

**Planning Commission
Staff Report**
August 2, 2018



| | |
|--------------------------|---|
| Case No: | 18ZONE1027 |
| Project Name: | CDRJ of Louisville |
| Location: | 5315 Dixie Highway |
| Owner: | TT of C Louisville, Inc. |
| Applicant: | CDRJ of Louisville |
| Representative: | Duncan, Galloway, Egan, Greenwald, PLLC |
| Jurisdiction: | Louisville Metro |
| Council District: | 12 – Rick Blackwell |
| Case Manager: | Joel Dock, Planner II |

REQUEST(S)

- **Change in zoning** from C-1 to C-2, Commercial
- **Detailed District Development Plan**

CASE SUMMARY

An expansion of an existing automobile dealership along Dixie Highway, South of Interstate-264 and one-quarter mile North of Lower Hunters Trace is proposed. Improvements include the removal of exiting portions of current structure and the installation and improvement to parking and vehicle sales/display area. The remaining portions of existing structure will be converted to a detailing area.

STAFF FINDINGS

The proposal is in conformance with the guidelines and policies of Cornerstone 2020 and generally conforms to the Dixie Highway Corridor Master Plan. The proposal is consistent with existing development along Dixie Hwy in this area, which consists largely of auto sales and is located within the boundaries of the existing form district. Landscape elements will be provided to soften a hard wall surface along the corridor and sidewalks are being extended across curbs-cuts to be closed.

TECHNICAL REVIEW

Dixie Highway Corridor Master Plan (Central): The land uses along Dixie Highway Central from Greenwood Road to I-264 are primarily larger retail, service or commercial uses (see Figure 3-2). The larger commercial developments include Dixie Manor, Home Depot, Lowes, Walmart, Kroger, Sears Essentials, Shively Shopping Center and multiple car dealerships. Public or semi-public uses located along or near this segment of Dixie Highway include the Louisville Metro Southwest Government Center, Jewish Medical Complex, Holy Cross School, Spencerian College, a cemetery and multiple churches. There are some vacancies in buildings and one large store vacancy. In addition, there is a vacant, undeveloped parcel near I-264 that is adjacent to the P&L rail line. Most development is suburban in nature with buildings placed further from the roadway with large parking lots in front of the stores. Very few areas are built closer to the roadway or have out-parcel development. Finally, lot sizes are significantly smaller north of Lewiston Place which could limit future development without parcel consolidation.

The following design guidelines may be directly related to the proposed project and should be considered in the development of the subject site:

- Structure main entrances should face the corridor
- Sight lines of façade heights as seen from the adjacent sidewalk should be generally consistent with adjacent buildings.
- Exterior building materials should be compatible with materials used along the corridor.
- Development should include maintainable, year-round landscaping, street trees, or planter boxes along the street frontage
- Combining parking lots to create shared parking should be encouraged.
- Parking adjacent to the street or public sidewalk should use landscaping, trees, etc. to maintain the line formed by structures along the sidewalk.
- Parking lot landscaping such as shade trees and screens that buffer vehicles should be encouraged.
- Developments should be designed to support potential future intensification of the site and surrounding uses. Techniques that should be incorporated into the design guidelines include:
 - Siting parking lots and building pads in a block layout that will support a future grid street pattern;
 - Laying utilities in a planned manner that will allow for a variety of uses and higher densities in the future; and
 - Creating easements that could be used for future streets depending upon future development needs.
- Developments should provide pedestrian circulation within site and provide a connection to sidewalks adjacent to the street

Landscaping has been proposed along the façade of the building which faces Dixie Highway in order to provide an aesthetic landscaped barrier between the accessory use and the public way.

MSD and Transportation Planning Review have preliminarily approved the plan.

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR REZONING

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Suburban Marketplace Corridor Form District

Suburban Marketplace Corridors: Suburban Marketplace Corridors are generally located along major roadways with well-defined beginning and ending points and established depths along the length of the corridor. The pattern of development is distinguished by a mixture of medium to high intensity uses. Accommodations for transit users, bicyclists and pedestrians are encouraged in an effort to attract a variety of users as well as to minimize automobile dependency and traffic congestion. Connectivity to nearby uses should be encouraged. Developers should be encouraged to design new commercial development in compact groups of buildings, which use the same curb cut, share parking, have a common freestanding sign identifying the uses and have a common buffering or streetscape plan with respect to any abutting uses of lower density or intensity. This form may include medium to high-density residential uses that are designed to be compatible with both the non-residential uses along the corridor and the lower density

residential uses in adjacent form districts. Medium density residential uses may serve as a transition area from lower to higher density residential uses and should be encouraged in this form. Proposed new commercial uses are encouraged, to locate within the boundaries of existing corridors. Reuse of locations within existing corridors is preferred over expansion of a corridor. Proposals to expand defined corridors represent significant policy decisions. When considering proposals that result in an extension of suburban marketplace corridors, particular emphasis should be placed on: (a) use or reuse of land within existing corridors; (b) potential for disruption of established residential neighborhoods; and (c) compliance with the site and community design standards of the Land Development Code.

The proposal is consistent with existing development along Dixie Hwy in this area, which consists largely of auto sales. Other commercial uses include restaurants, retail and financial institutions. It is located within the boundaries of the existing form district. The proposal does not create a new center and provides for an expansion of an existing use. Buildings will be repurposed for the proposed accessory use to the adjoining auto dealership and cross connectivity is provided. Landscape elements will be provided to soften a hard wall surface along the corridor. The proposal will contribute its proportional share of the cost of roadway improvements and other services while promoting the movement of pedestrians along the corridor as sidewalks are being extended across closed curbs.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: The applicant will be repurposing an existing structure and providing landscape elements to soften the wall surface along the corridor.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community as existing curb cuts will be removed and sidewalks returned in their place.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: Open space is not a required for the proposed development.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area as the proposal is consistent with existing development along Dixie Hwy in this area, which consists largely of auto sales. Other commercial uses include restaurants, retail and financial institutions. It is located within the boundaries of the existing form district

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan as demonstrated in *Attachment 3* of the staff report.

REQUIRED ACTION(S)

- **RECOMMEND** to the Louisville Metro Council that the Change-in- zoning from C-1 to C-2, Commercial on property described in the attached legal description be **APPROVED** or **DENIED**
- **APPROVE** or **DENY** the **Detailed District Development Plan**

NOTIFICATION

| Date | Purpose of Notice | Recipients |
|-------------|--------------------------|--|
| 6/22/18 | Hearing before LD&T | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 12 Notification of Development Proposals |
| 7/13/18 | Hearing before PC | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 12 Notification of Development Proposals |
| 7/17/18 | Hearing before PC | Sign Posting on property |
| | Hearing before PC | Legal Advertisement in the Courier-Journal |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Analysis
3. Proposed Binding Elements

1. **Zoning Map**



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

Suburban Marketplace Corridor: Non-Residential

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|---|---|---|---------------|---|
| 1 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal integrates into the existing pattern of development, which includes a mixture of medium- to high-density uses. | ✓ | The proposal is consistent with existing development along Dixie Hwy in this area, which consists largely of auto sales. Other commercial uses include restaurants, retail and financial institutions. |
| 2 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal provides accommodations for transit users, pedestrians and bicyclists and provides connectivity to adjacent developments. | ✓ | The proposal provides accommodations for transit users, pedestrians and bicyclists and provides connectivity to adjacent developments as existing curbs are to be filled and sidewalks extended across. The use is accessory to a larger development and does not necessitate a demand for pedestrian connectivity. |
| 3 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal includes a compact group of buildings using the same curb cut, parking and signs, and that have a common buffering or streetscape plan with respect to any abutting lower density or intensity uses. | ✓ | The proposal includes a compact group of buildings using the same curb cut, parking and signs, and that have a common buffering or streetscape plan with respect to any abutting lower density or intensity uses as existing curbs are to be filled and sidewalks extended across. |
| 4 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal is of a medium to high density designed to be compatible with both non-residential development in the corridor and adjacent low density residential development in other form districts. | ✓ | The use is compatible with those along the corridor and is an expansion to an established use. |
| 5 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal is located within the boundaries of the existing form district, and if the proposal is to expand an existing corridor, the justification for doing so addresses the use or reuse of land within the existing corridor, the potential for disruption of established residential neighborhoods, and compliance with the site and community design standards of the Land Development Code. | ✓ | The proposal is located within the boundaries of the existing form district. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|--|---------------|--|
| 6 | Community Form/Land Use Guideline 2: Centers | A.1/7: The proposal, which will create a new center, is located in the Suburban Marketplace Corridor Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use. | ✓ | The proposal does not create a new center and provides for an expansion of an existing use. Buildings will be repurposed. |
| 7 | Community Form/Land Use Guideline 2: Centers | A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it. | ✓ | The Dixie Hwy corridor is surrounded by residential development and has good accessibility from other parts of the city. |
| 8 | Community Form/Land Use Guideline 2: Centers | A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment. | ✓ | The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment. |
| 9 | Community Form/Land Use Guideline 2: Centers | A.5: The proposed center includes a mix of compatible land uses that will reduce trips, support the use of alternative forms of transportation and encourage vitality and sense of place. | ✓ | The proposal does not create a new center and provides for an expansion of an existing use. Existing curbs are to be filled and sidewalks extended across. |
| 10 | Community Form/Land Use Guideline 2: Centers | A.6: The proposal incorporates residential and office uses above retail and/or includes other mixed-use, multi-story retail buildings. | ✓ | The proposal expands an existing dealership in an area with compatible uses |
| 11 | Community Form/Land Use Guideline 2: Centers | A.12: If the proposal is a large development in a center, it is designed to be compact and multi-purpose, and is oriented around a central feature such as a public square or plaza or landscape element. | ✓ | The proposal expands an existing dealership in an area with compatible uses |
| 12 | Community Form/Land Use Guideline 2: Centers | A.13/15: The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns. | ✓ | The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns. Cross connectivity will be provided an curb cuts on Dixie Hwy will be repaired and replaced with sidewalks. |
| 13 | Community Form/Land Use Guideline 2: Centers | A.14: The proposal is designed to share utility hookups and service entrances with adjacent developments, and utility lines are placed underground in common easements. | ✓ | Utilities would appear to be available based on existing conditions. |
| 14 | Community Form/Land Use Guideline 2: Centers | A.16: The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities. | ✓ | The proposed use is accessory to a larger auto dealership and does not necessitate additional pedestrian connections. Sidewalks along Dixie Highway are being improved to provide access across the site. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|---|---------------|---|
| 15 | Community Form/Land Use Guideline 3: Compatibility | A.2: The proposed building materials increase the new development's compatibility. | ✓ | Land scape elements will be provided to soften a hard wall surface along the corridor. |
| 16 | Community Form/Land Use Guideline 3: Compatibility | A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated. | ✓ | The proposal does not constitute a non-residential expansion into an existing residential area |
| 17 | Community Form/Land Use Guideline 3: Compatibility | A.5: The proposal mitigates any potential odor or emissions associated with the development. | ✓ | The proposal mitigates any potential odor or emissions associated with the development as the site will be used for repair and detail, as well as auto display. |
| 18 | Community Form/Land Use Guideline 3: Compatibility | A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities. | ✓ | The proposal will have shared and crossover access. |
| 19 | Community Form/Land Use Guideline 3: Compatibility | A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky. | ✓ | Lighting will be in compliance with LDC 4.1.3 |
| 20 | Community Form/Land Use Guideline 3: Compatibility | A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center. | ✓ | Dixie Hwy is a major arterial with transit access and a well-developed commercial corridor. |
| 21 | Community Form/Land Use Guideline 3: Compatibility | A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements. | ✓ | Adjoining uses are similar in scale |
| 22 | Community Form/Land Use Guideline 3: Compatibility | A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments. | ✓ | Adjoining development is compatible |
| 23 | Community Form/Land Use Guideline 3: Compatibility | A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards. | ✓ | Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|--|---------------|--|
| 24 | Community Form/Land Use Guideline 3: Compatibility | A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians. | ✓ | The proposed plan and district does not impact residential areas. |
| 25 | Community Form/Land Use Guideline 3: Compatibility | A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street. | ✓ | Land scape elements will be provided to soften a hard wall surface along the corridor. |
| 26 | Community Form/Land Use Guideline 3: Compatibility | A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance. | NA | There is not proposed parking garage. |
| 27 | Community Form/Land Use Guideline 3: Compatibility | A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings. | ✓ | Signage will be complaint with Ch.8. |
| 28 | Community Form/Land Use Guideline 4: Open Space | A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space. | NA | There is no open space requirement with this proposal. |
| 29 | Community Form/Land Use Guideline 4: Open Space | A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District. | NA | There is no open space requirement with this proposal. |
| 30 | Community Form/Land Use Guideline 4: Open Space | A.5: The proposal integrates natural features into the pattern of development. | ✓ | There are no natural features on-site |
| 31 | Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources | A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems. | ✓ | There are no natural features on-site |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|--|---------------|---|
| 32 | Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources | A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement. | ✓ | The proposal includes the adaptive reuse of buildings |
| 33 | Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources | A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion. | ✓ | MSD has approved preliminary plans |
| 34 | Marketplace Guideline 6: Economic Growth and Sustainability | A.3: Encourage redevelopment, reinvestment and rehabilitation in the downtown where it is consistent with the form district pattern. | NA | The proposal is not located downtown. |
| 35 | Marketplace Guideline 6: Economic Growth and Sustainability | A.4: Encourage industries to locate in industrial subdivisions or adjacent to existing industry to take advantage of special infrastructure needs. | NA | This proposal is not industrial. |
| 36 | Marketplace Guideline 6: Economic Growth and Sustainability | A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas. | ✓ | Dixie Hwy, a major arterial, is a high traffic commercial corridor |
| 37 | Marketplace Guideline 6: Economic Growth and Sustainability | A.8: Require industrial development with more than 100 employees to locate on or near an arterial street, preferably in close proximity to an expressway interchange. Require industrial development with less than 100 employees to locate on or near an arterial street. | NA | This proposal is not industrial. |
| 38 | Mobility/Transportation Guideline 7: Circulation | A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means. | ✓ | The proposal will contribute its proportional share of the cost of roadway improvements and other services as sidewalks are being extended across closed curbs. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|---|--|---------------|---|
| 39 | Mobility/Transportation Guideline 7: Circulation | A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation. | ✓ | The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation as sidewalks are being extended across closed curbs. |
| 40 | Mobility/Transportation Guideline 7: Circulation | A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads. | ✓ | The proposal's transportation facilities are compatible with and support access to surrounding land uses as cross connectivity is provided. |
| 41 | Mobility/Transportation Guideline 7: Circulation | A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development. | ✓ | No additional right of way has been requested. |
| 42 | Mobility/Transportation Guideline 7: Circulation | A.10: The proposal includes adequate parking spaces to support the use. | ✓ | Parking is adequate. |
| 43 | Mobility/Transportation Guideline 7: Circulation | A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites. | ✓ | Cross access to adjacent sites is adequate. |
| 44 | Mobility/Transportation Guideline 8: Transportation Facility Design | A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land. | NA | This proposal is located on an existing roadway network and is not creating any new roadways. |
| 45 | Mobility/Transportation Guideline 8: Transportation Facility Design | A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance. | ✓ | Access is from existing commercial. |
| 46 | Mobility/Transportation Guideline 8: Transportation Facility Design | A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site. | ✓ | This proposal is located on an existing roadway network that is sufficient. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|---|---------------|---|
| 47 | Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit | A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity. | ✓ | The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development as sidewalks are being extended across closed curbs. |
| 48 | Livability/Environment Guideline 10: Flooding and Stormwater | The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue-line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices. | ✓ | The proposal's drainage plans have been approved by MSD |
| 49 | Livability/Environment Guideline 12: Air Quality | The proposal has been reviewed by APCD and found to not have a negative impact on air quality. | ✓ | The proposal has been reviewed by APCD and found to not have a negative impact on air quality. |
| 50 | Livability/Environment Guideline 13: Landscape Character | A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration. | NA | This area is highly developed and there are no existing natural corridors. |
| 51 | Community Facilities Guideline 14: Infrastructure | A.2: The proposal is located in an area served by existing utilities or planned for utilities. | ✓ | This area is fully developed and has adequate existing infrastructure for the proposal. |
| 52 | Community Facilities Guideline 14: Infrastructure | A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes. | ✓ | The proposal has access to an adequate supply of potable water and water for fire-fighting purposes. |
| 53 | Community Facilities Guideline 14: Infrastructure | A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams. | ✓ | The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams. |

4. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways
 - c. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services.
5. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

**Land Development & Transportation
Staff Report**
July 12, 2018



| | |
|--------------------------|---|
| Case No: | 18ZONE1027 |
| Project Name: | CDRJ of Louisville |
| Location: | 5315 Dixie Highway |
| Owner: | TT of C Louisville, Inc. |
| Applicant: | CDRJ of Louisville |
| Representative: | Duncan, Galloway, Egan, Greenwald, PLLC |
| Jurisdiction: | Louisville Metro |
| Council District: | 12 – Rick Blackwell |
| Case Manager: | Joel Dock, Planner II |

REQUEST(S)

- **Change in zoning** from C-1 to C-2, Commercial
- **Detailed District Development Plan**

CASE SUMMARY

An expansion of an existing automobile dealership along Dixie Highway, South of Interstate-264 and one-quarter mile North of Lower Hunters Trace is proposed. Improvements include the removal of exiting portions of current structure and the installation and improvement to parking and vehicle sales/display area. The remaining portions of existing structure will be converted to a detailing area.

STAFF FINDINGS

The request is in order and ready to be scheduled for the next available public hearing before the Planning Commission.

TECHNICAL REVIEW

Dixie Highway Corridor Master Plan (Central): The land uses along Dixie Highway Central from Greenwood Road to I-264 are primarily larger retail, service or commercial uses (see Figure 3-2). The larger commercial developments include Dixie Manor, Home Depot, Lowes, Walmart, Kroger, Sears Essentials, Shively Shopping Center and multiple car dealerships. Public or semi-public uses located along or near this segment of Dixie Highway include the Louisville Metro Southwest Government Center, Jewish Medical Complex, Holy Cross School, Spencerian College, a cemetery and multiple churches. There are some vacancies in buildings and one large store vacancy. In addition, there is a vacant, undeveloped parcel near I-264 that is adjacent to the P&L rail line. Most development is suburban in nature with buildings placed further from the roadway with large parking lots in front of the stores. Very few areas are built closer to the roadway or have out-parcel development. Finally, lot sizes are significantly smaller north of Lewiston Place which could limit future development without parcel consolidation.

The following design guidelines may be directly related to the proposed project and should be considered in the development of the subject site:

- Structure main entrances should face the corridor

- Sight lines of façade heights as seen from the adjacent sidewalk should be generally consistent with adjacent buildings.
- Exterior building materials should be compatible with materials used along the corridor.
- Development should include maintainable, year-round landscaping, street trees, or planter boxes along the street frontage
- Combining parking lots to create shared parking should be encouraged.
- Parking adjacent to the street or public sidewalk should use landscaping, trees, etc. to maintain the line formed by structures along the sidewalk.
- Parking lot landscaping such as shade trees and screens that buffer vehicles should be encouraged.
- Developments should be designed to support potential future intensification of the site and surrounding uses. Techniques that should be incorporated into the design guidelines include:
 - Siting parking lots and building pads in a block layout that will support a future grid street pattern;
 - Laying utilities in a planned manner that will allow for a variety of uses and higher densities in the future; and
 - Creating easements that could be used for future streets depending upon future development needs.
- Developments should provide pedestrian circulation within site and provide a connection to sidewalks adjacent to the street

Landscaping has been proposed along the façade of the building which faces Dixie Highway in order to provide an aesthetic landscaped barrier between the accessory use and the public way.

MSD and Transportation Planning Review have preliminarily approved the plan.

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

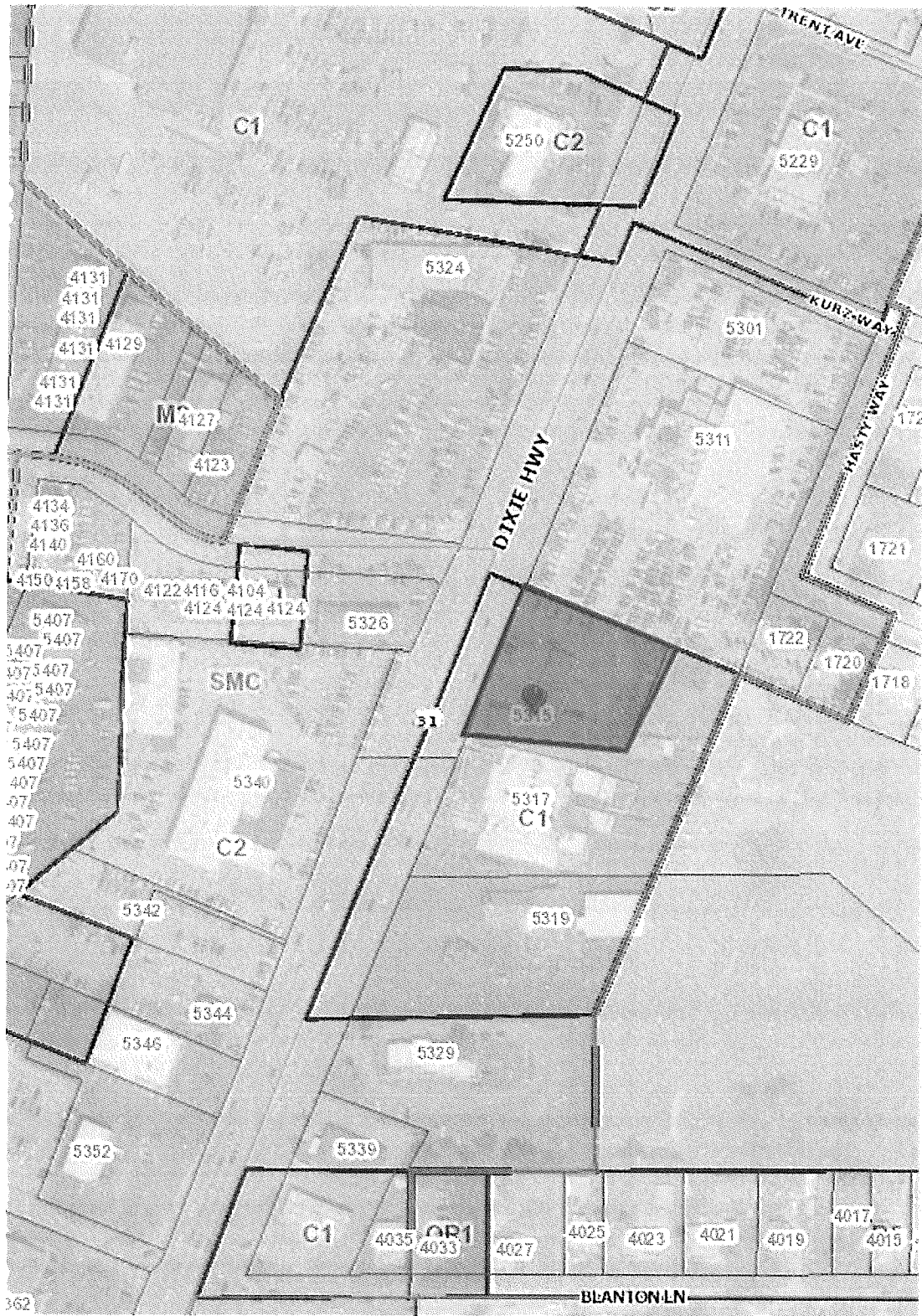
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|------|---------------------|--|
| | Hearing before LD&T | 1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 12 Notification of Development Proposals |
| | Hearing before PC | 1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 12 Notification of Development Proposals |
| | Hearing before PC | Sign Posting on property |
| | Hearing before PC | Legal Advertisement in the Courier-Journal |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. **Zoning Map**



2. Aerial Photograph



3. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways
 - c. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services.
5. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

Pre-Application Staff Report



| | |
|--------------------------|---|
| Case No: | 18ZONE1027 |
| Project Name: | CDRJ of Louisville |
| Location: | 5315 Dixie Highway |
| Owner: | TT of C Louisville, Inc. |
| Applicant: | CDRJ of Louisville |
| Representative: | Duncan, Galloway, Egan, Greenwald, PLLC |
| Jurisdiction: | Louisville Metro |
| Council District: | 12 – Rick Blackwell |
| Case Manager: | Joel Dock, Planner II |

REQUEST

- Change in zoning from C-1 to C-2, Commercial
- Detailed District Development Plan

CASE SUMMARY/BACKGROUND

An expansion of an existing automobile dealership along Dixie Highway, South of Interstate-264 and one-quarter mile North of Lower Hunters Trace is proposed. Improvements include the removal of exiting portions of current structure and the installation and improvement to parking and vehicle sales/display area. These portions of structure will be converted to a detailing area.

STAFF FINDINGS

A neighborhood meeting shall be held no more than 90-days prior to formal application.

TECHNICAL REVIEW

Dixie Highway Corridor Master Plan (Central): The land uses along Dixie Highway Central from Greenwood Road to I-264 are primarily larger retail, service or commercial uses (see Figure 3-2). The larger commercial developments include Dixie Manor, Home Depot, Lowes, Walmart, Kroger, Sears Essentials, Shively Shopping Center and multiple car dealerships. Public or semi-public uses located along or near this segment of Dixie Highway include the Louisville Metro Southwest Government Center, Jewish Medical Complex, Holy Cross School, Spencerian College, a cemetery and multiple churches. There are some vacancies in buildings and one large store vacancy. In addition, there is a vacant, undeveloped parcel near I-264 that is adjacent to the P&L rail line. Most development is suburban in nature with buildings placed further from the roadway with large parking lots in front of the stores. Very few areas are built closer to the roadway or have out-parcel development. Finally, lot sizes are significantly smaller north of Lewiston Place which could limit future development without parcel consolidation.

The following design guidelines may be directly related to the proposed project and should be considered in the development of the subject site:

- Structure main entrances should face the corridor

- Sight lines of façade heights as seen from the adjacent sidewalk should be generally consistent with adjacent buildings.
- Exterior building materials should be compatible with materials used along the corridor.
- Development should include maintainable, year-round landscaping, street trees, or planter boxes along the street frontage
- Combining parking lots to create shared parking should be encouraged.
- Parking adjacent to the street or public sidewalk should use landscaping, trees, etc. to maintain the line formed by structures along the sidewalk.
- Parking lot landscaping such as shade trees and screens that buffer vehicles should be encouraged.
- Developments should be designed to support potential future intensification of the site and surrounding uses. Techniques that should be incorporated into the design guidelines include:
 - Siting parking lots and building pads in a block layout that will support a future grid street pattern;
 - Laying utilities in a planned manner that will allow for a variety of uses and higher densities in the future; and
 - Creating easements that could be used for future streets depending upon future development needs.
- Developments should provide pedestrian circulation within site and provide a connection to sidewalks adjacent to the street

Staff might encourage salvaging or incorporating the front of the building nearest Dixie Highway into the project to maintain existing street presence with windows and entrances facing the public right-of-way and removal of pavement and replacement with landscaping between the front of the building and the public sidewalk.

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR REZONING

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Suburban Marketplace Corridor Form District

Suburban Marketplace Corridors: Suburban Marketplace Corridors are generally located along major roadways with well-defined beginning and ending points and established depths along the length of the corridor. The pattern of development is distinguished by a mixture of medium to high intensity uses. Accommodations for transit users, bicyclists and pedestrians are encouraged in an effort to attract a variety of users as well as to minimize automobile dependency and traffic congestion. Connectivity to nearby uses should be encouraged. Developers should be encouraged to design new commercial development in compact groups of buildings, which use the same curb cut, share parking, have a common freestanding sign identifying the uses and have a common buffering or streetscape plan with respect to any abutting uses of lower density or intensity. This form may include medium to high-density residential uses that are designed to be compatible with both the non-residential uses along the corridor and the lower density residential uses in adjacent form districts. Medium density residential uses may serve as a transition area from lower to higher density residential uses and should be encouraged in this form.

Proposed new commercial uses are encouraged, to locate within the boundaries of existing corridors. Reuse of locations within existing corridors is preferred over expansion of a corridor. Proposals to expand defined corridors represent significant policy decisions. When considering proposals that result in an extension of suburban marketplace corridors, particular emphasis should be placed on: (a) use or reuse of land within existing corridors; (b) potential for disruption of established residential neighborhoods; and (c) compliance with the site and community design standards of the Land Development Code.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

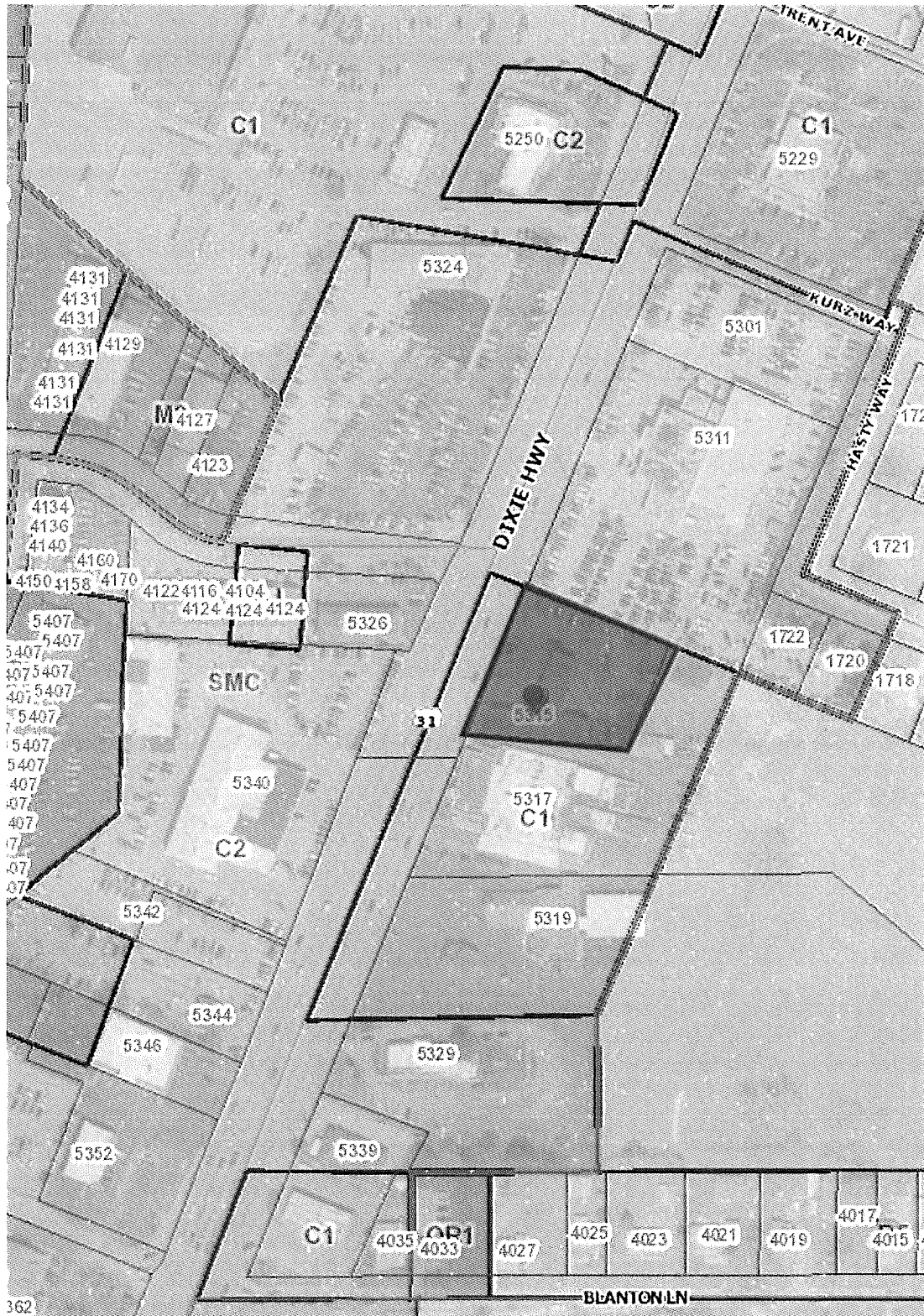
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|------|---------------------|--|
| | Hearing before LD&T | 1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 12 Notification of Development Proposals |
| | Hearing before PC | 1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 12 Notification of Development Proposals |
| | Hearing before PC | Sign Posting on property |
| | Hearing before PC | Legal Advertisement in the Courier-Journal |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

Suburban Marketplace Corridor: Non-Residential

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|---|---|---|---------------|--|
| 1 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal integrates into the existing pattern of development, which includes a mixture of medium- to high-density uses. | ✓ | The proposal is consistent with existing development along Dixie Hwy in this area, which consists largely of auto sales. Other commercial uses include restaurants, retail and financial institutions. |
| 2 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal provides accommodations for transit users, pedestrians and bicyclists and provides connectivity to adjacent developments. | +/- | There are existing sidewalks along the site frontage but no proposed pedestrian connections. This proposal is located near a high frequency transit corridor. The Dixie Hwy plan calls for pedestrian facilities especially where transit stops are located. |
| 3 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal includes a compact group of buildings using the same curb cut, parking and signs, and that have a common buffering or streetscape plan with respect to any abutting lower density or intensity uses. | ✓ | Curb-cuts will be removed to limit the amount of access points. |
| 4 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal is of a medium to high density designed to be compatible with both non-residential development in the corridor and adjacent low density residential development in other form districts. | ✓ | The use is compatible with those along the corridor and is an expansion to an established use. |
| 5 | Community Form/Land Use Guideline 1: Community Form | B.8: The proposal is located within the boundaries of the existing form district, and if the proposal is to expand an existing corridor, the justification for doing so addresses the use or reuse of land within the existing corridor, the potential for disruption of established residential neighborhoods, and compliance with the site and community design standards of the Land Development Code. | ✓ | The proposal is located within the boundaries of the existing form district. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|--|---------------|--|
| 6 | Community Form/Land Use Guideline 2: Centers | A.1/7: The proposal, which will create a new center, is located in the Suburban Marketplace Corridor Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guideline s references in the technical review of this staff report. |
| 7 | Community Form/Land Use Guideline 2: Centers | A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it. | ✓ | The Dixie Hwy corridor is surrounded by residential development and has good accessibility from other parts of the city. |
| 8 | Community Form/Land Use Guideline 2: Centers | A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment. | +/- | The proposal is for an expansion of surface parking, |
| 9 | Community Form/Land Use Guideline 2: Centers | A.5: The proposed center includes a mix of compatible land uses that will reduce trips, support the use of alternative forms of transportation and encourage vitality and sense of place. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guideline s references in the technical review of this staff report. |
| 10 | Community Form/Land Use Guideline 2: Centers | A.6: The proposal incorporates residential and office uses above retail and/or includes other mixed-use, multi-story retail buildings. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guideline s references in the technical review of this staff report. |
| 11 | Community Form/Land Use Guideline 2: Centers | A.12: If the proposal is a large development in a center, it is designed to be compact and multi-purpose, and is oriented around a central feature such as a public square or plaza or landscape element. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guideline s references in the technical review of this staff report. |
| 12 | Community Form/Land Use Guideline 2: Centers | A.13/15: The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guideline s references in the technical review of this staff report. |
| 13 | Community Form/Land Use Guideline 2: Centers | A.14: The proposal is designed to share utility hookups and service entrances with adjacent developments, and utility lines are placed underground in common easements. | +/- | The plan is being reviewed for utility plans. |
| 14 | Community Form/Land Use Guideline 2: Centers | A.16: The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guideline s references in the technical review of this staff report. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|---|---------------|---|
| 15 | Community Form/Land Use Guideline 3: Compatibility | A.2: The proposed building materials increase the new development's compatibility. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guidelines references in the technical review of this staff report. |
| 16 | Community Form/Land Use Guideline 3: Compatibility | A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated. | ✓ | The proposal does not constitute a non-residential expansion into an existing residential area |
| 17 | Community Form/Land Use Guideline 3: Compatibility | A.5: The proposal mitigates any potential odor or emissions associated with the development. | +/- | Odor and emissions may be increased as a result of the proposal. |
| 18 | Community Form/Land Use Guideline 3: Compatibility | A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities. | ✓ | The proposal will have shared and crossover access. |
| 19 | Community Form/Land Use Guideline 3: Compatibility | A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky. | +/- | The plan needs to indicate that all lighting will be directed in such a way as to not cause a nuisance and will be in compliance with LDC standards. |
| 20 | Community Form/Land Use Guideline 3: Compatibility | A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center. | ✓ | Dixie Hwy is a major arterial with transit access and a well-developed commercial corridor. |
| 21 | Community Form/Land Use Guideline 3: Compatibility | A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements. | ✓ | Adjoining uses are similar in scale |
| 22 | Community Form/Land Use Guideline 3: Compatibility | A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments. | ✓ | Adjoining development is compatible |
| 23 | Community Form/Land Use Guideline 3: Compatibility | A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards. | ✓ | Setbacks appear to be compatible |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|--|---------------|---|
| 24 | Community Form/Land Use Guideline 3: Compatibility | A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guidelines references in the technical review of this staff report. |
| 25 | Community Form/Land Use Guideline 3: Compatibility | A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street. | +/- | The proposal is located along an activity corridor and includes the removal of existing structures. Care should be taken to conform to the Dixie Highway Plan guidelines references in the technical review of this staff report. |
| 26 | Community Form/Land Use Guideline 3: Compatibility | A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance. | NA | There is not proposed parking garage. |
| 27 | Community Form/Land Use Guideline 3: Compatibility | A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings. | +/- | Signage must be complaint with Ch.8. |
| 28 | Community Form/Land Use Guideline 4: Open Space | A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space. | NA | There is no open space requirement with this proposal. |
| 29 | Community Form/Land Use Guideline 4: Open Space | A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District. | NA | There is no open space requirement with this proposal. |
| 30 | Community Form/Land Use Guideline 4: Open Space | A.5: The proposal integrates natural features into the pattern of development. | ✓ | There are no natural features on-site |
| 31 | Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources | A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems. | ✓ | There are no natural features on-site |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|--|---------------|---|
| 32 | Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources | A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement. | +/- | Care should be taken to conform to the Dixie Highway Plan guidelines references in the technical review of this staff report. |
| 33 | Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources | A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion. | +/- | MSD comment should be addressed |
| 34 | Marketplace Guideline 6: Economic Growth and Sustainability | A.3: Encourage redevelopment, reinvestment and rehabilitation in the downtown where it is consistent with the form district pattern. | NA | The proposal is not located downtown. |
| 35 | Marketplace Guideline 6: Economic Growth and Sustainability | A.4: Encourage industries to locate in industrial subdivisions or adjacent to existing industry to take advantage of special infrastructure needs. | NA | This proposal is not industrial. |
| 36 | Marketplace Guideline 6: Economic Growth and Sustainability | A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas. | ✓ | Dixie Hwy, a major arterial, is a high traffic commercial corridor |
| 37 | Marketplace Guideline 6: Economic Growth and Sustainability | A.8: Require industrial development with more than 100 employees to locate on or near an arterial street, preferably in close proximity to an expressway interchange. Require industrial development with less than 100 employees to locate on or near an arterial street. | NA | This proposal is not industrial. |
| 38 | Mobility/Transportation Guideline 7: Circulation | A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means. | +/- | Roadway improvement shall be made as required |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|---|--|---------------|---|
| 39 | Mobility/Transportation Guideline 7: Circulation | A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation. | +/- | Care should be taken to conform to the Dixie Highway Plan guidelines references in the technical review of this staff report. |
| 40 | Mobility/Transportation Guideline 7: Circulation | A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads. | +/- | Care should be taken to conform to the Dixie Highway Plan guidelines references in the technical review of this staff report. |
| 41 | Mobility/Transportation Guideline 7: Circulation | A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development. | +/- | Care should be taken to conform to the Dixie Highway Plan guidelines references in the technical review of this staff report. |
| 42 | Mobility/Transportation Guideline 7: Circulation | A.10: The proposal includes adequate parking spaces to support the use. | ✓ | Parking is adequate.. |
| 43 | Mobility/Transportation Guideline 7: Circulation | A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites. | ✓ | Cross access to adjacent sites is adequate. |
| 44 | Mobility/Transportation Guideline 8: Transportation Facility Design | A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land. | NA | This proposal is located on an existing roadway network and is not creating any new roadways. |
| 45 | Mobility/Transportation Guideline 8: Transportation Facility Design | A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance. | ✓ | Access is from existing commercial. |
| 46 | Mobility/Transportation Guideline 8: Transportation Facility Design | A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site. | ✓ | This proposal is located on an existing roadway network that is sufficient. |

| # | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|---|---------------|--|
| 47 | Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit | A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity. | +/- | Care should be taken to conform to the Dixie Highway Plan guidelines references in the technical review of this staff report |
| 48 | Livability/Environment Guideline 10: Flooding and Stormwater | The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices. | +/- | MSD is currently reviewing the proposal. |
| 49 | Livability/Environment Guideline 12: Air Quality | The proposal has been reviewed by APCD and found to not have a negative impact on air quality. | +/- | APCD is currently reviewing the proposal. |
| 50 | Livability/Environment Guideline 13: Landscape Character | A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration. | NA | This area is highly developed and there are no existing natural corridors. |
| 51 | Community Facilities Guideline 14: Infrastructure | A.2: The proposal is located in an area served by existing utilities or planned for utilities. | ✓ | This area is fully developed and has adequate existing infrastructure for the proposal. |
| 52 | Community Facilities Guideline 14: Infrastructure | A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes. | +/- | There is existing infrastructure in place for potable water but it is unknown where the nearest fire hydrant is located. |
| 53 | Community Facilities Guideline 14: Infrastructure | A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams. | +/- | MSD is currently reviewing the proposal. |