Louisville Metro Planning Commission Public Hearing August 4, 2016

Docket No. 15ZONE1065

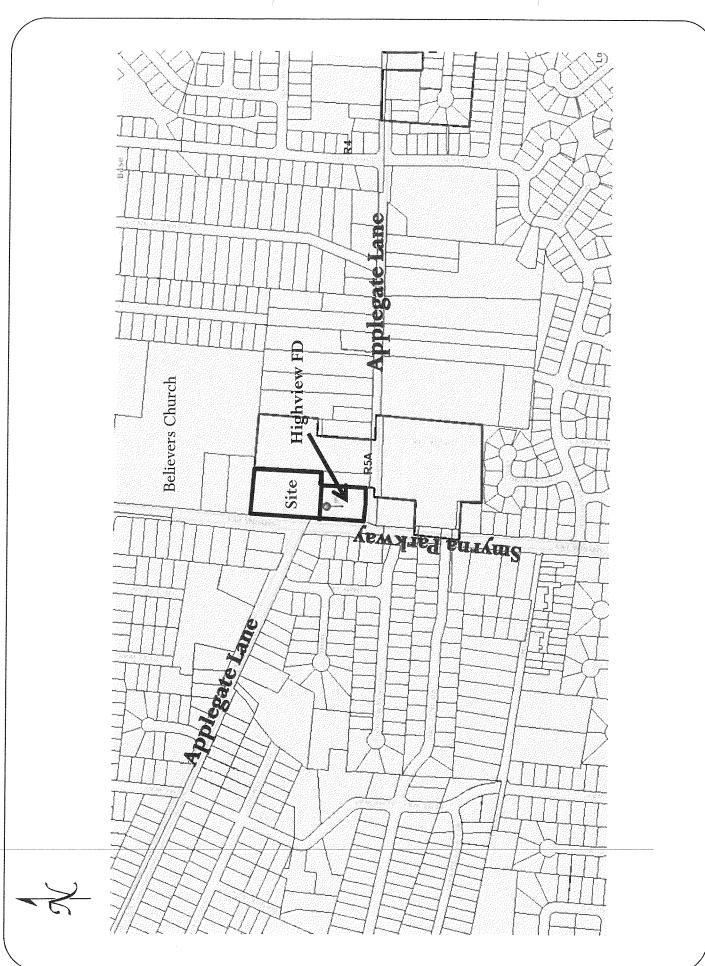
Zone change from R-4 to C-1 to allow a combination Crossroads IGA grocery store with hardware store and fuel pumps on property located at 8001 Smyrna Parkway



Attorneys: Bardenwerper Talbott & Roberts, PLLC
Land Planners, Landscape Architects & Engineers: Arnold Consulting Engineering Services, Inc.
Traffic Engineer: CDM Smith Engineers

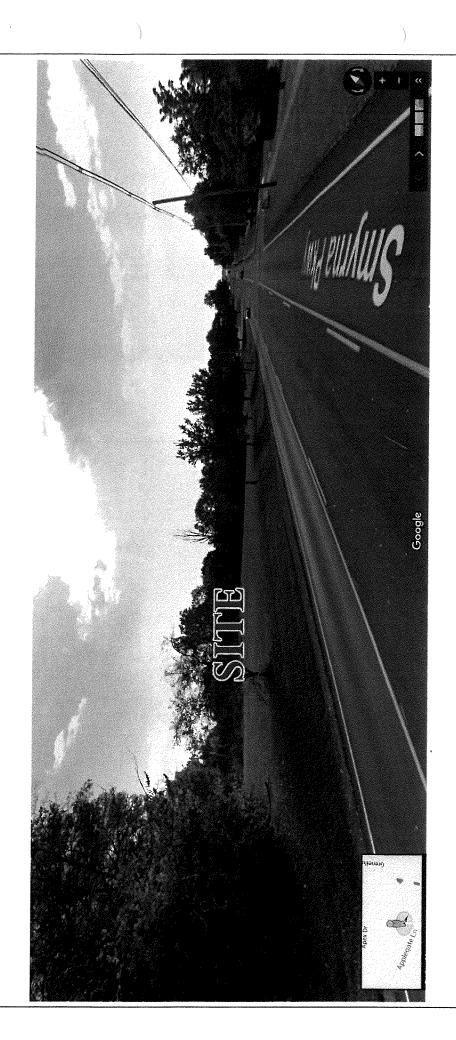
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- 1. LOJIC Zoning Map
- 2. Aerial photographs of the site and surrounding area
- 3. Ground level photograph of the site and surrounding area
- 4. Neighborhood Meeting notice list map, letter to neighbors inviting them to the meeting and summary of meeting
- 5. Development Plan
- 6. Building elevations and interior photographs
- 7. Proposed additional binding element
- 8. Traffic Study
- Statement of Compliance filed with the original zone change application with all applicable
 Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan
- 10. Proposed findings of fact pertaining to compliance with the Comprehensive Plan

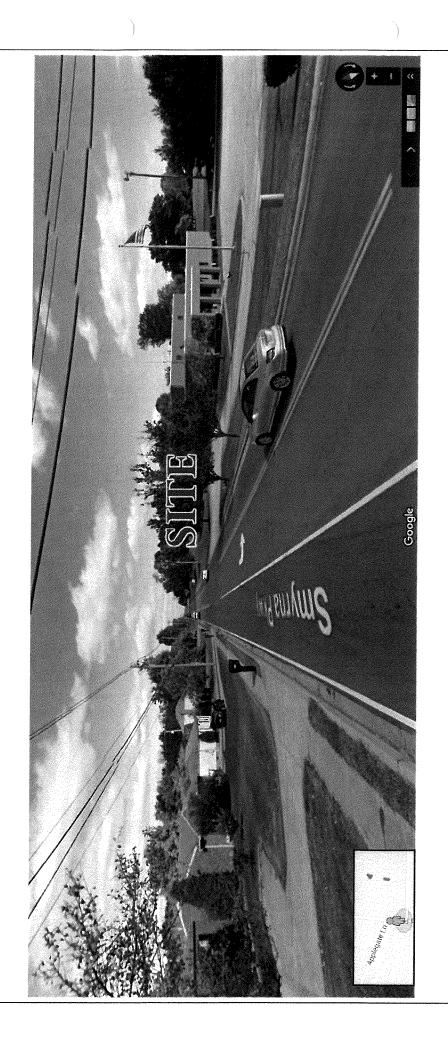


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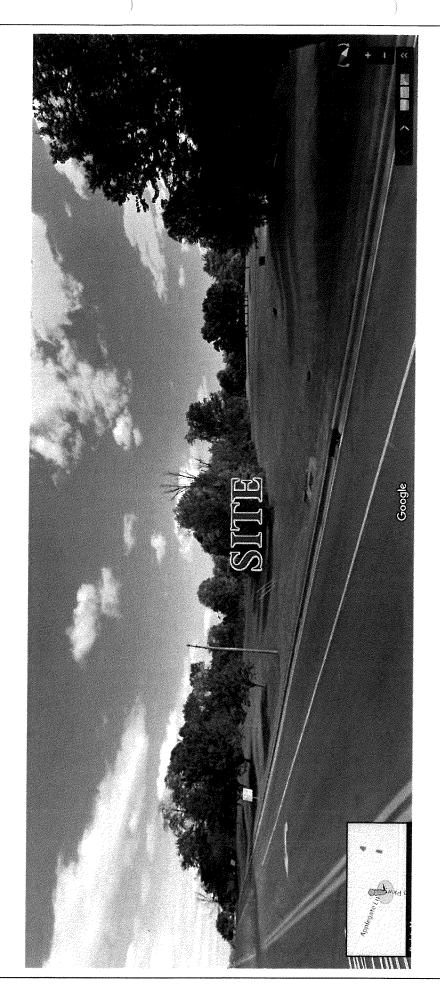




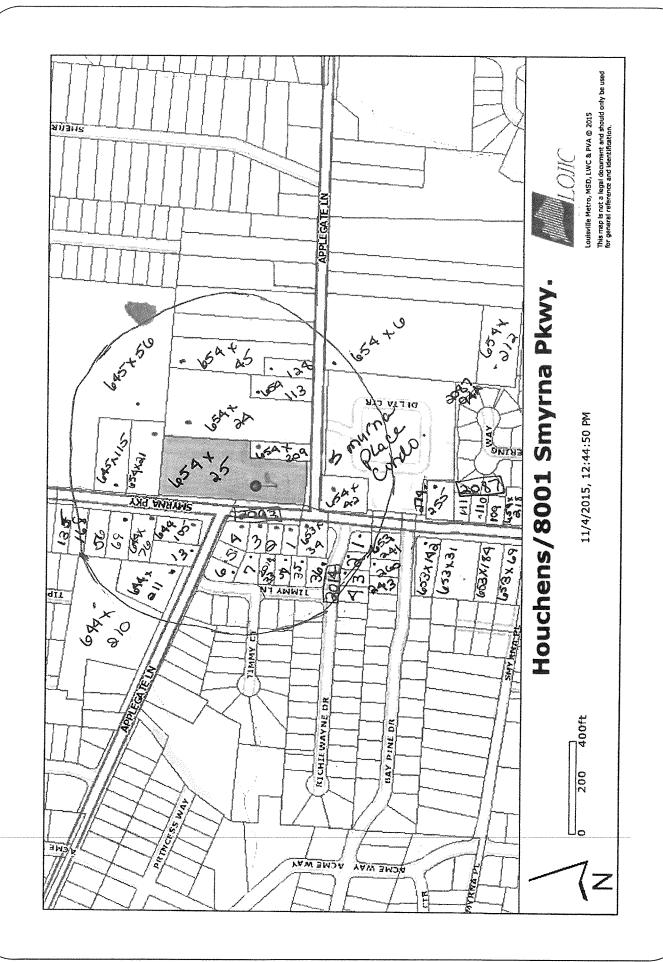
View of Smyrna Parkway looking south towards Gene Snyder. Site is on the left.



View of Smyrna Parkway looking north towards Outer Loop. Site is on the right just past the fire station.



View of site from Smyrna Parkway just past the fire station.



CROSSROADS IGA

700 Church Street Bowling Green, KY 42101

November 16, 2015

Dear Neighbor,

RE: Zone change from R-4 residential to C-1 commercial to allow a combination Crossroads IGA grocery store with restaurant, hardware store and fuel pumps on approximately 2.5 +/- acres, to be located on the rear, northern portion of the Highview Fire Station at the northeast corner of Smyrna Parkway and Applegate Lane at 8001 Smyrna Parkway

We are writing to invite you to a meeting we have scheduled to present neighbors with our plan for a combination Crossroads IGA grocery store with restaurant, hardware store and fuel pumps.

Accordingly, we have filed a plan for pre-application review with the Division of Planning and Design Services (DPDS) that has been assigned case number 15ZONE1065. A case manager will be assigned in a few days and we will have the name of the case manager at the neighbor meeting.

We would like to show and explain our plan to neighbors so that we might hear what thoughts, issues and perhaps even concerns you may have. In that regard, a meeting will be held on Monday, November 30, 2015 at 7:00 p.m. at the Jefferson County Central Government Center located at 7201 Outer Loop.

If you cannot attend the meeting but have questions or concerns, please call our local land use attorney Bill Bardenwerper at 426-6688, or our land planning and engineering firm representatives Jeff Arnold and Brian Shirley at 270-780-9448.

We look forward to seeing you.

Sincerely,

Tim Rich

cc: Hon. James Peden, Metro Councilman, District 23

Bill Bardenwerper, attorney with Bardenwerper, Talbott & Roberts, PLLC

Jeff Arnold P.E, PLS and Brian Shirley RLA, land planners/engineers with Arnold

Consulting Engineering Services

Brian Davis, Planning & Design Services supervisor

People present had lots of comments about traffic and access, including the possibility of a road to connect this site to the easterly extension of Applegate Lane. On the other hand, some people were very much opposed to that idea, notably one of the individuals who resides in the condominium community on the south side of Applegate Lane next to the Smyrna Inn.

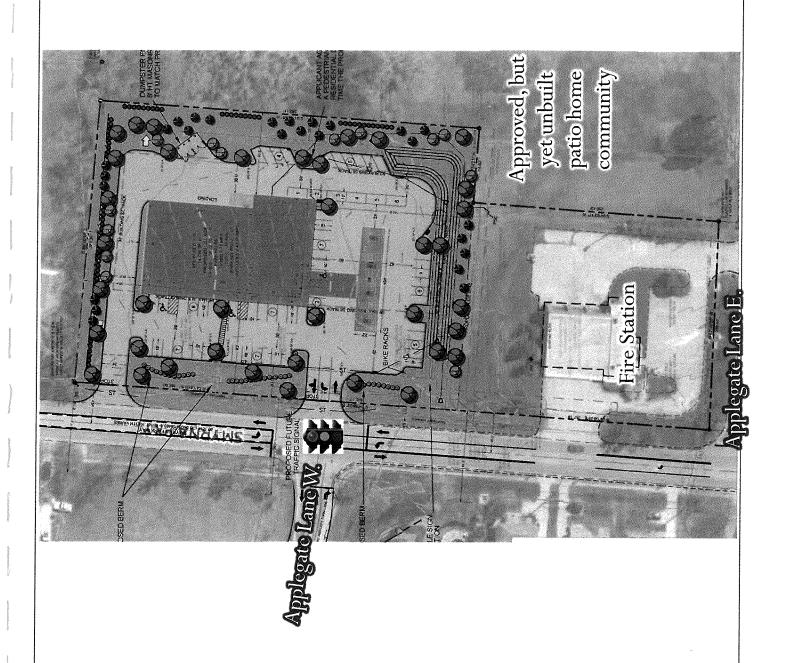
Although traffic and access issues predominated the discussion, there were also questions and comments pertaining to why this store at this location. Houchens representatives explained their concept, as opposed to that of other larger grocery stores. Basically what they explained is that the Crossroads IGA concept is a modern-day version of the old corner grocery store. It is intended to provide for easy access by people residing in surrounding, usually densely populated areas, as here. That way, people living nearby wanting to do generally small amounts of grocery shopping, often times in an emergency or hurry, can do so in close proximity to their homes, reducing wasted time and vehicle miles traveled.

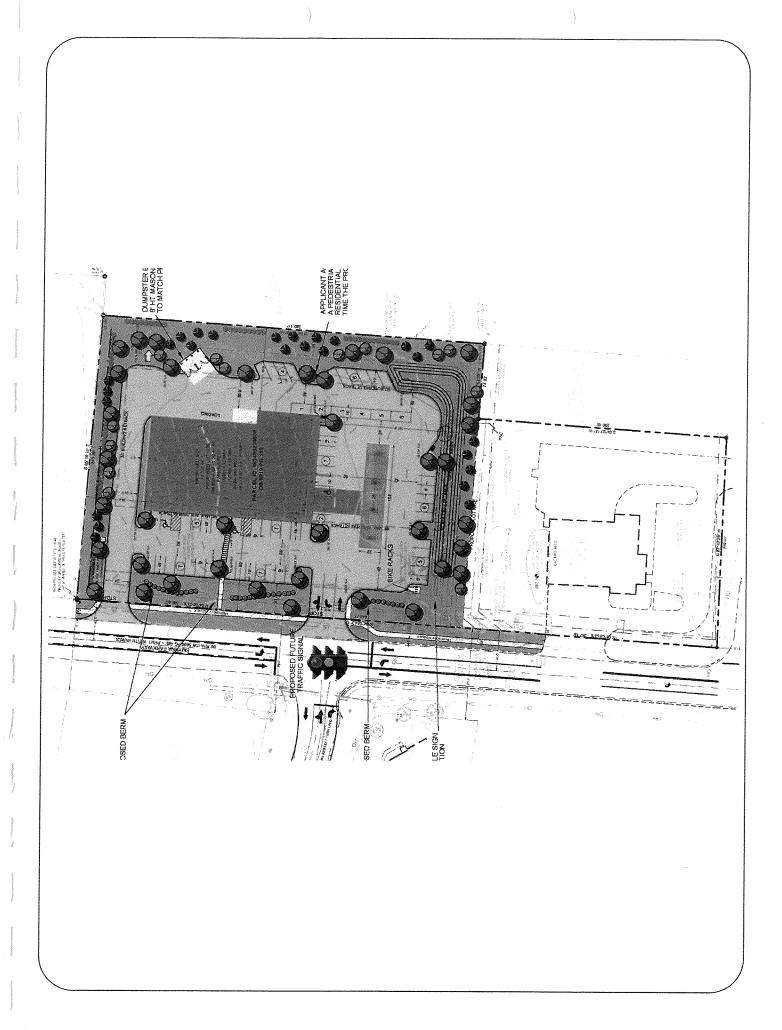
There were also questions about whether Houchens would be willing to consider conditions of approval (binding elements) relating to such things as hours of operation, hours of delivery, screening/buffering and the like. When asked about all of these, Houchens representatives assured those present that most of its Crossroads IGA stores open at 6 AM and close at 11 PM, except for 24-hour fuel pump operations. As to lighting, Mr. Bardenwerper explained how lighting is regulated by the local Land Development Code. But someone remarked that the Shelbyville Road store seems to have lighting that bleeds onto Shelbyville Rd. Therefore, Houchens representatives agreed to take a closer look at that lighting plan compared to the one anticipated for this site. Of course, it was noted that there are far fewer pumps at this location than at Houchens' Shelbyville Road location.

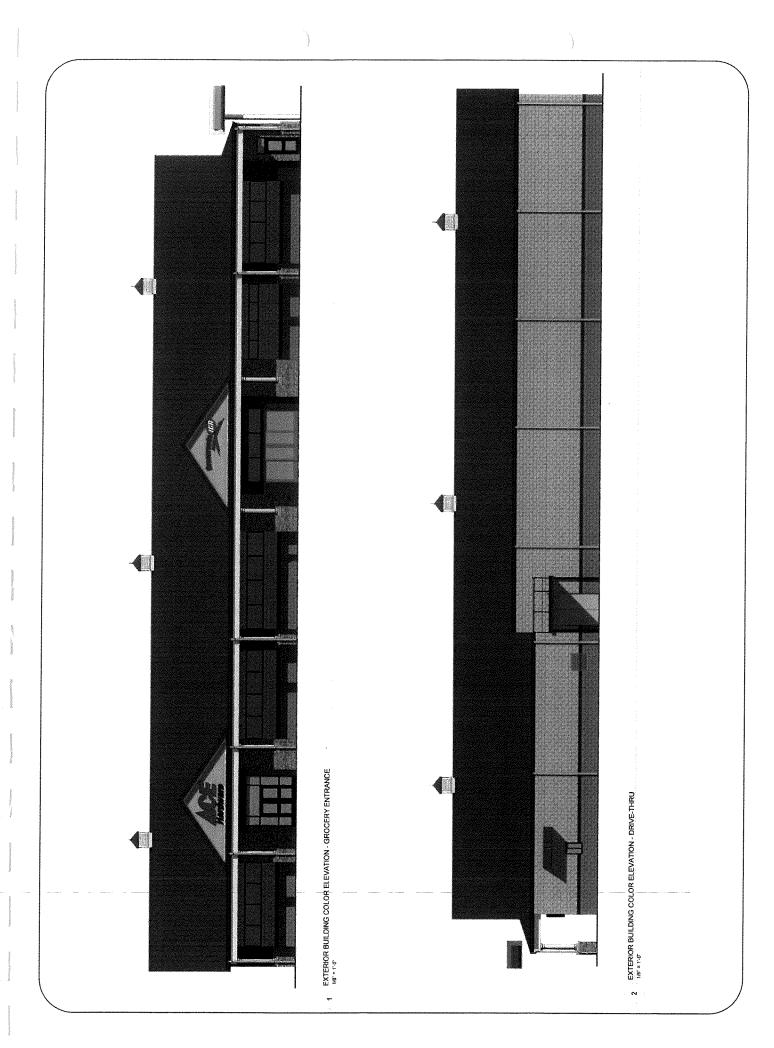
As to deliveries, Houchens representative said they occur during normal business hours. Under no circumstances do they occur after its stores are closed. Most delivery trucks are ones making multiple runs to multiple store locations, so whether they come and go from the north or south, meaning to and from the Outer Loop or Snyder Freeway, is yet to be determined.

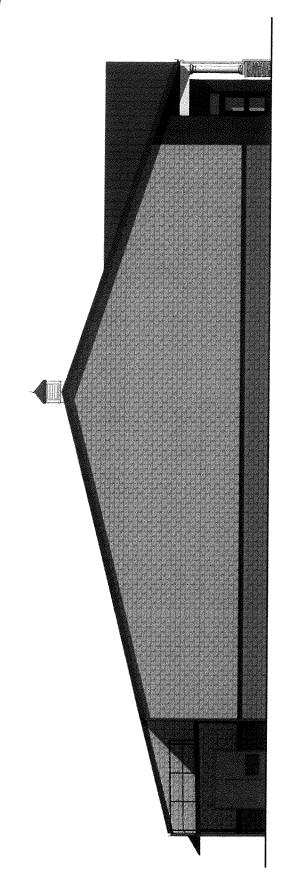
Respectfully submitted,

Bill Bardenwerper Bardenwerper, Talbott & Roberts, PLLC 1000 N. Hurstbourne Pkwy., 2nd Floor Louisville, KY 40223 502-426-6688

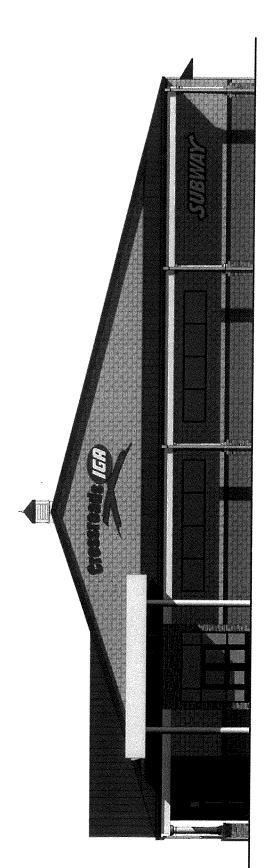






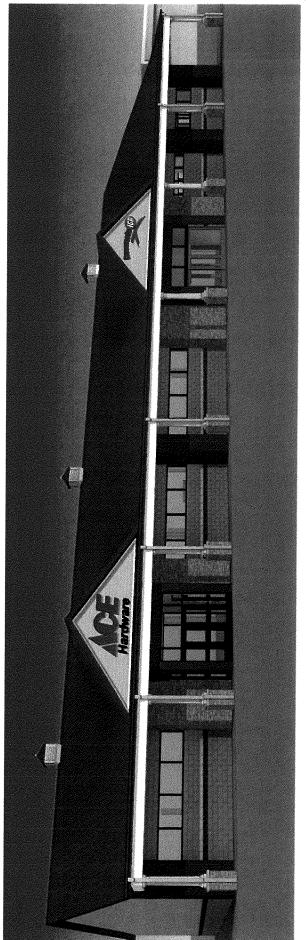


4 EXTERIOR BUILDING COLOR ELEVATION - SERVICE / LOADING



3 EXTERIOR BUILDING COLOR ELEVATION - GAS ENTRANCE 1/6" = 1-0"





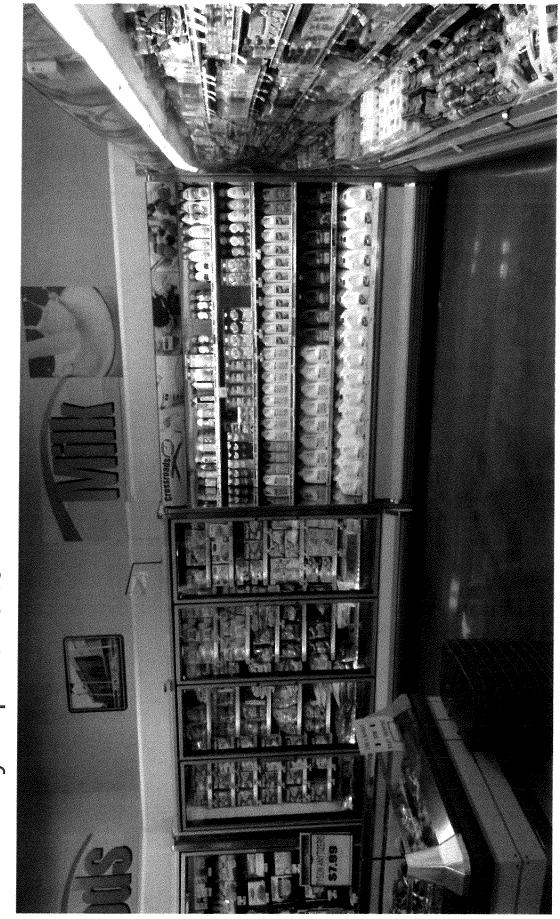
Typical Grocery Section Featuring Fresh Produce



Fresh Fruits, Vegetables, and Meat



Frozen Food Department



Dairy Department



Breakfast and Deli Meats



Standard Grocery Offerings

Coffee Area



In-Store Restaurant

Proposed Additional Binding Element

donstruction approval for the site. The traffic signal installation and right nstallation shall be performed by Louisville Metro. Construction plans dertificate of occupancy. Additional intersection improvements may be Funding for the design and installation of a traffic signal and right turn turn lane construction shall be completed before the issuance of the required after construction plan review by Transportation Planning, lane (eastbound) shall be provided by the Owner/Developer at the for the traffic signal and right turn lane, a bond and encroachment Applegate Lane and Smyrna Parkway intersection. Traffic Signal permit from Transportation Planning will be required prior to Traffic Engineering and Metro Public Works.



Crossroads IGA 8001 Smyrna Parkway Louisville, KY

Traffic Impact Study

Louisville Metro Planning

March 8, 2016



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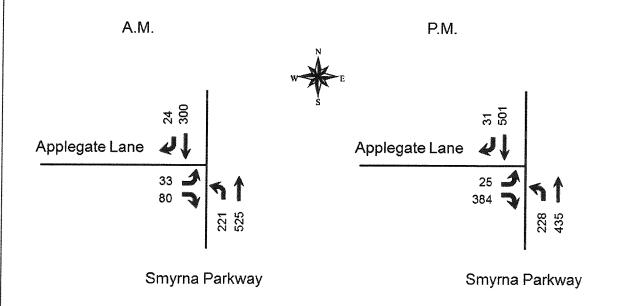
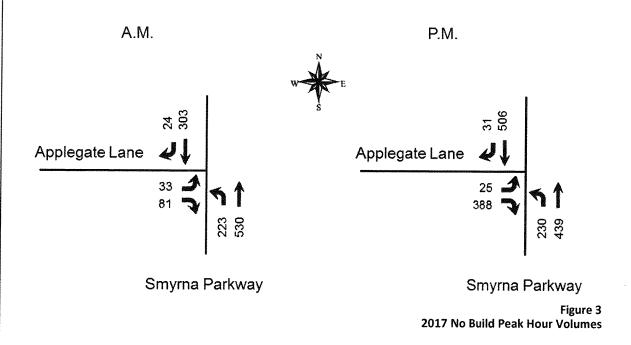


Figure 2 2015 Peak Hour Counts

Future Conditions

The projected completion year for this development is 2017, so the analysis year for this study is 2017. To predict traffic conditions in 2017, one percent annual growth in traffic was added. This growth is based upon a review of the historical growth at KYTC count stations 401 and 402. **Figure 3** displays the 2017 No Build volumes.



Trip Generation

The Institute of Transportation Engineers <u>Trip Generation Manual</u>, 9th Edition contains trip generation rates for a wide range of developments. The land uses of "Gasoline/Service Station with Convenience Market (945)", "Fast-Food with Drive-Through Window (934)" and "Hardware Store (816)" best describes this development. The trip generation results were compared with existing Crossroads IGA sites to confirm this as the best match. The trip generation results are listed in **Table 1**. The results of the trip generation analysis are that this development will generate 129 a.m. peak hour trips and 179 p.m. peak hour trips. The trips were assigned to the highway network with 70 percent to/from the south, 15 percent to/from the north and 15 percent to/from the west. This is based upon the residential density in the vicinity. **Figure 4** shows the trips generated by this development and distributed throughout the road network for the year 2017 during the peak hours. **Figure 5** displays the individual turning movements for the year 2017 for the peak hours when the development is completed.

Table 1 - Trip Generation

	AM	Peak H	our	PM	Peak H	our
	Total	Enter	Exit	Total	Enter	Exit
Gasoline/Service Station with Conv Market (8 fueling positions)	81	41	40	108	54	54
Hardware Store (3,000 square feet)	3	2	1	38	18	20
Fast-Food with Drive-Through Window (1,000 square feet)	45	23	22	33	17	16
TOTAL	129	66	63	179	89	90

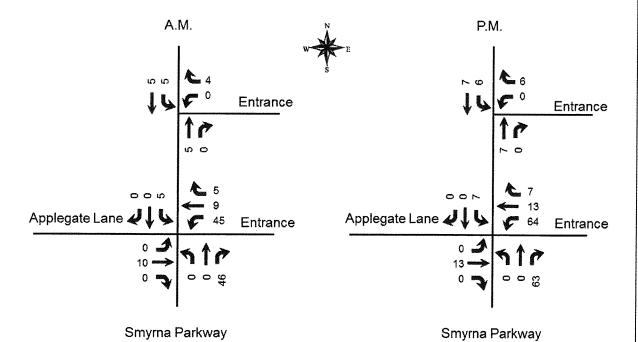


Figure 4
Trip Distribution for Site



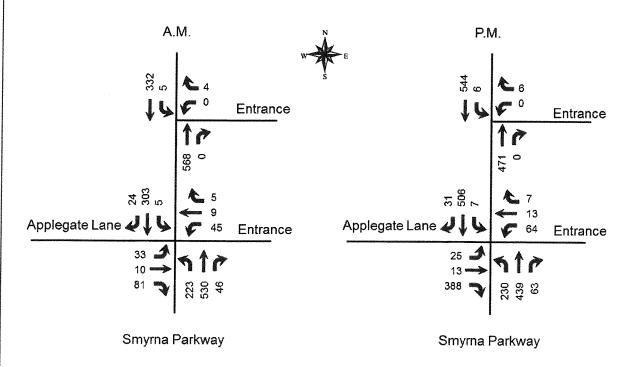


Figure 5 2017 Build Peak Hour Volumes

Analysis

The qualitative measure of operation for a roadway facility or intersection is evaluated by assigning a "Level of Service" or LOS. Level of Service is a ranking scale from A through F with each level representing a range. LOS results depend upon the type of facility that is analyzed. In this case, the LOS is based upon the average vehicle delay each movement experiences at an intersection.

To evaluate the impact of the proposed development, the vehicle delays at the intersection were determined using procedures detailed in the <u>Highway Capacity Manual</u>, 2010 edition. Future delay and Level of Service were determined for the intersection using HCS 2010 TWSC and Streets software (version 6.70). **Table 2** shows the results of the analysis for the three scenarios analyzed. The full printouts are included in Appendix B.



Table 2 - Level of Service Results

	AN	/I Peak Hou	ir -	P.	VI Peak Hou	лr		ffic nal
	2015 Existing	2017 No Build	2017 Build	2015 Existing	2017 No Build	2017 Build	2017 AM Build	2017 PM Build
Smyrna Parkway at Applegate Lane							С	D
							21.9	35.6
Applegate Lane Eastbound	Α	A	F	F	F	F	D	E
	9.7	9.7	213.9	50.7	54.3	158.6	44.3	68.8
Crossroads IGA Westbound		N1.0	F			F	D	Е
	NA	NA	377.8	NA	NA	1537.8	54.7	55.9
Smyrna Parkway Southbound	Α	Α	Α	Α	А	Α	В	С
	9.2	9.2	9.2	9.6	9.6	9.5	19.9	27.1
Smyrna Parkway Northbound	NIA	NI A	Α	N 1 A		Α	В	В
	NA	NA	9.1	NA	NA	8.4	12.6	19.9

Note: Level of Service, delay in seconds

Because the intersection currently experiences Level of Service F during the current p.m. peak hour and during both build peak hours, the intersection was also analyzed with a traffic signal. The Manual on Uniform Traffic Control Device Warrants for installing a traffic signal were reviewed. Warrant 1B is satisfied with the current volumes. Warrant 1A is satisfied for seven of the required eight hours. The warrant chart is included in Appendix B. An eastbound right turn lane will also be constructed on Applegate Lane.

Conclusions

Based upon the volume of traffic generated by the development and the amount of traffic forecasted for the year 2017, there will be an impact to the existing highway network. Due to the delays currently experienced on Applegate Lane at Smyrna Parkway, a traffic signal with an eastbound right turn lane is recommended for the intersection.



Study Name Smyrna Rd & Applegate Ln Start Date 12/17/2015 Start Time 7:00 AM Site Code

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7:30 AM	12	110	0	141	85	0	348		22	9	0	31	
7:45 AM	5	68	0	65	47	0	185	1070	24	7	0	31	113
8:00 AM	2	51	0	65	33	0	151		21	5	0	26	
8:15 AM	1	61	0	76	35	0	173		21	7	0	28	
8:30 AM	3	70	0	103	40	0	216		31	2	0	33	
8:45 AM	3	76	0	93	44	0	216	756	26	5	0	31	118
9:00 AM	4	70.	0	69	31	0	174		29	6	0	35	
9:15 AM	5	60	0	69	24	0	158		18	2	0	20	
9:30 AM	3	39	0	79	35	0	156		21	2	0	23	
9:45 AM	4	51	0	65	35	0	155	643	26	3	0	29	107
10:00 AM	3	61	0	73	37	0	174		15	3	0	18	10.
10:15 AM	0	50	0	66	39	0	155		29	1	0	30	
10:30 AM	6	46	0	63	23	0	138		23	4	0	27	
10:45 AM	3.	51	0	53	37	0	144	611	30	3	0	33	108
11:00 AM	2	44	0	64	35	0	145		23	7	0	30	.00
11:15 AM	4.	60	0	77	43	0	184		21	6	0	27	
11:30 AM	2	67	0	84	45	0	198		27	5	0	32	
1:45 AM	2	73	0	74	35	0	184	711	38	9	0	47	136
2:00 PM	7	55	0	80	33	0	175		31	7	0	38	.00
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:15 PM	5	89	0	73	48	0	215		50	2	0	52	
:30 PM	5	81	0	91	45	0	222		57	3	0	60	
:45 PM	5	87	0	102	45	0	239	885	60	2	0	62	238
:00 PM	5	58	0	109	41	0	213		60	7	0	67	
:15 PM	6	94	0	129	55	0	284		57	9	0	66	
:30 PM	10	112	0	106	62	0	290		70	6	0	76	
:45 PM	7	126	0	112	32	0	277	1064	99	6	0	105	314
:00 PM	6	113	0	82	40	0	241		94	5	0	99	
:15 PM	4	90	0	116	44	0	254		68	10	0	78	
:30 PM	6	120	0	86	45	0	257		68	6	0	74	
:45 PM	6	105	0	96	51	0	258	1010	75	4	0	79	330
:00 PM	2	148	0	115	54	0	319		82	8	0	90	
:15 PM	5	116	0	106	46	0	273		80	5	0	85	
:30 PM	10	136	0	107	52	0	305		87	5	0	92	
:45 PM	6	124	0	97	64	0	291	1188	90	7	0	97	364
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15 PM	6	127	0	100	57	0	290		103	6	0	109	
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Appendix B HCS Reports

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Level of Service (LOS)

Approach Delay (s/veh)

Approach LOS

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TRAFFIC SIGNAL WARRANT ANALYSIS

COUNTY	Jeff	erson			DATE	Decem	nber 17, 2015	DAY	OF WEEK	Thurs
CITY	Lou	isville	MILEPOST			NO. OF C	ORRECTIBLE C	RASHES IN 12 M	IONTH PERIOD	2
MAJOR STRE	ETNAME		Smyrna	Parkway			NO. OF MAJO	R STREET APPR	ROACH LANES	1
MINOR STREE	TNAME		Applegate	Lane (west)	-	NO. OF MINOR	STREET APPR	OACH LANES	1
POSTED SPEE	OLAM TIMILI DE	R SREET	35	MPH	POPULATION	1 < 10,000		REDUCED W	VARRANTS BASE	DUPON
POSTED SPEE	ED LIMIT MINOF	SREET	35	МРН	YES	X NO		SPEED		POPULATION
		MINOR STREET HIGHEST	Cond	ant 1 Ition A	Cond	rant 1 lition B	(Warrani (5 or More	1 Condition A Correctible Cr	SH EXPERIE or B 80% Satis ashes in 12 Mo	fied) <u>AND</u> nth Period)
	MAJOR STREET	VOLUME		mum r Volume		ption of ous Traffic	3	rant 1 on A - 80%	Warr	
TIME	TWO	APPROACH	MAJOR	MINOR	MAJOR	MINOR	MAJOR	MINOR	Condition MAJOR	MINOR
	WAY VOLUME	Are Side Street Rights	500 (1) 600 (2)	150 (1) 200 (2)	750 (1) 900 (2)	75 (1) 100 (2)	400 (1) 480 (2)	120 (1) 160 (2)	600 (1) 7(20 (2)	60 (1) 80 (2)
	VOLUME	Included?		REDUCED	WARRANTS				WARRANTS	
		Yes 🗹 No 🗆	350 (1)	105 (1)	525 (1)	53 (1) 70 (2)	280 (1)	84 (1)	duction) 420 (1)	42 (1)
		NO L	420 (2)	140 (2)	(1) = ONE LANE		(2) = TWO LA	112 (2) NE APPROACH	504 (2)	56 (2)
7-8 am	1,070	123	Х		X	X	X	Х	X	Х
8-9 am	756	128	Х	mes-many-deposition	Х	X	X	X	X	X
9-10 am	643	112	Х			Х	X		Х	X
10-11 am	611	114	Х			Х	X		X	Х
11-12 am	711	148	Х			X	Х	Х	Х	Х
12-1 pm	741	174	Х	X		Х	Х	Х	X	Х
1-2 pm	885	256	Х	X	X	Х	Х	Х	Х	Х
2-3 pm	1,064	332	Х	Х	X	Х	Х	Х	Х	Χ
3-4 pm	1,010	341	Χ	X	X	Х	Х	Х	Х	Х
4-5 pm	1,188	377	Х	Х	X	Х	Х	Х	Х	Х
5-6 pm	1,195	423	Х	X	Х	Х	Х	X	Х	Х
6-7 pm	1,052	333	Х	X	Х	X	Х	Х	Х	Х
NU	MBER OF HOU	RS	7	,		В		0	1;	2
	COMPLIANCE		N	0	YI	ES		N	0	



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General Inform	nation								Interse	ction In	iformat	ion			i ix i
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6-2-16 Signal Warrant Analysis for Applegate Lane at Smyrna Parkway

TRAFFIC SIGNAL WARRANT ANALYSIS

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* additional 12 trips added by development

BARDENWL PER, TALBOTT & ROBER S, PLLC

- ATTORNEYS AT LAW -

1000 N. Hurstbourne Parkway • Building Industry Association of Greater Louisville Bldg. • Second Floor • Louisville, Kentucky 40223 (502) 426-6688 • (502) 425-0561 (fax) • www.Bardlaw.net

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

Applicant: Houchens Industries

Owner: Highview Fire Protection District

<u>Location:</u> 8001 Smyrna Parkway

Proposed Use: Neighborhood Crossroads IGA, Ace Hardware and

fuel station

Engineers, Land Planners and

<u>Landscape Architects:</u> Arnold Consulting Engineering Service, Inc.

Request: Zone Change from R-4 and R-5A to C-1

SUMMARY STATEMENT

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

The site is at a "T" intersection of Smyrna Parkway and the westward extension of Applegate Lane. It is also just north of the "T" intersection of Smyrna Parkway and the eastward extension of Applegate Lane. Smyrna Parkway is a relatively heavily trafficked arterial roadway which would benefit from a traffic signal at one of its "T" intersections with west-bound Applegate Lane. The applicant conducted a Traffic Impact Study, which determined that a traffic signal at this location would make it possible to enter and exit the proposed facility while also improving current levels of service at Smyrna Parkway and west-bound Applegate Lane, specifically by making left-hand turns eastbound Applegate Lane to northbound Smyrna Parkway possible and by improving right-turn movements as well eastbound Applegate Lane to southbound Smyrna Parkway.

GUIDELINE 1 – COMMUNITY FORM

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

a scale appropriate for the nearby neighborhoods. This proposal represents 21st Century version of the "corner grocery" and "neighborhood hardware" stores, which are ideally located in close proximity to large, fairly dense residential areas, which serve as the support population for this combination small grocery and hardware store.

GUIDELINE 2 – CENTERS

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

This site is presently owned by the Highview Fire Department, representing excess land at the rear of an existing fire station. The fire station is located next door to one existing and one soon-under-construction residential condominium communities and across the eastward extension of Applegate Lane from the Smyrna Inn. As a consequence, this is an existing activity center, comprised of higher density residential, the institutional use of a fire station and a bar/restaurant. With this addition to the diversity of goods and services in close proximity to residential housing, this small grocery/hardware store/restaurant/fuel station adds to the vitality and sense of place among the mostly disconnected nearby neighborhoods, some of whose residents might decide to walk to this grocery.

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

GUIDELINE 3 – COMPATIBILITY

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

As set forth above, this is a small neighborhood serving retail center. It will have the look and feel of the store already built at US 60 and Beckley Station Road, except at this one will involve fewer fuel pumps and will add a new hardware store. Elevation renderings are included in the neighborhood meeting PowerPoint presentation accompanying this application. Odors will be contained within the building, especially given that the type restaurant will be a Subway-type restaurant. Noise will not be a late evening/over night factor given that this store, except for the fuel pumps, will be closed during those hours. Lighting will follow restrictions of the Land Development Code (LDC) and thus be directed down and away from nearby residential properties, with a 90 degree cut-off at property lines. Transitions to adjoining properties to the north and east will be well screened and buffered in accordance with LDC requirements and in consultation with adjoining property owners. Parking will be shared. Loading and delivery will be located and/or screened so as to minimize impacts on any nearby residentially occupied properties. Signage will be in conformance with the LDC.

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

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

This proposed combination of four compatible uses constitutes a high quality, neighborhood activity center. It is located in the midst of fairly intense residential populations along Smyrna Parkway and Applegate Lane. Without this proposed development of the rear unutilized portion of the existing Highview Fire Station site, it is hard to envision what this site would otherwise be appropriate for – surely not single-family residential use.

<u>GUIDELINES 7, 8 AND 9 – CIRCULATION; TRANSPORTATION FACILITY</u> <u>DESIGN; AND BICYCLE, PEDESTRIAN AND TRANSIT</u>

The application complies with the Intents and applicable Policies 1, 2, 4, 6, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Guideline 7; Policies 1, 4, 5, 7, 9, 10 and 11 of Guideline 8; and Policies 1, 2, 3 and 4 of Guideline 9 as follows.

As mentioned above, the applicant conducted a TIS analyses and a signal warrant analysis. The conclusion of that analysis is set forth in the Summary Statement above. The proposed traffic signal at the entrance to this center will would move traffic much more efficiently along this very busy, peak-hour heavy arterial roadway. That is because what especially slows traffic and creates congestion are left and right turns from eastbound west Applegate Lane and attempted left turns from northbound Smyrna Parkway onto west Applegate Lane. Furthermore, the design of this small center, together with its points of access, take into account the standards promulgated by KTC and Metro Transportation Planning and Public Works. The latter will be required to review the detailed district development plan (DDDP) submitted with this application prior to time of LD&T and Planning Commission public reviews, or this application will not be publicly heard. That review and preliminary stamp of approval will assure that Transportation Planning and Public Works standards for corner clearances, access, connectivity, internal circulation and parking minimums are all satisfied. Additional right-of-way will be dedicated if required.

GUIDELINE 10 - FLOODING AND STORMWATER

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

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

GUIDELINE 11 – WATER QUALITY

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

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

GUIDELINE 12 – AIR QUALITY

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

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

GUIDELINE 13 – LANDSCAPE CHARACTER

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

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

* * *

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

Respectfully submitted,

BARDENWERPER, TALBOTT & ROBERTS, PLLC

Bardenwerper Talbott & Roberts, PLLC 1000 N. Hurstbourne Parkway, Second Floor Louisville, KY 40223 (502) 426-6688

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

Applicant:

Houchens Industries

Owner:

Highview Fire Protection District

Location:

8001 Smyrna Parkway

Proposed Use:

Neighborhood Crossroads IGA, Ace Hardware and

fuel station

Engineers, Land Planners and

Landscape Architects:

Arnold Consulting Engineering Service, Inc.

Request:

Zone Change from R-4 and R-5A to C-1

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on August 4, 2016 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

SUMMARY STATEMENT

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

WHEREAS, the site is at a "T" intersection of Smyrna Parkway and West Applegate Lane; it is also just north of the "T" intersection of Smyrna Parkway and East Applegate Lane; Smyrna Parkway is a relatively heavily trafficked arterial roadway which would benefit from a traffic signal at the "T" intersections with West Applegate Lane where a signal has been approved; the applicant conducted a Traffic Impact Study (TIS), which determined that a traffic signal at this location would make it possible to enter and exit the proposed facility while also improving current levels of service at West Applegate Lane, specifically by making left-hand turns eastbound from West Applegate Lane to northbound Smyrna Parkway possible and by improving right-turn movements as well eastbound from West Applegate Lane to southbound Smyrna Parkway; and

GUIDELINE 1 – COMMUNITY FORM

WHEREAS, the application complies with the Suburban Neighborhood Form District description of an area characterized by *predominantly* residential uses but that also includes, at appropriate locations, a mixture of uses, such as offices, retail shops, restaurants and services so long as these uses are at a scale appropriate for the nearby neighborhoods; this proposal represents 21st Century versions of the "corner grocery" and "neighborhood hardware" stores, which are ideally located in close proximity to large, fairly dense residential areas, which serve as the support population for this combination small grocery and hardware store; and

GUIDELINE 2 - CENTERS

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

WHEREAS, this site is presently owned by the Highview Fire Department, representing excess land at the rear of an existing fire station; the fire station is located next door to one existing and one soon-under-construction residential condominium communities and across East Applegate Lane from the Smyrna Inn; as a consequence, this is an existing activity center, comprised of higher density residential, the institutional use of a fire station and a bar/restaurant; and with this addition to the diversity of goods and services in close proximity to residential housing, this small grocery/hardware store/fuel station adds to the vitality and sense of place among the mostly disconnected nearby neighborhoods, some of whose residents might decide to walk to this grocery; and

WHEREAS, as an "activity center", it is appropriately located at the intersection of a collector and arterial street and is designed to be of intensity, density, size and mix of uses appropriate for a small neighborhood center; everything within this small center is compact, and it includes three uses: a grocery, a hardware store, and a fuel station; and they share parking and work off the same utility infrastructure; and

GUIDELINE 3 – COMPATIBILITY

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

WHEREAS, as set forth above, this is a small neighborhood serving retail center; it will have the look and feel of the store already built at US 60 and Beckley Station Road, except at this one will involve fewer fuel pumps and will add a new Ace hardware store; attractive building elevation renderings and inside photographs were included in the neighborhood meeting PowerPoint and shown at the Planning Commission Public Hearing PowerPoint presentation; odors will be contained within the building; noise will not be a late evening/over night factor given that this store, except for the fuel pumps, will be closed during those hours; lighting will follow restrictions of the Land Development Code (LDC) and thus be directed down and away from nearby residential properties, with a 90 degree cut-off at property lines; transitions to adjoining properties to the north and east will be well screened and buffered in accordance with LDC requirements and in consultation with adjoining property owners; parking will be shared;

loading and delivery will be located and/or screened so as to minimize impacts on any nearby residentially occupied properties; and signage will be in conformance with the LDC; and

GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY

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

WHEREAS, this proposed combination of compatible uses constitutes a high quality, neighborhood activity center; it is located in the midst of fairly intense residential populations along Smyrna Parkway and Applegate Lanes; and without this proposed development of the rear unutilized portion of the existing Highview Fire Station site, it is hard to envision what this site would otherwise be appropriate for – surely not single-family residential use; and

<u>GUIDELINES 7, 8 AND 9 – CIRCULATION; TRANSPORTATION FACILITY</u> <u>DESIGN; AND BICYCLE, PEDESTRIAN AND TRANSIT</u>

WHEREAS, the application complies with the Intents and applicable Policies 1, 2, 4, 6, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Guideline 7; Policies 1, 4, 5, 7, 9, 10 and 11 of Guideline 8; and Policies 1, 2, 3 and 4 of Guideline 9 as follows; and

WHEREAS, as mentioned above, the applicant conducted a TIS and signal warrant analysis; the conclusion of that analysis is set forth in the Summary Statement above; the proposed traffic signal at the entrance to this center will would move traffic much more efficiently along this very busy, peak-hour heavy arterial roadway; that is because what especially slows traffic and creates congestion are left and right turns from eastbound West Applegate Lane and attempted left turns from northbound Smyrna Parkway onto West Applegate Lane; furthermore, the design of this small center, together with its points of access, take into account the standards promulgated by KTC and Metro Transportation Planning and Public Works which reviewed and gave its preliminary stamp of approval on the detailed district development plan (DDDP) prior to LD&T and Planning Commission public hearing; internal circulation and parking minimums are all satisfied; and additional right-of-way will be dedicated if required; and

GUIDELINE 10 - FLOODING AND STORMWATER

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

WHEREAS, small detention basins distributed at points on the DDDP, in compliance with MSD's standards for storm water management, will assure that post-development rates of runoff will not exceed pre-development conditions; MSD reviewed the storm water management plan and gave its preliminary stamp of approval to the DDDP prior to docketing for LD&T and Planning Commission public hearing; and

GUIDELINE 11 – WATER QUALITY

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

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

GUIDELINE 12 – AIR QUALITY

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

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

GUIDELINE 13 – LANDSCAPE CHARACTER

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

WHEREAS, compliance with this Guideline is achieved by virtue of compliance with LDC requirements; and as stated above, landscaping, screening and buffering will meet or exceed LDC requirements; and

* * * * * *

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

NOW, THEREFORE, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-4 and R-5 to C-1, and it approves the Detailed District Development Plan.