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REVISED STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE “PLAN 2040” COMPREHENSIVE PLAN

Applicant: Cheryl and Dan Fultz

Owners: Cheryl and Dan Fultz

Project Name/Location: Meridian Avenue townhomes

Proposed Use: Multifamily Residential

Request: Zone change from R-5 to R-6

Engineers, Land Planners, Landscape Architects: Land Design & Development

INTRODUCTION

The Applicant is proposing an 8-unit multi-family development on two tracts (to be consolidated) located on the north side of Meridian Avenue (205 and 207 Meridian Avenue) totaling approximately .46 acres in the Town Center Form District. The development will consist of seven new townhomes with one of the two existing homes on the tracts to be retained (207 Meridian Avenue) with ten parking spaces (including two handicapped spaces) and 3,316 square feet of open space. All parking will be in the interior of the site. A related alley closure is also requested to close the unbuilt eighteen' alley along the northern property line.

PLAN ELEMENT 4.1: COMMUNITY FORM

This “Application Package” complies with Plan Element 4.1, Goals 1 and 2 and their Objectives plus the following Policies.

As to Goal 1, Policies 2, 2.1, 3.1.5, 4, 5, 7 and 9, it complies as follows, in addition to the other ways set forth above and below:

The site is located in the Town Center Form District which encourages low-high density and intensity uses and a range of housing opportunities, notably including multi-family dwellings which will be rental apartments, which this plan proposes. Proposed density in this instance is in the high range of R-6 but is not “high density” generally. Spread among 7, 2-story townhome buildings with a total of eight units, the designs, square footages, and rental rates are also contemplated by these Policies as appropriate for this Form District and neighborhood.

Land Development Code required height restrictions, interior, and perimeter landscaping, and required setbacks (without variances or waivers) will also be met with appropriate transitions to surrounding development. Parking is entirely located in the interior of the development. No signage is proposed.

Also, located as this proposed multi-family zoned community is just a short drive on a primary collector road to Shelbyville Road with its sizeable and ever-growing commercial activity center, with employment services and schools nearby. Thus, travel distances for purposes of shopping and employment are reduced, and walking and biking become very real possibilities, especially over time as sidewalk extensions are completed. This helps contribute to improved air quality.

The brick and traditional style and design of these buildings assure compatibility with adjoining residential communities. Landscaping, screening, and buffering beyond the bare minimums will assure appropriateness for the neighborhood and compatibility with adjoining residential uses.

Because of what surrounds this proposal and the fact that this is a proposed rental community, impacts such as traffic, odors, lighting, noise, and aesthetic factors will not prove to be nuisance factors. Plus, as a residential community itself, it would not be designed with the kinds of negative impacts that would harm the quiet enjoyment of its own residents.

As to Goal 2, Policies 1, 6, 7 and 9, it complies as follows, in addition to the other ways set forth above and below:

As said, the proposed multi-family community is in a Town Center Form District, very near already built shopping and large rental community and near a major employment center. As such, and with good and improving pedestrian and vehicular access along Meridian Avenue with street and sidewalk connections to other neighborhoods, the proposed multi-family community is part of a large mixed residential, retail and school activity center

Also, as such, it will add to the opportunities existing and planned in this high growth area to reside in close and convenient proximity to places of employment, food, shopping, and education along Shelbyville Road. Utility easements will be designed and located to provide access for maintenance and repair and to the extent possible, in common easements underground with screened utility equipment.

As to Goal 3, Policies 1, 2, 3, 6, 9, 10 and 13, it complies as follows, in addition to the other ways set forth above and below:

The detailed district development plan (DDDP) filed with the rezoning application for this proposed multi-family community includes #,316 square feet of open space for use by residents. Those spaces will be maintained in perpetuity by the owner of the apartment community. No severe, steep, or unstable slopes are existing on the site and no portion of the site is within a flood hazard area.

As to Goal 4, this is not a historic site with historic buildings. The existing residence on the site is eligible for the National Historic Register based solely on its age and has no distinctive architectural features or cultural or historical significance and is planned for demolition.

PLAN ELEMENT 4.2: MOBILITY

This Application Package complies with Plan Element 4.2, its Goal 3, and their Objectives plus the following Policies.

As to Goal 1, Policy 4; Goal 2, Policy 4; and Goal 3, Policies 1, 2, 3, 4, 5, 9, 10 and 21, it complies as follows, in addition to the other ways set forth above and below:

This proposed multi-family community (located as it is within an existing and growing mixed use area proximate to a large activity center, with good access off a primary collector level road and thereby well connected as it is proposed to be accessible nearby schools, restaurants, retail shopping and other residential developments and communities) is plainly part and parcel of good pedestrian, bicycle and road networks. Locating its development along and with access to and from those networks, the Applicant will, at its cost, construct a sidewalk along its Meridian Avenue frontage. In doing so, it will prepare construction plans that will assure safe access with good sight distances and turning radii. No direct access to high-speed roadways is proposed.

Also, bike racks and handicapped parking spots will be installed as and where required near buildings. And all drive lanes, parking spaces and stub connections will be designed in accordance with Metro Public Work and Transportation Planning (MPW&TP) requirements. These are preliminarily depicted on the DDDP filed with this application.

TARC service is available within walking distance along Shelbyville Road.

PLAN ELEMENT 4.3: COMMUNITY FACILITIES

This Application Package complies with Plan Element 4.3, Goal 2, and their Objectives plus the following Policies.

As to Goal 2, Policies 1, 2 and 3, it complies as follows, in addition to the other ways set forth above and below:

Several schools are in the area including Waggener and Trinity High School. All necessary utilities are located proximate to this site including a potable water supply and accessible to it via public right of way easements. The sewer line adjacent to the rear will be evaluated to ensure capacity for the anticipated flow.

PLAN ELEMENT 4.5: LIVEABILITY

This Application Package complies with Plan Element 4.5, its 4 Goals and their Objectives plus the following Policies.

As to Goal 1, Policies 5, 17 and 21, it complies as follows, in addition to the other ways set forth above and below:

The DDDP filed with this application contemplates that storm water will be subject to the MSD Regional Facilities Fee. The site will be evaluated for the presence of native plants and to inventory the existing tree masses for compliance with the tree canopy requirements of the LDC. Measures will also be taken to assure that erosion and sediment impacts are fully controlled and/or mitigated. The site is not located in a floodplain. A karst survey will be performed to ensure there are no such features or that such features will be mitigated.

As mentioned above, given the location of this proposed multi-family community near a large existing and expanding activity center, air quality impacts will be minimized because vehicle miles travelled are reduced.

PLAN ELEMENT 4.6: HOUSING

This Application Package complies with Plan Element 4.6, its 3 Goals and their Objectives, plus the following Policies.

As to Goal 1, Policies 1 and 2; Goal 2, Policies 1 and 2; and Goal 3, Policies 1, 2 and 3, it complies as follows, in addition to the other ways set forth above:

By bringing brand-new, high-quality apartments to the Shelbyville Road/St. Matthews area, the Applicant proposes to serve a different purpose, which is well-designed and attractive rental housing, where otherwise the main living opportunities are single family houses. Also, because of the number of bedrooms, it is possible that renters, taking advantage of proximity to nearby schools, will have children. And because of the lifestyle changes that the Great Real Estate Recession of 2009 and Coronavirus depression of 2020 have caused, moving ever more people from ownership to rental housing communities so this community can expect empty nesters to be among its principal occupants.

And, finally, the Comprehensive Plan does not prohibit the demolition of one or two existing single-family houses on large lots, as proposed in this isolated instance. One of the two houses is currently occupied and will be available for rental under the proposed plan. One vacant house in disrepair will be removed. The Comprehensive Plan tries to preserve single family communities of houses, to protect an affordable housing stock, which is not what is involved here.

* * *

For all the above-stated reasons, those shown on the detailed district development plan and those explained at the LD&T meeting and Planning Commission public hearing, this application complies with all other applicable Goals, Objectives, and Policies of the “Plan 2040” Comprehensive Plan.

Respectfully submitted,

Paul B. Whitty

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