

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

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

Applicant/Owner: 4229 SMS, LLC, c/o Don Mucci

Location: 4229 Taylorsville Road

Proposed Use: Attached homes on single family lots

Engineers, Land Planners and  
Landscape Architects: Mindel, Scott & Associates

Requests: Change in Zoning from R-4 to PRD and submission  
of a preliminary subdivision plan

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### INTRODUCTION

The purpose of the Planned Development (PRD) District is to provide flexibility in layout and design of residential developments in a manner that promotes implementation of the Cornerstone 2020 Comprehensive Plan. The PRD district allows for zero lot line homes, cluster housing, reduced lot sizes and building setbacks, and other innovative designs which meet the intents of the Comprehensive Plan, all of which this development plan complies with. In that regard, the PRD regulation requires that a PRD plan shall meet at least two of the following criteria:

1. The site has certain topographic and landform limitations or environmental constraints and the proposed plan preserves these features from development and disturbance; or
2. The site meets infill objectives consistent with recommendations of an officially adopted neighborhood plan, corridor plan or Urban renewal plan; or
3. The proposal creates a variety of housing styles serving the needs of people of differing ages or incomes; or
4. The proposal expands the diversity of housing types available within a neighborhood; or
5. The proposal creates permanently protected open space that meets outdoor recreation needs, preserves wildlife habitat, or extends a community-wide greenway system.

This proposed PRD home style development meets at least two of the above criteria, notably numbers 3 and 4, and 5 because this is a community intended for younger professionals and empty-nesters who most often young without children and elderly retired people who are interested in maintenance free living, as opposed to that form of housing that still predominates most of Metro Louisville – i.e., standard single family homes on larger lots which residents are normally expected to maintain by themselves. This particular area of Metro Louisville is like almost all others where traditional style, detached single family homes are the norm. There are very few maintenance free housing options in the area that allows homeownership. The proposed maintenance free homes community of attached housing on smaller lots thus adds to

the diversity of housing types in this area and will supply needed housing under demand for the differing age base of the community. The owner is also considering renting the units for a time before selling, which also would help fill a need for homeowners not wanting ownership. The smaller lots also allow for the implementation of permanent green space along Taylorsville Road.

The Cornerstone 2020 Comprehensive Plan also strongly supports the provision of affordable and appropriate housing, and this new and additional housing option will provide just that being in a different price point than the surrounding residential homes.

### **GUIDELINE 1 - COMMUNITY FORM**

Located in the Neighborhood Form District, the site's location on Taylorsville Road ensures easy access to the nearby "activity centers" just west of the site with an abundance of commercial uses. This proposal will provide this area with new, attractive, housing choices for residents who desire to live in this community but prefer lower maintenance, less demanding style living. Major commercial land uses to the west and further down Taylorsville Road east of the site in close proximity to the subject property will especially make this an attractive location for home buyers, who will include mostly "empty-nesters" and "millennials" that is to say, a few young childless singles and mostly older, often retired, singles and couples. The existing services and infrastructure on the Taylorsville Road corridor makes this area extremely popular.

Gross density will be in the low density range. Buildings will be constructed of attractive building materials (brick and hardy plank/vinyl siding) and will feature architectural details similar to those in other nearby residential neighborhoods in order to ensure that the scale and appearance of this community will be compatible with the existing communities in this area.

This site is located along a bike route and there are TARC stops both east and west of the site which will provide safe areas for pedestrians and bicyclists to travel to nearby neighborhoods. Open space areas are identified on the accompanying development plan and will provide natural space for residents' recreational needs. Perimeter setbacks and landscape buffer areas are preserved along all property lines to screen resident activities from adjoining property owners. The HOA will contract with professional groundskeepers for care of the common areas including the entrance frontage, buffers and open space areas, as is typical for planned condominium communities. These features will further serve to keep resident activities away from adjoining properties and to ensure a positive overall appearance for this proposed community.

### **GUIDELINE 2 - CENTERS**

The proposed development conforms with the overall Intent of and specifically with Policies 4, 5, 12, 13, and 14 of Guideline 2 for all the reasons listed above and because it will make efficient use of available property that lies within the Neighborhood Form District and is located in an area where residents currently seek new housing options and have easy access to nearby commercial and employment centers. The variety of home style homes that will be available at the development will diversify housing options in this area. Future residents will also support the businesses and services in nearby activity centers. Future residents will find that the ease of access to retail development on Taylorsville Road, Breckenridge Lane and Hurstbourne Parkway, and to other nearby activity centers is an amenity. The proposed development will connect to existing utilities available at the applicant's cost, eliminating the need for costly utility extension and reducing the overall public costs for infrastructure. The landscaped entrance and

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well-defined internal streets provided, as well as the architectural building style and natural open spaces provided within the proposed community will combine to provide residents with a sense of place and recreational space.

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### **GUIDELINE 3 - COMPATIBILITY**

The proposed development conforms with the overall Intents of and specifically with Policies 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 21, 22, 23, and 28 of Guideline 3 for all the reasons described above and because the proposal is a low density development with compensating open space. Also the buildings will be single-story and constructed with attractive building materials and in a traditional design styles to blend easily with adjoining neighborhoods, albeit with an upgrade on some of the older, deteriorating properties in the area. Perimeter landscaping is provided along all property lines, and preserved to the extent possible. The subject property is adjoined on the east, west, north and south by residential land uses. This application will remain residential, thus preserving this area of Taylorsville Road as a residential area. This proposal will support a better selection of housing options in this area. Many “empty nester” and “millennials” resident prefer housing that provides them access to all the positive attributes of a specific community, but do not desire to purchase and maintain a typical single family home, thus requiring alternatives that support a better mixture of residential density and intensity land uses.

Sidewalks are provided along Taylorsville Road will accommodate pedestrian and bicycle transportation as well as support connectivity with nearby communities. Handicap parking, access for the disabled and other safety measures will be provided in accordance with law. Further access and connectivity is ensured as shown on the development plan. Odor and air quality concerns related to traffic congestion or delay will be mitigated by the fact that the internal road and sidewalk system is efficiently organized to control traffic flow and prevent delays with the provision of street connections adjoining communities, sidewalks, and safe access for automobiles, pedestrians and bicycles. Refuse will be picked up on a regular basis in separate containers for each home, as in any residential development in the area. Lighting will be residential in character in conformance with Land Development Code regulations.

The proposed development conforms specifically with Policy 28 of Guideline 3 because all signage will be in conformance with Land Development Code regulations.

### **GUIDELINES 4 and 5 -OPEN SPACE / NATURAL AREAS AND SCENIC AND HISTORIC RESOURCES**

The proposed development conforms with the overall Intents of and specifically with Policies 1, 3, 5, 6 & 7 of Guideline 4 and with the Intents of Guideline 5 for all the reasons described above and because it will feature open spaces interspersed among the buildings that will be available for low impact recreational use by residents and will serve to provide natural areas and an overall positive appearance for the community. Landscaping will also be provided along property perimeters, along street frontage and around buildings. Maintenance of landscaping, natural and open space areas will be done by professionals and contracted for by the HOA. No portion of the subject property has been designated as a natural, historic or scenic preservation site. Nevertheless, the original home on the property, which is already zoned OR, is being preserved, remodeled and moved to the front of the site next to Taylorsville Road.

**GUIDELINE 6 - MARKETPLACE**

The proposed development conforms with the overall Intents of and specifically with Policies 1, 2 and 6 of Guideline 6 because, as noted above, future residents will support and be supported by the businesses, services, schools and churches emerging in and around this site and nearby activity centers. This proposal also reduces public costs for land development by utilizing connections to existing infrastructure for water, sewer, electric and phone services. The development, as proposed, will provide easy access to Taylorsville Road and I-265 and several other roads in the area, and from there to greater Louisville employment and commercial centers.

**GUIDELINES 7, 8 & 9 – CIRCULATION; TRANSPORTATION FACILITY DESIGN  
and BICYCLE, PEDESTRIAN AND TRANSIT**

The proposed development conforms with the overall Intents and Policies of Guidelines 7, 8 and 9 because the applicant has limited access to only Taylorsville Road. The entrance from Taylorsville Road, along with the street and sidewalk system will provide safe, controlled and efficient traffic flow to and through the community, as well as accommodate and support the needs of pedestrians and bicycle traffic. Taylorsville Road is adequate to handle the amount of traffic generated by this proposal. By the time of LD&T and the public hearing, the accompanying plan will have received the preliminary stamp of approval from Metro Works, thus further demonstrating this project’s compliance with all of the transportation Guidelines and Policies of the Comprehensive Plan.

**GUIDELINES 10, 11 and 12 - FLOODING AND STORMWATER, WATER QUALITY  
and AIR QUALITY**

The proposed development conforms with the overall Intents and Policies of Guidelines 10, 11 and 12 because no portion of the site lies within the 100 year floodplain, all drainage will comply with MSD requirements, and this development plan will receive preliminary approval by MSD. Louisville Water Company will provide water to the site. A soil and sediment erosion control plan will also be implemented. Air quality will remain at good levels because, as noted above, the proposed internal road system and controlled entrance will distribute traffic to reduce air quality impacts relating to congestion or delays. Also, home style housing generates much less traffic on a per unit basis than standard single family homes, and home residents, who are mostly empty-nesters and childless millennials, generally who do not have as large an impact on morning and evening peak hour traffic.

**GUIDELINE 13 – LANDSCAPE CHARACTER**

The proposed development conforms with the overall Intents and Policies of Guideline 13 for all the reasons described above and because landscaping will be provided around buildings, along the Taylorsville Road entrance and frontage, along public streets internally, and along property perimeters as noted above and to be shown at LD&T and the public hearing. Open space has been preserved for a positive natural appearance and for recreational use by residents and as focal points. Tree canopy requirements have been met, as noted on the development plan.

**GUIDELINE 14 – INFRASTRUCTURE**

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The proposed development conforms with the overall Intents and Policies of Guideline 14 because, as noted above, water, sewer, electric and phone connections are available by nearby connection to ensure a reduced cost for infrastructure.

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For these and other reasons to be presented at LD&T and the public hearing, this application also complies with all other applicable Guidelines and Policies of the new Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

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