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PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL APPLICABLE GOALS OF THE 2040 PLAN

Applicant & Owner	Estate of Nancy R. Donnelly, Barry K. Crawford, Executor
<u>Location:</u>	9021 Taylorsville Road
<u>Proposed Use:</u>	Medical Laboratory and Offices
<u>Engineers, Land Planners and Landscape Architects:</u>	Miller Wihry
<u>Request:</u>	Zone change from R-4 to C-1

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on March 3, 2022 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

INTRODUCTION

WHEREAS, the subject site is an infill site adjacent to a property subject to a now expired development plan which contained a binding element that required a vehicular connection to this site if it were ever developed for a non-residential use; that is the case here and the proposed development plan shows that connection; although expired, the development plan for the adjacent tract will need to be refiled and it is certain that the same connectivity binding element will be imposed again; this accomplishes a neighborhood goal that there be no vehicular access to Axminister Drive; and both properties are served by a joint access which is located further away from Axminister Drive in compliance with the requirement of the Kentucky Transportation Cabinet; and

COMMUNITY FORM

Goal 1 – Guide the form and design of development to respond to distinctive physical, historic and cultural qualities.

WHEREAS, the proposed zone change and general district development plan (GDDP) comply with applicable Objectives a, b, c, e & f and applicable Policies 1, 2.1, 2.7, 3.1.3., 4, 6, 7, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 23, & 28 because medical offices and laboratories are proposed in a continually growing area of Taylorsville Road, where a large retail activity center already exists; and

WHEREAS, the proposed medical offices will support the residential areas around the development. Its location close to neighboring residential developments will be convenient for

the residents and will reduce vehicle miles traveled for those seeking medical products and services without driving to large hospital complexes; and the rezoning will serve the suburban areas need for medical services fulfilling the Neighborhood Form District goals; and

WHEREAS, the proposed zone change and development plan are compatible with the scale and site design of the neighboring residential areas, as this site is on a major arterial roadway just south of a traffic signal; appropriate buffers will be created in such a way that this development will mitigate the office expansion into residential areas very well; and the potential adverse impacts, such as noise, lighting and traffic will be mitigated through the use of buffers, setbacks and compliance with the Land Development Code; and

Goal 2 – Encourage sustainable growth and density around mixed-use centers and corridors.

WHEREAS, the proposed zone change and GDDP comply with applicable Objectives b & d and Policies 1, 2, 5, 6, 7, 8, 9, 11, & 17 because the proposed change in zoning from R-4 to C-1 to allow the medical office use will encourage sustainable growth with these low impact uses on a major arterial and avoid potential decline by an underutilized residential property and will continue to provide appropriate intensity around this mixed-use area by locating uses of limited intensity compatible with the area and existing infrastructure; this is also provided by the proposed private roadway through the adjacent site to create a joint access to Taylorsville Road which eliminates the current access on the adjacent tract and locates the joint access further away from Axminister Drive; the design and intensity are appropriate with adjacent uses that will serve the needs of the surrounding community due to the limited impact on the residential area by preserving Axminister Drive for residential use; the development will be compact within a larger activity center resulting in efficient land use and will take advantage of and compliment cost-effective infrastructure investment; this mixture of compatible neighborhood serving uses will reduce vehicle miles traveled and limit trips for customers and users of the site; this site is within a corridor where major support population exists and is growing rapidly; as a relatively small office complex, it will be compact and will contain acceptable/desirable office use; and sidewalks will be provided as required by the Land Development Code; and

Goal 3 – Enhance neighborhood by protecting and integrating open space, watershed and other natural resources.

WHEREAS, the proposed zone change and GDDP comply with applicable Objectives a and c, and Policies 9, 10 and 12 because the proposed development plan will protect the surrounding neighborhoods as they will not diminish any open space or natural resources and will provide LBAs and buffers in the area of the site adjacent to residential development; the zoning change will not cause any negative impacts to any flood prone areas, wet or permeable soils or steep slopes; by providing a detention basin the stormwater management will be handled more effectively for the subject site and the adjacent property than it is currently; the proposal avoids any significant change in topography and does not cause any environmental changes or damage; the landscape buffers and setbacks will continue to provide the community transitions between the site and the surrounding properties; and the stormwater drainage improvements will continue to limit any issues with flooding or standing water, while respecting the natural features of the property and protecting the health, safety and welfare of the adjacent properties and future uses of the development; and

Goal 4 – Promote and preserve the historic and archaeological resources that contribute to our authenticity.

WHEREAS, the proposed zone change and GDDP comply with applicable Policies 1 & 2 because there are no known historic resources on the site; the rezoning and development plan will essentially provide an infill development within the larger activity center where a large support population exists; and thus, it represents a good opportunity for continued economic development for the area in the appropriate scale and mass; and

MOBILITY

Goal 1 – Implement an accessible system of alternative transportation modes.

WHEREAS, the proposed zone change and GDDP complies with applicable Objectives e and Policy 4 because the site provides sidewalks and is served by TARC routes 17 and 40; and

Goal 2 – Plan, build and maintain a safe, accessible and efficient transportation system.

WHEREAS, the proposed zone change and GDDP comply with applicable Objectives a, b, c & d and Policy 4 because the development plan complies with the objectives and applicable policy of Goal 2 by promoting safe, accessible and efficient transportation uses by accommodating pedestrian, bicycle and vehicular access to a major arterial (Taylorsville Road); and public transit is available; and bike racks will be provided and sidewalks will be installed in compliance with the Land Development Code; and

Goal 3 – Encourage land use and transportation patterns that connect Louisville Metro and support future growth.

WHEREAS, the proposed zone change and GDDP comply with applicable Objectives a, b, c, & d and Policies 1, 2, 3, 4, 5, 6, 9 and 10 because the development plan complies with the objectives and policies of Goal 3 by providing walking and bicycling opportunities with the sidewalks and by providing medical offices to complement a mix of neighborhood serving businesses, services and reducing vehicle miles traveled by providing the activity center with additional development in this infill situation; the plan will not burden the transportation network but will allow the site to continue to be consistent with the intent of the Neighborhood Form District, rather than a more intense commercial use; the parking proposed for the site appropriately addresses the intensity of the proposed use and the character and pattern of the Neighborhood Form District; the plan also satisfies the policy of supporting biking and pedestrian travel by providing for those modes of access, with bike parking provided; all required utilities are available to the site; the access to the site has been revised from the original submittal to properly align with adjacent development across Taylorsville Road and to satisfy a request from neighbors served by Axminister Drive who desire that it be preserved for residential use only; and sanitary sewers are available to the site; and

COMMUNITY FACILITIES

Goal 2 – Plan for community facilities to improve quality of life and meet anticipated growth.

WHEREAS, the proposed zone change and GDDP comply with applicable Policies 1, 2, & 3 because this development plan is not a community facilities plan, but it does locate development in an area currently served by existing infrastructure, with adequate water supply of potable water and with sufficient water for fire-fighting purposes and access to sewers, all so as to not burden existing or future community facilities; and

ECONOMIC DEVELOPMENT

Goal 1 – Provide an economic climate that improves growth, innovation, investment and opportunity for all.

WHEREAS, the proposed zone change and GDDP complies with applicable Objectives a, c, d, f & h and Policies 2, 3, and 4 because this development plan complies with Goal 1 of Economic Development as it will provide an appropriate medical office use that improves growth, innovation, and investment opportunity for all by providing for the constructive use of an otherwise underutilized residential parcel in an infill context; it is located in an area with existing infrastructure in an efficient manner increasing economic opportunities in the area; it will also provide opportunities to area residents by providing another location with a supportive medical office component with convenient access to major arterials and roadway infrastructure without generating high volumes of traffic; and

Goal 2 – Cultivate a vibrant, unique city that attracts, retains, and develops a highly-skilled workforce.

WHEREAS, the proposed zone change and GDDP complies with applicable Objectives a, b, c, d & f and Policies 1, 3, 4, 5, & 7 because this development plan complies with Goal 2 of Economic Development as it enhances the quality of life in the area by developing a small infill location, while at the same time protecting and improving the economic value of the surrounding areas by assisting the economic viability of the activity center; and it also satisfies the goal and policy of infill development to take advantage of the existing infrastructure; and

LIVABILITY

Goal 1 – Protect and enhance the natural environment and integrate it with the built environment as development occurs.

WHEREAS, the proposed zone change and GDDP comply with applicable Policy 7, 12, 17 23, 25, 26, 27, 28, 31, 32, 35, & 39 because the development plan complies with the objectives and policies of Goal 1 of Livability element in that it provides pedestrian and bicycle connectivity while not creating large amounts of new traffic for the area; it also will continue to deal with any impacts to drainage associated with the site through the use of detention basins accounting for the increased impervious surface which improves drainage to the adjacent site as well as the subject site; landscaping will be added where required under the Land Development Code to reduce the impacts of the site to nearby residential uses; and

Goal 2 – Ensure equitable health and safety outcomes for all.

WHEREAS, the proposed zone change and GDDP comply with applicable Objectives a, b, c & d and Policy 8 because the development plan complies with the objectives and policies of Goal 2 of Livability element by providing additional medical offices and services in close proximity to existing residential development; and

Goal 3 – Ensure equitable access to land use planning and Policy-making resources.

WHEREAS, the proposed zone change and GDDP complies with applicable Objective c and Policies 1, 2, & 4 because the development plan complies with the objectives and policies of Goal 3 of Livability element providing equitable access to the land use planning and policy resources by providing the surrounding residents and property owners notice of the development changes, notice of all public meetings, by providing the neighborhood meeting, and providing an opportunity for area involvement in the plan design and sought-after zoning changes; and

Goal 4 – Integrate sustainability and resilience in community planning processes.

WHEREAS, the proposed zone change and GDDP complies with applicable Objectives a, b, c, e & f and Policies 1, 2, & 8 because the development plan complies with the objectives and policies of Goal 4 of Livability element by providing and enhancing choices for mobility and encouraging clean air by reducing vehicle miles travelled by providing needed medical office services; it also provides needed medical offices services in and along high capacity transit corridor of Taylorsville Road, supporting public transportation with medium intensity use; and

HOUSING

WHEREAS, the proposed zone change and GDDP comply with applicable Objectives and applicable Policies of Goal 1, 2, & 3 as it creates and locates necessary services and employment opportunities near residential areas, thereby strengthening and supporting the housing in the area; this use will facilitate connected and mixed-use areas and ensure long term affordability and living options for all in the community; the proposed zoning will support diversity in housing styles, mixed-income and inter-generational residency without displacing any current residents; and

* * *

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 general district development plan, this application also complies with all other applicable Goals of the 2040 Plan;

NOW, THEREFORE, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-4 to C-1 and approves the General District Development Plan.