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

Applicant: Houchens Industries

Owner: JR Food Stores, Inc.

Location: 5501 Lovers Lane and 5502 Billtown Road

Proposed Use: Grocery, fuel pumps, hardware store & restaurant

Engineers, Land Planners and
Landscape Architects: Arnold Consulting Engineering Service, Inc.

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

SUMMARY STATEMENT

Houchens is the largest employee-owned company in the United States. It owns and operates various enterprises, and included among them are several hundred grocery stores. The grocery concept proposed for this location is a relatively new one in that it will contain a small grocery with product (including fresh produce and meats) at grocery, not convenience, store prices along with an Ace Hardware store and sit-down Subway with drive-thru. The store will be of an upscale design tailor-made for this particular neighborhood with fewer fuel pumps than at Houchens' first Crossroads IGA store in this market, which is at US 60 and Beckley Station Road.

The site is already mostly zoned C-1 with a small sliver requiring C-1 zoning as well. Without that small addition to the current C-1 zoning, the pre-"Plan Certain" site could be developed after a ministerial, not discretionary, review. And the only thing that would be lost would be the internal Ace Hardware component. The site is also surrounded by other C-1 and C-2 undeveloped pre-"Plan Certain" properties. It is also the subject of a partial KTC acquisition for the Billtown Road widening, which includes a redesigned intersection of Lovers Lane and Billtown Road to provide for better turning movements and improved safety.

GUIDELINE 1 – COMMUNITY FORM

The application complies with the Suburban Neighborhood Form District description of an area characterized by *predominantly* residential uses but that also includes, at appropriate locations, a mixture of uses, such as offices, retail shops, restaurants and services so long as these uses are at a scale appropriate for the nearby neighborhoods.

GUIDELINE 2 – CENTERS

The application complies with the Intents and applicable Policies 1, 2, 3, 4, 5, 7, 8, 9, 11, 13, 14 and 15 of this Guideline as follows.

The land is already mostly zoned commercial as explained above and has utilities located nearby. It also is located where a small retail center can be developed in close proximity to residential communities, thus reducing commuting time and transportation-related air pollution. With the diversity of goods and services in close proximity to residential housing, including a patio home community almost directly across Lovers Lane, this small grocery-anchored center adds to the vitality and sense of place among the mostly disconnected nearby neighborhoods, some of whose residents will be able to walk to this grocery.

As an “activity center”, it is appropriately located at the intersection of a collector and arterial street and is designed to be of intensity, density, size and mix of uses appropriate for a small neighborhood center. Everything within this small center is compact, and it includes four uses: a grocery, a hardware store, a small restaurant and a fuel station. They share parking and work off the same utility infrastructure.

GUIDELINE 3 – COMPATIBILITY

The application complies with the Intents and applicable Policies 1, 2, 4, 5, 6, 7, 8, 9, 12, 20, 21, 22, 23, 24 and 28 of this Guideline as follows.

As set forth above, this is a small neighborhood serving retail center. It will have the look and feel of the store already built at US 60 and Beckley Station Road. Elevation renderings are included in the neighborhood meeting PowerPoint presentation accompanying this application. Odors will be contained within the building, especially given that the type restaurant will be a Subway. Noise will not be a late evening/over night factor given that the store will be closed during those hours. Lighting will follow restrictions of the Land Development Code (LDC) and thus be directed down and away from nearby residential properties, with 90 degree cut-off at property lines. Transitions to adjoining properties on the south and west sides are to other already-zoned commercial properties. However, landscaping, screening and buffering will be enhanced on all sides beyond LDC requirements, as promised neighbors at the neighborhood meeting. Parking will be shared. Loading and delivery will be located and/or screened so as to minimize impacts on any nearby residentially occupied properties. Signage will be in conformance with the LDC.

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

The application complies with the Intents and applicable Policies 2, 3, 5, 6 and 11 of this Guideline as follows.

As set forth above, this property, like those to the south and west of it, are already commercially zoned as pre-“Plan Certain” sites. Because of the small sliver of this site that requires rezoning, that puts this review into the discretionary category and, as a consequence thereof, essentially mandates that this applicant “up its game”, so to speak. That means that it will be a high quality, neighborhood compatible activity center designed. It is located close to fairly intense residential

populations the length of Billtown Road from Jeffersontown to the Snyder Freeway and along collector-level streets connecting with Billtown Road, such as Lovers Lane and Fairground Road. Absent this rezoning application, this already mostly commercially zoned site could be developed and reused without virtually any public review and opportunity to be heard.

**GUIDELINE 7 AND 8 – CIRCULATION AND TRANSPORTATION FACILITY
DESIGN**

The application complies with the Intents and applicable Policies 1, 2, 4, 6, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Guideline 7 and Policies 1, 4, 5, 7, 9, 10 and 11 of Guideline 8 as follows.

As mentioned above, Billtown Road is slated for near-term reconstruction to add a center turn lane. This will move traffic much more efficiently along this very busy, peak-hour heavy arterial roadway. That is because what slows traffic and creates congestion are left-hand turns, not from the center turn lane. Also, the intersections of Billtown Road and Lovers Lane is expected to be a signalized one after Lovers Lane is straightened out utilizing land acquired from this property owner. Furthermore, the design of this small center, together with its points of access, take into account the standards promulgated by KTC and Metro Transportation Planning and Public Works. The latter will be required to review the detailed district development plan (DDDP) submitted with this application prior to time of LD&T and Planning Commission public reviews, or this application will not be publicly heard. That review and preliminary stamp of approval will assure that Transportation Planning and Public Works standards for corner clearances, access, connectivity, internal circulation and parking minimums are all satisfied. Additional right-of-way is under contract to purchase by KTC for purposes of the Lovers Lane/ Billtown Road intersections improvements.

GUIDELINE 9 - BICYCLE, PEDESTRIAN AND TRANSIT

The application complies with the Intents and applicable Policies 1, 2, 3 and 4 of this Guideline as follows.

Bike racks and sidewalks will be provided as required.

GUIDELINES 10 - FLOODING AND STORMWATER

The application complies with the Intents and applicable Policies 1, 3, 4, 6, 7, 10 and 11 of this Guideline as follows.

A detention basin is shown on the DDDP, in compliance with MSD's standards for storm water management. Accordingly, post-development rates of runoff will not exceed pre-development conditions. MSD will be required to review the storm water management plan and give its preliminary stamp of approval to the DDDP prior to docketing for LD&T and Planning Commission public reviews.

GUIDELINE 11 – WATER QUALITY

The application complies with the Intents and applicable Policies 3, 5 and 8 of this Guideline as follows.

MSD has promulgated both soil erosion/sedimentation control regulations and even newer ones with respect to water quality. Construction plans for this center will require compliance with these regulations prior to obtaining building permits.

GUIDELINE 12 – AIR QUALITY

The application complies with the Intents and applicable Policies 2, 4, 7 and 8 of this Guideline as follows.

By locating this small neighborhood center in close proximity to a large residential support population, notably along an already busy arterial road at its intersection with a busy collector level road, not only will vehicle miles traveled be reduced, but also customers already driving these road systems will be able to pop in and pop out of this center without having to travel greater distances for the exact same services.

GUIDELINE 13 – LANDSCAPE CHARACTER

The application complies with the Intents and applicable Policies 1, 2, 4, 5 and 6 of this Guideline as follows.

Compliance with this Guideline is achieved by virtue of compliance with LDC requirements. But as stated above, landscaping, screening and buffering will exceed LDC requirements, as promised neighbors at the neighborhood meeting.

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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,

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