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Zoning Justification for 8806 & 8912 Smyrna Parkway

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R-4 to C-2 with Conditional Use Permit (see additional CUP Justification)

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Demonstration of Appropriateness based upon Chapter 11.4.4.A.1.a of the Land Development Code stating, "How the proposed amendment conforms to the Comprehensive Plan"

The applicant is requesting a change in zoning from R-4, Single Family Residential, to C-2, Commercial, with a conditional use permit to allow mini-warehouses on the rear 2.25 acre portion of the total 10.66 acres located at 8806 & 8912 Smyrna Parkway adjacent to the boundaries of the Highview Neighborhood Plan. The subject property is within the Neighborhood Form District along the identified Smyrna Parkway. The proposed change in zoning will accommodate the planned mixed use retail and restaurants with mini storage. For the reasons stated below, the proposed rezoning with conditional use permit (separate justification) conforms to the Comprehensive Plan and, therefore, should be approved by the Planning Commission and Louisville Metro Council.

Guideline 1: Community Form

The subject property lies within the Neighborhood Form Area as identified by Core Graphic 1 of the Cornerstone 2020 Comprehensive Plan. In the graphic, the form is described as a compact residential area integrated with shops and public spaces. The locations of these shops and non-residential uses that may be contained within the form district are further described in Guideline 1.B.3 as being placed at appropriate locations such as neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods and provide for full mobility/accessibility.

The proposal complies with Guideline 1, Community Form, since it provides a mixture of neighborhood serving uses for residents of the surrounding area. The development will be at a 1 story height consistent with the scale of the area and incorporate design elements to the structures to make them appropriate to the Neighborhood Form as specified within the Land Development Code. All buffering and setbacks will be incorporated into the development along the rear and side yards adjacent to existing single family uses to further ensure the development is at an appropriate scale and intensity for the Neighborhood Form. Full pedestrian, vehicular and cyclist connectivity will be provided from Smyrna Parkway to the entrance of each of the uses with full connectivity also provided between each of the uses.

Guideline 2: Centers

The proposed rezoning complies with Guideline 2, Centers, as specifically stated in Policy A.2 to develop non-residential and mixed uses only in designated activity centers. The site of the proposed development is at the intersection of Smyrna Parkway, a primary collector, and the Gene Snyder Freeway (I-265) near Manslick Road. This larger area is specifically identified within the Highview Neighborhood Plan Figure 3.4 as a Neighborhood Activity Center. The neighborhood plan which is considered as part of the Comprehensive Plan states that these areas would be commercially focused areas where development density would increase. The development is commercially focused with neighborhood serving uses that have sufficient population to support it. As stated above, the proposed location is at the intersection of a collector and higher level roadway in compliance with Policy A.9. The development which will create a new activity center in an area for designated activity centers has a compact pattern that allows connections between the uses. It has reduced curb cuts from the entry road and shared access between the lots. The shared access between lots will minimized the overall

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impervious area. The sidewalk network throughout the development will encourage appropriate pedestrian activity and promote accessibility by alternative modes of transportations. These elements of the development are in accordance with Policies A.5, 6, 13, 15 & 16.

Guideline 3: Compatibility

The proposed rezoning complies with Guideline 3 of the Cornerstone 2020 Compressive Plan because the Neighborhood Form District identifies its intent to allow a mixture of land uses within neighborhoods as long as they are designed to be compatible with each other. The buildings will be providing a variety of materials and architectural animating features which will serve as a point of compatibility with the larger neighborhood area. All of these building elements will be in accordance with the Land Development Code. Significant setbacks and landscape buffer areas will be provided along the property boundaries adjacent to the single family homes to the west and north with screening located in these buffer areas to mitigate any impacts. The setbacks, buffers and screening will allow for appropriate transition from the existing residential to the proposed non-residential uses in accordance with Policy A.4. The single story height of the development is compatible with the existing properties located within the larger Neighborhood Form District. Lighting will be compliant with the Land Development Code to mitigate any adverse impacts of lighting from the proposed development on nearby properties. All site signage will be compatible with the form district pattern and the existing Gene Snyder Freeway signage ordinance.

The proposed rezoning and new development will be located within a specified activity center. It will have full accessibility to people with disabilities consistent with federal, state and local regulations. The parking areas for the development are not located adjacent to the existing residential areas to minimize their impacts. The extensive internal and perimeter landscaping will result in diminished impact of the parking, loading and delivery areas around the mixed use commercial development. The parking is designed to be safe and will utilize shared access points to reduce impervious surface areas and allow multi-modal access to the site. For the aforementioned reasons, the proposed development complies with Guideline 3 of the Comprehensive Plan.

Guidelines 4 & 5: Open Space, Natural Areas and Scenic & Historic Resources

Open space and outdoor amenity areas are being provided throughout the development to provide open space that meets the needs of the community as a component of development. The open space design is compliant with the Land Development Code which follows from Policy A.4 to create open space design consistent with the pattern of development in the form district. The Neighborhood Form District specifies a mix of formal and less formal open space design. The proposal integrates natural features into the pattern of development by preserving tree canopy along the south, north and west property perimeters. Significant landscape buffers are proposed around the perimeter of the site that provides additional open space to integrate the development into the larger neighborhood. The site contains no environmental limitations, scenic or historic resources which would inhibit the proposed development. There are no identified hydric soils, severe, steep or unstable slopes that would create an impediment to the proposed rezoning and associated development. Accordingly, the proposed development meets Guidelines 4 & 5 of the Cornerstone 2020 Comprehensive Plan.

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Guidelines 7, 8 & 9: Circulation, Transportation Facility Design and Bicycle, Pedestrian & Transit

The rezoning is located along a primary collector at the intersection of the Gene Snyder Freeway. It has a nearby intersection of two primary collectors at Smyrna Parkway and East Manslick Road. The access to the site is utilizing an existing roadway known as KY State Road #6320 that functions as a frontage road parallel to Smyrna Parkway. There are only two curb cuts to facilitate safe vehicular access to the site. The proposal will contribute its proportional share of roadway improvements as identified by the traffic impact study.

Sidewalks will be constructed within the right of way along KY State Road #6320 frontage to provide connections and access for all four lots where appropriate. The external and internal sidewalk network promotes bicycle and pedestrian use throughout the development. All appropriate cross over access and adequate parking will be provided to further promote safe vehicular access and support the mixture of uses. Bicycle amenities will be provided throughout the development in accordance with the Land Development Code. Therefore, the proposed rezoning and development comply with Guidelines 7, 8 & 9 of the Cornerstone 2020 Comprehensive Plan.

Guidelines 10 & 11: Flooding, Stormwater & Water Quality

The subject site is located above the 100 year floodplain, does not contain steep slopes, unstable or hydric soils or any protect waterways and, as a result, there are no environmental constraints which would prevent commercial development of the property. The proposed development is located on a site that will enable proper stormwater handling and release management that will not adversely affect adjacent and downstream properties. There will be no increase in velocity at point of discharge at property line and no increase in drainage run-off to the right of way. On site detention will accommodate onsite drainage and mitigate any impacts of the proposed development to the watershed. The stormwater detention design will receive approval from MSD prior to construction. Post developed peak flows will be limited to pre-developed peak flows for the 2, 10 and 100 year storms or to the capacity of the downstream system. In addition, an Erosion Prevention and Sediment Control Plan utilizing best management practices will be implemented prior to construction. The project will meet all MS4 Water Quality Regulations established by MSD with proper use of green best management practices. For above mentioned reasons, the proposed rezoning and development comply with Guidelines 10 & 11 of the Cornerstone 2020 Comprehensive Plan.

Guideline 12: Air Quality

As previously demonstrated, the proposal represents a compact and efficient land use pattern. It utilizes the existing roadways and frontage road from Smyrna Parkway. The proposed development is a mix of uses with proper circulation and connectivity that will promote a reduction in vehicle travel on the site with an effort to increase pedestrian connectivity. These combined efforts will aid in reducing the air quality impacts of the development. The neighborhood serving uses proposed on the subject property comply with Guideline 12 of the Cornerstone 2020 Comprehensive Plan.

Guideline 13: Landscape Character

The proposed rezoning and development complies with Guideline 13 of Cornerstone 2020 of the Comprehensive Plan by meeting the majority of all landscape requirements of the Land Development Code. Significant landscape buffers will be provided along all property perimeters to ensure the surrounding single family residential uses are adequately buffered. Tree preservation best management

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practices will be followed within the identified tree canopy credit areas to the south, west and north perimeters that incorporate the native plant communities of the property. The overall tree canopy requirements for the four lots will be met. Interior landscaping will be installed within the vehicular use area to break up the parking areas and enhance the overall aesthetics of the site.

Guidelines 14 & 15: Infrastructure and Community Facilities

The proposal complies with Guidelines 14 & 15 of the Cornerstone 2020 Comprehensive Plan because the subject property will be served by existing utilities and infrastructure which have adequate carrying capacity to accommodate the proposed development. All necessary utilities are available to the site. The subject property has a fire hydrant located along the frontage road and existing water utilities that give it access to an adequate supply of potable water and water for fire-fighting purposes. Additional fire hydrants will be provided to comply with Kentucky Building Code requirements. The subject property is served by the Highview Fire Protection District and Louisville Metro Police Department.

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