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**ZONING JUSTIFICATION  
12909 DIXIE HIGHWAY  
Project #15REZONE1067**

The subject property is located at 12929 Dixie Highway, Louisville, Kentucky 40291. The property is owned by AHP Haulers, LLC and is currently vacant. Previously the property operated as a retail establishment. The proposal for the property is for M-2 to support an existing truck logistics business. Drivers would be able to park trucks overnight at the facility prior to pick up the next day. The existing building on site will serve as an office, and the existing lot will be slightly expanded in gravel surface to accommodate parking for tractor trailers. Other than the gravel expansion, there will be no major physical improvements to the site

The zoning application complies with regulations of the Land Development Code and the Comprehensive Plan. There will be no major physical changes to the building or site.

**COMPREHENSIVE PLAN GUIDELINES**

Compliance with specific applicable Guidelines and Policies of the Comprehensive Plan are set forth in this Justification Statement.

**Guideline 1: Community Form**

- B.8 The property lies within the Suburban Marketplace Form District. The proposal is consistent with the existing medium to high intensity uses along the Dixie Highway corridor.
- B.8 Sidewalks exist along the property frontage and are being improved upon/extended with a new stub from the sidewalk to parking lot, providing direct pedestrian access onto site.
- B.8 Existing structure and parking are being used for the proposal. Existing curb cut is being reduced and a second one removed creating safer conditions.

**Guideline 2: Centers**

- A.1-7 This site will provide a new service along an already existing active commercial area utilizing existing structure/parking.
- A.14 Existing utilities will be utilized.
- A.15 Parking is located directly adjacent to building minimizing pedestrian and vehicular conflict. Tractor trailer parking is located on the perimeter of the lot providing clear views of vehicular traffic and safe conditions.
- A.16 Site is located on TARC route.

**Guideline 3: Compatibility**

- A.1 Existing structure to be reused; its scale is consistent with other commercial development in the area. Another truck lot is located 2 properties to the south.
- A.2 Architecture and building materials are consistent with nearby structures.
- A.4-7 Property is surrounded by other commercial and industrial uses.
- A.8 Lighting is seems to be compliant with the LDC.
- A.9 Landscaping will be added to property.
- A.11 Industrial use is located along transit corridors and near activity centers.
- A.12 Accessible parking is provided on site.
- A.21-22 Required screening will be provided between C-2 and M-2 zoning.
- A.23 Appropriate setbacks are provided.
- A.24 Parking areas are not located adjacent to residential areas.
- A.28 Existing sign will be re-faced.

**Guideline 4: Open Space**

Open space is not required. The eastern portion of the site is mostly wooded and existing trees will remain on site.

**Guideline 5: Natural Areas and Scenic and Historic Resources**

No development is proposed in the eastern portion of the property where existing trees are present as well as potentially hydric soils.

**Guideline 6: Economic Growth and Sustainability**

- A.6 Site is located along major arterial road.

**Guideline 7: Circulation**

- A.1 Roadway improvements are not warranted with this proposal.
- A.2 Existing entrances to the site are being utilized.
- A.5-9 Right-of-way will be dedicated as part of this proposal.
- A.10 Adequate parking is provided.
- A.15 Existing entrances are being utilized.

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**Guideline 8: Transportation Facility Design**

- A.5 Right-of-way will be dedicated as part of this proposal
- A.9 Existing entrances are being utilized.
- A.11 Parking is located directly adjacent to building minimizing pedestrian and vehicular conflict. Truck parking is located on the perimeter of the lot providing clear views of vehicular traffic and safe conditions.

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**Guideline 9: Bicycle, Pedestrian and Transit**

- A.1-2 Site is adjacent to transit corridor.

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**Guideline 10: Flooding and Stormwater**

Small increase in impervious area. Existing drainage pattern will be utilized.

**Guideline 11: Water Quality**

The development will not adversely affect water quality or erosion.

**Guideline 12: Air Quality**

APCD to review proposal.

**Guideline 13: Landscape Character**

Existing tree canopy will be protected. New trees may include native plants.

**Guideline 14: Infrastructure**

- A.3-4 This development is utilizing existing infrastructure.

**Guideline 15: Community Facilities**

This development is utilizing existing infrastructure and community facilities.

**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

No. There is existing thick vegetation between the building and adjacent residential property. Further, the adjacent property is vacant with no occupied residential structures.

**2. Will the waiver violate the Comprehensive Plan?**

The building is existing. Additionally, existing dense vegetation provides the intent of the perimeter buffer.

**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

The existing building would have to be torn down and reconstructed in order to respect the required LBA.

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**4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

Required landscaping is in place in the form of existing vegetation.