

ZONING JUSTIFICATION STATEMENT
CHANGE IN ZONING FROM M-3 INDUSTRIAL
TO R-8A MULTI-FAMILY RESIDENTIAL
AXIS APARTMENTS
1373 LEXINGTON ROAD
14ZONE1001

March 10, 2014

A change in zoning from M-3 Industrial to R-8A Multi-Family Residential is requested to permit the applicant, Cityscape Residential, to develop an upscale apartment community on the property located at 1373 Lexington Road in the Irish Hill Neighborhood. The proposed development consists of three five-story buildings with parking provided under one of the buildings and on the surface. Beargrass Creek, which bounds a significant portion of the property along the east, north, and west, will be preserved in its current location and buffered in accordance with all applicable requirements. For the reasons stated herein, the proposed change in zoning complies with the Cornerstone 2020 Comprehensive Plan ("Cornerstone 2020") and, therefore, should be approved.

GUIDELINE 1
COMMUNITY FORM

The subject property is located within the Traditional Neighborhood Form District. Guideline 1.B.2 defines a Traditional Neighborhood Form District as one that is comprised predominantly of residential uses with a grid pattern of streets with sidewalks. Residential lots are predominantly narrow and deep, but the neighborhood may contain sections of larger estate lots as well as sections of lots which appropriately integrate higher density residential uses. It is encouraged for the higher density uses to be located in centers or near parks and open spaces.

The proposed rezoning complies with Guideline 1 of Cornerstone 2020 because it will enable an old industrial site to be redeveloped into an upscale multi-family residential community that is a more appropriate use in the Traditional Neighborhood Form District. The existing sidewalk and street pattern will be preserved, and streetscape improvements are proposed along the Lexington Road frontage to enhance the pedestrian experience. The proposed site design is consistent with the traditional pattern of development, with buildings located along the Lexington Road frontage and parking located primarily to the sides and rear of the buildings. The proposed development is located within an existing activity center along Lexington Road, a minor arterial, immediately adjacent to commercial uses at the intersection of Payne Street, a primary collector, and just across the street from Headliners Music Hall and Distillery Commons. The subject property is also located in very close proximity to Breslin Park, a public park just east of the site at the intersection of Lexington Road and Payne Street. For

the foregoing reasons, the proposed change in zoning complies with Guideline 1 of Cornerstone 2020.

GUIDELINE 2 CENTERS

Guideline 2 of Cornerstone 2020 encourages the mixed use of land around compact activity centers that are existing, proposed or planned. As stated above, the proposed development is located within an existing activity center that contains a mixture of residential, commercial, and office uses. The proposed change in zoning will allow for the conversion of an old blighted industrial site into a multi-family residential development, which will help to stabilize the neighborhood and add to the diverse mixture of uses in the Irish Hill neighborhood. In addition, the proposed rezoning will provide a unique housing type and building style that does not currently exist in the neighborhood, which is compatible with a traditional pattern of development and will accommodate a variety of people.

The proposed development will incorporate streetscape amenities, landscaping, pedestrian connections, and adequate on-site parking. The developer is committed to a high-quality architectural design for the proposed buildings. The buildings will be articulated to provide visual interest and will include brick and glass materials, transparent doorways and entry areas, and other animating features. A development of this type will encourage vitality and a sense of place within the Irish Hill neighborhood. The site is located along a transit corridor in close proximity to downtown, sidewalks will be provided along the Lexington Road frontage, and bicycle parking will be provided in the development. Therefore, the proposed development will be easily accessible by all modes of transportation and, as a result, will aid in reducing commuting time and transportation-related air pollution.

The proposal represents a compact pattern of development resulting in efficient land use and cost-effective infrastructure because the subject property is located within the urban core. In addition, the site design focuses the buildings to the street and away from the natural features of the site, with the majority of parking behind the proposed structures, which in turn gives greater attention to the buildings and streetscape. Finally, the proposed development incorporates focal points around the site, including a pool, rain gardens, and open space areas around Beargrass Creek. For all of the aforementioned reasons, the proposed change in zoning complies with Guideline 2 of Cornerstone 2020.

GUIDELINE 3 COMPATIBILITY

The subject property is located in an area that consists of a mixture of industrial, commercial, office, and residential uses. The subject property is bounded by Beargrass Creek along the majority of the west, north, and east property lines. The properties to the east and west of the site are zoned M-3 Industrial, and further to the east are M-2 and C-2 zoned properties. Directly across Lexington Road from the site is the Distillery Commons complex and

Headliners Music Hall, both zoned EZ-1. The proposed residential development is compatible with the scale and site design of development in the surrounding area, including Distillery Commons, and with the pattern of development of the Traditional Neighborhood Form District. Furthermore, the vegetation along Beargrass Creek provides a buffer where the site adjoins the higher intensity M-3 and EZ-1 zoned properties.

The proposed buildings will incorporate architectural design features compatible with the character of the surrounding neighborhood. The buildings are proposed to be oriented towards the street frontage with setbacks that meet the form district standards. The proposed development will also contain sufficient parking on-site to serve the needs of the residents of the development and their guests. Parking areas are located to the sides and rear of the buildings in accordance with the traditional pattern of development. The two access points on Lexington Road are designed and located to be safe and convenient for motorists and pedestrians, and will not negatively impact nearby properties. Trees and other landscaping will be provided along the Lexington Road frontage and throughout the site to break up parking areas and enhance the aesthetic character of the development. In addition, outdoor lighting and signage will comply with Land Development Code requirements and will not negatively affect nearby residential properties.

The proposed residential development is appropriately located on a transit corridor. Sidewalks and internal pedestrian connections are provided to ensure the development is highly accessible by all modes of transportation. The stormwater detention design is required to receive approval from MSD prior to construction of the proposed development, and an Erosion Prevention and Sediment Control Plan utilizing best management practices as recommended by MSD will be implemented prior to commencing construction of the development. For the aforementioned reasons, the proposed development complies with Guideline 3 of Cornerstone 2020.

GUIDELINE 4 OPEN SPACE

Guideline 4 of Cornerstone 2020 is intended to promote the creation of well-designed, permanently protected open spaces that meet community needs. Although the development is not required to provide open space on site because the site's proximity to Breslin Park, large areas of open space are provided along Beargrass Creek, and as well as throughout the development. The open spaces around Beargrass Creek will serve as a natural buffer against the adjacent higher density zoning districts and will help treat some of the site's run-off before entering the creek. Further, green infrastructure measures will be incorporated into the site development, including rain gardens and bio-cells, which will provide additional water quality benefits and reduce the volume and flow of stormwater runoff. For the foregoing reasons, the proposed development satisfies Guideline 4 of Cornerstone 2020.

GUIDELINE 5
NATURAL AREAS AND SCENIC AND HISTORIC RESOURCES

Guideline 5 of Cornerstone 2020 is intended to help ensure new developments protect the natural areas and features of important scenic and historic resources. The proposed development respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and, minimizes land disturbance and environmental degradation. The proposed development will preserve the required stream buffer along Beargrass Creek, and will integrate bio-cells which will provide additional water quality and stormwater drainage benefits. The subject site is located in the 100-year floodplain, therefore, the buildings will be constructed on podiums to ensure there are no negative impacts to the watershed and its capacity to carry stormwater. The subject property contains no other environmental constraints, scenic, historic, or cultural resources that would inhibit the proposed development. Accordingly, the proposed development meets Guideline 5 of Cornerstone 2020.

GUIDELINE 6
ECONOMIC GROWTH AND SUSTAINABILITY

The subject property is located within an existing activity center along Lexington Road near the intersection of Payne Street. The proposed development represents a significant investment in the redevelopment and rehabilitation of a long vacant blighted industrial site in a manner that is consistent with the Traditional Neighborhood Form District. Therefore, the proposed development complies with Guideline 6 of Cornerstone 2020.

GUIDELINES 7, 8 AND 9
CIRCULATION, TRANSPORTATION FACILITY DESIGN, AND BICYCLE, PEDESTRIAN, AND TRANSIT

The subject site is located on Lexington Road, a minor arterial, near the intersection of Payne Street, a primary collector to the north and local road to the south. As a result, the surrounding roadways have adequate carrying capacity for the traffic that will be generated by development. Additional right-of-way will be dedicated along Lexington Road to accommodate future improvements. The two entrances to the development are designed to ensure the safe and efficient movement of pedestrians and vehicles without causing a nuisance to adjacent property owners. Sufficient vehicle parking spaces, including handicapped spaces required by the ADA, are provided on site. Parking is located primarily to the sides and rear of buildings in conformance with Traditional Form District standards. Bicycle parking will be provided on site in accordance with the Land Development Code. The sidewalks along the Lexington Road frontage will be improved and pedestrian connections will be provided from the public sidewalk to the proposed development. In addition, the subject property is located along a TARC route, ensuring an adequate level of public transit service. Accordingly, the proposal accommodates all modes of transportation by providing for the movement of pedestrians, bicyclists, vehicles and transit users to, from, and through the development. Being located in an activity center on a minor arterial roadway in close proximity to neighborhoods and downtown Louisville, with

adequate pedestrian, bicycle, and transit service, the subject site is located where transportation infrastructure exists to ensure the safe and efficient movement of people and goods. For the foregoing reasons, the proposal complies with Guidelines 7, 8 and 9 of Cornerstone 2020.

**GUIDELINES 10 AND 11
FLOODING, STORMWATER AND WATER QUALITY**

The subject site is located in the 100-year floodplain, therefore, the buildings will be constructed on podiums to ensure there are no negative impacts to the watershed and its capacity to carry stormwater. The proposed development is located on a site that will enable proper stormwater handling and release management that will not adversely affect adjacent and downstream properties. Beargrass Creek will be maintained in its current location and buffered in accordance with Land Development Code requirements. The large open space areas around Beargrass Creek, as well as the green infrastructure measures that will be incorporated into the development, will provide water quality benefits by treating stormwater runoff before it enters the creek. Currently, the site is nearly 100% impervious. The addition of landscape islands, bio-cells and other open space significantly improves stormwater maintenance on the site. Further, the proposed development minimizes impervious area by providing parking under the buildings. Finally, an erosion prevention and sediment control plan will be implemented prior to construction utilizing best management practices as required by the Metropolitan Sewer District. Accordingly, the proposed development complies with Guidelines 10 and 11 of Cornerstone 2020.

**GUIDELINE 12
AIR QUALITY**

The proposed development complies with Guideline 12 of Cornerstone 2020 because the proposal represents an efficient land use pattern and utilizes current traffic patterns. Because the site is located along a TARC route, the proposed development will promote a reduction in commuting time, which in turn will help reduce transportation-related air pollution. Lastly, the proposed development will promote bicycle transportation due to its proximity to the Central Business District, Beargrass Creek Parkway and other surrounding neighborhoods. Based upon the foregoing, the proposed development satisfies Guideline 12 of Cornerstone 2020.

**GUIDELINE 13
LANDSCAPE CHARACTER**

Guideline 13 of Cornerstone 2020 is intended to protect and link urban woodland fragments in conjunction with greenways planning, promote tree canopy as a resource, enhance visual quality, and buffer incompatible land uses. The proposed rezoning complies with Guideline 13 because tree canopy will be provided in accordance with the Land Development Code. The vegetative buffer that will be preserved along Beargrass Creek will not

only serve to buffer the proposed development from surrounding properties, but will also preserve a natural greenway corridor that can provide habitat areas and allow for wildlife migration. In addition, native plant species will be utilized in the landscape design, street trees will be planted along Lexington Road to enhance the streetscape, and significant interior landscaping will be installed throughout the site and in the vehicular use areas, which will enhance the buildings, break up the parking areas, and enhance the overall visual quality of the development. Finally, outdoor signage and lighting will comply with the Land Development Code and will be compatible with the surrounding area.

**GUIDELINES 14 AND 15
INFRASTRUCTURE AND COMMUNITY FACILITIES**

The proposed development complies with Guidelines 14 and 15 of Cornerstone 2020 because the subject property is served by existing infrastructure and all necessary utilities, including water, electricity, telephone and cable. To the extent possible, utilities will be located within common easements and trenches. The development also has an adequate supply of potable water and water for fire-fighting purposes and is served by the Louisville Fire Department.

COMPLIANCE WITH KRS 100.213

In addition to compliance with all applicable guidelines of the Cornerstone 2020 Comprehensive Plan, the proposed development complies with KRS 100.213 in as much as the existing M-3 Industrial zoning classification is not appropriate while the proposed R-8A Multi-Family Residential zoning is appropriate. The property is located in the Traditional Neighborhood Form District, which is intended for predominantly residential uses, as well as some neighborhood-serving commercial and office uses, and not for industrial uses. Therefore, the proposed rezoning to R-8A Multi-Family Residential to allow this old industrial site to be redeveloped into an apartment community is appropriate on this property.

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