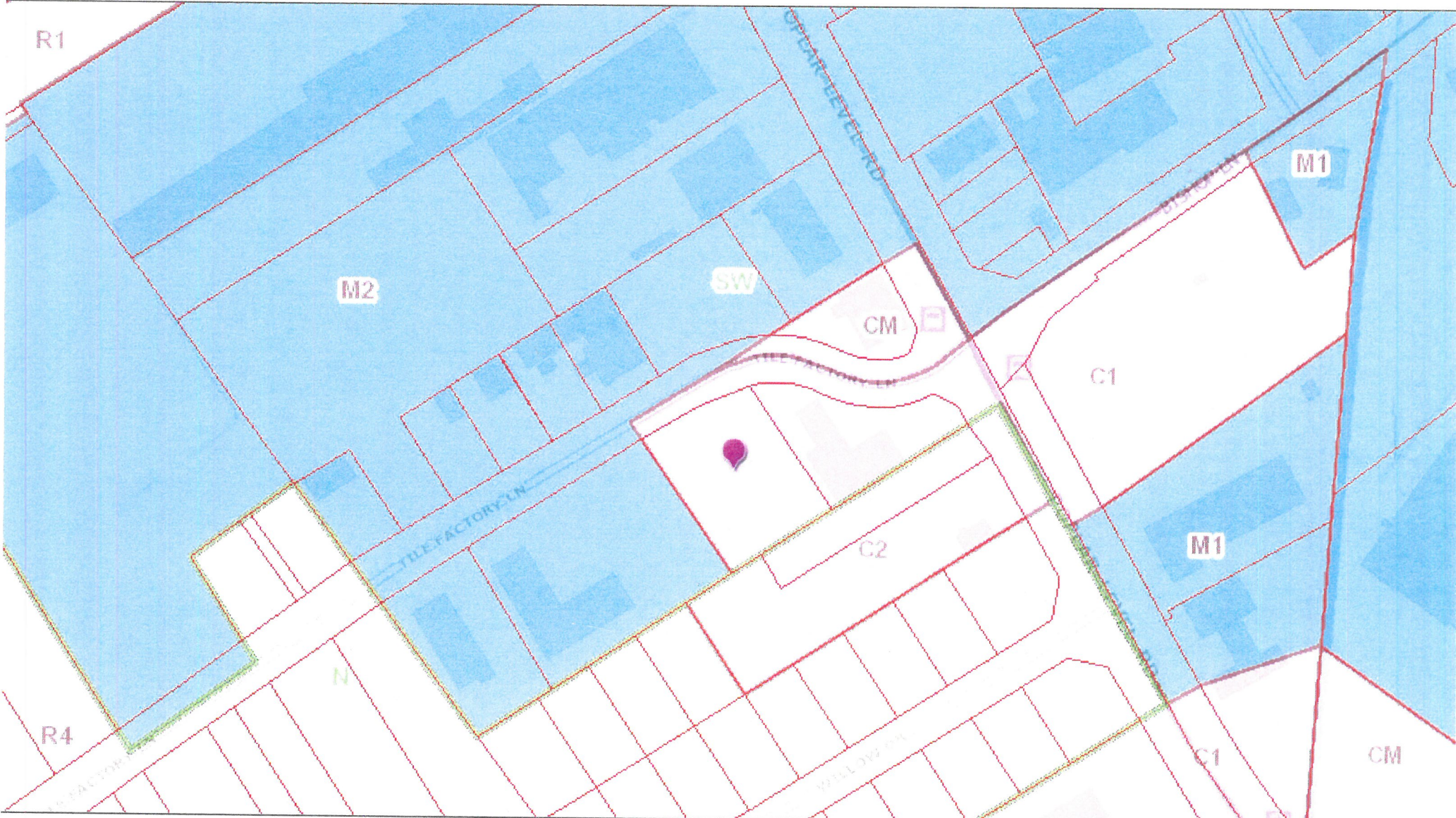


**EXHIBITS FOR APPLICANT
Roark Realty, LLC
1330 & 1332 Tile Factory Lane**

**Louisville Metro Planning Commission
Case No. 18Zone1087**

- 1) Zoning Maps
- 2) Aerial Photography
- 3) Development Plan prepared by Land Design & Development, Inc.
- 4) Amended Waiver Addendum Not to Provide the Required Landscape Buffer and Plantings Along the South and East Property Lines; Screening Along These Property Lines to be 6-8 Foot Privacy Fence.
- 5) Amended Zoning Change Demonstration of Appropriateness
- 6) Zoning Change Proposed Findings of Fact
- 7) Proposed Binding Element

**Glenn Price, Attorney for Applicant
Frost Brown Todd LLC
400 West Market Street, 32nd Floor
Louisville, Kentucky 40202
502/779-8511
gaprice@fbtlaw.com**



2/13/2019, 9:56:53 AM



Louisville Metro, MSD, LWC & PVA © 2019

This map is not a legal document and should only be used for general reference and identification.



2/13/2019, 9:58:10 AM



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This map is not a legal document and should only be used for general reference and identification.









p
style map

JOB NO.
18138

SHEET
1
OF
1

REVISED DETAILED DISTRICT DEVELOPMENT PLAN

1330 + 1332 TILE FACTORY LANE

OWNER/DEVELOPER
ROARK REALTY LLC
2305 PRESTON STREET
LOUISVILLE, KY 40217



LAND DESIGN & DEVELOPMENT, INC.
1000 WILSON AVENUE, SUITE 101 • LOUISVILLE, KENTUCKY 40202
607-502-8400 • FAX 502-484-0714
WEB SITE: WWW.LDD-INC.COM

PROJECT DATA

FILE NAME: 18138-RDDDP.dwg

DATE: 5/22/2019

CHECKED BY: MH

SCALE: AS SHOWN

DRAWN BY: ANH/BB

ENGINEER'S SEAL

SURVEYOR'S SEAL

REVISIONS

NO.	DATE	DESCRIPTION	BY

WM#11644



JOB NO.
18138

SHEET
1
OF
1

REVISED DETAILED DISTRICT DEVELOPMENT PLAN
1330 + 1332 TILE FACTORY LANE

OWNER/DEVELOPER
ROARK REALTY LLC
2305 PRESTON STREET
LOUISVILLE, KY 40217



LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • LAND GRADING • LANDSCAPE ARCHITECTURE
807 WILSON BLVD. SUITE 100
PO BOX 502442 ST. LOUIS, MO 63142
TEL: 636.241.4278 FAX: 636.241.4274
WEB SITE: WWW.LDD-INC.COM

PROJECT DATA
FILE NAME: 18138-REGDP.dwg
DATE: 5/22/2019
CHECKED BY: MH
SCALE: AS SHOWN
DRAWN BY: ARH/BB

ENGINEER'S SEAL
SURVEYOR'S SEAL

NO.	DATE	DESCRIPTION	BY

M-2/SW OFFEYS, LLC 4534 POPLAR LEVEL RD LOUISVILLE, KY, 40213 D.B. 8300, Pg. 0090

M-2/SW SCHNELL, PROPERTIES LLC 1343 TILE FACTORY LN LOUISVILLE, KY, 40213 D.B. 7371, Pg. 0648

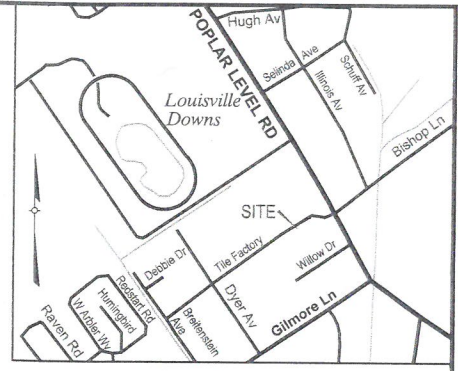
M-2/SW SCHNELL, PROPERTIES LLC 1343 TILE FACTORY LN LOUISVILLE, KY, 40213 D.B. 7371, Pg. 0648

M-2/SW SCHNELL, PROPERTIES LLC 1343 TILE FACTORY LN LOUISVILLE, KY, 40213 D.B. 7371, Pg. 0648

M-2/SW SCHNELL, PROPERTIES LLC 1343 TILE FACTORY LN LOUISVILLE, KY, 40213 D.B. 7371, Pg. 0648

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M-2/SW SCHNELL, PROPERTIES LLC 1343 TILE FACTORY LN LOUISVILLE, KY, 40213 D.B. 7371, Pg. 0648



PROJECT DATA

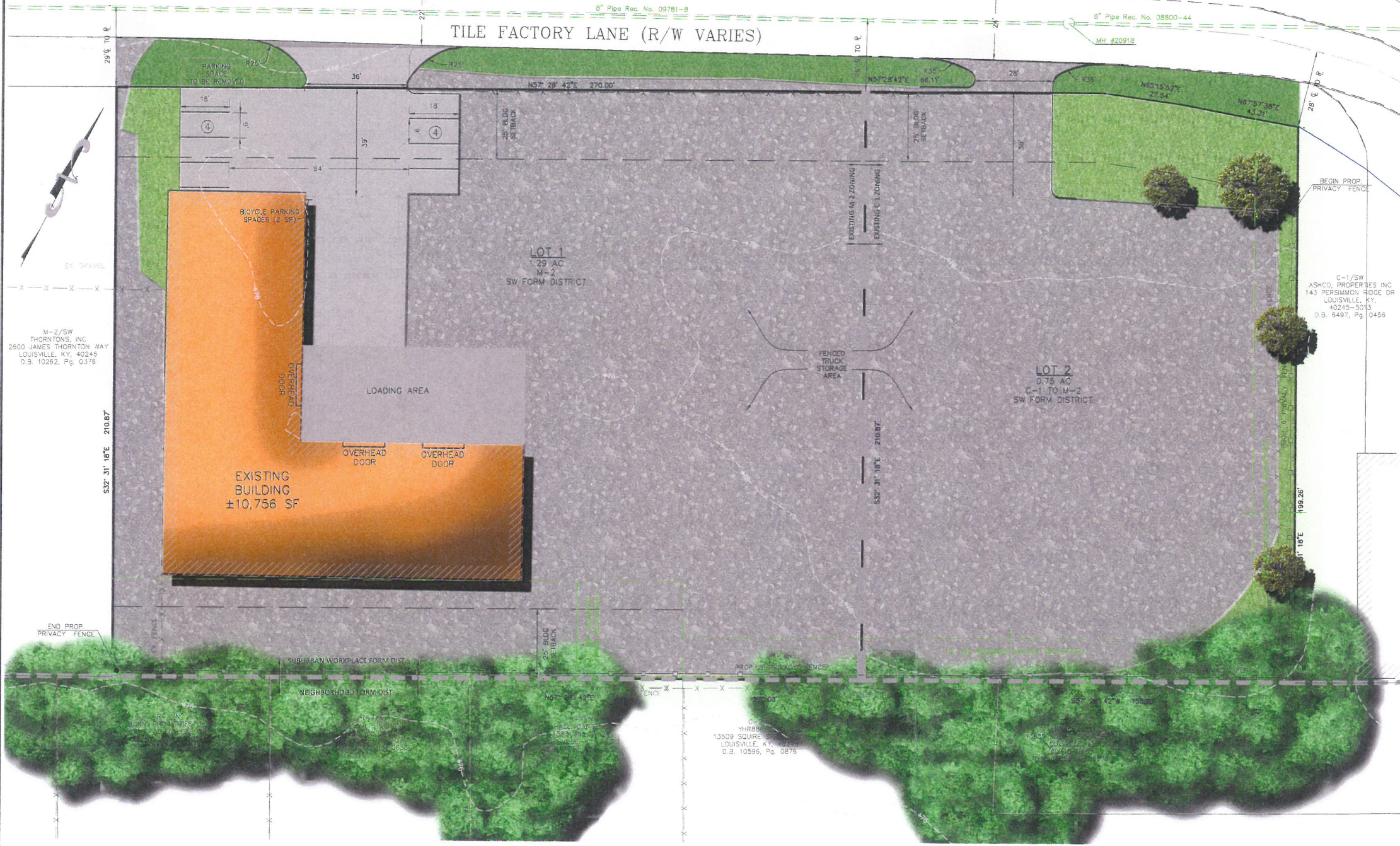
TOTAL SITE AREA	= 2.04 Ac. (88,708 S.F.)
EXISTING ZONING	= M-2 & C-1
PROPOSED ZONING	= M-2
FORM DISTRICT	= SUBURBAN WORKPLACE
EXISTING USE	= TRUCKING / TRANSPORTING
PROPOSED USE	= TRUCKING / TRANSPORTING
EXISTING BUILDING AREA	= 10,756 SF
F.A.R.	= 0.12
VJA	= 8,180 SF

PARKING REQUIRED	
1/1.5 EMPLOYEES (9 EMPLOYEES)	= 6 SP
1/1.0 EMPLOYEES (9 EMPLOYEES)	= 9 SP
TOTAL PARKING REQUIRED	= 6 SP
TOTAL PARKING PROVIDED	= 8 SP

BICYCLE PARKING	
LONG-TERM SPACES REQUIRED	= 2 SP
LONG-TERM SPACES PROVIDED	= 2 SP (PROVIDED INSIDE)
SHORT-TERM SPACES REQUIRED	= 2 SP
SHORT-TERM SPACES PROVIDED	= 2 SP

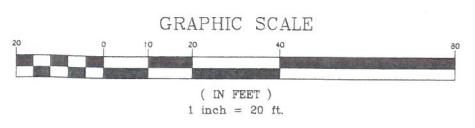
- GENERAL NOTES:**
- The purpose of this plan submittal is to demonstrate compliance with binding elements #1, 2 & 3 from docket no. 9-78-78 related to screening of adjacent residential properties, site drainage and outdoor storage of materials. No new construction is proposed.
 - Parking areas and drive lanes to be a hard and durable surface.
 - An encroachment permit and bond will be required for all work done in the right-of-way.
 - There shall be no commercial signs in the right-of-way.
 - Site lighting shall not shine in the eyes of drivers. If it does it shall be re-aimed, shielded, or turned off.
 - Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
 - Upon development or redevelopment of adjacent properties, a unified access and circulation system shall be developed to eliminate preexisting curb cuts and provide for vehicular movement throughout adjacent sites as determined appropriate by the Department of Public Works. A cross access agreement to run with the land and in a form acceptable to Planning Commission legal counsel shall be recorded prior to the time of construction approval for the adjacent property to be developed.
 - All roadway and entrance intersections shall meet the requirements for landing areas as set by Metro Public Works.

- MSD NOTES:**
- Sanitary sewer service is existing with no proposed changes.
 - No portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0076 E dated December 5, 2006.
 - Drainage pattern depicted by arrows (⇒) is for conceptual purposes.
 - If the site has thru drainage an easement plat will be required prior to MSD granting construction plan approval.
 - No site construction.
- WAIVER REQUESTED:**
- A waiver is requested from Section 10.2.4.A (Table 10.2.1) to not provide the required landscape buffers and plantings along the south and east property lines. The screening requirement along these property lines will be met with proposed privacy fencing.



LEGEND

---x---	= EXISTING STORM SEWER, CATCH BASIN
---o---	= EXISTING SEWER AND MANHOLE
---	= EXISTING CONTOUR
---	= EXISTING TREELINE
---	= EXISTING FENCE
---	= PROPOSED FENCE
---	= PROPOSED PRIVACY FENCE
---	= EXISTING LOADING AREA
---	= PROPOSED CONCRETE



SITE ADDRESS:
 1330 & 1332
 TILE FACTORY LANE
 TAX BLOCK 740, LOT 74 & 65
 D.B. 6874 , PG. 0600
 D.B. 6874 , PG. 623

COUNCIL DISTRICT - 21
 FIRE PROTECTION DISTRICT - CAMP TAYLOR
 MUNICIPALITY - LOUISVILLE

CASE: 18ZONE1087
 RELATED CASE:
 9-78-78
 WM#11844

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	3-8-19	ARRH	AGENCY COMMENTS
2	3-26-19	MH	AGENCY COMMENTS
3	5-22-19	MH	REM. PED. CONNECTION PER LD&T

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 DATE: 5/22/2019
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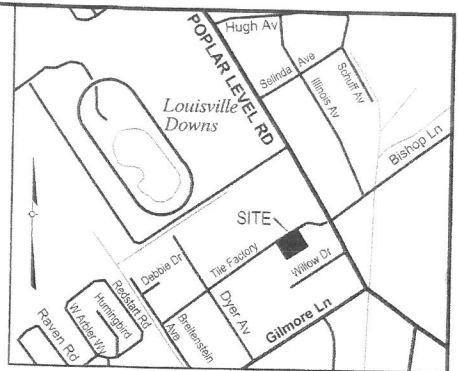
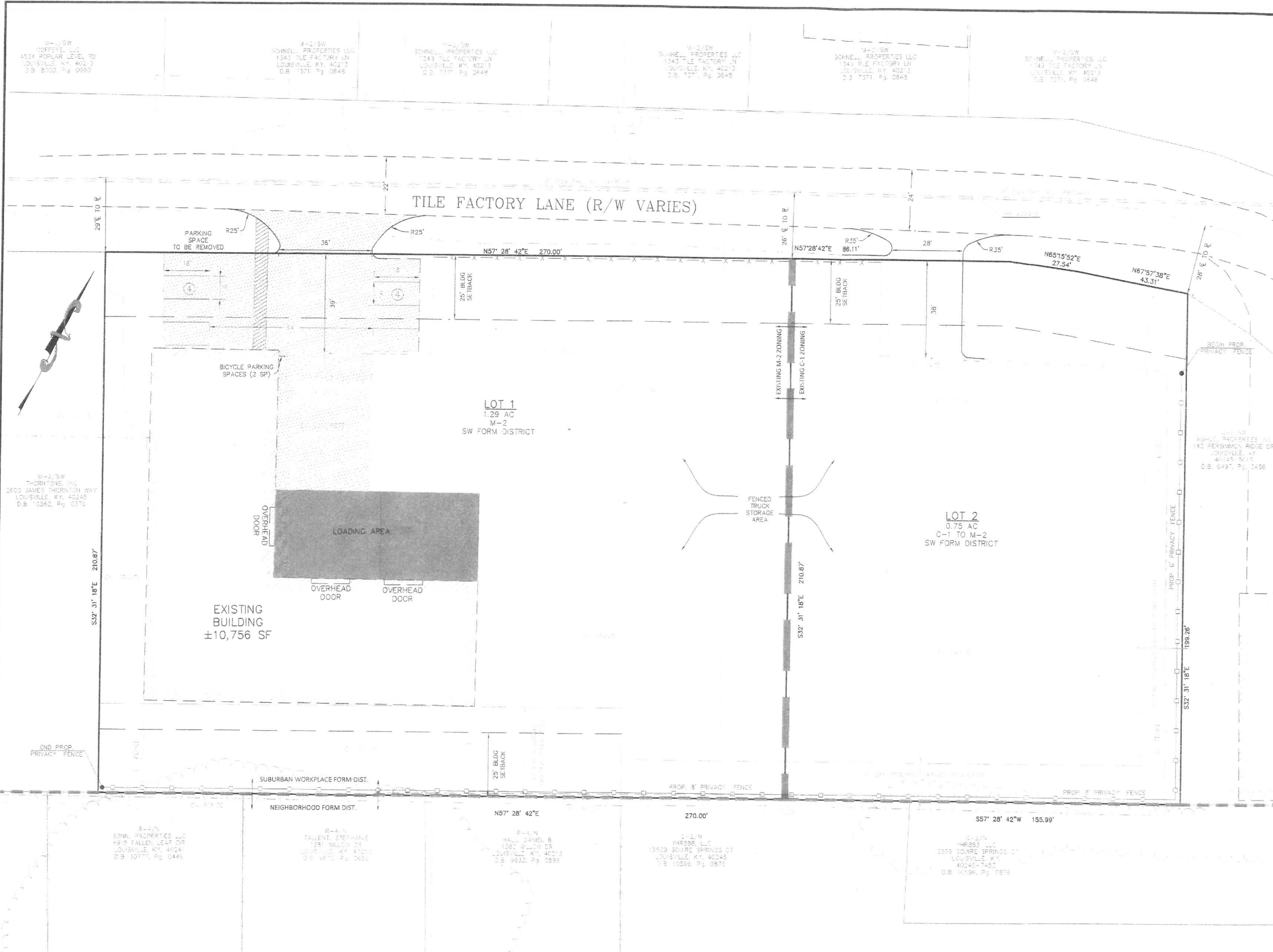
PROJECT DATA

PROJECT DATA

LD&D
LAND DESIGN & DEVELOPMENT, INC.
 507 WATERMAN AVENUE, SUITE 101, LOUISVILLE, KY 40202
 PHONE: 502.444.9774
 FAX: 502.444.9774
 WEB SITE: WWW.LD&D.COM

REVISED DETAILED DISTRICT DEVELOPMENT PLAN
1330 + 1332 TILE FACTORY LANE
 OWNER/DEVELOPER
ROARK REALTY LLC
 2305 PRESTON STREET
 LOUISVILLE, KY 40217

JOB NO. **18138**
 SHEET **1** OF **1**



PROJECT DATA

TOTAL SITE AREA	= 2.04 Ac. (88,708 S.F.)
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PROPOSED ZONING	= M-2
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PROPOSED USE	= TRUCKING / TRANSPORTING
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1/1.5 EMPLOYEES (9 EMPLOYEES)	= MIN.	MAX.
1/1.0 EMPLOYEES (9 EMPLOYEES)	= 6 SP	9 SP
TOTAL PARKING REQUIRED	= 6 SP	9 SP
TOTAL PARKING PROVIDED	= 8 SP	9 SP

BICYCLE PARKING

LONG-TERM SPACES REQUIRED	= 2 SP
LONG-TERM SPACES PROVIDED	= 2 SP (PROVIDED INSIDE)
SHORT-TERM SPACES REQUIRED	= 2 SP
SHORT-TERM SPACES PROVIDED	= 2 SP

GENERAL NOTES:

- The purpose of this plan submittal is to demonstrate compliance with binding elements #1, 2 & 3 from docket no. 9-78-78 related to screening of adjacent residential properties, site drainage and outdoor storage of materials. No new construction is proposed.
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- All roadway and entrance intersections shall meet the requirements for landing areas as set by Metro Public Works.

MSD NOTES:

- Sanitary sewer service is existing with no proposed changes.
- No portion of the site is within the 100 year flood plain per FIR Map No. 21111 C 0078 E dated December 5, 2006.
- Drainage pattern depicted by arrows (→) is for conceptual purposes.
- If the site has thru drainage an easement plan will be required prior to MSD granting construction plan approval.
- No site construction proposed.

WAIVER REQUESTED:

- A waiver is requested from Section 10.2.4.A (Table 10.2.1) to not provide the required landscape buffers and plantings along the south and east property lines. The screening requirement along these property lines will be met with proposed privacy fencing.

REVISIONS	
NO.	DESCRIPTION
1	3-8-19
2	3-26-19

BY: [Signature]
 DATE: 3-8-19
 AGENCY COMMENTS: [Blank]
 AGENCY COMMENTS: [Blank]

PROJECT DATA
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 DATE: 2/7/2019
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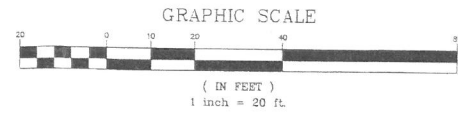
L&D
LAND DESIGN & DEVELOPMENT, INC.
 PLANNING & LANDSCAPE ARCHITECTURE
 509 HANCOCK LANE, SUITE 100
 LOUISVILLE, KY 40245
 PHONE: 502.442.9278
 FAX: 502.442.9274
 WEB SITE: WWW.LD&D.COM

REVISED DETAILED DISTRICT DEVELOPMENT PLAN
1330 + 1332 TILE FACTORY LANE
 OWNER/DEVELOPER
ROARK REALTY LLC
 2305 PRESTON STREET
 LOUISVILLE, KY 40217

JOB NO. **18138**
 SHEET **1** OF **1**

LEGEND

- = EXISTING STORM SEWER, CATCH BASIN
- = EXISTING SEWER AND MANHOLE
- = EXISTING CONTOUR
- = EXISTING TREELINE
- = EXISTING FENCE
- = PROPOSED FENCE
- = PROPOSED PRIVACY FENCE
- = EXISTING LOADING AREA
- = PROPOSED CONCRETE



RECEIVED
 APR 25 2019
 PLANNING & DESIGN SERVICES

SITE ADDRESS:
 1330 & 1332
 TILE FACTORY LANE
 TAX BLOCK 740, LOT 74 & 65
 D.B. 6874, PG. 0600
 D.B. 6874, PG. 623

CASE: 18ZONE1087
 RELATED CASE:
 9-78-78
 WM#11844

COUNCIL DISTRICT - 21
 FIRE PROTECTION DISTRICT - CAMP TAYLOR
 MUNICIPALITY - LOUISVILLE

AMENDED WAIVER APPLICATION ADDENDUM
LAND DEVELOPMENT CODE 10.2.4 (TABLE 10.2.1)
1330 AND 1332 TILE FACTORY LANE
ROARK REALTY LLC, APPLICANT

Waiver request. This is a request for a Waiver of Land Development Code (“LDC”) §10.2.4 (Table 10.2.1) not to provide the required landscape buffer and plantings along the south and east property lines. The screening along these property lines will be met with proposed privacy fencing.

A. The waiver will not adversely affect adjoining property owners.

The proposed waiver will not adversely affect adjoining property owners because an 8-foot tall privacy fence is proposed where the south property line abuts residential home properties and a commercial business. This tall fence will adequately buffer the adjoining property owners from site impacts. The east property line is proposed to have a 6-foot tall privacy fence along the east property line and an 8-foot tall privacy fence along the south property line. These fences will abut a commercial building on the adjacent east property, built near the property line. The fence will have no adverse impact to this property. The 8-foot tall fence will protect residential and commercial structures on lots to the south.

B. The waiver will not violate the Comprehensive Plan.

The proposed waiver will not violate the Comprehensive Plan because it conforms to Community Form Goal 1 and Policies 9 and 10. Adequate screening will be in place to protect adjacent properties from the trucking/transportation use on the subject site. The buffer will protect nearby residents from lights, noise and visual appearances.

C. The extent of the waiver is the minimum necessary to afford relief to the Applicant.

The extent of the waiver is the minimum necessary to afford relief to the Applicant because it allows the Applicant to make viable use of its storage yard while protecting the neighbors from the use of the property for storage and truck movement.

D. The strict application of the regulation would deprive the Applicant of the reasonable use of its land or would create an unnecessary hardship on the Applicant.

The strict application of the regulation would deprive the Applicant of the reasonable use of its land and would create an unnecessary hardship on the Applicant because the adjoining property owners would not benefit from the strict application of the regulation: the neighbor to the east has a building that is close to the property line having no visibility to this site; and the neighbors to the south have residences that are distant from the common property line and will be protected by the 8-foot privacy fence. The Applicant is in need of the use of predominantly all of the storage yard for its trailers.

AMENDED DEMONSTRATION OF APPROPRIATENESS

**In support of zone change application from
Commercial District C-1 to Industrial District M-2
1330 and 1332 Tile Factory Lane, Louisville, Kentucky
Roark Realty, LLC, Owner and Applicant**

This is a Demonstration of Appropriateness (the “Demonstration”) in support of a zone change application from Commercial District C-1 to Industrial District M-2 to permit a trucking and transportation operation at 1330 and 1332 Tile Factory Lane.

The requested zone change conforms with KRS 100.312 and is in agreement with the adopted Comprehensive Plan applicable in Louisville, Jefferson County, Kentucky (“Plan 2040”), as is further detailed in this Demonstration below.

Community Form Goal 1. Guide the form and design of development to respond to distinctive physical, historic and cultural qualities. The proposed zone change (the “Proposal”) conforms with Community Form Goal 1 and all applicable Policies adopted thereunder, including Policies 6, 7, 8, 15, 16, 17, 18, and 21. The Proposal is properly located within a Suburban Workplace Form District and is surrounded by other industrial and distribution businesses near Poplar Level Road, which has direct access to the Watterson Expressway and the interstate system. The Proposal is adjacent to a few residential uses which will be buffered by an 8-foot tall solid fence. The building is set back from the street. Sidewalks are not available along the frontage of the site nor are they available in the vicinity. Poplar Level Road is a transit corridor. Transit Authority of River City (“TARC”) Route 43 provides transit service along Poplar Level Road with immediate proximity to the site. Adequate infrastructure for this land use presently exists on-site. The truck distribution business on-site does not handle hazardous uses or uses having air, noise and light emissions. Disadvantaged populations will not be adversely impacted by the proposal. Odors, particulates or other emissions will not be caused by the development. The development does not cause substantial volumes of traffic.

Community Form Goal 2. Encourage sustainable growth and density around mixed-use centers and corridors. The Proposal conforms with Community Form Goal 2 and all applicable Policies adopted thereunder, including Policies 1, 2, 5, 6, 7, 9, 10, 12, and 15. Locating transportation uses adjacent to other such uses – all of which have near access to the interstate system, is appropriate. This development constitutes an activity center which has a relatively low trip generation rate. On-site parking reflects the character of the area, as can be readily seen from the surrounding land uses. This development has a compact development pattern.

Community Form Goal 3. Enhance neighborhoods by protecting and integrating open space, watersheds and other natural resources. The Proposal conforms with Community Form Goal 3 and all applicable Policies adopted thereunder, including Policies 3, 9 and 10. Open space is not appropriate in this type development/Form District. No substantial change to site topography is proposed. There are no wet or highly permeable soils on site nor are there steep or unstable slopes or flood-prone areas on-site.

Community Form Goal 4. Promote and preserve the historic and archeological resources that contribute to our authenticity. The Proposal conforms to Community Form Goal 4 and all applicable

Policies adopted thereunder, including Policies 1 and 2. There are no buildings or features on-site having historic or architectural value nor are there distinctive cultural features on site.

Mobility Goal 1. Implement an accessible system of alternative transportation modes. The Proposal conforms to Mobility Goal 1 and all applicable Policies adopted thereunder, including Policy 4. This is the site of a business which has a limited intensity in a vicinity of employment centers.

Mobility Goal 2. Plan, build and maintain a safe, accessible and efficient transportation system. The Proposal conforms to Mobility Goal 2 and all applicable Policies adopted thereunder, including Policies 4 and 5. Access is to Poplar Level Road and is not through and area of significantly lower intensity and does not create significant nuisances. Sight distances are adequate.

Mobility Goal 3. Encourage land use and transportation patterns that connect Louisville Metro and support future growth. The Proposal conforms with Mobility Goal 3 and all applicable Policies adopted thereunder, including Policies 2, 3, 4 and 5. This development is a low impact development that utilizes the interstate highway system for transport. It is appropriately located near the Watterson Expressway (Interstate-264). Because of the relatively low intensity of the business on-site its location is appropriate and the site is walkable throughout.

Community Facilities Goal 2. Plan for community facilities to improve quality of life and meet anticipated growth. The Proposal conforms to Community Facilities Goal 2 and all applicable Policies adopted thereunder, including Policies 1, 2 and 3. The site is served by all existing necessary utilities and has an adequate supply of potable water and water for fire-fighting purposes provided by the Louisville Water Company. Sewage treatment and disposal is adequately handled by the facilities of the Metropolitan Sewer District.

Economic Development Goal 1. Provide an economic climate that improves growth, innovation, investment and opportunity for all. The Proposal conforms to Economic Development Goal 1 and all applicable Policies adopted thereunder, including Policies 2, 4 and 5. Although not generating high volumes of traffic, the development is located in an older industrial subdivision near Poplar Level Road, an arterial roadway, and the Watterson Expressway. The site is close to the airport.

Livability Goal 1. Protect and enhance the natural environment and integrate it with the built environment as development occurs. The Proposal conforms to Livability Goal 1 and all applicable Policies adopted thereunder, including Policies 17, 21 and 24. Use of the site will not affect groundwater resources. The site is not subject to erosion and the regulatory floodplain will be observed. Hazardous uses will not be stored on site or produced on site.

0140805.0714116 4833-1454-2216v1

PROPOSED FINDINGS OF FACT SUBMITTED BY APPLICANT
1330-1332 Tile Factory Lane, Louisville, Kentucky

WHEREAS, The Planning Commission Finds That the proposed zone change from Commercial District C-1 to Industrial District M-2 to permit a trucking and transportation operation at 1330 and 1332 Tile Factory Lane (the “Proposal”) should be approved because the requested zone change conforms with KRS 100.312 because it is in agreement with the adopted Comprehensive Plan applicable in Louisville, Jefferson County, Kentucky (“Plan 2040”), as is further detailed below; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Community Form Goal 1 [“Guide the form and design of development to respond to distinctive physical, historic and cultural qualities.”] and all applicable Policies adopted thereunder, including Policies 6, 7, 8, 15, 16, 17, 18, and 21 because the Proposal is properly located within a Suburban Workplace Form District and is surrounded by other industrial and distribution businesses near Poplar Level Road; because the site has direct access to the Watterson Expressway and the interstate system and is NOT adjacent to residential uses; because a 6 – 8 foot tall privacy fence will buffer neighbors from the proposed use; because the building is set back from the street; because sidewalks are not available along the frontage of the site nor are they available in the vicinity; because Poplar Level Road is a transit corridor and Transit Authority of River City (“TARC”) Route 43 provides transit service along Poplar Level Road with immediate proximity to the site; because adequate infrastructure for this land use presently exists on-site; because the truck distribution business on-site does not handle hazardous uses or uses having air, noise and light emissions; because disadvantaged populations will not be adversely impacted by the proposal; because odors, particulates or other emissions will not be caused by the development; and because the development does not cause substantial volumes of traffic; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Community Form Goal 2 [“Encourage sustainable growth and density around mixed-use centers and corridors.”] and all applicable Policies adopted thereunder, including Policies 1, 2, 5, 6, 7, 9, 10, 12, and 15 because locating transportation uses adjacent to other such uses – all of which have near access to the interstate system, is appropriate; because this development constitutes an activity center which has a relatively low trip generation rate; because on-site parking reflects the character of the area, as can be readily seen from the surrounding land uses; and because this development has a compact development pattern; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Community Form Goal 3 [“Enhance neighborhoods by protecting and integrating open space, watersheds and other natural resources.”] and all applicable Policies adopted thereunder, including Policies 3, 9 and 10 because open space is not appropriate in this type development/Form District; because no substantial change to site topography is proposed; and because there are no wet or highly permeable soils on site nor are there steep or unstable slopes or flood-prone areas on-site; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Community Form Goal 4 [“Promote and preserve the historic and archeological resources that contribute to our authenticity.”] and all applicable Policies adopted thereunder, including Policies 1 and 2 because there are no buildings or features on-site having historic or architectural value nor are there distinctive cultural features on site; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Mobility Goal 1 [“Implement an accessible system of alternative transportation modes.”] and all applicable Policies adopted

thereunder, including Policy 4 because this is the site of a business which has a limited intensity in a vicinity of employment centers; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Mobility Goal 2 [“Plan, build and maintain a safe, accessible and efficient transportation system.”] and all applicable Policies adopted thereunder, including Policies 4 and 5 because access is to Poplar Level Road and is not through an area of significantly lower intensity and does not create significant nuisances and sight distances are adequate; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Mobility Goal 3 [“Encourage land use and transportation patterns that connect Louisville Metro and support future growth.”] and all applicable Policies adopted thereunder, including Policies 2, 3, 4 and 5 because this development is a low impact development that utilizes the interstate highway system (i.e., the Watterson Expressway) for transportation; because the site is appropriately located near the Watterson Expressway (Interstate-264); and because of the relatively low intensity of the business on-site its location is appropriate and the site is walkable throughout; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Community Facilities Goal 2 [“Plan for community facilities to improve quality of life and meet anticipated growth.”] and all applicable Policies adopted thereunder, including Policies 1, 2 and 3 because the site is served by all existing necessary utilities and has an adequate supply of potable water and water for fire-fighting purposes provided by the Louisville Water Company; and because sewage treatment and disposal is adequately handled by the facilities of the Metropolitan Sewer District; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Economic Development Goal 1 [“Provide an economic climate that improves growth, innovation, investment and opportunity for all.”] and all applicable Policies adopted thereunder, including Policies 2, 4 and 5, because, although not generating high volumes of traffic, the development is located in an older industrial subdivision near Poplar Level Road, an arterial roadway, and the Watterson Expressway; moreover, the site is close to the Muhammad Ali International Airport; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Livability Goal 1 [“Protect and enhance the natural environment and integrate it with the built environment as development occurs.”] and all applicable Policies adopted thereunder, including Policies 17, 21 and 24 because use of the site will not affect groundwater resources; because the site is not subject to erosion and the regulatory floodplain will be observed; and because hazardous uses will not be stored on site or produced on site.

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to these and all other applicable Goals, Objectives and Policies of the 2040 Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED, THAT THE LOUISVILLE METRO PLANNING COMMISSION, HAVING CONDUCTED A DULY NOTICED PUBLIC HEARING, DOES HEREBY RECOMMEND TO THE LOUISVILLE METRO COUNCIL THAT THE PROPOSED ZONE CHANGE TO INDUSTRIAL DISTRICT M-2 AT 1330 AND 1332 TILE FACTORY LANE SHOULD BE GRANTED AND APPROVED.

PROPOSED ADDITIONAL BINDING ELEMENT

The following uses shall not be permitted on the subject property without the prior approval of the Planning Commission by majority vote taken following a public hearing that is duly noticed to all property owners otherwise entitled to notice for a zone change:

Processing of meat or meat products or fish or fish products

Blending of insecticides, fungicides, disinfectants and related industrial and household chemical compounds

Poultry, rabbit or animal packing or slaughtering

0140933.0714893 4826-3206-1591v1