

CASE NO.: 22-ZONEPA-0133

PROJECT NAME: Amlung Lawn Care

LOCATION: 4622 Poplar Level Road

OWNER: Amlung Enterprise LLC

APPLICANT: Amlung Enterprise LLC

JURISDICTION: Louisville Metro

COUNCIL DISTRICT: 21—Nicole George

CASE MANAGER: Dante St. Germain, AICP, Planner II

REQUEST: Change in zoning from R-4 Single Family Residential to C-2 Commercial; conditional use permit for storage yard and contractor's yard.

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JUSTIFICATION STATEMENT

Applicant AMLUNG ENTERPRISE LLC, by counsel, hereby submits the following Justification Statement to the Louisville Metro Planning Commission for their consideration in conjunction with Applicant's Formal Application to change the zoning of 4622 Poplar Level Road from R-4 to C-2 and application for a Conditional Use Permit for a storage yard and contractor's yard:

Compliance with Plan 2040

Approving the zone change would fall within Section 4.4, Economic Development, Goal number 1 of Plan 2040 ("Goal 1"). Goal 1 reads: "Provide an economic climate that improves growth, innovation, investment, and opportunity for all." The objectives for Goal 1 can be found on page 82 of Plan 2040 (page 84 if searching from a PDF). Rezoning would comply with both Objective D (redevelopment of underused commercial, industrial, and residential land is facilitated) and Objective H (small business and entrepreneurship is cultivated). The property is underused in its current state. By rezoning it, the Owner would be able to utilize it to its full potential. Further, Amlung Enterprise LLC and Amlung Lawn Care are small businesses. Granting the application for rezoning would cultivate their ability to thrive as small businesses and would foster entrepreneurship.

Rezoning is further in line with the policies outlined on page 83 of Plan 2040 (page 85 if searching from a PDF). Rezoning would meet the need of the workplace district and their employees. The property is in a mixed-use district, and the proposed plan allows for commercial development while retaining a residential "feel" to the property. The property is ideally situated in this mixed-use district to allow Amlung Lawn Care to take advantage of special infrastructure needs. Poplar Level Road is a major arterial street able to handle high volumes of traffic, where nuisances or activities of the business (if any) will not adversely affect adjacent areas.

Compatibility with Form District

The present classification disagrees with the comprehensive plan and/or land use plan because the surrounding area is heavily commercial/non-residential. Across the street to the North is an HV AC distributor, AutoZone, and fire department. To the West is a church. The parcel directly to the South contains a security supply company and a preschool. The original classification was inappropriate or improper because the property is situated in the middle of a heavily commercial area. There have been major changes of an economic, physical, or social nature which were not anticipated in the Comprehensive Plan and which has substantially altered the basic character of

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the property and neighborhood in question. There has been substantial commercial growth in the surrounding area.

The conditional use permit request is accompanying this formal application is for a storage yard and contractor's yard pursuant to LDC Conditional Use §4.2.51. The conditional use permit request accompanies a request for a zoning change from R-4 to C-2, a zoning classification that would allow this conditional use. The property/storage bin area is not within a form district transition zone. The bins will be located at the back of the property and will be screened by natural greenspace to the rear and privacy fencing at the front and sides of the lot. No stacked materials shall exceed a height of five feet. Any storage of combustible materials shall conform to the requirements of NFPA Pamphlet 30.

The current residential dwelling located at the front of the property will remain as residential property. Construction of a Storage Building with office space will occur behind the residential property to house equipment. Chemicals necessary for law treatment are purchased for each job location and are not stored in large quantities on the property. Any chemical storage would The Storage Building, parking and storage yard will all be screened from view at Poplar Level by a privacy fence and additional natural screening.

Respectfully Submitted,



VALERIE L. SHANNON

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