

## **Case No. 14ZONE1001 Findings of Fact**

**WHEREAS**, the Louisville Metro Planning Commission finds that the proposed change in zoning from M-3 Industrial to R-8A Multi-Family Residential on the property located at 1373 Lexington Road complies with Guideline 1 of the Cornerstone 2020 Comprehensive Plan because the proposed development is located within an existing activity center along Lexington Road in a Traditional Neighborhood Form District; the proposed development will enable an old industrial site to be redeveloped into an upscale multi-family residential community; the proposed development will preserve the existing sidewalk and street pattern; streetscape improvements will be made along the Lexington Road frontage to enhance the pedestrian experience; the site design is consistent with the traditional pattern of development, with buildings located along the Lexington Road frontage and parking located primarily to the sides and rear of the buildings; the subject property is located in very close proximity to Breslin Park, a public park just east of the site at the intersection of Lexington Road and Payne Street; and the proposed construction incorporates materials and design features that are compatible with the character of the surrounding area; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guideline 2 of the Comprehensive Plan because the proposed development is located within an existing activity center that contains a mixture of industrial, residential, commercial, and office uses; the site plan incorporates focal points around the site, including a pool, rain gardens, and open space areas around Beargrass Creek; the proposed development allows for the conversion of an old blighted industrial site into a multi-family residential development, which will help to stabilize the area and add to the diverse mixture of uses in the Irish Hill neighborhood; and the proposed development will provide a unique housing type and building style that does not currently exist in the neighborhood; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guideline 2 of the Comprehensive Plan because the proposed development will incorporate streetscape amenities, landscaping, pedestrian connections, and adequate on-site parking; the site design focuses the buildings to the street and away from the natural features of the site, giving greater attention to the buildings and streetscape; the buildings will be articulated to provide visual interest and will include brick and glass materials, transparent doorways and entry areas, and other animating features; the subject site is located along a transit corridor in close proximity to downtown, sidewalks will be provided along the Lexington Road frontage, and bicycle parking will be provided in the development; the proposal represents a compact pattern of development resulting in the efficient use of land; and the proposed mixture of compatible uses will reduce vehicle trips, support the use of alternative forms of transportation, and encourage vitality and sense of place in this traditional neighborhood; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guideline 3 of the Comprehensive Plan because the subject property is located in a mixed-use area along a busy corridor that includes industrial, commercial, office, and

residential uses; directly across Lexington Road from the subject site is the Distillery Commons complex and Headliners Music Hall, both of which are zoned EZ-1; the proposed residential development is compatible with the scale and site design of development in the surrounding area, including Distillery Commons, and with the pattern of development of the Traditional Neighborhood Form District; the vegetation along Beargrass Creek provides a buffer where the site adjoins the higher intensity M-3 and EZ-1 zoned properties; and the proposed rezoning will not adversely impact the surrounding area;

**WHEREAS**, the Planning Commission further finds the proposed rezoning complies with Guideline 3 of the Comprehensive Plan because the proposed buildings will incorporate architectural design features compatible with the character of the surrounding neighborhood; the buildings will be oriented towards the street frontage with setbacks that meet the form district standards; the proposed development will contain sufficient parking to the sides and rear of the buildings to serve the needs of the residents of the development and their guests; the subject site's two access points are off of Lexington Road and are designed and located to be safe and convenient for motorists and pedestrians, and will not negatively impact nearby properties; the proposed residential development is appropriately located on a transit corridor; sidewalks and internal pedestrian connections are being provided to ensure the development is highly accessible by all modes of transportation; the proposed development contains trees and other landscaping along the Lexington Road frontage and throughout the site to break up parking areas and enhance the aesthetic character of the development; and the proposed development's outdoor lighting and signage will comply with Land Development Code requirements and will not negatively affect nearby residential properties; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guideline 4 of the Comprehensive Plan because the subject property is located in close proximity to Breslin Park, a public park; in addition, the proposed development contains large areas of open space along Beargrass Creek as well as throughout the development; the open spaces around Beargrass Creek will serve as natural buffers against the adjacent higher density zoning districts and will help treat some of the site's run-off before entering the creek; and green infrastructure measures are being incorporated into the site development, including rain gardens and bio-cells, which will provide additional water quality benefits and reduce the volume and flow of stormwater runoff; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guideline 4 of the Comprehensive Plan because the proposed development respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes land disturbance and environmental degradation; the proposed development preserves the required stream buffer along Beargrass Creek, and will integrate bio-cells which will provide additional water quality and stormwater drainage benefits; and the proposed buildings will be constructed on podiums to ensure there are no negative impacts to the watershed and its capacity to carry stormwater; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guideline 6 of the Comprehensive Plan because the subject property is located within an existing activity center along Lexington Road near the intersection of Payne Street; and the proposed development represents a significant investment in the redevelopment and rehabilitation of a vacant, blighted industrial site in a manner that is consistent with the Traditional Neighborhood Form District; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guidelines 7, 8 and 9 of the Comprehensive Plan because the subject site is located on Lexington Road, a minor arterial, near the intersection of Payne Street, a primary collector to the north and local road to the south, which together will provide adequate carrying capacity to handle the traffic going to and from the development; additional right-of-way will be dedicated along Lexington Road to accommodate future improvements; the two entrances to the development are designed to ensure the safe and efficient movement of pedestrians and vehicles without causing a nuisance to adjacent property owners; sufficient vehicle parking spaces, including handicapped spaces required by the ADA, are provided on site; and parking is located primarily to the sides and rear of the proposed buildings in conformance with Traditional Form District standards; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guidelines 7, 8 and 9 of the Comprehensive Plan because the subject property provides bicycle parking on site; the sidewalks along the Lexington Road frontage will be improved and pedestrian connections will be provided from the public sidewalk to the proposed development; the subject site is located along a TARC route, ensuring an adequate level of public transit service; the proposed development accommodates all modes of transportation by providing for the movement of pedestrians, bicyclists, vehicles and transit users to, from, and through the development; and being located in an activity center on a minor arterial roadway in close proximity to neighborhoods and downtown Louisville, with adequate pedestrian, bicycle, and transit service, the subject site is located where transportation infrastructure exists to ensure the safe and efficient movement of people and goods; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guidelines 10 and 11 of the Comprehensive Plan because the buildings will be constructed on podiums to ensure there are no negative impacts to the watershed and its capacity to carry stormwater; the proposed development is located on a site that will enable proper stormwater handling and release management that will not adversely affect adjacent and downstream properties; Beargrass Creek will be maintained in its current location and buffered in accordance with Land Development Code requirements; the proposed development's large open space areas around Beargrass Creek as well as the green infrastructure measures that will be incorporated into the development will provide water quality benefits by treating stormwater runoff before it enters the creek; the addition of landscape islands, bio-cells and other open space throughout the development will significantly improve the stormwater maintenance on

the site; the proposed development minimizes impervious area by providing parking under the buildings; and an erosion prevention and sediment control plan will be implemented prior to construction utilizing best management practices as required by the Metropolitan Sewer District; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guideline 12 of the Comprehensive Plan because the proposal represents an efficient land use pattern and utilizes current traffic patterns; the proposed development will enable and promote a reduction in vehicle miles traveled and increased pedestrian travel, resulting in a reduction in commuting time and transportation-related air pollution; the subject site is located on a minor arterial and the existing roadway infrastructure provides adequate capacity for the traffic going to and from the development; and the proposed development will promote bicycle transportation due to its proximity to the Central Business District, Beargrass Creek Parkway and other surrounding neighborhoods; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guideline 13 of the Comprehensive Plan because the tree canopy will be provided in accordance with the Land Development Code; a vegetative buffer will be preserved along Beargrass Creek to not only buffer the proposed development from surrounding properties, but also to preserve a natural greenway corridor that can provide habitat areas and allow for wildlife migration; the proposed development will utilize native plant species in the landscape design, street trees will be planted along Lexington Road to enhance the streetscape; significant interior landscaping will be installed throughout the site and in the vehicular use areas, which will enhance the buildings, break up the parking areas, and enhance the overall visual quality of the development; and outdoor signage and lighting will comply with the Land Development Code and will be compatible with the surrounding area; and

**WHEREAS**, the Commission further finds that the proposed rezoning complies with Guidelines 14 and 15 because the subject property is served by existing infrastructure and all necessary utilities, including water, electricity, telephone and cable; and the development has an adequate supply of potable water and water for fire-fighting purposes and is served by the Louisville Fire Department; and

**WHEREAS**, the Commission further finds that, based on the evidence and testimony presented, the staff report, and the applicant's justification and findings of fact 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 proposed change in zoning from M-3 Industrial to R8-A Multi-Family Residential on property described in the attached legal description be **APPROVED**.