

St. Germain, Dante

From: rshcardfan@aol.com
Sent: Thursday, September 8, 2022 11:17 AM
To: paula.mccraney@public.govdelivery.com; St. Germain, Dante
Subject: DEVELOPMENT AT 4301 WESPORT ROAD

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I am OPPOSED to the development of a self-storage facility at 4301 Westport Road.

Please vote against any change in zoning that would allow this development.

Stephen Holman
6885 Green Meadow Circle

St. Germain, Dante

From: Timothy Mayer <tmayer@strobobarkley.com>
Sent: Thursday, September 8, 2022 8:00 AM
To: St. Germain, Dante
Cc: Randal Strobo
Subject: 22-ZONE-0086 - City of Windy Hills' Letter in Opposition
Attachments: 2022.09.07 - Self-Storage 4301 Westport Road - Comments to LDT.pdf

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Dante,

Please find attached a copy of the City of Windy Hills' letter in opposition to the proposed rezoning and waiver in file numbers 22-ZONE-0086 and 22-WAIVER-00142 respectively. Let me know if you have any questions.

Thank you,

Tim

Timothy J. Mayer
STROBO BARKLEY PLLC
730 West Main Street, Suite 202
Louisville, KY 40202
(502) 547-1060 - direct
(502) 378-5395 - facsimile
tmayer@strobobarkley.com
www.strobobarkley.com

September 7, 2022

Land Development & Transportation Committee Members
Louisville Metro Planning Commission
444 South 5th Street, Suite 300
Louisville, Kentucky 40202

Dante St. Germain
Louisville Metro Planning & Design Services
444 South 5th Street, Suite 300
Louisville, Kentucky 40202
Dante.st.germain@louisvilleky.gov

**Re: Case No. 22-ZONE-0086/22-WAIVER-00142
Opposition to Zone Map Amendment and Waiver
Hagan Properties Inc.**

Dear Committee Members and Planning Staff:

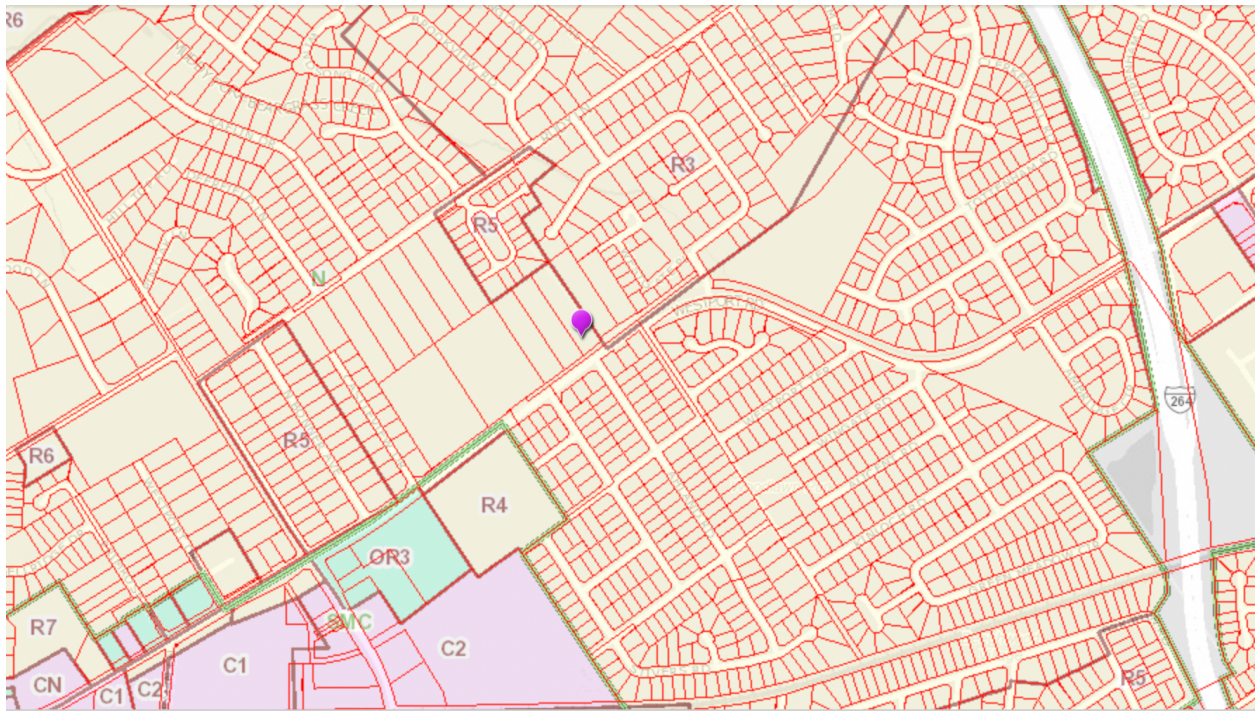
Thank you for the opportunity to comment. This firm represents the City of Windy Hills (“Windy Hills”), a carefully thought-out community of historic homes and neighborhoods located between I-264, Westport Road, North Hubbards Lane and Brownsboro Road. Windy Hills has a population of approximately 2,300 people. Windy Hills is a home rule city, governed by a six-member Council presided over by a Mayor, but does not have planning and zoning primacy. For these reasons, it relies on the Louisville Metro Planning Commission to impose reasonable regulations which will benefit the neighborhood and overall community.

Hagan Properties Inc. (“Applicant”) submitted this Application for a Change in Zoning/Form District Application (“Application”) from R-4 Neighborhood to CM in order to build a 31,875 square foot, 3-story self-storage building on the property owned by Paul Thieneman (“Owner”) located in Jefferson County at 4301 Westport Road. The proposed development and zone change is partially within the Windy Hills city limits (the remainder of the property lying within the limits of St. Matthews). The Applicant has also requested a waiver of Section 10.2.4 to reduce the 25’ LDA to 6’ along a portion of the eastern property.

Windy Hills opposes the Application and does not believe that the Applicant is ready to be heard by the full Planning Commission because the proposed zoning classification is an impermissible exercise in spot zoning contrary to KRS 100.213, and because it also fails to comply with either the Land Development Code or Plan 2040: A Comprehensive Plan for Louisville Metro (“Comprehensive Plan”).

The proposed zoning classification would render the property a commercial island amid a sea of single-family residences. All the properties adjacent to the subject property are zoned residential, and all the properties including the subject property lie within the Neighborhood

Form District. A self-storage unit, no matter how it is disguised, is out of character with the surrounding properties, and it is incompatible with the Neighborhood Form.



According to the Comprehensive Plan, “[t]he Neighborhood Form is characterized by predominantly residential uses that vary from low to high density *and that blend compatibly into the existing landscape and neighborhood areas.*”¹ (Emphasis added). And while the Neighborhood Form does not categorically preclude the development of commercial uses, it does relegate those uses to “neighborhood centers” that are “at scale” and “appropriate for nearby neighborhoods.” *Id.*

The self-storage facility is not a residential use, and at 31,875 sq. ft. per floor, it does not “blend compatibly into the existing landscape and neighborhood areas” since the neighborhood contains few, if any structures greater than even 1/10 its size. Nor would the self-storage facility be in a “neighborhood center” containing other, similar uses. It would stand alone among a number of low-density, single-family residential units.

Additionally, the Comprehensive Plan discourages non-residential expansion into residential areas unless the Applicant can provide for, among other things, appropriate transitions from non-residential to residential “[depending] on the pattern of development of the Form District” using either vegetation and landscaping, or separating low density residential from non-residential by using high density residential as a buffer.² Here, the Applicant has proposed a vegetative buffer separating its two-story, 31,875 sq. ft. facility from the surrounding low-density, single-family residences. This is woefully insufficient.

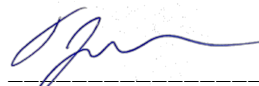
¹ 4.1 Community Form, Goal 1, Policy 3.1.3.

² 4.1 Community Form, Goal 1, Policy 6.

If one lot is permitted to be rezoned to commercial, other lots may follow suit thus altering the residential and historic character of Windy Hills. The Neighborhood Form is designed to protect the identity and character of communities such as Windy Hills, while confining commercial activity to scale appropriate neighborhood centers or other types of form districts.

If this case advances to the full Planning Commission, the City of Windy Hills will submit more detailed and extensive comments.

Respectfully,



Timothy J. Mayer
Counsel for the City of Windy Hills
Ph. (502) 547-1060
tmayer@strobobarkley.com

St. Germain, Dante

From: Kim Padgett <kpadgett75@gmail.com>
Sent: Tuesday, September 6, 2022 1:51 PM
To: St. Germain, Dante
Subject: 22-Zone-0086

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I am opposed to this zoning change. I will be at the hearing on Thursday. I feel this level of zoning does NOT meet the current neighborhood.

Thank you.

Kim Padgett

Sent from my iPhone

St. Germain, Dante

From: Helen Davis <helen.davis@cityofwindyhills.com>
Sent: Monday, July 18, 2022 7:48 AM
To: St. Germain, Dante; Wendy Mains; Councilwoman Paula McCraney
Cc: john@barlow.net
Subject: Re: 4301 Westport Rd. Case # 22-ZONE-0086

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This is another neighborhood meeting that the attorney has scheduled.

Helen Davis
WH Mayor

From: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>
Sent: Monday, July 18, 2022 7:44 AM
To: Wendy Mains <wmains89@gmail.com>; Councilwoman Paula McCraney <paula.mccraney@public.govdelivery.com>; Helen Davis <helen.davis@cityofwindyhills.com>
Cc: john@barlow.net <john@barlow.net>
Subject: RE: 4301 Westport Rd. Case # 22-ZONE-0086

Thank you for your comments on this case. I will add them to the record.

Do you know what the meeting on July 20th will be regarding? I do not have this case docketed for a meeting yet. Is it a meeting run by the applicant?

Dante St. Germain, AICP
Planner II
Planning & Design Services
Department of Develop Louisville
LOUISVILLE FORWARD
444 South Fifth Street, Suite 300
Louisville, KY 40202
(502) 574-4388
<https://louisvilleky.gov/government/planning-design>



Stay aware of new development in your area! Sign up for Gov Delivery notifications at:
<https://public.govdelivery.com/accounts/KYLOUISVILLE/subscriber/new>

From: Wendy Mains <wmains89@gmail.com>
Sent: Sunday, July 17, 2022 4:18 PM
To: St. Germain, Dante <Dante.St.Germain@louisvilleky.gov>; Councilwoman Paula McCraney <paula.mccraney@public.govdelivery.com>; helen.davis@cityofwindyhills.com
Cc: john@barlow.net
Subject: 4301 Westport Rd. Case # 22-ZONE-0086

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As residents of Windy Hills who live within ½ mile of the subject property, we are writing to you to ask you to strongly recommend this re-zoning application be denied.

A self-storage facility of the type proposed will be an eyesore as well as will ruin the feel of our suburban neighborhood. We routinely walk that area and enjoy strolling by “rural” properties bordered by a lovely residential assisted living facility and a school. If a large, ugly (the bright green signage alone is enough) commercial property is put right in the middle of that it will be like walking in front of Target. There are plenty of other places such a facility could go in the area (the property next to the railroad tracks on Hubbards Lane is for sale). In addition there are no less than 10 other self-storage facilities available within 2 miles of this location.

At the last neighborhood meeting, June 8th, there was strong opposition from the large group that attended. With so many neighbors (especially those abutting the property) opposing this proposal the application should be denied for that reason alone. It would be disheartening if the voices of so many individuals who live and work here are overlooked in favor of developers who don’t live or work here and are really only concerned with how much revenue this property might generate. We are concerned with the overall quality of life for our neighborhood and those who live in it.

John Talbott’s main point was that all of those properties will eventually be re-zoned commercial and this is a better option than what could go in here. I think that is a false assumption. There are people seeking rural feeling property in close proximity to downtown that would love to live in our neighborhood.

Unfortunately we are unable to attend the meeting on July 20 due to Covid quarantine, but if we were able to attend we would again stand against this proposal.

Respectfully

Wendy and Wayne Mains

4400 Jonlyn Court
Louisville, 40207
916-539-0474

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St. Germain, Dante

From: Helen Davis <helen.davis@cityofwindyhills.com>
Sent: Sunday, July 17, 2022 4:33 PM
To: Wendy Mains; St. Germain, Dante; Councilwoman Paula McCraney
Cc: john@barlow.net
Subject: Re: 4301 Westport Rd. Case # 22-ZONE-0086

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Dear Ms. Mains:

I attended both meetings and spoke against the warehouse at the first meeting. Windy Hills is on record that we oppose the proposed development and our attorneys will represent us at the planning and zoning meetings.

I hope you are on our email list because we have sent notices about all of the meetings. After the proposal goes through P&Z, it will have to go to St. Matthews Council for approval. It is very important that our residents oppose the development at all of the meetings. We will continue to notify our residents when the meetings are scheduled.

I had a serious accident a month ago and had to have surgery. I am recovering at home but I am responding to emails. If you have any questions, feel free to contact me.

Sincerely,
Helen Davis
Mayor

From: Wendy Mains <wmains89@gmail.com>
Sent: Sunday, July 17, 2022 4:18 PM
To: dante.st.germain@louisvilleky.gov <dante.st.germain@louisvilleky.gov>; Councilwoman Paula McCraney <paula.mccraney@public.govdelivery.com>; Helen Davis <helen.davis@cityofwindyhills.com>
Cc: john@barlow.net <john@barlow.net>
Subject: 4301 Westport Rd. Case # 22-ZONE-0086

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Wendy and Wayne Mains
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Louisville, 40207
916-539-0474

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Sent: Sunday, July 17, 2022 4:18 PM
To: St. Germain, Dante; Councilwoman Paula McCraney; helen.davis@cityofwindyhills.com
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