

CHANGE IN ZONING – STATEMENT OF COMPLIANCE
WITH APPLICABLE GUIDELINES OF THE CORNERSTONE 2020
LOUISVILLE AND JEFFERSON COUNTY COMPREHENSIVE PLAN

WINCHESTER ACRES, LLC
WINCHESTER ACRES SELF-STORAGE

Case No. 18ZONE1058:
R-4 Single-Family Residential to CM Commercial Manufacturing
2801 Chamberlain Lane & 3014 N. Winchester Acres Road

August 31, 2018

RECEIVED
AUG 31 2018
DESIGN SERVICES

REQUEST SUMMARY

Winchester Acres LLC, the Developer and Applicant of this project, proposes a top-of-the-line self-storage facility that will include both indoor, climate-controlled and traditional, drive-up outdoor storage units on five acres of vacant property located at 2801 Chamberlain Lane (0.60 acres) and 3014 N. Winchester Acres Road (4.94 acres), Louisville, KY 40245 (“Property”), which is situated directly east of and next door to Ford Motor Company’s large, 413-acre truck manufacturing plant (Ford Plant). The Property is appropriately located for the proposed use – in the middle of an area designated Suburban Workplace Form District, where it has dual frontage along Chamberlain Lane and N. Winchester Acres Road. Across Chamberlain Lane from the Property is the Gene Snyder Freeway (I-265) and across N. Winchester Road are residential properties. A mix of zoning designations are found in the immediate area, including CM, C-1, C-2, OR, OR-1, OR-3 and a large presence of PEC zoning with the Ford Plant to the west as well as various PEC uses located nearby on Collins Lane and within the industrial center, also on Collins, to the north of the immediate area.

On the Property, the Applicant intends to construct 155,000 sq. ft. of self-storage space in two phases: four buildings comprising 105,900 sq. ft. in phase one; four buildings comprising 49,100 sq. ft. in phase two. Two of the nine storage buildings will be indoor, climate-controlled facilities, both of which will be two-story structures. In phase one, the Applicant will construct the larger of the indoor storage buildings along the Property’s frontage with Chamberlain Ln. Attractive architectural design and durable, quality building materials will be utilized, ensuring the facility’s compatible appearance from N. Winchester Acres Rd., Chamberlain Ln., and the Gene Snyder Freeway. This larger building fronting Chamberlain Ln. (and I-265) together with the façade of the building along N. Winchester Acres Rd. will adequately screen the internal areas of the facility where outdoor drive-up storage units will be constructed and, ultimately, accessed by customers. A four-board horse fence, landscaping and tree plantings will break up the façade of the one-story storage building along N. Winchester Acres Rd. The second and smaller indoor storage building will be constructed next to the Ford Plant property, along the Property’s west boundary line. To remain clear of large trucks entering and exiting the Ford Plant’s primary access, access to the Property is proposed off of N. Winchester Acres Rd.

To accomplish the aforementioned development, the applicant submits its formal application to rezone the Property from R-4, Single Family to CM, Commercial Manufacturing. In conjunction

with the zoning application, the Applicant also requests the following forms of relief from the Land Development Code (LDC): 1) Variance from Chapter 5.3.4.D.3.a of the LDC to allow a proposed building and dumpster to encroach 15' into the required 25' front-yard setback along N. Winchester Acres Road; 2) Waiver from Chapter 5.5.4.B.1 of the LDC to reduce the required 50' landscape buffer along the north property perimeter adjacent to a residentially zoned use; 3) Waiver from Chapter 5.8.1.B of the LDC to not provide the required sidewalk along the Chamberlain ROW; and 4) Waiver from Chapter 5.9.2.A.1.b.i of the LDC to not provide the pedestrian connection from the rights-of-way to the building entrance. (Cumulatively, all development applications, including the Detailed District Development Plan (DDDP), are further referred to herein as the "Proposal").

THE CORNERSTONE 2020 GUIDELINES APPLICABLE TO THE SUBJECT SITE INCLUDE THE FOLLOWING:

Guideline 1. Community Form

The Property is located in the Suburban Workplace Form District, which is characterized by predominantly industrial and office uses and often contain a single large-scale use or a cluster of uses within a master planned development. With over 400 acres of property whereon manufactures trucks, the Ford Plant is *the* (very) large-scale use in this particular Suburban Workplace District. A cluster of mid-sized to smaller industrial and office uses also are present within the area, especially north of the Property along Collins Lane near its intersection with Westport Road, where the cluster of industrial uses becomes more dense and is served by railway. A small grouping of industrial and office uses is located southeast of the property between Chamberlain Lane and Old Lagrange Road. The proposed use is of low intensity and low traffic volume. To reduce any conflicts between semi-truck trips coming/going from the Ford Plant, which maintains a very active access point adjacent to the Property's western boundary, access to/from the self-storage facility is planned off N. Winchester Acres Road, a private roadway. The proposed use will provide a storage service to the many employees working within the immediate area as well as residents living in the residential neighborhoods of the general area.

Guideline 2. Centers

The Proposal complies with the applicable intents and policies of Guideline 2, Centers, because the Property is located in the Suburban Workplace Form District where a number of different industrial and office uses are established and, together, employ thousands of workers who frequent the area on a daily basis and are often traditional self-storage users. Indeed, between the Ford Plant and the uses along Collins Lane, this area certainly qualifies as an employment center. A small pocket of residential properties remain within the immediate area along N. Winchester Acres Rd. and along the western side of Collins Ln.; larger residential neighborhoods are within a short drive from the Property. The Proposal is a compact, efficient use of the land situated at the corner of Chamberlain Ln., a primary collector, and N. Winchester Acres Rd., a private local road, and has convenient access to I-265, an expressway. Thus, the Property is an ideal location to safely serve the storage needs of both workers and residential customers as well as any storage demands the mix of businesses located within the vicinity will have.

Guideline 3. Compatibility

The Proposal is in agreement with the intent and applicable Policies of Cornerstone 2020, Guideline 3, because it is located on a corner property and fronting Chamberlain Ln, a primary collector roadway, in an area the Louisville Metro Planning Commission and Louisville Metro Council, considering their respective roles in 2000 when they adopted Cornerstone 2020, designated

RECEIVED

AUG 31 2018

DESIGN SERVICES

as Suburban Workplace Form. Indeed, with the immediate area located adjacent to the vast manufacturing complex that is the Ford Plant, as well as the area along Collins Ln. that is home to numerous industrial and logistical land uses, many of which have convenient access to railway and all to the Gene Snyder Freeway. In response, prospective investors and developers of land have noticed and acted upon Metro's designation of the area as Suburban Workplace. One out-of-state entity has recently purchased seven (3013, 3016, 3017, 3019 (2 separate tracts with same address), 3021, and 3106 N. Winchester Acres Rd.) of the seventeen properties, totaling 17 acres, all of which front N. Winchester Acres Rd and is intends to utilize these properties to develop industrial/logistical warehousing type uses. Suffice it to say, this small pocket of residential properties between industrial areas is undoubtedly transitioning from residential to land uses more aptly suited for the Suburban Workplace Form in which it is located. Consequently, sooner or later, commercial, industrial and/or office uses will expand into this last remaining residential area of the Suburban Workplace Form. The Proposal, as described herein, is a fitting use to locate on the Property because it is a low-intensity use that generates low traffic volumes and will be situated next door to a high-intensity manufacturing complex that generates large amounts of semi-truck traffic, thereby acting as an effective transition between levels of intensity of land uses.

Furthermore, the Proposal is consistent with the intent and applicable Policies of Cornerstone 2020, Guideline 3, because it includes a mix of one- and two-story buildings that will be constructed out of high quality, durable materials including stone, architectural metal panels, steel accents, commercial storefront glass and stucco. Proposed building facades along Chamberlain Ln. and N. Winchester Acres Rd exhibit heightened architectural design more appropriate for the area considering the current residences along N. Winchester Acres Rd. as well as the eventual industrial/office-type uses that will locate in the Suburban Workplace Form encompassing the area. These exterior facades will screen the outside area from the inside of the facility, where customers pick up and drop off their respective storage items. Further, the exterior wall of the one-story building along N. Winchester Acres Rd. will be activated with animating architecture features, landscaping, tree plantings and a handsome four-board horse fence, which blends well with the character of the existing residential properties on N. Winchester Acres Rd. The Property will be sufficiently secured to keep individuals without proper access from gaining entry into the facility. The surrounding areas will not be adversely affected by noise as it is a storage use and not constantly accessed by costumers. When customers are in the process of storing belongings, noise will be mitigated by surrounding storage buildings, large trees and other vegetation surrounding the development. Security lighting will not extend above the roof line and will be directed down so it will not negatively impact nearby properties. Traffic is very low and peak hour traffic is immaterial for storage use and, instead, is more distributed throughout the day. Signage on-site will comport with applicable regulations.

Guideline 6. Marketplace

The proposed rezoning of this Property to C-M, Commercial Manufacturing will generate economic growth within the existing Suburban Workplace Form, as opposed to the continuation of an idle R-4, single-family property with no home constructed thereon and in which reluctance to purchase and invest in the property as a residential use exists, notably because the property is located next door to the Ford Plant and within the Suburban Workplace Form. Moreover, as previously stated, a solid mix of businesses exist in the area that will require storage and, combined with the expectation that residential units within the vicinity will increase, the Proposal will ensure availability of necessary usable land to facilitate commercial, industrial and residential development. During the course of the Applicant's market research and due diligence, a shortage in storage units – especially climate-controlled units – for the area was identified and without additional storage units, the increase in dwelling units over the next five years within the area will exacerbate demand in the

RECEIVED
AUG 31 2018
PLANNING &
DESIGN SERVICES

18 ZONE 1058

market. In response to this demand in the market, the Proposal will offer both the standard drive-up storage units without climate control as well as indoor, climate-controlled storage space. Accordingly, the Proposal complies with the intent and applicable Policies of Guideline 6, Economic Growth and Sustainability.

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

The Proposal will have minimal impact on mobility and transportation of the surrounding area, as self-storage facilities generate one of the lowest traffic volumes associated with commercial development. The site will have two access points off of N. Winchester Acres Rd., the second access point being a right-out-only exit, restricting vehicles exiting the site away from the dead end of N. Winchester Acres Rd. and southward towards Chamberlain Ln. Along the Property's frontage, additional pavement width to N. Winchester Acres Rd. will be provided to accommodate those vehicles exiting the right-turn-only at the rear of the site. Considering the Property's very near proximity to the Ford Plant, and specifically to Ford's primary entrance/exit for semi-trailer trucks being located next to the shared property line, access from the Property directly to Chamberlain Ln. is unsafe. Indeed, semi-trailer trucks are prevalent on this section of Chamberlain Ln. and often que in front of the Property while awaiting entry into the Ford Plant; and, at times, semi-trucks will park for longer durations directly in front of the Property, along the shoulder of the Chamberlain Lane right-of-way. As a result, N. Winchester Acres Road allows the safest access from the Property and to Chamberlain Lane, via a controlled stop at the intersection of N. Winchester Acres and Chamberlain.

Per the DDDP accompanying the Applicant's zoning application, well-designed internal circulation, appropriate access, sight distances, corner clearances, sufficient off-street and required handicap parking spaces, and long-term bicycle parking are all provided on-site. As the nature of this development requires measures to be taken to ensure adequate security, however, there will be no pedestrian or bike access through the site. Moreover, it is improbable that customers looking to store or retrieve items from storage will access the Property on foot, by bicycle or on Tarc. Tarc does not currently provide transit service along Chamberlain Lane. Accordingly, the Applicant has filed waiver requests from LDC Chapter 5.8.1.B to not provide the required sidewalk along the Chamberlain ROW and from LDC Chapter 5.9.2.A.1.b.i to not provide the pedestrian connection from the right-of-way to the building entrance. No sidewalk exists along the entire frontage of the Ford Plant to the west nor along the properties located on Chamberlain Lane to the east of the Property. For reasons already stated, it is highly unlikely for pedestrians to access the Property on foot for storage needs and given that no Tarc routes exist on Chamberlain Lane, the connection from the public right-of-way to the building entrance is unnecessary. For all of the aforementioned explanations, the Proposal is in agreement with the applicable policies of Guidelines 7, 8 and 9 of Cornerstone 2020.

Guidelines 10 & 11 – Flooding and Stormwater & Water Quality

The Applicant's zoning application is consistent with the applicable intents and policies of Guideline 10 and 11 because stormwater from the Property, as well as drainage from a portion of the neighboring property (3016 N. Winchester Acres Road), will be sufficiently accommodated by on-site detention, discussions of which the Applicant has begun with MSD, thereby ensuring peak post-development surface water runoff will not exceed pre-development levels and no significant increase in flooding or excess drainage to adjoining properties will occur. The Property contains no streams nor is it located in a regulatory floodplain. An Erosion Prevention and Sediment Control Plan utilizing best management practices as recommended by MSD will be implemented prior to commencing construction of the development; additionally, the applicant's final design for

RECEIVED
AUG 31 2018
PLANNING &
DESIGN SERVICES

18 JUNE 10 5 8

development of the Property will address and comply with all MS4 water quality regulations established by MSD.

Guideline 12. Air Quality

The activity associated with the proposed development is one of the lowest intensity traffic generators on commercial property. As a storage facility, the site will only be accessed by vehicles as customers drop off and pick up their storage items. These items are typically stored for months at a time and given the Proposal's near proximity to its future commercial and residential patrons it will reduce vehicular drive distances and help alleviate any impacts on air quality. Therefore, the Proposal complies with the intent and applicable Policies of Guideline 12.

Guideline 13. Landscape Character

The Applicant's Proposal is consistent with the intent and applicable Policies of Guideline 13. The LDC requires interior and perimeter landscaping as well as minimum tree canopy on-site, all of which will be satisfied, if not exceeded with the Proposal. One hundred type A trees will be provided to re-establish tree canopy on-site, most of which will be native species. The Applicant is requesting a waiver from LDC Chapter 5.5.4.B.1 to reduce the required 50' landscape buffer along the north property perimeter adjacent to a residentially zoned property. Tree plantings will be inserted within the remaining buffer area to bolster the already established tree line existing on the shared property boundary and, as such, any negative impacts created by the Proposal will be mitigated by the proposed perimeter screening. As mentioned herein, the immediate area along N. Winchester Acres Rd., pursuant to the guidance of the Comprehensive Plan, is undergoing a transition from residential to uses more appropriately located within the Suburban Workplace Form. The adjacent property to the north (3016 N. Winchester Acres Rd.) is no exception, for it was recently purchased in late 2017 by an out-of-town entity that has acquired in total 5 parcels along N. Winchester Acres Rd. It is undetermined what land use the property owner ultimately will establish on the property next door, but it's safe to say it will not be residential. Consequently, the Applicant's waiver will become moot in the near future.

To conclude, for all of the foregoing reasons, the proposed zoning application, DDDP and accompanying development review applications are substantially compatible with the Goals, Objectives, Policies and Guidelines of Cornerstone 2020 and the Louisville Metro Land Development Code.

61765239.2

RECEIVED

AUG 31 2018

DESIGN SERVICES

SIDEWALK & PEDESTRIAN CONNECTION WAIVERS
JUSTIFICATION STATEMENT

Winchester Acres, LLC
Winchester Acres Self-Storage

Case No. 18ZONE1058:
R-4 Single-Family Residential to CM Commercial Manufacturing
2801 Chamberlain Lane & 3014 N. Winchester Acres Road

August 31, 2018

RECEIVED
AUG 31 2018
DESIGN SERVICES

The applicant, Winchester Acres, LLC, is requesting a change in zoning on property located in the Suburban Workplace Form at 2801 Chamberlain Lane and 3014 N. Winchester Acres Road ("the Property") to develop a brand new self-storage facility that will provide climate-controlled indoor storage units as well as traditional drive-up storage units. In conjunction with the zoning application, the applicant is requesting waivers from the Land Development Code ("LDC") to not provide a sidewalk along the property's Chamberlain Lane frontage (LDC Section 5.8.1.b) or a pedestrian connection from the Chamberlain Lane right-of-way to the building entrance (LDC Section 5.9.2.A.1.b.i). For the reasons stated herein, the requested waivers comply with the Cornerstone 2020 Comprehensive Plan and the criteria for granting waivers and, therefore, should be approved.

The requested waivers will not adversely affect adjacent property owners because the Property is primarily in an industrial area, with a limited number of residences nearby, where sidewalks on Chamberlain Ln. in either direction from the Property are non-existent. Indeed, Ford Motor Company is the neighboring property to the west, which maintains a large 413-acre tract whereon its over 7,000 lineal feet of frontage on Chamberlain Ln. contains no sidewalk and where Ford maintains a very active access for semi-trailer trucks immediately adjacent to the shared property line. A pedestrian walking west across the Property would need to exercise extreme caution to continue across Ford's primary access, where the volume of semi-truck traffic deliveries is high.

Moreover, Louisville Metro has twice granted the Ford Motor Company sidewalk waiver relief on its property located at 3001 Chamberlain Ln./11200 Westport Rd.: once in January of 2004 (Docket No 3-22-03W); and again in February of 2014 (Case No. 13DEVPLAN1061). Consequently, sidewalks along the lengthy frontage of the neighboring Ford Motor Company property will not be constructed, unless Metro itself

takes on that expense. As such, the applicant believes equal consideration from Metro should be applied to its Property.

Furthermore, across Chamberlain Ln is Gene Snyder Freeway right-of-way, owned by the Commonwealth of Kentucky, which is also devoid of any pedestrian walkways. Therefore, to provide a sidewalk between the sidewalk-less Ford Motor Company and N. Winchester Acres Rd., where no sidewalk connection exists on the other side of the N. Winchester Acres Rd. pavement, would create an unsafe condition for pedestrians. Accordingly, relief from LDC Section 5.9.2.A.1.b.i to not provide a pedestrian connection from the storage facility to Chamberlain Ln right-of-way is also warranted, especially given that this connection is unnecessary for pedestrians, for the self-storage facility is highly unlikely to be accessed by pedestrians, particularly in an area with very low to no pedestrian traffic.

The requested waiver complies with the Cornerstone 2020 Comprehensive Plan and the LDC because the proposed development of the Property will be consistent and compatible with the industrial character of the area. The Property is appropriately located in the Suburban Workplace Form and whereas Cornerstone 2020 and the LDC promote the construction of sidewalks in order to provide an alternate mode of transportation for the public's use, pedestrian traffic is very low in this area along Chamberlain Ln and pedestrians do not typically frequent storage facilities, as vehicles are normally used to deposit and retrieve items from storage space. Also supporting the waiver request to not provide a sidewalk along Chamberlain Ln or a pedestrian connection from Chamberlain Ln to building entrance is the fact that TARC does not operate a transit route along this portion of Chamberlain Ln. Without pedestrians or transit riders frequenting the area, complying with the construction of the sidewalk and pedestrian connection from the right-of-way to the building entrance is neither appropriate nor practical for the applicant, as it relates to the Property.

The requested waivers are the minimum necessary to afford relief to the applicant because, as explained, the placement of sidewalks along the Property's Chamberlain Ln. frontage will not connect to any other sidewalks – now or in the near future – will not provide meaningful alternatives to transportation in the immediate area, as the pedestrian volume along this stretch of Chamberlain Ln. is non-existent, and the presence of Ford's highly-trafficked access point for semi-trucks, located immediately next to the shared property line, would invite pedestrians to walk directly into an unsafe condition. Therefore, the waiver does provide the applicant with the minimum necessary relief from the LDC and, therefore, the strict application of the regulations would deprive the applicant of the reasonable use of the land and create an unnecessary hardship.

RECEIVED

AUG 31 2018

DESIGN SERVICES ZONE 1058

VARIANCE JUSTIFICATION STATEMENT

Winchester Acres, LLC
Winchester Acres Self-Storage

Case No. 18ZONE1058:

R-4 Single-Family Residential to CM Commercial Manufacturing
2801 Chamberlain Lane & 3014 N. Winchester Acres Road

August 31, 2018

The applicant, Winchester Acres, LLC, is requesting a change in zoning on property located in the Suburban Workplace Form at 2801 Chamberlain Lane and 3014 N. Winchester Acres Road ("the Property") to develop a new, state-of-the-art self-storage facility that will provide climate-controlled indoor storage units as well as traditional drive-up storage units. In conjunction with the zoning application, the applicant is requesting a variance from Section 5.3.4.D.3.a. of the Land Development Code to allow a proposed storage building to be located ten feet from the front property line along N. Winchester Acres Rd. The requested variance complies with KRS 100.243, as more fully explained herein and, therefore, should be approved.

The requested variance will not adversely affect the public health, safety, or welfare or alter the essential character of the general vicinity, which is characterized predominantly by a mix of industrial and residential uses where the buildings are set back from the street in a landscaped setting. The setbacks, height, design and landscaping of the proposed building are compatible with the surrounding properties because it will feature quality, durable materials and heightened architectural design. Though the applicant requests dimensional relief from the setback, as it appears from the property line on the Detailed Development Plan, in actuality the building will appear to be setback at least 16 feet from the N. Winchester Acres Rd. pavement. Further, the building facade will be activated by animating architectural features, trees, landscaping and a four-board horse fence that will fit between the building and N. Winchester Acres Rd and the residences across the street thereby assuring no adverse impacts on nearby residential properties.

The requested variance will not cause a hazard or nuisance to the public because the new storage facility will be centrally located in the Suburban Workplace Form District where adequate utilities and infrastructure exist to support the proposed development. Given the heightened architectural features designed into the storage facility, the proposed building is visually compatible with the surrounding workplace uses, while also being sensitive to remaining adjacent residential properties also located in the Suburban Workplace Form. New lighting will be directed down and away from adjoining residential properties and will comply with Land Development Code standards. This, in conjunction with the

RECEIVED
AUG 31 2018
DECISION SERVICES

18 ZONE 1058

aforementioned landscaping, tree plantings and screening, will ensure that any visual or noise impacts, which aren't expected, to surrounding properties are adequately mitigated.

The requested variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because the proposed storage building will meet all landscape requirements of the Land Development Code and will promote a compact, efficient use of land and investment in existing infrastructure, especially given the applicant's contribution to widen a portion of the pavement along the western side of N. Winchester Acres Rd. The Proposal will help address the demand for much needed storage space, especially climate-controlled, indoor storage space to the area and is intended to serve area workers and residents.

If variance relief is not provided, the applicant will be unable to provide both safe internal circulation throughout the storage facility as well as have room to establish enough detention capacity on-site to accommodate storm-water drainage from not only the Property but also drainage and runoff from the neighboring property to the north. Accordingly, the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land in a manner consistent with other properties in the area's Suburban Workplace Form and create an unnecessary hardship.

61766184.1

RECEIVED
AUG 31 2018
PLANNING &
DESIGN SERVICES