

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BUILDING • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

STATEMENT OF COMPLIANCE WITH THE APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Owner: Stars Properties, LLC

Applicant: Hagan Properties, Inc

Project Name: La Grange Road Office

Location: 12610 La Grange Road

Proposed Use: Office

Engineers, Land Planners and
Landscape Architects: Land Design & Development, Inc.

Attorneys: Bardenwerper, Talbott & Roberts, PLLC

Request: Rezoning from R-4 to OR-3 and Amendment to existing
binding elements to comport with new zoning plan

RECEIVED

AUG 17 2014
PLANNING &
DESIGN SERVICES

INTRODUCTION

The subject property has been of great interest to multiple commercial developers especially since the time that LaGrange and Westport Roads became a major interchange. That occurred in conjunction with several events, notably the closing of Old Reamers Road and creation of the new Reamers Road and widening of Reamers Road at its intersection with LaGrange Road and also the development of a large new Forest Springs retail center along LaGrange Road west of this location. Also, growing development that has occurred in this area, residential and industrial alike, brings residents and workforce to the area in search of services.

Most recently a gas and food mart presented an application to rezone this property to C-1. It ran into considerable public resistance. Previous to that, at least one pharmacy also began the process of rezoning and also ran into considerable public opposition. Opposition was based on multiple factors, including added traffic, the linear extension of commercial development down LaGrange Road, impacts on nearby residential subdivisions, etc.

This developer has chosen a different path in order to take advantage of the high visibility of this location along a well-trafficked arterial thoroughfare. As importantly, this applicant needs to relocate its current headquarters facility from a building within a large retail shopping center and would like to do so in close proximity to where the owners of this company reside, which is Pewee Valley. This property, having been controversial for so long with neighbors, appears perfect to the developers for their intended use. And as a recent neighborhood meeting appears to indicate, this is a view shared by neighbors – which is for a small, site-sensitive, office facility.

This developer has proposed, in accordance with the colored-up site plan and elevation renderings accompanying this application, a low scale, architecturally significant building for its single, small

14ZON1036

headquarters use. In addition to the proposed office building, likely to have a basement beneath it (which may be used in part for office use and part for storage), the applicant is also proposing a barn-like garage building on the property that will be utilized as an accessory building to the main use – to park some vehicles and store office files and equipment.

COMMUNITY FORM – GUIDELINE 1

This application complies with this Guideline of the Comprehensive Plan because it is located in a Suburban Neighborhood Form District, which is characterized by predominantly residential uses but also uses that blend compatibility in existing landscape and neighborhood areas. The Suburban Neighborhood Form District also contains open space and, at appropriate locations, offices as well as retail shops, restaurants and services. The proposed small individual corporate office use is one of those uses contemplated for this particular form district, and the design of the site plan as well as the architecture of the building take into account, as recommended by this Guideline, a blending of compatibility with the inclusion of open space. It also has good access that will not negatively impact the traffic-carrying capacity of LaGrange or Reamers Roads. Sidewalks will be provided. Trees will be retained.

CENTERS – GUIDELINE 2

This application complies with this Guideline of the Comprehensive Plan because, as set forth in the Intent statements of this Guideline, this use will efficiently utilize vacant land and existing infrastructure, and will even address the issue of commuting times and distances because the owners of the proposed corporate headquarters building live just a short distance away. Further, the site design and building architecture that are evident on the drawings accompanying this application evidence the fact that this application creates a very appropriate use of space which will fit well within the larger neighborhood.

This application also complies with Policies 1, 2, 4, 5, 7, 8, 11, 12, 13, 14 and 15 of this Guideline for these reasons. This location is at the intersection of an arterial (LaGrange Road) and a major collector (Reamers Road) street. Considering the size and location of this property (which is really too large and at a busy intersection for a new residential use to replace the dilapidated residential structure existing on this site) and considering the fact that the particular small corporate headquarters use proposed for this location is comparable to its own small designated center, this is an appropriate location for what is proposed. Further, development of this site is compact, leaving lots of existing trees. It adds an office, not a commercial, use to this major arterial, which is a corridor connecting the Eastpoint Business Park and nearby large commercial Forest Springs center to Oldham County as well as to residential and workplace developments nearby. Also, as opposed to prior commercial uses proposed for this site, this small corporate headquarters use is a desirable one, as far as early meetings with neighbors have determined. Also, a small office headquarters use such as this is appropriate in an area where people reside, especially given the fact that the business owners reside nearby. Also, as evident on the site plan and in the architectural renderings accompanying this application, it is evident that significant design detail is at play in this case. The focal point is the high level of architectural design in the headquarters building as well as the key elements of landscape that have been retained on this site. Parking utilizes the already existing asphalt area which has been further designed in an environmentally sensitive way as will be further explained by the land planners and engineers (Land Design and Development – LDD) at the LD&T meeting and public hearing. Utilities are available. Parking is surrounded by attractive intensive landscaping.

RECEIVED

AUG 11 2014

PLANNING &

DESIGN SERVICES

1470NB1036

COMPATIBILITY – GUIDELINE 3

This application complies with this Guideline of the Comprehensive Plan because it evidences in both site design and building architecture that the proposed land use is sensitive to nearby neighborhoods. It also helps preserve the character of the site, which is heavily treed and of a high visual quality, not emitting noise, lighting, odors or the kinds of nuisances that would adversely affect nearby neighbors.

This application also complies with Policies 1, 2, 4, 5, 6, 7, 8, 9, 12, 20, 21, 22, 23, 24, 25 and 28 of this Guideline for reasons set forth as follows. The design of the building, evident from the architectural renderings accompanying this application, is obviously one that has involved great care and planning. It is “modern” in many elements, characteristic of some famous architecture, notably Frank Lloyd Wright and Mies van der Rohe. The building materials will be further explained by the building architect at the LD&T meeting and public hearing, but suffice it for this Compliance Statement to say that they were selected to blend with the landscape. Earth tone colors are evident in the building façade. Windows have a tendency to reflect the outdoors, but are also a very evident building material evidenced in most nearby residential structures. Further, the low rise of the principal office building combined with the barn style design of the accessory garage building will go well with the type of architecture as well as the size and scale of the buildings in the area. Also, this particular small, corporate headquarters use will not cause odors, traffic, noise, lighting or other visual impacts that will negatively impact the neighborhood. That is because an office use of this size does not create much traffic, there are no odors associated therewith, and lighting will only consist of an amount necessary for security and perhaps some minimal amount of building and landscaping accent. Accessibility to the site has been approved by Metro Transportation Planning. Protection of existing landscape assures good transition between this and adjoining or nearby residential uses. They also assure protective buffers. Buildings are adequately set back. Parking is minimized. The only sign will be attractive and within size and height limitations of the sign regulations of the Land Development Code (LDC).

OPEN SPACE - GUIDELINE 4, NATURAL AREAS, SCENIC AND HISTORIC RESOURCES - GUIDELINE 5, and LANDSCAPE CHARACTER – GUIDELINE 13

This application complies with these Guidelines of the Comprehensive Plan because, as noted hereinabove, the site plan clearly evidences a design that enhances the quality of the aesthetic environment. It assures that trees will be protected as noted on the concept tree preservation plan filed with this application.

This application also complies with Policies 1, 2, 5, 6 and 7 of Guideline 4, with Policies 1 and 2 of Guideline 5 and Policies 1, 2, 3, 4, 5 and 6 of Guideline 13. This site, as evidenced from the site plan accompanying this application, has been designed with the idea that much of it has been retained as open space, respecting significant trees, including natural features. Further, the interest of historic preservationists in this property or the existing structure can be accommodated with photographs of same. It is not an old enough building to have historic value. Moreover, it's dilapidated. The landscaping proposed for this site is evident on the concept landscape plane filed with this application. As noted above, significant existing trees will be retained and enhanced with new landscaping to provide for, not just compliance with, the LDC. But the landscaping is of a high quality and significance as desired both by this developer (which will locate its headquarters building on this location) and by neighbors. Also, this landscaping will help to screen and buffer nearby residences and protect the property's aesthetic quality.

RECEIVED

AUG 11 2014

PLANNING &

DESIGN SERVICES

1420NE10.36

ECONOMIC GROWTH AND SUSTAINABILITY – GUIDELINE 6

This application complies with this Guideline of the Comprehensive Plan because, located as this site is along a major arterial in close proximity to residential, commercial and workplace properties in a form district where a low intensity office use of this kind is deemed appropriate, it promotes a business at a location where infrastructure and support population are available.

CIRCULATION – GUIDELINE 7, TRANSPORTATION FACILITY DESIGN – GUIDELINE 8, and BICYCLE, PEDESTRIAN TRANSIT – GUIDELINE 9

This application complies with this Guideline of the Comprehensive Plan because the detailed district development plan (DDDP) filed herewith was prepared in compliance with all Metro Transportation Planning and Public Works requirements as respects Policies 9, 10, 11, 14, 15, 16 and 19 of Guideline 7, Policies 5, 9, 10 and 11 of Guideline 8, and Policies 1, 3 and 4 of Guideline 9. That is to say that the DDDP addresses adequacy of right-of-way and parking, corner clearance and site distance standards, access and parking lot design, internal circulation, and the provision of bicycle and sidewalk facilities. Furthermore, LaGrange and Reamers Roads have adequate traffic-carrying capacity for a small corporate office facility of this kind.

STORMWATER – GUIDELINE 10 and WATER QUALITY - GUIDELINE 11

This application complies with these Guidelines of the Comprehensive Plan because on-site detention and water quality measures will be provided.

AIR QUALITY - GUIDELINE 12

This application complies with this Guideline of the Comprehensive Plan because locating a small corporate office building in close proximity to residential properties reduces commuting time and distance.

* * *

For all of these and other reasons set forth above, this application complies with all other Intents, Policies and Guidelines of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

William B. Bardenwerper
Bardenwerper Talbott & Roberts, PLLC
Building Industry Association of Greater Louisville Building
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223

RECEIVED

AUG 11 2014

PLANNING &

DESIGN SERVICES