

Case No. 14ZONE1046 Findings of Fact

Zoning Change from R-4 to M-2

On a motion by Commissioner Jarboe, seconded by Commissioner Turner, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds that a Suburban Workplace is a form characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. Suburban workplaces often contain a single large-scale use or a cluster of uses within a master planned development. New larger proposed industrial uses are encouraged to apply for a planned development district; and

WHEREAS, the Commission further finds that the proposed use is consistent with the community form because the area of the proposed rezoning conforms to the Suburban Workplace Form District which is characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting; and

WHEREAS, the Commission further finds that the current and any future uses will continue to be used by a single large scale user consistent with other uses located nearby and within the Suburban Workplace Form District; and

WHEREAS, the Commission further finds that, In order to provide adequate transportation access in suburban workplaces connected roads, public transportation and pedestrian facilities should be encouraged. Walkways to workplace-serving uses are encouraged for workplace employees. Development within suburban workplace form districts may need significant buffering from abutting uses; and

WHEREAS, the Commission further finds that there is already adequate access for workers to the current portion of the site that is already zoned M-2 and upon which the building is located; and

WHEREAS, the Commission further finds that the proposed use is consistent with current activity centers because there is an existing activity center along Produce Road and Poplar Level Road where the property is located; the property is on the corner of the two roads and the portion to be rezoned has the majority of its frontage along Poplar Level Road; there is sufficient population to support this use; and this use is consistent with uses in the area along Poplar Level Road and Produce Road and will help any future business expansion be consistent with the current business activity in the area, in addition, the additional landscaping resulting from the new use will increase the attractiveness of the site and the area; and

WHEREAS, the Commission further finds that the proposed use is compatible with the surrounding area and uses because the property (which is a strip of land fronting Poplar Level Road) will be re- zoned to a more appropriate zoning district which is more

compatible with the current uses in the neighborhood as there is very little residential use in this particular section of Poplar Level Road and Produce Road and a majority of the properties surrounding the property in question are already zoned M-2; and

WHEREAS, the Commission further finds that the proposed zoning for the property is appropriate because it is located along a transit corridor and within an existing activity center that supports the proposed use; and

WHEREAS, the Commission further finds that the proposal integrates into the mixed pattern of development along Poplar Level Road. Buildings are typically setback from the street but not in a consistent landscaped setting. The proposal is part of an established industrial area north of Poplar Level Road. A variety of uses are within the existing industrial area. The proposal will not affect existing roads and will also not propose new roads. Access to transit is provided and pedestrians are also provided for. No new building is proposed. The setbacks in the area are mixed and the trailer area would not be a significant change in the Poplar Level view shed. The loading and storage areas located adjacent to the existing residential zone will not have any adverse impacts because the adjacent R-4 site is not residentially used nor it is an established residential area. The 15' required LBA along Poplar Level and Produce is being provided. The proposal is for the high intensity M-2 zoning and is located along a transit corridor as well as within an existing mixed use activity center; and

WHEREAS, the Commission further finds that the proposed use promotes economic growth and stability as it allows for the additional access and truck storage which will supplement the economic capabilities of an existing business in an older but active neighborhood. The potential for any future proposed uses will be consistent with the form district pattern; and

WHEREAS, the Commission further finds that adequate parking is located on the property and along the right of way and will be as shown on the approved development plan; and

WHEREAS, the Commission further finds that the area proposed to be rezoned is a narrow strip of R-4 zoning (approximately 110' x 660') between an existing M2 development site and Poplar Level Road that is impractical and unsuitable for residential development; and

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

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative body of Louisville Metro Government that the requested change in zoning from R-4 to M-2 on property described in the attached legal description be **APPROVED**.