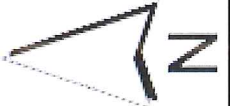
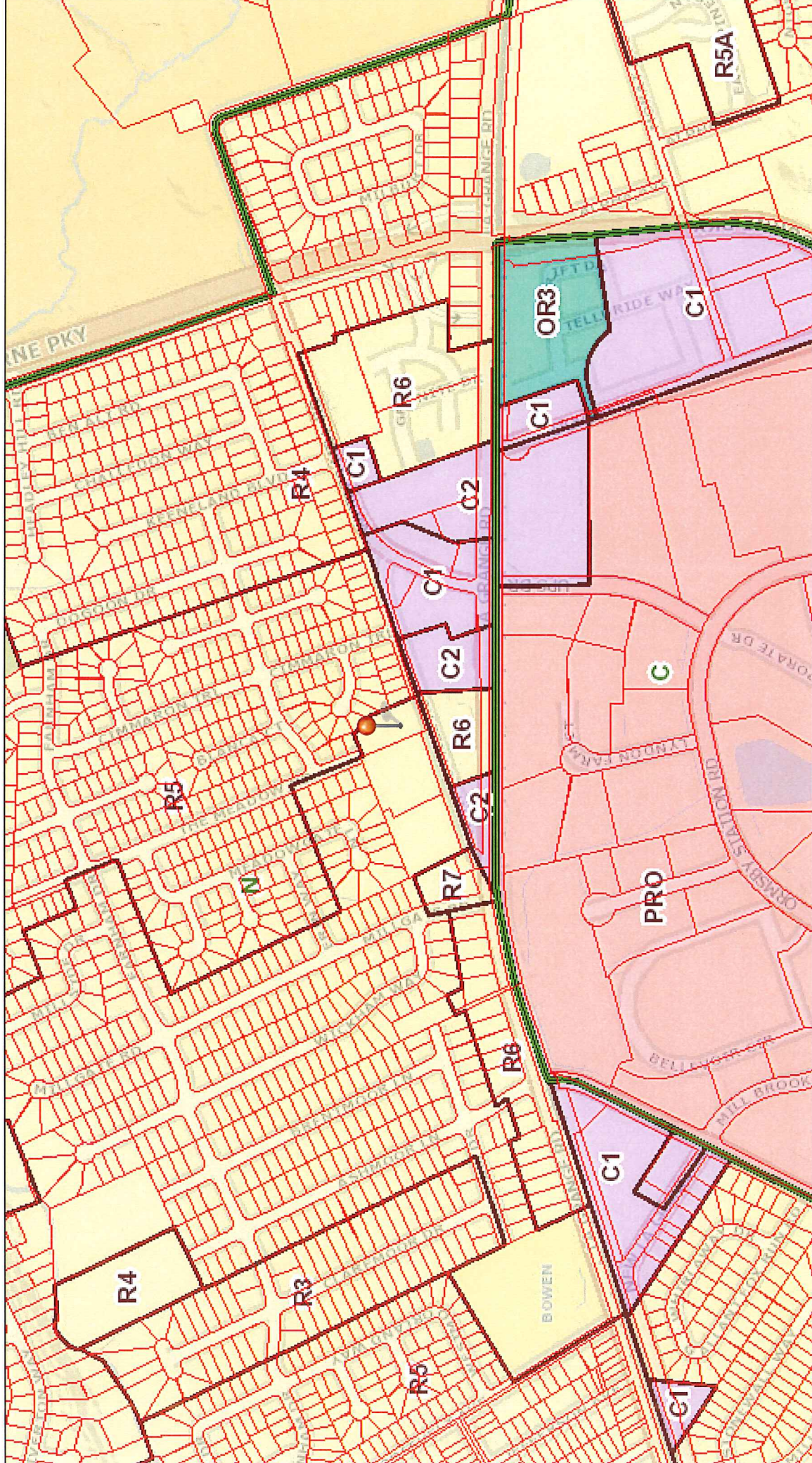


**EXHIBITS FOR APPLICANT
Roe's Outdoor Services, LLC
9801 Whipps Mill Road**

**Louisville Metro Planning Commission
Case No. 15 Zone 1018**

- 1) Zoning Map
- 2) Site Photography
- 3) Development Plan
- 4) Zoning Change Demonstration of Appropriateness
- 5) Proposed Findings of Fact

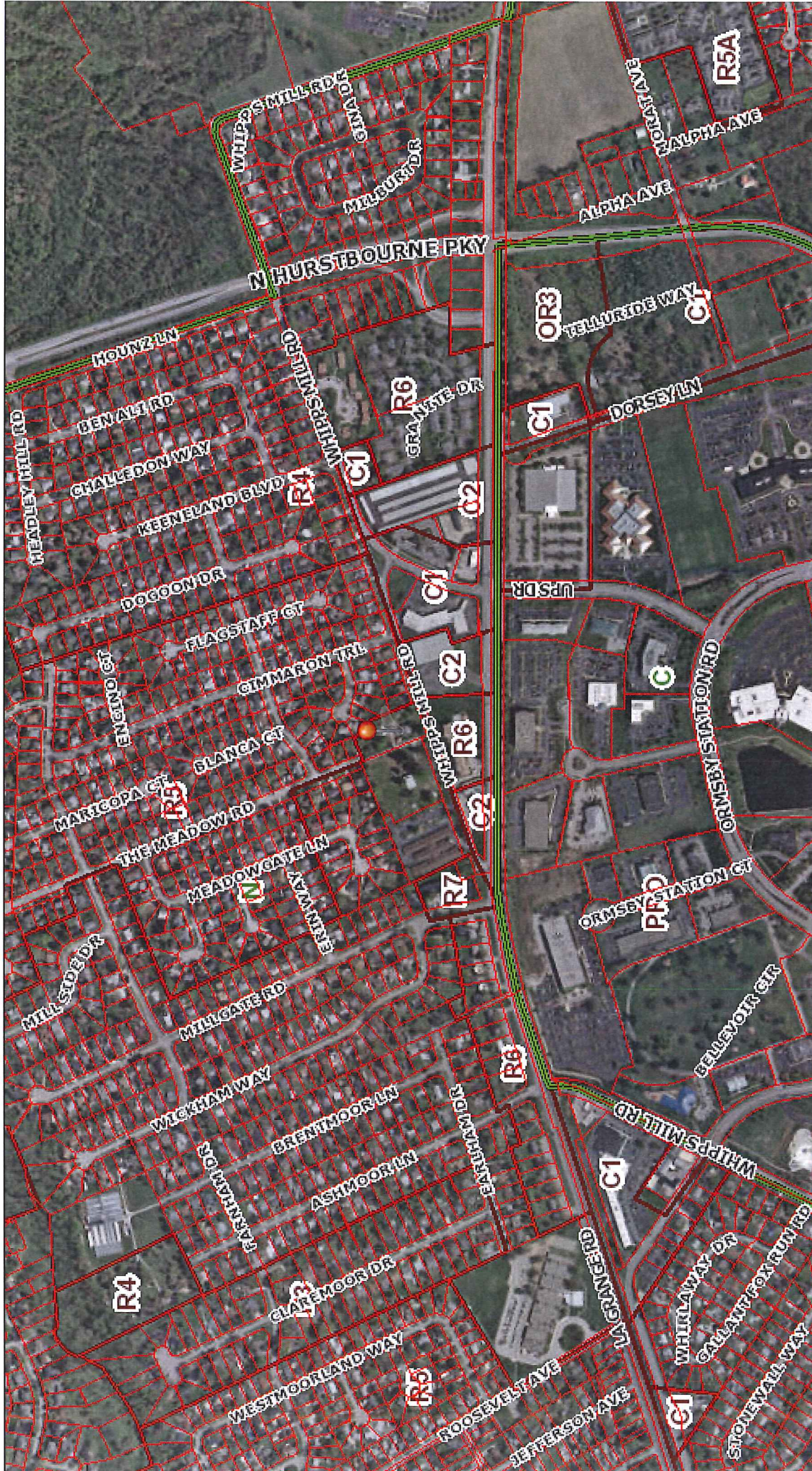
**Glenn A. Price, Jr.
Attorney for Applicant
Frost Brown Todd LLC
400 West Market Street, 32nd Floor
Louisville, Kentucky 40202
502/779-8511
gaprice@fbtlaw.com**



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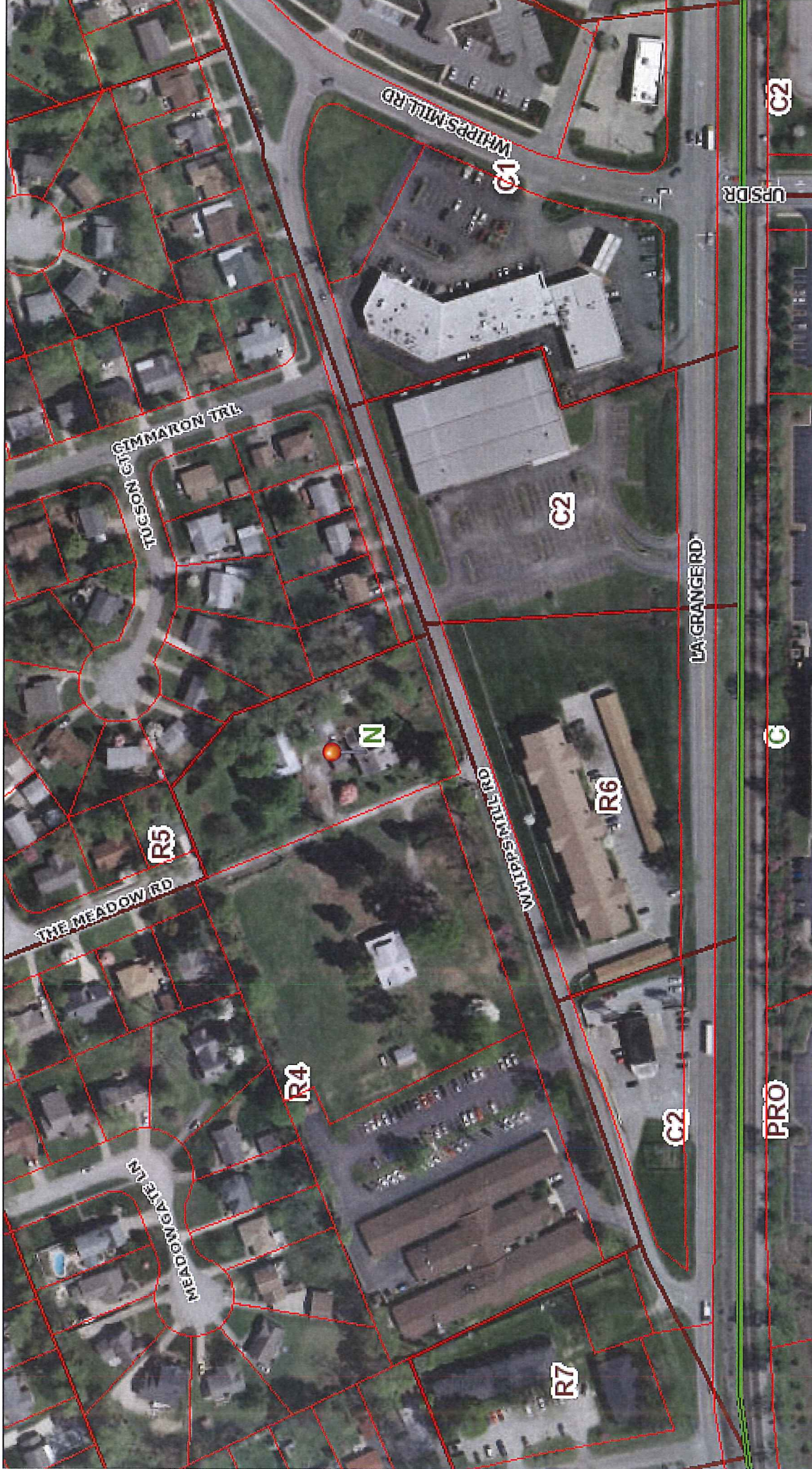
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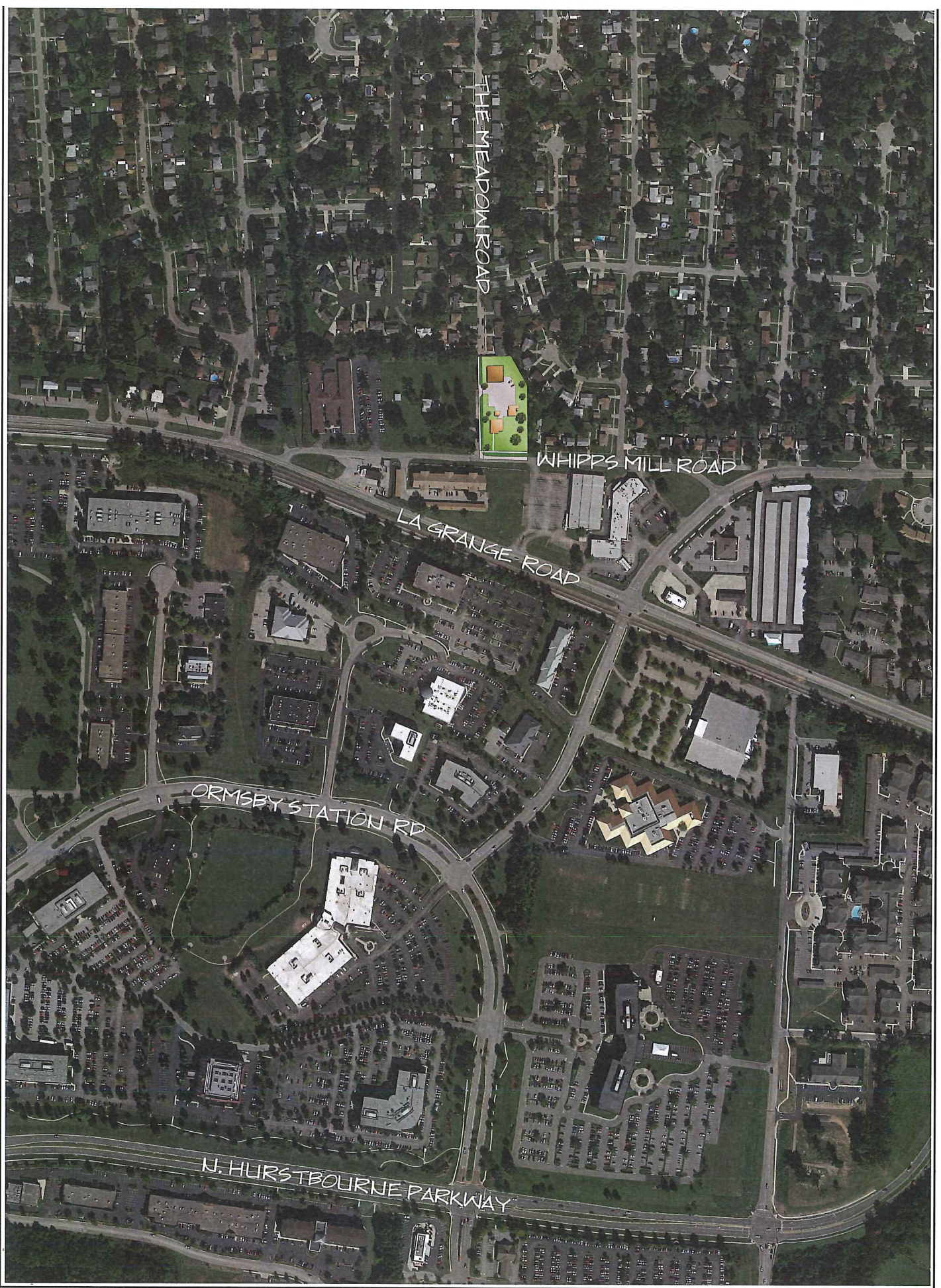
Louisville Metro, MSD, LWC & PVA © 2015
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JOB NO.
15052

DETAILED DISTRICT DEVELOPMENT PLAN
9801 WHIPPS MILL ROAD

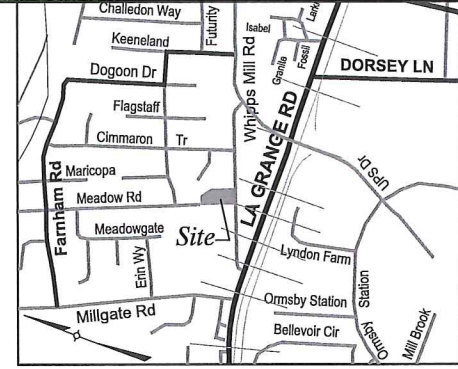
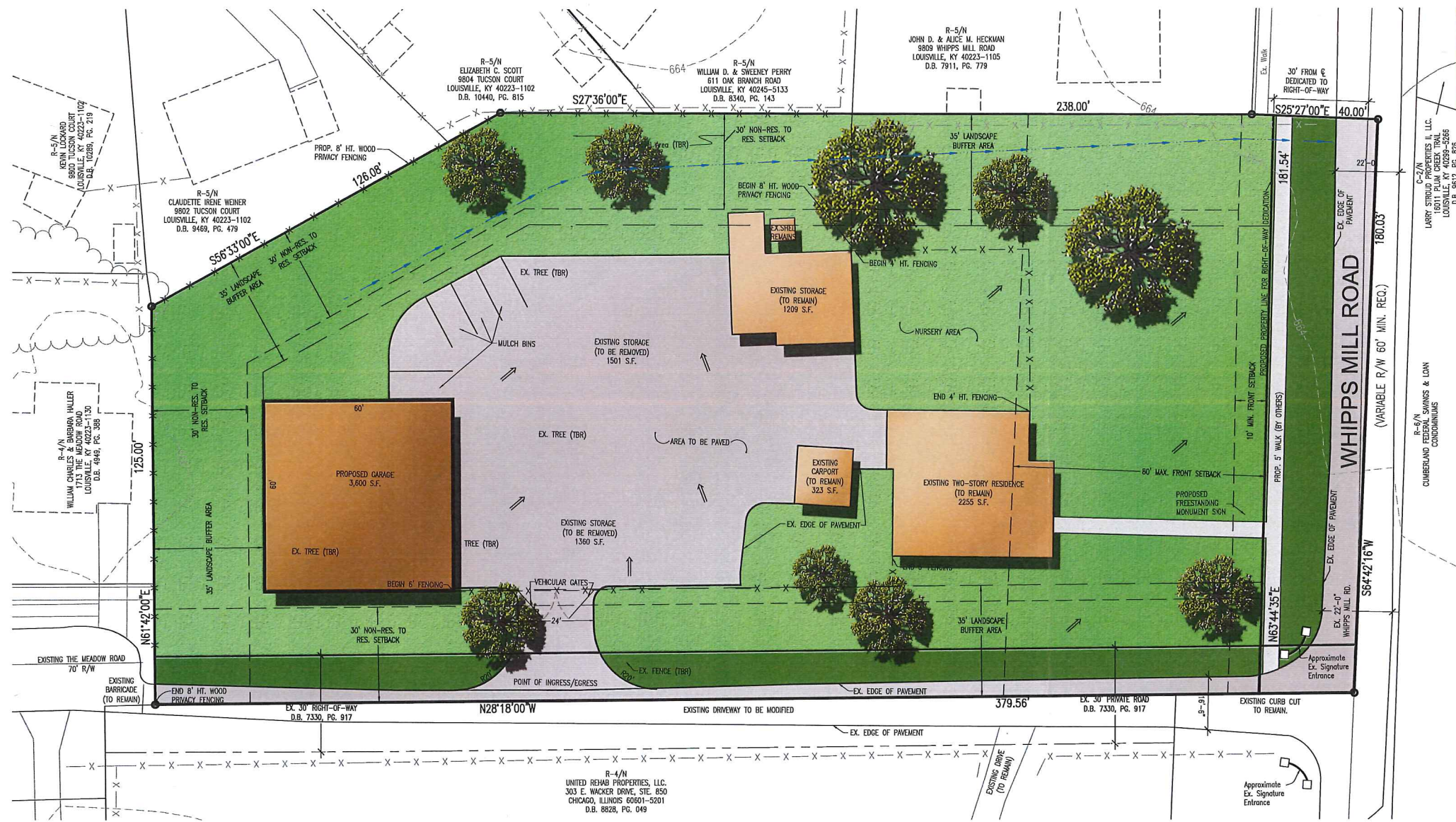
SHEET
1
OF 1

OWNER/DEVELOPER
THE WHIPPS MILL ROAD LAND TRUST
9801 WHIPPS MILL ROAD
LOUISVILLE, KY 40223

LD&D
LAND DESIGN & DEVELOPMENT, INC.
ENGINEERS - LAND SURVEYORS - LANDSCAPE ARCHITECTURE
605 HANCOCK AVENUE, SUITE 101, LOUISVILLE, KENTUCKY 40202
TEL: 605.444.9775 FAX: 605.444.9774
WEB SITE: WWW.LD-D.COM

PROJECT DATA	
FILE NAME: 15052_EDDP.dwg	
DATE: 5/15/10	SCALE: AS SHOWN
CHECKED BY: AER	DRAWN BY: SSS/AH

REVISIONS			
NO.	DATE	DESCRIPTION	BY



PROJECT DATA

TOTAL SITE AREA	= 1.4± ACRES (60,984 S.F.)
R/W DEDICATION	= 0.05± ACRES (2,340 S.F.)
NET SITE AREA	= 1.35± ACRES
FORM DISTRICT	= NEIGHBORHOOD
EXISTING ZONING	= R-4
PROPOSED ZONING	= C-2
EXISTING USE TO REMAIN	= LANDSCAPE CONTRACTORS SHOP
BUILDING AREA	
EXISTING BUILDINGS TO REMAIN AREA	= 3,787 S.F.
PROPOSED GARAGE BUILDING	= 3,600 S.F.
TOTAL BUILDING AREA	= 7,387 S.F.
F.A.R.	= 0.12 (5.0 MAXIMUM ALLOWED)
PROPOSED BUILDING HEIGHT	= 25' MAX. ALLOWED
PARKING REQUIRED	
OFFICE 400/350SF MIN./200 MAX.	= 1 SPACE = 2 SPACES
RESIDENCE 2 SPACES MIN./3 MAX.	= 2 SPACES = 3 SPACES
TOTAL PARKING REQUIRED	= 3 SPACES = 5 SPACES
TOTAL PARKING PROVIDED	= 3 (INCLUDES 2 CAR GARAGE)
BICYCLE PARKING REQUIRED	= NONE REQUIRED
TOTAL VEHICULAR USE AREA (VUA)	= 4,655 S.F.
INTERIOR LANDSCAPE AREA REQUIRED	= 349 S.F. (7.5% OF VUA S.F.)
INTERIOR LANDSCAPE AREA PROVIDED	= 349 S.F. (7.5% OF VUA S.F.)

- GENERAL NOTES:**
- Parking areas and drive lanes to be a hard and durable surface.
 - Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
 - Property boundary is from Deed and LOJIC mapping and does not constitute a survey.
 - A site visit on November 11, 2005 by Ann Richard RLA found no indications of Karst topography.

- MSD NOTES:**
- Sanitary sewer service is existing on the site.
 - No portion of the site is within the 100 year flood plain per firm map 21111c0031e, dated December 5, 2006.
 - Drainage pattern depicted by arrows (==>) is for conceptual purposes. Final configuration and size of drainage pipes and channels shall be determined during the construction plan design process. Drainage facilities shall conform to MSD requirements.
 - Erosion & Silt Controls shown are conceptual only and final design will be determined on construction plans. Prior to any construction activities on the site a Erosion & Silt Control Plan shall be provided to MSD for approval.
 - Site is subject to a Regional Facility Fee.

- EROSION PREVENTION AND SEDIMENT CONTROL NOTES**
- The approved erosion prevention and sediment control (EPSC) plan shall be implemented prior to any land-disturbing activity on the construction site. Any modifications to the approval EPSC plan must be reviewed and approved by MSD's private development review office. EPSC BMP's shall be installed per the plan and MSD standards.
 - Detention basins, if applicable, shall be constructed first and shall perform as sediment basins during construction until the contributing drainage areas are seeded and stabilized.
 - Actions must be taken to minimize the tracking of mud and soil from construction areas onto public roadways. Soil tracked onto the roadway shall be removed daily.
 - Soil stockpiles shall be located away from streams, ponds, swales and catch basins. Stockpiles shall be seeded, mulched, and adequately contained through the use of silt fence.
 - All stream crossings must utilize low-water crossing structures per MSD standard drawing ER-02.
 - Where construction or land disturbance activity will or has temporarily ceased on any portion of a site, temporary site stabilization measures shall be required as soon as practicable, but no later than 14 calendar days after the activity has ceased.
 - Sediment-laden groundwater encountered during trenching, boring or other excavation activities shall be pumped to a sediment trapping device prior to being discharge into a stream, pond, swale or catch basin.
 - All storm drainage shall conform to MSD standard specifications.
 - Construction fencing shall be erected prior to any construction or grading activities preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.

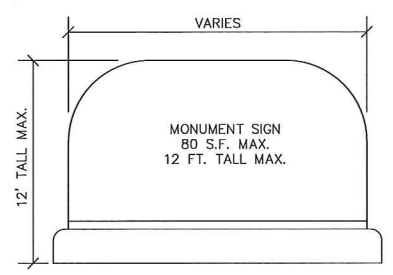
IMPERVIOUS AREA

EXISTING IMPERVIOUS AREA	= 15,392 S.F.
PROPOSED IMPERVIOUS AREA	= 21,984 S.F.
INCREASE IN IMPERVIOUS AREA	= 6,592 S.F.

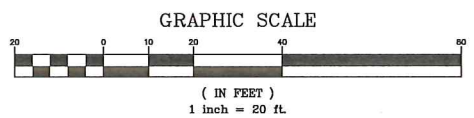
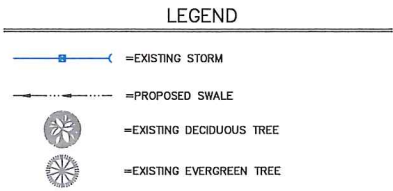
AREA OF DISTURBANCE
TOTAL AREA OF SITE DISTURBANCE = 21,158 S.F.

TREE CANOPY CALCULATIONS

SITE CLASS C CANOPY REQUIREMENT (0% - 40% EXISTING COVERAGE)	
TOTAL SITE AREA	= 60,984 S.F.
TOTAL TREE CANOPY AREA REQUIRED	= 15% OF SITE S.F.
EXISTING TREE CANOPY TO BE PRESERVED	= 14,419 S.F. (24%)



NOTE: DETAIL INTENT IS TO SPECIFY HEIGHT AND WIDTH REQUIREMENTS ONLY.



REVISIONS	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th style="width: 10%;">NO.</th><th style="width: 70%;">DESCRIPTION</th><th style="width: 20%;">DATE</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DESCRIPTION	DATE												
NO.	DESCRIPTION	DATE														
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DATE: 11-16-15	SCALE: AS SHOWN															
CHECKED BY: AER	DRAWN BY: BBS/AH															
<p>LD&D LAND DESIGN & DEVELOPMENT, INC. ENGINEERS - LAND SURVEYING - LANDSCAPE ARCHITECTURE 509 WARDEN AVENUE, SUITE 101, LOUISVILLE, KENTUCKY 40204 TEL: 502-261-1234 FAX: 502-261-1234</p>																
<p>8901 WHIPPS MILL ROAD OWNER/DEVELOPER THE WHIPPS MILL ROAD LAND TRUST 9801 WHIPPS MILL ROAD LOUISVILLE, KY 40223</p>																
JOB NO. 15052	SHEET 1 OF 1															

SITE ADDRESS:
9801 WHIPPS MILL ROAD
LOUISVILLE, KY 40223
PARCEL ID: 001300330000
D.B. 9950, PG. 0257
CASE: 16ZONE1018
MSD WM#: 11179

COUNCIL DISTRICT - 7
FIRE PROTECTION DISTRICT - LYNDON

DEMONSTRATION OF APPROPRIATENESS

The Whipps Mill Road Land Trust 9801 Whipps Mill Road Request for Change in Zone from R-4 to C-2

I. The proposal conforms to the Comprehensive Plan for Louisville and Jefferson County, Kentucky.

The proposed zone change from R-4 Residential Single Family District to C-2 Commercial District at property having a street address of 9801 Whipps Mill Road¹ conforms to KRS 100.213 because it is in agreement with the adopted Comprehensive Plan for Louisville and Jefferson County, Kentucky, within which this property lies. Comprehensive Plan Goals, Objectives, Guidelines and Policies are discussed in this Demonstration of Appropriateness.

Community Form Guideline 1. The proposal conforms to Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy 3. The site lies within the Neighborhood Form District and is compliant therewith. The [existing and] proposed land use is a landscaping business. In this landscaping business trucks and equipment depart the site generally simultaneously in the morning and return generally simultaneously in the evening. Customers do not come to the site.

Because the proposed landscaping business is a low intensity use, it will have only limited impact on the adjacent low density residential areas. The house at 9801 Whipps Mill Road will continue to be used as a residence. Other than a proposed monument sign the Property will have no appearance from the street [i.e., Whipps Mill Road] that would indicate the use is other than residential.

The abutting property to the west is a vacant, single family lot owned by United Rehab Properties, LLC which is a business entity related to the next property to the west: New Meadowview Health & Rehabilitation Center, LLC.²

Land uses across Whipps Mill Road from the Subject Site are higher intensity residential uses, commercial and service uses: (1) A shopping center which contains, among other things, Circle K Gas and a restaurant at 10000 Whipps Mill Road, Champs Skating Rink at 9705 Whipps Mill Road, Whipps Mill Road

¹ References to the proposed zone change are referred to as the "Proposal;" references to the site are referred to as the "Subject Property."

² Both United Rehab Properties, LLC (1704 Meadow Road) and New Meadowview Health & Rehabilitation Center, LLC (9701 Whipps Mill Road) list their principal office address as 9510 Ormsby Station Road, Louisville, Kentucky 40223

Condominiums at 9800 Whipps Mill Road, and Harrods Creek Auto Service at 9705 Whipps Mill Road (the corner of Whipps Mill Road and La Grange Road).

Although the five (5) properties to the east of the Subject Site are single-family lots, the remainder of the block face – on both sides of Whipps Mill Road – are commercial, service and health & rehabilitation uses, rather than single-family residential. Therefore, the proposed use would be located in a “Neighborhood Center” as defined by the Comprehensive Plan.

Centers Guideline 2. The proposal conforms to Centers Guideline 2 and all applicable Policies adopted thereunder, including Policies 2, 3, 4, 8 and 15. This type of land use is best located where it can serve its customer base. This site has good access to La Grange Road, Hurstbourne Parkway and the interstate system making it a good site (i.e., a “special location”) for access to most of the customer base of the business. Moreover, the general vicinity constitutes an older or redeveloping residential area where the non-residential use (i.e., the landscaping business) will not create nuisances and will be compatible with its surroundings. The business maintains a sufficient support population for its continued existence at this location. The proposal is compact and results in an efficient land use pattern with no required public infrastructure investment. Mixed use is part of the proposal because it contains a residential component. Parking is located to the rear of the site. Because workers arrive and depart via auto sidewalks are unnecessary to serve the site. Bicycle storage facilities will be located within the house.

Compatibility Guideline 3. The proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policies 1, 2, 4, 5, 6, 7, 8, 9, 21, 22, 23, 24 and 28. The proposal is compatible with the scale and site design of nearby existing development because the single-family house will be retained and will continue to be utilized. The proposal will cause no adverse impact to existing residential uses. Existing and proposed landscaping will sufficiently buffer the Proposal from adjacent uses. Landscape buffer areas are provided where the site is adjacent to single-family uses. The proposal will not be a source of odor, air quality emissions, excessive traffic, noise, lighting or visual impacts. The proposal will conform to all lighting requirements of the Land Development Code. Setbacks will be observed. One monument sign is proposed pursuant to Land Development Code restrictions.

Open Space Guideline 4. The proposal conforms to Open Space Guideline 4 and all applicable Policies adopted thereunder, including Policies 1, 4 and 6. Open space is not required for the site. Existing buildings on the site are being re-used.

Natural Areas and Scenic and Historic Resources Guideline 5. The proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 4 and 6 and

Social and Cultural Resources Goal D1 and Objective D1.1. There are no steep or severe slopes on site. On-site soils drain well and are highly permeable. No soils on-site are classified as wet soils. There are no historic or cultural resources or features on site.

Circulation Guideline 7. The proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 6, 9, 10, 13 and 16. It is anticipated that Public Works will approve the proposal. Such approval would indicate, among other things, that the development provides adequate access for motorists and pedestrians, to, from and through the development. There is no transit service on this section of Whipps Mill Road; however, the proposed land use does not generate trips to the site. It is anticipated that Transportation Review will not require dedication of right-of-way. Adequate parking is provided pursuant to the Land Development Code. Cross access is provided via the public street: Meadow Road.³ This segment of Meadow Road provides access only to United Rehab Properties, LLC and the Applicant's property due to a barricade.

Transportation Facility Guideline 8. The proposal conforms to Transportation Facility Guideline 8 and all applicable Policies adopted thereunder, including Policies 7, 9 and 10. Adequate measures have been taken to minimize glare, vibration, air pollution, and visual intrusion due to on-site buffering and screening. The landscaping business does not produce odors. The anticipated approval from Transportation Review will indicate that the development has adequate sight distance and appropriate on-site access for pedestrians and vehicles.

Bicycle, Pedestrian and Transit Guideline 9. The proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all applicable Policies adopted thereunder, including Policies 1, 3 and 4. Because no customers come to the site of the business and because all employees arrive via motor vehicle, the site does not generate a need for sidewalks. Bicycle parking and storage will be accommodated within the buildings on site. Whipps Mill Road at this location is not a transit route.

Flooding and Stormwater Guideline 10. The proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 4, 7, 10 and 11. The development of the site will minimize the potential for the impacts of flooding and effectively manages stormwater runoff. There is no impact to the regulatory floodplain because all structures will be located above the floodplain. No buildings are proposed to be located within the 100-year FEMA regulatory floodplain. It is anticipated that the proposal will receive the approval of MSD. Any new construction plans will be

³ The Applicant believes that Meadow Road, as it exists between the Applicant's property (9801 Whipps Mill Road) and the United Rehab Properties, LLC property (1704 Meadow Road), is a public road; however, the road has not been maintained by Jefferson County or Metro Louisville. If this segment of Meadow Road is determined to be a public road, it should be closed.

reviewed and approved by MSD prior to construction. An on-site detention basin will adequately accommodate stormwater from the site, based on a fully developed watershed. Moreover, the on-site drainage system will accommodate the "through" drainage system of water flows on-site and off-site. Peak stormwater runoff rates post-development will not exceed pre-development rates.

Air Quality Guideline 12. The proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 1, 2, 6 and 8. It is anticipated that the Louisville Air Pollution Control District will approve the proposal. If granted, the APCD approval will indicate, among other things, that the proposal conforms to Air Quality Guideline 12 and related Policies.

Landscape Character Guideline 13. The proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 1, 2, 4, 5 and 6. Landscaping will be provided as shown on the development plan. Native plant species will be installed. Planting and buffering plans, wherever required, will be implemented. An adequate tree canopy will be provided for the Subject Site.

Infrastructure Guideline 14. The proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 2, 3, 4, 6 and 14.7. The proposal has adequate service for all necessary utilities. A common utility corridor exists in the development that includes gas, electric, water, telephone, cable and telecommunications. An adequate water supply for domestic and fire-fighting purposes will serve the site. Utilities will be located underground and will be situated where recommended by each utility for appropriate maintenance and repair access.

Community Facilities Guideline 15. The proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 15.9. Adequate fire fighting services will be provided by the Lyndon Fire Protection District.

The proposal conforms to all other applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan.

- II. **All necessary utilities, including gas, electric, water, telephone, cable and telecommunications, either presently exist on-site or will be constructed. Essential public services, including sidewalks, will be constructed to serve the site as described above.**
- III. **Implementation of proposed use is anticipated to begin upon final approval.**

PROPOSED FINDINGS OF FACT
Submitted by Applicant
The Whipps Mill Road Land Trust
9801 Whipps Mill Road
Request for Change in Zone from R-4 to C-2

WHEREAS, The Planning Commission Finds That the proposed zone change from R-4 Single Family District to C-2 Commercial District should be granted because it conforms to KRS 100.213 because it is in agreement with the Comprehensive Plan for Louisville and Jefferson County, Kentucky as further set forth in these Findings; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy 3 because the site lies within the Neighborhood Form District and is compliant therewith because the existing and proposed land use is a landscaping business; because in this landscaping business trucks and equipment depart the site generally simultaneously in the morning and return generally simultaneously in the evening, thereby causing very little impact to the area; because customers do not come to the site; because the proposed landscaping business is a low intensity use and will have only limited impact on the adjacent low density residential areas; because the house at 9801 Whipps Mill Road will continue to be used as a residence; because other than a proposed monument sign the Property will have no appearance from the street [i.e., Whipps Mill Road] that would indicate the use is other than residential; because the abutting property to the west is a vacant, single family lot owned by United Rehab Properties, LLC which is a business entity related to the next property to the west: New Meadowview Health & Rehabilitation Center, LLC; because land uses across Whipps Mill Road from the Subject Site are higher intensity residential uses, commercial and service uses: (1) A shopping center which contains, among other things, Circle K Gas and a restaurant at 10000 Whipps Mill Road, Champs Skating Rink at 9705 Whipps Mill Road, Whipps Mill Road Condominiums at 9800 Whipps Mill Road, and Harrods Creek Auto Service at 9705 Whipps Mill Road (the corner of Whipps Mill Road and La Grange Road); because even though the five (5) properties to the east of the Subject Site are single-family lots, the remainder of the block face – on both sides of Whipps Mill Road – are commercial, service and health & rehabilitation uses, rather than single-family residential so that the proposed use is located in a “Neighborhood Center” as defined by the Comprehensive Plan; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Centers Guideline 2 and all applicable Policies adopted thereunder, including Policies 2, 3, 4, 8 and 15 because this type of land use is best located where it can serve its customer base; because this site has good access to La Grange Road, Hurstbourne Parkway and the interstate system making it a good site (i.e., a “special location”) for access to most of the customer base of the business; because the general vicinity constitutes an older or redeveloping residential area where the non-residential use (i.e., the landscaping business) will not create nuisances and will be compatible with its

surroundings; because the business maintains a sufficient support population for its continued existence at this location; because the proposal is compact and results in an efficient land use pattern with no required public infrastructure investment; because mixed use is part of the proposal because it contains a residential component; because parking is located to the rear of the site; and because bicycle storage facilities will be located within the house; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policies 1, 2, 4, 5, 6, 7, 8, 9, 21, 22, 23, 24 and 28 because it is compatible with the scale and site design of nearby existing development because the single-family house will be retained and will continue to be utilized; because the proposal will cause no adverse impact to existing residential uses; because existing and proposed landscaping will sufficiently buffer the Proposal from adjacent uses; because landscape buffer areas are provided where the site is adjacent to single-family uses; because the proposal will not be a source of odor, air quality emissions, excessive traffic, noise, lighting or visual impacts; because the proposal will conform to all lighting requirements of the Land Development Code; because all setbacks will be observed; and because one monument sign is proposed pursuant to Land Development Code restrictions; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Open Space Guideline 4 and all applicable Policies adopted thereunder, including Policies 1, 4 and 6 because open space is not required for the site and because existing buildings on the site are being re-used; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 4 and 6 and Social and Cultural Resources Goal D1 and Objective D1.1 because there are no steep or severe slopes on site; because on-site soils drain well and are highly permeable; because no soils on-site are classified as wet soils; and because there are no historic or cultural resources or features on site; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 6, 9, 10, 13 and 16 because the Louisville Department of Public Works will approve the proposal indicating, among other things, that the development provides adequate access for motorists and pedestrians, to, from and through the development; because there is no transit service on this section of Whipps Mill Road but the proposed land use does not generate trips to the site; because right-of-way dedication is provided where required; because adequate parking is provided pursuant to the Land Development Code; because cross access is provided via the Meadow Road; because this segment of Meadow Road provides access only to United Rehab Properties, LLC and the Applicant's property due to a barricade; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Transportation Facility Guideline 8 and all applicable Policies adopted thereunder, including Policies 7, 9 and 10 because adequate measures have been taken to minimize glare, vibration, air pollution, and visual intrusion due to on-site buffering and screening; because the landscaping business does not produce odors; because the approval from the Department of Public Works indicates, among other things, that the development has adequate sight distance and appropriate on-site access for pedestrians and vehicles; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all applicable Policies adopted thereunder, including Policies 1, 3 and 4 because no customers come to the site of the business and because all employees arrive via motor vehicle, the site does not generate a need for sidewalks; because bicycle parking and storage will be accommodated within the buildings on site; and because Whipps Mill Road at this location is not a transit route; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 4, 7, 10 and 11 because the development of the site will minimize the potential for the impacts of flooding and effectively manages stormwater runoff; because there is no impact to the regulatory floodplain because all structures will be located above the floodplain; because no buildings are proposed to be located within the 100-year FEMA regulatory floodplain; because the proposal has received the approval of the Metropolitan Sewer District ("MSD") which, among other things, indicates that the on-site detention basin will adequately accommodate stormwater from the site, based on a fully developed watershed; because the on-site drainage system will accommodate the "through" drainage system of water flows on-site and off-site and peak stormwater runoff rates post-development will not exceed pre-development rates; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 1, 2, 6 and 8; because the Louisville Air Pollution Control District has approved the proposal, which indicates, among other things, that the proposal conforms to Air Quality Guideline 12 and related Policies; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 1, 2, 4, 5 and 6 because landscaping will be provided as shown on the development plan; because native plant species will be installed; because planting and buffering plans, wherever required, will be implemented; and because an adequate tree canopy will be provided for the Subject Site; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 2, 3, 4, 6 and 14.7 because it has adequate service for all necessary utilities; because a common utility corridor exists in the development that includes gas, electric, water, telephone, cable and telecommunications; because an adequate water supply for domestic and fire-fighting purposes will serve the site; and because utilities will be located underground and will be situated where recommended by each utility for appropriate maintenance and repair access; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 15.9 because adequate fire fighting services will be provided by the Lyndon Fire Protection District; and

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

NOW, THEREFORE, BE IT RESOLVED...