

Development Review Committee Staff Report

April 1, 2015



Case No:	14Devplan1040
Request:	Community Facility Review
Project Name:	Hardesty Park Parking Lot
Location:	190 S. Dorsey Wy. / 124 R Blue Ridge Rd.
Owner:	City of Blue Ridge Manor
Applicant:	Same
Representative:	Same
Jurisdiction:	Blue Ridge Manor / Middletown
Council District:	18 – Marilyn Parker 19 – Julie Denton
Case Manager:	Latondra Yates, Planner II

REQUEST

- Community Facility Review (CFR)

Pursuant to KRS 100.324(4), any proposal for acquisition or disposition of land for public facilities, or changes in the character, location, or extent of structures or land for public facilities, excluding state and federal highways and public utilities and common carries by rail mentioned in this section, shall be referred to the commission to be reviewed in light of its agreement with the comprehensive plan, and the commission shall, within sixty (60) days from the receipt, review the project and advise the referring body whether the project is in accordance with the comprehensive plan. If it disapproves of the project, it shall state the reasons for disapproval in writing and make suggestions for changes which will, in its opinion, better accomplish the objectives of the comprehensive plan. No permit required for construction or occupancy of such public facilities shall be issued until the expiration of the sixty (60) day period or until the planning commission issues its report, whichever occurs first.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The CFR is for an existing 6-space parking lot within Hardesty Park. The applicant was issued a notice of violation for construction of the parking lot without the required CFR.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

The site is zoned R-4 and in the Neighborhood Form District (NFD). The site is located approximately 1,000 ft. south of the intersection of Shelbyville Rd. and S. Dorsey Way between the Blue Ridge Manor and Plainview neighborhoods. It is surrounded by residential properties zoned R-4 in the NFD. To the north and east is Blue Ridge Manor Section 1 Subdivision. To the south is Blue Ridge Manor Sec. 2. To the west, across S. Dorsey Wy., is Plainview Section 3 Subdivision. The subject lot does not appear to be part of any of these subdivisions.

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Parking lot	R-4	NFD
Proposed	Parking lot	R-4	NFD
<i>Surrounding Properties</i>			
North	Single-family residential	R-4	NFD
South	Single-family residential	R-4	NFD
East	Single-family residential	R-4	NFD
West	Single-family residential	R-4	NFD

PREVIOUS CASES ON SITE

Minor plat, docket No. 46-81, recorded in Plat Book 5246, Pg. 877, identifies S. Dorsey Wy. as "Private".

Deed Book 4204, Page 534, the park is identified as Tract 4 and establishes rights to the existing 30-ft. rd. (S. Dorsey Wy.)

INTERESTED PARTY COMMENTS

Staff has received a petition of opposition from adjoining property owners. Staff has also received phone calls and letters of opposition from adjoining property owners.

APPLICABLE PLANS AND POLICIES

Land Development Code
Cornerstone 2020 Comprehensive Plan- see checklist attached.

TECHNICAL REVIEW

1. There is an ongoing dispute between an adjoining property owner and the City of Blue Ridge Manor. The owner claims that a portion of S. Dorsey Wy. is a private drive, and that they feel that the City of Blue Ridge Manor is encroaching upon that portion.

The owner has provided documentation, including City of Blue Ridge Manor meeting minutes, that include ongoing discussion about the road and parking lot. The minutes do not seem to provide any conclusive evidence about whether S. Dorsey Wy. is public or private.

2. Research by the Transportation Planning Review Team indicates that S. Dorsey Wy. is a private road and that the City of Blue Ridge Manor has the right to use it.

STAFF CONCLUSIONS

In order to determine compliance with the applicable sections of the comprehensive plan, 15 of the guidelines require additional information that can be addressed through the following:

- The applicant should explain how the park functions within the neighborhood, including access to the park through the neighborhood.
- The applicant should explain whether buffering (planting, fencing, etc) was installed to buffer adjacent properties. The plan is not clear on this.
- Lighting and sign details should be provided for any that was installed.
- The applicant should explain their efforts to work with the neighbors on the issues they have expressed.

Based upon the information in the staff report, the testimony and evidence provided, the Development Review Committee must determine if the Community Facility Review meets the applicable guidelines of the Comprehensive Plan, and make any recommendations deemed appropriate to bring it into further conformance.

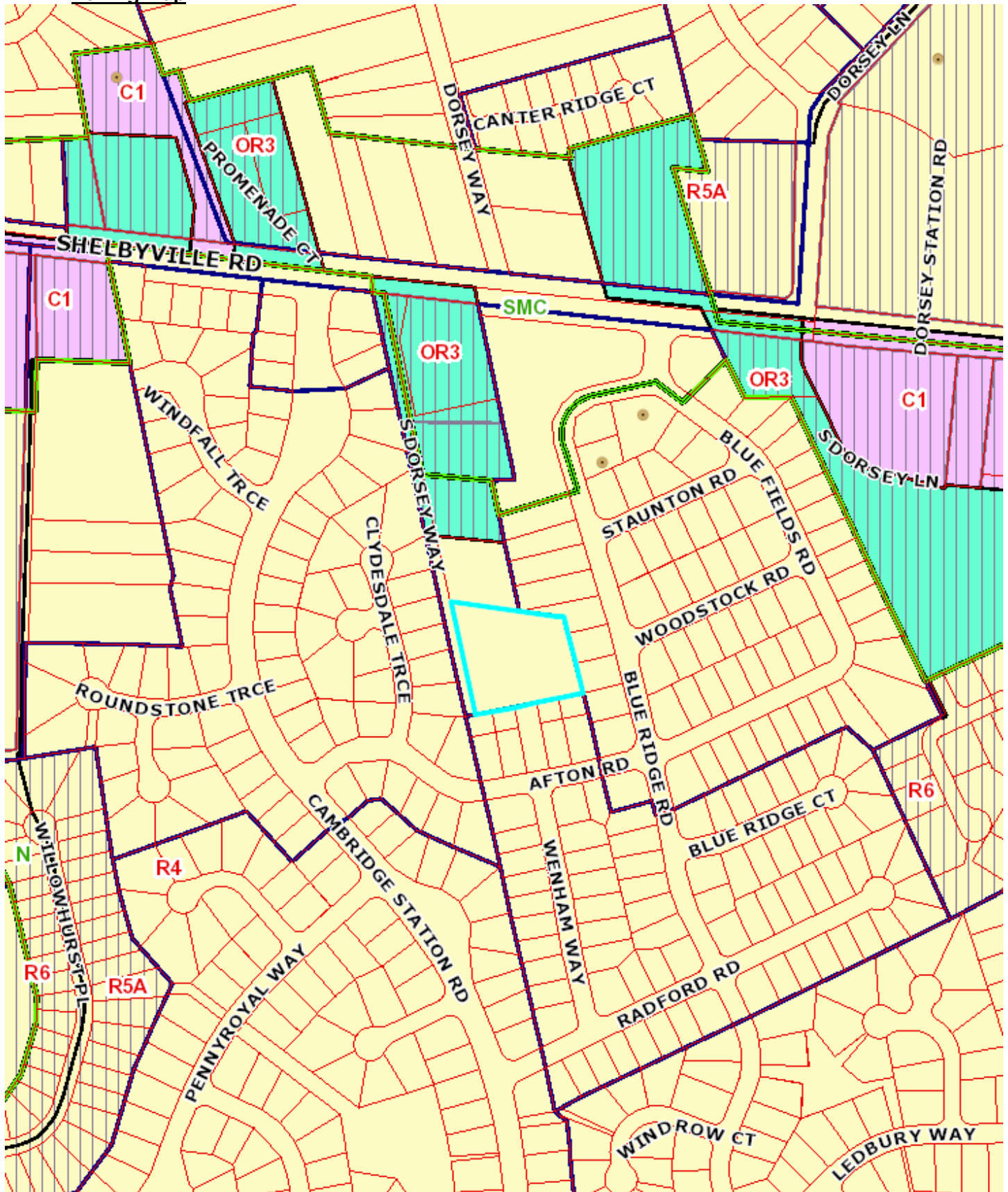
NOTIFICATION

Date	Purpose of Notice	Recipients
3/17/2015	DRC Meeting	1 st and 2 nd tier adjoining property owners Neighborhood Notification
3/17/2015	Neighborhood Notification	Registered Parties

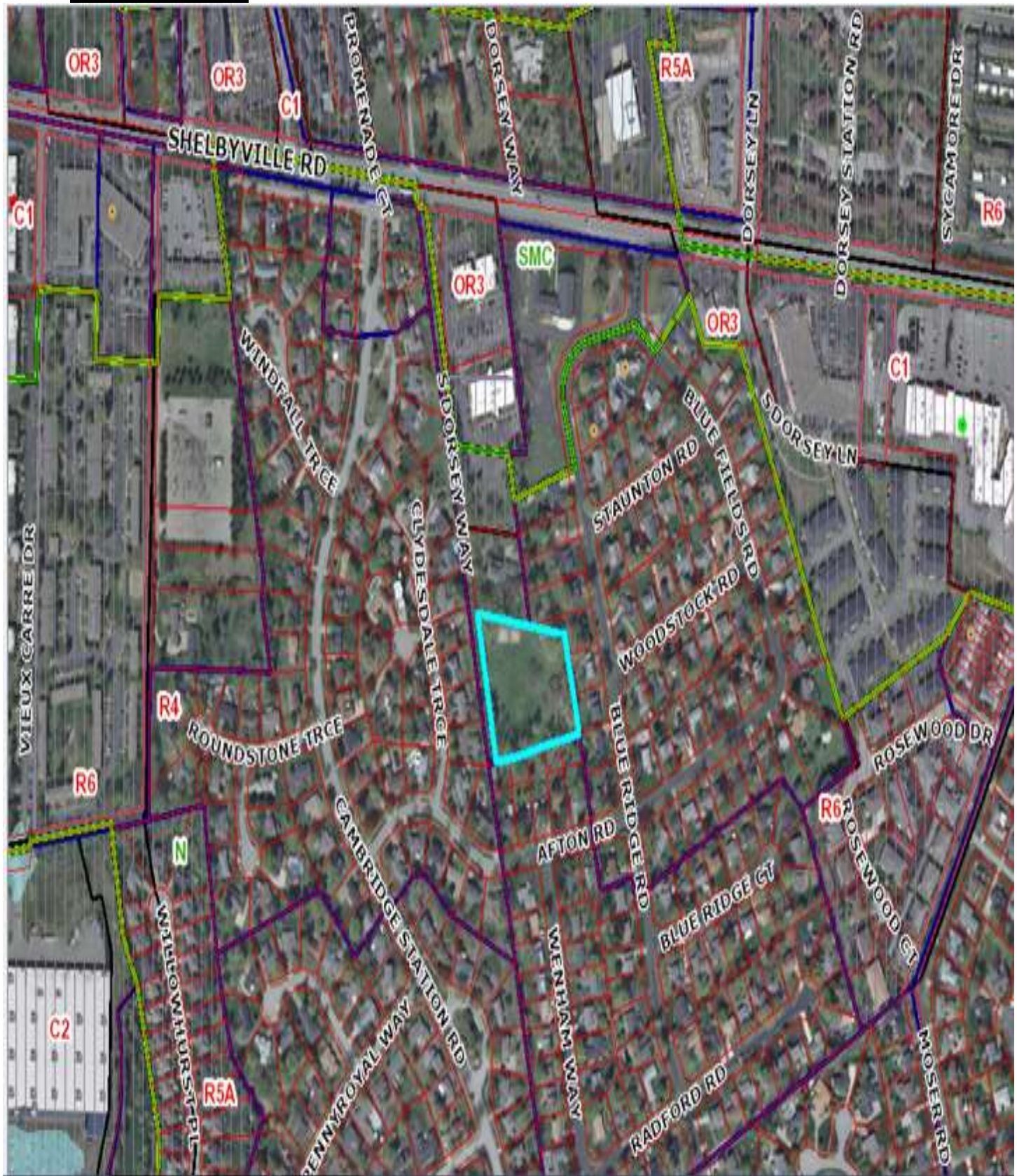
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Letters of opposition
5. Minor Subdivision Plats and Deeds
6. Cornerstone 2020 Comprehensive Plan Checklist

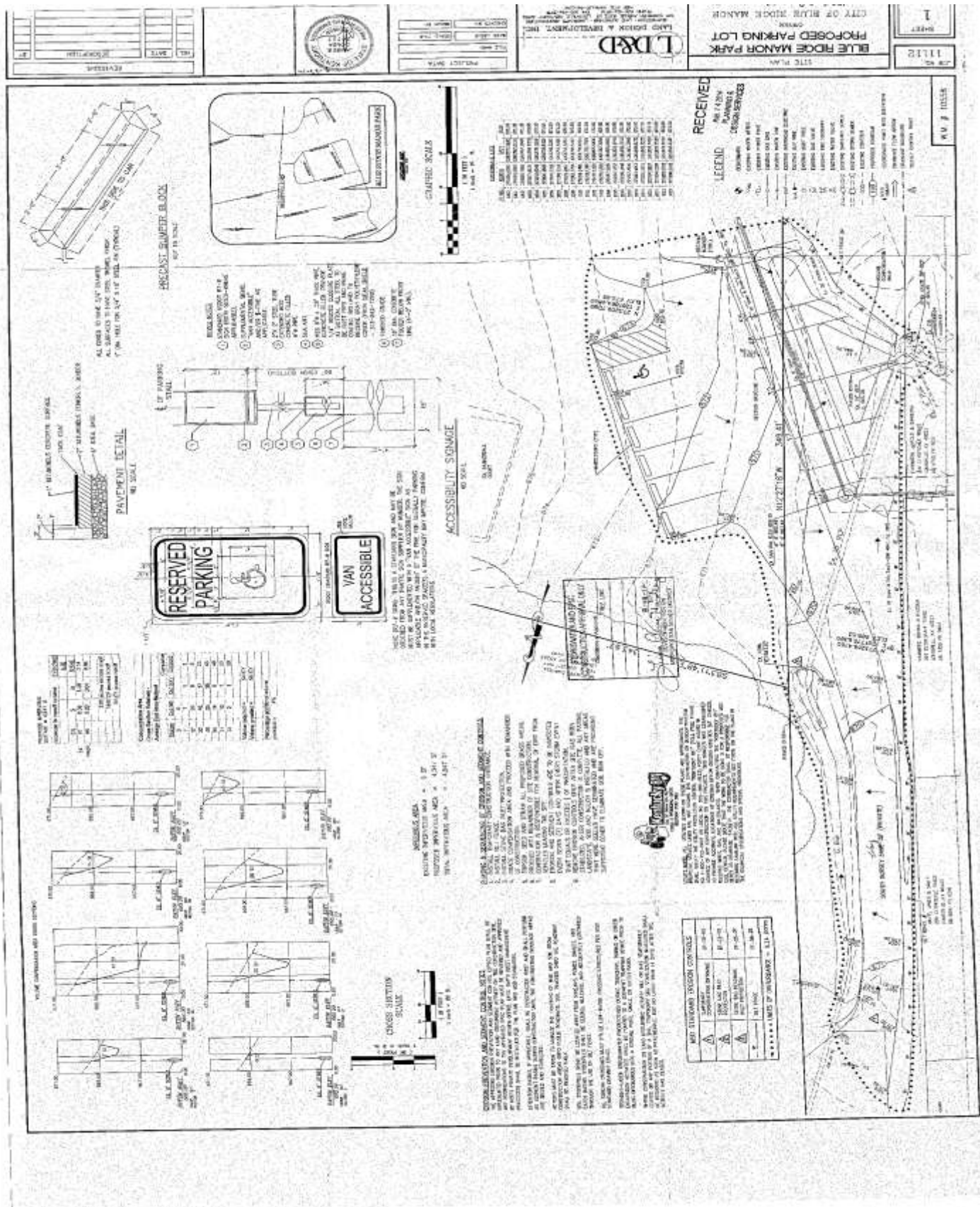
1. Zoning Map



2. Aerial Photograph



3. Site Plan



4. Letters of opposition

Recommendation of Darrell V. Metcalfe, of 188 South Dorsey Way, Louisville, Kentucky 40223, by legal counsel:

My client is an adjoining landowner and he has rights in a private road (South Dorsey Way) that accesses the subject property where the facility has already been located (without permission).

The city of Blue Ridge Manor's (hereinafter, "city") pending application (which was filed after they city completed the facility -- without permission) for facility review fails to conform to the Guidelines of the Cornerstone 2020 Comprehensive Land Use Plan (hereinafter, "Plan"), and the application for a permit should be denied for that reason.

The proposed facility fails to conform to Guideline 14. Infrastructure. Specifically, there is no showing "that the carrying-capacity is adequate for the proposed development." Plan at p. 100. There now exists stormwater management problems as a result of the development that has been undertaken prior to submitting the application. The drainage is not adequate and is causing backup onto surrounding properties. The impervious surface that has been introduced has increased the amount of rainwater on the land and is affecting the carrying capacity of the land. This activity and development controverts the stated intent of Guideline 14 of the Plan. See Plan at 100.

The proposed facility also fails, in several ways, to conform to Guideline 15. Community Facilities. Specifically, this facility has been located and designed in a place that is not compatible with nearby existing development, and the city has failed to mitigate potential adverse impacts on surrounding land uses, and has failed to buffer the facility from conflicting nearby uses.

This proposed facility is located on an existing private road.

First of all, the city has failed to substantiate a showing of a demonstrated need for the facility. See Plan at p. 101, policy 1. It is not only not needed, it is not wanted. A petition in opposition to the facility has been signed by hundreds of residents of the city.

In addition, the access to the facility is not convenient and violates private property rights of the Metcalfes, who also enjoy the right of access on this same private road. See *id.* It sets up traffic that previously did not exist on the private road -- South Dorsey Way.

The access to this facility is not on or near an arterial roadway and transit route. See Plan at p. 101, policy 3. In fact, this is just the opposite -- this is a private road that can sustain only one vehicle going in one direction. It is a single lane private road.

This sets up a dangerous situation.¹

¹ The city should be opposed to this dangerous situation and this particular hazard was pointed out to the city's attorney by way of a letter dated July 27, 2012, from attorney Lawrence K. Adams. The existing narrow private access could pose problems for fire trucks, police cars, EMS ambulances, and LG&E repair trucks, in the event of emergency or exigency. To permit unfettered public use of the private road is not only bad policy, it would amount to a

The location of this new facility is grossly incompatible with the surrounding property. *See Plan* at p. 101, policy 5. It is an opportunity for late night vandalism, public drinking, and illicit sexual activity, and can serve as a secluded place for crime to occur. This facility is not compatible with this quiet residential setting.

The city has removed signs and installed signs, all in violation of the Metcalfe's rights, and in violation of policies articulated in Guideline 15. *See Plan* at p. 101, policy 6. There is a significant impact on the residential areas that abut the proposed facility. Mitigation should be required. *See id.*

Policy 7 or Guideline 15 of the Plan is clearly violated. Access is limited on a private road. It is wrong to suggest that this facility plan ensures access to the elderly, people with disabilities, pedestrians, bicyclists, transit users and motorists. It does not. No one other than the individuals with rights to the private road could have access to the proposed facility.²

Finally, it has not been shown by the city that this proposed facility is located and designed in accordance with the approved Parks and Open Space Master Plan. *See Plan* at p. 102, policy 13.

For the several reasons stated herein, the application of the city should be denied.

Respectfully submitted,



Stephen C. Emery
Counsel for Darrell V. Metcalfe

taking of the Metcalfe's property rights without due process of law. The potential for an unlawful taking without just compensation is one more reason to deny the application under consideration.

² Access is currently only available the Metcalfes, their invited guests, the city (for example, public works, or members of the parks department, on official business), and utility companies with access rights by way of utility easements, but not the general public.

From: Harold E. Thornburg
209 Clydesdale Trace
Louisville, KY 40223
May 1, 2014

Subject: Rain water drainage from Blue Ridge Manor
Park into backyard at 209 Clydesdale Trace.

Background: My wife and I have lived at 209 Clydesdale
Trace since 1987. We have had a water
drainage problem ever since.

Problem: Since the parking lot has been installed the
problem has gotten worse. On October 5, 2013
with a little over 4" of rain. Water runoff was
19" deep on our driveway. It did get
into our garage and basement. This always
means water retraction, carpet cleaning and
garage cleaning. Trash and debris accumulates
stopping up drains which have to be cleaned.

Solution: Drain behind 213 Clydesdale Trace should be
aimed into basin in Park and that basin
enlarged to retain the run off. Another
basin to retain the run off should be placed
on the north side of the Park.

Harold E. Thornburg
Harold E. Thornburg

Received: May 5, 2014

14devplan1040

From: Harold E. Thornburg
209 Clydesdale Trace
Louisville, Ky 40223
PLAINVIEW

Information on Water Drainage from Blue Ridge
Manor Park into backyard at 209 Clydesdale Trace.

Parking Lot Paved 9'- 27 - 2012.

Water got upon backyard from rain runoff (12-9-2012)
(12-23-2012) (12-26-2012) (1-13-2013) (3-18-2013)
(5-10-2013) (6-17-2013). Trash and debris had to be
cleaned up from Storm Drain.

Water got up to 7" deep on driveway and got into basement
(6-26-2013) requiring water cleanup.

Water got up in backyard (7-10-2013) & (8-31-2013) which
required regular trash and debris clean up.

Water reached 19" on the driveway and got in the basement
requiring water retraction, carpet cleaned and garage washed
down.

Water got up in backyard (11-17-2013) & (12-21-2013). Trash
and debris cleaned up.

Trash and debris are always cleaned from the storm drain
each time and put out for trash pickup.

Harold E. Thornburg
Harold E. Thornburg

May 1, 2014

5. Minor Subdivision Plats and Deeds

Caummisar, Jennifer L

From: Brown, Jeffrey E
Sent: Friday, October 26, 2012 10:03 AM
To: jmschroering@insightbb.com
Subject: RE: Blue Ridge Manor & S Dorsey Way

It looks like the park site, 124R Blue Ridge Rd, is allowed the use of the private road per DB 4024 Pg 534. The park is identified as Tract 4 in that deed, and it states "together with the right to use in common with others, the existing 30-foot road extending from the northwestern portion of the herein above described real estate in a northern direction to Shelbyville Rd."

I could not find an actual owner or that it was ever dedicated to public use so I'd conclude that this is a private road that is owned and maintained by the abutting owners that use it for access. It looks like 124R & 188 S Dorsey Way and 10000 & 10002 Shelbyville Rd all have an interest in the road.

Jeff Brown, PE

From: Brown, Jeffrey E
Sent: Friday, October 26, 2012 7:05 AM
To: 'jmschroering@insightbb.com'
Subject: Blue Ridge Manor & S Dorsey Way

Haven't forgotten about you, just still researching the history on this road. I'm going to hit the deed room this morning for one last search. I stopped searching last time after finding the minor plat docket #46-81, DB 5246 Pg877, that identified S Dorsey as "30' PRIVATE" but I wanted to dig into some of the older deeds to try and find when it was granted and for who's benefit.

Jeff Brown, PE
Louisville Metro Public Works
Traffic Engineering Supervisor
601 W Jefferson St, Rm 10
Louisville, KY 40202
502-574-3650
fax 502-574-3140
jeffrey.brown@louisvilleky.gov

DEED OF EASEMENT

This easement by and between BLUE RIDGE ASSOCIATES, a Kentucky Partnership, whose mailing address is 10000 Shelbyville Road, Louisville, Kentucky 40223, Party of the First Part; RUFUS C. KING, JR., whose mailing address is 505 Forest Park Road, Louisville, Kentucky 40223, Party of the Second Part; and LOUISVILLE GAS AND ELECTRIC COMPANY, a Kentucky Corporation, whose mailing address is P. O. Box 32020, 820 West Broadway, Louisville, Kentucky, 40232; and LOUISVILLE WATER COMPANY, a Kentucky Corporation, whose mailing address is 425 South Third Street, Louisville, Kentucky 40202, Parties of the Third Part.

WITNESSTH:

THAT WHEREAS, the Second Party is desirous of obtaining a private gas line and a private water line to serve the property known as 188 South Dorsey Way (also known as South Dorsey Lane) from Blue Ridge Road west across the property of the Trinity Presbyterian Church thence south across the property of the First Party and First Party having agreed to grant such easement.

NOW THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, and First Party does hereby grant unto the Second Party, his heirs and assigns, an easement 10 feet in width. Gas and water lines are constructed to determine the center line of said easement.

Said easement above described lying and being on the tract of land conveyed to First Party by Deed dated December 1, 1980, recorded in Deed Book 5205, Page 219 and Page 221, in the County Clerk's Office of Jefferson County, Kentucky.

It is understood and agreed that when the gas and water lines are laid that the surface of the ground will be replaced and restored to its present condition by the Second Party, and if for any reason it is necessary in the future to make repairs to such gas and water lines, the Second Party shall be responsible for those said repairs, and the surface of the ground will be restored by the Second Party.

The First Party also grants the Third Parties, their successors and assigns, the right to serve the Second Party, his heirs and assigns, gas and water through the aforesaid gas and water lines.

WITNESS the signatures of the First and Second Parties this 10th day of December, 1993.

BLUE RIDGE ASSOCIATES, a Kentucky
General Partnership

BY: 
General Partner

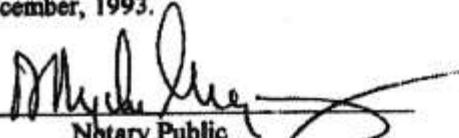
RUFUS C. KING, JR.

STATE OF KENTUCKY)
COUNTY OF JEFFERSON)

I, D. Dyche Gregory, a Notary Public in and for the State and County
aforesaid, do hereby certify that the foregoing instrument of writing was this day produced before
me in said County and State by Samuel Politt III, General Partner, BLUE RIDGE
ASSOCIATES, a Kentucky General Partnership, and acknowledged and delivered by him to be
his act and deed.

My Commission expires 3/22/97

Witness my hand this 10TH day of December, 1993.

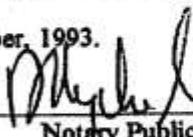

Notary Public

STATE OF KENTUCKY)
COUNTY OF JEFFERSON)

I, D. Dyche Gregory, a Notary Public in and for the State and County
aforesaid, do hereby certify that the foregoing instrument of writing was this day produced before
me in said County and State by RUFUS C. KING, JR., unmarried, and acknowledged and
delivered by him to be his act and deed.

My Commission expires 3/22/97

Witness by hand this 10TH day of December, 1993.


Notary Public

PREPARED BY
H. Douglas Mank
H. DOUGLAS MANK, ATTORNEY
22ND Floor Citizens Plaza
Louisville, KY 40202
for recording only

Document No: 1994027459
Lodged By: C.T.
Recorded On: Mar 04, 1994 11:34:49
Total Fees: \$10.50
Transfer Tax: \$0.00
County Clerk: Rebecca Jackson
Deputy Clerk: KATHYL

END OF DOCUMENT

S Dorsey Way

10000 Shelbyville Rd

Minor Plat DB 5246 Pg 872, Docket #46-81

Easement DB 5246 Pg 862 AND DB 5637 Pg 445
9039-0442

188 S Dorsey Way

9474-0407

6305-795

6591-580

5628-214

5935-38

124 Blue Ridge Rd (park)

4662-368

Plainview Section 3, 1972

PB 30 Pg 21 – does not show any S Dorsey Way R/W

Blue Ridge Manor Section 1

PB 14 Pg 43

Wahl, Paula

From: Browning, Cheryl L.
Sent: Tuesday, August 07, 2012 8:29 AM
To: Wahl, Paula
Subject: CallPilot Notification

*Please call this
resident if
re-submitted
to let neighbors
know*

Frank Risiga? 550-6791

Jim Mims gave him your name. He is a resident of Blue Ridge, near Plainview and the new mayor & four commissioners are getting ready to do a construction project in the park. All of the residents of Blue Ridge have signed a petition to keep it from happening, as well as not getting approved by the State because they're trying to make an access road out into Shelbyville Rd. Jim told him the construction planning would have to go through our dept. and he wanted to make sure to get on our radar so you knew there was a lot of input against it. Please call at your convenience. Thanks.

Cheryl L. Browning
Administrative Specialist
Dept. of Codes & Regulations
Transportation Planning
444 S. 5th St., Suite 200
Louisville, KY 40202
Phone (502) 574-6761
Fax (502) 574-1334

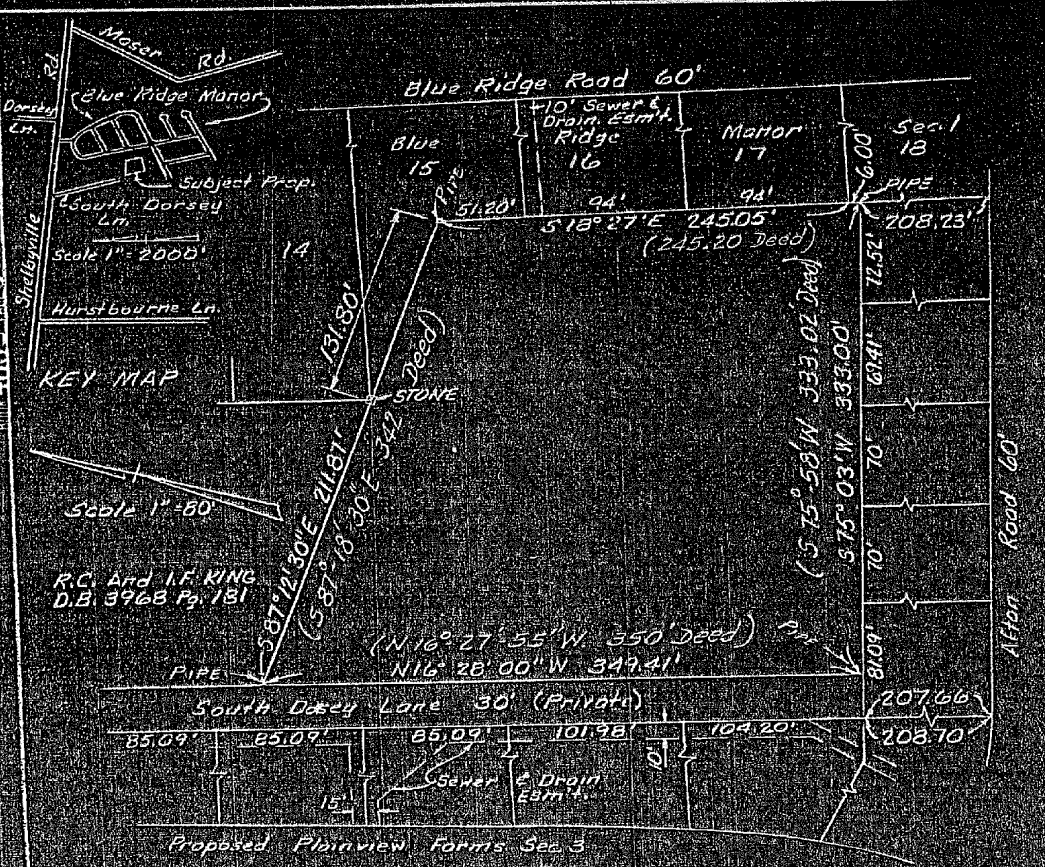
-----Original Message-----

From: Voicemail@SVAPPS63.metro.lou.ky [<mailto:Voicemail@SVAPPS63.metro.lou.ky>]
Sent: Monday, August 06, 2012 3:28 PM
To: Browning, Cheryl L.
Subject: CallPilot Notification

You have a voice message from an unknown caller that called from 5028932503.

*address?
122-124 Blue Ridge Rd.*

PLAT 4812 PAGE 372



Being a part of the same property conveyed to the Grantor by deed dated JAN 31, 1967 recorded in Deed Book 2161 Page 347, in the office of the Clerk of the Jefferson County Court.



I hereby certify that this plat was made under my supervision and is correct to the best of my knowledge and belief.

J. D. Barker, Jr. Surveyor
9/2/73
 Land Surveyor No. 957

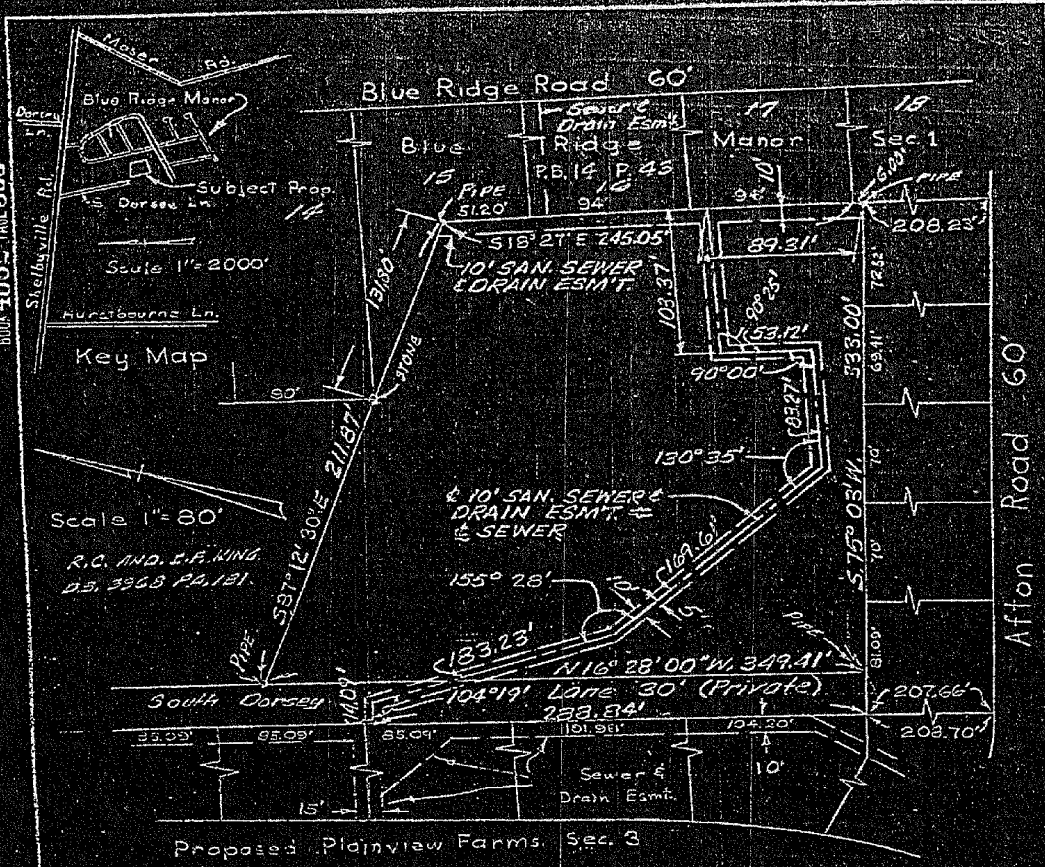
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT
 400 South Sixth Street
 Louisville, Kentucky 40203
Property of Louisville And Jefferson County Metropolitan Sewer District
 Date 2-11-73 File No. 2670

EXHIBIT "A"

BOOK 4662 PAGE 365

SEP 14 1973

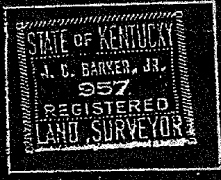
BOOK 4662 PAGE 365



Being a part of the same property conveyed to the Grantor by deed dated _____ recorded in Deed Book 4662 Page 367, in the office of the Clerk of the Jefferson County Court.

City of Blue Ridge Manor, Kentucky
C. G. J. J. J. Chairman
Owner(s)

This is to certify that the above signed is the owners of the land shown on this plat and hereby acknowledged the same to be plat of easement.



I hereby certify that this plat was made under my supervision and is correct to the best of my knowledge and belief.

J. C. Barker, Jr. Surveyor
Land Surveyor No. 957

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT
400 South Sixth Street
Louisville, Kentucky 40203

Property of
City of Blue Ridge
Manor

Date 2-12-73 File No. 26904

ENC 4502 PAGE 333

The Party of the First Part further covenants that it is lawfully seized of the property hereby conveyed, with full right and power to convey same; that it is free and clear of all encumbrances, except restrictions, stipulations, easements of record and zoning laws affecting said property, if any; and, subject to any state of facts an accurate survey of said property would show.

This conveyance is made upon the following expressed limitations, restrictions, conditions and covenants, all of which are hereby declared to run with the land and shall be binding on all parties having or acquiring any right, title, or interest in the described lands or any part thereof, and the Party of the Second Part hereby consents and covenants with the Party of the First Part, his successors or assigns as follows:

1. The above-described land is conveyed to the City of Blue Ridge Manor to be used for the purpose of a park dedicated to the public use; and that this conveyance is made upon the express condition that, in case the above-described land shall ever cease to be used by said City of Blue Ridge Manor for a public park, said land shall immediately revert back to the Party of the First Part, its successors or assigns, and the Party of the Second Part shall forfeit all right, title and interest in and to said premises as if this conveyance had not been made.
2. The Party of the Second Part takes said described land with knowledge that below its surface there exists the remains of certain structures constructed originally by previous owners of the property, and that the Party of the Second Part has agreed at the time of this conveyance to indemnify and save harmless the Party of the First Part from any and all claims by or on behalf of any person, firm or corporation arising

ENC 4502 PAGE 333

from any condition which may result from the presence of said structures.

3. This conveyance is made upon condition that the Party of the Second Part shall immediately convey to the Party of the First Part a ten (10) foot perpetual easement across the above-described property for the purpose of maintaining its sewers and drains, and for the right of ingress and egress to and from said easement. Upon a breach of this condition this deed shall become forfeited and the premises herein described and all the rights herein conveyed shall at once revert to the Party of the First Part (without any declaration of forfeiture or act of re-entry, and without any other act by the Party of the First Part to be performed, and without any right of the Party of the Second Part to reclamation or compensation for any support given or improvements made), as absolutely, fully and perfectly as if this conveyance had never been made.

The Party of the First Part certifies that the consideration for this conveyance is the sum of one thousand dollars (\$1,000.00).

IN TESTIMONY WHEREOF, the Party of the First Part has hereunder set its hand and seal on the day, month and year first above written, by and through its Chairman of the Board, under authority granted to said Chairman by the Board of the Louisville and Jefferson County Metropolitan Sewer District.

LOUISVILLE AND JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT

By *James M. Brown*
Chairman of the Board

THIS SURVEY IS SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS, CONVEYANCES AND RESTRICTIONS THAT A TITLE EXAMINATION WOULD REVEAL.

FLOOD HAZARD STATEMENT

THIS PROPERTY IS NOT LOCATED IN THE 100 YEAR FLOOD HAZARD AREA AS SHOWN ON FIRM NO. 21111C00095.D TO THE BEST OF MY KNOWLEDGE AND BELIEF.
FIRM MAP DATE: 2-2-1994

SURVEY CLASSIFICATION

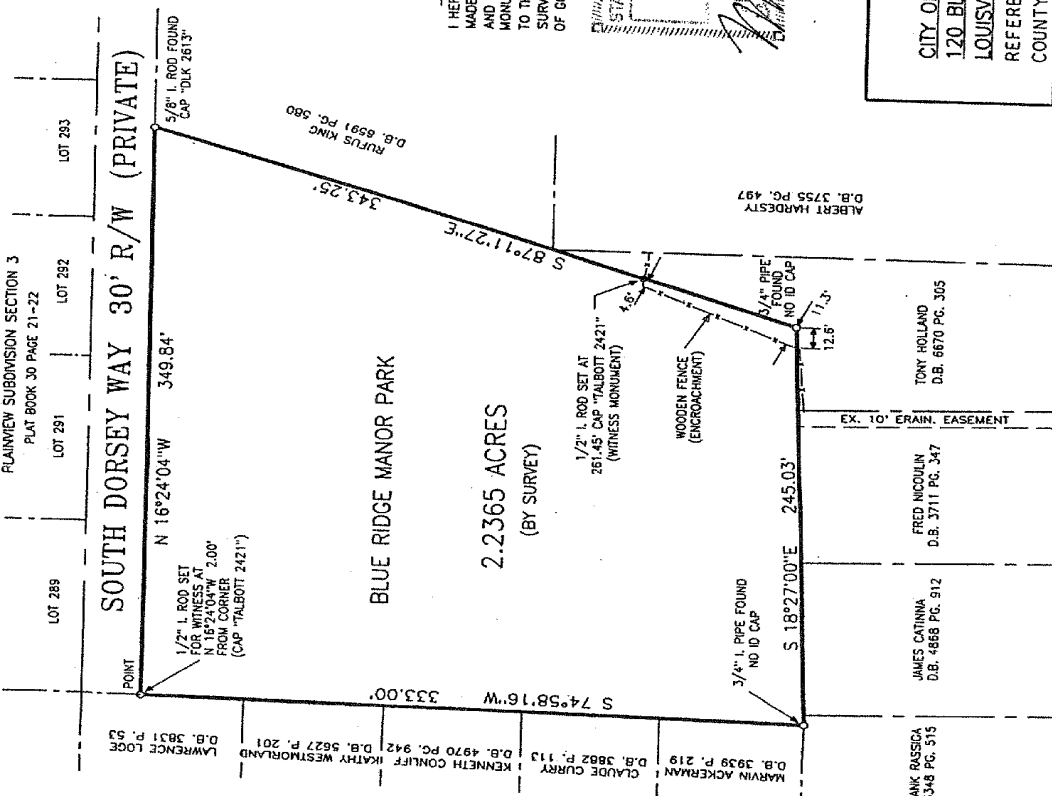
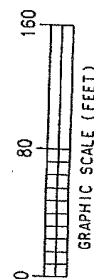
THIS SURVEY AND PLAT MEETS OR EXCEEDS THE TECHNICAL STANDARDS FOR A CLASS "A" SURVEY FOR URBAN LAND IN ACCORDANCE WITH 201 KAR 18.150

THE REFERENCE BEARING FOR THIS SURVEY IS S 18°27'00"E ALONG THE WEST LINE OF THE REVISED PLAT OF BLUE RIDGE MANOR SUBDIVISION AS RECORDED IN PLAT BOOK 14 PAGE 43, JEFFERSON COUNTY, KENTUCKY.



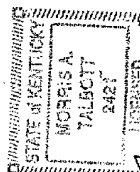
STATEMENT ON PRECISION

THIS SURVEY WAS PERFORMED BY THE RANDOM TRAVERSE METHOD. THE UNADJUSTED LINEAR ERROR OF CLOSURE RATIO OF THE TRAVERSE EXCEEDS 1 PART IN 15,550. TRAVERSE CLOSURE HAS BEEN ADJUSTED USING THE LEAST SQUARES METHOD OF ADJUSTMENT.



BLUE RIDGE ROAD 60' R/W

LAND SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY AND PLAT WERE MADE UNDER MY SUPERVISION AND THAT THE ANGULAR AND LINEAR MEASUREMENTS AS WITNESSED BY MONUMENTS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.



Morris A. Talbott
11-20-2000

TAX BLOCK 30 LOT 18

PLAT OF BOUNDARY SURVEY

CITY OF BLUE RIDGE MANOR
120 BLUE RIDGE ROAD
LOUISVILLE, KENTUCKY 40223
REFERENCE D.B. 4662 PAGE 368
COUNTY OF JEFFERSON, KENTUCKY

ADVANCED LAND SURVEYS

MORRIS A. TALBOTT RLS No. 2421
319 TUCKER STATION ROAD
LOUISVILLE, KENTUCKY 40243
(502) 244-3976

PLAT SCALE: 1 INCH EQUALS 80 FEET.

SURVEYED NOV. 11, 2000 REV. FILE BLUE BKG. CRO/PL 1
DRAWN NOV. 18, 2000 SHEET OF

6. Cornerstone 2020 Comprehensive Plan Checklist

+ exceeds guidelines

√ meets guidelines

+/- more information needed

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 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.	+/-	Applicant should explain how the park functions within the neighborhood.
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.5: The proposal mitigates any potential odor or emissions associated with the development.	+/-	Applicant should explain how the park functions within the neighborhood.
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.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	+/-	Applicant should explain how the park functions within the neighborhood.
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.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	+/-	Was there lighting installed as part of the construction of the park or parking lot?
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.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.	+/-	Applicant should explain the buffering between the park and adjacent properties. The plan does not clearly label buffering.
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.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.	+/-	Applicant should explain the buffering between the park and adjacent properties. The plan does not clearly label buffering.
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.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.	+/-	Applicant should explain how the park functions within the neighborhood.
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.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.	+/-	Applicant should explain the buffering between the park and adjacent properties. The plan does not clearly label buffering.
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.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	+/-	Signage should be explained.

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.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.	+/-	Applicant should explain the buffering between the park and adjacent properties. The plan does not clearly label buffering.
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.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	+/-	Signage should be explained.
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.10: The proposal includes adequate parking spaces to support the use.	√	The required parking appears to be appropriate for a small park.
45	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 blueline 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.	+/-	Subject to construction review. Permit apparently has already been issued.
49	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.	+/-	Subject to construction review. Permit apparently has already been issued.
50	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.	+/-	Subject to construction review. Permit apparently has already been issued.