

Zoning Justification Statement for 4906 Outer Loop 14Zone1033

This proposal is for an existing residence to be zoned from R-4 to OR-1. The building will be modified and an addition placed on the rear to serve as an insurance company office. The roof line will be altered to accommodate the rear addition and an attractive attached sign will be placed on the front of the building. A new parking area will be placed in the rear.

In the Cornerstone 2020 Comprehensive Land Use Plan, the property is a Neighborhood Form District immediately adjacent to Regional Center Form District. The site is located on Outer Loop which is an activity and transit corridor. The site has C-1 to the west, an existing gas station/convenience store (Speedway) and a beauty shop to its east. Across the street is a proposed retail area under construction which is immediately adjacent to the existing Jefferson Mall. Behind it is an existing subdivision. This use is of low impact along a busy area and should have minimal impacts on the area. Given these facts, the surrounding uses, 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 2-Centers

The proposal requests a rezoning for an existing residence which is being converted to an office. This type of conversion of houses to office uses is customary along this section of Outer Loop, a major arterial road. The entire 8 block stretch from Preston Highway to Robbs Lane has undergone this type of transformation since the 1970's. Outer Loop has gone from a two lane road to a busy five lane corridor. On the south side of Outer Loop, homes have been either converted to offices or have been removed and had new offices or commercial uses constructed. The area is a mixture of office and commercial uses with a few residential uses. This is the last parcel zone R-4 in this area facing Outer Loop. The area would be classified as an activity center and had good transit access in compliance with Guideline 2. The area is developed with a new large retail site going in across the road. The alterations to the buildings are consistent with the area and as necessary to accommodate an office use including space, handicap access and parking. All existing utilities are present and no new infrastructure needs are required. Therefore, the site is appropriate for the use making the requested zoning designation appropriate under Guideline 2, Policies 2, 7, 9, 14, 15, & 16.

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 a proposed business use which is compatible with the neighboring uses. The proposal uses an existing structure with minor modifications and an addition to the rear. A similar home has been converted to a business use next door. The other neighbor is a Speedway which

is oriented with its rear facing this house. The only residences are to the rear. The access to the site is off Outer Loop adjacent to a Regional Center.

The requested rezoning designation is compatible because this is an existing structure and the addition in rear is of appropriate size and shape for the area. The surrounding uses are of equal or higher intensity. No outdoor lighting or outside activities will occur on the site. The office will operated during normal business hours and not be a nuisance in the evenings.

Landscaping is proposed in the rear of the site. Landscape waivers are requested because existing conditions and space limitations which make total compliance impossible. The only residential use is to the rear and it is being buffered by a 20 foot LBA with 5 trees and a new 8 foot privacy fence. Waivers are requested to the west because despite being required by the LDC in Chapter 10.2.3, buffering of the rear brick wall of an existing Speedway with an existing 6 foot privacy fence is not needed. Further, there is a request for a **new** sewer and drainage easement to “legitimize” an **existing** 18 inch drainage pipe about 3 feet underground ground in this exact area. This pipe drains storm run-off from subdivision behind. It is not clear why the drainage pipe is not currently in an easement. However, it is the exact area of the required LBA and planting trees here is not ideal with this needed function. The proposed parking lot will connect into this pipe for its drainage needs.

The use is compatible with the area in size, scale and use. For these reasons, the proposal is consistent with Guideline 3, Policies 1, 2, 4, 6, 7, 8, 9, 20 and 23.

Guideline 4 Open Space

The provided Open Space which is primary in the front yard is consistent with the area and with a small lot of this type.

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 6 because the project is locating retail or in this case an office use in an area where traffic and other activities already occur.

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. The site is also served by a TARC stop within 200 feet, thus encouraging the use of mass transit reducing vehicular miles traveled by residents. Sidewalks are available in this area.

Guidelines 8 and 9 Transportation

The proposal complies with the intent and the policies of Guidelines 8 and 9 because the site's parking meets the LDC requirements. The proposal does not impact any environmentally sensitive areas, scenic corridors or streetscape issues.

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 900 square foot addition and 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.

Guideline 13 Landscape Character

The intent of this guideline is to protect and enhance landscape character. The proposed plan maintains the existing residential look of the area, landscaping pattern in the area and is compatible with the 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 an office is compatible with area, an appropriate use in this activity center and in conformance with all applicable guidelines of the Cornerstone 2020 Comprehensive Plan and consistent with KRS Chapter 100 should be approved.

Respectfully submitted

Kathryn R. Matheny
9009 Preston Highway
Louisville, KY 40219
502-969-2788
Counsel for Applicant