

13ZONE1009 – Findings of Fact

WHEREAS, the Louisville Metro Planning Commission finds that the proposal complies with Comprehensive Plan Guideline 1 – Community Form because the proposal maintains the existing grid street pattern and alley access which is consistent with adjacent development. The proposal supports access to public transportation as it is within walking distance of a bus route. The proposal includes parking areas that will be behind the existing and proposed buildings. Although the LBA along the southeast lot line is decreased to 3', the chain link fence will be replaced with an 8' wooden privacy fence and landscaping will be provided. The existing building that will become the office has no setback and the building proposed for the single dwelling and the duplexes will meet the infill standards for existing dwellings along Charles Street by utilizing the Traditional Neighborhood Design Alternative standards; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 3 – Compatibility because APCD has approved the proposal. Transportation Review has approved the proposal. The proposal must meet all lighting regulations. Although the LBA along the southeast lot line is decreased to 3', the chain link fence will be replaced with an 8' wooden privacy fence and landscaping will be provided. The proposal meets height and setback requirements for the zoning and form district. The existing building that will become the office has no setback and the building proposed for the single dwelling and the duplexes will meet the infill standards for existing dwellings along Charles Street. This buffering will help minimize adverse impacts to the residences to the southeast from the proposed parking area. The parking area will be accessed from Dandridge Avenue and the rear alley and is situated behind the office and residences. The proposal must meet all sign regulations; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 5 - Natural Areas and Scenic and Historic Resources because Historic Preservation has approved the proposal with a recommendation. The development does not have any environmental constraints; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 6 - Economic Growth and Sustainability because the proposed uses (office and residential) meet the needs of the local workplaces and their employees. The proposal is not for industrial use. The proposal could be a retail commercial development but is located between industrial and residential uses, acting as a buffer between the two. It does not generate large amounts of traffic and will not adversely affect adjacent areas as it is consistent with the residential pattern in the area. The site could currently be used for industrial purposes and this down zoning actually protects the neighboring areas from high intensity industrial uses; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 7 – Circulation because The proposal will

contribute its proportional share of the cost of roadway improvements and other services and public facilities as required. The proposal promotes multiple types of transportation through sidewalks, proximity to a bus route, and bicycle facilities are not required. The proposal includes adequate parking spaces to support the use. Transportation Review has approved the proposal. The proposal's transportation facilities are compatible with and support access to surrounding land uses as they continue the pattern of site access by utilizing local streets and rear alleys; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 8 - Transportation Facility Design because the proposal's transportation facilities are compatible with and support access to surrounding land uses as they continue the pattern of site access by utilizing local streets and rear alleys; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 9 - Bicycle, Pedestrian and Transit because the proposal's transportation facilities are compatible with and support access to surrounding land uses as they continue the pattern of site access by utilizing local streets and rear alleys. The site can be accessed by all modes of transportation; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 10 - Flooding and Stormwater because MSD has approved the proposal; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 12- Air Quality because the APCD has approved the proposal; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal complies with Comprehensive Plan Guideline 14 – Infrastructure because MSD has approved the proposal. The proposal has access to an adequate supply of potable water and water for fire-fighting purposes. The proposal is located in an area served by existing utilities or planned for utilities; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative body of the Louisville Metro Council that the rezoning from M-2 to C-1 for Case 13ZONE1009 be **APPROVED** on property described in the legal description.