

Docket No. 14ZONE1015

Zone change from R-4 to C-1 with a Revised Detailed District Development Plan (RDDDP) and waivers to allow a River City branch bank, potential restaurant and retail uses on property located at
14000 Shelbyville Road & 301 Shelby Station Road

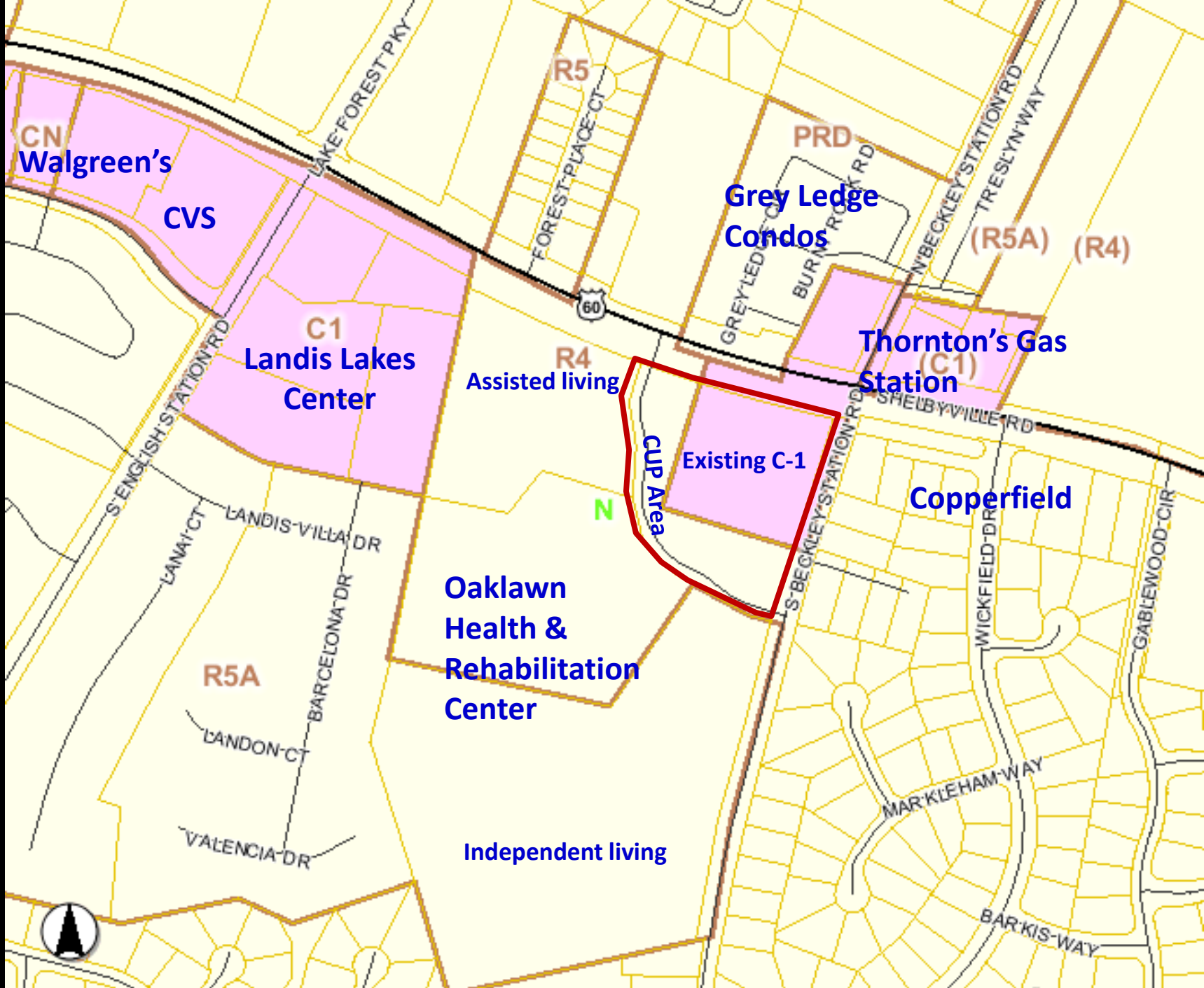


Index

1. LOJIC Zoning Map
 2. Aerial photographs of the site and surrounding area
 3. Ground level photographs of the site and surrounding area
 4. Previous Development Plans
 5. Current Development Plan
 6. Photographs of similar branch bank
 7. Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan and Waiver Justification
 8. Proposed findings of fact pertaining to compliance with the Comprehensive Plan and Waiver criteria
-



Tab 1
LOJIC Zoning Map



Walgreen's

CVS

Landis Lakes Center

Oaklawn Health & Rehabilitation Center

Grey Ledge Condos

Thornton's Gas Station

Copperfield

Existing C-1

CUP Area

Assisted living

Independent living



Tab 2

Aerial photograph of the site and
surrounding area



Walgreens center

Landis Lakes retail
Towne Center

Assisted living

Retail Center

Thorntons

Highview Bapt.

14000 Shelbyville Rd

Copperfield

Oaklawn
Health &
Rehabilitation
Center

Independent living

Shelbyville Rd

Thomas Ridge Dr

Shelbyville Rd

Sneaky Station Dr

Copperhill Way

Steerforth Ct

Landis Villa Dr

Barcelona Dr

Lanai Ct



Tab 3

Ground level photographs of the site and
surrounding area



View of site and existing Oaklawn assisted living facility looking towards Shelbyville Rd from Crossroads IGA grocery and gas station parking lot



View of existing Crossroads IGA grocery store and gas station looking towards Shelbyville Rd



Shelby Station Drive

View of site and existing Crossroads IGA grocery store and gas station looking towards S. Beckley Station Rd



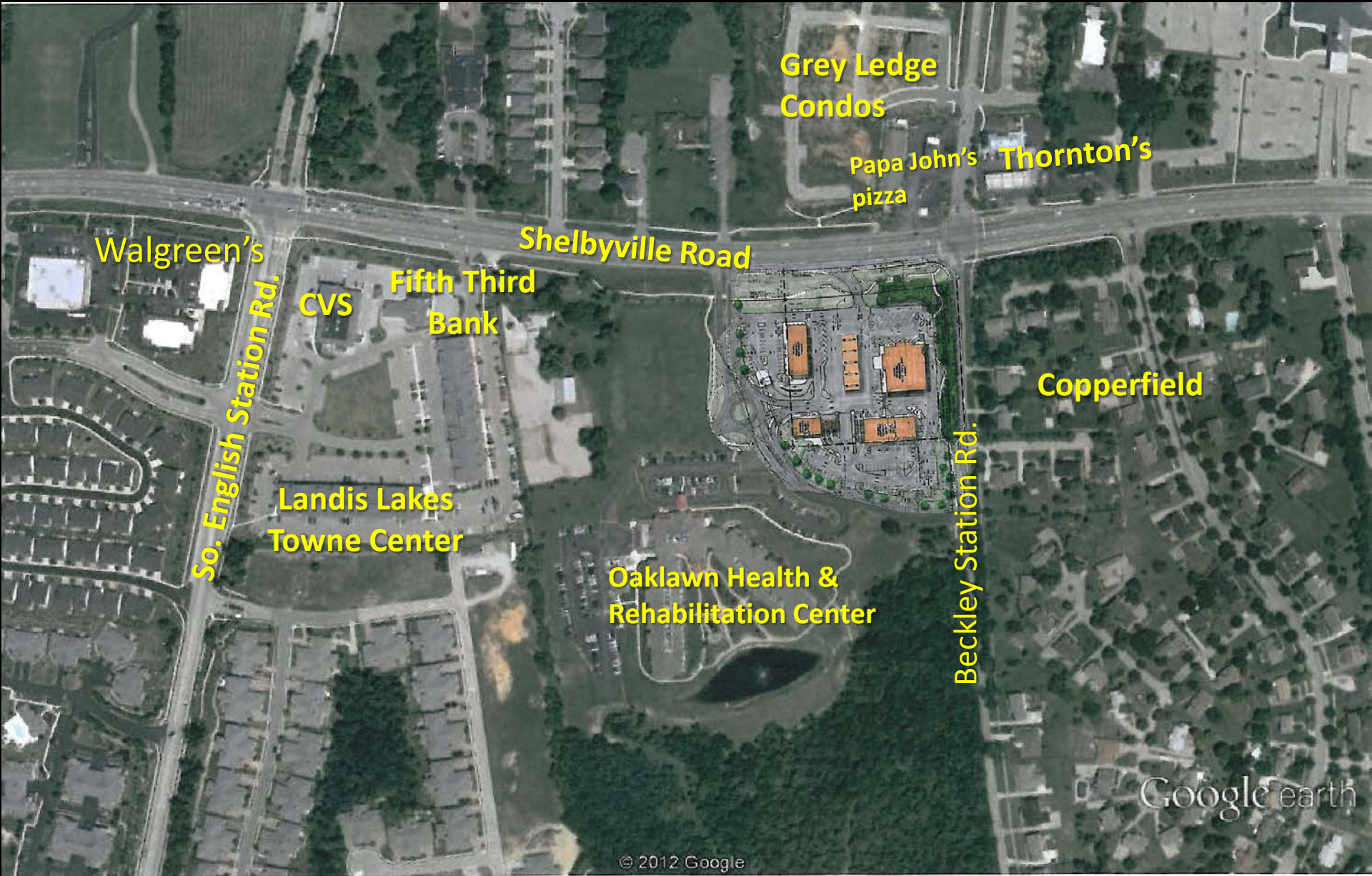
View of existing Crossroads IGA grocery store and gas station



Tab 4

Previous Development Plans

Previous Development Plan



Google earth

Previous development plan



Google earth



Tab 5
Color Development Plan

Current development plan





Tab 6

Photographs of similar branch bank

Branch bank on Greenwood Road in Pleasure Ridge Park





STAR

Handicap Accessible







STAR





Tab 7

Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BUILDING • SECOND FLOOR •
LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

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

Applicant: River City Bank & Beckshell, LLC

Owner: Houchens Properties, Inc.

Location: 14000 Shelbyville Road and 301 Shelby Station Drive

Proposed Use: Branch bank, restaurant and retail uses in addition to existing grocery store

Engineers, Land Planners and Landscape Architects: BTM Engineering, Inc.

Request: Zone change from R-4 to C-1

SUMMARY STATEMENT

The overall development site is about six acres in size, of which just over three acres is already zoned C-1 as a long-standing pre-“Plan Certain” property. In 2012, a development plan with conditional use permit (CUP) was approved for a 10,500 square foot Houchens IGA grocery store with gas pumps and drive-through on the northeast corner of this overall site with a restaurant, a retail pharmacy, and freestanding branch bank planned for the balance. All of the buildings approved were approved with drive-throughs.

Now that the Houchens IGA grocery with gas pumps has been built, River City Bank has opted to put under contract the southwest corner of the overall site for a new branch bank facility, which results in some moving around of the other approved buildings and points of cross access and areas of parking.

The public response to the new Houchens grocery store appears to be very positive, including both from the adjoining Elmcroft senior living facility and from the nearby home owners. The plan changes proposed with this rezoning application will result in fewer drive-throughs, better circulation and improved traffic flow.

River City Bank is the one definite known new name for this overall site -- that is to say in addition to the existing Houchens IGA grocery store. The balance of the revised plan calls for a retail building and freestanding restaurant.

GUIDELINE 1 – COMMUNITY FORM

The Form District for this property is Suburban Neighborhood, which is characterized by predominantly residential uses, yet may contain, at appropriate locations, neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. Guideline 1 says that these neighborhood centers should be at a scale that is appropriate for nearby neighborhoods.

This rezoning and revised development plan proposal complies with Guideline 1 because this is a retail activity center, small in size, appropriate for a neighborhood because the uses are the types frequented on a daily basis by residential customers.

Moreover, this site is surrounded by a variety of residential neighborhoods, including English Station, Copperfield, the larger community that is generally known as Landis Lakes, Lake Forest, Beckley Woods and others. In fact, there is a very significant residential population with all forms of housing – standard single-family, condominiums and apartments – located within the immediate vicinity that will support this retail center.

Because, as stated, most of this corner location at Shelbyville and Beckley Station Roads is a pre-“Plan Certain” site, the majority of the site was long ago zoned to the C-1 zoning district. The portion that still remains R-4 is surrounded by other institutional and commercial uses.

GUIDELINE 2 - CENTERS

The Intents of Guideline 2 are to promote an 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 provide an opportunity for neighborhood centers and marketplaces that includes a diversity of goods and services; to encourage vitality and a sense of place; and to restrict individual or isolated commercial uses from developing. The proposed retail center, modified ever so slightly from the combination C-1/CUP plan previously approved, complies with all of these Intents of this Guideline for these, among other reasons, set forth below. First, utilities already exist in the area and can be extended to this site without significant cost and effort. Second, because, as stated above, lots of residential housing exists in the immediate vicinity, these residents will be able to purchase these goods and services, now banking as well as grocery related, that are not widely available east of the Snyder Freeway, in close proximity to their homes, thus reducing commuting time and transportation-related air pollution. Third, this is a neighborhood center that includes, as described above, a diversity of goods and services. Fourth, the design of this center, the majority of which is already zoned C-1 commercial, is one that has all of the attributes of a neighborhood center. The buildings are small and are located all over the site. They will relate well one as to the other. Although there is a lot of activity included within this six-acre site, parking and circulation have been designed to move traffic throughout the center safely and efficiently—actually under the proposed revised plan much better than under the already approved plan with the same number of buildings.

Policies 1, 2, 3, 4 and 5 of this Guideline address the location of activity centers and the desirability that they be compact and include a mixture of uses. This proposed revised retail center plan complies with these Policies of this Guideline because this is a Suburban Neighborhood which, as explained above, expressly permits retail centers in locations of this

kind. This is already an activity center by virtue of the facts that a grocery store already exists here and that other retail buildings were previously approved for this site as part of the prior approved Category 3 and CUP plans. Also, other retail exists in this area across Shelbyville Road west of this site all the way to the Snyder Freeway. As shown on the revised detailed district development plan and as explained above, the proposed retail buildings are scattered around this small site, yet compact, largely because of the small amount of acreage involved. The mixture of uses is, as described, diverse.

Policies 7, 8, 9 and 10 of this Guideline pertain to the types of uses in residential areas and how parking relates to those uses. The proposed revised retail center plan complies with these Policies of this Guideline because, as stated, all of the specified uses are very desirable for a neighborhood. They will serve the day to day needs of nearby residents. This center is located at an intersection of a major arterial and significant collector level road (Shelbyville and South Beckley Station Roads). The parking lots are designed to address all of the parking needs of the proposed uses, yet not result in too much parking or so little as to require a parking waiver.

Policies 11, 12, 13, 15 and 16 of this Guideline pertain to the design of centers, including shared parking and access and accommodation of alternative transportation modes. As shown on the revised detailed district development plan, parking is shared throughout the development by the various users described. Parking will also be adequate under provisions of the LDC. The main focal point will be the corner of Beckley Station Road and US 60, which is where the main entrance to the grocery store is located. Both the grocery store and proposed branch bank are all set back significant distances from Shelbyville Road, which will be nicely landscaped in accordance with the LDC.

GUIDELINE 3 - COMPATIBILITY

The Intents of Guideline 3 are to allow a mixture of land uses near each other as long as they are designed to be compatible with each other; to prohibit the location of sensitive land uses in areas where accepted standards for noise, lighting, odors or similar nuisances are violated or visual quality is significantly diminished; and to preserve the character of existing neighborhoods. This proposal complies with all of these Intents of this Guideline because, as stated, what is proposed, in addition to what exists here, are a mixture of neighborhood serving land uses, all of which are designed in conformance with the LDC which itself addresses many of the nuisance and visual quality issues described in this Guideline. And for reasons described above and as shown on the revised detailed district development plan, this small center not only preserves, but also enhances, nearby neighborhoods.

Policies 1 and 2 of this Guideline pertain to design compatibility, including a consideration of building materials. Elevation renderings for the principle branch bank structure, like the already built Houchens IGA grocery store, are included with this application. All of the buildings, as stated, will be LDC compliant.

Policies 4, 5, 6, 7, 8, 9 and 21 of this Guideline pertain to impacts and the means of mitigating any adverse consequences of those impacts. The LDC addresses most impacts nowadays, such as lighting which were never addressed prior to the new Cornerstone 2020 LDC. Likewise, visual impacts are addressed by virtue of LDC design standards. Parking lots are designed with interior and perimeter landscaping, all minimally in compliance with the LDC and probably even

in excess thereof. This will be an attractive looking center, as already evident in the largest tenant of this center, i.e., the already built Houchens IGA grocery store.

Policies 21, 22, 23 and 24 of this Guideline pertain to issues of transition, buffers, screening, setbacks and impacts of parking, loading and delivery. This retail center complies with all of these Policies of this Guideline for all of the reasons set forth above, including the very evident Parkway buffer setback along Shelbyville Road, new landscaping along a stretch of South Beckley Station Road, and internal landscaping included in all parking areas. The Oaklawn senior living facility and Copperfield neighborhood are the uses that are especially affected, and they will be protected by the screening, buffering and landscaping already planted and also described on the plan and set forth hereinabove.

GUIDELINES 4 AND 5 - OPEN SPACE AND NATURAL AREAS/SCENIC AND HISTORIC RESOURCES

The Intents and Policies of these two Guidelines are not particularly relevant to this site because it is small, just under six acres, and because most of the site is already zoned commercial. Nevertheless, it is worthy of note that Shelbyville Road is a designated "Parkway", where the LDC "Parkway" setbacks are provided. On Shelby Station Road, lots of landscaping will exist along the perimeters of the proposed parking lots and within landscape islands within the parking lots themselves. New trees will be added also on South Beckley Station Road.

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

The Intents of this Guideline 6 are to insure the availability of necessary usable land to facilitate commercial development and to reduce public and private costs for land development. This proposed revised retail center plan complies with these Intents of this Guideline because much of this land was long ago rezoned to the C-1 zoning district and thereby set aside as an appropriate location for a neighborhood retail center. The balance of the overall site now proposed for rezoning is adjoined on two sides by Shelbyville Road (a major arterial) and South Beckley Station Road (a significant collector level road) and on the other two sides by the existing Oaklawn senior living facility. This is a good site for a neighborhood retail center, as previously approved. Most infrastructure is already located nearby, including sanitary sewers and lots of good road access.

Policies 2 and 6 of this Guideline pertain to the provision of adequate access between employment centers and population centers and the appropriate place to locate activity centers. As stated, this proposed revised retail center plan complies with these Policies of this Guideline because there are multiple points of access, including off Shelbyville Road and off the internal Shelby Station Drive, and this already mostly C-1 zoned property was long ago designated an activity center when the initial commercial rezoning took place. Additionally, as stated, this is the easternmost location of retail that starts at the Snyder Freeway and travels east to Beckley Station Road to serve a significant residential population in this growing east Metro Louisville area.

GUIDELINE 7 AND 8 – CIRCULATION AND TRANSPORTATION FACILITY DESIGN

The Intents of these two Guidelines 7 and 8 are to provide for safe and proper functioning street networks; to insure that new developments do not exceed the carrying capacity of streets; to insure that internal and external circulation of all new developments provide safe and efficient travel movements by all types of transportation; to address congestion and air quality issues; to insure that transportation facilities are compatible with the form district; to provide for the safe and convenient accommodation of the special mobility requirements of the elderly and physically challenged; to protect Parkways and streetscapes; and to provide safe and efficient accommodations for transit, pedestrians and bicyclists.

This proposed revised retail center plan complies with the Intents of Guidelines 7 and 8 because the overall design of this center, and especially the new points of cross connection, have taken into account inputs from Metro Transportation Planning and the Kentucky Transportation Cabinet (KTC). BTM Engineering, the land planning, engineering and traffic consultant on this retail center, was previously engaged in traffic engineering studies in the Shelbyville Road corridor for years. It has consulted its own studies to assure that this proposed revised retail center plan, which will capture traffic already existing on the referenced street systems, does not exceed road capacities. Also, as stated above, locating this retail center in close proximity to such a large support population will reduce commuter time and traffic related air pollution. As always, accommodations are made for the special mobility requirements of elderly and physically challenged populations. Shelbyville Road, a designated Parkway, has been respected in terms of setback and landscape design. Transit, bicyclists and pedestrians are accommodated with sidewalks, bike racks and the ability for transit to circulate in and out if it is available in this area.

Policies 1 and 2 of Guideline 7 pertain to the traffic impacts of new development. Not only has BTM Engineering served as traffic consultant for many projects, including for KTC with respect to traffic all up and down the Shelbyville Road corridor and within the Snyder Freeway interchange, BTM has also looked at this overall project in relationship to the other traffic consulting work that it has done for the larger area. It previously performed specific trip generation and distribution numbers for this particular proposed center when the current approved development plan was approved. This application will not be docketed for LD&T review until Metro Transportation Planning has given this application and revised detailed district development plan its new preliminary stamp of approval.

Policy 9 of Guideline 7 pertains to the dedication of additional right of way, which the detailed district development plan shows will be added to Beckley Station Road. There appears to be adequate right of way already existing along Shelbyville Road.

Policies 10, 11, 12, 13, 14, 15 and 16 of Guideline 7 pertain to the adequacy of parking, various access issues, turning movements, connectivity and so on. Metro Transportation Planning has reviewed this plan already and, as stated, will be required to stamp it for preliminary approval prior to docketing for LD&T review. That will assure that what BTM Engineering already knows and has included in this plan will comply with all Metro Transportation Planning design standards as well as these particular Policies of this Guideline. BTM Engineering has designed hundreds of sites and knows these regulations as well as the requirements of Metro

Transportation Planning. It has taken into account all of these requirements in the design of this retail center, thus demonstrating compliance with these Policies of this Guideline.

Policy 6 pertains to Parkways. Once again, Shelbyville Road is a designated Parkway, and the setback and landscape requirements for Parkways have been satisfied.

Policies 8, 9, 10 and 11 of Guideline 8 all address many of the same Policies already mentioned in Guideline 7, notably stub access, site distances and internal circulation. The revised detailed district development plan filed with this application assures good connectivity to the Oaklawn senior living facility, better cross access from one retail use to the other and even safer internal access than originally approved, adequate site distances and so on, again all in compliance with these Policies of this Guideline.

GUIDELINE 9 - BICYCLE, PEDESTRIAN AND TRANSIT

The Intents and Policies of Guideline 9 all pertain to the accommodation of alternative modes of transportation – notably transit, pedestrian and bicyclists. As required by the LDC, sidewalks and bike racks are provided. If TARC service is available to the area, it probably is already stopping somewhere in this area along Shelbyville Road or along Shelby Station Drive and probably will continue to do so. However, transit service is not widely used in these outlying suburban areas.

GUIDELINES 10 - FLOODING AND STORMWATER

The Intents and Policies of this Guideline 10 applicable to this proposed retail center pertain to stormwater management. The proposed revised retail center plan complies with these Intents and Policies because the detention will be provided within an existing basin located within the Oaklawn assisted living facility. Drainage patterns are shown on the detailed district development plan filed with the application showing which way drainage will move into newly designed storm pipes. Catch basins will be included in the parking lots of this site, which will accept drainage which will then flow into the new pipe system to the existing Oaklawn detention basin before it outlets from the overall larger site into the larger drainage system..

GUIDELINE 11 – WATER QUALITY

The Intent and Policies of this Guideline 11 address the need to assure continued water quality. The Intents and Policies are addressed, as with all new projects, through construction plan review against MSD's Soil Erosion and Sedimentation Control Guidelines. Construction on this site will comply with those requirements.

GUIDELINE 12 – AIR QUALITY

The Intents and Policies of this Guideline pertain, as respects a development of this kind, to minimizing the transportation related negative impacts on air quality. That is accomplished, as stated above, by way of reducing vehicle miles traveled and commuting times and distances. By locating a retail activity center such as this next to existing retail centers and in close proximity to a burgeoning residential population, transportation related air quality is not made worse. If anything, it might be made slightly better because people residing in the area will not need to

travel through the congested Snyder Freeway Interchange for as many goods and services as they must currently travel through that interchange to access.

GUIDELINE 13 – LANDSCAPE CHARACTER

The Intents and Policies of this Guideline 13 are to assure that adequate landscaping is provided throughout new developments. The LDC includes tree canopy protection requirements and landscaping requirements for both perimeter landscape areas and internal parking lot landscape areas. The LDC requirements relating to these things are fully shown on the detailed district development plan. Interior landscape areas (ILAs) are provided in excess of LDC requirements.

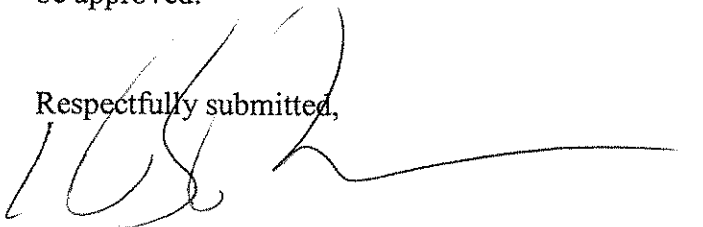
GUIDELINES 14 AND 15 – INFRASTRUCTURE AND COMMUNITY FACILITIES

The Intents and Policies of Guidelines 14 and 15 are to assure that road systems, water supplies, sewer treatment plants, fire stations, schools and other public infrastructure and facilities are adequate to serve a given land use proposal. Adequate roads already serve this site. At time of the original development plan approval, road improvements were required and subsequently made along Shelbyville and Beckley Station Roads. Fire protection is available via the Eastwood Fire District and/or the Middletown Fire Department, as this site is located approximately equal distance of their fire stations on Shelbyville Road and at Urton Lane. New public schools have been built or expanded in this area. Most notably, this area is especially served by an abundance of popular private schools: Christian Academy and St. Patrick Catholic parish school.

* * *

For all the reasons listed above, the application complies with the listed and all other relevant and applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan and should be approved.

Respectfully submitted,



William B. Bardenwerper
BARDENWERPER TALBOTT & ROBERTS, PLLC
Building Industry Association of Greater Louisville Building
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223
(502) 426-6688
Counsel for Applicant/Property Owners



Tab 8

Proposed findings of fact pertaining to compliance with the Comprehensive Plan and Waiver criteria

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BUILDING • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE2020 COMPREHENSIVE PLAN

Applicant: River City Bank & Beckshell, LLC

Owner: Houchens Properties, Inc.

Location: 14000 Shelbyville Road and 301 Shelby Station Drive

Proposed Use: Branch bank, restaurant and retail uses in addition to existing grocery store

Engineers, Land Planners and Landscape Architects: BTM Engineering, Inc.

Request: Zone change from R-4 to C-1

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on July 17, 2014 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

WHEREAS, the overall development site is about six acres in size, of which just over three acres is already zoned C-1 as a long-standing pre-“Plan Certain” property; in 2012, a development plan with conditional use permit (CUP) was approved for a 10,500 square foot Houchens IGA grocery store with gas pumps and drive-through on the northeast corner of this overall site with a restaurant, a retail pharmacy, and freestanding branch bank then shown as planned for the balance of the site and all of the buildings approved with drive-thrus; and

WHEREAS, now that the Houchens IGA grocery with gas pumps has been built, River City Bank has opted to put under contract the southwest corner of the overall site for a new branch bank facility, which results in some moving around of the other approved buildings and points of cross access and areas of parking; and

WHEREAS, the public response to the new Houchens grocery store appears to be positive, including both from the adjoining Elmcroft senior living facility and from nearby home owners; and furthermore the plan changes proposed with this rezoning application will result in fewer drive-throughs, better circulation and improved traffic flow; and

GUIDELINE 1 – COMMUNITY FORM

WHEREAS, the Form District for this property is Suburban Neighborhood, which is characterized by predominantly residential uses, yet may contain, at appropriate locations, neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services at a scale that is appropriate for nearby neighborhoods; and

WHEREAS, this rezoning and revised development plan proposal complies with Guideline 1 because this is a mixed use retail activity center, small in size, appropriate for a neighborhood; and

WHEREAS, this site is surrounded by a variety of residential neighborhoods, including English Station, Copperfield, Lake Forest, Beckley Woods and the larger community that is generally known as Landis Lakes and there is a significant residential population with all forms of housing – standard single-family, condominiums and apartments – located within the immediate vicinity that will support this retail center; and

WHEREAS, because, as stated, most of this corner location at Shelbyville and Beckley Station Roads is a pre-“Plan Certain” site, the majority of the site was long ago zoned to the C-1 zoning district and the portion that still remains R-4 is surrounded by other institutional and commercial uses; and

GUIDELINE 2 - CENTERS

WHEREAS, the Intents of Guideline 2 are to promote an 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 provide an opportunity for neighborhood centers and marketplaces that includes a diversity of goods and services; to encourage vitality and a sense of place; and to restrict individual or isolated commercial uses from developing; the proposed retail center, modified slightly from the combination C-1/CUP plan previously approved, complies with all of these Intents of this Guideline for these, among other reasons; utilities already exist in the area and can be extended to this site without significant cost and effort; as stated above, lots of residential housing exists in the immediate vicinity, and these residents will be able to purchase goods and services, now banking as well as grocery related, that are not widely available east of the Snyder Freeway, in close proximity to their homes, thus reducing commuting time and transportation-related air pollution; this is a neighborhood center that includes, as described above, a diversity of goods and services; the design of this center, the majority of which is already zoned C-1 commercial, is one that has all of the attributes of a neighborhood center; the buildings are small and are located all over the site; the uses relate well one as to the other; although there is a lot of activity included within this six-acre site, parking and circulation have been designed to move traffic throughout the center safely and efficiently—actually under the proposed revised plan better than under the already approved plan with the same number of buildings; and

WHEREAS, Policies 1, 2, 3, 4 and 5 of this Guideline address the location of activity centers and the desirability that they be compact and include a mixture of uses; this proposed revised retail center plan complies with these Policies of this Guideline because this is a Suburban Neighborhood which, as explained above, expressly permits retail centers in locations of this

kind; this is already an activity center by virtue of the facts that a grocery store already exists here and that other retail buildings were previously approved for this site as part of the prior approved Category 3 and CUP plans; and other retail exists in this area across Shelbyville Road west of this site all the way to the Snyder Freeway; and

WHEREAS, Policies 7, 8, 9 and 10 of this Guideline pertain to the types of uses in residential areas and how parking relates to those uses; the proposed revised retail center plan complies with these Policies of this Guideline because, as stated, all of the specified uses are desirable for a neighborhood; they will serve the day to day needs of nearby residents; this center is located at an intersection of a major arterial and significant collector level road (Shelbyville and South Beckley Station Roads); and the parking lots are designed to address all of the parking needs of the proposed uses, yet not result in too much parking or so little as to require a parking waiver; and

WHEREAS, Policies 11, 12, 13, 15 and 16 of this Guideline pertain to the design of centers, including shared parking and access and accommodation of alternative transportation modes; as shown on the revised detailed district development plan, parking is shared throughout the development by the various described uses; parking will be adequate under provisions of the LDC; the main focal point will be the corner of Beckley Station Road and US 60, which is where the main entrance to the grocery store is located and both the grocery store and proposed branch bank are all set back significant distances from Shelbyville Road, which will be nicely landscaped in accordance with the LDC; and

GUIDELINE 3 - COMPATIBILITY

WHEREAS, the Intents of Guideline 3 are to allow a mixture of land uses near each other as long as they are designed to be compatible with each other; to prohibit the location of sensitive land uses in areas where accepted standards for noise, lighting, odors or similar nuisances are violated or visual quality is significantly diminished; and to preserve the character of existing neighborhoods; this proposal complies with all of these Intents of this Guideline because, as stated, what is proposed, in addition to what exists here, are a mixture of neighborhood serving retail uses, all of which are designed in conformance with the LDC which itself addresses many of the nuisance and visual quality issues described in this Guideline; and for reasons described above and as shown on the revised detailed district development plan, this small center not only preserves, but also enhances, nearby neighborhoods; and

WHEREAS, Policies 1 and 2 of this Guideline pertain to design compatibility, including a consideration of building materials; elevation renderings for the principal branch bank structure, like the already built Houchens IGA grocery store, are included with this application; and all of the buildings, as stated, will be LDC compliant; and

WHEREAS, Policies 4, 5, 6, 7, 8, 9 and 21 of this Guideline pertain to impacts and the means of mitigating any adverse consequences of those impacts; the LDC addresses most impacts nowadays, such as lighting which were never addressed prior to the new Cornerstone 2020 LDC; likewise, visual impacts are addressed by virtue of LDC design standards; parking lots are designed with interior and perimeter landscaping, all minimally in compliance with the LDC and this will be an attractive looking center, as evident in the largest tenant of this center, i.e., the

already built Houchens IGA grocery store, and in the photographs of the River City Bank building; and

WHEREAS, Policies 21, 22, 23 and 24 of this Guideline pertain to issues of transition, buffers, screening, setbacks and impacts of parking, loading and delivery; this retail center complies with all of these Policies of this Guideline for all of the reasons set forth above, including the evident Parkway buffer setback along Shelbyville Road, new landscaping along a stretch of South Beckley Station Road, and internal landscaping included in all parking areas; the Oaklawn senior living facility and Copperfield neighborhood are the uses that are especially affected, and they will be protected by the screening, buffering and landscaping already planted and also described on the plan and set forth hereinabove; and

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

WHEREAS, the Intents of this Guideline 6 are to insure the availability of necessary usable land to facilitate commercial development and to reduce public and private costs for land development; this proposed revised retail center plan complies with these Intents of this Guideline because much of this land was long ago rezoned to the C-1 zoning district and thereby set aside as an appropriate location for a neighborhood retail center; the balance of the overall site now proposed for rezoning is adjoined on two sides by Shelbyville Road (a major arterial) and South Beckley Station Road (a significant collector level road) and on the other two sides by the existing Oaklawn senior living facility; and this is a good location for a neighborhood retail center, because infrastructure already exists at the site and a significant support population resides nearby; and

WHEREAS, Policies 2 and 6 of this Guideline pertain to the provision of adequate access between employment and population centers and the appropriate place to locate activity centers; as stated, this proposed revised retail center plan complies with these Policies of this Guideline because there are multiple points of access, including off Shelbyville Road and off the internal Shelby Station Drive, and this already mostly C-1 zoned property was long ago designated an activity center when the initial commercial rezoning occurred; additionally, as stated, this is the easternmost location of retail that starts at the Snyder Freeway and travels east to Beckley Station Road to serve a significant residential population in this growing east Metro Louisville area; and

GUIDELINE 7 AND 8 – CIRCULATION AND TRANSPORTATION FACILITY DESIGN

WHEREAS, the Intents of Guidelines 7 and 8 are to provide for safe and proper functioning street networks; to insure that new developments do not exceed the carrying capacity of streets; to insure that internal and external circulation of all new developments provide safe and efficient travel movements by all types of transportation; to address congestion and air quality issues; to insure that transportation facilities are compatible with the form district; to provide for the safe and convenient accommodation of the special mobility requirements of the elderly and physically challenged; to protect Parkways and streetscapes; and to provide safe and efficient accommodations for transit, pedestrians and bicyclists; and

WHEREAS, this proposed revised retail center plan complies with the Intents of Guidelines 7 and 8 because the overall design of this center, and especially the new points of cross connection, have taken into account inputs from Metro Transportation Planning and the Kentucky Transportation Cabinet (KTC); BTM Engineering, the land planning, engineering and traffic consultant on this retail center, was previously engaged in traffic engineering studies in the Shelbyville Road corridor; BTM has consulted its own previous studies to assure that this proposed revised retail center plan, which will capture traffic already existing on the referenced street systems, does not exceed road capacities; also, as stated above, locating this retail center in close proximity to such a large support population will reduce commuter time and traffic-related air pollution; accommodations are made for the special mobility requirements of elderly and physically challenged populations; Shelbyville Road, a designated Parkway, has been respected in terms of setback and landscape design; and transit, bicyclists and pedestrians are accommodated with sidewalks, bike racks and the ability for transit to circulate in and out if it is ever made available in this area; and

WHEREAS, Policies 1 and 2 of Guideline 7 pertain to the traffic impacts of new development; not only has BTM Engineering served as traffic consultant for many projects, including for KTC with respect to traffic up and down the Shelbyville Road corridor and within the Snyder Freeway interchange, BTM has also looked at this overall project in relationship to the other traffic consulting work that it has done for the larger area; it previously performed specific trip generation and distribution numbers for this particular proposed center when the current approved development plan was approved; and this rezoning application was not docketed for LD&T review until Metro Transportation Planning had given it and the revised detailed district development plan its preliminary stamp of approval; and

WHEREAS, Policy 9 of Guideline 7 pertains to right of way, which the detailed district development plan shows was previously added to Beckley Station Road, and there also exists adequate right of way along Shelbyville Road; and

WHEREAS, Policies 10, 11, 12, 13, 14, 15 and 16 of Guideline 7 pertain to the adequacy of parking, various access issues, turning movements, and connectivity; and Metro Transportation Planning has reviewed this revised plan which received the preliminary stamp of approval prior to docketing for LD&T review, this assuring that what BTM Engineering has included on this revised plan complies with all Metro Transportation Planning design standards as well as these particular Policies of this Guideline; and

WHEREAS, Policy 6 pertains to Parkways and Shelbyville Road is a designated Parkway, and the setback and landscape requirements for Parkways have been satisfied; and

WHEREAS, Policies 8, 9, 10 and 11 of Guideline 8 all address many of the same Policies already mentioned in Guideline 7, notably stub access, site distances and internal circulation; the revised detailed district development plan filed with this application assures good connectivity to the Oaklawn senior living facility, better cross access from one retail use to the other and even safer internal access than originally approved, adequate site distances, again all in compliance with these Policies of this Guideline; and

GUIDELINE 9 - BICYCLE, PEDESTRIAN AND TRANSIT

WHEREAS, the Intents and Policies of Guideline 9 all pertain to the accommodation of alternative modes of transportation; and as required by the LDC, sidewalks and bike racks are provided on the development plan submitted with this application; and

GUIDELINES 10 - FLOODING AND STORMWATER

WHEREAS, the Intents and Policies of this Guideline 10 applicable to this proposed retail center pertain to stormwater management; the proposed revised retail center plan complies with these Intents and Policies because detention will be provided within an existing basin located within the Oaklawn assisted living facility; and drainage will move into newly designed storm pipes and catch basins included in parking lots of this site, which will accept drainage which then flows via the new storm pipe system to the existing Oaklawn detention basin before it outlets from the overall larger site into the larger drainage system; and

GUIDELINE 11 – WATER QUALITY

WHEREAS, the Intent and Policies of this Guideline 11 address the need to assure continued water quality; the Intents and Policies are addressed, as with all new projects, through construction plan review against MSD’s Soil Erosion and Sedimentation Control Guidelines; and construction on this site will comply with those requirements; and

GUIDELINE 12 – AIR QUALITY

WHEREAS, the Intents and Policies of this Guideline pertain, as respects a development of this kind, to minimizing the transportation related negative impacts on air quality; that is accomplished, as stated above, by way of reducing vehicle miles traveled and commuting times and distances; and by locating a retail activity center such as this next to existing retail centers and in close proximity to a burgeoning residential population, transportation-related air quality is not made worse; rather, if anything, it might be made better because people residing in the area will not need to travel through the congested Snyder Freeway Interchange for as many goods and services as they must currently travel through that interchange to access; and

GUIDELINE 13 – LANDSCAPE CHARACTER

WHEREAS, the Intents and Policies of this Guideline 13 are to assure that adequate landscaping is provided throughout new developments; the LDC includes tree canopy protection requirements and landscaping requirements for both perimeter landscape areas and internal parking lot landscape areas; LDC requirements relating to these things are fully shown on the revised detailed district development plan; and interior landscape areas (ILAs) are provided in excess of LDC requirements; and

GUIDELINES 14 AND 15 – INFRASTRUCTURE AND COMMUNITY FACILITIES

WHEREAS, the Intents and Policies of Guidelines 14 and 15 are to assure that road systems, utilities and other public infrastructure and facilities are adequate to serve a given land use proposal; adequate roads already serve this site; at time of the original development plan

approval, road improvements were required and subsequently made along Shelbyville and Beckley Station Roads; fire protection is available via the Eastwood Fire District and/or the Middletown Fire Department, as this site is located approximately equal distance of their fire stations on Shelbyville Road and at Urton Lane; new public schools have been built or expanded in this area and most notably, this area is especially served by an abundance of popular private schools: Christian Academy and St. Patrick Catholic parish school; and

* * *

WHEREAS, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books and on the approved detailed district development plan, this application also complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan;

NOW, THEREFORE, the Louisville Metro Planning Commission hereby approves the detailed district development plan and recommends to the Louisville Metro Council that it rezone the subject property from R-4 to C-1.