

# 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: Sunshine Development, LLC c/o Damon Garrett

Owner: James & Laurie Greiner

Project Name/Location: S. English Station Townhomes

Proposed Use: Multifamily Residential

Request: Zone change from R-4 to R-5A

Engineers, Land Planners,  
Landscape Architects: Land Design & Development, Inc.

### **INTRODUCTION**

This townhome community is proposed by builders Sunshine Development, LLC (Damon Garrett). The Applicant proposes 82 townhome units in 12 two story buildings and including a clubhouse and pool on South English Station Road across from Christian Academy. Single-family developments abut to the east and north and multi-family development to the south and west. The site is located in a Neighborhood Form District in a rapidly developing area east of the Gene Snyder Freeway and north of Shelbyville Road.

### **PLAN ELEMENT 4.1: COMMUNITY FORM**

This “Application Package” complies with Plan Element 4.1, its 5 Goals and their Objectives plus the following Policies.

As to Goal 1, Policies 2, 2.1, 3.1.3, 4, 5, 6, 7, 9 10, 11, 12, 14, 16, 17, 18, 19, 20 and 23, it complies as follows, in addition to the other ways set forth above and below: The site is located in the Neighborhood Form District which encourages high density uses and a range of housing opportunities, notably including multi-family dwellings which can be rental apartments, which this plan proposes. However, the proposed density in this instance is not for a higher density or intensity. The 2-story townhome style of these proposed apartments, plus their design, square footages and rental rates are also contemplated by these Policies as appropriate for this Form District and specific neighborhood. Land Development Code required setbacks, height restrictions, both interior and perimeter landscaping, minimum parking and maximum lighting and signage will all be met without variances or waivers. Located as this proposed apartment community is near to a commercial activity center and both existing and planned restaurant and major retail shopping opportunities, travel distances for these purposes are severely reduced, and walking and biking become very real possibilities. This helps contribute to improved air quality. The proposed all brick, townhouse style and design of these townhome buildings are also design and density

compatible with similar development in the area. Landscaping, screening and buffering beyond the bare minimums also helps assure appropriateness for the neighborhood and compatibility with adjoining residential uses. The fact that this is a proposed residential community, similar to the north and south adjoining uses, noise will not prove a nuisance factor.

As to Goal 2, Policies 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16 and 17, it complies as follows, in addition to the other ways set forth above and below: The proposed apartment community is located in a Neighborhood Form District and provides new residential uses. Given all that is proximate to and surrounds this particular site and particular design of this proposed multi-family community makes this appear as though it was always planned this way.

As to Goal 3, Policies 1, 2, 3, 6, 9, 10 and 13, it complies as follows, in addition to the other ways set forth above and below: The detailed district development plan (DDDP) filed with the rezoning application for this proposed apartment community includes a community clubhouse, pool and communal open space for use by residents. Those spaces will be maintained in perpetuity by the owner of the townhouse community. The site does not contain severe, steep or unstable slopes nor any wet or highly permeable soils.

As to Goal 4, this is not a historic site with historic buildings or distinctive cultural features.

As to Goal 5, this proposed apartment community is neither large nor public enough to include an element of public art.

#### **PLAN ELEMENT 4.2: MOBILITY**

This Application Package complies with Plan Element 4.2, its 3 Goals and their Objectives plus the following Policies. As to Goal 1, Policies 1, 2, 3, 4 and 6; Goal 2, Policies 1, 2, 3, 4, 5, 6, 7 and 8; and Goal 3, Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, 18, 19, 20 and 21, it complies as follows, in addition to the other ways set forth above and below: This proposed townhome community (located as it is within an existing and growing activity center, with good access and thereby well connected as it is proposed to be near schools, restaurants, retail shopping and other residential developments and communities) is clearly part and parcel of good pedestrian, bicycle and road networks. Locating their development along and with access to and from those networks, the aforementioned developers will at their cost construct a sidewalk along South English Station Road. In doing so, they will prepare construction plans that will assure safe access with good site distances and turning radii. Bike racks and handicapped parking spots will be installed as and where required near buildings. All drive lanes, parking spaces will be designed in accordance with Metro Public Work and Transportation Planning (MPW&TP) requirements. These are preliminarily depicted on the DDDP filed with this application. TARC service is not currently available outside the Gene Snyder Freeway. No new roadway improvements are proposed. There is no direct access residential access to high-speed roadways. All necessary utilities are located proximate to this site and accessible by it via public right of way or easements.

#### **PLAN ELEMENT 4.3: COMMUNITY FACILITIES**

This Application Package complies with Plan Element 4.3, its 3 Goals and their Objectives plus the following Policies. As to Goal 2, Policies 1, 2 and 3, it complies as follows, in addition to the

other ways set forth above and below: Christian Academy is located across South English Station Road and Crosby Middle School (4.89 miles) and Eastern High School (2.89 miles) are reasonably close. Adequate sewage treatment and disposal is provided which do not threaten water quality. The site is served by the Louisville Metro Police Department Eighth Division, Beat 3, 2927 Goose Creek Road and the Anchorage Middletown Fire District, 10217 Shelbyville Road.

#### **PLAN ELEMENT 4.4: ECONOMIC DEVELOPMENT**

This Application Package complies with Plan Element 4.4, its 2 Goals and their Objectives, plus the following Policies. As to Goal 2, Policies 1 and 3, it complies as follows, in addition to the other ways set forth above and below: As Louisville Metro's population continues to grow, so does demand for housing of all types. This proposed apartment community is part of a developer response to that demand, and as such both stabilizes and offers increased opportunities for employment in the building trades and associated industries. It also increases the tax base essential to the provision of government services.

#### **PLAN ELEMENT 4.5: LIVEABILITY**

This Application Package complies with Plan Element 4.5, its 4 Goals and their Objectives plus the following Policies. As to Goal 1, Policies 5, 7, 8, 10, 11, 12, 13, 15, 16, 21, 23, 26, 27, 28, 29, 30, 31, 32, 33 and 35; and Goal 4, Policies 1 and 2, it complies as follows, in addition to the other ways set forth above and below: The DDDP filed with this application shows how storm water is proposed to be addressed, including where detention is anticipated to be located such that post development rates of run-off will not exceed pre-development conditions. Sanitary sewer service is available at the Hite Creek regional wastewater treatment plant. It can be accessed via lateral extension to and from an existing nearby manhole. The site is not in a regulatory floodplain. There are no regulated streams or other protected waterways that are directly impacted by this proposed development, although measures will be taken to assure that erosion and sediment impacts are fully controlled and/or mitigated. As mentioned above, given the location of this proposed townhome community in an existing and expanding activity center, air quality impacts will be minimized because vehicle miles travelled are reduced.

#### **PLAN ELEMENT 4.6: HOUSING**

This Application Package complies with Plan Element 4.6, its 3 Goals and their Objectives, plus the following Policies. As to Goal 1, Policies 1, 2 and 3; Goal 2, Policies 1, 2 and 3; and Goal 3, Policies 1, 3 and 4, it complies as follows, in addition to the other ways set forth above: Designed as it is as 2-story townhome community, it will serve a different role and purpose than some others. With the unit amenities expected at the rental rates contemplated, this townhome community probably fits the category of "workforce" housing, meaning primarily individuals and families currently in the workplace. Because of the number of bedrooms, it's indeed possible that some residents, particularly staff and teachers will take advantage of proximity to the nearby Christian Academy, will have children.

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For all of the above-stated reasons, those shown on the detailed district development plan and those explained at the LD&T meeting and Planning Commission public hearing, this revised application complies with all other applicable Goals, Objectives and Policies of the “Plan 2040” Comprehensive Plan.

Respectfully submitted,

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