

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • (502) 425-0561 (FAX) • WWW.BARDLAW.NET

STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GOALS, GUIDELINES AND POLICIES OF THE PLAN 2040 COMPREHENSIVE PLAN

Applicant: Pulte Group

Owner: Wendell E. Thommasson Revocable
Living Trust

Location: 9220 and 9224 Cedar Creek Road

Proposed Use: Single Family Residential Subdivision

Engineers, Land Planners and Landscape Architects: Land Design & Development

Request: Zone change from R-4 to R-5

COMMUNITY FORM

Goal 1 – Guide the form and design of development to respond to distinctive physical, historic and cultural qualities.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 1, and specifically with Policies 7 and 9, for these reasons:

This zone change application complies with this Goal because the site is located in the Neighborhood Form District which encourages a diversity of housing types, ranging from low-density residential to higher density providing a range of housing opportunities. This proposed development and the rezoning from R-4 to R-5 is compatible and in keeping with the current zoning and use of the surrounding properties and those in the area. The surrounding neighborhood properties are zoned R-4 as is the subject property. Because the proposed use fits within and is compatible with the surrounding properties, the DDDP demonstrates that the proposal provides screening and buffering, to the extent required and possible.

Goal 2 – Encourage sustainable growth and density around mixed-use centers and corridors.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 2, and specifically with Policy 9 because the proposed lots are integrated with other residential areas with connecting roadways and stubs to adjacent undeveloped properties; it has open space as well as a scenic landscape buffer along Cedar Creek Road.

Goal 3 – Enhance neighborhood by protecting and integrating open space, watershed and other natural resources.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 3, and specifically with Policy 10 for these reasons:

The proposed development has been designed to preserve the open space areas shown on the plan, many of which provide a usable area for the residents, while at the same time providing a visual and spatial buffer where required to the neighboring property owners. This open space areas were also designed to be in areas that protect the natural features on the property and reduce the impacts of stormwater drainage. These open spaces will be owned by the proposed owners in common and maintained by the homeowners' association. There are no wet or highly permeable soils, severe, steep or unstable slopes on the subject property that would create erosion problems.

Goal 4 Promote and preserve the historic and archaeological resources that contribute to our authenticity.

The proposal complies with all of the applicable Objectives and Policies of Goal 4 specifically Policies 2 and 3 because there are no distinctive cultural or natural features that will not be retained and their or no distinctive historic resources.

MOBILITY

Goal 1 – Implement an accessible system of alternative transportation modes.

The proposed zone change complies with all of the applicable, Objectives and Policies 1 and 4 of Goal 1, for the following reasons:

This proposed rezoning and DDDP will cater to those who want to live in close proximity to Cedar Creek Road corridor. Sidewalks are being provided along Cedar Creek Road. As previously stated, this proposed subdivision is located in close proximity to the Bardstown Road corridor providing convenient access to goods and services, as well as the employment centers in the area.

Goal 2 – Plan, build and maintain a safe, accessible and efficient transportation system.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 2, and specifically with Policies 3, 4, 5, and 6, for the following reasons:

The access to this single-family development is via a primary collector road (Cedar Creek Road) which contains many other single family residential homes. Connections into the adjoining subdivision the north and south and stub streets are provided for future development east and north of the site. The entrance along Cedar Creek Road has been reviewed by Transportation Planning for appropriate sight distances on this primary collector road. The internal streets were designed to maximize both the pedestrian connectivity and sense of place, but also to provide the best vehicular connectivity with least impervious surface.

Goal 3 – Encourage land use and transportation patterns that connect Louisville Metro and support future growth.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 3, and specifically with Policies 2, 3, 5, 6, 7, 8, 9, 10 and 21, for these reasons:

This proposed single-family development will provide needed infill housing very close to the activity centers along Bardstown Road. The location of this subdivision close proximity to Bardstown Road activity centers will provide those working in the area with an opportunity to purchase a new home. As such, many of the residents will likely work in very close proximity to work or their customary marketplace. Housing is needed in Louisville Metro to allow its continued growth in corridors like Bardstown Road to reduce vehicle miles traveled for those moving to the area through its proximity to the previously mentioned employment centers and marketplace options. The subject property's close proximity to the above will also help eliminate multiple automobile trips (vehicle miles travelled) for such services. Due to this development's close proximity to public transportation options along Bardstown Road, as well as the opportunity for pedestrian and bicycle travel, this proposal will have far less demand on the public transportation network than a new development in the outlying areas of Louisville Metro

COMMUNITY FACILITIES

Goal 2 – Plan for community facilities to improve quality of life and meet anticipated growth.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 2, and specifically with Policies 1, 2, and 3 for these reasons:

The subject property is currently served by existing utilities with sufficient capacity for this proposed development as will be confirmed through all utility providers through this rezoning process. These confirmations specifically include the Louisville Water Company's confirmation of sufficient water service capacity and the Metropolitan Sewer District's confirmation of adequate sanitary sewer capacity.

LIVABILITY

Goal 1 – Protect and enhance the natural environment and integrate it with the built environment as development occurs.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 1, and specifically with Policies 5, 17 and 21 for these reasons:

The proposed development will add new native species landscaping as shown on the development plan and as demonstrated on the landscape plan that will ultimately be prepared and submitted for approval. There are no streams or existing groundwater on the subject property and the surface water runoff will be improved from its current condition. The added detention and water quality unit will not only help mitigate the impacts of this development but likely help with any existing floodplains. A karst survey will be provided.

HOUSING

Goal 1 – Expand and ensure a diverse range of housing choices.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 1, and specifically with Policies 1, 2, and 3, because the proposed plan will add to the variety of housing types in the area providing more options to age in place in a newer home on a smaller lot with less maintenance obligations supports aging in place. It is located in close proximity to the Bardstown Road corridor which provides goods, services including medical offices and other supportive services as well as transportation options.

Goal 2 – Facilitate the development of connected, mixed-use neighborhoods.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 2, and specifically with Policies 1 and 2 because its design does encourage inter-generational and mixed-income development that is connected to the existing neighborhood and surrounding area within proximity to multi-modal transportation and amenities providing neighborhood goods and services.

Goal 3 – Ensure long-term affordability and livable options in all neighborhoods.

The proposed zone change complies with all of the applicable Objectives and Policies of Goal 3, including Policies 1, 2, and 3 because the proposed development provides a variety of ownership and unit costs with an opportunity for people to live in quality, variable priced housing in this area of Metro Louisville and will not displace existing residents with a plan providing smaller lot sizes to enable affordable housing.

* * *

For all of these and other reasons set forth on the Detailed District Development Plan/preliminary subdivision plan accompanying this application and in accordance with evidence presented at Planning Commission public hearings, this application will comply with all other applicable Guidelines and Policies of the Plan 2040 Comprehensive Plan.

Respectfully submitted,

John C. Talbott
BARDENWERPER, TALBOTT & ROBERTS, PLLC
Bardenwerper Talbott & Roberts, PLLC
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223
(502) 426-6688