

Justification Statement/Statement of Compliance with the Cornerstone 2040 Comprehensive Plan

Case No. _____

Project Name: Hines Court Apartments

Location: 1213 Hines Court

Owner: Gregory Properties, LLC

Applicant: Gregory Properties, LLC

Proposed Use: Multi-family

Proposed Zoning District and Use: Zoning District Change from R4 to R6

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The proposed Zoning District change is consistent with the Neighborhood Form District. The proposed R6 zoning is compatible with the demand for moderately priced housing in the Area. There is R5A zoning for affordable housing immediately adjacent to this site. Across the street from this location is a large several hundred-unit R6 apartment development called Avoca apartments across Heafer Road from the site. In addition, there are other apartments R5 and R5A zoning in the Berrytown neighborhood. This site is situated close to the Eastpoint Business Park which has a variety of PEC and M1 and M2 zoning. Much of the surrounding zoning remains R4. The site is close to Berrytown Park.

The zoning change is compatible with Plan 2040 in the following ways:

- The proposed use is compatible with all adjacent uses in compliance with the Community Form Guidelines and specifically with Policy 3.1.3. This is an appropriately scaled residential use in the Neighborhood Form District, a district which has uses that vary from high to low density. This use will blend compatibly into the existing neighborhood areas and landscape. In addition, the housing type will bring a desired and well-designed housing product to the area, providing needed diversity to the housing stock in the area.
- This site is located in proximity to major transportation facilities such as Interstate 265 and located between LaGrange Road (which is a minor arterial) and North English Station Road (which is a Primary Collector). North English Station Road connects to Old Henry Road providing access to Interstate 265 as well as the Shelbyville Road commercial corridor or alternatively, in the other direction to LaGrange Road leading also to Interstate 265 as well as connectivity to Chamberlain Lane. TARC has a local route along Heafer Road which is around 175 feet from the site in question. While there is no sidewalk between the subject site and the existing sidewalk along Heafer Road, Hines Court, is a short, dead end street which would allow easy pedestrian access to the existing sidewalks along Heafer Road. This does not detract from the Goals of the Mobility Guidelines in

the Comprehensive Plan to help connect the metro area and support future growth and improve mobility in the metro area by reducing vehicle miles traveled.

- The proposed use is designed to be compatible with the immediately adjacent property and with many of the nearby uses, it will not result in damage to the character of the existing neighborhood and will not be a use that will cause a nuisance either, through noise, light or odors. The building closest to Hines court will have a façade facing Hines Court that is consistent in look and character to the residential uses along Hines Court. In addition, the development itself will provide additional buffer and screening for Hines Court from the adjacent apartment complex managed by the City of Louisville.
- The proposed development complies with the policies that are required and that are applicable pursuant to the Land Development Code. The elevations and renderings included with the application will demonstrate that the proposed buildings will be attractive and compliant with the development code addressing any design or aesthetics concerns and will reflect feedback from the neighbors. Furthermore, the enclosed site plan demonstrates compliance with set-backs. The applicant will comply with all necessary tree-canopy and landscaping requirements. All buffering requirements will be satisfied except for a waiver being requested from Section 10.2.4 Table 10.2.3 to allow a 5' landscape buffer area along the north property line rather than the required 15' landscape buffer area. To mitigate this waiver, the applicant proposes, in addition to the required 1.5 planting multiplier in the landscape buffer area to construct a privacy fence along the property boundary to enhance the screening. The current Land Development Code design process addresses many of these issues, and also will require lighting be directed down and away from adjoining residential uses. Furthermore, no odors are expected to emanate from the proposed building and all activities will be limited to car traffic, anticipated to be mostly during daylight hours. The proposed buildings are buffered from any nearby houses and no hazardous materials are anticipated to be used in the buildings.
- This proposed development will comply with applicable water management requirements. First, Storm Water Management requires MSD review and is addressed in detail on the submitted detailed district development plan. There is a proposed detention pond at the eastern portion of the site which also contains a walking path as an additional amenity. Second, Water Quality is also subject to the regulatory authority of MSD and will be addressed by the district development plan. Third, Air Quality is subject to the authority of the Air Pollution Control District and will also be addressed on the district development plan and subject to review by that agency. Any items not addressed on the development plan will need to be addressed in order to obtain building permits (e.g. silt fencing, drainage basin compensation) etc.... The intent of these guidelines is to protect the air and water quality and to ensure damage to streams and nearby properties is minimized by property drainage system design. Since this is a new development all of the appropriate regulatory review will occur and be complied with.

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- The proposed use will comply with the Landscape and Tree Canopy requirements in a manner consistent with Community Form Goal 3. Tree canopy will be preserved where possible (consistent with Community Form Goal 4) or added to as is appropriate and in compliance with the Land Development Code. Where possible, the mature trees along the northern boundary and in the eastern portion of the site will be preserved, contributing to and preserving the greenspace of the area. The submitted plans will be further refined and reviewed by Planning Commission staff and the Applicant site engineering firm in order to ensure compliance.

For the above reasons, as well as the materials submitted with the application and during the application process as well as the testimony to be given at the upcoming public hearings, this application complies with the intent, the relevant policies and the Guidelines of Plan 2040.

Respectfully,

Kyle P. Galloway

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