

Planning Commission Staff Report

July 2, 2014



Case No:	14zone1024
Request:	TNZD Map Change
Project Name:	Vault 1031
Location:	1031 South 6 th Street
Owner:	Nancy Cogan
Applicant:	Nancy Cogan
Representative:	Wyatt Tarrant and Combs LLP
Jurisdiction:	Louisville Metro
Council District:	6- David James
Case Manager:	Julia Williams, AICP, Planner II

REQUEST

- TNZD Map change to change the site from a single/two family mapped use to an institutional use

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The property includes an existing building with 4 parking spaces located at the rear of the building along an alley. The property has the land use category within the TNZD of "Neighborhood General". Within the Neighborhood General category under institutional uses, cultural centers and civic buildings are permitted where mapped. The site is mapped for single and two family residential. The applicant is requesting that the map be changed to allow institutional uses on the site.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant Structure	TNZD	TN
Proposed	Art Gallery/Studio/Office/Residential	TNZD	TN
Surrounding Properties			
North	Non-Residential	TNZD	TN
South	Residential	TNZD	TN
East	Residential	TNZD	TN
West	Residential	TNZD	TN

PREVIOUS CASES ON SITE

B-255-05- Appeal of a Letter of Refusal. Non-conformity was established on the site and the proposed antique store was found to be less offensive than the prior use as money transfer station.

11842-Appeal to change the non-conforming use on the site from an antique store to artist studios with retail sales, office and storage was approved on condition. BOZA adopted that the non-conforming use had not been abandoned; that the new non-conforming use is the same or a more restrictive classification; and that the

proposed artist studios with retail sales, office and storage uses are less offensive than the wholesale/retail antique store.

INTERESTED PARTY COMMENTS

Old Louisville Neighborhood Council

Old Louisville
Information Center
1340 South Fourth Street
in Central Park
Louisville, Kentucky 40208
Telephone 502 635-5244
E-mail: olnc@bellsouth.net



March 25, 2014

Louisville Metro Planning Commission
444 South 5th Street
Louisville, KY 40202

RECEIVED

MAR 25 2014
PLANNING &
DESIGN SERVICES

RE: 1031 SOUTH, 6TH STREET, LOUISVILLE KY 40203

Map Change from the "Single and Two Family Residential" designation to the "Institutional" designation of the "Neighborhood General Component" included in Appendix 2B of the Land Development Code.

Commissioners:

The Old Louisville neighborhood residents and business owners are represented by the Old Louisville Neighborhood Council. This council is comprised of 13 neighborhood associations, and a selection of committees. The Zoning and Land use committee pursues well-planned land use and development for the best interest of our neighborhood.

This letter is in support of the proposed map change.

Nancy Cogan, the property owner, presented her plans for the use of the subject real estate at a recent meeting. Our committee interviewed her to fully understand her proposed use and carefully deliberated the possible impact of the map change on our community. We have concluded that the proposed map change is in keeping with the intent and goals of the Appendix 2B Old Louisville TNZD Plan Report. Additionally this map change process may provide an avenue for other properties that are also anomalies to the criteria for designating land uses in this TNZD.

The purpose of a TNZD, as defined by Section 2.7.4.A.2 of the LDC is ***"to recognize historic or long-established traditional neighborhoods and to protect them as a distinct pattern of development."*** This is done by using the pattern and character of existing structures as a guide to lay out each "TNZD Component" of the District. The "Neighborhood General Component" is characterized by single residential structures but allows for mapping of usage on a ***"structure by structure"*** basis using the criteria of Section 2.7.4.B.2.d, (the second "d" on the page), which stipulates- ***"The regulation of usage of any structure within the TNZD shall be guided by the architecture, size or traditional use of the building, and in accordance with the purposes and pattern of the district."***

The reference structure is in the "Neighborhood General Component" of the Old Louisville TNZD and is mapped for "Single and Two Family Residential" use. Unfortunately, neither the architecture, nor size nor traditional use of this building is at all related to a single family or duplex use. Per the PVA it is a 9,450 sq. f.t. one story concrete and masonry structure on a 10,650 sq. ft. lot; built in 1953 and used as office and warehouse for the Armored Car Company. Therefore the architecture and size of this windowless structure are grossly unsuited for single family or duplex use in a neighborhood whose residential market is characterized by grand Victorian era multistory residencies, with large windows and front and rear yards. Additionally, this property doesn't meet the "traditional use" criteria since the period of significance for "**original use**" is for structures and usage prior to November 22, 1926; (Sections 2.7.4.C.2.a & 2.7.4.C.4.a.ii). The "**permitted where mapped**" use of "Institutional" better allows the proper flexibility of use for the architecture and size of this structure for the reasons described above and as witnessed by the presence of a developer willing to invest in the reuse of the property. Although the uses permitted in Institutional tend to generate more vehicular traffic & parking for which there is not adequate parking on this site, the property is in a less intently developed section where adequate on street parking is available. Therefore we strongly recommend approval of this map change.

Additionally we recognize that this map change may serve as a model for remapping of a handful of similarly anomalous properties in the Old Louisville TNZD; those that don't meet the usage designation criteria referred to above due to date of construction or reconstruction of the original structure. During the planning process that led to the area wide rezoning that created the Old Louisville TNZD in 2002, these properties were designated single family and duplex rather than their existing use. That was because the planning task force was constrained by the original use criteria based on date of significance, and not aware of this map change option. So those properties have continued with the previous uses based upon their non-conforming rights. Now this case demonstrates that those non-conforming rights can prove inadequate for reuse that is beneficial to the property owner as well as to the neighborhood; yet the structure is incompatible with the permitted use so as to make it unusable for that purpose. This situation is likely to be repeated in the future; so we wish to be clear- this support for map change is only for the rare number of existing properties that meet the criteria described in the paragraph above and need to be evaluated on a location by location basis.

Thanks for your consideration in this matter.

Respectfully Submitted,
Zoning and Land Use Committee of
Old Louisville Neighborhood Council

RECEIVED

MAR 28 2014
PLANNING &
DESIGN SERVICES



Chuck Anderson, Chairman

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW FOR TNZD PLAN AMENDMENTS

Criteria for granting the proposed TNZD Plan amendment:

1. The proposed change complies with the applicable guidelines and policies Cornerstone 2020; **AND**
2. Conformance with the traditional pattern; **AND**
3. Conformance with the urban residential character of the area; **AND**
4. Conformance with the District Plan; **AND**
5. Land Development Code Chapter 2 Part 7

STAFF ANALYSIS FOR TNZD MAP AMENDMENT

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

The site is located in the Traditional Neighborhood Form District

The Traditional Neighborhood Form District is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces.

The proposal meets the comprehensive plan for a map amendment in the TNZD. Since there is no new construction the proposal is in keeping with the traditional pattern of development in the area. The use proposals are also in keeping with the urban residential character of the area. The District Plan was not initially mapped for this particular use and was also not mapped for the existing non-residential status for the site. The proposal adjusts the map to allow for the historical non-residential use of the site.

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

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with approval/denial of the request.

TECHNICAL REVIEW

- All agency review comments have been addressed.

STAFF CONCLUSIONS

The proposed map amendment will bring the site into compliance with its non-residential nature and allow for the continued non-residential operation of the site. The proposal meets the comprehensive plan for a map amendment in the TNZD. Since there is no new construction the proposal is in keeping with the traditional

pattern of development in the area. The use proposals are also in keeping with the urban residential character of the area. The District Plan was not initially mapped for this particular use and was also not mapped for the existing non-residential status for the site. The proposal adjusts the map to allow for the historical non-residential use of the site.

The proposal meets the guidelines for a map amendment in the TNZD and the requirements of the LDC.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal meets the standards for granting a TNZD Map Amendment established in the Land Development Code.

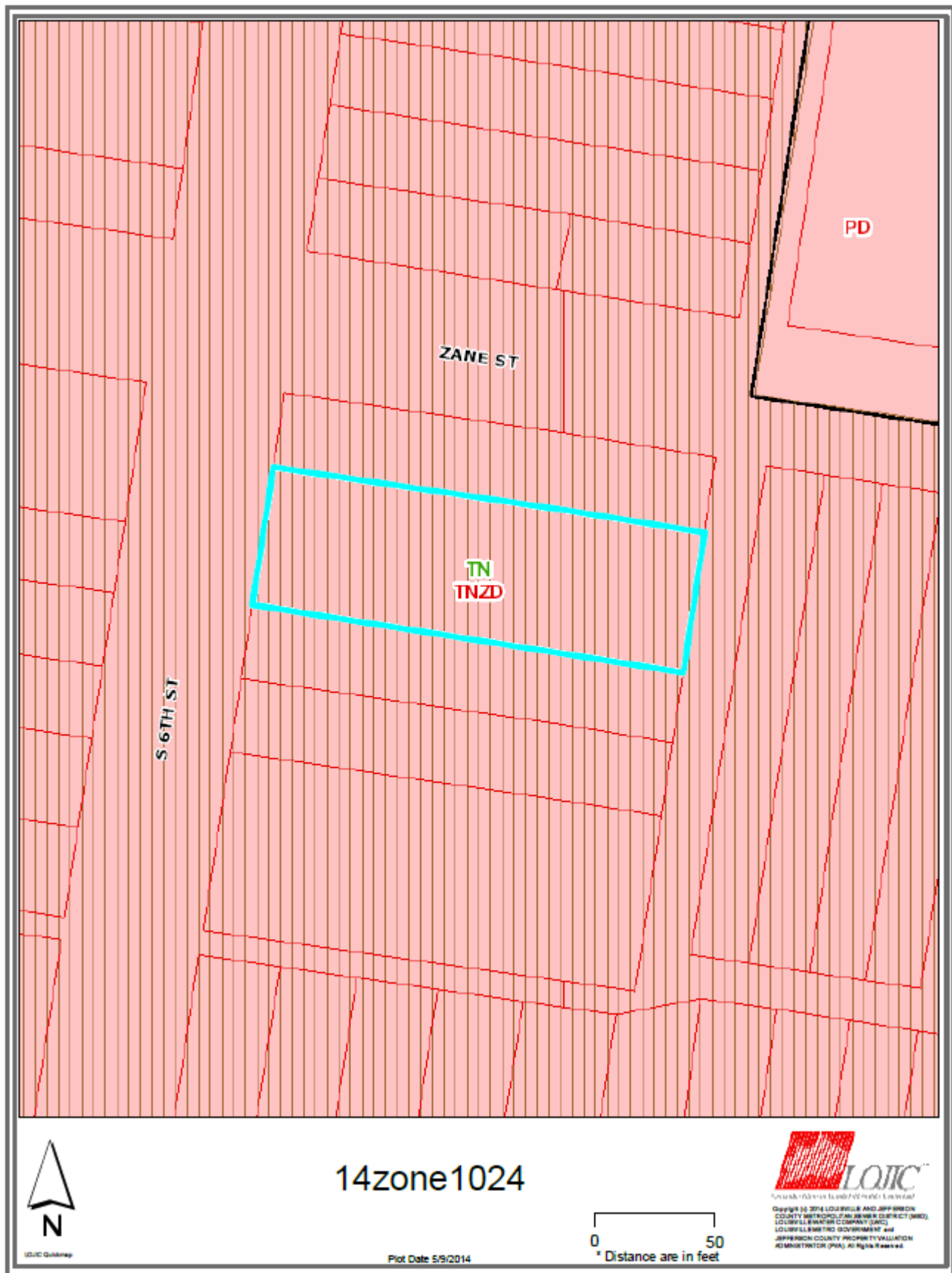
NOTIFICATION

Date	Purpose of Notice	Recipients
5/7/14	Hearing before LD&T on May 22, 2014	1 st tier adjoining property owners Subscribers of Council District 6 Notification of Development Proposals
5/30/14	Hearing before PC on July 2, 2014	1 st tier adjoining property owners Subscribers of Council District 6 Notification of Development Proposals

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist
4. Existing Conditions of Approval

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

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

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
1	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves the existing grid pattern of streets, sidewalks and alleys.	✓	The proposal will not affect the street pattern or sidewalks.
2	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal introduces an appropriately-located neighborhood center including a mix of neighborhood-serving uses such as offices, shops and restaurants.	✓	The proposal is for an appropriately located institutional use because the existing structure was not used residentially.
3	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves public open spaces, and if the proposal is a higher density use, is located in close proximity to such open space, a center or other public areas.	✓	The proposal will not affect open spaces.
4	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves and renovates existing buildings if the building design of these structures is consistent with the predominate neighborhood building design.	✓	The proposal is for the renovation of an existing building.
5	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 2: Centers	A.1/7: The proposal, which will create a new center, is located in the Traditional 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 be a change in map to be more consistent with the sites non-residential nature.
6	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 2: Centers	A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it.	✓	The proposal is not for retail.
7	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 2: Centers	A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment.	✓	The proposal is for an efficient land use as the building is not a residential structure.
8	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	Community Form/Land Use Guideline 2: Centers	A.5: The proposed center includes a mix of compatible land uses that will reduce trips, support the use of alternative forms of transportation and encourage vitality and sense of place.	✓	The proposal is to allow for an institutional use in the TNZD which will encourage a sense of place by its permitted use.
9	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7	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 existing building is one story but has a residential component within the structure.

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10	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 not a large development.
11	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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.	√	Parking for the structure is located on street and behind the building.
12	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 for the structure are existing.
13	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 map amendment will not affect the existing site.
14	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	√	The map amendment will not affect the exterior of the existing site.
15	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 existing building is non-residential.
16	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	√	The map amendment will not affect the exterior of the existing site.
17	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	√	Traffic will not be impacted by the map amendment.
18	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 not be impacted by the map amendment.
19	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 map amendment for the existing non-residential building is not affected by density or activity centers.

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20	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 existing non-residential building does not require buffering per TNZD standards.
21	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 existing non-residential building does not require buffering per TNZD standards.
22	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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.	√	The map amendment will not affect the form district standards.
23	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 map amendment will not affect parking.
24	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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 existing non-residential building does not require buffering per TNZD standards.
25	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	Community Form/Land Use Guideline 3: Compatibility	A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance.	√	The map amendment does not involve a parking garage.
26	Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1.-4.7	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.	√	The map amendment will not affect signage.
27	Livability Goals H3 and H5, all related objectives	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.	√	Open space is not part of the map amendment.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
28	Livability Goals H3 and H5, all related objectives	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.	√	Open space is not part of the map amendment.
29	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	√	Natural features are not affected by the map amendment.
30	Livability Goals H3 and H5, all related objectives	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.	√	Natural features are not affected by the map amendment.
31	Livability Goals H3 and H5, all related objectives	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 is for the renovation of an existing building.
31	Livability Goals H3 and H5, all related objectives	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.	√	Soils are not affected by the map amendment.
32	Land Use and Transportation Connection Goal E1, Objectives E1.1 and E1.3	Marketplace Guideline 6: Economic Growth and Sustainability	A.2: Ensure adequate access between employment centers and population centers.	√	Access is not affected by the map amendment.
33	People, Jobs and Housing Goal K4, Objective K4.1	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.	√	The proposal is not located in a downtown.
34	Marketplace Strategy Goal A1, Objectives A1.3, A1.4, A1.5	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.	√	The map amendment does not allow for industrial.
35	Land Use and Transportation Connection Goal E1, Objectives E1.1 and E1.3	Marketplace Guideline 6: Economic Growth and Sustainability	A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas.	√	The proposal is not for commercial.

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36	Land Use and Transportation Connection Goal E1, Objectives E1.1 and E1.3	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.	√	The map amendment does not allow for industrial.
37	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	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 map amendment will not affect roads.
38	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation.	√	The map amendment will not affect roads.
39	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	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 map amendment will not affect roads.
40	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	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.	√	The map amendment will not affect roads.
41	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	√	Additional parking is not pertinent for the map amendment.
42	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites.	√	Cross access is not relevant with the map amendment.
43	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	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.	√	Stub streets are not relevant with the map amendment.
44	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	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 not affected by the map amendment.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
45	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	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.	√	The map amendment will not affect roads.
43	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	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.	√	Providing for transportation is not relevant to the map amendment.
44	Livability, Goals B1, B2, B3, B4, Objectives B1.1-1.8, B2.1-2.7, B3.1-3.4, B4.1-4.3	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.	√	Drainage will not be affected by the map amendment.
45	Livability Goals C1, C2, C3, C4, all related Objectives	Livability/Environment Guideline 12: Air Quality	The proposal has been reviewed by APCD and found to not have a negative impact on air quality.	√	Air quality will not be affected by the map amendment.
44	Livability, Goals F1 and F2, all related objectives	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.	√	Natural features are not affected by the map amendment.
46	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	√	Utilities for the structure are existing.
47	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	√	Utilities for the structure are existing.
48	Livability Goal B1, Objective B1.3	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.	√	Utilities for the structure are existing.

4. Existing Conditions of Approval

1. The hours of operation shall be from 8:00 a.m. to 10:00 p.m., 7 days a week, with the exception of the art studio (See condition of approval **#6** below).
2. There shall be no exterior lighting.
3. There shall be no outdoor display, sales or storage.
4. The sign for the business shall be in accordance with the Land Development Code.
5. There shall be no power equipment stored outdoors or used outdoors before 8:00 a.m. or after 10:00 p.m.
6. The art studio shall be open 7 days a week with no time limitations but only for work that is done inside the building.