


## Docket No. 16ZONE1090

Zone change from R-4 to PEC to include the existing 11.18 acre lake and 3.56 acres of dry land in the existing Blankenbaker Station Business Park; property located on the east side of Tucker Station Road

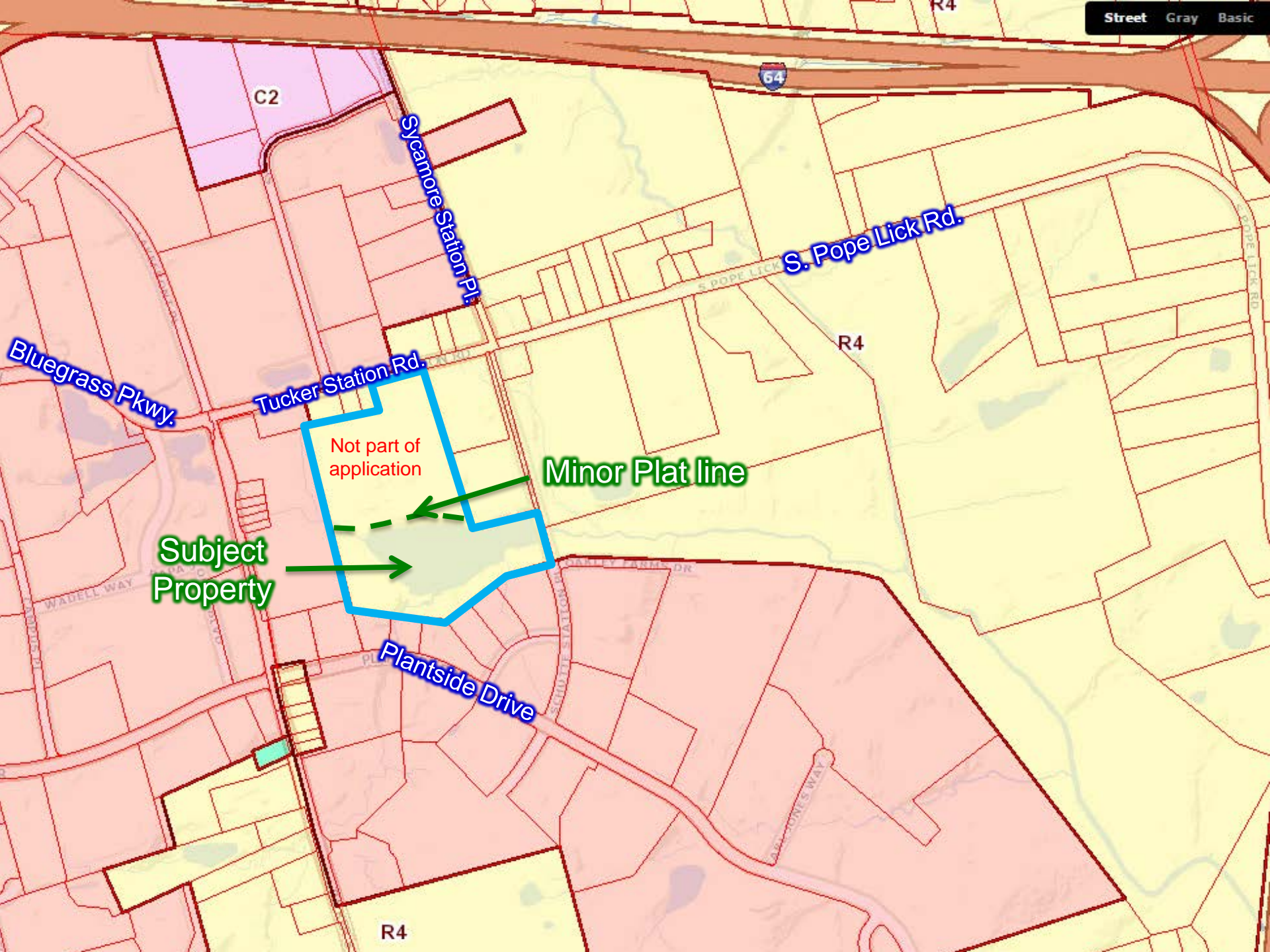
## HOSTS Development, LLC

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Tab 1  
LOJIC Zoning Map



Subject Property

Not part of application

Minor Plat line

Tucker Station Rd.

Sycamore Station Pl.

S. Pope Lick Rd.

Plantside Drive

Bluegrass Pkwy.

64

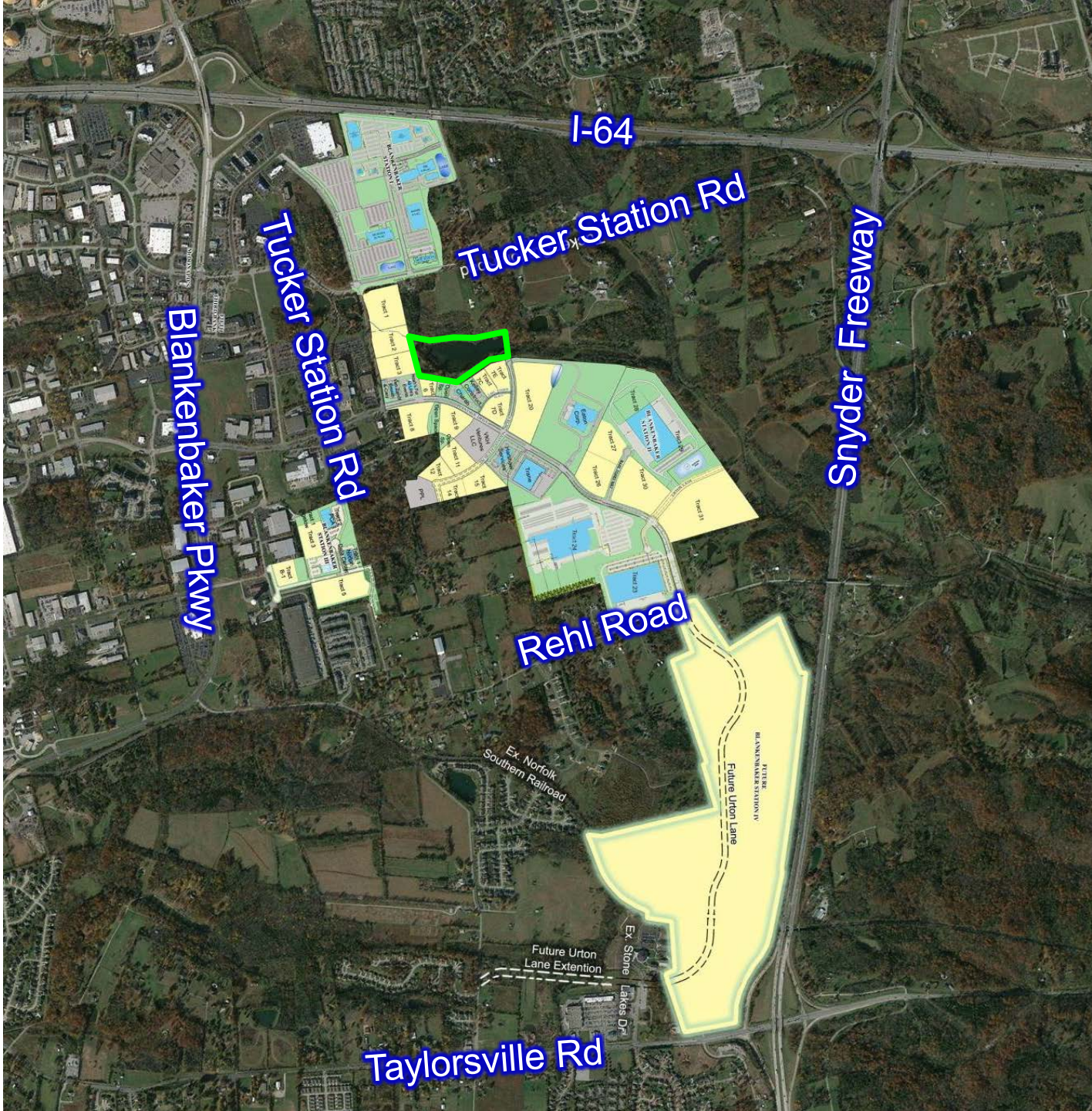
C2

R4

R4

Tab 2

Aerial photograph of the site and  
surrounding area



I-64

Tucker Station Rd

Snyder Freeway

Blankenbaker Pkwy

Tucker Station Rd

Rehl Road

Taylorsville Rd

Ex. Norfolk Southern Railroad

Future Urton Lane Extension

Ex. Store Lakes Dr

FUTURE BLANKENBAKER STATION IV  
Future Urton Lane

Tucker Station Rd.

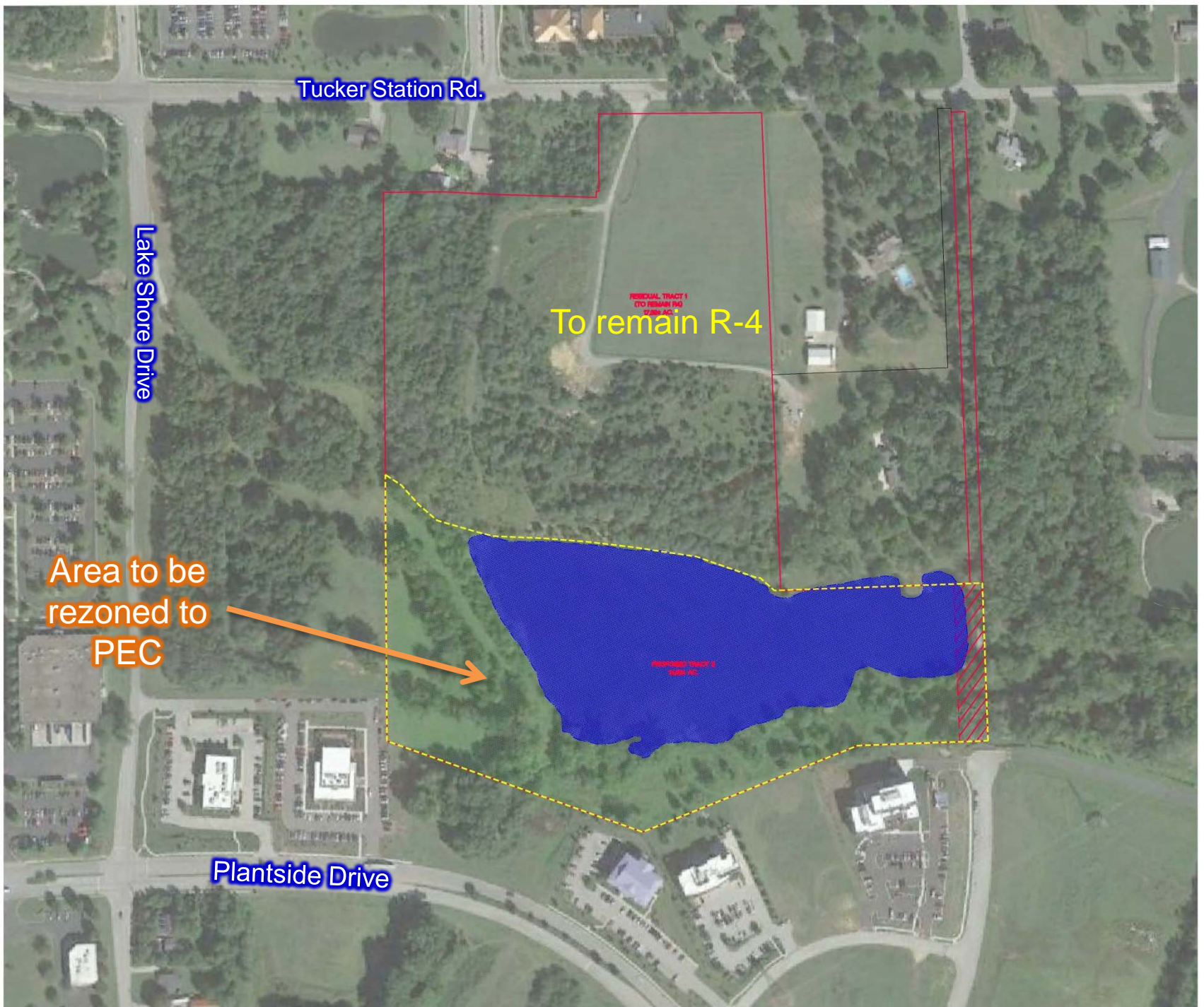
Lake Shore Drive

RESIDUAL TRACT 1  
(TO REMAIN) 90  
57.28 AC  
To remain R-4

Area to be  
rezoned to  
PEC

Plantside Drive

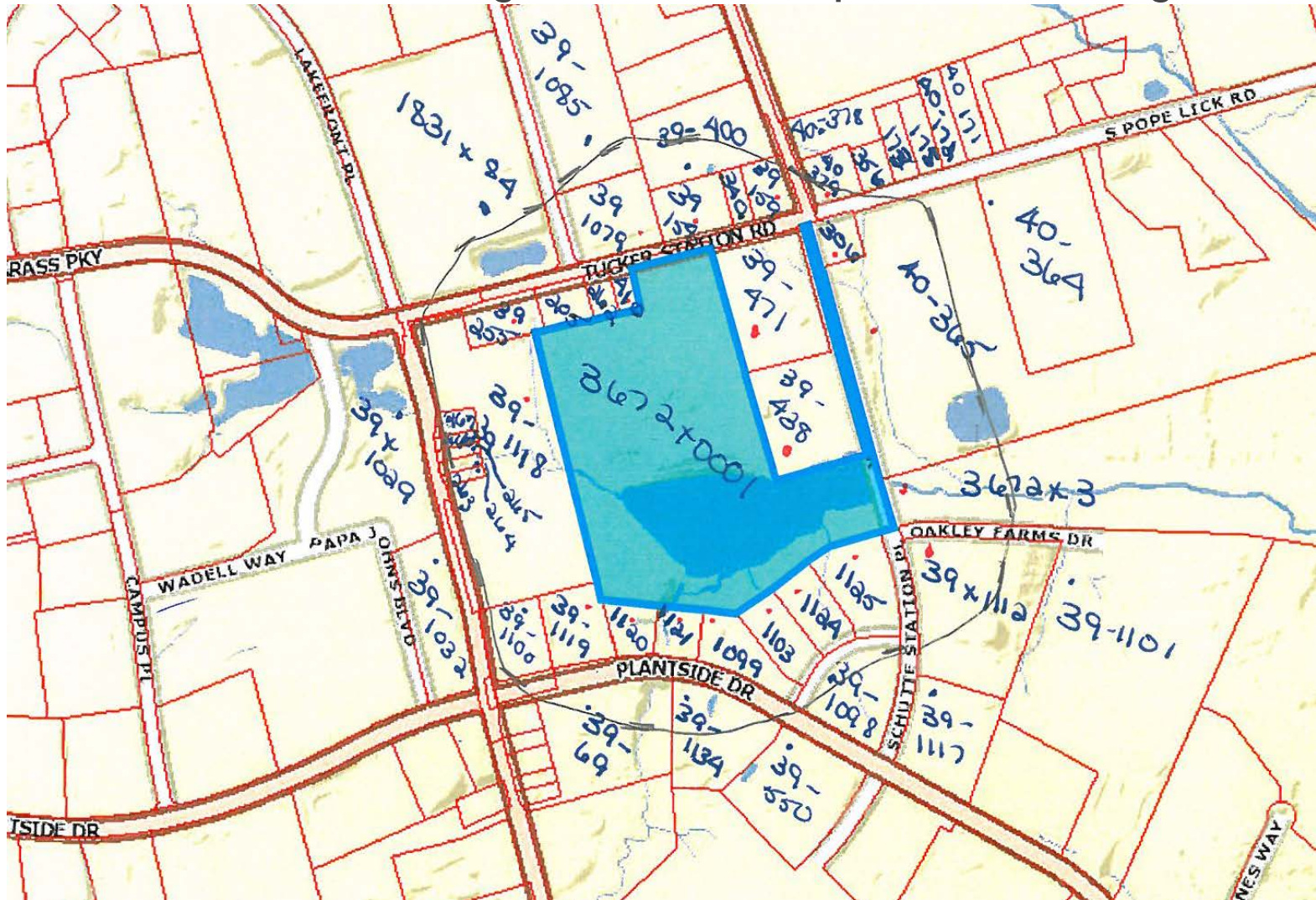
RESIDUAL TRACT 2  
14.76 AC



## Tab 4

Neighborhood Meeting notice list map,  
letter to neighbors inviting them to  
the meeting and summary of meeting

Adjoining property owner notice list map wherein 36 neighbors were invited to the various neighborhood meetings and the subsequent LD&T and Planning Commission public hearing.





# 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

William B. Bardenwerper  
Direct dial: 426-0388, ext. 125  
Email: [WBB@BARDLAW.NET](mailto:WBB@BARDLAW.NET)

**November 30, 2016**

Dear Neighbor,

**RE: Proposed change in zoning from R-4 to PEC to include the existing 11.18 acre lake and 3.56 acres of dry land in the existing Blankenbaker Station Business Park; property located on the east side of Tucker Station Road**

We are writing to invite you to a meeting we have scheduled to present neighbors with the Hollenbach-Oakley, LLC rezoning plan to include a small addition to the existing Blankenbaker Station Business Park.

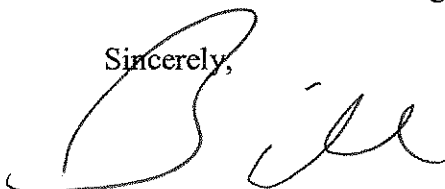
Accordingly, we will file a plan for pre-application review on Monday, December 5<sup>th</sup> or December 12<sup>th</sup> with the Division of Planning and Design Services (DPDS) that will be assigned a case manager and case number. We will have that information at the neighbor meeting. We would also like to show and explain to neighbors this plan so that we might hear what thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Wednesday, December 14<sup>th</sup> at 7:00 p.m. at the Hampton Inn & Suites Louisville East located at 1451 Alliant Avenue.**

If you cannot attend the meeting but have questions or concerns, please call me at 426-6688 or the land planning and engineering firm representative David Mindel at 485-1508.

We look forward to seeing you.

Sincerely,



William B. Bardenwerper

cc: Hon. Stuart Benson, Councilman, District 20  
Brian Davis, Planning Supervisor with Division of Planning & Design Services  
John Hollenbach, applicant with Hollenbach-Oakley, LLC  
David Mindel, land planners with Mindel Scott & Associates, Inc.

## Neighborhood Meeting Summary

A neighborhood meeting was held on Wednesday, December 14th at 7:00 p.m. at the Hampton Inn & Suites Louisville East located at 1451 Alliant Avenue. Those in attendance included the applicant's representatives, Nick Pregliasco, attorney with Bardenwerper Talbott & Roberts, PLLC and Kent Gootee, land planner and engineer with Mindel Scott and Associates, as well as John Hollenbach on behalf of the applicant entity.

The only other person to attend was broker Paul Grisanti, who has nearby property listed for sale, and asked questions about the application. Paul was fully supportive of the rezoning request. After waiting a half hour after the start time to make sure no others would attend, those in attendance left the neighborhood meeting.



# Tab 4 Development Plan

TUCKER STATION ROAD R/W VARIES

LRH, FAMILY LLC  
32.32 AC.±

MARK S &  
SANDRA  
HOLLOWAY  
10.16 AC.±

LRH PROPERTY IN FLOOD PLAIN  
NOT INCLUDED IN PURCHASE

MSH PROPERTY IN FL. PL.  
NOT INCLUDED IN  
PURCHASE

MSA DETERMINED 100  
YR. FLOODPLAIN LINE  
(TYP.)

Lake

EXISTING LRH FLOOD PLAIN AREA  
TO BE PURCHASED  
11.18 AC.±

LRH PROP.  
2.19 AC.±  
OUTSIDE FL. PL.

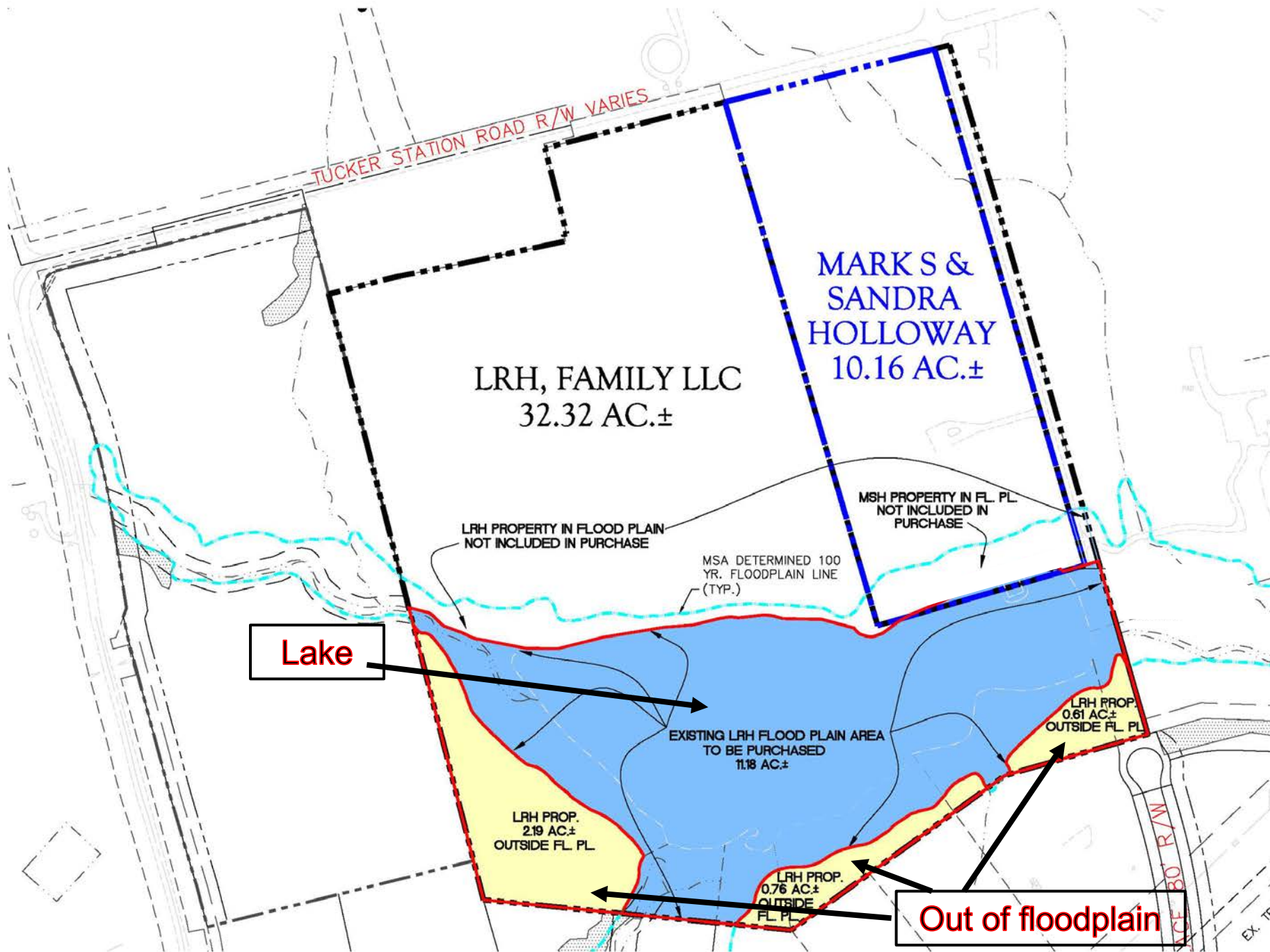
LRH PROP.  
0.81 AC.±  
OUTSIDE FL. PL.

LRH PROP.  
0.76 AC.±  
OUTSIDE  
FL. PL.

Out of floodplain

80' R/W

EX. TRAY





Tab 5

Statement of Compliance filed  
with the original zone change  
application with all applicable  
Guidelines and Policies of the  
Cornerstone 2020 Comprehensive  
Plan

# BARDENWERPER, TALBOTT & ROBERTS PLLC

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## **DETAILED STATEMENT OF COMPLIANCE WITH THE APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN**

<u>Owners:</u>	LRH Family, L.L.C.
<u>Applicant:</u>	Hollenbach-Oakley, LLC
<u>Location:</u>	Block 3672, Lot 1 (no address per PVA)
<u>Proposed Use:</u>	Addition to the Blankenbaker Station Business Park as common area open space and to increase the size of lots
<u>Engineers, Land Planners and Landscape Architects:</u>	Mindel Scott & Associates
<u>Request:</u>	Zone Change from R-4 to PEC

### **INTRODUCTION**

The overall plan for Blankenbaker Station involved phases I-IV, which runs from the subject property on the north along I-64 to the railroad tract on the south, just north of the new “PDD” zoned area known as Tyler Town Center. The four phases are very much related for a number of reasons, not the least of which is that of the long planned extension of the Urton Lane Corridor from Shelbyville Road on the north to Bardstown Road on the south.

The some 600 acres of combined commercial, office and workplace development within Blankenbaker Stations I-IV are about 25% sold and under contract. As a part of this rezoning, additional common area open space, including the existing lake, will be added to the Blankenbaker Station Business Park as a common amenity to be maintained by the business association, as well as additional land being added to the existing lots in the business park.

### **GUIDELINE 1: COMMUNITY FORM**

The application complies with the applicable Intents and Policies of the Suburban Workplace Form District as this is a very small addition to the currently existing Blankenbaker Station Business Park that is already zoned PEC. Guideline 1 says that Suburban Workplace is a form characterized by predominantly industrial and office uses where buildings are set back from the street in a landscaped setting. Suburban Workplaces also often contain a cluster of uses within a master planned development, of which this would be a small addition, predominantly for additional open space purposes.

## **GUIDELINE 2: CENTERS**

The application complies with the applicable Intents and Policies 1, 2, 4, 5, 8, 11, 12, and 13 of this Guideline as follows.

Guideline 2 is intended to promote the efficient use of land and investment in existing infrastructure, to lower utility costs by reducing the need for extensions, to reduce commuting time and transportation related air pollution, to provide an opportunity for a mixture of different land uses, to provide an opportunity for a marketplace that includes a diversity of goods and services, to encourage vitality and a sense of place, and to avoid individual or isolated commercial uses from developing along streets and noncommercial areas.

The intents of this Guideline 2 are fully met because the proposed open space amenity addition and lake, as well as the additional land added to individual lots, will provide additional common area and amenity without increasing the number of businesses or the intensity of the development. This open space area will also provide an additional buffer to the neighboring residentially zoned land. This rezoning will not result in additional utility demand or traffic pollution.

## **GUIDELINE 3: COMPATIBILITY**

The application complies with the applicable Intents and Policies 1, 4, 5, 6, 7, 8, 9, 17, 21, and 22 of this Guideline as follows.

The intent of this Guideline 3 is to allow a mixture of land uses and densities near each other as long as they are compatible to each other, to prohibit the location of sensitive land uses where accepted standards for noise, lighting, odors or similar nuisances are violated or visual quality is significantly diminished, and to preserve the character of existing neighborhoods.

Blankenbaker Stations I - IV have covenants, conditions and restrictions (“CCRs”), plus specific binding elements agreed to with the Planning Commission, to assure quality development that has few, if any, negative impacts on nearby residential developments. The proposed rezoning property will be annexed into the CCRs and deed restricted in the same manner as the rest of the Business Park.

Policy 4 of Guideline 3 addresses the issue of non-residential expansion into existing residential areas. This is appropriate when an applicant can demonstrate that adverse impacts of uses will be mitigated which is the case with additional open space through the lake, added as a common amenity. Policies 5, 6, 7, 8 and 9 of this Guideline 3 mention some of those possible adverse consequences, notably odor and air quality emission, traffic, noise, lighting and visual impacts, none of which apply here.

With no detailed district development plan submitted, only a general plan, any proposal in the future would have to go through a detailed district development plan review to address compatibility, if it should ever occur.

## **GUIDELINES 4 AND 5 – OPEN SPACE AND NATURAL AREAS/SCENIC AND HISTORIC RESOURCES**

The proposed rezoning conforms with the overall intent of and specifically with applicable Policies 1, 2, 3, 4, 5, 6 & 7 of Guideline 4 and with the intent of Guideline 5 for all the reasons described above and because it will feature an open space lake added to the Blankenbaker Station Business Park. The proposal will also provide an additional buffer to the residentially zoned property adjoining it. Maintenance of landscaping, natural and open space areas will be done by professionals and contracted for business park association. This maintenance arrangement will result in a higher and more consistent level of maintenance of this property. No portion of the subject property has been designated as a natural, historic or scenic preservation site.

#### **GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY**

The application complies with the applicable Intents and Policies 1 and 9, of this Guideline as follows.

The intents of this Guideline are to insure the availability of necessary usable land to facilitate commercial, industrial and residential development, to reduce public and private cost for land development, to insure that regional scale workplaces and industrial uses have access to people, goods and services and appropriate locations needed for them to conduct their business.

This application fully addresses the intents of this Guideline. It is very important for the Blankenbaker Station Business Park's ability to grow to add additional common area open space to help attract tenants and purchasers. The overall Blankenbaker Crossing/ Blankenbaker Station developments, plus the older Bluegrass Industrial Park located adjacent to these business parks, is generally considered to be one of the largest overall industrial/business parks in the United States, if not the world. It is an area to which businesses already located in Louisville and wishing to expand, and those coming to Louisville, have gravitated and continue to gravitate. They have good transportation access, and they are proximate to the locations where people desire to live.

#### **GUIDELINES 7, 8 AND 9: CIRCULATION; TRANSPORTATION FACILITY DESIGN; AND BICYCLE, PEDESTRIAN AND TRANSIT**

The application complies with the applicable Intents and Policies of this Guideline as follows.

These Guidelines are intended to provide for safe and proper functioning of street networks to insure that new developments do not exceed the carrying capacity of streets, to assure that internal and external circulations provide for safe and efficient travel movements for all types of transportation, to address congestion and air quality issues, and to assure opportunities for transit and non-motorized methods of travel. Because there is no proposed development or detailed district development plan, the property would simply be added as a common area open space, with a portion added to existing lots with no new development thereon. As such, there are no impacts references in these Guidelines to be mitigated and all Policies are fully complied with.

#### **GUIDELINES 10, 11, & 12: FLOODING AND STORMWATER, WATER QUALITY AND AIR QUALITY**

The Intents and Policies of these Guidelines are to address specifically the titles of these Guidelines. The property being rezoned and added to the business park will include a lake which will be maintained by the business association and may serve and help with detention.



The policies of Guideline 11 pertaining to water quality are addressed in this community through storm water management and through the temporary construction arrangements of erosion and sediment and control basins, and there is no development on the property planned.

The Policies of Guideline 12 largely relate to commuting distances and use of alternative modes of transportation, all of which would be addressed when a detailed district development plan is proposed in the future, if ever.

### **GUIDELINE 13: LANDSCAPE CHARACTER**

The intent and Policies of this Guideline 13 are to locate landscaping throughout any new development, whether it be via tree preservation, following the specifics of the tree canopy regulation, or to use new plantings to screen and buffer uses, one from the other. This property being rezoned already contains an existing lake that will be enhanced and property maintained by the business association in the future improving the appearance thereof.

### **GUIDELINES 14 & 15: INFRASTRUCTURE & COMMUNITY FACILITIES**

These Guidelines are intended to assure that adequate infrastructure and other community facilities exist to support proposed rezoning. If a development is proposed on this property in the future, these impacts will be fully addressed then, but none are planned currently.

\*\*\*\*\*

For all of the above reasons and others identified on the Detailed District Development Plan submitted with this application, including more information to be addressed with neighbors and presented by the time of LD&T review, this application complies with all other relevant and applicable guidelines of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

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Nicholas Pregliasco  
BARDENWERPER, TALBOTT & ROBERTS, PLLC  
1000 N. Hurstbourne Parkway, Suite 200  
Louisville, Kentucky 40223  
(502) 426-6688

## Tab 6

Proposed findings of fact  
pertaining to compliance with the  
Comprehensive Plan

# BARDENWERPER, TALBOTT & ROBERTS PLLC

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## PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

<u>Owners:</u>	LRH Family, L.L.C.
<u>Applicant:</u>	Hollenbach-Oakley, LLC
<u>Location:</u>	Block 3672, Lot 1 (no address per PVA)
<u>Proposed Use:</u>	Addition to the Blankenbaker Station Business Park as common area open space and to increase the size of lots
<u>Engineers, Land Planners and Landscape Architects:</u>	Mindel Scott & Associates
<u>Request:</u>	Zone Change from R-4 to PEC

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on May 11, 2017 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

### **INTRODUCTION**

**WHEREAS**, the overall plan for Blankenbaker Station involved phases I-IV, which runs from the subject property on the north along I-64 to the railroad tract on the south, just north of the new "PDD" zoned area known as Tyler Town Center; the four phases are very much related for a number of reasons, not the least of which is that of the long planned extension of the Urton Lane Corridor from Shelbyville Road on the north to Bardstown Road on the south; and

**WHEREAS**, the some 600 acres of combined commercial, office and workplace development within Blankenbaker Stations I-IV are about 25% sold and under contract; as a part of this rezoning, additional common area open space, including the existing lake, will be added to the Blankenbaker Station Business Park as a common amenity to be maintained by the business association, as well as additional land being added to the existing lots in the business park; and

### **GUIDELINE 1: COMMUNITY FORM**

**WHEREAS**, the application complies with the applicable Intents and Policies of the Suburban Workplace Form District as this is a very small addition to the currently existing Blankenbaker Station Business Park that is already zoned PEC; Guideline 1 says that Suburban Workplace is a form characterized by predominantly industrial and office uses where buildings are set back from the street in a landscaped setting; Suburban Workplaces also often contain a cluster of uses

within a master planned development, of which this would be a small addition, predominantly for additional open space purposes; and

### **GUIDELINE 2: CENTERS**

**WHEREAS**, the application complies with the applicable Intents and Policies 1, 2, 4, 5, 8, 11, 12, and 13 of this Guideline because Guideline 2 is intended to promote the efficient use of land and investment in existing infrastructure, to lower utility costs by reducing the need for extensions, to reduce commuting time and transportation related air pollution, to provide an opportunity for a mixture of different land uses, to provide an opportunity for a marketplace that includes a diversity of goods and services, to encourage vitality and a sense of place, and to avoid individual or isolated commercial uses from developing along streets and noncommercial areas; and

**WHEREAS**, the intents of this Guideline 2 are fully met because the proposed open space amenity addition and lake, as well as the additional land added to individual lots, will provide additional common area and amenity without increasing the number of businesses or the intensity of the development; this open space area will also provide an additional buffer to the neighboring residentially zoned land; and this rezoning will not result in additional utility demand or traffic pollution; and

### **GUIDELINE 3: COMPATIBILITY**

**WHEREAS**, the application complies with the applicable Intents and Policies 1, 4, 5, 6, 7, 8, 9, 17, 21, and 22 of this Guideline because the intent of this Guideline 3 is to allow a mixture of land uses and densities near each other as long as they are compatible to each other, to prohibit the location of sensitive land uses where accepted standards for noise, lighting, odors or similar nuisances are violated or visual quality is significantly diminished, and to preserve the character of existing neighborhoods; and

**WHEREAS**, Blankenbaker Stations I - IV have covenants, conditions and restrictions (“CCRs”), plus specific binding elements agreed to with the Planning Commission, to assure quality development that has few, if any, negative impacts on nearby residential developments; and the proposed rezoning property will be annexed into the CCRs and deed restricted in the same manner as the rest of the Business Park; and

**WHEREAS**, Policy 4 of Guideline 3 addresses the issue of non-residential expansion into existing residential areas; this is appropriate when an applicant can demonstrate that adverse impacts of uses will be mitigated which is the case with additional open space through the lake, added as a common amenity; Policies 5, 6, 7, 8 and 9 of this Guideline 3 mention some of those possible adverse consequences, notably odor and air quality emission, traffic, noise, lighting and visual impacts, none of which apply here; and

**WHEREAS**, with no detailed district development plan submitted, only a general plan, any proposal in the future would have to go through a detailed district development plan review to address compatibility, if it should ever occur; and

**GUIDELINES 4 AND 5 – OPEN SPACE AND NATURAL AREAS/SCENIC AND HISTORIC RESOURCES**

**WHEREAS**, the proposed rezoning conforms with the overall intent of and specifically with applicable Policies 1, 2, 3, 4, 5, 6 & 7 of Guideline 4 and with the intent of Guideline 5 for all the reasons described above and because it will feature an open space lake added to the Blankenbaker Station Business Park; the proposal will also provide an additional buffer to the residentially zoned property adjoining it; maintenance of landscaping, natural and open space areas will be done by professionals and contracted for business park association; this maintenance arrangement will result in a higher and more consistent level of maintenance of this property; and no portion of the subject property has been designated as a natural, historic or scenic preservation site; and

**GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY**

**WHEREAS**, the application complies with the applicable Intents and Policies 1 and 9, of this Guideline because the intents of this Guideline are to insure the availability of necessary usable land to facilitate commercial, industrial and residential development, to reduce public and private cost for land development, to insure that regional scale workplaces and industrial uses have access to people, goods and services and appropriate locations needed for them to conduct their business; and

**WHEREAS**, this application fully addresses the intents of this Guideline because it is very important for the Blankenbaker Station Business Park's ability to grow to add additional common area open space to help attract tenants and purchasers; the overall Blankenbaker Crossing/Blankenbaker Station developments, plus the older Bluegrass Industrial Park located adjacent to these business parks, is generally considered to be one of the largest overall industrial/business parks in the United States, if not the world; it is an area to which businesses already located in Louisville and wishing to expand, and those coming to Louisville, have gravitated and continue to gravitate; and they have good transportation access, and they are proximate to the locations where people desire to live; and

**GUIDELINES 7, 8 AND 9: CIRCULATION; TRANSPORTATION FACILITY DESIGN; AND BICYCLE, PEDESTRIAN AND TRANSIT**

**WHEREAS**, the application complies with the applicable Intents and Policies of this Guideline because these Guidelines are intended to provide for safe and proper functioning of street networks to insure that new developments do not exceed the carrying capacity of streets, to assure that internal and external circulations provide for safe and efficient travel movements for all types of transportation, to address congestion and air quality issues, and to assure opportunities for transit and non-motorized methods of travel; because there is no proposed development or detailed district development plan, the property would simply be added as a common area open space, with a portion added to existing lots with no new development thereon; and as such, there are no impacts references in these Guidelines to be mitigated and all Policies are fully complied with; and

**GUIDELINES 10, 11, & 12: FLOODING AND STORMWATER, WATER QUALITY  
AND AIR QUALITY**

**WHEREAS**, the Intents and Policies of these Guidelines are to address specifically the titles of these Guidelines; the property being rezoned and added to the business park will include a lake which will be maintained by the business association and may serve and help with detention; and

**WHEREAS**, the policies of Guideline 11 pertaining to water quality are addressed in this community through storm water management and through the temporary construction arrangements of erosion and sediment and control basins, and there is no development on the property planned; and

**WHEREAS**, the Policies of Guideline 12 largely relate to commuting distances and use of alternative modes of transportation, all of which would be addressed when a detailed district development plan is proposed in the future, if ever; and

**GUIDELINE 13: LANDSCAPE CHARACTER**

**WHEREAS**, the intent and Policies of this Guideline 13 are to locate landscaping throughout any new development, whether it be via tree preservation, following the specifics of the tree canopy regulation, or to use new plantings to screen and buffer uses, one from the other; and this property being rezoned already contains an existing lake that will be enhanced and property maintained by the business association in the future improving the appearance thereof; and

**GUIDELINES 14 & 15: INFRASTRUCTURE & COMMUNITY FACILITIES**

**WHEREAS**, these Guidelines are intended to assure that adequate infrastructure and other community facilities exist to support proposed rezoning; and if a development is proposed on this property in the future, these impacts will be fully addressed then, but none are planned currently; and

\* \* \* \* \*

**WHEREAS**, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books and on the approved General district development plan, this application also complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan;

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-4 to PEC and approves the General District Development Plan.