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Zoning Justification Statement for 9212 Preston Highway

This proposal is for an existing structure to be zoned from R-4 to C-N and to allow for a commercial or office use along Preston Highway. The house was built in 1952 and was formerly used as a residence. At this time, a similar home to the south is zoned CN and is being used as a florist. Next to that is a daycare zoned CN. The home to the north has been rezoned to commercial but is still being used as a residence. Next to that is a Thornton's Gas Station.

The area is busy and has changed since this home was constructed along a then two lane Preston Highway. Preston Highway now has 4 lanes with a center turning lane. Meier superstore is located less than a block away containing out lots and the Gene Snyder Freeway 2 blocks to the south. This once quiet stretch of Preston Highway is now a major thoroughfare. Many of the single family dwellings in this Neighborhood Form District have transitioned into small commercial or office uses to suit the busy area and to serve the people living and commuting through this area.

In the Cornerstone 2020 Comprehensive Land Use Plan, the property is the Neighborhood Form District adjacent to a Suburban Market Place Corridor to the south (Meier's area). The Neighborhood Form District allows a mixture of uses such as "offices, retail shops, restaurant and services". These uses should be of appropriate scale for the area and be accessible. Plan Elements B.3. This location along a major road is accessible. There are good roads, sidewalks and a bus route. The scale is appropriate because it is an existing structure with similar sized structures in both directions. This area between the Thornton's and Meier's has almost all commercial or office uses or zoning at this time.

For these reasons and for the reasons set forth below, the requested zoning change is appropriate under KRS 100.213 and consistent with the Guidelines and Policies of the current Comprehensive Plan.

Guideline 1-Community Form

The proposal requests a rezoning for an existing structure. The structure will be used as a small commercial or office business. The only improvements would be to the entrance way and for a few parking spots in the rear. This type of reuse of an existing structure makes a change of use easily compatible with a neighborhood. The streetscape is not altered. The neighborhood benefits from a new service in a convenient location. Thus making the requested zoning designation appropriate under Guideline 1, Policy B.3.

Guideline 3 Compatibility

This proposal complies with the intent and the policies of Guideline 3 for all the location reasons set forth above and below and because this is an existing home and proposed

business use which is compatible with the neighboring uses. Further, the use is of low impact and is a service to the neighborhood.

The requested rezoning designation is compatible because no discernible changes to the appearance of the neighborhood will occur by this project. The issue of appropriate size and shape of the structure, setbacks, transitions and visual impact to the neighborhood are basically non-existent because this home is existing and the streetscape will remain the same. For these reasons, the proposal is consistent with Guideline 3, Policies 1, 4, 9, 22 and 23.

The proposal is of low impact to the neighborhood. The current zoning is R-4 with commercial zoning on either side. The proposed use should not generate any nuisances or create any new traffic issues for the area. The business or office will operate during normal business hours, thus causing no noise or disturbance to the neighborhood to the rear in the evenings. The house will have minimal outside lighting consistent with lighting on residential buildings. Therefore, the proposal meets, Guideline 3, Policies 4, 6, 7, 8 and 24.

Guideline 5 Natural Area and Scenic and Historical Resources

This proposal complies with the intent and the policies of Guideline 5, Policy 2 because there are no historic features in the area. There are no other special districts or soil and slope issues facing this proposal.

Guideline 6 Economic Growth and Sustainability

This proposal promotes and is consistent with the policies of Guideline 6, Policy 3 because the project is an investment in an older neighborhood using existing infrastructure.

Guideline 7 Circulation

This Proposal complies with the intent and the policies of Guideline 7, Policy 10 because its site plan provides adequate parking and connections for the size and location of the lot. Further, the site is in an area with access to mass transit and in an area served by sidewalks.

Guidelines 8 and 9 Transportation

The proposal complies with the intent and the policies of Guidelines 8 and 9 because it provides for appropriate circulation and safe and efficient ingress to and egress in rear parking area. The site's parking meets the LDC requirements. The proposal is also located near a TARC stop consistent with Guideline 9. The proposal does not impact any environmentally sensitive areas, scenic corridors or streetscape issues.

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Guidelines 10 and 11 Flooding and Storm water and Water Quality

The proposal complies with the intent and the policies of Guidelines 10 and 11 because it uses an existing structure so land disturbance is minimized. The only new construction is the addition of a parking area.. Appropriate construction practices will be employed in constructing the building to protect water quality by the use of effective sediment and erosion practices in accordance with applicable regulations and best management practices. Further, no portion of the property to be developed is designated as floodplain or a blue line stream.

Guideline 12 Air Quality

The proposal complies with the intent and the policies of Guideline 12 because this type of infill project will work to decrease vehicular miles traveled between home and trips to neighboring businesses. The site is also served by a TARC stop in the area, thus encouraging the use of mass transit reducing vehicular miles traveled by residents. Sidewalks are available in this area.

Guideline 13 Landscape Character

The intent of this guideline is to protect and enhance landscape character. This proposal has minimal site disturbance. Additional landscaping will be provided in the rear to buffer the homes behind the site. The proposed plan maintains the existing residential look of the area and is compatible with the lot pattern of the block.

Guideline 14 Infrastructure

The proposal complies with the intent and the policies of Guideline 14 because all necessary utilities are available nearby and will be connected via existing facilities.

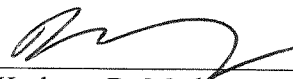
For these reasons, this proposal to rezone an existing home for use as a small scale business which will be compatible with the neighborhood form district and the Preston Highway is in conformance with all applicable guidelines of the Cornerstone 2020 Comprehensive Plan and consistent with KRS Chapter 100 should be approved.

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Respectfully submitted


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