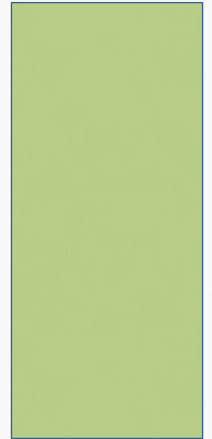


Louisville Metro Planning Commission  
February 5, 2015

Docket No. 14ZONE1051

Zone Change from R-4 And C-1 to CM to allow a  
mini-warehouse facility on property located at  
3818, 3818 R, 3820 & 3824 Bardstown Rd.



Attorneys: Bardenwerper Talbott & Roberts, PLLC  
Land Planners, Landscape Architects & Engineers: Mindel Scott & Associates, Inc.

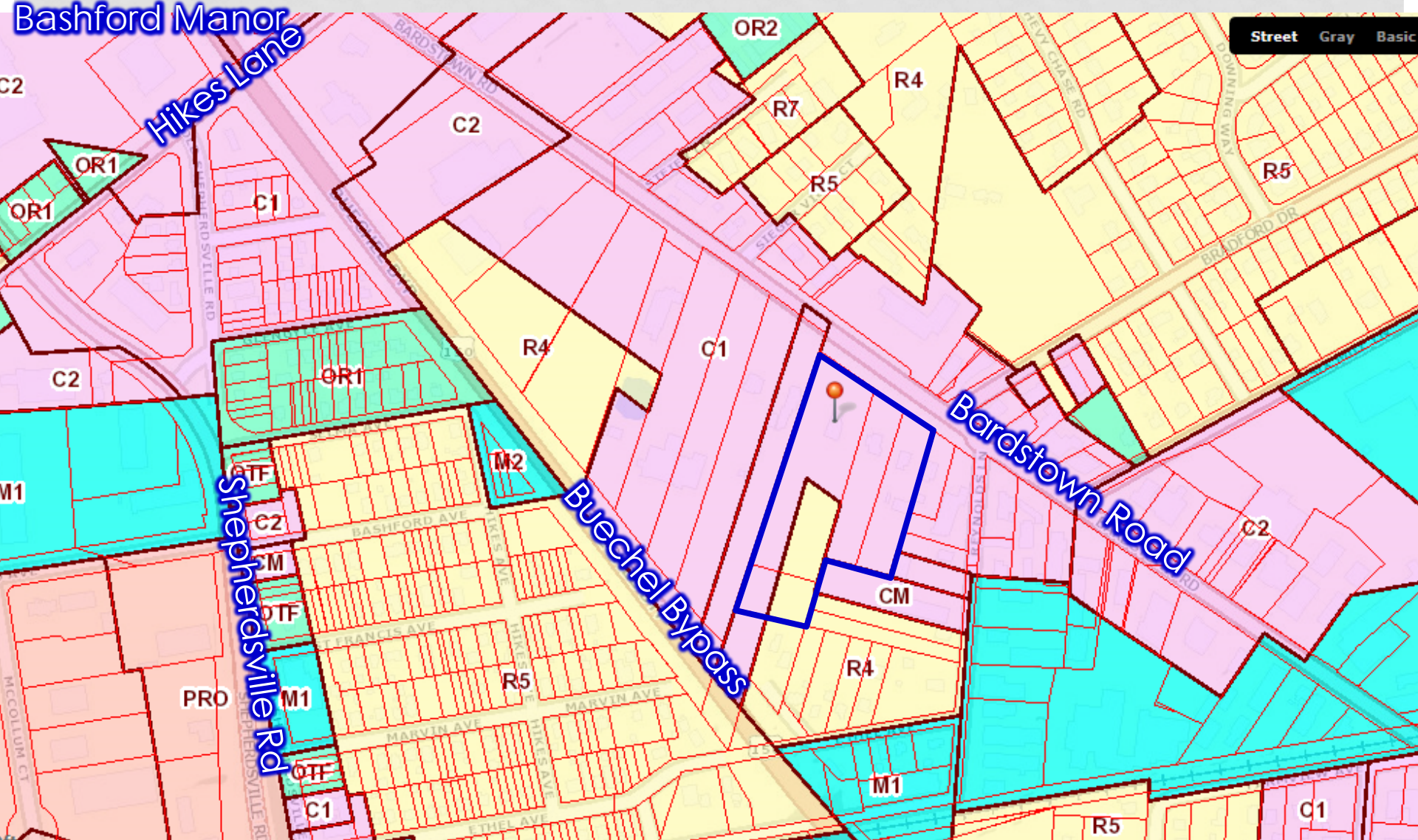
# INDEX

1. LOJIC Zoning Map
2. Aerial photographs of the site and surrounding area
3. Ground level photographs of the site and surrounding area
4. Development Plan
5. Building elevations
6. Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan and Waiver Justifications
7. Proposed findings of fact pertaining to compliance with the Comprehensive Plan and Waiver criteria

TAB 1

LOJIC ZONING MAP

# Bashford Manor



Street Gray Basic

## TAB 2

# AERIAL PHOTOGRAPH OF THE SITE AND SURROUNDING AREA

# Bashford Manor





3818 Bardstown Rd, Louisville, KY 40218, USA

Buechel Bypass

Bardstown Road

BYP  
31E

Buechel Bypass

Reynolds Ln

Bradlersky

Switzer Ln

Town Rd

© 2014 Google

Google earth

1993

Imagery Date: 9/22/2014 38°11'42.78" N 85°39'17.91" W elev 494 ft eye alt 1653 ft

# TAB 3

GROUND LEVEL PHOTOGRAPHS OF  
THE SITE AND SURROUNDING AREA





Report a problem

© 2014 Google  
© 2014 Google

Google earth  
9

38°11'44.44" N 85°39'17.35" W elev 495 ft eye alt 503 ft

Existing houses on site



Existing house on site



Report a problem

© 2014 Google  
© 2014 Google

Google earth  
11

38°11'46.92" N 85°39'16.86" W elev 495 ft eye alt 503 ft

Property across Bardstown Road from site

TAB 4

# DEVELOPMENT PLAN



Buechel Bypass

Bardstown Road



TAB 5

BUILDING ELEVATION

# Concept Elevations

STAINED SPLIT FACE BLOCK

STAINED SMOOTH FACE BLOCK

COLORED STANDING SEAM ROOF



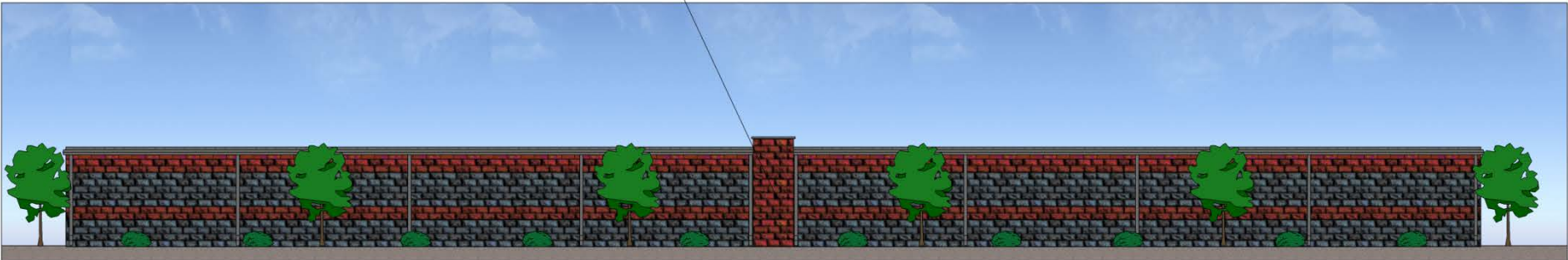
STAINED SMOOTH FACE BLOCK

STAINED SMOOTH FACE BLOCK

GRAY TINT WINDOWS

**PROPOSED NORTHEAST ELEVATION (OFFICE SIDE)**

STAINED SPLIT FACE BLOCK

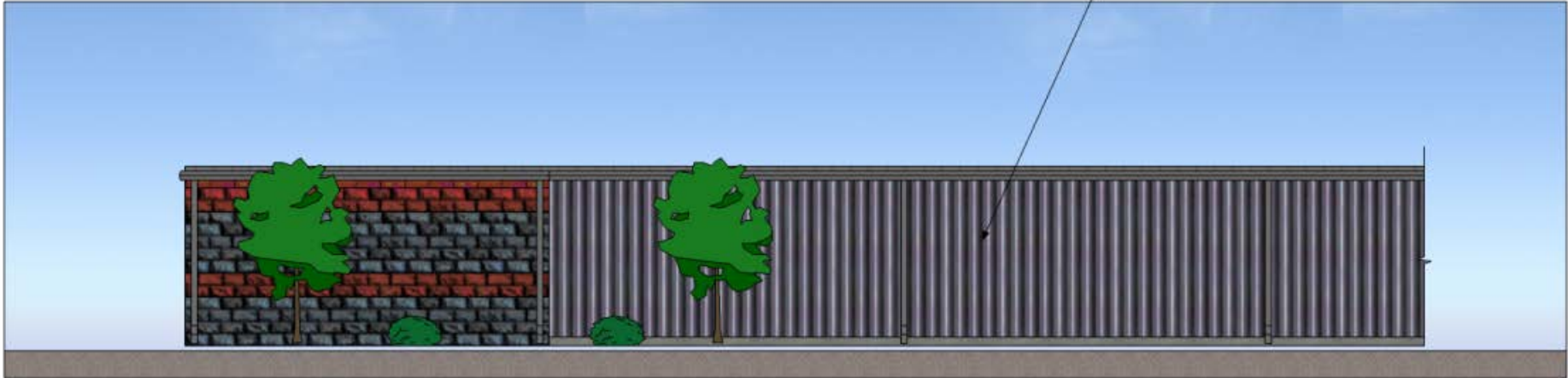


**PROPOSED NORTHEAST ELEVATION**



# Concept Elevations

GRAY SIDING TO MATCH BLOCK COLOR

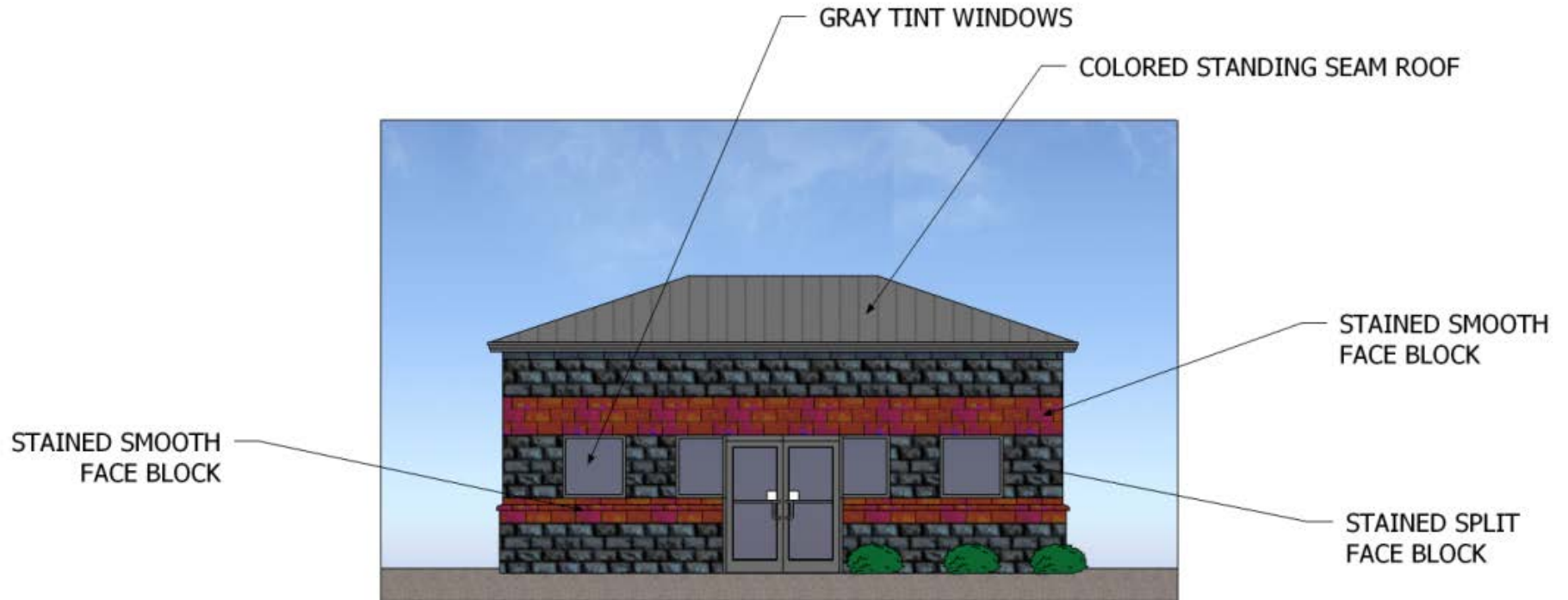


**PROPOSED NORTHWEST ELEVATION**



**PROPOSED SOUTHEAST ELEVATION**

# Concept Elevations



**PROPOSED NORTHWEST ELEVATION (OFFICE ENTRANCE)**

## TAB 6

STATEMENT OF COMPLIANCE FILED  
WITH THE ORIGINAL ZONE  
CHANGE APPLICATION WITH ALL  
APPLICABLE GUIDELINES AND  
POLICIES OF THE CORNERSTONE  
2020 COMPREHENSIVE PLAN AND  
WAIVER JUSTIFICATION

# 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 CORNERSTONE 2020 COMPREHENSIVE PLAN**

<u>Applicant:</u>	Pinnacle Properties
<u>Owner:</u>	King Southern Bank
<u>Location:</u>	3818, 3820 and 3824 Bardstown Road
<u>Proposed Rezoning/Use:</u>	R-4 and C-1 to C-M for Mini-storage facility
<u>Engineers, Land Planners and Landscape Architects:</u>	Mindel Scott & Associates, Inc.

### **BACKGROUND**

The proposed Buechel Mini-storage facility is located on four lots, three of which have existing older homes on them, apparently used as offices. They do not appear to be in good shape or of historic value. The site is surrounded by multiple uses, mainly retail, warehouse and some office. To the rear of the site is the only true residential.

The applicant proposes to remove the existing structures in order to construct the mini-storage facility, with access directly to and from Bardstown Road. The design of the site will be typical of most mini-storage facilities, probably a split-face block on the rear of the buildings to give the effect of a screening wall. The interior will also be constructed, like most mini-storage facilities, of metal buildings. But they will not be visible from the outside, except perhaps in a very limited way through the entry gate, which will utilize what is typically utilized, that being a brushed aluminum, wrought iron style architectural gate.

### **GUIDELINE 1: COMMUNITY FORM: TOWN CENTER**

The proposed Buechel Mini-storage facility is located in a Town Center, which seems like an odd form district designation for this area, but it is what it is. Nevertheless, Town Centers do contain significant amounts of diverse uses, largely in square footage quantities greater than the activity centers found in neighborhoods. These uses are typically compact and designed to serve the needs of the Town Center.

This application complies with this Guideline because this particular Town Center includes a variety of businesses, which are traditional users of mini-storage facilities. Residents are as well, which is a reason that mini-storage facilities like to locate along arterial roadways in order to conveniently serve both the nearby commercial businesses and residential populations. Mini-storage facilities are located in Town Centers elsewhere around Metro Louisville.

## **GUIDELINE 2: ACTIVITY CENTERS**

The Intents and applicable Policies 1, 2, 4, 5, 7, 11, 14 and 15 all relate to the fact that activity centers are intensely developed areas, whether in a neighborhood or a Town Center like this, where infrastructure already exists, where commuting times can be reduced because of the intensity of mixed uses within a defined area, the desirability being that uses within an activity center be mixed and compactly developed.

This application complies with Intents and applicable Policies of this Guideline because, as stated in the introductory section of this Compliance Statement, the applicable properties are surrounded by a diversity of uses, in close proximity to one another. The site is along an arterial, easily accessible from both residential areas and nearby businesses who and which will utilize the proposed Buechel Mini-storage facility. Town Centers are typically thought of as activity centers in and of themselves, and this is one where the development is already mixed, compact and with available infrastructure already at the site.

## **GUIDELINE 3: COMPATIBILITY**

The Intents and applicable Policies 1, 2, 4, 5, 6, 7, 8, 9, 12, 19, 20, 21, 22, 23 and 28 all pertain to how potentially incompatible uses can be made compatible through design.

This application complies with these Intents and applicable Policies of this Guideline as follows. As said, potentially incompatible uses can be made compatible through design, and that is accomplished at this location because, as inferred hereinabove, there is no consistent design theme in this immediate area. Therefore, finding a design that fits with something already constructed is a bit of a challenge. Indeed, given some of the higher intensity, older uses located nearby, the applicant thought that perhaps an all metal mini-storage building would be design-appropriate for this area. But at time of application, they have conceded that, unless standards are relaxed during the process, they will utilize a split-face block material along the rear of the metal buildings, such that the look from the exterior will be one of a masonry wall, which is typical of other mini-storage facilities around Metro Louisville. This is a pleasant look, assuring that the interior of the site, which is constructed of metal, will not be visible except through an attractive wrought iron style, black brushed aluminum gate.

As said, hazardous materials will be prohibited from this facility. No odors or noises are associated with it. Lighting will not extend above the roof line, so it will not be visible from off site. It will be directed down and away from nearby properties. Access will be controlled from one location. Parking will be minimized. Peak hour traffic is nonexistent and is generally distributed throughout the day. This use fits with the centers concept.

## **GUIDELINE 5: HISTORIC RESOURCES**

The Intents and applicable Policies of this Guideline, among other things, are intended to preserve buildings and cultural sites of significance.

This application complies with the Intents and applicable Policies of this Guideline because the old houses on these properties do not appear to have any significant historical or cultural significance. If they do, they can be photographed with the results submitted to Metro Historic Preservation for safe-keeping.

## **GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY**

The Intents and applicable Policies 3, 5, 6 and 11 of this Guideline all apply to assuring the availability of necessary usable land to facilitate various types of commercial and other development, including the desire to develop within activity centers where redevelopment is possible.

This application complies with the Intents and applicable Policies of this Guideline because the subject property appears to be out of character with the rather intense variety of industrial and commercial use mostly surrounding it. Because a market study was done demonstrating that a mini-storage facility of this kind was needed to support the demands of commercial activities and homes along this stretch of Bardstown Road, it makes sense to utilize this property in a productive manner. After all, it is, as said above, an activity center surrounded with a variety of different uses. Continued use of this property in its current state seems illogical given its surroundings.

## **GUIDELINE 7: CIRCULATION, GUIDELINE 8: TRANSPORTATION FACILITY DESIGN, GUIDELINE 9: ALTERNATIVE FORMS OF ACCESS**

The Intents and applicable Policies 1, 2, 9, 10, 11, 12, 13, 14 and 16 of Guideline 7, plus applicable Policies 5, 9, 10 and 11 of Guideline 8, plus applicable Policy 1 of Guideline 9 all pertain to the issues that are thoroughly reviewed and determined by Metro Transportation Planning and Public Works officials. They have their standards for design of all of the Policies referenced hereinabove.

This application complies with the Intents and applicable Policies of these Guidelines as follows. First, as stated, in order to be docketed for review by the Planning Commission's Land Development and Transportation (LD&T) Committee and set for public hearing, the referenced government agencies need to "stamp" the plan for preliminary review, thus indicating those technical reviewing agencies' determination that the issues raised by these applicable Policies have been addressed on the detailed district development plan filed with this application. Mindel Scott & Associates (MSA) is a professional land planning and engineering firm that takes into account all of these factors. Consequently, it has shown on the development plan that access to the site, as determined by government agencies, is located where it will not have a negative impact on the local street system. Thus, access is appropriately shown on the detailed development plan, as well as circulation throughout the development, including necessary parking. Stub connections to adjoining properties are not included because this is a secure facility, thus access through the development to other properties would not make sense because security would be lost. It is believed that adequate right-of-way already exists along Bardstown Road. But if it does not, added right-of-way will be granted, as is always the case. Site distances to and from that road have been determined to be adequate. Pedestrian access will be provided along the property's frontage. However, bicycles and transit are not likely to have need for access to this facility because it is for residents and businesses who want to deliver and pick up stored items which are usually not done on a bicycle or transit.

## **GUIDELINE 10: FLOODING AND STORMWATER**

The Intents and applicable Policies 1, 3, 6, 7, 10 and 11 of this Guideline all pertain to the issues of stormwater management, which is the review focus of MSD.

This application complies with the Intents and applicable Policies of this Guideline as follows. The detailed district development plan includes on-site detention. Mr. Mindel explained to neighbors at the neighborhood meeting who had concern about some standing water in the area, that, although the site will include impervious areas not present to date, stormwater will be engineered to flow through catch basins to the detention basin which will outlet into an existing stormwater system. That system has adequate stormwater carrying capacity. The detention basins will be designed to assure that post-development rates of runoff do not exceed pre-development rates.

## **GUIDELINE 11: WATER QUALITY**

The Intents and applicable Policies 3, 4, 5 and 9 of this Guideline are intended to assure water quality through application to new development of standards developed by MSD.

This application complies with the Intents and applicable Policies of this Guideline as follows. MSD has established both soil erosion and sedimentation control standards as well as water quality standards. The applicant must demonstrate compliance with these through construction design, which it will do.

## **GUIDELINE 12: AIR QUALITY**

This Intents and applicable Policies 1, 2, 4, 6, 7, 8 and 9 of this Guideline all pertain to finding ways to assure that local air quality problems are not exacerbated and, to the extent possible, that air quality might even be improved.

This application complies with the Intents and applicable Policies of this Guideline as follows. Because, as stated, there is a demonstrated need for a facility of this kind to serve the local population and nearby businesses, vehicle miles traveled can be reduced, given that customers will be able to utilize a facility close by.

## **GUIDELINE 13: LANDSCAPE CHARACTER**

The Intents and applicable Policies of this Guideline all pertain to assuring that all facilities are adequately treed and landscaped.

This application complies with the Intents and applicable Policies of this Guideline as follows. This facility will include all the required landscaping, notably along the perimeter where, in accordance with landscape requirements of the local Land Development Code.

\* \* \* \* \*

For all the reasons set forth herein and in accordance with testimony at the LD&T committee meeting and public hearing the application complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

---

William B. Bardenwerper  
Bardenwerper Talbott & Roberts, PLLC  
Building Industry Association of Greater Louisville Bldg.  
1000 N. Hurstbourne Parkway, Second Floor  
Louisville, KY 40223

CLIENT/Pinnacle-Miranda/Buechel - Application – Comp Statement  
JTR Rev. 11/17/2014 11:17 AM



**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

Waiver of: Section 5.6.1.A.1 to no provide animating features along 75% of the building façade.

Explanation of Waiver:

1. The waiver will not adversely affect adjacent property owners because most of the properties surrounding this is other businesses, and the design of the exterior walls of the mini-storage facility will be mostly attractive split face block, animated and landscaped appropriately.
2. The waiver will not violate the Comprehensive Plan because for all the set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the rezoning application.
3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because the exterior of the building will be of mostly split face block material with a color and with animations and landscaping appropriate to the area.
4. Strict application of the provisions of the regulation will not deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant because the applicant would otherwise end up designing a mini-storage facility that goes well beyond the design components evident in buildings adjoining it.

**General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

Waiver of: Section 5.5.1.A.3.d to not provide a connection of the parking lots from abutting developments.

Explanation of Waiver:

1. The waiver will not adversely affect adjacent property owners because this is a secure mini-storage facility that would not benefit any adjoining property to have access through.
2. The waiver will not violate the Comprehensive Plan because for all the set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the rezoning application.
3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because no inactivity is requested by any adjoining property owner nor would any be benefitted by such connectivity through a secure storage facility.
4. Strict application of the provisions of the regulation will deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant because the applicant could not operate a secure storage facility if people could drive through it to access other properties.

# TAB 7

PROPOSED FINDINGS OF FACT  
PERTAINING TO COMPLIANCE WITH  
THE COMPREHENSIVE PLAN AND  
WAIVER CRITERIA

# 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

## PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Applicant: Pinnacle Properties

Owner: King Southern Bank

Location: 3818, 3820 and 3824 Bardstown Road

Proposed Rezoning/Use: R-4 and C-1 to C-M for Mini-storage facility

Engineers, Land Planners and Landscape Architects: Mindel Scott & Associates, Inc.

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on February 5, 2015 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

### INTRODUCTORY STATEMENT

**WHEREAS**, the proposed Buechel Mini-storage facility is located on four lots, three of which have existing older homes on them, apparently used as offices; they do not appear to be in good shape or of historic value and the site is surrounded by multiple uses, mainly retail, warehouse and some office and to the rear of the site is the only true residential; and

**WHEREAS**, the applicant proposes to remove the existing structures in order to construct the mini-storage facility, with access directly to and from Bardstown Road; the design of the site will be typical of many mini-storage facilities, meaning split-face block on the front (Bardstown Road) side of the buildings which are most visible to the public with architectural steel along the sides and rear with split-face block at the Bardstown Road corners of the building; this gives the effect of an attractive screening wall; the interior will also be constructed, like most mini-storage facilities, of metal buildings; at construction completion, they will not be visible from the outside, except perhaps in a very limited way through the entry gate, which will utilize what is typically utilized, that being a brushed aluminum, wrought iron style architectural gate; and

### GUIDELINE 1: COMMUNITY FORM: TOWN CENTER

**WHEREAS**, the proposed Buechel Mini-storage facility is located in a Town Center which contains significant amounts of diverse uses, largely in square footage quantities greater than the activity centers found in neighborhoods and these uses are typically compact and designed to serve the needs of the Town Center; and

**WHEREAS**, this application complies with this Guideline because this particular Town Center includes a variety of businesses, which are traditional users of mini-storage facilities; residents are as well, which is a reason that mini-storage facilities like to locate along arterial roadways in order to conveniently serve both the nearby commercial businesses and residential populations and mini-storage facilities are located in Town Centers elsewhere around Metro Louisville; and

### **GUIDELINE 2: ACTIVITY CENTERS**

**WHEREAS**, the Intents and applicable Policies 1, 2, 4, 5, 7, 11, 14 and 15 all relate to the fact that activity centers are intensely developed areas, whether in a neighborhood or a Town Center like this, where infrastructure already exists, where commuting times can be reduced because of the intensity of mixed uses within a defined area, the desirability being that uses within an activity center be mixed and compactly developed; and

**WHEREAS**, this application complies with Intents and applicable Policies of this Guideline because, as stated in the introductory section of this Compliance Statement, the applicable properties are surrounded by a diversity of uses, in close proximity to one another; the site is along an arterial, easily accessible from both residential areas and nearby businesses who and which will utilize the proposed Buechel Mini-storage facility; Town Centers are typically thought of as activity centers in and of themselves, and this is one where the development is already mixed, compact and with available infrastructure already at the site; and

### **GUIDELINE 3: COMPATIBILITY**

**WHEREAS**, the Intents and applicable Policies 1, 2, 4, 5, 6, 7, 8, 9, 12, 19, 20, 21, 22, 23 and 28 all pertain to how potentially incompatible uses can be made compatible through design; and

**WHEREAS**, this application complies with these Intents and applicable Policies of this Guideline as follows; potentially incompatible uses can be made compatible through design, and that is accomplished at this location because, as inferred hereinabove, there is no consistent design theme in this immediate area; therefore, finding a design that fits with something already constructed is a bit of a challenge; indeed, given some of the higher intensity, older uses located nearby, the applicant believes that the use of architectural metal on the sides and rears of the mini-storage buildings would be design-appropriate for this area, as long as split-face block is used along Bardstown Road which is visible to the public; and the interior of the site, which is constructed of metal, will not be visible at construction completion except through an attractive wrought iron style, black brushed aluminum gate; and

**WHEREAS**, hazardous materials will be prohibited from this facility; no odors or noises are associated with it; lighting will not extend above the roof line, so it will not be visible from off site; it will be directed down and away from nearby properties; access will be controlled from one location; parking will be minimized and peak hour traffic is nonexistent and is generally distributed throughout the day; and this use fits with the centers concept; and

**GUIDELINE 5: HISTORIC RESOURCES**

**WHEREAS**, the Intents and applicable Policies of this Guideline, among other things, are intended to preserve buildings and cultural sites of significance; and

**WHEREAS**, this application complies with the Intents and applicable Policies of this Guideline because the old houses on these properties do not appear to have any significant historical or cultural significance and if they do, they can be photographed with the results submitted to Metro Historic Preservation for safe-keeping; and

**GUIDELINE 6: ECONOMIC GROWTH AND SUSTAINABILITY**

**WHEREAS**, the Intents and applicable Policies 3, 5, 6 and 11 of this Guideline all apply to assuring the availability of necessary usable land to facilitate various types of commercial and other development, including the desire to develop within activity centers where redevelopment is possible; and

**WHEREAS**, this application complies with the Intents and applicable Policies of this Guideline because the subject property appears to be out of character with the rather intense variety of industrial and commercial use mostly surrounding it; because a market study was done demonstrating that a mini-storage facility of this kind was needed to support the demands of commercial activities and homes along this stretch of Bardstown Road, it makes sense to utilize this property in a productive manner; and after all, it is, as said above, an activity center surrounded with a variety of different uses, and continued use of this property in its current state seems illogical given its surroundings; and

**GUIDELINE 7: CIRCULATION, GUIDELINE 8: TRANSPORTATION FACILITY  
DESIGN, GUIDELINE 9: ALTERNATIVE FORMS OF ACCESS**

**WHEREAS**, the Intents and applicable Policies 1, 2, 9, 10, 11, 12, 13, 14 and 16 of Guideline 7, plus applicable Policies 5, 9, 10 and 11 of Guideline 8, plus applicable Policy 1 of Guideline 9 all pertain to the issues that are thoroughly reviewed and determined by Metro Transportation Planning and Public Works officials, and they have their standards for design of all of the Policies referenced hereinabove; and

**WHEREAS**, this application complies with the Intents and applicable Policies of these Guidelines as follows; first, prior to docketed for review by the Planning Commission's Land Development and Transportation (LD&T) Committee and public hearing, the referenced government agencies stamped their approval on the plan, thus indicating those technical reviewing agencies' determination that the issues raised by these applicable Policies have been addressed on the detailed district development plan filed with this application; Mindel Scott & Associates (MSA) took into account all of these factors; consequently, it has shown on the development plan that access to the site, as determined by government agencies, is located where it will not have a negative impact on the local street system and thus, access is appropriately shown on the detailed development plan, as well as circulation throughout the development, including necessary parking; stub connections to adjoining properties are not included because this is a secure facility, thus access through the development to other properties would not make sense because security would be lost; it is believed that adequate right-of-way already exists along Bardstown Road; but if it does not, added right-of-way will be granted, as is always the

case; site distances to and from that road have been determined to be adequate; pedestrian access will be provided along the property's frontage; however, bicycles and transit are not likely to have need for access to this facility because it is for residents and businesses who want to deliver and pick up stored items which are usually not done on a bicycle or transit; and

### **GUIDELINE 10: FLOODING AND STORMWATER**

**WHEREAS**, the Intents and applicable Policies 1, 3, 6, 7, 10 and 11 of this Guideline all pertain to the issues of stormwater management, which is the review focus of MSD; and

**WHEREAS**, this application complies with the Intents and applicable Policies of this Guideline as follows; the detailed district development plan includes on-site detention; MSA explained to neighbors at the neighborhood meeting who had concern about some standing water in the area, that, although the site will include impervious areas not present to date, stormwater will be engineered to flow through catch basins to the detention basin which will outlet into an existing stormwater system; that system has adequate stormwater carrying capacity; and the detention basins will be designed to assure that post-development rates of runoff do not exceed pre-development rates; and

### **GUIDELINE 11: WATER QUALITY**

**WHEREAS**, the Intents and applicable Policies 3, 4, 5 and 9 of this Guideline are intended to assure water quality through application to new development of standards developed by MSD; and

**WHEREAS**, this application complies with the Intents and applicable Policies of this Guideline as follows; MSD has established both soil erosion and sedimentation control standards as well as water quality standards, and the applicant will demonstrated compliance with these through construction design; and

### **GUIDELINE 12: AIR QUALITY**

**WHEREAS**, this Intents and applicable Policies 1, 2, 4, 6, 7, 8 and 9 of this Guideline all pertain to finding ways to assure that local air quality problems are not exacerbated and, to the extent possible, that air quality might even be improved; and

**WHEREAS**, this application complies with the Intents and applicable Policies of this Guideline as follows; because, as stated, there is a demonstrated need for a facility of this kind to serve the local population and nearby businesses, vehicle miles traveled can be reduced, given that customers will be able to utilize a facility close by; and

### **GUIDELINE 13: LANDSCAPE CHARACTER**

**WHEREAS**, the Intents and applicable Policies of this Guideline all pertain to assuring that all facilities are adequately treed and landscaped; and

**WHEREAS**, this application complies with the Intents and applicable Policies of this Guideline as follows; this facility will include all the required landscaping, notably along the perimeter where, in accordance with landscape requirements of the local Land Development Code;

\* \* \*

**WHEREAS**, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books, on the approved detailed district development plan, this application also complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan;

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-4 and C-1 to C-M.



### **WAIVER FINDINGS OF FACT**

Waiver of Section 5.6.1.A.1 to not provide animating features along 75% of the building façade.

**WHEREAS**, the waiver will not adversely affect adjacent property owners because most of the properties surrounding this is other businesses, and the design of the exterior walls of the mini-storage facility will be mostly attractive split face block, animated and landscaped appropriately; and

**WHEREAS**, the waiver will not violate the Comprehensive Plan because for all the set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the rezoning application; and

**WHEREAS**, the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because the exterior of the building will be of partly split-face block and partially architectural steel material with a color and with animations and landscaping appropriate to the area; and

**WHEREAS**, strict application of the provisions of the regulation will not deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant because the applicant would otherwise end up designing a mini-storage facility that goes well beyond the design components evident in buildings adjoining it;

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby approves this Waiver.

**WAIVER FINDINGS OF FACT**

Waiver of Section 5.5.1.A.3.d to not provide a connection of the parking lots from abutting developments.

**WHEREAS**, the waiver will not adversely affect adjacent property owners because this is a secure mini-storage facility that would not benefit any adjoining property to have access through; and

**WHEREAS**, the waiver will not violate the Comprehensive Plan because for all the set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan filed with the rezoning application; and

**WHEREAS**, the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because no connectivity is requested by any adjoining property owner nor would any be benefitted by such connectivity through a secure storage facility; and

**WHEREAS**, strict application of the provisions of the regulation will deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant because the applicant could not operate a secure storage facility if people could drive through it to access other properties;

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby approves this Waiver.