

**EXHIBITS FOR APPLICANT
American Hospital Directory
164 Thierman Lane**

**Louisville Metro Planning Commission
Case No. 14 ZONE 1014**

1. Zoning Map
2. Site Photography
3. Elevations
4. Development Plan
5. Zoning Change Demonstration of Appropriateness
6. Waiver Justification
7. Variance Justification
8. Proposed Findings of Fact

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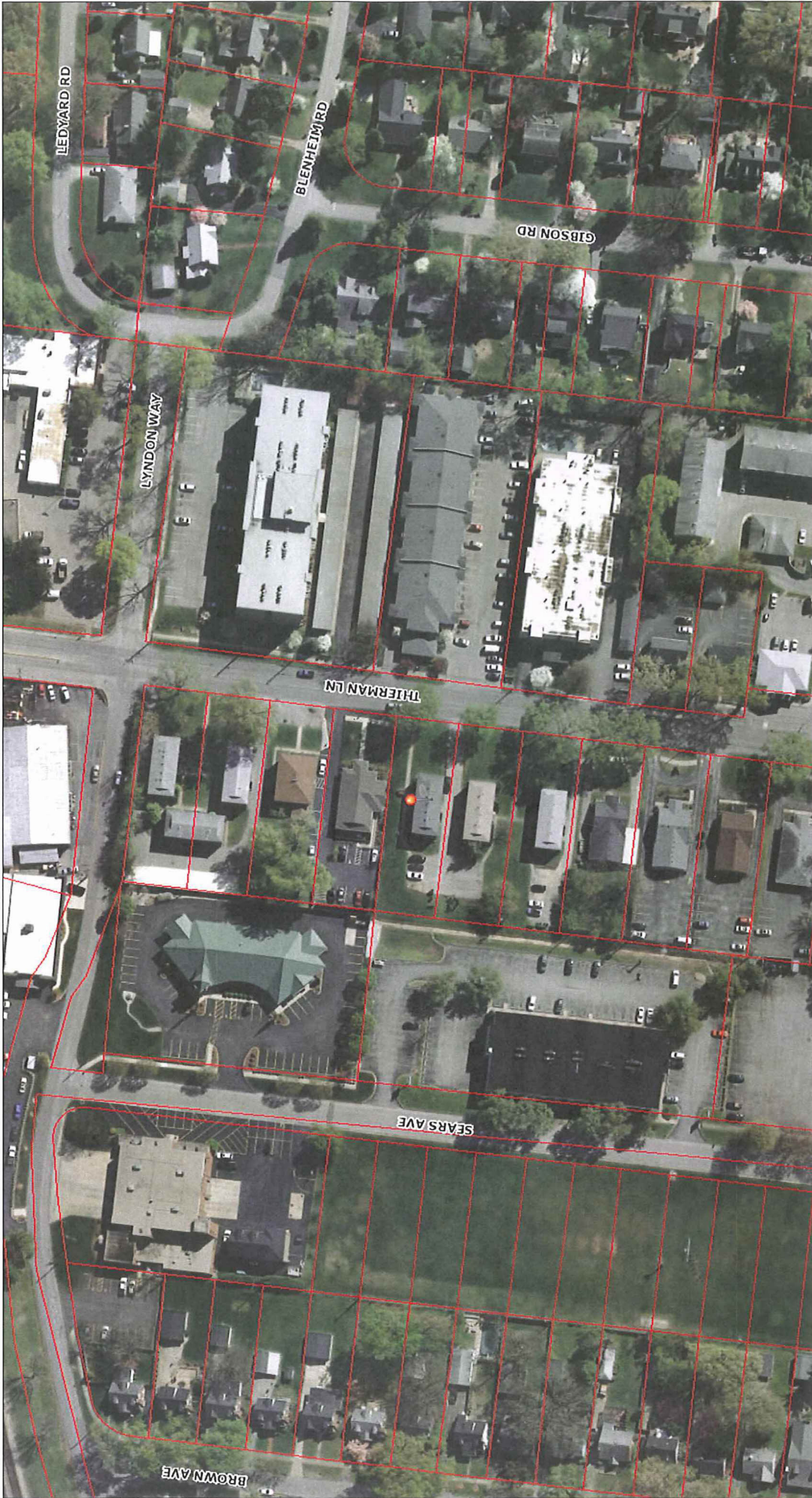


0 100 200ft

American Hospital Directory



This map is not a legal document and should only be used for general reference and identification.



American Hospital Directory

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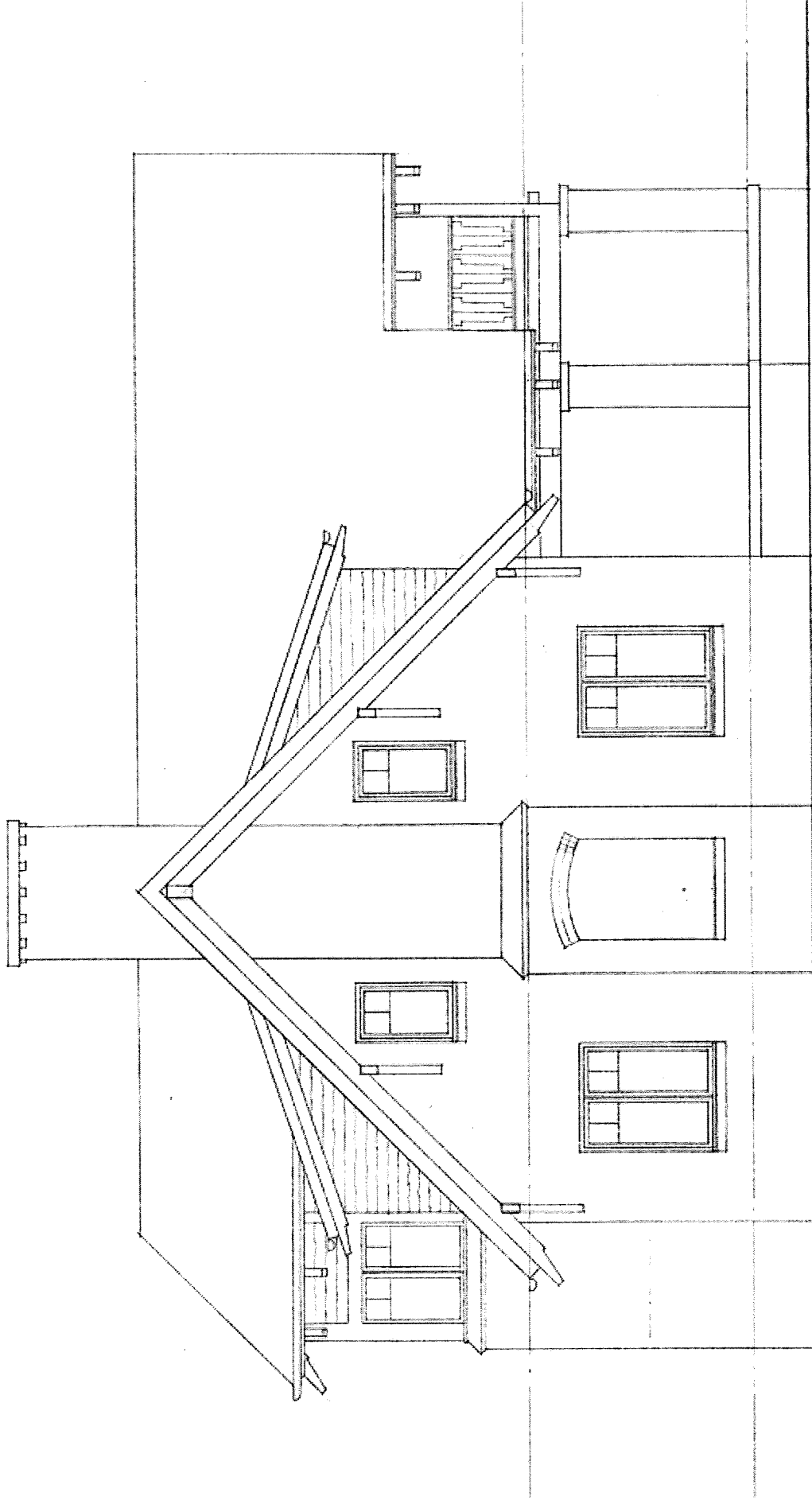




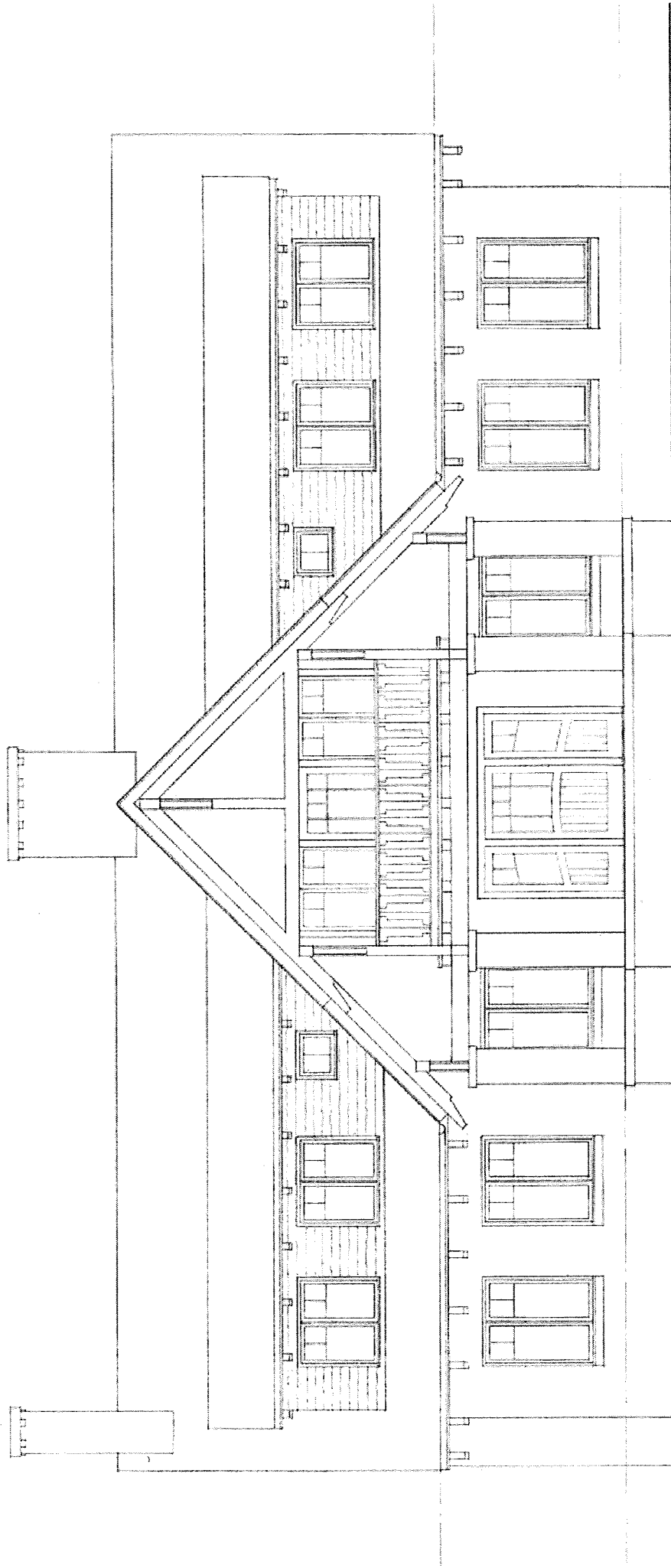




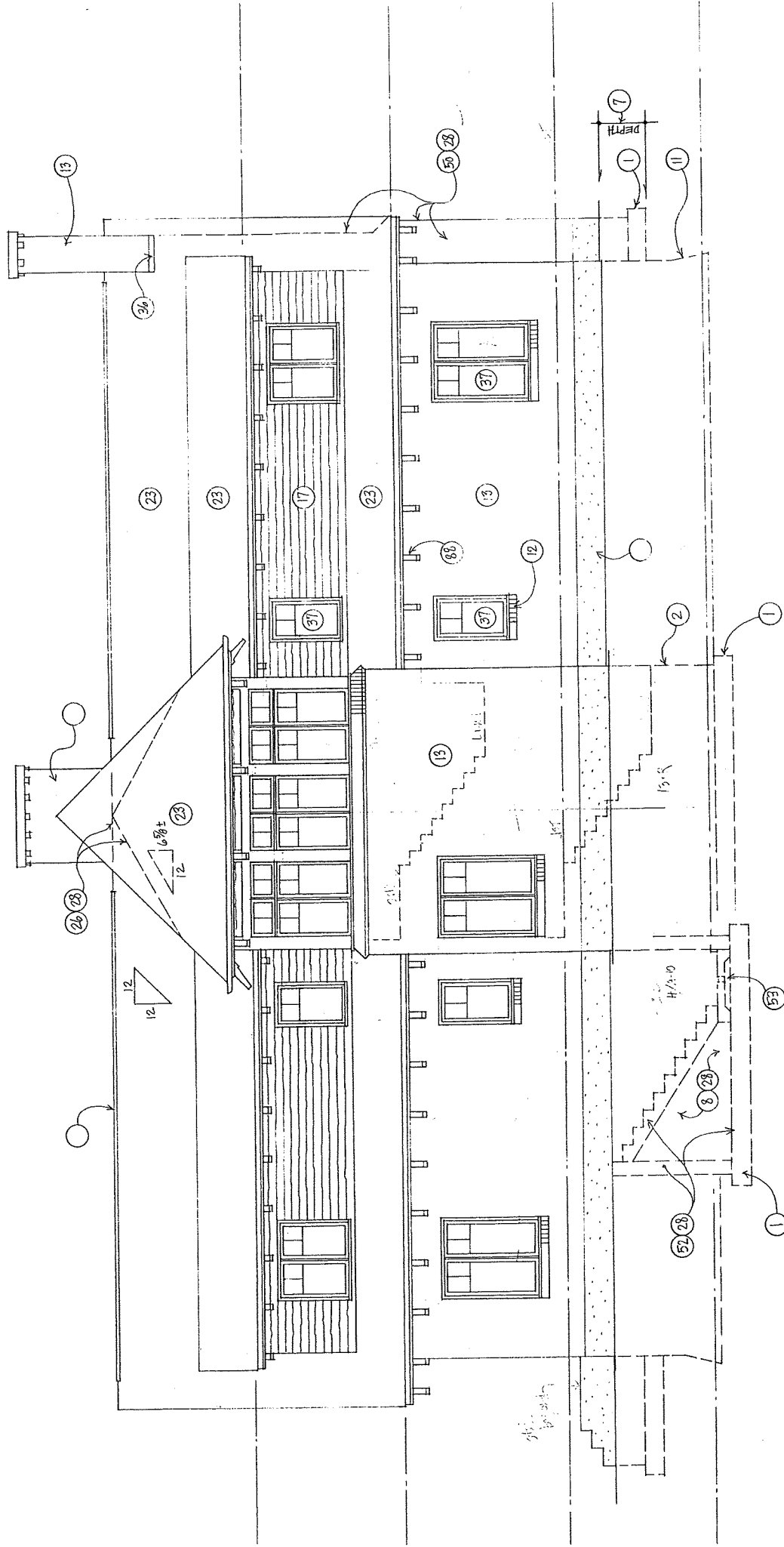




FRONT ELEVATION (Facing Thierman Lane)

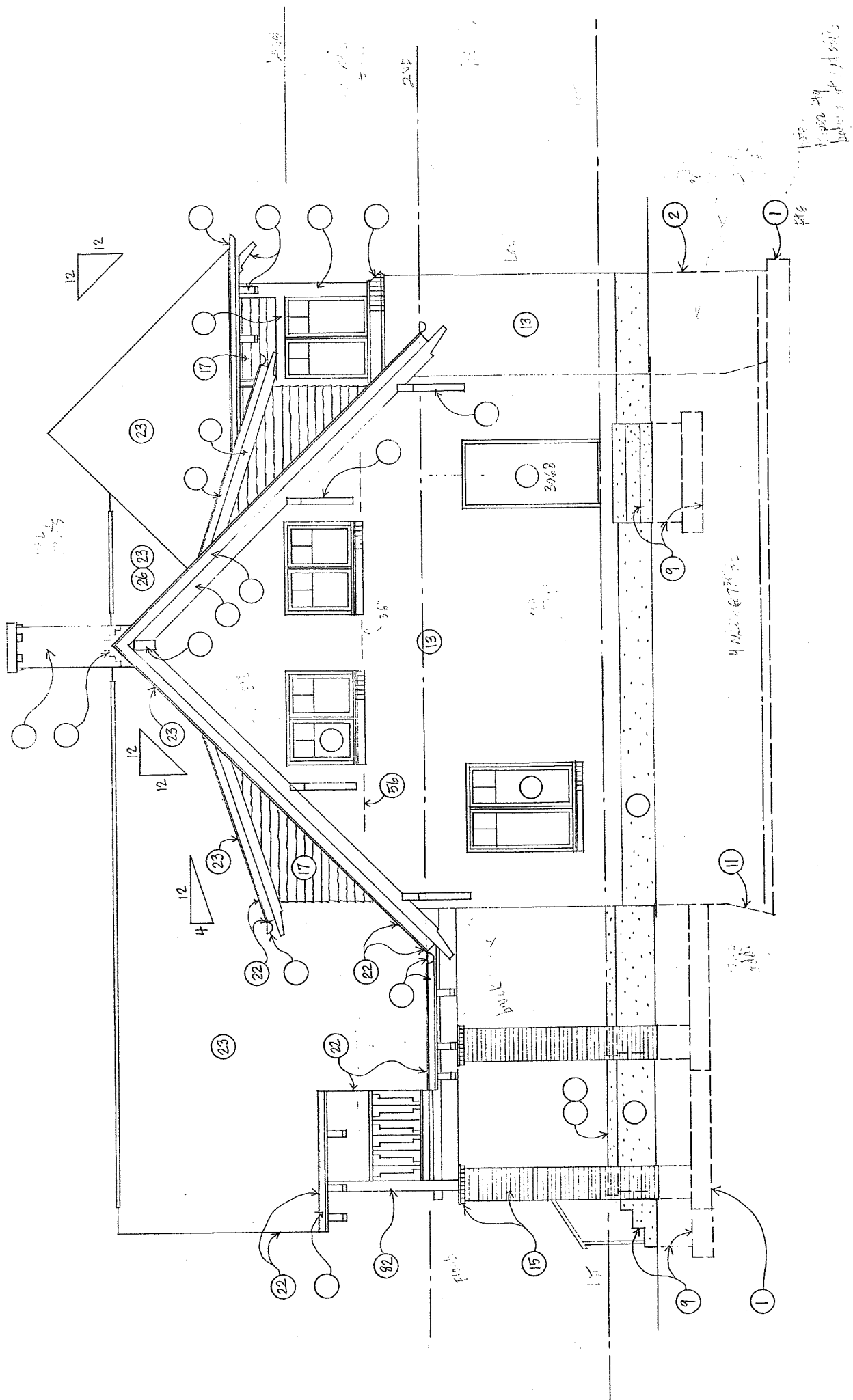


RIGHT SIDE ELEVATION (Facing 166 Thierman)



L E T S I D E L E Y A T I O N

SCALE 1/4" = 1'-0"



12 12 A 12 12 L 12 V A T I (9) N

SCALE 1/4" = 1'-0"



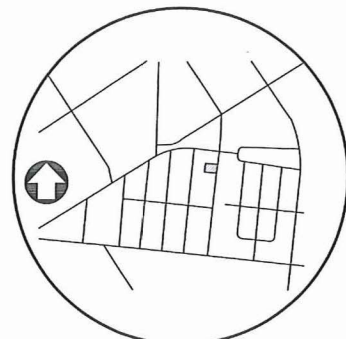
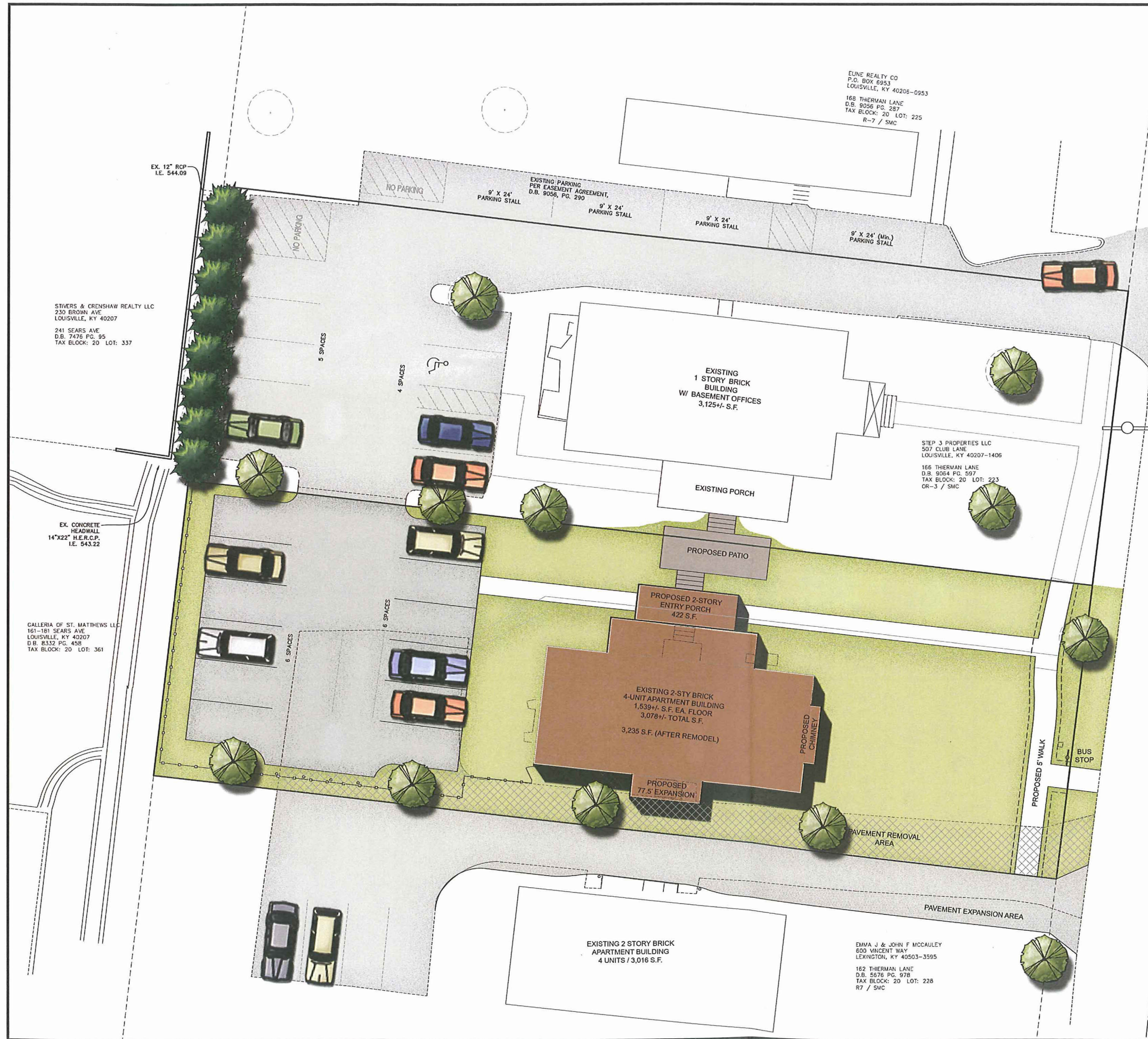
American Hospital Directory



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LOCATION MAP

OWNER/DEVELOPER
STEP 3 PROPERTIES
 507 CLUB LANE
 LOUISVILLE, KY. 40207
 (502) 894-8418

DETAILED DISTRICT DEVELOPMENT PLAN
AMERICAN HOSPITAL DIRECTORY
 164 THIERMAN LANE
 LOUISVILLE, KY 40207
 TAX BLOCK: 20 LOT: 226
 D.B. 10180 PG. 530

Revisions	4/25/14 PER PRE-APPLICATION MEETING	6/9/14 PRE STAFF REPORT COMMENTS

Vertical Scale: N/A
 Horizontal Scale: 1"=10'
 Date: 02/12/14
 Job Number: 2751-100

Sheet
1
 of 1

Mindel, Scott & Associates, Inc.
 Planning • Engineering • Surveying • Landscape Architecture
 Utility Consulting • Property Management
 5115 Jefferson Boulevard, Louisville, KY 40219
 Phone: (502) 465-1506 • Fax: (502) 465-1506 • Email: msa@mindelassociates.com

MSA

DEMONSTRATION OF APPROPRIATENESS

STEP 3 PROPERTIES, LLC (Owner/Applicant/Developer)
AMERICAN HOSPITAL DIRECTORY, INC.
164 THIERMAN LANE
LOUISVILLE, KENTUCKY 40207

This Demonstration of Appropriateness is submitted by Step 3 Properties, LLC ("Step 3"). Step 3 is the owner, applicant and developer of the proposal (hereinafter, "Applicant") to be located at 164 Thierman Lane in St. Matthews, Kentucky. This is a proposal for a change in zoning district from R-7 Multi-Family to OR-3 Office/Residential District (the "Proposal"). The site is intended to house an additional building to serve American Hospital Directory, Inc., which is located at 166 Thierman Lane.

I.

The Proposal conforms to the Comprehensive Plan in effect in St. Matthews, Kentucky. Conformance with the Comprehensive Plan is detailed in this Demonstration of Appropriateness as indicated below:

Community Form Guideline 1. The proposal conforms to Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy 1.B.8 because the site is located in the Suburban Marketplace Corridor Form District. The Suburban Marketplace Corridor Form District is characterized by a mixture of medium to high intensity uses with accommodations for transit users, bicyclists and pedestrians. Thierman Lane is a transit route. There are sidewalks in the vicinity of the proposal and a sidewalk will be constructed on-site. Bicycle storage facilities will be located within the building.

Compatibility Guideline 3. The Proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policy 3.1, 3.2, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.12, 3.22, 3.23, 3.24 and 3.28. The size and scale of the proposal is compatible with adjacent land uses consisting of offices and multi-family uses. Building materials will be similar to those found at 166 Thierman Lane. This development will cause no odor or adverse air quality impact, no significant traffic or noise and no excessive lighting or adverse visual impact. The development will be accessible to people with disabilities consistent with all local, state and federal regulations. Appropriate buffers will be implemented. Parking impacts are minimized by location at the rear of the property. No free-standing signage is proposed.

Natural Areas and Scenic and Historic Resources Guideline 5. The Proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and all applicable Policies adopted thereunder, including Policies 5.1, 5.3, 5.6 and 5.7. There are no historic, cultural or archaeological resources on site. There are no wet soils or steep slopes on site.

Circulation Guideline 7. The Proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 7.3 and 7.10. Thierman Lane is a

transit route. Adequate parking (12 parking spaces) is provided pursuant to the requirements of the Land Development Code.

Bicycle, Pedestrian and Transit Guideline 9. The Proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all Policies adopted thereunder, including Policies 9.1, 9.2, and 9.4. Transit facilities (“Transit Authority of River City” or “TARC”) are located along Thierman Lane in front of the site (i.e., TARC Route 25). Sidewalks are located in the vicinity and will be located on site. Bicycle storage will be permitted within the building.

Flooding and Stormwater Guideline 10. The Proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 10.2, 10.3, 10.4, 10.7, 10.10 and 10.11. No portion of the site lies within a FEMA flood hazard area. It is anticipated that the Metropolitan Sewer District (“MSD”) will approve the development. MSD’s approval will indicate that the development has accommodated its drainage and upstream drainage, assuming a fully developed watershed, and that all “through” drainage has been accommodated. Peak stormwater runoff rates or volumes after development will not exceed pre-existing rates.

Air Quality Guideline 12. The Proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 12.1, 12.3 and 12.8. The proposal will serve American Hospital Directory, an internet-based service provider having little, if any, customer traffic to the site. The site is located on Thierman Lane, which has transit service from TARC. TARC Route 25 serves Thierman Lane. Sidewalks will be located on site.

Landscape Character Guideline 13. The Proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 13.2, 13.4 and 13.5. All landscaping provided will be native species.

Infrastructure Guideline 14. The Proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 14.2, 14.3, 14.4, 14.6 and 14.7. The site is served by all existing utility services and has an existing supply of potable water and water for fire-fighting purposes from the Louisville Water Company. Sewage treatment will be accommodated by the Metropolitan Sewer District. Utilities will be located underground wherever possible and will be located pursuant to easements of the utility providers.

Community Facilities Guideline 15. The Proposal conforms to Community Facilities Guideline 15 and all Policies adopted thereunder, including Policy 15.9. The site will be served by the fire-fighting facilities of the St. Matthews Fire District.

The Proposal conforms to all other applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan.

II.

All utilities and essential public services are presently provided to the site. No extension of facilities will be required.

III.

Provided the development is approved by the St. Matthews City Council and all other reviewing governmental entities implementation of the development is intended to begin immediately.

4823-5250-9467v1

**ST. MATTHEWS DEVELOPMENT CODE WAIVER REQUEST
STEP 3 PROPERTIES, LLC (Owner/Applicant/Developer)**

**AMERICAN HOSPITAL DIRECTORY, INC.
164 THIERMAN LANE
LOUISVILLE, KENTUCKY 40207**

Request. This is a request for a waiver pursuant to Article 12.I. of the St. Matthews Development Code to allow encroachments into the required 15-foot landscaping buffer along the south property line required by Article 12, Item C.1.(a).1.C. and to allow for an alternate landscaping plan.

Reason. The existing building, proposed expansion area and proposed parking spaces encroach into the required 15-foot buffer adjacent to 162 Thierman Lane. The applicant will remove asphalt paving in its side yard and will replace it with green space and plantings.

- 1. The proposed waiver conforms to the Comprehensive Plan and the intent of the St. Matthews Development Code.**

The only Comprehensive Plan Guidelines applicable to the waiver request are Compatibility Guideline 3 and Policies 3.22, and 3.24. The removal of the existing asphalt paving within this area and its replacement with grass and plantings conforms to the Comprehensive Plan by minimizing the effect of parking and on-site building expansion.

The intent of the 15-foot buffer is to protect adjacent properties from the impacts of the office use. The provision of an alternate planting scheme will more than address the lack of minimum width of the buffer.

- 2. Compliance with the regulation is not appropriate; the granting of the waiver will result in a development more in keeping with the Comprehensive Plan and the overall intent of the St. Matthews Development Code.**

Compliance with the regulation in this case cannot be accomplished due to the encroachment of the existing building. The creation of the new green space adjacent to 162 Thierman Lane will result in a development more in keeping with the Comprehensive Plan and the overall intent of the St. Matthews Development Code.

- 3. The granting of the waiver will have no impact on the adjacent property at 162 Thierman Lane.**

Because of the proposed alternate landscaping and the removal of extensive asphalt surfaces on the site, the granting of the waiver will have no impact on the adjacent property located at 162 Thierman Lane.

4. **The strict application of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.**

Strict application of the regulation would deprive the applicant of its existing building and the proposed expansion area. Therefore, the strict application of the regulation would create an unnecessary hardship on the applicant.

RECEIVED

JUN 09 2014

PLANNING &
DESIGN SERVICES

SUPPLEMENTAL INFORMATION SHEET

**A REQUEST FOR A VARIANCE FROM LAND DEVELOPMENT CODE §5.4.C.2.b. TO
PERMIT PARKING TO ENCROACH INTO THE 5-FOOT SIDE YARD SETBACK.**

**Step 3 Properties, LLC, Owner
164 Thierman Lane**

1. State the reasons that the granting of the variance:

A. WILL NOT ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY OR WELFARE.

The granting of the variance will allow the parking areas of 162 Thierman Lane and 164 Thierman Lane, both owned by Step 3 Properties, LLC for the use of American Hospital Directory, to be connected. No other properties will be affected by the variance. The granting of the variance will not adversely affect the public health, safety or welfare because this is a simple vehicular connection.

B. WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE GENERAL VICINITY.

The proposed variance will not alter the essential character of the general vicinity because only the properties located at 162 Thierman Lane and 164 Thierman Lane, both owned by Step 3 Properties, LLC, are affected. These parking areas are at the rear of the lots and will be only minimally visible to most other nearby properties.

C. WILL NOT CAUSE A HAZARD OR A NUISANCE TO THE PUBLIC.

The requested variance will cause no hazard or nuisance to either the general public or to nearby residential property owners because the proposed vehicular connection to be enabled by the variance will create parking availability in the rear of the affected lots, thereby avoiding the possibility of vehicles parking along Thierman Lane.

D. WILL NOT ALLOW AN UNREASONABLE CIRCUMVENTION OF THE REQUIREMENTS OF THE ZONING REGULATIONS.

The requested variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because the variance enables the parking fields of both 162 Thierman Lane and 164 Thierman Lane to be connected in the rear of the lots. This proposal is not an unreasonable circumvention of the requirements of the zoning regulation.

2. Additional consideration:

B. THE STRICT APPLICATION OF THE PROVISIONS OF THE REGULATION WOULD DEPRIVE THE APPLICANT OF THE REASONABLE USE OF THE LAND OR WOULD CREATE AN UNNECESSARY HARDSHIP.

The strict application of the provisions of the regulation would deprive the Owner/Applicant of the reasonable use of its land because it disallow a connection of the parking areas, both of which will serve American Hospital Directory. The strict application of the regulation would cause the applicant to maintain a *second* – and unnecessary – entrance from Thierman Lane to American Hospital Directory.

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PROPOSED FINDINGS OF FACT

**STEP 3 PROPERTIES, LLC (Owner/Applicant/Developer)
AMERICAN HOSPITAL DIRECTORY, INC.
164 THIERMAN LANE
LOUISVILLE, KENTUCKY 40207**

WHEREAS, The Planning Commission Finds That the proposal conforms with KRS 100.213 because it is in agreement with the Comprehensive Plan in effect in St. Matthews, Kentucky; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy 1.B.8 because the site is located in the Suburban Marketplace Corridor Form District which is characterized by a mixture of medium to high intensity uses with accommodations for transit users, bicyclists and pedestrians; because Thierman Lane is a transit route; because there are sidewalks in the vicinity of the proposal and a sidewalk will be constructed on-site; and because bicycle storage facilities will be located within the building; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policy 3.1, 3.2, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.12, 3.22, 3.23, 3.24 and 3.28 because the size and scale of the proposal is compatible with adjacent land uses consisting of offices and multi-family uses; because building materials will be similar to those found at 166 Thierman Lane; because this development will cause no odor or adverse air quality impact, no significant traffic or noise and no excessive lighting or adverse visual impact; because the development will be accessible to people with disabilities consistent with all local, state and federal regulations; because appropriate buffers will be implemented; because parking impacts are minimized by location at the rear of the property; and because no free-standing signage is proposed; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and all applicable Policies adopted thereunder, including Policies 5.1, 5.3, 5.6 and 5.7 because there are no historic, cultural or archaeological resources on site and there are no wet soils or steep slopes on site; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 7.3 and 7.10 because Thierman Lane is a transit route and because adequate parking (12 parking spaces) is provided pursuant to the requirements of the Land Development Code; and

WHEREAS, The Planning Commission Further Finds That the Proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all Policies adopted thereunder, including Policies 9.1, 9.2, and 9.4 because transit facilities ("Transit Authority of River City" or "TARC") are located along Thierman Lane in front of the site (i.e., TARC Route 25); because sidewalks are located in the vicinity and will be located on site; and because bicycle storage will be permitted within the building; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 10.2, 10.3, 10.4, 10.7, 10.10 and 10.11 because no portion of the site lies within a FEMA flood hazard area; because the Metropolitan Sewer District (“MSD”) has approved the development; because MSD’s approval indicates that the development has accommodated its drainage and upstream drainage, assuming a fully developed watershed, and that all “through” drainage has been accommodated, and that peak stormwater runoff rates or volumes after development will not exceed pre-existing rates; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 12.1, 12.3 and 12.8 because the proposal will serve American Hospital Directory, an internet-based service provider having little, if any, customer traffic to the site; because the site is located on Thierman Lane, which has transit service from TARC; because TARC Route 25 serves Thierman Lane and because sidewalks will be located on site; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 13.2, 13.4 and 13.5 because all landscaping provided will be native species; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 14.2, 14.3, 14.4, 14.6 and 14.7 because the site is served by all existing utility services and has an existing supply of potable water and water for fire-fighting purposes from the Louisville Water Company; because sewage treatment will be accommodated by the Metropolitan Sewer District; and because utilities will be located underground wherever possible and will be located pursuant to easements of the utility providers; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to Community Facilities Guideline 15 and all Policies adopted thereunder, including Policy 15.9 because the site will be served by the fire-fighting facilities of the St. Matthews Fire District; and

WHEREAS, The Planning Commission Further Finds That the proposal conforms to all other applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan; and

WHEREAS, The Planning Commission Further Finds That all utilities and essential public services are presently provided to the site and no extension of facilities will be required; and

WHEREAS, The Planning Commission Further Finds That implementation of the development is intended to begin immediately.

NOW THEREFORE BE IT RESOLVED....