

Planning Commission

Staff Report

August 2, 2018



Case No:	17ZONE1043
Project Name:	Taylor Styles Salon
Location:	9101 Taylorsville Road
Owner(s):	Robert Childers
Applicant:	Robert Childers
Representative(s):	Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	18- Marilyn Parker
Case Manager:	Joel P. Dock, Planner II

REQUEST(S)

- **Change-in-Zoning** from R-4, Single-Family Residential to C-1, Commercial
- **Waiver** of Land development Code, section 10.2.4 to allow vehicle maneuvering in 20' LBA along east property line
- **Detailed District Development Plan**

CASE SUMMARY

The applicant proposes to repurpose an existing single-family residential property for a beauty salon (1st floor) and recording studio (2nd floor). Site improvements include: vehicle use areas/parking facilities, refuse collection area, pedestrian connection to proposed sidewalk in the public way, minimal building addition between the existing garage and principal structure, and landscaping. The subject site is located three parcels southeast of Hurstbourne Parkway on the east side of Taylorsville Road. Commercial uses dominate the intersection at Hurstbourne/Taylorsville, as well as the west side of Taylorsville Road from this major intersection to Six Mile Lane. The east side of Taylorsville Road beginning at Axminster Drive consists primarily of residential uses and two office uses in the neighborhood form district before reaching a more established commercial area.

STAFF FINDING

The proposal conforms to the goals and objectives of the Comprehensive Plan. Minimal changes to the subject site preserve the appropriateness of the scale within the context of nearby neighborhoods while limiting the impact on nearby residential property. The district is compatible with nearby centers and adds to the mixture of uses available in the area.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

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 CHANGE IN ZONING

The Following is a summary of 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 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.

Minimal changes to the subject site preserve the appropriateness of the scale within the context of nearby neighborhoods while limiting the impact on nearby residential property. The site is located opposite a major activity center and adds to the mixture of uses in the area. The low intensity use is located along an arterial roadway. There is sufficient residential population in the area and population generated by the activity center to support the use.

The proposed use and site improvements add to the vitality of the existing activity center at the nearby major intersection and continue the pedestrian network. A commercial zoning district is compatible with the activity center and development on the West side of Taylorsville Road. The conversion of the site to the proposed use is a limited expansion upon the predominately residential side of the roadway, but the use and site changes as proposed are limited in intensity. A major activity center is present opposite the major roadway.

The proposal provides appropriate landscape and setback transitions due to the minimal site improvements. 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. ILA and LBA are provided.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The waiver will not adversely affect adjacent property owners as all screening and planting material is being provided as required.

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

STAFF: Guideline 3, Policy 9 of Cornerstone 2020 calls for the protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigate when appropriate. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. The waiver will not violate these specific guidelines as all screening and planting material is being provided as required.

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

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the encroachment are a result of improved access and drainage facilities.

- (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: 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 as all screening and planting material is being provided as required, access points are improved and drainage will be handled appropriate as a result of these minor encroachments.

STANDARD OF REVIEW FOR DETAILED DISTRICT DEVELOPMENT PLAN

- 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: Minimal site improvements preserve the residential character of the property within the context of surrounding properties. Landscaping and significant open areas are provided.

- 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 has been provided as pedestrian connection to the public way, bike parking, and safe and convenient parking to meet the demands of the proposed use are provided on site.

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

STAFF: Open space is not required for this application. Landscaping and significant open areas are provided.

- 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 provisions 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 surrounding area as minimal changes to the subject site preserve the appropriateness of the scale within the context of nearby neighborhoods while limiting the impact on nearby residential property

- 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 the *Cornerstone 2020 Staff Review Checklist* for the change in zoning request contained in *Attachment 3* of the staff report.

REQUIRED ACTIONS

- **RECOMMEND** to the Louisville Metro Council that the change in zoning from R-4, Single-Family Residential to C-1, Commercial on property described in the attached legal description be **APPROVED** or **DENIED**
- **APPROVE** or **DENY** the **Waiver** of Land development Code, section 10.2.4 to allow vehicle maneuvering in 20' LBA along east property line
- **APPROVE** or **DENY** the **Detailed District Development Plan**

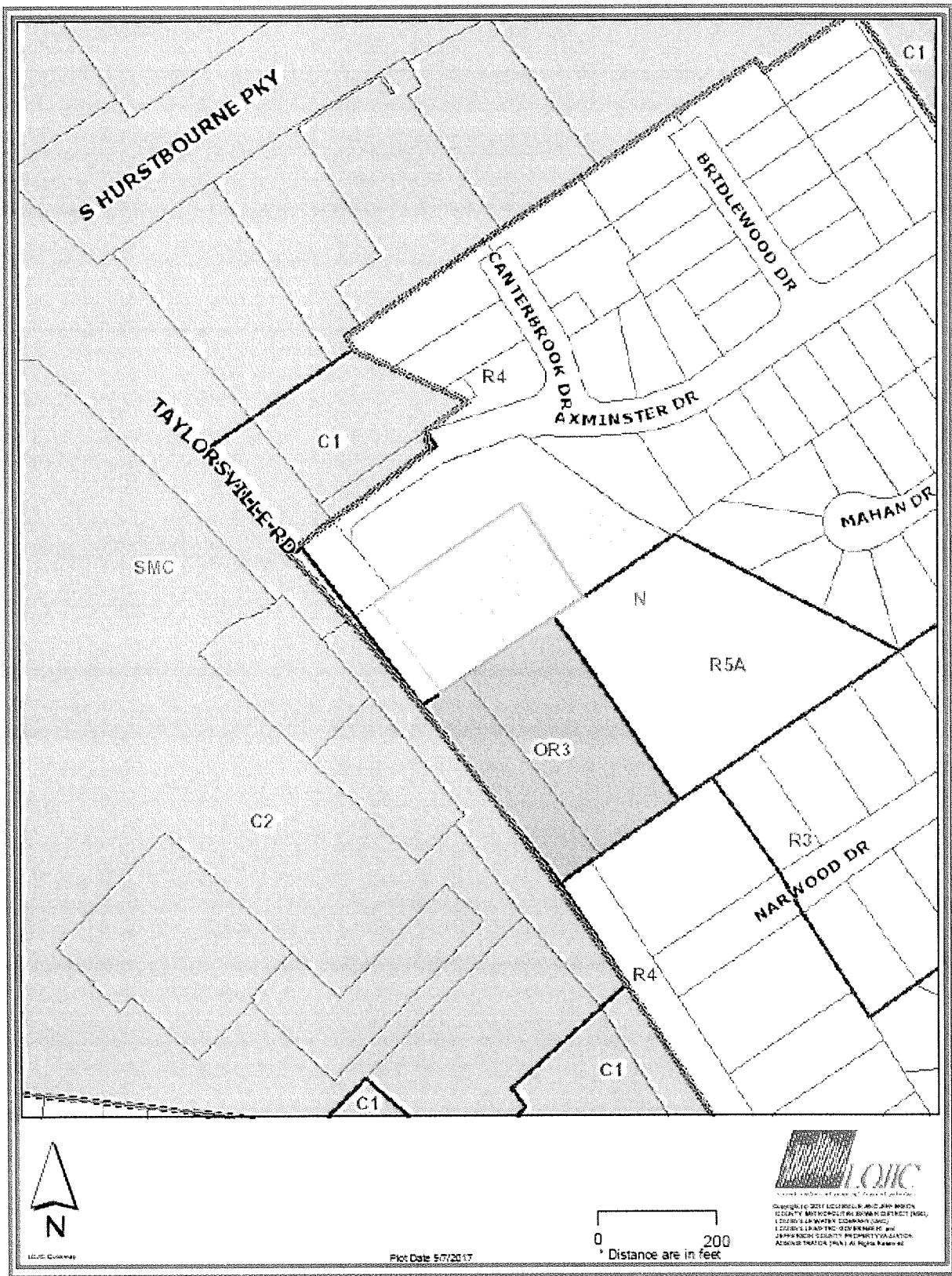
NOTIFICATION

Date	Purpose of Notice	Recipients
06/29/18	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers of Council District 18 Notification of Development Proposals
07/13/18	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers of Council District 18 Notification of Development Proposals
07/17/18	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
4. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Analysis

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

Neighborhood: 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.3: The proposal is a neighborhood center with a mixture of uses such as offices, retail shops, restaurants and services at a scale that is appropriate for nearby neighborhoods.	✓	Minimal changes to the subject site preserve the appropriateness of the scale within the context of nearby neighborhoods. The site is located opposite an activity center.
2	Community Form/Land Use Guideline 1: Community Form	B.3: If the proposal is high intensity, it is located on a major or minor arterial or an area with limited impact on low to moderate intensity residential uses.	✓	The proposed use is low intensity and located along an arterial roadway. The minimal site improvements would limit the impact on residential uses nearby.
3	Community Form/Land Use Guideline 2: Centers	A.1/7: The proposal, which will create a new center, is located in the Neighborhood Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use.	✓	The proposal will not create a new center, but will add to uses available in the adjacent center opposite the roadway frontage. The proposed use repurposes an existing residential structure for mixed use.
4	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.	✓	There is sufficient residential population in the area and population generated by the activity center to support the use.
5	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 site improvements result in an efficient use of land as the existing structure will be repurposed. The relocation of the driveway to the Southern side of the site reduces the impact of customer traffic on the adjacent single-family use.
6	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.	✓	While a new center is not being created, the proposed use and site improvements add to the vitality of the existing activity center at the nearby major intersection and continue the pedestrian network. A commercial zoning district is compatible with the activity center and development on the West side of Taylorsville Road.
7	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 proposed district does not limit the ability to provide residential and office uses above retail and/or includes other mixed-use

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
8	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 relatively small compared to nearby development and repurposes an existing residential structure.
9	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.	✓	Sharing facilities would not be achievable or practical as the development to the South does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. Parking is to the rear away from the roadway and pedestrian facilities have been provided. Connectivity will be provided in the event of future non-residential development of the property to the north.
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.	✓	Utilities would appear to be available based on existing development in the area
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 development supports access by multiple modes of transportation as sidewalk and pedestrian facilities have been provided and turning from southbound or northbound lanes do not appear to be restricted to the site.
12	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	✓	The repurposed of the existing structure and proposed materials for minimal improvements preserve the residential character of the use.
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 conversion of the site to the proposed use is a limited expansion upon the predominately residential side of the roadway, but the use and site changes as proposed are limited in intensity. A major activity center is present opposite the major roadway.
14	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	✓	Odor or emissions will be mitigated by required landscaping and limited vehicular parking.
15	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 would not impact traffic on nearby communities as access to the site would be from an arterial roadway and local roadway use is not required.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
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.	✓	Lighting will comply with LDC 4.1.3
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 is along an arterial roadway providing multiple modes of transit
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 provides appropriate landscape and setback transitions due to the minimal site improvements.
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 mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using landscape buffers. The encroachment on the southeast side is minimal.
20	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.	✓	Structure is being repurposed; therefore, setbacks and height are compatible.
21	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 relocation of the driveway to the Southern side of the site reduces the impact of customer traffic on the adjacent single-family use. Parking is to the rear and side which adds to the compatibility of the site with uses on the same side of the roadway.
22	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 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. ILA and LBA are provided.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
23	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	
24	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.	✓	Signs shall be in compliance with Ch. 8 of the LDC.
25	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.	✓	Provisions for open space are not required for this application. However, the majority of the green space currently existing along the frontage is maintained and undisturbed areas along the rear are provided.
26	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.	✓	Provisions for open space are not required for this application. However, the majority of the green space currently existing along the frontage is maintained and undisturbed areas along the rear are provided. This is consistent with existing development and the form district.
27	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	✓	The preliminary plan indicates the preservation of multiple mature trees in the front yard.
28	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 do not appear to be any environmentally sensitive features on site.
29	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 preservation, use or adaptive reuse of the existing building, site, and landscapes. There are no apparent features of historical significance.
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.	✓	The site does not appear to contain wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
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	Located in NFD.
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	Office-residential 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.	NA	Office-residential use.
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	Office-residential 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 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. Sidewalks have been proposed to enhance the pedestrian network within the right-of-way.
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.	✓	Sidewalks have been proposed to enhance the pedestrian network within the right-of-way. Pedestrian connections are being made to the sidewalk and mass transit is available. Bike parking is provided.
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.	✓	The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
38	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.	✓	Right-of-way will be dedicated as needed
39	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	✓	Parking is sufficient to meet the needs of the development in compliance with Chapter 9 of the LDC.
40	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.	✓	Sharing facilities may not be achievable or practical as the development to the South (OR-3) does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. Connection upon redevelopment for nonresidential proposes will be made.
41	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.	✓	Sharing facilities may not be achievable or practical as the development to the South (OR-3) does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. Connection upon redevelopment for nonresidential proposes will be made.
42	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 provided via arterial roadway
43	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.	✓	Sharing facilities may not be achievable or practical as the development to the South (OR-3) does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. Connection upon redevelopment for nonresidential proposes will be made.
44	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.	✓	Sidewalks have been proposed to enhance the pedestrian network within the right-of-way. Pedestrian connections are being made to the sidewalk and mass transit is available. Bike parking facilities will also be provided to serve these users.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
45	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
46	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.
47	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.	✓	No natural corridors are present
48	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	✓	Utilities would appear to be available
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.	✓	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. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
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



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Applicant:	Robert Childers
Representative(s):	Bardenwerper, Talbott, & Roberts, PLLC
Project Area/Size:	1.11 acres
Jurisdiction:	Louisville Metro
Council District:	18– Marilyn Parker
Case Manager:	Joel P. Dock, Planner II

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STAFF FINDING

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

TECHNICAL REVIEW

- MSD and Transportation Planning Review have preliminarily approved the plan.
- A waiver application shall be submitted for the encroachment of the drive lane into the 20' LBA along the southeast property line.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

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

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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.

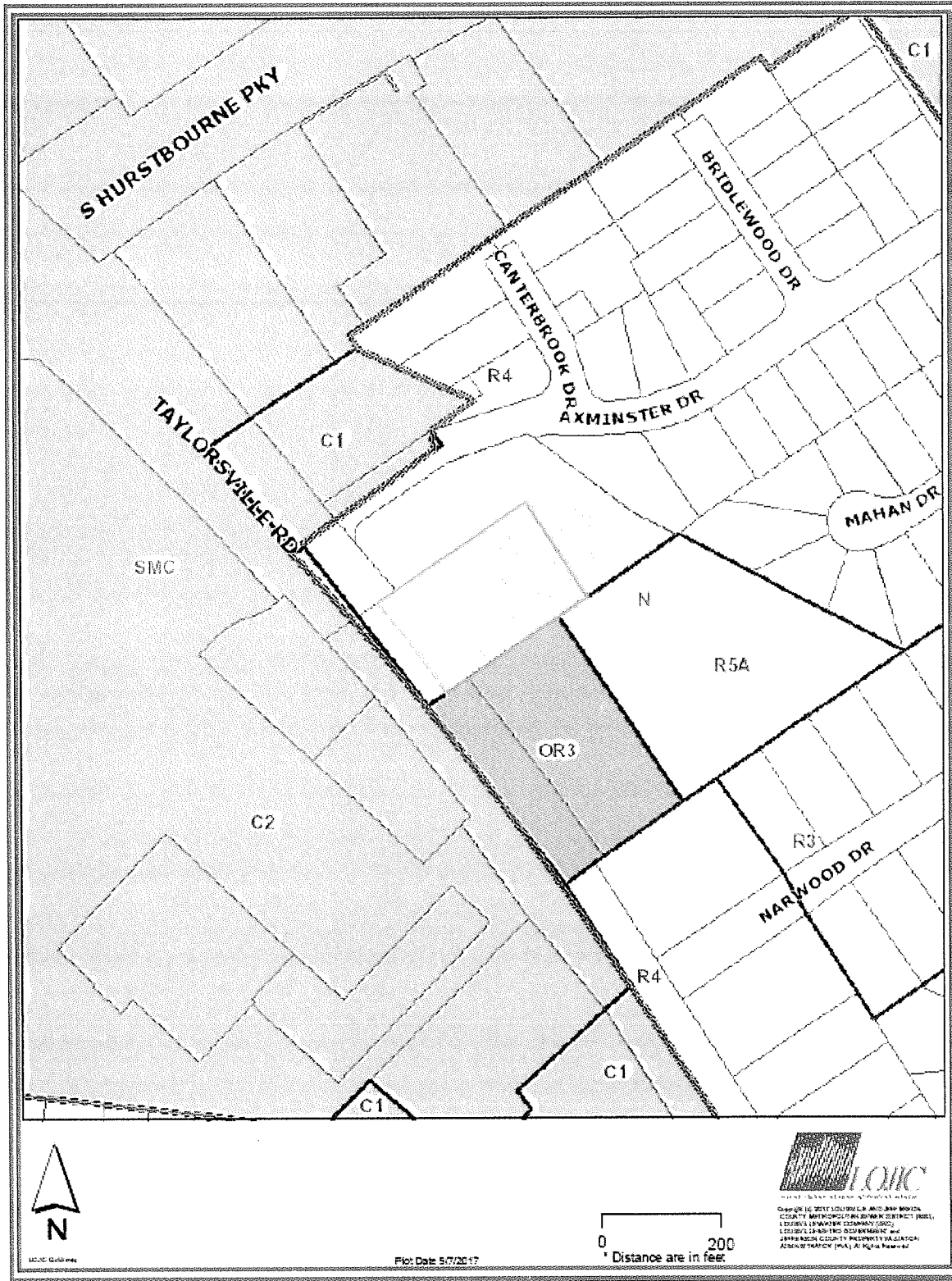
NOTIFICATION

Date	Purpose of Notice	Recipients
06/29/18	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers of Council District 18 Notification of Development Proposals
	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers of Council District 18 Notification of Development Proposals
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

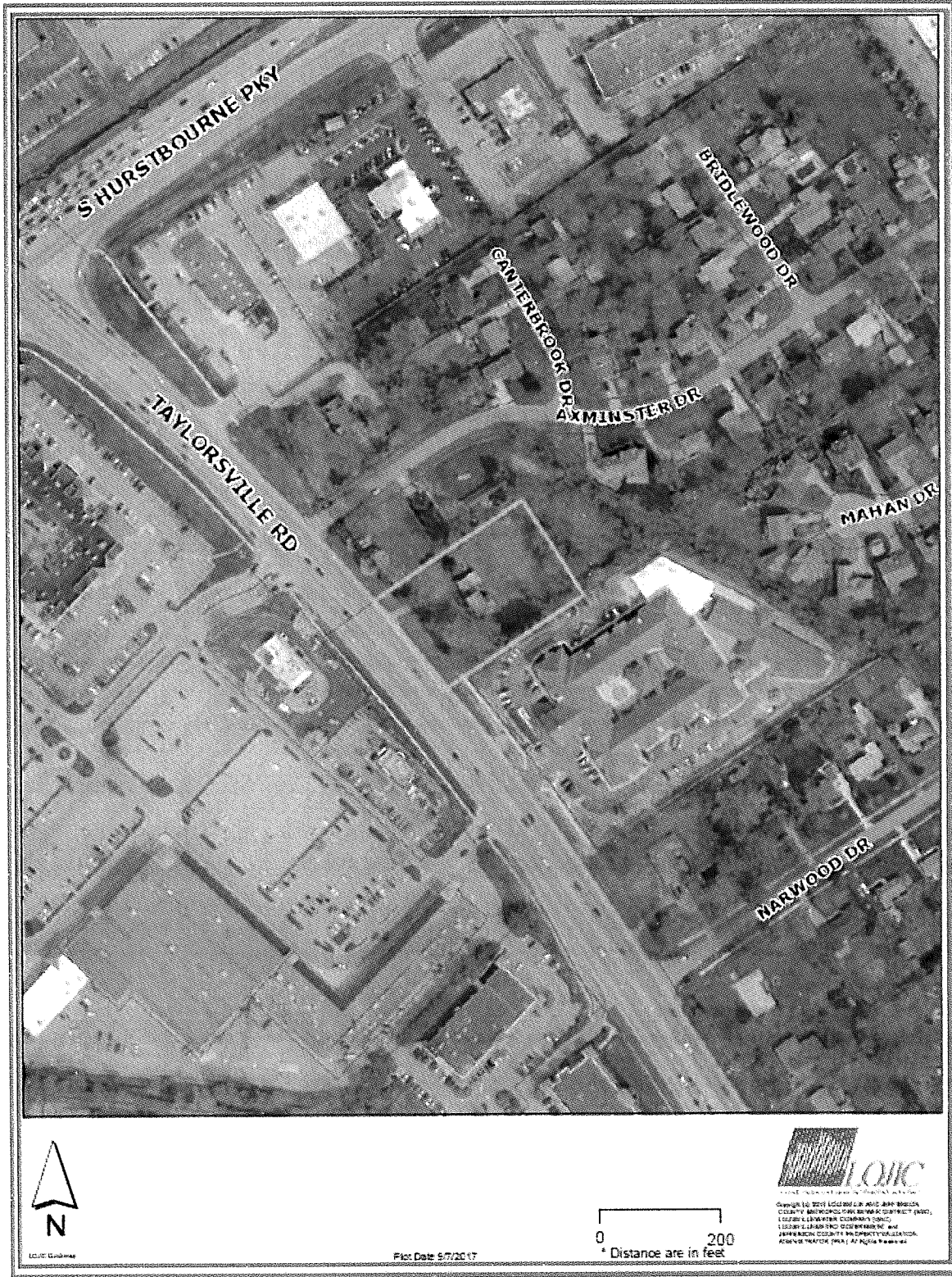
ATTACHMENTS

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. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
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.

Change in Zoning Pre-Application Staff Report

September 8, 2017



Case No:	17ZONE1043
Project Name:	Taylor Stles Salon
Location:	9101 Taylorsville Road
Owner(s):	Robert Childers
Applicant:	Robert Childers
Representative(s):	Bardenwerper, Talbott, & Roberts, PLLC
Project Area/Size:	1.11 acres
Jurisdiction:	Louisville Metro
Council District:	18– Marilyn Parker
Case Manager:	Joel P. Dock, Planner II

REQUEST(S)

- **Change-in-Zoning** from R-4, Single-Family Residential to C-1, Commercial

CASE SUMMARY

The applicant proposes to repurpose an existing single-family residential property for a beauty salon with a dwelling-unit. Site improvements include: vehicle use areas, pedestrian connection to proposed sidewalk, an addition between the existing garage and principal structure, and landscaping. The subject site is located three parcels Southeast of Hurstbourne Parkway on the East side of Taylorsville Road. Commercial uses dominate the intersection at Hurstbourne/Taylorsville and the West side of Taylorsville Road from this intersection to Six Mile Lane. A commercial corridor begins roughly one-half mile Southeast of the subject site along Taylorsville Road and continues into the City of Jeffersontown. The East side of Taylorsville Road beginning at Axminster Drive consists primarily of residential uses and two office uses in the neighborhood form district before reaching the aforementioned commercial corridor.

STAFF FINDING

Minimal changes to the subject site preserve the appropriateness of the scale within the context of nearby neighborhoods. The addition of an office use with a dwelling unit adds to the mixture of uses in the area. The site is removed from the primary areas of the activity center and located within the Neighborhood form district. As the East side of Taylorsville Road, beginning at Axminster Drive and ending to the South at a commercial corridor consists primarily of residential uses and two office uses in the neighborhood form district, and the potential of the property abutting to the North and East being redeveloped for commercial purposes may not be practical due to the size and layout of the lot, as well as its location at the entrance to a residential subdivision, a lower intensity zoning district to provide for the proposed use is recommended (OR-1). This zoning district is also the minimum necessary for the proposed use.

TECHNICAL REVIEW

Landscaping shall be provided as required by the LDC. A 25' LBA is currently shown along all property lines. Staff does not find that there will be an issue providing required landscaping.

All agency comments will need to be addressed before the case proceeds to a public meeting. Sites rezoned after the middle of 1975 are subject to specific development provisions known as "Plan Certain." These regulations require the owner/developer to agree to a specific development plan and development conditions as part of the rezoning process, known as binding elements. This plan and binding elements will run with the property and may limit what can be developed on the property.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

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 CHANGE IN ZONING

The Following is a summary of 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 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 development supports access through multiple modes of transportation along an arterial roadway as sidewalk and pedestrian connections have been provided, and turning from southbound or northbound lanes do not appear to be restricted to the site. Bike parking facilities should be provided. While provisions for open space are not required for this application, the majority of the green space currently existing along the frontage is maintained. Undisturbed areas along the rear provide for yard space for residential tenants. Several mature trees are also being preserved. The open space proposed is consistent with existing development of the area and the form district.

Elevations should be provided, but the repurposing of the existing structure leads staff to believe that compatibility of the design will not be a concern moving forward.

Sharing facilities may not be achievable or practical as the development to the South (OR-3) does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. The applicant should consider future connection to the Northern property, but its development for non-residential purposes may not be practical due to the size and layout of the lot, as well as its location at the entrance to a residential subdivision.

A checklist with a detailed analysis of the Guidelines and Policies of Cornerstone 2020 is attached to the end of this staff report. The checklist contains elements of the proposal that fulfill the guidelines and policies of Cornerstone 2020, fail to meet those guidelines and policies, or require more information. 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.

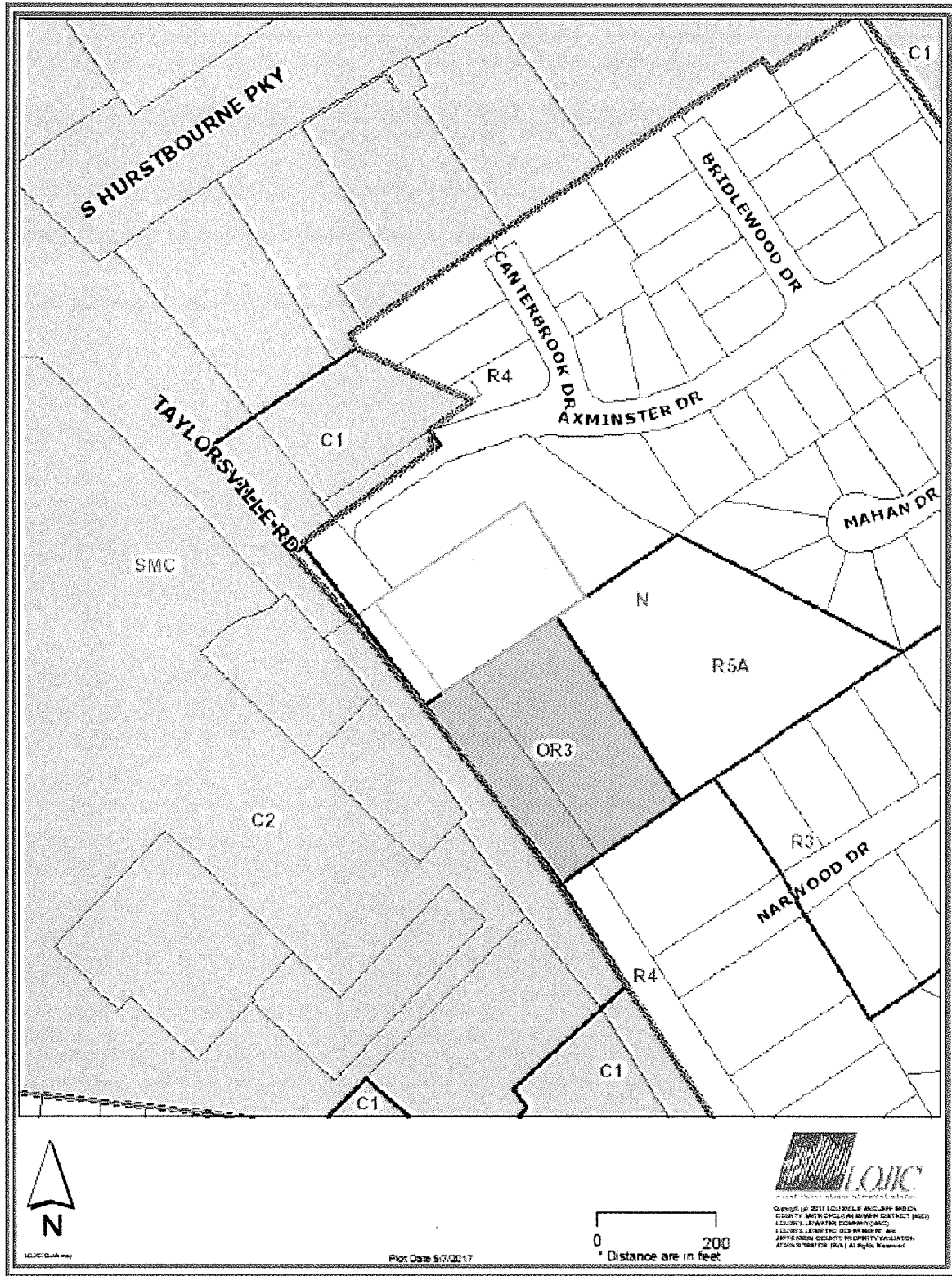
NOTIFICATION

Date	Purpose of Notice	Recipients
	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers of Council District 19 Notification of Development Proposals
	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers of Council District 192 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. Staff Checklist (i.e. Cornerstone 2020 or Preservation District Guidelines)

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

Neighborhood: 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.3: The proposal is a neighborhood center with a mixture of uses such as offices, retail shops, restaurants and services at a scale that is appropriate for nearby neighborhoods.	+/-	Minimal changes to the subject site preserve the appropriateness of the scale within the context of nearby neighborhoods, while the addition of an office use adds to the mixture of uses in the area and at the intersection (primary activity center). As the site is removed from the primary area of the activity center and located within the Neighborhood form district, a lower intensity zoning district to provide for the proposed use is recommended (OR-1). The East side of Taylorsville Road beginning at Axminster Drive consists primarily of residential uses and two office uses in the neighborhood form district before reaching a commercial corridor. Property to the immediate South and East are zoned and used for single-family residential use.
2	Community Form/Land Use Guideline 1: Community Form	B.3: If the proposal is high intensity, it is located on a major or minor arterial or an area with limited impact on low to moderate intensity residential uses.	+/-	The proposed use (beauty salon/dwelling unit) is low intensity and located along an arterial roadway. The minimal site improvements would limit the impact on residential uses nearby. Staff recommends an office-residential district to limit the impact of potential future C-1 uses on adjacent residential.
3	Community Form/Land Use Guideline 2: Centers	A.1/7: The proposal, which will create a new center, is located in the Neighborhood Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use.	✓	The proposal will not create a new center, but will add to uses available in the adjacent center. The proposed use repurposes an existing residential structure for mixed use.
4	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.	✓	There is sufficient residential population in the area and population generated by the activity center to support the use.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
5	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 site improvements result in an efficient use of land as the existing structure will be repurposed. The relocation of the driveway to the Southern side of the site reduces the impact of customer traffic on the adjacent single-family use.
6	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.	+/-	While a new center is not being created, the proposed use and site improvements add to the vitality of the existing activity center at the intersection and continue the pedestrian network. While a commercial zoning district is compatible with the activity center and development on the West side of Taylorsville Road, the East side remains non-commercial and is dominated by residential uses with a couple office uses of differing scales. The potential of the property abutting to the North and East to be redeveloped for commercial purposes may not be practical due to the size and layout of the lot, as well as its location at the entrance to a residential subdivision.
7	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 development provides for one-dwelling unit in conjunction with the salon.
8	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 relatively small compared to nearby development and repurposes an existing residential structure.
9	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.	✓	Sharing facilities would not be achievable or practical as the development to the South does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. Parking is to the rear away from the roadway and pedestrian facilities have been provided.
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.	+/-	Is the proposal designed to share utility hookups and service entrances with adjacent developments, and utility lines are placed underground in common easements?

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
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 development supports access by multiple modes of transportation as sidewalk and pedestrian facilities have been provided and turning from southbound or northbound lanes do not appear to be restricted to the site.
12	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	+/-	Elevations should be provided, but the repurposing of the existing structure leads staff to believe that compatibility of the design will not be a concern moving forward.
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 conversion of the site to the proposed use (beauty salon and residential dwelling) is a limited expansion upon the predominately residential side of the roadway, but the use and site changes as proposed are limited in intensity. The zoning district proposed allows for more intense uses than proposed and is not necessary to allow for the proposed use. A commercial zoning district would increase the potential impact upon residential uses in the neighborhood form district. That impact may, however, also be limited as the site is located along an arterial roadway, pedestrian facilities are provided, and it is opposite the public roadway from an activity center. Nonetheless, OR-1 is recommended for the site as this is the minimum necessary to allow for the proposed use.
14	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	✓	Odor or emissions will be mitigated by required landscaping and limited vehicular parking.
15	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 would not impact traffic on nearby communities as access to the site would be from an arterial roadway and local roadway use is not required.
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.	+/-	Lighting shall be what is necessary for safety and security.
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 is along an arterial roadway providing multiple modes of transit

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
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.	+/-	Landscaping shall be provided as required by the LDC. A 25' LBA is currently shown along all property lines. Staff does not find that there will be an issue providing required landscaping.
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.	+/-	Landscaping shall be provided as required by the LDC. A 25' LBA is currently shown along all property lines. Staff does not find that there will be an issue providing required landscaping.
20	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.	✓	Structure is being repurposed; therefore, setbacks and height are compatible.
21	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 relocation of the driveway to the Southern side of the site reduces the impact of customer traffic on the adjacent single-family use. Parking is to the rear and side which adds to the compatibility of the site with uses on the same side of the roadway.
22	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.	+/-	Landscaping shall be provided as required by the LDC. A 25' LBA is currently shown along all property lines. Staff does not find that there will be an issue providing required landscaping.
23	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	
24	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.	✓	Signs shall be in compliance with Ch. 8 of the LDC.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
25	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.	✓	Provisions for open space are not required for this application. However, the majority of the green space currently existing along the frontage is maintained and undisturbed areas along the rear provide for yard space for residential tenants.
26	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.	✓	Provisions for open space are not required for this application. However, the majority of the green space currently existing along the frontage is maintained and undisturbed areas along the rear provide for yard space for residential tenants. This is consistent with existing development and the form district.
27	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	✓	The preliminary plan indicates the preservation of multiple mature trees in the front yard.
28	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 do not appear to be any environmentally sensitive features on site.
29	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 preservation, use or adaptive reuse of the existing building, site, and landscapes. There are no apparent features of historical significance.
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.	✓	The site does not appear to contain wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.
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	Located in NFD.
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	Office-residential use.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
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.	NA	Office-residential use.
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	Office-residential 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 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. Sidewalks have been proposed to enhance the pedestrian network within the right-of-way.
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.	+/-	Sidewalks have been proposed to enhance the pedestrian network within the right-of-way. Pedestrian connections are being made to the sidewalk and mass transit is available. Bike parking facilities should be provided to serve these users.
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.	+/-	Sharing facilities may not be achievable or practical as the development to the South (OR-3) does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. The applicant should consider future connection to the Northern property, but its development for non-residential purposes may not be practical due to the size and layout of the lot, as well as its location at the entrance to a residential subdivision.
38	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.	+/-	Right-of-way should be dedicated as required by transportation planning staff

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
39	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	✓	Parking is sufficient to meet the needs of the development and is in compliance with Chapter 9 of the LDC.
40	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.	+/-	Sharing facilities may not be achievable or practical as the development to the South (OR-3) does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. The applicant should consider future connection to the Northern property, but its development for non-residential purposes may not be practical due to the size and layout of the lot, as well as its location at the entrance to a residential subdivision.
41	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.	+/-	Sharing facilities may not be achievable or practical as the development to the South (OR-3) does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. The applicant should consider future connection to the Northern property, but its development for non-residential purposes may not be practical due to the size and layout of the lot, as well as its location at the entrance to a residential subdivision.
42	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 provided via arterial roadway
43	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.	+/-	Sharing facilities may not be achievable or practical as the development to the South (OR-3) does not provide connection to the subject site and is fully built out with parking spaces along the property line. The property to the North is a single-family residential use and access may not be shared with that use. The applicant should consider future connection to the Northern property, but its development for non-residential purposes may not be practical due to the size and layout of the lot, as well as its location at the entrance to a residential subdivision.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
44	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.	+/-	Sidewalks have been proposed to enhance the pedestrian network within the right-of-way. Pedestrian connections are being made to the sidewalk and mass transit is available. Bike parking facilities should be provided to serve these users.
45	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.	+/-	All MSD comments should be addressed prior to a public hearing
46	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 does not object to the proposal
47	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.	✓	No natural corridors are present
48	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	✓	Utilities would appear to be available
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.	✓	LWC has no objections to the proposal
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.	+/-	Health: All construction and sales trailers must be permitted by the Department of Public Health and Wellness in accordance with chapter 115 of Louisville Jefferson County Metro Ordinances. * Mosquito control in accordance with chapter 96 of Louisville Jefferson Count Metro Ordinances