

Zoning Findings of Fact

01:33:14 On a motion by Commissioner Brown, seconded by Commissioner Peterson, the following resolution was adopted:

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets the intents of **Guideline 1: Community Form**. The property lies within the Suburban Workplace Form District. The proposal is consistent with the existing commercial zoning and use along the Bardstown Road corridor. Sidewalks exist along the property frontage and are being improved upon and extended with a new stub from the sidewalk to parking lot, providing direct pedestrian access onto site. Existing structure and parking are being used for the proposal. Existing curb cut is being reduced and a second one removed creating safer conditions; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 2: Centers**. This site will provide a new service along an already existing active commercial area within a compact space. Existing utilities will be utilized. Parking is located directly adjacent to building minimizing pedestrian and vehicular conflict. Outdoor sales area is located on the perimeter of the lot providing clear views of vehicular traffic and safe conditions. Sidewalk stub from existing sidewalk into parking lot is provided. Site is located on TARC route between two stops; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 3: Compatibility**. The existing structure will be reused; its scale is consistent with other commercial development in the area. Architecture and building materials are consistent with nearby structures. Property is surrounded by other commercial uses. Lighting is compliant with the LDC. Landscaping (three foot screen and trees) will be added to property frontage. Commercial use is located along transit corridors and near activity centers. New handicap ramps will be provided as needed. Transition between roadway and vehicular use area/outdoor sales will be partially screened by landscaping requirements. Appropriate setbacks are provided. Parking areas are not located adjacent to residential areas. Existing sign will be re-faced; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 4: Open Space**. Open space is not required and no natural features are present on site; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 5: Natural Areas and Scenic and Historic Resources**. There are no known affected natural, scenic or historically significant resources; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 6: Economic Growth and Sustainability**. The site is located along major arterial road; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 7: Circulation**. Roadway improvements are not warranted with this proposal. An existing entrance into the site is being reduced in width by more than 30 feet to a standard 24' entrance, and the second entrance nearest Hudson Lane is being closed, both resulting in safer vehicular conditions. Sidewalks exist along the property frontage and are being improved upon and extended with a new stub from the sidewalk to parking lot, providing direct pedestrian access onto site and access to transit corridor. Right-of-way is fairly consistent along this stretch of Bardstown Road and provides adequate space for roadway, sidewalk, and buffering area. Adequate parking is provided. The existing entrance closest to Hudson Lane is being closed. The entrance to be utilized is being reduced in width by more than 30 feet to a standard 24' entrance; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 8: Transportation Facility Design**. An existing entrance into the site is being utilized. Parking is located directly adjacent to building minimizing pedestrian and vehicular conflict. Outdoor sales area is located on the perimeter of the lot providing clear views of vehicular traffic and safe conditions; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 9: Bicycle, Pedestrian and Transit**. 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 and access to transit corridor; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 10: Flooding and Stormwater**. There will be no increase in impervious area, and existing infrastructure will be utilized; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 11: Water Quality**. The development will not adversely affect water quality or erosion; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 12: Air Quality**. APCD finds no negative impact on air quality for this development; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 13: Landscape Character**. There is no existing tree canopy to protect. Trees will be added along the Bardstown Road frontage; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 14: Infrastructure**. This development is utilizing existing infrastructure; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 15: Community Facilities**. This development is utilizing existing infrastructure and community facilities; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, the applicant's justification, and the staff report 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 Louisville Metro Council that the requested change in zoning from C-1 to C-2 on property described in the attached legal description, be **APPROVED**.