

# 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

## **STATEMENT OF COMPLIANCE WITH THE APPLICABLE GUIDELINES AND POLICIES OF THE PLAN 2040 COMPREHENSIVE PLAN**

Applicant/Owner: Drum Trucking, LLC

Location: 8315 Nash Road

Proposed Use: Truck Parking Facility

Engineers, Land Planners and  
Landscape Architects: Mindel Scott Engineers

Requests: Change in Zoning from C-2 to M-2 and submission of  
a detailed district development plan

### **INTRODUCTION**

The Applicant is proposing a facility to provide 49 truck parking spaces and 19 automobile spaces on a 2.29-acre tract at 8315 Nash Road. The site is located in the Suburban Workplace Form District which is characterized by predominately industrial, and offices uses where buildings are set back from the street in a landscaped setting. Nash Road is a two-lane collector level roadway. Industrial uses are adjacent to this vacant site and the only nearby residence is a caretaker's residence on the truck parking facility adjacent to the south.

### **GOAL 1 - COMMUNITY FORM**

The proposal complies specifically with Policies 6, 7, 8, 15, 16, 17, 18, and 21 because it does not encroach upon residential areas or zones where the only residence is a caretaker's house which is permitted in the M-2 district. The location of this proposed facility is unlikely to cause and nuisances to area residents such as noise, odors, lighting, traffic, etc. The proposed district is appropriately located adjacent to similar zoning classifications and uses. This Suburban Workplace Form District is served by infrastructure and transportation facilities and the proposed use concentrates similar uses and no disadvantaged populations, residences, parks or schools are within the immediate vicinity. The site is located in an existing industrial activity center where traffic will not pass through residential areas to gain access to the interstate (I-65) or arterial roadways (Outer Loop).

### **GOAL 2 - COMMUNITY FORM**

The proposed development conforms with the overall intent of, and specifically with, Policies 1, 5, 6, 7, 8, 9 and 10 of Goal 2 for all the reasons listed above and because it is not a commercial or residential use and is in an appropriate form district with supportive infrastructure and transportation facilities.

### **GOAL 3 – COMMUNITY FORM**

The proposed development conforms with the overall Intents of and specifically with Policies 9, 10, 11 and 12 of Goal 3 because there are no wet or highly permeable soils, or sever, steep or unstable slopes on the property which is virtually flat and will not therefor require any significant grading to alter the topography which will minimize property damage or environmental degradation. A portion of the site is located in the flood plain. MSD will review the proposal to ensure there will be no changes to flood-prone areas.

### **GOAL 4 – COMMUNITY FORM**

The proposed development conforms with the overall Intents of and specifically with Policies 1 and 2 because the site is vacant and there are no distinctive cultural features on the site and there are no historic or cultural assets evident on the site.

### **GOALS 1, 2 and 3 - MOBILITY**

The proposed development conforms with the Policies of Goals 1 and 3 and Policies thereunder because the proposed site is in a workplace form district with similar adjacent uses readily served by infrastructure and transportation facilities. Although transportation planning is reviewing the proposal it is anticipated that no public roadway improvements are required and there is no direct residential access to high-speed roadways therefor no public funds will be required to rectify inadequacies. Right of way dedication to add to Nash Road is as shown on the development plan. Potable water for drinking and firefighting purposes is available as well as sanitary sewers. A sidewalk is proposed along the Nash Road frontage which will be an early contribution to the creation of a walkable area.

### **GOAL 2 – COMMUNITY FACILITIES**

The proposed development conforms with policies 1, 2 and 3 of Goal 2 because all necessary utilities are available to the site including potable water and water for fire suppression and public sewers are available by lateral extension to the Guthrie Wastewater Treatment Plant. MSD approval will be required.

### **GOAL 1 - ECONOMIC DEVELOPMENT**

The proposal conforms with Policies 1, 2, 3, 4 and 5 of Goal 1 because the facility is in a workplace form district adjacent to similar uses and zoning classifications readily served by infrastructure and transportation facilities.

### **GOAL 1- LIVABILITY**

The proposed development conforms with Policies 17, 21 and 24 of Goal 1 because landscaping will be provided in conformance with the LDC utilizing native species wherever possible; a site visit was conducted by Derek Triplett, RLA on November 17, 2021, and no evidence of Karst features was observed and the site is partially located in a regulatory floodplain. An MSD floodplain permit will be required. The site provides stormwater detention will provide compensation at a rate of 1.5 to 1 as depicted on the development plan.

**GOALS 1 AND 2 - HOUSING**

The proposed development conforms with the applicable Policies because the proposed zoning district permits a variety of housing types and increases the variety of housing in the neighborhood and supports aging in place by providing smaller homes which are available to aging residents who seek fewer maintenance obligations and encourages inter-generational mixed-income development connected to the surrounding area and is in proximity to multi-modal transportation corridors.

**GOAL 3 - HOUSING**

The proposed development complies with applicable Policies because no housing is permitted nor proposed for this site

\*\*\*\*

For these and other reasons to be presented at LD&T and the public hearing, this application also complies with all other applicable Goals and Policies of the Plan 2040 Comprehensive Plan.

Respectfully submitted,

**BARDENWERPER, TALBOTT & ROBERTS, PLLC**  
1000 N. Hurstbourne Parkway, Second Floor  
Louisville, Kentucky 40222  
(502) 426-6688  
Counsel for Applicant/Property Owners