

Case No. 15ZONE1028 Findings of Fact

WHEREAS, the Louisville Metro Planning Commission finds that the proposal meets the intents of **Guideline 1 – Community Form**. The applicable form district for this property is the Suburban Workplace Form District which is a form characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting; this application and the Detailed District Development Plan (DDDP) accompanying this application demonstrate compliance with the Suburban Workplace Form District given how the proposed buildings satisfy the Land Development Code (LDC) setback requirements from Tucker Station Road and given proposed landscaping screening and buffering along Tucker Station Road and adjoining residential property lines; and the aerial photograph accompanying the PowerPoint Presentation shown at the Public Hearing further illustrates how this property adjoins or is located close to other warehouses, distribution and industrial uses, fitting within the Suburban Workplace Form District; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 2 – Activity Centers**. The Intents and applicable Policies 1, Q, 4, 5, 7, H, 13, 14, 15 and 16 of this Guideline all pertain to such things as assuring an efficient use of land and investment in existing infrastructure, reducing commuting time and distances so as to not exacerbate air pollution problems, locating in existing activity centers and appropriate form districts, developing non-residential and mixed uses in such centers, assuring compact and mixed compatible uses, appropriately designing shared parking and buildings in such centers, and assuring adequate utilities and utility easements as necessary; and

WHEREAS, the Commission further finds that this application complies with all of these Intents and applicable Policies of this Guideline for the following reasons; while activity centers are normally thought of as commercial centers, what they really are places where similar or compatible activities are all located in close proximity one to the other so that they either feed off of and support one another or work in some sort of symbiotic relationship; given that, for the most part, especially to the east and northwest, this is an intensely developed workplace area, this rezoning and accompanying development plan are appropriate for this area; infrastructure exists because all manner of other office, warehouse, distribution and industrial activities are located next door or close by, thus another similar use activity, like this, makes sense from the standpoint of access to and through the area as well as where employees typically commute to jobs of this kind; the proposed small warehouse buildings located on this property fit well, while leaving setbacks, landscaping and buffering where required by the LDC or to address the interests of adjoining property owners; and parking is appropriately designed to be shared among the several warehouse buildings; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 3 – Compatibility**. The Intents and applicable Policies 1, 2, 3, 4, 5, 6, 7, 8,

9, 19, 20, 21, 22, 23, 24, and 29 all pertain to the issues of impact mitigation; sometimes this can be through building design and materials; given that the adjoining Blankenbaker Station encompasses a wide variety of relatively well-designed intense office, warehouse, distribution and light industrial building designs, the buildings proposed for this site will be held to a similar standard; these buildings will be attractive, and images of them were presented at LD&T and the Public Hearing for review in this case; the impacts of noise generated from trucks, as well as lighting from trucks and from parking lots, will be mitigated by the mostly internal location of parking, with landscaping, and by Metro approved points of access to assure that the adjoining R-4 neighbors are not disrupted during hours of operation; and the DDDP and possible binding elements also address transitional issues, such as buffers, setbacks, screening and landscaping; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 6 – Economic Growth and Sustainability**. The Intents and applicable Policies 1, 2, 3, 4, 6, 8, and 10 of this Guideline all pertain to the issues of assuring availability of adequate usable land for such uses as these, to reduce public and private costs for land development, to preserve workplaces, to provide for appropriate access, to invest in developing and redeveloping industrial areas, to locate industries where other industries already exist and in the activity centers in and around those industrial areas, to assure that transportation is adequate in and out of industrial areas and properties such as this, and to continue to redevelop and adaptively reuse vacant properties like this; and

WHEREAS, this application complies with the Intents and applicable Policies of this Guideline because this property adjoins the existing Blankenbaker Station business park with an opportunity for more compatible buildings on a vacant property in an area appropriate for the same type uses as this kind; roads which provide access are (or must be) constructed to provide safe transportation routes to and from this site, and the point of access to this property, which is no longer off Tucker Station Road, is one that has been preliminarily approved by Metro Transportation Planning/Public Works prior to docketing for Public Commission consideration and is one that has been endorsed by neighbors; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guidelines 7, 8, and 9 – Circulation; Transportation Facilities; and Alternative Transportation Modes**. The Intents and applicable Policies 1, 2, 9, 10, 11, 12, 13, 14 and 15 of Guideline 7, Policies 5, 6, 7, 9, 10, 11 and 12 of Guideline 8, and Policies 1, 2, 3 and 4 of Guideline 9 all pertain to the multiplicity of issues that are typically reviewed by Metro Transportation Planning and Public Works in connection with those agencies' reviews of DDDPs such as the one submitted with this application; and

WHEREAS, this application complies with all these Intents and applicable Policies of these Guidelines because Metro Transportation Planning has reviewed the DDDP and assured compliance with all of these applicable Policies; in that regard, Mindel Scott & Associates (MSA), a professional land planning and engineering firm that has worked on this DDDP, has taken into account in its design such issues as appropriate access, internal circulation, adequate parking, adequacy of street access, appropriate site distances and even whether sidewalks and bicycles need to be provided/accommodated; all of these things have been addressed on the DDDP accompanying this DDDP before the Planning Commission for consideration; and the main point of contention with neighbors which had been access has been resolved by virtue of there being no access points off Tucker Station Road, rather the future access to be constructed by virtue of an extension of Schutte Station Road; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guidelines 10 and 11 – Flooding and Stormwater; and Water Quality**. The Intents and applicable Policies 1, 3, 7, 10 and 11 of Guideline 10 and Policies 3 and 5 of Guideline 11 raise issues that are already regulated by MSD; the DDDP accompanying this application has received the preliminary stamp of approval from MSD demonstrating compliance with all of these Policies; on-site detention will be required or the regional fee will be paid; wetlands, if any, and streams will be protected; work done on this property will be performed in compliance with the soil erosion and sediment control guidelines of MSD and also with the new water quality standards adopted by MSD; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 12 – Air Quality**. The Intents and applicable Policies 1, 2, 4, 6, 7, 8 and 9 of this Guideline all pertain to the various issues of air quality regulated by the Air Pollution Control District (APCD) ; and

WHEREAS, this application complies with these Intents and applicable Policies of this Guideline because APCD adopts regulations that require compliance; one of the goals of the Comprehensive Plan as evident in this Guideline is to reduce commuting distances and to assure that major truck traffic, to the maximum extent possible, utilize routes that are typically traveled by trucks, this project helps reduce vehicle miles traveled; and the proposed warehouses are located next to the existing Blankenbaker Station business park with proposed access to it; which truck traffic and employees are already accessing; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guideline 13 – Landscape Character**. The Intents and applicable Policies 1, 2, 4, and 6 of this Guideline all pertain to the issues of LDC compliance with landscaping requirements and to the need to screen and adequately buffer adjoining uses that might be of a different nature, such as the R-4 parcels next door and along the Scenic Corridor of Tucker Station Road; and the landscape plan will comply with the LDC and include enhanced landscaping as to mitigate unacceptable impacts; and

WHEREAS, the Commission further finds that the proposal meets the intents of **Guidelines 14 and 15 – Infrastructure and Community Facilities**. The Intents and applicable Policies 2, 3, 4, 6 and 7 of Guideline 14 and Policies 3, 4, and 9 of Guideline 15 all pertain to the issues of assuring that adequate water supply, sewage treatment, other utility services and public services are available to serve sites, including industrial ones, of this kind; and this application and the accompanying DDDP demonstrate, in part, how utilities and public services, such as fire and emergency, are available at this site or close by; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, the applicant's justification, and the staff report that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the requested change in zoning from R-4 to PEC on property described in the attached legal description, be **APPROVED**.