

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

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## STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE “PLAN 2040” COMPREHENSIVE PLAN

<u>Applicant:</u>	Sunshine Builders, LLC d/b/a Old Heady Development, LLC c/o Damon Garrett
<u>Owner:</u>	Todd A. Bridwell and Daniel T. Bridwell
<u>Project Location:</u>	Block 47, Lots 292, 293, 294 (no address per PVA and LOJIC)  Between Chenoweth Run Rd and Saddle Bend Way off Taylorsville Rd in SE Louisville Metro
<u>Proposed Use:</u>	Mixed residential community of 2 different homes types
<u>Request:</u>	Steep Slope/Density Transfer Subdivision under LDC Section 4.7.7 and zone change from R-4 to R5A
<u>Engineers, Land Planners, Landscape Architects:</u>	Land Design & Development, Inc.

### INTRODUCTION

This Compliance Statement applies to the rezoning portion of this Application Package, although the descriptions and explanations herein describe the entire proposed development, not just the small rezoning portion hereof.

As overall planned, it is a residential ownership community of 119 single-family and 30 patio home style condominium homes on respectively 49.7 and 6.6 acres. As such, it is proposed by a seasoned and respected Louisville home builder with many years of custom home building experience who in recent years entered the patio home and multi-family markets as well with several new communities constructed or planned to offer a combination of diverse housing types. The developer's intention is to serve the market's demand for a wider range of housing types than just standard single family and more than just large custom homes, which are demand-limited. This particular site was chosen because it adjoins other owner-occupied home communities and because of its proximity and ease of access to Taylorsville Road which in turn provides easy access to the city of Jeffersontown and all that it offers in terms of schools, churches, shopping and employment to the west and to the Snyder Freeway and its interchange-located activity center to the east.

### PLAN ELEMENT 4.1: COMMUNITY FORM

The Application Package filed herewith complies with Plan Element 4.1, its 5 Goals and their Objectives, plus the following Policies.

As to Goal 1, Policies 2, 2.1, 3.1.3, 4, 5, 6, 7, 9 10, 11, 14, 16, 17, 18, 19, 20 and 23, it complies as follows, in addition to the other ways set forth above and below: The site is located in the Suburban Neighborhood Form District which encourages low to high density uses and a range of housing opportunities, including both those shown on the proposed project's combined detailed district development plan (DDDP) and subdivision plan. Proposed density in this instance is in the medium range, as contemplated by these

Policies. The design, heights and square footages of the proposed housing are also contemplated by these Policies as appropriate for this Form District, as found in the neighborhoods adjoining this one. While not exactly the same density and home types and designs as residences proximate hereto, what's proposed here is surely compatible enough, because the Comp Plan does not recommend or even anticipate lock-step or near lock-step densities, types and designs from one street or neighborhood to the next. Even setbacks and heights aren't contemplated as being the same; just "compatible", being as they are without requested variances or waivers.

Located as this community is, not all that far from the heart of Jeffersontown and also from the Taylorsville Road/Snyder Freeway interchange activity center, the same factor of travel distances for purposes, for example, of shopping, employment, services and school apply to this proposed residential community as to those adjoining it. With good roads, sidewalks and connectivity, relative ease of access and transportation viability are addressed. This improves people's lives and contributes to better air quality.

The brick and quality siding components and traditional style and design of both proposed home types also assure compatibility with adjoining residential uses. And as a consequence of what surrounds this proposal and the fact that this is a proposed residential community, same as the adjoining uses, impacts such as odors, lighting, noise and aesthetic factors will not prove to be nuisance factors.

As to Goal 2 generally, which has to do with the placement and design of activity centers, it complies given that most homes in Suburban Neighborhood Form Districts are not located exactly next door to or really very near to built or planned shopping centers and schools. Some lucky ones are. This one, however, is, as said, "close enough" to the heart of Jeffersontown and also to the existing and expanding activity center at the Snyder Freeway interchange with Taylorsville Road. As such, and with good pedestrian and vehicular access through other neighborhoods and to Taylorsville Road, the community is well planned and located. Also, as such, it will add to the opportunities existing and planned in this high growth area to reside in relatively close and convenient proximity to places of employment, food, shopping, worship and education.

As to Goal 3, Policies 1, 2, 3, 6, 7, 8, 9, 10 and 13, it complies as follows, in addition to the other ways set forth above and below: The subdivision plan for the proposed "steep slopes/density transfer" subdivision and DDDP for the proposed condominium community filed as part of the Application Package includes communal open spaces for passive enjoyment by residents. Those spaces will be maintained in perpetuity by a community association legally organized for and run by residents.

As to Goal 4, this is not a historic site with historic buildings.

As to Goal 5, the proposed community is neither large nor public enough to include an element of public art.

#### **PLAN ELEMENT 4.2: MOBILITY**

This Application Package complies with Plan Element 4.2, its 3 Goals and their Objectives, plus the following Policies. As to Goal 1, Policy 1; Goal 2, Policies 1, 2, 3, 4, 5, 6, 7 and 8; and Goal 3, Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, 18, 19 and 20, it complies as follows, in addition to the other ways set forth above and below: This proposed community (located as it is within an existing and growing, large Suburban Form District, with good access via collector and local streets to and from a nearby arterial road and thereby well connected as it is proposed to be, is clearly part and parcel of good pedestrian, bicycle and road networks. Locating its development along and with access to and from these road networks, the aforementioned developer will construct sidewalks and roads according to Land Development Code and Metro Public Works and Transportation Planning (MPW&TP) standards. In doing so, it will prepare construction plans that assure safe access with good site distances and turning radii. Bike racks and

handicapped parking spots will be installed if and where required. All drive lanes, parking spaces and stub connections will be designed in accordance with MPW&TP requirements. These are preliminarily depicted on the DDDP filed with this application. Also a Traffic Impact Study (TIS) will be prepared and submitted if required MPW&TP. Thus far, one has not been required. TARC service is unavailable in suburban residential neighborhoods like this but is available nearby along Taylorsville Road. All necessary utilities are located proximate to this site and accessible by it via public right of way or easements.

#### **PLAN ELEMENT 4.3: COMMUNITY FACILITIES**

This Application Package complies with Plan Element 4.3, its one applicable Goal and Objectives, plus the following Policies. As to Goal 2, Policies 1, 2 and 3, it complies as follows, in addition to the other ways set forth above and below: Water, sanitary sewer (see further below), gas, electric and cable services can all cost-affordably be delivered to this site. Fire and EMS are located in Jeffersontown as are schools, library and a community center.

#### **PLAN ELEMENT 4.4: ECONOMIC DEVELOPMENT**

This Application Package complies with Plan Element 4.4, its applicable Goal 2 and Objectives, plus the following Policy. As to Goal 2, Policy 1, it complies as follows, in addition to the other ways set forth above and below: As Louisville Metro's population continues to grow, so does demand for housing of all types. This proposed residential community is part of a developer response to that demand, and as such both stabilizes and offers increased opportunities for employment in the building trades and associated industries. It also increases the tax base essential to the provision of government services.

#### **PLAN ELEMENT 4.5: LIVEABILITY**

This Application Package complies with Plan Element 4.5, its applicable Goal 1 and its Objectives, plus the following Policies. As to Goal 1, Policies 1, 2, 5, 6, 7, 8, 10, 11, 12, 13, 16, 17, 23, 26, 27, 28, 29, 30, 31, 32, 33 and 35, it complies as follows, in addition to the other ways set forth above and below: The DDDP filed with this Application Package shows how storm water is proposed to be addressed, including where detention is anticipated to be located such that post development rates of run-off will not exceed pre-development conditions. Sanitary sewer service is available by lateral extension to the Cedar Creek regional wastewater treatment plant. More specifically, present plans anticipate this community's sanitary sewer lines to connect at the existing pump station at Saratoga Springs, which MSD will require this developer to then eliminate, directing both existing and new sanitary flow to a pump station at Stone Lakes. The regulated stream through this site will be left mostly as is, except for where it will be crossed. Measures will also be taken to assure that erosion and sediment impacts are fully controlled and/or mitigated. As mentioned above, given the location of this proposed community where it is with convenient road access to Jeffersontown and the Snyder Freeway via Taylorsville Road, air quality impacts will be minimized because vehicle miles travelled are reduced.

#### **PLAN ELEMENT 4.6: HOUSING**

This Application Package complies with Plan Element 4.6, its 3 Goals and their Objectives, plus the following Policies. As to Goal 1, Policies 1, 2 and 3; Goal 2, Policies 1 and 2; and Goal 3, Policies 1, 3 and 4, it complies as follows, in addition to the other ways set forth above: Designed as it is as a part standard single-family, 6000 square foot minimum lot and part patio home style condominium community connected through other neighborhoods and via a collector level road to Taylorsville Road, the proposed community provides added diversity in housing to different family types and age groups and will provide those individuals and families with good access to all that Jeffersontown has to offer and to the activity center at the Snyder Freeway at Taylorsville Road. And because of the different style and design of proposed patio

home style condominium units, one can expect empty-nesters as their principal occupants, with families mostly occupying the proposed single-family homes.

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For all of the above-stated reasons, those shown on the detailed district development plan and those explained at the LD&T meeting and Planning Commission public hearing, this Application Package complies with all other applicable Goals, Objectives and Policies of the "Plan 2040" Comprehensive Plan.

Respectfully submitted,

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