

Board of Zoning Adjustment

August 5, 2019



Case No.	19CUP1123
Project Name	Blankenbaker Station I – Lot 7
Location	12550 Sycamore Station Pl
Owner	Gregory W. Oakley, Pinnacle Partners LLC/TSF Properties
Applicant	Dwayne Hunt, Buck Creek Explorations LLC
Representative	Mindel Scott
Jurisdiction	Louisville Metro
Council District	20 – Stuart Benson
Case Manager	Lacey Gabbard, AICP, Planner I

REQUEST

- **Conditional Use Permit** for Mini-Warehouses (LDC 4.2.35)
- Relief from Land Development Code section 4.2.35.G to allow the building to be more than 1 story/15 feet in height
- Relief from Land Development Code section 4.2.3.5.H to allow more than one freestanding sign on the site

CASE SUMMARY / BACKGROUND

The subject site is zoned C-2 Commercial in the Suburban Workplace form district. The site is located at the southwest quadrant of the intersection of I-64 and Tucker Station Road, and the northwest quadrant of Tucker Station Road and Sycamore Station Place. The site is currently undeveloped.

The applicant is proposing to construct a three-story, 118,500 square foot, climate controlled, self-storage, mini-warehouse facility which includes 1,000 square feet of office space. The site will be accessed via a single curb cut and access easement off Sycamore Station Place. The applicant is proposing 8 (eight) parking spaces, including 2 (two) accessible spaces located between the southern facing façade and Sycamore Station Place.

There is a related case, 19DEVPLAN1106, for a Revised Detailed District Development Plan and a building façade waiver. The Board of Zoning Adjustment does not act on this case. This case was heard before the Development Review Committee on July 31, 2019.

STAFF FINDINGS

The proposed development was reviewed with the applicant on 6/25/19.

The proposed development of the property for use as a mini-warehouse facility is compatible with surrounding land uses and meets all CUP requirements, with the exception of the two requirements for which the applicant is requesting relief.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets standards as established by the Land Development Code for a Conditional Use Permit.

TECHNICAL REVIEW

The proposal is under review by MSD and Transportation Planning.

INTERESTED PARTY COMMENTS

No comments from interested parties have been received.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. Is the proposal consistent with applicable policies of the Comprehensive Plan?

STAFF: The proposal is consistent with Comprehensive Plan policies regarding setbacks and landscaping and preserves significant open space.

2. Is the proposal compatible with surrounding land uses and the general character of the area, including such factors as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?

STAFF: The proposed Conditional Use Permit is compatible with development in the vicinity. Nearby developments in Blankenbaker Station I include the Federal Bureau of Investigation and Xscape Theatres, both of which are large commercial/office buildings.

3. Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?

STAFF: Existing public facilities appear adequate to serve the proposal.

4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?

Mini-warehouses may be allowed in the C-2 District where the premises abut on a roadway classified as a collector or major or minor arterial as designated in the Comprehensive Plan for all of Jefferson County, Kentucky, upon the granting of a Conditional Use Permit and compliance with the listed requirements. ***Tucker Station Road is classified as a Primary Collector.***

A. The property shall be landscaped so as to blend in with the surrounding area and shall be screened and buffered from adjacent uses of a non-industrial nature. **The proposed development plan meets Land Development Code landscaping requirements. Additionally, a landscape plan must be submitted to Planning and Design Services before construction permits are issued.**

B. No building, structure or pavement shall be located closer than 30 feet to side property lines or property lines abutting residential areas. This area is reserved as a landscape buffer area. **The subject site does not abut any residentially zoned or used properties.**

C. No outside storage shall be allowed on the property.

D. No storage of toxic or hazardous materials shall be allowed on the property.

E. There shall be no retail or wholesale sales or distributing activities on site.

F. Loading doors and vehicle maneuvering areas shall be located away from the exterior of the property.

G. No structure on the site shall be taller than one story and shall not exceed 15 feet in height (except for one freestanding sign as allowed in H below). **The applicant is requesting relief from this section to allow the building to be three (3) stories and 45 feet in height. Other structures in the vicinity of the proposed mini-warehouse (specifically, the Federal Bureau of Investigation and Xscape Theatres buildings) both appear to exceed these restrictions. Staff supports the request for relief from this section.**

H. Signs - Only one freestanding sign shall be allowed and shall conform to limits established for the form district in which the sign is located. **The applicant's proposal includes the addition of a new mini-warehouse sign near the Sycamore Station Place entrance to the subject site. There is an existing "business park identification sign" (specific to Blankenbaker Station) located on the north property line, near Interstate 64. Since there is an existing sign on the subject site near Interstate 64, the applicant is requesting relief from this section in order to install a new sign on the subject site for the mini-warehouse. Staff supports the request for relief from this section since the existing sign is specific to the business park, not the subject site.**

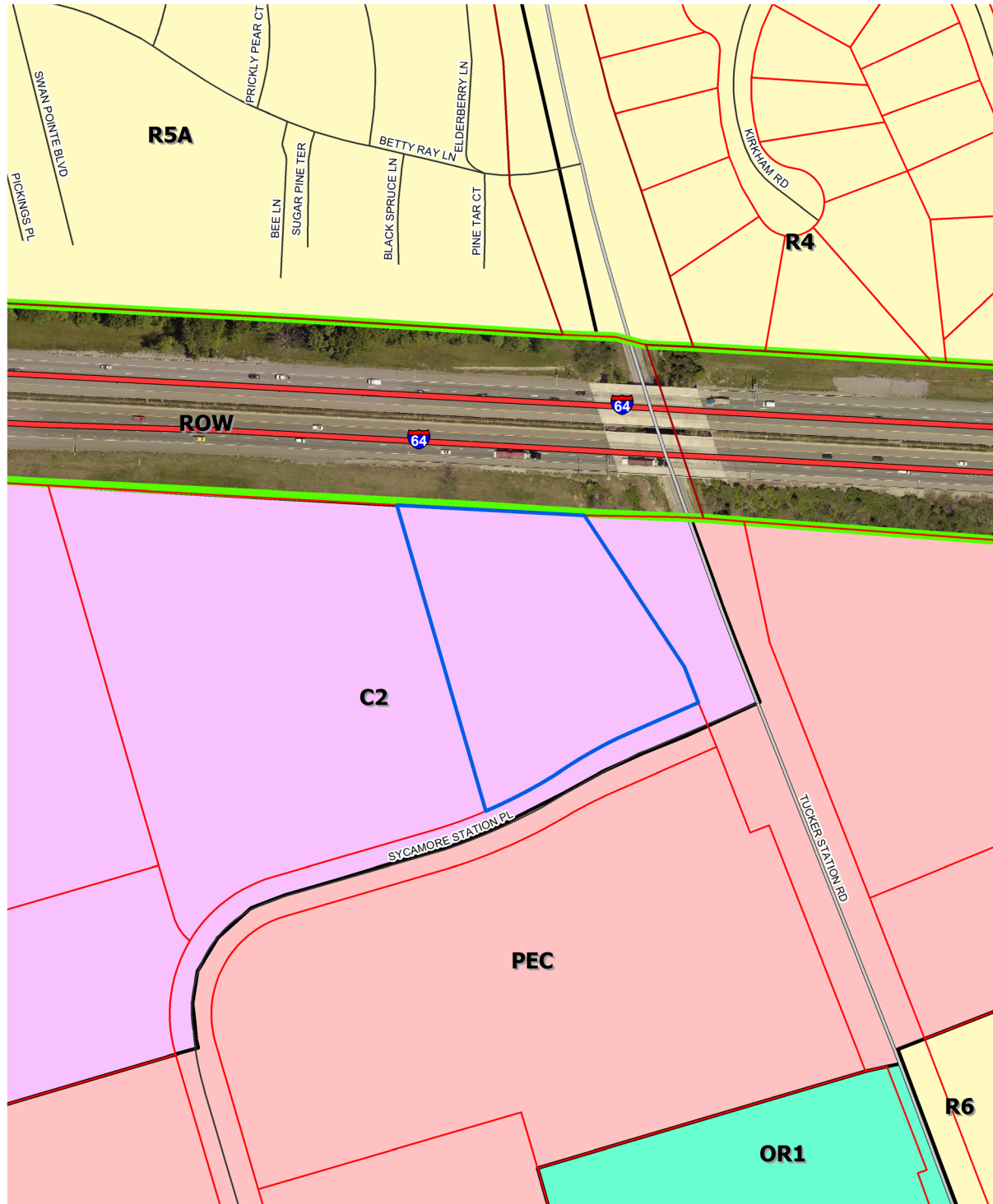
NOTIFICATION

Date	Purpose of Notice	Recipients
8-5-19	Hearing before BOZA	1st and 2nd tier adjoining property owners Registered Neighborhood Groups for Council District 20

ATTACHMENTS

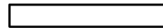
1. Zoning Map
2. Aerial Photograph
3. Detail Aerial Photograph
4. Plan 2040 Checklist
5. Conditions of Approval

1. Zoning Map



12550 SYCAMORE STATION PL

feet



190

Map Created: 7/11/2019



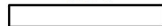
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2. Aerial Photograph



12550 SYCAMORE STATION PL

feet



190

Map Created: 7/11/2019



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3. Plan 2040 Checklist

Suburban Workplace: Non-Residential

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
Community Form – Goal 1			
1.	“Plan 2040 identifies 13 existing patterns or forms of development...”, see page 39	+	The proposal on the subject site conforms to existing patterns of development in the vicinity
2.	“Land Use. Use the patterns of development described as community forms in reviewing proposals for zoning or Form District changes...”, see page 39	NA	LDC development language not relevant to CUP reviews
2.1	Evaluate the appropriateness of a land development proposal in the context of: 2.1.1. the description, character and function of the Form District designated for the area in which the subject site is located; 2.1.2. the intensity and density of the proposed land use or mixture of land uses; 2.1.3. the effect of the proposed development on the movement of people and goods; and 2.1.4. the compatibility of the proposed use or uses with surrounding uses including the relationship of the use, mass, scale, height, materials, building footprint, orientation, setback and design of the proposed building or buildings with that of surrounding buildings.	+	A mini-warehouse facility is an appropriate use in the Suburban Workplace form district. The proposal on the subject site conforms to existing patterns of development in the vicinity. Public Works has provided preliminary plan approval.
2.2	“Evaluate the appropriateness of a Form District amendment...”, see page 39	NA	CUPs are not form district amendments
2.3	“Zoning map amendments for property not located in or near a Form District may be evaluated...”, see page 39	NA	CUPs are not zoning map amendments

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
2.4	Plans, studies and strategies legislatively developed subsequent to the adoption of Plan 2040 supplement and represent the specific application of this Comprehensive Plan's (the Plan 2040 Plan) goals, objectives and policies. These plans and studies should be adopted by the affected legislative body as amendments to the Comprehensive Plan. Specific recommendations found in plans and strategies adopted after Plan 2040 are intended to take precedence over more general guidelines of the Comprehensive Plan.	NA	There are no plans, studies or strategies relevant to this proposal.
2.5	Plans, studies and strategies adopted subsequent to Cornerstone 2020 but prior to Plan 2040 may continue to represent specific application of Plan 2040. However, the Planning Director or their designee shall make a formal determination in cases where the plan has not been re-adopted by the affected legislative body.	NA	There are no plans, studies or strategies relevant to this proposal.
2.6	Plans, studies and strategies adopted prior to the adoption of Cornerstone 2020 shall not be used as official policy until such plan is updated and re-adopted. However, such plans, studies and strategies may be used for planning evidence if no update has been completed or adopted.	NA	There are no plans, studies or strategies relevant to this proposal.
2.7	"Develop neighborhood, subarea, corridor plans and strategies...", see page 40	NA	CUPs do not develop long range plans
3	"Additional Form Districts. Legislative bodies may also create new Form Districts by adopting...", see page 40	NA	Not relevant to CUP reviews
3.1.1	Downtown – see 1.3.1.1 – page 40	NA	Not relevant to the subject site
3.1.2	Traditional Neighborhood – see 1.3.1.2 – page 40-41	NA	Not relevant to the subject site
3.1.3	Neighborhood – see 1.3.1.3 – page 41	NA	Not relevant to the subject site
3.1.4	Village – see 1.3.1.4 – page 41-42	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
3.1.5	Town Center – see 1.3.1.5 – page 42	NA	Not relevant to the subject site
3.1.6	Regional Centers – see 1.3.1.6 – page 42-43	NA	Not relevant to the subject site
3.1.7	Traditional Marketplace Corridor – see 1.3.1.7 – page 43	NA	Not relevant to the subject site
3.1.8	Suburban Marketplace Corridors – see 1.3.1.8 – page 43-44	+	The proposal meets requirements of the Suburban Marketplace Corridor form district, which includes linear commercial development along major roadways, medium high density development, with a mixture of highway commercial uses, shopping centers, and office development.
3.1.9	Traditional Workplace – see 1.3.1.9 – page 44	NA	Not relevant to the subject site
3.1.10	Suburban Workplace – see 1.3.1.10 – page 44	NA	Not relevant to the subject site
3.1.11	Campus – see 1.3.1.11 – page 44	NA	Not relevant to the subject site
3.1.12	Urban Center Neighborhood – see 1.3.1.10 – page 44-45	NA	Not relevant to the subject site
3.1.13	Conservation – see 3.1.13 – page 45	NA	Not relevant to the subject site
3.2	“Design. Use Form District pattern rather than Zoning Districts as a basis for site design standards...”, see page 45	NA	An LDC development policy and not relevant to CUP reviews
3.3	“Form District Map. The distinct boundaries of the Form Districts, along with the Zoning Districts and special districts, are delineated on the Form District Map...”, see page 45	NA	Not relevant to CUP reviews

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
4.	Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.	+	A mini-warehouse facility is an appropriate use in the Suburban Workplace form district. The proposal on the subject site conforms to existing patterns of development in the vicinity. Public Works has provided preliminary plan approval.
5.	Allow a mixture of densities as long as their designs are compatible. Adjacent residential areas in different density categories may require actions to provide an appropriate transition between the areas. Examples include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences.	NA	Not relevant to the subject site
6.	Discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. Evaluation of impacts may include, but not be limited to, displacement of residents, loss of affordable housing units, traffic, parking, signs, lighting, noise, odor, and stormwater. Appropriate transitions from non-residential to residential uses should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential.	NA	Not relevant to the subject site
7.	Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned.	NA	Not relevant to the subject site
8.	Encourage industries to locate in workplace Form Districts or in areas readily served by infrastructure and transportation facilities, including transit, rather than isolated industrial sites.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
9.	Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.	NA	Not relevant to the subject site
10.	Mitigate the impacts caused when incompatible developments unavoidably occur adjacent to one another. Buffers should be used between uses that are substantially different in intensity or density. Buffers should be variable in design and may include landscaping, vegetative berms and/or walls and should address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Residential uses that develop adjacent to agricultural land uses may be required to provide screening and buffering to protect both the farmer and homeowners.	NA	Not relevant to the subject site
11.	Ensure setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet Form District guidelines.	+	The proposal meets these requirements

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
12.	Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes.	NA	Not relevant to the subject site
13.	Integrate parking garage facilities into their surroundings and provide an active inviting street-level appearance.	NA	Not relevant to the subject site
14.	Ensure that signs are compatible with the Form District pattern and contribute to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot the number of signs by including signage for each establishment on the same support structure and encourage consistent design (size, style, and materials).	+	The sign proposed by the applicant will meet LDC requirements and obtain the proper permits. Staff supports the applicant's request for relief from Land Development Code section 4.2.3.5.H because the existing sign on the subject site is for the business park, not the proposed mini-warehouse.

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
15.	When reviewing proposals for siting hazardous uses and uses with air, noise and light emissions, ensure disadvantaged populations are not disproportionately impacted.	NA	Not relevant to the subject site
16.	Consider impacts on human health, quality of life and the environment including prevailing meteorological conditions and the potential to transport noxious odors, particulates and emissions when reviewing new developments and redevelopments. Special attention should be paid to air and water quality when residences, schools, parks or vulnerable populations will be impacted. Mitigate impacts to areas that are disproportionately affected.	NA	Not relevant to the subject site
17.	Mitigate adverse impacts of traffic from proposed development on nearby existing communities.	+	Public Works has provided preliminary plan approval.
18.	Mitigate adverse impacts of noise from proposed development on existing communities.	NA	Not relevant to the subject site
19.	Mitigate adverse impacts of lighting from proposed development on nearby properties, and on the night sky.	+	The site will meet LDC requirements for lighting.
20.	Mitigate adverse visual intrusions when there are impacts to residential areas, roadway corridors, and public spaces.	NA	Not relevant to the subject site
21.	Require that industries which handle hazardous or flammable materials or are potentially offensive such as junkyards, landfills and quarries are sited to protect public health, safety and welfare and are located away from residential areas and population centers.	NA	Not relevant to the subject site
22.	Require industrial development to store, handle and dispose of all hazardous materials in a safe and environmentally sound manner and to meet all air emissions and industrial and solid waste disposal standards and to prevent contamination of ground water and surface streams.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
23.	Mitigate adverse noise and lighting impacts and other nuisances of transportation facilities, services, and operations by considering site design solutions such as screening/ buffering, greater distance separation, changes in elevation such as placing the facility below grade. Establish and enforce accepted standards to protect residential areas from adverse impacts of noise, lighting and other nuisances. Design transportation facilities, including rail lines and aviation facilities, to mitigate adverse noise, lighting and other nuisance impacts on residential uses.	+	An associated development plan proposes all landscaping requirements, including buffering and screening, will be met
24-26	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
27.	"Implement incentives for redevelopment...", see page 47	NA	An LDC policy not relevant to CUP reviews
28.	Promote mixed use development especially when redevelopment of large office and retail centers are being redeveloped. Redevelopment of these sites may include residential uses and prioritize pedestrians, bicyclists and transit users to minimize automobile usage	NA	Not relevant to the subject site
Community Form Goal 2			
1.	Locate activity centers in appropriate areas in all Form Districts. Design and density should be compatible with desired form, adjacent uses, and existing and planned infrastructure.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
2.	Encourage development of non-residential and mixed uses in designated activity centers provided: 2.1. proposed uses, density and design are compatible with adjacent uses and meets Form District guidelines; or 2.2. when a proposed use requires a special location in or near a specific land use, transportation facility or when a use does not fit well into a compact center (e.g., car dealerships or lumberyards).	+	The proposal is compatible with adjacent uses.
3.	Allow centers in new development in Traditional Neighborhood, Neighborhood and Village Form Districts that serve the day-to-day needs of nearby residents and that are designed to minimize impacts on nearby residents.	NA	Not relevant to the subject site
4.	Allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity.	NA	Not relevant to the subject site
5.	"Locate retail commercial development in activity centers...", see page 49	NA	Not related to CUP reviews
6.	Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.	+	The proposal meets density requirements of the zoning and form district.
7.	Encourage activity centers to include a mixture of compatible land uses in order to reduce traffic congestion by requiring fewer trips, support and enhance alternative modes of travel, and encourage vitality and a sense of place.	+	Public Works has provided preliminary plan approval
8.	Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multistory retail buildings.	NA	Not relevant to the subject site
9.	Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
10.	Encourage outlot development in underutilized parking lots of existing development to promote utilization of existing infrastructure provided specific criteria for elements such as location, scale, signs, parking, lighting, and landscaping are met. Outlot development shall encourage street-level retail with residential units above. Ensure appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood, and Village Form Districts to ensure compatibility with nearby residences.	NA	Not relevant to the subject site
11.	Ensure appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood and Village Form Districts to ensure compatibility with nearby residences.	NA	Not relevant to the subject site
12.	Encourage large developments in activity centers to be compact, multipurpose centers designed with public spaces including green spaces and plazas with artistic amenities.	NA	Not relevant to the subject site
13.	"Encourage new neighborhoods, traditional neighborhoods and villages...", see page 49	NA	Not relevant to CUP reviews
14.	Encourage adjacent development sites to share entrance and parking facilities in order to reduce the number of curb cuts and the amount of surface parking.	+	The subject site is interior to the Blankenbaker Station I development.
15.	Parking in activity centers should reflect the area's associated Form District standards to balance safety, traffic, transit, pedestrian, environmental and aesthetic considerations	+	The proposal meets parking standards for the form district.
16	Encourage activity centers to be easily accessible by bicycle, car, transit, and for pedestrians and people with disabilities. Large activity centers should be considered for designation as transit nodes.	+	The proposal provides bicycle parking in compliance with the LDC

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
17.	Design and locate utility easements to provide access for maintenance and repair. Encourage adjacent development sites to share site and building features such as utility hookups and service entrances. Place, to the extent possible, utility lines in common easements. Minimize the aesthetic and physical impacts of utilities, e.g., by placing utilities underground and screening utility equipment.	+	The development plan proposes common trenches for utilities. MSD has provided preliminary plan approval.
18	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 3 Community Form			
1.	“Encourage creation of common, usable and accessible open space...”, see page 51	NA	Not applicable to CUP reviews
2.	“Design open space to meet outdoor recreation, natural resource protection...”, see page 51	NA	Not applicable to CUP reviews
3.	“Design open space to be compatible...” see page 51	NA	Not applicable to CUP reviews
4.	Ensure that transitions between existing public parks and new development minimize impacts and provide access.	NA	Not relevant to the subject site
5.	Provide access to greenways whenever possible.	NA	Not relevant to the subject site
6.	Encourage open space that is created by new development to help meet the recreation needs of the community.	+	The proposed development plan meets all landscaping requirements
7.	Encourage natural features to be integrated within the prescribed pattern of development.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
8.	Conserve, restore and protect vital natural resource systems such as mature trees, steep slopes, streams and wetlands. Open spaces should be integrated with other design decisions to shape the pattern of development. Encourage the use of greenways as a way to connect neighborhoods. Encourage use of conservation subdivisions, conservation easements, transfer of development rights and other innovative methods to permanently protect open space.	NA	Not relevant to the subject site
9.	Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	NA	Not relevant to the subject site
10.	Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.	NA	Not relevant to the subject site
11.	Encourage land uses within the Ohio River Corridor that are appropriate for and related to river corridor activities and that are consistent with the goals and objectives of the Ohio River Corridor Master Plan. Reserve appropriate riverfront sites such as the Upper River Road industrial area for river related development. Allow development of commercial leisure businesses related to the river, such as boating services and restaurants in appropriate locations. Encourage new development in the Ohio River corridor and along key greenway and street connections to provide for public access in new riverfront development and to maintain views of the river from public rights-of-way.	NA	Not relevant to the subject site
12.	When reviewing proposed developments consider changes to flood prone areas and other features vulnerable to natural disasters such as sinkholes and landslides. Ensure appropriate measures to protect health, safety and welfare of future users of the development.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
13.	Provide for the continuing maintenance of common open space. Provisions may include joint ownership by all residents in a homeowners association, donation of open space or conservation easements to a land trust or government entity or other measures.	NA	Not relevant to the subject site
Goal 4 Community Form			
1.	Preserve buildings, sites, districts and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, architecture style and placement when located within the impact area of such resources.	NA	Not relevant to the subject site
2.	Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.	NA	Not relevant to the subject site
3.	Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.	NA	Not relevant to the subject site
4-8	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 5 Community Form			
1-4	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 1 Mobility			

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
1.	To promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate, by including: 1.1. bicycle and pedestrian facilities between closely related land uses (e.g., from residential areas to neighborhood centers, recreation areas, greenways, schools, shopping facilities and from office/industrial and retail employment centers to retail/service uses); 1.2. pedestrian facilities between retail land uses and major concentrations of pedestrian activity, particularly in the Louisville Central Business District and other activity centers; 1.3. street-level pedestrian connections between all principal buildings within a unified development site including commercial to office and residential to commercial uses; 1.4. sidewalks along the streets of all developments; 1.5. walkways between residential areas and nearby neighborhoods, schools, public recreation facilities, parks, office/industrial and retail/service uses; 1.6. direct, accessible walkways to public transportation stops; and 1.7. retail and office uses, especially in the Urban Center Neighborhood, Traditional Neighborhood, Village, Traditional Marketplace Corridor, Traditional Workplace Form Districts that are located close to the roadway to minimize the distance pedestrians and transit users have to travel.	+	Public Works has provided preliminary plan approval, and bicycle parking will be provided in accordance with the LDC
2.	"Develop criteria for the type of appropriate bicycle facilities...", see page 59	NA	Related to LDC development and not CUP reviews
3.	"Encourage new development...", see page 59	NA	Related to LDC development and not CUP reviews
4.	"Encourage higher densities and intensities...", see page 59	NA	Not related to CUP reviews
5.	"Plan for new transit centers...", see page 59	NA	Related to LDC amendments not CUP reviews
6.	For developments meeting established thresholds, provide facilities that support an efficient public transportation system such as convenient access to and across pedestrian, bicycle and roadway facilities. Provide transit amenities such as boarding areas, benches, shelters, park and ride facilities, and lighting in accordance with the Transit Design Standards Manual.	NA	Not relevant to the subject site
7-15	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
Goal 2 Mobility			
1.	Provide transportation facilities and systems that accommodate all users and allow for context-sensitive solutions that recognize the distinguishing characteristics of each of the Form Districts.	NA	Not relevant to the subject site
2.	Coordinate use of rights-of-way with community design policies. Ensure accessible rights-of-way to accommodate mobility needs of all transportation network users.	NA	Not relevant to the subject site
3.	"Provide adequate street stubs...", see page 63	NA	LDC development not CUP reviews
4.	Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	NA	Not relevant to the subject site
5.	Provide sight distances consistent with probable traffic speed, terrain, alignments and climatic extremes in road design.	+	Public Works has provided preliminary plan approval.
6.	Ensure that the internal circulation pattern for streets within a development be designed with an appropriate functional hierarchy of streets and appropriate linkages with existing and future development.	+	The subject site is interior to the Blankenbaker Station I development.
7.	The design of all new and improved transportation facilities should be accessible and: 7.1. Review and consider Complete Streets principles and the most current version of the Complete Streets Design Manual; 7.2. Be context sensitive by ensuring that proposals are compatible with the surrounding development and provide an aesthetically pleasing visual experience to the user and to adjacent areas; 7.3. Encourage the acquisition or dedication of whole parcels if the residual not used for the transportation facility would create a nuisance; and 7.4. Ensure that adequate measures will be taken to reduce glare, vibration, air pollution, odor, and visual intrusion.	NA	Not relevant to the subject site
8.	Protect and/or enhance environmentally sensitive areas through responsible and sustainable best practices in the planning and design of transportation network projects.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
9.	“Develop, preserve, and maintain an interconnected system of scenic corridors and parkways...”, see page 63.	NA	For designation purposes and planning not for CUP reviews
10-18	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 3 Mobility			
1.	“Provide transportation services and facilities...”, see page 67	NA	For LDC not CUP reviews
2.	To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.	+	The subject site is interior to the Blankenbaker Station I development, and Public Works has provided preliminary plan approval.
3.	Evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices.	+	The subject site is interior to the Blankenbaker Station I development, and Public Works has provided preliminary plan approval.
4.	“Encourage development of walkable centers...”, see page 67	NA	For rezones and long range planning not CUP reviews
5.	Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	+	The subject site is interior to the Blankenbaker Station I development, and Public Works and APCD have provided preliminary plan approval.
6.	“Ensure that those who propose new developments bear or share in rough proportionality...”, see page 67	NA	Relevant to LDC and policy changes
7.	All new and substantially improved development should be consistent with applicable standards for rightsof-way and designed to reserve these rights-of-way for further dedication and/or acquisition.	+	Public Works has provided preliminary plan approval

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
8.	The Planning Commission or legislative body may require the developer to dedicate rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development as set forth in the Land Development Code. Dedication of street rights-of-way should ensure that transit service can be provided where appropriate.	+	Public Works has provided preliminary plan approval
9.	When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.	NA	Not relevant to the subject site
10.	Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	NA	Not relevant to the subject site
11.	Provide street improvements and/ or transit solutions to mitigate the impacts of development and redevelopment. Improvements may include, but not be limited to, the following: 11.1. on-site road system construction; 11.2. off-site shoulder improvements and pavement widening; 11.3. addition of acceleration and deceleration lanes; 11.4. addition of turn lanes or traffic signals on streets bordering the site to street; 11.5. intersection widening completely off-site; 11.6. right-of-way donation; 11.7. addition and/or widening of on-site or off-site sidewalks; 11.8. installation of bicycle facilities; 11.9. installation of new transit stops and amenities; and 11.10. improvement of existing transit stops and amenities.	NA	Not relevant to the subject site
12.	Ensure that transportation facilities of new developments are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. Where appropriate, provide at least one continuous roadway through the development to tie all local access roads or parking areas to the arterial street system. Adequate stub streets and pedestrian connections should be provided by developments.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
13.	Allow cul-de-sacs as short side streets or where natural features limit development of “through” roads.	NA	Not relevant to the subject site
14.	“Parking requirements should...”, see page 68	NA	For LDC not CUP reviews
15.	“Develop and review corner clearance standards...”, see page 68	NA	For LDC or other metro ordinances
16.	“Develop and assign access classifications for roadway segments...”, see page 68	NA	For LDC and Metro not CUP reviews
17.	Require cross access easements according to standards set forth in the Land Development Code to reduce traffic on major thoroughfares and to reduce safety hazards.	NA	Not relevant to the subject site
18.	Minimize access points, connections and median openings within 1/4 mile of an interchange area to reduce safety hazards and improve flow of traffic onto and off the interchange.	NA	Not relevant to the subject site
19.	“Encourage design standards...”, see page 68	NA	For LDC not CUP reviews
20.	Promote joint access and circulation systems for development sites comprised of more than one building site or lot.	+	The subject site is interior to the Blankenbaker Station I development
21.	Prevent safety hazards caused by direct residential access to high speed roadways.	NA	Not relevant to the subject site
22.	“Review and update dimensional standards...”, see page 68	NA	For LDC not CUP reviews
23-27	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 1 Community Facilities			
1.	Locate community facilities that have a large daily or periodic attendance of users on or near an arterial roadway and a transit route.	NA	Not relevant to the subject site
2.	Design community facilities intended for public use so that they are accessible to all citizens with multimodal transportation options.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
3.	Provide secure, convenient and appropriate bicycle storage opportunities in community facilities that are open to the public.	NA	Not relevant to the subject site
4-8	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 2 Community Facilities			
1.	Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.	+	MSD has provided preliminary plan approval
2.	Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.	+	MSD has provided preliminary plan approval
3.	Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).	+	MSD has provided preliminary plan approval
4.	Locate or expand community facilities in areas with a demonstrated or anticipated need for the facility, to avoid duplication of services, and to provide convenient access to the area that the facility is intended to serve.	NA	Not relevant to the subject site
5.	Locate, where possible, community facilities on a shared site with other compatible facilities and land uses.	NA	Not relevant to the subject site
6-14	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 3 Community Facilities			
1.	"Review the location...", see page 77		For CFRs not CUPS
2.	"Design community facilities...", see page 77		For CFRs not CUPS
3.	"Retain, maintain...", see page 77		CFRs not CUPS

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
4.	Ensure that there is sufficient area on-site for equipment maneuvering and storage when necessary and feasible.	NA	Not relevant to the subject site
5-19	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 1 Economic Development			
1.	Limit land uses in workplace Form Districts to compatible uses that meet the needs of the industrial subdivision or workplace district and their employees.	NA	Not relevant to the subject site
2.	Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.	NA	Not relevant to the subject site
3.	Locate commercial uses generating high volumes of traffic on a major arterial street, at the intersection of two minor arterials, or at a location with adequate access to a major arterial and at locations where nuisances and activities of the proposed use will not adversely affect adjacent areas.	NA	Not relevant to the subject site
4.	Utilize industrial sites near the airport and the Ohio River to support the growth and development of uses whose infrastructure and production needs require such a location or for land uses that support airport-oriented or river-oriented industrial uses.	NA	Not relevant to the subject site
5.	Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.	NA	Not relevant to the subject site
6-12	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 2 Economic Development			
1.	Ensure direct, safe, accessible and convenient multi-modal access between designated employment and population centers.	+	The subject site is interior to the Blankenbaker Station I development. Adequate access to surrounding areas is provided.
2.	Provide opportunities for the adaptive re-use of older industrial land and encourage infill development through flexible land use regulations, when such projects would not result in the proliferation of incompatible land uses.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
3.	“Encourage design...”, see page 85	NA	For LDC not CUPs
4-8	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 1 Livability			
1.	“Encourage use...”, see page 89	NA	Not for CUP reviews
2.	To encourage preservation of certain natural features, develop indices to aid in determining value of environmental features and identify appropriate measures to offset impacts of development.	NA	Not relevant to the subject site
3.	“Investigate the use...”, see page 89	NA	Not for CUP reviews
4.	“Review opportunities...”, see page 89	NA	For LDC not CUP reviews
5.	Encourage development that recognizes and incorporates the unique characteristics of identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.	NA	Not relevant to the subject site
6.	“Encourage the natural...”, see page 89	NA	Not for CUP reviews
7.	Ensure appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas.	+	The development plan proposal meets all LDC landscaping requirements
8.	“Enhance the quality...”, see page 89	NA	Not for CUP reviews
9.	Encourage access to public waterways when new developments, community facilities, and other public improvements are proposed.	NA	Not relevant to the subject site
10.	Mitigate negative development impacts to the watershed and its capacity to transport stormwater by discouraging changes to stream channels and natural drainage features. Use, where available, the Metropolitan Sewer District’s watershed plans as a guideline for development suitability. Consider special districts to assist in efforts to enhance watersheds.	+	MSD has provided preliminary plan approval
11.	Protect solid blueline streams, defined by the current floodplain management ordinance, from channelization, stripping, relocation or other alterations. Ensure a vegetative buffer on the banks of blueline streams to protect the functional integrity of the channel.	NA	Not relevant to the subject site

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
12.	Minimize impervious surface area and take advantage of soil saturation capacities.	NA	Not relevant to the subject site
13.	Protect the surface and subsurface areas within and surrounding new and existing developments that have the potential to be used as sources for community water supply systems.	NA	Not relevant to the subject site
14.	Include greenways as integral components of a comprehensive water quality program (consistent with the Multi-Objective Stream Corridor/Greenways Plan).	NA	Not relevant to the subject site
15.	Ensure that standards for evaluating development proposals meet the water quality goals for the affected watershed. Encourage the use of green infrastructure to protect and enhance water quality	NA	Not relevant to the subject site
16.	“Protect carbonate...”, see page 89	NA	For LDC not CUP reviews
17.	Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.	NA	Not relevant to the subject site
18.	Protect groundwater resources by controlling the types of activities that can occur within established Wellhead Protection Areas. Implement source control design standards for activities that pose potential threats, including septic system failure, to groundwater quality in these areas.	NA	Not relevant to the subject site
19.	“Establish buffer areas...”, see page 89	NA	For LDC not CUP reviews
20.	“Establish riparian...”, see page 89	NA	For LDC not CUP reviews
21.	Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.	NA	Not relevant to the subject site
22.	“Base floodplain...”, see page 89	NA	Not for CUP reviews

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
23.	"Ensure that provisions...", see page 89-90	NA	Not for CUP reviews
24.	Ensure, to the extent feasible, that critical facilities and those that store or use hazardous wastes are located outside the regulatory floodplain. Where essential community facilities must be located within a floodplain (e.g., pumping stations), ensure that these facilities are designed, located and operated in a manner that minimizes loss of services during flood events as well as limits, to the extent possible, floodplain disturbance.	NA	Not relevant to the subject site
25.	Ensure that sufficient emergency vehicle access is provided for developments proposed in or through the floodplain. Access should be provided above flood levels or through other means to minimize potential hazards for any development that is proposed in or through the regulatory floodplain.	NA	Not relevant to the subject site
26.	"Ensure that drainage...", see page 90	NA	MSD guidelines and or LDC, not CUP reviews
27.	"Require that "through"...", see page 90	NA	MSD guidelines not CUP reviews
28.	When development proposals increase runoff, provide onsite management and treatment of stormwater. Ensure that peak stormwater runoff rates or volumes after development are consistent with regional and watershed plans. If not, they are to be mitigated onsite. Encourage the use of green infrastructure practices to minimize runoff. Mitigation measures shall be implemented in a manner that is acceptable to the Metropolitan Sewer District.	+	MSD has provided preliminary plan approval
29.	Utilize Best Management Practices (BMPs) to preserve or restore stream banks/corridors.	NA	Not relevant to the subject site
30.	Use appropriate Best Management Practices (BMPs) that account for varied site conditions and construction activities to maintain appropriate water quality levels, prevent erosion, and control sedimentation.	NA	Not relevant to the subject site
31.	Consider the impact of traffic from proposed development on air quality	+	Public Works and APCD have provided preliminary plan approval

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
32.	Mitigate sources of pollution through measures that reduce traffic congestion, promote the use of multi-modal transportation options, and implement land use strategies and policies that encourage transit-oriented development to achieve compliance with air quality standards.	NA	Not relevant to the subject site
33.	Continue to modify existing roads, particularly at intersections, to alleviate traffic congestion and enhance mobility for all users. When making road-widening decisions ensure that road projects are sensitive to impacts on air quality and surrounding land uses as well as factor in the impact of such projects on induced travel demand.	NA	Not relevant to the subject site
34.	“Create incentives...”, see page 90	NA	For LDC and other metro ordinances not CUP reviews
35.	Ensure critical connections are built and maintained in the pedestrian and bicycle networks including the development of sidewalks, bike lanes, shared use paths and walkways to promote the use of multimodal transportation options.	NA	Not relevant to the subject site
36-41	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 2 Livability			
1-8	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 3 Livability			
1-4	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 4 Livability			
1.	“Identify priority nodes...”, see page 97	NA	Not applicable to CUP reviews
2.	“Recognize that high...”, see page 97	NA	Not applicable to CUP reviews
3-8	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 1 Housing			

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
1.	Encourage a variety of housing types including, but not limited to, detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and cohousing. Allow for accessory residential structures and apartments. Housing types should reflect the Form District pattern.	NA	Not relevant to the subject site
2.	Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	NA	Not relevant to the subject site
3.	Develop a variety of housing types that meet the needs of all residents including an adequate supply of affordable housing and physically accessible housing.	NA	Not relevant to the subject site
4.	"Ensure that manufactured homes...", see page 101	NA	For LDC and not CUP reviews
5.	"Ensure that appropriate safety measures...", see page 101	NA	For LDC and not CUP reviews
6-9	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 2 Housing		NA	Not relevant to the subject site
1.	Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area	NA	Not relevant to the subject site
2.	Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.	NA	Not relevant to the subject site
3.	Encourage the inclusion of residential uses above retail and office uses in mixed-use, multi-story buildings. Provide flexibility to allow live-work units.	NA	Not relevant to the subject site
4-9	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site
Goal 3 Housing			

Policy#	Plan Element or Portion of Plan Element	Staff Finding	Comments
1.	Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro.	NA	Not relevant to the subject site
2.	"As neighborhoods evolve...", see page 105	NA	Not applicable to CUP reviews
3.	Encourage the use of innovative methods such as clustering, mixed use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.	NA	Not relevant to the subject site
4.	Provide safe and affordable housing opportunities and related supportive services throughout Louisville Metro to serve the homeless population and those in need of housing, including but not limited to, rent assistance, transitional housing, and shelters. Allow for supportive housing to be available for individuals entering or re-entering society upon their exit from residential care facilities, correctional facilities, foster care or similar institutions.	NA	Not relevant to the subject site
5.	Promote and encourage the inclusion of design features that make housing safer and/or are known to help reduce crime (i.e. lighting, fences, front porches).	NA	Not relevant to the subject site
6-14	Programmatic policies not relevant to conditional use permit applications.	NA	Not relevant to the subject site

4. Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan, including all notes thereon. No further development shall occur on the site without prior review by and approval of the Board.
2. The Conditional Use Permit shall be exercised as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a Mini-Warehouse without further review by and approval of the Board.