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**STATEMENT OF COMPLIANCE WITH APPLICABLE GUIDELINES AND POLICIES
OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN**

Owner: Kenwood Business Center, LLC

Applicant: Kenwood Business Center, LLC

Location: 7001 Southside Drive

Proposed Use: Business Park

Engineering Firm: Mindel Scott & Associates, Inc.

Request: Zone Change from C-1, M-2 & R-4 to M-2

INTRODUCTORY STATEMENT

This application is for an addition to an already existing business park located on part of property that formerly served as the old Kenwood Drive-In Theater. About two-thirds of the acres are currently zoned M-2, having 11.2 acres now proposed for the same M-2 zoning. Of that roughly two-thirds of the site already currently correctly zoned, a portion is under construction. Access points exist today at National Turnpike and Southside Drive, which is what allows access to the site for construction that is of the building designed to house a soft drink warehouse and distribution company. The access points which already exist, as mentioned, now need to be fully constructed. In the process of that, they will be better aligned, widened and constructed in accordance with customary Public Works construction practices.

A neighborhood meeting was held at the nearby St. Mark Lutheran Church, which was well attended by nearby residents, some of whom spoke about their street (i.e., Roberts Avenue) as already being partly industrially and commercially occupied by workplace businesses, some not operating under correct zoning. Those businesses will have to deal with their own situations, because this property is configured as one uniform site with established access points to National Turnpike and Southside Drive. But they had questions about drainage and traffic impacts, which were mostly answered by the Mindel Scott & Associates (MSA) engineering firm. Its representative explained that drainage facilities serving their properties are mostly in place and, when this project is completed, will be better served because their drainage can enter this development's stormwater system and thus run through its new detention basin before entering the larger stormwater system which runs to existing facilities off-site. The MSA representative also believed that this is a low traffic-generating use, much more so than a retail business, an office park or even a residential development, because traffic is dispersed more evenly throughout the day, and many of these buildings, while employment based, have fewer workers per square foot than offices, assembly line type factories, and so on.

GUIDELINE 1 – COMMUNITY FORM

The current community form for some of this property is Traditional Neighborhood, which Division of Planning and Development Services (DPDS) staff has asked this applicant to change to Suburban Workplace. As such, a Suburban Workplace Form District is characterized by predominantly industrial and office users where buildings are set back from the streets in a landscaped setting. Adequate transportation access, connected roads, public transportation and pedestrian facilities should be provided.

This application complies with this Guideline because the development plan accompanying this application shows that it is designed in accordance with these recommendations. This overall workplace development has buildings set back from the streets, it is landscaped, there are internal walkways and good connectivity to Southside Drive and National Turnpike. Southside Drive provides places for employees to enjoy lunch. Having two points of access helps disperse traffic in all directions. And, although some nearby residents prefer only one access, generally speaking more connectivity is better, especially so in this case given that the directions of traffic flow are not entirely known but are likely to involve businesses headed in all directions.

GUIDELINE 2 - CENTERS

The Intents of this Guideline are to promote the efficient use of land and investment in existing infrastructure; to lower utility costs by reducing the need for extensions; to reduce commuting time and transportation-related air pollution; to encourage vitality and a sense of place; to restrict isolated commercial uses from developing along streets and noncommercial areas; and to encourage commercial revitalization in redeveloping areas.

This application complies with all of these Intents of this Guideline of the Comp Plan because infrastructure already exists in the area, and so expensive extensions of utilities from remote locations to this site will not be necessary. Also, because this is an area of fairly dense residential population, commuting distances from home to work and vice versa should be relatively easy for many people. Also, with retail and restaurant facilities located close by, it is even possible, if workers take advantage of the opportunity, for people to walk to lunch during their breaks. Also, the old Kenwood Drive-In is a now unutilized and dilapidated facility that calls out for redevelopment. Given that nearly two-thirds of the site is already zoned M-2, rezoning the balance of the site for the same purpose and having the good internal circulation and connectivity that is provided to the two major road systems (National Turnpike and Southside Drive) makes perfect sense. This thus involves a revitalization of an old unutilized facility that, given the day and time, will not be reutilized for its prior use as a drive-in theater. Indeed, developing this site for a retail use doesn't work well either because it is located behind strip retail along Southside Drive, not giving it very good visibility, if any, for new retail/restaurant type businesses to be located here. Thus, that is highly unlikely to occur. The proposed business park use is the best use possible for this site, given the multiplicity of factors mentioned plus others that will be further explained at the LD&T meeting and public hearing.

Policies 1, 2, 4, 5, 7, 11, 13, 14, 15 and 16 of Guideline 2 are applicable to this application in the following ways. Activity centers are to be located along at the intersections of arterial and collector streets that are not predominantly residentially utilized. They should be planned expansions of or within already existing activity centers. They should be generally compact, include a mixture of compatible uses that are desirable to the area, that try to share parking,

access and utilities, and parking should be safe and convenient with alternative forms of transportation encouraged or provided, as applicable.

This application complies with these applicable Policies of this Guideline because this whole area of Southside Drive and National Turnpike is crammed full of highly active mixed land uses, some of an industrial/business park nature as this, others of a variety of commercial kinds and all compact and located

along arterial roadways. This particular business park will also have good internal circulation between these two arterial roadways (National Turnpike and Southside Drive), include parking that can be shared as well as utilities that will be extended from existing locations throughout the site in a convenient, cost effective manner. Parking is accessed off a main internal road connecting National Turnpike and Southside Drive. Mass transit is available in the area. Other forms of transportation, including pedestrians by virtue of sidewalk connectivity, are provided.

GUIDELINE 3 - COMPATIBILITY

The Intents of this Guideline are to allow a mixture of land uses near each other as long as they are designed to be compatible; to prohibit the location of sensitive land uses where accepted standards for noise, lighting, odors or similar nuisances might be violated or visual quality significantly diminished; and to preserve the character of existing neighborhoods.

This application complies with these Intents of this Guideline of the Comp Plan because this is a highly intense area with, as stated, as large mixture of diverse uses. Elements of the current Land Development Code (LDC) already address issues like noise and lighting, as well as aesthetics through landscaping, screening and buffering, which will be provided. The neighborhood, containing a diverse mixture of uses from industrial to commercial to residential, will be preserved through the high level of design and adaptive reuse of this unused property.

Policies 1, 2, 5, 7, 8 and 9 of this Guideline pertain to the issues of adverse potential impacts that can be mitigated through design measures, conditions of approval (i.e., binding elements) and specific application of and compliance with the LDC. This application complies with all of these Policies of this Guideline because, located as this property is along two arterial roadways, mixed among a variety of equally or more intensive uses, most of which are older and thus not compliant with contemporary LDC provisions, potentially adverse consequences either do not exist or are fully mitigated. To the extent that the Planning Commission is concerned that some potential uses could cause nuisances that are not otherwise addressed on the development plan filed with this application, conditions of approval can be considered.

Policies 17, 18 and 19 of this Guideline pertain to industrial uses, especially those that might utilize or produce hazardous substances. This application complies with these Policies of this Guideline because it is not anticipated that the uses will be of the kinds that would involve the manufacture and/or use or production of hazardous substances.

Policies 21, 22, 23, 24 and 29 of this Guideline pertain to screening, buffering, setbacks and impacts of parking and other transportation facilities. The development plan accompanying this application demonstrates how this application complies with these Policies of this Guideline because adequate setbacks and good screening, through landscaping and appropriate placement

of fencing, as well as location of parking, mostly internal to the site, evidence that these factors will also assure compatibility.

GUIDELINES 4 and 13 – OPEN SPACE AND LANDSCAPE CHARACTER

The Intents of these two Guidelines and specifically Policies 1, 2, 4 and 6 of Guideline 13 are designed to enhance the quality of aesthetics and to provide for good screening and buffering.

This application complies with these Intents and applicable Policies of these Guidelines of the Comp Plan because the development plan accompanying this application demonstrates compliance with the LDC in terms of setbacks and the screening and landscaping within those buffer areas and also the landscaping within internal parking lot areas.

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

The Intents of this Guideline are to assure the availability of necessary land to facilitate commercial and industrial development, to reduce public and private cost for land development, and to ensure regional scale workplaces and industrial land uses with good access to people, goods and services at appropriate locations.

This application complies with these Intents of this Guideline of the Comp Plan because this already approximately two-thirds zoned M-2 business park is located in an area partially surrounded by other industrial and workplace uses with good access to roads that have access to all parts of Metro Louisville and to interstate highways I-265, I-65 and the Watterson Expressway. By completing development of an already approximately two-thirds completed business park, this serves to reduce public and private costs for land development and greenfields areas. Also, located as this is in a densely populated area, this is a workplace center with good access to a workforce located nearby with easy access to transportation facilities to move goods and services throughout the community and to the UPS World Air Hub.

Policies 1, 2, 3, 4, 5, 6, 7, 8, 10 and 11 of this Guideline all pertain to these issues of preserving workplaces, investing in older industrial areas, locating industry near industry and with easy access to good transportation facilities and, of course, near the UPS World Air Hub.

This application complies with all of these applicable Policies of this Guideline because this is, as said, an already largely developed business park, and an older site at that, which certainly can stand redevelopment. It will never be a drive-in theater again, as it was for many years. It will also help perhaps rejuvenate and support area small businesses, particularly restaurants because of more employees working in the area. It has good access to all of the major interstates through access points to both National Turnpike and Southside Drive.

GUIDELINES 7 AND 8 – CIRCULATION AND TRANSPORTATION FACILITY DESIGN

The Intents of these Guidelines are to provide for safe and proper functioning street networks; to ensure that developments do not exceed the traffic-carrying capacity of these streets; to ensure that there is good internal and external circulation to, from and throughout the proposed development; to assure that congestion and air quality are addressed in positive ways; and to

make sure that transportation facilities internal and external to the development are safe and efficient for the movement of all forms of transportation.

This application complies with these Intents of these Guidelines of the Comp Plan because the development plan accompanying this application has been laid out in compliance with applicable Metro Public Works and Transportation Planning policies and standards. In that regard, the external street systems were previously examined when the Phase I development of approximately two-thirds of this site was developed. At that time, the traffic study demonstrated that National Turnpike and Southside Drive had adequate traffic-carrying capacity. The type of development that is proposed here and the small addition that is involved to that already existing business park is not anticipated to yield such amounts of traffic that the carrying capacity of these two streets (National Turnpike and Southside Drive) will be diminished. As previously stated, air quality is largely addressed by reducing commuting distances, since this workplace is near a large support population. Traffic congestion will be better addressed once the new access points are constructed, especially the one at Southside Drive where the current access is at an odd angle to Southside Drive. It will be straightened out.

Policies 1, 2, 3, 9, 10, 11, 12, 13 and 14 of Guideline 7 and Policies 4, 5, 7, 9, 10 and 11 of Guideline 8 are those very specific transportation Policies that are specifically reviewed in the context of the development plan submitted with this application by Metro Transportation Planning and Public Works. This application cannot be docketed for Planning Commission review until it obtains final approval from those agencies demonstrating compliance with all of these Policies of these Guidelines as well as the LWC and in particular Metro Public Works and Transportation Planning's design standards.

GUIDELINE 9 – BICYCLE, PEDESTRIAN AND TRANSIT

This Intents and Policies 1, 2, 3 and 4 of this Guideline all pertain to ensuring that alternate forms of transportation are accommodated. In this case, Southside Drive is a transit route, and so employees can access this facility via transit. Sidewalks are always provided in all new developments. Bicycles must be accommodated as well and will be as required.

GUIDELINE 10 – STORMWATER MANAGEMENT

The Intents and Policies 1, 3, 6, 7, 10 and 11 of this Guideline are intended to assure that stormwater is managed to the maximum extent practicable.

This application complies with these Intents and applicable Policies of this Guideline of the Comp Plan because stormwater detention is provided on site. That is in addition to storm pipes that already exist along the perimeters that will connect into the new, soon to be completed, internal drainage system. Although there will be more impervious surface in this development as a consequence thereof than in the property that presently exists, which is true of all new development of any open green space, it will be engineered drainage flows instead of haphazard drainage flows which will assure that drainage enters into MSD approved drainage systems. The significant sized detention basin near the National Turnpike side of the property assures that drainage flow will be slowed down during all applicable storm events before entering the drainage system, which ultimately flows into existing downstream facilities that the applicant has been told are operating as over capacity. The applicant's engineers, by being more fully informed at the neighborhood meeting of these downstream issues, will do everything possible to

assure that not only post-development rates of runoff do not exceed predevelopment conditions but that downstream facilities are not adversely impacted.

GUIDELINE 12 – AIR QUALITY

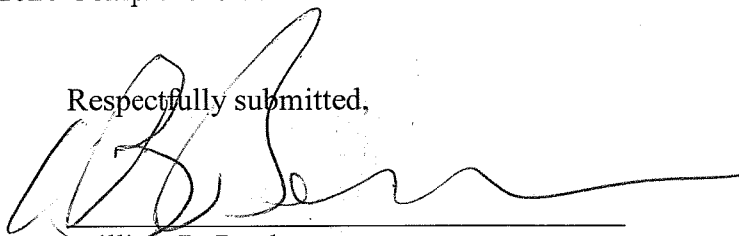
The Intents and Policies 1, 2, 3, 4, 6, 7, 8 and 9 of this Guideline are all intended to assure that new developments such as this do not have adverse impacts on air quality.

This application will comply with these Intents and applicable Policies of this Guideline of the Comp Plan because, as stated, it is proposed for an area that has a significant support population. As a consequence, that can help reduce vehicle miles traveled for employees to these new places of employment. Also, because it has great access to all of the major interstates through multiple routes, and as a consequence of the two major points of ingress and egress to and from this development to this development, traffic can and will be dispersed in multiple directions ultimately to several major road and interstate systems.

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For these and other reasons as will be more fully explained at the Planning Commission LD&T meeting and public hearing, this application complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,



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