surrounding community. The requested CUP seeks to approve a specified camping use and does not propose altering the built environment, thereby ensuring that existing neighborhood form and character are preserved.

Plan Element 4.2 Mobility (Goals 1.a, 2.a, b, 3.c, d)

The plan element of Mobility promotes effective connectivity through the community via a safe and effective transportation system. The intent of Goal 2, Objectives (a) and (b), is to prioritize maintenance of existing transportation infrastructure while encouraging a multimodal transportation system which efficiently accommodates users' travel demands. According to LOJIC Online, the Property abuts 7th Street Road, classified as a Major Arterial street. A Major Arterial street is typically characterized by high levels of traffic mobility and serves major urban activity centers. As such, public transportation serving Major Arterial streets anticipate higher levels of ridership than public transportation exclusively serving Local Roads or Minor Arterials. Consistent with this Goal and Objectives, the proposed CUP will not include new construction activities, thereby eliminating any construction traffic induced therefrom. The CUP will maintain existing transportation infrastructure while avoiding negative impacts to the Property's existing mobility characteristics because no construction is planned. Because no new construction is proposed, the area's density figures will not be affected by the proposed campground and sight distances will remain compatible with existing road design. Existing parking infrastructure, including designated parking spaces for bicycles, scooters, and motorcycles, will also be preserved to maintain visual compatibility while accommodating future campers' multimodal means of travel to the Property. Similarly, the site's existing mobility characteristics will not be altered, thereby preserving the

existing sidewalk infrastructure which provides direct access to multiple TARC stops near the Property, consistent with Goal 1, Policies 1.4, 1.6, and 1.7.

Goal 3 of the Mobility plan element is to encourage land use and transportation patterns that connect Louisville Metro and support future growth. The location is already connected to existing transportation infrastructure along a highly traveled roadway with parking to accommodate various forms of travel, consistent with Objective (c). Allowing the operation of an existing business to include a private campground encourages an appropriate mix of uses for the site to include recreational opportunities. By expanding the types of uses permitted at the Property, the proposed CUP would diversify the uses of the site to include recreational camping opportunities, thereby diversifying the character of the surrounding neighborhood without impairing the accessibility or safety of the Property's existing mobility features, consistent with Objective (d).

Plan Element 4.3 Community Facilities (Goals 2.c, d)

Although the proposal does not include any new community facilities, it does comply with Policy 1 of Goal 2 of the Community Facilities plan element. The development is located in an area that is being served by existing utilities or capable of being served by public or private utility extensions. In addition, the Shively Fire Department will provide fire safety services to the site and the Shively Police Department will provide police service to the site.

Plan Element 4.4 Economic Development (Goals 1.c, d, 2.d)

The intent of the Economic Development plan element is to provide a framework for a healthy economic climate. Goal 1 aims for Louisville Metro to provide an economic climate that improves growth, innovation, investment and opportunity for all. Objectives (c) and (d) help achieve this goal by facilitating redevelopment of available underused land. The proposed CUP directly meets these objectives by facilitating development of otherwise underused land for use as a campground. The site's location in an EZ-1 zone along a Major Arterial roadway is proper pursuant to Policy 3, and will not intensify the site's land use compared to existing conditions. By authorizing the proposed campground use, Metro will signal its commitment to creating an economic climate which encourages the full utilization of available land in areas characterized by a mixture of land uses.

Policy 2 of Goal 2 of this plan element encourages opportunities for adaptive re-use and encourages infill development through flexible land use regulations. The proposed CUP fits squarely within this policy because it will allow for a change in a portion of the Property's use without adversely impacting the surrounding neighborhood. The low impact resulting from use of a portion of the site as a campground ensures that the site will not host more intensive land uses

such as the distilleries located nearby, while presenting an opportunity to diversify the commercial and economic potential of the Property.

Plan Element 4.5 Livability (Goals 1.d, 4.a, d, f)

The intent of the Livability plan element is to provide guidance and direction for the provision and maintenance of resources necessary for the health and well-being of the citizens. Policy 7 of Goal 1 is to ensure appropriate landscape design standards for different land uses within different areas, while Policy 12 aims to minimize impervious surfaces in development. Here, no new construction is proposed and thus no increase in impervious surface area or building footprint will occur to the Property in connection with the requested CUP. In addition, the Property will retain sufficient access for emergency vehicles, consistent with Policies 10 and 25. According to LOJIC Online, the proposed camping area will not be located in the floodplain. Although the Property falls within the Louisville Jefferson Combined Sewer Floodprone Area, the proposed campground will be located outside the contours of the Combined Sewer Floodprone Area, which mainly impacts the portion of the Property abutting Wathen Lane. Further, the proposed CUP complies with Policy 31 because the Property currently possesses sufficient parking to accommodate future campers, and its location along a Major Arterial roadway will ensure minimal impacts to air quality resulting from traffic in connection with the proposed campground.

Objective (a) of Goal 4 of this plan element is that land use patterns provide mobility choice and access to multi-modal transportation options, while Objective (d) aims to identify and protect floodprone areas. As noted above, the proposed campground's location provides access to multiple means of travel and is located outside of flood zones and combined sewer floodprone areas. Furthermore, because no new construction is proposed in connection with the requested CUP, the site's existing features will be maintained, including impervious surface area, landscaping, and tree canopy coverage, consistent with the above Objectives and Objective (f).

Plan Element 4.6 Housing (Goals 2.b, e, 3.d)

The Housing plan element seeks to enhance housing opportunities to all citizens of Louisville. Specifically, Goal 2 of this element is to facilitate the development of connected neighborhoods with an objective to promote infill development and adaptive re-use. The area can be fairly characterized as an actual mixed-use neighborhood. The Property is primarily used for commercial purposes and is zoned EZ-1 which is characterized by a mixture of commercial, industrial, and residential uses, which holds true for the Property's surrounding community. The Property's location along a Major Arterial roadway and current parking infrastructure permit access to the site through multimodal means of travel. The proposed CUP will not involve new construction and does not present an increase of land use intensity comparative to its current use. Although the Property's proposed CUP is not necessarily designed to expand residential uses, the CUP would permit the adaptive reuse of a portion of the site as a campground and promote the full

utilization of the Property's available land without disrupting existing housing patterns. Furthermore, granting the requested CUP is consistent with Goal 3 of this plan element because the proposed CUP would not displace any existing residence, and the Property would maintain its visual and use compatibility with the surrounding area.