

TO: Members of the Planning Commission
DATE: January 8, 2015
CASE: 14ZONE1039

I respectfully request that the Planning Commission enforce Binding Element #10 of the General Plan for Old Brownsboro Crossing, specifically the highlighted and underlined portions below:

Binding Element #10

“The materials and design of proposed structures shall be substantially the same as depicted in renderings presented at the time of detail district development plan approval for each parcel. **The building materials for the retail component and hotel shall be drivit, tile, brick, masonry and stone** except nationally or regionally recognized chain operations may utilize wood exteriors where such exterior appearance is part of an established and generally used trade dress. **The building materials for the office component shall be brick or stone or a combination of brick and stone.** All structures adjacent to KY 22 shall have a consistent architectural style and exterior color scheme. An Architectural Review Committee shall be established by the Developer and reflected within the deed Restrictions recorded prior to the submittal of the first detail district development plan.” (Bold type added.)

When the site plan was approved at DRC there was a request to amend Binding Element #2 of the General Plan, in order to update the square footage totals of Old Brownsboro Crossing. However, the applicant did not request an amendment to General Plan Binding Element #10, and no amendment to that Binding Element was granted by the committee. To date no amendment to General Plan Binding Element #10 has been requested, nor is one warranted. All other development in Old Brownsboro Crossing has been subject to this binding element.

I also respectfully request that the Planning Commission see that Cornerstone 2020 Guideline #17A.2 is followed, which says: **“A.2: The proposed building materials increase the new development’s compatibility.”**

Neighbors raised the issue of building materials in two Neighborhood Meetings and DRC, specifically the extent to which Alucobond exterior material was being used rather than the required materials. When the issue was raised at LD&T, Commissioner Blake commented that the issue would have to be looked into, presumably by the full Planning Commission.

After LD&T, one of the developer’s representatives advised me that he would contact the developer to see about setting up another meeting with neighbors to discuss the materials issue. The developer did not schedule a meeting, and he cannot now claim that it is too late to change the materials. He has known of the requirements since the approval years ago of the general development plan, rezoning and form district change.

Included also is a copy of my November 13, 2014, comments to LD&T, which covers the issue in more detail.

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