

Docket No. I6ZONEI089

Zone change from R-4 to C-2 with a CUP to allow a self-storage facility on property
located at 4900 S. Hurstbourne Parkway
c/o Luke Williams

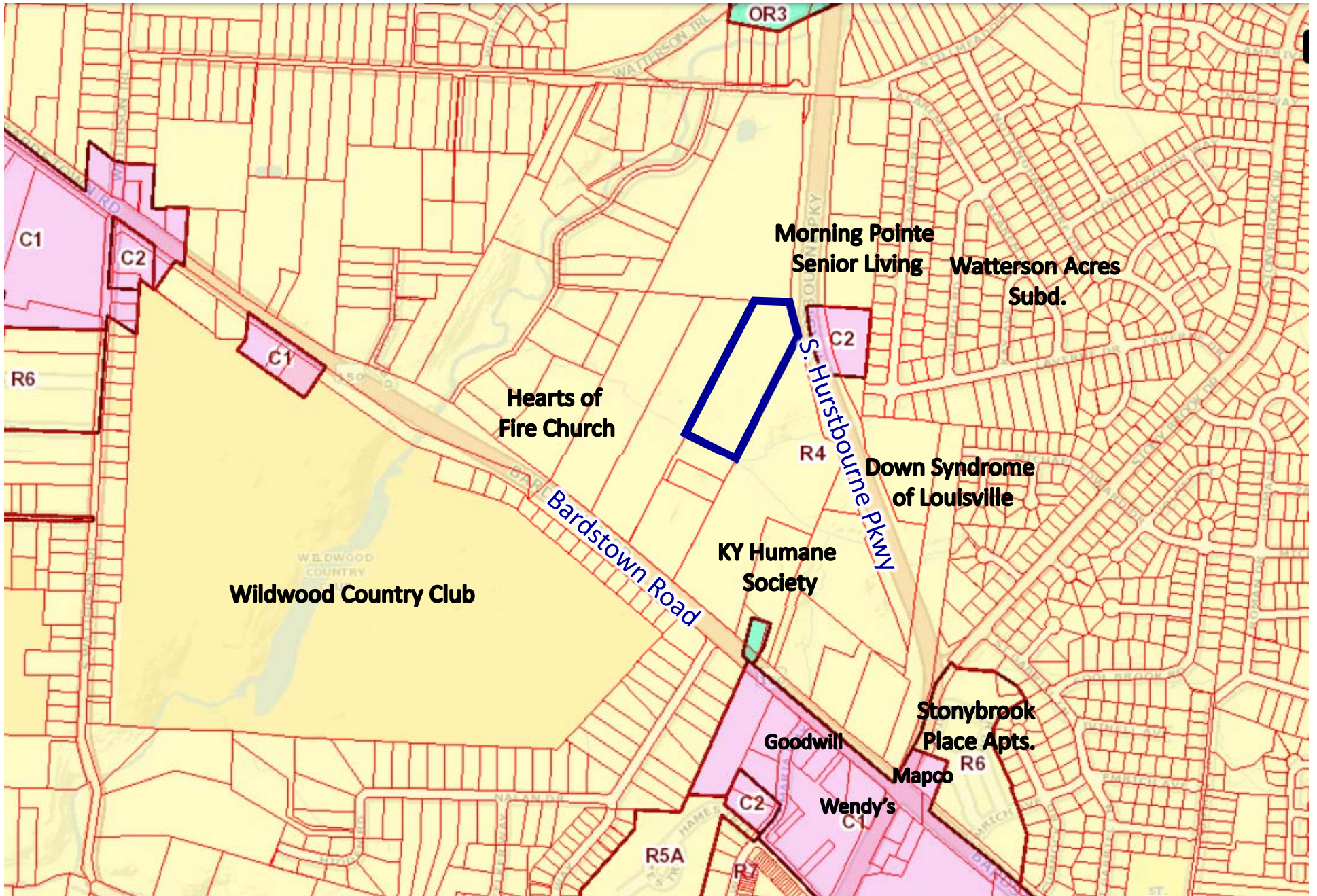
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Tab 1

LOJIC Zoning Map

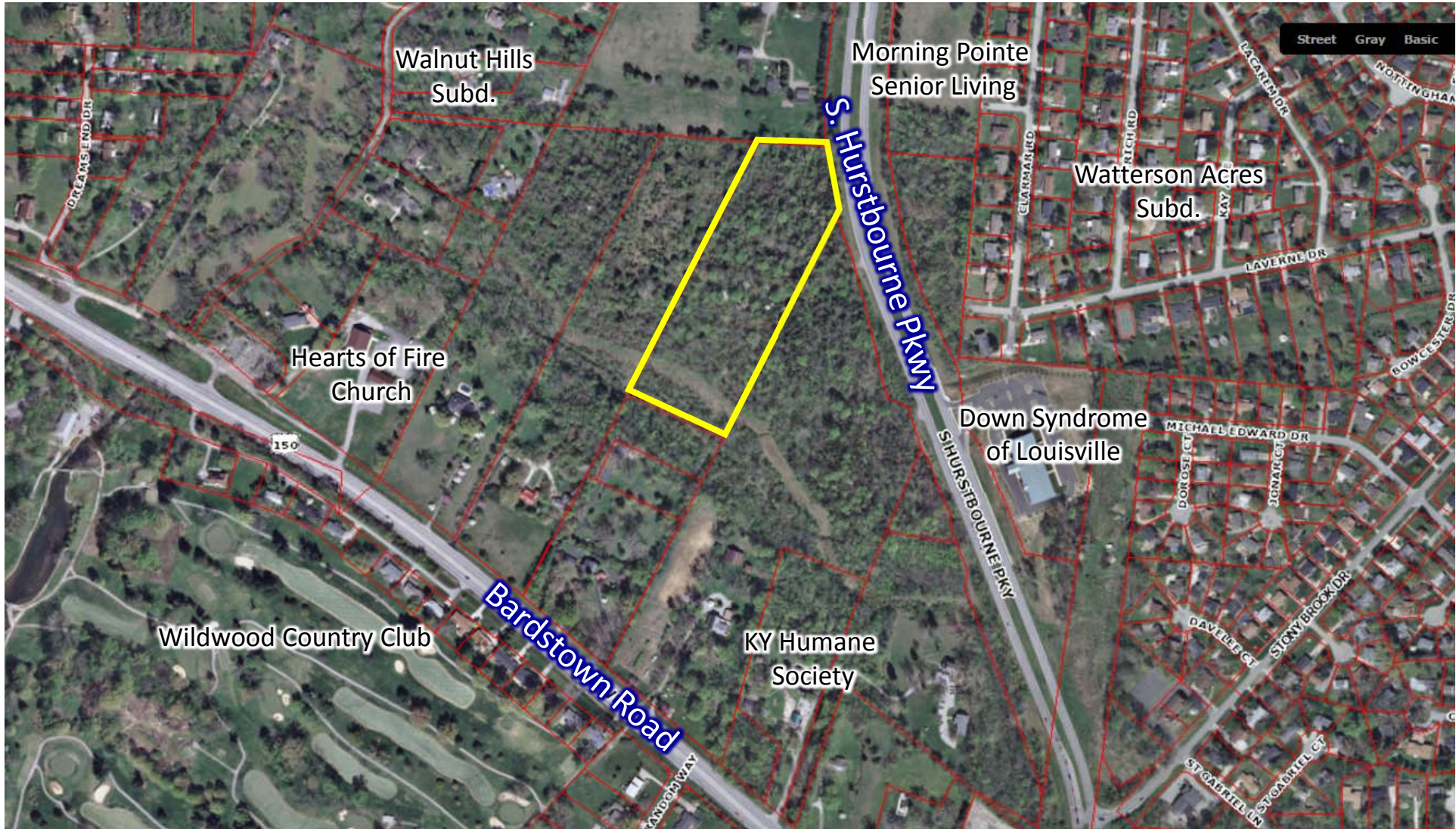




Tab 2

Aerial photograph of the site and
surrounding area





Walnut Hills Subd.

Morning Pointe Senior Living

Watterson Acres Subd.

Hearts of Fire Church

Down Syndrome of Louisville

Wildwood Country Club

KY Humane Society

S. Hurstbourne Pkwy

Bardstown Road

Street Gray Basic

150

DREAMS END DR

ELARMAR RD

RICHARD

LAKERNE DR

NOTTINGHAM

LAKERNE DR

BOW CESTER DR

S. HURSTBOURNE PKWY

MICHAEL EDWARD DR

DORISE CT

JENAR CT

DAVELLE CT

STONY BROOK DR

ST GABRIEL LN

ST GABRIEL CT

KAYDEN WAY



Morning Pointe Senior Living

Watterson Acres Subd.

Walnut Hills Subd.

SITE

Down Syndrome of Louisville

S. Hurstbourne Pkwy

Hearts of Fire Church

KY Humane Society

Bardstown Road

Google Earth

Tab 3

Ground level photographs of the site and surrounding area





Looking south down S. Hurstbourne Pkwy. Site is to the right.



Looking north down S. Hurstbourne Pkwy. from northeast corner of site.

View of full median cut and deceleration lane recently constructed on S. Hurstbourne Parkway looking north. Site is to the left.





View of full median cut and deceleration lane recently constructed on S. Hurstbourne Parkway looking south. Site is to the right.



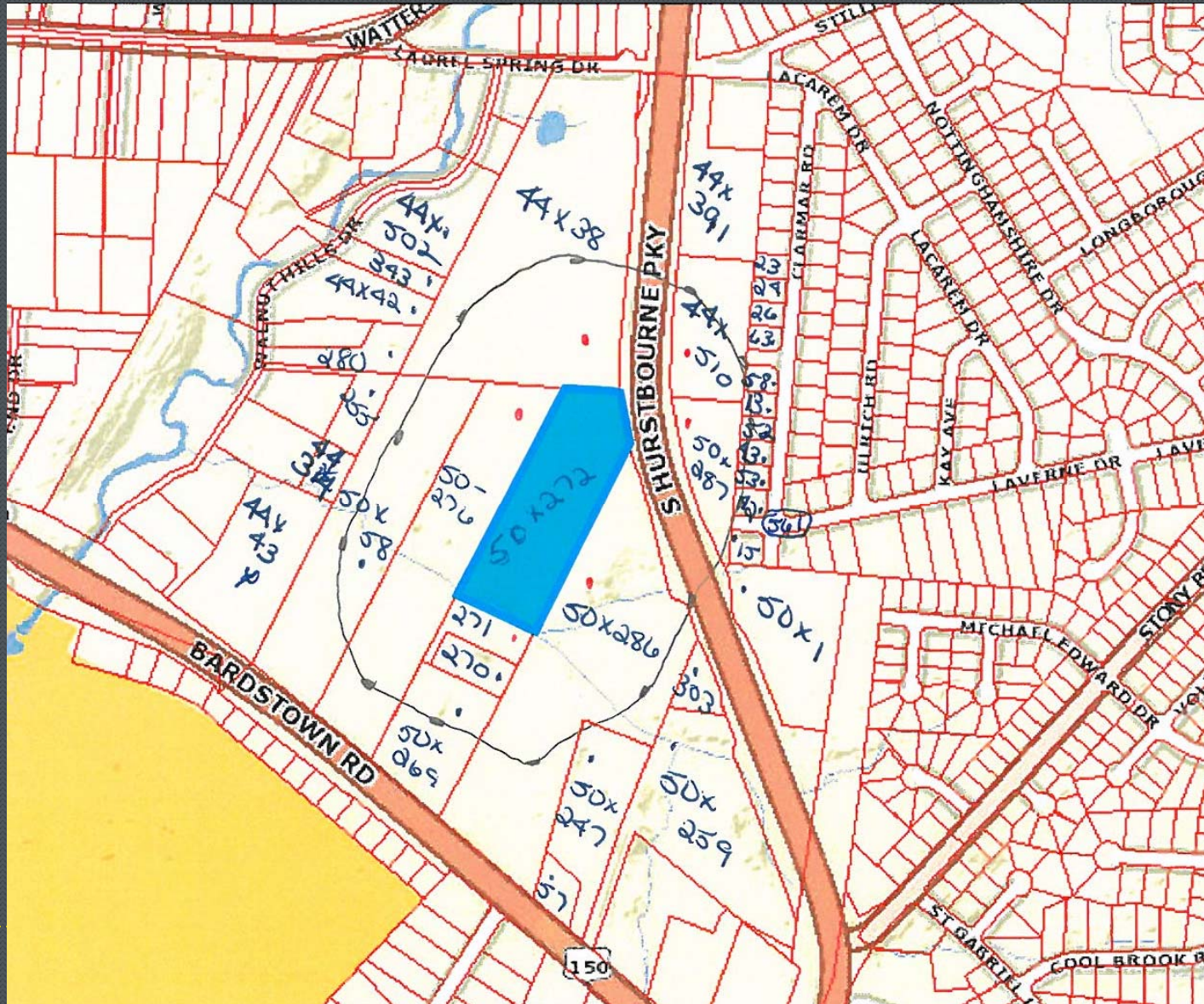
Morning Pointe Senior Living northeast from site across S. Hurstbourne Pkwy. To include 44 senior living apartments.

Tab 4

Neighborhood Meeting notice list map,
letter to neighbors inviting them to the
meeting and summary of meeting



Adjoining property owner notice list map wherein 39 neighbors were invited to the various neighborhood meetings and the subsequent LD&T and Planning Commission public hearing.



BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

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(502) 426-6688 • WWW.BARDLAW.NET

Nicholas R. Pregliasco
Direct dial: 426-0388, ext. 139
Email: NRP@BARDLAW.NET

December 30, 2016

Re: Proposed change in zoning from R-4 to CM to allow a mini-storage facility on unaddressed property located on the western side of S. Hurstbourne Parkway, across Hurstbourne Parkway from and northwest of the Down Syndrome of Louisville building and north of Bardstown Road

Dear Neighbor,

We are writing to invite you to a meeting we have scheduled to present neighbors with our rezoning plan as referenced above.

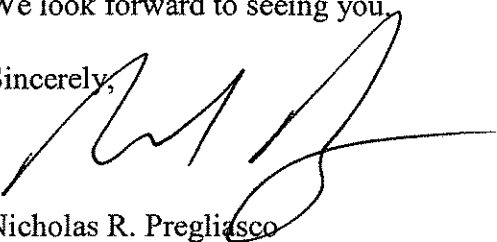
Accordingly, we have filed a plan for pre-application review with the Division of Planning and Design Services (DPDS) that is assigned case number 16ZONE1089. A case manager will also be assigned and we will have that information at the neighbor meeting. We would like to show and explain to neighbors this plan so that we might hear what thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Tuesday, January 17, 2017 at 7:00 p.m. at Hearts on Fire City Church**, located at **5101 Bardstown Road, Louisville, KY 40218**.

If you cannot attend the meeting but have questions or concerns, please call me at 426-6688, or the land planner, Brian Shirley with Arnold Consulting Engineering Services, Inc. at (270) 780-9445.

We look forward to seeing you.

Sincerely,



Nicholas R. Pregliasco

Cc: Hon. Robin Engel Councilman, District 22
Brian Davis, case manager with Division of Planning & Design Services
Luke Williams, applicant
Brian Shirley, land planner, Arnold Consulting Engineering Services, Inc.

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Nicholas R. Pregliasco
Direct dial: 426-0388, ext. 139
Email: NRP@BARDLAW.NET

May 16, 2017

Re: Follow-up meeting regarding the proposed change in zoning from R-4 to CM to allow a mini-storage facility on unaddressed property located on the western side of S. Hurstbourne Parkway, across Hurstbourne Parkway from and northwest of the Down Syndrome of Louisville building and north of Bardstown Road

Dear Neighbor,

We are writing to invite you to a follow-up meeting to the one held January 17th to again present to neighbors the rezoning plan as referenced above.

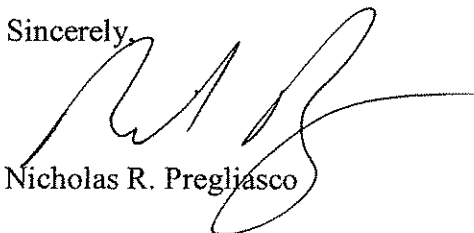
Accordingly, we have filed a plan for pre-application review with the Division of Planning and Design Services (DPDS) that is assigned case number 16ZONE1089 and case manager Joel Dock. We would like to show and explain to neighbors this follow-up plan so that we might hear what additional thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Tuesday, May 30, 2017 at 7:00 p.m. at Hearts on Fire City Church**, located at **5101 Bardstown Road, Louisville, KY 40218**.

If you cannot attend the meeting but have questions or concerns, please call me at 426-6688 or the land planner, Brian Shirley with Arnold Consulting Engineering Services, Inc. at (270) 780-9445.

We look forward to seeing you.

Sincerely,



Nicholas R. Pregliasco

Cc: Hon. Robin Engel Councilman, District 22
Joel Dock, case manager with Division of Planning & Design Services
Luke Williams, applicant
Brian Shirley, land planner, Arnold Consulting Engineering Services, Inc.

Neighborhood Meeting Summary

Two neighborhood meetings were held on Tuesday, January 17, 2017 at 7:00 p.m. and Tuesday, May 30, 2017 at 7:00 p.m. at the Hearts on Fire City Church, located at 5101 Bardstown Road. Those in attendance included the applicant's representatives, Nick Pregliasco, attorney, Daniel Whitley, land planner/engineer, as well as multiple representatives for the applicant.

At both meetings, Nick Pregliasco presented a Powerpoint presentation showing the location of the project, and the details of the proposed rezoning to either CM or, more likely C-2 with a Conditional Use Permit. Mr. Pregliasco started by showing exactly where the property is located as there seemed to be some confusion, namely that the property may abut and have direct access to Bardstown Road, explaining that it does not and the only access will be off Hurstbourne Parkway. He also showed a colored up version of the development plan superimposed on an aerial, and then explained the proposed mini-storage use and layout.

At the first meeting, Nick Pregliasco answered questions from those in attendance, explaining that such items as traffic are negligible with a mini-storage facility as this is a very low traffic generating use compared to most CM or C-2 uses. He also addressed concerns as screening and buffering showing the exact distances the buildings will be set back from Hurstbourne Parkway Road and all of the proposed landscaping and buffering, noting the layout of the lot falls away significantly from the road and most of the buildings will hardly be visible as one story. He answered questions as to access and parking, noting that the proposed Development Plan had far greater parking than is even required. Questions as to a parcel across Hurstbourne Parkway, which had been rezoned for a car dealership were asked. Mr. Pregliasco stated that project many years ago had nothing to do with this proposal. Mr. Whitley answered questions as technical items as to setbacks, etc. on the development plan and the fall of the property. The applicants answered questions as to hours of operation and the management of the facility, etc.

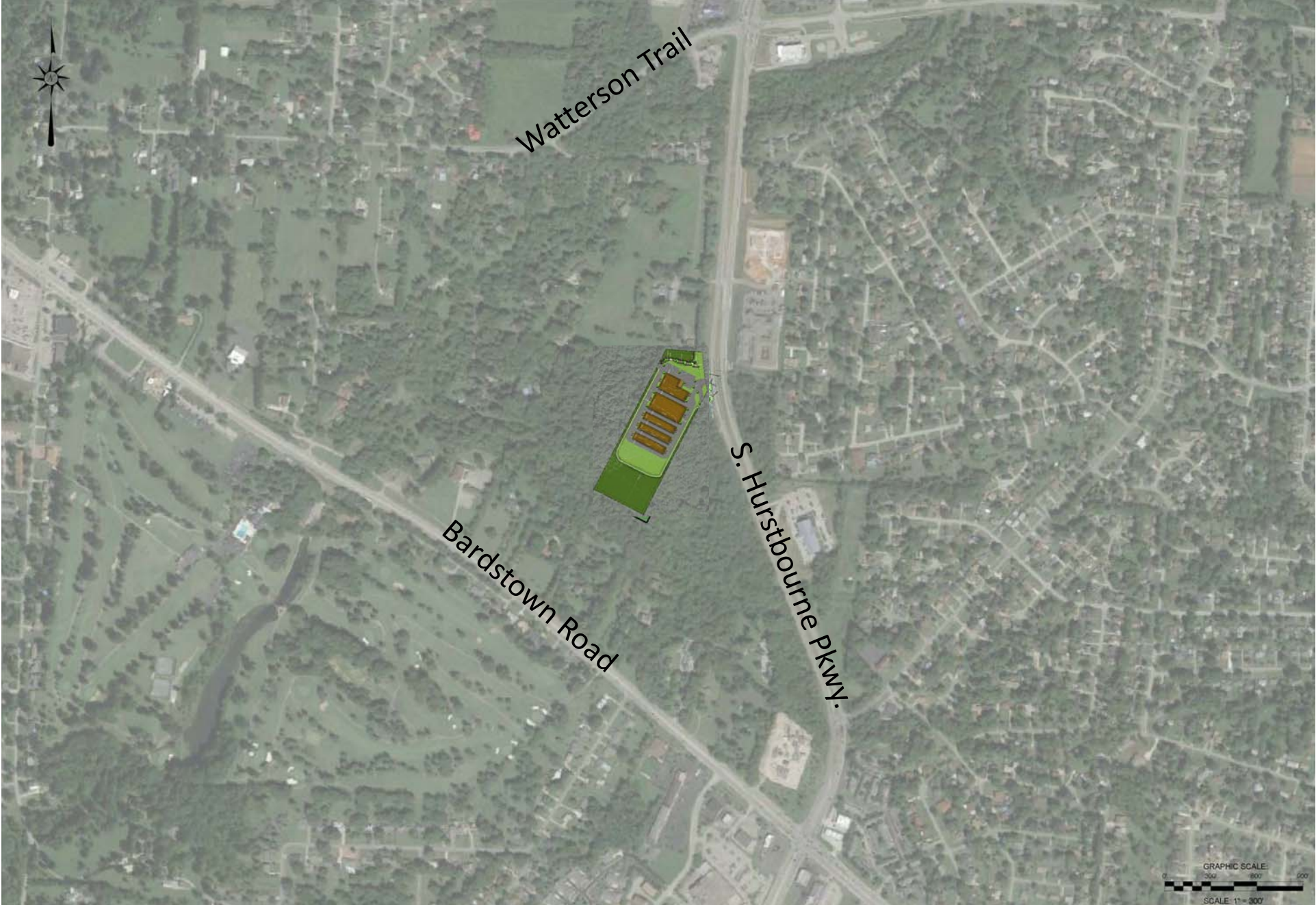
After the meeting, the applicant's land planner/engineer worked with Kentucky Transportation Cabinet and Public Works as to the right in/right out access to the site, ultimately obtaining approval for a full curb cut. Due to the delay in reaching this determination, a second neighborhood meeting was held with Mr. Pregliasco and Mr. Whitley explaining the changes to the development plan, mostly related to the building layout due to the change in the full curb cut and the request from the Archdiocese to have direct access through the development for adjoining property they own. Representatives from the Archdiocese were there as well to answer questions.

Nick

Tab 5

Development Plan





Watterson Trail

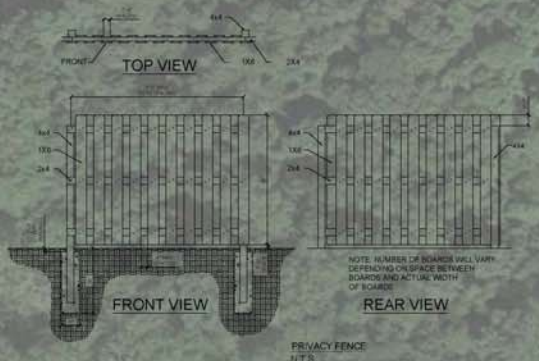
Bardstown Road

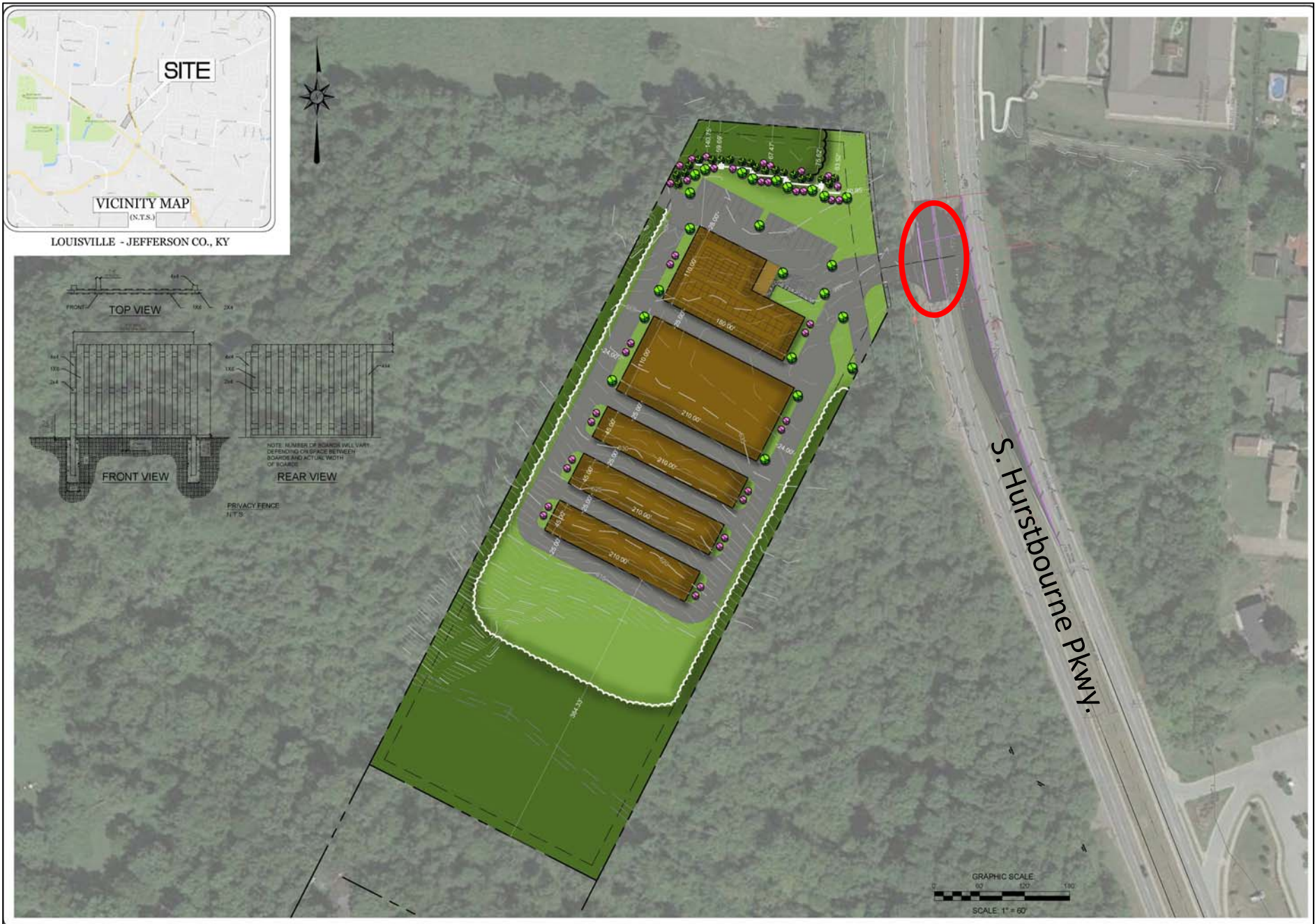
S. Hurstbourne Pkwy.

GRAPHIC SCALE
0 200 400 600
SCALE: 1" = 300'



LOUISVILLE - JEFFERSON CO., KY



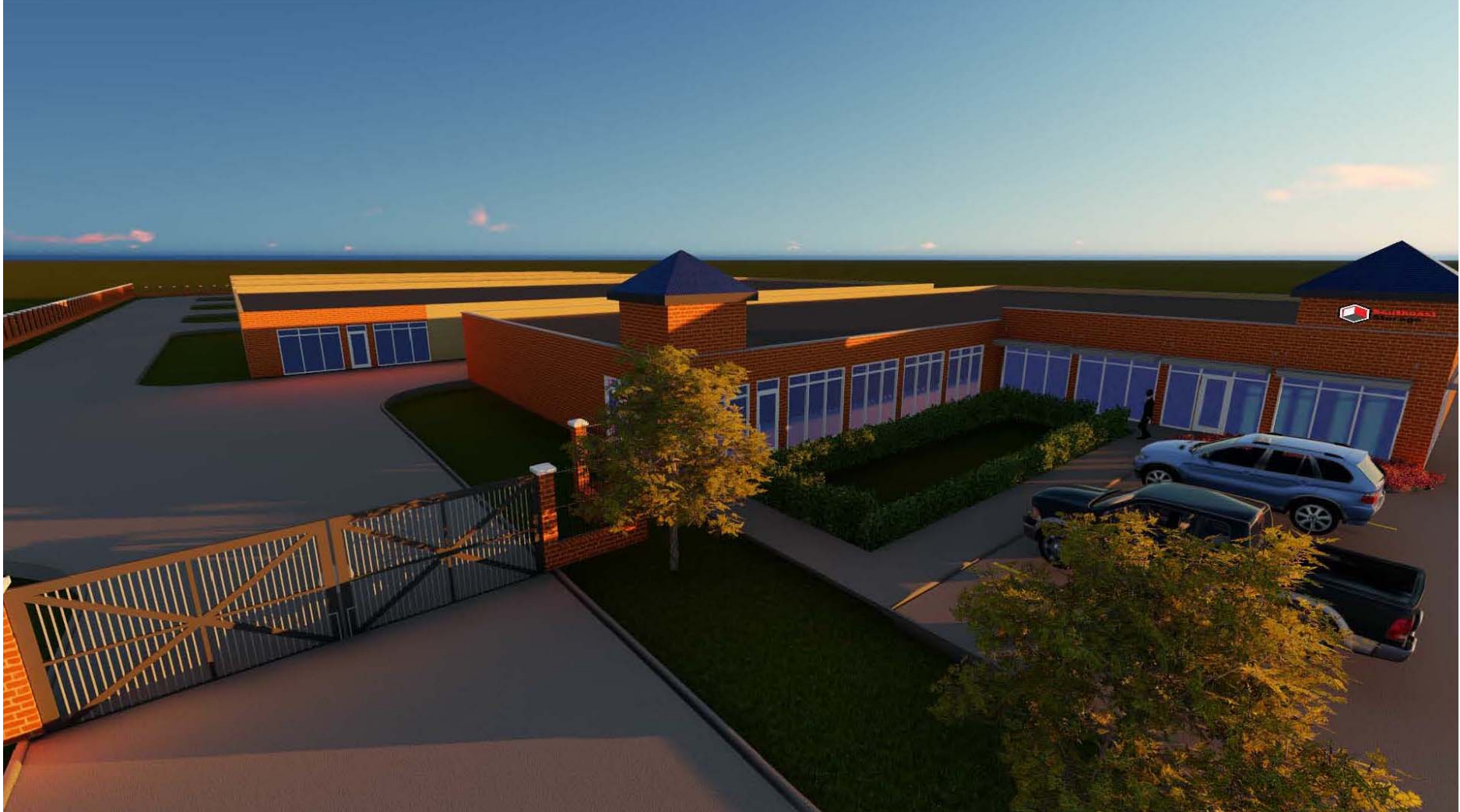


Full median cut and deceleration lane recently constructed

Tab 6

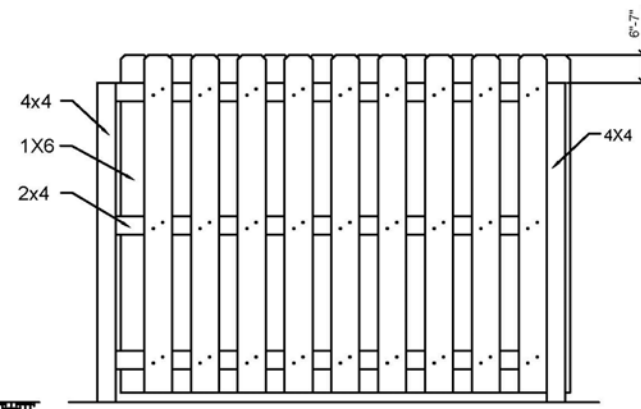
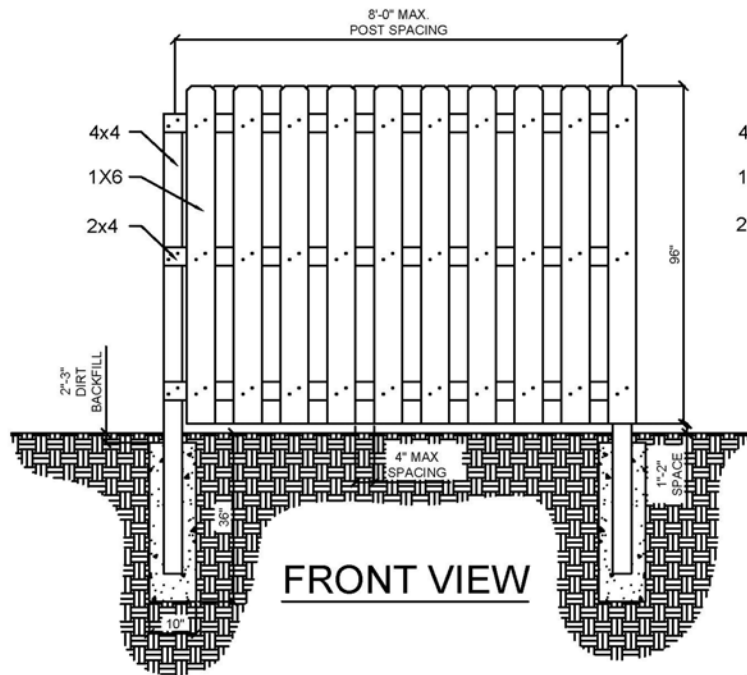
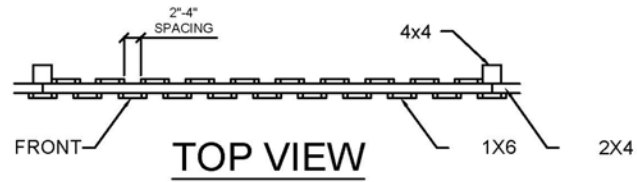
Building Elevations











NOTE: NUMBER OF BOARDS WILL VARY DEPENDING ON SPACE BETWEEN BOARDS AND ACTUAL WIDTH OF BOARDS.

REAR VIEW

PRIVACY FENCE
N.T.S.

Tab 7

Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan



BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

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STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

| | |
|---|---|
| <u>Applicant:</u> | Luke Williams |
| <u>Owner:</u> | MALDS, LLC |
| <u>Location:</u> | No address per PVA; western side of S. Hurstbourne Parkway, and north of Bardstown Road |
| <u>Proposed Use:</u> | Self-storage facility |
| <u>Engineers, Land Planners and Landscape Architects:</u> | Arnold Consulting Engineering Services, Inc. |
| <u>Request:</u> | Zone Change from R-4 to C-2 with a Conditional Use Permit |

GUIDELINE 1 – COMMUNITY FORM

The subject property is located in the Suburban Neighborhood Form District, which is characterized by predominately low to high density residential uses but which may contain appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood – serving uses. What this infers is that a very well screened and buffered self – storage facility along a major arterial is appropriate in a form district such as this because, among other things, it serves the neighborhood.

GUIDELINE 2 – CENTERS

The proposed project complies with all of the applicable Intents and Policies 1, 2, 3, 4, 5, 7, 8, 11, 13, 14, and 16 of Guideline 2 for these reasons.

This is an existing small activity center, because it includes the recently constructed Morning Pointe Senior Living facility and another parcel rezoned C-2 across Hurstbourne Parkway for a proposed car lot, with the current proposed development of similar intensity as the adjoining uses and designed to serve the nearby neighborhoods as there are many residences near Hurstbourne Parkway and Bardstown Road to support this facility. The newly constructed senior living facility across Hurstbourne Parkway will benefit from their utilization of the proposed new storage facility because the senior residents are often downsizing to enter the facility and the residents and their families need storage space. There are not many mini-storage facilities in the area and as an underserved area, this facility promotes an efficient use of land and investment in existing infrastructure, including the extension of Hurstbourne Parkway to this area, and utilizes utilities already available to the site. The recent Kentucky Transportation Cabinet improvements in front of this site, including a median cut and left turn lane into this site and a left turn lane into

the adjoining C-2 property rezoned for a car lot provide additional infrastructure that otherwise would never been used in its current undeveloped state. The proposed development also keeps commuting time between the nearby residents and storage facilities short, brings a diversity of services to the area on a lot that is not suited for most retail development because of the elevation fall from Hurstbourne Parkway reducing visibility necessary for many uses.

This is a small Neighborhood activity center where mixed activities already exist, and the nonresidential nature of this use adds to that mix in an already existing small activity center where a sufficient support population clearly exists in the general area due to the residential subdivisions along Hurstbourne Parkway and Bardstown Road, these Policies of this Guideline are also served.

S. Hurstbourne Parkway is a major arterial and the proposed storage facility buildings are located well away from Hurstbourne Parkway and screened such that cars passing along Hurstbourne Parkway will only view the project if looking for it. The project will provide a stub connection to the adjoining property owned by the Archdiocese of Louisville for use when it is utilized by the Archdiocese, benefitting the Archdiocese who would also be able to use the recently constructed full cut and turn lanes on Hurstbourne Parkway.

GUIDELINE 3 – COMPATIBILITY

The proposed project complies with all of the applicable Intents and Policies 1, 2, 4, 5, 6, 7, 8, 9, 12, 19, 20, 21, 22, 23, 24, and 28 of Guideline 3 for these reasons.

This new storage facility use adds to the mixture of land uses in the immediate area and to the developing area along Hurstbourne Parkway and Bardstown Road and does not involve any known nuisances, as the adjoining properties, with the exception of the residential home to the North, are all wooded and vacant, or otherwise rezoned for development. Prior to filing the application, the applicant met with the property owner to the North and added substantial screening and buffering through landscaping and increasing the distance for the first proposed building to the neighbor's property confirming this addressed the neighbor's concerns. Further, due to the significant elevation drop falling away from Hurstbourne Parkway, most of the buildings will not be visible from Hurstbourne Parkway.

The proposed development plan has been designed to increase the distance from Hurstbourne Parkway and provide additional screening and landscaping. As a storage facility use, it does not involve odors, create traffic or noise, involve unusual lighting or create unacceptable aesthetic impacts. The proposed self-storage facility will be LDC design-compliant, including building materials which are evident within the area and façade treatments that break up the building and make it appropriate at the street level where it is located. It will not involve the storage of hazardous materials. The screening, buffering, and drop in elevation assure that the little parking and small loading areas proposed do not have adverse aesthetic impacts on the properties across Hurstbourne Parkway. Also, it will not involve noise nor more than security lighting, and visually, because it will comply with design criteria of the LDC, it will not have negative aesthetic impacts. Further, the site has been designed taking into account required transitions, buffers, setbacks, and landscaping, as well as signage that is LDC compliant.

GUIDELINE 5: NATURAL AREAS AND HISTORIC RESOURCES

This application complies with the applicable Intents and applicable Policies 1 and 6 of this Guideline as follows.

The proposed development leaves the entire southern portion of the property, which includes a stream, to remain wooded and in its natural state, with the developed portion approximately 360 feet from the southern property line. In preserving this area and the preserving the trees along the east and west property lines, the proposed development will provide more than 50% tree canopy, far more than the 15% LDC required tree canopy. Further, by locating the development away from the southern edge of the property, the development will stay away from the portion of the property with wet and permeable soils and steep slopes.

GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY

This application complies with the applicable Intents and applicable Policies 1, 2, and 6 of this Guideline as follows.

Hurstbourne Parkway and Bardstown Road are expanding commercial corridors evidenced by the recent senior living development across the street. As such, this is a workplace area and thus, although not employing a significant number of people, contributes to the economic health of businesses by addressing their storage needs. Also, as noted above Guideline 2, in an activity center mixed desirable uses are recommended, and will address the storage needs of the area. One of the reasons for that is because Hurstbourne Parkway has a lot of businesses that require storage and is also in close proximity to lots of residential users. The fact that Hurstbourne Parkway is a major arterial, also allows easy access to those that commute along this road.

GUIDELINES 7, 8 and 9: CIRCULATION, TRANSPORTATION FACILITIES, AND ALTERNATE FORMS OF TRANSPORTATION

This application complies with the applicable Intents and applicable Policies 1, 2, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15 and 16 of Guidelines 7, Applicable Policies 1, 8, 9, 10, and 11 of Guideline 8 and Applicable Policy 1 of Guideline 9 as follows.

Most importantly, as a very low traffic-generating use, the proposed self-storage facility will not add to the existing traffic along Hurstbourne Parkway in this area and can reduce traffic being on a road used for many commuters on a daily basis and in close proximity to the nearby residences. As stated, the recent median cut and turn lanes constructed in front of this property result in already installed public infrastructure for this intended use. The existing sidewalk along Hurstbourne Parway will be reconstructed and repaired providing continued pedestrian access. The required right of way for this site has already been dedicate, but any additional right of way required will be dedicated. Further, the development will provide a stub connection providing cross access should the property owned by the Archdiocese ever develop. The proposal also provides more than the required parking for the use.

Access to the site will be designed in accordance with Metro Public Works and Transportation Planning, as well as the Kentucky Transportation Cabinet, requirements with respect to corner clearances, driveway design and so on. This not being a pedestrian or transit used development, it is not really designed with those types of transportation in mind, although sidewalks along its frontage will be provided.

GUIDELINES 10 AND 11: STORMWATER AND WATER QUALITY

The application complies with the applicable Intents and applicable Policies 1, 2, 3, 7, 10 and 11 of Guideline 10 and applicable Intents and applicable Policies 3 and 5 of Guideline 11 as follows.

As usual, stormwater will need to be accommodated on site, thus there will be detention provided through a proposed detention basin. The normal requirement is that post-development peak rates of stormwater run-off may not exceed pre-development peak rates. Also, MSD now has soil erosion and sediment control plus water quality ordinances that must be complied with at times of construction plan approval, and they will be.

GUIDELINE 12: AIR QUALITY

This application complies with the applicable Intents and the applicable Policies 1, 4, 6, 8 and 9 of this Guideline as follows.

As explained above, this being as it is a low traffic-generating use, it will not contribute to air quality problems. Instead, this low traffic generating use will tend to help alleviate that problem, as opposed to high traffic generators that that would contribute to same, as well as reduce traffic by providing this use along an easily accessible major arterial and near the support population. Also the sidewalks along the frontage will be reconstructed and repaired.

GUIDELINE 13: LANDSCAPE CHARACTER

This application complies with the applicable Intent and applicable Policies 1, 2, 4, 5, and 6 of this Guideline as follows.

The LDC includes requirements for both interior and perimeter landscaping, which will be provided. As stated, in preserving the southern portion of the property and preserving the trees along the east and west property lines, the proposed development will provide more than 50% tree canopy, far more than the 15% LDC required tree canopy. All of the requirements of the LDC in this regard will be met.

For all of these and other reasons set forth on the Detailed District Development Plan and Conditional Use Permit site plan accompanying this application and in accordance with evidence presented at Planning Commission public hearings, this application will comply with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

William B. Bardenwerper / Nick Pregliasco
Bardenwerper, Talbott & Roberts, PLLC
Building Industry Association of Greater Louisville Bldg.
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223

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Tab 8

Proposed findings of fact pertaining to
compliance with the Comprehensive Plan



BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

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PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Applicant: Luke Williams

Owner: MALDS, LLC

Location: No address per PVA; western side of S. Hurstbourne Parkway, and north of Bardstown Road

Proposed Use: Self-storage facility

Engineers, Land Planners and Landscape Architects: Arnold Consulting Engineering Services, Inc.

Request: Zone Change from R-4 to C-2 with a Conditional Use Permit

GUIDELINE 1 – COMMUNITY FORM

WHEREAS, the subject property is located in the Suburban Neighborhood Form District, which is characterized by predominately low to high density residential uses but which may contain appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood – serving uses; what this infers is that a screened and buffered self – storage facility along a major arterial is appropriate in a form district such as this because, among other things, it serves the neighborhood; and

GUIDELINE 2 – CENTERS

WHEREAS, the proposed project complies with all of the applicable Intents and Policies 1, 2, 3, 4, 5, 7, 8, 11, 13, 14, and 16 of Guideline 2 because this is an existing small activity center, because it includes the recently constructed Morning Pointe Senior Living facility and another parcel rezoned C-2 across Hurstbourne Parkway for a proposed car lot, with the current proposed development of similar intensity as the adjoining uses and designed to serve the nearby neighborhoods as there are many residences near Hurstbourne Parkway and Bardstown Road to support this facility; the newly constructed senior living facility across Hurstbourne Parkway will benefit from their utilization of the proposed new storage facility because the senior residents are often downsizing to enter the facility and the residents and their families need storage space; there are not many mini-storage facilities in the area and is an underserved area, this facility promotes an efficient use of land and investment in existing infrastructure, including the extension of Hurstbourne Parkway to this area, and utilizes utilities already available to the site; the recent Kentucky Transportation Cabinet improvements in front of this site, including a median cut and left turn lane into this site and a left turn lane into the C-2 property across Hurstbourne Parkway rezoned for a car lot provide additional infrastructure that otherwise would

never been used in its current undeveloped state; the proposed development also keeps commuting time between the nearby residents and storage facilities short; and brings a diversity of services to the area on a lot that is not suited for most retail development because of the elevation fall from Hurstbourne Parkway reducing visibility necessary for many uses; and

WHEREAS, this is a small Neighborhood activity center where mixed activities already exist, and the nonresidential nature of this use adds to that mix in an already existing small activity center where a sufficient support population clearly exists in the general area due to the residential subdivisions along Hurstbourne Parkway and Bardstown Road, these Policies of this Guideline are also served; and

WHEREAS, S. Hurstbourne Parkway is a major arterial and the proposed storage facility buildings are located well away from Hurstbourne Parkway and screened such that cars passing along Hurstbourne Parkway will only view the project if looking for it; the project will provide a stub connection to the adjoining property owned by the Archdiocese of Louisville for use when it is utilized by the Archdiocese, benefitting the Archdiocese who would also be able to use the recently constructed full cut and turn lanes on Hurstbourne Parkway; and

GUIDELINE 3 – COMPATIBILITY

WHEREAS, the proposed project complies with all of the applicable Intents and Policies 1, 2, 4, 5, 6, 7, 8, 9, 12, 19, 20, 21, 22, 23, 24, and 28 of Guideline 3 because this new storage facility use adds to the mixture of land uses in the immediate area and to the developing area along Hurstbourne Parkway and Bardstown Road and does not involve any known nuisances, as the adjoining properties, with the exception of the residential home to the North, are all wooded and vacant, or otherwise rezoned for development; prior to filing the application, the applicant met with the property owner to the North and added substantial screening and buffering through landscaping and increasing the distance for the first proposed building to the neighbor's property confirming this addressed the neighbor's concerns; and further, due to the significant elevation drop falling away from Hurstbourne Parkway, most of the buildings will not be visible from Hurstbourne Parkway; and

WHEREAS, the proposed development plan has been designed to increase the distance from Hurstbourne Parkway and provide additional screening and landscaping; as a storage facility use, it does not involve odors, create traffic or noise, involve unusual lighting or create unacceptable aesthetic impacts; the proposed self-storage facility will be LDC design-compliant, including building materials which are evident within the area and façade treatments that break up the building and make it appropriate at the street level where it is located and will not involve the storage of hazardous materials; the screening, buffering, and drop in elevation assure that the little parking and small loading areas proposed do not have adverse aesthetic impacts on the properties across Hurstbourne Parkway; also, it will not involve noise nor more than security lighting, and visually, because it will comply with design criteria of the LDC, it will not have negative aesthetic impacts; and the site has been designed taking into account required transitions, buffers, setbacks, and landscaping, as well as signage that is LDC compliant resulting in no requested waivers or variances; and

GUIDELINE 5: NATURAL AREAS AND HISTORIC RESOURCES

WHEREAS, this application complies with the applicable Intents and applicable Policies 1 and 6 of this Guideline because the proposed development leaves the entire southern portion of the property, which includes a stream, to remain wooded and in its natural state, with the developed portion approximately 360 feet from the southern property line; in preserving this area and the preserving the trees along the east and west property lines, the proposed development will provide more than 50% tree canopy, far more than the 15% LDC required tree canopy; and by locating the development away from the southern edge of the property, the development will stay away from the portion of the property with wet and permeable soils and steep slopes; and

GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY

WHEREAS, this application complies with the applicable Intents and applicable Policies 1, 2, and 6 of this Guideline because Hurstbourne Parkway and Bardstown Road are expanding commercial corridors evidenced by the recent senior living development across the street; as such, this is a workplace area and thus, although not employing a significant number of people, contributes to the economic health of businesses by addressing their storage needs; also, as noted above Guideline 2, in an activity center mixed desirable uses are recommended, and will address the storage needs of the area; one of the reasons for that is because Hurstbourne Parkway has a lot of businesses that require storage and is also in close proximity to lots of residential users; and Hurstbourne Parkway is a major arterial, which allows easy access to those that commute along this road; and

GUIDELINES 7, 8 and 9: CIRCULATION, TRANSPORTATION FACILITIES, AND ALTERNATE FORMS OF TRANSPORTATION

WHEREAS, this application complies with the applicable Intents and applicable Policies 1, 2, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15 and 16 of Guidelines 7, Applicable Policies 1, 8, 9, 10, and 11 of Guideline 8 and Applicable Policy 1 of Guideline 9 because as a very low traffic-generating use, the proposed self-storage facility will not add to the existing traffic along Hurstbourne Parkway in this area and can reduce traffic being on a road used for many commuters on a daily basis and in close proximity to the nearby residences; as stated, the recent median cut and turn lanes constructed in front of this property result in already installed public infrastructure for this intended use; the existing sidewalk along Hurstbourne Parkway will be reconstructed and repaired providing continued pedestrian access; the required right of way for this site has already been dedicate, but any additional right of way required will be dedicated; the development will provide a stub connection providing cross access should the property owned by the Archdiocese ever develop; and the proposal also provides more than the required parking for the use; and

WHEREAS, access to the site will be designed in accordance with Metro Public Works and Transportation Planning, as well as the Kentucky Transportation Cabinet, requirements with respect to corner clearances, driveway designs and so on; this not being a pedestrian or transit used development, it is not really designed with those types of transportation in mind, although sidewalks along its frontage will be provided; and

GUIDELINES 10 AND 11: STORMWATER AND WATER QUALITY

WHEREAS, the application complies with the applicable Intents and applicable Policies 1, 2, 3, 7, 10 and 11 of Guideline 10 and applicable Intents and applicable Policies 3 and 5 of Guideline 11 because stormwater will need to be accommodated on site, thus there will be detention provided through a proposed detention basin; the normal requirement is that post-development peak rates of stormwater run-off may not exceed pre-development peak rates; and MSD now has soil erosion and sediment control plus water quality ordinances that must be complied with at times of construction plan approval, and they will be; and

GUIDELINE 12: AIR QUALITY

WHEREAS, this application complies with the applicable Intents and the applicable Policies 1, 4, 6, 8 and 9 of this Guideline because this being as it is a low traffic-generating use, it will not contribute to air quality problems; instead, this low traffic generating use will tend to help alleviate that problem, as opposed to high traffic generators that that would contribute to same, as well as reduce traffic by providing this use along an easily accessible major arterial and near the support population; and the sidewalks along the frontage will be reconstructed and repaired; and

GUIDELINE 13: LANDSCAPE CHARACTER

WHEREAS, this application complies with the applicable Intent and applicable Policies 1, 2, 4, 5, and 6 of this Guideline because the LDC includes requirements for both interior and perimeter landscaping, which will be provided; as stated, in preserving the southern portion of the property and preserving the trees along the east and west property lines, the proposed development will provide more than 50% tree canopy, far more than the 15% LDC required tree canopy; and all of the requirements of the LDC in this regard will be met; and

* * * * *

WHEREAS, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books on the approved detailed district development plan, this application also complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan;

NOW, THEREFORE, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-4 to C-2 and approves the Detailed District Development Plan.

NOW, THEREFORE, the Louisville Metro Planning Commission hereby APPROVES the Conditional Use Permit.