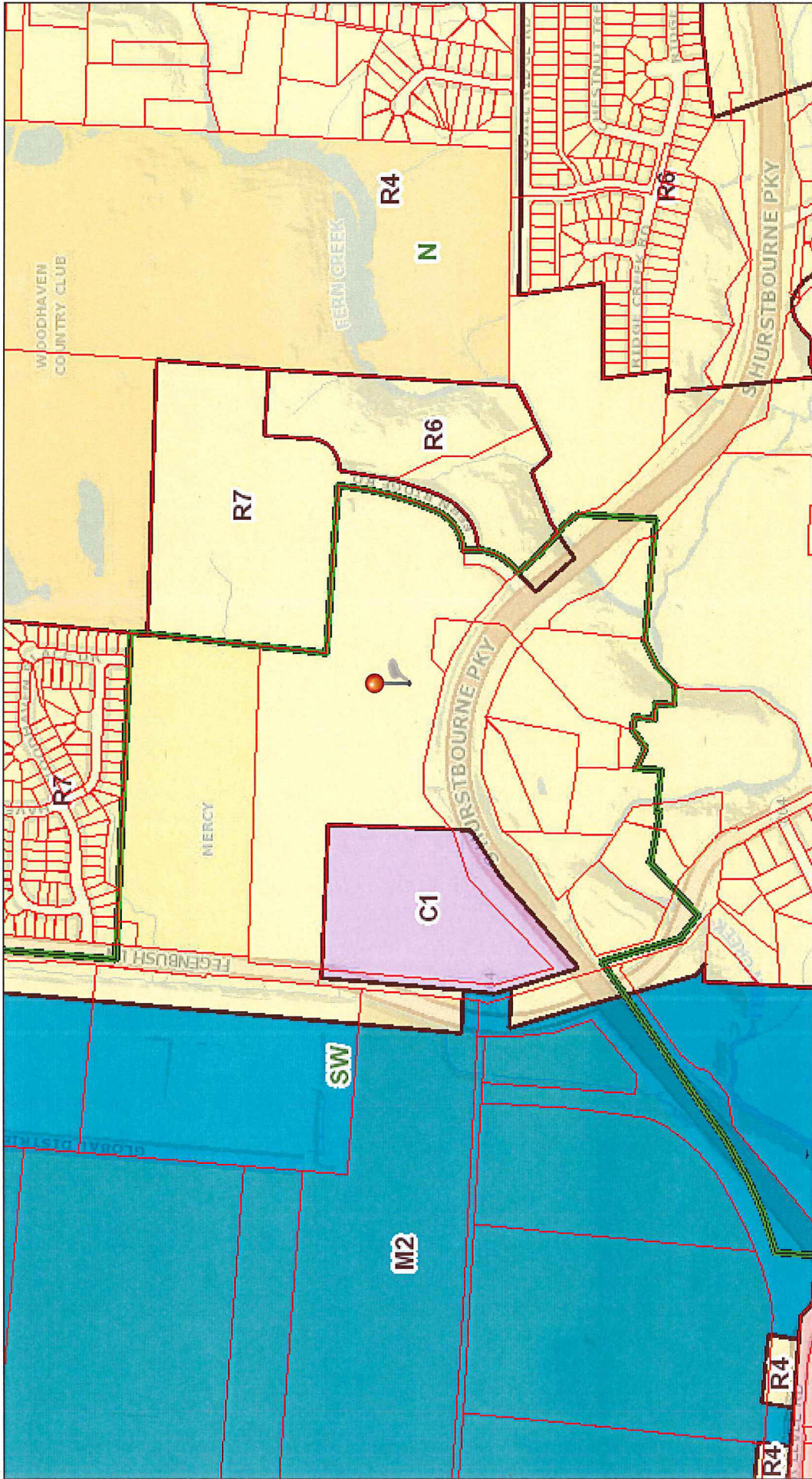


**EXHIBITS FOR APPLICANT
Hurstbourne Corporate Group, LLC
Hurstbourne Station
7300 South Hurstbourne Parkway & Block 636 Lot 155**

**Louisville Metro Planning Commission
Case No. 15 Zone 1021**

- 1) Zoning Map
- 2) Site Photography
- 3) Development Plan
- 4) Zoning Change Demonstration of Appropriateness
- 5) Proposed Findings of Fact

**Glenn A. Price, Jr.
Attorney for Applicant
Frost Brown Todd LLC
400 West Market Street, 32nd Floor
Louisville, Kentucky 40202
502/779-8511
gaprice@fbtlaw.com**



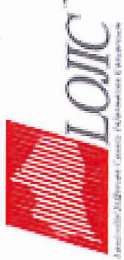
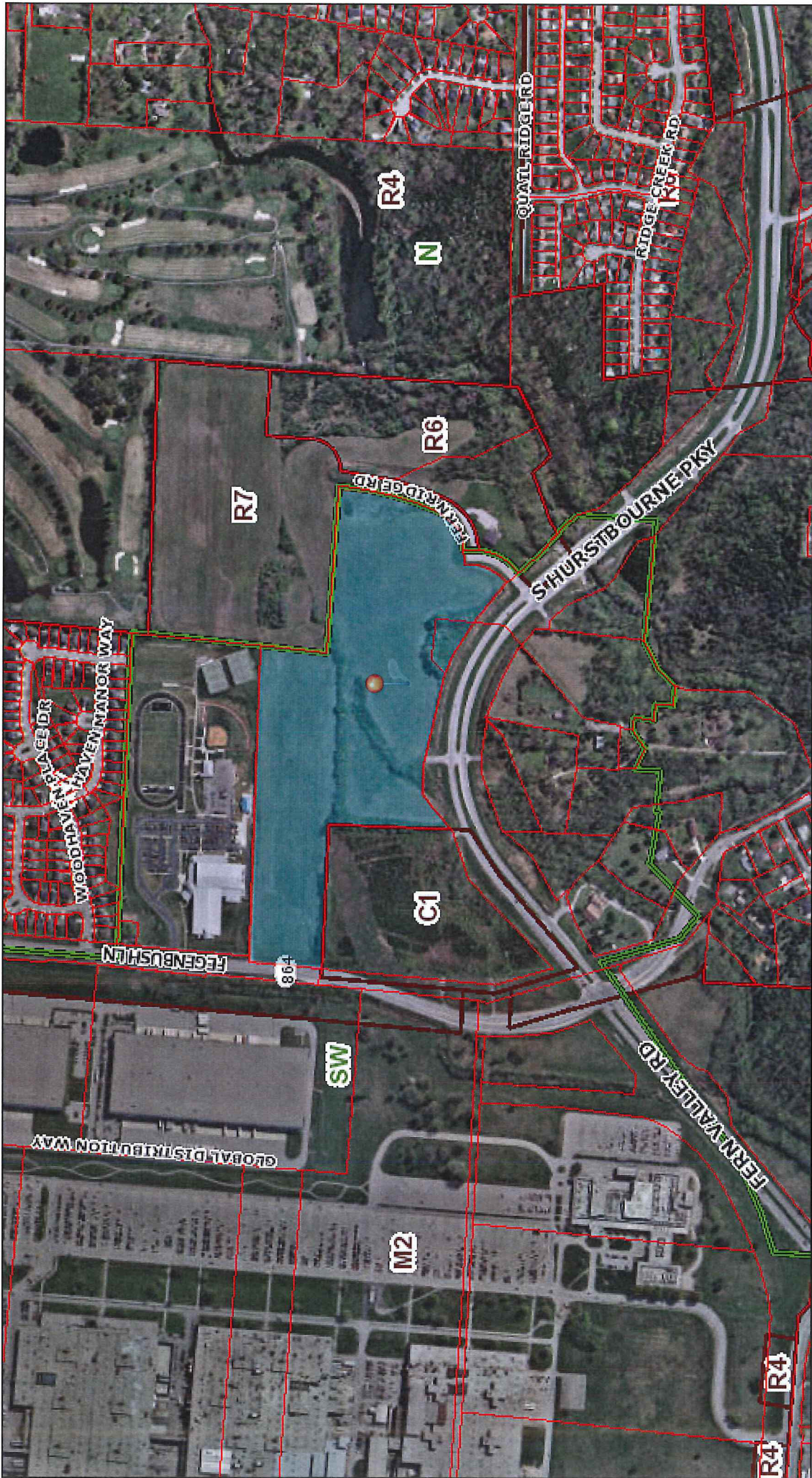
Zoning Map

12/7/2015, 2:54:29 PM



Louisville Metro, MSD, LWC & PVA © 2015

This map is not a legal document and should only be used for general reference and identification.



Louisville Metro, MSD, LWC & PVA © 2015
 This map is not a legal document and should only be used for general reference and identification.

Lojic Aerial

12/7/2015, 2:55:05 PM

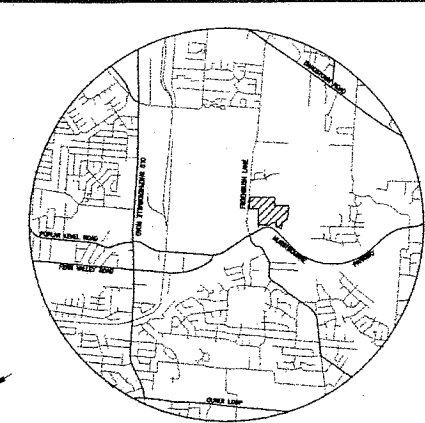
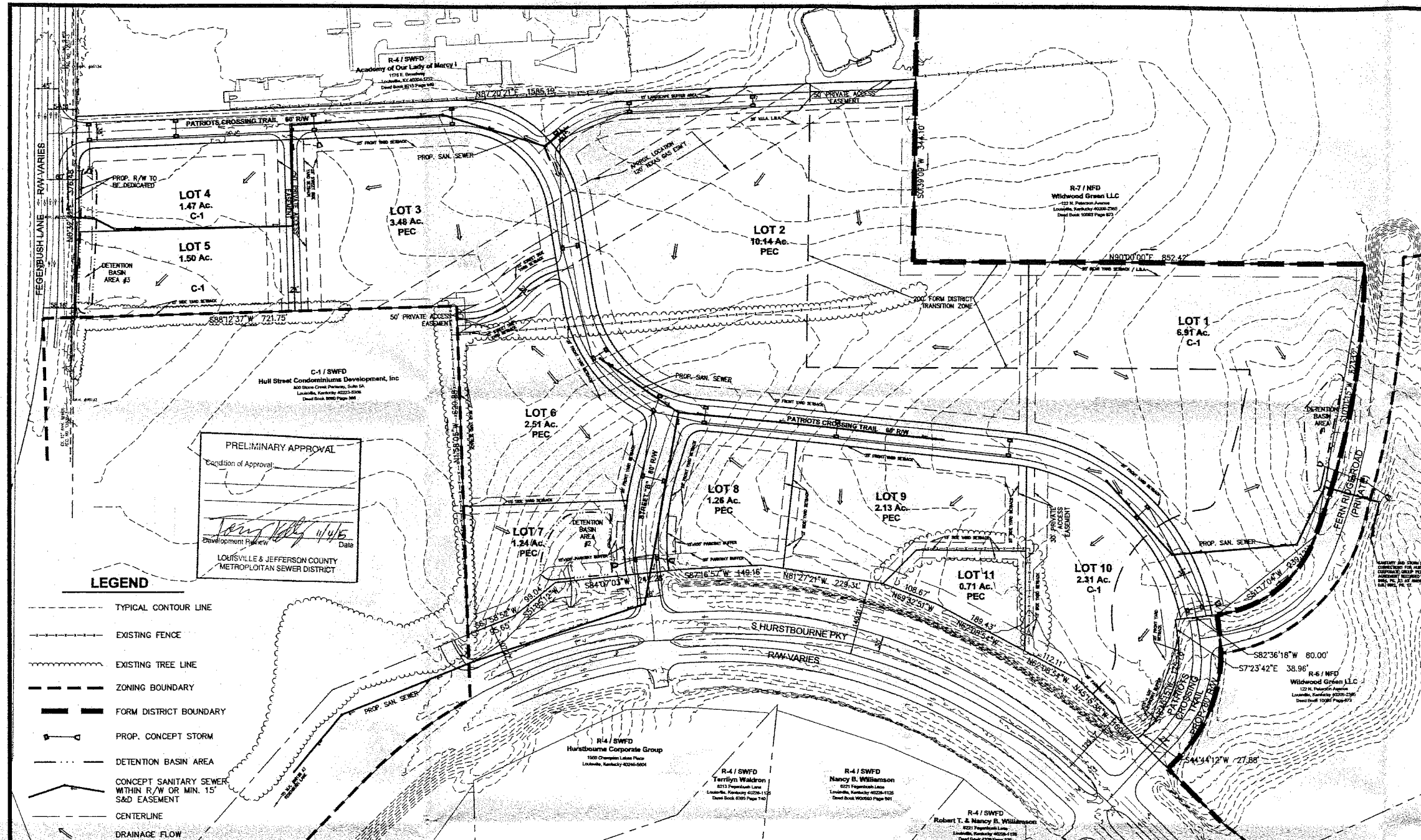












LOCATION MAP
NO SCALE

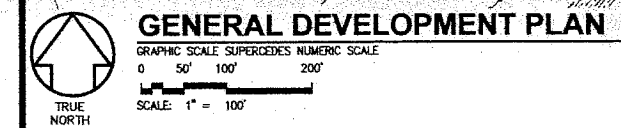
SITE DATA

GROSS SITE AREA	37.84 ACRES
NET SITE AREA	33.66 ACRES
EXISTING ZONING	R-4
PROPOSED ZONING	PEC & C-1
EXISTING FORM DISTRICT	SWFD
EXISTING USE	VACANT

LOT #	SITE AREA	PROPOSED ZONING	PROPOSED USE
LOT 1	6.91 AC.	C-1	SENIOR LIVING FACILITY
LOT 2	10.14 AC.	PEC	CALL CENTER/OFFICE
LOT 3	3.48 AC.	PEC	GENERAL OFFICE
LOT 4	1.47 AC.	C-1	RESTAURANT
LOT 5	1.50 AC.	C-1	RESTAURANT
LOT 6	2.51 AC.	PEC	COMMERCIAL/OFFICE
LOT 7	1.24 AC.	PEC	COMMERCIAL/OFFICE
LOT 8	1.26 AC.	PEC	COMMERCIAL/OFFICE
LOT 9	2.13 AC.	PEC	COMMERCIAL/OFFICE
LOT 10	2.31 AC.	C-1	COMMERCIAL
LOT 11	0.71 AC.	PEC	COMMERCIAL

PRELIMINARY APPROVAL
Condition of Approval
[Signature]
Date: 4/15/15
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

- LEGEND**
- TYPICAL CONTOUR LINE
 - EXISTING FENCE
 - EXISTING TREE LINE
 - ZONING BOUNDARY
 - FORM DISTRICT BOUNDARY
 - PROP. CONCEPT STORM
 - DETENTION BASIN AREA
 - CONCEPT SANITARY SEWER WITHIN R/W OR MIN. 15' S&D EASEMENT
 - CENTERLINE
 - DRAINAGE FLOW



GENERAL NOTES

- DRAINAGE PATTERN DEPICTED BY ARROWS (→) IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND DESIGN OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
- AN APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATION TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.
- ON-SITE DETENTION SHALL BE PROVIDED AND SHALL BE CONTAINED WITHIN A PROPOSED EASEMENT. ALL THROUGH DRAINAGE SHALL BE CONTAINED IN A PROPOSED EASEMENT. POST-DEVELOPED PEAK FLOWS WILL BE LIMITED TO PRE-DEVELOPED FLOWS FOR THE 2, 10, 25 AND 100-YEAR STORMS OR TO THE CAPACITY OF THE DOWNSTREAM SYSTEM, WHICHEVER IS MORE RESTRICTIVE.
- ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.
- SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES AND CATCH BASINS. STOCKPILES SHALL BE SEED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.
- WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF THE SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICAL, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.
- THERE SHALL BE NO INCREASE IN DRAINAGE RUN-OFF TO THE RIGHT-OF-WAY.
- THERE SHALL BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
- THERE SHOULD BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENCROACHMENT PERMIT.
- RADIUSES FOR NEW COMMERCIAL ENTRANCES SHALL BE 35 FEET MINIMUM WITHIN STATE RIGHT-OF-WAY.
- CONSTRUCTION PLANS, ENCROACHMENT PERMIT AND BOND WILL BE REQUIRED BY METRO PUBLIC WORKS FOR ALL WORK DONE WITHIN METRO STREET RIGHT-OF-WAY AND BY KYTC FOR WORK WITHIN HURSTBOURNE PARKWAY RIGHT-OF-WAY.

- NO INCREASE IN VELOCITY AT POINT OF DISCHARGE AT PROPERTY LINE.
- VERGE AREAS WITHIN PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
- COMPATIBLE UTILITY LINES (ELECTRIC, TELEPHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATED AGENCIES.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING DEMOLITION AND CONSTRUCTION ACTIVITIES TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- UPON DEVELOPMENT OR REDEVELOPMENT OF ADJACENT PROPERTIES, A UNIFIED ACCESS AND CIRCULATION SYSTEM SHALL BE DEVELOPED TO ELIMINATE PREEXISTING CURB CUTS AND PROMOTE FOR VEHICULAR MOVEMENT THROUGHOUT ADJACENT SITES AS DETERMINED APPROPRIATE BY THE DEPARTMENT OF PUBLIC WORKS. A CROSS ACCESS AGREEMENT TO RUN WITH THE LAND AND IN A FORM ACCEPTABLE TO PLANNING COMMISSION LEGAL COUNSEL SHALL BE RECORDED PRIOR TO THE TIME OF CONSTRUCTION APPROVAL FOR THE ADJACENT PROPERTY TO BE DEVELOPED.
- SHORT TERM BICYCLE PARKING DEVICES SHALL BE A DURABLE, SECURELY ANCHORED DEVICE THAT SUPPORTS THE FRAME OF THE BICYCLE IS ABLE TO ACCOMMODATE A HIGH SECURITY LOCK AND IS DIMENSIONED AS REQUIRED BY THE LDC.
- TOPOGRAPHIC INFORMATION PROVIDED BY MSD LOCUS MAPPING.
- BOUNDARY INFORMATION TAKEN FROM SURVEY BY EVANS/GRIFFIN, INC. DATED NOV. 21, 1995 AND MINOR SUBDIVISION PLAT DATED JAN. 7, 2008, D.B. 9164, PG. 14.
- SANITARY SEWERS TO BE PROVIDED BY L.E. AND SUBJECT TO ANY APPLICABLE FEES AND CHARGES.
- RIGHT-OF-WAY DEDICATION SHALL BE RECORDED AS PART OF THE REQUIRED RECORD PLAT.
- KENTUCKY TRANSPORTATION CABINET REVIEW AND APPROVAL REQUIRED.
- MAXIMUM BUILDING HEIGHT IS 50 FEET (45 FEET WITHIN FORM DISTRICT TRANSITION ZONE).
- THERE SHALL BE NO DIRECT ACCESS TO HURSTBOURNE PARKWAY FROM LOTS 7, 8, 9 AND 10. ACCESS TO LOT 7 SHALL BE A RIGHT IN/RIGHT OUT FROM STREET "B" OR ACCESSED THROUGH LOT 6 ONLY.

- ALL DEVELOPMENTS SHALL PROVIDE SIDEWALKS IN THE ABUTTING RIGHT-OF-WAY TO SERVE THE DEVELOPMENT SITE (SAME SIDE OF STREET). SIDEWALKS SHALL BE PROVIDED ALONG ALL ROAD FRONTAGES IN ACCORDANCE WITH SECTION 6.2.6. THE MINIMUM SIDEWALK WIDTH SHALL BE FOUR (4) FEET FOR LOCAL LEVEL ROADS, AND FIVE (5) FEET FOR COLLECTOR AND ARTERIAL LEVEL ROADWAYS. THE DIRECTOR OF WORKS MAY REQUIRE GREATER WIDTH OR, FOR INFL. SIDEWALKS CONNECTING EXISTING SIDEWALKS OF LESSER WIDTH, MAY APPROVE A SIDEWALK OF LESSER WIDTH UPON FINDING THAT DIVERGENCE FROM THE FIVE (5) FOOT STANDARD IS CONSISTENT WITH PUBLIC SAFETY. IF SIDEWALKS ARE PRESENT IN THE PUBLIC RIGHT-OF-WAY FRONTING ADJACENT LOTS, THE LOCATION AND ALIGNMENT OF THE NEW SIDEWALK SHALL CORRECTLY FIT THIS EXISTING NETWORK. SIDEWALKS SHALL BE DESIGNED IN SUCH A MANNER THAT A WALKWAY AT LEAST 4 FEET WIDE OR OTHER DIMENSION AS APPROVED BY THE DIRECTOR OF WORKS IS LEFT UNOBTSTRUCTED. WHERE THE SIDEWALK ALONG A PUBLIC STREET IS INTERRUPTED BY A CURB OUT, THE WALKWAY ACROSS THE DRIVEWAY SHALL BE DELINEATED TO ENHANCE PEDESTRIAN SAFETY. THE WALKWAY MAY BE DELINEATED BY STRIPING OR BY USE OF CONTRASTING PAVEMENT MATERIALS THAT MEET ADA STANDARDS.
- PROPOSED MAXIMUM BUILDING HEIGHTS TO BE 50' - 45' WITHIN THE FORM DISTRICT TRANSITION ZONE.
- REQUIRED OUTDOOR AMENITY AREA LOCATIONS SHALL BE DETERMINED DURING THE DETAILED DEVELOPMENT PLAN DESIGN FOR EACH LOT.
- THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MSA WATER QUALITY REGULATIONS ESTABLISHED BY MSD. SITE LAYOUT MAY CHANGE AT THE DESIGN PHASE DUE TO PROPER SIZING OF GREEN BEST MANAGEMENT PRACTICES.

PROPOSED RUN-OFF CALCULATIONS

WATERSHED #	TOTAL DRAINAGE AREA	EXISTING RUN-OFF COEFFICIENT	PROP. RUN-OFF COEFFICIENT	PROPOSED RUN-OFF AMOUNT (AC-FT.)
WATERSHED 1	7.44 AC.	0.28	0.85	1,024 AC-FT. (0.85-0.28) x (2.8/12) x (7.44 Ac.)
WATERSHED 2	22.90 AC.	0.26	0.85	3,153 AC-FT. (0.85-0.26) x (2.8/12) x (22.90 Ac.)
WATERSHED 3	8.00 AC.	0.26	0.85	1,101 AC-FT. (0.85-0.26) x (2.8/12) x (8.00 Ac.)

TREE CANOPY CALCULATIONS

TREE CANOPY CATEGORY CLASS C	
TOTAL EXISTING TREE AREA	44,786 S.F.
TOTAL SITE AREA	1,617,383 S.F.
EX. TREE CANOPY TO BE PRESERVED	0 S.F. (0%)
TREE CANOPY REQUIRED	323,477 S.F. (20%)
(TOTAL SITE HAS 0-40% EX. CANOPY COVERAGE)	
ADDITIONAL TREE CANOPY REQUIRED	323,477 S.F. (20%)

GEOLOGIST'S CERTIFICATE

For the Kentucky Geological Survey's online map, Karst Potential on and in the general proximity of the subject property is graphically shown as Intense; however, there are no mapped sinkholes shown in the immediate area. As shown on the Geologic Map of the Louisville East Quadrangle, Jefferson County, Kentucky (Revised 1974), the subject property is underlain by the upper portion of the Louisville Limestone. Information included on that geologic map, indicates that springs issue locally from this unit. An on-site field inspection of the subject property was conducted on August 5, 2015. At this time, much of the subject property was covered by a mowing lawn crop, and the uncropped areas were obscured by tree canopy with heavy undergrowth. No sinkholes or active springs were noted; however, evidence of spring-related activity was observed in the lower reach of the ravine on Lot 7.

PRELIMINARY APPROVAL
DEVELOPMENT PLAN
CONDITIONS:
[Signature]
DATE: 4/15/15
LOUISVILLE & JEFFERSON COUNTY METRO PUBLIC WORKS

RECEIVED
George Brian Wyatt, PG #20
Date: 5/21/2015
DRAWING: 150139-GDDP-SUB
SCALE: 1" = 100'
SHEET: 1.00

REVISIONS

NO.	BY	DESCRIPTION	DATE	CHK
1	DHS	REVISIONS PER AGENCY COMMENTS	10/29/15	JMA

BTM Engineering, Inc.
Civil Engineering, Landscaping, Planning & Surveying
3001 Taylor Station Blvd., Louisville, Kentucky 40220
(502) 486-9427 Fax (502) 486-9427
www.btmeng.com

GENERAL DISTRICT DEVELOPMENT PLAN AND PRELIMINARY SUBDIVISION PLAN HURSTBOURNE STATION 7300 S. HURSTBOURNE PARKWAY, LOUISVILLE, KENTUCKY 40228

OWNER: HURSTBOURNE CORPORATE GROUP
DESIGNER: ROBERT T. & NANCY B. WILLIAMSON
DEVELOPER: HURSTBOURNE CORPORATE GROUP
D.B. 9164, PG. 14
TAX BLOCK 438-5804
D.B. 8778, PG. 8

DATE: 5/21/2015
DRAWING: 150139-GDDP-SUB
SCALE: 1" = 100'
SHEET: 1.00

DEMONSTRATION OF APPROPRIATENESS
(as amended on December 9, 2015)

Hurstbourne Station
7300 South Hurstbourne Parkway

I. The proposal conforms to the Comprehensive Plan for Louisville and Jefferson County, Kentucky.

The proposed zone change from R-4 Residential Single Family District to PEC Planned Employment Center district and C-1 Commercial District (the "proposal") conforms to KRS 100.213 because it is in agreement with the adopted Comprehensive Plan for Louisville and Jefferson County, Kentucky, within which this property lies. Comprehensive Plan Goals, Objectives, Guidelines and Policies are discussed in this Demonstration of Appropriateness.

Community Form Guideline 1. The proposal conforms to Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy 1.B.10, Suburban Workplace Form District Goal G1 and Objective G1.1, Community Design Goal G2 and Objectives G2.1, G2.2, G2.3, Land Use goal G3 and Objectives G3.1 and G3.3, Site Design Goal G4 and Objectives G4.1, G4.2, G4.3 and G4.4. The 37.13-acre site lies within the Suburban Workplace Form District. Appropriate access to the site will occur via Hurstbourne Parkway and Fegenbush Lane. The development will be flexible to accommodate a user of a large parcel or a cluster of smaller uses. The proposal for PEC and C-1 zoning allows for a mix of compatible uses. Site perimeters will be compatible with adjacent properties by use, buffering and screening. Buffer and landscape standards and lighting and noise controls will ensure compatibility among the uses on-site and with adjacent properties. All parking facilities will meet the minimum requirements of the Land Development Code.

Compatibility Guideline 3. The proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policies 3.1, 3.2, 3.5, 3.6, 3.7, 3.8, 3.9, 3.11, 3.12, 3.17, 3.21, 3.22, 3.23, 3.24 and 3.28. Development of this site will be consistent with its intended function under Suburban Workplace Form District guidelines. The development will be compatible with the scale and site design of nearby development, including Mercy Academy and Wildwood Green, which will be protected through the use of substantial buffers and landscaping. The proposal is not a non-residential expansion into a residential area. Other non-residential uses exist in the immediate area, including a proposed commercial shopping center at the intersection of South Hurstbourne Parkway and Fegenbush Lane. The Subject Site is appropriately located across Fegenbush Lane from an existing activity center, which includes Globalport Business Centre, an industrial distribution and business center, and General Electric Appliance Park. The Subject Site also has close proximity to

UPS Worldport facilities near Louisville International Airport. The proposed Wildwood Green, a multi-family use (R-7 Multi-Family) is an abutting property northeast of the Subject Site. The site will not be a source of odor or adverse air quality emissions, excessive traffic, noise, lighting nuisances or visual nuisances. Lighting will meet the requirements of the Land Development Code. The Subject Site is located across Fegenbush Lane from an existing activity center. All building setbacks, lot dimensions and building heights will be compatible with adjacent development and will be in accordance with Land Development Code requirements unless waivers or variances are granted. Parking facilities and landscape adequacy will be reviewed in detail for each individual lot. Requirements for outdoor amenities and focal points will be determined at the time of development of each site; all such requirements will be observed. Signs will conform to Land Development Code requirements.

Open Space Guideline 4. The proposal conforms to Open Space Guideline 4 and all applicable Policies adopted thereunder, including Policies 4.1, 4.4, 4.5 and 4.7. Open space is provided on site via landscape buffer areas and setbacks. Maintenance of open space will be provided for.

Natural Areas and Scenic and Historic Resources Guideline 5. The proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and all applicable Policies adopted thereunder, including Policies 5.1, 5.2 and 5.6 and Social and Cultural Resources Goal D1 and Objective D1.1. Development of the property will respect natural features of the site and will avoid substantial topographical changes. There are no steep or severe slopes on site. On-site soils drain well and are highly permeable. No soils on-site are classified as wet soils.

Economic Growth and Sustainability Guideline 6. The proposal conforms to Economic Growth and Sustainability Guideline 6 and all applicable Policies adopted thereunder, including Policies 6.1, 6.2, 6.4, 6.6 and 6.8. Core Graphic 10 identifies South Hurstbourne Parkway as a major arterial roadway; Fegenbush Lane is a minor arterial roadway. The requested PEC district permits M-2 industrial uses having the potential for more than 100 employees. The site is located immediately adjacent to two arterials: South Hurstbourne Parkway and Fegenbush Lane. The proposed C-1 area of the Subject Site has immediate access to South Hurstbourne Parkway, a major arterial, and has excellent access to Fegenbush Lane.

Circulation Guideline 7. The proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 7.1, 7.2, 7.3, 7.4, 7.6, 7.8, 7.10, 7.12, 7.13, 7.14, 7.16 and 7.19 and Pattern of Development Goal E3. Although there is no transit service on South Hurstbourne Parkway in the vicinity of the site, Transit Authority of River City (“TARC”) Route 23 is located along the Fegenbush Lane frontage of the site. Adequate access for all forms of transportation – vehicular, pedestrian and bicyclists – is provided for on-site. The

Department of Public Works approved the development plan on November 4, 2015; this approval indicates that space for adequate parking facilities is located on the Subject Site, that the roadways will provide for uniform access and circulation, and that the site design provides for efficient and safe movement of vehicles and pedestrians.

Transportation Facility Design Guideline 8. The proposal conforms to Transportation Facility Design Guideline 8 and all applicable Policies adopted thereunder, including Policies 8.9 and 8.11. Access is provided to all lots via internal roadway network as shown on the development plan. Stub streets are provided for access to adjacent lots and multiple types of roadways are proposed within the site.

Bicycle, Pedestrian and Transit Guideline 9. The proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all applicable Policies adopted thereunder, including Policies 9.1, 9.2, 9.3 and 9.4, Moving People and Goods Goal A1, Goal A2 and Objectives A2.1 and A2.2, Bicycle and Pedestrian Circulation Plan Planning Goal H1, Goal H2 and Objective H2.2 and H2.5, Safety Goal H3 and Objective H3.1, Promotion Goal H4, Site Design Standards for Alternative Transportation Modes Goal I1 and Objective I1.1, Goal I2 and Objective I2.1, Goal I3 and Objective I3.1, Goal I4 and Objective I4.1, Goal I5 and Objective I5.1, and Goal I7 and Objective I7.1. Sidewalks are proposed throughout the development as detailed in General Note No. 25 of the development plan. Bicycle parking facilities will be provided within the development as detailed in General Note No. 17 of the development plan. As stated above, transit service serves the Fegenbush Lane frontage of the site.

Flooding and Stormwater Guideline 10. The proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 10.1, 10.2, 10.3, 10.4, 10.7, 10.10 and 10.11 and Water Goal B1 and Objective B1.3. The development of Hurstbourne Station minimizes the potential for the impacts of flooding, and will effectively manage stormwater runoff. Storm sewers will be sized appropriately for the full development of the site. Storm sewers will discharge into on-site sewer and drainage easements, as provided for by the Metropolitan Sewer District ("MSD"). There will be no impact to the regulatory floodplain because all structures will be located above the floodplain. Compensatory storage is not required. No buildings are proposed to be located within the 100-year FEMA regulatory floodplain. There is no impact to existing stream valleys and no disturbance to jurisdictional waters of the United States as defined by the U.S. Army Corp of Engineers. The proposal received the approval of MSD on November 4, 2015. MSD's approval indicates, among other things, that detention facilities will adequately accommodate stormwater from the site based on a fully developed watershed; that the on-site drainage system will likewise accommodate the "through" drainage system of water flows on-site and off-site, and that peak stormwater runoff rates post-development will not exceed pre-development rates.

Air Quality Guideline 12. The proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 12.1, 12.2, 12.3, 12.5, 12.6, 12.7 and 12.8 and Air Goal C1. South Hurstbourne Parkway, a major arterial, is located along the frontage of the site, as is Fegenbush Lane, a minor arterial. Fegenbush Lane is a transit route. Sidewalks will be located throughout the development and are situated to encourage the use of these alternate modes of transportation by on-site workers and area residents. The proposal received the approval of the Louisville Air Pollution Control District on August 14, 2015.

Landscape Character Guideline 13. The proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 13.1, 13.2, 13.4, 13.5 and 13.6, Habitat and Biodiversity Goal F1 and Objective F1.1 and Goal F2. Street trees and landscaping will be provided on roadways throughout the Subject Site. Native plant species will be installed. Planting and buffering plans, wherever required, will be implemented. An adequate tree canopy will be provided for the Subject Site as indicated in the Tree Canopy Calculations shown on the development plan.

Infrastructure Guideline 14. The proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 14.2, 14.3, 14.4, 14.6 and 14.7. The proposal has adequate service for all necessary utilities. One or more common utility corridors will exist in the development that includes gas, electric, water, telephone, cable and telecommunications. An adequate water supply for domestic and fire-fighting purposes will serve the site. Utilities will be located underground wherever possible and will be situated where recommended by each utility for appropriate maintenance and repair access.

Community Facilities Guideline 15. The proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 15.9. Adequate fire fighting services will be provided by the Buechel Fire Protection District.

The proposal conforms to all other applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan.

- II. **All necessary utilities, including gas, electric, water, telephone, cable and telecommunications, either presently exist on-site or will be constructed. Essential public services, including sidewalks, will be constructed to serve the site as described above.**
- III. **Implementation of proposed uses is anticipated to begin within twelve (12) months of final approval.**

0115126.0595068 4817-4085-0470v1

**PROPOSED FINDINGS OF FACT
SUBMITTED BY APPLICANTS, HURSTBOURNE CORPORATE GROUP and
ROBERT AND NANCY WILLIAMSON**

**Hurstbourne Station
7300 South Hurstbourne Parkway**

WHEREAS, The Planning Commission Finds That the proposed zone change from R-4 Residential Single Family District to PEC Planned Employment Center District and C-1 Commercial District (the “proposal”) conforms to KRS 100.213 because it is in agreement with the adopted Comprehensive Plan for Louisville and Jefferson County, Kentucky, within which this property lies, as further detailed in these Findings; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy 1.B.10, Suburban Workplace Form District Goal G1 and Objective G1.1, Community Design Goal G2 and Objectives G2.1, G2.2, G2.3, Land Use Goal G3 and Objectives G3.1 and G3.3, Site Design Goal G4 and Objectives G4.1, G4.2, G4.3 and G4.4 because the 37.13-acre site lies within the Suburban Workplace Form District; because appropriate access to the site will occur via Hurstbourne Parkway and Fegenbush Lane; because the development will be flexible to accommodate a user of a large parcel or a cluster of smaller uses; because the proposal for PEC and C-1 zoning allows for a mix of compatible uses; because site perimeters will be compatible with adjacent properties by use, buffering and screening; because buffer and landscape standards and lighting and noise controls will ensure compatibility among the uses on-site and with adjacent properties; and because all parking facilities will meet the minimum requirements of the Land Development Code; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policies 3.1, 3.2, 3.5, 3.6, 3.7, 3.8, 3.9, 3.11, 3.12, 3.17, 3.21, 3.22, 3.23, 3.24 and 3.28 because development of this site will be consistent with its intended function under Suburban Workplace Form District guidelines; because the development will be compatible with the scale and site design of nearby development, including Mercy Academy and Wildwood Green, which will be protected through the use of substantial buffers and landscaping; because the proposal is not a non-residential expansion into a residential area; because other non-residential uses exist in the immediate area, including a proposed commercial shopping center at the intersection of South Hurstbourne Parkway and Fegenbush Lane; because the proposed Wildwood Green, a multi-family use (R-7 Multi-Family), is an abutting property northeast of the Subject Site; because the site will not be a source of odor or adverse air quality emissions, excessive traffic, noise, lighting nuisances or visual nuisances; because lighting will meet the requirements of the Land Development Code; because the Subject Site is located across Fegenbush Lane from an existing activity center, which includes Globalport Business Centre, an industrial distribution and business center, and General Electric

Appliance Park; because the Subject Site also has close proximity to UPS Worldport facilities near Louisville International Airport; because all building setbacks, lot dimensions and building heights will be compatible with adjacent development and will be in accordance with Land Development Code requirements; because parking facilities and landscape adequacy will be reviewed in detail for each individual lot; because requirements for outdoor amenities and focal points will be determined at the time of development of each site; and because signs will conform to Land Development Code requirements; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Open Space Guideline 4 and all applicable Policies adopted thereunder, including Policies 4.1, 4.4, 4.5 and 4.7; because open space is provided on site via landscape buffer areas and setbacks; and because maintenance of open space will be provided for; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and all applicable Policies adopted thereunder, including Policies 5.1, 5.2 and 5.6 and Social and Cultural Resources Goal D1 and Objective D1.1 because development of the property will respect the natural features of the site and will avoid substantial topographical changes; because there are no steep or severe slopes on site; because on-site soils drain well and are highly permeable; and because no soils on-site are classified as wet soils; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Economic Growth and Sustainability Guideline 6 and all applicable Policies adopted thereunder, including Policies 6.1, 6.2, 6.4, 6.6 and 6.8 because Core Graphic 10 identifies South Hurstbourne Parkway as a major arterial roadway and identifies Fegenbush Lane as a minor arterial roadway; because the requested PEC district permits M-2 industrial uses having the potential for more than 100 employees; because the site is located immediately adjacent to two arterials: South Hurstbourne Parkway and Fegenbush Lane; and because the proposed C-1 area of the Subject Site has immediate access to South Hurstbourne Parkway, a major arterial, and has excellent access to Fegenbush Lane; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 7.1, 7.2, 7.3, 7.4, 7.6, 7.8, 7.10, 7.12, 7.13, 7.14, 7.16 and 7.19 and Pattern of Development Goal E3 because although there is no transit service on South Hurstbourne Parkway in the vicinity of the site, Transit Authority of River City ("TARC") Route 23 is located along the Fegenbush Lane frontage of the site; because adequate access for all forms of transportation – vehicular, pedestrian and bicyclists – is provided for on-site; because the Department of Public Works approved the development plan on November 4, 2015, indicating that space for adequate parking facilities is located on the Subject Site, that the roadways will provide for uniform access and circulation, and that the site design provides for efficient and safe movement of vehicles and pedestrians; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Transportation Facility Design Guideline 8 and all applicable Policies adopted thereunder, including Policies 8.9 and 8.11 because access is provided to all lots via internal roadway network as shown on the development plan; and because stub streets are provided for access to adjacent lots and multiple types of roadways are proposed within the site; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all applicable Policies adopted thereunder, including Policies 9.1, 9.2, 9.3 and 9.4, Moving People and Goods Goal A1, Goal A2 and Objectives A2.1 and A2.2, Bicycle and Pedestrian Circulation Plan Planning Goal H1, Goal H2 and Objective H2.2 and H2.5, Safety Goal H3 and Objective H3.1, Promotion Goal H4, Site Design Standards for Alternative Transportation Modes Goal I1 and Objective I1.1, Goal I2 and Objective I2.1, Goal I3 and Objective I3.1, Goal I4 and Objective I4.1, Goal I5 and Objective I5.1, and Goal I7 and Objective I7.1 because sidewalks are proposed throughout the development as detailed in General Note No. 25 of the development plan; because bicycle parking facilities will be provided within the development as detailed in General Note No. 17 of the development plan; and because transit service serves the Fegenbush Lane frontage of the site; and

WHEREAS, The Planning Commission Further Finds that the proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 10.1, 10.2, 10.3, 10.4, 10.7, 10.10 and 10.11 and Water Goal B1 and Objective B1.3 because the development of Hurstbourne Station minimizes the potential for the impacts of flooding, and will effectively manage stormwater runoff; because storm sewers will be sized appropriately for the full development of the site; because storm sewers will discharge into on-site sewer and drainage easements, as provided for by the Metropolitan Sewer District ("MSD"); because there will be no impact to the regulatory floodplain because all structures will be located above the floodplain; because compensatory storage is not required; because no buildings are proposed to be located within the 100-year FEMA regulatory floodplain; because there is no impact to existing stream valleys and no disturbance to jurisdictional waters of the United States as defined by the U.S. Army Corp of Engineers; because the proposal received the approval of MSD on November 4, 2015 which indicates, among other things, that detention facilities will adequately accommodate stormwater from the site based on a fully developed watershed; that the on-site drainage system will likewise accommodate the "through" drainage system of water flows on-site and off-site, and that peak stormwater runoff rates post-development will not exceed pre-development rates; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 12.1, 12.2, 12.3, 12.5, 12.6, 12.7 and 12.8 and Air Goal C1 because South Hurstbourne Parkway, a major arterial, is located along the frontage of the site, as is Fegenbush Lane, a minor arterial; because Fegenbush Lane is a transit route; because sidewalks will be located throughout the development and are situated to encourage the use of

these alternate modes of transportation by on-site workers and area residents; and because the proposal received the approval of the Louisville Air Pollution Control District on August 14, 2015; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 13.1, 13.2, 13.4, 13.5 and 13.6, Habitat and Biodiversity Goal F1 and Objective F1.1 and Goal F2 because street trees and landscaping will be provided on roadways throughout the Subject Site; because native plant species will be installed; because planting and buffering plans, wherever required, will be implemented; and because an adequate tree canopy will be provided for the Subject Site as indicated in the Tree Canopy Calculations shown on the development plan; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 14.2, 14.3, 14.4, 14.6 and 14.7 because the proposal has adequate service for all necessary utilities; because one or more common utility corridors will exist in the development that includes gas, electric, water, telephone, cable and telecommunications; because an adequate water supply for domestic and fire-fighting purposes will serve the site; and because utilities will be located underground wherever possible and will be situated where recommended by each utility for appropriate maintenance and repair access; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 15.9 because adequate fire fighting services will be provided by the Buechel Fire Protection District; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to all other applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan; and

WHEREAS, The Planning Commission Further Finds that all necessary utilities, including gas, electric, water, telephone, cable and telecommunications, are either presently exist on-site or will be constructed, and essential public services, including sidewalks, will be constructed to serve the site; and

WHEREAS, The Planning Commission Further Finds That implementation of the proposed uses on the Subject Site is anticipated to begin within twelve (12) months of final approval.

NOW, THEREFORE, BE IT RESOLVED THAT THE LOUISVILLE METRO PLANNING COMMISSION DOES HEREBY RECOMMEND TO THE LOUISVILLE METRO COUNCIL THAT THE ZONING CATEGORIES APPLICABLE TO THE SUBJECT SITE BE CHANGED FROM R-4 SINGLE FAMILY RESIDENTIAL DISTRICT TO PEC-PLANNED EMPLOYMENT CENTER DISTRICT AND C-1 COMMERCIAL DISTRICT.

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