

Docket No. 17ZONE1050

Proposed zoning change from M-3 to EZ-1, a Form District Change from Traditional Neighborhood to Downtown, Detailed District Development Plan to allow a soccer stadium with associated mixed hotel/office/retail/residential space; Waiver from Section 5.5.1.B.1.a.ii to permit parking in front of primary structures as shown on the development plan; Waiver from 5.8.1.B to not provide a sidewalk on the east side of Campbell Street adjacent to the CSX Railroad; Waiver from 5.2.1.C.2 and 5.2.1.C.5 to not provide a 3 story street wall for the length of the lot frontage; approval of an overhead walkway/pedway over Campbell Street per 5.8.1.C.1.e.; and a Variance from 5.2.1.C.3-6 to allow for the proposed buildings to be set back from the property lines at variable distances all on property located south of I-64, north of E. Waters Street and south of E. Witherspoon and Adams Streets

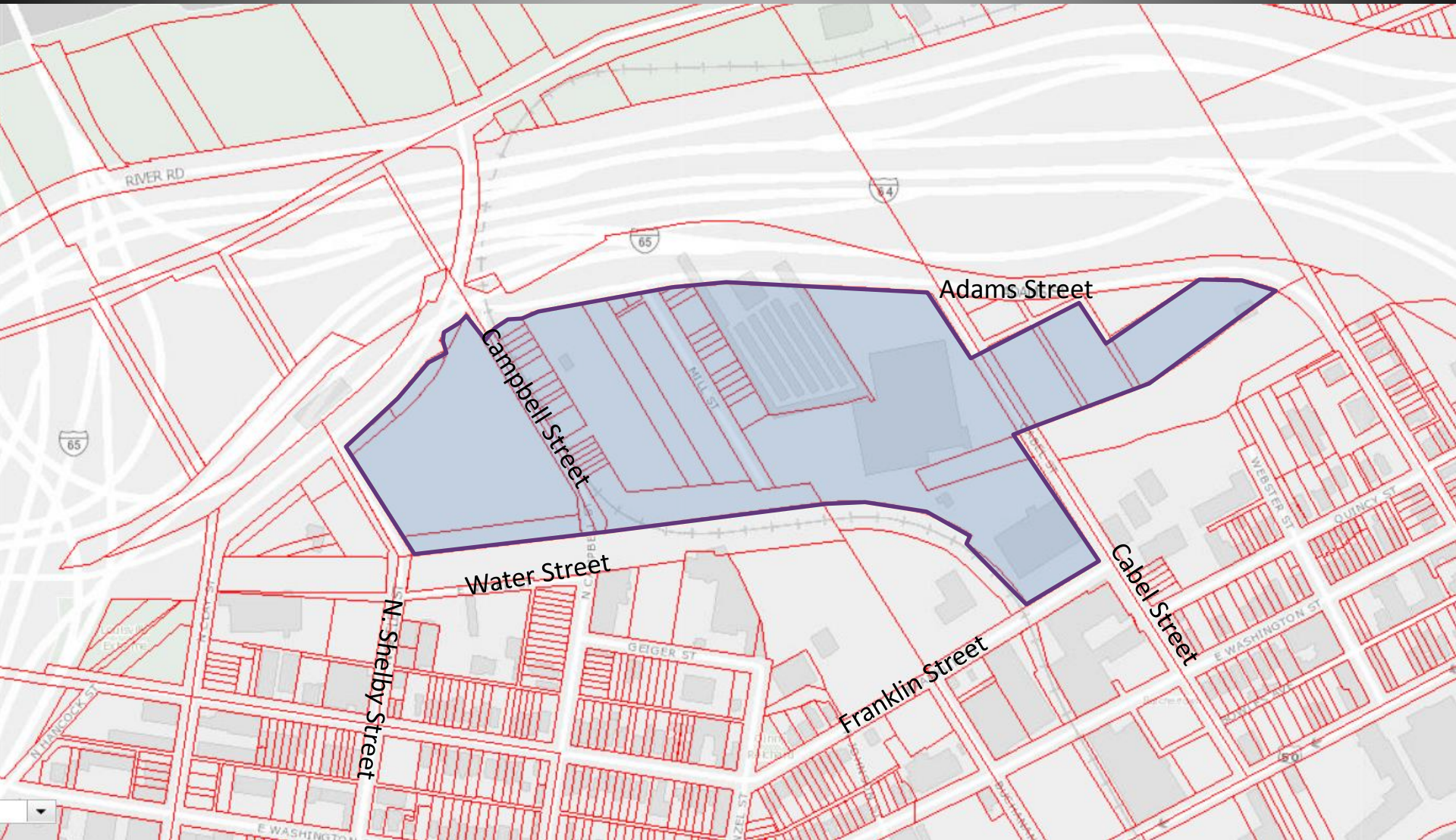


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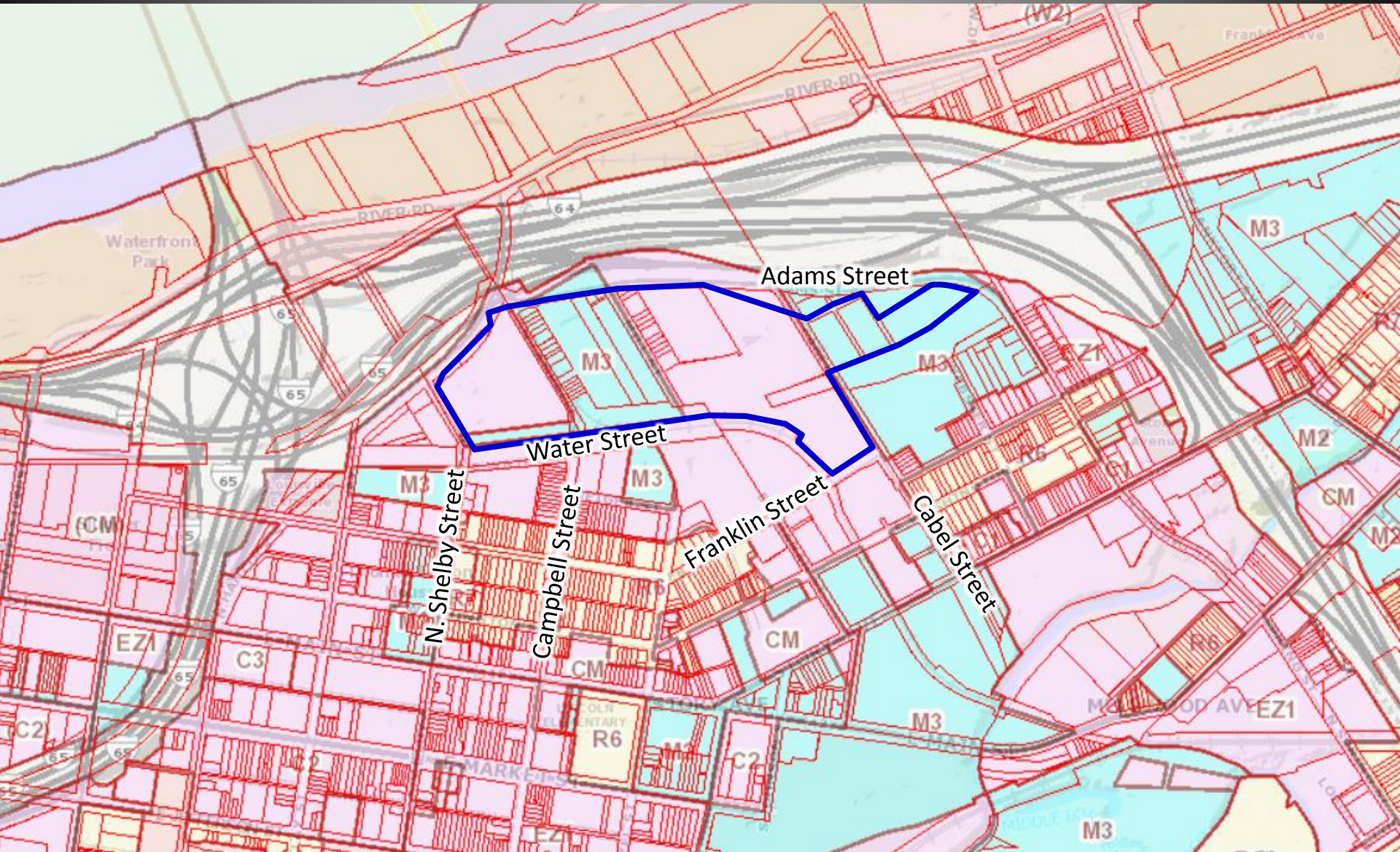
1. Existing lotting pattern and LOJIC Zoning Map
2. Aerial photograph of the site and surrounding area
3. Ground level photographs of site and surrounding area
4. Detailed Development Plan
5. Initial Concept Elevations
6. Traffic Impact Study
7. Street Cross Sections
8. Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan, Variance and Waiver Justifications
9. Proposed findings of fact pertaining to compliance with the Comprehensive Plan, Variance and Waiver criteria

TAB 1

Existing lotting pattern and LOJIC Zoning Map



Existing lotting pattern of subject site and area



LOJIC zoning mapping of subject site and area

TAB 2

Aerial photograph of site and surrounding area



Aerial view of subject site and area

TAB 3

Ground level photographs of site and surrounding area



View of site from I-71, looking southeast.



Cabel Street

Adams Street



Google



View of site from I-71, looking south.



Adams Street

Google

View of site from I-71, looking northwest, towards Downtown.

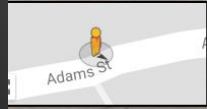
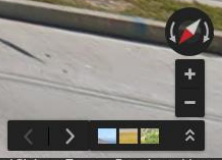


View of existing Marshall's Auto Parts from Adams Street, looking southwest.



Adams Street

Google



View of existing Marshall's Auto Parts from Adams Street, looking south.



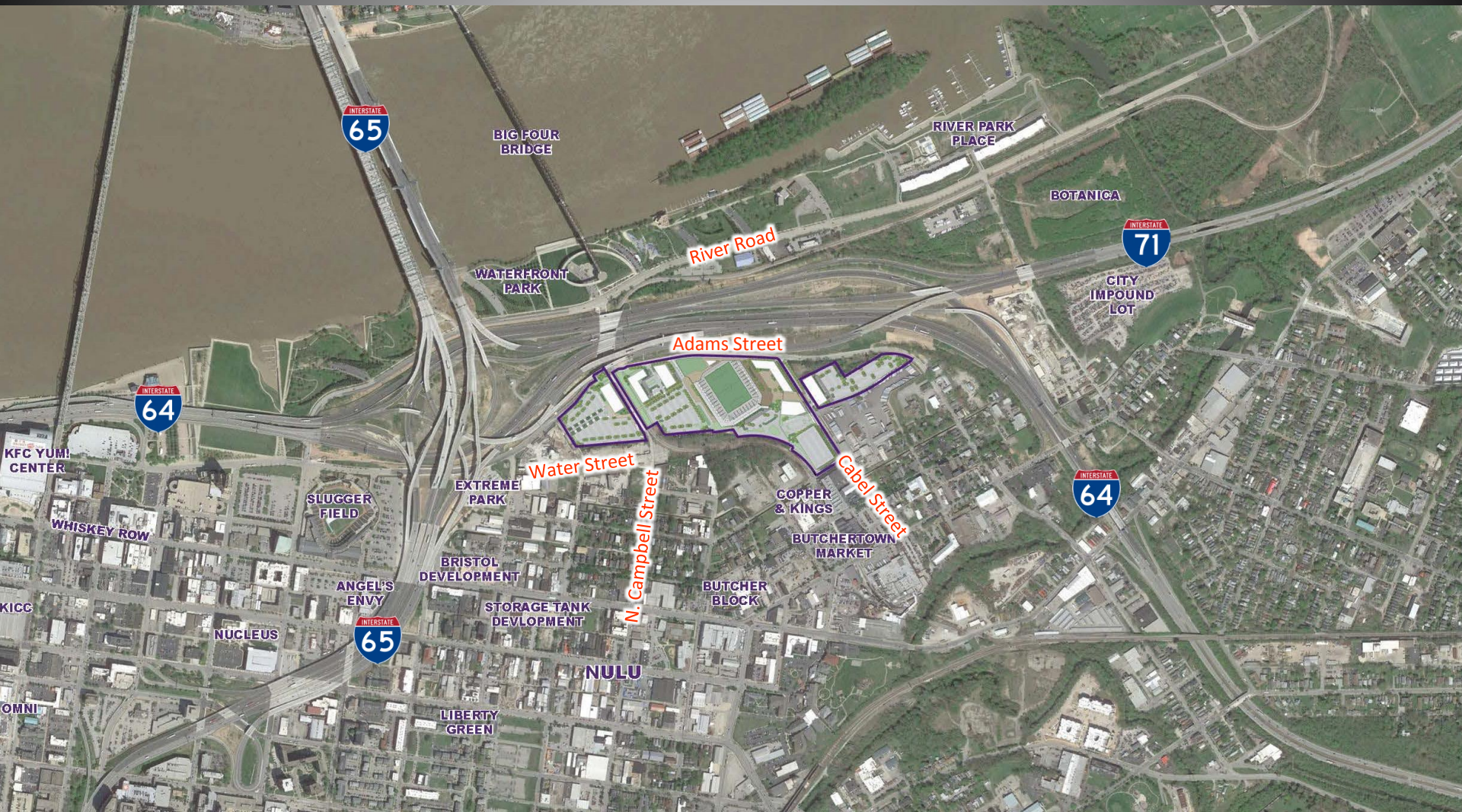
Cabel Street

Google

View of existing Challenger Lifts site from Cable Street, looking west.

TAB 4

Detailed Development Plan



Preliminary detailed development plan of subject site on aerial view



Adams Street

Water Street

N. Campbell Street

Cabel Street

TAB 5

Initial Concept Elevations



Initial concept elevations



Initial concept elevations



Initial concept elevations

TAB 6

Traffic Impact Study



final report

January 2, 2018

Traffic Impact Study

Louisville City FC
Adams Street
Louisville, KY

Prepared for

Louisville Metro Planning Commission



Table 1. Peak Hour Trips Generated by Site

	A.M. Peak Hour			P.M. Peak Hour		
Land Use	Trips	In	Out	Trips	In	Out
Retail Center (74,095 sq ft)	189	117	72	435	209	226
Office (370,477 sq ft)	437	380	57	432	69	363
Hotel (300 rooms)	145	85	60	199	101	98
Total	770	582	188	1066	379	687
10% Internal Capture	-77	-58	-19	-107	-38	-69
Total	693	524	169	959	341	618

Figure 3. Trip Distribution Percentages

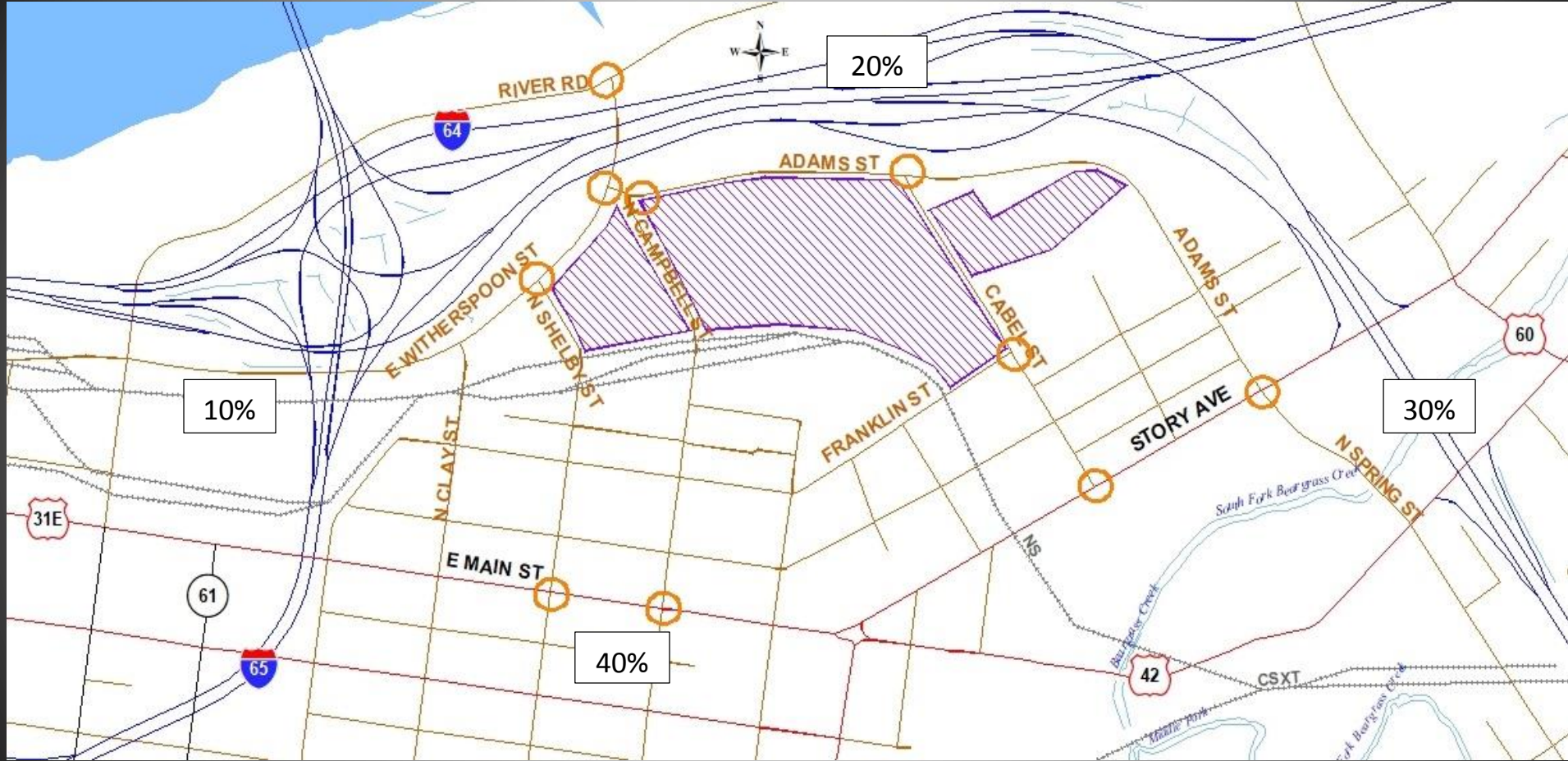


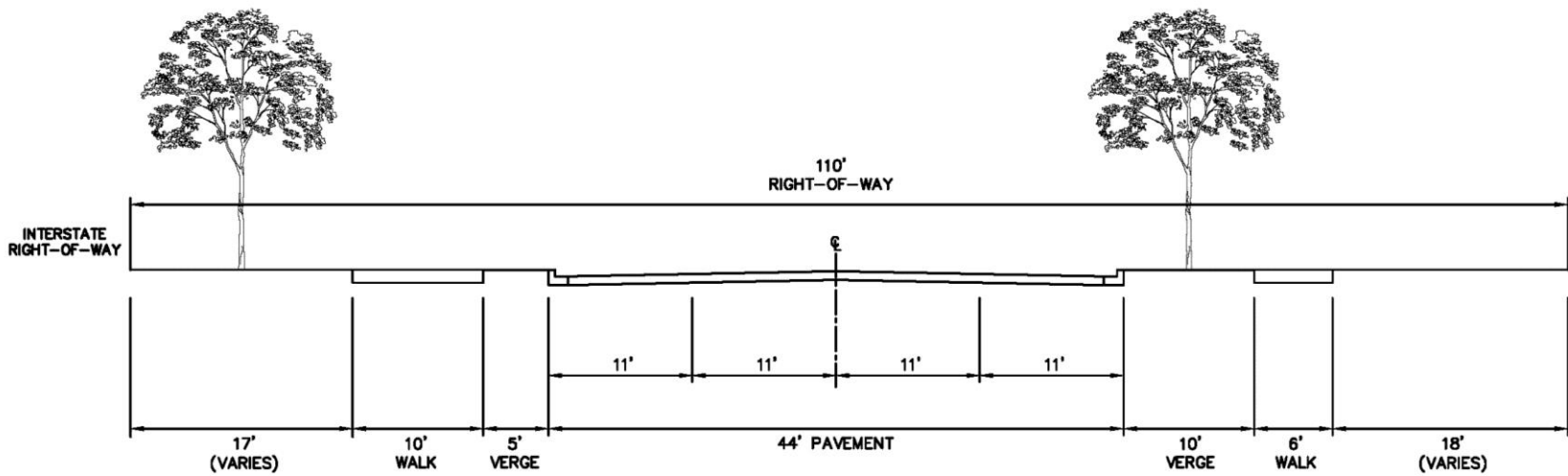
Table 2. Peak Hour Level of Service

	A.M.		P.M.	
Approach	2017 Existing	2020 Build	2017 Existing	2020 Build
Adams Street at Witherspoon St				
Adams Street Westbound	A 9.8	B 11.0	A 9.8	B 11.4
Witherspoon St Southbound (left)	A 7.5	A 7.7	A 8.1	A 8.3
Adams Street at Campbell Street				
Adams Street Westbound (left)	A 8.4	A 8.8	A 7.4	A 7.6
Campbell Street Northbound	A 9.7	B 11.0	A 9.5	B 11.3
Adams Street at Cabel Street				
Adams Street Westbound (left)	A 7.3	A 7.5	A 8.4	A 8.9
Cabel Street Northbound	A 9.5	A 9.9	A 9.3	B 11.0
Cabel Street at Franklin Street				
Franklin Street Eastbound	A 8.9	A 8.9	A 8.9	B 10.2
Cabel Street Northbound (left)	A 7.3	A 7.4	A 7.2	A 7.6
Story Avenue at Adams Street	B 14.6	B 15.3	B 16.4	C 22.4
Story Avenue Westbound	B 11.2	B 11.4	B 11.0	B 11.3
Spring Street Northbound	C 32.4	C 34.3	C 32.3	D 40.9

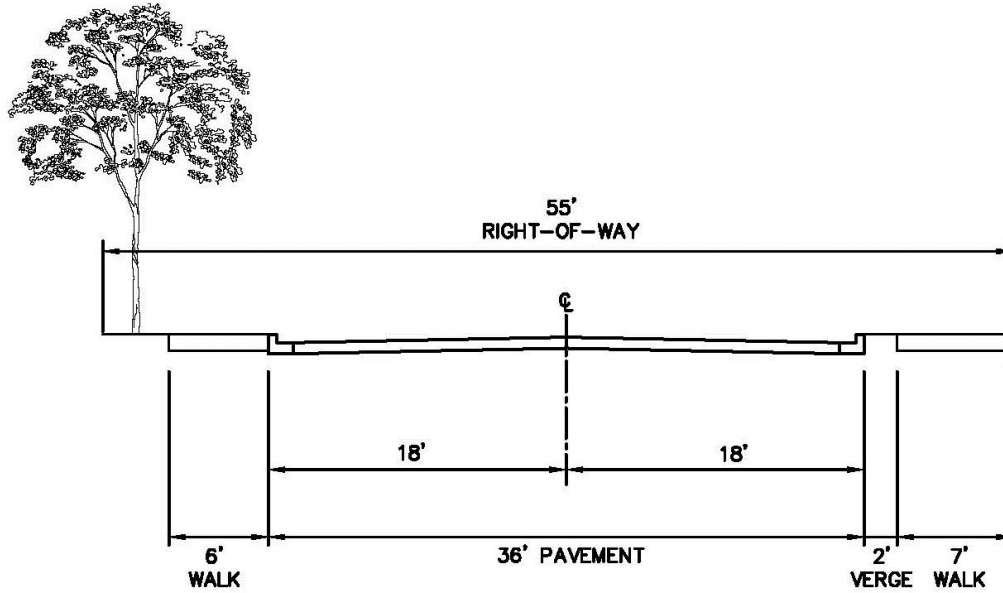
	A.M.		P.M.	
Approach	2017 Existing	2020 Build	2017 Existing	2020 Build
Adams Street Southbound	C 29.8	C 31.3	C 34.5	D 48.4
Story Avenue at Cabel Street				
Cabel Street Southbound	B 10.9	B 11.8	A 9.7	B 11.5
Main Street at Campbell Street	A 9.0	B 13.6	A 5.9	B 10.2
Main Street Westbound	A 3.5	A 6.3	A 2.3	A 4.0
Campbell Street Northbound	C 32.0	C 29.4	C 34.0	C 32.5
Campbell Street Southbound	C 29.6	C 23.5	C 33.0	C 28.0
Main Street at Shelby Street	B 10.2	B 11.6	A 8.7	B 10.3
Main Street Westbound	A 9.9	B 11.3	A 8.4	A 9.3
Shelby Street Southbound	B 17.3	B 17.4	B 17.2	B 18.4
Witherspoon Street at Shelby Street				
Witherspoon Street Westbound (left)	A 7.3	A 7.4	A 8.0	A 8.2
Shelby Street Northbound	A 7.6	A 7.7	A 7.2	A 7.4
River Road at Witherspoon Street				
River Road Westbound (left)	A 7.7	A 7.9	B 10.5	B 10.9

TAB 7

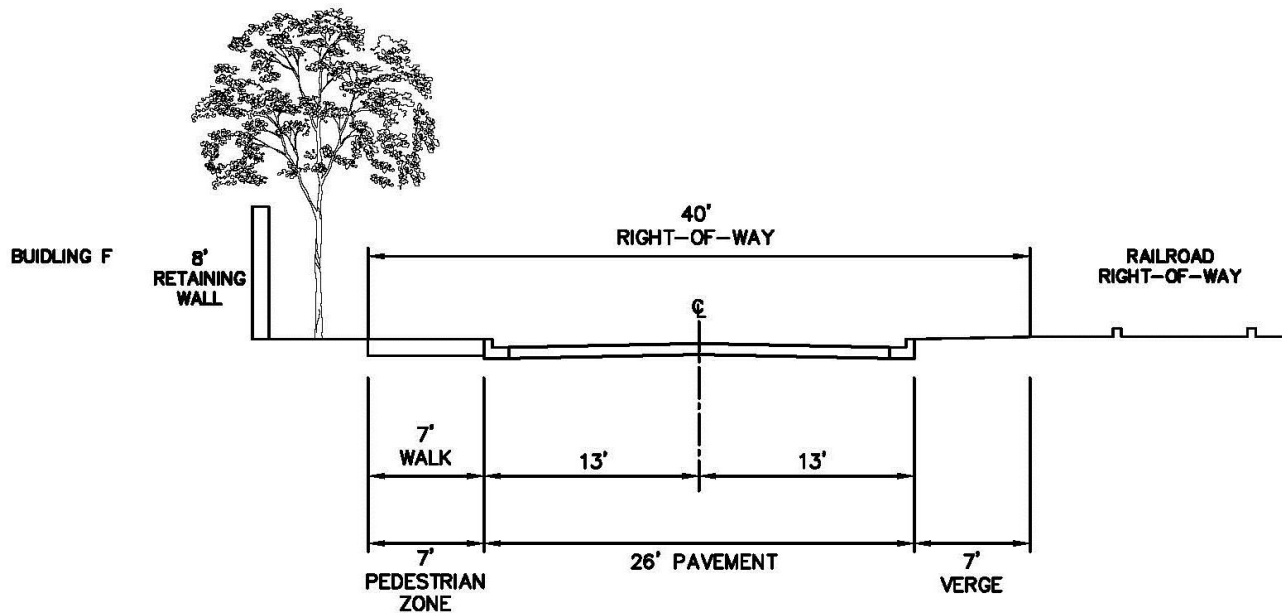
Street Cross Sections



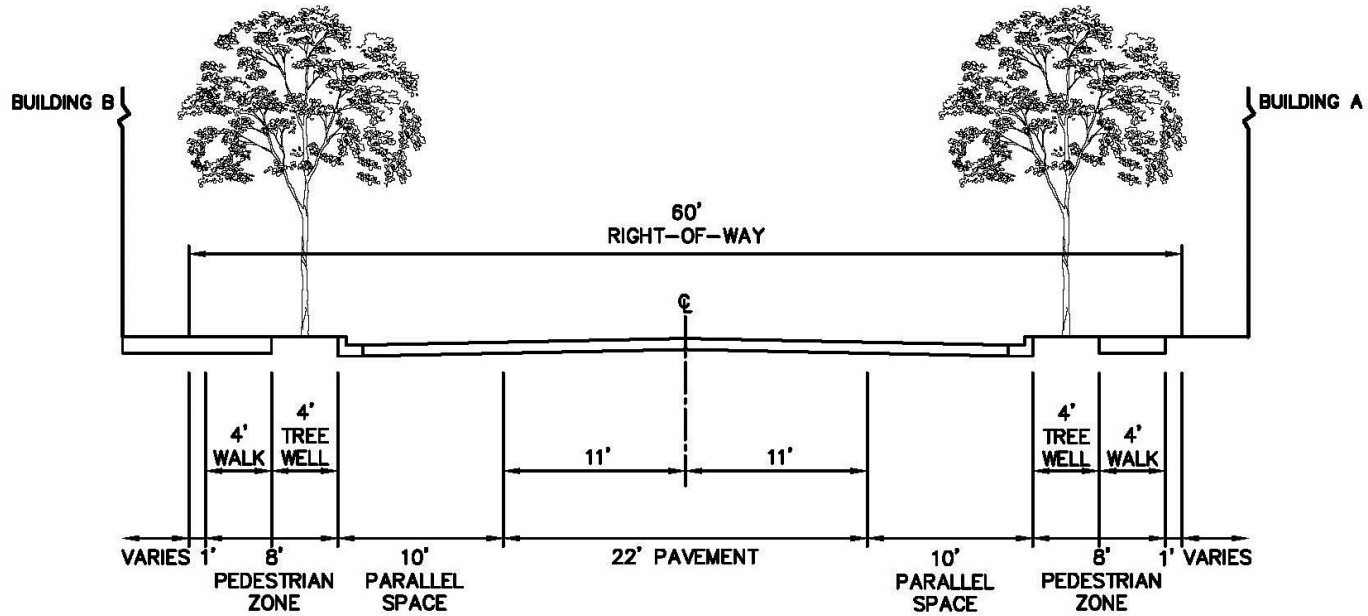
WITHERSPOON STREET 110' R/W
NO SCALE



SHELBY STREET 55' R/W
NO SCALE



CAMPBELL STREET 40' R/W
NO SCALE



CABEL STREET 60' R/W
NO SCALE

TAB 8

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

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

17ZONE1050

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

<u>Applicant:</u>	Butchertown Development District, LLC
<u>Owner:</u>	City of Louisville
<u>Location:</u>	32 acres located south of I-64 at I-65 and north of E. Waters Street and south of E. Witherspoon and Adams Streets.
<u>Proposed Use:</u>	Soccer stadium district comprised of LCFC stadium with hotel/office/retail/residential and possible distillery and/or brewery
<u>Request:</u>	Zone change from EZ-1 & M-3 to EZ-1 and Form District change from Traditional Neighborhood to Downtown with waivers and variances
<u>Engineers, Land Planners, Landscape Architects:</u>	Mindel Scott & Associates, Inc. & HOK
<u>Development Consultant:</u>	Hollenbach-Oakley, LLC

INTRODUCTION

Referred to as the Soccer Stadium District, this application includes a new stadium for the Louisville City Football Club (LCFC) along with a mixture of uses such as offices, possible distillery and/or brewery or brew pub, bars, restaurants retail and hotels, possibly including some residential apartments and /or condos – thus the EZ-1 zoning so as not to foreclose any viable stadium related/compatible use. The proposed Form District change from Traditional Neighborhood to Downtown is because none of this site today and little in the future is more characteristic of a Traditional Neighborhood than the Downtown, both of which are located adjacent and close by. The site is presently comprised of junkyards, storage facilities, and a variety of other heavy industrial uses, thus not telling how the current Traditional Neighborhood Form was applied to this site. The public/private partnership behind the Soccer Stadium District is intended to revitalize the area, making the site much more accessible to, used by and compatible with Downtown, while assuring that it is not out of context with the adjoining Butchertown Traditional Neighborhood to the south of the site. For the community at large this rezoning assures the prospect of an anticipated investment of \$200 million in infrastructure and the uses aforementioned, together with far better connections than exists today by and between the Downtown, nearby residential areas, the bridges, waterfront parks and the rest of the greater Louisville metro area.

GUIDELINE 1 – COMMUNITY FORM

This application complies with this Guideline because, although the existing form is the Traditional Neighborhood Form, the proposed Form District change to Downtown is consistent with the revitalization elsewhere occurring in the nearby Downtown area and that the Soccer Stadium District promises, even with the waivers and variances accompanying this application.

The Downtown form is characterized by the variety of residential, office, retail, restaurants, services public open space, greenways and sidewalks proposed here – more so than any other Form District would apply.

GUIDELINE 2 - CENTERS

This application complies with the Intents and applicable Policies 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16 of Guideline 2 as follows.

As proposed, the Soccer Stadium District is and will be located Downtown and will be intensively designed as a very mixed, very compatible in-fill activity center, which is surrounded by a diversity of other hereinafter mostly compatible uses. It thereby promotes an efficient use of land, improve existing infrastructure, including road and sidewalk connections, and lowers the costs of utilities that otherwise would have to be extended further to a remote location. Also, the proposed mix of highly attractive urban uses helps reduce travel times and vehicle related air pollution because workers and residents and visitors to Downtown will be able to recreate, work, shop, dine and reside all at this single location.

The Soccer Stadium District, as designed will be compact, walkable, bike-able with shared parking, lots of cross-access, and provisions for all multi-modal forms of transportation access, all of which are elements of the Downtown activity center.

GUIDELINE 3: COMPATIBILITY

This application complies with the Intents and applicable Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, 20, 21, 22, 23, 24, 25, 28 and 29 of Guideline 3 as follows.

As explained above and shown on the development plan and in the PowerPoint presentation accompanying this application, the Soccer Stadium District anticipates design themes characteristic of Downtown and also reflective of the adjoining Butchertown neighborhood. This will include the use of predominant building materials evident in the area and replications of important Louisville architecture. Potential noises and lighting can be mitigated through distance separation, landscaping, screening and buffers.

Building heights will be higher than uses present in the Butchertown neighborhood but similar to much of the adjacent Downtown Form District. Parking lots, garages, walkways and roads incorporated into the development will be thoughtfully designed and redesigned and newly landscaped. Signage will reflect building architecture as above described and comply with the Land Development Code. The wide mix of uses will work together because of the place that this is and will become through intensive redesign and attention to their interaction one with the other in order that workers, residents and visitors energize and respect each other's place in the Stadium District.

GUIDELINE 4, 5 & 13: OPEN SPACE, NATURAL AREAS AND LANDSCAPE CHARACTER

This application complies with the Intents and applicable Policies 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Guideline 4, applicable Policies 1, 2, 3, 4 and 8 of Guideline 5, and applicable Policies 1, 2, 4, 5 and 6 of Guideline 13 as follows.

To the extent that important natural areas and historic resources within Butchertown or along the Ohio River exist on or near this site, efforts will be made to protect and promote them. The Stadium District is not designed to exist in a vacuum but instead to enrich nearby valuable and essential assets and the livability and viability of existing neighborhoods. Superior landscaping will be evident throughout especially within focal points and along sidewalks and roads. Perimeter buffers will be designed to mitigate impacts on nearby existing residential properties. As said, internal to the site will be a common landscape plan with multiple focal points that assure lots of highly attractive and usable open space by all the many people who are expected to recreate, work, shop and live here.

GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY

This application also complies with the Intents and applicable Policies 1, 2, 3, 5, 6 and 11 of Guideline 6 as follows.

A financial impact analysis conducted by Commonwealth Economics has projected 2,472 jobs and labor income of \$1.8 billion and, if realized, tax revenues of \$260 million of local and state tax revenue over two decades. The economic analysis further outlines costs for the nearly \$200 million project of some \$160 million for the stadium and its commercial district and \$30 million in public infrastructure improvements.

Because the Soccer Stadium District will be a large mixed-use entertainment, workplace, and shopping development replacing uses that are counter-productive to a vibrant Downtown and Butchertown neighborhood, it is all about the economic enhancement and sustainability of Downtown, Butchertown and the greater Metro Area.

GUIDELINES 7, 8 AND 9: CIRCULATION; TRANSPORTATION FACILITY DESIGN; AND BICYCLE, PEDESTRIAN AND TRANSIT

This application complies with the Intents and applicable Policies 1, 2, 3, 4, 6, 9, 10, 11, 13, 14 and 16 of Guideline 7, applicable Policies 4, 5, 7, 9, 10 and 11 of Guideline 8, and applicable Policies 1, 2, 3 and 4 of Guideline 9 as follows.

Roads and sidewalks will be improved to assure safe, proper functioning and better aesthetics of existing street and sidewalk networks. The carrying-capacity of area streets will be maintained or improved. Traffic congestion and air quality will be addressed by virtue of improved multi-model access. All of this is well-shown on the development plan and in the neighborhood meeting PowerPoint presentation accompanying this application. A traffic impact study (TIS) is being prepared to further assure all of this. And, of course, Metro Public Works and Transportation Planning (MPW&TP) will need to stamp the development plan as preliminarily approved prior to the first public review evidencing this application's compliance with these Guidelines' access, internal circulation, road capacity, road width, sidewalk and other multi-modal Policies and with the MPW&TP design requirements for both external and internal movements.

GUIDELINES 10 AND 11: STORMWATER; WATER QUALITY

This application complies with the Intents and applicable Policies 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of Guideline 10, and applicable Policies 1, 3, 4, and 5 of Guideline 11 as follows.

Post development rates of runoff will not exceed predevelopment conditions, which are thus assured through on-site detention. MSD's floodplain ordinance will also be addressed via floodplain compensation basins designed to address floodplain filling. Water quality will be addressed through construction of water quality design measures. And soil erosion and sedimentation control practices will be emphasized during construction.

GUIDELINE 12: AIR QUALITY

The application complies with the Intents and applicable Policies 1, 2, 3, 4, 6, 7, 8 and 9 of Guideline 12 as follows.

Because this is a mixed-use development, there will be lots of opportunities here for people visiting, working and living Downtown to recreate, shop and work, thereby reducing distances traveled and the times in vehicles, especially passenger cars, thereby benefiting air quality.

* * *

For all of the above-stated reasons, plus those that will be further explained at the LD&T meeting and Planning Commission public hearing, this application complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

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

e:\client folder\hollenbach-oakley\soccer stadium\application\compliance statement.doc

TAB 9

Proposed Findings of Fact pertaining to compliance with the Cornerstone 2020 Comprehensive Plan, Variance and Waiver Criteria

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
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17ZONE1050

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

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<u>Engineers, Land Planners, Landscape Architects:</u>	Mindel Scott & Associates, Inc. & HOK
<u>Development Consultant:</u>	Hollenbach-Oakley, LLC

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on February 1, 2018 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

INTRODUCTION

Referred to as the Soccer Stadium District, this application includes a new stadium for the Louisville City Football Club (LCFC) along with a mixture of uses such as offices, possible distillery and/or brewery or brew pub, bars, restaurants retail and hotels, possibly including some residential apartments and /or condos – thus the EZ-1 zoning so as not to foreclose any viable stadium related/compatible use; the proposed Form District change from Traditional Neighborhood to Downtown is because none of this site today and little in the future is more characteristic of a Traditional Neighborhood than the Downtown, both of which are located adjacent and close by; the site is presently comprised of junkyards, storage facilities, and a variety of other heavy industrial uses, thus the current Traditional Neighborhood Form no longer applies to this site; the public/private partnership behind the Soccer Stadium District is intended to revitalize the area, making the site more accessible to, used by and compatible with Downtown, while assuring that it is not out of context with the adjoining Butchertown Traditional Neighborhood to the south of the site; and for the community at large this rezoning

assures the prospect of an anticipated investment of \$200 million in infrastructure and the uses aforementioned, together with better connections than exists today by and between the Downtown, nearby residential areas, the bridges, waterfront parks and the rest of the greater Louisville metro area; and

GUIDELINE 1 – COMMUNITY FORM

WHEREAS, this application complies with this Guideline because, although the existing form is the Traditional Neighborhood Form, the proposed Form District change to Downtown is consistent with the revitalization elsewhere occurring in the nearby Downtown area and that the Soccer Stadium District promises, even with the waivers and variances accompanying this application; and

WHEREAS, the Downtown form is characterized by the variety of residential, office, retail, restaurants, services public open space, greenways and sidewalks proposed here – more so than any other Form District would apply; and

GUIDELINE 2 - CENTERS

WHEREAS, this application complies with the Intents and applicable Policies 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16 of Guideline 2 because as proposed, the Soccer Stadium District is and will be located Downtown and will be intensively designed as a mixed, compatible in-fill activity center, which is surrounded by a diversity of other hereinafter mostly compatible uses; it thereby promotes an efficient use of land, improve existing infrastructure, including road and sidewalk connections, and lowers the costs of utilities that otherwise would have to be extended further to a remote location; and also, the proposed mix of highly attractive urban uses helps reduce travel times and vehicle related air pollution because workers and residents and visitors to Downtown will be able to recreate, work, shop, dine and reside all at this single location; and

WHEREAS, the Soccer Stadium District, as designed will be compact, walkable, bike-able with shared parking, lots of cross-access, and provisions for all multi-modal forms of transportation access, all of which are elements of the Downtown activity center; and

GUIDELINE 3: COMPATIBILITY

WHEREAS, this application complies with the Intents and applicable Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, 20, 21, 22, 23, 24, 25, 28 and 29 of Guideline 3 because as explained above and shown on the development plan and in the PowerPoint presentation presented at the public hearing, the Soccer Stadium District anticipates design themes characteristic of Downtown and also reflective of the adjoining Butchertown neighborhood; this will include the use of predominant building materials evident in the area and replications of important Louisville architecture; and potential noises and lighting are mitigated through distance separation, landscaping, screening and buffers; and

WHEREAS, building heights will be higher than uses present in the Butchertown neighborhood but similar to much of the adjacent Downtown Form District; parking lots, garages, walkways and roads incorporated into the development will be thoughtfully designed and redesigned and newly landscaped; signage will reflect building architecture as above described and comply with the Land

Development Code; and the wide mix of uses will work together because of the place that this is and will become through intensive redesign and attention to their interaction one with the other in order that workers, residents and visitors energize and respect each other's place in the Stadium District; and

GUIDELINE 4, 5 & 13: OPEN SPACE, NATURAL AREAS AND LANDSCAPE CHARACTER

WHEREAS, this application complies with the Intents and applicable Policies 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Guideline 4, applicable Policies 1, 2, 3, 4 and 8 of Guideline 5, and applicable Policies 1, 2, 4, 5 and 6 of Guideline 13 because to the extent that important natural areas and historic resources within Butchertown or along the Ohio River exist on or near this site, efforts will be made to protect and promote them; the Stadium District is not designed to exist in a vacuum but instead to enrich nearby valuable and essential assets and the livability and viability of existing neighborhoods; superior landscaping will be evident throughout especially within focal points and along sidewalks and roads; perimeter buffers will be designed to mitigate impacts on nearby existing residential properties; and as said, internal to the site will be a common landscape plan with multiple focal points that assure lots of highly attractive and usable open space by all the many people who are expected to recreate, work, shop and live here; and

GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY

WHEREAS, this application also complies with the Intents and applicable Policies 1, 2, 3, 5, 6 and 11 of Guideline 6 because a financial impact analysis conducted by Commonwealth Economics has projected 2,472 jobs and labor income of \$1.8 billion and, if realized, tax revenues of \$260 million of local and state tax revenue over two decades; and the economic analysis further outlines costs for the nearly \$200 million project of some \$160 million for the stadium and its commercial district and \$30 million in public infrastructure improvements; and

WHEREAS, because the Soccer Stadium District will be a large mixed-use entertainment, workplace, and shopping development replacing uses that are counter-productive to a vibrant Downtown and Butchertown neighborhood, it is all about the economic enhancement and sustainability of Downtown, Butchertown and the greater Metro Area; and

GUIDELINES 7, 8 AND 9: CIRCULATION; TRANSPORTATION FACILITY DESIGN; AND BICYCLE, PEDESTRIAN AND TRANSIT

This application complies with the Intents and applicable Policies 1, 2, 3, 4, 6, 9, 10, 11, 13, 14 and 16 of Guideline 7, applicable Policies 4, 5, 7, 9, 10 and 11 of Guideline 8, and applicable Policies 1, 2, 3 and 4 of Guideline 9 because roads and sidewalks will be improved to assure safe, proper functioning and better aesthetics of existing street and sidewalk networks; the carrying-capacity of area streets will be maintained or improved; traffic congestion and air quality will be addressed by virtue of improved multi-modal access; all of this is well-shown on the development plan and in the PowerPoint presentation presented at the public hearing; a traffic impact study (TIS) was prepared to further assure all of this; and, of course, Metro Public Works and Transportation Planning (MPW&TP) has stamped the development plan as preliminarily approved prior to the this public review evidencing this application's compliance with these Guidelines' access, internal circulation, road capacity, road width, sidewalk and other multi-modal Policies and with the MPW&TP design requirements for both external and internal movements; and

GUIDELINES 10 AND 11: STORMWATER; WATER QUALITY

WHEREAS, this application complies with the Intents and applicable Policies 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of Guideline 10, and applicable Policies 1, 3, 4, and 5 of Guideline 11 because post development rates of runoff will not exceed predevelopment conditions, which are thus assured through on-site detention; MSD's floodplain ordinance will also be addressed via floodplain compensation basins designed to address floodplain filling; and water quality will be addressed through construction of water quality design measures; and soil erosion and sedimentation control practices will be emphasized during construction; and

GUIDELINE 12: AIR QUALITY

WHEREAS, the application complies with the Intents and applicable Policies 1 2, 3, 4, 6, 7, 8 and 9 of Guideline 12 because this is a mixed-use development, there will be lots of opportunities here for people visiting, working and living Downtown to recreate, shop and work, thereby reducing distances traveled and the times in vehicles, especially passenger cars, thereby benefiting air quality.

* * *

For all of the above-stated reasons, plus those explained at the LD&T meeting and the Planning Commission public hearing, this application complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

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

WAIVER FINDINGS OF FACT

Waiver of Section 5.5.1.B.1.a.ii to allow parking to be located in front of the primary structures.

WHEREAS, the waiver will not adversely affect adjacent property owners because this Soccer Stadium District development project represents a unified plan of development such that all impacts are internal to the overall site; and urthermore, it is important that the pedestrian experience to and from parking be safe and that, therefore, parking not be blocked from the public view; and

WHEREAS, the waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the rezoning application; and

WHEREAS, the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because parking in front of buildings will occur only where thoughtfully designed with public safety in mind and because some parking will be in parking structures; and

WHEREAS, strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because it would otherwise be required to design parking not necessarily in compliance with the intents set forth in #1 above; and

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves this Waiver.

WAIVER FINDINGS OF FACT

Waiver of Section 5.8.1.B and 6.2.6 to omit the sidewalk in the east side of Campbell adjacent to the railroad tracks.

WHEREAS, the waiver will not adversely affect adjacent property owners because this Soccer Stadium District development project represents a unified plan of development such that all impacts are internal to the overall site; and furthermore, it is important that the pedestrian experience to and from parking be safe; and

WHEREAS, the waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the rezoning application; and

WHEREAS, the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because sidewalks are located where thoughtfully designed with public safety in mind; and

WHEREAS, strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because it would otherwise be required to locate sidewalks not necessarily in compliance with the intents set forth in #1 above; and

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves this Waiver.

WAIVER FINDINGS OF FACT

Waiver of Section 5.2.1.C.5 to omit the street wall.

WHEREAS, the waiver will not adversely affect adjacent property owners because this Soccer Stadium District development project represents a unified plan of development such that all impacts are internal to the overall site; and furthermore, it is important that the pedestrian experience to and from parking be safe and that, therefore, parking not be blocked from the public view; and

WHEREAS, the waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the rezoning application; and

WHEREAS, the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because street walls, if not in the form of a building itself will be eliminated wherever public safety is of concern; and, however, much of the street experience, otherwise addressed with street walls will be addressed with retail businesses, offices and parking structures themselves which unlike street walls that do not comprise actual uses like these will not compromise public safety; and

WHEREAS, strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because public safety is of paramount importance, particularly in this area of Louisville Metro which is a less than ideal condition today and which this project is intended to upgrade from both public safety and aesthetic standpoints; and

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves this Waiver.

VARIANCE FINDINGS OF FACT

Variance of: 5.2.1.C.3-6 to allow buildings to be setback from the property line/ROW.

WHEREAS, the variance will not adversely affect the public health, safety or welfare because this Soccer Stadium District development project represents a unified plan of development such that all impacts are internal to the overall site; and the location of all buildings relative to the public ways have been thoughtfully considered taking into account the location of landscaping, buildings, pedestrian ways, to assure the optimal public experience in terms of aesthetics, safety, and project viability; and

WHEREAS, the variance will not alter the essential character of the general vicinity because this Soccer Stadium District development project represents a unified plan of development such that all impacts are internal to the overall site; and

WHEREAS, the variance will not cause a hazard or a nuisance to the public because it is actually intended to assure the protection of the public's safety while at the same time increasing the aesthetics and economic viability and practical usage of both every individual property and the overall Soccer Stadium District site; and

WHEREAS, the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because this is a unique project designed in a unified manner taking into account characteristics barely, if at all, similar to anything else in Metro Louisville, even though given its location, mix of uses, and how these uses will need to interact one with another; and

WHEREAS, the Variance arises from special circumstances, which do not generally apply to land in the general vicinity because, as said above, everything about this project, both in terms of its location and mix of uses is really different than elsewhere; and

WHEREAS, strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship because it would not be able to accomplish, what is explained above it needs to accomplish as this unique location; and

WHEREAS, the circumstances are not the result of actions of the applicant taken subsequent to the adoption of the regulation but rather, are the result of this unique project at this unique location; and

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves this Variance.