

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

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## **STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE PLAN 2040 COMPREHENSIVE PLAN**

<u>Applicant &amp; Owner:</u>	Lakshmi, LLC
<u>Location:</u>	7504 R. Preston Highway
<u>Proposed Use:</u>	Motel
<u>Engineers, Land Planners and Landscape Architects:</u>	Miller Wihry
<u>Request:</u>	Zone change from R-5 to C-1

### **INTRODUCTION**

The Applicant proposes rezoning a 1.65-acre tract at 7504R Preston Highway from R-5 to C-1 to construct a 50-room motel with three buildings and associated vehicle parking (Building A: 14,751 SF; Building B: 4,473 SF; and Building C: 4,473 SF) with 54 parking spaces located in both the Suburban Marketplace and Neighborhood Form Districts.

### **COMMUNITY FORM**

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

The proposed zone change, and detailed district development plan (DDDP) complies with applicable Objectives a, b, c, & f and applicable Policies 1, 2.1, 3.1.3, 3.1.8, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20 and 23 as follows:

The proposed change in zoning to C-1 complies with Goal 1 in several ways. The expansion into the Neighborhood Form District is very slight as the total linear footage of the rezoning site (1,627.41 feet) 971.61 feet is adjacent to C-1 zoned property, 221.83 feet is adjacent to R-4 zoned property used as a public school leaving only 433.23 feet (26%) adjacent to residential uses. Where it does abut residentially zoned property, the plan proposes parking which can be screened and includes fencing and landscaping to mitigate potential nuisances from noise and light trespass. The school site is 10.2 acres which abuts the 11-acre Okolona Park such that impacts on this south property line won't be an issue. Additionally, several of the adjacent R-5 properties appear to also contain non-residential uses. Based upon the foregoing, there is very little intrusion into residential development resulting from this proposed development. The site has access from Clay Avenue and Preston Highway, the latter of which is a major arterial serving large commercial and transit corridor, and this proposal contributes to a more compact pattern of development.

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

The proposed zone change and DDDP complies with applicable Objectives b & d and Policies 1, 2, 5, 6, 7, 9, 10, 13, 14, 15, 16, & 17 as follows:

The proposed change in zoning from R-5 to C-1 will provide a good transition from the business activity center along Preston Highway. Where the site does abut bona fide residential uses, the parking areas can be screened to provide an appropriate transition.

To allow this destination motel use will encourage sustainable growth and avoid potential decline for a property otherwise needing repurposing. The design and density are appropriate with adjacent uses that will serve the needs of the surrounding community. The development will result in compact development being adjacent to an activity center resulting in efficient land use and it will take advantage of and compliment cost-effective infrastructure investment. The location will be easily accessible by bike and pedestrian traffic and public transit. A motel is a neighborhood serving use as it allows area residents to have overnight accommodations for guests as well as to provide accommodations for the many attractions in the general vicinity such as the Fairgrounds and Cardinal Stadium and associated athletic facilities.

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

The proposed zone change and DDDP complies with applicable Objectives a, c & d and Policies 9, 10 & 12 as follows:

The site is not located in a floodplain and does not contain any unstable soils, steep slopes or streams that would be disturbed or disrupted or create any environmental degradation by this development.

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

The proposed zone change and DDDP complies with applicable Objective b and Policies 1 & 2 as follows:

There are no historic buildings or features on the property. The rezoning and development plan will essentially provide a neighborhood serving use in a location where a large support population exists. Thus, it represents a good opportunity for continued economic development for this marketplace corridor

## **MOBILITY**

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

The proposed zone change and DDDP complies with applicable Objectives a, b, c, d and e and Policies 1, 3, 4, 7 & 14 as follows: Access to the site will be accessed principally from Clay Avenue and has a second access from Preston Highway, an established marketplace corridor.

This proposed will provide a complementary neighborhood serving use which is easily accessible by bicycle, car, transit, pedestrians, and people with disabilities.

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

The proposed zone change and DDDP complies with applicable Objectives a, b, c, & d and Policies 1, 2, 3, 4, 5, 7, 10, 12, 14, 17, 18, 20 & 24 as follows:

The development plan complies with the objectives and policies of Goal 3 by providing walking and bicycling opportunities with the sidewalks and interconnected walkways and by providing a new neighborhood serving business reducing miles travelled by car by providing the activity center with additional development in this infill situation. The plan will not burden the transportation network with the low number of additional trips for a retail use. The plan is consistent with long range transportation plans of the community by promoting infill development along established routes. The parking requirements of the site consider the density of the use and the character and pattern of the Form District in that it will continue to serve the community. The plan also satisfies the policy of supporting biking and pedestrian travel by providing for those modes of access, with bike parking provided.

### **COMMUNITY FACILITIES**

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

The proposed zone change and DDDP complies with applicable Objective b and Policies 1, 2, & 3 as follows:

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 so as to not burden existing or future community facilities.

### **ECONOMIC DEVELOPMENT**

*Goal 1 – Provide an economic climate that improves growth, innovation, investment, and opportunity for all.*

The proposed zone change and DDDP complies with applicable Objectives a, c, d, f & h, and Policies 3, 7, & 9 as follows:

This development plan complies with Goal 1 of Economic Development as it provides economic climate that improves growth, innovation, and investment opportunity for all by providing for the productive use of vacant tract in an infill context. It locates this new potential use in an area with existing infrastructure in an efficient manner increasing goods and services in the area.

### **LIVABILITY**

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

The proposed zone change and DDDP complies with applicable Objective a and Policies 17, 21 and 24 as follows:

The development plan complies with the objectives and policies of Goal 1 of Livability element in that it provides pedestrian and bicycle connectivity while not creating any substantial increase in traffic for the area. It also will continue to deal with any impacts to drainage associated with the site through the use of detention basins accounting for the impervious surface. Landscaping will be added where necessary and required under the Land Development Code to reduce the impacts of the site to nearby uses. Additional tree plantings are proposed over the LDC minimum and will result in an increase over the existing condition. The site is not in the floodplain and has no karst terrain.

## **HOUSING**

The proposed zone change and DDDP complies with applicable Objectives and applicable Policies of Goal 1, 2, & 3 as it creates and locates necessary services and employment opportunities in an existing activity center near residential areas, thereby strengthening and supporting the housing in the area. This use will facilitate connected and mixed-use areas and ensure long term affordability and living options for all in the community. It permits inter-generational mixed-income and mixed-use development and an amenity providing neighborhood goods and services in proximate to existing residential and transit. No existing residents will be displaced and permits an innovative method of 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 to be presented at Planning Commission public hearings, this application will comply with all other applicable Objectives and Policies of the Plan 2040 Comprehensive Plan.

Respectfully submitted,

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