

## **Case No. 15ZONE1048 Findings of Fact**

**WHEREAS**, the Louisville Metro Planning Commission finds that the proposal meets the intents of **Guideline 1: Community Form** because the proposal will utilize an existing structure on the site to incorporate a mix of neighborhood serving services such as the existing restaurant. The existing buildings and their setbacks will be maintained along Preston and Lynn Street. The proposed addition will be located along the rear of the building and follow the existing massing. The proposal maintains the existing grid pattern; will maintain all existing on-street parking spaces and the existing sidewalks along the property frontage; and the only building addition is to the rear of the site and along an alley; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 2: Centers** because it will not create a new center but it will include an expansion of the commercial use at the corner intersection. The development is compact and results in an efficient land use pattern and cost-effective infrastructure investment; and minimal parking facilities are provided to the rear of 2104 Preston Street from the alley and they will be shared for both addresses. Existing utilities will be utilized for the proposal, and all types of transportation are being provided for on the site; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 3: Compatibility** because the building design is consistent with the area. The proposal is not a non-residential expansion into a residential area; the area is mixed-use. APCD has no issues with the proposal, Transportation Planning has not indicated an issue with traffic, and lighting will meet LDC requirements. The proposal is located along a transit corridor and near the activity centers at Preston Street and Eastern Parkway. The landscape buffer waivers are due to mainly an existing condition; screening will be provided where possible and plantings will mostly be provided. Setbacks and building heights are compatible with the nearby developments as the addition is located to the rear of the site and along an alley. No parking garage is proposed, and signs will meet LDC requirements; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 4: Open Space**. Open space not required for proposal, and no natural features exist on the site; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 5: Natural Areas and Scenic and Historic Resources**. No natural features exist on the site, and the proposal will maintain the adaptive reuse of the existing structure; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 6: Economic Growth and Sustainability** because the site is located along a minor arterial with good access to both the expressway and an intersecting major arterial; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 7: Circulation** because roadway improvements are not necessary; all types of transportation are being provided for on the site; the existing transportation facilities will be maintained with the proposal; and additional ROW is not required. The proposal meets the minimum parking requirements for the proposed uses as listed in the Land Development Code; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 8: Transportation Facility Design** because access to the site is gained from a minor arterial and a rear alley with no access from areas of lower intensity, and the existing street grid is maintained with the proposal; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 9: Bicycle, Pedestrian and Transit** because all types of transportation are being provided for on the site; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 10: Flooding and Stormwater** because MSD has no issues with the proposal; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 12: Air Quality** because APCD has no issues with the proposal; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 13: Landscape Character** because no natural corridors exist along the site; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 14: Infrastructure** because the proposal is located in an area served by existing utilities or planned for utilities; the proposal has access to an adequate supply of potable water and water for fire- fighting purposes; and the health department has no issues with the proposal; and

**WHEREAS**, the Commission further finds that, based on the evidence and testimony presented, the applicant's justification, and the staff report 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 requested change in zoning from R-6 to C-2 on property located in the attached legal description be **APPROVED**.