

**PROPOSED FINDINGS OF FACT  
FOR CHANGE OF ZONING FROM  
C-1 TO C-2  
DERBY LLC AUTO  
CASE # 14ZONE 1011  
5010 POPLAR LEVEL ROAD**

Whereas, the Applicant has requested a change in zoning classification from C-1 to C-2 for a single parcel of 0.41 acres located at 5010 Poplar Level Road for the operation of an auto sales facility, with an associated request for a Variance to allow use of an existing paved area for auto storage for up to 10' within a required 25' rear yard setback pursuant to LDC Section 2.44 as well as an Landscape waiver to allow the required landscape buffer to be reduced commensurately.

Whereas, the Planning Commission finds the proposal complies with Guideline 1 of Community Form / Land Use for the Suburban Marketplace Corridor which is in this particular area is characterized by a number of auto related uses mixed in with other retail and food services uses.

Whereas the Planning Commission finds the proposal complies with the Goals of Community Form/Land Use Guideline 3, Compatibility, because the proposed use is well screened from the adjacent residential use behind it and is otherwise surrounded by commercial uses.

Whereas the Planning Commission finds the proposal complies with the Intent of Guideline 7,8 & 9 relating to different forms of the Mobility & Transportation Goal. The proposed auto sales and service operation being located on a major commercial corridor, already served by transit and sidewalks. And also because this proposal would actually remove one of two existing access points on Poplar Level Road.

Whereas, the Planning Commission finds the proposal complies with Guidelines 10, 12 & 13 as relates to Livability and the Environment. The proposed uses have occupied this site for many years without adverse environmental impacts and because the plan has been reviewed and approved by MSD and APCD.

Whereas, the Planning Commission finds that the proposal meets the intent of the Marketplace, Economic Growth and Sustainability Guideline as the site is located in an area with a great number of other auto related uses and the project is an improvement to an important commercial corridor.

Whereas the requested zoning change will allow the productive use of the existing buildings on the property and is in conformance with the applicable guidelines of the Cornerstone 2020 Comprehensive Plan.

Now therefore, the Louisville Metro Planning Commission hereby recommends to the Metro Council that it rezone the subject property from C-1 to C-2 and approve the requested Variance and Landscape Waiver.