

**CHANGE IN ZONING JUSTIFICATION STATEMENT**

**CASE NO. 22-ZONEPA-0017**

Hubert L. Hester Living Trust  
R-4, Single-Family Residential District to R-6, Multi-Family Residential District  
Detailed District Development Plan

June 6, 2022

**REQUEST SUMMARY**

The Hubert L. Hester Living Trust is the owner of an approximately 15.26-acre property located at 3902 Mud Lane, Louisville, KY 40229 (the "Property") and, as applicant (the "Applicant"), submits its formal zoning application wherein it requests a change in zoning district designation from the Property's current R-4, Single-Family Residential zoning designation to R-6, Multi-Family Residential and an associated detailed district development plan drafted by Land Design & Development, Inc. ("DDDP"), whereon it illustrates a proposed development of eleven (11) three-story multi-family buildings with two hundred fifty-two (252) dwelling units, a club house, and supporting surface parking, open space, and a dog park (the "Proposal"). Per Chapter 2.2.11 of the Land Development Code for all of Louisville-Jefferson County Kentucky (the "LDC"), the R-6, Multi-Family District permits a maximum density of 17.42 dwellings per acre; with its Proposal, the applicant requests a gross density of 16.51 dwelling units per acre and a net density of 17.04 dwelling units per acre. The Property lies within an existing Neighborhood Form and directly across Mud Lane from a Suburban Workplace Form, and less than a mile west on Mud Lane from a very active Suburban Marketplace Corridor that runs north-south along the Preston Highway commercial corridor.

At the time of formal application submittal, the applicant is unaware of any need for variance or wavier relief needed from the LDC for the DDDP. The proposed rezoning complies with Louisville Metro's Plan 2040 Comprehensive Plan ("Plan 2040"), as more fully justified herein and, therefore, should be approved.

**THE PROPOSAL IS IN AGREEMENT WITH AND CONFORMS TO ALL APPLICABLE PLAN ELEMENTS, GOALS, OBJECTIVES AND POLICIES OF PLAN 2040, A COMPREHENSIVE PLAN FOR LOUISVILLE METRO**

**Plan Element 1 – Community Form**

The Property is within the Neighborhood Form. Goal 1, Policy 3.1.3 of Plan 2040's Community Form Plan Element advises the Neighborhood Form is characterized predominantly by residential uses that vary from low to high density and that blend compatibly into the existing overall landscape and neighborhood areas. Moreover, Plan 2040 states the Neighborhood Form should provide diverse housing types and housing choices for differing ages, incomes, and abilities. New neighborhoods are encouraged to incorporate these different housing types and styles within a neighborhood as long as the different types are designed to be compatible with nearby land uses. The applicant's Proposal incorporates multi-family housing on a larger property for the area, which allows sufficient room on the site

for spacing out of apartment buildings and for the apartment buildings to be setback from perimeter property lines, ensuring proper setbacks and space for buffering and screening of the property and strengthening compatibility with nearby land uses.

Directly opposite Mud Lane from the Property is a well-established Suburban Workplace Form District. Suburban Workplace forms are characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. Suburban Workplaces often contain a single large-scale use or a cluster of uses within a master planned development. New larger proposed industrial uses are encouraged to apply for a planned development district. In order to provide adequate transportation access in suburban workplaces connected roads, public transportation and pedestrian facilities should be encouraged. Walkways to workplace-serving uses are encouraged for workplace employees. Development within Suburban Workplace Form Districts may need significant buffering from abutting uses. Though the properties aligning the north side of Mud Lane have not yet been widely developed as office or industrial uses since they were assigned Suburban Workplace, a couple of properties across the street from the Property are commercially zoned. It is anticipated that in the years to come, more of these Mud Lane Suburban Workplace properties will be developed more in line with Suburban Workplace uses, as the Suburban Workplace expands southward toward the Property. The applicant's Proposal will be well-positioned to support the future job centers of the Suburban Workplaces with available and accessible housing.

Generally, the Property is located within an area of South Louisville experiencing significant development growth and investment, including budding single- and multi-family residential developments throughout areas surrounding the commercial corridor of Preston Highway, south of the Gene Snyder Freeway, around the Commerce Crossing Business Park and across Preston Highway along Cooper Chapel Road. The apartment community proposed for 3902 Mud Lane will have two access points on Mud Lane. Mud Lane is a primary collector level roadway that runs east-west between Blue Lick Road, a minor arterial level roadway, and Preston Highway, a major arterial roadway. In anticipation of future residential development of adjacent property, the applicant's Proposal will include a stub connection to the large 24-acre, single-family property to the east, at 4100 Mud Lane, which, when developed, will provide three separate access points to Mud Lane from the Property. As encouraged by Goal 1 of Plan 2040's Community Form, site parking is mostly centered on the Property, where it can appropriately serve residents and where the parking can be easily screened from neighboring properties; surface parking toward the front of the lot will be well-landscaped from Mud Lane. Site lighting will be shielded and directed down to avoid light trespass from the Property. The apartment community will have LDC-compliant signage to notify the public of its location.

The Proposal will strengthen the supply of available housing units in support of the adjacent Suburban Workplace and Suburban Marketplace Corridor forms. The Mud Lane Apartments will utilize quality building materials including composite siding, board & batten-style siding, steel, cedar boarding, and galvanized metal railings, which, when taken together via the construction of residential buildings, will blend together with existing single- and multi-family communities in the area. Single-family and multi-family communities developed in varying densities, site designs, lot sizes and containing dwellings of different sizes and building

materials exist in the area surrounding the Property. Indeed, for currently, R-4, R-5, R-5A, R-6, R-7, C-1, C-2, C-M and PEC-zoned developments are located in the general area. The applicant's Proposal will better connect the Neighborhood Form to the Suburban Workplace Form across Mud Lane and encourage further connections to the Suburban Marketplace Corridor Form to the east. And, as mentioned, an immediate connection is proposed to the larger property adjacent to the east via stub road and pedestrian connections, thereby rightly planning for supportive connectivity in the future. The Proposal's site and building design carve out a unique sense of place in the neighborhood, while also providing safe, efficient connectivity to its neighboring communities, thereby strengthening and diversifying the surrounding neighborhood form.

As evidenced by the strong demand for growth in the immediate area surrounding the Property, this particular area of South Louisville continues to attract residents and commercial development – in this case, to the area south of the Gene Snyder and east of I-65 within the Preston Highway Suburban Marketplace Corridor Form and adjacent Suburban Workplace Form, where the expanding commercial, industrial and office employment activity centers are consistently adding new users and job sources, and where the surrounding Neighborhood Forms are experiencing an increase in development of various quality single- and multi-family housing being constructed. Here, the applicant's Proposal strengthens the encompassing neighborhood form because the Proposal adds to the form's already existing mix of residential dwellings additional dwelling units constructed on the site to compatibly fit its surroundings. As such, the applicant's Proposal is in accord with Plan 2040's Community Form plan element because it bolsters the expanding neighborhood center in the immediate area with diverse and quality housing and supports the adjacent Suburban Workplace and Suburban Marketplace Corridor forms.

The applicant's Proposal will not detract from the existing Neighborhood and Suburban Workplace forms fronting Mud Lane by inserting adverse traffic impacts to the immediate area, however, as Mud Lane contains sufficient capacity and safe design to serve the existing traffic on Mud Lane as well as the traffic that will be generated by the 252 proposed dwelling units. The proposed traffic will not cause disruption of existing traffic flows, over-capacitate existing roadway infrastructure, nor will the new connections to the public roadway network create sight-line problems on Mud Lane. The DDDP shows just under one-half acre of property being dedicated to the Mud Lane public right-of-way. The addition of the proposed apartment community to Mud Lane will not bring about any known nuisances, such as noise, odor, intrusive lighting, or out-of-place visual intrusions to existing viewsheds or neighboring properties. As a result, and for the foregoing reasons, the applicant's request for R-6 zoning for the Property is in further agreement with Plan 2040's Community Form Goal 1.

The applicant's Proposal advances Goal 2 of Plan 2040's Community Form because with its compact site design for two hundred fifty-two (252) multi-family apartment units on 14.79 (net) acres and its use of quality building materials, the Proposal and rezoning to R-6 encourages sustainable growth and incorporates appropriate density within an area of differing residential densities, which are served by adequate infrastructure and a nearby expanding Suburban Marketplace Corridor and Suburban Workplace Forms to the east and north, respectively. Goal 2 of Community Form looks to accomplish, among other objectives,

the promotion of corridors for investment, encouragement of diverse land uses to enhance quality of place and provide safe mobility options to strengthen connectivity around centers and corridors. The proposed change in zoning will allow for an appropriate expansion to the Neighborhood Form further diversifying its stock of quality housing while also supporting the nearby employment and commercial center(s). Safe connections to existing roadways support movement of people between other neighborhood forms nearby and the Suburban Workplace to the north and the Suburban Marketplace Corridor to the east of the Property. The applicant's proposal will contribute acreage and install pedestrian connections to the Mud Lane public right-of-way, as well as trees and landscaping to its frontage.

The applicant's Proposal is also in concert with Goals 3 and 4 of Plan 2040's Community Form because the site protects sensitive natural features –notably, the stream crossing the northeast corner of the Property – and no known archaeological resources nor historic assets will be endangered or disturbed by the Property's redevelopment. The Property does not possess any severe, steep or unstable slopes susceptible to immediate or long-lasting environmental degradation. No evidence of karst features has been identified onsite. Development of the Property will avoid substantial changes to the site's existing topography. All applicable building setbacks will be met. Although tree canopy will be removed from the property, the applicant will aim to preserve existing trees along the perimeter property lines, especially the rear property line which the Property shares with various single-family properties located on Jennymac Drive. Overall, landscaping buffers and tree canopy established onsite will equal or exceed the LDC requirements. Well over two times the LDC-required amount of open space will be supplied on the Property, including a dog park and walking paths, thereby maintaining a generous amount of green, pervious areas for residents to use and enjoy. Additionally, light impacts on adjacent properties will be inconsequential. Adequate, landscaped parking for residents and guests will be provided onsite next to each apartment building.

In summary, the Proposal adds to the range of housing styles in the area, thereby promoting the surrounding Neighborhood Form by increasing diversity in housing options for differing ages and incomes. The Proposed site design of the 15-acre parcel well spaces the three-story apartment buildings on the Property and away from its perimeter property lines so that the proposed apartment community will be compatible with the scale, form and function of the surrounding single-family residential uses. The proposed multi-family buildings will be constructed using durable, quality building materials that are sustainable and consistent with the building materials utilized in the established neighborhoods surrounding the Property. Considering everything, the applicant's Proposal, if approved, will locate a well-built, compact multi-family apartment community outfitted with supporting amenities and safe internal roadway and pedestrian infrastructure; ultimately, applicant's Proposal builds a stronger, more diverse neighborhood. Accordingly, the proposed development complies with Plan 2040's Community Form Plan Element.

## Plan Element 2 – Mobility

The applicant's Proposal complies with Plan 2040's Mobility Plan Element and its three Goals, and all applicable Policies thereunder, because, when developed, the development will furnish and maintain proper site access, efficient and safe circulation throughout the site for pedestrians and vehicles, while creating no adverse traffic-related effects onto adjacent areas. The DDDP shows internal vehicular and pedestrian connections that will safely and efficiently move the flow of cars, pedestrians, and those who wish to bike through the site and to/from Mud Lane. A stub connection is provided to the property to the east (4000 Mud Lane) to establish future connections should the neighboring property be developed in the future, which would eventually establish another connection to Mud Lane. The applicant will furnish additional right-of-way and a pedestrian connection along the Property's Mud Lane frontage, which will contribute to the sidewalk infrastructure along Mud Lane. Thus, the Proposal's access design is appropriately coordinated for current use and for future roadway and pedestrian improvements.

Mud Lane is a primary collector and metro-county thru roadway that intersects to the east with Preston Highway, a major arterial roadway, and intersects to the west with Blue Lick Road, a minor arterial roadway; Mud Lane has adequate capacity to absorb the new traffic generated by the apartment community. Due to the design of the Proposal's internal vehicular use area infrastructure, high rates of speed for vehicles circulating through the site are not reasonably achievable. Therefore, the Proposal creates a welcoming environment for bicycling and walking throughout the community. TARC is not yet available to this area of Louisville Metro, but the immediate area is ideal for future service, given the meeting of Suburban Workplace, Suburban Marketplace Corridor and Neighborhood Forms and, therein, the multitude of established activity centers. To the east on Mud Lane, apartment residents can access goods, services and restaurants, including a Kroger, Dollar General, UPS Store, Tractor Supply Home Improvement, CVS, among the many. Kroger is approximately one mile from the Property.

Per the submitted DDDP, the right-of-way being dedicated to public use along Mud Lane is approximately .47 acres and the sidewalk proposed therein for construction is five (5') feet in width. Proposed roadway and entrance intersections will meet the requirements for landing areas, as set by Louisville Metro Public Works; safe sightlines will be established and maintained throughout all internal vehicular use areas of the site, including its entrances and exits. The applicant's Proposal avoids access to surrounding development through areas of significantly lower intensity or density. Circulation and turning radii will all meet minimum standards of Metro Transportation Planning and Public Works. The minimum grade of all streets shall be 1% and the maximum grade shall be 10%. Construction plans, bond, and permit are required prior to construction approval by Louisville Metro Public Works. Each apartment building will have sufficient parking to serve its respective dwellings units. The amount of parking proposed for the site accounts for adequate guest parking. Street trees will be planted in a manner that does not interfere with sight distances or create public safety issues, but will create visual interest from Mud Lane and provide shade along the sidewalks for

walkers. For the aforementioned reasons, the applicant's Proposal therefore complies with Plan 2040's Mobility plan element and all applicable objectives and policies therein contained.

### **Plan Element 3 – Community Facilities**

Plan 2040's Community Facilities Plan Element provides guidance and recommendations for the proper integration of necessary community resources across Louisville Metro to plan and maintain accessible facilities that will improve the quality of life for existing and future residents and visitors of Louisville Metro. The Proposal complies with the Community Facilities Plan Element of Plan 2040 and all its applicable Goals and Policies because although the Proposal itself is not intended to be a community facility, it will be served by all necessary utilities, including water, sewer, electricity, telephone and cable, which are all currently available to the site without extensive costs or disturbances to private or public properties. To the extent possible, compatible utilities will be located within common easements and trenches, as required by each utility. Sanitary sewer service will be provided by lateral extension and subject to applicable fees; a downstream capacity request will be submitted to MSD; all sanitary sewer facilities shall conform to MSD's adopted standards. The development also has an adequate supply of potable water and water for fire-fighting purposes; the apartment community will be served by the Okolona Fire Department and the Seventh Division of the Louisville Metro Police Department. Recreational space is accessible to residents in the form of onsite open space, including area for a proposed dog park; additional offsite recreational facilities exist less than a mile to the east on Mud Lane at Blue Lick Park, which has tennis courts, a basketball court, a walking trail, picnic tables, covered seating area and playground for residents to utilize.

### **Plan Element 4 – Economic Development**

Goal 1 of the Plan 2040's Economic Development Plan Element strives to provide an economic climate that improves growth, innovation, investment and opportunity for all. Goal 2 of the Economic Development Plan Element is to cultivate a vibrant, unique city that attracts, retains, and develops a highly-skilled workforce; Goal 2 lists as one of its objectives protecting and improving the economic value of the neighborhood. Here, the applicant requests approval from Louisville Metro to develop multi-family housing near various employment and commercial centers, where residents can live near job sources and have convenient access to goods and services in an area of south Louisville that is experiencing growth in both residential, office, commercial and workplace development. Thru its zoning application and associated DDDP, the applicant wishes to contribute to the area's diversity in housing, thereby improving the value of existing Neighborhood Form, the adjacent Suburban Workplace Form, and the nearby Preston Highway Suburban Marketplace Corridor Form just east of the Property, and to the various smaller activity centers in the immediate area, including those in Bullitt County, to the west and south of the property.

The Property is just west of the Preston Highway Suburban Marketplace Corridor Form wherein a popular activity center is home to daily commerce and interactions between people and the marketplace. Indeed, for the Preston Highway SMC is a job center (Commerce

Crossings; myriad retail stores, restaurants and services), a place to shop for goods and services (Kroger, Walmart, Lowe's, Menard's), a destination for entertainment (Rave 16 Cinema, various restaurants) and worship (a number of religious institutions). The applicant's Proposal will further strengthen the connections between the ever-growing commercial and office uses locating in the activity centers of the Preston Highway Suburban Marketplace Corridor and the adjacent Suburban Workplace Form, as well as the surrounding Neighborhood Forms; the Proposal adds to the diversity in housing in the Neighborhood Forms surrounding these commercial and workplace uses, and the future residents will support the commercial uses either through the purchase of goods and services or through filling needed employment, thereby supporting both employers and employees. Consequently, the Proposal is an ideal multi-family community for individuals or small families who just moved to Louisville Metro for a new job opportunity and are shopping for quality housing within a safe community supported by access to nearby commercial and employment opportunities. Accordingly, the Proposal advances Plan 2040's Economic Development Plan Element because it adds to the availability and diversity of quality housing located near job and commercial activity centers.

### **Plan Element 5 – Livability**

The Livability Plan Element of Plan 2040 gives guidance and direction for the provision and maintenance of resources necessary for the health and well-being of Louisville Metro's citizens. The applicant's Proposal is consistent with the applicable Goals and Policies of Plan 2040's Livability Plan Element, notably those Policies set forth under Goal 1 of the Plan Element, because with the development of the Property, the applicant, in an effort to enhance the natural environment and integrate it with the built environment, will develop the Property in a manner that respects its topography and protects environmental features.

For the Proposal, the LDC requires 96,697 square feet of open space, while the applicant has designed the site to provide 236,332 square feet of open space with walking paths, a dog park, and community clubhouse. Pedestrian connections along Mud Lane and throughout the site will be furnished to safely connect residential buildings with amenity areas on the site. Additional open space is available to residents a couple properties east on Mud Lane, where Blue Lick Park is located, providing residents with offsite recreational options. Though some tree removal will take place on the Property with site preparation, the applicant will attempt to save as many trees along the perimeter property lines as it can, to preserve the natural screening and buffering the Property maintains today, notably along the rear property line. Regardless, the proposed development will meet LDC tree canopy requirement for the Property. The applicant will make certain street trees are planted in a manner that does not affect public safety or hamper sight distances. Perimeter setback areas on the Property will be maintained. The Property will be well-landscaped with plant species native to the area and Kentucky in general, which will help blend the natural and built environments of the Property. Required mosquito control shall be provided in accordance with Chapter 96 of the Louisville Jefferson County Metro Government Ordinances. The Property does not display thereon any characteristics of carbonate or karst areas being present. The Property contains no known

archaeological features on it. No severe, steep or unstable slopes exist on site of which would cause impediments to constructing the Proposal.

The applicant's proposed rezoning of the Property to R-6, Multi-Family Residential complies with Plan 2040's Livability Plan Element because the Proposal will include onsite stormwater detention and the post-development peak flows will be limited to pre-development peak flows for the 2, 10, 25 and 100-year storms or to the capacity of the downstream system, whichever is more restrictive, thereby protecting adjacent and downstream properties from adverse impacts of stormwater drainage leaving the Property. Additionally, to accomplish this, the applicant will install drainage infrastructure on the Property, as conceptualized on the DDDP, to improve proper drainage of stormwater on both the site and surrounding properties, decreasing areas where rainwater pools for extended periods of time. A drainage basin will be constructed at the north central/northeastern portion of the site, where it can collect stormwater properly piped from various areas of the Property and hold the stormwater while it discharges at an appropriately safe rate. Moreover, the development preserves on-site, natural drainage features to accommodate runoff, assuming the full buildout of the watershed as required, and will maximize the saturation capacity of the soil in accordance with Metropolitan Sewer District ("MSD") requirements.

Connection to MSD sanitary sewer infrastructure via lateral extension will protect groundwater sources underneath the development and on adjacent properties; this connection will be an easy one, as MSD recently installed a main sewer line across the northeastern corner of the Property. And, as the land is configured today, no area of the Property lies within the 100-year flood hazard area per FEMA Map No.21111Co127E, dated December 5, 2006. There is an area of local regulatory floodplain on the Property, however, as specifically identified on the DDDP. The section of the internal vehicular use area proposed to traverse this portion of local floodplain will be constructed so that it is safely above any altitude that would be in danger of flooding. Accordingly, emergency vehicle access will traverse ground above any flood levels that might impact the property. Moreover, before the applicant can proceed to the Planning Commission's Land Development and Transportation Committee meeting, MSD must be satisfied with the applicant's proposed stormwater management system. To ensure completion of proposed stormwater infrastructure, the Property will be subject to MSD drainage bonding prior to construction plan approval. The final design of this project must meet all MS4 water quality regulations established by MSD. The layout of the site may change at the design phase to facilitate proper sizing of green best management practices (BMPs). Finally, an erosion prevention and sediment control plan will be implemented prior to construction utilizing best management practices as required by the MSD.

The apartment buildings the applicant proposes to construct on the Property will have quality, well-manufactured building materials that will deploy sustainability and efficient energy use for its residents. The dwelling units are designed for accessibility to support residents and guests of different ages and physical abilities. The applicant's Proposal complies with Plan 2040's Livability Plan Element because the applicant proposes a well-designed residential community for 252 multi-family dwelling units, which, as a whole, will cause minimal impacts to existing traffic Mud Lane and within the surrounding area. A stub



connection is proposed to the adjacent property to the east. The provision of pedestrian connections throughout the site will encourage pedestrian activity, connect apartment buildings to the site's open space, as well as provide a pedestrian connection to Mud Lane. Close proximity to commercial centers located along Preston Highway corridor, especially at the intersection of Mud Lane and Preston Highway, enables access to commercial goods and services. The nearby convenient proximity to goods and services, job sources, and areas for recreation reduces the length of vehicular trips, lessens congestions, improves traffic conditions and, as a result, minimizes air pollution and conforms to the requirements of APCD. Therefore, the proposed rezoning complies with Plan 2040's Livability Plan Element.

### **Plan Element 6 – Housing**

The Housing Plan Element strives to enhance housing opportunities for all citizens of Louisville Metro by promoting equitable housing means and ensuring diverse, quality, physically accessible, affordable housing choices with access to opportunities, services and amenities. The following three Goals are set forth within the Housing Plan Element: 1) Expand and ensure a diverse range of housing choices; 2) Facilitate the development of connected mixed-use neighborhoods; and 3) Ensure long-term affordability and livable options in all neighborhoods. As discussed herein, the applicant's Proposal advances all three Goals of the Housing Plan Element. The applicant's proposed apartment community will furnish quality-designed site development and well-constructed attached multi-family dwellings in eleven (11) three-story apartment buildings across fifteen (15) acres, which will also add a new option for residents who wish to reside in the area, thereby adding to the diversification of existing housing types, styles and design within the market of the Property's existing Neighborhood Form, while also further supporting adjacent Suburban Workplace and Suburban Marketplace Corridor Forms.

The Proposal is in agreement with the applicable policies of Housing Goals 1 and 2 because the development of the Mud Lane apartments will widen the supply of housing product and diversify the type of homes in this particular real estate market. The development of the Proposal on the Property will foster opportunities for residents looking to live in this area of South Louisville with conveniently-placed, well-constructed housing units, situated within a compact residential community that is located near accessible commercial activity and job centers and with convenient access to major interstates (Gene Snyder Freeway and I-65). The addition to the immediate area of apartment dwelling units provides more housing options at different price points and different than the predominantly single-family lots long Mud Lane, and at a location – across from the existing Suburban Workplace Form – where residents whom want to live and work in the neighborhood. The Property is already served by a well-connected system of roadway infrastructure that supports the movement of people between residential, commercial, recreational, employment and other supporting uses in the area. Thus, the Proposal is designed for all ages of residents who need quality housing at moderate costs, but do not want or cannot afford home ownership and, correspondingly, prefer lower maintenance burdens that comes with living in apartment residential communities.

This R-6 Proposal will compatibly insert differentiation in the types and styles of existing housing along Mud Lane in a fashion that utilizes good site design to develop the Property with balance and proper spacing and buffering of buildings from perimeter property lines and from one another so that the R-6 Property can co-exist with neighboring R-4 properties. The Property's front setbacks are 25', and its minimum rear yard setbacks are 50'. Newly planted trees and landscaping throughout the site will provide harmonious appearances between adjacent residential developments, ultimately strengthening compatibility and privacy between connected neighborhoods; the 15' landscape buffer area along the perimeter will be supplied. Residents of the proposed units will enjoy conveniently-located parking next to the particular apartment building wherein they reside. The Proposal will put in place a stub connection to a large single-family property to the east, which, when that property develops, will allow for another safe connection for drivers and pedestrians to move between developed properties. Mud Lane offers quick vehicular access to various commercial uses and employment sources located about a mile east of the Property for residents to access general retail items, home improvement materials, groceries, restaurants, and options for entertainment. Consequently, the applicant's Proposal possesses various attributes that support inter-generational residents.

Consistent with Goal 3 of Plan 2040's Housing Plan Element, the applicant's proposed rezoning will help ensure long-term affordability and livable options in the Neighborhood Form wherein it lies because it represents a significant investment in the development of an underused, vacant single-family property into a community that offers multi-family housing directly adjacent to a Suburban Workplace Form and within a mile of a Suburban Marketplace Corridor Form, where commercial goods and services and opportunities for employment are available. The rezoning of the Property to the R-6 zoning district appropriately places manageable density of multi-family housing within an area already consisting of various housing styles, ages and price points; the addition of the Mud Lane apartments adds to this area's evolution. Furthermore, the Property is within an area of South Louisville supported by existing infrastructure, near recreation options, and within short distances to numerous workplaces, commercial goods, services, and entertainment options, and with quick vehicular access to I-65 and the Gene Snyder Freeway, all of which greatly benefit multi-family housing residents. The development of the Proposal does not displace existing residents, however. The Hester family has long owned the Property, which has sat vacant for a long duration. Today, development of the Property allows for new residents to move to the area and gives opportunities to existing residents in the area to remain residing in the area at a different price point.

### **COMPLIANCE WITH KRS 100.213**

For all the reasons set forth in the applicant's detailed Justification Statement and the information set forth on the DDDP submitted with its formal zoning application, the applicant's Proposal is in agreement with the intents, guidelines and policies of Louisville Metro's Plan 2040 Comprehensive Plan. Consequently, the applicant's request to change the zoning of the Property complies with Kentucky Revised Statute 100.213.

Respectfully submitted,



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Jon Baker

Wyatt, Tarrant & Combs, LLP

400 West Market Street, Suite 2000

Louisville KY 40202

Direct: (502) 562-7316

Email: [jbaker@wyattfirm.com](mailto:jbaker@wyattfirm.com)

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