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ATTORNEYS AT LAW

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STATEMENT OF COMPLIANCE WITH THE APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Applicant/Owner: Indian Springs Green Space, LLC

Location: 3408 Indian Springs Drive

Existing Use: Vacant Golf Course Clubhouse

Proposed Use: Restaurant

Engineers, Land Planners and
Landscape Architects: Blomquist Design Group, LLC

Request: Rezoning from R-4 to C-1 and Conditional
Use Permit to allow outdoor alcohol sales
and consumption

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INTRODUCTORY STATEMENT

Since the recent closure, the Indian Springs Golf Course has gone through several changes, including a previous rezoning and development plan for the Westport Road frontage of the old Indian Spring Golf Course for the Aldi grocery, a restaurant and an Aloft Hotel with potential future restaurant. In order to salvage the vacant former clubhouse building, the applicant is proposing a zone change from R4 to C1 (under Docket No. 15ZONE1016) on a portion of the above-referenced property to allow a restaurant with a Conditional Use Permit (“CUP”) to allow outdoor alcohol sales and consumption to fill this now vacant clubhouse space. The building footprint will remain the same.

A neighborhood meeting held on May 11, 2015 to discuss both the zone change and the CUP and there appears to be little to no opposition for this application. Unlike some examples of restaurants with outdoor seating areas for sale and consumption of alcoholic beverages, where their adverse impacts might be felt by nearby neighbors, that would not be the case here because of the fact that this patio is in the rear of the former clubhouse building and surrounded in 3 directions by commercial property. The closest neighbor within Indian Springs is over 200 ft from the front door of the clubhouse building.

GUIDELINE 1 – COMMUNITY FORM

The Community Form for this property is the Suburban Neighborhood Form District which is characterized by both residential as well as neighborhood centers with a mixture of uses, such as that found along this area of Westport Road. This application complies with this Guideline because there is a mixture of neighborhood serving uses with accessibility, not just to customers visiting in automobiles, but also in time via transit, and presently by pedestrian walkways and

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bicycles.

GUIDELINE 2 – CENTERS

This application complies with the Intents of this Guideline because, as explained above, Indian Springs has undergone several changes recently in order to repurpose the former golf course. This restaurant is a welcome addition to the recently approved hotel and promotes the efficient use of land and investment in existing infrastructure, also lowering utility costs by reducing the need for extensions and by reducing commuting time and transportation related air pollution. This added outdoor seating area should also better encourage vitality within this existing subdivision to generate additional income for the upkeep of the former golf course, now open space.

Policies 1, 2, 3, 4, 5, 7, 8 and 9 all pertain to the location, compact development, mix and desirability of uses in activity centers, especially those located in and around residential areas. The proposed restaurant for this site complies with these Policies of this Guideline because, as stated above, we are talking about a location near an arterial and an interstate highway, with a Regional Center across Westport Road and with other retail recently approved by the Planning Commission and Metro Council next door. This restaurant adds to an already large mix of uses in this immediate area, and this restaurant location exists within the neighborhood it serves, just as it is close to Westport Road, which serves a larger population base.

Policies 11 and 12 of this Guideline pertain to the design of centers and the desirability of focal points in them. This proposed restaurant at this site also complies with these Policies of this Guideline because the former Indian Springs clubhouse is a focal point for the neighborhood with a lovely patio overlooking the former 18th hole, now part of the large connected community green space.

This application also complies with applicable Policies 13 and 14 of this Guideline because it utilizes existing parking.

GUIDELINE 3 – COMPATIBILITY

This proposed restaurant at this site complies with these Intents of this Guideline because it adds a new mix to the already existing land uses in the area, as described above. It does not involve any new noise, lighting or similar nuisances or negatively impact visual quality like some kinds of more intense commercial uses could, among other reasons because the former golf course clubhouse had a restaurant in it. And, as described elsewhere in this Compliance Statement, this restaurant helps to preserve the neighborhood by paying towards open space maintenance.

Policies 1, 2 and 4 of this Guideline all pertain to compatibility in terms of design, especially when located in or near an upscale residential area. The old clubhouse building will remain essentially as is, perhaps with some brick added to it.

This application also complies with applicable Policies 5, 6, 7, 8 and 9 of this Guideline because the impacts of odors, traffic, noise, lighting and visual effects are mitigated by virtue of the location of this added outdoor seating area at the rear of the clubhouse building and near other commercial uses, away from the nearby residents, so that it will have no impacts on nearby neighborhood.

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This application also complies with applicable Policies 21, 22 and 23 of this Guideline because it does not require any additional landscaping, screening or buffering than already exists to protect nearby neighborhoods, which are protected as described hereinabove.

GUIDELINES 4, 5 AND 13 – OPEN SPACE, NATURAL AND SCENIC AREAS, AND LANDSCAPE CHARACTER

This application complies with the Intents and applicable Policies of these Guidelines because what is applied for here is simply outdoor seating to service the proposed restaurant where alcoholic beverages may be served outdoors.

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

This application complies with Intents and specifically applicable Policy 6 of this Guideline because, by expanding the functionality and use of this purposeful reuse of the existing clubhouse building with this added outdoor seating area, the restaurant should become more popular to users, thus reducing commuting distances to farther away shopping centers with restaurants that have outdoor seating. Because this is an existing building, the redevelopment of things such as this also helps reduce public and private cost for land development and creates funds to help with the upkeep of the former golf course land.

GUIDELINES 7 AND 8 – CIRCULATION AND TRANSPORTATION FACILITY DESIGN

This application specifically complies with applicable Policies 1, 2, 10, 11, 12, 13, 14, 15 and 16 of Guideline 7 and with applicable Policies 9, 10 and 11 of Guideline 8 because, as stated, this building was formerly used as the golf course clubhouse and at the time the golf course was originally approved, the plan received a preliminary stamp of approval from Metro Transportation. Likewise, this application as well will need to receive the stamp of approval from Metro Transportation Planning in advance of docketing for Planning Commission review. That stamp will once again demonstrate compliance with all Metro Transportation Planning standards governing access, internal circulation and so on.

GUIDELINE 9 – BICYCLE, PEDESTRIAN AND TRANSIT

This application complies with the Intents and applicable Policies 1, 2, 3 and 4 of this Guideline because this restaurant will be accessible by people using bicycles and those walking.

GUIDELINE 10 – FLOODING AND STORMWATER

This application complies with the Intents and applicable Policies 1, 3, 6, 7, 10 and 11 of this Guideline because, as when it was first approved, it will again receive the preliminary stamp of approval from MSD, thus demonstrating compliance with MSD regulations regarding stormwater management. Furthermore, little if any additional impervious surface is being created because the applicant is proposing to reuse the former clubhouse building as it exists today.

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GUIDELINE 11 – WATER QUALITY

This application complies with the Intents and applicable Policy 3 of this Guideline because, to the extent that any additional construction is required, it will be required to comply with the MSD soil erosion and sedimentation control ordinance.

GUIDELINE 12 – AIR QUALITY

This application complies with the Intents and applicable Policies of this Guideline because, locating a restaurant within the Indian Springs subdivision, it can actually help contribute to improved air quality overall in the Louisville Metro community because locating this restaurant, as proposed in the neighborhood, permits Indian Springs residents to access it by walking. That helps reduce travel times, automobile usage and travel distances.

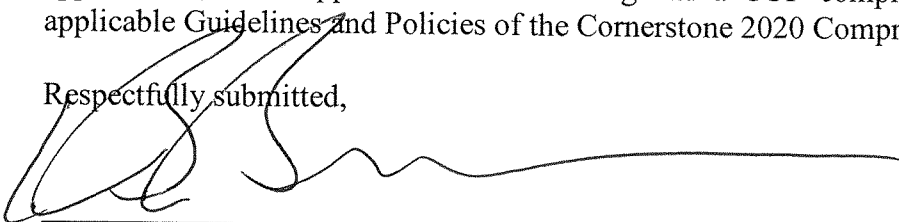
GUIDELINES 14 AND 15 – INFRASTRUCTURE AND COMMUNITY FACILITIES

This application complies with the Intents and applicable Policies of these Guidelines because infrastructure already exists, utilities are available at the site, and this facility is located near the Worthington Fire Department so that fire service is readily available.

* * *

For all of the above reasons and others identified on the Site Plan submitted with these applications, these applications for rezoning and a CUP comply with all other relevant and applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,



William B. Bardenwerper
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