

**APPLICANT'S UPDATED JUSTIFICATION STATEMENT**  
**ADDRESSING COMPLIANCE WITH PLAN 2040**

**WSA REALTY PROPERTIES, LLC**  
**26-ZONE-0028**

**13112 (PARCEL IDs 002307040000 & 002303590000),**  
**13118, 13200 R & 13206 OLD HENRY ROAD**

**PROPOSED ZONE CHANGE FROM: R-4, SINGLE-FAMILY RESIDENTIAL**  
**TO: PEC, PLANNED EMPLOYMENT CENTER**

**- THE UPDATED PROPOSAL -**

The applicant, WSA Realty Properties, LLC, updates its application to rezone properties located at 13112, 13118, 13200 R and 13206 Old Henry Road, Louisville, KY 40223 (6.97 acres in total, all properties taken together, the "**Rezoning Property**"), from R-4, Single-Family Residential to PEC, Planned Employment Center, to also include property the Louisville Metro Council recently rezoned, under Case No. 22-ZONE-0141, to PEC (approximately 9.898 acres of land, the "**Rezoned Property**"; both the Rezoning Property and the Rezoned Property together, totaling 16.8 acres, are the "**Property**") so that the Property can be used for meeting the demand for outdoor storage with a related accessory use for the storage of trailers on the Property in the immediate future, as further depicted on the Detailed District Development Plan drafted by Abel Construction Company, Inc. (the "**Plan**") and submitted to Metro's Office of Planning as part of the updated zoning application submittal package. As identified on the Plan, the Rezoned Property consists of Tract 5, while the Rezoning Property is comprised of Tracts 1 - 4. Should the Rezoning Property be approved for PEC zoning, Tracts 1 through 5 will be consolidated into one property. PEC zoning is appropriate for the Property because after the outdoor storage use is no longer operating thereon, the Property is well-positioned to support the location and operation of future industrial, commercial and/or office land users similar in nature to those existing users operating within the active Eastpoint Business Park located directly across Old Henry Road from the Property (the "**Updated Proposal**").

The Property is in the Suburban Workplace Form District ("**SWFD**"), along the southern frontage of Old Henry Road and less than 0.33 miles west of the onramp to the Old Henry - Gene Snyder interchange. The Rezoning Property is currently zoned R-4, Single-Family Residential and the Rezoned Property is zoned PEC, Planned Employment Center. The existing residential driveway to the 13112 Old Henry Road property will be improved to meet the standards for a commercial access point, and along with the existing access serving the Rezoned Property, will provide a second access point to the Property. Currently, to the east of the Property, there is one remaining property zoned for R-4 Single-Family and used as a residence (13200 Old Henry Road) between the Property and the Gene Snyder Freeway, while the other properties are zoned either PEC or M-2, Industrial.

Per Section 2.6.3 of the Land Development Code (“**LDC**”), PEC is a hybrid zoning district that permits all uses in the M-2, Industrial zoning district and C-1, Commercial zoning district, including office buildings. Outside of the Rogers Group’s limestone quarry use to the Property’s south and east, which are on properties zoned M-2 and M-3, Industrial, the vast majority of properties located within the surrounding SWFD are zoned PEC, including within the Eastpoint Business Park sitting across Old Henry Road from the Property. Ideally, in the future, the Property will be developed as an industrial office park resembling Eastpoint Business Park. To accommodate both the short term and long term uses for the Property and the surrounding SWFD, the applicant believes assigning the PEC zoning classification to the Property is the most appropriate zoning district designation moving forward, per Plan 2040, Comprehensive Plan for Louisville Metro (“**Plan 2040**”), because the PEC district is a more flexible zoning designation that allows uses not solely limited to industrial uses and because PEC zoning is already well-established in the existing, active employment center. Therefore, the applicant asserts that PEC zoning for the Property is a better fit for the immediate area long term, because having the ability to locate industrial, commercial, office users, and uses that involve a mix of the same, positions the Property to better respond to changing market forces in the area and because PEZ zoning is consistent with the zoning of the Eastpoint Business Park and the uses that have located and are operating in the Eastpoint Business Park would be welcomed on the Property, across Old Henry Road.

Additionally, from a land use standpoint, the proposed PEC zoning is appropriate for the Property because the Property is bordered: on the south by a large rock quarry operation, a long-established heavy industrial use; on the west by Lee Building Products, an outdoor storage yard of residential and commercial building products; on the east (except for the one remaining single-family property abutting the Property to the east) by property recently rezoned to PEC; and, on the north side across Old Henry Road, by the Eastpoint Business Center, a busy commerce park comprised of various PEC office and logistical users served by heavy trucks, including a major warehouse and distribution center for Kroger. With the Updated Proposal, outdoor storage will be placed on the Property and will be well screened from Old Henry Road. No new buildings are being constructed in the immediate future on the Property.

**THE UPDATED PROPOSAL’S AGREEMENT WITH PLAN 2040  
LOUISVILLE METRO’S COMPREHENSIVE PLAN**

WSA Realty, LLC’s updated application to rezone the Rezoning Property from the existing R-4, Single-Family Residential to the PEC, Planned Employment Center zoning designation is in agreement with Plan 2040, and, similarly, how the existing R-4, Single Family zoning designation assigned to the Rezoning Property is no longer appropriate for the Rezoning Property and the PEC district designation is appropriate for the Rezoning Property, as justified in detail below and, therefore, the applicant’s zoning request comports with KRS 100.211, the Kentucky statutory standard governing rezonings of property. Additionally, the applicant’s request to consolidate the Rezoned Property with the Rezoning Property to form one site for outdoor storage, as reflected on the Plan the applicant has submitted to Metro Office of Planning, complies with the applicable goals, objectives and

policies of Plan 2040 and the LDC's standard for site plan approval for the reasons herein discussed and, as a result, warrants approval alongside the zoning request to allow the applicant's Updated Proposal on the Property.

### **Plan Element 1 - Community Form**

The applicant's Updated Proposal conforms to Community Form Plan Element 1 and all of its applicable policies adopted thereunder. The Community Form plan element guides the shape, scale and character of development in ways intended to promote a connected, healthy, authentic, sustainable and equitable built environment. Community Form encourages redevelopment while promoting land use flexibility. As described herein, the applicant's Updated Proposal advances these stated principles of the Community Form because the Updated Proposal involves the use of the Property in a fashion that is consistent with the particular form district – Suburban Workplace – wherein the Property lies, but also in a way that will allow flexible, appropriate future reuse, when the time for the Updated Proposal on the Property comes to an end. In place of the Property's current single-family zoning, the applicant proposes PEC, Planned Employment Center zoning for immediate and future uses of the Property, which will provide flexibility for industrial, commercial, office uses and for users with a mix of uses to locate thereon and reinvest resources into the Property. With such convenient proximity to the Gene Snyder Freeway, and without the need to traverse local roadways serving residential neighborhoods, redevelopment of the Property after the truck storage use concludes is inevitable.

The Updated Proposal complies with Community Form Goal 1, Policy 3.1.10 because the Property lies within a SWFD, which is characterized by predominantly industrial and office uses where the buildings are set back from the street in a landscaped setting. SWFDs often contain a single large-scale use or a cluster of uses within a master planned development. Here, the Updated Proposal will support one user with outdoor storage needs and the combining of the Rezoned Property and the Rezoning Property will provide a larger site for future uses, all of which will sit behind an established screen of trees and plantings along Old Henry Road, a designated parkway. To provide adequate transportation access in SWFDs connected roads, public transportation and pedestrian facilities should be encouraged. Development within SWFDs may need significant buffering from abutting uses. The proposed change in zoning to PEC, Planned Employment Center, complies with Goal 1 of the Community Form Plan Element because the Updated Proposal, in the near term, is for a single user on property located within a large SWFD, where office/warehousing and logistical users operate alongside heavy industrial uses.

Adjacent to the south of the Property is the anchor industrial user of the enveloping SWFD, the Rogers Group Jefferson County Stone's rock, gravel, and sand quarry, which has an operation that spans over 120 acres and is zoned M-2 and M-3, Industrial. Eastpoint Business Center, which is wholly designated PEC, Planned Employment Center (M-2 & C-1 uses), is across Old Henry Road from the Property. This large employment activity center spans from LaGrange Road to the north, Gene Snyder to the east, North English Station to the west and Old Henry Road to the south. The Updated Proposal would appropriately expand the PEC zoning of the employment activity center south to include the Property, which will

incorporate property adjacent to the west that was recently rezoned to PEC (the Rezoned Property was rezoned under Case No. 22-ZONE-0141) to form one PEC site and is also consistent with the zoning designation of property located to the east of the Property at 13300 Old Henry Road, which was also subject of a change in zoning designation to PEC (24-ZONE-0030). In the long term, the applicant hopes to draw similar uses found operating in the Eastpoint Business Park to the Property.

Another property fronting Old Henry Road's southern right-of-way located to the west of the Property is split-zoned R-4/M-2 property (12906 Old Henry Road), where Lee Building Products has its building materials displayed for sale and storage on the property's exterior. To the west of Lee Building Products is property zoned M-1, Industrial and used as a self-storage facility. And except for the remaining residential property located immediately to the east of the Property (and the Property itself), the surrounding SWFD is comprised of M-1, M-2, M-3 and PEC-zoned properties. Therefore, the PEC zoning the Applicant requests for the Property is compatible with the zoning designations of surrounding properties and will complement the pattern of development within the SWFD.

The Property is located along Old Henry Road, a minor arterial roadway, and within less than a half-mile drive west of the on- and off-ramps to/from the Gene Snyder Freeway, providing safe, convenient accessibility via the existing roadway network. Though not as pertinent to the outdoor storage use currently proposed for the Property, TARC serves the Eastpoint Business Center across Old Henry Road, which will support subsequent industries on the Property and their workers who rely on transit for commuting to work. The applicant has been working closely with the owners of the properties comprising the Rezoning Property and the owners are participating in the rezoning and development effort of the Property. And given these R-4 properties are within the SWFD, the expansion of the PEC zoning onto the Property is not necessarily encroaching into a "residential area," which Plan 2040 discourages. The landscape buffer area between this last remaining R-4 property will be well-planted with existing and new trees to create a natural screen to appropriately buffer the Updated Proposal from the residential property adjacent to the northeast of the Property.

Additionally, between the Rezoned Property and the Rezoning Property, two access points will provide vehicular access from Property onto Old Henry Road. The Updated Proposal will improve an existing residential driveway to a full commercial access and, internally, will connect to the western access point on the Property. Another residential driveway will be removed from Old Henry Road. The Updated Proposal will maintain all applicable setbacks and preserve the existing tree canopy within the 30-foot parkway buffer along the Property's Old Henry Road Frontage. Accordingly, the pattern of development along Old Henry Road's southern frontage will remain intact, and any visual intrusions created by the outdoor storage use are effectively screened by natural materials. Other than the erection of a fence for onsite security of the outdoor storage area, no structures are currently proposed to be built onsite. Lighting on the Property will be LDC-compliant, shielded and directed down so that security lighting of the storage area will not leave the property and negatively trespass upon neighboring properties. No hazardous materials will

be stored, handled or disposed of on the Property and no threats of ground water or surface stream contamination will occur from the Updated Proposal.

Goal 2 of the Community Form encourages sustainable growth and density around mixed-use centers and corridors. Goal 2, Policy encourages development of non-residential and mixed uses in designated activity centers provided when a proposed use requires a special location in or near a specific land use or transportation facility. Community Form's Goal 3 is to enhance neighborhoods by protecting and integrating open space, watersheds and other natural resources. Here, the applicant's Updated Proposal is located within an established job center comprised mainly of office/warehouse uses (which include heavy trucks serving logistical/distribution centers), other heavy industrial uses, and some commercial users. Collectively, these mix of users are ideally positioned next to a transportation facility in the Gene Snyder Freeway, thereby allowing for truck traffic and employee vehicular traffic to efficiently access a freeway level roadway without having to traverse local neighborhood roadways. The encompassing SWFD is served by adequate roadway corridors and TARC service within the Eastpoint Business Center. No change to the existing grid pattern of streets is being proposed with this zoning application. The site contains no historic or archaeological resources, including no historic buildings, that contribute to Louisville Metro's authenticity, nor does the site contain blueline or intermittent streams, areas burdened by floodplain, watersheds, viewsheds, or natural resources to protect. The stream buffer areas on the very western side of the Property will be protected. The Property is located far from the Ohio River watershed and no flood prone areas, or wet or highly permeable soils exist on the Property to avoid when developing its ground. Grading portions of the Property is expected and will be coordinated with MSD. Consequently, the Updated Proposal complies with the applicable objectives and policies of Plan 2040 Community Form's Goals 1, 2, 3 and 4. Plan 2040's Goal 5 is inapplicable to this Property and specific Updated Proposal.

### **Plan Element - 2 Mobility**

The applicant's Updated Proposal complies with the intent of Plan 2040's Mobility Plan Element and its applicable goals, objectives and policies. Goal 1 of Plan 2040's Mobility Plan Element is to implement an accessible system of alternative transportation models. Goal 2 of the Mobility Plan Element is to plan, build and maintain a safe, accessible and efficient transportation system, while Goal 3 encourages land use and transportation patterns that connect Louisville Metro and support future growth. The applicant's Updated Proposal complies with Plan 2040's Mobility Plan Element because the Property is supported by existing transportation infrastructure sufficient to accommodate the Updated Proposal and is positioned to well serve future uses that will operate on the Property after the outdoor storage use on the Property ends. The Property is located on a site that will enable proper and direct access to Old Henry Road, a minor arterial roadway, where access serving the proposed use will not adversely affect adjacent areas, and where other PEC users will generate similar types of traffic to the Property, should the Property be rezoned PEC, and therefore the PEC users, current and future users, will share the same transportation facilities, as encouraged by the Mobility plan element.

The site lies within an existing employment activity center with transportation facilities that are compatible with and support access to surrounding land uses. In coordination with KYTC and Louisville Metro Public Works, the existing entrance to the Rezoning Property will be improved from a residential driveway into commercial curb cut and will pair with the current access point in use on the Rezoned Property to facilitate safe vehicular access to and from the proposed development on the Property. Per the Plan, the Updated Proposal will provide internal vehicular connection between the two access points to the Property. Another existing residential driveway to the Property will be removed, thereby reducing the amount of access points on the southern frontage of Old Henry Road. And access to the site will not occur through areas of significantly lower intensity or density in development and site access will provide sight distances consistent with probable traffic speed, terrain and alignments in road design. No additional right-of-way dedication or road improvements are required; the current roadway network maintains more than adequate traffic carrying capacity.

TARC operates a local route within the Eastpoint Business Center directly across Old Henry from the Property, providing other transportation options for employees to access job locations in the area, including for future employees of the land users that may locate on the Property after the truck storage use has concluded operating on the Property. The proposed development ensures proper functioning of internal circulation and appropriate access to the existing roadway system. The Updated Proposal does not contemplate employees who will bike to work, considering not many employees if any will be onsite daily, but upon future redevelopment of the site by another user, the inclusion of bicycle parking and bicycle facilities on the Property should then be added to accommodate another option for employees to commute to work. Employee vehicle parking needs for the Updated Proposal are minimal to almost non-existent. For the foregoing reasons, the Updated Proposal complies with the Mobility Plan Element of Plan 2040, including its Goals 1, 2 and 3 and their applicable Policies.

### **Plan Element 3 – Community Facilities**

Plan 2040's Community Facilities Plan Element provides guidance and recommendations for the proper integration of necessary community resources across Louisville Metro to plan and maintain accessible facilities that will improve the quality of life for existing and future residents and visitors of Louisville Metro. The Updated Proposal complies with Plan 2040's Community Facilities Plan Element, and all its applicable goals, objectives and policies thereunder, because the Property, including both the Rezoning Property and the Rezoned Property, is served by existing infrastructure necessary for the proposed outdoor storage use, all infrastructure systems of which have adequate capacity for the Updated Proposal. Upon future redevelopment of the Property, and to the extent possible, utilities will be located within common easements and trenches, as required by each utility. As previously noted, the site is located within a highly accessible area on Old Henry Road, near the Gene Snyder Freeway interchange, ensuring the existing roadway network is adequate to safely handle the traffic that will be generated by the currently

proposed development, as well as future land users operating on the Property. The site also has an adequate supply of potable water and water for fire-fighting purposes and is served by the Anchorage-Middletown Fire Department. The Property is served by Louisville Metro Police Department's Eighth Division.

#### **Plan Element 4 – Economic Development**

The intent of Plan Element 4 of Plan 2040 is to provide a positive, healthy economic climate for citizens of Louisville Metro in a way that cultivates a vibrant city to attract and retain a skilled workforce. Sound economic development planning allows for equitable, sustainable and innovative growth that strengthens our community's ability to attract and retain a strong and diverse workforce. The applicant's Updated Proposal advances the intent of Plan 2040's Economic Development because it will rezone property to PEC, Planned Employment Center, which designation is consistent with the surrounding employment activity center and appropriate for the Rezoning Property; and incorporating the area of the Rezoning Property together with the Rezoned Property will create an even larger contiguous area for one user or a number of similar type users to develop and attract job sources. In time, after the outdoor storage use ceases on the Property, the Property will eventually become available to facilitate a new industrial/commercial/office user(s) within a prime SWFD that is already outfitted with existing infrastructure and utilities, which currently serve other industrial and office/warehouse users that are compatible with the PEC zoning district proposed for the Rezoning Property.

Additionally, the Updated Proposal promotes the Goals and Objectives of Plan 2040's Economic Development Plan Element because the Property has direct access to Old Henry Road and near the Gene Snyder Freeway interchange allowing for PEC traffic to access transportation facilities without having to conflict with heavy residential neighborhood traffic. Thus, locating the Updated Proposal on the Property will ensure safe, efficient and adequate access, making it a prime location for the proposed use, which addresses a dire need in Louisville Metro – a safe, appropriate area for outdoor storage. In short, changing the zoning of the Rezoning Property to PEC will accommodate the Updated Proposal today, as well as provide various greater opportunities for the eventual adaptive reuse of industrial property, considering the flexibility afforded to land users by the PEC zoning district and, with the Updated Proposal, more contiguous space to serve PEC users. Being well-positioned to support new land users compatible with the existing activity center surrounding the Property and be near existing and future residential area for efficient commutes will benefit future job growth of the surrounding center and further Louisville Metro's economic development. Therefore, the Updated Proposal agrees with the Economic Development Plan Element of Plan 2040.

#### **Plan Element 5 – Livability**

The Livability Plan Element of Plan 2040 provides guidance and direction for the provision and maintenance of resources necessary for the health and well-being of citizens, including a focus on designing and developing places while prioritizing the protection and

enhancement of the natural environment and the integration of it with the built environment as development occurs. Applicant's Updated Proposal is consistent with the applicable goals, objectives and policies of Plan 2040's Livability Plan Element, primarily those set forth under Goal 1 of the Plan Element, because the rezoning of the Rezoning Property combined with its consolidation with the Rezoned Property proposes no new building of structures on the Property at this time and the Updated Proposal will establish an outdoor storage use on the Property in a fashion that respects the natural environment surrounding the area on the Property, while also maintaining and supplementing the natural buffers aligning the northern and northeastern property lines, thereby screening the Updated Proposal from the last remaining residential property on the south side of Old Henry Road, as well as from the Old Henry Road, a designated parkway. New and existing plantings along Old Henry Road will assist in protecting the parkway character along Old Henry Road corridor. The Property is surrounded by transportation infrastructure (Gene Snyder Freeway and TARC local route for employees who rely on transit), industrial users, a rock/stone quarry, Eastpoint Business Center, and a residential property.

The proposed rezoning of the Rezoning Property complies with Plan 2040's Livability Plan Element because the Property is in the S WFD, which is intended for land uses necessary to meet the needs of the workplace district and their employees. The Property sits within an existing employment center consisting of established industrial and office users and, therefore, is located to take advantage of the existing infrastructure and utilities already in place serving users across Old Henry Road. When combining the Rezoning Property with the Rezoned Property, the site will have two direct access points to Old Henry Road, both of which are conveniently near the Gene Snyder Freeway interchange, ensuring adequate access by all modes of transportation and making it a prime location for the proposed use because trucks and larger vehicles can access the Gene Snyder Freeway in a short distance without having to traverse local roadways. In the short term, the proposed rezoning of the Rezoning Property, in combination with the abutting Rezoned Property to the west, will allow a larger site for an outdoor storage user to utilize the Property until it is time to further develop the Property into a small business park that would incorporate similar character and feel of the Eastpoint Business Park across Old Henry Road from the Property, but at a smaller scale.

Construction plans for storm water drainage and sewer, if necessary (no buildings being proposed), related to the Updated Proposal shall comply with Louisville and Jefferson County Metropolitan Sewer District's Design Manual and standard specifications and other local, state, and federal regulations. The final design of the Updated Proposal must meet all MS4 water quality regulations established by MSD; the site layout may change at design phase due to proper sizing of green management practices. Currently, the Plan shows the existing detention basin on the Rezoned Property, east of the stream buffer and west of an access point and proposed additional detention in an underground area more toward the center rear of the site. Stormwater will be picked up and piped to these two detention areas on the Property. An Erosion Prevention and Sediment Control Plan utilizing best management practices as recommended by MSD will be implemented prior to commencing

construction of the development. No blue line or intermittent streams or water features exist on the Property and the stream buffer at the very western edge of the Rezoned Property will be honored; no indication of hydric soils is present on the Property. No other environmentally sensitive features exist on the Property and, per FEMA Firm Panel 21111C0033F, dated 02/26/2021, no portion of the Property lies within a flood hazard area. The Property contains no known archaeological features on it; and no unstable slopes exist on site of which would cause impediments to the Updated Proposal or redevelopment of the site, whenever that occurs in the future. Consequently, Applicant's Updated Proposal will not have any negative impacts to mitigate on site.

The applicant's Updated Proposal conforms to the requirements of APCD, represents an efficient land use that maintains the existing pattern of development for immediate surrounding area within the SWFD, and utilizes current traffic patterns and existing infrastructure. Although the Property is located within an industrial center, it is positioned in an area supported by transit services in the Eastpoint Business Center. The proposed rezoning of the Property to a more appropriate PEC district will eventually draw reinvestment by a new user(s) to the Property after the outdoor storage uses are concluded or if demand for a different PEC user shortens the timeline for outdoor storage use on the Property. And, with the PEC zoning being proposed for the Property, the intent is to attract users that are similar in nature to those users currently operating in the Eastpoint Business Center across Old Henry Road from the Property. As a result, the Updated Proposal meets Plan 2040's Sustainability Plan Element and all applicable Goals, Objectives and Policies.

### **Plan Element 6 – Housing**

Although the applicant is (appropriately) not pursuing a housing development for the Property, the Updated Proposal will provide for the eventual redevelopment and reinvestment of capital into the Property, which will add to the employment opportunities and supply additional space for new industries and businesses to locate within the already active surrounding SWFD, where residents from nearby and connected Neighborhood Forms can work close to home. As such, additional new employment positions in the area will assist residents of inter-generational, mixed-income and mixed-use development possibly find employment in an area within reasonable commuting distances from where they reside. And with the Rezoning Property being consolidated with the abutting Rezoned Property, the larger site would support a longer list of potential users, thereby increasing the potential for more job sources on the Property. Pedestrian connections already exist within the SWFD as well as accessibility to TARC. The rezoning of the Property to PEC does not displace current residents and the prospect of the Property's redevelopment into another significant industrial/commercial use or office park with industrial use will support existing and future residential uses in the surrounding neighborhood forms.

### **OLD HENRY ROAD SUBAREA PLAN**

On May 9, 2000, the Jefferson County Fiscal Court adopted the Old Henry Road Subarea Plan (the "OHRSP"), predating both Louisville Metro Council's adoption of Plan 2040

and before Plan 2040's predecessor, Cornerstone 2020. The OHRSP has not been updated since its initial adoption. Regardless of its dated nature, the applicant's Updated Proposal is in accord with the OHRSP, its Executive Summary, Major Findings and Recommendations applicable to the Property. The OHRSP was developed to provide land use, transportation, and urban design guidelines and capital improvement recommendations that are necessary to plan for growth and preserve the character of the area.; The Jefferson County Fiscal Court adopted the OHRSP for the purpose of more closely linking land use and transportation improvement decision making at the local level, particularly for areas experiencing growth.

The land area subject to the OHRSP is separated into four planning areas and the Property is situated within OHRSP Planning Area 1. In Planning Area 1, the Property is situated west of Gene Snyder Freeway, between the existing Rogers Group's active and the southern frontage of the Old Henry Roadright-of-way, directly across Old Henry Road from Eastpoint Business Center. The OHRSP's forecast of land uses for the Property acknowledges the Property's unique location adjacent to the rock quarry and how its development potential is difficult to analyze given the large, intense quarry use neighboring it. The OHRSP further forecasted the Property's land use to mirror the land uses established in the Eastpoint Business Center, the properties located therein of which are zoned PEC, Planned Employment Center and, therefore, the PEC zoning designation would be appropriate for the Property so that when the outdoor storage use being requested for the immediate future is no longer in operation, uses similar to those uses in the Eastpoint Business Center can be established on the Property, as envisioned by the OHRSP.

The applicant's Updated Proposal in agreement with OHRSP's Guiding Principle Number 1 - Subarea Gateway - which states the Old Henry Road/Snyder Freeway Interchange and its immediate surroundings should be planned as a "gateway," the function and physical appearance of this gateway should be integrated and consistent with the character of the area it serves as a gateway. The Property, despite not being contiguous to the Gene Snyder Freeway, will remain as-is as viewed from Old Henry Road because the heavily planted front property line will be further reinforced with additional plantings to enhance the Old Henry Road parkway and contribute to the tree-lined gateway, which provides an effective buffer of the Property from Old Henry Road, thereby preserving its visual character and maintaining a gateway feel for Old Henry Road. The applicant's agreement to construct a pedestrian connection along a portion of the northern frontage of Old Henry Road to fill an existing void in the pedestrian connection currently serving said northern frontage of Old Henry Road also furthers the intent and 8 purpose of the OHRSP's Guiding Principle Number 1, thereby bringing the applicant's Updated Proposal into further agreement with the applicable provisions of the OHRSP.

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For all the foregoing reasons, including the information shown on the Plan to be discussed at the Planning Commission's Land Development & Transportation Committee, if necessary, and for all other reasons presented at the Louisville Metro Planning Commission's public hearing, this Updated Proposal seeking PEC, Planned Employment Center zoning district designation is appropriate for the Rezoning Property and its consolidation with the Rezoned Property to allow for the Updated Proposal on the Property is also appropriate for the surrounding SWFD and, therefore, complies with all applicable Guidelines and Policies of Plan 2040, Louisville Metro's adopted Comprehensive Plan and with all relevant provisions of the Old Henry Road Subarea Plan. Equally as true, the R-4, Single-Family Residential zoning is no longer appropriate for the Property, considering the Property being within the SWFD for a significant duration, and how during that time many of the surrounding and nearby properties have been rezoned to PEC, which attracted various land uses in the immediate area, all of which except for one remaining residential property, are heavy and light industrial users or larger office/warehouse users.

Respectfully submitted,

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