

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

Applicant: David Parks
Owner: JDP Real Estate Holdings, LLC
Location: 1701 Herr Lane
Proposed Use: Office
Engineers, Land Planners and
Landscape Architects: Land Design & Development, Inc.
Request: Zone change from R-4 to OR

RECEIVED
SEP 09 2019
PLANNING &
DESIGN SERVICES

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 1, 2.1, 3.1.8, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 23, 27 & 28 as follows:

The proposed change in zoning to OR complies with Goal 1 in several ways. First, the subject property is nearly the last remaining piece of land available from Westport Road to Brownsboro Road on Herr Lane. The Neighborhood Form District allows low intensity office services to serve the surrounding suburban residential areas. The subject property is located in a Neighborhood Form District which contemplates the location of “civic uses and neighborhood centers with a mixture of uses, such as offices, retail shops, restaurants and services.” Offices proposed at this location will provide services to the nearby densely populated residential area which it will serve, being used as a very low impact real estate brokerage office. This office is located on a minor arterial (Herr Lane) and it will share its entrance with the adjoining Signature Healthcare at Jefferson Place rehabilitation facility. This type of service and office is ideally suited for the Neighborhood Form District as the type of low intensity commercial use that will occupy a lot which has been unoccupied for many years and which the former residential home was torn down also many years prior.

The property is located near other retail and strip centers along Westport and Brownsboro Road. This office building will serve the area and position the overall property to adapt readily now and in the future to new market demands. The property will have parking interior to the site adjacent to the Signature Healthcare at Jefferson Place rehabilitation facility. There are existing sidewalks promoting pedestrian and bicycle use consistent with the Neighborhood goal, which will also be improved as a result of this project, improving access for those using TARC as well as improving access for the neighborhood children crossing Herr Lane to go to school.

The development and proposed zone change will remain compatible with the scale and site design of nearby residential uses. The property will allow a mixture of densities through the allowable uses with the negotiated buffers and landscaping. As a result, the appropriate buffers and a proposed 6 ft privacy fence will be provided so that this rezoning will not cause further expansion into residential areas.

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, 2, 5, 6, 7, 9, 10, 12 13, 14, 15, 16, & 17 as follows:

The proposed change in zoning from R-4 to OR to allow an office will encourage sustainable growth by placing a low intensity real estate brokerage office, compatible with the neighborhood and existing infrastructure, on an empty lot fronting Herr Lane. The design and density are appropriate with adjacent residential uses that will serve the needs of the surrounding community. This site is located in an established section of eastern Metro Louisville, where through a combination of design measures and the nature of the use itself, will not create any nuisances for surrounding residential properties. Office and residential uses are frequently located adjacent to each other and encouraged to do so because of the relatively low intensity and to reduce traffic by placing services and employment close to the residential areas. The nature of real estate brokerage offices create even less traffic than a traditional office, particularly at peak times, because so much of that business is now conducted off-site where agents visit properties, not a formal office from nine to five working times.

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 & 12 as follows:

The proposed development plan will enhance the surrounding neighborhoods by not diminishing any open space or natural resources. The zoning change will not impact any flood prone areas, nor will it impact any wet or permeable soils or steep slopes. The proposal avoids any change in topography and does not increase any environmental changes or damage. The landscape buffers and setbacks will continue to provide the community transitions between the site and the surrounding residential properties. Moreover, the proposed detention basin will continue to limit any issues with flooding or standing water, and protecting the health, safety and welfare of the adjacent properties and future uses of the development.

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 site is designed to be compatible with the surrounding land uses through infill. The proposed building will consist of durable, residential style building materials, including brick. There is an existing curb cut on Herr Lane for the Jefferson Place Rehabilitation facility. The proposed office building will share this entrance. Noise and odors from offices is nonexistent or at least minimal. Further, hours of operation will only be during times when area residents are

awake. Lighting will be designed in accordance with Land Development Code requirements, and, visual impacts will be minimal, and improved in many instances to what currently exists. Offices, being neighborhood serving uses, are often appropriate transitions to higher intensity uses (such as exist south of this site) and they provide a good transition.

MOBILITY

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

The proposed zone change and DDDP complies with applicable Objectives a, b, c & e and Policies 1, 3, 4, 7 & 14 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 connections between the uses for bicycles and pedestrian traffic. The site is served by public transportation through multiple TARC bus lines near the property. The development and nearby retail/commercial uses are located on a minor arterial of Herr Lane 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 and primary collector with TARC service available.

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, c & d and Policies 1, 2, 4, 5, 6, 7, & 8 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 which are already part of the development. The site distances for the curb cuts will not change and are adequate for the area. The internal circulation of pedestrian and vehicular traffic is appropriate with the connected walkways and shared access, parking, etc. The entrances are compatible with surrounding development and aesthetically pleasing to adjacent areas.

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, 7, 10, 12, 14, 17, 18, 20 & 24 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 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. The plan also satisfies the policy of supporting biking and pedestrian travel by providing for those modes of access.

RECEIVED
SEP 09 2019
PLANNING &
DESIGN SERVICES

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 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 using an infill site and developing property for uses serving the surrounding residential community with an office use dedicated to the sale of real estate property. It locates these new potential uses in an area with existing infrastructure, utilizes the curb cut and access of the already existing rehabilitation/senior living facility, in an efficient manner increasing economic opportunities in the area. It will also provide opportunities to small businesses thereby increasing economic opportunity to business owners and employment.

Goal 2 – Cultivate a vibrant, unique city that attracts, retains, and develops a highly-skilled workforce.

The proposed zone change and DDDP complies with applicable Objectives a, b, c, d & f and Policies 1, 3, 4, 5, & 7 as follows:

This development plan complies with Goal 2 of Economic Development as it enhances the quality of life in the area by using and readapting the current unused site, while at the same time protecting and improving the economic value of the surrounding areas by assisting the economic viability of the activity center. It also satisfies the goal and policy of infill development to take advantage of the existing infrastructure. The proposed office complies with these Goals and Objectives because it will also provide opportunities for employment close to the residential properties and nearby population. Also, it is located on a minor arterial, providing good access, where nuisances and activities will not adversely affect adjacent areas. Potential users will be users that are compatible with 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 Objectives d & e and Policies 7, 12, 17 23, 25, 26, 27, 28, 31, 32, 35, & 39 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 significant new traffic for the area, particularly not creating traffic during peak traffic times. It also will continue to deal with any impacts to drainage associated with the site through the use of a detention basin accounting for the impervious surface. Landscaping will be added where necessary and required under the Land Development Code to reduce the impacts of the site to nearby residential uses.

Goal 2 – Ensure equitable health and safety outcomes for all.

The proposed zone change and DDDP complies with applicable Objectives a, b, c & d and Policy 8 as follows:

The development plan complies with the objectives and policies of Goal 2 of Livability element by providing opportunities for employment at the potential future office close to the residential properties and nearby population. Also, it is located on a minor arterial, providing good access, where nuisances and activities will not adversely affect adjacent areas.

Goal 3 – Ensure equitable access to land use planning and Policy-making resources.

The proposed zone change and DDDP complies with applicable Objective c and Policies 1, 2, & 4 as follows:

The development plan complies with the objectives and policies of Goal 3 of Livability element providing equitable access to the land use planning and policy resources by providing the surrounding residents and property owners notice of the development changes, notice of all public meetings, by providing the neighborhood meeting, and by providing an opportunity for area involvement in the plan design and sought-after zoning changes. The developer also participated in an MSD meeting organized by the Councilmember to discuss water and drainage issues in the area.

Goal 4 – Integrate sustainability and resilience in community planning processes.

The proposed zone change and DDDP complies with applicable Objectives a, b, c, e & f and Policies 1, 2, & 8 as follows:

The development plan complies with the objectives and policies of Goal 4 of Livability element by providing and enhancing choices for mobility and encouraging clean air by reducing miles driven by providing needed services to an area needing such residential services. It also provides needed services in and along the transit corridor of Herr Lane supporting public transportation with the medium and high intensity uses.

HOUSING

The proposed zone change and DDDP complies with applicable Objectives and applicable Policies of Goal 1, 2, & 3 as it creates and locates necessary services and employment opportunities in an existing building 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 living options for all in the community.

* * *

For all of these and other reasons set forth on the Detailed District Development Plan/preliminary subdivision 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,

BARDENWERPER, TALBOTT & ROBERTS, PLLC
Bardenwerper Talbott & Roberts, PLLC
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223
(502) 426-6688

RECEIVED
SEP 09 2019
PLANNING &
DESIGN SERVICES