

ZONING CHANGE JUSTIFICATION

4490 & 4492 Brownsboro Road (“Property”)

21-ZONEPA-0160

This application involves an approximately 2.2-acres on two existing R-4 residential lots located on Brownsboro Road between the intersections of North Hubbards and Rudy Lane. The location is in Windy Hills and near the Zachary Taylor Cemetery. The property sits adjacent to R5A property to the east and the twenty-five-acre R6 Coach Gate condominium community property to the south. The sites vesting deeds are recorded in Book 12165, Page 362 and Book 12165, Page 77 along with a Deed of Correction in Book 12216, Page 610 all in the Jefferson County Clerk’s Office.

As previously stated, the existing zoning in the surrounding area ranges from R3 to R7. The applicant is requesting a change in zoning to a R-5A Zone (“R5A”) to allow the development of 14 townhomes with a proposed density of 6.85 units per acre.

The applicant initially filed a pre-application on December 20, 2021, and the applicant has met with representatives of Windy Hills and the Coach Gate community. In addition, the applicant conducted a virtual neighborhood meeting on February 8, 2022.

COMPREHENSIVE PLAN 2040

Compliance with specific applicable plan elements, goals, objectives, and policies of the Plan 2040 A Comprehensive Plan for Louisville Metro (“Plan”) are set forth in this Justification Statement.

Plan Element 4.1 Community Form. (Goals 1.a, c, e, f, 2.a, b, c, 3.a, b)

According to LOJIC Online the property currently lies within the Neighborhood Form District. The Neighborhood Form District is characterized by predominantly residential uses but allows for other uses that have limited impact on the surrounding areas. The Neighborhood Form District should have uses and services that serve the residents. More intense uses are encouraged to be located on minor or major arterials like Brownsboro Road. Although we are not requesting a form district change, the language used for a form district change is important. Parties should consider both the existing and evolving neighborhood character. Planners should be flexible and encourage infill development.

The proposed rezoning from R4 to R5A is appropriate for the site. The buildings will be of a design appropriate in mass, scale, and style to the buildings in the neighborhood. The project is the kind of improvement that is encouraged by the Plan and allows for some diversity in types of housing. It conforms to the intent of the Community Form Plan Element because promotes the prosperity of the neighborhood. The zoning change allows for adaptive infill development

RECEIVED

FEB 14 2022

PLANNING & DESIGN
SERVICES

22 - JEFFERSON - 0022

which is a clear objective of the Community Form Plan Element. The new zoning allows for a new development to be located in an area already served by existing infrastructure.

Plan Element 4.2 Mobility (Goals 1.e, 2.a, c, 3.e)

The plan element of Mobility promotes effective connectivity through the community via a safe and effective transportation system. Goal 3 of the Mobility plan element is to encourage land use and transportation patterns that connect Louisville Metro and support future growth. The location is already connected to existing infrastructure and allowing the new development will enhance community sustainability. New sidewalks for the development will connect to existing sidewalks on Brownsboro Road.

Policy 3 under Goal 3 of the Mobility plan element is to evaluate developments for their ability to promote public transportation and pedestrian use. Although air quality relating to automobile emissions, noise and traffic flow concerns will be minor as very little additional traffic will be generated by this proposal. The proximity of the subject property to I-264 and other neighborhoods will continue to result in shorter trips for workers, resulting in further reduction of automobile emissions. Also, as previously indicated, there will be very little increase in vehicular traffic and no adverse effect on air quality. In addition, the applicant plans to install bike racks at the location to encourage multi-modal transportation.

Plan Element 4.3 Community Facilities (Goals 2.b, c, d)

Although the proposal does not include any new community facilities, it does comply with Policy 1 of Goal 2 of the Community Facilities plan element. The development is located in an area that is being served by existing utilities. In addition, the St. Matthews Fire Department will provide fire safety services to the site and the Metro Louisville Police Department Fifth Division along with Graymoor/Devondale will provide police service to the site.

Plan Element 4.4 Economic Development (Goals 1.d, h, 2.b)

The intent of the Economic Development plan element is to provide a framework for a healthy economic climate. The goals, objectives and policies advance Louisville Metro's economic development vision by supporting small and mid-sized businesses and encouraging investment in areas facing disinvestment. Clearly allowing the applicant to develop at this location would further to strategy of promoting small businesses and encouraging investment. Objective (b) of Goal 1 of this plan element is the redevelopment of underused property. Policy 2 of Goal 2 of this plan element encourages opportunities for adaptive re-use and encourages infill development through flexible land use regulations. Policy 3 of Goal 2 of this plan element encourages tree plantings that will be a part of applicant's development. The reinvestment and development of this property is consistent with and supported by the Plan.

Plan Element 4.5 Livability (Goals 1.d, 4.f)

The intent of the Livability plan element is to provide guidance and direction for the provision and maintenance of resources necessary for the health and well-being of the citizens.

RECEIVED
FEB 14 2022
PLANNING & DESIGN
SERVICES

Objective (c) and policy 41 of Goal 1 of this plan element is encourage new tree plantings and the restoration of the tree canopy. The applicant will fully comply with any new tree canopy requirements and the plantings required by the Land Development Code. Policy 2 of Goal 2 of this plan element is to streamline the application and permitting process for the appropriate properties. While there is not an absent property owner, this property as currently zoned does not allow for its adaptive reuse and the zoning change would allow for appropriate reuse. Finally, Goal 3 of this plan element promotes equitable access to land use planning to not only those large developers and industry, but also to small business owners looking to expand operations and business opportunities which in turn leads to better neighborhoods and prosperity of the citizens of those neighborhoods.

Plan Element 4.6 Housing (Goals 1.a, 2.b, e, f)

The proposed zoning change would allow the city to pick up some of the missing middle. The property is in a location that would allow a short walk to services, food, shopping, transit, parks and schools. While the existing property contains two residences, this plan element seeks to enhance housing opportunities to all citizens of Louisville. Specifically Goal 2 of this element is to facilitate the development of connected neighborhoods with an objective to promote infill development and adaptive re-use. The change in zoning is appropriate and integrated with the nearby residential neighborhoods and expands housing opportunities. This type of development inside the Watterson Expressway also cuts down on urban sprawl.

0148519.0748676 4859-4103-9886v2

RECEIVED

FEB 14 2022

PLANNING & DESIGN
SERVICES