

Zoning and Development Justification Statement and Analysis

Logistics AirPark

5540 Minor Lane, Louisville KY 40219

Nicklies Development
6060 Dutchman's Lane, Suite 110
Louisville, Kentucky 40205

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August 27, 2018

A. Description of Logistics AirPark

Nicklies Development proposes to develop 61-acres located on the northeast quadrant of the I-65 / SR 1065 (Outer Loop) interchange. Logistics AirPark (LAP) will be a Planned Employment Center servicing and supportive of the adjacent neighborhoods, Louisville International Airport, Ford Motor Company, UPS, and General Electric Appliance Park. LAP is planned to contain Class A flexible light premium warehouse and light industrial space for single or multi-tenant use, along with Neighborhood and Park supportive commercial space.

B. Property History

Previous entitlements between 1996 and 2015 included granting development approval of commercial zoning and plan approval for a mixed use commercial and residential development which was completed in the summer of 2004. During this 23 year process considerable analyses were conducted to assess the impact proposed development would have on traffic, air quality, water quality, archaeology, storm water runoff, and wetlands. Throughout the past history of planning the site, many development issues were addressed to the satisfaction of the local, state, and federal authorities. The following is a list of past documents, entitlements, and permits associated with this property, some while it was being looked at for other more intense uses.

1. Archeological Survey of a Proposed Multi-Use Development. Cultural Resource Analysts. March 24, 1999
2. The majority of the property was zoned commercial and a Detailed District Development Plan was approved in May, 2004
3. Phase II Management Summary and Mitigation Plan, site 15JF674. August 26, 2005
4. A Revised Detailed District Development Plan was approved in 2006
5. Kentucky Division of Water, Water Quality Certification 2007-0003-2, USACE Publication Notice No. 200500917
6. Kentucky Division of Water, Stream Construction Permit No. 16268. February 1, 2007
7. Memorandum of Agreement Among the US Army Corps of Engineers, Louisville District, The Kentucky State Historic Preservation Officer, and Hagan Properties, LLC. (Signed by the USACE, the Kentucky Heritage Council, Hagan Properties, the United Keetoowah Band of Cherokee Indians of Oklahoma, and the Shawnee Tribe). February 5, 2007
8. USACE Permit Number 200500917-pjl authorizing the plan to place fill into jurisdictional wetlands. March 30, 2007
9. A Revised Detailed District Development Plan was approved July 25, 2007
10. Aquatic Resources Survey Proposed Menard Commercial Development. June 12, 2015

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11. USACE Approved Jurisdictional Determination of Waters of the United States. August 31, 2015
12. Site 15JF674 Phase II Archeological Testing Report, 2018 Update to the Original 2008 Submittal, Jeannine Kreinbrink, MA, RPA. Finalized April 2018

C. Requirements of the Project

Several alternative layouts were reviewed and analyzed for the proposed site design. The following critical criteria shaped the site selection and layout.

1. LAP depends on existing roadway infrastructure capable of carrying over the road truck traffic efficiently to the environs adjacent to the Louisville International Airport.
2. The site must not compete with and alter existing traffic patterns.
3. The site must have a barrier between any residential areas.
4. Buildings must have 'cross-dock' loading – this requires a minimum width of 450.' Without this type of loading, the proposed buildings would not meet the minimum standards of many potential tenants. Such tenants in this area cater to the Ford Motor Company, United Parcel Service and the Louisville International Airport.
5. Maximize the potential square footage of the proposed building.
6. Provide sufficient employee parking.
7. Provide 'truck trailer' parking.
8. Provide onsite floodplain compensation at a 1.5:1 ratio and compensation for the increased impervious area. Providing this onsite provides necessary floodplain storage at the location where the storage is lost.

Site Constraints

The site has several constraints that limit the configuration of the proposed structure and parking, including:

1. The site is not square in shape due to many encumbrances such as Interstate 65.
2. A 48" water supply line and easement exists running east to west across the site.
3. Residentially zoned property exists to the east, requiring a landscape buffer.
4. The portion of land best suited for detention is located in the widest and most usable part of the property making it especially difficult to develop in this area.
5. Archaeological Site 15JF674 (which is being preserved)

The above criteria and constraints were evaluated to determine the best layout for the existing site. With the shape of the lot, the location of the wetlands and stream, and the necessary configuration of the buildings, parking, and detention it has been determined that impacting approximately seven acres of wetlands is necessary.

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However, our company has access to, owns, and has rights to mature pristine wetland credits on two separate properties including a Pond Creek location.

Site Attributes

The proposed site has these attributes:

1. Interstate 65 is a main north-south corridor in Kentucky. Development at this site possess little to no negative impacts to surrounding properties due to the existing interstate access which affords traffic avoiding high density residential areas. Brooks and more southern exits on I-65 do not afford similar designs.
2. MSD is supportive of the concepts and plans we have proposed for flood plain mitigation and storm water management.
3. The current development design is expected to significantly increase average annual sales per square foot of nearby commercial/retail space within the market area.
4. LAP is bounded on the west by I-65, on the north by a detention basin, and on the south by the Outer Loop/I-65 interchange.
5. LAP is located directly off Interstate 65 in in Jefferson County. An alternative site, located at the Brooks, KY exit is located approximately 6.7 miles further south from the UPS Worldport facility on Fern Valley Rd (Exit #128) next to the Louisville International Airport.
6. Between Brooks, KY and UPS Worldport, there is only one junction for Outer Loop (Exit #127); and one interchange with Interstate 265 (Exit #125). Outer Loop provides access to residential neighborhoods to the east for employee housing.
7. The nearest junction along I-65 (to the south of the Brooks Road exit) is approximately 4.1 miles further in Shepherdsville, KY (Exit 117). It is important to note that there is land zoned for industrial, however, it is being developed for commercial and other uses. However, some of them are located at least half a mile to a mile from the interstate exit. Compared to the subject property at the Outer Loop, these facilities and available ground are mostly occupied; and available ground for development would produce an additional distance of at least 11.1 miles, or 22.2 miles for the user when including return trips.

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D. Alternative Sites Evaluation

There are few sites that meet even some of the development criteria. These are discussed here:

1. Outer Loop and I-65 southwest quadrant: This location has the same travel distance as the proposed site although access is not as good. The limiting factors for this site, however, are the presence of extensive wetlands, flood plain storage facilities and inadequate infrastructure.
2. Fern Valley Road and I-65: This site has good traffic flow but is less attractive since it is already developed and smaller in size. Ford Motor Company, UPS, industrial and commercial developments occupy most of the available space.
3. Brooks Exit at I-65: The travel distance causes fuel costs to sky rocket. Available space has recently been taken by warehousing and a hospital and planned commercial development. The area also has limited sanitary sewer capacity that limits developments that have a high sanitation sewer demand. Therefore, the site is unacceptable.
4. Shepherdsville, KY (Exit 117): This site is much too far from the Louisville International Airport and potentially adds additional miles creating an added fuel cost of \$1,672,992 to \$2,788,320 PER YEAR for a 600,000 square foot facility. This calculation does not include and lost employee time. Over ten (10) years, a site in Shepherdsville would add \$16.73 - \$27.88 million in fuel costs alone compared to the subject site off of the Outer Loop.

E. Environmental Impacts and Mitigation

Wetlands: There are 6.97 acres of wetlands reported for the site. These will be mitigated using wetlands developed, managed, and matured on two separate properties owned by the Applicant.

Archaeological: On July 30, 1999, the Department of the Army issued a permit to allow the placement of fill material into 2.1 acres of jurisdictional wetland in connection with the proposed implementation of the former Shadow Wood plan. Special Condition of the permit required the developer to conduct further archaeological investigation if the developer intended to utilize the area designated as archaeological site 15JF674 and previously identified in a 1999 Archeological Survey prepared by Cultural Resource Analysts, Inc. Subsequent to the July, 2004 approval of the rezoning request by Louisville Metro, the former land owner retained Natural and Ethical Environmental Solutions, LLC to prepare a Phase II Work Plan as specified by the

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Special Condition of the permit. That work plan was approved by the SHPO and ACOE in November, 2004, and actual field investigations were performed by Natural and Ethical Environmental Solutions between April and June 2005. The Phase II investigations included the discovery of intact cultural features as well as 15 human skeletal remains. The Phase II Management Summary and Mitigation Plan for site 15JF674 were delivered to ACOE consulting archaeologist, Ms. Susan Neumeyer, on August 26, 2005.

Since then, a Memorandum of Agreement was authorized and executed Among the US Army Corps of Engineers, Louisville District, The Kentucky State Historic Preservation Officer, and Hagan Properties, LLC. (Signed by the USACE, the Kentucky Heritage Council, Hagan Properties, the United Keetoowah Band of Cherokee Indians of Oklahoma, and the Shawnee Tribe). February 5, 2007. Lastly, a report titled "Site 15JF674 Phase II Archeological Testing Report, 2018 Update to the Original 2008 Submittal", was completed by Jeannine Kreinbrink, MA, RPA, K&V Cultural Resources Management, LLC and original report author. Finalized April 2018.

Our approach will be to honor the previous reports and avoid any disturbance to the Archaeological site 15JF674.

F. Request Summary

A zone change, a Form District Change and an approval of a detailed district development plan is requested for real property comprising 61.37 acres, more or less, located at 5540 Minor Lane, Jefferson County, City of Louisville, Commonwealth of Kentucky 40219 (Property).

The Property at 5540 Minor Lane is currently zoned C-2, R-4, and R-7. The request is to rezone the Property to PEC (Planned Employment Center), and to change the Form District to Suburban Work Place... This would allow LAP to provide:

1. Development for primary job creation in an area which is now or can be served by rail; and
2. Compatibility between nearby operations within adjacent Suburban Workplace Form Districts; and
3. Opportunities for employment close to residential areas, which will reduce travel time from home to work and lesson the burden on public streets and transit systems; and
4. Outstanding access to the city's major transportation arteries.

Direct access to key transportation routes is paramount for businesses in the distribution, logistics and light manufacturing industries. Getting materials on the road or rails efficiently and consistently is an invaluable strategic advantage that

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tenants at LAP will enjoy. Primary east/west and north/south highways are directly accessible within minutes.

LAP will consist of uses allowed in the PEC Zone Districts. It is planned that building construction will allow for flexible use to accommodate office, manufacturing and assembly activities, and product distribution to the environs of the Louisville International Airport.

LAP may become one of the most significant developments of its kind Louisville Metro, and possesses unique characteristics unmatched by other alternatives. It is located adjacent to the most traveled section of interstate highway in the Commonwealth of Kentucky. With just over 330,000 vehicles traveling past the site on a daily basis,

Moreover, LAP will be positioned in one of the nation's best performing areas for such developments--the I-65 & South Louisville Airport sub-market in Louisville. From standing as the hub of UPS' World Port, Louisville's Airport is the 7th busiest cargo airport in the world, between Dubai International Airport of the United Arab Emirates, and the Charles de Gaulle Airport outside Paris, France.

The Property allows for the required strategic positioning of buildings to possess a floor area equating to approximately 1 million leasable square feet, enabling easy subdivision to match the high demand for logistical space within the market and quick leasing absorption for property stakeholders. Alone, the pent-up demand for easily sub dividable buildings such as this is immense. The supply for available buildings and developments consisting of such flexible market ready space in excess of 500,000 square feet and above, which typically cater to larger tenants, is limited.

The Property is exceptionally well-located off Interstate 65, and is in immediate proximity to the Louisville International Airport and UPS's World Port. The Louisville International Airport has stood as UPS's World Port, the state's largest employer of over 20,000 employees, for over 3 decades. Furthermore, UPS has demonstrated its commitment to Louisville and the surrounding area by investing over \$5 billion in UPS' operations infrastructure. This Property and the associated development plan, benefits from standing less than 2 miles from the Airport and less than 3 miles to Ford Motor Company's distribution plant (which houses more than 8,500 employees). The I-65 and Outer Loop location offers excellent operational benefits to Third Party Logistics providers and e-commerce retailers. The Property's location is easily accessible via the Outer Loop Exit off Interstate 65. The Property is in walking and/or short driving distance to other amenities which directly benefit the tenancy and its employees, including economy hotels, neighborhood restaurants, and fueling stations.

The end result enables LAP to create needed jobs within one of the best performing industrial sub-markets in the world. This noteworthy development will long

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stand as a cornerstone for the I-65 corridor. The project will also be one of the few in the Louisville market offering tenants the ability for subdivision or expansion within a new state of the art industrial park in such close proximity to logistical and intermodal end users.

Lastly, the proposed development site is the only developable interchange site from Elizabethtown, Kentucky to Clarksville, Indiana. Interchange locations south of this development site are constrained by the absence of available sewers (KY 245, Lebanon Junction and Brooks) or located within areas impacted by severe flooding (KY 44 in Shepherdsville). Other sites at the Outer Loop interchange are already developed (Waste Management Sanitary Landfill) or located in severely flood prone areas or regulatory wetlands. Interchanges immediately north of the development site are already developed for industrial uses (UPS and Ford Fern Valley Truck Plant) or under redevelopment. Interchange sites along the 15-miles of I-65 that extends north of Fern Valley Road through downtown Louisville and Southern Indiana are completely developed.

Adjacent Zone Classifications and Land Uses

North: R4:	Former Main Campus of Evangelical World Prayer Center (property for sale)
North: EZ1:	Vacant property for sale
South: M2, C2:	Texas Road House & United Food and Commercial Work
South: ROW	Outer Loop & I-65 ramps
East: R4	Residential Subdivision
West: ROW & M3:	I-65 & Industrial developed property

Compliance with Applicable Local and State Rules and Regulations

The requested rezoning and associated land use discussed herein are in compliance with the applicable Community Form Area, Suburban Work Place, and development policies contained within Comprehensive Plan.

The requested rezoning, form district change, and proposed map amendment conform to KRS 100.213 as the proposed development can be found in agreement with the applicable guidelines and policies contain in the Comprehensive Plan. Furthermore, it has been determined that existing and future development efforts are affecting the economic, physical, and social makeup of this area.

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Current Findings

According to Core Graphic 1 of the Cornerstone 2020 Louisville and Jefferson County Comprehensive Plan (Comprehensive Plan) LAP is proposed on Property more suitably designated by the Form District "Suburban Work Place Form Area" (SWFD).

LAP is adjacent to 206 acres of which 138 is zoned EZ1 and is in the Suburban Work Place Form District.

The development plan for LAP has been reviewed by MSD, and the Louisville Metro Public Works Department and has received preliminary consistency comments with regard to its' proposed makeup and location. The Property currently has direct access onto a portion of Minor Lane which is separated from residential uses and has a paved surface in excess of 60'. Minor Lane then has direct access to the Outer Loop via a traffic signal which is less than 1,500' from LAP. At this point the Outer Loop provides direct access in under 1,000' to the I-65 ramps.

Suburban Work Place Form District

The Suburban Work Place Form District (SWFD) is designed to reserve land for industrial and employment uses in suburban locations with design standards intended to promote development and redevelopment that ensures adequate access for employees, freight, and products, to provide services and amenities for employees, and to improve transit service.

The proposed rezoning, Detailed District Development (DDDP), and Revised Detailed District Development (RDDDP) fits in perfectly with the Suburban Work Place Form District. The proposed change in zoning and form district designation, along with the associated development plans present an opportunity to continue the land use pattern currently planned for and anticipated by the Land Development Code and Cornerstone 2020.

According to the Core Graphic 1 and the Planning and Design Department Staff, the SWFD promotes the development of parcels for industrial uses and employment generators. Correspondingly, the SWFD and the PEC zone district provides for the ability to utilize adjacent and readily accessible properties to further promote ancillary employment and development opportunities to larger properties within the SWFD that are serving as the major employment and manufacturer of goods and services used within the Metropolitan Louisville Area.

The proposed PEC zoning and development plans will provide the opportunities to maximize the ability of the SWFD and other nearby PEC zone districts to maintain and expand the current employment base and economic benefits generated by such

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existing uses like the Louisville International Airport, Kentucky Ford Plant, UPS, and General Electric. Uses on the Property will be developed to a scale appropriate to address the current and future needs of the SWFD.

Comprehensive Plan Analysis

According to the Land Development Code the SWFD implements the following Cornerstone 2020 Comprehensive Plan Goals and Objectives:

Goals Objectives Plan Elements

1. Community Form Goals G1, G2, G3, G4
2. Community Form Objectives G1.1, G2.1, G2.2, G2.3, G2.4, G2.5, G3.1, G3.2, G3.3, G4.1, G4.2, G4.3, G4.4
3. Guidelines **1, 3, 6, 7, 9, 13**

The provisions of these goals, objectives and guidelines section are intended to promote design and a visually attractive environment in the SWFD, while creating an environment that allows for functional operations accommodating relatively large volumes of traffic while providing for alternative travel modes. Standards have been listed in the Land Development Code to promote:

1. Adequate access for employees, freight, and products;
2. Alternative modes of travel;
3. High quality design of individual and integrated sites;
4. A wide range of employee-serving commercial businesses (e.g. day care centers, auto servicing, cleaners, restaurants, etc.); and
5. A mix of uses (e.g., industrial, office, and commercial) within a principal building on the site.

Goal G1

Recognize by separate form district designation the suburban workplace from the traditional workplace. Support the redevelopment and enhancement of existing traditional and suburban workplaces to ensure full use of existing industrial areas and take advantage of existing infrastructure. Create new workplaces to ensure adequate land for future industrial and corporate operations.

Objective

G1.1 *Recognize and encourage the important role of workplaces within Louisville and Jefferson County.*

The proposed PEC Zone District, SWFD, and Development Plans recognize the environs of the Louisville International Airport as an important workplace and economic engine in Metro Louisville.

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The goal for LAP is simple, yet powerful — to focus efforts on real estate that makes a difference in peoples' lives. We believe that what we do matters, and are driven by core principles of integrity, collaboration and alignment. LAP is privileged to play a central role in developing, owning and managing industrial properties that enable businesses and define and better communities.

LAP is strategically located so that employees, goods and services are accessible to a diverse range of amenities, public transit and major transportation routes. The developers of LAP have an established reputation for developing quality workplaces that are built to the highest standards while integrating the latest innovative features, construction techniques and materials that businesses demand in today's market.

Benefits of workplaces include:

- Enlarged input for infrastructure and BMP's reared towards environmentally conscious development;
- Energetic economic growth motivated by increased capital inflow, which is encouraged by the improved infrastructure and the increased return rate on the developed land in this market.
- More capital available for urban infrastructure and environmental preservation efforts.

Goal G2 Community Design

Ensure that workplace districts have appropriate levels of access for employees and products, aesthetic character consistent with the type of district, and a development pattern that considers safety and crime prevention.

Objectives

G2.1 Utilize performance standards for community design elements of workplaces to ensure that development and redevelopment is compatible with the organization and pattern of the district. In suburban workplaces, allow adequate flexibility to accommodate large parcels with a single user or clusters of uses in a master planned development. In traditional workplaces, develop a vision and master plan to guide redevelopment and reuse in each district. Incorporate design techniques that promote safety and reduce crime in all workplaces.

G2.2 Edge Conditions: Ensure that development at the perimeter of the workplace district is compatible with adjacent districts.

G2.3 Access and Circulation: Because they attract employees from throughout the region, workplace districts should accommodate a high level of access for all appropriate modes of transportation. To accommodate the shipment of materials

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by truck, rail, and water, workplace districts should be linked to regional transportation networks. (Refer to supporting text in the Planning Elements Justifications section below)

G2.4 Streetscape: Encourage the provision of common elements, such as street trees, signage, street furniture, sidewalks and lighting, consistent with the character of the workplace district.

G2.5 Open Space: Encourage the provision of open space within the pattern and context of planned industrial and employment centers. (Refer to supporting text under Goal G4 Site Design, and the Planning Elements Justifications)

The proposed development will strive to meet the Community Design Goal and associated objectives by implementing a Community Benefit Program (CBP). The CBP can be seen as an extension of the Metropolitan Louisville Planning Commissions Binding Elements requirement. The proposed CBP will be between the developer and community neighbors within the area of the proposed development.

Essentially a CBP is a communicated common understanding to ensure that Binding Elements are affectively communicated to the community, and that local residents share in the benefits of developments such as the one proposed here. A CBP allows the community to have a voice in shaping a project, to press for community benefits that are tailored to their particular needs, and to enforce development promises and carry out applicable Cornerstone 2020 Goals.

Goal G3 Land Use

Establish new workplace districts that support a full range of industrial, employment, and business uses and enhance existing workplace districts by encouraging adaptive reuse and reinvestment.

Objectives

G3.1 Encourage industrial uses (such as manufacturing, warehousing, and distribution), offices, and public service/utilities to locate in workplace districts.

G3.2 Allow heavy industrial uses, which have a potential to create greater nuisance to adjacent properties due to noise, odor, or other impacts, to locate within workplaces only if such uses are sufficiently buffered from abutting uses so that the reasonable enjoyment of such uses is not disturbed and only if the heavy industrial use has access to the regional transportation system without creating truck routes in residential areas. (Refer to supporting text under Goal G4 Site Design, and the Planning Elements Justifications)

G3.3 Within workplace districts, provide for commercial uses and services that serve workers and residents of adjacent districts.

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As part the adherence to this Cornerstone 2020 Plan Element the Development will strive to meet the objectives of this goal by working to implement a “Target Hiring Policy”. Individuals benefiting from a targeted hiring policy might include:

- Residents of the neighborhood immediately surrounding the development;
- Residents of neighborhoods anywhere in the metropolitan area; and
- Individuals referred by local, community-based job training organizations

Goal G4 Site Design

Guide the development and appearance of workplaces by promoting quality design of individual sites consistent with the character and function of the workplace district, and encouraging innovation and flexibility in site design.

Objectives

G4.1 Intensity: Encourage development and redevelopment within workplaces at a scale and intensity that is compatible with the character of the district and at the fringe of the district with nearby uses in other less intense districts.

G4.2 Site and Building Characteristics: Utilize performance standards and design guidelines for such characteristics as building height, setbacks, lot dimensions, parking and building design to establish a specific character for workplaces and to ensure compatibility of new development.

G4.3 Buffers and Compatibility: Utilize buffer, landscape, lighting and noise and similar performance standards and guidelines to ensure compatibility between uses and buildings within workplaces.

G4.4 Parking: Ensure that each site within the traditional and suburban workplace form district provides for the appropriate location, linkages, quality, and quantity of off-street and on-street parking and loading facilities.

The proposed Development meets and satisfies the above objectives and site design goals and those of G3.1, G3.2, and G3.5-G3.9. Site components such as structures, parking, driveways, and out-door functions shall be arranged and located to emphasize the aesthetically pleasant components of the site such as topography corner placement, or plans for superior architectural features, and disguise its less attractive scenes such as service facilities, outside storage and equipment areas, and trash enclosures through placement and design of the structure and landscaping.

The development is designed so that the location of any noise and odor generating functions on the site shall not create a nuisance for the adjacent properties and shall be shielded and located per Metro Louisville Planning Staff recommendations and requirements.

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All service areas such as loading, trash enclosures, outside storage, and ground and roof equipment shall be located away, or at a minimum, screened from residential uses.

The on-site sidewalk system shall link to off-site public sidewalks if available and to each other as well as to the building(s).

Public entrances and primary building elevations shall face public streets where function allows.

Proposed buildings will be compatible in height and scale. If different scale is required for functional reasons, adequate transition shall be provided between the buildings.

Whenever adjacent to residential uses floors above the first level shall be designed and windows located to provide maximum privacy for the residences.

Front facades visible from a public street shall include architectural features such as reveals, windows and openings, expansion joints, changes in color, texture, and material to add interest to the building elevation. Exceptions may be requested only where a specific architectural style offers other types of facade articulations.

The proposed development shall maintain diversity and individuality in style while attempting to compliment the aesthetic character and development style of the surrounding area. Moreover, a comprehensive architectural concept shall be developed and maintained. Various site components will be unified through the use of similar design, material and colors.

In addition, any proposed building(s) will have three distinct components: base; middle; and top. Each component will be defined by horizontal and/or vertical articulation. Base components may include landscaping, facade articulation consisting of changes in the wall plane, use of openings and projections, and material and color variations. Where function necessitates a basic, box-like building form, exterior articulation such as change in color, material, or plane shall be introduced on an outer decorative shell encompassing facades, which are visible from LaGrange Road, and/or Chamberlain and Collins Lane's.

Landscaping size and location shall be determined on a site-by-site basis and may exceed the minimum required in the Metropolitan Louisville Land Development Code.

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PLANNING ELEMENT GUIDELINE JUSTIFICATIONS

Guideline 1. Community Form

Use existing and emerging forms or patterns of development and local plans developed in accordance with the Comprehensive Plan to guide land use decisions and design of development.

Guideline 3. Compatibility

Ensure that land uses and transportation facilities are located, designed and constructed to be compatible with nearby land uses and to minimize impacts to residential areas, schools and other sensitive areas in the community.

- The development will provide employment in an underserved area that minimizes land use incompatibilities and the impact on public facilities.
- The development recognizes the special environmental, historic and cultural character of residential areas and adjacent passive open spaces.
- The development will create public facilities and services that are responsive to the specific needs generated by the residents of this neighborhood residential area.
- The development helps to maintain the quality of existing and residential neighborhoods by providing an opportunity for employment and services desirable to live near.
- Detailed consideration will be given towards the choice of building materials used, in an effort to preserve the feeling of the area and reflect current design elements.
- Outdoor lighting will be directed down and away from residential property.
- Parking access is designed to be safe and simple, and utilize the practice of "shared parking" and "captive market parking" to minimize impervious land surfaces.
- Truck access to the development is designed to pass around, not through, residential neighborhoods and streets.

Guideline 6. Economic Growth and Sustainability

Provide a positive culture for attracting and sustaining business within Louisville and Jefferson County.

The proposed development has chosen to locate on a site that will enable primary and secondary job creation in close proximity to existing social and economic infrastructures. To this end, the proposed development adheres to the policies designed to promulgate the intentions of this Guideline. In addition to neighborhood input and Planning Department recommendations the following practices, ideas, and

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community benefits will be implemented.

- The development will help keep dollars in the community.
- The development will spread tax burden for public facilities maintenance and neighborhood programs.
- The development will attract new investment dollars adjacent to a major economic engines in Louisville, the Kentucky Ford Truck Plant, General Electric, UPS, and the Louisville International Airport
- The development will provide management level and entry-level positions.
- The development will offer flexible working hours.
- The development will assist in preserving existing standards of living over time.
- The development will provide new services and products not previously available in a timely manner to nearby industries.
- The development will create a positive environment.

Mobility and Transportation

Guideline 7. Circulation

Ensure a balanced and comprehensive multi-modal transportation network that is coordinated with desired growth and development patterns and provides for the movement of people and goods.

Guideline 8. Transportation Facility Design

Design transportation facilities that are safe and efficient, that minimize adverse impacts upon the community and that accommodate, where possible, all modes of travel, such as trucks, automobiles, transit, pedestrians and bicycles.

Guideline 9. Bicycle, Pedestrian and Transit

Support transit and non-motorized methods of travel. Provide the necessary infrastructure improvements to accommodate alternative modes of travel.

The proposed development has chosen to locate on a site that will enable proper site access and direct access to a major arterial and where nuisances and activities of the proposed use will not adversely affect adjacent areas. To this end, the proposed development adheres to the policies designed to promulgate the intentions of these Guidelines. In addition to neighborhood input and Planning Department recommendations the following practices, ideas, and community benefits will be implemented.

- The development can enable residents and future employees to minimize vehicular miles traveled, as well as total travel time, in order to minimize air pollution and to conserve fuel.

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- The development can increase opportunities for pedestrian and bicycling facilities, while providing a compact work place destination for area residents.
- The development is located to take advantage of the existing transportation system to complement the overall development of the area and minimize additional roadway construction.
- The development is located where adequate access exists for employees and for product movement.
- The development will make improvements to adjacent roadways by the dedication of ROW as warranted and mentioned in the **Introductory Discussion**.
- The development will integrate best practices for pedestrian accessibility.
- The development will entertain the dedication of property for future transit passenger pickup and drop off.
- The development will work to coordinate compatible hours for businesses within the project.
- The development has provided for the acquisition and/or the protection of road rights-of-way.

Livability/Environment and Community Facilities

Guideline 10. Flooding and Stormwater

Minimize the potential for and impacts of flooding and effectively manage stormwater.

Guideline 11. Water Quality

Protect water quality.

Guideline 14. Infrastructure

Provide for necessary infrastructure and ensure that carrying capacity of the land is adequate for proposed development.

Guideline 15. Community Facilities

Review community facility location and design to ensure compatibility with existing development.

The proposed development has chosen to locate on a site that will (1) enable proper stormwater handling and release management that will not adversely affect adjacent and downstream properties; (2) provide for necessary upgrades to area-wide water storage and distribution; (3) create opportunities for passive open space; (4) provide for utility installations with access to a major arterial roadway. To this end, the proposed development adheres to the policies designed to promulgate the intentions of these Guidelines. In addition to neighborhood input, the Louisville Water Company,

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MSD and Planning Department recommendations and directions will be incorporated. The following practices, ideas, and community benefits will be implemented.

- The development will provide, as required, for the orderly expansion of water supply and sewerage systems within the community to meet the needs of current and future residents while taking into consideration the impacts of cost, public health, surrounding land use, and environmental impacts.
- The development will participate, as necessary, with the renovation and improvement of existing water supply and sewerage collection systems in the existing area, to provide for additional sanitary sewer capacity and reliability.
- The development will comply with all applicable local, state, and federal laws and regulations on water and sewerage planning collection, distribution and management.
- The development meets the intent that full consideration is given to issues of orderly expansion keyed to Cornerstone 2020 land use plans, public health, capital programming and water supply/water quality management.
- The development has chosen to locate where water and sewer services exist and can be extended or upgraded systematically in concert with the availability of other public facilities and neighborhood needs.
- The development will make land available for public infrastructure, as necessary.

LEED® Considerations

- Recycling program
- Regional materials selected to meet LEED® certification criteria
- Recycled content to meet LEED® certification criteria
- Water-efficient landscaping
- Upgraded roof insulation
- Low VOC-emitting materials

Guideline 12. Air Quality

Minimize, reduce, or eliminate, as necessary and appropriate, through the land use planning and development review process, air pollution from stationary, area, and mobile sources.

The proposed development has chosen to locate on a site that will enable and promote a reduction in vehicle miles traveled and increased pedestrian travel in an effort to reduce particulate matter accumulation in the ambient air in addition to CO2 emissions. To this end, the proposed development adheres to the policies designed to promulgate the intentions of this Guidelines. In addition to neighborhood input and

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Planning Department recommends the following practices, ideas, and community benefits will be implemented.

- The development will create local neighborhood employment opportunities thereby reducing VMT.
- The development will research tenant sponsored bus passes for the summer months.
- The development will research the creation of a recycling collection center.

Guideline 13. Landscape Character

Protect and enhance landscape character.

The proposed development adheres to the policies designed to promulgate the intentions of these Guidelines. In addition to neighborhood input and Planning Department recommendations the following practices, ideas, and community benefits will be implemented.

- The development landscape plan will complement the existing landscapes of adjacent properties and enhance the personal scale by clearly defining pathways, entrance areas, public gathering spaces, parking areas, and access roadways.
- The development landscape plan will mitigate the impact to neighboring properties. The rear elevations of buildings, loading docks, and refuse collection areas shall be landscaped and designed with our neighbors in mind first...
- The development landscape plan will incorporate a mix of indigenous plants that are hardy and drought tolerant, and will include evergreen plantings (trees, shrubs, ground-covers, and ornamental grasses).
- The development landscape plan will attempt to utilize technologically advanced irrigation systems for water conservation as needed

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General Waiver Application – Justification “attachment”

Logistics Airpark: Case #18ZONE1049

The applicant is proposing to provide a 35 foot landscape buffer. This is required buffer based upon land use in the Landscape ordinance. The SWFD Compatibility standards require a 50 foot LBA. That section of the LDC follows:

Suburban Workplace Form District Compatibility Standards

1. Industrial uses, including structures, loading and truck parking areas, and outdoor storage located within 200 feet of and having a common lot line with residentially used or zoned parcels shall include a 50 foot landscape buffer area with a 6 foot screen (e.g. fence, hedge, berm, wall, etc.) and canopy trees as required by Chapter 10, Part 2.

1. Will the waiver adversely affect the adjacent property owners?

Granting the requested waiver will not adversely affect the adjacent property owners. The drive lane that is proposed which is immediately adjacent to the 35 foot LBA is to serve the adjacent property to the North, and automobile parking for the development. This portion of the drive is not utilized for truck loading or maneuvering for the proposed development. Further, the only uses being buffered in this area are the end of a proposed building that is approximately 153 feet from the property line, automobile parking, and the aforementioned drive. The requested waiver is only dimensional. The applicant will still be providing the required plant material and screening to buffer the adjoining residents.

2. Will the waiver violate the Comprehensive Plan?

Given the above stated observations regarding land uses to be buffered, the apparent compliance with the landscape ordinance, the applicants waiver request itself, and the required landscape and screening for the buffer, granting the requested waiver will not violate the Comprehensive Plan.

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

The applicant has taken great care to minimize the impact of the proposed development on surrounding properties. The subject property is constrained

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by existing utilities and their related easements, an archaeological site to be preserved, floodplain, wetlands, obligations made through prior zoning cases and the current Land Development Code and Comprehensive Plan. As stated above the requested waiver is the minimal necessary relief.

- 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?**

For the reasons stated above denial of this waiver request will deprive the applicant of reasonable use of his land. The waiver is a dimensional waiver of 15 feet. All required vertical buffering will be provided. Denial of the request simply causes the applicant to reduce the size of the proposed building and in so doing has a significant economic impact on the project.

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18 Waiver 1050

General Waiver Application – Justification “attachment”

Logistics Airpark: Case #18ZONE1049

1. Will the waiver adversely affect the adjacent property owners?

Granting the requested waiver will not adversely affect the adjacent property owners. The existing lake is on an adjoining property and this project will not be negatively impacting the lake.

2. Will the waiver violate the Comprehensive Plan?

Given the above stated observations regarding land uses to be buffered, the apparent compliance with the landscape ordinance, the applicant’s waiver request itself, the location of the existing lake and its use as a storm water detention basin, and the required landscape and screening for other buffers, granting the requested waiver will not violate the Comprehensive Plan.

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

The applicant has taken great care to minimize the impact of the proposed development on surrounding properties. The subject property is constrained by existing utilities and their related easements, an archaeological site to be preserved, floodplain, wetlands, obligations made through prior zoning cases and the current Land Development Code and Comprehensive Plan. As stated above the requested waiver is the minimal necessary relief.

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?

While now considered protected waterway, this lake was the result of excavation of shale that created the area for the lake. This shale was to provide for the Evangel Church foundations when it was built. This shale was also used on the runways at the airport. It was and remains a storm water retention basin for the church. Further, when the overall Shadowood project was going through several years ago that area was planned to be used as a compensation basin for floodplain water in wetlands.

For the reasons stated above denial of this waiver request will deprive the applicant of reasonable use of his land. Denial of the request simply causes the applicant to reduce the size of the proposed building and in so doing has a significant economic impact on the project.

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