

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

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

Applicant/Owner: Joe Burnett, Jr.

Location: 905 E. Oak Street

Proposed Use: Antique Store and Short-Term Rental

Engineers, Land Planners and  
Landscape Architects: Prism Engineering

Request: Zone change from M-2 to C-2

### **COMMUNITY FORM**

*Goal 1 – Guide the form and design of development to respond to distinctive physical, historic and cultural qualities.*

The proposed zone change and detailed district development plan (DDDP) complies with applicable Objectives a, b, c, & f and applicable Policies 6, 7, 8, 15, 16, 17, 18 and 21 as follows:

The proposed change in zoning to C-2 complies with Goal 1 in several ways. First, this development will take an existing under-utilized building and modify same only to the extent of allowing C-2 uses which is consistent with the Traditional Neighborhood Form and will continue to allow property to provide low intensity retail services and short-term rental to serve the redeveloping Shelby Park/Smoketown area. The “anchor” tenant of this development will continue to be the first-floor antique store for the immediate future.

The development and proposed zone change will remain compatible with the scale and site design of nearby existing developments because virtually no physical changes are being proposed. It is not a non-residential expansion into existing residential areas and in fact with the short-term rental proposed the project introduces a residential occupancy in a formerly industrial area formerly in decline that is being redeveloped. The site is located at the intersection of two transit corridors (East Oak and Logan Streets) and does not permit hazardous uses or uses that would produce nuisances.

*Goal 2 – Encourage sustainable growth and density around mixed-use centers and corridors.*

The proposed zone change and DDDP complies with applicable Objectives b & d and Policies 1, 4, 5, 6, 7, 8, 9, 10 and 11 as follows:

The proposed change in zoning from M-2 to C-2 to allow additional uses will encourage sustainable growth and avoid the above referenced potential decline and will continue to provide appropriate commercial activity with its adaptive reuse around a mixed-use center and along commercial corridors compatible with the Traditional Neighborhood Form District and existing infrastructure.

*Goal 3 – Enhance neighborhood by protecting and integrating open space, watershed and other natural resources.*

The proposed zone change and DDDP complies with applicable Objectives a, c & d and Policies 9, 10, 11 and 12 as follows:

The proposed development plan will enhance the surrounding neighborhood by not diminishing any open space or natural resources and will repurpose the existing structure built in the early 1880s within an existing activity center. Access to the site is not through areas of lower intensity and is accessible by multi-modal forms of transportation. There will be no impact on existing transportation infrastructure and no additional roadway improvements are necessary. The site and surrounding area have sidewalks and is a very walkable area.

*Goal 4 – Promote and preserve the historic and archaeological resources that contribute to our authenticity.*

The proposed zone change and DDDP complies with applicable Objective b and Policies 1 & 2 as follows:

The rezoning and development plan will preserve an existing building and use of the retail activity center through interior renovations with no exterior changes resulting from this adaptive reuse.

## **MOBILITY**

*Goal 1 – Implement an accessible system of alternative transportation modes.*

The proposed zone change and DDDP complies with applicable Objectives a, b & e and Policy 4 as follows:

The development plan evidences the current existing physical condition of the property which contains an accessible system of alternative transportation modes of travel through sidewalks and connections between the uses for bicycles and pedestrian traffic. The site is served by public transportation through multiple TARC bus lines adjacent to the property encouraging efficient access and minimizing distances of travel. It also continues to place higher density and intensity near existing commercial corridors and along the minor arterial streets.

*Goal 2 – Plan, build and maintain a safe, accessible and efficient transportation system.*

The proposed zone change and DDDP complies with applicable Objectives a, b & e and Policy 4 as follows:

The development plan complies with the objectives and policies of Goal 2 by promoting safe, accessible and efficient transportation uses by accommodating pedestrian, bicycle and vehicular access with traffic likely to be routed along East Oak Street.

*Goal 3 – Encourage land use and transportation patterns that connect Louisville Metro and support future growth.*

The proposed zone change and DDDP complies with applicable Objectives a, b, c, & d and Policies 1, 2, 3, 4, 5, 6, 9 and 10 as follows:

The development plan complies with the objectives and policies of Goal 3 by providing walking and bicycling opportunities with the sidewalks and interconnected walkways and by providing a mix of complimentary neighborhood serving businesses, services and reducing miles travelled by car by providing the activity center the tools to survive into the future. The plan will not burden the transportation network but will allow the site to continue to be consistent with the purpose of the Traditional Neighborhood. The plan is consistent with long range transportation plans of the community. The parking requirements of the site consider the density of the use and the character and pattern of the Form District in that it will continue to serve the community in the same way that it currently serves, with the only change being the addition of a short-term rental unit. The plan also satisfies the policy of supporting biking and pedestrian travel by providing for those modes of access.

### **COMMUNITY FACILITIES**

*Goal 2 – Plan for community facilities to improve quality of life and meet anticipated growth.*

The proposed zone change and DDDP complies with applicable Objective b and Policies 1, 2, & 3 as follows:

This development plan is not a community facilities plan, but it does locate development in areas currently served by existing infrastructure, it has adequate water supply and access to sewers and all necessary utilities so as to not burden existing or future community facilities.

### **ECONOMIC DEVELOPMENT**

*Goal 1 – Provide an economic climate that improves growth, innovation, investment and opportunity for all.*

The proposed zone change and DDDP complies with applicable Objectives a, c, d, f & h and Policies 3, 7, & 9 as follows:

This development plan complies with Goal 1 of Economic Development as it provides economic climate that improves growth, innovation, and investment opportunity for all by reusing and redeveloping an historic retail property currently zoned M-2 for different uses serving the surrounding community. It locates these new potential uses in an area with existing infrastructure in an efficient manner increasing economic opportunities in the area.

### **LIVABILITY**

*Goal 1 – Protect and enhance the natural environment and integrate it with the built environment as development occurs.*

The proposed zone change and DDDP complies with applicable Policies 17, 21 and 24 as follows:

The development plan complies with the objectives and policies of Goal 1 of Livability element in that it provides pedestrian and bicycle connectivity while not creating any appreciable new traffic for the area. There are no karst features on the site which is not located in a regulatory flood plain.

## **HOUSING**

The proposed zone change and DDDP complies with applicable Objectives and applicable Policies of Goal 1, 2, & 3 as it is an adaptive reuse which preserves an historic structure in an existing activity center near residential areas, thereby strengthening and supporting the housing in the area. This use will facilitate connected and mixed-use areas and ensure long term affordability and inter-generational living options for all in the community in a multi-modal transportation corridor with access to neighborhood goods and services. No residents will be displaced by this proposal which permits an innovative method of housing.

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For all of these and other reasons set forth on the Detailed District Development Plan accompanying this application and in accordance with evidence to be presented at Planning Commission public hearings, this application will comply with all other applicable Objectives and Policies of the Plan 2040 Comprehensive Plan.

Respectfully submitted,

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