

Justification Statement/Statement of Compliance with the Cornerstone 2040 Comprehensive Plan

Case No. 17Zone1030

Project Name: Chathamwood Apartments

Location: 5200, 5204 and 5208 Chathamwood Court

Owner: Chathamwood, LLC

Applicant: Chathamwood, LLC

Proposed Use: Multifamily Apartments

Proposed Zoning District and Use: Zoning District Change from R4 to R6

The proposed Zoning District change is consistent with the Neighborhood Form District and uses in the area. The proposed R6 zoning is compatible with the demand for moderately priced housing in the Lyndon Area. There is OR2 zoning almost across the street from this site for an apartment complex. There is C2 zoning also very near to this site along Charleswood Road and Maple Spring Drive. The remainder of the adjoining zoning is R4, single family residential.

The zoning change is compatible with Plan 2040 in the following ways:

- The proposed use is compatible with all adjacent uses in compliance with the Community Form Guidelines and specifically with Policy 3.1.3. This is an appropriately scaled residential use (two stories) in the Neighborhood Form District, a district which has uses that vary from high to low density. This use will blend compatibly into the existing neighborhood areas and landscape. In addition, the housing type will bring a desired and well-designed housing product to the area, providing needed diversity to the housing stock in the area.
- This site will have a low impact on the surrounding single-family development. The site is buffered on all sides by common area of the neighboring homeowner's association (Charleswood Village) providing additional buffering between the proposed low impact apartments and the single family residential. It is located between a primary collector (Cooper Chapel Road) and a major arterial (Preston Highway). Consistent with the Goals of the Mobility Guidelines in the Comprehensive Plan this site is located in the general proximity of several planned employment centers and other potential job sites, as well as retail, including a Lowe's and a Meijer near the 265 interchange, thus this will help connect the metro area and support future growth and improve mobility in the metro area by reducing vehicle miles traveled.

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- The proposed use is designed to be compatible with the immediately adjacent property and with many of the nearby uses, it will not result in damage to the character of the existing neighborhood and will not be a use that will cause a nuisance either, through noise, light or odors.
- The proposed development complies with the policies that are required and that are applicable pursuant to the Land Development Code. The elevations included with this application will demonstrate that the proposed buildings will be attractive and compliant with the development code addressing any design or aesthetics concerns. Furthermore, the enclosed site plan demonstrates compliance with set-backs. The applicant will comply with all necessary tree-canopy and landscaping requirements. All buffering requirements will be satisfied except for a waiver in the vehicle use area landscape buffer area near the adjoining residences for purposes of placing sidewalks and near the entrance due to the odd shape of the lot, that landscape buffer area is further buffered by an adjacent common area for the Charleswood Village homeowner's association. The current Land Development Code design process addresses many of these issues, and also will require any outdoor lighting be directed down and away from adjoining residential uses. Furthermore, no odors are expected to emanate from the proposed building and all activities will be limited to car traffic, anticipated to be mostly during daylight hours. The proposed buildings are buffered from any near residences and no hazardous materials are anticipated to be used in the buildings.
- This proposed development will comply with applicable water management requirements. First, Storm Water Management requires MSD review and is addressed in detail on the submitted detailed district development plan. Second, Water Quality is also subject to the regulatory authority of MSD and will be addressed by the district development plan. Third, Air Quality is subject to the authority of the Air Pollution Control District and will also be addressed on the district development plan and subject to review by that agency. Any items not addressed on the development plan will need to be addressed in order to obtain building permits (e.g. silt fencing, drainage basin compensation) etc.... The intent of these guidelines is to protect the air and water quality and to ensure damage to streams and nearby properties is minimized by property drainage system design. Since this is a new development all of the appropriate regulatory review will occur and be complied with.
- The proposed use will comply with the Landscape and Tree Canopy requirements in a manner consistent with Community Form Goal 3. Tree canopy will be preserved (consistent with Community Form Goal 4) or added as is appropriate and in compliance with the Land Development Code. The submitted plans will be further refined and reviewed by Planning Commission staff and the Applicant site engineering firm in order to ensure compliance.

For the above reasons, as well as the materials submitted with the application and during the application process as well as the testimony to be given at the upcoming public hearings, this application complies with the intent, the relevant policies and the Guidelines of Plan 2040.

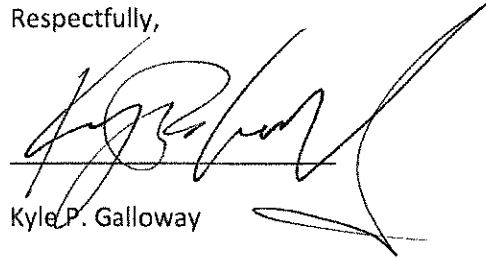
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Respectfully,



Kyle P. Galloway

Duncan Galloway Egan Greenwald PLLC
9625 Ormsby Station Road
Louisville KY 40223

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