

BARDELL WERPER, 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 CORNERSTONE 2040 COMPREHENSIVE PLAN

Applicant/Owner: Leigh Ann Properties, LLC
c/o Brent Likins, authorized agent

Location: 2813 & 2816 Weissinger Road

Proposed Use: Residential Condominiums

Engineers, Land Planners and
Landscape Architects: CBL Construction Company, LLC

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

This is a proposed rezoning of two parcels that for some reason were never built upon at the time the neighboring properties, neighboring subdivision, and neighboring condominium/apartment communities were developed. It is not clear why this property was not developed at the time nor why the property was not included in the subdivision deed restrictions. This is an application to utilize this remaining property in a true infill situation with a proposed zoning and density lower than most in the immediate area, excluding only the residential subdivision lots next door to which this will be almost identical. The proposal on the property is for two duplex condominium buildings which will look very similar to the neighboring subdivision, as demonstrated by the proposed elevations with brick facades, driveways, etc. with the only exception being the two condominium owners would share a common party wall.

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 2, 7 and 9 of Goal 1, for these reasons:

This application and the revised detailed district development plan (“RDDDP”) comply with this Goal because the site is located in the Suburban Neighborhood Form District which encourages medium density uses and a range of housing opportunities, notably including multi-family dwellings which can be condominiums as herein proposed. This proposed development and the rezoning from R-4 to R-5B is compatible and in keeping with the current zoning and use of the surrounding properties and those in the area. Two thirds of the directly adjoining property to this site is zoned R-6 as in the Savannah Row Condominiums and R-7 as in the very large Rolling Hills apartments. This proposal to R-5B will provide a good transition from these higher density apartments and condominiums to the neighboring Springhurst subdivision. This urban infill proposal (referred to as urban as it is well within the Gene Snyder) will provide an additional

RECEIVED
DESIGN SERVICES

10 APR 2016

housing option missing in the apartments, condominiums, and subdivision that adjoin this property. This housing option being the style and design of a traditional subdivision home, but with maintenance free living provided by the condominium association. This housing option appeals more and more with the aging baby boom generation and the Gen Y persons that don't want to maintain a traditional subdivision home lot. As shown on the elevations, the proposed duplex buildings will be very similar to the Springhurst subdivision and won't look like the neighboring apartments and condominiums which are more of the traditional multifamily style. As a result, the proposed duplex condominium units will be compatible and similar to the surrounding area. The proposed units as shown on the elevations also fit within the scale of the adjacent properties mentioned.

This proposed residential development is located very close to the TARC service line on Westport Road providing easy and convenient access to transportation facilities to for residents to have easy access to employment centers throughout Louisville Metro and easy access to downtown Louisville. Parking is provided in the proposed driveways just as all other homes in the Springhurst subdivision. Access to these transit services will help reduce the vehicle miles traveled for these proposed new residences rather than if these proposed units were not an infill development and were located close to Oldham County. Because the proposed use fits within and is compatible with the surrounding properties, such that no screening or buffering would practically be expected based upon the area, the RDDDP demonstrates that the proposal attempts to provide screening and buffering, to the extent possible. The RDDDP attempts to save as much of the existing vegetation as possible for buffering as well.

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 1, and specifically with Policy 9 of Goal 2, for the following reasons:

The proposed development is an infill development providing new housing within an older and established portion of Louisville Metro. The property is also located very close to many activity centers both to the Kroger at Westport Plaza and the retail south development on the south side of Westport 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 Policies 2, 7 and 9 of Goal 3, for these reasons:

The proposed development has been designed to preserve as much of the open space as possible. By having common party walls, this just helps compact the proposed single family residential condominium units allowing for the preservation of more open space. This also makes make the property more compatible with the surrounding area. Being a proposed condominium development, this open space will be owned by the proposed owners in common and maintained by the condominium association. The applicant will fully address any and all concerns that MSD has as to drainage and permeable soils on the subject property that would create erosion problems.

RECEIVED

MAY 06 2019

DESIGN SERVICES

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, 3, 4 of Goal 1, for the following reasons:

This proposed rezoning and RDDDP will cater to those potential condominium purchasers that enjoy a healthy lifestyle through pedestrian travel and through bicycle as a means of transit due to the close proximity of this site to the previously mentioned activity centers within walking and pedestrian distance of the property. Sidewalks are being proposed and added to the property to provide pedestrian connections between the existing townhomes (which doesn't have sidewalks) and the Springhurst subdivision. As shown on the RDDDP, bicycle parking is being proposed to promote this means of travel throughout the area. As previously stated, this proposed higher density residential use is located in very close proximity to the marketplace corridors along Westport Road, including the Springhurst commercial near the Gene Snyder, and the Kroger at Westport Plaza, as well as the employment centers in the immediate area, and through transit, downtown.

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 of Goal 2, for the following reasons:

This proposed development through use of undeveloped property in a previously developed area helps to avoid sprawl and provide a housing option to those wishing to use other forms of travel. Due to the zoning of the properties in the surrounding area, the access to this site off Langdon Drive will not enter through less areas of lower intensity. All appropriate site distance standards will be met.

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, 11, 12, and 14 of Goal 3, for these reasons:

The proposed development of this vacant undeveloped land into a new and vibrant residential use will provide new housing stock critically needed by Louisville Metro to allow its continued growth and also will reduce vehicle miles traveled for those moving to the area through its proximity to the previously mentioned employment centers and marketplace options. The subject properties close proximity to the above will also help eliminate multiple automobile trips for such services. Due to this development's close proximity to public transportation options, as well as the opportunity for pedestrian and bicycle travel, this proposal will have a fraction of the demand on the public transportation network that a new development in the outer portions of Louisville Metro would have on this network. The additional residential units this development would provide would also help create a larger demand for the existing public transportation options.

RECEIVED

MAY 06 2019

DESIGN SERVICES

JUN 10 2019

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 of Goal 2, for these reasons:

The subject property is currently served by existing utilities and has adequate 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 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, 10, 17, 21, 31, 32, and 35 of Goal 1, for these reasons:

The proposed development will add new native species landscaping as shown on the RDDDP and as demonstrated on the landscape plan that will ultimately be prepared and submitted for approval. Any potential impacts to the current drainage stream on the subject property and the surface water runoff will be fully addressed as shown on the RDDDP.

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 Policy 1 of Goal 1, for these reasons:

As stated previously, the proposal is for a new and different housing option for the area, being new construction residential with maintenance free living lacking in this older area of Louisville Metro. The proposed rezoning will also be an additional option for those looking to age in place, ie., in the community in which they have lived, through providing a maintenance free living option.

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 of Goal 2, for these reasons.

The condominium form of development, accompanied by its maintenance free living, provides a housing option for a mixture of residents including the millennials, both working in the area and through transit options downtown, that wants to live in close proximity to services and areas,

RECEIVED
MAY 06 2019
DESIGN SERVICES

baby boomers that no longer want to cut their grass, and those persons of all ages that want to live where there are multiple accessible modes of transportation.

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, for these reasons:

The proposed development will be a different housing option than the single family residential and apartments that predominates throughout the surrounding area, and thus will have a different price point. This additional housing option will provide an option for the existing residents in the area that want to age in place and in their community.

* * *

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 Cornerstone 2040 Comprehensive Plan.

Respectfully submitted,

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

RECEIVED

MAY 06 2019

DESIGN SERVICES