

PLANNING COMMISSION PUBLIC HEARING  
DECEMBER 7, 2017

**FRANKLIN STREET WAREHOUSE**

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REZONING FROM R6 TO CM

CASE # 17ZONE1037

OWNER / APPLICANT

ANDY BLIEDEN  
KABLOOEY, LLC.

REPRESENTATIVES

GREG EHRHARD  
STITES & HARBISON, PLLC

KELLI JONES, RLA  
SABAK, WILSON & LINGO, INC.



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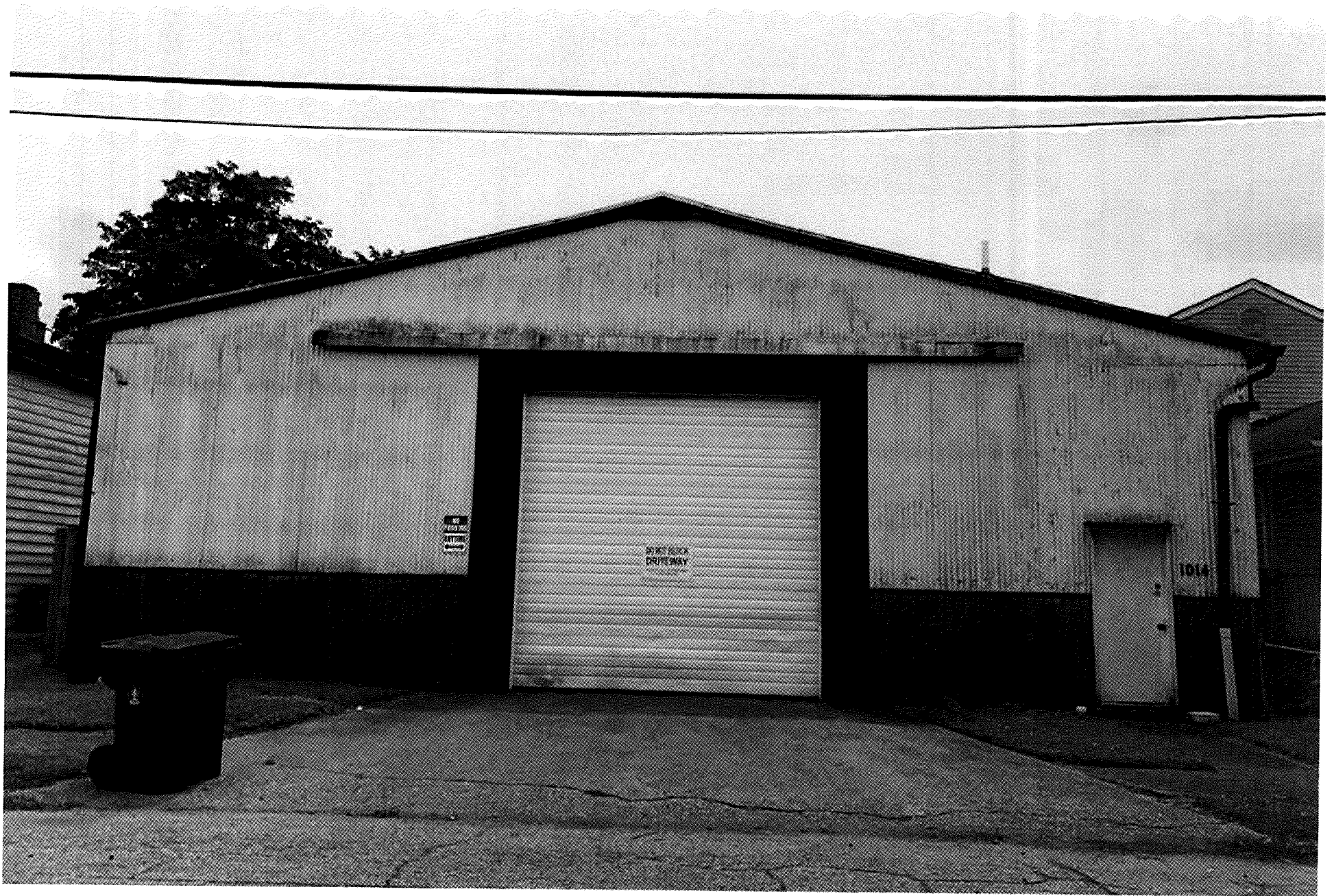


# ZONING MAP



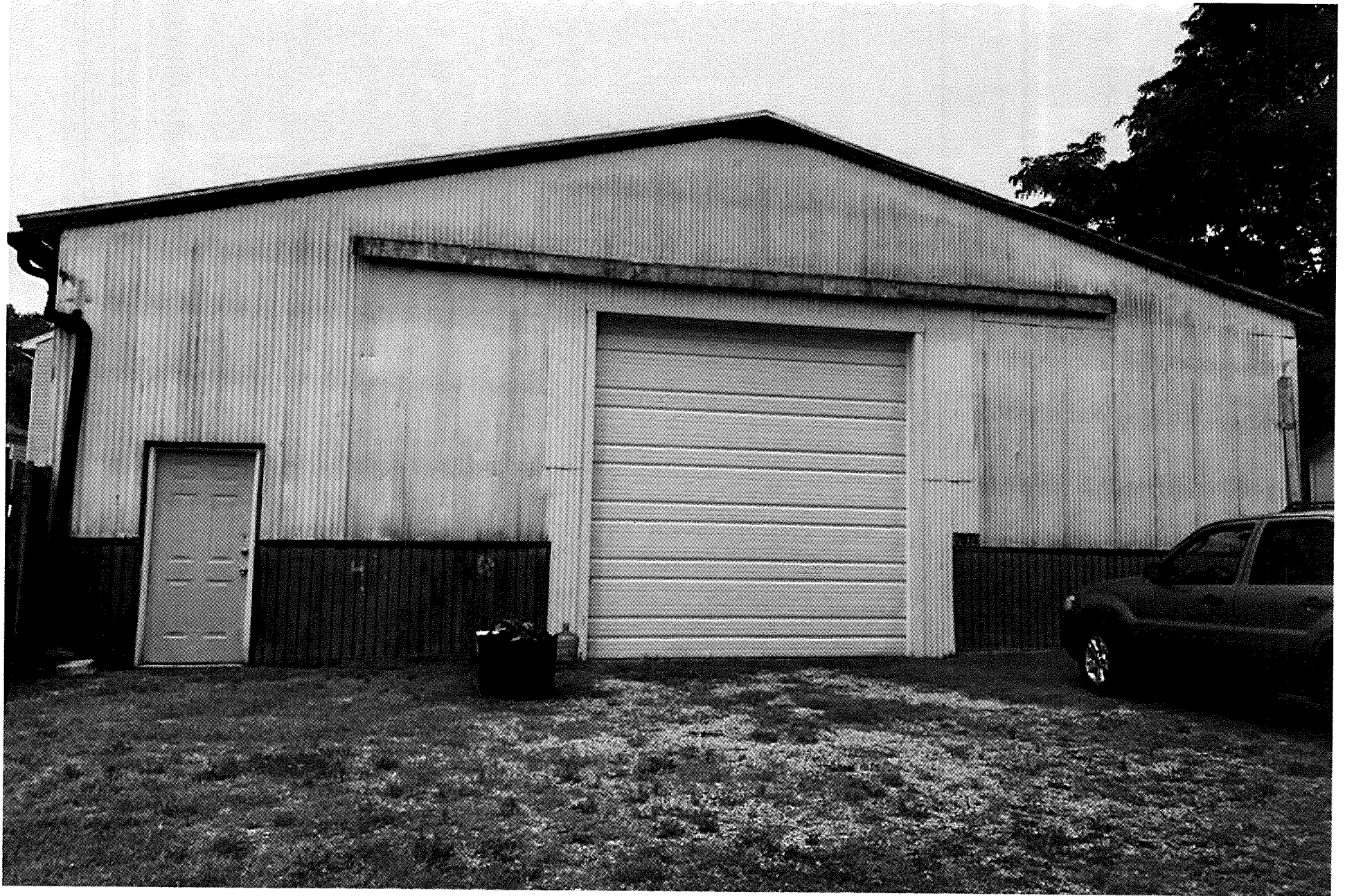


**SITE AERIAL**

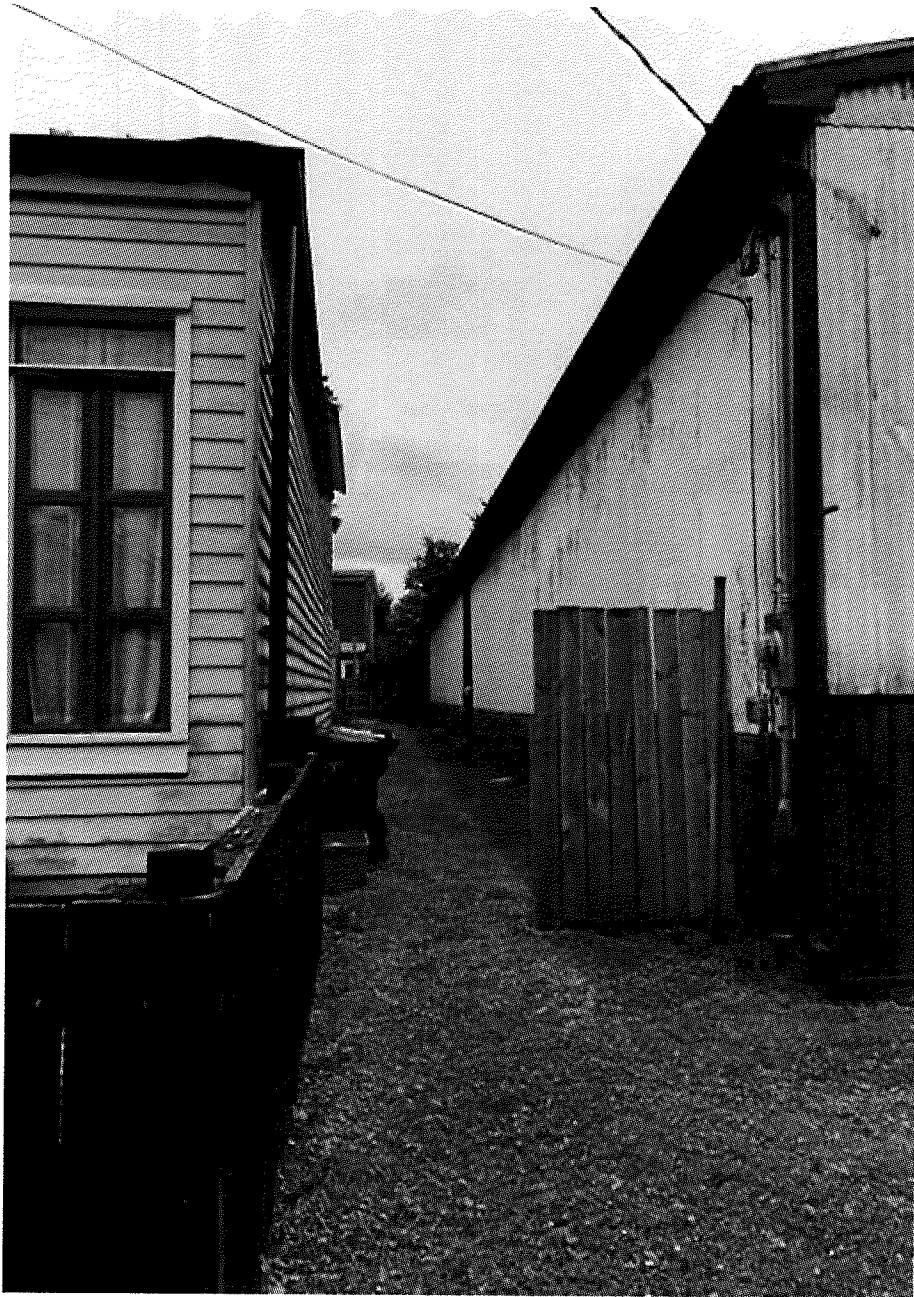


**FRONT OF EXISTING BUILDING**

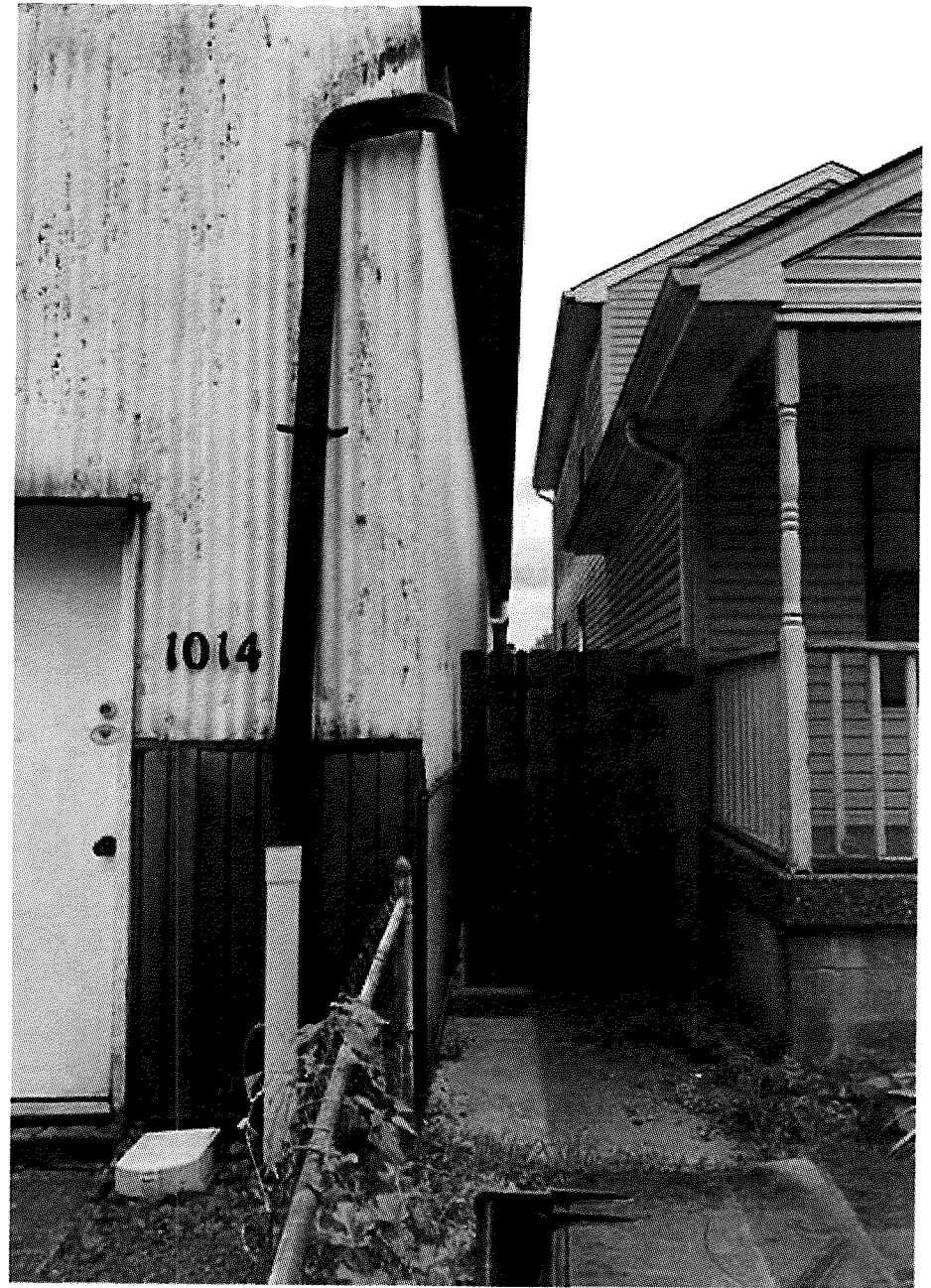




**REAR OF EXISTING BUILDING**

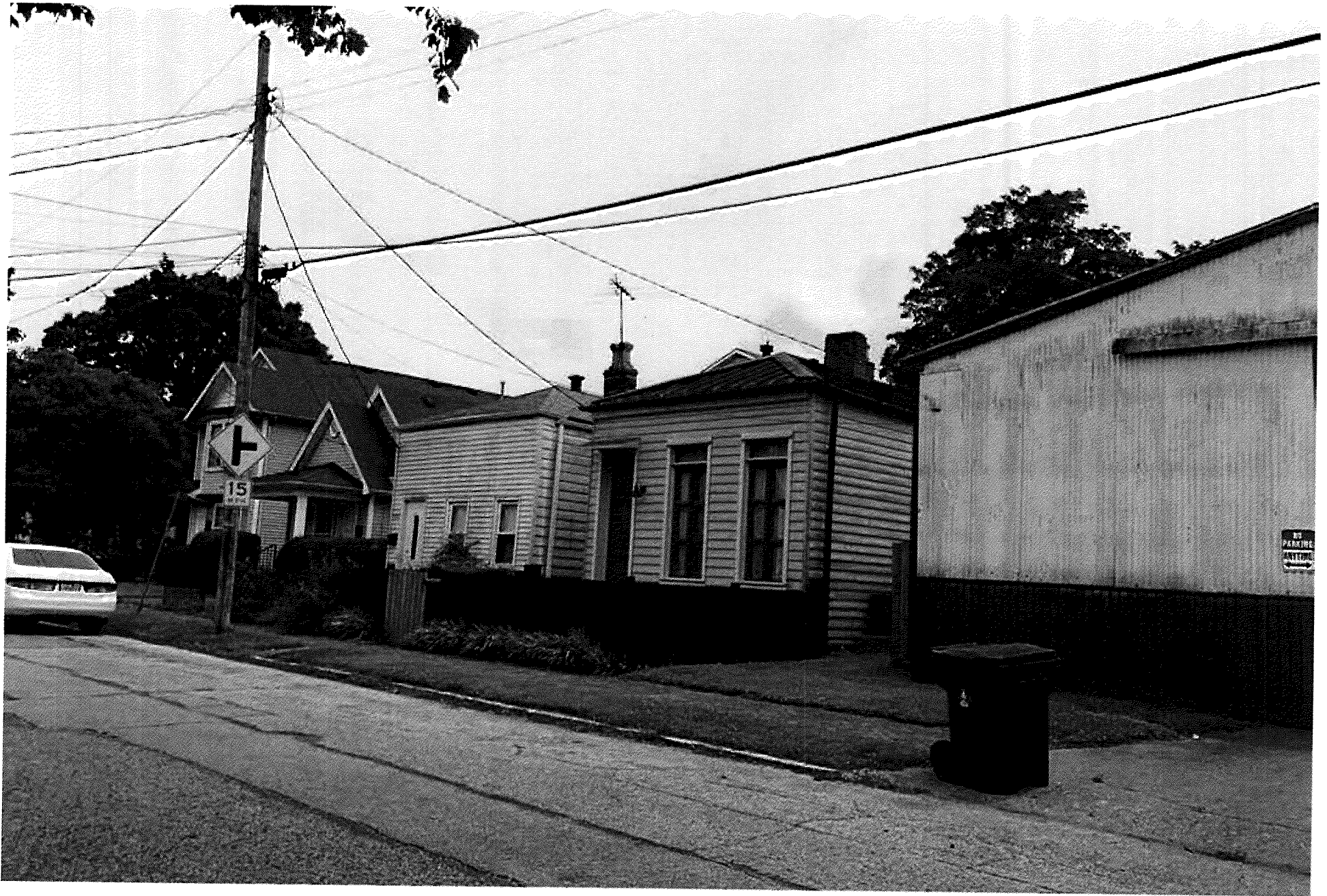


**LEFT SIDE**



**RIGHT SIDE**





**LEFT STREET FRONT**

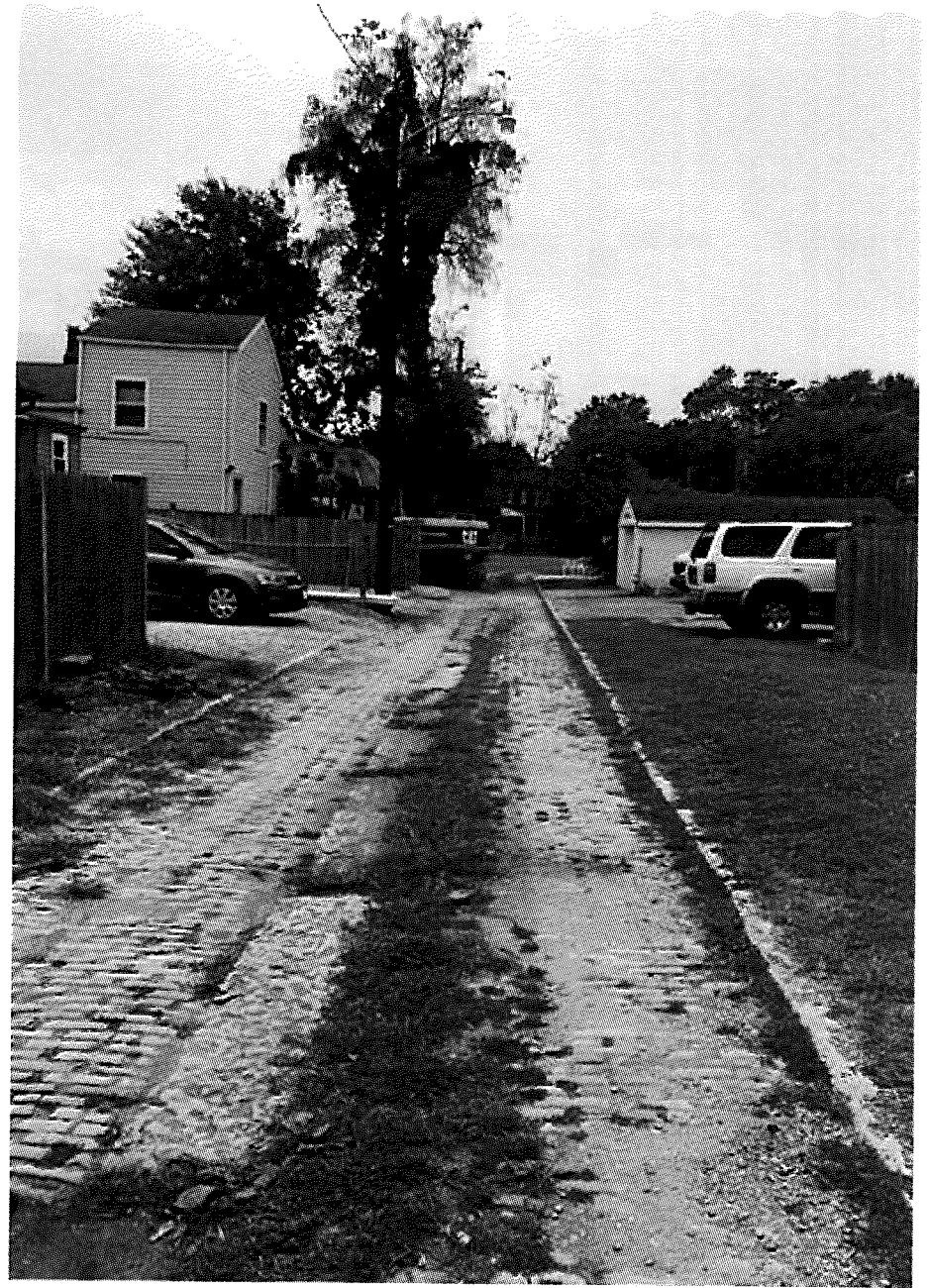


**RIGHT STREET FRONT**

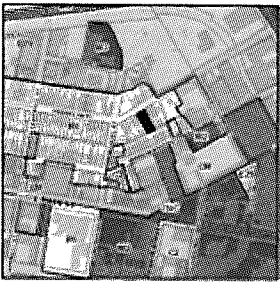
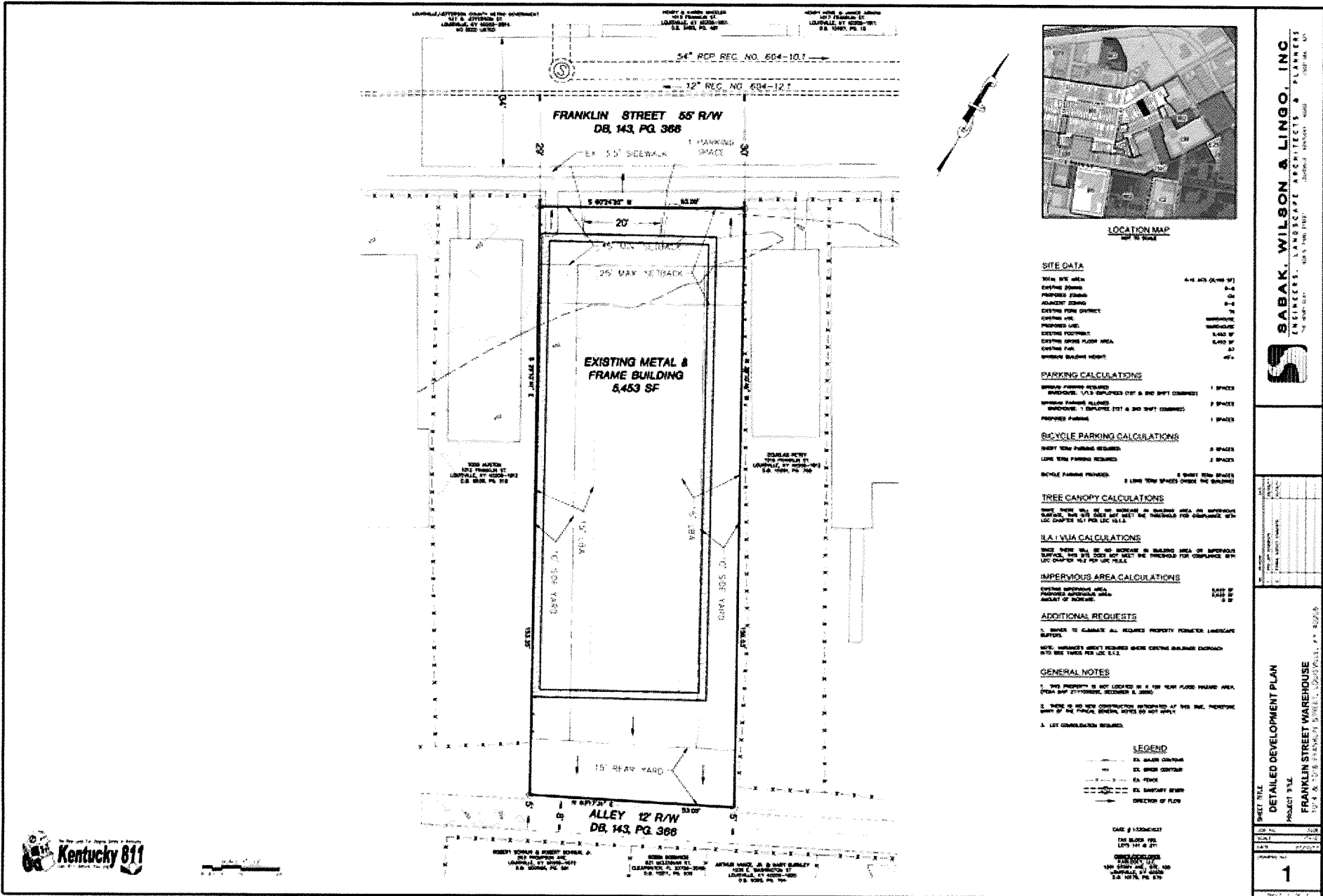




**ALLEY RIGHT**



**ALLEY LEFT**



LOCATION MAP  
1/4" = 1' SCALE

**SITE DATA**

TOTAL SITE AREA	6,416 SQ. FT. (0.146 AC)
EXISTING ZONING	R-4
PROPOSED ZONING	R-4
ADJACENT ZONING	R-4
EXISTING FIRE DISTRICT	70
EXISTING USE	WAREHOUSE
PROPOSED USE	WAREHOUSE
EXISTING FOOTPRINT	5,453 SF
EXISTING OPEN FLOOR AREA	5,453 SF
EXISTING PARKING	0
PROPOSED BUILDING HEIGHT	10'-0"

**PARKING CALCULATIONS**

MINIMUM PARKING REQUIRED	1 SPACES
MINIMUM 15'0" CIRCLES OUT & 30' SWFT CORNERED	1 SPACES
MINIMUM 10'0" CIRCLES IN-LINE & 30' SWFT CORNERED	2 SPACES
PROPOSED PARKING	1 SPACES

**BI-CYCLE PARKING CALCULATIONS**

BI-CYCLE PARKING REQUIRED	0 SPACES
BI-CYCLE PARKING PROVIDED	0 BI-CYCLE SPACES

**TREE CANOPY CALCULATIONS**

NOTE: THERE WILL BE NO INCREASE IN SHADING AREA OR IMPERVIOUS SURFACE, AND THE SITE DOES NOT MEET THE THRESHOLD FOR COMPLIANCE WITH LOC CHAPTER 161 FOR LOC 161.1.

**LI.A. VIA CALCULATIONS**

NOTE: THERE WILL BE NO INCREASE IN SHADING AREA OR IMPERVIOUS SURFACE, AND THE SITE DOES NOT MEET THE THRESHOLD FOR COMPLIANCE WITH LOC CHAPTER 161 FOR LOC 161.1.

**IMPERVIOUS AREA CALCULATIONS**

EXISTING IMPERVIOUS AREA	5,453 SF
PROPOSED IMPERVIOUS AREA	5,453 SF
AMOUNT OF INCREASE	0 SF

**ADDITIONAL REQUESTS**

1. OWNER TO GRABULATE ALL REQUIRED PROPERTY FORMS (LANDSCAPE REPORT).

NOTE: VARIANCE AREA'S REQUIRED WHERE CANTINE BALANCE EXCEEDED INTO SEE TABLE FOR LOC 161.1.

**GENERAL NOTES**

1. THIS PROPERTY IS NOT LOCATED IN A NEW FLOOD PLAIN AREA, FEMA MAP 27100001E, SECTION 8, 2005.

2. THERE IS NO NEW CONSTRUCTION INTENDED AT THIS SITE, EXCEPTING WORK BY THE OWNER, GENERAL NOTES DO NOT APPLY.

3. ALL LOT CORRELATIONS REQUIRED.

**LEGEND**

---	EX. BOUNDARY
---	EX. BOUNDARY
---	EX. FENCE
---	EX. BOUNDARY
---	DIRECTION OF FLOW

DATE: 11/20/2023  
 FOR BLOCK 190, LOTS 141 & 271  
 OWNER: [unreadable]  
 150 [unreadable] [unreadable]  
 [unreadable] KY 40308  
 [unreadable] KY 40308  
 [unreadable] KY 40308

**SABAK, WILSON & LINGO, INC.**  
 ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS  
 100 N. 1ST STREET, SUITE 100  
 LOUISVILLE, KY 40202  
 (502) 582-1111

**REVISIONS**

NO.	DATE	DESCRIPTION

**DETAILED DEVELOPMENT PLAN**  
 PROJECT TITLE: FRANKLIN STREET WAREHOUSE  
 100 N. 1ST STREET, SUITE 100, LOUISVILLE, KY 40202  
 SHEET NO. 1  
 DATE: 11/20/2023



# DEVELOPMENT PLAN



Automobile rental agencies  
Automobile service stations  
Automobile repair garages  
Automobile sales agencies  
Car washes  
Dry cleaning, dyeing, pressing, & laundry  
Laboratories  
Laundries or laundrettes, self-service  
Medical laboratories  
Package liquor stores  
Pawn Shop  
Used car sales areas

## **PROPOSED PROHIBITED USES**

# Franklin Street Warehouse

## 17ZONE1037

### Justification Statement

The applicant hereby submits his Justification Statement for the Franklin Street Warehouse project.

The Franklin Street Warehouse project seeks to rezone 2 parcels, located at 1014 and 1016 Franklin Street, from R-6 to CM. These parcels are located in the Butchertown Historic Preservation District. The approved zoning map amendment will right-zone the parcels to reflect their historic and current warehouse use, and will allow for adaptive and flexible re-use and repurposing of the parcels, with limits suggested by the applicant.

#### **1. How the proposed development is in compliance with Cornerstone 2020.**

This application conforms to the Goals and Objectives of the *Cornerstone 2020 Comprehensive Plan*, as reflected in the Guidelines and Policies (which, per page 3 of the Plan, “are to be used for the assessment of proposed amendments to the Zoning District Map”) in the following ways:

A. Guideline 1 – Community Form – The development, in its current state and with potential future uses upon approval of the map amendment, will be compatible with the scale, rhythm, form and function of the existing neighborhood because no changes are proposed. The parcels to be rezoned are located in the Traditional Neighborhood (TN) form district, and the Butchertown neighborhood is cited in the Glossary of Cornerstone 2020 plan as an example of a “Traditional Workplace Form Area.” (Guideline 1.B.9). This form area is “characterized by predominantly small to medium scale industrial and employment uses” such as the warehouse with this application. The warehouse building has a limited setback from the street, consistent with the pattern of all development in the area, and, being surrounded by residential uses, it is closely integrated with residential areas. The current warehouse use and potential future uses of this building represent a mixture of industrial, commercial and office uses within this residential area.

B. Guideline - 2 - Centers – the proposal is an existing activity / employment center located in the middle of the block on Franklin Street, between North Johnson Street and North Wenzel Street. The map amendment will legitimize the current warehouse use and will open the door to other permitted uses in the CM district (subject to restrictions and limitations proposed by the applicant), thus repurposing and rehabilitating the activity center in this block. (Guideline 2.A.7). This change will allow the location of retail commercial establishments in this activity center. (Guideline 2.A.3). It is a compact development, resulting in efficient land use, with no need for infrastructure investment. (Guideline 2.A.4).

C. Guideline 3 – Compatibility – the neighborhood is a mixed-use area, and the applicant proposes a compatible mix of uses that will not constitute a further non-residential expansion into a residential area. (Guideline 3.A.4). The site is near existing activity centers and near transit routes along East Main Street. (Guideline 3.A.11). The proposal will allow certain CM activities (self-limited by the applicant) to locate in this workplace form district rather than in isolated commercial or industrial sites. (Guideline 3.A.17).

D. Guideline 4 – Open Space – not applicable to this type of development



E. Guideline 5 – Natural Areas and Scenic and Historic Resources – the parcels are located in the Butchertown Historic Preservation District. The proposal includes the preservation, rehabilitation and future adaptive reuse of an existing older structure in a manner that is compatible with the height, bulk, scale, architecture and placement of other structures in the district and immediate neighborhood. (Guideline 5.A.2). There are no concerns from this development vis-à-vis the natural environment.

F. Guideline 6 – Economic Growth and Sustainability – this development constitutes an investment in the rehabilitation and revitalization of the Butchertown neighborhood, all in a manner that is consistent with, and sensitive to, form patterns in the district. (Guideline 6.A.3). It allows an adaptive re-use of an older warehouse building located on older industrial land. (Guideline 6.A.11).

G. Guideline 7 – Circulation – it is not anticipated that a development of this size and scope will put a strain on existing transportation networks and facilities. (Guideline 7.A.1). The parcels are well-situated to take full advantage of mass transit opportunities. (Guideline 7.A.3, .4).

H. Guideline 8 – Transportation Facility Design – the scope and size of this project do not implicate the safe and efficient design of transportation facilities.

I. Guideline 9 – Bicycle, Pedestrian and Transit – this project relies upon, continues and protects, the existing pedestrian sidewalk infrastructure that fronts the parcels, and that provides easy access to mass transit options. (Guideline 9.A.1 and 2). On-site bicycle parking will be provided. (Guideline 9.A.4).

J. Guideline 10 – Flooding and Stormwater – Flooding and stormwater runoff issues are not implicated by this application because no new impervious surface areas are proposed.

K. Guideline 11 – Water Quality – it is not anticipated that this relatively small development will degrade the water quality due to water pollution or erosion; regional water resources are protected.

L. Guideline 12 – Air Quality – it is anticipated that this relatively small development will have no negative impact on air quality.

M. Guideline 13 – Landscape Character – the landscape area of this developed urban neighborhood will not be affected by this proposal.

N. Guideline 14 – Infrastructure – the subject parcels are located in an area that is served by adequate existing utilities, including potable water, water for fire suppression, and sanitary sewers. (Guideline 14.A.2. .3, .4).

O. Guideline 15 – Community Facilities – not applicable to this private development.

## **2. How the proposed development is compatible with the Traditional Neighborhood Form District.**

The Franklin Street Warehouse project is within the Traditional Neighborhood Form District (TN). Per Section 5.2.3 of the LDC, the intent of a TN is “to promote the development and redevelopment of neighborhoods in a manner consistent and compatible with the distinct site and community design

elements of a traditional neighborhood.” The Butchertown neighborhood is cited in the *Cornerstone 2020* plan (at page 15 of the Glossary) as an example of a “Traditional Workplace Form Area,” which has a “pattern of development characterized by older, small to medium scale industrial and employment centers typically integrated into traditional neighborhoods. Buildings sit close to street and have mostly on-street parking.”

The Franklin Street Warehouse is compatible with the TN because it represents the very epitome of the Butchertown neighborhood – older (circa 1964), small scale industrial / warehouse use, intimately integrated into a traditional mixed residential / industrial / commercial neighborhood, with a building as close to the street as the adjacent houses, and with mostly on-street parking.



## **General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

### **1. Will the waiver adversely affect adjacent property owners?**

No. This waiver will allow an existing building to remain. No site improvements are planned so there will be no impact on adjoining property owners.

### **2. Will the waiver violate the Comprehensive Plan?**

No. According to the Comprehensive Plan, the Traditional Neighborhood Form District is intended to support the redevelopment, enhancement and preservation of existing neighborhoods. It also promotes the re-use of existing structures and the integration of neighborhood-serving land uses. This waiver is the direct result of a re-zoning to bring an existing warehouse building into compliance. Although it can continue to operate as a warehouse due to non-conforming rights, it can never be anything else. This rezoning will allow the future use of this property to be something that benefits the neighborhood. Therefore, this waiver will not violate the Comprehensive Plan.

### **3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

Yes. The applicant is asking for this waiver to allow an existing building to remain. There is not enough room between the building on the subject site and the adjacent buildings to plant the required material or build a fence and have room to maintain it; therefore it is the minimum necessary to provide relief to the applicant.

### **4. Has either (a) the applicant 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 would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

The strict application of the provisions of the regulation would mean that either (1) the applicant would have to tear down the building, or (2) the building would have to remain a non-compliant warehouse for the remainder of its life. This eliminates the flexibility of bringing in a neighborhood serving use in the future and would create an unnecessary hardship on the owner and the neighborhood.

# Franklin Street Warehouse

## 17ZONE1037

### Findings of Fact

Following are the applicant's analysis and proposed Findings of Fact against the Guidelines and Policies of the *Cornerstone 2020 Comprehensive Plan*. Also included are the applicant's proposed Findings of Fact relative to the waiver requested in connection with this rezoning.

### Introduction

The Franklin Street Warehouse project seeks to rezone 2 parcels totaling 0.19 acres, located at 1014 and 1016 Franklin Street, from R-6 (Residential Multi-Family) to C-M (Commercial Manufacturing). These parcels are located in the Butchertown Historic Preservation District. The zoning map amendment results in no changes to the site, but instead right-zones the parcels to reflect their historic and current warehouse use, and allows for adaptive and flexible re-use and repurposing of the parcels, with limits agreed to by the applicant. The applicant also seeks a waiver of the property perimeter landscape buffer area requirements of Section 10.2.4 of the *Land Development Code*.

### Findings of Fact for Rezoning

1. WHEREAS, the Louisville Metro Planning Commission finds that the subject parcels are located within the Traditional Neighborhood Form District (TN), which is addressed by Guideline 1.B.2 ("Traditional Neighborhood") of the *Cornerstone 2020 Comprehensive Plan*. A Traditional Neighborhood is characterized by predominantly residential uses, and by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings; and
2. WHEREAS, the Louisville Metro Planning Commission further finds that traditional neighborhoods often have, and are encouraged to have, a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are fifty (50) to one-hundred twenty (120) years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces; and
3. WHEREAS, the Louisville Metro Planning Commission further finds that the proposal is consistent with Guideline 1.B.2 ("Traditional Neighborhood") of the *Cornerstone 2020 Comprehensive Plan* because it does not affect the existing street pattern. Sidewalks and alleys

are provided and maintained within all rights-of-way. The proposal is for a zoning district that permits higher density residential uses as well as neighborhood-serving uses, such as offices, shops, restaurants and services, while still allowing the current warehousing use to continue, but now as a conforming use. By agreement of the applicant, certain other C-M uses that may be deemed objectionable in this neighborhood are prohibited. The proposal is for the preservation and possible future renovation of an existing building for commercial, office or residential purposes, which will assist in the revitalization of the area. The existing structure is representative of the past mixed-use development of the neighborhood; thus, the proposal will be compatible with the scale, rhythm, form and function of the existing neighborhood because no significant changes are proposed. The proposal will not create a new center, but its potential to repurpose an existing center is considered, recognized and appreciated. The proposal is located in a higher density residential neighborhood. The proposal is compact and results in an efficient and effective land use pattern. Infrastructure in the area is already set up to serve current and future uses, which is cost effective. The proposal will allow for mixed uses, which will reduce trips and will support alternative transportation with sidewalks around the site. Transit is located nearby along East Main Street, which will serve the site well; and

4. WHEREAS, the Louisville Metro Planning Commission further finds that the proposal is in agreement with the Goals and Objectives of the *Cornerstone 2020 Comprehensive Plan*, as reflected in the Guidelines and Policies of the Plan (which, per page 3 of the Plan, “are to be used for the assessment of proposed amendments to the Zoning District Map”), in the following ways:
- (a) Guideline 1 – Community Form – The development, in its current state and with potential future uses made possible by this map amendment, will be compatible with the scale, rhythm, form and function of the existing neighborhood because no changes are proposed. The parcels are located in the Traditional Neighborhood (TN) form district, and the Butchertown neighborhood is cited in the Glossary of the *Cornerstone 2020 Comprehensive Plan* as an example of a “Traditional Workplace Form Area.” (Guideline 1.B.9). This form area is “characterized by predominantly small to medium scale industrial and employment uses” such as the warehouse with this application. The warehouse building has a limited setback from the street, consistent with the pattern of all development in the area, and, being surrounded by residential uses, it is closely integrated with residential areas. The current warehouse use and potential future uses of this building represent a mixture of industrial, commercial and office uses within this residential area.
  - (b) Guideline 2 - Centers – the proposal is an existing activity / employment center located in the middle of the block on Franklin Street, between North Johnson Street and North Wenzel Street. The map amendment legitimizes the current warehouse use and will open the door to other permitted uses in the C-M district (subject to restrictions and limitations agreed to by the applicant), thus repurposing and rehabilitating the activity center in this block. (Guideline 2.A.7). This change will allow the location of retail and other commercial establishments in this activity center. (Guideline 2.A.3). It is a compact development, resulting in efficient land use, with no need for infrastructure investment. (Guideline 2.A.4).



- (c) Guideline 3 – Compatibility – the neighborhood is a mixed-use area, and this map amendment makes possible a compatible mix of uses that will not constitute a further non-residential expansion into a residential area. (Guideline 3.A.4). The site is near existing activity centers and near transit routes along East Main Street. (Guideline 3.A.11). The proposal allows certain C-M activities (self-limited by the applicant) to locate in this workplace form district rather than on isolated commercial or industrial sites. (Guideline 3.A.17).
- (d) Guideline 5 – Natural Areas and Scenic and Historic Resources – the parcels are located in the Butchertown Historic Preservation District. The proposal includes the preservation, rehabilitation and future adaptive reuse of an existing older structure in a manner that is compatible with the height, bulk, scale, architecture and placement of other structures in the district and immediate neighborhood. (Guideline 5.A.2). There are no concerns from this development vis-à-vis the natural environment.
- (e) Guideline 6 – Economic Growth and Sustainability – this development constitutes an investment in the rehabilitation and revitalization of the Butchertown neighborhood, all in a manner that is consistent with, and sensitive to, form patterns in the district. (Guideline 6.A.3). It allows an adaptive re-use of an older warehouse building located on older industrial land. (Guideline 6.A.11).
- (f) Guideline 7 – Circulation – the development or redevelopment of these parcels will not put a strain on existing transportation networks and facilities. (Guideline 7.A.1). The parcels are well-situated to take full advantage of mass transit opportunities. (Guideline 7.A.3, .4).
- (g) Guideline 8 – Transportation Facility Design – the scope and size of this project do not implicate the safe and efficient design of transportation facilities.
- (h) Guideline 9 – Bicycle, Pedestrian and Transit – this project relies upon, continues and protects the existing pedestrian sidewalk infrastructure that fronts the parcels, and that provides easy access to mass transit options. (Guideline 9.A.1 and 2). On-site bicycle parking will be provided. (Guideline 9.A.4).

5. WHEREAS, the Louisville Metro Planning Commission further finds that the proposal is compatible with the Traditional Neighborhood Form District (TN). Per Section 5.2.2 of the *Land Development Code*, the intent of a TN is “to promote the development and redevelopment of neighborhoods in a manner consistent and compatible with the distinct site and community design elements of a traditional neighborhood.” The Butchertown neighborhood is cited in the *Cornerstone 2020 Comprehensive Plan* (at page 15 of the Glossary) as an example of a “Traditional Workplace Form Area,” which has a “pattern of development characterized by older, small to medium scale industrial and employment centers typically integrated into traditional neighborhoods. Buildings sit close to street and have mostly on-street parking.”

The Franklin Street Warehouse is compatible with the TN because it represents the very epitome of the Butchertown neighborhood – older (circa 1964), small scale industrial / warehouse use, intimately integrated into a traditional mixed residential / industrial / commercial neighborhood, with a building as close to the street as the adjacent houses, and with mostly on-street parking.

**Findings of Fact for Waiver**

1. WHEREAS, the Louisville Metro Planning Commission finds that the requested waiver from Section 10.2.4 of the *Land Development Code* (to waive the property perimeter landscape buffer area requirement) will not adversely affect adjacent properties because the waiver allows investments in the rehabilitation of an existing structure that will drastically improve the appearance of the subject parcels and thus the character of the area; and
2. WHEREAS, the Louisville Metro Planning Commission finds further that the waiver will not violate the comprehensive plan. The development and redevelopment made possible by this waiver are compliant with the comprehensive plan for the same reasons set forth in the Findings of Fact for Case No. 17ZONE1037 regarding the rezoning of the subject parcels; and
3. WHEREAS, the Louisville Metro Planning Commission finds further that the extent of the waiver is the minimum necessary to afford relief to the applicant because the building is existing and would have to be removed to provide the buffer; and
4. WHEREAS, the Louisville Metro Planning Commission further finds the applicant has incorporated other creative design measures to compensate for non-compliance with the requirements to be waived because the development, as proposed, represents an adaptive reuse of existing parcels that should be encouraged in this district. 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 since the building is existing and would have to be removed to provide the buffer.