

JUSTIFICATION STATEMENT
Change in Zoning
R-6 Multi-Family Residential to C-1 Commercial
611 - 617 Baxter Avenue
Louisville, Kentucky

CASE NO. 17611

The property owner, The Glenmary Investment Group, LLC, is seeking a change in zoning from R-6 Multi-Family Residential to C-1 Commercial on the properties located at 611 – 617 Baxter Avenue. Three of the four lots comprising the subject property contain nonconforming uses, including a law office and property management company office, and the remaining lot contains a single family dwelling. The existing building located at 613 Baxter Avenue, which is structurally unsound, is proposed to be removed and replaced with a building that is consistent in character and compatible with surrounding buildings. The proposed rezoning will allow a mixture of neighborhood-serving commercial, office, and residential uses that will integrate compatibly into the surrounding area. As more fully explained herein, the proposed rezoning complies with the Cornerstone 2020 Comprehensive Plan (the “Comprehensive Plan”) and, therefore, should be approved.

GUIDELINE 1
COMMUNITY FORM

The proposed rezoning complies with Guideline 1 of the Comprehensive Plan because the subject property is located within an existing activity center along the Baxter Avenue commercial corridor in the Traditional Neighborhood Form District. The properties immediately to the south of the subject property as well as directly across Baxter Avenue are zoned C-1 Commercial. The proposed development will introduce a mixture of neighborhood-serving uses, including offices and shops, in an appropriate location and will preserve the existing grid pattern of streets, sidewalks, and alleys. Adequate parking is provided on site and on the adjacent street to accommodate the needs of the proposed development. The parking area is located behind the buildings and will be accessed from the rear consistent with a traditional pattern of development. The proposed new building construction incorporates materials and design features that are compatible with the character of the surrounding area and comply with the Traditional Neighborhood design standards set forth in the Land Development Code.

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GUIDELINE 2 CENTERS

The proposed rezoning complies with Guideline 2 of the Comprehensive Plan because it will encourage new development and rehabilitation of existing buildings to provide a mixture of commercial, office, and residential uses. The subject property is located in an existing commercial activity center along Baxter Avenue, with commercial uses immediately to the south and across Baxter Avenue to the west, and residential uses to the north and east. The proposed development will contribute to the overall mixture of uses in the area, is compatible with the existing development pattern, and consistent with the Traditional Neighborhood Form District. The subject property is currently served by all necessary utilities and infrastructure, and the proposed development will preserve existing buildings, streets, alleys, and sidewalks. The subject property is located along a busy commercial corridor that is served by public transit, public sidewalks exist along the frontage, and parking is located at the rear to balance safety, traffic, transit, pedestrian, and aesthetic concerns. Consequently, the proposed development is compact and will result in the efficient use of land. The proposed mixture of compatible uses will reduce vehicle trips, support the use of alternative forms of transportation, and encourage vitality and sense of place in this traditional neighborhood. Therefore, the proposed rezoning complies with Guideline 2 of the Comprehensive Plan.

GUIDELINE 3 COMPATIBILITY

The subject property is located in a mixed-use area along a busy commercial corridor that includes commercial, office, and residential uses. The proposed rezoning from R-6 to C-1 to allow a mixed use development is, therefore, compatible with existing zoning and will cause no adverse impacts to the surrounding area. Three of the four existing buildings will be preserved, ensuring that the existing development pattern is maintained. The building located at 613 Baxter Avenue, which is structurally unsound, will be removed and replaced with a building that is consistent in design, materials, and character with the remaining buildings on site and the surrounding area. Outdoor lighting and signage will comply with Land Development Code requirements and will not negatively affect nearby residential properties.

The subject property is appropriately located along a mass transit corridor and the existing sidewalks will be preserved along Baxter Avenue, ensuring that the proposed development is highly accessible by all modes of transportation, including pedestrian, bicycle, and transit. The subject property will contain sufficient parking on-site to serve the needs of the proposed development, including handicap-accessible spaces in accordance with local, state, and federal requirements. Parking is located behind the buildings and accessed from the rear in conformance with a traditional neighborhood pattern of development. The proposed setbacks, building heights, and architectural design preserve the character of the Baxter Avenue corridor and will ensure the

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development is compatible with the surrounding area. For the aforementioned reasons, the proposed development complies with Guideline 3 of the Comprehensive Plan.

**GUIDELINES 4 AND 5
OPEN SPACE, NATURAL AREAS, AND SCENIC AND HISTORIC RESOURCES**

The subject property contains no environmental limitations and there are no natural, scenic, or historic resources that would inhibit the proposed development. In addition, due to the size of the subject property no open space is required to be provided on site. Although the subject property is not within an historic district, three of the existing buildings are proposed to be preserved, and the fourth building will be replaced with one that is compatible in terms of height, bulk, scale, design, and placement, ensuring that the architectural integrity and character of the Baxter Avenue corridor is maintained. Accordingly, the proposed rezoning complies with Guidelines 4 and 5 of the Comprehensive Plan.

**GUIDELINE 6
ECONOMIC GROWTH AND SUSTAINABILITY**

The subject property is located in an existing activity center along the Baxter Avenue commercial corridor. The proposed development represents a significant investment in the redevelopment and rehabilitation of an older neighborhood in a manner that is consistent with the Traditional Neighborhood Form District. Therefore, the proposed development complies with Guideline 6 of the Cornerstone 2020 Comprehensive Plan.

**GUIDELINES 7, 8, AND 9
CIRCULATION, TRANSPORTATION FACILITY DESIGN, AND BICYCLE, PEDESTRIAN,
AND TRANSIT**

The proposed development complies with Guidelines 7, 8, and 9 of the Comprehensive Plan because it is located on Baxter Avenue, a major arterial roadway, which has adequate carrying capacity to handle traffic going to and from the development. The subject property is located on an existing transit route, and the existing sidewalks along Baxter Avenue will be preserved, ensuring that the proposed uses are easily accessible by bicycles, pedestrians, and motor vehicles as well. The proposed development is designed to facilitate safe vehicular and pedestrian access to the property because parking is behind the buildings and accessed from Bishop Street, which functions like an alley. Adequate parking spaces are provided on the subject property as required by the Land Development Code, including handicap accessible spaces as required by the ADA. Accordingly, the proposal accommodates all modes of transportation, provides bicycle and pedestrian connections to surrounding properties, and is appropriately located for the proposed density and intensity. By providing a mixture of compatible uses, the proposed development will enable area residents and future employees to minimize vehicular miles traveled, as well as total travel time, in

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order to minimize air pollution and to conserve fuel. The development is located to take advantage of the existing transportation system to complement the overall development of the area without the need for additional roadway or utility construction. Therefore, the proposed development complies with Guidelines 7, 8, and 9 of the Comprehensive Plan.

GUIDELINES 10 AND 11 FLOODING, STORMWATER, AND WATER QUALITY

The subject site is not located in the 100-year flood plain, and there are no streams, wetlands, or waterways on the site. An erosion prevention and sediment control plan will be implemented prior to construction utilizing best management practices as required by the Metropolitan Sewer District. In addition, the stormwater detention design is required to receive approval from MSD prior to construction of the proposed development. Accordingly, the proposed development complies with Guidelines 10 and 11 of the Comprehensive Plan.

GUIDELINE 12 AIR QUALITY

The proposed rezoning complies with Guideline 12 of the Comprehensive Plan because, as previously demonstrated, the proposal represents an efficient land use pattern and utilizes current traffic patterns. The mixture of uses being proposed on the subject property will enable and promote a reduction in vehicle miles traveled and increased pedestrian travel, resulting in a reduction in commuting time and transportation-related air pollution. The subject site is located on a major arterial and the existing roadway infrastructure provides adequate capacity for the traffic going to and from the development. Finally, the development plan has been reviewed by the Air Pollution and Control District, which provided no comment on adverse air quality impact.

GUIDELINE 13 LANDSCAPE CHARACTER

The proposed development complies with Guideline 13 of Cornerstone 2020, because it meets the landscape requirements of the Land Development Code. Landscape buffer areas will be provided on the subject property to enhance the aesthetic quality of the site. In addition, outdoor signage and lighting will comply with the Land Development Code and will be compatible with the surrounding area.

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**GUIDELINES 14 AND 15
INFRASTRUCTURE AND COMMUNITY FACILITIES**

The proposed development complies with Guidelines 14 and 15 of the Cornerstone 2020 Comprehensive Plan because the subject property is served by existing infrastructure and all necessary utilities, including water, electricity, telephone, and cable are available. The development has an adequate supply of potable water and water for fire-fighting purposes and is served by the Louisville Fire Department.

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