

JUSTIFICATION STATEMENT

Episcopal Retirement Services Affordable Living, LLC

7717, 7721, 7727 St. Andrews Church Road

Case No. 19ZONE1036

INTRODUCTION

Episcopal Retirement Services Affordable Living, LLC (the “Applicant”) proposes to re-zone the property located at 7717, 7721, and 7727 St. Andrews Church Road (the “Property”) from R-4 Single-Family Residential and R-6 Multi-Family Residential to R-6 Multi-Family Residential and re-develop this infill site into a 43-unit affordable senior housing facility. For the reasons set out below, the proposed change in zoning complies with the applicable Plan Elements of the Plan 2040 Comprehensive Plan.

COMMUNITY FORM

The proposal complies with the intent and applicable policies of the Community Form Plan Element. The subject Property is located in the Neighborhood Form District, which the Comprehensive Plan states is a form

[C]haracterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas. The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages, incomes and abilities. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to . . .high density multi-family housing.

Here, the proposal is consistent with the Neighborhood Form District as it will bring a new multi-family development that is affordable for senior citizen to an area of the neighborhood that already contains numerous multi-family developments. The proposed new construction will be consistent with the scale of the neighborhood as all proposed buildings will be single-story.

The proposal is also consistent with the pattern of development in the surrounding area. There are numerous multi-family developments in the immediate area, including Cardinal Oaks Condominiums immediately to the south of the subject property. Other multi-family developments include Brookview Apartments one half block to the west, and the Oak at St

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Andrews and Renaissance St. Andrews developments across St. Andrews Church Road. Doss High School borders the Property to the east. The 43 proposed single-story apartments will be designed to blend into the existing landscape and neighborhood areas.

MOBILITY

The proposal complies with the intent and applicable policies of the Mobility Plan Element. The subject property will be accessed via Carinal Oaks Drive, an existing private drive off St. Andrews Church Road. St. Andrews Church Road provides direct access to major arterial Dixie Highway to the west, and Manslick and New Cut Roads to the east. The proposal includes pedestrian sidewalks throughout the development and connections to the existing pedestrian sidewalks along St. Andrews Church Road. Public transit is available via the TARC stop for TARC Route 54X (express service to downtown Louisville) at the front of the Property at the intersection of St. Andrews Church Road and Cardinal Oaks Drive.

COMMUNITY FACILITIES

The proposal complies with the intent and applicable policies of the Community Facilities Plan Element. The subject property is and will remain well served by the existing community facilities in the neighborhood, including nearby Iroquois Park and Doss High School, as well as the commercial center along Dixie Highway. The subject property is adequately served by all utilities, including water and sewer.

ECONOMIC DEVELOPMENT

The proposal complies with the intent and applicable policies of the Economic Development Plan Element. The proposal will create a new 43-unit affordable senior housing facility on what is currently an undeveloped vacant site. The proposed facility will complement the existing multi-family developments in the area and bring new affordable housing options to the area. The Property is conveniently located nearby the commercial center along Dixie Highway. The scale and site layout of the property will be consistent with the neighborhood and other multi-family developments on and near St. Andrews Church Road while contributing to the development of the neighborhood.

LIVABILITY

The proposal complies with the intent and applicable policies of the Livability Plan Element. The proposal will connect to the existing sidewalk network along St. Andrews Church Road. Public transit is easily available via the TARC stop for TARC Route 54X (express service to downtown Louisville) at the front of the Property at the intersection of St. Andrews Church Road and Cardinal Oaks Drive. The proposal includes open space and will improve the tree canopy by planting over 27,000 square feet of new canopy. The proposal will not have any material adverse impact on any natural features.

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HOUSING

The proposal complies with the intent and applicable policies of the Housing Plan Element. The proposal expands and ensures a diverse range of housing choices in the neighborhood as it will create 43 units of apartment-style affordable senior housing. The proposal will create affordable and livable apartment-style housing options in the place of the lots that are currently vacant.

CONCLUSION

For the reasons set forth above, the proposed change in zoning on the property located at 7717, 7721, and 7727 St. Andrews Church Road from R-4 Single-Family Residential and R-6 Multi-Family Residential to R-6 Multi-Family Residential complies with the applicable Plan Elements of the Plan 2040 Comprehensive Plan. The proposal complies with the Community Form element because it is consistent with the Neighborhood Form District as it will bring a new affordable, multi-family use to the neighborhood. The proposal fits in the pattern of development of the neighborhood and this area of St. Andrews Church Road, which is already home to numerous similar one- and two-story multi-family developments. The proposal also complies with the Mobility and Livability elements as it will connect to the existing sidewalk network along St. Andrews Church Road and a TARC stop is located at the front of the Property. The proposal also complies with the Economic Development and Community Facilities elements as the Property is located near Iroquois Park and the commercial center along Dixie Highway. Finally, the proposal complies with the Housing element as it will create new, affordable housing options in the area.

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General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The waivers will not adversely affect adjacent property owners. To the west is a commercial property that does not have the LDC-required buffer. In this area, the applicant proposes a variable LBA with a minimum width of 8'. The waiver to allow the overlap of the 50' Louisville Water Company easement with the required 25' LBA to the east will allow the efficient use of the property and will allow for the buffering to be installed entirely within the easement.

2. Will the waiver violate the Comprehensive Plan?

Neither waiver will violate the Comprehensive Plan, Plan 2040. Plan 2040 supports both infill development and the provision of fair and affordable housing. Allowing the use of the subject property as proposed will support both of these concepts. The applicant will provide buffering on both the east and west property lines, buffering the proposed development from the adjacent commercial uses.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The extent of the waivers is, in each case, the minimum necessary to allow for the efficient use of the subject property. The proposed development will contain income- and age-restricted housing, a need in our community. The adjacent commercial properties, were they developed today, would be required to provide the landscaping that the applicant is providing. Although the applicant is providing the buffering, it requires the relief requested in order to cost-effectively develop the subject property.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the subject property. As stated, the commercial uses on either side of the subject property should have provided the required buffer but did not. The subject property is relatively small and adding a large buffering requirement would prevent the efficient use of these infill parcels.

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