

CONDITIONAL USE PERMIT JUSTIFICATION STATEMENT

7411 St. Andrews Church Road (“Property”)

21-ZONEPA-0065

THIS IS A CONDITIONAL USE PERMIT PURSUANT TO SECTION 4.2.51 OF THE LDC TO ALLOW A CONTRACTOR’S YARD TO BE LOCATED IN A C2 ZONING DISTRICT.

This Property is seeking a zoning change in addition to this request for a Conditional Use Permit. The Property is currently zoned C1 and the applicant operates a landscaping business out of the previously approved metal pole barn on the Property. As part of the applicant’s business, there are certain materials and equipment that need to be stored outside. The existing zoning in the surrounding area is mostly commercial. The property immediately to the west is zoned C1. Two properties immediately to the east are zoned C1. One property to the east and south of the site are zoned residential. In addition, C2 commercial zoning is located nearby about 300 feet to west and 600 feet to the east. The Property and most of the adjacent property is zoned for commercial use. The CUP would not have an adverse impact on the neighbors and is conformance with the Comprehensive Plan.

Conformance with Comprehensive Plan

Compliance with specific applicable plan elements, goals, objectives, and policies of the Plan 2040 A Comprehensive Plan for Louisville Metro (“Plan”) are set forth in this Justification Statement.

Plan Element 4.1 Community Form. (Goals 1.a, c, e, f, 2.a, b, c, 3.a, b)

According to LOJIC Online the property currently lies within the Neighborhood Form District. The Neighborhood Form District is characterized by predominantly residential uses but allows for other uses that have limited impact on the surrounding areas. The Neighborhood Form District should have uses and services that serve the residents. More intense uses are encouraged to be located on minor or major arterials and St. Andrews Church Road is a minor arterial at this location. Although we are not requesting a form district change, the language used for a form district change is important. Parties should consider both the existing and evolving neighborhood character. Planners should be flexible and encourage infill development.

The proposed CUP is appropriate for the site. The building is of a design appropriate in mass, scale, and style to the buildings in the neighborhood and was previously approved. The project is the kind of improvement that is encouraged by the Plan and allows for the continuous

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operation of an existing successful business. It conforms to the intent of the Community Form Plan Element because promotes the prosperity of the neighborhood. The zoning change allows for adaptive infill development which is a clear objective of the Community Form Plan Element. The new use allows for operation of an existing business and encourages the enterprise to be located in an area already served by existing infrastructure. The existing landscape business is conducted mostly off-site with the equipment being stored in the metal pole barn.

Plan Element 4.2 Mobility (Goals 1.e, 2.a, c, 3.e)

The plan element of Mobility promotes effective connectivity through the community via a safe and effective transportation system. Goal 3 of the Mobility plan element is to encourage land use and transportation patterns that connect Louisville Metro and support future growth. The location is already connected to existing infrastructure and by allowing the continuous operation of an existing business will enhance community sustainability. The landscape business involves supervisors picking up the equipment at the Property and then meeting the employees at various work locations throughout the city.

Policy 3 under Goal 3 of the Mobility plan element is to evaluate developments for their ability to promote public transportation and pedestrian use. Although air quality relating to automobile emissions, noise and traffic flow concerns will not be an issue as no additional traffic will be generated by this proposal, this location for the Landscaping Contractor’s Yard will actually promote air quality. The proximity of the subject property to I-65 and other neighborhoods will continue to result in shorter trips for workers, resulting in further reduction of automobile emissions. Also, as previously indicated, there will be no increase in vehicular traffic and no adverse effect on air quality. In addition, the applicant plans to install bike racks at the location to encourage multi-modal transportation.

Plan Element 4.3 Community Facilities (Goals 2.b, c, d)

Although the proposal does not include any new community facilities, it does comply with Policy 1 of Goal 2 of the Community Facilities plan element. The development is located in an area that is being served by existing utilities. In addition, the Pleasure Ridge Park Fire Department will provide fire safety services to the site and the Metro Louisville Police Department will provide police service to the site.

Plan Element 4.4 Economic Development (Goals 1.d, h, 2.b)

The intent of the Economic Development plan element is to provide a framework for a healthy economic climate. The goals, objectives and policies advance Louisville Metro’s economic development vision by supporting small and mid-sized businesses and encouraging investment in areas facing disinvestment. Clearly allowing the applicant to continue to operate

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his business at this location would further to strategy of promoting small businesses and encouraging investment. Objective (b) of Goal 1 of this plan element is the redevelopment of underused commercial property. This property is currently C1 and the change to C2 would allow the existing use to continue. Policy 2 of Goal 2 of this plan element encourages opportunities for adaptive re-use and encourages infill development through flexible land use regulations. Policy 3 of Goal 2 of this plan element encourages tree plantings that will be a part of applicant's development. The reinvestment and development of this property is consistent with and supported by the Plan.

Plan Element 4.5 Livability (Goals 1.d, 4.f)

The intent of the Livability plan element is to provide guidance and direction for the provision and maintenance of resources necessary for the health and well-being of the citizens. Objective (c) and policy 41 of Goal 1 of this plan element is encourage new tree plantings and the restoration of the tree canopy. The applicant will fully comply with any new tree canopy requirements and the plantings required by the Land Development Code. Policy 2 of Goal 2 of this plan element is to streamline the application and permitting process for the appropriate properties. While there is not an absent property owner, this property as currently zoned does not allow for its adaptive reuse and the zoning change would allow for appropriate reuse. Finally, Goal 3 of this plan element promotes equitable access to land use planning to not only those large developers and industry, but also to small business owners looking to expand operations and business opportunities which in turn leads to better neighborhoods and prosperity of the citizens of those neighborhoods.

Plan Element 4.6 Housing (Goals 1.a, 2.b, e, f)

The proposed zoning change would not displace any existing residence. The property contains an existing residence with the business behind the residence. This plan element seeks to enhance housing opportunities to all citizens of Louisville. Specifically Goal 2 of this element is to facilitate the development of connected neighborhoods with an objective to promote infill development and adaptive re-use. This site is currently zoned C1. The zoning change will allow the continuous operation of the existing landscaping business. This business is appropriate and integrated with the nearby residential neighborhoods and gives residents local employment opportunities which in turn enhance and expand housing opportunities.

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