

Planning Commission

Staff Report

May 15, 2014



| | |
|----------------------------------|---|
| Case No: | 19042 |
| Project Name: | Portland Promise Center |
| Location: | 1800 Portland Avenue and 1810 R Portland Avenue |
| Owner(s): | Portland Promise Center Inc. |
| Applicant: | Portland Promise Center Inc. |
| Representative(s): | Drew Watkins |
| Project Area/Size: | 0.64 Acres |
| Existing Zoning District: | M-2 and R-6 |
| Existing Form District: | TN |
| Jurisdiction: | Louisville Metro |
| Council District: | 5-Cheri Bryant Hamilton |
| Case Manager: | Julia Williams, AICP, Planner II |

REQUEST

- Waivers:
 1. Parking Waiver from Chapter 9.1.3 to reduce the required amount of parking spaces from 63 to 20 and to permit the use of on-street parking spaces not directly abutting the property per Chapter 9.1.10.D resulting in a 68% waiver request.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The proposal is to reuse an existing structure that was historically a tobacco handling building back in 1890. It has also been used for a variety of commercial and light industrial uses. CM permits C-2 and M-1 uses. 6 on-site parking spaces are proposed while 14 on street parking spaces are provided. The site is located in a mixed use area with medium to heavy industrial uses permitted nearby in existing M-2 and EZ-1 zones. There is also residential adjacent to the site and in the area.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

| | Land Use | Zoning | Form District |
|-------------------------------|-------------------------------|----------|---------------|
| Subject Property | | | |
| Existing | Industrial/Vacant residential | M-2/R-6 | TN |
| Proposed | Commercial and Industrial | CM | TN |
| Surrounding Properties | | | |
| North | Residential | R-6 | TN |
| South | Industrial/Residential | M-2/R-6 | TN |
| East | Industrial/Residential | EZ-1/R-6 | TW |
| West | Residential | R-6 | TN |

PREVIOUS CASES ON SITE

None.

INTERESTED PARTY COMMENTS

Danny McDole, President
Gary Watrous, Vice President
Gerald Cummins Jr., Treasurer
Mary Turner, Secretary

Portland Now, Inc
"The Voice of Portland"

c/o Neighborhood House
201 N 25th Street
Louisville, KY 40212
www.portlandnow.org

February 12, 2014

Metro Land Development and Transportation Committee
c/o Louisville Metro Planning and Design Services
444 S. 5th Street - Suite 300
Louisville, KY 40202-4313

RE: Portland Promise Center Rezoning Request, Case #19042
Case Manager: Julia Williams

Dear Committee:

This letter is written to you documenting the conditional support from Portland Now Inc. for the request by the Portland Promise Center Inc. to change their zoning from M-2 to CM.

Our support is conditional upon adding a binding element to their request that prohibits the following uses:

- Manufacturing of any alcoholic beverage;
- Manufacturing of Firearms;
- Manufacturing of Tobacco or Tobacco Products;
- Adult Entertainment;
- Tattoo, body art, and piercing parlors;
- Billiard parlors, game rooms, and similar entertainment uses;
- Bingo halls and parlors;
- Any establishment holding a retail malt beverage license, retail package liquor license, or any other ABC license allowing the sale of alcohol, except for restaurant establishments wishing to sell wine or beer with their meals including combination restaurant/micro-breweries.
- Poultry or rabbit or other animal, packing or slaughtering.
- Adhesives manufacture and packing
- Chemical manufacture and packing

Please enter these comments into the record as the approved opinion of Portland Now, Inc., its Board of Directors and Neighborhood Revitalization Committee members.

Sincerely,

Gary Watrous
Vice-President, Portland Now, Inc. Co-Chair of PNI Revitalization Committee

cc: Cheri Bryant-Hamilton, 5th District Metro Council

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code

- Portland Neighborhood Plan (approved 2/28/08)
 - The site is located in subarea 5 where the Neighborhood Plan encourages investment and rehabilitation along Portland Avenue.
 - Promote “neighborhood-friendly” commercial uses and scale. (Examples: coffee roasters, bakery, microbrewery, specialty printing (like Heid), fish processing (like Shuckman’s).
 - The building is listed within the neighborhood plan as being a site to be included in an individual list for the National Register of Historic Places
 - A recommendation out of the neighborhood plan was to conduct a zoning study of properties zoned M-2 to determine existing use and recommend appropriate zoning based on the current use of the property and the ability for future mixed-use redevelopment.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR A PARKING WAIVER

In granting a General Parking Waiver to allow a 32% reduction in parking spaces the Planning Commission must find that:

a. All General Parking Waivers

1. The Parking Waiver is in compliance with the Comprehensive Plan; and

Staff: The majority of the parking for the site is located on the street. Due to the existing nature of the adjacent businesses, there is sufficient parking in the area that could be utilized by the site while not technically counting towards their parking. The mixed use nature of the proposal and the amount of on street parking available around the site and in area indicates that adequate parking is available.

2. The applicant made a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through joint use provisions;

Staff: The applicant is utilizing available credits for reducing the parking on the site (transit credit and National Register eligibility). The vacant R-6 lot is being requested to be zoned to accommodate some off street parking.

b. Waivers to Reduce the Minimum Number of Required Parking Spaces

1. The requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use; and

Staff: The applicant is utilizing available credits for reducing the parking on the site (transit credit and National Register eligibility). The vacant R-6 lot is being requested to be zoned to accommodate some off street parking. Since the structure is proposed for mixed use it is anticipated that a variety of uses will utilize the structure overtime. The waiver request presents the worst case scenario with the entire building being utilized for commercial.

2. Adjacent or nearby properties will not be adversely affected; and

Staff: There are a sufficient number of on street parking spaces in the area that will accommodate the use without affecting the adjacent residential.

3. The requirements found in Table 9.1.2 do not accurately depict the parking needs of the proposed use and the requested reduction will accommodate the parking demand to be generated by the proposed use; and

Staff: The parking requirements used for this proposal were for department/discount stores which has a parking requirement that generally covers any commercial use in the traditional form. The

proposal is for the site to be mixed use but different users are anticipated overtime. With those users being unknown it was thought to anticipate the worst case scenario for parking currently and in the future.

4. That there is a surplus of on-street or public spaces in the area that can accommodate the generated parking demand;

Staff: There is sufficient parking in the area which would accommodate the additional spaces needed if necessary. There are a variety of uses in the area which all utilize on street parking in different ways.

TECHNICAL REVIEW

All technical review comments have been addressed.

STAFF CONCLUSIONS

Staff did not calculate the parking waiver percentage correctly when the case was first heard for the zoning. The correct percentage is a 68% reduction in parking which requires Legislative action. The Planning Commission approved the parking waiver at the April 3, 2014 Planning Commission hearing.

The request is for corrective action to make a recommendation to Metro Council for approval or denial of the parking waiver.

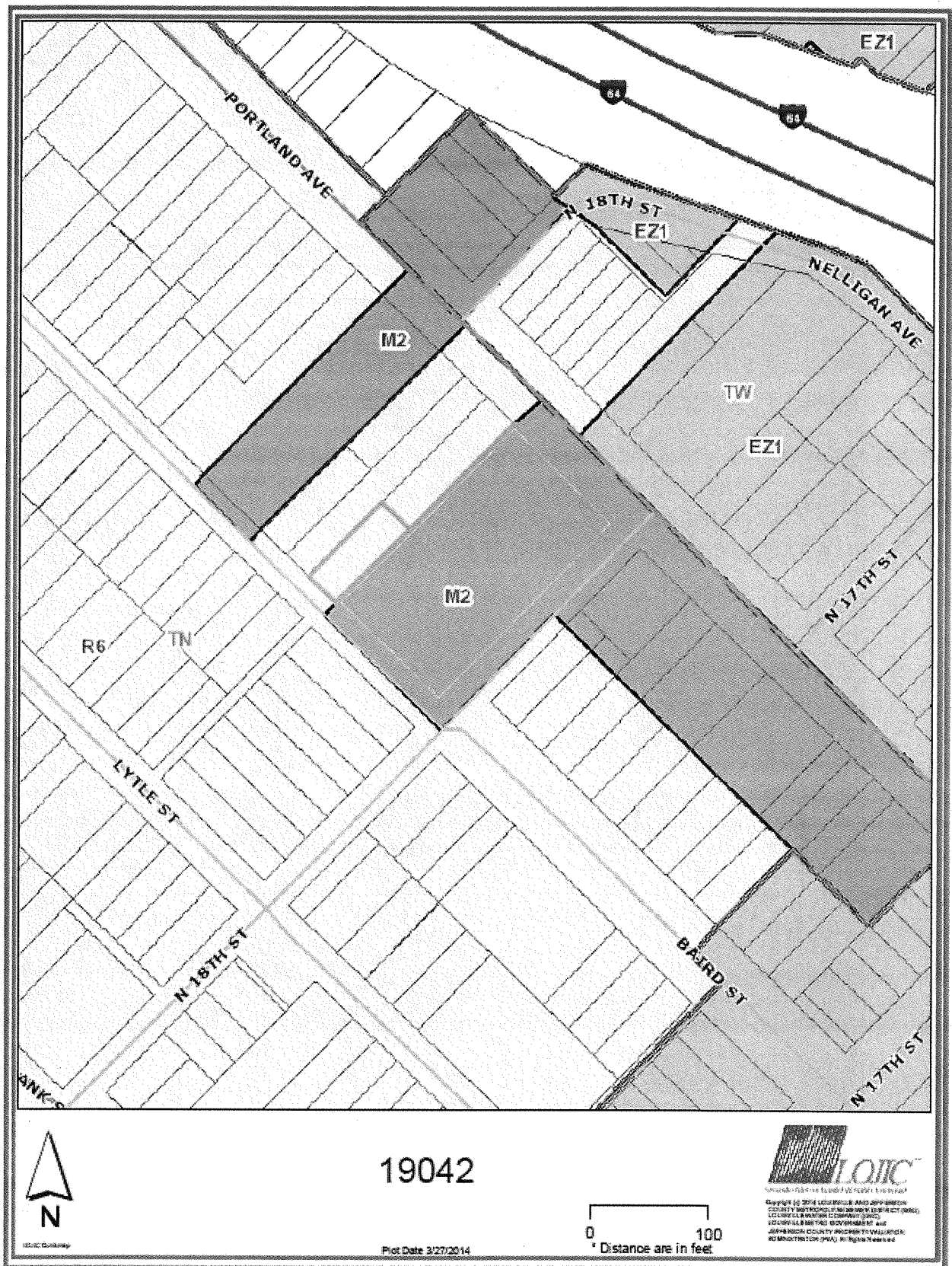
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|---------|-----------------------------------|---|
| 1/30/14 | Hearing before LD&T on 2/13/14 | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 5 Notification of Development Proposals |
| 3/19/14 | Hearing before PC | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 5 Notification of Development Proposals |
| 3/19/14 | Hearing before PC | Sign Posting on property |
| 3/26/14 | Hearing before PC | Legal Advertisement in the Courier-Journal |
| 5/3/14 | Hearing before PC on May 15, 2014 | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 5 Notification of Development Proposals |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Applicant's Justification Statement

Attachment 1: Zoning Map





Attachment 3: Applicant's Justification Statements

Parking Waiver Justification:

In order to justify approval of any parking waiver, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

For all Parking Waivers:

1. The Parking Waiver is in compliance with the Comprehensive Plan.

The parking waiver is in compliance with the comprehensive plan because there is adequate parking to accommodate the proposed use as demonstrated in the parking study, along with availability of transit, pedestrian, and bicycle facilities, so the waiver will not adversely impact the neighborhood

2. The applicant made a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through joint use provisions.

The applicant is constructing a new off-street parking lot on an adjacent lot under same ownership to provide additional parking spaces; will utilize 16 on-street spaces immediately adjacent to the site, and; proposes to use and additional 30 on-street spaces in close proximity to the site

For Waivers to reduce the minimum number of required parking spaces: OR use on-street parking spaces that are not directly adjacent to or abutting the development site; OR use parking spaces located in a public parking lot:

1. The requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use.

The waiver has been based on the smallest possible reduction of parking spaces after available TARC and NRHP eligibility credits have been considered, along with all available on street parking immediately adjacent to the site

2. Adjacent or nearby properties will not be adversely affected.

There is adequate parking demonstrated through the associated parking study

3. The requirements found in Table 9.1.2 do not accurately depict the parking needs of the proposed use and the requested reduction will accommodate the parking demand to be generated by the proposed use.

There is adequate parking demonstrated through the associated parking study

4. There is a surplus of on-street or public spaces in the area that can accommodate the generated parking demand.

There is adequate parking demonstrated through the associated parking study

4/13 pt

Land Development and Transportation Staff Report February 13, 2014



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|----------------------------------|---|
| Case No: | 19042 |
| Project Name: | Portland Promise Center |
| Location: | 1800 Portland Avenue and 1810 R Portland Avenue |
| Owner(s): | Portland Promise Center Inc. |
| Applicant: | Portland Promise Center Inc. |
| Representative(s): | Drew Watkins |
| Project Area/Size: | 0.64 Acres |
| Existing Zoning District: | M-2 <i>IR-6</i> |
| Existing Form District: | TN |
| Jurisdiction: | Louisville Metro |
| Council District: | 5-Cheri Bryant Hamilton |
| Case Manager: | Julia Williams, AICP, Planner II |

REQUEST

- Change in zoning M-2 to CM *IR-6*
- Parking Waiver from Chapter 9.1.3 to reduce the required amount of parking spaces from 63 to 20 and to permit the use of on-street parking spaces not directly abutting the property per Chapter 9.1.10.D resulting in a 32% waiver request.
- Waiver from Chapter 10.2.4 to permit the encroachments of and existing building and paving into a required 15' LBA along the northwest property line with a distance of 122'.
- Waiver from Chapter 10.2.4 to reduce the 15' LBA along the northwest property lines to 14' and 11' as indicated on the development plan.
- District Development plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The proposal is to reuse an existing structure that was historically a tobacco handling building back in 1890 for a variety of commercial and light industrial uses. CM permits C-2 and M-1 uses. 6 on-site parking spaces are proposed while 14 on street parking spaces are provided. The site is located in a mixed use area with medium to heavy industrial uses permitted nearby in existing M-2 and EZ-1 zones. There is also residential adjacent to the site and in the area.

but has also been used

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

| | Land Use | Zoning | Form District |
|-------------------------------|---------------------------|----------|---------------|
| Subject Property | | | |
| Existing | Industrial | M-2 | TN |
| Proposed | Commercial and Industrial | CM | TN |
| Surrounding Properties | | | |
| North | Residential | R-6 | TN |
| South | Industrial/Residential | M-2/R-6 | TN |
| East | Industrial/Residential | EZ-1/R-6 | TW |
| West | Residential | R-6 | TN |

PREVIOUS CASES ON SITE

None.

INTERESTED PARTY COMMENTS

None received.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code
- Portland Neighborhood Plan (approved 2/28/08)
 - The site is located in subarea 5 where the Neighborhood Plan encourages investment and rehabilitation along Portland Avenue.
 - Promote “neighborhood-friendly” commercial uses and scale. (Examples: coffee roasters, bakery, microbrewery, specialty printing (like Heid), fish processing (like Shuckman’s).
 - The building is listed within the neighborhood plan as being a site to be included in an individual list for the National Register of Historic Places
 - A recommendation out of the neighborhood plan was to conduct a zoning study of properties zoned M-2 to determine existing use and recommend appropriate zoning based on the current use of the property and the ability for future mixed-use redevelopment.

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

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

STAFF ANALYSIS FOR REZONING

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

The site is located in the 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.

TECHNICAL REVIEW

All agency review comments have been addressed.

STAFF CONCLUSIONS

A public hearing date is ready to be set for the proposal.

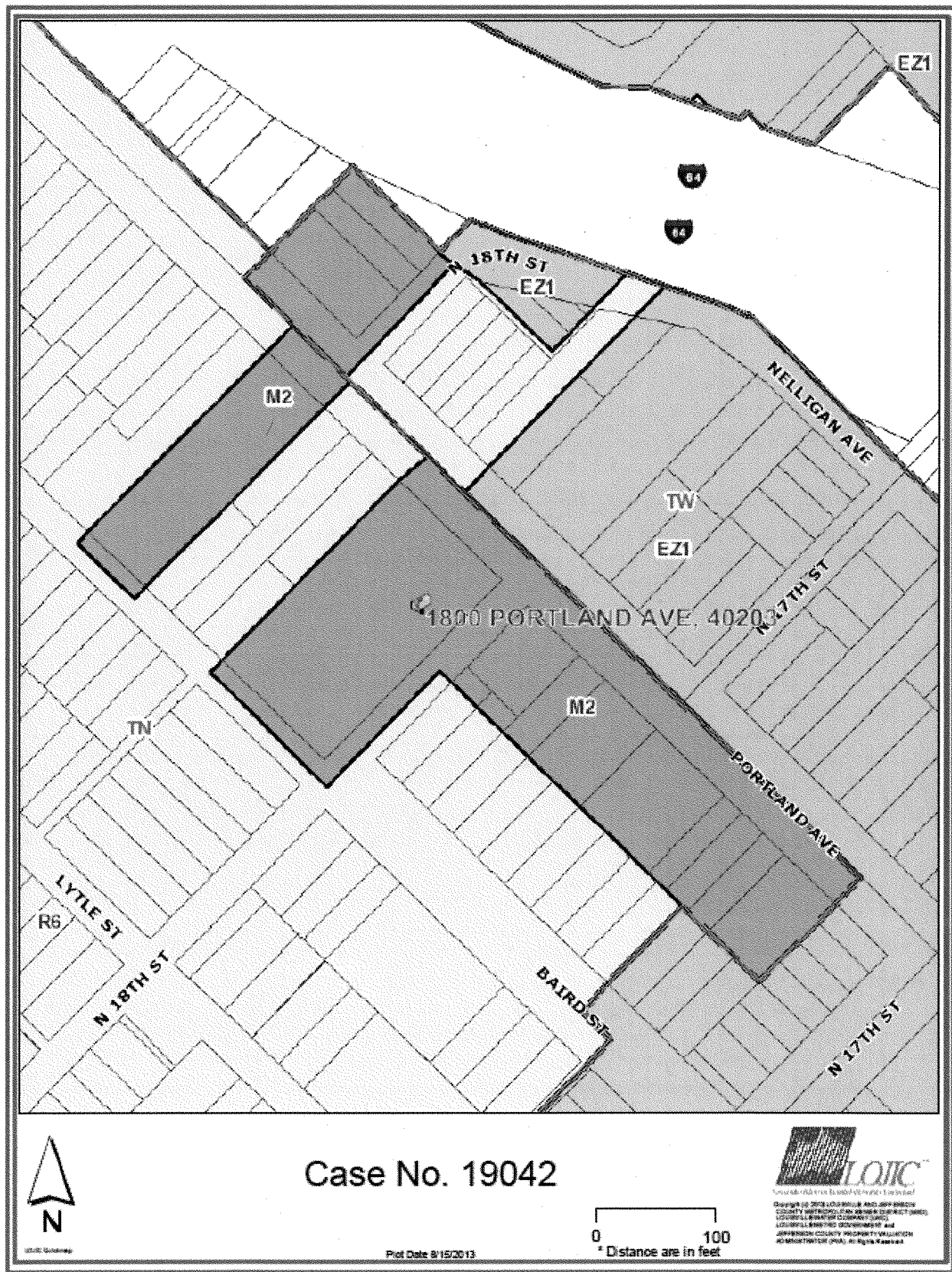
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|-------------|--------------------------------|---|
| 1/30/14 | Hearing before LD&T on 2/13/14 | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 5 Notification of Development Proposals |
| | Hearing before PC | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 5 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

Attachment 1: Zoning Map



Attachment 2: Aerial Photograph



Attachment 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. The development shall not exceed 44,800 square feet of gross floor area.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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 Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. 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. **(time frame for compliance to be negotiated with applicant).**
- f. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
6. 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.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.
8. 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.
9. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.

**Pre-Application
Staff Report**
August 14, 2013

44,000
- 5000 SF church
- 1500 SF office

min 1/50 max 125%
min 1/50 max 1/150 SF
min 1/50 max 1/200



| | |
|---------------------------|----------------------------|
| Case No: | 19042 |
| Project Name: | Portland Promise Center |
| Location: | 1800 Portland Avenue |
| Owner(s): | Portland Promise Center |
| Applicant: | Portland Promise Center |
| Representative(s): | Drew Watkins |
| Project Area/Size: | 0.58 Acres |
| Existing Zoning District: | M-2 |
| Existing Form District: | TN |
| Jurisdiction: | Louisville Metro |
| Council District: | 5-Cheri Bryant Hamilton |
| Case Manager: | Julia Williams, Planner II |

REQUEST

- Change in zoning M-2 to ~~EZ-1~~ C-1
- District Development plan

100
3
84
187 spaces
10% - 19 spaces
168
20% - 34 spaces
134 net spaces

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The proposal is to reuse an existing structure.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

| | Land Use | Zoning | Form District |
|-------------------------------|------------------------|----------|---------------|
| Subject Property | | | |
| Existing | Industrial | M-2 | TN |
| Proposed | ??? | EZ-1 | TN |
| Surrounding Properties | | | |
| North | Residential | R-6 | TN |
| South | Industrial/Residential | M-2/R-6 | TN |
| East | Industrial/Residential | EZ-1/R-6 | TW |
| West | Residential | R-6 | TN |

PREVIOUS CASES ON SITE

None found.

INTERESTED PARTY COMMENTS

None Received.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code
- Portland Neighborhood Plan

subarea 5

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning:

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

STAFF ANALYSIS FOR REZONING

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

The site is located in the 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.

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

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

TECHNICAL REVIEW

A better plan that shows more information is necessary before a technical review can be done.

STAFF CONCLUSIONS

Once a better plan has been drawn the site should be ready for a neighborhood meeting.

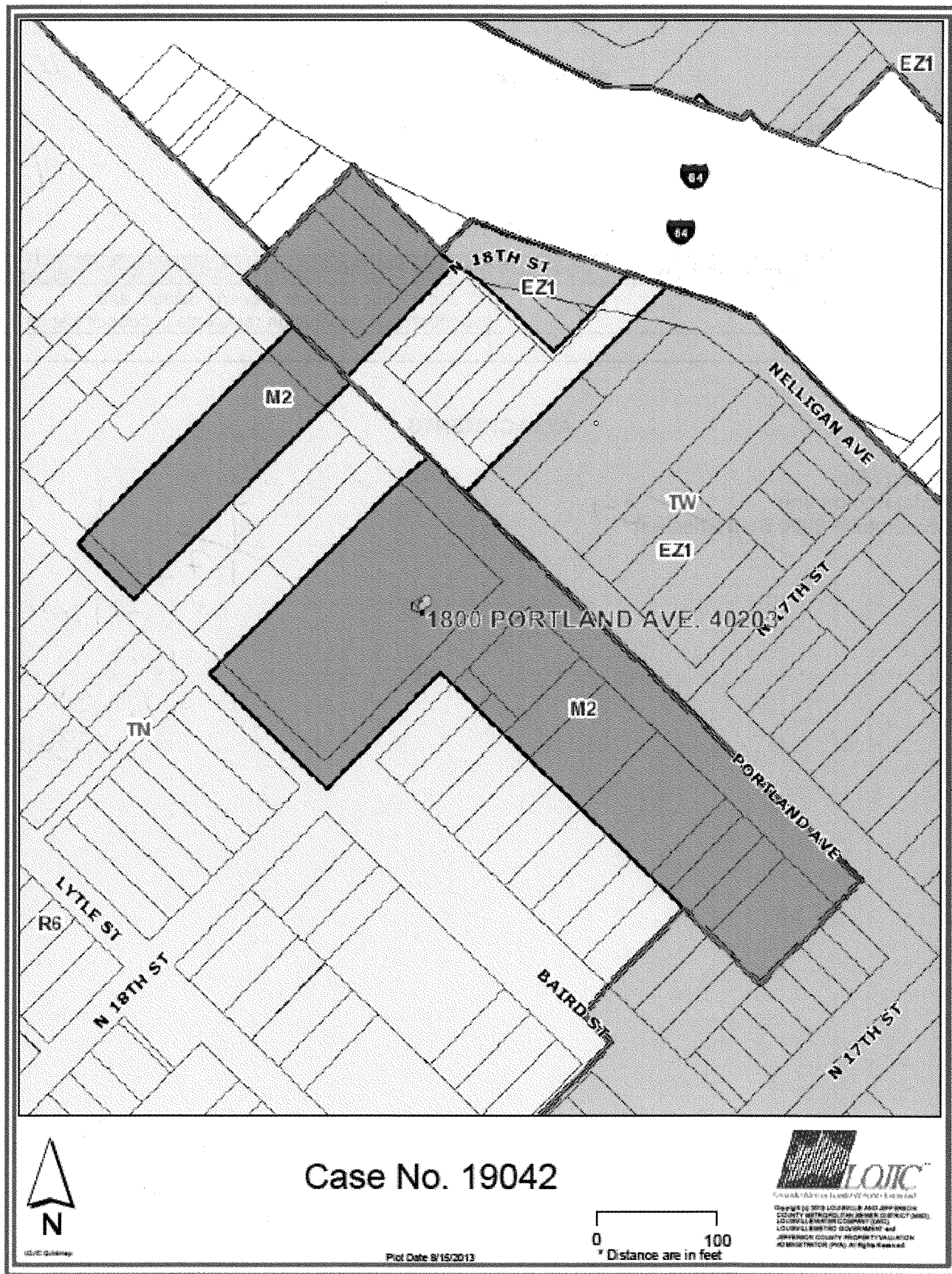
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|------|-------------------|---|
| | | 1 st and 2 nd tier adjacent property owners and neighborhood notification recipients in council district 5. |
| | | |

ATTACHMENTS

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

Attachment 1: Zoning Map



Attachment 2: Aerial Photograph



Attachment 3: Cornerstone 2020 Staff Checklist

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

| # | Cornerstone 2020 Guidelines & Policies | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Pre-App Finding | Pre-App 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 change the street pattern. |
| 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 part of an existing center that is zoned M-2 that is located across 18th Street. EZ-1 Permits a mix of M-3 and C-2 uses which can be neighborhood serving but also regional. More information on the use is necessary to determine if EZ-1 is the most appropriate. |
| 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 any open space. |
| 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 involves the re-use of an existing structure. |
| 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 is part of an existing center that is zoned M-2 that is located across 18th Street. The proposal involves the re-use of an existing structure. |
| 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 proposed EZ-1 zoning permits commercial use in a high density area. |
| 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. | ✓ | Existing EZ-1 zoned property is located across Portland Avenue. |
| 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. | +/- | More information on the land use is necessary to determine compliance. |
| 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. | +/- | More information is necessary before determining compliance. |

| # | Cornerstone 2020 Guidelines & Policies | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Pre-App Finding | Pre-App Comments |
|----|---|--|--|-----------------|---|
| 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. | NA | 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. | +/- | More information is necessary before determining compliance. |
| 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 in the area are existing and could be shared. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | NA | No new construction is proposed. |
| 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 proposal is not an expansion into a residential area. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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 meet LDC requirements. |
| 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 proposal is located in an activity center and along a transit corridor. |

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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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | √ | No changes are proposed to the property. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |

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| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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 reuse of an existing structure. |
| 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. | √ | The proposal does not involve any new construction. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |

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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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |

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| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |
| 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. | +/- | More information is necessary before determining compliance. |

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