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PROPOSED FINDINGS OF FACT WITH APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE "PLAN 2040" COMPREHENSIVE PLAN

Applicant: Mike Kenney

Owner: Estate of Dorothy C. Carter

Location: 3822 Taylorsville Road & 3004 Melbourne Avenue

Proposed Use: Professional & Business Offices

**Engineers, Land Planners and
Landscape Architects:** Land Design & Development, Inc.

Request: Zone change from R-5 to OR

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee and in the Public Hearing held on October 17, 2019 and having reviewed evidence presented by the applicant and the staff's analysis of the application make the following findings:

INTRODUCTORY STATEMENT

WHEREAS, this proposal is for a change in zoning on a 1.1 acre site located at the Southwest corner of Taylorsville Road and Melbourne Avenue in Louisville Metro to permit conversion of a single-family brick residence into a professional office for a State Farm Insurance Office, a possible construction of a one story 3,000 square foot, professional office replacing the an existing garage consisting of 1,933 square feet. The site is in close proximity to the Taylorsville Road and Breckenridge Lane interchange which ensures that the Insurance Agency will be highly convenient for easy access to area residents; and

WHEREAS, the property is South of and West of properties that are zoned OR-1, OR and just East and North of those properties are large commercial properties zoned C-1 and C-2 Commercial and the conversion of this site will enhance the appearance of the site and maintain its compatibility with adjoining residential properties including condominiums located on an R-6 zone, which are North of the site; and

WHEREAS, the proposed zone change and detailed district development plan (DDDP) comply with applicable Community Form Goal 1 Objectives b, c, & f and applicable Policies 6-8, 15-18 and 12 because the proposed change in zoning to OR complies with Goal 1 in several ways as this development will take an existing vacant residence and modify it only to the extent of allowing Office which is consistent with the Neighborhood Form District and to allow property

to provide low intensity office use to serve the surrounding neighborhoods and the rezoning will repurpose the residence for a low intensity office use compatible with adjoining properties and the development and proposed zone change will remain compatible with the scale and site design of nearby existing developments because virtually no physical changes are being proposed to the residence on the property; and

WHEREAS, the proposed zone change and DDDP complies with applicable Community Form Goal 2 Objective b and Policies 1, 4-11 because the site is immediately adjacent to an existing activity center, has appropriate access and connectivity; the proposed zoning does not permit retail development and reuses existing residence and will include the construction of new structure to increase the intensity of activity on the site resulting in a more efficient land use and cost effective infrastructure use permitting a mixture of compatible land uses and would increase the allowable mix of land uses in the existing activity center while permitting residential land uses and reuses an existing structure; the proposal does not include underutilized parking lots and the design and scale of the proposal is compatible with the nearby residences in that it reuses an existing residential building; and

WHEREAS, the proposed zone change and DDDP complies with applicable Goal 3 Objectives a, & c and Policies 9 - 12 because: the proposed development plan will enhance the surrounding neighborhoods by not diminishing any open space or natural resources. The zoning change will not impact any flood prone areas, nor will it impact any wet or permeable soils or steep slopes. The proposal avoids any change in topography and does not increase any environmental changes or damage. The landscape buffers and setbacks will continue to provide the community transitions between the site and the surrounding residential properties and the site is not located within the Ohio River Corridor; and

WHEREAS, the proposal complies with Community Form Goal 4 Policies 1 and 2 as there are no historic assets evident on the site and there are not distinctive cultural features evident on the site; and

WHEREAS, the proposed zone change and DDDP complies with applicable Mobility Goal 1 Objectives a, b, c & e and Policy 4 because the development plan evidences the current existing physical condition of the property which contains an accessible system of alternative transportation modes of travel through sidewalks and connections between the uses for bicycles and pedestrian traffic. The site is served by public transportation through multiple TARC bus lines adjacent to the property. The entire development encourages efficient access and minimizing distances of travel. It also continues to place higher density and intensity near existing commercial corridors and along the major arterial and primary collector with TARC service available and the site is immediately adjacent to an existing activity center in the Regional Center form district; and

WHEREAS, the proposed zone change and DDDP complies with applicable Mobility Goal 2 Objectives a, b, & d and Policy, 4 because the development plan complies with the objectives and policies of Goal 2 by promoting safe, accessible and efficient transportation uses by accommodating pedestrian, bicycle and vehicular access. The entrances are compatible with surrounding development and aesthetically pleasing to adjacent areas and access will be achieved immediately adjacent to Taylorsville Road, a major arterial; and

WHEREAS, the proposed zone change and DDDP complies with applicable Mobility Goal 3, Objectives a, c, d, e & f and Policies 1-3, 5, 6, 9 & 10 because the development plan complies with the objectives and policies of Goal 3 by providing walking and bicycling opportunities with the sidewalks. The plan will not burden the transportation network but will allow the site to continue to be consistent with the purpose of the neighborhood. The plan is consistent with long range transportation plans of the community. The parking requirements of the site consider the density of the use and the character and pattern of the Form District. The plan also satisfies the policy of supporting biking and pedestrian travel by providing for those modes of access. The proposal would permit neighborhood serving businesses and services adjacent to a Regional Center and permits an increase its mixture of land uses with a minimal impact on the transportation network and includes dedication of right of way and creation of a bus pad; and

WHEREAS, the proposed zone change and DDDP complies with applicable Community Facilities Goal 2, Objectives a-d, f & h and Policies 1 -3 3 because this development plan is not a community facilities plan, but it does locate development in areas currently served by existing infrastructure, it has adequate water supply and access to sewers so as to not burden existing or future community facilities; and

WHEREAS, the proposed zone change and DDDP complies with Economic Development Goal 1, Objectives d and h and the applicable Policies 3 - 5 because the site is located on a major arterial; and

WHEREAS, the proposed zone change and DDDP complies with Economic Development Goal 2, Objectives b, & e and applicable Policies 1 and 2 because the site is accessible to multi-modal transportation and is an adaptive reuse of an existing structure; and

WHEREAS, the proposed zone change and DDDP complies with Livability Goal 1 applicable Objectives a & d and Policies 21, and 24 in that it provides pedestrian and bicycle connectivity while not creating new traffic for the area. Landscaping will be added where necessary and required under the Land Development Code to reduce the impacts of the site to nearby residential uses and is not located in a regulatory floodplain; and

WHEREAS, the proposed zone change and DDDP complies with Livability Goal 2 and applicable Objectives a & d because multiple transit options are available to the site and there will be a minimal impact to the tree canopy; and

WHEREAS, the proposed zone change and DDDP complies with Housing Objectives a and f and applicable Policies of Goals 1, 2, & 3 as it creates and locates necessary services and employment opportunities near residential areas, thereby strengthening and supporting the housing in the area. This use will help facilitate connected and mixed-use areas and ensure long term affordability and living options for all in the community.

WHEREAS, for all the reasons explained at LD&T and the Planning Commission public hearing as well as the submitted public hearing exhibit books, on the approved detailed district development plan, this application also complies with all other applicable Goals and Objectives of the Plan 2040;

NOW, THEREFORE, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-5 to OR and approve the Detailed District Development Plan.

Respectfully submitted,



J. Bissell Roberts

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