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

<u>Applicant:</u>	JDG Triangle Partners, LLC
<u>Owner:</u>	JDG Triangle Partners, LLC and JDG Triangle Partners II, LLC
<u>Project Name/Location:</u>	“One Park” at 2294, 2300, 2338, 2340 Lexington Road; 2501, 2503, 2509, 2511 and 2515 Grinstead Drive
<u>Proposed Use:</u>	Mixed residential/retail/hotel/office
<u>Request:</u>	Zone change from C-2 to PDD and alley closing
<u>Engineers, Land Planners, Landscape Architects:</u>	Mindel Scott & Associates, Inc.
<u>Building Architects:</u>	DKN Architects
<u>Traffic Engineer:</u>	Diane B. Zimmerman, traffic engineering

INTRODUCTION

The revised PDD Pattern Book and PDD Plan submitted with this revised application (“Application Package”) presents an updated explanation of the site history, current site conditions and PDD land and building design details. What it explains is that the site as it exists today is a totally unplanned, pre-“Plan Certain” one, with 18 different curb cuts and a variety of unrelated uses laid out in a hodgepodge fashion over 10 platted lots. Looking off into the future, as planners should, taking into account actual development and patterns that have occurred in this area over time, considering growth pressures on the greater community, and being honest about the very real competition to accommodate that growth between suburban and urban interests, this applicant has envisioned for this site a stunning building design that will receive national acclaim for its architecture, that combines mixed interactive residential and commercial uses and that embraces its location which is adjacent to a major urban park at the gateway to Louisville’s increasingly competitive and growing and improving downtown. Through a dozen neighborhood meetings and planning and design charrettes, the applicant and its team have presented their ideas, their plans and studies and have listened to the neighbors and other interested parties presenting their own ideas, objections, plans and designs. In the process, the PDD Plan and Pattern Book have evolved and materially changed.

PLAN ELEMENT 4.1: COMMUNITY FORM

This “Application Package” complies with Plan Element 4.1, its 5 Goals and their Objectives plus the following Policies.

As to Goal 1, Policies 2, 2.1, 2.3, 3.1.2, 4, 5, 6, 7, 9 10, 11, 12 13, 14, 16, 17, 18, 19, 20 and 23, it complies as follows, in addition to the other ways set forth above and below: The site is located in the Traditional Neighborhood Form District which encourages high density uses and a range of housing opportunities, notably including multi-family dwellings which can be apartments and/or condos, which this plan proposes. This PDD development (as noted above, called “One Park”) also includes compatible, project and area-serving commercial uses. Traditional neighborhoods are also encouraged to have open space, which this one does with wide sidewalks with building “alcoves” and upper level landscaped plazas, as shown in the Pattern Book, that will serve as outdoor seating areas and/or display space for bars, cafes, restaurants and retail along Lexington Road and Grinstead Drive and also for residents, other occupants, and guests. In that regard, it is also anticipated that the corner of Lexington Road and Grinstead Drive (where the City of Louisville owns a small public space) will include some form of significant public art and/or small activity area that will relate to this “One Park” PDD project in a positive manner for the larger community good. Just by way of example, this public space could include a large bicycle parking area incorporated into a piece of public art, thus creating a highly interesting, attractive and utilitarian civic amenity. The Traditional Neighborhood Form does not prohibit anything that is being proposed with this PDD application, especially given the fact that this site, while it is near and serves other traditional neighborhoods (i.e., the Highlands, Crescent Hill, Irish Hill and Lexington Road), actually only adjoins Cherokee Park, Cave Hill Cemetery, MSD property and the KTC/Metro interchange of I-64/Grinstead Drive/Lexington Road. The “One Park” project does not adjoin a single residential use, and (as the Pattern Book illustrates) is situated at significant distances from nearby residential uses, much like other buildings of “One Park’s” now maximum 18-story height, now located in the Cherokee Triangle, at Dupont Circle/Dutchmans Lane and in Hurstbourne.

As to compatibility, it begins with a discussion of uses, and, as explained above and below, this proposed “One Park” PDD project will involve a variety of compatible uses (notably, residential, hotel, retail and possibly offices), eliminating (per the accompanying PDD pattern book) a long list of C-2 uses that otherwise are permitted as a matter of right as of today -- for example, auto sales, car washes, truck stops, peddler malls, and such uses that typically locate at pre-“Plan Certain” sites where they do not have to undergo any discretionary land plan or building design review.

Compatibility also includes building design, not necessarily from the standpoint of whether a particular architect or particular choice of aesthetic design matches everyone’s tastes (which is an impossibility), but rather from the standpoint of building materials and design themes that tend to elevate aesthetics while also being representative of the best that a particular geographic area might have to offer. In this case, the selection of building materials and design themes, as presented in the PDD Pattern Book and as discussed at the 12 public meetings and charrettes during the 3-year public review of this project, reflect and build upon the best materials and best design themes evident and popular elsewhere in Louisville Metro. During the course of all the meetings and charrettes, serious efforts were made to create both a “wedding cake” effect at lower levels of stepped-back layering and at upper levels glass transparency in order to reflect the sky. Combined with the use of traditional building materials along Grinstead Drive and more contemporary ones along Lexington Road, the final architecture demonstrates how the proposed overall structure, with these multiple different design elements, creates the appearance of many different structures, when viewed from various vantage points. Also, when 3 towers of greater

height were previously proposed, both summertime and wintertime views were created from about a dozen different vantage points to demonstrate that the former much taller proposed structure was not going to be all that visible in certain seasons from various perspectives. In any event, any remaining aesthetic impacts at this point in the process are such as can be anticipated in most major American cities, including other places in Louisville Metro. For example, much taller buildings in downtown Louisville are clearly visible from nearby neighborhoods such as Butchertown, the original Highlands, Smoketown, NuLu, Sobro, Old Louisville and others.

As to the potential impacts of odors, noises and lighting, recall that this mixed-use PDD project will be as much as anything a residential one; consequently, the hundreds of people who are projected to live in the apartments and condominiums here will be the only ones affected if indeed any odor, noise and lighting issues exist, which this project is designed so that this is not the case. No one else lives close enough to be adversely affected by any of these potentially, although not real, negative impacts.

As to the potential impacts of traffic and air quality, these are discussed at Plan Element 4.2, but suffice it say here, as there, that the traffic impact study (TIS) prepared by Diane Zimmerman, PE, transportation engineer, has been in the works for 3 years and done and re-done under the careful guidance of the Kentucky Transportation Cabinet (KTC) and MPW&TP. In the end, that TIS must be part of the MPW&TP plan review, and it must receive its preliminary approval prior to docketing of this PDD plan for LD&T review. Lots of road and access improvements are being made to assure safe and easy access to and within this proposed “One Park” PDD project and through the larger geographic area via the to-be-improved Lexington Road/Grinstead Drive interchange, the limited points of access, and the traffic signals proposed for Lexington Road and Etley Avenue and Grinstead Drive and Etley Avenue.

As to setbacks and building height, structures here will be set at the sidewalks, with a now lower maximum height appropriate for a major urban area location, such as this one, which is located next to adjoining uses where no one lives. In many major America cities, buildings of greater height than this location would be permitted, even welcomed. At a hodge-podge, historically unplanned site such as this one, which otherwise is uniquely prominent in terms of its access and location, as explained above, a project such as “Park One” is exactly what the “Plan 2040” Comprehensive Plan promotes as appropriate.

As to parking, the proposed “One Park” PDD project includes an appropriately sized parking garage, which eliminates surface parking and hides vehicles from public view.

In terms of loading and delivery, the “One Park” PDD plan filed with this application demonstrates how access at limited locations with excellent internal circulation eliminates the current negative impacts of 18 random curb cuts along Lexington Road, Grinstead Drive and Etley Avenue. Loading and delivery will also not negatively impact residents, diners, retail shoppers, hotel guests, workers, and others because it is all internal to the site. And the hotel space is proposed to have a very limited drop-off area for guests to conveniently check in and out, which also is designed so as to have no negative impact on the driving public.

As to signage, while it hasn't been fully designed yet, the Pattern Book demonstrates compatible concepts. The mess of current tall billboard and other existing signage will be eliminated.

As to Goal 2, Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16 and 17, it complies as follows, in addition to the other ways set forth herein: For starters, this “One Park” PDD project is located in a Traditional Neighborhood Form District at the intersection of Lexington Road and Grinstead Drive which are two of the several major road spurs (like Brownsboro Road, Frankfort Avenue, Bardstown Road, Eastern Parkway, Southern Parkway, and so on) leading to and from Louisville’s center urban hub to and from its innermost, interstate highway ring or band (i.e. the Watterson Expressway). The urban plan effect of this is a “wheel” with spurs or spokes of roads leading to and from the center urban hub with several of the most significant Olmsted parks like (Cherokee, Seneca and Iroquois) located along the outer band and (like Central Park) within the urban hub. This wheel effect constitutes the real urban area that competes for new housing for new and migrating residents and new business activity and also for retaining those that, in decades past, the urban area, not as successfully as in recent years, often lost to suburbia. A dense and intense activity center at this location (as presently exists but which is proposed for dramatic improvement) helps invigorate urban Louisville, enhancing its competitiveness with countervailing suburban forces that are always in play. Further this “One Park” crossroads location is, as said, an already established non-residential activity center, containing a hodge-podge of never planned uses on 10 lots involving 18 random curb cuts. The existing site thus cries out for far better planning with a higher intensity/density and better mix of uses than seen today.

Because, as said, this is already an activity center, developing new non-residential and mixed uses at this location is appropriate for the reasons set forth above and given the public park, cemetery and other public adjoining uses. Also, this site is a special location for an activity center because it is at the intersection of two arterials, Lexington and Grinstead, right off I-64 which, depending on the travel route, is either the second exit leaving downtown or the second to last exit entering downtown. It is accessible therefore from Grinstead Drive north (and thereby from US42/Brownsboro Rd and Frankfort Ave and thus Crescent Hill), Grinstead Drive south (and thereby Bardstown Road and Cherokee Road and thus the Highlands), Lexington Road east (and thereby all of St. Matthews and beyond), Lexington Road west (and thereby all of Irish Hill, Butchertown and downtown), and I-64 both east and west (and thereby the entire Metro area) -- meaning it is one of the most visible and accessible locations in the entire Louisville Metro area.

Furthermore, compact retail and mixed uses are always appropriate at intersections of arterial highways such as this one right off an interstate highway. And this site, as said, already serves as a center of mixed retail uses, just not any residential, office or hotel uses as now planned in this “One Park” PDD proposal.

Also, residential uses are encouraged in designated centers like this, often above retail as proposed. Other desirable uses in an activity center include a variety of neighborhood serving retail and restaurant uses, plus (close as the site is to I-64 and downtown) offices and a hotel.

As to parking, what is proposed is a multi-level parking garage, replacing what is today all surface parking, resulting in an aesthetic abomination, which will be replaced with parking that is all, 100% screened from public view. That parking will be shared and will have very limited points of access: one off Lexington Road, one off Grinstead Drive (with a very minor second pull-off on Grinstead Drive for hotel guests’ arrivals and departures) and one off Etley Ave. That reduces the number of curb cuts by about three quarters of the number of haphazard cuts that currently exist.

Also, the proposed “One Park” PDD project is designed to encourage a high level of pedestrian and bicycle usage and make provisions for easy access by TARC service and shared ride (i.e., Uber/Lyft) service. That’s because “One Park” residents, guests and workers will have opportunities, almost unlike perhaps anyplace in Metro Louisville, to access this location and commute from it via TARC, ride share, bicycle and sidewalks. If Louisville Metro is ever to begin to seriously encourage alternative forms of transportation, it has to start by permitting high intensity/high density uses at locations that are proximate to open spaces (such as Cherokee Park), to other nearby retail (such as the Bardstown Road strip and the restaurants located across Lexington Road), and to downtown and that are also conveniently accessible to a significant network of roads, bikeways and sidewalks, as planned here.

Moreover, the design of an activity center such as this one needs to be appropriate in terms of how it fits with adjoining uses and nearby neighborhoods. Once again, the only adjoiners are a public park, a cemetery, major arterials and an interstate highway, plus several restaurants and offices along Lexington Road near Etley Avenue. These are unaffected uses, as no one lives there, and they are frequented by visitors and travelers who cannot seriously claim to be adversely affected. Indeed when the “One Park” project is completed, it will be one of the most visited places in all of Louisville Metro -- not just because of the remarkable design that will attract people’s interests but also because of the mixture of uses that will attract residents, hotel guests, workers, shoppers and diners. It will also increase the nearby park presence eventually leading to park improvements, enhancing Cherokee Park’s communal usage and invitation to the public to live nearby.

The main focal point, will be, as suggested, at the corners of Lexington Road and Grinstead Drive and also Grinstead Drive and Etley Avenue, notably the intimate “piazza” at the later location. The other focal points will be, as said, the public spaces for dining and retail sales along the wide Lexington Road and Grinstead Drive sidewalks and at the higher terrace levels of the building.

Frontage utilities will be located underground and, as necessary, improved, especially as respects storm water management. These will be reviewed during the agency comments, following this official filing. MSD plus Metro Public Works and Transportation Planning (MPW&TP) will need to “stamp” this PDD plan for preliminary approval prior to LD&T review, thereby demonstrating compliance with those agencies’ independent standards relative to their roadway, sanitary sewer and storm water infrastructure.

As to Goal 3, Policies 1, 2, 3, 4, 5, 6, 10 and 13, it complies as follows, in addition to the other ways set forth herein: As mentioned above, one of the main open spaces is the public open space that presently exists at the corner of Lexington Road and Grinstead Drive, which, as said, hopefully can be designed with Metro permission and involvement in a manner that transforms it into a really neat, usable community space, which it is not at present. The proposed “One Park” building will also be set along a wide sidewalk, with open “alcoves” that will be able to accommodate outdoor seating for restaurants and cafes. Upper level plaza space can also accommodate retail and restaurants. Moreover the “One Park” site sits across from Cherokee Park which hopefully can be improved to better accommodate greater and more active communal use. Otherwise, there are no on-site natural resources, natural features, or historic

There will be transit (TARC) and ride share, (i.e., Uber/Lyft) pull-offs where appropriate, along the public road frontages, as this site is anticipated to be heavily utilized by those alternate forms of transportation.

Parking and deliveries will be in the applicant constructed parking garage. Over time, as ride share is predicted to increase in favor of and use by a broader segment of the population, garage spaces could become available for independent park use as well.

Whether full-cut access points or limited by right-in/right-out, those will work, as the TIS demonstrates. The garage and access to it have also been designed to assure that deliveries, loading and unloading have no negative impact on the traveling public along any of the many arterials and collectors bordering this “One Park” mixed use project.

The garage will also be accessible from all three streets, such that, almost like a grid pattern within, residents, office users, shoppers, hotel guests and diners will be able to easily access the garage at any one of these several points and exit at these or any of the others, making for very easy ingress and egress.

This site is also accessible from parts near and far via multiple roads: Grinstead Drive north, Grinstead Drive south, Lexington Road east, Lexington Road west and I-64 east and west and all of the many connecting streets and many neighborhoods noted above. These connecting streets (such as Brownsboro Road, Frankfort Ave, Cherokee Road, Bardstown Road and so on) will make “One Park” one of the most readily and easily accessible sites in all of Louisville Metro.

Finally, because this will be a bicycle and pedestrian accessible/encouraged project, there will be wide and connected sidewalks and plenty of bicycle parking. Bike lanes will be constructed where MPW&TP allows.

PLAN ELEMENT 4.3: COMMUNITY FACILITIES

This Application Package complies with Plan Element 4.3, its Goals and their Objectives plus the following Policies. As to Goal 1, Policy 3; and Goal 2, Policies 1, 2 and 3, it complies as follows, in addition to the other ways set forth above and below:

“One Park” is the kind of site that should be developed first and foremost before outlying greenfield sites because road and other infrastructure already exist, as previously explained, although in need of some improvement, as also described and as further set forth in the TIS and Pattern Book. Sanitary sewer facilities are adequate, water supply is adequate, and electric and gas utilities also exist within the local streets. They will be improved as necessary to serve this proposed PDD project.

Also, what better location to locate a high intensity/density mixed use development than in relatively close proximity to fire, police, medical, educational, park and cultural facilities, all located in the neighborhoods nearby down Grinstead Drive, Lexington Road or I-64, which are easily accessible from this site, as shown on the PDD plan described hereinabove. As close as this site is to downtown, the main public library and all of the cultural activities of downtown are easily and quickly accessible.

PLAN ELEMENT 4.4: ECONOMIC DEVELOPMENT

This Application Package complies with Plan Element 4.4, its Goals and their Objectives, plus the following Policies. As to Goal 1, Policy 3 and Goal 2, Policies 1, 2 and 3, it complies as follows, in addition to the other ways set forth above and below:

This site is a retail and restaurant workplace today, and it will preserve many of the same businesses (i.e., anticipated to include the restaurant, coffee shop and dry cleaner).

Also, this project involves a now projected \$250-\$300 million dollar investment in a dilapidated, hodge-podge, unplanned in-fill site, near downtown in proximity to other neighborhoods which it will also serve. No single private development project in the history of Louisville has involved as significant a financial investment as this one is anticipated and designed to involve.

Furthermore, as an existing activity center that will be greatly transformed in a hugely positive manner from the hodge-podge of design and platting that presently exists, this is exactly the kind of economic activity that is anticipated and promoted by the Plan 2040 Comprehensive Plan -- adaptively reusing, instead of bypassing, a site that cries out for positive change, such as this "One Park" PDD project proposes.

Finally, "One Park" is designed with a number of climate – positive elements, such that it will contribute both to a better environment and to economic growth through investment.

PLAN ELEMENT 4.5: LIVEABILITY

This Application Package complies with Plan Element 4.5, its Goals and their Objectives plus the following Policies. As to Goal 1, Policies 5, 7, 8, 10, 11, 12, 13, 15, 23, 26, 27, 28, 29, 30, 31, 32, 33 and 35, and Goal 4, Policies 1 and 2, it complies as follows, in addition to the other ways set forth above and below:

The storm water management plan for this site is one that depends on more significant input from MSD than the customary site because this is already a fully developed site where storm water presently enters a combined sewer system. MSD appears to want to eliminate that possibility, and so it is making determinations as to where and how storm water will discharge, presently as explained on the PDD development plan and as MSD will doubtless provide added testimonial evidence at LD&T and the full Planning Commission Public Hearing. Final storm water determinations will be made by MSD from the preliminary assertions and design concepts evident on the PDD Plan and to be discussed at LD&T and the public hearing. Suffice it say that this project is being designed with storm water, as well as water quality, definitely in mind so as to improve both from what exists at present at this totally unplanned site.

In terms of water quality, buildings will include green roof features in order to help cleanse water particulate matter and vehicular discharges prior to entering the storm water system. Pervious pavers are also planned around street trees. Both of these are set forth on the PDD Plan and/or in the PDD Pattern Book.

The main thing to think about in terms of improved air quality is that whenever you have high intensity/high density mixed uses, like “One Park”, there is great opportunity to seriously reduce vehicle miles traveled. As anticipated at this “One Park” PDD project site, lots of residents will occupy a relatively small site, many of whom will also work, dine and shop in the same building and area, with lots of other residents and workers shopping and dining here as well. Also, because this location is directly across the street from Cherokee Park, many residents during evenings and workers during their lunch breaks will access the park by walking across Grinstead Drive rather than driving to a more remote recreational location.

Because this mixed-use location will also generate traffic from nearby neighborhoods, many of those can access it using their bicycles and sidewalk network, same as “One Park” residents, are anticipated to involve a higher than usual percentage of TARC and bike users, thereby also reducing vehicle miles traveled.

PLAN ELEMENT 4.6: HOUSING

This Application Package complies with Plan Element 4.6, its Goals and their Objectives, plus the following Policies. As to Goal 1, Policies 1, 2 and 3; Goal 2, Policies 1, 2 and 3; and Goal 3, Policies 1, 3 and 4, it complies as follows, in addition to the other ways set forth above:

In terms of housing types, density, accessibility and issues of that kind, there will be a large number of residential units at this proposed “One Park” mixed-use PDD project. They will include units that are designed to accommodate elderly and handicapped and will also incorporate units at attractive price points for all generations at various income levels. Because this is a popular residential, dining and shopping area at a major already existing activity center, high density is not only encouraged here but will be a significant aspect of this proposed “One Park” PDD project, indeed, one of the reasons the PDD zoning is proposed -- in order accommodate the kinds of intensity/density for an important gateway location like this one.

* * *

For all of the above-stated reasons, those shown on the revised PDD development plan and those explained in the revised PDD Pattern Book, plus those that will be further explained at the LD&T meeting and Planning Commission public hearing, this revised application complies with all other applicable Goals, Objectives and Policies of the “Plan 2040” Comprehensive Plan.

Respectfully submitted,

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