

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

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

Applicant/Owner: M. J. Klein, LLC c/o Larry R. Klein

Location: 284, 284R & 286 Ridgeway Ave. & 4041 Westport Rd.

Proposed Use: Off-street parking

Request: Conditional Use Permit to allow off-street parking in an R-5 zone along with a

Engineers, Land Planners and  
Landscape Architects: BTM Engineering, Inc.

### **SUMMARY STATEMENT**

This application is for a Conditional Use Permit (CUP) and related CUP Plan, as well as a Revised Detailed District Plan to allow for parking and construction of a new two-story building for the existing Willis Klein business, which has continued to experience growth in its business at the site and needs additional office space and additional parking to accommodate this growth. The existing Willis Klein business lot is zoned C-2. The CUP Area is .35 acres and is zoned R-5 with the requested CUP to add parking in this area. The applicant is proposing a 10,800 square foot building, in addition to the already existing 16,175 square foot Willis-Klein showroom, which will remain as the showroom.

### **GUIDELINE 1 –COMMUNITY FORM: SUBURBAN NEIGHBORHOOD AND TOWN CENTER**

The form districts for this property are Suburban Neighborhood and Town Center. The proposed CUP parking area is located within the Suburban Neighborhood form district to serve the Willis Klein business located in the Town Center form district. This application complies with this form districts because, for starters, the Town Center form district clearly contemplates a destination use such as the Willis Klein locksmith business and retail kitchen and bath showroom material and appliance sales currently occupying the existing building, and parking is always essential in an adequate supply to serve those uses. The Suburban Neighborhood form district provides for CUP parking areas that blend naturally into the existing business operations such as the one in this case.

### **GUIDELINE 2 - CENTERS**

The CUP application complies with the Intents and Policies 1, 2, 4, 5, 7, 8, 9, 11, 13 and 15 of this Guideline as follow.

The Willis Klein business, located in a Town Center, is in an activity center with all of the surrounding commercial businesses, and the CUP parking area will add necessary parking for the this activity center business. Infrastructure already exists at the site, including an existing parking lot on the site. The added parking area is to provide more space for the Willis-Klein showroom, which serves the residential homes in the surround St. Matthews area will continue to provide much needed services very readily accessible by the population in the area, and with this support population, there is the opportunity to reduce commuting time and transportation-related air pollution by allowing this long time local business to continue to grow. When the applicant acquired the property there was an existing shed building on the property in the area of the new proposed two story building, with the new proposed building much smaller than the unsightly shed that was removed (the area of the old shed is shown on the Plan). The applicant's business has continued to grow and the new building is designed to allow the existing building to be used as a showroom with the existing offices in the current building being located into the new proposed building.

Also, as stated, this site is already part of an activity center, surrounded in all directions except north, by additional commercial activity. By improving utilization of this site, that adds to compact development. The business expansion of the applicant's long standing business adds to a strong mixture of uses that feed off one another.

Also, the parking lot CUP area and the existing parking lot will look as one with one shared access rather than a creation of an additional access. Recall that this is an already built site except for the additional parking that is subject of the CUP application. Parking will be screened from the adjoining residential homes as shown on the Plan.

### **GUIDELINE 3: COMPATIBILITY**

The CUP application complies with the Intents and Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 20, 21, 22, 23, 24 and 29 of this Guideline as follows.

Because this application simply represents a proposed new building to provide additional parking to meet the parking demands of the applicant, the proposed CUP site is compatible with what already exists on the C-2 zoned portion of the property. The Residential compatibility resulting from the new CUP parking lot is assured because of good transitions, including appropriate screening and buffering as determined throughout the course of the Board of Zoning Adjustment (BOZA) reviews of the transition and buffering. The applicant shall provide screening and buffering to make sure that the added parking does not adversely impact the few adjoining residential properties to the north and west. The applicant will provide details of the building materials and elevations for the new proposed building for review to ensure it is compatible with the existing building and residential and retail character of the area.

Also, because this is an addition to an existing parking lot and existing retail use, the CUP application does not involve odor, traffic, noise, lighting or visual impact issues, especially in light of the screening and buffering of adjoining residential properties that will be provided as determined throughout the agency review process.

### **GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY**

The CUP application complies with the Intents and Policies 1, 2, 3, 5, 6 and 11 of this Guideline as follows.

The proposed new office building is in the area of a dilapidated shed on the property that was removed by the applicant due to its unsightly nature and is proposing to replace with a new carefully designed building. Willis Klein is currently one of the largest retail sellers of kitchen and bath materials in the Commonwealth of Kentucky, it is seeking the RDDDP and CUP to allow for the continued growth of the business rather than moving to a new location to accommodate the growth. If the applicant had to move the business, a number of the C-2 users that could purchase the property could result in more negative impacts than current. It also helps reduce public and private costs for new land development when existing and underutilized buildings, like this, can be utilized instead through expansion. Because surrounding area includes a major population base, the expansion of the existing business insures adequate access between employment centers, retail centers, and population centers. As noted above, this stretch of Poplar Level Road is also an activity center where a variety of office, service and commercial uses already exist.

### **GUIDELINES 7 AND 8: CIRCULATION AND TRANSPORTATION FACILITY DESIGN**

These CUP application complies with the Intents and Policies 1, 2, 3, 4, 10, 11, 12, 13, 14, 15 and 16 of Guideline 7 and Policies 4, 9, 10 and 11 of Guideline 8 as follows.

First and foremost, the Plan accompanying this application has been designed taking into account Metro Transportation Planning and Metro Public Works standards with respect to safe, proper functioning of the Ridgeway Avenue and Westport Road street systems, ensuring that this expansion of this business use will not result in traffic exceeding the traffic-carrying capacity of Ridgeway Avenue or Westport Road, as this would just provide for an enlarged showroom and more office space for employees, the access and parking should prove adequate, and that there are good corner clearances and sight distances. Prior to BOZA approvals, Metro Transportation Planning and Metro Public Works must provide their preliminary "stamp" of approval on these plans, demonstrating compliance with those agencies' traffic and transportation design standards.

### **GUIDELINE 9: BICYCLE, PEDESTRIAN AND TRANSIT**

The CUP application complies with the Intents and Policies 1, 2 and 3 of Guideline 9 as follows.

This office use will be readily accessible by bicycles, pedestrians, and transit users, being located along a transit line.

### **GUIDELINES 10 AND 11: FLOODING, STORMWATER, AND WATER QUALITY**

The CUP application complies the Intents and Policies 1, 3, 6, 10 and 11 of Guideline 10 and Policies 1, 3 and 4 of Guideline 11 as follows.

Among other things, post-development rates of runoff may not exceed predevelopment conditions. To the extent that detention is needed or inadequate at present, it will be provided or a capacity fee will be paid to MSD. Also, in all CUP Site Plan instances like this, because this is

a discretionary review, it provides opportunities for potential existing problems to be reviewed and possibly addressed as well. If parts of the existing storm water system involving these properties are not presently operating according to regulation, those systems will have to be improved. Also, at time of construction, erosion and sedimentation control regulations of MSD must be satisfied. The same is true of MSD's new water quality standards which will have to be addressed within any new parking lots.

### **GUIDELINE 12: AIR QUALITY**

This application complies with the Intents and Policies 1, 2, 3, 5, 6, 8 and 9 of this Guideline as follows.

As stated above, because this existing use is located along Westport Road and is easily accessible and with a large support population nearby, this proposed new building and parking area better utilized the property and will help reduce vehicle miles traveled because residents will have added opportunities to work and shop in close proximity to where they live, or to seek the services provided on the way to and from work

### **GUIDELINE 13: LANDSCAPE CHARACTER**

The CUP application complis with the Intent and Policies 1, 2, 4, 5 and 6 of this Guideline as follows.

First and foremost, the application will need to comply with the Land Development Code (LDC) requirements as respects landscaping, screening and buffering both in and around the perimeter of the parking lot and along Ridgeway Avenue. Tree canopy requirements will be met. Screening and buffering will be provided, along with landscaping, as determined throughout the review processes.

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For all of the above-stated reasons, plus those that will be further explained at the public reviews, this application complies with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

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