

Case #18998 Findings of Fact

WHEREAS, the Louisville Metro Planning Commission finds that the requested rezoning meets the intent of Guideline 1. The C-2 zoning allows for a greater diversity and flexibility of the secondary uses within the hotel and conference center proper. There may be many small shops within the first floor of this hotel since it is a tourist and destination hotel not a standard highway motel. At this time we do not feel it would be in anyone's best interest to limit those potential shops or auxiliary businesses. The C-2 zoning also allows use of the outdoor roof top dining to serve alcoholic beverages; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 5. Since the proposed hotel and conference center sits on such a unique piece of property, shops will very likely remain that are needed to repair the building and infrastructure. It is our intention that creating the CM zoning area would better allow a steel fabrication shop, woodworking shop, and outdoor yard for various pieces of equipment that will be necessary to maintain such a large private site; and

WHEREAS, the Commission further finds that the CM zoning is also needed to allow the bottling of small batches of liquor that was previously manufactured and barreled off site. No retail sales of liquor will be made from this facility, only wholesale to distributors. The average barrel holds 173-191 liters of liquor and the common size of a finished bottle is 1 liter. This facility will be designed to bottle three barrels a week and no more product will be stored on site than what is necessary for each batch. This amount of product can be transported via small box truck with deliveries/pickups no more than once a day; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 11. During the pre-application meeting it was discussed that creating a long winding sidewalk to the top of this site would not be in the owner's best interest since it is a private site and is not intended to be a public park. However, pedestrian access is gained by several walking paths, more direct stairs and pathways to the various buildings and facilities that will occur on-site. Handicap accessibility cannot be achieved because there is no realistic way to build a handicapped sidewalk from Dixie Highway to the top of the hill. All accessibility will be handled by the vehicular roadways and each individual location will be handicap accessible. The locations of the pedestrian paths are shown on the development plan; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 15. Only existing roads and right of ways will be utilized. This plan reopens the historical entrance from Dixie Hwy (US 31) by way of Paralee Dr. (Northern section). The service entrance will utilize East Pages Lane by Paralee Drive (Southern section); and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 16. Lighting will be determined as this project progresses. It is the owner's intent that the roadway will be minimally lit for security in a more historic nature. The

building itself sits far off the road on its own site and is surrounded with trees and shrubbery that should have a minimal effect on any surrounding residences or businesses. The site and buildings will however need to be properly lighted because they are so far from public lighting, all of the surrounding parking, drives and walking paths will need to be lit by the owner. This project will comply with the LDC Chapter 4; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 24. Since this facility is on the national register of historic places there will be limitations imposed by that designation for the buildings and direct surrounding areas. Since it is so isolated there will need to be directional signage located within the roadways that will not be visible from anywhere off-site. There will be signage on the gateway to Paralee Dr. by Dixie Highway; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 32. Since the proposed hotel and conference center sits on such a unique piece of property, shops will very likely remain that are needed to repair the building and infrastructure. It is our intention that creating the CM zoning area would better allow a steel fabrication shop, woodworking shop, and outdoor yard for various pieces of equipment that will be necessary to maintain such a large private site; and

WHEREAS, the Commission further finds that CM zoning is also needed to allow the bottling of small batches of liquor that was previously manufactured and barreled off site. No retail sales of liquor will be made from this facility, only wholesale to distributors. The average barrel holds 173-191 liters of liquor and the common size of a finished bottle is 1 liter. This facility will be designed to bottle three barrels a week and no more product will be stored on site than what is necessary for each batch. This amount of product can be transported via small box truck with deliveries/pickups no more than once a day; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 35. Only existing roads and right of ways will be utilized. This plan reopens the historical entrance from Dixie Hwy (US 31) by way of Paralee Dr. (Northern section). The service entrance will utilize East Pages Ln. by Paralee Dr. (Southern section). The main road for this site starts as concrete with integral curbs and gutters, then changes to asphalt at Mattingly Dr. All other roadways will remain asphalt; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 36. During the pre-application meeting it was discussed that creating a long winding sidewalk to the top of this site would not be in the owner's best interest since it is a private site and is not intended to be a public park. However, pedestrian access is gained by several walking paths, more direct stairs and pathways to the various buildings and facilities that will occur on-site. Handicap accessibility cannot be achieved because there is no realistic way to build a handicapped sidewalk from Dixie Highway to the top of the hill. All accessibility will be handled by the vehicular roadways and each individual location will be handicap accessible. The locations of the

pedestrian paths are shown on the development plan. Pedestrians are provided for on-site through a system of pathways and stairways to the various portions of this complex. A direct link will be created from the main entrance at Dixie Highway to the complex on top of the hill but does not follow the winding vehicular road to the top; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 38. Only existing roads and right of ways will be utilized. This plan reopens the historical entrance from Dixie Hwy (US 31) by way of Paralee Dr. (Northern section). The service entrance will utilize East Pages Ln. by Paralee Dr. (Southern section); and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 44 - Pedestrians are provided for on-site through a system of pathways and stairways to the various portions of this complex. A direct link will be created from the main entrance at Dixie Highway to the complex on top of the hill but does not follow the winding vehicular road to the top. The owner recognizes the need for such pedestrian pathways although we see it as extremely rare since travel from the bottom to the top is almost always going to be accomplished with vehicles; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 45. Two separate drainage and retention basins have been designed and approved by MSD for this site. The owner is waiting final rezoning and development changes that may occur before he proceeds with construction; and

WHEREAS, the Commission further finds that the requested rezoning meets the intent of Guideline 50. This facility originally had its own treatment plant that was removed and the sewer connections were cut off when the subdivisions on East Pages Lane were constructed. After several years, the owner has obtained all MSD and state approvals and has constructed the sanitary sewer line for this facility. It has been properly sized for the hotel and convention center and all other buildings within the complex; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, the staff report, and the applicant's justification, that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative council of Louisville Metro Government that the change in zoning from R-4 and OR-3 to C-2 and C-M on property described in the attached legal description be **APPROVED**.