

Planning Commission Staff Report

January 16th, 2014



Case No:	13ZONE1018
Project Name:	The Standard at Louisville
Location:	1900 South Floyd Street
Owner(s):	Cardinal Land Development LLC
Applicant:	908 Development Group
Representative(s):	Deborah Bilitski, Wyatt Tarrant & Combs, LLP Ann Richard, Land Design & Development, Inc.
Project Area/Size:	1.6 acres
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Christopher Brown, Planner II

REQUEST

- Change in zoning from EZ-1, Enterprise Zone, to C-2, Commercial
- Variance #1: Variance from Chapter 5.2.2, Table 5.2.2 of the Land Development Code to allow the building to encroach into the required 15' front yard along East Brandeis Avenue
- Variance #2: Variance from Chapter 5.2.2, Table 5.2.2 of the Land Development Code to allow the building to exceed the 45' maximum height by 36'^{40' (total 85')}
- Waiver #1: Landscape waiver from Chapter 10.2.4 of the Land Development Code to reduce the required 15' landscape buffer along the north property perimeter to 5'
- Waiver #2: Landscape waiver from Chapter 10.2.4 of the Land Development Code to reduce the required 15' landscape buffer along the west property perimeter to 10'
- Elimination of existing binding elements
- Detailed District Development Plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

Existing Zoning District: EZ-1 (Enterprise Zone)
Proposed Zoning District: C-2 (Commercial)
Form District: Campus
Existing Use: Vacant
Proposed Use: Multi-Family Residential
Minimum Parking Spaces Required: 158
Maximum Parking Spaces Allowed: Does not apply to garage spaces
Parking Spaces Proposed: 190

The subject site was rezoned from C-1, Commercial, to M-2, Industrial, in 1981 under case number 9-78-80 to allow an industrial warehouse use on the subject property. In 1983, the property was rezoned to EZ-1 as part of the Urban Enterprise Zone that included large areas of land within the original Urban Service District of the City of Louisville. This portion of the Enterprise Zone included areas surrounding the University of Louisville campus, the adjacent rail line and the nearby airport properties. The lot was paved and used for parking but the originally proposed industrial buildings were not built on the property. In 2007, a proposed rezoning was applied for under case number 9898 from EZ-1, Enterprise Zone, to C-1, Commercial, for a mixed use retail, restaurant and residential building. The rezoning was never approved and a Community Facility Review plan was approved under case number 10187 for student housing associated with the University of Louisville.

The current proposal will allow for a higher density, seven story multi-family residential use to be located on the subject site. The proposal is located in a mixed use area. The majority of the uses within the vicinity are associated with the University of Louisville Campus to the south of the site. Along the western property perimeter is the railroad line for CSX. To the east, there are offices and warehouses associated with the University of Louisville campus. To the north, there is an existing LG&E substation and several office, warehouse and industrial uses mixed in along the South Floyd street corridor. Within the Cardinal Boulevard corridor, there are several residential uses mainly as off-site campus housing for the student population of the University of Louisville.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	EZ-1	Campus
Proposed	Multi-Family Residential	C-2	Campus
Surrounding Properties			
North	LG&E Electric Substation	EZ-1	Campus
South	University of Louisville	OR-2	Campus
East	Office/Warehouse	EZ-1	Campus
West	CSX Railroad	ROW	NA

PREVIOUS CASES ON SITE

9-78-80

Rezoning from C-1 to M-2; 1.6 acres; Industrial Use

9-73-84

Urban Enterprise Zone Area wide Rezoning

9898

Rezoning pre-app and formal filing from EZ-1 to C-1 for mixed retail, restaurant and residential; no public hearing

10187

Community Facility Review approved for student housing associated with the University of Louisville; 1.6 acres; 196 dwelling units; 8 floors and 5 floor parking garage

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR

3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR REZONING

Following is a summary of staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Campus Form District

Campus form districts typically contain a mixture of uses that are clustered for a single or predominant function, often of regional importance, such as a university, a hospital complex or an office development for corporate headquarters. A mixture of uses is encouraged and may include residential (e.g., student housing) or commercial, but the uses primarily should serve the people whom work or live on the Campus. The form should be compact and walkable, with multiple buildings, central gathering areas, extensive open space, internal shared parking, private walkways and roadways, and shared utilities and signage. Some Campus form districts may need significant buffering from abutting uses. Campuses may include entry roads as part of an internal system of interconnected streets.

Compliance with **Guideline 1, Community Form** and **Guideline 3, Compatibility** has been met. The proposal incorporates a multi-family residential use in the Campus corridor along East Brandeis and Cardinal Boulevard that connects to the University of Louisville campus. The proposal is a down zoning to a less intense zoning category that will allow the proposed multi-family as well as allow the potential for mixed uses on the property in the future as determined by the property owner. The mix of residential and potential for commercial use is compatible to the existing mix use area surrounding the site. The proposed building will be setback in a more traditional pattern seen in nearby TNZD properties to the west with structures built closer to the street and parking incorporated within the building. The setback is within the range of varying setbacks along the East Brandeis and Cardinal Blvd corridor. The scale of the building is compatible with nearby Campus form district buildings for the University of Louisville that exceed the 45' height maximum. The appropriate transitions are provided along the northern and western property perimeters.

The proposal complies with **Guideline 4, Open Space** by providing an open courtyard and recreational open space area within the interior of the structure on the top of the proposed parking garage that will occupy the first and second story.

The proposal complies with **Guideline 7, Circulation; Guideline 8, Transportation Facility Design; and Guideline 9, Bicycle, Pedestrian and Transit**. Transportation Review has preliminarily given their approval of the proposal. Vehicular access to the site will be provided at the entrance along Floyd Street. An existing curb cut will be removed and restored with sidewalks and curb to complete the pedestrian connection along Floyd Street. Sidewalks will be provided along both Floyd Street and East Brandeis Avenue that will allow connections to the existing transit route as well as the bicycle facilities to be provided on the site.

The proposal complies with **Guideline 10: Flooding and Stormwater** and **Guideline 14: Infrastructure** as MSD has given preliminary approval for the site.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE #1
Front Yard Setback**

(a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The encroachment into the required front yard setback will not affect the public because it locates the building within the range of other adjacent structures and parking within the area.

(b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The variance will not alter the essential character of the general vicinity because the site has an existing parking area that encroaches even further into the front yard setback than the proposed building. It follows the established pattern of the area.

(c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The setback encroachment of the building will not cause a hazard or nuisance to the public because it allows sufficient spacing to be provided along the rear of the property for the vehicular entrance to the site and provide sufficient buffering along the northern property perimeter.

(d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The variance is not unreasonable because the shape and size of the lot would not allow for sufficient spacing on the lot to utilize the existing northernmost entrance and entrance drives to the parking garage within the structure. The setback follows the range of setbacks established within the area.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The shape of the lot is unusual for the area which would be a special circumstance since there are no other similarly shaped lots in the vicinity.

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

STAFF: Constructing a building completely outside of the required minimum setback would limit the use of the entrance on the site which would be a hardship on the applicant.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances existed prior to the zoning regulations. Any structure that would have been required on the site would have to have been setback closer to East Brandeis due to the angle of the site and the location of the existing curb cut to the north along Floyd Street.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE #2
Building Height

(a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The building height will not adversely affect the public health, safety or welfare since it is located along a major campus corridor of East Brandeis Avenue and Cardinal Boulevard with connections to structures of larger height on the University of Louisville campus.

(b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The requested variance will not alter the essential character of the general vicinity since the requested height will be consistent with pattern of development along the corridor including residential structures on the University of Louisville campus.

(c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not cause a hazard or nuisance to the public since the site is surrounded by industrial and public utility uses with railroad tracks located to the west. The additional height will have no impact on the street frontage since it follows a similar height to other structures in the area.

(d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations since the proposed structure is along the University of Louisville campus and the surrounding mixed use corridor which consist of non-residential and residential structures of varying heights and density.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The shape of the lot is unusual for the area which would be a special circumstance since there are no other similarly shaped lots in the vicinity.

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

STAFF: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant by limiting the amount of density that can occur on the property.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought since the size and shape of the lot existed prior to the current proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVERS #1 & #2
Reducing Landscape Buffers along North and West Property Perimeter

(a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the required screening and planting materials will be provided and the adjacent properties are railroad ROW and an LG&E substation.

(b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: The waiver will not violate specific guidelines of Cornerstone 2020 since an appropriate transition between uses and adjacent properties are provided by the reduced landscape buffers proposed with the current development plan.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant to allow for sufficient vehicular use area to utilize the existing curb cut from Floyd Street and provide access to the proposed parking garage on the first and second floor of the structure. The applicant is providing all required screening and planting materials within the reduced landscape buffer areas.

(d) Either:

- (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
- (ii) 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 on the applicant.

STAFF: 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 on the applicant by eliminating needed vehicular use area.

STANDARD OF REVIEW FOR DEVELOPMENT PLAN

a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: The site is preserving the existing tree canopy along East Brandeis Avenue.

b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: The site is providing for all types of transportation throughout the site.

c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: Open space provisions are met on the property with the proposed interior courtyard and recreational open space area.

d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: MSD has preliminarily approved the proposal.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The site is compatible with the adjacent lots as the site is providing all required planting and screening materials and the proposed setback and height are within the range of existing structures along the East Brandeis and Cardinal corridor.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code.

STAFF: The proposal is in compliance with both the Comprehensive Plan and LDC with appropriate mitigation for the requested variances and waivers on the subject site.

TECHNICAL REVIEW

All agency review comments have been addressed.

STAFF CONCLUSIONS

The proposal meets the guidelines of the Comprehensive Plan and mainly the requirements of the LDC. The variances and waivers are appropriate and the standards of review have been met as proposed. The existing binding elements should be removed from the site and replaced by the proposed binding elements. They were not eliminated when the property was rezoned to EZ-1. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must also determine if the proposal meets the standards for granting a Detailed District Development Plan, Variances, and Waivers as established in the Land Development Code.

NOTIFICATION

Date	Purpose of Notice	Recipients
11/27/13	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers to Council District 6 Notification of Development Proposals
12/23/13	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers of Council District 6 Notification of Development Proposals
12/18/13	Hearing before PC	Sign Posting on property
1/3/14	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist
3. Existing Binding Elements
4. Proposed Binding Elements

2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

Rezoning from EZ-1 to R8-A

- + Exceeds Guideline
- √ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Final Finding	Final Comments
1	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.11: The proposal integrates into a mixture of uses, including residential or commercial, that are designed to support those who live in the Campus.	√	The proposed rezoning integrates into an area of mixed use along the University of Louisville campus corridor. The corridor along Cardinal Blvd consists of a mix of commercial, residential and campus sport facilities.
2	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.11: The proposal is compact and walkable, and includes multiple buildings, central gathering areas, extensive open space, internal shared parking, private walkways and roads, and shared utilities and signs.	√	The proposal is compact on the 1.6 acre site with private walkways connecting the property to the existing walks along the street frontage and utilizes an existing curb cut. There is a large open space area in the interior of the building design with a proposed courtyard.
3	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.11: The proposal includes a system of interconnected streets.	NA	The proposal is located on a small site not requiring additional ROW due to constraints of adjacent railroad ROW.
4	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.1. Locate activity centers within the Campus Form District.	√	The site is within an activity center of the surrounding university campus.
5	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.2: Develop non-residential and mixed uses only in designated activity centers except (a) where an existing center proposed to expand in a manner that is compatible with adjacent uses and in keeping with form district standards, (b) when a proposal is comparable in use, intensity, size and design to a designated center, (c) where a proposed use requires a particular location or does not fit well into a compact center, (d) where a commercial use mainly serves residents of a new planned or proposed development and is similar in character and intensity to the residential development, or (e) in older or redeveloping areas where the non-residential use is compatible with the surroundings and does not create a nuisance.	NA	The rezoning is for a down zoning in an area designated as an activity center due to the proximity to the University of Louisville campus.

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6	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.4: Encourage a more compact development pattern that results in an efficient use of land and cost-effective infrastructure.	√	The proposal is compact on the small site with existing infrastructure utilized.
7	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.5: Encourage a mix of compatible uses to reduce traffic by supporting combined trips, allow alternative modes of transportation and encourage vitality and sense of place.	√	The proposal incorporates a residential use into a mix of compatible uses along the Campus corridor of Cardinal Boulevard.
8	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.6: Encourage residential uses in centers above retail and other mixed-use multi-story retail buildings.	√	The proposal is for a residential use on the site. The zoning classification would allow for a mix of commercial within the building at a future point in time if it is found to be needed.
9	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.7: Encourage new developments and rehabilitation of buildings to provide residential uses alone or in combination with retail and office uses.	√	The proposed new development will provide residential use alone on the site of existing pavement and parking. The zoning category would allow for a mix of retail if desired in the future.
10	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.10: Encourage out lot development in underutilized parking lots provided location, scale, signs, lighting, parking and landscaping standards are met. Such out lot development should provide street-level retail with residential units above.	NA	The proposal is a small site with no potential for out lot development.
11	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.12: Design large developments to be compact, multi-purpose centers organized around a central feature such as a public square, plaza or landscape element.	NA	The proposal is not a large development.
12	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.13: Encourage sharing of entrance and parking facilities to reduce curb cuts and surface parking.	√	Proposal will utilize an existing curb cut to remodel for the intended residential use of the site.
13	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.14: Design and locate utility easements to provide access for maintenance and to provide services in common for adjacent developments.	√	All existing utilities on the site are utilized.
14	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.15: Encourage parking design and layout to balance safety, traffic, transit, pedestrian, environmental and aesthetic considerations.	√	Proposal incorporates parking into the residential structure on the first floor and surface parking is located to allow easy access to building from the adjacent street frontages.
15	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.16: Encourage centers to be designed for easy access by alternative forms of transportation.	√	Site is designed to encourage pedestrian accessibility with connections to transit and bicycle corridors along East Brandeis.

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16	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.1: The proposal is generally compatible within the scale and site design of nearby existing development and with the form district's pattern of development.	√	The proposal incorporates a residential use that will primarily serve the surrounding University of Louisville Campus following the Campus Form District. There is large open space for recreational purposes within the building and parking garage structure. The proposal follows a more traditional pattern seen in nearby TNZD properties to the west with structures built closer to the street and parking incorporated within the building. The scale of the building is compatible with nearby Campus form district buildings for the University of Louisville that exceed the 45' height maximum.
17	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility. (Only for a new development in a residential infill context, or if consideration of building materials used in the proposal is specifically required by the Land Development Code.)	√	The proposed building is compatible with the Campus form district requirements and meets the requirements of the LDC.
18	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.3: The proposal is compatible with adjacent residential areas, and if it introduces a new type of density, the proposal is designed to be compatible with surrounding land uses through the use of techniques to mitigate nuisances and provide appropriate transitions between land uses. Examples of appropriate mitigation include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences.	√	The proposal is not directly adjacent to any residential uses. The proposal is compatible with residential uses that exist along Cardinal Boulevard. The proposal is in the range of density of the nearest residential developments.
19	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	√	Traffic has been determined to not have an adverse impact on the existing community.
20	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	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.	√	Lighting will meet LDC requirements.

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21	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.10: The proposal includes a variety of housing types, including, but not limited to, single family detached, single family attached, multi-family, zero lot line, average lot, cluster and accessory residential structures, that reflect the form district pattern.	√	The proposal incorporates a multi-family residential use.
22	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	√	The proposal is higher density residential. It is located along a transit corridor with limited trips per day and a circulator for the adjacent university campus. The site is adjacent to an activity center with the University of Louisville Belknap Campus.
23	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.13: The proposal creates housing for the elderly or persons with disabilities, which is located close to shopping, transit routes, and medical facilities (if possible).	NA	The proposal is not specifically for housing for the elderly or persons with disabilities. It is a private, multi-family development that would not exclude these individuals from living in the facility.
24	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.14/15: The proposal creates appropriate/inclusive housing that is compatible with site and building design of nearby housing.	√	The proposal is compatible with nearby campus housing for the University of Louisville.
25	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	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.	√	Appropriate transitions will be provided along the north and west property lines with reduced landscape buffer areas that provide all required screening and planting materials. The building height is above the maximum permitted but follows a pattern of larger structures along the campus corridor of East Brandeis and Cardinal Boulevard.
26	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	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.	√	The proposal is adjacent to higher intensity uses with landscape buffers that provide mitigation for the potential impacts between the incompatible uses. The buffering, screening and plantings along the western property perimeter will provide separation from the existing CSX rail line.
27	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	√	The front yard setback follows a more traditional pattern by pulling the building closer to the street. It falls within the range of setbacks of nearby developments within the Campus form district. The height follows a pattern of varying heights to the structures along the University of Louisville campus corridor on East

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					Brandeis and Cardinal.
28	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	√	Open space will be provided within the interior of the structure above the parking garage with a pool and open courtyard.
29	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Campus Form District.	√	Open space will be provided within the interior of the structure above the parking garage with a pool and open courtyard.
30	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	√	Street trees will be preserved along East Brandeis.
31	Livability Goals E1-E4, all related Objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	√	Street trees will be preserved along East Brandeis.
32	Livability Goals E1-E4, G1, all related Objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	√	Historic Preservation staff has no concerns with this proposal.
33	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	√	The proposal will make all necessary physical improvements to the surrounding roadways and other public facilities with removal of curb cuts and restoration of sidewalk and curb along Floyd Street.
34	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	√	Due to the adjacent location of the utility substation and railroad ROW, no additional cross access or stub streets would be appropriate on the site.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Final Finding	Final Comments
35	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	NA	ROW dedication was not required.
36	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	√	No roadway connections can be supported on the site due to the constraints of the adjacent railroad ROW.
37	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	√	All access to the site avoids areas of lower intensity or density.
38	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	√	No new roadways are being created and existing streets are providing appropriate linkages within the activity area.
39	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	√	The proposal allows for complete pedestrian and cyclist connections to the site with bicycle parking provided within the structure. There is pedestrian connectivity to the existing transit corridor along East Brandeis.
40	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 blue-line 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.	√	MSD has given preliminary approval to the proposal.
41	Livability, Goals F1 and F2, all related objectives	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	√	Street trees will be preserved along East Brandeis.
42	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	√	The site is served by existing utilities.
43	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.	√	Adequate water supply is available to the area

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Final Finding	Final Comments
44	Quality of Life Goal J1, Objectives J1.1-1.2	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.	√	MSD has given preliminary approval to the proposal.

4. Existing Binding Elements

1. No outside storage will be permitted on the site. Storage of materials will be only within the building.
2. The development will be constructed in accordance with the approved district development plan.
3. The size and location of any proposed advertising signs and landscaping plans must be approved by the Urban Renewal Commission prior to issuance of any sign permits.
4. The plan must be reapproved by the Water Management Section of the Jefferson County Department of Public Works and Transportation, the Department of Traffic Engineering, and the City of Louisville Public Works Department before building permits are issued.
5. Unless use in accordance with the approved plan and binding elements has been substantially established within one year from the date of approval of the plan or rezoning whichever is later, the property may not be used in any manner until such time as a district development plan has been approved by the Planning Commission.

5. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The density of the development shall not exceed 66 dwelling units per acre (**105 units on 1.6 acres**).
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.

5. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
7. The façade elevations shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.

Land Development and Transportation Staff Report

December 12th, 2013



Case No:	13ZONE1018
Project Name:	The Standard at Louisville
Location:	1900 South Floyd Street
Owner(s):	Cardinal Land Development LLC
Applicant:	908 Development Group
Representative(s):	Deborah Bilitski, Wyatt Tarrant & Combs, LLP Ann Richard, Land Design & Development, Inc.
Project Area/Size:	1.6 acres
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Christopher Brown, Planner II

REQUEST

- Change in zoning from EZ-1, Enterprise Zone, to C-2, Commercial
- Variance #1: Variance from Chapter 5.2.2, Table 5.2.2 of the Land Development Code to allow the building to encroach into the required 15' front yard along East Brandeis Avenue
- Variance #2: Variance from Chapter 5.2.2, Table 5.2.2 of the Land Development Code to allow the building to exceed the 45' maximum height by 36'
- Waiver #1: Landscape waiver from Chapter 10.2.4 of the Land Development Code to reduce the required 15' landscape buffer along the north property perimeter to 5'
- Waiver #2: Landscape waiver from Chapter 10.2.4 of the Land Development Code to reduce the required 15' landscape buffer along the west property perimeter to 10'
- Elimination of existing binding elements
- Detailed District Development Plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

Existing Zoning District: EZ-1 (Enterprise Zone)
Proposed Zoning District: C-2 (Commercial)
Form District: Campus
Existing Use: Vacant
Proposed Use: Multi-Family Residential
Minimum Parking Spaces Required: 158
Maximum Parking Spaces Allowed: Does not apply to garage spaces
Parking Spaces Proposed: 190

The subject site was rezoned from C-1, Commercial, to M-2, Industrial, in 1981 under case number 9-78-80 to allow an industrial warehouse use on the subject property. In 1983, the property was rezoned to EZ-1 as part of the Urban Enterprise Zone that included large areas of land within the original Urban Service District of the City of Louisville. This portion of the Enterprise Zone included areas surrounding the University of Louisville campus, the adjacent rail line and the nearby airport properties. The lot was paved and used for parking but the originally proposed industrial buildings were not built on the property. In 2007, a proposed rezoning was applied for under case number 9898 from EZ-1, Enterprise Zone, to C-1, Commercial, for a mixed use retail, restaurant and residential building. The rezoning was never approved and a Community Facility Review plan was approved under case number 10187 for student housing associated with the University of Louisville.

The current proposal will allow for a higher density, seven story multi-family residential use to be located on the subject site. The proposal is located in a mixed use area. The majority of the uses within the vicinity are associated with the University of Louisville Campus to the south of the site. Along the western property perimeter is the railroad line for CSX. To the east, there are offices and warehouses associated with the University of Louisville campus. To the north, there is an existing LG&E substation and several office, warehouse and industrial uses mixed in along the South Floyd street corridor. Within the Cardinal Boulevard corridor, there are several residential uses mainly as off-site campus housing for the student population of the University of Louisville.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	EZ-1	Campus
Proposed	Multi-Family Residential	C-2	Campus
Surrounding Properties			
North	LG&E Electric Substation	EZ-1	Campus
South	University of Louisville	OR-2	Campus
East	Office/Warehouse	EZ-1	Campus
West	CSX Railroad	ROW	NA

PREVIOUS CASES ON SITE

9-78-80

Rezoning from C-1 to M-2; 1.6 acres; Industrial Use

9-73-84

Urban Enterprise Zone Area wide Rezoning

9898

Rezoning pre-app and formal filing from EZ-1 to C-1 for mixed retail, restaurant and residential; no public hearing

10187

Community Facility Review approved for student housing associated with the University of Louisville; 1.6 acres; 196 dwelling units; 8 floors and 5 floor parking garage

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR

3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR REZONING

Following is a summary of staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Campus Form District

Campus form districts typically contain a mixture of uses that are clustered for a single or predominant function, often of regional importance, such as a university, a hospital complex or an office development for corporate headquarters. A mixture of uses is encouraged and may include residential (e.g., student housing) or commercial, but the uses primarily should serve the people whom work or live on the Campus. The form should be compact and walkable, with multiple buildings, central gathering areas, extensive open space, internal shared parking, private walkways and roadways, and shared utilities and signage. Some Campus form districts may need significant buffering from abutting uses. Campuses may include entry roads as part of an internal system of interconnected streets.

A final analysis of the proposal against the Comprehensive Plan will be done prior to the public hearing.

TECHNICAL REVIEW

With the exception of the required variances and waiver, the plan meets the requirements of the LDC.

The Detailed District Development Plan has received preliminary approvals from the Metropolitan Sewer District and Metro Public Works.

The existing binding elements should be removed from the site and replaced by the proposed binding elements. They were not eliminated when the property was rezoned to EZ-1.

STAFF CONCLUSIONS

A public hearing date is ready to be set.

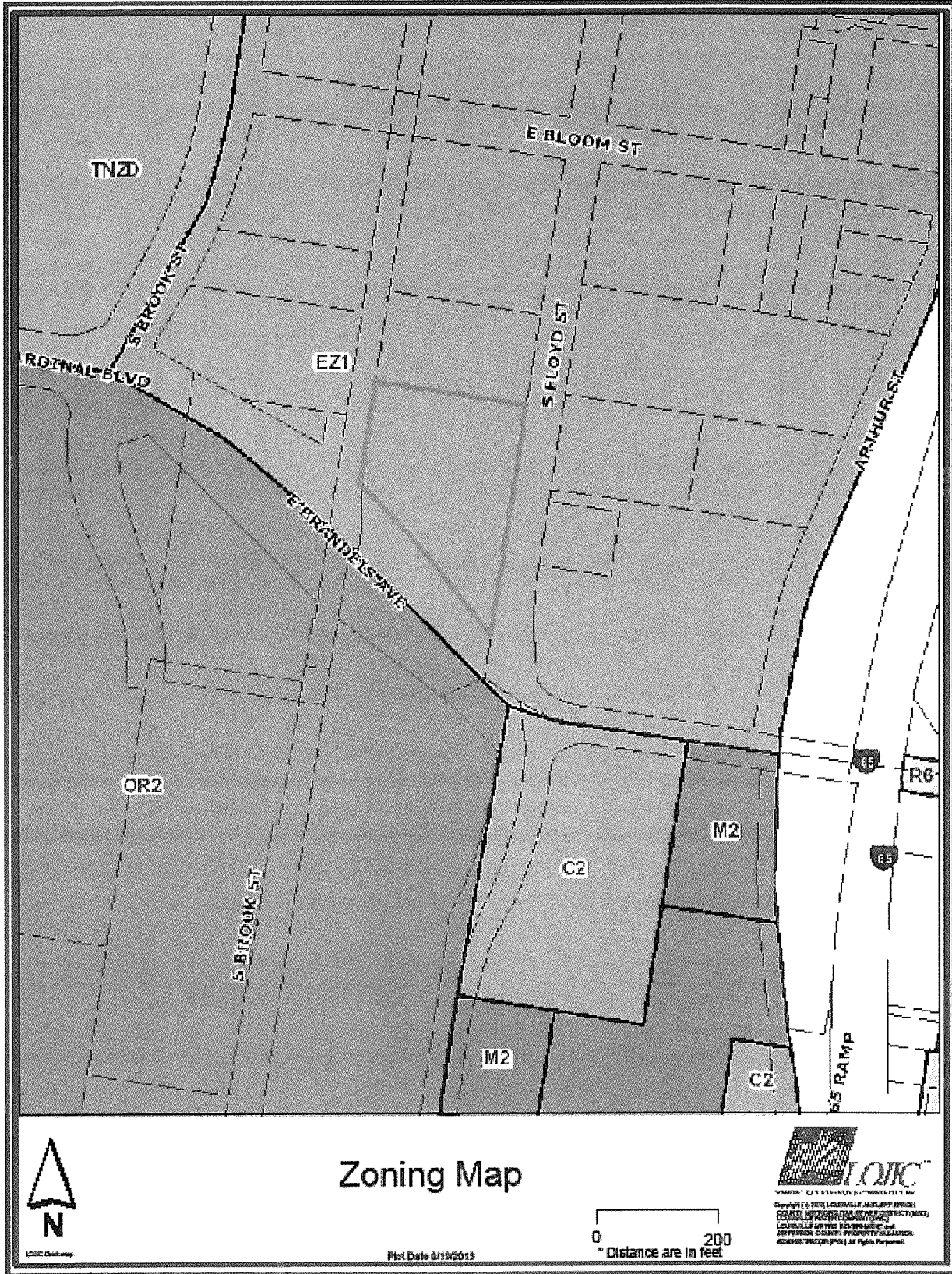
NOTIFICATION

Date	Purpose of Notice	Recipients
11/27/13	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers to Council District 6 Notification of Development Proposals

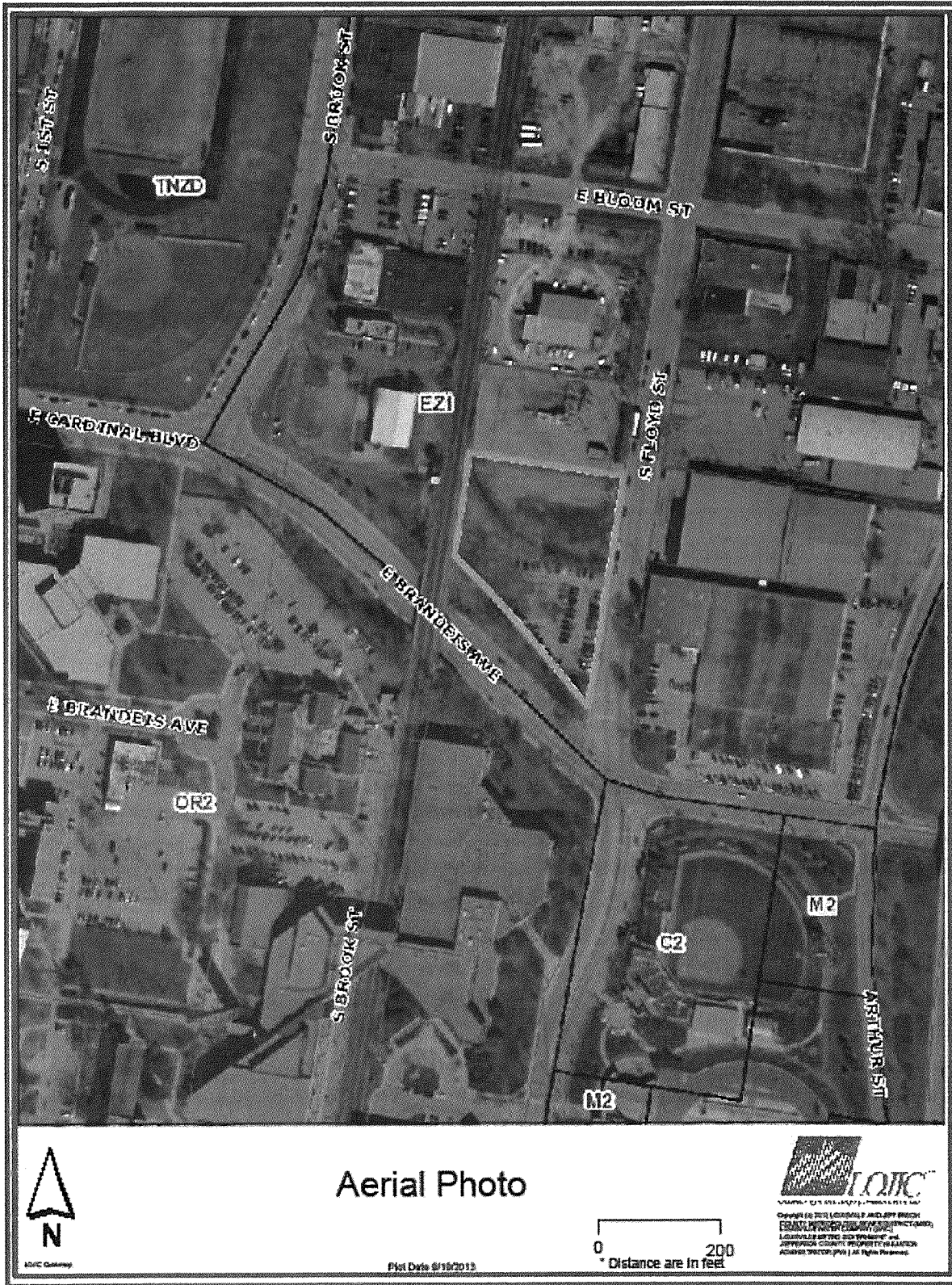
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements

1. Zoning Map



2. Aerial Photograph



3. Existing Binding Elements

1. No outside storage will be permitted on the site. Storage of materials will be only within the building.
2. The development will be constructed in accordance with the approved district development plan.
3. The size and location of any proposed advertising signs and landscaping plans must be approved by the Urban Renewal Commission prior to issuance of any sign permits.
4. The plan must be reapproved by the Water Management Section of the Jefferson County Department of Public Works and Transportation, the Department of Traffic Engineering, and the City of Louisville Public Works Department before building permits are issued.
5. Unless use in accordance with the approved plan and binding elements has been substantially established within one year from the date of approval of the plan or rezoning whichever is later, the property may not be used in any manner until such time as a district development plan has been approved by the Planning Commission.

4. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The density of the development shall not exceed 66 dwelling units per acre (**105 units on 1.6 acres**).
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
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 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
5. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land

and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

7. The façade elevations shall be in accordance with applicable form district standards and shall be approved by PDS staff prior to construction permit approval.

Change in Zoning Pre-Application Staff Report

September 20th, 2013



Case No:	13ZONE1018
Project Name:	Multi-Family Residential
Location:	1900 South Floyd Street
Owner(s):	Old National Bank
Applicant:	Cardinal Land Development LLC
Representative(s):	Deborah Bilitski, Wyatt Tarrant & Combs, LLP Ann Richard, Land Design & Development, Inc.
Project Area/Size:	1.6 acres
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Christopher Brown, Planner II

REQUEST

- Change in zoning from EZ-1, Enterprise Zone, to R-8A, Multi-Family Residential
- Detailed District Development Plan

CASE SUMMARY/BACKGROUND/SITE CONTEXT

Existing Zoning District: EZ-1 (Enterprise Zone)
Proposed Zoning District: R-8A (Multi-Family Residential)
Form District: Campus
Existing Use: Vacant
Proposed Use: Multi-Family Residential
Minimum Parking Spaces Required: 92
Maximum Parking Spaces Allowed: 170
Parking Spaces Proposed: 167

The subject site was rezoned from C-1, Commercial, to M-2, Industrial, in 1981 under case number 9-78-80 to allow an industrial warehouse use on the subject property. In 1983, the property was rezoned to EZ-1 as part of the Urban Enterprise Zone that included large areas of land within the original Urban Service District of the City of Louisville. This portion of the Enterprise Zone included areas surrounding the University of Louisville campus, the adjacent rail line and the nearby airport properties. The lot was paved and used for parking but the originally proposed industrial buildings were not built on the property. In 2007, a proposed rezoning was applied for under case number 9898 from EZ-1, Enterprise Zone, to C-1, Commercial, for a mixed use retail, restaurant and residential building. The rezoning was never approved and a Community Facility Review plan was approved under case number 10187 for student housing associated with the University of Louisville.

The current proposal will allow for a higher density multi-family residential use to be located on the subject site. The proposal is located in a mixed use area. The majority of the uses within the vicinity are associated with the University of Louisville Campus to the south of the site. Along the western property perimeter is the railroad line for CSX. To the east, there are offices and warehouses associated with the University of Louisville campus. To the north, there is an existing LG&E substation and several office, warehouse and industrials uses mixed in along the South Floyd street corridor. Within the Cardinal Boulevard corridor, there are several residential uses mainly as off-site campus housing for the student population of the University of Louisville.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant	EZ-1	Campus
Proposed	Multi-Family Residential	R-8A	Campus
Surrounding Properties			
North	LG&E Electric Substation	EZ-1	Campus
South	University of Louisville	OR-2	Campus
East	Office/Warehouse	EZ-1	Campus
West	CSX Railroad	ROW	NA

PREVIOUS CASES ON SITE

9-78-80

Rezoning from C-1 to M-2; 1.6 acres; Industrial Use

9-73-84

Urban Enterprise Zone Area wide Rezoning

9898

Rezoning pre-app and formal filing from EZ-1 to C-1 for mixed retail, restaurant and residential; no public hearing

10187

Community Facility Review approved for student housing associated with the University of Louisville; 1.6 acres; 196 dwelling units; 8 floors and 5 floor parking garage

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR REZONING

Following is a summary of staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

The site is located in the Campus Form District

Campus form districts typically contain a mixture of uses that are clustered for a single or predominant function, often of regional importance, such as a university, a hospital complex or an office development for corporate headquarters. A mixture of uses is encouraged and may include residential (e.g., student housing) or commercial, but the uses primarily should serve the people whom work or live on the Campus. The form should be compact and walkable, with multiple buildings, central gathering areas, extensive open space, internal shared parking, private walkways and roadways, and shared utilities and signage. Some Campus form districts may need significant buffering from abutting uses. Campuses may include entry roads as part of an internal system of interconnected streets.

The proposal to rezone the subject site from EZ-1, Enterprise Zone, to R-8A, Multi-Family Residential would create additional residentially zoned property that could include possible student housing associated with the overall University of Louisville campus to the south. The Campus form district encourages a mix of uses, including residential, that are designed to support those individuals who live in the Campus. The proposed rezoning integrates into an area of mixed use along the University of Louisville campus corridor.

The applicant needs to demonstrate to the Planning Commission that the proposed R-8A zoning district will comply with **Guideline 3, Compatibility**. The Planning Commission will need to consider if appropriate transitions, such as setbacks, screening and landscape buffer yards are provided adjacent to existing rail lines and public utility uses for the proposed residential zoning category.

The proposal requires more information regarding the proposed open space and preservation and inclusion of street trees to determine compliance with the open space and natural areas guidelines of the Comprehensive Plan.

The proposal requires more information on alternative methods of transportation access to the site and impacts of potential traffic to determine compliance with the transportation and circulation guidelines of the Comprehensive Plan.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

TECHNICAL REVIEW

Please see attached agency review comment sheet.

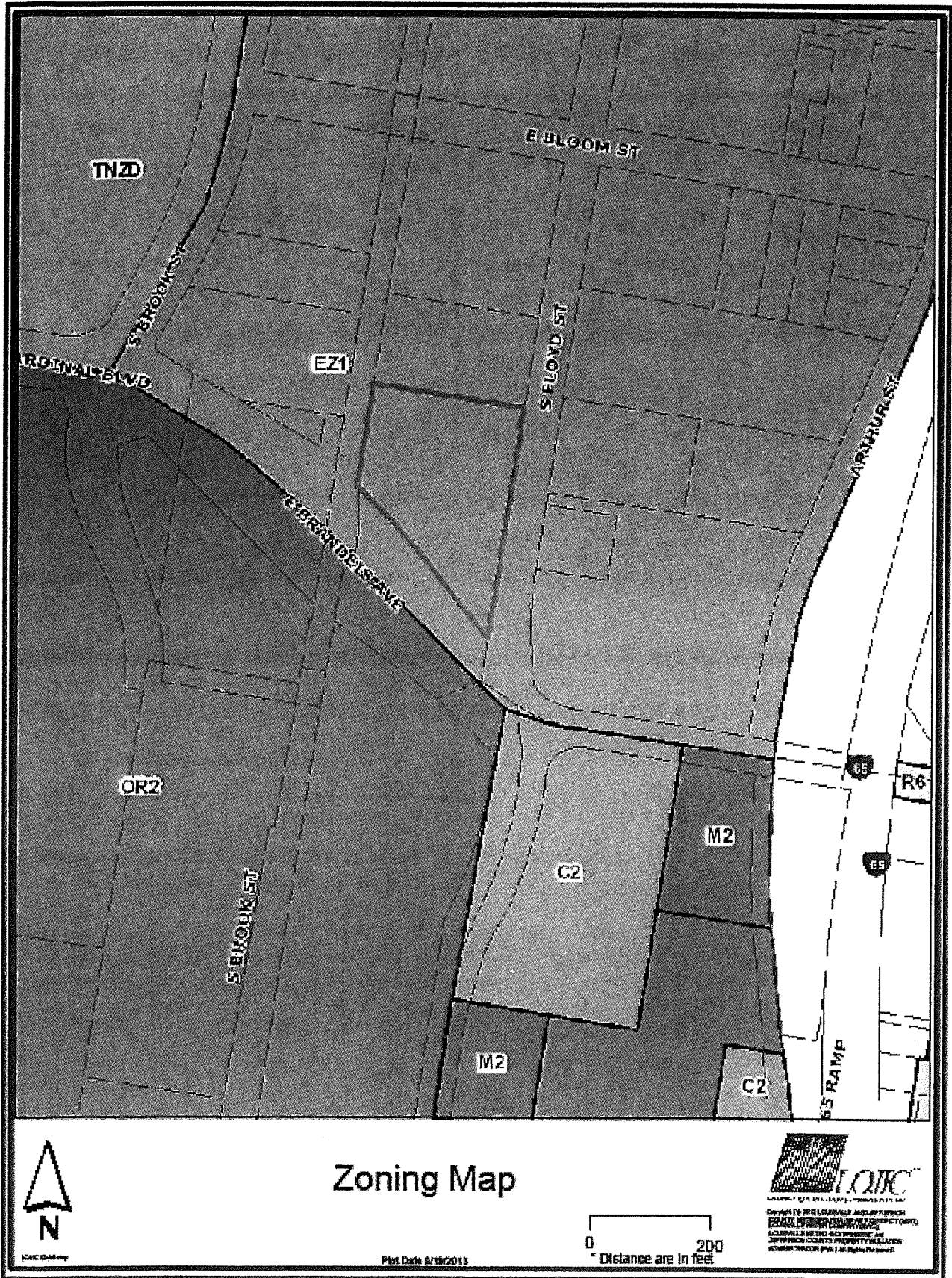
STAFF CONCLUSIONS

The proposal is ready for a neighborhood meeting.

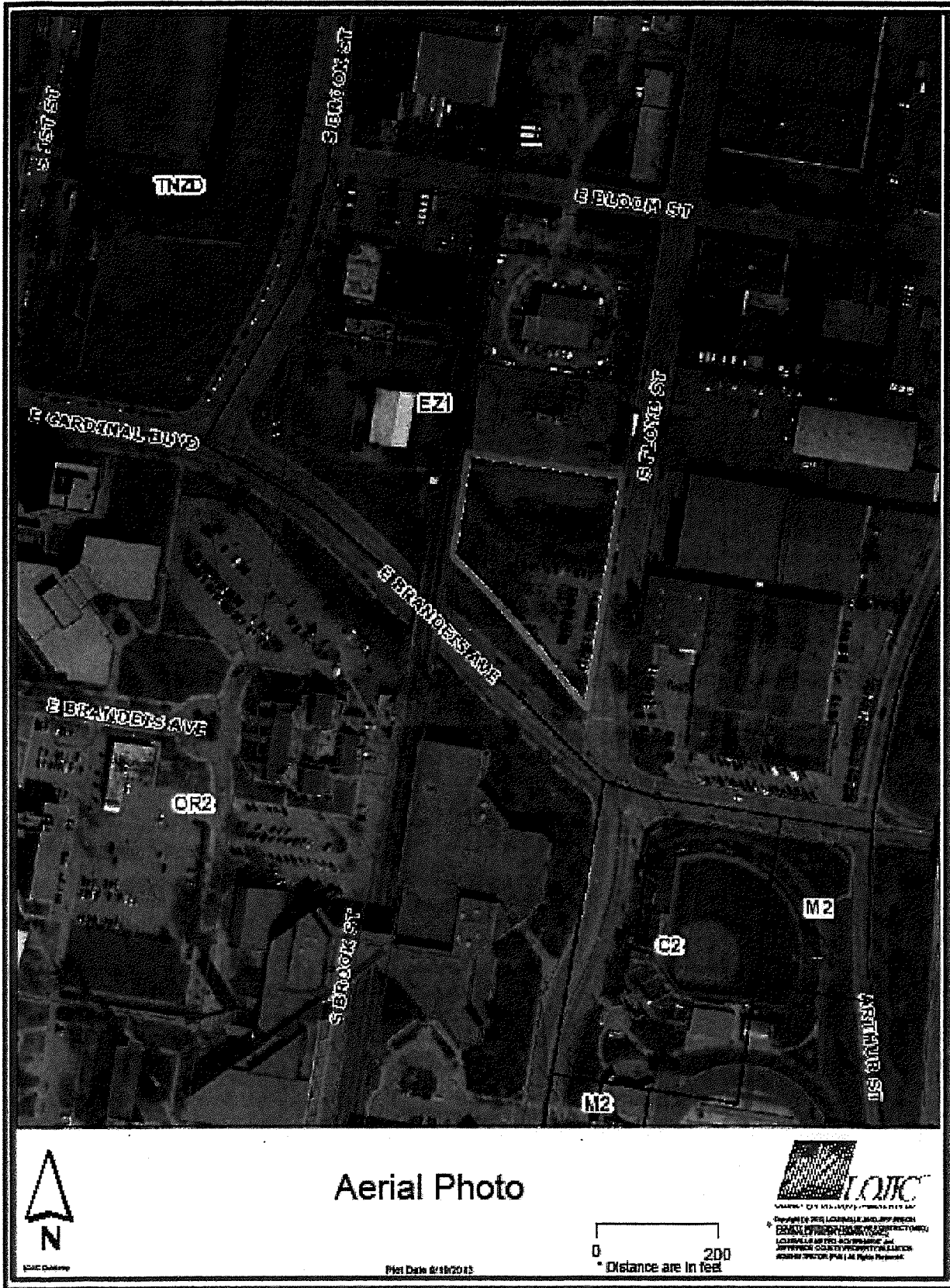
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist
4. Existing Binding Elements

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

Rezoning from EZ-1 to R8-A

- + Exceeds Guideline
- √ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
1	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.11: The proposal integrates into a mixture of uses, including residential or commercial, that are designed to support those who live in the Campus.	√	The proposed rezoning integrates into an area of mixed use along the University of Louisville campus corridor. The corridor along Cardinal Blvd consists of a mix of commercial, residential and campus sport facilities.
2	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.11: The proposal is compact and walkable, and includes multiple buildings, central gathering areas, extensive open space, internal shared parking, private walkways and roads, and shared utilities and signs.	√	The proposal is compact on the 1.6 acre site with private walkways connecting the property to the existing walks along the street frontage and utilizes an existing curb cut. There is a large open space area in the interior of the building design with a proposed courtyard.
3	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 1: Community Form	B.11: The proposal includes a system of interconnected streets.	NA	The proposal is located on a small site not requiring additional ROW due to constraints of adjacent railroad ROW.
4	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.1. Locate activity centers within the Campus Form District.	√	The site is within an activity center of the surrounding university campus.
5	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.2: Develop non-residential and mixed uses only in designated activity centers except (a) where an existing center proposed to expand in a manner that is compatible with adjacent uses and in keeping with form district standards, (b) when a proposal is comparable in use, intensity, size and design to a designated center, (c) where a proposed use requires a particular location or does not fit well into a compact center, (d) where a commercial use mainly serves residents of a new planned or proposed development and is similar in character and intensity to the residential development, or (e) in older or redeveloping areas where the non-residential use is compatible with the surroundings and does not create a nuisance.	NA	The rezoning is for a residential only zoning category.

#	Cornerstone 2020 Guidelines & Policies	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Pre-App Finding	Pre-App Comments
6	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.4: Encourage a more compact development pattern that results in an efficient use of land and cost-effective infrastructure.	√	The proposal is compact on the small site with existing infrastructure utilized.
7	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.5: Encourage a mix of compatible uses to reduce traffic by supporting combined trips, allow alternative modes of transportation and encourage vitality and sense of place.	+/-	Proposal will incorporate residential into a mix of compatible uses along the campus corridor of Cardinal Blvd. More information is needed on use of alternative modes of transportation on the site.
8	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.6: Encourage residential uses in centers above retail and other mixed-use multi-story retail buildings.	+/-	The proposal is for a residential only site with no mix use.
9	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.7: Encourage new developments and rehabilitation of buildings to provide residential uses alone or in combination with retail and office uses.	√	The proposed new development will provide residential use alone on the site of existing pavement and parking.
10	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.10: Encourage out lot development in underutilized parking lots provided location, scale, signs, lighting, parking and landscaping standards are met. Such out lot development should provide street-level retail with residential units above.	NA	The proposal is a small site with no potential for out lot development.
11	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.12: Design large developments to be compact, multi-purpose centers organized around a central feature such as a public square, plaza or landscape element.	NA	The proposal is not a large development.
12	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.13: Encourage sharing of entrance and parking facilities to reduce curb cuts and surface parking.	√	Proposal will utilize an existing curb cut to remodel for the intended residential use of the site.
13	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.14: Design and locate utility easements to provide access for maintenance and to provide services in common for adjacent developments.	+/-	More information needed on location of utility easements.
14	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.15: Encourage parking design and layout to balance safety, traffic, transit, pedestrian, environmental and aesthetic considerations.	√	Proposal incorporates parking into the residential structure on the first floor and surface parking is located to allow easy access to building from the adjacent street frontages.
15	Form Districts Goals H2, H3, H4, all related objectives	Community Form/Land Use Guideline 2: Centers	A.16: Encourage centers to be designed for easy access by alternative forms of transportation.	+/-	Additional information needed on access and availability of alternative forms of transportation. Site is designed to encourage pedestrian accessibility.

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16	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.1: The proposal is generally compatible within the scale and site design of nearby existing development and with the form district's pattern of development.	+/-	The proposal incorporates residential use that will primarily serve the surrounding University of Louisville Campus following the Campus Form District. Additional information is needed on the concepts of open space and gathering areas emphasized within the Campus Form District. The proposal follows a more traditional pattern seen in nearby TNZD properties to the west with structures built to the street and parking incorporated to the side and rear of the site. The property is not located within a transition zone between the two form districts. It does not follow the required setback.
17	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility. (Only for a new development in a residential infill context, or if consideration of building materials used in the proposal is specifically required by the Land Development Code.)	+/-	Additional information is needed on the building materials to determine compliance.
18	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.3: The proposal is compatible with adjacent residential areas, and if it introduces a new type of density, the proposal is designed to be compatible with surrounding land uses through the use of techniques to mitigate nuisances and provide appropriate transitions between land uses. Examples of appropriate mitigation include vegetative buffers, open spaces, landscaping and/or a transition of densities, site design, building heights, building design, materials and orientation that is compatible with those of nearby residences.	√	The proposal is not directly adjacent to any residential uses. The proposal is compatible with residential uses that exist along Cardinal Boulevard. The proposal is in the range of density of the nearest residential developments.
19	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	+/-	More information on traffic is necessary to determine compliance.
20	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	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.	√	Lighting will meet LDC requirements.

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21	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.10: The proposal includes a variety of housing types, including, but not limited to, single family detached, single family attached, multi-family, zero lot line, average lot, cluster and accessory residential structures, that reflect the form district pattern.	+/-	The proposal is for one housing type.
22	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	√	The proposal is higher density residential. It is located along a transit corridor with limited trips per day and a circulator for the adjacent university campus. The site is adjacent to an activity center with the University of Louisville Belknap Campus.
23	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.13: The proposal creates housing for the elderly or persons with disabilities, which is located close to shopping, transit routes, and medical facilities (if possible).	+/-	The proposal is creating housing that will mainly serve the student population of the adjacent university campus.
24	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.14/15: The proposal creates appropriate/inclusive housing that is compatible with site and building design of nearby housing.	+/-	More information is needed on how the building design is compatible with any nearby housing.
25	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	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.	+/-	The proposal does not provide for appropriate transitions between the proposed residential and adjacent non-residential. All property landscape buffers are requested to be waived with no screening and planting materials to be provided. Building heights are above the permitted 45'. Additional information on mitigation for the eliminated buffers is needed.
26	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	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.	+/-	The proposal is adjacent to higher intensity uses with no landscape buffers provided to mitigate potential impacts between the incompatible uses. Additional information on mitigation for the eliminated buffers is needed.
27	Form District Goals H1, H2, H3, H4, Objectives H1.1, H2.1-2.6, H3.1-3.5, H4.1-4.4	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	+/-	The front yard setback does not follow the pattern of nearby developments that meet form district standards. There is no defined setback pattern within the area. There is a large range of setbacks from buildings existing closer to the ROW to buildings setback further with parking adjacent to the ROW. Additional information is needed on the building

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					height to determine compatibility.
28	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	+/-	More information on open space is necessary before determining compliance.
29	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Campus Form District.	+/-	More information on open space is necessary before determining compliance.
30	Livability Goals H3 and H5, all related objectives	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	+/-	More information on the proposed tree preservation on the site is necessary before determining compliance.
31	Livability Goals E1-E4, all related Objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal respects the natural features of the site through sensitive site design, avoids substantial changes to the topography and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	+/-	More information on the proposed tree preservation on the site is necessary before determining compliance.
32	Livability Goals E1-E4, G1, all related Objectives	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	√	Historic Preservation staff has no concerns with this proposal.
33	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	+/-	Applicant will need to address Transportation Review comments.
34	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	√	Due to the adjacent location of the utility substation and railroad ROW, no additional cross access or stub streets would be appropriate on the site.

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35	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	+/-	Applicant will need to address Transportation Review comments.
36	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	√	No roadway connections can be supported on the site due to the constraints of the adjacent railroad ROW.
37	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	√	All access to the site avoids areas of lower intensity or density.
38	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	√	No new roadways are being created and existing streets are providing appropriate linkages within the activity area.
39	Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	+/-	Additional information is needed on how the proposal will address appropriate movement and connections for bicyclists and transit users.
40	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 blue-line 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.	+/-	MSD is reviewing proposal for compliance.
41	Livability, Goals F1 and F2, all related objectives	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	+/-	More information on tree preservation is necessary to determine compliance.
42	Quality of Life Goal J1, Objectives J1.1-1.2	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	√	The site is served by existing utilities.
43	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.	√	Adequate water supply is available to the area

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44	Quality of Life Goal J1, Objectives J1.1-1.2	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.	+/-	MSD is reviewing the proposal.

4. Existing Binding Elements

1. No outside storage will be permitted on the site. Storage of materials will be only within the building.
2. The development will be constructed in accordance with the approved district development plan.
3. The size and location of any proposed advertising signs and landscaping plans must be approved by the Urban Renewal Commission prior to issuance of any sign permits.
4. The plan must be reapproved by the Water Management Section of the Jefferson County Department of Public Works and Transportation, the Department of Traffic Engineering, and the City of Louisville Public Works Department before building permits are issued.
5. Unless use in accordance with the approved plan and binding elements has been substantially established within one year from the date of approval of the plan or rezoning whichever is later, the property may not be used in any manner until such time as a district development plan has been approved by the Planning Commission.