

## **Zoning Findings of Fact**

03:41:03 On a motion by Commissioner Brown, seconded by Commissioner Howard, the following resolution was adopted:

**WHEREAS**, the Louisville Metro Planning Commission finds that the proposal meets the intents of **Guideline 1: Community Form**. The proposed use of the site meets guidelines in that it integrates into existing patterns of development, which includes a mixture of medium- to high-density uses. It provides accommodations for transit users, pedestrians and bicyclists and provides connectivity to adjacent developments. It is designed to be compatible with both non-residential development in the corridor. No form district amendment is requested; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 2 – Centers**. The proposal is not located within an existing center and does not create a new center. It is, however, located in a corridor that consists almost entirely of compatible uses and intensities; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 3: Compatibility**. The proposed building materials increase the new development's compatibility. While it is a non-residential expansion into an existing residential area, it appropriately mitigates potentially negative impacts on adjacent but currently undeveloped residential properties through screening and buffering; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 4: Open Space**. Open space is not required in associated with this development proposal. The site plan does, however, preserve an existing tree canopy in a significant portion of the site well in excess of requirements; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 5: Natural Areas and Scenic and Historic Resources**. The site does not include existing historic or scenic features and does not have natural areas requiring special consideration; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 6: Economic Growth and Sustainability**. The proposal does not include industrial or retail uses and is appropriately located on an arterial roadway; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 7: Circulation**. The proposal does not require roadway improvements or street development. It provides connections to existing multi-modal facilities and adjacent sites and meets parking requirements; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 8: Transportation Facility Design**. Transportation facility design is

appropriate to the site. The proposal uses an existing curb cut and provides internal connection to adjoining commercial uses; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 9: Bicycle, Pedestrian and Transit**. The site design provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 10: Flooding and Stormwater**. Drainage plans have been approved by MSD and mitigate negative impacts to the floodplain and minimizes impervious area; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 12: Air Quality**. The proposal has been reviewed by APCD and found not to have a negative impact on air quality; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 13: Landscape Character**. The site does not include potential connections to a system of natural corridors but does preserve a significant existing tree canopy; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 14: Infrastructure**. The site is located in an area served by existing utilities or planned for utilities, has access to an adequate supply of potable water and water for fire-fighting purposes and has adequate means of sewage treatment and disposal; and

**WHEREAS**, the Commission further finds that, based on the staff report, the applicant's findings of fact, and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 and the Land Development Code are being met; now, therefore be it

**RESOLVED**, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the proposed rezoning on property described in the attached legal description be **APPROVED**.