

Pre-Application Staff Report

July 21, 2016



Case No:	16ZONE1042
Request:	Change in zoning from R-4 to C-1, C-N and R-5
Project Name:	Schulte Bush Farm
Location:	14801 Bush Farm Road
Owner:	Papa Oreo DS, LLC
Applicant:	Papa Oreo DS, LLC
Representative:	Vice Cox & Townsend PLLC Land Design & Development, Inc.
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
Case Manager:	Brian Davis, AICP, Planning Manager

REQUEST

- Change in zoning from R-4 to C-1, C-N and R-5
- District Development Plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to subdivide the existing property into three tracts:

- Tract A: R-4 to C-1 on 2.4 acres with a Commercial Structure (two different square footages listed on plan)
- Tract B: R-4 to C-N on 2.0 acres with an 11,000 square foot Daycare
- Tract C: R-4 to R-5 on 1.0 acres and subdivided into six residential parcels

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Vacant	R-4	N
Proposed	Retail	C-1, C-N and R-5	N
<i>Surrounding Properties</i>			
North	Office	OR-3	SW
South	Institutional (senior living)	R-5A	N
East	Single Family Residential	PRD	N
West	Office	OR-3	SW

PREVIOUS CASES ON SITE

None found.

shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

The proposal appears to provide a good transition between the large office development and Hamilton Gardens. The applicant should consider buffering along Hamilton Springs Drive.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

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.

TECHNICAL REVIEW

- See agency comments for development plan review comments.

STAFF CONCLUSIONS

A neighborhood meeting is ready to be held.

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 ___ Notification of Development Proposals
	Hearing before PC / BOZA	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District ___ Notification of Development Proposals
	Hearing before PC / BOZA	Sign Posting on property
	Hearing before PC / BOZA	Legal Advertisement in the Courier-Journal

ATTACHMENTS

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

2. Aerial Photograph



#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
10	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.	+/-	Additional information needed.
11	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.	+/-	Additional information needed.
12	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	+/-	Additional information needed.
13	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 would be in a neighborhood center adjacent to other non-residential uses. The applicant needs to provide information about proposed buffering.
14	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	+/-	APCD is reviewing the proposal.
15	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	+/-	Additional information needed.
16	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.	+/-	Additional information needed.
17	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.	-	The proposal would be in a neighborhood center adjacent to other non-residential uses but is not located along a transit corridor.
18	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.	✓	The proposal would be in a neighborhood center adjacent to other non-residential uses. The applicant needs to provide information about proposed buffering.
19	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.	+/-	The proposal would be in a neighborhood center adjacent to other non-residential uses. The applicant needs to provide information about proposed buffering.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
30	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.	+/-	Additional information needed.
31	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 site is not located in a downtown area.
32	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	The proposal is not an industrial use.
33	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.	✓	The proposal would be in a neighborhood center adjacent to other non-residential uses. Although the site abuts residential zoning, these sites will be buffered by the LBA, screening, and plantings provided. The proposal is located along a minor arterial level road.
34	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	The proposal is not an industrial use.
35	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.	+/-	Additional information needed.
36	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.	+/-	Additional information needed.
37	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.	✓	

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
	Infrastructure	planned for utilities.		
49	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.
50	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 will make this determination with their review of the proposal.

Land Development & Transportation Committee Staff Report

December 8, 2016



Case No:	16ZONE1042
Request:	Change in zoning from R-4 to C-N and C-1 with Variances, a Waiver and Detailed District Development Plan
Project Name:	Schulte Bush Farm
Location:	14801 & 15001 Bush Farm Road
Owner:	Papa Oreo DS, LLC
Applicant:	Papa Oreo DS, LLC
Representative:	Vice Cox & Townsend PLLC Land Design & Development, Inc.
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
Case Manager:	Brian Davis, AICP, Planning Manager

REQUEST

- Change in zoning from R-4 to C-N (Tract B on the plan, 2.4 acres) and C-1 (Tract A on the plan, 3.0 acres)
- District Development Plan
- Waiver of Section 10.2.4.B of the Land Development Code to allow a greater than 50 percent overlap of utility easement over a landscape buffer
- Variance from Table 5.3.2 of the Land Development Code to exceed the 80-foot maximum front and street side yard setback along Bush Farm Road, Old Henry Road and Hamilton Springs Drive

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to subdivide the existing property into two tracts:

Tract A: R-4 to C-1 on 3.0 acres with an unspecified commercial use in a 20,600 square foot building

Tract B: R-4 to C-N on 2.4 acres with an 11,000 square foot daycare

The applicant requests a waiver of Section 10.2.4.B of the Land Development Code to allow existing easements along Old Henry Road and a portion of Hamilton Springs Drive to overlap the required landscape buffer. The justification statement says the buffer will be provided and maintained, but the applicant wishes to not have to relocate the easements.

There is also a request for variances from the maximum front and street side yard setback along Bush Farm Road, Old Henry Road and Hamilton Springs Road (which is a private road). Table 5.3.2 in Section 5.3.1 of the Land Development Code states the maximum front and street side yard setback for nonresidential structures is 80 feet or 95 feet when located on a designated parkway. On Tract A, the proposed structure is approximately 101 feet from Old Henry Road (which is a designated parkway), 93 feet from Bush Farm Road and 163 feet from Hamilton Springs Drive. On Tract B, the proposed structure is set back 142 feet from Bush Farm Road and 65 feet at its closest point to Hamilton Springs Drive

The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages and incomes. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to large lot single family developments with cul-de-sacs, neo-traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other streets, villages and zero lot line neighborhoods with open space, and high density multi-family condominium-style or rental housing.

The Neighborhood Form may contain open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. The Neighborhood Form should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycles and transit.

Neighborhood streets may be either curvilinear, rectilinear or in a grid pattern and should be designed to invite human interaction. Streets are connected and easily accessible to each other, using design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets. Examples of design elements that encourage this interaction include narrow street widths, street trees, sidewalks, shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

The proposal appears to provide a transition between the large office development on the northwest corner of Bush Farm/Old Henry intersection and the Hamilton Gardens development. The applicant should consider additional buffering along Hamilton Springs Drive. The development plan proposes a sidewalk along Bush Farm Road and shows the proposed walking path along the proposed Old Henry Road realignment. The proposed building elevations are in compliance with the design requirements for the Neighborhood Form District.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

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.

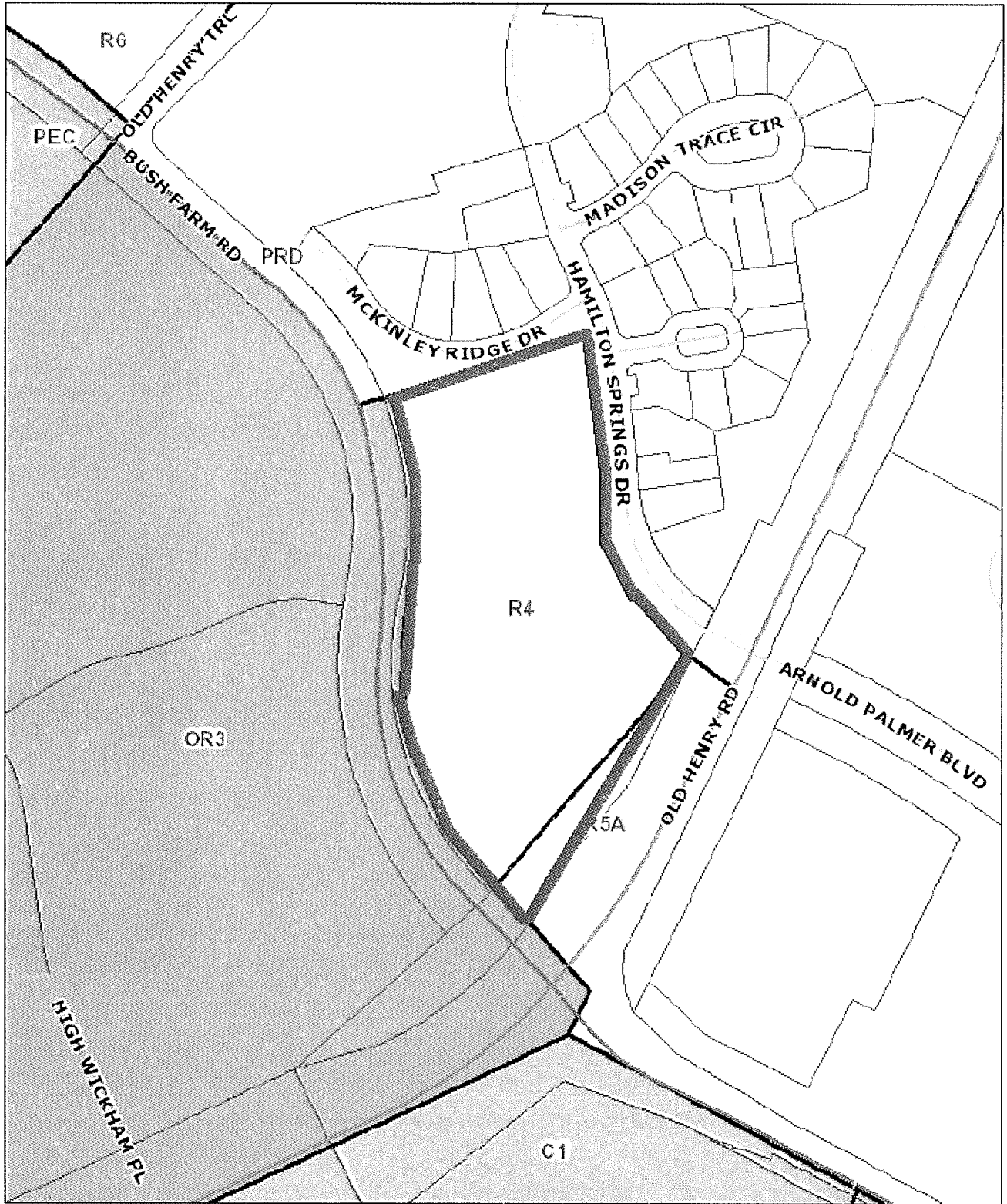
TECHNICAL REVIEW

- There are no outstanding technical comments.

STAFF CONCLUSIONS

Staff recommends the Land Development & Transportation Committee set a public hearing date.

1. Zoning Map



**Planning Commission
Staff Report**
January 19, 2017



Case No:	16ZONE1042
Request:	Change in zoning from R-4 to C-N and C-1 with Variances, a Waiver and Detailed District Development Plan
Project Name:	Schulte Bush Farm
Location:	14801 & 15001 Bush Farm Road
Owner:	Papa Oreo DS, LLC
Applicant:	Papa Oreo DS, LLC
Representative:	Vice Cox & Townsend PLLC Land Design & Development, Inc.
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
Case Manager:	Brian Davis, AICP, Planning Manager

REQUEST

- Change in zoning from R-4 to C-N (Tract B on the plan, 2.4 acres) and C-1 (Tract A on the plan, 3.0 acres)
- District Development Plan
- Waiver of Section 10.2.4.B of the Land Development Code to allow a greater than 50 percent overlap of utility easement over a landscape buffer
- Variance from Table 5.3.2 of the Land Development Code to exceed the 80-foot maximum front and street side yard setback along Bush Farm Road, Old Henry Road and Hamilton Springs Drive

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to subdivide the existing property into two tracts:

Tract A: R-4 to C-1 on 3.0 acres with an unspecified commercial use in a 20,600 square foot building

Tract B: R-4 to C-N on 2.4 acres with an 11,000 square foot daycare

The applicant requests a waiver of Section 10.2.4.B of the Land Development Code to allow existing easements along Old Henry Road and a portion of Hamilton Springs Drive to overlap the required landscape buffer. The justification statement says the buffer will be provided and maintained, but the applicant wishes to not have to relocate the easements.

There is also a request for variances from the maximum front and street side yard setback along Bush Farm Road, Old Henry Road and Hamilton Springs Road (which is a private road). Table 5.3.2 in Section 5.3.1 of the Land Development Code states the maximum front and street side yard setback for nonresidential structures is 80 feet or 95 feet when located on a designated parkway. On Tract A, the proposed structure is approximately 101 feet from Old Henry Road (which is a designated parkway), 93 feet from Bush Farm Road and 163 feet from Hamilton Springs Drive. On Tract B, the proposed structure is set back 142 feet from Bush Farm Road and 65 feet at its closest point to Hamilton Springs Drive

- **Guiding Principle No 7:** Whether or not neighborhood serving commercial can locate on the east side of I-265 should be decided on the basis of design and commitment. The design part of this equation would address location, site and architectural design. The commitment part would address the ability of decision-makers to limit the area of commercial development. The provision of neighborhood commercial is a reasonable and supportable objective, if it can be located and designed to minimize impacts and fully integrate the uses with surrounding neighborhoods.
 - Direct medium density to locate in areas designated as “neighborhood center” (The locations for density on the subject site are not within an identified neighborhood center).
 - Non-residential land uses should be restricted to areas west of Bush Farm Road and its extension to Factory Lane.
 - Total retail square footage should be limited to 100,000 square feet.
 - Factory Lane should be heavily buffered with dense vegetation.
 - Consider density transfers to allow for high density to mix with lower density.
 - Neighborhood centers should discourage single retail uses with a building footprint greater than 50,000 SF, civic buildings should be included prominently in centers, and open space should be designed as squares, plazas, and greens.
- **Guiding Principle No 8:** The extension and realignment of Factory lane and Bush Farm Road would provide a boundary between low/medium residential and the more intense uses adjacent to I-265. A parkway type road would help define the character of the corridor. Workplace uses (technical and research parks and corporate business centers) should be limited to the area west of the Factory Lane/Bush Farm Road corridor. Architectural design standards should be established for the workplace that includes structures no taller than 4 stories adjacent to I-265. Pedestrian circulation throughout as well as lighting noise and parking should be addressed in design.

STANDARD OF REVIEW FOR ZONING MAP AMENDMENT

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 ZONING MAP AMENDMENT

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

The site is located in the Neighborhood Form District

The Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas.

The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages and incomes. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to large lot single family developments with cul-de-sacs, neo-traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other

- 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.

- 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: With the exception of the waiver and variances, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER #1:
Waiver of Section 10.2.4.B of the Land Development Code to allow a greater
than 50 percent overlap of utility easement over a landscape buffer**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: Staff agrees with the applicant's justification statement.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Staff agrees with the applicant's justification statement.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: Staff agrees with the applicant's justification statement.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: Staff agrees with the applicant's justification statement.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE #1:
Variance from Table 5.3.2 of the Land Development Code to exceed the 80-
foot maximum front and street side yard setback along Bush Farm Road,
Old Henry Road and Hamilton Springs Drive**

- (a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: Staff agrees with the applicant's justification statement.

- (b) The requested variance will not alter the essential character of the general vicinity.

not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area. This determination shall take the form of a **RECOMMENDATION** to **APPROVE** or **DENY** the zoning map amendment from R-4 to C-N and C-1.

The Planning Commission must also **APPROVE** or **DENY** the waiver, variance requests and the detailed district development plan.

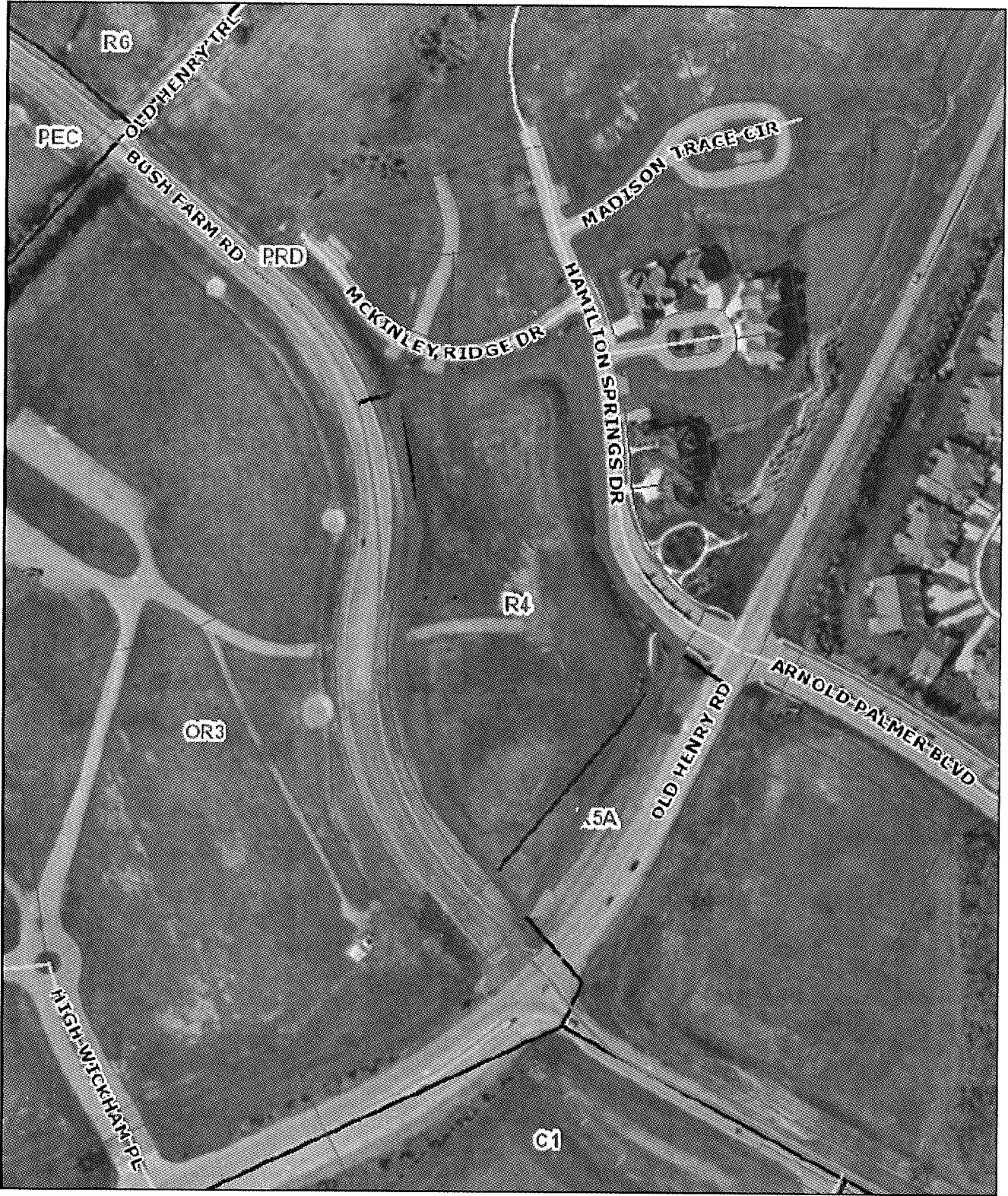
NOTIFICATION

Date	Purpose of Notice	Recipients
11/23/2016	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 19 Notification of Development Proposals
1/5/2017	Hearing before PC	1 st and 2 nd tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 19 Notification of Development Proposals
1/3/2017	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
4. Proposed Binding Elements

2. Aerial Photograph



#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
10	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.	✓	Additional information needed.
11	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 includes sidewalk connections from the surrounding public roads to the site.
12	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	✓	The proposed renderings feature materials which are in keeping with the character of the surrounding uses.
13	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.	✓ <i>Staff disagrees</i>	The proposal would be in a neighborhood center adjacent to non-residential uses to the west and residential uses to the east and north. The applicant proposes landscape buffering along the adjacent residential property lines.
14	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	✓	APCD has approved the proposed development.
15	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	✓	Transportation Review has approved the proposed development.
16	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 applicant has stated that all lighting will comply with the Land Development Code.
17	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.	✓	The proposal would be in a neighborhood center adjacent to other non-residential uses but is not located along a transit corridor.
18	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.	✓	The proposal would be in a neighborhood center adjacent to other non-residential uses to the west and residential uses to the north and east. The applicant is providing landscape buffering along the adjacent residential property lines.
19	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.	✓	The proposal would be in a neighborhood center adjacent to other non-residential uses to the west and residential uses to the north and east. The applicant is providing landscape buffering along the adjacent residential property lines.

Staff wants to go LDC

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
30	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.	NA	There are no wet or highly permeable soils on the site.
31	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 site is not located in a downtown area.
32	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	The proposal is not an industrial use.
33	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.	Staff disagrees ✓	The proposal would be in a neighborhood center adjacent to other non-residential uses. Although the site abuts residential zoning, these sites will be buffered by the LBA, screening, and plantings provided. The proposal is located along a minor arterial level road.
34	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	The proposal is not an industrial use.
35	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 plan proposes infrastructure improvements along Bush Farm Road.
36	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 plan proposes infrastructure improvements along Bush Farm Road and a sidewalk connection to Old Henry Road.
37	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.	✓	Transportation Review has approved the plan.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
	Infrastructure	planned for utilities.		
49	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.
50	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 has approved the proposed plan.

- Steve pointed out open space req. in Comp Plan description
for a carter on pg 82 ~~of the~~