

Planning Commission

Staff Report

August 20, 2024



Case No:	24-ZONE-0026
Project Name:	N English Station Road Areawide Rezoning
Location:	1408 – 1412 N English Station Road
Owner(s):	Louisville Metro
Applicant:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	17 – Markus Winkler
Case Manager:	Dante St. Germain, AICP, Senior Planner

REQUEST

- **Change in zoning** from R-4 Single Family Residential to PRD Planned Residential Development

CASE SUMMARY

The subject site is located on N English Station Road north of the intersection with Old Henry Road, and consists of three contiguous parcels currently developed with two single-family residences. This property is owned by Louisville Metro Government, who proposes to rezone the site in an areawide zoning in order to permit use of the site for flexible single-family housing. The Louisville Metro Planning Commission instructed the Office of Planning to research this in resolution 2024-001.

The site is located in the Berrytown neighborhood. Single-family residential development is located across N English Station Road, with industrial development behind that. Multi-family development and a fire station are located nearby to the south across Heafer Road. The site is otherwise surrounded by single-family residential uses.

STAFF FINDING

Staff finds that the proposed zoning change meets the guidelines of the Comprehensive Plan and the Berrytown Neighborhood Plan.

TECHNICAL REVIEW

No outstanding technical issues.

The site is within the study area for the Berrytown Neighborhood Plan. The neighborhood plan recommends that tree canopy in the neighborhood be preserved and/or increased such that the overall tree coverage of the neighborhood reaches or exceeds 40%. The neighborhood plan also recommends increasing owner occupancy of residences, and maintenance of, or an increase in, affordable housing.

INTERESTED PARTY COMMENTS

Three neighborhood informational meetings were conducted. Neighborhood meeting minutes have been published with this staff report. Additionally, staff received three interested party emails, which have also been published with this staff report.

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING

The site is located in the Neighborhood Form District

The Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. 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 will contain diverse housing types in order to provide housing choice for differing ages, incomes and abilities. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to, large lot single family developments with cul-de-sacs, traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other streets, villages and zero-lot line neighborhoods with open space, and high density multi-family housing.

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, bicycle and transit. Neighborhood streets may be either curvilinear, rectilinear or in a grid pattern and should be designed to support physical activity for all users and invite human interaction. Streets are connected and easily accessible to each other, using design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets. Examples of design elements that encourage this interaction include narrow street widths, street trees, sidewalks, shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The proposed zoning district is a single-family residential district, permitting one principal dwelling unit, and potentially one accessory dwelling unit, per lot. While a property owner may choose to rent out their property, units in a PRD district can also be owner-occupied. The proposed district thereby complies with the recommendations of the neighborhood plan in this respect. Planned Residential

Development also requires a certain amount of open space, in which trees can be preserved, which also complies with the recommendations of the neighborhood plan. Finally, residences in the PRD zoning district can be on smaller lots, and potentially be attached to neighboring residences, which makes housing more affordable, complying with the final applicable recommendation of the neighborhood plan. More affordable units with reduced yards and reduced maintenance requirements additionally support aging in place, potentially permitting residents who already live in Berrytown to remain in the neighborhood as they age.

The proposed zoning district is in compliance with Plan 2040.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

REQUIRED ACTIONS

- **RECOMMEND** that Metro Council **APPROVE** or **DENY** the **Change-in-Zoning** from R-4 to PRD

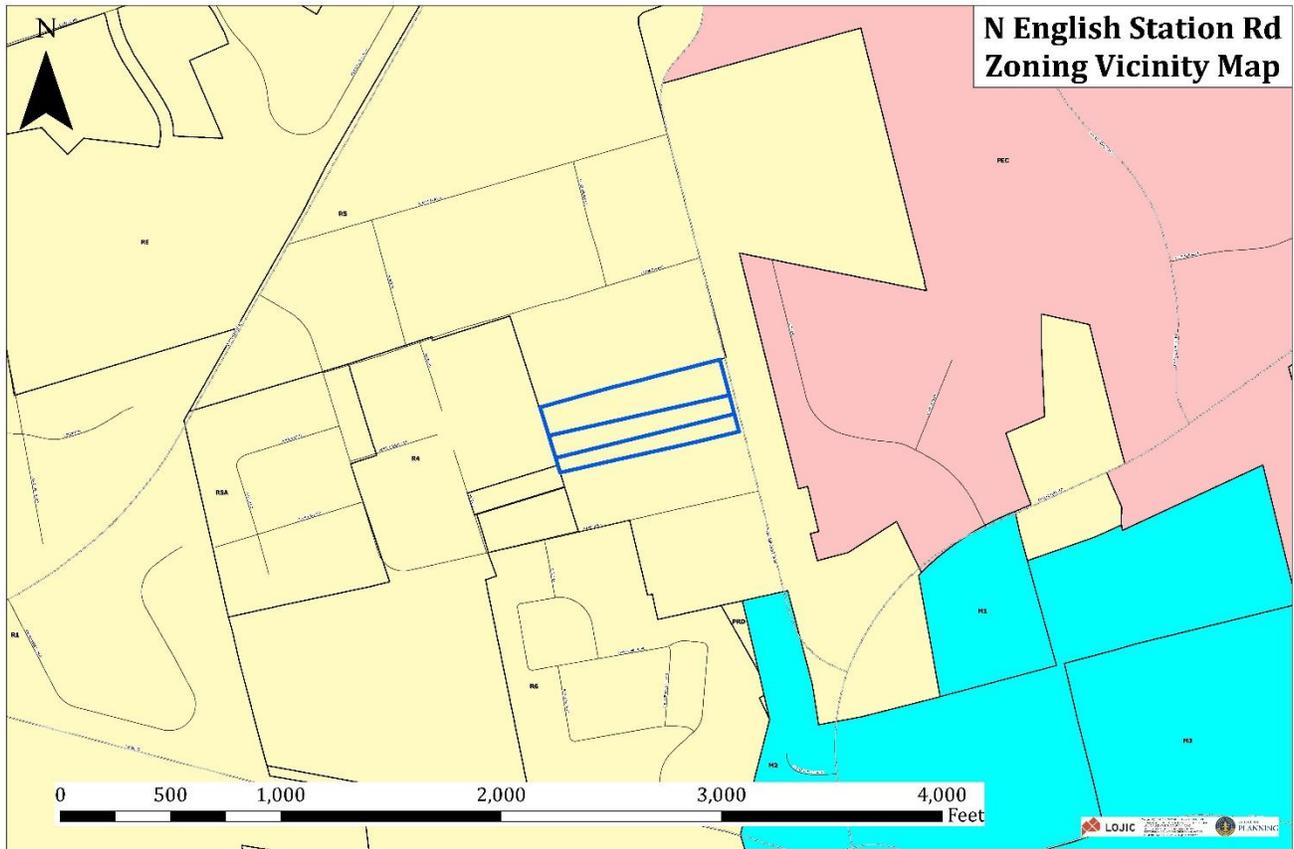
NOTIFICATION

Date	Purpose of Notice	Recipients
07/03/2024	Hearing before LD&T	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 17
08/06/2024	Hearing before PC	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 17
07/29/2024	Hearing before PC	Sign Posting on property
08/09/2024	Hearing before PC	Legal Advertisement in the Courier-Journal

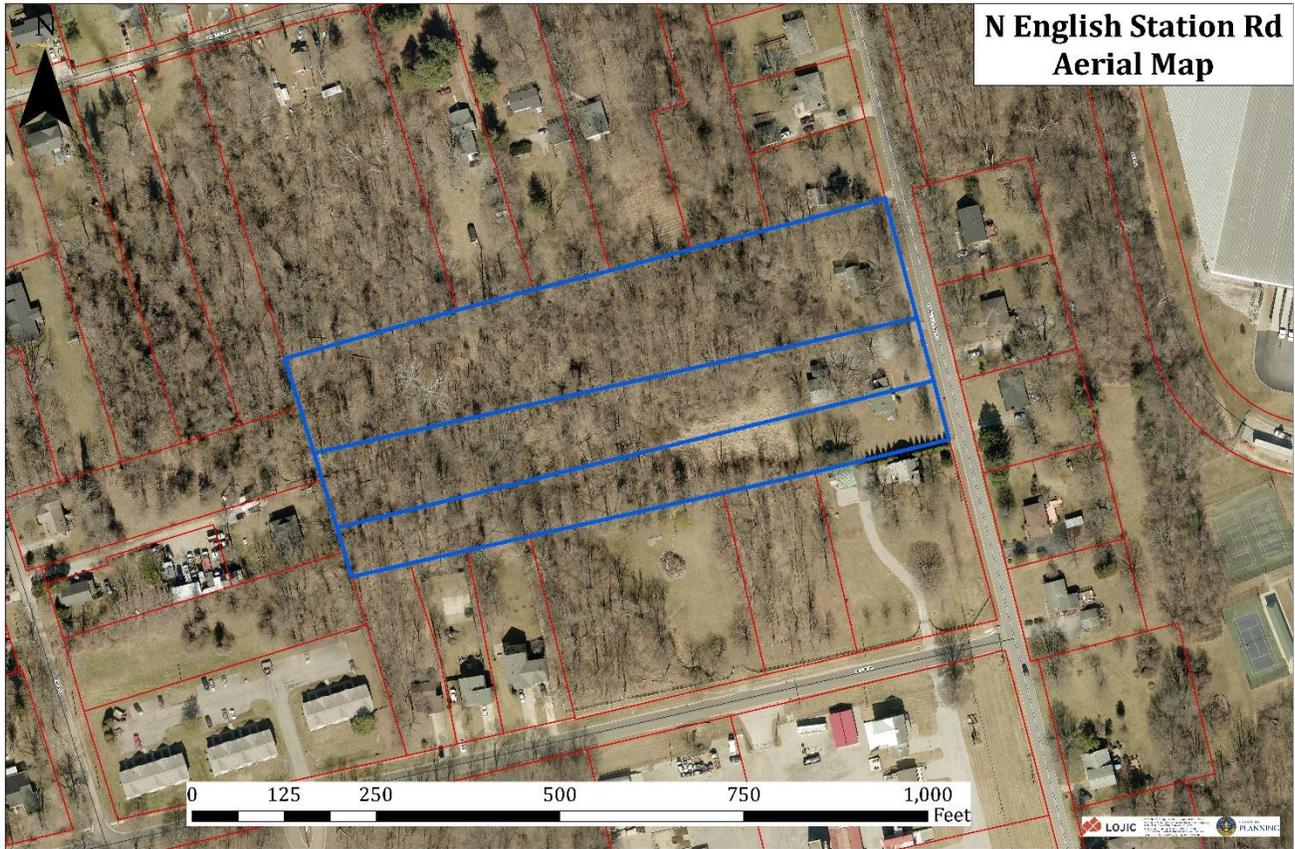
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Staff Plan 2040 Checklist

1. **Zoning Map**



2. Aerial Photograph



3. Staff Plan 2040 Checklist

+	Exceeds Guideline
✓	Meets Guideline
-	Does Not Meet Guideline
+/-	More Information Needed
NA	Not Applicable

Neighborhood: Residential

Plan 2040 Plan Elements/Staff Analysis	
1	<p><u>Community Form: Goal 1, Policy 7.</u> <i>Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned.</i></p> <p>✓ <u>Staff Analysis:</u> The site is located close to Heafer Road, a transit corridor. The proposed zoning district would not permit higher density or intensity uses.</p>
2	<p><u>Community Form: Goal 1, Policy 9.</u> <i>Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.</i></p> <p>✓ <u>Staff Analysis:</u> The proposed zoning district and the surrounding development are not substantially different in scale or intensity.</p>
3	<p><u>Community Form: Goal 2, Policy 9.</u> <i>Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.</i></p> <p>✓ <u>Staff Analysis:</u> The proposal would permit new developments providing residential uses.</p>
4	<p><u>Community Form: Goal 3, Policy 10.</u> <i>Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.</i></p> <p>✓ <u>Staff Analysis:</u> No wet or highly permeable soils, or severe, steep or unstable slopes are evident on the site.</p>
5	<p><u>Community Form: Goal 4, Policy 2.</u> <i>Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.</i></p> <p>✓ <u>Staff Analysis:</u> No distinctive cultural features are evident on the site. The existing homes on the site will be re-used if they are salvageable.</p>
6	<p><u>Community Form: Goal 4, Policy 3.</u> <i>Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.</i></p> <p>✓ <u>Staff Analysis:</u> No distinctive cultural features are evident on the site. The existing homes on the site will be re-used if they are salvageable.</p>
7	<p><u>Mobility: Goal 1, Policy 4.</u> <i>Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.</i></p> <p>✓ <u>Staff Analysis:</u> The proposal is not for higher density or intensity zoning.</p>

Plan 2040 Plan Elements/Staff Analysis

8	<p><u>Mobility: Goal 2, Policy 4.</u> Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.</p> <p>✓ <u>Staff Analysis:</u> Access to the site is via N English Station Road, a primary collector at this location.</p>
9	<p><u>Mobility: Goal 3, Policy 2.</u> To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.</p> <p>✓ <u>Staff Analysis:</u> The site is easily accessible by bicycle and car. Access by transit, pedestrians and people with disabilities will be improved by redevelopment of the site.</p>
10	<p><u>Mobility: Goal 3, Policy 5.</u> Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.</p> <p>✓ <u>Staff Analysis:</u> Transportation Planning has approved the proposal.</p>
11	<p><u>Mobility: Goal 3, Policy 6.</u> Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.</p> <p>✓ <u>Staff Analysis:</u> Transportation Planning has approved the proposal.</p>
12	<p><u>Mobility: Goal 3, Policy 9.</u> When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.</p> <p>✓ <u>Staff Analysis:</u> Transportation Planning has approved the proposal.</p>
13	<p><u>Mobility: Goal 3, Policy 10.</u> Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.</p> <p>✓ <u>Staff Analysis:</u> Transportation Planning has approved the proposal.</p>
14	<p><u>Mobility: Goal 3, Policy 21.</u> Prevent safety hazards caused by direct residential access to high speed roadways.</p> <p>✓ <u>Staff Analysis:</u> No direct residential access to high-speed roadways is proposed.</p>
15	<p><u>Community Facilities: Goal 2, Policy 1.</u> Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.</p> <p>✓ <u>Staff Analysis:</u> The relevant utilities have approved the proposal.</p>
16	<p><u>Community Facilities: Goal 2, Policy 2.</u> Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.</p> <p>✓ <u>Staff Analysis:</u> Louisville Water Company has approved the proposal.</p>
17	<p><u>Community Facilities: Goal 2, Policy 3.</u> Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).</p> <p>✓ <u>Staff Analysis:</u> MSD has approved the proposal.</p>
18	<p><u>Livability: Goal 1, Policy 5.</u> Encourage development that recognizes and incorporates the unique characteristics of identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.</p> <p>✓ <u>Staff Analysis:</u> Tree canopy exists on the site. A minimum of 20% tree canopy preservation will be required by the Land Development Code.</p>
19	<p><u>Livability: Goal 1, Policy 17.</u> Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.</p>

Plan 2040 Plan Elements/Staff Analysis

✓	Staff Analysis: No karst terrain is evident on the site
20	<p>Livability: Goal 1, Policy 21. <i>Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.</i></p> <p>✓ Staff Analysis: The site is not located in the floodplain.</p>
21	<p>Housing: Goal 1, Policy 1. <i>Encourage a variety of housing types including, but not limited to, detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing. Allow for accessory residential structures and apartments. Housing types should reflect the Form District pattern.</i></p> <p>✓ Staff Analysis: The proposal would increase the variety of housing types and price points in the neighborhood.</p>
22	<p>Housing: Goal 1, Policy 2. <i>Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.</i></p> <p>✓ Staff Analysis: The proposal would support aging in place by permitting new housing with a lower maintenance requirement than a detached home on a 9,000 sf lot.</p>
23	<p>Housing: Goal 2, Policy 1. <i>Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.</i></p> <p>✓ Staff Analysis: The proposal would encourage inter-generational mixed-income development that is connected to the neighborhood and surrounding area. The proposed zoning district would permit a mixture of unit types.</p>
24	<p>Housing: Goal 2, Policy 2. <i>Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.</i></p> <p>✓ Staff Analysis: The proposal is not for higher density zoning.</p>
25	<p>Housing: Goal 3, Policy 1. <i>Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro.</i></p> <p>✓ Staff Analysis: The proposal would encourage provision of fair and affordable housing by increasing the variety of ownership options and unit costs in Louisville Metro.</p>
26	<p>Housing: Goal 3, Policy 2. <i>As neighborhoods evolve, discourage displacement of existing residents from their community.</i></p> <p>✓ Staff Analysis: No existing residents will be displaced by the proposal.</p>
27	<p>Housing: Goal 3, Policy 3. <i>Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.</i></p> <p>✓ Staff Analysis: The proposed zoning district would permit innovative methods of housing.</p>