

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment 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. Explain how the variance will not adversely affect the public health, safety or welfare.

This variance would allow 1 of 3 buildings on the site to exceed the maximum setback while 2 others meet the setback, so the variance will have no impact on public health, safety or welfare.

2. Explain how the variance will not alter the essential character of the general vicinity.

The use of 3 smaller buildings versus 1 large one is more in keeping with the area so the variance will not alter the essential character of the vicinity.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

It is just a variance to allow separate buildings on the site so it will not cause a hazard or nuisance to the public.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The variance will not allow a circumvention of the zoning regulations because it simply allows multipole buildings on the site.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The special circumstances include the proximity of the site to the rail road trestle and the fact that most buildings have a large setback in the vicinity so the use of 3 smaller buildings is more in keeping with the vicinity and these circumstance do not apply in general to land in the vicinity.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Denial of the variance would require the applicant to construct a larger building closer to the street less in keeping with the vicinity thus depriving applicant of reasonable use of the land

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

No, the property and the vicinity exist as is.

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SEP 19 2018

PLANNING &
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Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment 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. Explain how the variance will not adversely affect the public health, safety or welfare.

The variance covers a small stretch along a property line adjacent to railroad right of way which is secured by chain link fencing and at its maximum is only 15' and so it will have no impact whatsoever on public health, safety or welfare.

2. Explain how the variance will not alter the essential character of the general vicinity.

The site is unique because it is at the foot of a steep slope adjacent to rail road right of way so it will not alter the character of the vicinity.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variance is located adjacent to railroad right of way that is secured and there is no human activity there (other than train traffic) so it will not cause a hazard or nuisance to the public.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The variance will not allow a circumvention of the zoning regulations because the shape of the lot, the terrain and the fact it adjoins a rail road right of way make it unique

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The special circumstances are the narrow pie shape of the lot, and the lie of the lot against a steep slope that is also railroad right of way, make the property very unlike almost all other property in the vicinity

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Because the lot is narrow and the terrain requires a long winding entrance driveway, strict application of the regulations would severely restrict the ability of the applicant to develop the site

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

No, the property exists as is.

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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 because the buffer is useless because of the much higher elevation of the adjoining railroad right of way

2. Will the waiver violate the Comprehensive Plan?

No because the objectives of the Plan do not come into play because of the unique terrain.

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

Yes the waiver is for only a short section of the shared boundary line.

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?

Yes because of the terrain characteristics there is a significant area of undeveloped ground adjacent to the waiver area and also the strict application of the provisions would deprive the applicant of the ability to provide required parking and driveway areas while the buffer serves no real function because of the terrain.

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CORNERSTONE 2020
JUSTIFICATION STATEMENT
POPE LICK STATION
14005 TAYLORSVILLE ROAD
LOUISVILLE, KENTUCKY

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A. PROJECT OVERVIEW

The applicant is requesting a zone change from RR to C-1 Commercial for a 6.35 acre tract located at 14005 Taylorsville Road. This is east of the Gene Snyder Freeway on the northeast corner of Taylorsville Road and S. Pope Lick Road. The site abuts the Norfolk Southern Railroad trestle which is a prominent visual feature of the area and is directly across the street from a Circle-K/ Shell gasoline station and convenience store which is also zoned C-1. The site has been a church for many years. The proposal is to build a mixed use retail development consisting of a cluster of small buildings which emphasize traditional railway stop architectural themes. The primary objective of the plan is to focus on land uses that relate to the nearby recreational uses, in particular to locate a bicycle shop serving the Louisville Loop bicycle trail which runs directly along the site. The plan is to accommodate other retail uses that provide goods and services appropriate to Floyd's Fork Park recreational areas and facilities, as well as neighborhood retail such as a restaurant, coffee shop or sandwich shop, and perhaps a branch bank or other neighborhood retail uses.

Description of Facility

The development will consist of a cluster of 3 small buildings, a 6,000 square foot restaurant, a 7,100 square foot retail building and a 11,900 square foot 2 story walk-out retail building.

B. COMPLIANCE WITH APPLICABLE PLAN ELEMENTS.

GUIDELINE 1 - COMMUNITY FORM/LAND USE

B.3 Neighborhood

Although located in the Neighborhood Form district, the site is not located in a residential neighborhood and is not in close proximity to any residential uses. More importantly, the development is connected with the adjacent Louisville Loop and is intended to provide services that enhance the experience of users of the trail. The site is located on a busy major arterial roadway across the street from a convenience store/gasoline station. It is not suitable for residential development due to the close proximity to the railroad trestle which generates substantial railroad noise and vibration, the speed and volume of traffic on Taylorsville Road at this location, and the fact that it is not adjacent to any residential uses. To the extent the proposal could be considered a high density use it is appropriate within the Neighborhood Form District because it is on an arterial roadway and it will have limited impact on low to

moderate density residential areas. The site is also an appropriate location for a neighborhood center under the form district guidelines which accommodate uses such as offices, retail shops, restaurants and services. Because of the small sizes (6,000 to 12,000 square feet), arrangement and architecture of the buildings, they are appropriate for the vicinity.

GUIDELINE 2 - CENTERS

A.1 Location

A.7 Desirable Uses in Centers

The development is a small scale neighborhood commercial type development at the intersection of a major arterial roadway and a local street, and it includes a cluster of neighborhood scale uses.

A.3 Location if Retail Commercial

The development is intended to serve the Louisville Loop and it would also serve an area of substantial residential population further east which drives by this location to and from I-265.

A.4 Compact Development

The development is highly efficient in that it serves the adjoining Louisville Loop and provides neighborhood commercial services that otherwise have to drive a significant distance into Jeffersontown to access such services.

A.5 Mixture of Compatible Uses

The development is intended to accommodate a convenient mix of neighborhood retail services.

A.6 Residential Uses in Non-residential Areas

Residential uses are inappropriate for this site due to train noise and traffic.

The proposal is new development that enhances the use of a much larger 5 story manufacturing building renovated for office uses under the same ownership in the immediate vicinity.

A.12 Focal Point

The proposal is not large development, therefore focal point features are not applicable.

A.13 Shared Parking and Access

The proposal does share entrance and parking facilities with the adjacent property to the west.

A.14 Utilities

Adjacent developments to share utilities are not available at this time.

A.16 Encourage Alternative Transportation Modes

Parking is distributed throughout the development and includes reasonable circulation as well as bicycle and pedestrian access points.

GUIDELINE 3 - COMPATIBILITY

A.2. Building Materials

The buildings have been designed to reproduce the look and feel of train stop architecture and materials from the early part of the 20th century. Renderings will be provided during the application process.

A.4.,5. Non-residential Expansion, Odor and Air Quality Emissions.

The subject site is an existing non-residential land use (church) abutting a railroad track and train trestle with more intense non-residential uses directly across the street. It is not within nearby proximity of any residential uses and is not appropriate for residential development due to train noise, adjacent commercial development, and excessive high-speed traffic along this section of Taylorsville Road. The use will not generate odor or air quality impacts

A.6. Traffic

Due to its size and scale and intended use, the proposed land use will generate nominal additional traffic on Taylorsville Road.

A.7. Noise

The proposed use as a small scale neighborhood retail center will not generate significant noise and exists in an area with substantial train noise and traffic noise.

A.8. Lighting

The project will use front lit signage and discrete lighting that visually coordinates with the style and of the buildings.

A.11. Density

The proposed use is not a higher density use in comparison with the surrounding area and is located on an arterial roadway.

A.21. Transitions

The proposal does not really involve a transitional use as the character of the immediate vicinity is dominated by heavy train traffic, substantial traffic along Taylorsville Road and nearby commercial uses. The building design includes architectural details to provide an appealing visual transition.

A.22. Buffers

The plan incorporates a terraced landscaped retaining wall to address elevation changes and it backs up to a steep hill which will form a visual background to the use.

A.23. Setbacks, lot dimensions, building heights

The proposed building size, location and setbacks are consistent with nearby development and will comply with all land development code and corridor policies pertaining to setback

A.24. Parking

The parking areas are distributed throughout the development and broken up by the location of the buildings and screened by landscaping per LDC standards. There will be no loading docks.

A.28 Signs

Only minimal monument style signage will be incorporated into the development.

GUIDELINE 4 – OPEN SPACE

A.2. Conservation.

A.3. Outdoor Recreation.

A.7. Maintenance of Open Space.

The site is intended to provide services that relate to and facilitate the Louisville Loop bicycle trail and other outdoor recreational activities available at adjacent Floyd's Fork Park. A significant portion of the site will remain undisturbed.

A.4. Consistent with Pattern of Development.

The plan incorporates the corridor setback and landscape buffer standards along the arterial roadway.

A.5. Natural Features.

The plan consists of three (3) buildings one of which will be a walk-out to take advantage of nature terrain fall. Retaining walls will be used in strategic areas to accommodate the parking area but, overall, excessive cutting into the natural terrain will not be required.

GUIDELINE 5 – NATURAL AREAS, SCENIC AND HISTORIC RESOURCES

A.1 Natural Features

The site is partially cleared and the design uses three small building on the site, one of which is a walk-out, to minimize heavy cutting into the natural terrain. appears to have at one time been used No existing natural features exist on the site.

A.2 Historic Resources

A.4 Preservation and Reuse of Historic Sites

The site itself contains no historic resources.

A.6 Soils and Slopes

No wet soils exist on the site. Retaining wall are used judiciously at the front along the right of way where the site is much higher than the adjoining road surface, and the rear whete the site backs up to a hillside. Notwithstanding the site mostly follows the natural terrain.

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

A.6 Activity Centers

The development is a small scale retail development intentionally located adjacent to the Louisville Loop for the express purpose of serving the needs of recreational users of the trail. It is located on a major arterial and is across the street from a high traffic convenience store and contains a cluster of small scale uses to create a mini-activity center.

GUIDELINE 7 - CIRCULATION

A.1 Impact of Developments

A.2 Impact Mitigation

The proposal is a small development (27,000 square feet) on a major arterial roadway, so the proposal will generate a negligible amount of additional traffic. The developer during the course of review will consider turn lanes or other improvements in the immediate vicinity that may enhance traffic safety.

A.3 Transit Supportive Development

A.4 Land Use and Transportation

The proposal is intended for the express purpose of facilitating bicycle transportation as a recreational activity. The development will provide services that are accessible from residential areas which now require a drive of considerable distances.

A.6 Access to Surrounding Land Uses

The proposal includes connections to and through the development from the Louisville Loop.

A.9 Dedication of Right-of-Way

Additional dedicated right-of-way does not appear to be beneficial but can be considered during the application process.

A.10 Adequate Parking

Adequate parking is provided for the contemplated use.

A.13 Joint and Cross Access

The pattern of development with adjoining properties would not require joint or cross easements.

A.16 Unified Access and Circulation

There are no adjoining sites for which joint access and circulation systems are applicable.

GUIDELINE 8 – TRANSPORTATION FACILITY DESIGN

A.8 Stub Streets

N/A

A.9 Access

Access to the site is along a major arterial roadway.

GUIDELINE 9 – BICYCLE, PEDESTRIAN AND TRANSIT

A.1 Bicycle and Pedestrian Circulation

A.2 Transit

The site is designed for the express purpose of promoting bicycle transportation. It is designed to include a bicycle shop serving the Louisville Loop and it has a connection to the Loop and has bicycle lanes throughout the development..

GUIDELINE 10 – FLOODING AND STORMWATER

The proposal will be reviewed and approved by MSD to ensure that stormwater drainage is handled appropriately.

GUIDELINE 12 – AIR QUALITY

The proposal has been reviewed by APCD and found to not have a negative impact on air quality.

GUIDELINE 13 – LANDSCAPE CHARACTER

A.3 Corridors

There are no natural corridors in this area and the site will be landscaped in accordance with the landscape regulations.

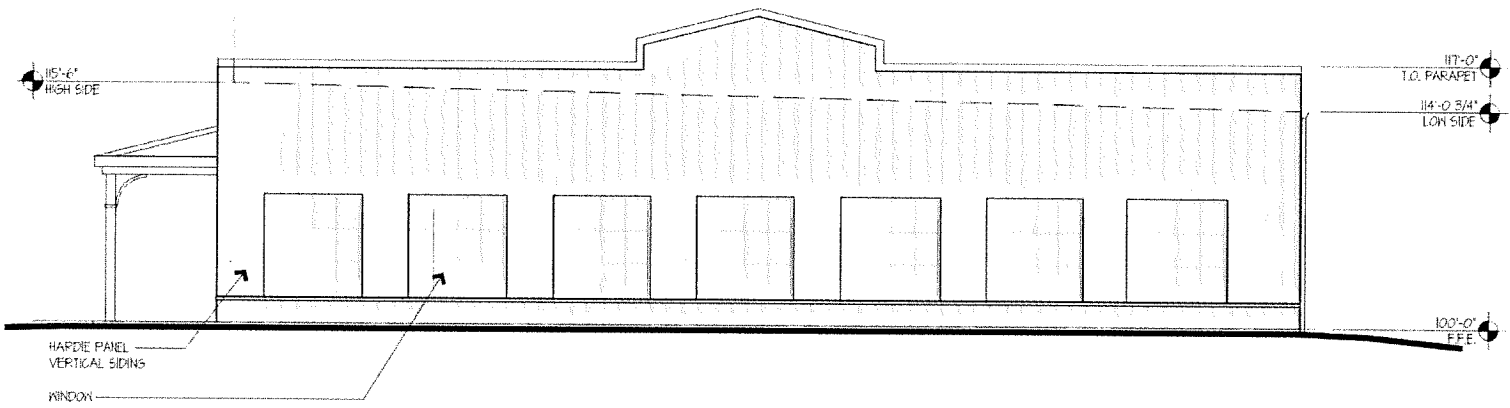
GUIDELINE 14 - INFRASTRUCTURE

A.2 Adequate Utility Service;

A.3 Water Supply;

A.4 Sewage Treatment and Disposal

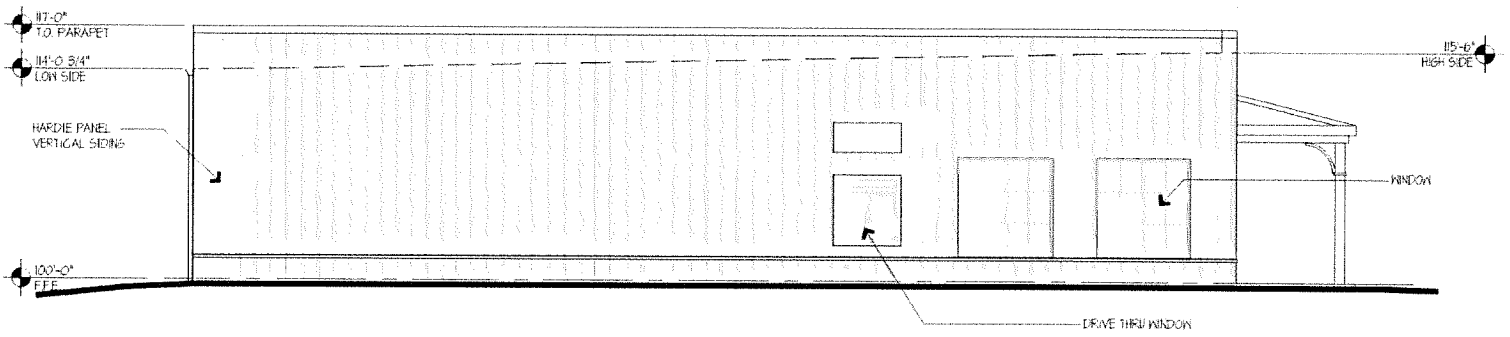
The site is in an established center with adequate utility, water and sewage disposal facilities.



EAST ELEVATION

SCALE

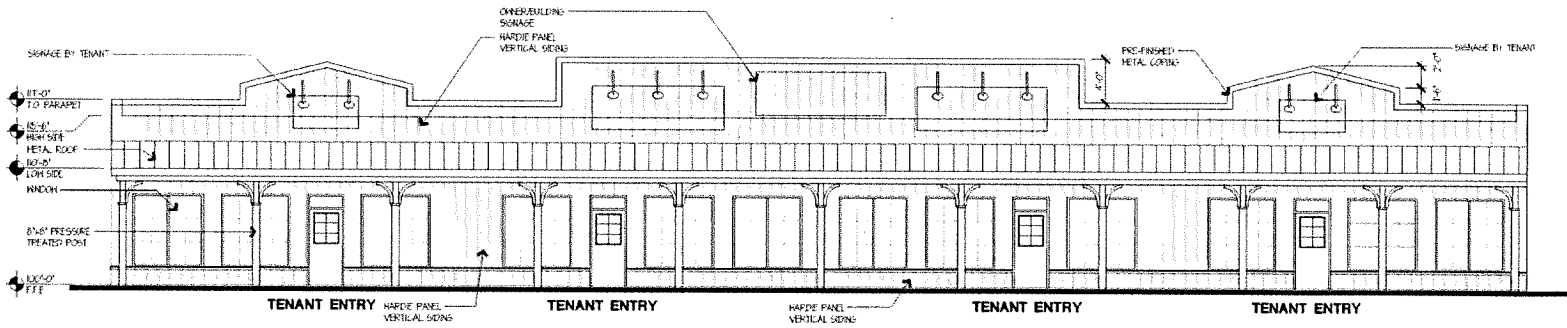
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WEST ELEVATION

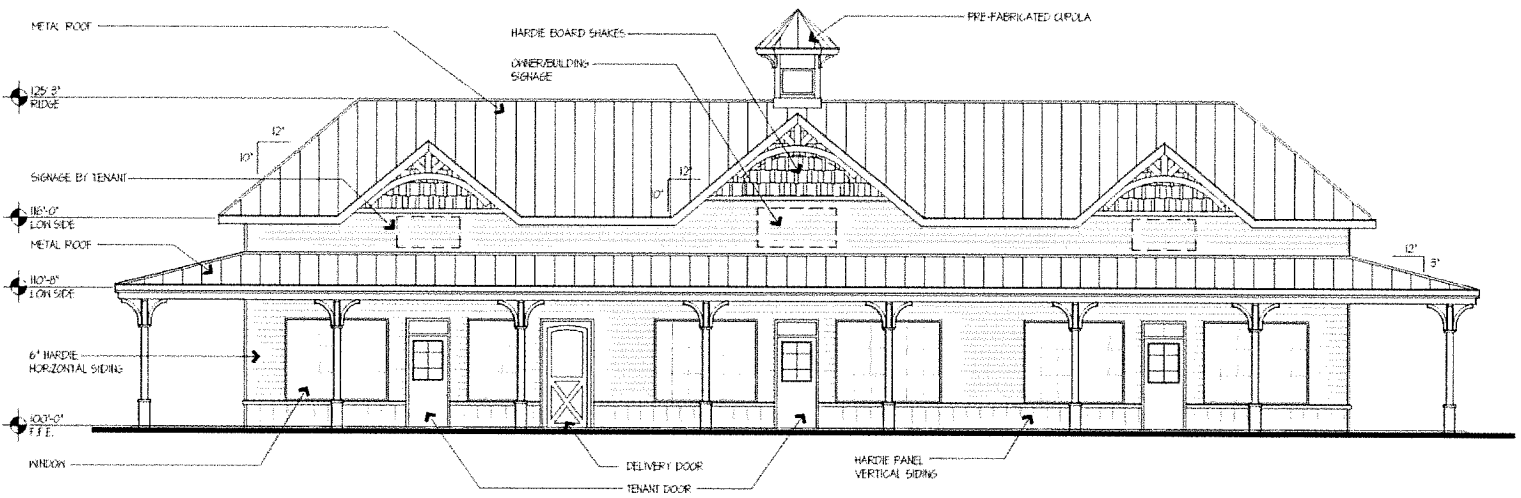
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SOUTH ELEVATION

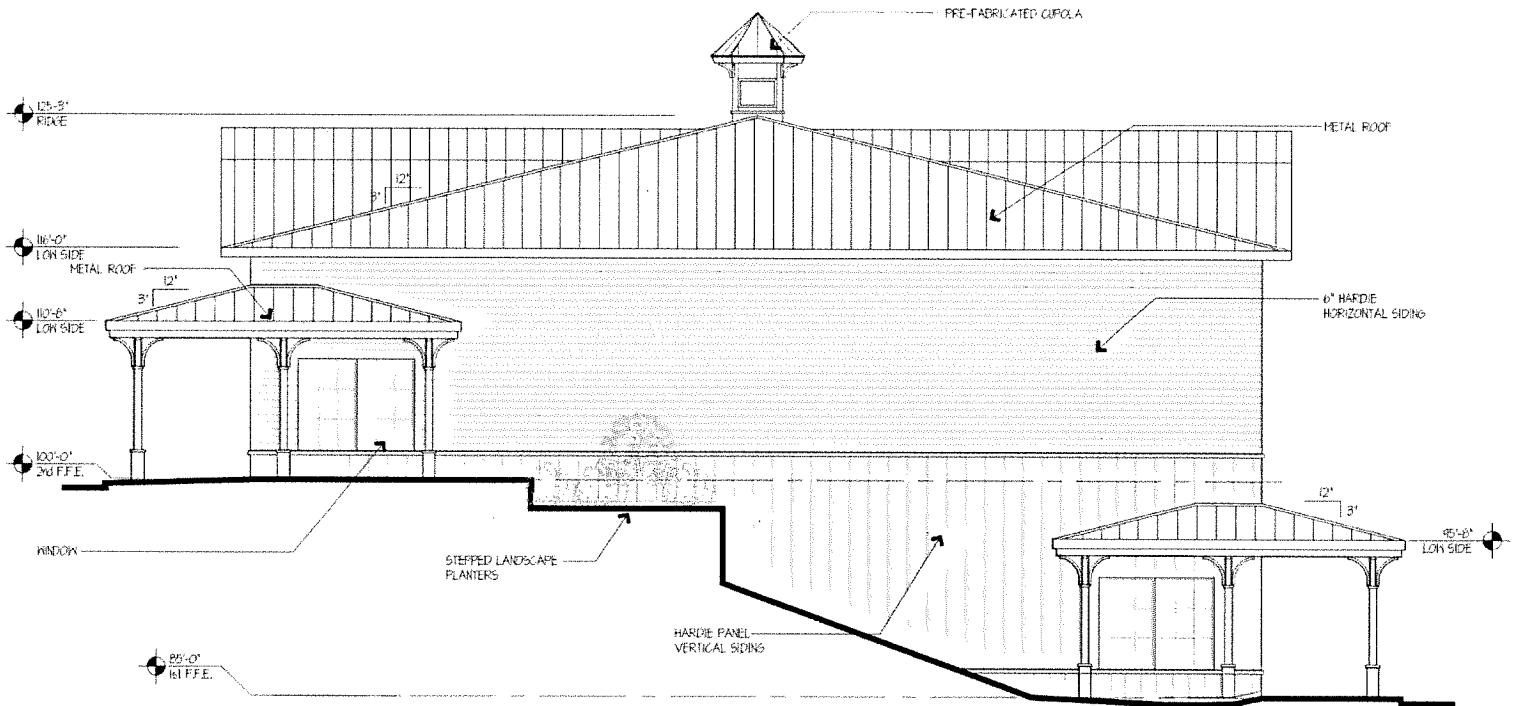
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PARKING ELEVATION

SCALE

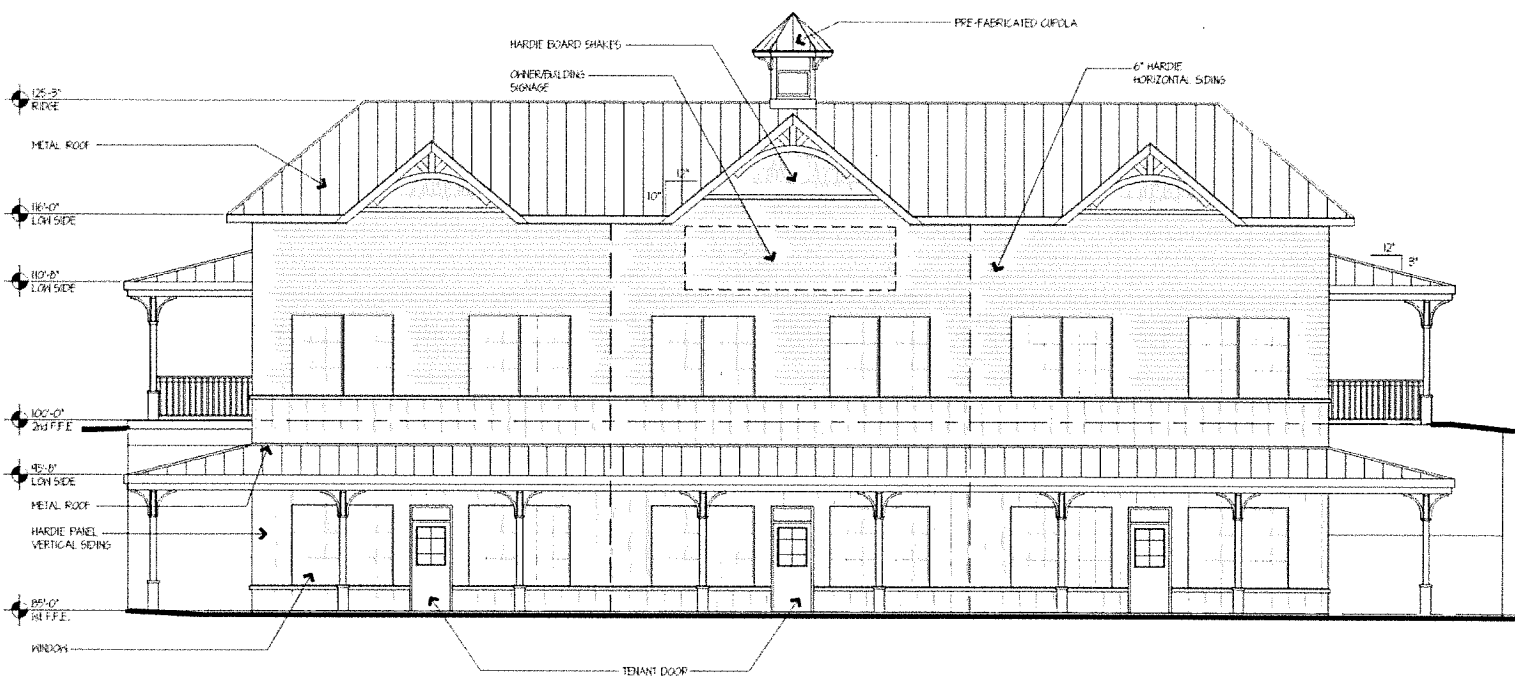
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NORTH ELEVATION

SCALE

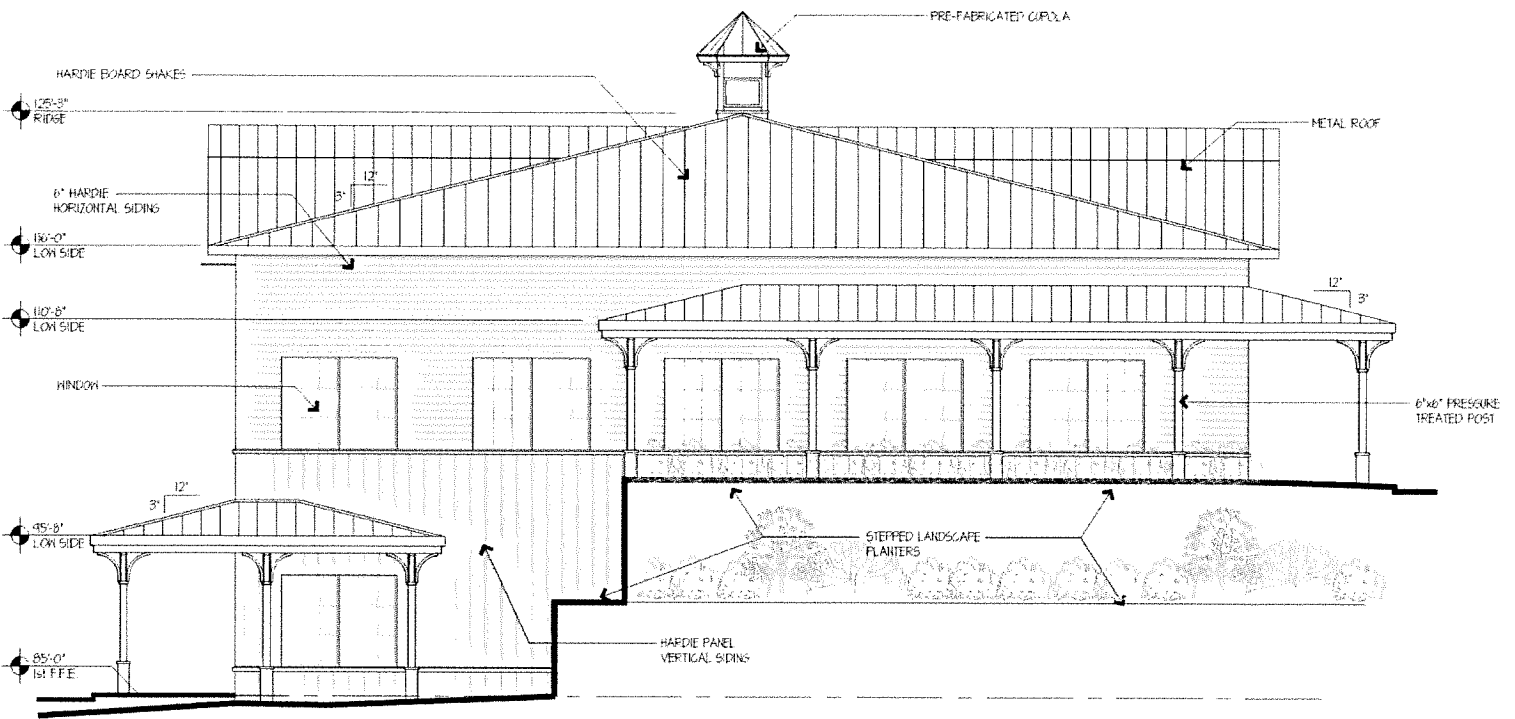
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POPE LICK STATION ELEVATION

SCALE

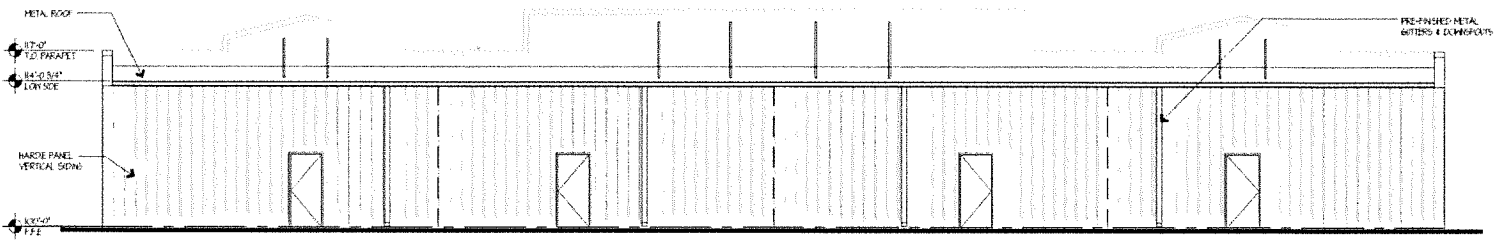
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TAYLORSVILLE ROAD ELEVATION

SCALE

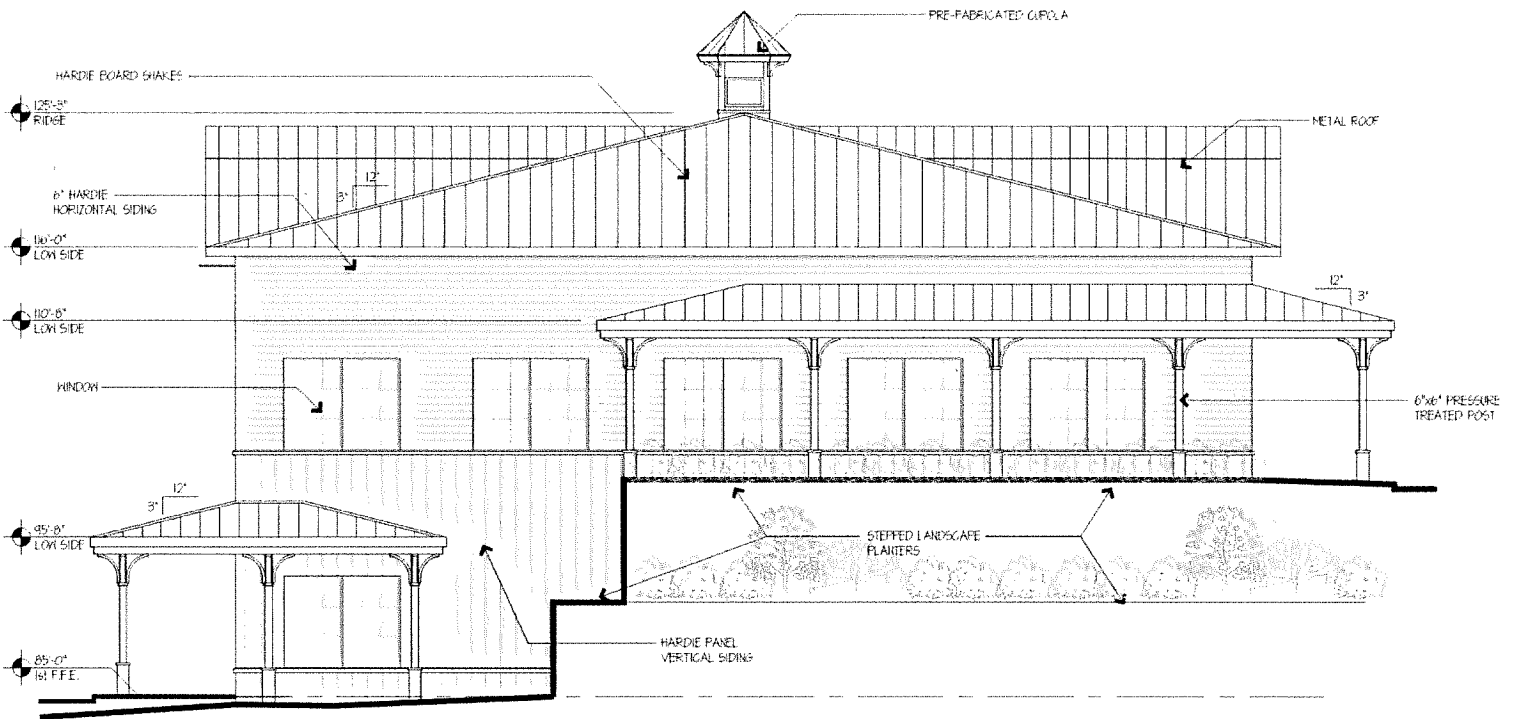
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NORTH ELEVATION

SCALE

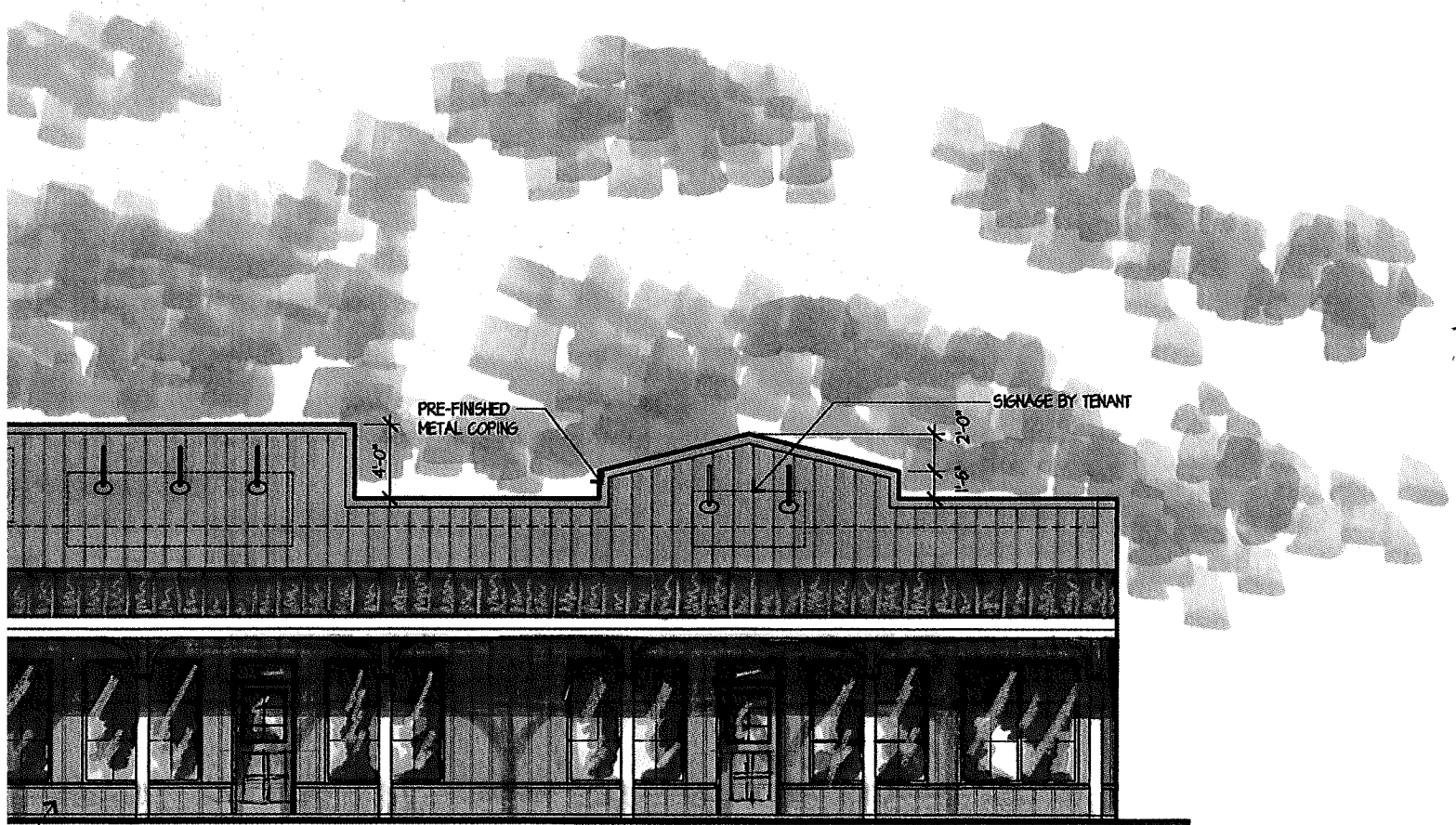
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TAYLORSVILLE ROAD ELEVATION

SCALE

1/8"=1'-0"



TENANT ENTRY

TENANT ENTRY

PRE-FABRICATED GUFOLA



12"

3"

HARDIE PANEL
VERTICAL SIDING

0'-1'-0"