

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
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STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GOALS, GUIDELINES AND POLICIES OF PLAN 2040 COMPREHENSIVE PLAN

Applicant: EMM3, LLC c/o Brad Mohr

Owner: Estate of Laverne S. Albert, by Barry Albert
Executor

Location: 9311 Old Six Mile Lane

Proposed Use: Residential apartment community

Engineers, Land Planners and
Landscape Architects: Mindel Scott & Associates, Inc.

Request: Zone change from R-4 to R-6

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INTRODUCTION

The applicant is proposing an apartment community consisting of 8 two-story buildings with a total of 68-units on 4.24 acres located at the intersection of Old Six Mile Lane and Tucker Road. The apartment buildings face toward the interior of the site, and parking is also located in the interior in front of the buildings. This is an area of Old Six Mile Lane with apartment communities and condominium developments, along with other commercial properties nearby.

COMMUNITY FORM

Goal 1 – Guide the form and design of development to respond to distinctive physical, historic and cultural qualities.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 1, and specifically with Policies 2, 7 and 9 of Goal 1, for these reasons:

This application and the development plan comply with this Goal because 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 as herein proposed. This proposed development and the rezoning from R-4 to R-6 is compatible and in keeping with the current zoning and use of the surrounding properties and those in the area. The majority of the properties in the area, and specifically the properties west and south of Old Six Mile Lane are all currently zoned R-4. Property to the north and east are zoned R-6 and R-7. The apartments proposed on the subject property will be very similar to apartments approved and build on Six Mile Lane and proposed at Beulah Church Road.

The propose use fits within and is compatible with the surrounding properties.

Goal 2 – Encourage sustainable growth and density around mixed-use centers and corridors.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 1, and specifically with Policy 9 of Goal 2, because the site is located near the commercial corridor of Hurstbourne Parkway (0.8 miles) and Taylorsville Road (902 ft).

Goal 3 – Enhance neighborhood by protecting and integrating open space, watershed and other natural resources.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 3, and specifically with Policies 2, 7 and 9 of Goal 3, for these reasons:

There are no wet or highly permeable soils, severe, steep or unstable slopes on the subject property that would create erosion problems.

Goal 4 – Promote and preserve the historic and archaeological resources that contribute to our authenticity.

The proposed zone change complies with all of the applicable Objectives and Policies 1, 2, 3 and 6, of Goal 4, because there are no known cultural or historic features on the site. The existing house is greater than fifty years old but is not a likely candidate for National Register or local landmark status.

MOBILITY

Goal 1 – implement an accessible system of alternative transportation modes.

The proposed zone change complies with all of the applicable, Objectives and Policies 1, 3, 4 of Goal 1, for the following reasons:

As previously stated, this proposed higher density residential use is located in very close proximity to the marketplace corridor along Taylorsville Road and is less than a mile from South Hurstbourne Parkway. Public transit is available on Taylorsville Road.

Goal 2 – Plan, build and maintain a safe, accessible and efficient transportation system.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 2, and specifically with Policy 4, because the site is located with access to Taylorsville Road via Tucker Road as well as Old Six Mile Lane where the diversity of housing types will not suffer any nuisance from its access to service and employment centers.

All appropriate site distance standards will be met, and the existing site distance conditions on the properties surrounding the subject property will be improved.

Goal 3 – Encourage land use and transportation patterns that connect Louisville Metro and support future growth.

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The proposed zone change complies with all of the applicable Objectives and Policies of Goal 3, and specifically with Policies 2, 5, 6, 9, 10, and 21 of Goal 3, for these reasons:

The proposed development on underutilized land will provide a new and vibrant residential community with new housing stock critically needed by Louisville Metro to allow its continued growth and also reduce vehicle miles traveled for those moving to the area through its proximity to the previously mentioned employment centers and marketplace options. The subject properties close proximity to the above will also help eliminate multiple automobile trips for such services. Right of Way will be dedicated along the Old Six Mile Lane frontage and no access to high speed roadways will be provided to individual units.

COMMUNITY FACILITIES

Goal 2 – Plan for community facilities to improve quality of life and meet anticipated growth.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 2, and specifically with Policies 1, 2, and 3 of Goal 2, for these reasons:

The subject property is currently served by existing utilities and has adequate capacity for this proposed development as will be confirmed through all utility providers through this rezoning process. These confirmations specifically include the Louisville Water Company's confirmation of sufficient water service capacity and the Metropolitan Sewer District's confirmation of adequate sanitary capacity to serve the proposed development.

LIVABILITY

Goal 1 – Protect and enhance the natural environment and integrate it with the built environment as development occurs.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 1, and specifically with Policies 5, 17, and 21 of Goal 1, for these reasons:

The proposed development will add new native species landscaping as shown on the development plan and as demonstrated on the landscape plan that will ultimately be prepared and submitted for approval. There are no streams or existing groundwater on the subject property and the surface water runoff will be improved from its current condition as an unplanned parking lot through the detention and water quality as shown on the development plan. The added detention and water quality unit will not only help mitigate the impacts of this development but likely help with the existing flooding in the area. A karst survey of the site will be provided.

HOUSING

Goal 1 – Expand and ensure a diverse range of housing choices.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 1, and specifically with Policies 1 and 2 of Goal 1, for these reasons:

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As stated previously, the proposal is for a new and different housing option for the area, being new residential construction lacking in this older area of Louisville Metro. The proposed rezoning will also be an additional option for those looking to age in place, ie., in the community in which they have lived.

Goal 2 – Facilitate the development of connected, mixed-use neighborhoods.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 2, and specifically with Policies 1 and 2 of Goal 2, for these reasons.

The development provides a housing option for a mixture of residents, including the millennial working downtown that wants to live in close proximity to services and areas, baby boomers that no longer want to cut their grass, and those persons of all ages that want to live where there are multiple accessible modes of transportation.

Goal 3 – Ensure long-term affordability and livable options in all neighborhoods.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 3, including Policies 1, 2, and 3, for these reasons:

The proposed development will be a different housing option than the single family residential lot that predominates throughout the surrounding area, and thus will have a different price point. This type of housing option will also help by providing multiple options for the existing residents in the area who want to age in place and in their community.

* * *

For all of these and other reasons set forth on the Detailed District Development Plan/preliminary subdivision plan accompanying this application and in accordance with evidence presented at Planning Commission public hearings, this application will comply with all other applicable Goals and Policies of Plan 2040 Comprehensive Plan.

Respectfully submitted,

BARDENWERPER, TALBOTT & ROBERTS, PLLC
Bardenwerper Talbott & Roberts, PLLC
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223
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Client: Brad Mohr/Old Six Mile Ln.
Case No:
Site Address: 9311 Old Six Mile Ln.

Block 38, Lot 57, 803
Estate of Laverne S. Albert & Estate of H
Alvin Albert
4109 Chenoweth Run Rd.
Louisville, KY 40299

Tier One Property Owners:

Block 1820, Lot 75
Douglas & Jennifer Woosley
9303 Old Six Mile Ln.
Louisville, KY 40299

Block 38, Lot 157
Earl D. Crawhorn
9308 Old Six Mile Ln.
Louisville, KY 40299

Block 38, Lot 746
Stephen & Lynn Clubb
9310 Old Six Mile Ln.
Louisville, KY 40299

Block 38, Lot 735
Brian & Beverly M. Living Trust
9312 Old Six Mile Ln.
Louisville, KY 40299

Block 38, Lot 747
Lamont & Rhonda Curry
9314 Old Six Mile Ln.
Louisville, KY 40299

Block 484, Lot 14, 15, Blk 1820, Lot 76,86
SCBP Taylorsville Associate
15W Highland Ave., Ste. H
Philadelphia, PA 19118

Block 1820, Lot 51
Phenom, LLC
8219 Shelbyville Rd.
Louisville, KY 40222

Block 1820, Lot 52
Emilio D. Del Valle Dominguez
9218 Wendell Way
Louisville, KY 40299

Tier Two Property Owners:

Block 1820, Lot 53
Maria T. Perez
9216 Wendell Way
Louisville, KY 40299

Block 1820, Lot 54
Kristin D. Evans & Kimberly Evans
9214 Wendell Way
Louisville, KY 40299

Block 1820, Lot 57
James Meade
2805 Floore Ct.
Louisville, KY 40299

Block 1820, Lot 58
Mary Ann Filliatreau
2807 Floore Ct.
Jeffersontown, KY 40299

Block 1820, Lot 73
Kimberly Fulks & Timothy Fulks
1134 Lexington Rd., Apt. 4
Louisville, KY 40204

Block 1820, Lot 72
Ismara Mackenzie Hogguitt
Mario G. Quezada
9211 Old Six Mile Ln.
Louisville, KY 40299

Block 1820, Lot 71
James & Malissia Bell
3606 Trail Ridge Rd.
Louisville, KY 40241

Block 1820, Lot 70
Harry & Kathy Morris
9207 Old Six Mile Ln.
Louisville, KY 40299

Block 1820, Lot 43
Michael L. Gordon
9217 Wendell Way
Louisville, KY 40299

Block 1820, Lot 44
Thanh Nong & Chau Truong
9221 Wendell Way
Louisville, KY 40299

Block 38, Lot 515, 36
Moody Living Trust
3804 Village Green Dr.
Louisville, KY 40299

Block 484, Lot 6
Redhawk, LLC
PO Box 991275
Louisville, KY 40269

Block 484, Lot 5
ACC Properties, LLC
1776 Spring Dr.
Louisville, KY 40205

Block 484, Lot 9
Larry & Bonnie Phillips
2912 Tucker Rd.
Louisville, KY 40299

Block 484, Lot 10
John & Grace Gividen
3637 Kelly Way
Louisville, KY 40220

Block 484, Lot 3
Anthony P. Ciccarelli Exemption
5948 Ciccarelli Rd.
Modesto, CA 95358-8976

Block 484, Lot 2
Blacksmith Homes, Inc.
2808 Patti Lane
Louisville, KY 40299

Block 1801, Lot 7, 6
John & Laura Glaser
32 Pine Meadows Dr.
Simpsonville, KY 40067

Block 1801, Lot 9
Scribbles & Giggles Childrens Academy
2900 Patti Lane
Louisville, KY 40299

Block 1801, Lot 10
D & S Properties Management
PO Box 436382
Louisville, KY 40253

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Block 1801, Lot 11
Jillian Fey
2904 Patti Ln.
Louisville, KY 40299

Block 1801, Lot 12
Nicholas P. Schmidt
9409 Alex Ct.
Louisville, KY 40299

Block 1801, Lot 13
Christopher Thomas
1305 Hepburn Ave.
Louisville, KY 40204

Block 1801, Lot 14
James & Catherine Wilson
2910 Patti Ln.
Louisville, KY 40299

Block 1801, Lot 15
Walter Mata
2912 Patti Ln.
Louisville, KY 40299

Block 1801, Lot 16
Cynthia Marie Crick
2914 Patti Ln.
Louisville, KY 40299

Block 1801, Lot 17
Paul R. & Joan Helm
2916 Patti Ln.
Jeffersontown, KY 40299

Block 2652, Lot 12
Patricia Nally & Hollis Weeks
9410 Old Six Mile Ln.
Louisville, KY 40299

Block 2652, Lot 1
Wayne & Teresa Morris
3000 Christiana Woods Ct.
Louisville, KY 40299

Block 38, Lot 359
KZ Properties, LLC
9610 Taylorsville Rd.
Louisville, KY 40299

Block 38, Lot 828
Shanneca O'Bannon Layfield
9402 Old Six Mile Ln.
Louisville, KY 40299

Block 38, Lot 333
Angela Louise Spitzer
3001 Thomas Ln.
Louisville, KY 40299

Block 38, Lot 351
RDS Dream Houses, LLC
9917 White Blossom Blvd.
Louisville, KY 40241

Block 38, Lot 748
Daniel Dabney
2996 Thomas Ln.
Louisville, KY 40299

Block 1840, Lot 140
Frank Champine
3000 Thomas Ln.
Louisville, KY 40299

Block 1840, Lot 139
Frank & Pamela Pribble
3002 Thomas Ln.
Jeffersontown, KY 40299

Block 38, Lot 160
First Apostolic Church of Jeffersontown
170 Gene St.
Mount Washington, KY 40047

Block 38, Lot 450
Thomas & Imelda Kargl
9214 Old Six Mile Lane
Jeffersontown, KY 40299

Block 38, Lot 168
Raymond & Jennifer Glenn
9212 Old Six Mile Ln.
Louisville, KY 40299

Block 1840, Lot 3
Financial Management, LLC
2110 High Wickham Pl.
Louisville, KY 40245

Block 1840, Lot 2
Linda Joyce Lee
PO Box 99442
Louisville, KY 40269

Block 1820, Lot 74
Gary & Rita Moore
9301 Old Six Mile Ln.
Jeffersontown, KY 40299

Block 1820, Lot 59
Melanie Peak & Will Pfohl
2806 Floore Ct.
Jeffersontown, KY 40299

Block 484, Lot 11
Jhoolay Lal Properties, LLC
2900 Farmview Ct.
Louisville, KY 40059

Others:

EMM3, LLC
c/o Brad Mohr, Member
11418 Main Street
Louisville, KY 40243

Paul B. Whitty
Bardenwerper, Talbott & Roberts, PLLC
1000 N. Hurstbourne Pkwy., 2nd Floor
Louisville, KY 40223

Steve Scott & Kathy Linares
Mindel, Scott & Associates, Inc.
5151 Jefferson Blvd.
Louisville, KY 40219

Joel Dock, Case Manager
Planning & Design Services
444 S. 5th Street
Louisville, KY 40202

Hon. Kevin Kramer
Councilman, District 11
601 W. Jefferson Street
Louisville, KY 40202

Hon. Bill Dieruf
Mayor, City of Jeffersontown
10416 Waterson Trail
Jeffersontown, KY 40299

**Those neighbors that attended the
12/10/19 NM not already on list:**

Carolyn Franklin
2707 Gleeson Lane
Louisville, KY 40299

