

JUSTIFICATION STATEMENT OF ZONING APPLICATION'S COMPLIANCE WITH PLAN 2040

FOUR LEAF CLOVER PROPERTIES, LLC - BUECHEL TRAIN DEPOT -

2230 Buechel Avenue: PROPOSED ZONE CHANGE FROM R-4 & R-5, SINGLE-FAMILY RESIDENTIAL TO C-1, COMMERCIAL

THE PROPOSAL

The owner-applicant, Four Leaf Clover Properties, LLC, proposes its application to rezone an approximately 3.84-acre property located at 2230 Buechel Avenue, Louisville, KY 40218 (the "Property"), from its existing R-4 and R-5 Single-Family Residential split zoning designation to all C-1, Commercial. With its formal zoning application, the applicant submits a detailed district development plan drafted by The Kleingers Group ("DDDP"), whereon the applicant proposes to revitalize an historic property that contains an individually landmarked asset, the Buechel Train Depot, through the creation of various use/activity components that collectively work together as a land use that supports community gathering in a park-like setting where physical and mental exercise can be undertaken, and the celebration of a historic train depot and its repurposing to allow for opportunities for local start-up retailers to begin their business enterprises and where an existing train car and the location of a new train car together will pay homage to that history of the Buechel Train Depot while also providing a moderate amount of space in a unique way for the provision of food to visitors of the Property. Community gardens will be established for nearby residents and classes about gardening will be held to teach interested gardeners about successful gardening techniques. It is the applicant's hope that community events such as a farmer's market, art festival, and/or seasonal movie nights can be held on the Property to support community engagement (taken together, the mix of uses together as one use is referred to herein as the "Proposal").

Currently, the Property is an underutilized train depot with a surface parking lot and a large tree stand established between the park area of the Property and the residential neighbors to the east and north. Trees will be preserved on the Property to maintain the natural buffering and established screen, although there are a significant number of dead or dying trees that will be addressed as part of the Property's revitalization. In short, the owner applicant's Proposal seeks to establish a unique, attractive community venue on the Property that both pays respect to the historic Buechel Train Depot through revitalization of buildings and property that contribute to that historical context and draws nearby residents and other folks to the Property for its use as a park-like setting where guests can engage with one another or where folks can enjoy the grounds on their own.

THE PROPOSAL'S AGREEMENT WITH PLAN 2040 LOUISVILLE METRO'S COMPREHENSIVE PLAN

Four Leaf Clover Properties, LLC's application to rezone the Property from the existing R-4 and R-5 Single Family Residential to the C-1, Commercial zoning designation is in agreement with Plan 2040, A Comprehensive Plan for Louisville Metro (Plan 2040), as justified in detail

below, and therefore C-1, Commercial zoning is an appropriate designation for the Property and the zoning application warrants approval.

Plan Element 1 - Community Form

The owner-applicant's Proposal conforms to Community Form Plan Element 1 and all applicable Policies adopted thereunder. The Community Form plan element guides the shape, scale and character of development in ways intended to promote a connected, healthy, authentic, sustainable and equitable built environment. Community Form encourages redevelopment while promoting land use flexibility and promotes the arts and creativity to enhance the quality of life and a sense of place. As described in detail herein, the applicant's Proposal advances these stated principles of the Community Form because the Proposal involves the revitalization of the underutilized historic individual Buechel Train Depot local landmark in a fashion that will bring use and functionality back to the existing (but in disrepair) Train Depot building, but also in a way that brings vitality to other parts of the Property so that the Property can become a draw to people again and for various reasons and, consequently, be a positive contribution to the immediate and surrounding areas as a community asset. With its Proposal, the owner-applicant seeks to activate the underutilized Property with various components, all of which guests can engage independently or collectively in support an overall experience. More specifically, per the Plan, the owner-applicant looks to contribute to the Train Depot character with the addition of a train car the owner-applicant intends to use as a dining car, where guests can purchase food and refreshment. Additionally, the owner-applicant wishes to use the Train Depot building as a small footprint for retail space, where pop-up retailers have opportunities to sell goods and wares and learn how retail businesses works before getting their feet under them and hopefully land a more permanent space elsewhere pursuant to a long-term lease. The owner-applicant also seeks to add an outdoor game/activities area and walking trails for attendees to use for mental and physical exercise while enjoying the grounds of the Property. The owner-attendee will add areas for community gardens for nearby residents to plant and intends to hold classes on the Property in support of the community gardens use. Bathrooms will be available on the Property. It is the owner-applicant's hope that seasonal community events can be held on the Property, such as farmers market, art festival/show, movie gathering, etc.

The Proposal complies with Community Form Goal 1, Policy 3.1.3 because the Property lies within and on the edge of a Suburban Marketplace Form District, which are generally located along major roadways (here, Bardstown Road) with well-defined beginning and ending points and established depths along the length of the corridor. The pattern of development is distinguished by a mixture of medium-to high- intensity uses. Accommodations for transit users, bicyclists and pedestrians are encouraged in an effort to attract a variety of users as well as to minimize automobile dependency and traffic congestion. Developers should be encouraged to design new commercial development in compact groups of buildings, which use the same curb cut, share parking, have a common freestanding sign identifying the uses and have common buffering or streetscape plan with respect to any abutting uses of lower density or intensity. This form may include medium to high-density residential uses that are designed to be compatible with both the non-residential uses along the corridor and the lower-density residential uses in adjacent Form Districts. Medium-density residential uses may serve as a transition area from lower- to higher-density residential uses and should be encouraged in this form. The Proposal on the Property is a good transition between the residential areas to the north and northeast and the activity center to the west and southwest.

The Proposal complies with Community Form, Goal 1 and its applicable policies because it aims to revitalize a Property into a community-centered place where nostalgic appreciation for railroad trains and associated train-related activities and train-related structures/cars are

celebrated to pay respect to the use of the Property as the Buechel Train Depot, while pairing the use of the remaining grounds by activating walking trails, establishing a gaming/activities area, and community gardens, all of which can work together to create a unique, local destination place as an active park-like setting for nearby residents, employees, or for folks who have come to enjoy the Property. The Property is positioned on the northeast side of an existing activity center comprised of office, commercial and light industrial uses; the Property is the last property on Buechel Avenue before Buechel Avenue traverses the railroad tracks and turns into Crawford Avenue, a residential street between the railroad tracks and Six Mile Lane. A mixture of zoning districts (C1, C2, CM, M1, M2, R5 and R4) and land uses (restaurants, commercial strip centers, a self-storage facility, healthcare offices, the Buechel Fire Department, a cell tower, automotive services and sales, a car wash, kitchen service, towing service, food market, etc. are just some of the uses in the nearby area) exist in the described activity center and the addition of the proposed mixed-use community-oriented use will compatibly fit and add to the area's variety of neighboring-serving uses.

The Property is currently split-zoned R-4 and R-5 single-family and essentially used as a parking lot. Prior to the owner-applicant becoming involved with the Property, issues related to vagrancy and vandalism occurred on the Property, resulting in damage to the Train Depot building and existing train car on the Property. Since the owner-applicant acquired the Property, the site has been secured with security cameras and better lighting, which has improved security conditions on the Property and better protected the grounds from vandalism. The owner-applicant intends to add another train car to the site to enhance the existing railroad character of the Property and to provide space where simple foods can be prepared and sold onsite to customers. Walking paths are envisioned on the Property to provide areas for guests to walk throughout the site for exercise or for a peaceful respite. The added train car and walking paths are essentially the only impervious surface add to the Property. More particularly, the existing impervious area onsite is approximately 0.395 acres and with the Proposal, the owner-applicant plans to add 0.123 acres, which, when totaled, takes the impervious area post-development of the Property to 0.518 acres of impervious area. The existing surface parking lot will be utilized in its current location and, per the Plan, thirty (30) parking spaces, including two ADA spaces, are available to support the Proposal. Bicycle parking will be provided onsite. Building height and building setbacks on the Property will observe the applicable Suburban Marketplace Form District standards.

Goal 2 of the Community Form encourages sustainable growth and density around mixed-use centers and corridors, where Plan 2040 promotes as areas for new investment in Jefferson County. Goal 2's Objective 2.b states that diverse land uses are encouraged to promote quality of place and walkability for neighborhoods. The Proposal is intended for Property that sits in an area that transitions from a Suburban Marketplace Corridor to the Neighborhood Form and holds a position fronting an active railroad track. As a result, the Proposal, once established, will support both residents of the adjacent Neighborhood Form and employees of the Suburban Marketplace Corridor and nearby Suburban Workplace. The Property is supported via multi-modal transportation options, including vehicular, bicycle and transit located at the intersection of Buechel Avenue and Bardstown Road. The Proposal will use the existing curb cut from the parking lot onto Buechel Avenue, which is already appropriately aligned with the curb cut across Buechel Avenue from the Property.

Tree canopy and interior landscape areas will be provided onsite to meet or surpass applicable standards. Trees along the Buechel Avenue right-of-way will be provided. The Property is generally flat with moderate undulation and contains no flood prone areas, but has hydric soils. No severe, steep or unstable slopes exist on the Property to avoid. Provided that very minimal site disturbance is expected to develop the Proposal on the Property, the Proposal protects

existing natural resources and avoids substantial changes to topography. A large tree stand along the eastern, northeastern and southern portions of the Property exists and will be preserved, except for trees that are dead or dying and need to be removed from the Property. The Property will continue to provide valuable open space for the surrounding neighborhood and businesses, maintaining space where residents and employees of the area alike can go and utilize the Property for personal beneficial activities and exercise. Consequently, the Proposal complies with Community Form's Goal 3 and its applicable policies.

Plan 2040 Community Form's Goals 4 & 5 are for the promotion and preservation of historic resources that contribute to Louisville's authenticity and the integration of art and cultivation of creativity, respectively. The owner-applicant's Proposal advances Goals 4 and 5 because it seeks to refurbish and reactivate an existing individual local landmark in the Buechel Train Depot for its reuse by the general public, and where opportunities for community-gearred activities and gatherings will be supported, thereby providing spaces and events where the exchange of art and creative ideas can fostered and, if successful, sustained.

Plan Element - 2 Mobility

Goal 1 of Plan 2040's Mobility Plan Element is to implement an accessible system of alternative transportation models. Goal 2 of the Mobility Plan Element is to plan, build and maintain a safe, accessible and efficient transportation system, while Goal 3 encourages land use and transportation patterns that connect Louisville Metro and support future growth. The applicant's Proposal complies with Plan 2040's Mobility Plan Element and furthers it three goals because it encourages the utilization of the existing multi-modal transportation systems currently serving the Bardstown Road corridor and the Buechel area. As previously described, the Property is located along Buechel Avenue, which intersects with Bardstown Road to the south and, to the north, crosses an active railroad, where Buechel Avenue becomes Crawford Avenue, a local residential street that connects to Six Mile Lane, a primary collector level roadway. Bardstown Road is a well-used commercial corridor where various commercial and industrial uses operate along the stretch of Bardstown Road in Buechel. Approximately 750 feet to the east from where Buechel Avenue intersects with Bardstown Road, Bardstown Road meets up with Buechel Bypass and continues on as Bardstown Road, but as a major arterial level roadway. A mix of commercial and industrial users, cut thru traffic and residents along Crawford Avenue use Buechel Avenue for vehicular access. The Property is uniquely positioned because of its historical use as a train depot, hence its obvious adjacency next to a railroad track. Per the Plan, pedestrian connections/walking pathways will be provided onsite as one of its primary features. TARC serves this stretch of Bardstown Road for those who wish to visit the Property and prefer or need to use transit.

Vehicular access to the Property is from the existing curb cut to Buechel Avenue and will not be from areas of significantly lower intensity or density. Sight distances consistent with traffic speed, the flat terrain and alignment of Buechel Avenue has already been established and those that travel Buechel Avenue frequently are aware of the existing curb cut to the Property. From a vehicular mobility standpoint, the Property fronts Buechel Avenue, which connects to Bardstown Road to the south and, on the other side of the railroad tracks to the north, Crawford Avenue, which intersects with Six Mile Lane; there is adequate capacity within the existing roadway grid supporting the surrounding area and their associated uses to handle the traffic generated from the Proposal. Sidewalk connections exist on both sides of Bardstown Road leading to Buechel Avenue, but there are no sidewalks on Buechel Avenue itself. Bicycle lane infrastructure has yet to be installed in the immediate area, but to plan for the future bicycle parking will be furnished on the Property to accommodate cyclists, further supporting non-motorized methods of mobility.

The applicant's proposed use of the underutilized property as both 1) a neighborhood-serving use and 2) as a destination point in the City of Buechel, encourages various methods of mobility to access the Property. Indeed, the revitalization of a smaller, mixed-use community-oriented development that includes a place to meet friends and family, grab a bite to eat, walk, meditate, garden, learn gardening, admire idle train cars and fully operating trains passing by where no such use exists in the area today will contribute to reducing miles traveled for the residents living in the neighborhood. The applicant will work with nearby residents and the City of Buechel to identify opportunities where the nearby residents and property owners can work together in support of larger events, such as festivals, farmers markets, movie or music nights on the Property.

For the foregoing reasons, the Proposal complies with the Mobility Plan Element of Plan 2040, including its Goals 1, 2 and 3 and their applicable Policies. The Proposal is properly supported by a safe, accessible and efficient transportation network that connects areas of residential, commercial, workplace, and recreation from various modes of transportation.

Plan Element 3 – Community Facilities

Plan 2040's Community Facilities Plan Element provides guidance and recommendations for the proper integration of necessary community resources across Louisville Metro to plan and maintain accessible facilities that will improve the quality of life for existing and future residents and visitors of Louisville Metro. The Proposal complies with Plan 2040's Community Facilities Plan Element, and all applicable Goals, Objectives and Policies thereunder, because the proposed use of the Property is similar in nature to a park, where guests can enjoy the grounds, walk around for physical and mental exercise, partake in seasonal activities held on the Property, and admire the train depot, perhaps reminiscing on what the immediate area was like years ago. Though privately-owned, a primary thrust behind the Proposal is to support community and bringing people together. Consequently, in that aforementioned regard, the Proposal on the Property will mirror the idea and the functionality of a community facility.

The Property will support the Proposal and contribute to the uniqueness of the Buechel neighborhood because the Property will honor the past use of the train depot on the Property and furnish activities and areas for guest to enjoy today and in the future. The Property has access to existing infrastructure and all necessary utilities, including water, sewer, electricity, and telephone. To the extent possible, utilities will be located within common easements and trenches, as required by each utility. The applicant will work other nearby property owners to review opportunities for use of underutilized parking that would be available when certain businesses are not operating and when an event is being held on the Property, such as a farmer's market or art festival. The development also has an adequate supply of potable water and water for fire-fighting purposes and is served by the Buechel Fire District, which is located right around the corner at 4101 Bardstown Road and the Fern Creek Fire Department. The Sixth Division of the Louisville Metro Police provides service to the Property.

Plan Element 4 – Economic Development

The intent of Plan Element 4 of Plan 2040 is to provide a positive, healthy economic climate for citizens of Louisville Metro and the residents of Buechel in a way that cultivates a vibrant place to attract and retain a highly-skilled workforce. The Property is appropriately located within a Suburban Marketplace District off of a well-trafficked Bardstown Road corridor – a primary collector roadway along this portion, right before it combines with Buechel Bypass to continue on

as Bardstown Road but as a major arterial roadway, which provides a critical spine for moving goods and people across Jefferson County and from counties south of Jefferson County up to Jefferson County. The Proposal promotes the Goals and Objectives of Plan 2040's Economic Development Plan Element because it is geographically positioned near a vital corridor, somewhat central to Jefferson County and central to the City of Buechel, near a mix of uses including residential, industrial and commercial uses, and near Neighborhood and Suburban Workplace Forms, where residents and employees can take refuge and enjoy the site. Yet, the Property itself needs a positive infusion of interest and investment. Here, the applicant, working with the Louisville Metro Landbank, sees an opportunity to revitalize an historic site and allow opportunities for fledgling local companies to start up retail businesses in the small space afforded to such use, while the rest of the site can be enjoyed for various uses and activity that support the community. Indeed, the Proposal is a great example of a local entrepreneur taking pride in local history and looking for ways to bring life back to the Property in ways that will attract people to the Property where folks can appreciate the historic aspects of the Property and support local business. Moreover, the Proposal itself will draw folks to Buechel, which increases the chances that more dollars will be spent in Buechel as opposed to nearby competing areas.

The Proposal will enhance the Property and support the quality of life for nearby residents who might wish to use the Property as a park-like setting. The improvements to the underutilized Property, including general cleaning up of the site, providing better security, and the introduction of business to the Property, will inject value into the immediate area and protect the overall value of properties surrounding the Property. The uniqueness of the proposed use will contribute to the authenticity of the Property and Buechel. The Proposal invites folks to experience a community-focused space within a revitalized property that honors the past while providing new life through uses new to the Property. Indeed, this is the kind of authenticity Plan 2040 encourages development to achieve. What follows, if the zoning request is approved, is a neighborhood-serving, community-serving property that will improve the activity and aesthetics of the immediate area while contributing to vibrancy and uniqueness of an area that deserves the same, especially considering the Property's location near numerous well-traveled roadways in this area of Louisville Metro. Therefore, the Proposal is in agreement with the Economic Development Plan Element of Plan 2040.

Plan Element 5 – Livability

The Livability Plan Element of Plan 2040 provides guidance and direction for the provision and maintenance of resources necessary for the health and well-being of citizens, including a focus on designing places for health and safety with tree preservation and tree canopy enhancement. Applicant's Proposal is consistent with the applicable Goals, Objectives and Policies of Plan 2040's Livability Plan Element, primarily those set forth under Goal 1 of the Plan Element, because the revitalization of the Property will be done so in manner that protects the natural environment and, with the proposed improvements to the Property, integrates it with the built environment. The applicant looks to add some new vitality to the Buechel Train Depot Property by cleaning it up, rehabilitating the existing train depot building and existing train car on the property and by adding a new train car that will furnish space for a small restaurant where visitors can grab a bite to eat while enjoying the grounds of the Property. The areas that are overgrown on the Property will be addressed and the various dead or dying trees will be removed for the safety of others and for the health of the remaining trees on the Property. A solid tree stand exists that will remain between the usable area of the Property and the rear yards to the residential property fronting Fairland Avenue and which back up to the Property. The applicant will be planting new trees more native to the area to replace removal of dead or dying trees as well as trees that do well with absorbing water to help with pooling of water that sometimes occurs on the

Property. With the proposed use, visitors can achieve active recreation in the park-like setting, talk walks or simply relax and watch trains roll by and the various components of the Proposal (the park-like setting, the gardens, the restaurant, the opportunities for seasonal activities) function with one another to create pleasant community events and experiences.

The Property has access to an MSD service connection and the site design for the Proposal on the Property will include appropriate storm water facilities that will function with existing MSD sewer facilities and infrastructure already in place to further manage and accommodate stormwater runoff. In conjunction with MSD, the owner-applicant will verify the existing storm-water drainage ditch currently serving the Property is sufficient to continue handling the capacity necessary to properly accommodate drainage on the Property. If capacity needs to be increased, then the owner-applicant will work with MSD to appropriately expand the ditch to where it can effectively accommodate the increased demand. Additionally, the owner-applicant will pay regional facility fees for this site. No onsite detention on the Property is proposed at this time. As a result, the Proposal will accommodate stormwater runoff in a manner complying with MSD standards, which mandate post development rates of runoff may not exceed pre-development conditions for the 2, 10, 25, and 100-year storms or to the capacity of the downstream system, whichever is more restrictive. The final design of the Proposal must meet all MS4 water quality regulations established by MSD and, therefore, site layout may change at the design phase due to proper sizing of Green Best Management Practices. Per FEMA FIRM Panel 21111C0061F, no area on the Property is located in the regulatory floodplain, the 100-year flood hazard area. Hydric soils are indicated as present on the Property, but given the minimal add of impervious surfaces to the Property via this application, no consequential land disturbance that will cause an issue with the hydric soils is expected. Streams (blue line or otherwise), riparian zones or surface water are not present on the Property. The Property contains no known archaeological features on it. The Property is generally level and no severe or steep slopes exist on site which would cause impediments to the Proposal. In accord with applicable MSD standards, implementation of an erosion prevention and sediment control plan will occur prior to any site disturbance on the Property. Consequently, applicant's Proposal will not have any negative impacts to mitigate on site.

The proposal conforms to the requirements of APCD, represents an efficient land use for the Property, while also enhancing the Property so that folks can again enjoy it as a place to gather or as a place for someone to go enjoy alone. Because the site is positioned in an area supported by multi-modal transportation, the proposed development accommodates alternative modes of travel, which enables and promotes a reduction in vehicular miles traveled, thereby reducing overall air quality impacts. The transit stop at the intersection of Buechel Avenue and Bardstown Road is located within a reasonable walking distance from the Property, where TARC riders can walk to/from Property, which is specifically helpful during the times when events might be held on the Property.

Plan Element 6 – Housing

The Housing Plan Element strives to enhance housing opportunities for all citizens of Louisville Metro by promoting equitable housing means ensuring diverse, quality, physically accessible, affordable housing choices with access to opportunities, services and amenities. The following three Goals are set forth within the Housing Plan Element: 1) Expand and ensure a diverse range of housing choices; 2) Facilitate the development of connected mixed-use neighborhoods; and 3) Ensure long-term affordability and livable options in all neighborhoods. As discussed herein, the Proposal advances all three Goals of the Housing Plan Element. Applicant's Proposal incorporates no residential uses on the Property, neither single-family nor

multi-family housing, but the Proposal will certainly support housing of all kinds by providing open spaces, walking trails, opportunity to attend community events, and, for those adjacent properties, maintain a tree canopy as a nice natural buffer along the property lines shared with residential properties. No residential uses exist on the Property today, therefore, if approved, the Proposal will cause no displacement of residents from the Property or the immediate area. The C-1, commercial zoning designation being pursued for the Property by the applicant is a flexible zoning designation that does permit housing, however, including single-family, two-family and multi-family residential with the allowance to establish thereon appropriate density. Therefore, should the Property be re-purposed after its proposed use as a neighborhood-and-community serving park with retail and restaurant uses, the C-1 zoning would permit a variant of housing types to be developed. Multi-family housing or a mixed-use development including a residential component atop commercial or office would be a nice transition from the Suburban Marketplace Form in which the Property sits to the contiguous Neighborhood Form. In fact, the Property was subject of planners' charrette where an exercise to design missing middle housing was undertaken to see what types of creative housing solutions might fit the Property. Moreover, the Property's inclusion within an existing activity center and its doorstep access to public transit also supports a future housing development on the Property, where residents could conveniently avail themselves of multi-modal transportation.

Although the applicant is not pursuing a housing development for the Property, the Proposal will provide for the introduction of moderate commercial space on the Property, which will serve the neighborhood area and facilitate additional employment opportunities, albeit small, to residents in the area. As such, additional employment positions in the neighborhood will assist residents of inter-generational, mixed-income possibly find employment or start their own business in an area within reasonable walking and bicycling distances from where they reside. The Proposal is a major reinvestment for the Property, surrounding neighborhood, and Buechel. Not only is the Proposal a destination use that will attract folks to Buechel, the Proposal can also act as a catalyst for further investment/reinvestment in the Buechel area, including residential developments built at appropriate densities and price levels for inclusive, equitable housing in the neighborhood.

For all the foregoing reasons, including the information shown on the submitted detailed development plan to be discussed at the Planning Commission's Land Development & Transportation Committee, and for all other reasons presented at the LD&T review and the Planning Commission's public hearing, this Proposal to locate an active, vibrant and neighborhood serving mixed-use on a property in the City of Buechel park complies with all applicable Guidelines and Policies, including the CHASE principles, of Plan 2040, Louisville Metro's adopted Comprehensive Plan.

Respectfully submitted,

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