

DEMONSTRATION OF APPROPRIATENESS

Application for zone change from R-5 to OR-1

704 Breckinridge Lane

St. Matthews, Kentucky

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I.

The proposed zone change from R-5 to OR-1 (the "Proposal") at 704 Breckinridge Lane in the city of St. Matthews, Kentucky conforms to KRS 100.213 because it is in agreement with the Comprehensive Plan, as this Demonstration of Appropriateness (the "Demonstration") substantiates. Applicable Goals, Objectives, Guidelines and Policies are addressed in this Demonstration.

Community Form Guideline 1. The Proposal conforms to Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy B.3 because it is located in the Neighborhood Form District. The Proposal is consistent with the Neighborhood Form District because the proposed office at 704 Breckinridge Lane and the existing offices at 710 Breckinridge Lane will be connected for vehicular and pedestrian movement. As such, they constitute a neighborhood center that provides neighborhood-serving services on a minor arterial (i.e., Breckinridge Lane) which is located on a corner lot (i.e., 704 Breckinridge Lane lies at the southwest intersection of Breckinridge Lane and Plymouth Road). The proposed scale of the use is appropriate because offices and medium-to-high density multi-family uses lie on the same side of Breckinridge Lane as the Proposal.

Centers Guideline 2. The Proposal conforms to Centers Guideline 2 and all applicable Policies adopted thereunder, including Policies 1, 4, 5, 6, 11,13, 14, 15 and 16. 704 Breckinridge Lane and 710 Breckinridge Lane will constitute an activity center in the Neighborhood Form District at a street intersection with the major street (Breckinridge Lane) being a minor arterial and includes new construction and re-use of an existing single-family home. The population surrounding the development is sufficient to support a wide variety of land uses. The Proposal constitutes a compact development because most of the site will be used for impervious surface, structures, detention and landscape buffer areas. Utilities will be designed and located pursuant to direction of each individual utility. Pedestrian access along sidewalks (Breckinridge Lane) is presently available and will remain. Bicycle facilities will be provided. Appropriately located parking facilities will be shared and there will be a single access point on Breckinridge Lane and will be safe for motorists, bicyclists and pedestrians. A Cross-Access and Shared Parking Agreement will be entered into between the ownership interests of 704 and 710 Breckinridge Lane.

Compatibility Guideline 3. The Proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 21, 22, 23, 24 and 28. The Proposal will feature a building design that is in harmony with development in the vicinity, including building size, scale and materials. The proposed office will have no adverse

impact on nearby residences because traffic to and from the site will not be intense; there will be no excessive lighting and no noise, odor, adverse air quality emissions or adverse visual impacts. The building will be accessible to people with disabilities consistent with federal, state and local laws. Landscaping and landscape buffers will ensure that nearby residences are not adversely impacted by the Proposal. Parking impacts will be mitigated by the location of the parking field to the rear of the site and between the building at 704 Breckinridge Lane and the building at 710 Breckinridge Lane. An appropriately sized free-standing monument sign will be located along the Breckinridge Lane site frontage. Landscaping and a 6-foot tall privacy fence are proposed along the rear yard line, as shown on the development plan. The Transit Authority of River City ("TARC") Transit Route No. 62 provides public transit service along Breckinridge Lane in front of the site.

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 1, 2, 3, 6 and 7. There are no natural features, historic resources or distinctive cultural features on the subject site. The Proposal seeks to revitalize an existing single-family home for office use. There are no environmental issues related to soils on the subject site.

Circulation Guideline 7. The Proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 6, 9, 10, 13. A right-of-way dedication of 40-feet from the centerline of Breckinridge Lane will be granted from the subject site, as shown on the development plan. Breckinridge Lane is a transit route. Joint and cross-access will be provided between 704 and 710 Breckinridge Lane. Adequate parking is provided pursuant to the applicable code in effect in St. Matthews. Unified access and circulation are provided for on site.

Bicycle, Pedestrian and Transit Guideline 9. The Proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all applicable Policies adopted thereunder, including Policies 1, 2 and 4. Bicycle facilities will be located on-site. Sidewalks presently exist along Breckinridge Lane and will continue to exist. Transit Route 62 traverses Breckinridge Lane (in front of 704 Breckinridge Lane).

Flooding and Stormwater Guideline 10, The Proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 1, 2, 3, 4, 7, 10 and 11. It is anticipated that the Metropolitan Sewer District ("MSD") will approve the Proposal; MSD's approval will indicate, among other things, that the proposed development will have adequate detention facilities to accommodate run-off water, that the development will facilitate "through" drainage systems, and that peak stormwater runoff rates after development are consistent with regional and watershed plans and are mitigated appropriately on-site. Post-construction runoff rates will not exceed pre-development rates.

Air Quality Guideline 12. The Proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 1, 3, 5 and 8. The Proposal has been

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reviewed by the Louisville Air Pollution Control District and has been found not to have a negative impact on air quality.

Landscape Character Guideline 13. The Proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 2 and 4. Landscaping will be provided on-site in accordance with the applicable regulations. Landscaping materials will be native plant species.

Infrastructure Guideline 14. The Proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 2, 3, 4, 6 and 7. Adequate utility services are located at and are available to the subject site. Potable water and water for fire-fighting purposes are available to the site via Louisville Water Company facilities. Utilities will be located underground, if available, and will be located within easements as directed by the applicable utility.

Community Facilities Guideline 15. The Proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 9. The site will receive fire protection services from the St. Matthews Fire District.

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

II.

Utilities and essential public services are presently available to the site. The site is located at an infill location.

III.

It is anticipated that the Proposal will be implemented upon successfully obtaining all zoning-related approvals.

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