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

|                                                               |                                                                                   |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <u>Applicant &amp; Owner:</u>                                 | Hikes Liquor, Inc.                                                                |
| <u>Location:</u>                                              | 2922 Hikes Lake                                                                   |
| <u>Proposed Use:</u>                                          | Zone Change to allow an expansion of the existing bar into the adjoining building |
| <u>Engineers, Land Planners and<br/>Landscape Architects:</u> | Mindel Scott & Associates                                                         |
| <u>Request:</u>                                               | Zone change from C-1 to C -2                                                      |

### **INTRODUCTION**

This statement is submitted in support of the requested change in zoning from C-1 to C-2 and the associated Detailed District Development Plan for the Golden Nugget Expansion. The application concerns an existing commercial site at the southwest corner of Hikes Lane and Noe Way. The site is approximately 0.335 acres, is within the Neighborhood Form District, and fronts Hikes Lane, which the staff report identifies as a minor arterial roadway.

The request is limited and site-specific. The existing Golden Nugget bar/tavern occupies an existing two-story commercial structure, and the requested zoning would allow the business to expand into an attached existing commercial structure that staff identified as approximately 952 square feet and last known to have operated as a barbershop. The development plan does not identify new construction, a building-footprint expansion, or an increase in impervious surface area. The proposal is therefore principally an adaptive reuse and internal expansion of an established commercial use within an existing commercial setting.

The existing tavern appears to have operated without interruption since the early 1960s. This application provides the zoning pathway to place the existing and modestly expanded tavern use in an appropriate C-2 zoning district, subject to the approved development plan and applicable agency review.

### **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 rezoning request is to allow an existing tavern and bar to continue grow through an expansion into the adjoining building. The zoning request is to allow the long standing bar, known as the Golden Nugget to expand their business into the adjoining vacant building which requires the C-2 zoning district. The property surrounding the site is zoned C-1 commercial.

The development and proposed zone change will remain compatible with the scale and site design of nearby existing developments because tavern will only be expanding the interior use. The exterior will remain largely as it is today with changes to the development plan being minor in nature and compatible with the surrounding uses. The subject site is located within an established employment activity center and is along a minor arterial roadway, Hikes Lane. Vehicular traffic traveling to and from the subject site will not need to cross residential areas. The proposed use of the subject site is similar to the other uses in the immediate area. The changes to the development plan including the parking area will not cause any noise concerns that have not always been present.

Community Form Goal 1, Policy 6 discourages non-residential expansion into existing residential areas unless impacts on residential uses are mitigated. Here, the request does not convert residential land to non-residential use. It allows an existing tavern, on an existing commercial lot, to occupy an attached existing commercial space. The primary impact considerations identified in Policy 6 - traffic, parking, signs, lighting, noise, odor, and stormwater - are addressed by the limited nature of the proposal, continued use of existing buildings and site access, compliance with applicable Metro ordinances, and agency review through the development plan process.

Community Form Goal 1, Policy 7 supports locating higher density and intensity uses near transportation facilities, transit corridors, activity centers and areas with adequate infrastructure. Staff identified Hikes Lane as a minor arterial roadway, noted the developed sidewalk network, identified nearby TARC service, and noted traffic signals and crosswalks approximately 0.06 miles northeast of the site. The proposal uses that existing infrastructure instead of extending a higher-intensity use into a location dependent on new roads or utilities.

Staff noted one issue requiring careful attention: C-2 zoning can allow uses that extend beyond the neighborhood-serving commercial activity contemplated in the Neighborhood Form District. That concern is addressed by the actual application record. The pending request is not for a broad redevelopment, outdoor expansion, or intensification of the site beyond the existing buildings; it is for a small expansion of a longstanding tavern into attached existing commercial space. Future material redevelopment or a substantially different site configuration would remain subject to the Louisville Metro Land Development Code, development-plan review, and any binding elements or conditions adopted with this approval.

*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 C-1 to C-2 to allow the continued sustainable growth of the existing business in an existing commercial activity center. The C-2 proposal does not permit residential development in the above referenced existing commercial activity center not already present. The rezoning to allow the continued growth of the neighborhood bar and will allow the existing, successful business to continue to grow in the area. Community Form Goal 2 policies support appropriately located activity centers, compact development patterns, mixtures of compatible land uses, rehabilitation of existing buildings, and appropriate placement, design and scale in Neighborhood Form areas. The proposal advances those policies by reusing existing buildings, keeping commercial activity compact on an already-developed corner site, maintaining compatibility with adjacent C-1 commercial uses, and avoiding unnecessary expansion of pavement, utilities, and public 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 allow the building to continue to be used in a similar manner 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 being in close proximity to a TARC stop with an additional pedestrian connection proposed. 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 walkable area. The subject site does not contain any environmentally sensitive areas or steep slopes.

*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 subject site has been developed for some time and does not contain any known historic, archeological, or cultural resources and the small changes to the current site layout will not change the existing building's style or character. Community Form Goal 4 policies encourage preservation of buildings, sites and built features of historic or cultural value. Although staff did not identify the site as being within a local Historic Preservation District or National Register District, the proposal retains and repurposes commercial structures dating to the 1960s. That adaptive reuse approach is consistent with Plan 2040's preference for preserving and reusing existing built resources where feasible.

## **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 proposed development plan evidences the existing use in a slightly increased footprint in the existing commercial activity center keeping the higher intensity/density uses compact.

*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 the continued use of the existing access, in close proximity to the TARC bus line stop.

*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 the pedestrian connections around to the subject site, along with direct service by a TARC bus line. The result will be additional interconnected walkways for the current use and possible future uses of the subject site. The plan will not burden the transportation network as the building is already existing and will allow the site to continue to be consistent with the purpose of the Neighborhood Form District. The plan is consistent with long range transportation plans of the community by focusing the higher density/intensity uses in an existing commercial activity center. The parking requirements of the site consider the current business and use of the subject site. The very minor expansion of the existing business will not put any appreciable additional burden on the existing transportation network. 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. The existing building and business is already served by all utilities with no proposed changes thereto and parking, and thus locates development in areas currently served by existing infrastructure. The property already has adequate water supply and access to sewers and all necessary utilities so as to not burden existing

or future community facilities. The application does not propose a new subdivision, extension of public utilities to an undeveloped area, or public-facility burden inconsistent with the scale of the request. Any MSD, water, fire protection, or other utility comments should be resolved before final action or permitting.

## **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 allowing the continued growth of an existing long-term retail center in the area. The proposal allows the building to remain viable and attract a quality long term tenant in an area with existing infrastructure in an efficient manner increasing economic opportunities in the area.

Policy 3 directs commercial uses generating high volumes of traffic to major arterial streets, intersections of minor arterials, or locations with adequate access where nuisances will not adversely affect adjacent areas. The Golden Nugget is an existing business at an established commercial corner on a minor arterial roadway. The request allows that longstanding business to remain viable and to expand within existing commercial floor area while using existing infrastructure. Staff found the expansion unlikely to generate a significant increase in traffic, which supports compliance with this element.

## **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 Livability element requires particular attention because the site is entirely within the regulatory floodplain. Livability Goal 1, Policies 17, 21 and 24 address drainage, groundwater, floodplain integrity, critical facilities and hazardous waste. The proposal is not an industrial use, does not involve hazardous-waste storage, and does not add new building footprint or impervious surface area. The development plan notes that an MSD floodplain permit is required for any and all required work, interior or exterior, because the site is entirely in the floodplain. Compliance with MSD and Kentucky Division of Water requirements will therefore be an important condition of implementation.

Because the request primarily legalizes and modestly expands an existing tavern use within existing structures, it is not expected to create discernable impacts on air quality, water quality,

human health, or the environment. The proposal should also remain subject to applicable Louisville Metro requirements governing noise, health, public safety, and site operation. 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 no residents will be displaced by this proposal which is an to attract a specific tenant and keep another tenant in full compliance.

## **CHASE Principles**

Plan 2040's CHASE principles - Connected, Healthy, Authentic, Sustainable and Equitable - inform the plan's goals, objectives and policies. They support the requested approval in the following concise ways:

Connected: The site is on Hikes Lane, has sidewalk access, is near TARC service, and can be reached by automobile, pedestrian, bicycle and transit users.

Healthy: The proposal uses existing buildings and infrastructure, avoids new impervious surface, and remains subject to health, noise, MSD and floodplain review.

Authentic: The request supports a longstanding local business and adaptively reuses existing commercial structures associated with the neighborhood's built pattern.

Sustainable: Reuse of existing floor area, no new construction, no building-footprint expansion, and no identified impervious-surface increase are more resource-efficient than greenfield development.

Equitable: The proposal supports continued neighborhood access to a local commercial use without displacing residents or removing housing, and the zoning process provides public review through the Planning Commission and Metro Council.

## **CONCLUSION:**

The requested change in zoning from C-1 to C-2 and the associated Detailed District Development Plan comply with Plan 2040. The request is narrowly focused on allowing an existing, longstanding tavern to expand into attached existing commercial space on an already commercial site. It does not create a new commercial intrusion into a residential area, does not displace residents, does not propose new construction, does not increase impervious surface area, and uses existing transportation and utility infrastructure.

The proposal also responds to staff's principal concern regarding the breadth of potential C-2 uses by grounding the approval in the actual development plan and existing-building expansion presented in this record. Subject to resolution of transportation, MSD, floodplain, health, safety and other agency comments, and subject to any appropriate binding elements adopted with the zoning approval, the application is consistent with the applicable goals, objectives and policies of Plan 2040 and should be recommended for approval.

\* \* \*

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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