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## **STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GOALS, GUIDELINES AND POLICIES OF PLAN 2040 A COMPREHENSIVE PLAN FOR LOUISVILLE METRO**

Applicant & Owner: Andre Management, LLC

Location: 5323 New Cut Road

Proposed Use: Multi-Family Residential

Engineers, Land Planners and  
Landscape Architects: Milestone Design Group

Request: Zone Change from R-4 to R-6

### **INTRODUCTORY STATEMENT**

This proposal is for a change in zoning of one lot of approximately 0.48 acres located in the Neighborhood Form District, along New Cut Road. It will bring a residential structure that has long served as a multi-family structure into conformity, which is currently zoned R-4, by rezoning it to R-6. The lot is located between residential properties with frontage on a major arterial and across from a major park, making it ideal for the density. There are commercial activity centers to the north and south, both within a 1/2 mile away, and it is on a TARC Bus route. The close proximity of this subject property to recreational space, public transportation, and multiple commercial activity centers ensures that the proposed multi-family use is primely located and fully supported from a planning perspective.

### **COMMUNITY FORM**

As Plan 2040 notes, the Community Form plan element is meant to guide the shape, scale, and character of development so as to promote a connected, healthy, authentic, sustainable, and equitable built environment. This plan element is achieved in part through the hybrid form of zoning utilized, where zoning district usage requirements combine with form district design requirements to achieve the requisite-built environment.

This proposed zone change conforms with the Policies in the Community Form as shown below.

*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 3.1.3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 20, 21, and 23 of Goal 1, for these reasons.

The proposed use complies with Goal 1 in several ways. This proposed multi-family structure adds a high-density residential use in an area that is compatible with surrounding residential uses and located adjacent to a major arterial so as to have a limited impact on surrounding residential uses. As the majority of nearby residential uses are single family, this small multi-family option creates a diversity of housing choices and permits aging-in-place. This four-unit multi-family structure is in keeping with the scale and design of nearby residential units, having been built in the 1970s and having a character and scale in keeping with the surrounding residential structures. The proposed use as a residential multi-family in the Neighborhood form district increases housing units while discouraging industrial uses, hazardous uses, and non-residential expansion into an existing residential area and a non-workplace form district. Though no new construction is proposed, the existing structure complies with the setback requirements making it a compatible with the adjacent residential uses. The proposed parking meets the requirements of the Land Development Code (“LDC”), and the location of the site along a local TARC route and within walking distance of recreational facilities and multiple commercial centers makes this site an ideal location for a proposed multi-family use. There are no parking garage facilities or signs that are proposed, nor are there any proposed changes to the exterior of the structure, thus maintaining the inviting and existing street-level appearance of the site.

*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 1, 2, 3, 4, 5, 6, 9, and 11 of Goal 2, for these reasons.

This proposed multi-family use is located within a 1/2 mile of two commercial activity centers, but within a residentially-used area, thus being compatible with the form and function of the centers while also minimizing the impacts on nearby residential uses. The site has ample access to the nearby activity centers, being located along a major arterial that also contains a local TARC route. Having this currently-zoned R-4, single family use, converted into a, R-6, four-unit, multifamily use is an efficient and cost-effective investment into improving additional housing units in this area, supporting the surrounding commercial uses and rehabilitating a current use into a higher and better use. Furthermore, this proposed rezoning and slight increase in density furthers the goals and objectives of Goal 2 by encouraging residential growth around existing centers and corridors that have multiple mobility options and a diverse mixture of land uses.

*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 4, 7, 8, 9, 10, 11, and 12 of Goal 3, for these reasons.

The objectives of Goal three include diminishing environmental impacts, integrating open spaces into development where appropriate, and preserving or enhancing environmentally sensitive areas. This proposed development aligns with those objectives and multiple policies in multiple ways. This addition of multi-family units across from a public park is in keeping with Goal 3 because any potential adverse effects on the environment are minimized by using the existing structure and locating the units on a site that has no known wetlands, or highly permeable soils.

The proposed use is not located within the Ohio River Corridor, thus it does not negatively affect any of the Ohio River Corridor goals or activities. Existing mature trees will be preserved on the site to the greatest extent possible, and the landscape will further be enhanced by the addition of street trees in compliance with the LDC.

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

The proposed zone change complies with all of the applicable Objectives and Policies 1, 2, and 3 of Goal 4, for these reasons.

The site is already developed and contains no known buildings or landscapes that are recognized as having historic or architectural value. The proposed use requires no alterations to the existing structure, thus the existing structure and streetscape will not be significantly altered, save for the addition of street trees per the LDC requirements, allowing for preservation of this corridor.

## **MOBILITY**

As Plan 2040 notes, the Mobility element seeks to create a multi-modal transportation system that is safe and accessible to citizens throughout Louisville. It contains three Goals with multiple Policies, and this proposed rezoning conforms with those Policies as shown below.

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

The proposed zone change complies with all of the applicable, Objectives and Policy 1 of Goal 1, for these reasons.

This Goal and its corresponding Objectives seeks to create an accessible system of alternative transportation modes by creating transportation options to connect people to jobs and services, provide safe mobility options for all users, promote access to public transit, and facilitate efficient movement along major streets and corridors. This proposed multifamily use complies as the site already contains sidewalks along the street and is within walking distance of two commercial activity centers, both being along routes with both pedestrian connections, vehicular connections, and public transit connections, thus providing multi-modal access to and from these centers.

*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 1, 2, 4, and 5 of Goal 2, for these reasons.

The development plan complies with the objectives and policies of Goal 2 by promoting a safe, accessible and efficient transportation system by utilizing the access from the major arterial of New Cut Road. The site is brought into compliance with the right-of-way by the removal of existing parking within the right-of-way. The proposed use accommodates pedestrian, bicycle and vehicular access through the sidewalk along the frontage and vehicular and pedestrian connections to the building. The site distances for the curb cuts are adequate for the area. The internal circulation of pedestrian and vehicular traffic is appropriate for this four-unit multifamily

use. The entrance is compatible with surrounding residential uses and will be aesthetically enhanced by the addition of street trees per the LDC.

*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 2, 3, 4, 5, 6, 7, 8, and 10 of Goal 3, for these reasons.

The development plan complies with the objectives and policies of Goal 3 by providing walking opportunities with the existing sidewalks along the street frontage and vehicular and public transportation opportunities along the major arterial New Cut Road. The plan will not burden the transportation network as the structure is already existing and the proposed multifamily use will have only four units, an insufficient amount of additional traffic to even necessitate a traffic study. The existing pedestrian sidewalks and available multimodal access from this site to neighboring recreational space and commercial activity centers further supports the existing and growing transportation networks in Louisville Metro. The parking requirements of the site consider the density of the use and the character and pattern of the Neighborhood Form District and utilize internal parking areas, including the requisite handicapped parking. And the access to and from this site is from a major arterial, for which a higher-density residential site is primed to utilize much better than a single-family residential site as the R-4 zoning currently exists.

### **COMMUNITY FACILITIES**

As Plan 2040 notes, Community Facilities seeks to integrate variegated public and private facilities across Louisville Metro for the purpose of meeting the long-range needs of the community through engaging and sustainable means. This plan element contains three Goals with multiple Policies. This proposed rezoning conforms to those Policies as follows.

*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 1, 2, & 3 of Goal 2, for these reasons.

This site, being near already established activity centers and across from community recreational space, and being an existing structure, will have adequate water supply and access to sewers so as to not burden existing or future community facilities.

### **ECONOMIC DEVELOPMENT**

As Plan 2040 notes, the Economic Development plan element has as its goal the development of a healthy, equitable, sustainable, and innovative economic climate that strengthens the community's ability to attract and retain a strong and diverse workforce. This plan element contains two Goals with multiple Policies. This proposed rezoning conforms to these Policies as follows.

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

The proposed zone change complies with all of the applicable, Objectives and Policies 1, 2, 3, and 5 of Goal 1, for these reasons.

This development plan complies with Goal 1 of Economic Development as it provides for an economic climate that improves growth, innovation, and investment opportunity for all by creating a diversity of housing options along the major arterial New Cut Road. All traffic from the site will be directed toward this major arterial. The proposed rezoning to R-6 multifamily use is located in the Neighborhood Form District and along a corridor serving office and commercial uses, with the proposed multifamily use being compatible and supportive thereof.

*Goal 2 – Cultivate a vibrant, unique city that attracts, retains, and develops a highly-skilled workforce.*

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

This development plan complies with Goal 2 of Economic Development as it enhances the quality of life in the area by utilizing an existing R-4 zoned property and residential structure to create a multifamily, diversity housing opportunity in an area where there is existing multi-modal access between commercial activity centers and recreational community space. The rezoning of this property to R-6 multifamily is a compatible use with the surrounding residential uses. Additionally, the proposed rezoning will increase the planting of street trees in conformity with the LDC requirements, thus the design of this development addresses the urban heat island effect.

## **LIVABILITY**

As Plan 2040 notes, the Livability plan element seeks to guide and direct the available resources to promote the health and well-being of citizens of Louisville Metro. This element has as its focus the public health through promotion of access to fresh food, health care, and places of health and safety. This element is interested in preserving the tree canopy, reducing waste, and conserving energy. It has four Goals and multiple Policies. This proposed rezoning conforms to the Policies as follows.

*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 7, 8, 10, 12, 26, and 35 of Goal 1, for these reasons.

The development plan complies with the objectives and policies of Goal 1 of Livability element in that it will not burden the current drainage nor alter the water quality as there are no proposed changes to the structures currently existing, thus there are no resulting alterations to the current environmental footprint. However, the proposal will have a positive impact on the environment through the reduction in impervious surface and the addition of street trees through appropriate landscape design standards. There are no known issues with soil erosion or floodplain. Also, as

previously mentioned, the site already has and will continue to have a pedestrian sidewalk located along the major arterial adjacent to this site.

## **HOUSING**

As Plan 2040 notes, the Housing plan element, as its name suggests, seeks to enhance this “necessity of life” known as housing. It seeks to promote equitable, diverse, physically accessible, and affordable housing choices. Importantly, this element seeks to provide equitable access to opportunities, services, and amenities. This element contains three Goals with multiple Policies. This proposed rezoning conforms to the Policies as follows.

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

The proposed zone change and development plan complies with the applicable Objectives and Policies 1, 2, and 3 of Goal 1. The addition of multi-family to this area is appropriate in density and creates a diversity of housing units. By adding diversity housing units to this area, aging in place is promoted. The site proposes to add the requisite handicapped parking access, thus adding to the physical accessibility of housing options in the area.

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

The proposed zone change complies with all of the applicable Objectives and Policies 1 and 2 of Goal 2, for these reasons. The proposal adds diversity and multi-family housing units, encouraging inter-generational and mixed-income within this neighborhood and surrounding area. The proposed multi-family housing units will be located along a transportation corridor that provides multi-modal transportation via sidewalks, a major arterial, and a local TARC route. Additionally, the proposed housing units will be within one-half mile of two existing commercial activity centers, providing goods and services along with employment opportunities.

*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 1, 2, and 3 of Goal 3, for these reasons. The proposal does not displace any current residents, instead using the existing building structure for the multi-family units. The addition of housing units to the Louisville area increases housing choice and fills a gap in the current market where there is a need for housing, thus encouraging the overall affordability of homes, as a dearth of supply necessarily decreases affordability of housing units, where, conversely, an increase in supply increases the affordability of housing units. Additionally, using an existing structure to create a multi-family housing complex with no exterior changes to the building is an innovative method of increasing housing units, which will, in turn, drive down overall housing costs and produce a more fair and affordable housing market. This use will facilitate and ensure long term affordability and living options for all in the community.

\* \* \*

For all of these and other reasons set forth on the Detailed District Development 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 Plan 2040 a Comprehensive Plan for Louisville Metro.

Respectfully submitted,

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