

District Development Plan Justification:

In order to justify approval of any district development plan, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

- 1. **Are there any natural resources on the property, including trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites? And are these natural resources being preserved?**

The site is heavily treed and Fish Pool Creek traverses the site in between the vacant property and single family home. The intent of the development is to clear the tree then develop the mini-storage facility and preserve the preservation area of Fish Pool Creek per the LDC.

- 2. **Is safe and efficient vehicular and pedestrian transportation provided both within the development and the community?**

The site has (1) commercial entrance off of Preston Crossing Blvd that is aligned with an entrance to the Lowe's development across the street. The entrance/adjoining pedestrian system is designed safe and efficient per the recommendation of Transportation Planning.

- 3. **Is sufficient open space (scenic and recreational) to meet the needs of the proposed development being provided?**

The intent of the development is to clear the tree then develop the mini-storage facility and preserve the preservation area of Fish Pool Creek which is the minimum requirements of the LDC.

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- 4. **Are provisions for adequate drainage facilities provided on the subject site in order to prevent drainage problems from occurring on the subject site or within the community?**

The site will be graded / drained so the storm water will travers the site through a series of storm pipes and surface drainage that will be routed to the preservation area of Fish Pool Creek that is adequate to facilitate the proposed drainage of the site.

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- 5. **Is the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses compatible with the existing and projected future development of the area?**

The site is designed in accordance to the SMC / C2 zoning restriction that is compatible with the surrounding land use from building design, to parking lot and landscape / screening requirements.

- 6. **Is the proposal in conformance with the Comprehensive Plan and Land Development Code?**

The site design and proposal meets / exceed all the comprehensive plan goals / guidelines and the land development code requirements.

Binding Element Amendment Justification:

In order to justify approval of any amendments to binding elements, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

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PL-17-DEVPLAN 1090

Sidewalk Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following 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. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

The Waiver does not conform to the Comprehensive Plan, however the proposed sidewalk would be unsafe to pedestrians to use due to significant topographic issues. Also there is an existing guardrail that was installed to provide safety for vehicular traffic therefore the same safety should be considered for pedestrian traffic.

2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

The proposed sidewalk would be unsafe to pedestrians to use due to significant topographic issues, therefore the granting the waiver would avoid a liability for Louisville Metro Government. Also there is an existing guardrail that was installed to provide safety for vehicular traffic therefore the same safety should be considered for pedestrian traffic.

3. What impacts will granting of the waiver have on adjacent property owners?

The impact would prevent a section of sidewalk not to be created, however there is a sidewalk on the other side of the street that can be used for pedestrians.

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4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

Installation of the sidewalk is not practical due to safety issues that are created by existing topographic issues. Also there is an existing guardrail that was installed to provide safety for vehicular traffic therefore the same safety should be considered for pedestrian traffic.

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