

BARDENWERPER, 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, OBJECTIVES AND POLICIES OF THE PLAN 2040 COMPREHENSIVE PLAN

<u>Applicant/Owner</u>	9800 Starlet Duo, LLC
<u>Location:</u>	9715 & 9713 Starlet Drive
<u>Proposed Use:</u>	Apartment complex with attached office space and parking lot
<u>Engineers, Land Planners and Landscape Architects:</u>	Milestone Design Group
<u>Request:</u>	Zone change from R-4 to R-7

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) comply with applicable Objectives a, b, c, d, e & f and applicable Policies 1, 2.1, 2.4, 2.7, 3.1.4., 3.2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, & 23 as follows:

The proposed change in zoning complies with Goal 1 in several ways. The already existing apartment complex will gain additional office space for its administration, as well as ample parking and site redesign that is more conducive to the trends of the overall area and diverse needs of the population meant to be served. It is proposed in a rapidly growing area near major arterials such as I-65 and I-265, as well as New Cut Road and Fairdale Road, increasing connectivity and compatible usage near other retail activity centers, employment centers, and residential areas. With the uptick in residential expansion in this area, this revamped apartment complex will be crucial to serving this increased demand and complies with all plans for economic growth in Louisville.

Its location close to neighboring residential developments will allow this apartment complex to mix an intensity of uses, as well as ease the transition into surrounding areas, especially with the site redesign and proposed location of the parking lot for access. This increased residential use will better fit with the surrounding areas by connecting more residential consumers with nearby restaurants, services, and amenities without having to drive larger distances to commercial centers. The rezoning will serve the area consistent with the goals of the Village Form District by providing residential usage that mixes and implements fluid open spaces and densities. It encourages pedestrian, bicycle and transit use.

As stated, the proposed zone change and development plan are compatible with the scale and site design of the nearby residential and other commercial areas. Appropriate buffers and landscaping will be created in such a way that this development will mitigate any potential issues that come with its development near other residential areas. The potential adverse impacts, such as noise, lighting and traffic will be mitigated through the use of these buffers, setbacks and compliance with the Land Development Code.

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

The proposed zone change and DDDP comply with applicable Objectives a, b, c & d and Policies 1, 2.1, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, & 17 as follows:

The proposed change in zoning from R-4 to R-7 will encourage sustainable growth with these compatible and similar uses near major arterials and will continue to provide appropriate intensity for surrounding mixed-use centers by establishing this residential use of similar intensity compatibilities with the area and existing infrastructure. This is also provided by the proposed roadways and site design dedicated to helping ease the flow of traffic and transit in a busy area near an intersection with a traffic signal. The design and intensity are appropriate with adjacent uses that will serve the needs of the surrounding community due to the compatible uses and impacts that match growing needs. The development will be well-organized resulting in efficient land use and will take advantage of and complement cost-effective infrastructure investment. This mixture of compatible residential serving uses will reduce vehicle miles travelled and limit trips by housing more people in one concentrated area, therefore allowing more people to be closer to surrounding areas connected by the major arterials. Many people will be served by this development, both commercial and residential uses being supported, meaning non-conventional and conventional traffic flows will mix to average into more even disbursement. This site is within a corridor where major support population exists. This will be a useful development as it will contain a mixture of acceptable/desirable uses.

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

The proposed zone change and DDDP comply with applicable Objectives a, b, c, & d and Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, & 13 as follows:

The proposed zone change and development will only protect the surrounding neighborhoods as they will not diminish open space or natural resources, and will instead provide all applicable LBAs and buffers. The zoning change will not cause any negative impacts to any flood prone areas, wet or permeable soils or steep slopes. The proposal avoids any significant change in topography and does not cause any environmental changes or damage. The landscape buffers and setbacks will continue to provide the community with transitions between the site and the surrounding properties. Moreover, any stormwater drainage improvements will continue to limit any issues with flooding or standing water, while respecting the natural features of the property and protecting the health, safety and welfare of the adjacent properties and future uses of the development. Further, this site proposes to provide sanitary sewer service to properties that are currently on septic systems and allow access to even more properties. The development integrates compatible uses which only further emphasize existing green spaces, characteristic of the Village Form District. Furthermore, it will feature common and useable opens spaces, such as the construction of a pergola to encourage outdoor recreational use for the residents that live there.

This will only increase the cultural, outdoor, and aesthetic uses of the area and population served by this development.

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

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

There are no historic buildings or distinctive cultural features on the site. The rezoning and development plan will essentially provide a development within the larger community and activity center that promotes residential living without disturbance of any historical sites or important archeological resources. Therefore, it continues its preservation of these components and many natural features of the site.

MOBILITY

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

The proposed zone change and DDDP complies with applicable Objective e and Policies 1, 1.3, 1.4, 1.5, 1.6, 1.7, 4, & 5.1 as follows:

This proposed zone change and development will serve and fit with the transportation characteristics of the surrounding area. The development will assist a growing residential population by providing them with access and connectivity to nearby future activity and employment centers in this rapidly developing area. The site will be in walking distance from other nearby residential and commercial centers and will allow for different modes of transportation within itself, and is located along a public transportation corridor providing easy access to most of Metro Louisville. The use of greenspace and encouraged outdoor use will promote pedestrian walking. There is also easy access to Tarc stops from this proposed development. The mixture of residential use with the proposed office space will assist in minimizing traveled distances for use of the site and its implementation near other areas. Sidewalks and all available modes of pedestrian travel will be provided in compliance with the Land Development Code.

Goal 2 – Plan, build and maintain a safe, accessible and efficient transportation system.

The proposed zone change and DDDP comply with applicable Objectives a, b, c, d, & e and Policies 1, 2, 4, 5, 7.4, 8, & 18 as follows:

The proposed zone change and development promotes safe, accessible and efficient transportation uses by accommodating pedestrian, bicycle and vehicular access to different arterials and other local roads and residential areas. This is not through areas of significantly lower density or intensity and will not thereby create a nuisance. The parking lot created on the site will establish strong thoroughfare transportation flows, and reduces traffic patterns on the site that match trends set in the Village Form District. This lot will serve a variety of vehicles, including electric cars. Public transit is available. Sidewalks will be installed in compliance with the Land Development Code.

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

The proposed zone change and DDDP comply with applicable Objectives a, b, c, d, e, & f and Policies 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 14, 21, & 22 as follows:

The proposed rezoning and development plan encourages transportation patterns which support the Village Form District, in terms of encouraging safe residential access to and from the parking lot of the apartment complex, to many side streets and major arterials. The DDDP further abides by all regulations and requirements of the Land Development Code, and reduces vehicle miles traveled by providing a larger density of the population closer to other nearby centers. This reduces the amount of vehicle emissions, as well as lessens the likelihood of vehicular accidents and roadway incidents by lessening overall drive time. The plan promotes walking and bicycling opportunities with sidewalks. The plan will not burden the transportation network but will allow the site to continue to be consistent with the intent of the Village Form District which currently features adequate parking facilities. The parking proposed for the site appropriately addresses the intensity of the proposed use and the character and pattern of this form district. All required utilities are available to the site, including the extension of sanitary sewer service to the site as mentioned.

COMMUNITY FACILITIES

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

The proposed zone change and DDDP comply with applicable 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. Furthermore, it possesses an adequate water supply of potable water and will therefore provide sufficient water for fire-fighting and other purposes. It will have access to sewers 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, b, c, d, e, f, h, & i and Policy 3 as follows:

The proposed apartment complex and office space in an R-7 zone provides appropriate neighborhood serving uses that improve growth, innovation, and investment opportunity by housing the workforce population near and adjacent to nearby industrial centers, while also combining unique commercial aspects in the building itself. It locates these new potential uses in an area with existing infrastructure in an efficient manner, increasing economic opportunities in the area. It will also provide opportunities to small and large businesses by providing another location with a supportive residential component with convenient access to major arterials and roadway infrastructure without generating unnecessarily high volumes of traffic.

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

The proposed zone change and DDDP complies with applicable Objectives a, b, c, d, f, & g and Policies 1, 3, 5, & 7 as follows:

This overall development plan enhances the quality of life in the area by developing a housing structure with office space that will improve the overall aesthetic, and protect and improve the economic value of surrounding areas by assisting the economic viability of those activity centers. The development will also serve as a facilitator for job creation, housing the workforce near market centers. The plan includes ease of access parking and modes of travel to nearby arterials, improving the connectivity for increased economic growth as well. All Land Development Code requirements for tree canopies and other environmental energy saving plans, if applicable, will be implemented to lower the urban heat island effect. This compatibility with the Village Form District will also maintain neighborhood vitality and provides more housing alternatives for various segments of the population.

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 comply with applicable Objectives a & b and Policies 5, 7, 10, 12, 13, 17, 18, 21, 23, 25, 26, 27, 28, 31, 32, 35, & 39 as follows:

The proposed rezoning and development will incorporate numerous policies and features that all support the natural character of the land, including greenspaces and a tree canopy that will encourage growth of many native plant species. The plan also promotes pedestrian and bicycle connectivity while not creating large amounts of new or unnecessary traffic for the area, therefore keeping carbon emission to a minimum. It will continue to deal with any impacts to drainage associated with the site, therefore accounting for the increased impervious surface. All drainage requirements will be followed, as systems will be implemented to further protect groundwater and any other natural water sources. Landscaping will be added where necessary and required under the Land Development Code to reduce the impact of the site to nearby residential uses.

Goal 2 – Ensure equitable health and safety outcomes for all.

The proposed zone change and DDDP comply with applicable Objectives a, b, c & d and Policy 8 as follows:

The proposed development will incorporate design standards that promote ease of access and increased visibility, which will only increase public safety. Specifically, the parking lot will be built to all requirements of the Land Development Code, therefore reducing the likelihood of any accidents.

Goal 3 – Ensure equitable access to land use planning and Policy-making resources.

The proposed zone change and DDDP complies with applicable Objective c and Policies 1, 2, & 4 as follows:

This proposal provides equitable access to the land use planning and policy resources by providing the surrounding residents and property owners notice of the development and notice of all public meetings. Furthermore, it provides a neighborhood meeting, which encourages and provides opportunities for area involvement in the plan design.

Goal 4 – Integrate sustainability and resilience in community planning processes.

The proposed zone change and DDDP complies with applicable Objectives a, b, c, e & f and Policies 1, 2, & 8 as follows:

The proposed development encourages clean air by reducing miles driven through the area, through providing needed residential housing in a well-traveled corridor and connected area. This will further the use of public transit, as the housing will be near Tarc stops.

HOUSING

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

The proposed zone change complies with applicable Objectives a, b, c, & d and Policies 1 & 2 as follows

The proposed development will provide Louisville with a new and vibrant apartment complex to help combat its housing shortage. This housing option will help diversify housing options for the population. It will also be suitable for an aging or elderly segment of the population, as well as those with disabilities, as it will be located near major activity centers and promote ease of access and travel.

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

The proposed zone change complies with applicable Objectives a, b, c, d, & f and Policies 1, 2, & 3 as follows:

The proposed development creates housing options for a mixture of residents. The prime location of this residential area near other commercial and residential zones is beneficial to this diverse range of potential tenants. There are multiple accessible modes of transportation and the building will incorporate a slight commercial use with its implementation of an office.

Goal 3 – Ensure long-term affordability and livable options in all neighborhoods.

The proposed zone change complies with applicable Objectives a, b, c, & e and Policies 1, 2, 3, 4, & 5 as follows:

The proposed development will be a different housing option than the single-family residential lot that predominates throughout the surrounding area, and thus will have a different price point. This will lower the traditional residential impact uses on the area by permitting innovative methods of housing. No existing residents will be displaced by the proposal. It will implement design elements which promote safety and incorporate increased visibility for deterrence of any criminal activity.

* * *

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,

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