

## **Zoning Justification Statement for 18ZONE1095**

**Silver Hawk Trucking**  
5102 E. Indian Trail

The proposal requests a rezoning of a parcel of land (.41 acres) at 5102 E. Indian Trail. The property has no structures on it and has been used as parking area for vehicles and trucks for several years. The applicant did apply for and receive a building permit to fence in the entire yard as a parking area in 2018. As a new owner, he was experiencing trespassing and vagrancy issues on the property.

The applicant is requesting a change in zoning from C-1 to M-2 for heavy truck parking and storage. He owns and operates a small trucking company and needs a location to park his vehicles when they are not on the road. He is willing to limit the site to a specific number of trucks and no nighttime activity. The M-2 zoning district is the least intensive district which allows large truck parking. This activity normally occurs on gravel lots as is present here.

In the Cornerstone 2020 Comprehensive Land Use Plan, the property is a Neighborhood Form District immediately adjacent to the Suburban Workplace Form District. Behind the site to the south is a large site zoned M-1 which is a warehouse facility. Other large warehousing activities are sited to the south. The parcels to the immediate east and west are zoned C-1 and have a car repair shop on the corner and a liquor store to the east. The site is not suitable for residential use and has long served as an open parking or vehicle storage area with no landscaping or enclosed fencing.

The request is for a fenced in parking area for a small trucking business. Improvements will be proposed for a paved entrance, drainage and landscaping. The applicant states the request is appropriate because it is adjacent to several M-1 uses and the suburban workplace district, the site is located on a primarily collector in an area where truck traffic comes and goes with the nearby warehouses, and because the use as a parking area does not represent a change from its past use.

For these reasons and for the reasons set forth below, the requested zoning change is appropriate under KRS 100.213 and consistent with the Guidelines and Policies of the current Comprehensive Plan as explain in detail below.

### **Guideline 1-Community Form**

The Site is located on a primary collector-East Indian Trail with two minor arterial roads -Newburg Road and Shepherdsville within a block. The parcel is currently sitting in the Neighborhood Form District immediately adjacent to Suburban Workplace District. This district extends south and east and contains several warehouse complexes and the GE

complex a couple of blocks to the southeast. This request is for a small tract in a developed area to come into conformance with its historical land use as a commercial parking area and is consistent with a Suburban Workplace District. The small size of the lot .41 acre will allow the site to serve as a parking area but not as a majority of the M2 uses because of its size. A binding element limiting the site to use as a truck parking only will be proposed. The hours of operation will also be specified. No one attended the neighborhood meeting or has expressed any issues or concerns with the rezoning to date. Properly buffered, the site will be more attractive and not cause any discernible changes to the area. This use is encouraging development in a "compact" fashion and in an established commercial area. These factors make the requests compatible with the area and make the requested zoning designations appropriate under Guideline 1, Policy A. 2 a, b, and c. and B 3 and 10.

### **Guideline 3 Compatibility**

This proposal complies with the intent and the policies of Guideline 3 for all the location and design reasons set forth above and below and because this is the continuation of an existing commercial use which is compatible with the neighboring commercial uses.

The parcel has been a graveled parking area for many years. The site by having new fencing, landscaping and a new entrance will improve its appearance. The owner operates a small trucking company and needs a location to park his trucks when they are not on the road. The entrance will have hours of operation to be limited to 7 am to 6 pm. No new nuisances should be created by this operation since it is only occasional truck traffic with a small number of vehicles. The parking lot is existing, so it represents no change to the area.

The proposal is of low impact to the neighborhood since the warehouse uses, truck traffic and parking lots are already present. Thus, traffic and noise should not change by this addition making the proposal meet Guideline 3, Policies 1, 6 and 7.

The site is currently enclosed with a fence. Minimal security lighting is present and will comply with LDC requirements. The tree canopy requirements will be met. Thus, the proposal meets the requirements of Guideline 3, Policies 8, 22 and 24.

### **Guideline 4 Open Space**

The proposal is not subject to Open Space requirements nor does the secured setting promote this need or use.

### **Guideline 5 Natural Area and Scenic and Historical Resources**

This proposal complies with the intent and the policies of Guideline 5 because neither the subject property nor the area has been identified as a natural or historic resource requiring preservation. There are no special districts or soil and slope issues facing this proposal.

## **Guideline 6 Economic Growth and Sustainability**

This proposal promotes and is consistent with the policies of Guideline 6 because the proposal is an investment in an older neighborhood, it is in an area where workplace activities and trucking operations are common and is next to a workplace district consistent with the form district pattern as desired by Guideline 6, Policies 1, 3 and 5.

## **Guideline 7 Circulation**

This Proposal complies with the intent and the policies of Guideline 7 because its site plan provides adequate parking and connections for the size and location of the lot. The lot is meant only for this business' use. It is on a parcel which does not and should not connect to other uses because of security reasons. The site is currently fenced. No access is needed or given to the public. These conditions are the reason no stub connections are proposed to the adjacent lots.

## **Guidelines 8 and 9 Transportation**

The proposal complies with the intent and the policies of Guidelines 8 and 9 because it provides for appropriate circulation and safe and efficient ingress to and egress into this small parking area. Overall, the business is located on a primary collector and one lot from a minor arterial road. There is a TARC stop within 200 feet. The proposal does not impact any environmentally sensitive areas, scenic corridors or streetscape issues.

## **Guidelines 10 and 11 Flooding and Stormwater and Water Quality**

The proposal complies with the intent and the policies of Guidelines 10 and 11 because adequate provisions will be made for storm water management at the site. Appropriate construction practices will be employed to protect water quality by the use of effective sediment and erosion practices in accordance with applicable regulations and best management practices. Further, no portion of the property to be developed is designated as floodplain or a blue line stream.

## **Guideline 12 Air Quality**

The proposal complies with the intent and the policies of Guideline 12 because this type project in a developed area will work to decrease vehicular miles traveled between home and trips to neighboring businesses. The proposal provides an employment location in a developed area. The site is also served by a TARC stop within 200 feet, thus encouraging the use of mass transit reducing vehicular miles traveled by employees or customers. Some sidewalks are available in this area but not in front of this site. Sidewalks are proposed in the Site Plan.

### **Guideline 13 Landscape Character**

The intent of this guideline is to protect and enhance landscape character. This proposal because of existing fencing is requesting landscape waivers on three sides. Trees will be planted to meet tree canopy requirements. There is existing landscaping in the rear and to the east.

### **Guideline 14 Infrastructure**

The proposal complies with the intent and the policies of Guideline 14 because all necessary utilities are available nearby and will be connected via existing facilities.

For these reasons, this proposal to rezone the parcel from C-1 to M-2 to allow for it to serve as parking area for trucks is consistent and in conformance with applicable guidelines of the Cornerstone 2020 Comprehensive Plan and consistent with KRS Chapter 100.