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COMPLIANCE STATEMENT WITH APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Applicant: Cityscape Residential, LLC

Owner: Raymond J. Borchert, Fred & Linda
Caldwell, Bette Kaelin

Location: 4113, 4190, 4200 and 4206 Simcoe Lane;
Block W002, Lot 44; Block W002, Lots 45,
54, 58

Existing Uses: Single Family Residential

Proposed Use: Apartment Community

Engineering Firm: Land Design & Development, Inc.

Request: Change in Zoning from R-4 to OR-3 and
Form District Change from Suburban
Neighborhood to Regional Center

SUMMARY STATEMENT

This application involves the use of four in-fill parcels that remain as islands of single-family use in a sea of otherwise intensively utilized properties in this highly commercialized KY Highway 22/Snyder Freeway interchange. The site adjoins or is located very near an on-ramp to the Snyder Freeway and an equally tall corporate bank building, with shopping centers next door and across KY 22, and two 5-story hotels also across KY 22. As a consequence, this property, located at the current terminus of the Regional Center Form District adjoining or near the properties as it is, is perfect for a similarly intensive use, yet one that will add residents, instead of more transients, to the area.

GUIDELINE 1 – COMMUNITY FORM

The property is located right next to (and proposed for sidewalk connection with) a still developing, relatively new, highly popular and active Regional Center Form District, which includes a variety of large scale retail, office and hotel uses. The use, size and scale of the proposed form and zoning district changes are thus in conformance with the Regional Center Form and all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan relating to same. Yet, the proposed plan and use also comply with the current Suburban Neighborhood Form District in that this is a proposed residential use across Simcoe Lane from another one. It is just that the Regional Center Form designation seems more appropriate to this

applicant, its land planner and attorney, given the strong tie and symbiotic relationship of this apartment community to all the nearby various uses in that Center.

GUIDELINE 2 – CENTERS

The Intents of this Guideline of the Comprehensive Plan seek to assure that activities are confined to areas where their impacts will be muted because activities are congregated together with symbiotic uses, rather than located haphazardly where they do not support or relate to one another. The proposed apartment community comports with the above described nearby land uses both at an interstate interchange and at the multiple corporate office buildings and two large shopping centers (notably containing restaurants and two groceries) nearby, all of which relate well, especially with the new sidewalk connections, one with the other, which this use will serve especially well.

Policy 1 of this Guideline says that activity centers should be located, for example, within a Regional Center Form District. Again, as set forth above, this site is at the edge of the existing Regional Form District and should be added to it because it otherwise remains as an island of which density residential use in a sea of intense interstate highway interchange businesses near a busy arterial, KY 22, which is proposed for this infill site because its residents will use those shopping centers and corporate office buildings, often walking to them.

Policies 3, 4 and 5 of this Guideline refer to much the same things, notably locating facilities of these kinds exactly where this one is located, in the midst of an existing activity center, making sure that the activity is as compact as possible, which the current land patterns and new and existing sidewalks in this area assure because everything else, but this site, is nearly already fully built out with uses that rely on one another.

Policy 6 of this Guideline says that residential development should be located in designated activity centers in order for residents to have immediate access to a variety of close by activities, including jobs, dining and shopping. Located as this infill site is, next door to corporate offices and shopping, and near even more of the same, this proposed apartment community is perfectly situated.

GUIDELINE 3 - COMPATIBILITY

The Intents of this Guideline seek to ensure that land uses and transportation facilities are located, designed and constructed to be compatible with nearby land uses and to minimize impacts to residential areas, schools and other sensitive areas in the community. Compatibility was determined years ago when this larger area was designated under the Cornerstone 2020 Comprehensive Plan as a Regional Center Form District. This site was left out of that form district only because it remained as the last four single-family lots along a street accessing a tall office building, and, at the time the forms were mapped, the next door was nonexistent, no sidewalks connected these properties to the nearby shopping centers, and there probably was the thought that Simcoe Lane might ultimately be connected to Springhurst Blvd. and the Springhurst residential neighborhood next to it. But that connection is impossible to make because of a “spite strip” that permanently disconnects these lots, thus suitable for apartment

development, from the suburban neighborhood and because of the over-arching Comprehensive Plan desire to locate intense residential next to or in the intensity of an existing activity center.

Policies 1, 2, 3, 5, 6, 7, 8, 9, 19, 1, 12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 28 and 29 of this Guideline are all part and parcel of the overall intent of this Guideline, which is to assure use and design compatibility. These Policies specify that that can be accomplished by placement of uses, such as buildings and parking, the selection of building materials, the types of screening and buffering, the extent of existing and proposed new vegetation, the control of traffic, the control of noise, the control of lighting, contributions to visual/aesthetic impacts, and the kinds of transitions and buffers to assure that nearby uses are not adversely impacted. The only use of this site that would have less negative impact on the area, considering the sea of commercial and interstate and arterial activities surrounding it, would be no change in use at all, which makes no sense considering the island of single-family that this site otherwise constitutes. That is because this is a proposed use of similar height, located near or next to offices, shopping, restaurants and an interstate highway system off a major arterial highway. Lighting will, of course, be directed down and away from adjoining properties as required by the Land Development Code (LDC). Noises will be confined to the interior of the site. Odors are not involved in a residential use like this. The look of the property is as shown on the architectural images preliminarily available as part of the PowerPoint presentation shown at the neighbor meeting accompanying this application. These images demonstrate a high level of attractive design detail, and they will be updated near-term, surely before Planning Commission LD&T Committee review. Parking is totally screened by the apartment building which surrounds the parking garage.

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

The Intents of this Guideline are to provide a positive culture for attracting and sustaining businesses within Metro Louisville. This application surely complies with this Guideline because it gives people opportunities to reside proximate to offices, dining and shopping in one of Metro Louisville’s newest and most successful activity centers at an interstate interchange location. What better place to locate residents than where many of them can walk instead of drive?

Policies 1, 4, 5 and 6 of this Guideline pertain to preserving workplaces and locating business in and around activity centers. What Cityscape proposes is to take a presently way-underutilized in-fill site, rezone it, and convert this site to a productive, positive, symbiotic use which makes all the existing office and commercial uses nearby even better/more successful because workers and shoppers can live close by. There is a large Regional Center Form District surrounding the site. Therefore, and for all the reasons set forth above, especially given the symbiotic uses nearby, this use fits well at this location. Access works, especially with connectivity through the Avish Gardens Center to a traffic signal, and the KY 22/Snyder Freeway interchange already handles large volumes of traffic, to which this use will contribute additional traffic volumes only to the extent residents don’t avoid the interchange, by walking and driving very short distances to offices, shopping and dining close by.

GUIDELINES 7 and 8 – CIRCULATION and TRANSPORTATION FACILITY DESIGN

The Intents of these Guidelines seek to ensure the safe and proper functioning of street networks, to ensure that new developments do not exceed the carrying capacity of streets, to address congestion and air quality issues and to provide an efficient, safe and attractive system of roadways, transit routes, sidewalks and so forth.

The proposed addition of an apartment community to the interstate interchange accomplishes all of these things, because the proposed site plan does not really involve any change in access, traffic patterns, circulation or parking. Any new traffic to the existing KY 22 street system and referenced interstate interchange will be modest compared to what already exists here, which admittedly constitutes a lot of traffic. But this is a use that can utilize existing office, shopping and dining facilities via walking, biking and short drives, which should be encouraged wherever possible. This apartment community here has better nearby walking, biking and short driving access to offices and shopping than perhaps any other apartment community outside the urban core. And it also has easy access through Avish Gardens Shopping Center to a KY 22 traffic signal and crosswalk to the Paddock Shoppes.

Policies 1, 2, 6, 9, 10, 11, 13 and 14 of Guideline 7 all provide further detail of the requirements for traffic impact mitigation. The circulation within this site, access to it, parking lot design and appropriate turning radiuses are all shown on the detailed district development plan (DDDP) submitted with this application. This application will receive a thorough review by the Traffic Planning Section of the Department of Codes and Regulations and by the Metro Works Department, and the DDDP accompanying this application cannot be officially docketed for Planning Commission public review until those agencies are completely satisfied that all standard requirements for traffic and transportation impacts on overall interior and exterior site design, with inputs from KTC, has been addressed. Much of this site design, however, perhaps all of it, already contemplates the comments of traffic and transportation agencies because connectivity, circulation and access are key components of the design of this apartment community which contains a large internal parking structure. A traffic study has been undertaken by Diane Zimmerman, PE, who has already identified KTC-planning improvements to ramp access to the Snyder Freeway.

GUIDELINE 9 – BICYCLE, PEDESTRIAN AND TRANSIT

The Intents of this Guideline seek to assure that transit and non-motorized methods of travel are accommodated. Specifically, Policies 1, 2, 3, 4 and 5 require, where possible, the provision of sidewalk connections, bicycle facilities and transit accommodations. This site, located near an existing transit route where sidewalks will be added along Simcoe Lane to what is largely already provided elsewhere within the existing Regional Center, attempts to accommodate applicable alternative transportation modes. Bike storage will be included with the apartment community's design.

GUIDELINES 10 and 12 –STORMWATER MANAGEMENT AND AIR QUALITY

The Intents of these environmental Guidelines seek to protect areas from the adverse consequences of stormwater runoff and air quality degradation.

Policies 1, 3, 6, 7, 10, 11 and 12 of Guideline 10 all pertain to stormwater management. Drainage patterns are depicted by arrows on the accompanying development plan for conceptual stormwater runoff purposes, and detention will be provided, assuring that post-development rates of peak runoff do not exceed pre-development conditions. The development plan will require the preliminary stamp of approval from MSD in this regard prior to official docketing for Planning Commission review. Also, prior to that, the developer's land planning and engineering firm agreed to work with nearby "patio homes" neighbors who claim existing damage problems. The land planning and engineering firm will share that information with MSD in an attempt to address those issues.

Policies 1, 2, 3, 4, 6, 7, 8 and 9 and Guideline 12 all further identify measures necessary to protect air quality. The best way to do that is to assure minimal added impacts of vehicles to the local roadway system. Reducing vehicle miles traveled is one of the major objectives of the Cornerstone 2020 Comprehensive Plan. By allowing a new apartment community to be located in a busy shopping and office areas, these Policies are addressed by reducing the need for driving.

GUIDELINE 13 – LANDSCAPE CHARACTER

The Intents of this Guideline are to protect and enhance landscape character, specifically Policies 1, 2, 4, 5 and 6 thereof. New landscaping will be accommodated to the extent possible, and landscaping will be enhanced where waivers have been applied for. Additionally, the applicant-developer has agreed to work with DPDS landscape staff and neighbors of the adjoining "patio home" community to enhance landscaping and screening along Simcoe Lane.

* * *

For all the reasons set forth hereinabove, on the DDDP and in testimony and other evidence presented at LD&T, this application complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan

Respectfully submitted,

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