

ORDINANCE No. 150, SERIES 2013

AN ORDINANCE CHANGING THE ZONING OF 613 LOTS IN THE ORIGINAL HIGHLANDS AREA-WIDE REZONING CASE FROM EXISTING ZONING DISTRICTS R-5, R-6, R-7, OR-2, OR-3, OTF, C-1 AND C-2 TO PROPOSED ZONING DISTRICTS R-5B TWO-FAMILY RESIDENTIAL, OR-1 OFFICE-RESIDENTIAL, UN URBAN-NEIGHBORHOOD OR CR COMMERCIAL-RESIDENTIAL AND BEING IN LOUISVILLE METRO (CASE NO. 16074) (AS AMENDED).

SPONSORED BY: COUNCILWOMAN MADONNA FLOOD

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 16074; and

WHEREAS, 630 lots were included in this case as heard by the Planning Commission and 17 Lots were excluded from the zoning changes based on the evidence and testimony heard by the Planning Commission as stated in its minutes; the addresses of the 17 excluded lots are: (1) 1226 and 1228 Highland Avenue; (2) 950, 956, 958, 960, 962-964 (one lot), 966, 968, 970, 972, 974, 976, 978, 980 and 982 Barrett Avenue; and (3) 1501 ~~4254~~ Breckinridge Street; the excluded 17 lots are shown on the attached map; and the Planning Commission's recommendation is to rezone the remaining 613 lots; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning changes in Case No. 16074 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records;

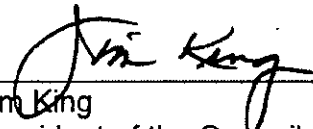
NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

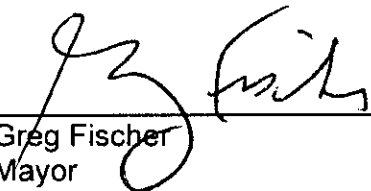
Section I: That the zoning districts of 613 lots in the Original Highlands Area-Wide Rezoning case are hereby changed from existing zoning districts R-5, R-6, R-7, OR-2, OR-3, OTF, C-1 and C-2 to zoning districts R-5B Two-Family Residential, OR-1 Office Residential, UN

Urban-Neighborhood or CR Commercial Residential and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 16074; provided, however, said property shall be subject to the existing binding elements on all the lots.

Section II: This Ordinance shall take effect upon passage and approval.


H. Stephen Ott
Metro Council Clerk


Jim King
President of the Council


Greg Fischer
Mayor

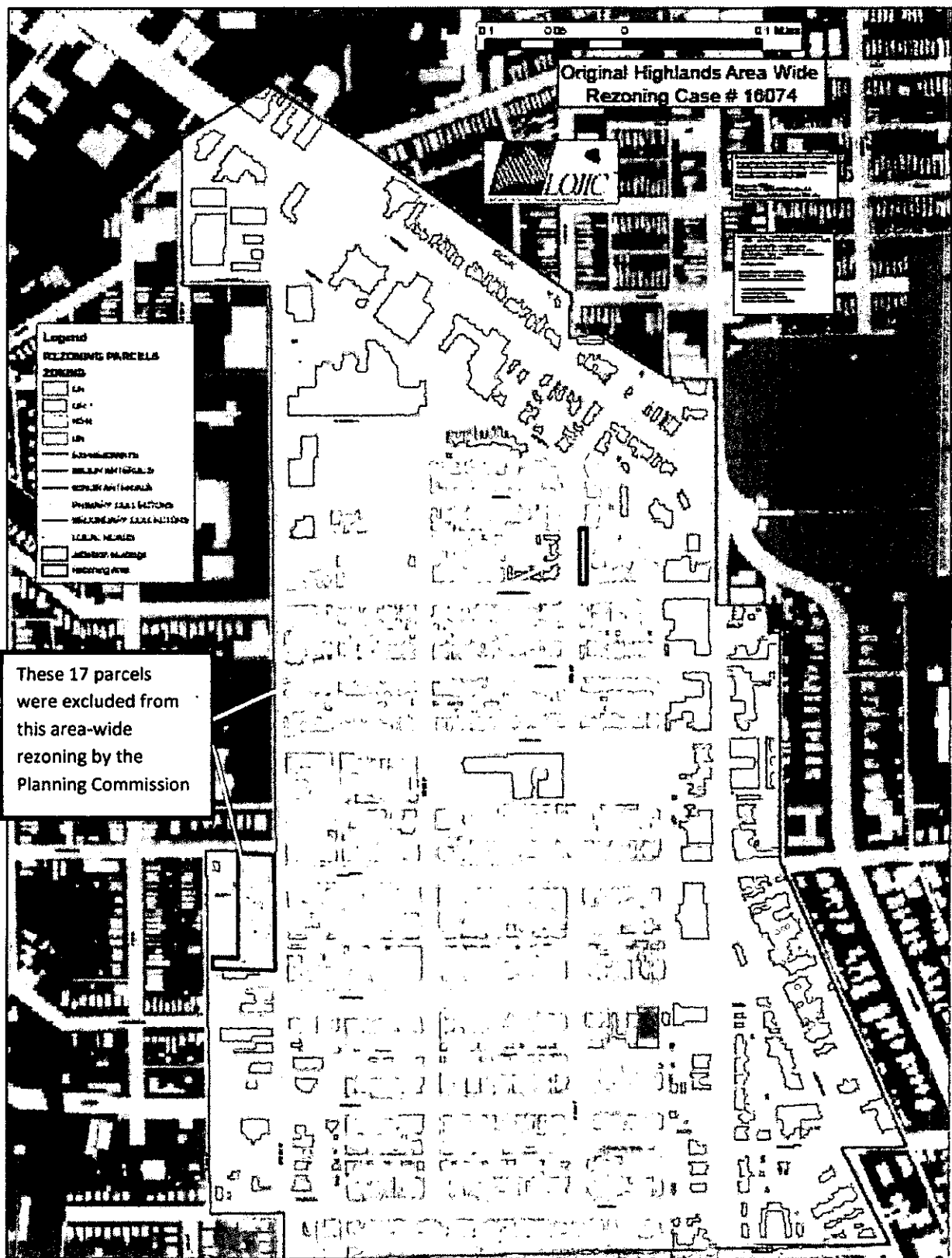
Approved: 8/26/13
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 





16074

**Planning Commission Minutes
May 30, 2013**

Public Hearing

CASE NO. 16074

Project Name:	Original Highlands Area-Wide Rezoning
Location:	Neighborhood boundaries consist of East Broadway to the north, Barrett Avenue to the west, Rufer Avenue to the south, and Baxter Avenue/Bardstown Road to the east.
Owner:	Multiple Owners
Applicant:	Louisville Metro Government
Representative:	Councilman Tom Owen
Project Area/Size:	630 Parcels/65 Acres
Jurisdiction:	Louisville Metro
Council District:	4—David Tandy/8—Tom Owen

Staff Case Manager: Mike Wilcher

Notice of this public hearing appeared in The Courier Journal, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Request:

An area-wide rezoning for 630 properties on 65 acres of land in the Original Highlands Neighborhood is requested from the following zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, C-2) to one of these zoning districts (R-5B Two-Family Residential, OR-1 Office-Residential, UN Urban-Neighborhood, or CR Commercial-Residential). The area-wide rezoning consists of 650.0 acres of land in the Original Highlands Neighborhood and includes the following properties:

- Rezone area of the neighborhood north of Morton Avenue - 255 parcels/19.30 acres to U-N Zoning
- Rezone area of the neighborhood south of Morton Avenue - 339 parcels/40.85 acres to R-5B
- Rezone area of the neighborhood along the Barrett Avenue corridor - 35 parcels/4.35 acres to C-R
- Rezone 1516 Hepburn Avenue - 1 parcel/.35 acres to OR-1
- Rezone a total of 630 parcels/65 acres

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Agency Testimony:

02:18:14 Mike Wilcher explained the PowerPoint presentation has been edited somewhat since the previous hearing on this case. He reviewed the requests from the staff report. He then reviewed the neighborhood plan area-wide rezoning elements and public involvement. Mr. Wilcher then reviewed the vision statement and neighborhood identity for the Original Highlands. He reviewed the aerial map and proposed land use map and discussed the proposed zoning areas and mistakes that have been corrected. He reviewed the key goals and objectives of the neighborhood plan. Mr. Wilcher then showed maps to point out the existing zoning and the portions and properties to be rezoned. He explained how the rezoning will affect properties. He also reviewed key recommendations of the neighborhood plan and the area-wide rezoning. Mr. Wilcher briefly reviewed the uses allowed in the following zoning districts: U-N (Urban Neighborhood District), R-5B (Two-Family Residential District), OR-1 (Office/Residential District), and C-R (Commercial Residential District). He showed a map of properties along the west side of Barret Avenue whose owners are opposed to the area-wide rezoning.

Mr. Wilcher then reviewed the number of properties to be rezoned in each of the proposed zoning districts and explained that the area-wide rezoning will decrease non-conformance for numerous properties throughout the neighborhood. He reviewed the dates in which notification letters were sent for the required meetings and public hearings, including when and where they were to be held. He also showed photos of two properties that will not be included in the rezoning due to a decision by the Planning Committee in which the parcels were deemed inappropriate for the suggested zoning change to UN and R-5B, as well as photos of three properties owned by the Proud family who stated their opposition to the CR rezoning for two and one-third of the area of their parcels.

02:41:51 In response to Commissioner White's question, Mr. Wilcher clarified non-conforming uses.

The following spoke in favor of this request:

Alison Torpey, 1506 Highland Ave, Louisville, KY 40204

Jackie Leslie, 1322 Morton Ave, Louisville, KY 40204

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Greg Fleck, 1515 Highland Ave, Louisville, KY 40204

Summary of testimony of those in favor:

02:45:07 Jackie Leslie spoke about the neighborhood plan and said it is intended to serve the residents in the neighborhood, not commercial establishments. She asked that no exceptions be made to the rezoning and that the area-wide rezoning be approved.

02:46:06 Alison Torpey said she is in support of the rezoning. She supported the neighborhood plan for the residents.

02:46:53 Greg Fleck said he is in support of the zoning change. He raised concerns with lot sizes and buildings being split into multi-family uses. He spoke about increased traffic and undesirable commercial uses in the area. Mr. Fleck submitted a petition from neighbors on Highland Avenue who support the area-wide rezoning. He expressed the desire to see better businesses come into the area.

02:53:27 Mr. Wilcher explained that immediately following the conclusion of the last hearing, he spoke with some neighbors who had gathered to discuss the amount of support that most likely exists for the area-wide rezoning. He explained to the group of neighborhood residents that some groups use petitions to determine the level of support and opposition that exists for a proposal and this could be an option if desired. In fact, one group of supporters obtained several signatures on one petition; however, the neighborhood association determined that this method may not be beneficial enough to justify the time and effort it would take to complete although this one petition was submitted.

There was some discussion about Councilman Owen's involvement in the area-wide rezoning and the neighborhood plan. The councilman's legislative aid was present.

The following spoke in opposition to this request:

Deborah Bilitski, 500 W. Jefferson St, Suite 2800, Louisville, KY 40202

George Chapman, 6100 Dutchmans Lane #601, Louisville, KY 40205

Allen Rosenstein, 1323 East Washington St, Louisville, KY 40206

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Aaron Tasman, 2608 Hill Briar Ct, Louisville, KY 40241

Ronnie Tasman, 3010 Redford Ave, Louisville, KY 40205

Jim Proud, 12905 Ridgemoor Dr, Prospect, KY 40059

Gerald Atherton, 1718 Washington Blvd, Louisville, KY 40242

Summary of testimony of those in opposition:

02:58:15 Deborah Bilitski, attorney representing R&T Realty (owners of 960-982 Barrett Avenue & 953 – 977 Brent Street), showed a PowerPoint presentation. She said that she has been working with Jim Proud who owns property on the corner where the auto repair shop is. She said her clients began acquiring properties in the area on Barrett Avenue in 1992. Ms. Bilitski showed a map and indicated which properties her clients own. She said at the time, they were zoned C-2 and R-6. She said after acquiring enough properties on Brent Street, a conditional use permit (CUP) was applied for off-street parking. Ms. Bilitski explained her clients were not aware of the neighborhood plan or the down zoning of their properties until the notice of the April 18, 2013 public hearing was received. She said the neighborhood association did not speak with them about the proposed zoning or the neighborhood plan.

03:02:52 Ms. Bilitski explained that there is no reason to draw a line at the Lynn's Paradise Café property and say that everything to the north of that should be down-zoned. She showed photos of her client's properties and explained the uses and pointed out the existing uses that would not be allowed in the C-R zoning district. She explained that the properties are maintained and provide a variety of interesting uses and do not damage the neighborhood. She reviewed reasons to exclude her clients' properties from the down-zoning because the majority of existing uses will become nonconforming, desirable uses will no longer be allowed, there will be a reduction in property values, and it discourages re-investment in an urban neighborhood. She submitted handouts listing uses allowed in C-R and C-2 and explained that the rezoning to C-R will significantly impact her clients' ability to put tenants in these properties.

03:12:50 George Chapman, Integra Realty Resources, addressed and reviewed letter submitted to address any zoning density development impact on vacant property values. He explained that the conclusion is that an increase in density creates a higher investor return, therefore a higher value on a dollar per square foot basis.

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03:18:33 Commissioner Tomes asked Mr. Chapman if he meant intensity, rather than density. Mr. Chapman confirmed.

03:18:56 Commissioner Jarboe asked if the study determined how many C-R properties are for sale. Mr. Chapman said the study did not, and explained that the best indicator would be the actions of buyers and sellers in the marketplace. He said there are properties for sale for decades.

03:19:45 Commissioner Blake asked Ms. Bilitski for the number of properties she is representing. Ms. Bilitski said there are 16 properties, out of a total of 630 properties part of the neighborhood plan. She said it is a large chunk of the commercial area to not be consulted about the plans; however, it is a small fraction of the properties impacted by the rezoning.

03:21:22 Commissioner Jarboe asked if 16 different properties did not receive notification of the neighborhood meeting in August 2012. Ms. Bilitski said the owners will testify they were not aware of the proposal to downzone their properties until the notice of April 18, 2013 public hearing.

Mr. Wilcher explained that this is most unusual considering that 700 notification letters were sent to all property owners within the area-wide rezoning boundaries, per PVA ownership data. In fact, a few were returned for various reasons, including one parcel owned by one of Ms. Bilitski's clients because a stop delivery order was submitted to the postal service for the vacant rental property. Moreover, notification for the August 21, 2012, Neighborhood Meeting, as well as 700 additional notices for the (dual) March 28, 2013, LD&T Meeting and the April 18, 2013, Planning Commission Public Hearing, were sent out on March 13, 2013, thereby providing two months notice of the Planning Commission Public Hearing.

In fact, a couple of property owners from the 900 block of Barrett Avenue, whose properties were proposed to be rezoned from C-R to R-5B, attended the neighborhood meeting with their notification letters and expressed their desire for the neighborhood plan and area-wide rezoning to be implemented as initially proposed. This led to meetings with staff members and owners who signed a waiver requesting CR zoning for their properties. The case was returned to the Planning Committee a second time and ultimately re-approved, so that particular block of Barret Avenue could go back to C-R Zoning.

03:24:40 In response to Commissioner Jarboe's question about properties potentially being kept out of the area-wide rezoning, Ms. Bilitski said commercial

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properties are immediately adjacent and extending the C-2 will not impact the area. She said it does not negate the neighborhood plan.

03:26:30 Ms. Bilitski discussed how the rezoning for her clients' properties will discourage re-investment in an urban neighborhood.

03:28:23 Alan Rosenstein spoke about his and his partner's investment in the properties and not receiving information about the down-zoning.

03:30:52 Aaron Tasman spoke about the city needing to attract people and investment to the community. He said he agreed with the expected goals of the neighborhood plan to make a vibrant community. He said the down-zoning will encourage the highest and best use to be multi-family homes. He also said down-zoning will reduce potential tax base. Mr. Tasman said the highest and best use allowed in C-R zoning would be a grocery store, but it would be the most intense use.

03:39:05 Jim Proud, attorney representing Jan Proud, pointed out his mother's properties 950 Barrett Ave, 1228 Highland Ave, and 1226 Highland Ave are zoned C-2 and R-6. The majority of 1226 Highland Ave is R-6 zoned with most of the garage structure located on the C-2 zoned strip adjacent to 1228 Highland Ave. He provided a history of uses of the properties he is representing. He said if the site becomes non-conforming, it will significantly curtail rental opportunities. He explained that C-2 uses will be the best for the sites. Mr. Proud then explained that the down-zoning will cause the property values to decrease, the current uses at 950 Barrett and 1228 Highland will become non-conforming, and the most successful uses at the properties will either become non-conforming or will be prohibited altogether.

03:48:25 Gerald Atherton said he runs the automotive shop on Barrett Avenue. He said parking and traffic issues were raised to support the rezoning. He stated that since Lynn's Paradise Café closed, traffic and parking is much better. He also explained that his business will be impacted by the rezoning and that he joined the Original Highlands neighborhood association so he could be aware of the neighborhood. He said the group never alerted him about the area-wide rezoning.

The following spoke neither for nor against the request:

Cliff Ashburner, 500 W. Jefferson Street, Ste 2800, Louisville, KY 40202

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Summary of testimony of those who spoke neither for nor against:

03:51:06 Cliff Ashburner, attorney representing Catherine Spalding, said his client's property is currently zoned R-6. He pointed out the properties in the area that are multi-family. He explained that the property has been renovated and divided into a duplex. Mr. Ashburner reviewed the request to exclude 1501 Breckinridge Street from the rezoning. He said with the proposed change, it will create a non-conforming use and will prohibit the expansion of this home by a single square foot. He said the request to be excluded is based on the fact there will never be more than 2 units on the property. He explained the property will not be over-built, but the exclusion of the property will be a better use of this time than to consider a rezoning in the future for any expansion of the use.

There was some discussion of the exact properties requesting to be excluded from the area-wide rezoning.

04:01:00 Commissioner Jarboe asked if there are any other properties that would become non-conforming that are proposed to be rezoned to C-R. Mr. Wilcher confirmed that the properties represented in opposition are the only.

04:01:56 In response to Commissioner Burns' question, Ms. Bilitski explained non-conforming uses and rights.

04:07:24 Commissioner Tomes asked if there are any other homes accessed on Breckinridge Rear. Mr. Ashburner confirmed and explained it makes better sense to exclude Ms. Spalding's property because floor area ratio and maximum density would prevent over-building.

Rebuttal

04:12:57 Ms. Leslie resumed the podium and addressed comments about the properties on Barrett being selected for the rezoning as opposed to others on the same block. She said those left out of the zoning were larger properties that did not need to be down-zoned.

Deliberation

04:14:20 Commissioner Burns said it did seem that the line was arbitrary. She said many of the small houses have been turned to commercial. She said excluding those properties should be considered.

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04:15:03 Commissioner Jarboe said the neighborhood has done a good job. He said the Spalding property should be excluded. He said if all the other C-2 buildings are large and the owners wanted to convert to a large building, it would match the rest of the C-2. He said the zoning should be approved, given the exceptions.

04:16:08 Commissioner Turner said the entire block should be consistent. He said he did not see any impact on the entire plan.

04:16:46 Commissioner Proffitt said he did not have an issue with the requested exclusions being allowed. He asked counsel if time could be given to property owners not present to discuss with staff whether they would like to be a part of the down-zoning.

04:20:30 Commissioner Tones said the properties discussed should be excluded from the plan. He recognized T&R's investment in the properties with the understanding of a certain zoning. He addressed the neighborhood association and its goal of an art district; he spoke about the buildings in the area being small and in poor condition. He said in order to do an art district, the buildings may need to be made larger by first knocking down a building.

04:22:18 Commissioner White pointed out that a great percentage of the rezoning will be granted, even with the exclusions. He said he did not believe there have been social or economic changes to justify the down-zoning, so excluding the properties requested would be appropriate.

04:23:31 Mr. Baker said if the commission wishes to exclude properties from the zoning, that they make it evident in the motion and base it on the testimony presented.

An audio/visual recording of the Planning Commission hearing related to this case is available in the Planning & Design Services offices. Please contact the Customer Service staff to view the recording or to obtain a copy. The recording of this hearing will be found on the CD of the May 30, 2013 public hearing proceedings.

On a motion by Commissioner Proffitt, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, based on the testimony, staff report, and discussion, that the area-wide rezoning is appropriate

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for the neighborhood and complies with applicable guidelines and policies of Cornerstone 2020. The proposal is in conformance with the Neighborhood Plan adopted by Louisville Metro Council in 2006; and

WHEREAS, the Louisville Metro Planning Commission further finds that the area-wide rezoning is in conformance with **Guideline 1 (Community Form)** of the comprehensive plan considering that the Original Highlands is made up of Traditional Neighborhood and Traditional Marketplace Corridor form districts. Revitalization and reinforcement of these districts focuses upon preservation and renovation of existing buildings, maintenance of the existing grid pattern of streets and alleys, preservation of open space, and enhancing the single and two-family residential character of the neighborhood while focusing commercial and mixed-use development along the Baxter and Barret Avenue corridors; and

WHEREAS, the Louisville Metro Planning Commission further finds that the Original Highlands Neighborhood is located 1.5 miles southeast of Downtown Louisville and is a unique area with a mixture of land uses in a highly desirable urban environment. The Traditional Neighborhood and Traditional Marketplace Corridor form districts promote a variety of appropriate uses, including office, commercial, residential, and mixed-uses. The area-wide rezoning is in conformance with **Guidelines 2 (Centers) and 3 (Compatibility)** because public input ensured that there was an expressed interest in preserving and protecting single and two-family residential properties, as well as commercial uses; and

WHEREAS, the Louisville Metro Planning Commission further finds that The proposal is in conformance with **Guidelines 4 (Open Space) and 5 (Natural Areas and Scenic and Historic Resources)** because it encourages revitalization and reinforcement of resources and it focuses upon preservation and renovation of existing buildings, preservation and maintenance of the existing grid pattern of streets and alleys, and preservation of open spaces; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal is in conformance with **Guidelines 6 (Economic Growth and Sustainability) and 7 (Circulation)** because the area-wide rezoning ensures economic growth and neighborhood preservation, adaptive reuse of institutions, increasing opportunities for open spaces, and providing effective movement of vehicles, bicycles, and pedestrians, which is of primary importance; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal is in conformance with **Guideline 9 (Bicycle, Pedestrian and Transit)** because the neighborhood promotes the highest level of pedestrian orientation by ensuring appropriate streetscape design; and

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WHEREAS, the Louisville Metro Planning Commission further finds that the mobility component reviews a number of questions relative to the transportation system in the neighborhood, with an emphasis on whether the system balances different types of movement, such as cars, walking, cycling, and public transit to shop, go to school, and work is available. In various meetings of the taskforce, the primary discussion focused on the parking situation, particularly as it relates to businesses along Baxter Avenue and to a lesser extent speeding and traffic issues, alleys, and sidewalks; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative body of the Louisville Metro Council that the Original Highlands Area-Wide Rezoning be **APPROVED** with **EXCEPTION** of the following properties: 960-982 Barrett Avenue, 956 & 958 Barrett Avenue, 950 Barrett Avenue, 1226 Highland Avenue, 1228 Highland Avenue, ~~1251~~ Breckinridge Street.

The vote was as follows:

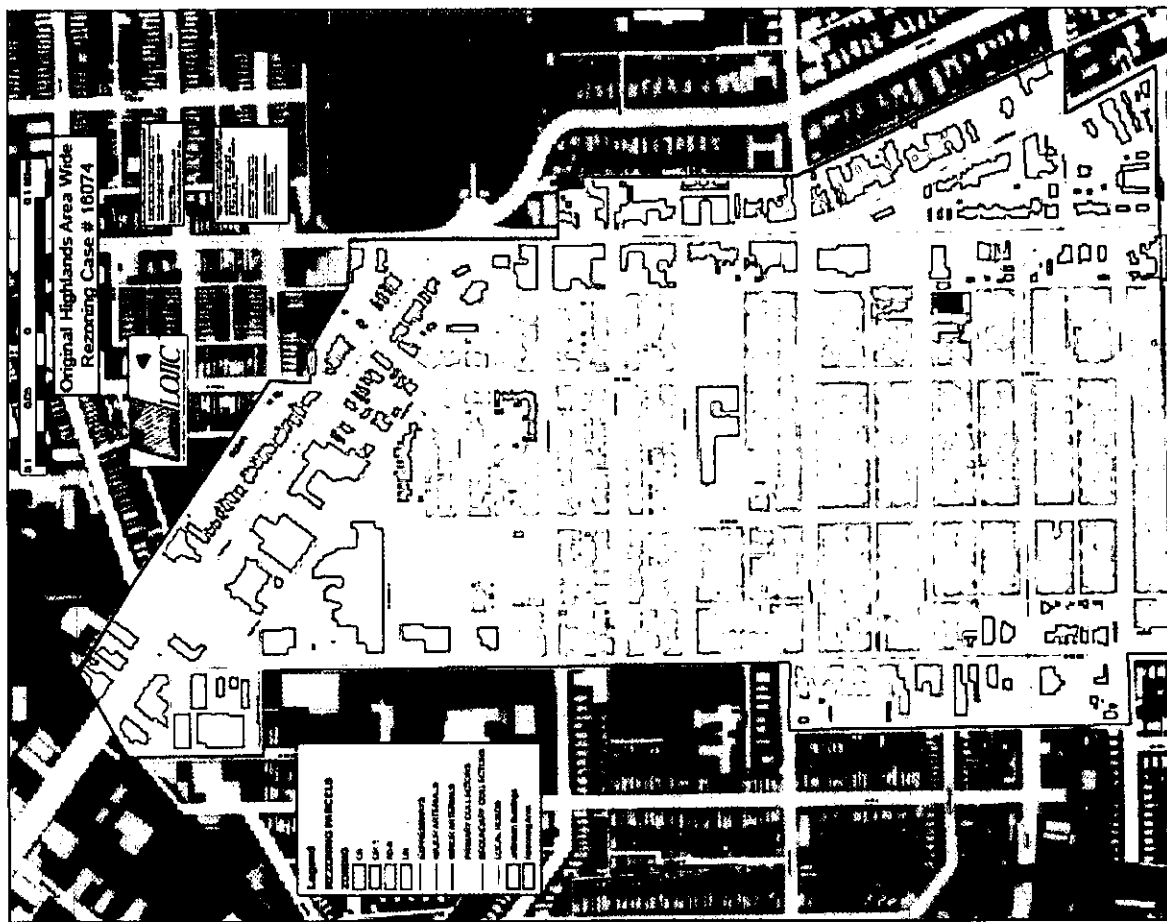
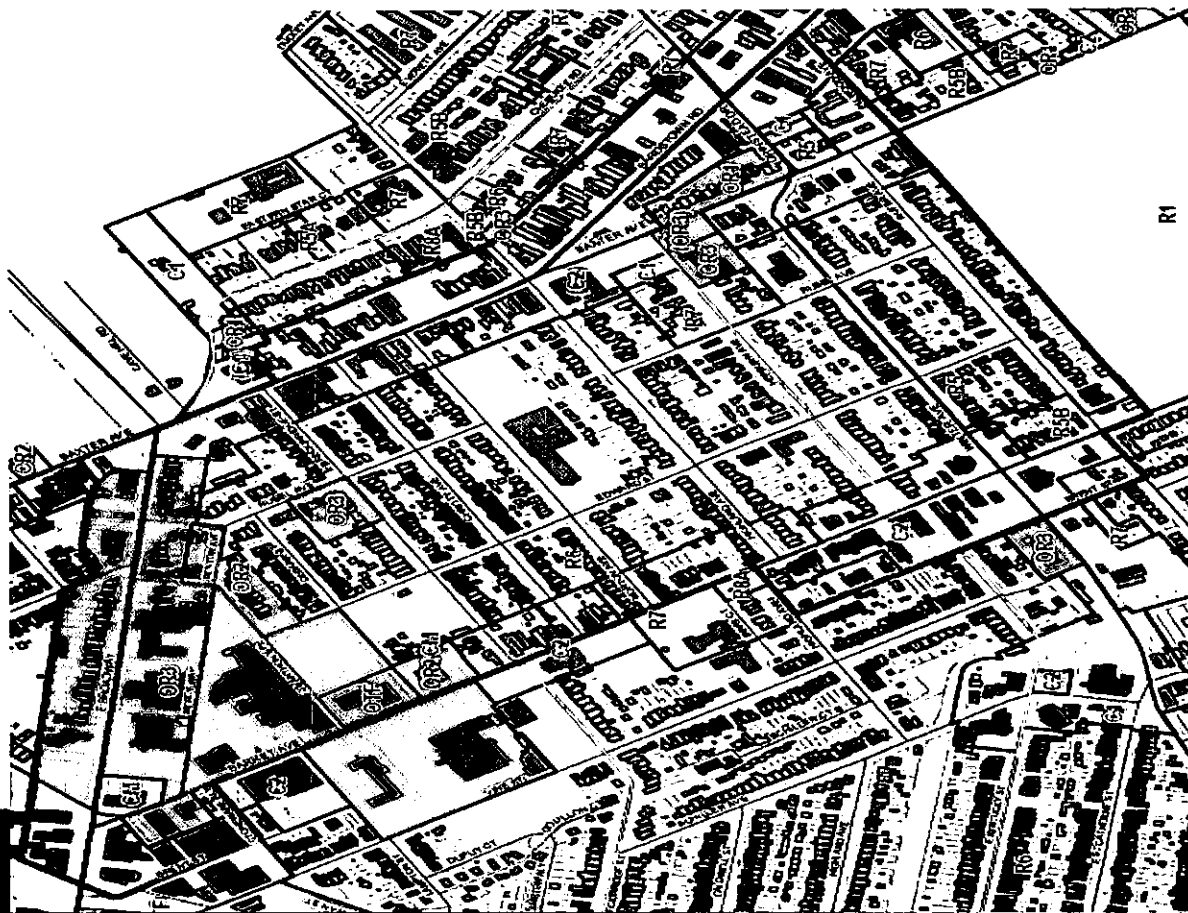
YES: Commissioners Blake, Proffitt, Jarboe, White, Turner, Burns, and Tomes

NO: No one.

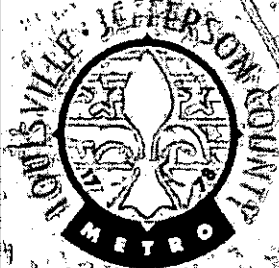
NOT PRESENT FOR THIS CASE: Commissioners Hughes, Kirchdorfer, and Scheer

ABSTAINING: No one

Existing Zoning / Area-Wide Rezoning Map



Original Highlands Neighborhood Plan Executive Summary



Prepared for:

Louisville Metro

Department of Planning & Design Services

Prepared by:

The Corradino Group, Inc.



September 2006

EXECUTIVE SUMMARY

ORIGINAL HIGHLANDS NEIGHBORHOOD PLAN

Louisville Metro Planning & Design Services (P&DS) has worked over the past year with a Neighborhood Planning Task Force designated by Mayor Jerry Abramson to create a Neighborhood Plan for the Original Highlands neighborhood. The plan has been developed consistent with the principles of Louisville Metro's Comprehensive Plan, Cornerstone 2020, and P&DS's adopted Neighborhood Planning guidelines.

This is the Executive Summary for the Original Highlands Neighborhood Plan. It includes the vision statement adapted by the neighborhood and recommendations relevant to Cornerstone 2020 and the Land Development Code. Figure ES-1 and Table ES-1 present the recommendations relevant to Cornerstone 2020 in the Plan.

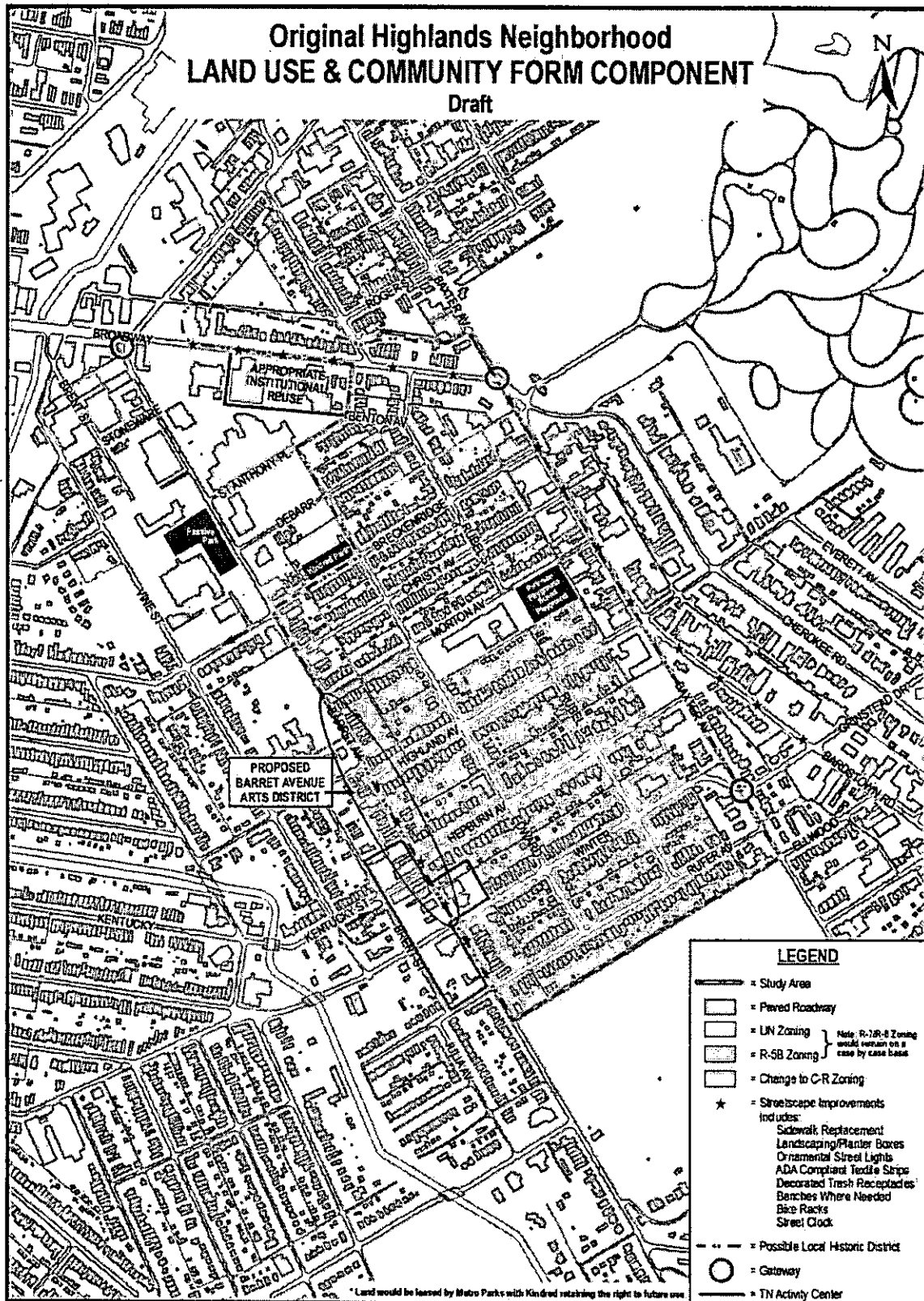
Vision Statement

In the year 2020, the Original Highlands maintains its strong sense of pride as one of Louisville's first neighborhoods, and continues to build on its legacy of being a diverse and affordable mixed-use neighborhood. The neighborhood has strengthened its sense of community through neighborhood programs and activities that promote a more livable traditional neighborhood that welcomes people of all ages and all walks of life. Alley and streetscape enhancements have contributed to the safe feeling of the neighborhood and have increased the neighborhood's appeal.

Baxter Avenue and Barret Avenue are vibrant commercial corridors, with shops, galleries, restaurants and other unique uses, that make this neighborhood a city destination, enhancing the quality of life without intruding into the neighborhood's predominantly single-family residential fabric. Parking solutions have been implemented to lessen the negative impacts of visitors to the corridors.

New development and redevelopment respects the mass, scale and architecture of the neighborhood. Existing institutional structures have been adaptively and creatively reused in ways that create new neighborhood assets and are neighborhood-compatible. All new neighborhood uses strive to maintain and enhance the valuable historic personality of the Original Highland recommendations relevant to Cornerstone 2020 and the Land Development Code.

Figure ES-1



CORRADINO

Table ES-1
Original Highlands Neighborhood Plan
Cornerstone 2020/Land Use Development Code Resolutions

Recommendation	Implementation Responsibility	Cost	Timeframe
Cornerstone 2020/LDC			
✓ LU1 – Rezone area of neighborhood north of Morton to UN Zoning. As shown in Figure 4-1.	Louisville Metro Planning Commission	Staff Time	Short, < 1 year*
OK LU2 – Revise the UN district ordinance to allow for greater neighborhood involvement in the process for planned development options (the only mechanism for creating multi-family development in the UN district).	Louisville Metro Planning Commission	Staff Time	Short, < 1 year*
✓ LU3 – Rezone area of neighborhood south of Morton to R-5B. As shown in Figure 4-1.	Louisville Metro Planning Commission	Staff Time	Short, < 1 year
✓ LU4 – Rezone appropriate portion of Barret Avenue corridor to C-R. As shown in Figure 4-1.	Louisville Metro Planning Commission	Staff Time	Medium, 1 to 3 years
LU5 – Designate properties on Barret from Lynn's Café (984 Barret Ave) to one block south of Winter as Traditional Neighborhood Activity Center. As shown in Figure 4-1.	Louisville Metro Planning Commission	Staff Time	Short, < 1 year
LU6 – Any proposed re-use of the Mercy Academy and Breckenridge Metropolitan High School campuses should be focused on condominium or mixed professional office/residential uses, and/or consistent with the uses allowed in their existing underlying zoning district, unless it can be demonstrated that a proposed change of use is compatible with the surrounding neighborhood and the intent of the Traditional Neighborhood Form District.	Louisville Metro Planning Commission	Staff Time	Ongoing
OK LU7 – Revise Land Development Code to add to permitted use list for the C-R Zoning District: Studios for artists, designers, and similar professionals; art galleries and shops; and other appropriate neighborhood-serving commercial uses or Conditional Uses.	Louisville Metro Planning Commission	Staff Time	Ongoing
LU8 – Per Cornerstone 2020, Baxter Avenue is a Traditional Marketplace corridor and encourages a mix of land uses compatible with the form. An over abundance of any one use is not consistent with Cornerstone 2020. Additional bars or restaurants with liquor licenses over and above the current density should be discouraged.	Louisville Metro Planning Commission	Staff Time	Ongoing
M1 – Review any applications for parking waivers against the Bardstown Road Parking Study, May 5, 2006 Final Report, prepared for Parking Authority of River City (PARC), or subsequent parking study addressing the same geographic area and content. Any parking waiver request must demonstrate parking deficits in the area, as discussed in the Bardstown Road Parking Study, or a subsequent parking study of the area, are not further increased by waiving the parking requirements.	Louisville Metro Planning Commission	PDS Staff Time	Ongoing

Timeframe for recommendations could be increased or decreased depending on unforeseen circumstances.

* Refer to Figure ES-1

Monthly Report

Report Month: Aug-12

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	100%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%
Notes:	
Meeting - Planning & Zoning Committee approved stage progressing case to neighborhood meeting .	100%
P&Z Committee Minutes approved March 8, 2012.	

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
	Research Notification letters mailed to residents on August 8, 2012, for the neighborhood meeting scheduled on August 21, 2012	2.0 hours
17-Aug-12	Lee and Rebecca visited neighborhood meeting site to prepare	3.0 hours
16-Aug-12	Meeting - Mike Wilcher, Emily Liu & Praktisha met to discuss the updated parcel data for neighborhood meeting notification and related preparation, as well as toured the area to evaluate each property.	4.0 hours
8/20/2012	Mike & Emily finished evaluating all properties to be rezoned	3.0 hours
21-Aug-12	Neighborhood meeting at 6:30 PM at the Urban Gov Center setup, meeting, and breakdown required approximately 3 to 4 hours	3.0 hours

Submitted by: Mike Wilcher

Lead Planner / Project Manager

8/27/2012

Monthly Report

Report Month: Jul-12

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	50%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting - Planning & Zoning Committee approved stage progressing case to neighborhood meeting .	100%
P&Z Committee Minutes approved March 8, 2012.	

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	Prepare notification letters to residents for August 8, 2012 mailout	2.0 hours
	The neighborhood meeting is scheduled/noticed for August 21, 2012	1.0 hours
	Meeting - Mike Wilcher, Emily Liu & Chuyan pertaining to updated parcel data required for neighborhood meeting preparation.	1.0 hours
	23-Jul-12	

Submitted by: Mike Wilcher
Lead Planner / Project Manager

8/3/2012

Monthly Report

Report Month: Jun-12

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting - Planning & Zoning Committee approved stage progressing case to neighborhood meeting .	100%
P&Z Committee Minutes approved March 8, 2012.	

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	The neighborhood meeting - prepare notification letter to residents	.0 hours
	Councilman Owen's office to suggest a neighborhood meeting date.	.0 hours
	Numerous email and phone conversations regarding the proposed neighborhood meeting date - suggestions July 24th, August 7th or 14th.	2.0 hours
	Meeting June 16th - Mike Wilcher, Mike King & Emily Lui pertaining to updated parcel data required for neighborhood meeting preparation.	1.0 hours

Submitted by: Mike Wilcher

Lead Planner / Project Manager

6/26/2012

Planning Design Services
2011 Work Program
Monthly Report

Report Month: May-12

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting - Planning & Zoning Committee approved stage progressing case to neighborhood meeting .	100%
P&Z Committee Minutes approved March 8, 2012.	

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	The neighborhood meeting - prepare notification letter to residents	.0 hours
	Councilman Owen's office to suggest a neighborhood meeting date in mid July 2012.	.0 hours

Submitted by: Mike Wilcher

Lead Planner / Project Manager

6/26/2012

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Apr-12

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%
Notes:	
Meeting - Planning & Zoning Committee approved stage progressing case to neighborhood meeting .	100%
P&Z Committee Minutes approved March 8, 2012.	

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	The neighborhood meeting - prepare notification letter to residents	.0 hours
	Councilman Owen's office to suggest a neighborhood meeting date in mid July 2012.	.0 hours

Submitted by: Mike Wilcher

Lead Planner / Project Manager

5/9/2012

Planning Design Services

2011 Work Program

Monthly Report

Report Month: Mar-12

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting - Planning & Zoning Committee approved stage progressing 100%
case to neighborhood meeting .
P&Z Committee Minutes approved March 8, 2012.

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	The neighborhood meeting - send notification letter to residents.	1.0 hours
	Discussed proposed date with Councilman Owen - suggested July 2012	1.0 hours

Submitted by: Mike Wilcher

Lead Planner / Project Manager

4/2/2012

Planning Design Services

2011 Work Program

Monthly Report

Report Month: Feb-12

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting - Planning & Zoning Committee - propose February date recommend revisions to proposed zoning for several lots included in the Area-Wide Rezoning	100%
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Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	Presented staff report to Planning & Zoning Committee on February 9, 2012. Committee recommended progressing case to the next stage -- neighborhood meeting.	1.0 hours

Submitted by: Mike Wilcher

Lead Planner / Project Manager

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Jan-12

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:

Status (%)

Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting - Planning & Zoning Committee	0%
February XX, 2012 - recommend revisions to proposed zoning for several lots within the area-wide rezoning boundary.	

Resource Allocation

Name / Item

Task / Activity

Hours / Cost

Research	Present draft of staff report to Planning & Zoning Committee	2.0 hours
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Submitted by: Mike Wilcher
Lead Planner / Project Manager

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Dec-11

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	25%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%
Notes:	
Meeting - Neighborhood Task Force Meeting - non-conforming lots	100%
November 3, 2011 - recommended revisions to proposed zoning districts for several lots.	

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	Prepare draft of staff report for Planning & Zoning Committee	2.0 hours
	Proposed February P&Z Committee Meeting	0.0 hours

Submitted by: Mike Wilcher
Lead Planner / Project Manager

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Nov-11

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	100%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	0%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting - Neighborhood Task Force Meeting - non-conforming lots	100%
November 3, 2011 - recommended revisions to proposed zoning districts for several lots.	

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	Meeting - Neighborhood Task Force / Non-conforming lots	1.0 hours
Research		0.0 hours
Research		.0 hours
Research		.0 hours
Research		.0 hours
Research		.0 hours

Submitted by: Mike Wilcher
Lead Planner / Project Manager

12/1/2011

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Oct-11

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	75%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	0%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting - Neighborhood Task Force Meeting - non-conforming lots
Date - November 3, 2011

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research Meeting -		0.0 hours
Research Meeting -		0.0 hours
Research		.0 hours
Research		.0 hours
Research		.0 hours
Research		.0 hours

Submitted by: Mike Wilcher
Lead Planner / Project Manager

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Sep-11

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	75%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	0%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting with neighborhood groups to discuss non-conforming issues
Date - to be determined
No information received on proposed meeting date

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
	Research Meeting - Emily & Mike W. - progress update 9/12/11	0.5 hours
	Research Meeting - Emily & Mike W. - progress update 9/26/11	0.5 hours
	Research	.0 hours
	Research	.0 hours
	Research	.0 hours
	Research Neighborhood Task Force Meeting - non-conforming lots	.0 hours
	Research	.0 hours

Submitted by: Mike Wilcher
Lead Planner / Project Manager

10/4/2011

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Aug-11

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	75%
Neighborhood informational meeting	25%
LD&T Committee Review	25%
Draft staff report and prep materials for PC	0%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes:

Meeting with neighborhood groups to discuss non-conforming issues
(Proposed date to be determined)

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research Meeting - Emily & Mike W. - progress update	8/5/11	0.5 hours
Research Meeting - Emily & Mike W. - progress update	8/19/11	0.5 hours
Research Prepare for site visit - review of site data	8/3/11	2.0 hours
Research Site visit to neighborhood - determiné unknown uses	8/5/11	4.0 hours
Research Summarize visit - identify non-conforming properties	8/8/11	2.0 hours
Research Organize meeting - neighborhood task force & long range planning		0.5 hours
Research Neighborhood Study recommendations on non-conforming uses		2.0 hours

Submitted by: Mike Wilcher
Lead Planner / Project Manager

9/6/2011

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Jul-11

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	50%
Neighborhood informational meeting	0%
LD&T Committee Review	0%
Draft staff report and prep materials for PC	0%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes: The proposed target dates require adjustments due to project delay.
Initial project information not available until last week of the month.
Research indicates significant number of non-conforming lots in area.

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Research	Review of Neighborhood Plan	1.0 hours
Research	Analysis of existing zoning & uses	2.0 hours
Research	Meeting - Emily & Mike W.	0.5 hours
Research	Review lot size in each proposed zoning district for conformance	3.0 hours
Research	Contact Neighborhood Plan Task Force members	1.0 hours
Research	Proposed neighborhood meeting date - to be determined	0.5 hours

Submitted by: Mike Wilcher
Lead Planner / Project Manager

8/5/2011

Planning Design Services
2011 Work Program
Monthly Report

Report Month: Jun-11

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:	Status (%)
Research - Review of NP, full analysis of existing zoning & uses	25%
Neighborhood informational meeting	0%
LD&T Committee Review	0%
Draft staff report and prep materials for PC	0%
Public hearing - present findings & gather public input	0%
Transmit recommendations to MC	0%

Notes: The proposed target dates require adjustments due to project delay.
Initial project information available last week of the month.

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
Introduction Meeting with Mike King, Emily & Mike W		1.0 hours
Application Provided to customer service		0.5 hours
Area Maps Zoning & Aerial Maps completed - Mike King		2.0 hours
Owner Data Parcel owner info completed - Mike King		4.0 hours
Research Review Neighborhood Plan Data		1.0 hours

Submitted by: Mike Wilcher
Lead Planner / Project Manager

7/29/2011

**Planning Design Services
2011 Work Program
Monthly Report**

Report Month: May-11

Action Item #: 27

Description: Case 16074 Original Highlands area-wide zoning change

Current Project Status

Current Action Step:

Research - Review of NP, full analysis of existing zoning & uses

Status (%)

0%

5/25/2011 Intro Meeting with Neighborhood Planning Team

Notes: The proposed target dates require adjustments due to project delay.

Resource Allocation

Name / Item	Task / Activity	Hours / Cost
	Introduction Meeting with Ken Baker, Chris French, Emily Lui, Mike Wilcher	1.0 hours

Submitted by: Mike Wilcher

Lead Planner / Project Manager

7/29/2011

PARCELID	LOT SIZE ACRES	ADDRESS	Existing condition
021K01020000	0.14	839 BARRET AVE	Vacant
021K01010000	0.10	845 BARRET AVE	Office
021K00080000	0.13	901 BARRET AVE	Multi-Family Residence/Retail on 1st Floor
021K00070000	0.11	903 BARRET AVE	Multi-Family
021K00050000	0.11	907 BARRET AVE	SF
021K00040000	0.10	909 BARRET AVE	Commercial - Training
021K00030000	0.11	911 BARRET AVE	Office
021K00020000	0.13	913 BARRET AVE	SF
021K00010000	0.09	915 BARRET AVE	4-F
027A01010000	0.27	921 BARRET AVE	Commercial - Vacant 919-Office
027A01000000	0.11	925 BARRET AVE	Office
027A00990000	0.12	927 BARRET AVE	SF
027A00240000	0.11	<u>945</u> BARRET AVE	SF
027A00230000	0.10	<u>947</u> BARRET AVE	SF
027A00220000	0.10	<u>949</u> BARRET AVE	SF
022E01090000	0.09	950 BARRET AVE	Commercial-Garage/Auto Repair
027A00210000	0.13	<u>951</u> BARRET AVE	SF
027A00200000	0.17	<u>953</u> BARRET AVE	SF
027A00190000	0.11	<u>955</u> BARRET AVE	SF
022E01100000	0.13	956 BARRET AVE	SF
027A00180000	0.11	<u>957</u> BARRET AVE	SF
022E01110000	0.07	958 BARRET AVE	SF
022E01120000	0.07	960 BARRET AVE	Commercial-Vacant
022E01130000	0.26	962 BARRET AVE	?
022E01150000	0.07	966 BARRET AVE	Commercial-Vacant
022E01160000	0.07	968 BARRET AVE	Commercial-Sells Med Supply
022E01190000	0.08	970 BARRET AVE	Commercial-Up N Smoke
022E01470000	0.07	972 BARRET AVE	Commercial-Tattoos
022E01170000	0.39	974 BARRET AVE	3-F Residential
022E01210000	0.12	976 BARRET AVE	Commercial-EC Edible Creations
022E01220000	0.07	978 BARRET AVE	Commercial-The Herb
022E01230000	0.07	980 BARRET AVE	Commercial-Restaurant
022E01260000	0.26	982 BARRET AVE	Commercial-Restaurant
021K00060000	0.10	BARRET AVE	
022E01510000	0.08	1228 HIGHLAND AVE	Residential/Office Mixed Use

Total

4.35

C-R Data

OWNER LAST NAME	OWNER FIRST NAME	OWNER ADDRESS	OWNER CITY
COUNCIL	ON PREVENTION & EDUCAT	845 BARRET AVE	LOUISVILLE
COUNCIL	ON PREVENTION & EDUCAT	845 BARRET AVE	LOUISVILLE
SJH	REALTY LLC	214 LINDEN LN	LOUISVILLE
ME	FIRST PROPERTIES LLC	112 E OAK ST APT 5	LOUISVILLE
MCKINNEY	MICHAEL A	2116 LAKESIDE DR	LOUISVILLE
MCKINNEY	MICHAEL A	PO BOX 5162	LOUISVILLE
MCKINNEY	MICHAEL A	2116 LAKESIDE DR	LOUISVILLE
ASHCRAFT	LIVING TRUST	2323 EMBASSY LN	LOUISVILLE
MCCLELLAND	MARTIN N	208 MOCKINGBIRD GARDENS	LOUISVILLE
KUHL	PAUL & ANN M & KUHL PE	7302 GRADE LN	LOUISVILLE
EVELYN	L BRADLEY LIVING TRUST	1901 DALEVIEW LN	LOUISVILLE
BELAK	DENISE & MARK	927 BARRET AVE	LOUISVILLE
FARMER	MATTHEW	945 BARRET AVE	LOUISVILLE
JOHNSON	ROBERT	947 BARRET AVE	LOUISVILLE
LUNAS	LLC	1820 ALFRESCO PL	LOUISVILLE
PROUD	JANICE M & WOODROW W M	PO BOX 52	PROSPECT
LUNAS	LLC	1820 ALFRESCO PL	LOUISVILLE
RANDOLPH	DAVID I JR	953 BARRET AVE	LOUISVILLE
KENTUCKY	SHELTERS PLC	1243 KESWICK BLVD	LOUISVILLE
MCROY	BEVERLY J	956 BARRET AVE	LOUISVILLE
WHOBREY	KENNETH PAUL	1952 MELLWOOD AVE	LOUISVILLE
HERNANDEZ	PORFIRIO	6814 CREEDMOOR CT	LOUISVILLE
R	& T LLC	3010 REXFORD WAY	LOUISVILLE
TASMAN	& ROSENSTEIN FAMILY IN	PO BOX 4342	LOUISVILLE
TASMAN	& ROSENSTEIN FAMILY IN	PO BOX 4342	LOUISVILLE
TASMAN	& ROSENSTEIN FAMILY IN	PO BOX 4342	LOUISVILLE
TASMAN	& ROSENSTEIN FAMILY IN	PO BOX 4342	LOUISVILLE
TASMAN	& ROSENSTEIN FAMILY IN	PO BOX 4342	LOUISVILLE
TASMAN	& ROSENSTEIN FAMILY IN	PO BOX 4342	LOUISVILLE
R	& T REALTY LLC	PO BOX 4342	LOUISVILLE
A	E R REAL ESTATE INV IN	PO BOX 4342	LOUISVILLE
R	& T REALTY INC	PO BOX 4342	LOUISVILLE
TASMAN	& ROSENSTEIN FAMILY IN	PO BOX 4342	LOUISVILLE
ME	FIRST PROPERTIES LLC	112 E OAK ST APT 5	LOUISVILLE
MILLS	WOODROW W & ALTA T	PO BOX 52	PROSPECT

C-R Data

OWNER STATE	OWNER ZIP	PROPERTY CLASS	ZONING	PROP #	PROP_STREE	PROP_S
KY	40204-1743	E	C-2	839	BARRET	AVE
KY	40204-1743	E	C-2	845	BARRET	AVE
KY	40206-2318	C	C-2	901	BARRET	AVE
KY	40203-2745	C	C-2	903	BARRET	AVE
KY	40205-2544	R	C-2	907	BARRET	AVE
KY	40255-0162	C	C-2	909	BARRET	AVE
KY	40205-2544	C	C-2	911	BARRET	AVE
KY	40216-2963	R	C-2	913	BARRET	AVE
KY	40207-5711	C	C-2	915	BARRET	AVE
KY	40219-3404	I	C-2	921	BARRET	AVE
KY	40207-1764	C	C-2	925	BARRET	AVE
KY	40204-2062	R	C-2	927	BARRET	AVE
KY	40204-2061	R	R-7	945	BARRET	AVE
KY	40204-2061	R	R-7	947	BARRET	AVE
KY	40205-1808	R	R-7	949	BARRET	AVE
KY	40059-0052	C	C-2	950	BARRET	AVE
KY	40205-1808	R	R-7	951	BARRET	AVE
KY	40204-2061	R	R-7	953	BARRET	AVE
KY	40217-2257	R	R-7	955	BARRET	AVE
KY	40204-2063	R	R-6 / C-2	956	BARRET	AVE
KY	40206-1035	R	R-7	957	BARRET	AVE
KY	40228-2343	R	C-2	958	BARRET	AVE
KY	40205-2718	R	C-2	960	BARRET	AVE
KY	40204-0342	C	R-6 / C-2	962	BARRET	AVE
KY	40204-0342	C	C-2	966	BARRET	AVE
KY	40204-0342	C	C-2	968	BARRET	AVE
KY	40204-0342	C	C-2	970	BARRET	AVE
KY	40204-0342	C	C-2	972	BARRET	AVE
KY	40204-0342	C	R-6 / C-2	974	BARRET	AVE
KY	40204-0342	C	R-6 / C-2	976	BARRET	AVE
KY	40204-0342	C	C-2	978	BARRET	AVE
KY	40204-0342	C	C-2	980	BARRET	AVE
KY	40204-0342	C	R-6 / C-2	982	BARRET	AVE
KY	40203-2745	C	R-6 / C-2		BARRET	AVE
KY	40059-0052	C	C-2	1228	HIGHLAND	AVE

PARCELID	LOT SIZE ACRES	PROP ADDRESS	Existing Conditions
027B00960000	0.08	969 BARRET AVE	Office-Roof Company
027B00950000	0.09	971 BARRET AVE	SF
027B00940000	0.08	973 BARRET AVE	SF
027B00930000	0.09	977 BARRET AVE	2-F
027C00580000	0.16	1033 BARRET AVE	
027C00570000	0.11	1035 BARRET AVE	
027C00560000	0.11	1037 BARRET AVE	
027C00550000	0.18	1041 BARRET AVE	
027C00540000	0.11	1043 BARRET AVE	
027C00530000	0.11	1045 BARRET AVE	
027C00520000	0.11	1047 BARRET AVE	
027C00510000	0.11	1049 BARRET AVE	
027C00500000	0.11	1051 BARRET AVE	
027C00490000	0.20	1055 BARRET AVE	
027C01410000	0.19	1057 BARRET AVE	
027A00420000	0.03	942 EDWARD ST	Single Family Residence
027A00430000	0.03	944 EDWARD ST	Single Family Residence
027A00440000	0.08	948 EDWARD ST	Single Family Residence
027A00710000	0.07	949 EDWARD ST	Single Family Residence
027A00450000	0.08	950 EDWARD ST	Single Family Residence
027A00700000	0.07	951 EDWARD AVE	Single Family Residence
027A00460000	0.07	952 EDWARD AVE	2-units Multi Family Residence
027A00690000	0.07	953 EDWARD ST	Single Family Residence
027B01130000	0.05	972 EDWARD ST	Single Family Residence
027B01290000	0.08	973 EDWARD ST	Single Family Residence
027B01140000	0.07	974 EDWARD ST	2-units Multi Family Residence
027B01280000	0.08	975 EDWARD ST	Single Family Residence
027B01150000	0.05	976 EDWARD ST	Single Family Residence
027B01270000	0.08	977 EDWARD ST	Single Family Residence
027B01160000	0.08	978 EDWARD ST	Single Family Residence
027B00920000	0.20	980 EDWARD ST	Church
027C01000000	0.05	1033 EDWARD ST	Single Family Residence
027C00810000	0.07	1034 EDWARD ST	Single Family Residence
027C00990000	0.05	1035 EDWARD ST	Single Family Residence
027C00800000	0.07	1036 EDWARD ST	2-units Multi Family Residence
027C00980000	0.04	1037 EDWARD ST	Single Family Residence
027C00680000	0.02	1038 EDWARD ST	Duplex (attached with 1940)
027C00830000	0.05	1039 EDWARD AVE	Duplex
027C01420000	0.09	1040 EDWARD ST	Duplex (attached with 1938)
027B00160000	0.08	1300 HEPBURN AVE	Bar Tending School
027B00780000	0.08	1301 HEPBURN AVE	SF
027B00170000	0.08	1302 HEPBURN AVE	SF
027B00790000	0.10	1303 HEPBURN AVE	SF
027B00800000	0.10	1305 HEPBURN AVE	SF
027B00180000	0.15	1306 HEPBURN AVE	SF
027B00810000	0.10	1307 HEPBURN AVE	2-F

R-5B Data

027B00190000	0.14	1308 HEPBURN AVE	SF
027B00820000	0.09	1309 HEPBURN AVE	SF
027B00200000	0.21	1312 HEPBURN AVE	SF
027B00830000	0.13	1313 HEPBURN AVE	2-F
027B00840000	0.13	1315 HEPBURN AVE	SF
027B00210000	0.13	1316 HEPBURN AVE	SF
027B00850000	0.14	1317 HEPBURN AVE	SF
027B00860000	0.13	1319 HEPBURN AVE	SF
027B00220000	0.13	1320 HEPBURN AVE	2-F
027B00870000	0.16	1321 HEPBURN AVE	SF
027B00230000	0.16	1322 HEPBURN AVE	3-F
027B00240000	0.11	1324 HEPBURN AVE	SF
027B00880000	0.13	1325 HEPBURN AVE	3-F
027B00250000	0.11	1326 HEPBURN AVE	3-F
027B00890000	0.14	1327 HEPBURN AVE	4-F
027B00260000	0.12	1328 HEPBURN AVE	SF
027B00900000	0.14	1329 HEPBURN AVE	SF
027B00910000	0.20	1331 HEPBURN AVE	Church
027B00270000	0.12	1332 HEPBURN AVE	3-F
027B00280000	0.13	1334 HEPBURN AVE	SF
027B00290000	0.13	1336 HEPBURN AVE	4-F
027B00480000	0.12	1400 HEPBURN AVE	4-F
027B01170000	0.22	1401 HEPBURN AVE	6-F
027B00490000	0.11	1402 HEPBURN AVE	SF
027B01180000	0.18	1403 HEPBURN AVE	SF
027B00500000	0.12	1404 HEPBURN AVE	SF
027B00510000	0.12	1406 HEPBURN AVE	SF
027B00520000	0.12	1408 HEPBURN AVE	SF
027B01190000	0.20	1409 HEPBURN AVE	SF
027B00530000	0.16	1412 HEPBURN AVE	SF
027B01200000	0.20	1413 HEPBURN AVE	SF
027B01210000	0.20	1417 HEPBURN AVE	2-F
027B00540000	0.27	1418 HEPBURN AVE	SF
027B00550000	0.19	1420 HEPBURN AVE	SF
027B01220000	0.20	1421 HEPBURN AVE	SF
027B00560000	0.13	1422 HEPBURN AVE	2-F 1422 & 1424
027B01230000	0.19	1425 HEPBURN AVE	SF
027B00570000	0.14	1428 HEPBURN AVE	6-F
027B01240000	0.20	1429 HEPBURN AVE	8-F *exlude?
027B00580000	0.11	1430 HEPBURN AVE	SF
027B00590000	0.16	1432 HEPBURN AVE	SF
027B00600000	0.19	1436 HEPBURN AVE	4-F
027B01260000	0.20	1437 HEPBURN AVE	2-F
027B01670000	0.08	1500 HEPBURN AVE	SF
027B01440000	0.22	1501 HEPBURN AVE	SF
027B01680000	0.09	1504 HEPBURN AVE	SF
027B01660000	0.10	1506 HEPBURN AVE	SF

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027B01450000	0.13	1507 HEPBURN AVE	2-F
027B01460000	0.20	1509 HEPBURN AVE	3-F
027B01470000	0.19	1513 HEPBURN AVE	3-F
027B00760000	0.15	1514 HEPBURN AVE	3-F
027B02010000	0.35	1516 HEPBURN AVE	Office & Residential
027B02050000	0.11	1517 HEPBURN AVE	SF
027B01490000	0.11	1523 HEPBURN AVE	SF
027B02020000	0.01	HEPBURN AVE	
027B00970000	0.09	1300 HIGHLAND AVE	Single Family Residence
027A00010000	0.06	1301 HIGHLAND AVE	Single Family Residence
027B00980000	0.09	1302 HIGHLAND AVE	Single Family Residence
027A00020000	0.07	1303 HIGHLAND AVE	Single Family Residence
027B00990000	0.09	1304 HIGHLAND AVE	Single Family Residence
027A00030000	0.09	1305 HIGHLAND AVE	Single Family Residence
027B01000000	0.09	1306 HIGHLAND AVE	Single Family Residence
027A00040000	0.09	1307 HIGHLAND AVE	Single Family Residence
027B01010000	0.09	1308 HIGHLAND AVE	Single Family Residence
027A00050000	0.09	1309 HIGHLAND AVE	3-units Multi Family Residence
027B01020000	0.15	1310 HIGHLAND AVE	Single Family Residence
027A00060000	0.09	1311 HIGHLAND AVE	Single Family Residence
027B01030000	0.15	1312 HIGHLAND AVE	Single Family Residence
027A00070000	0.10	1313 HIGHLAND AVE	3-units Multi Family Residence
027B01040000	0.20	1314 HIGHLAND AVE	3-units Multi Family Residence
027A00170000	0.10	1315 HIGHLAND AVE REAR	Single Family Residence
027A00080000	0.09	1315 HIGHLAND AVE	Single Family Residence
027A00090000	0.09	1317 HIGHLAND AVE	Single Family Residence
027B01050000	0.17	1318 HIGHLAND AVE	2-units Multi Family Residence
027A00100000	0.18	1319 HIGHLAND AVE	3-units Multi Family Residence
027B01060000	0.17	1320 HIGHLAND AVE	2-units Multi Family Residence
027A00110000	0.20	1321 HIGHLAND AVE	Single Family Residence
027B01070000	0.17	1322 HIGHLAND AVE	Single Family Residence
027B01080000	0.17	1324 HIGHLAND AVE	Single Family Residence
027A00120000	0.18	1325 HIGHLAND AVE	Single Family Residence
027A00130000	0.08	1327 HIGHLAND AVE	3-units Multi Family Residence
027B01090000	0.07	1328 HIGHLAND AVE	Single Family Residence
027A00140000	0.09	1329 HIGHLAND AVE	Single Family Residence
027B01100000	0.07	1330 HIGHLAND AVE	Single Family Residence
027A00150000	0.09	1331 HIGHLAND AVE	Single Family Residence
027B01110000	0.07	1332 HIGHLAND AVE	Single Family Residence
027B01120000	0.09	1334 HIGHLAND AVE	Single Family Residence
027A00160000	0.08	1335 HIGHLAND AVE	Single Family Residence
027B01300000	0.09	1400 HIGHLAND AVE	Single Family Residence
027A00470000	0.10	1401 HIGHLAND AVE	2-units Multi Family Residence
027B01310000	0.09	1402 HIGHLAND AVE	Single Family Residence
027A00480000	0.09	1405 HIGHLAND AVE	Single Family Residence
027B01320000	0.08	1406 HIGHLAND AVE	Single Family Residence
027A00490000	0.09	1407 HIGHLAND AVE	Single Family Residence

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027B01330000	0.20	1408 HIGHLAND AVE	Single Family Residence
027A00500000	0.16	1409 HIGHLAND AVE	Single Family Residence
027A00510000	0.15	1411 HIGHLAND AVE	Single Family Residence
027B01340000	0.21	1412 HIGHLAND AVE	5-units Multi Family Residence
027B01350000	0.20	1414 HIGHLAND AVE	4-units Multi Family Residence
027A00520000	0.25	1415 HIGHLAND AVE	2-units Multi Family Residence
027B01360000	0.17	1418 HIGHLAND AVE	2-units Multi Family Residence
027A00530000	0.24	1419 HIGHLAND AVE	Single Family Residence
027B01370000	0.17	1420 HIGHLAND AVE	Single Family Residence
027A00540000	0.15	1421 HIGHLAND AVE	Single Family Residence
027B01380000	0.19	1422 HIGHLAND AVE	Single Family Residence
027A00550000	0.15	1423 HIGHLAND AVE	Single Family Residence
027A02040000	0.13	1425 HIGHLAND AVE	Single Family Residence
027B01390000	0.15	1426 HIGHLAND AVE	Single Family Residence
027A00560000	0.12	1427 HIGHLAND AVE	Single Family Residence
027B01400000	0.15	1428 HIGHLAND AVE	Single Family Residence
027B02030000	0.07	1430 HIGHLAND AVE	Single Family Residence
027A00570000	0.25	1431 HIGHLAND AVE	Single Family Residence
027B01410000	0.28	1432 HIGHLAND AVE	Church
027A00580000	0.22	1433 HIGHLAND AVE	Single Family Residence
027A00590000	0.20	1437 HIGHLAND AVE	Single Family Residence
027A00600000	0.19	1441 HIGHLAND AVE	Single Family Residence
027B01560000	0.12	1500 HIGHLAND AVE	Single Family Residence
027A00610000	0.30	1501 HIGHLAND AVE	9-units Multi Family Residence
027A01820000	0.07	1501 R HIGHLAND AVE	Single Family Residence
027B01570000	0.13	1502 HIGHLAND AVE	2-units Multi Family Residence
027A01810000	0.10	1505 R HIGHLAND AVE	Single Family Residence
027A00620000	0.11	1505 HIGHLAND AVE	Single Family Residence
027B01580000	0.25	1506 HIGHLAND AVE	Single Family Residence
027A00630000	0.10	1507 HIGHLAND AVE	Single Family Residence
027B01590000	0.23	1508 HIGHLAND AVE	2-units Multi Family Residence
027A00640000	0.10	1509 HIGHLAND AVE	Single Family Residence
027B01600000	0.14	1510 HIGHLAND AVE	Single Family Residence
027A00650000	0.16	1511 HIGHLAND AVE	Single Family Residence
027B01610000	0.12	1512 HIGHLAND AVE	Single Family Residence
027A00660000	0.25	1515 HIGHLAND AVE	Single Family Residence
027B01620000	0.17	1516 HIGHLAND AVE	Single Family Residence
027B01630000	0.16	1518 HIGHLAND AVE	Single Family Residence
027A00670000	0.26	1519 HIGHLAND AVE	3-units Multi Family Residence
027B01640000	0.15	1520 HIGHLAND AVE	Single Family Residence
027A00680000	0.18	1523 HIGHLAND AVE	Single Family Residence
027A00250000	0.04	1300 MORTON AVE	Single Family Residence
027A00260000	0.04	1302 MORTON AVE	Single Family Residence
027A00270000	0.05	1304 MORTON AVE	Single Family Residence
027A00280000	0.05	1306 MORTON AVE	Single Family Residence
027A00290000	0.04	1308 MORTON AVE	Single Family Residence
027A00300000	0.05	1310 MORTON AVE	2-units Multi Family Residence

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027A00310000	0.05	1312 MORTON AVE	2-units Multi Family Residence
027A00320000	0.06	1314 MORTON AVE	Single Family Residence
027A00330000	0.13	1316 MORTON AVE	Single Family Residence
027A00340000	0.14	1318 MORTON AVE	Single Family Residence
027A00350000	0.13	1320 MORTON AVE	Single Family Residence
027A00360000	0.16	1322 MORTON AVE	Single Family Residence
027A00370000	0.16	1326 MORTON AVE	2-units Multi Family Residence (Duplex)
027A00380000	0.14	1328 MORTON AVE	2-units Multi Family Residence
027A00390000	0.18	1332 MORTON AVE	Single Family Residence
027A00400000	0.18	1336 MORTON AVE	Single Family Residence
027A00410000	0.10	1338 MORTON AVE	2-units Multi Family Residence
027B01420000	0.07	976 RUBEL AVE	Single Family Residence
027B01430000	0.07	978 RUBEL AVE	Single Family Residence
027B00740000	0.11	1021 RUBEL AVE	SF
027B00640000	0.10	1025 RUBEL AVE	Fire Station
027C01160000	0.07	1039 RUBEL AVE	SF
027B00610000	0.13	RUBEL AVE	
027C00020000	0.09	1304 RUFER AVE	SF
027C00030000	0.20	1308 RUFER AVE	SF
027C00040000	0.09	1310 RUFER AVE	SF
027C00050000	0.08	1312 RUFER AVE	SF
027C00060000	0.07	1314 RUFER AVE	SF
027C00070000	0.10	1316 RUFER AVE	SF Residential/Commercial
027C00590000	0.11	1317 RUFER AVE	SF
027C00080000	0.10	1318 RUFER AVE	SF
027C00600000	0.11	1319 RUFER AVE	SF
027C00090000	0.10	1320 RUFER AVE	SF
027C00610000	0.11	1321 RUFER AVE	2-F
027C00100000	0.10	1322 RUFER AVE	SF
027C00620000	0.11	1323 RUFER AVE	SF
027C00110000	0.10	1324 RUFER AVE	SF
027C00630000	0.11	1325 RUFER AVE	SF
027C00640000	0.11	1327 RUFER AVE	SF
027C00120000	0.10	1328 RUFER AVE	SF
027C00650000	0.11	1329 RUFER AVE	Sf
027C00130000	0.10	1330 RUFER AVE	SF
027C00660000	0.11	1331 RUFER AVE	SF
027C00140000	0.20	1332 RUFER AVE	SF
027C00670000	0.10	1333 RUFER AVE	SF
027C00150000	0.10	1336 RUFER AVE	SF
027C00160000	0.10	1338 RUFER AVE	SF
027C00170000	0.10	1340 RUFER AVE	SF
027C00180000	0.10	1400 RUFER AVE	SF
027C00840000	0.28	1403 RUFER AVE	Vacant 1405 Rufer=Sf
027C00190000	0.12	1404 RUFER AVE	SF
027C01530000	0.06	1406 RUFER AVE	2-F Duplex
027C00200000	0.05	1408 RUFER AVE	2-F (with 1406)

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027C00850000	0.11	1409 RUFER AVE	SF
027C00210000	0.11	1410 RUFER AVE	SF
027C00860000	0.11	1411 RUFER AVE	Sf
027C00220000	0.18	1412 RUFER AVE	4-F 1412=2-F 1414=2-F
027C00870000	0.12	1413 RUFER AVE	SF
027C00880000	0.09	1415 RUFER AVE	SF
027C00230000	0.08	1416 RUFER AVE	SF
027C00890000	0.09	1417 RUFER AVE	2-F (Attached to 1419 Rufer)
027C00240000	0.08	1418 RUFER AVE	SF
027C00900000	0.09	1419 RUFER AVE	2-F (Attached to 1417 Rufer)
027C00250000	0.08	1420 RUFER AVE	SF
027C00910000	0.11	1421 RUFER AVE	SF
027C00260000	0.09	1422 RUFER AVE	Sf
027C00920000	0.16	1423 RUFER AVE	2-F (Attached to 1425 Rufer)
027C00270000	0.09	1424 RUFER AVE	2-F
027C00280000	0.09	1426 RUFER AVE	4-F
027C00930000	0.16	1427 RUFER AVE	2-F (Attached to 1429 Rufer)
027C00290000	0.10	1428 RUFER AVE	2-F
027C00300000	0.10	1430 RUFER AVE	SF
027C00940000	0.08	1431 RUFER AVE	SF
027C00310000	0.10	1432 RUFER AVE	SF
027C00950000	0.08	1433 RUFER AVE	SF
027C00960000	0.13	1435 RUFER AVE	SF
027C00320000	0.10	1436 RUFER AVE	SF
027C00970000	0.14	1437 RUFER AVE	Sf
027C00330000	0.12	1438 RUFER AVE	SF
027C00340000	0.13	1440 RUFER AVE	SF
027C00350000	0.11	1442 RUFER AVE	SF
027C00360000	0.14	1500 RUFER AVE	SF
027C01440000	0.06	1501 RUFER AVE	SF
027C00370000	0.09	1502 RUFER AVE	SF
027C01170000	0.08	1503 RUFER AVE	SF
027C01180000	0.09	1505 RUFER AVE	SF
027C00380000	0.20	1506 RUFER AVE	4-F 1504=2-F 1506=2-F
027C01190000	0.11	1507 RUFER AVE	SF
027C01200000	0.10	1509 RUFER AVE	SF
027C00390000	0.12	1510 RUFER AVE	SF
027C01210000	0.11	1511 RUFER AVE	SF
027C00400000	0.12	1512 RUFER AVE	SF
027C01220000	0.16	1513 RUFER AVE	2-F
027C00410000	0.09	1514 RUFER AVE	SF
027C00420000	0.09	1516 RUFER AVE	SF
027C01230000	0.16	1517 RUFER AVE	SF
027C00430000	0.17	1518 RUFER AVE	SF
027C01240000	0.15	1519 RUFER AVE	SF
027C01450000	0.19	1310 WINTER AVE	Commercial/Restaurant (needs to be excluded)
027C00690000	0.06	1312 WINTER AVE	SF

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027C00700000	0.06	1314 WINTER AVE	SF
027B00050000	0.13	1315 WINTER AVE	3-F
027C00710000	0.09	1316 WINTER AVE	SF
027B00060000	0.09	1317 WINTER AVE	SF
027C00720000	0.10	1318 WINTER AVE	SF
027B00070000	0.11	1319 WINTER AVE	SF
027C00730000	0.11	1320 WINTER AVE	SF
027C00740000	0.10	1322 WINTER AVE	SF
027B00080000	0.11	1323 WINTER AVE	SF
027C00750000	0.12	1324 WINTER AVE	SF
027B00090000	0.11	1325 WINTER AVE	SF
027C00760000	0.11	1326 WINTER AVE	SF
027B00100000	0.11	1327 WINTER AVE	SF
027C00770000	0.07	1328 WINTER AVE	SF
027B00110000	0.11	1329 WINTER AVE	SF
027C00780000	0.06	1330 WINTER AVE	SF
027B00120000	0.11	1331 WINTER AVE	SF
027C00790000	0.07	1332 WINTER AVE	SF
027B00130000	0.11	1333 WINTER AVE	SF
027B00140000	0.11	1335 WINTER AVE	SF
027C01010000	0.05	1400 WINTER AVE	SF
027B00300000	0.10	1401 WINTER AVE	2-F
027B00310000	0.11	1403 WINTER AVE	SF
027C01020000	0.13	1404 WINTER AVE	SF
027C01030000	0.11	1406 WINTER AVE	SF
027B00320000	0.17	1407 WINTER AVE	SF
027B00330000	0.10	1409 WINTER AVE	SF
027C01040000	0.13	1410 WINTER AVE	SF
027B00340000	0.09	1411 WINTER AVE	SF
027C01050000	0.13	1412 WINTER AVE	SF
027B00350000	0.09	1413 WINTER AVE	SF
027C01060000	0.13	1414 WINTER AVE	SF
027B00360000	0.09	1415 WINTER AVE	SF
027C01070000	0.11	1416 WINTER AVE	SF
027B00370000	0.09	1417 WINTER AVE	SF
027C01080000	0.11	1418 WINTER AVE	SF
027B00380000	0.09	1419 WINTER AVE	SF
027B00390000	0.09	1421 WINTER AVE	SF
027C01090000	0.15	1422 WINTER AVE	SF
027B00400000	0.09	1423 WINTER AVE	2-F
027C01100000	0.09	1424 WINTER AVE	Sf
027B00410000	0.12	1425 WINTER AVE	2-F
027C01110000	0.09	1426 WINTER AVE	SF
027B00420000	0.11	1427 WINTER AVE	SF
027C01120000	0.08	1428 WINTER AVE	2-F (Attached to 1430)
027B00430000	0.12	1429 WINTER AVE	Sf
027C01130000	0.09	1430 WINTER AVE	2-F (Attached to 1428)

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027B00440000	0.12	1431 WINTER AVE	2-F
027C01140000	0.14	1432 WINTER AVE	2-F
027B00450000	0.07	1433 WINTER AVE	2-F (Attached to 1435)
027C01150000	0.19	1434 WINTER AVE	SF
027B00460000	0.06	1435 WINTER AVE	2-F (Attached to 1433)
027B00470000	0.11	1437 WINTER AVE	SF
027C01250000	0.22	1502 WINTER AVE	Institutional (St. Martin's Brotherhood)
027C01260000	0.11	1504 WINTER AVE	2-F
027C01270000	0.11	1506 WINTER AVE	SF
027C01280000	0.11	1508 WINTER AVE	SF
027C01290000	0.12	1512 WINTER AVE	Sf
027C01300000	0.11	1514 WINTER AVE	SF
027C01310000	0.11	1516 WINTER AVE	SF
027C01320000	0.11	1518 WINTER AVE	SF
027C01330000	0.11	1520 WINTER AVE	SF
027B01750000	0.03	1523 R WINTER AVE	SF (Rear Unit on Same Lot)
027B00680000	0.09	1523 WINTER AVE	SF
027B00670000	0.13	1525 WINTER AVE	Cannot be found
027B00650000	0.09	WINTER AVE	
027B00660000	0.33	WINTER AVE	
027B00620000	0.09	WINTER AVE	
027B00630000	0.11	WINTER AVE	
Total	42.26		

PARCELID	LOT SIZE		Existing Conditions
	ACRES	ADDRESS	
021E00650000	0.07	1216 BENTON AVE	
021K01060000	0.06	1309 E BRECKINRIDGE ST	Single Family Residence
021K01070000	0.05	1311 E BRECKINRIDGE ST	Single Family Residence
021K01080000	0.06	1313 E BRECKINRIDGE ST	Single Family Residence
021K00220000	0.06	1314 E BRECKINRIDGE ST	Single Family Residence
021K02160000	0.08	1315 E BRECKINRIDGE ST	Vacant (C-M zoned)
021K01090000	0.04	1315 R E BRECKINRIDGE ST	Vacant (C-M zoned)
021K00230000	0.06	1316 E BRECKINRIDGE ST	Single Family Residence
021K00240000	0.05	1318 E BRECKINRIDGE ST	Single Family Residence
021K00250000	0.06	1320 E BRECKINRIDGE ST	Single Family Residence
021K00260000	0.06	1322 E BRECKINRIDGE ST	Single Family Residence
021K00270000	0.06	1324 E BRECKINRIDGE ST	Single Family Residence
021K00280000	0.06	1326 E BRECKINRIDGE ST	Single Family Residence
021K00290000	0.05	1328 E BRECKINRIDGE ST	Single Family Residence
021K00300000	0.04	1330 E BRECKINRIDGE ST	Single Family Residence
021K00310000	0.05	1332 E BRECKINRIDGE ST	Single Family Residence
021K00320000	0.06	1334 E BRECKINRIDGE ST	Single Family Residence
021K02140000	0.03	1336 E BRECKINRIDGE ST	Single Family Residence
021K00330000	0.03	1338 E BRECKINRIDGE ST	Single Family Residence
021K00540000	0.05	1400 E BRECKINRIDGE ST	Single Family Residence
021K02190000	0.09	1401 E BRECKINRIDGE ST	4-units Multi Family Residence
021K00550000	0.06	1402 E BRECKINRIDGE ST	Single Family Residence
021K02240000	0.09	1403 E BRECKINRIDGE ST	1403 1/2 - 2-Units Multi Family Residence (same property with two different address)
021K00560000	0.11	1404 E BRECKINRIDGE ST	Single Family Residence
021K01340000	0.14	1405 E BRECKINRIDGE ST	Single Family Residence
021K00570000	0.09	1408 E BRECKINRIDGE ST	Single Family Residence
021K01350000	0.11	1409 E BRECKINRIDGE ST	Single Family Residence
021K00580000	0.07	1410 E BRECKINRIDGE ST	2-units Multi Family Residence
021K01360000	0.13	1411 E BRECKINRIDGE ST	Single Family Residence
021K00590000	0.06	1412 E BRECKINRIDGE ST	Single Family Residence
021K02060000	0.12	1413 E BRECKINRIDGE ST	Single Family Residence
021K00600000	0.06	1414 E BRECKINRIDGE ST	Single Family Residence
021K01370000	0.12	1415 E BRECKINRIDGE ST	Single Family Residence
021K00610000	0.06	1416 E BRECKINRIDGE ST	Single Family Residence
021K01380000	0.11	1417 E BRECKINRIDGE ST	Single Family Residence
021K00620000	0.05	1418 E BRECKINRIDGE ST	2-units Multi Family Residence
021K01390000	0.11	1419 E BRECKINRIDGE ST	2-units Multi Family Residence
021K00630000	0.07	1420 E BRECKINRIDGE ST	Single Family Residence
021K01400000	0.19	1421 R E BRECKINRIDGE ST	Single Family Residence
021K00640000	0.08	1424 E BRECKINRIDGE ST	Single Family Residence
021K00650000	0.08	1426 E BRECKINRIDGE ST	Single Family Residence
021K00660000	0.09	1428 E BRECKINRIDGE ST	Single Family Residence
021K00670000	0.06	1432 E BRECKINRIDGE ST	Single Family Residence

UN Data

021K00680000	0.06 1434 E BRECKINRIDGE ST	Single Family Residence
021K00690000	0.06 1436 E BRECKINRIDGE ST	Single Family Residence
021K00700000	0.05 1438 E BRECKINRIDGE ST	3-units Multi Family Residence
021K00860000	0.06 1500 E BRECKINRIDGE ST	4-units Multi Family Residence
021K01640000	0.10 1501 E BRECKINRIDGE ST	Single Family Residence
021K02100000	0.06 1503 E BRECKINRIDGE ST	Duplex: 2-Units Multi Family Residence
021K01650000	0.05 1503 R E BRECKINRIDGE ST	Duplex: 2-Units Multi Family Residence
021K00870000	0.07 1504 E BRECKINRIDGE ST	Single Family Residence
021K01660000	0.11 1505 E BRECKINRIDGE ST	Single Family Residence
021K01670000	0.12 1507 E BRECKINRIDGE ST	Duplex: 2-Units Multi Family Residence
021K00880000	0.10 1508 E BRECKINRIDGE ST	Single Family Residence
021K01680000	0.12 1509 E BRECKINRIDGE ST	Single Family Residence
021K00890000	0.05 1510 E BRECKINRIDGE ST	Single Family Residence
021K01690000	0.12 1511 E BRECKINRIDGE ST	Single Family Residence
021K00900000	0.08 1512 E BRECKINRIDGE ST	Single Family Residence
021K01700000	0.11 1513 E BRECKINRIDGE ST	Single Family Residence
021K00910000	0.06 1514 E BRECKINRIDGE ST	Single Family Residence
021K01710000	0.11 1515 E BRECKINRIDGE ST	Duplex: 2-Units Multi Family Residence
021K00920000	0.06 1516 E BRECKINRIDGE ST	Single Family Residence
021K01720000	0.12 1517 E BRECKINRIDGE ST	Single Family Residence
021K00930000	0.06 1518 E BRECKINRIDGE ST	Single Family Residence
021K01730000	0.12 1519 E BRECKINRIDGE ST	Single Family Residence
021K00940000	0.07 1520 E BRECKINRIDGE ST	Vacant - Parking Lot
021K02150000	0.05 1521 R E BRECKINRIDGE ST	Duplex: 2-Units Multi Family Residence
021K01740000	0.06 1521 E BRECKINRIDGE ST	Duplex: 2-Units Multi Family Residence
021K00950000	0.06 1522 E BRECKINRIDGE ST	Vacant - Parking Lot
021K01750000	0.11 1523 E BRECKINRIDGE ST	Single Family Residence
021K00090000	0.06 1309 CHRISTY AVE	Catering Kitchen
027A01030000	0.07 1314 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
021K00100000	0.07 1315 CHRISTY AVE	Single Family Residence
027A01040000	0.06 1316 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
021K00110000	0.06 1317 CHRISTY AVE	Single Family Residence
027A01050000	0.07 1318 CHRISTY AVE	Single Family Residence
021K00120000	0.06 1319 CHRISTY AVE	Single Family Residence
027A01060000	0.07 1320 CHRISTY AVE	Single Family Residence
021K00130000	0.07 1321 CHRISTY AVE	Single Family Residence
027A01070000	0.09 1322 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
021K00140000	0.06 1323 CHRISTY AVE	Single Family Residence
027A01080000	0.06 1324 CHRISTY AVE	Single Family Residence
021K00150000	0.06 1325 CHRISTY AVE	Single Family Residence
027A01090000	0.06 1326 CHRISTY AVE	Single Family Residence
021K00160000	0.06 1327 CHRISTY AVE	Single Family Residence
027A01100000	0.06 1328 CHRISTY AVE	Single Family Residence
021K00170000	0.07 1329 CHRISTY AVE	Single Family Residence
027A01110000	0.06 1330 CHRISTY AVE	Single Family Residence
021K00180000	0.06 1331 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
027A01120000	0.06 1332 CHRISTY AVE	Single Family Residence

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021K00190000	0.06 1333 CHRISTY AVE	Single Family Residence
027A01130000	0.06 1334 CHRISTY AVE	2-units Multi Family Residence
021K00200000	0.06 1335 CHRISTY AVE	Single Family Residence
021K00210000	0.07 1337 CHRISTY AVE	Single Family Residence
027A01270000	0.05 1400 CHRISTY AVE	Single Family Residence
021K00340000	0.06 1401 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
027A01280000	0.05 1402 CHRISTY AVE	Single Family Residence
021K00350000	0.06 1403 CHRISTY AVE	Single Family Residence
027A01290000	0.05 1404 CHRISTY AVE	Single Family Residence
021K00360000	0.06 1405 CHRISTY AVE	Single Family Residence
027A01300000	0.05 1406 CHRISTY AVE	Single Family Residence
021K00370000	0.06 1407 CHRISTY AVE	Single Family Residence
027A01310000	0.05 1408 CHRISTY AVE	Single Family Residence
021K00380000	0.06 1409 CHRISTY AVE	Single Family Residence
027A01320000	0.05 1410 CHRISTY AVE	Single Family Residence
021K00390000	0.06 1411 CHRISTY AVE	Single Family Residence
027A01330000	0.04 1412 CHRISTY AVE	Single Family Residence
021K00400000	0.06 1413 CHRISTY AVE	Single Family Residence
027A01340000	0.05 1414 CHRISTY AVE	Single Family Residence
021K00410000	0.06 1415 CHRISTY AVE	Single Family Residence
027A01350000	0.05 1416 CHRISTY AVE	Single Family Residence
021K00420000	0.06 1417 CHRISTY AVE	Single Family Residence
027A01360000	0.05 1418 CHRISTY AVE	Single Family Residence
021K00430000	0.06 1419 CHRISTY AVE	Single Family Residence
027A01370000	0.06 1420 CHRISTY AVE	Single Family Residence
021K00440000	0.06 1421 CHRISTY AVE	Single Family Residence
027A01380000	0.07 1422 CHRISTY AVE	Single Family Residence
021K00450000	0.06 1423 CHRISTY AVE	Single Family Residence
027A01390000	0.06 1424 CHRISTY AVE	Single Family Residence
021K00460000	0.06 1425 CHRISTY AVE	Single Family Residence
027A01400000	0.07 1426 CHRISTY AVE	Single Family Residence
021K00470000	0.06 1427 CHRISTY AVE	Single Family Residence
027A01410000	0.07 1428 CHRISTY AVE	Single Family Residence
021K00480000	0.06 1429 CHRISTY AVE	Single Family Residence
027A01420000	0.07 1430 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
021K00490000	0.06 1431 CHRISTY AVE	Single Family Residence
021K00500000	0.06 1433 CHRISTY AVE	Single Family Residence
027A01430000	0.08 1434 CHRISTY AVE	Single Family Residence
021K00510000	0.05 1435 CHRISTY AVE	Single Family Residence
027A01440000	0.07 1436 CHRISTY AVE	Single Family Residence
021K00520000	0.06 1437 CHRISTY AVE	Single Family Residence
027A01450000	0.08 1438 CHRISTY AVE	Single Family Residence
021K00530000	0.10 1439 CHRISTY AVE	Single Family Residence
027A01460000	0.07 1440 CHRISTY AVE	Single Family Residence
027A01980000	0.02 1442 R CHRISTY AVE	Duplex: 2-Units Multi Family Residence
027A01470000	0.04 1442 CHRISTY AVE	Single Family Residence
027A01580000	0.06 1500 CHRISTY AVE	Single Family Residence

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021K00710000	0.06 1501 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
027A01590000	0.06 1502 CHRISTY AVE	Single Family Residence
021K00720000	0.06 1503 CHRISTY AVE	Single Family Residence
027A01600000	0.06 1504 CHRISTY AVE	Single Family Residence
021K00730000	0.06 1505 CHRISTY AVE	Single Family Residence
027A01610000	0.06 1506 CHRISTY AVE	Single Family Residence
021K00740000	0.06 1507 CHRISTY AVE	Single Family Residence
027A01620000	0.07 1508 CHRISTY AVE	Single Family Residence
021K00750000	0.06 1509 CHRISTY AVE	Single Family Residence
027A01630000	0.06 1510 CHRISTY AVE	Single Family Residence
021K00760000	0.05 1511 CHRISTY AVE	Single Family Residence
027A01640000	0.06 1512 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
021K00770000	0.05 1513 CHRISTY AVE	Single Family Residence
027A01650000	0.06 1514 CHRISTY AVE	Single Family Residence
021K00780000	0.05 1515 CHRISTY AVE	Single Family Residence
027A01660000	0.06 1516 CHRISTY AVE	Single Family Residence
021K00790000	0.05 1517 CHRISTY AVE	Single Family Residence
027A01670000	0.06 1518 CHRISTY AVE	Single Family Residence
021K00800000	0.05 1519 CHRISTY AVE	Single Family Residence
027A01680000	0.06 1520 CHRISTY AVE	Single Family Residence
021K00810000	0.05 1521 CHRISTY AVE	Single Family Residence
027A01700000	0.01 1522 R CHRISTY AVE	Duplex: 2-Units Multi Family Residence
027A01690000	0.05 1522 CHRISTY AVE	Duplex: 2-Units Multi Family Residence
021K00820000	0.05 1523 CHRISTY AVE	Single Family Residence
021K00830000	0.05 1525 CHRISTY AVE	Single Family Residence
021K00840000	0.05 1527 CHRISTY AVE	Vacant - Parking Lot
021K01220000	0.06 1312 DEBARR ST	Single Family Residence
021K01230000	0.06 1314 DEBARR ST	Single Family Residence
021K01240000	0.12 1316 DEBARR ST	Single Family Residence
021K01250000	0.07 1320 DEBARR ST	Single Family Residence
021K01260000	0.33 1322 DEBARR ST	Vacant - Parking Lot
021K01310000	0.04 1334 DEBARR ST	Vacant - Parking Lot
021K01320000	0.06 1336 DEBARR ST	Vacant - Parking Lot
021K01460000	0.09 1400 DEBARR ST	Single Family Residence
021E00320000	0.06 1401 DEBARR ST	Single Family Residence
021K01470000	0.06 1402 DEBARR ST	Single Family Residence
021E00330000	0.09 1403 DEBARR ST	Single Family Residence
021K01480000	0.06 1404 DEBARR ST	Single Family Residence
021E00340000	0.07 1405 DEBARR ST	Single Family Residence
021K01490000	0.06 1406 DEBARR ST	Single Family Residence
021E00350000	0.07 1407 DEBARR ST	Single Family Residence
021K01500000	0.06 1408 DEBARR ST	Single Family Residence
021E00360000	0.07 1409 DEBARR ST	Single Family Residence
021K01510000	0.06 1410 DEBARR ST	Single Family Residence
021E00370000	0.07 1411 DEBARR ST	Single Family Residence
021K01520000	0.06 1412 DEBARR ST	Single Family Residence
021E00380000	0.07 1413 DEBARR ST	Single Family Residence

021K01530000	0.06 1414 DEBARR ST	Single Family Residence
021E00390000	0.07 1415 DEBARR ST	Single Family Residence
021K01540000	0.08 1416 DEBARR ST	Duplex: 2-Units Multi Family Residence
021E00400000	0.07 1417 DEBARR ST	Single Family Residence
021E00410000	0.07 1419 DEBARR ST	Single Family Residence
021K01560000	0.08 1420 DEBARR ST	Duplex: Attached with 1422 on the same lot
021E00420000	0.07 1421 DEBARR ST	Single Family Residence
021E00430000	0.07 1423 DEBARR ST	2-units Multi Family Residence
021K01570000	0.06 1424 DEBARR ST	Single Family Residence
021E00440000	0.07 1425 DEBARR ST	Single Family Residence
021K01580000	0.06 1426 DEBARR ST	Single Family Residence
021E00450000	0.07 1427 DEBARR ST	2-units Multi Family Residence
021K01590000	0.06 1428 DEBARR ST	Single Family Residence
021E00460000	0.07 1429 DEBARR ST	Single Family Residence
021K01600000	0.06 1430 DEBARR ST	2-units Multi Family Residence
021E01220000	0.02 815 EDWARD ST	Single Family Residence
021K01330000	0.09 827 EDWARD ST	Single Family Residence
021K02070000	1.23 828 EDWARD ST	Vacant - Parking Lot
021K02080000	0.03 830 EDWARD ST	Vacant - Parking Lot
021K02130000	0.03 902 EDWARD ST	Single Family Residence
027A00840000	0.06 1301 MORTON AVE	3-units Multi Family Residence: Retail/Residential
027A00850000	0.06 1303 MORTON AVE	Single Family Residence
027A00860000	0.07 1305 MORTON AVE	Single Family Residence
027A00870000	0.06 1307 MORTON AVE	2-units Multi Family Residence
027A00880000	0.06 1309 MORTON AVE	2-units Multi Family Residence.
027A00890000	0.06 1313 MORTON AVE	2-units Multi Family Residence
027A00900000	0.07 1315 MORTON AVE	Single Family Residence
027A00910000	0.07 1317 MORTON AVE	2-units Multi Family Residence
027A00920000	0.07 1319 MORTON AVE	Single Family Residence
027A00930000	0.08 1321 MORTON AVE	2-units Multi Family Residence
027A00940000	0.08 1325 MORTON AVE	3-units Multi Family Residence
027A00950000	0.09 1329 MORTON AVE	2-units Multi Family Residence
027A00960000	0.08 1331 MORTON AVE	2-units Multi Family Residence
027A00970000	0.08 1333 MORTON AVE	2-units Multi Family Residence
027A00980000	0.08 1335 MORTON AVE	Single Family Residence
027A01140000	0.11 1401 MORTON AVE	2-units Multi Family Residence
027A01150000	0.09 1405 MORTON AVE	2-units Multi Family Residence
027A01160000	0.10 1407 MORTON AVE	Single Family Residence
027A01170000	0.10 1413 MORTON AVE	Single Family Residence
027A01180000	0.09 1415 MORTON AVE	2-units Multi Family Residence (Duplex)
027A01190000	0.10 1419 MORTON AVE	Single Family Residence
027A01200000	0.09 1421 MORTON AVE	Single Family Residence
027A01210000	0.09 1425 MORTON AVE	2-units Multi Family Residence
027A01220000	0.08 1427 MORTON AVE	3-units Multi Family Residence
027A01230000	0.08 1429 MORTON AVE	2-units Multi Family Residence
027A01240000	0.08 1431 MORTON AVE	2-units Multi Family Residence

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027A01250000	0.08 1435 MORTON AVE	2-units Multi Family Residence
027A01260000	0.08 1437 MORTON AVE	2-units Multi Family Residence
027A01480000	0.06 1501 MORTON AVE	2-units Multi Family Residence
027A01490000	0.07 1503 MORTON AVE	Single Family Residence
027A01500000	0.08 1505 MORTON AVE	2-units Multi Family Residence
027A01510000	0.07 1507 MORTON AVE	2-units Multi Family Residence
027A01520000	0.07 1511 MORTON AVE	5-units Multi Family Residence
027A01530000	0.09 1513 MORTON AVE	Single Family Residence
027A01540000	0.07 1515 MORTON AVE	2-units Multi Family Residence (Duplex)
027A01550000	0.08 1517 MORTON AVE	Single Family Residence
027A01560000	0.06 1519 MORTON AVE	Single Family Residence
027A01570000	0.06 1521 MORTON AVE	2-units Multi Family Residence
021K01850000	0.04 709 RUBEL AVE	Single Family Residence
021K01840000	0.09 715 RUBEL AVE	Single Family Residence
021E00500000	0.06 800 RUBEL AVE	Single Family Residence
021K01830000	0.12 801 RUBEL AVE	2-units Multi Family Residence
021E00490000	0.06 802 RUBEL AVE	Single Family Residence
021E00480000	0.06 804 RUBEL AVE	Single Family Residence
021K01820000	0.10 805 RUBEL AVE	2-units Multi Family Residence
021E00470000	0.07 806 RUBEL AVE	2-units Multi Family Residence
021K01810000	0.12 807 RUBEL AVE	2-units Multi Family Residence
021K01610000	0.06 808 RUBEL AVE	Single Family Residence
021K01620000	0.10 810 RUBEL AVE	2-units Multi Family Residence
021K01790000	0.16 813 RUBEL AVE	Single Family Residence
021K01630000	0.09 814 RUBEL AVE	3-units Multi Family Residence
021K01780000	0.11 815 RUBEL AVE	3-units Multi Family Residence
021K01770000	0.11 817 RUBEL AVE	4-units Multi Family Residence
021K02120000	0.03 907 RUBEL AVE	2-units Multi Family Residence (Duplex)

Total **19.37**

1418 DEBARR ST	Single Family Residence
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**Planning Commission
Staff Report**
May 30, 2013



Case No:	16074
Project Name:	Original Highlands Area-Wide Rezoning
Location:	Neighborhood boundaries consist of East Broadway to the north, Barret Avenue to the west, Rufer Avenue to the south, & Baxter Avenue/Bardstown Road to the east.
Owner(s):	Multiple Owners
Applicant:	Louisville Metro Government
Representative(s):	Councilman Tom Owen
Project Area/Size:	630 Parcels / 65 Acres
Jurisdiction:	Louisville Metro
Council District:	4 – David Tandy / 8 – Tom Owen
Case Manager:	Mike Wilcher

REQUEST

- Rezone 255 parcels / 19.30 acres of the neighborhood north of Morton Avenue to UN
- Rezone 339 parcels / 40.85 acres of the neighborhood south of Morton Avenue to R-5B
- Rezone 35 parcels / 4.35 acres of the neighborhood along the Barret Avenue corridor to C-R
- Rezone 1 parcel / 0.35 acres located at 1516 Hepburn Avenue to OR-1
- Rezone a total of 630 parcels / 65 acres

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The Original Highlands Neighborhood Plan was adopted in November 2006. The neighborhood boundaries consist of Broadway on the north, Rufer Avenue on the south, Barret Avenue on the west, and Baxter Avenue/Bardstown Road on the east. The neighborhood is located approximately 1.5 miles from downtown Louisville and is the beginning of the economically thriving and diverse Bardstown Road commercial corridor.

The Original Highlands neighborhood has evolved from an older somewhat deteriorating neighborhood in the 1970's and 1980's into one of the truly dynamic urban neighborhoods of Louisville. It is both a gateway to Downtown Louisville and the Baxter Avenue/Bardstown Road commercial corridor. The Original Highlands embodies some of the best principles of recent urban planning, including creating places where people can live, work, and play with a variety of options for dining, shopping, and other forms of entertainment.

However, there are many challenges in the Original Highlands Neighborhood as well. Problems ranging from parking shortages, due in part to the success of businesses along Baxter Avenue, to complaints of crime, vandalism, and other activities that create concern among area residents. Some of the infrastructure, particularly in the alleys, is old and in urgent need of repairs. Some common complaints found in older urban neighborhoods such as the Original Highlands range from problems created by stray cats, to excessive littering, and speeding traffic.

The Original Highlands contains a strong neighborhood association that is willing to engage the community and take action. Moreover, district representatives on the Metro Council are supportive, involved in community affairs, and participate in the planning process through the Planning Task Force, public meetings, and community workshops.

RECOMMENDATIONS

The following recommendations are based on the land use/community form component of the neighborhood plan. Recommendations have been based on an extensive public involvement process including public meetings, a design charrette/ neighborhood workshop, and several meetings of the neighborhood task force. They represent the intent of the plan to work towards the vision of the neighborhood and reflect the goals and objectives established for the plan.

Key recommendations focus upon residential rezoning (UN - Urban Neighborhood) single-family residential north of Morton Avenue and (R-5B - Two-Family Residential) south of Morton Avenue. The purpose of the rezoning is to guide the neighborhood to become an area with a greater emphasis on single-family, owner occupied households with enough leeway to allow existing multi-family and future reuse of larger structures as duplexes. This will contribute both to prevent the neighborhood from transforming into a rental/apartment district and allowing it to maintain its current diversity.

Furthermore, it is recommended that a portion of Barret Avenue, north of Winter Avenue, be rezoned to (CR - Commercial-Residential) to effectively prohibit the type of development that exists on Baxter Avenue, while encouraging a boutique/arts type district between Highland Avenue and Lynn's Paradise Café parcel. In addition, the portion of the block from Lynn's Café to the block south of Winter Avenue will remain C-2 commercial zoned and be designated a Traditional Neighborhood Activity Center, as shown in the 2006 Plan.

The plan recommendation for consideration of future development on Baxter reflects the goal of a Traditional Marketplace Corridor under Cornerstone 2020 as a mixed-use corridor without a predominance of any one type of use. Additional bars and restaurants with liquor licenses should especially be discouraged.

The Original Highlands Neighborhood Plan (2006) recommended an area-wide rezoning from zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to zoning districts (R-5B, UN, & CR). However, meetings with Council District Members and Neighborhood Group Representatives in November 2011, and the Planning Committee in March 2012, led to revisions of the Neighborhood Plan, which were modified by the Planning Committee on February 9, 2012. The modifications included rezoning 7 parcels in the 900 block of Barret Avenue from R-7 to R-5B, as opposed to CR as initially recommended in the Neighborhood Plan (2006).

Consequently, requested revisions to the modified proposal were discussed at the Neighborhood Meeting held on August 21, 2012. An owner of a parcel in the 900 block of Barret Avenue attended the meeting and requested the CR Zoning District be reestablished for both his property, as well as the remaining properties in the 900 block of Barret Avenue, as initially recommended in the Neighborhood Plan. Additionally, a majority of the remaining property owners in the 900 block of Barret Avenue submitted a signed petition requesting that their properties be reestablished to the CR Commercial-Residential zoning district in accordance with the initial recommendations of the Original Highlands Neighborhood Plan.

The petition requesting the reestablishment of the CR Zoning for the 900 block of Barret Avenue, as shown in the Neighborhood Plan of (2006), was presented to the Planning Committee on November 8, 2012. The Planning Committee then reversed the previous change, per request of the majority of the property owners in the 900 block of Barret Avenue, and recommended that the aforementioned properties in the 900 Block of Barret Avenue be rezoned to CR Commercial-Residential, as initially recommended in the Neighborhood Plan.

Therefore, the proposed area-wide rezoning, as initially recommended in the neighborhood plan will remain, with the exception of the C-2 zoned parcel at 1309 Christy Avenue, which will remain C-2, as opposed to UN, and the parcel at 1516 Hepburn Avenue that will be rezoned to OR-1, as opposed to R-5B. The initial zoning districts were determined to be inappropriate for these two parcels. Moreover, 11 parcels located in the extreme southwest sector of the neighborhood were incorrectly shown to be rezoned to R-5B; however, it was discovered that these parcels are already zoned R-5B, hence the number of parcels to be rezoned was revised from 643 to 630 properties.

U-N Urban Neighborhood District - the following provisions shall apply in the UN Urban Neighborhood District unless otherwise provided in these regulations. Permitted uses: accessory buildings/uses, agricultural uses, churches, parish halls and temples, colleges, schools, and institutions of learning (except training schools), community residences, convents and monasteries, semi-detached dwellings where each unit is constructed on its own lot, single-family dwellings, family care home (mini-home), home occupations, libraries, museums, historical buildings & grounds, arboretums, aquariums, art galleries, parks, playgrounds, and community centers. Maximum FAR: 0.75 / Maximum Density: one dwelling per lot.

R-5B Residential Two-Family District - the following provisions shall apply in the R-5B Two-Family Residential District unless otherwise provided in these regulations. Permitted uses: the two-family residential district is intended to provide the opportunity for land in the medium density residential land development range to be used for single-family dwellings, two-family dwellings, semi-detached dwellings and carriage houses. Maximum FAR: 0.5 / Maximum Density: two dwellings per lot.

C-R Commercial Residential District - the C-R Commercial Residential District is primarily intended as a specialized district to promote the reuse of structures located in urban areas of Louisville Metro that had been constructed for mixed commercial and residential uses. The structures may be currently under used or vacant, located at street corners, or within blocks containing a significant number of retail business uses. C-R zoning may also be appropriate for new construction where a mixture of business and residential uses are found to conform to the Comprehensive Plan and any neighborhood plan covering the site. Permitted uses include all uses allowed in the R-7 Residential Multi-Family District, as well as special permitted uses including: antique shops and interior decorating shops, artist studios, art galleries, bakeries, retail sales on premises, barber and beauty shops, bed and breakfasts, book stores and stationery stores, candy stores, clothing, dry good, and notions stores, community service facility, grocery stores, where all merchandise is displayed and sold within an enclosed building, computer programming services and software sales, day care centers, day nurseries, nursery schools and kindergartens, dressmaking, drug stores or sundries stores, florist shops, hardware stores, jewelry stores, laundering and dry cleaning, professional or business office, photocopying, word processing and similar office-support activities, photographic shops and studios, picture framing, rental businesses, videocassette products, restaurants and delicatessens, excluding drive-in facilities, entertainment activity and outdoor alcohol sales and consumption, saddle and harness shops, shoe stores and shoe repair shops, tailors, and tanning salons. Maximum FAR: 3.0 / Maximum Density: 34.8 dwellings per acre.

OR-1 Office/Residential District - the following provisions shall apply in the OR-1 Office/Residential District unless otherwise provided in these regulations. Permitted uses: accessory buildings or uses, agricultural uses, bed and breakfasts, churches, parish halls and temples, colleges, schools and institutions of learning (except training schools), community service facility, convents and monasteries that accommodate eight or fewer persons, country clubs, day care centers, day nurseries, nursery schools and kindergartens, doctors offices, including accessory medical laboratories as part of a planned medical complex or medical office building, single-family residences, garage or yard sales, golf courses, except miniature courses, driving ranges or privately owned golf courses operated for commercial purposes, home occupations, libraries, museums, historical buildings and grounds, arboretums, aquariums, art galleries, professional and business offices, parks, playgrounds, community centers, residential care facilities, and temporary buildings. Additional uses in OR-1 District: artist studios, assisted living residence, barbers/cosmetologists/hairdressers/manicurists, boarding and lodging houses, community residences, computer programming services, convents and monasteries, multi-family and two-family dwellings, and care home (mini-home).

Non-conformance – part of the area-wide rezoning project included staff review and identification of properties that would be considered nonconforming once the change in zoning districts is completed, or their permitted uses would change based on their current zoning designations. Staff's review determined that there would be a decrease in the number of non-conforming lots because of the area-wide rezoning. Official rezoning notices were sent directly to each property owner informing them of the change in zoning of their properties and nonconforming status that would result – if applicable.

The following list of C-2 Commercial Zoning District uses is for comparison of permitted commercial uses in the CR Commercial-Residential Zoning District

The following provisions shall apply in the C-2 Commercial District. Permitted uses include all uses allowed in the C-1 Commercial District, as well as the following uses:

ABC licensed establishments holding a license that allows consumption of alcoholic beverages on-premises, auction sales, items transported to site of auction, automobile rental agencies, automobile repair garages, automobile sales agencies, billiard parlors, game rooms and similar entertainment uses, bingo halls and parlors, boat sales and related storage, bookbinding, building materials, storage, and sales provided all operations be totally enclosed in a building. Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid, community service facility, contractor's shop, including but not limited to building, electrical, HVAC, landscape, and plumbing contractors, provided all operations are confined within a building, dance halls, engraving, watch making, and jewelry manufacturing, where products are sold on premises, equipment rental, where all activities are within a building, exposition building or center, flea market, fraternities, sororities, clubs and lodges excluding those where the chief activity of which is a service customarily carried on as a business, furniture, storage, indoor paint ball ranges, monument sales, music and vocal instructions, plumbing, and heating shops, storage and sales provided all operations be totally enclosed in a building, printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings, public transportation passenger terminals, public utility buildings and facilities, refrigerated lockers, restaurants, where food and drink may be served or consumed, where dancing or entertainment is allowed, outside as well as inside a building, including drive-in restaurants where all or part of the service or consumption is inside a vehicle, retail or wholesale stores or businesses not involving any kind of manufacture, processing, or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes rubber stamp manufacturing, where products are sold on premises, sign painting, skating rinks (ice or roller) tattoo, body art, and piercing parlors, telephone exchanges, theaters, enclosed within a building, tourist homes, training school, provided all training activities are located within a building, upholstery and furniture repair shops, used car sales areas, provided that no repair or re-conditioning of automobiles or storage of parts shall be permitted except when enclosed in a building.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code
- Original Highlands Neighborhood Plan (2006)

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning:

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.

INTERESTED PARTY COMMENTS

James Proud addressed the LD&T Committee on March 28, 2013. He expressed concern that the area-wide rezoning from C-2 to CR would devalue three adjoining family owned parcels in which two and one-third of the lots are included in the proposed Barret Avenue Arts District as recommended in the Original Highlands Neighborhood Plan. Mr. Proud requests that these specific properties be excluded from the rezoning to protect the property values.

The LD&T Committee instructed staff to review the request with Councilman Owen and the Neighborhood Association, which occurred on April 1, 2013. A unanimous decision was reached by all involved parties that the rezoning should proceed as approved by the Planning Committee in November 2012.

The following statement was received from the Original Highlands Neighborhood Association on April 1, 2013, recommending that the existing neighborhood area-wide rezoning proposal remain as approved at the last meeting of the Planning Committee on November 8, 2012.

Mike,

This email is in response to Mr. James Proud's request to be granted an exception to the area rezoning on Barret Avenue from C2 to CR. The executive committee of the OHNA Board would like to request that you leave the rezoning as it is proposed and not allow any exceptions.

At this final stage of the process, we feel it would jeopardize the completion of this effort, an effort that has been ongoing for many years.

There also have been numerous notifications and hearings that this rezoning was going to take place. Mr. Proud did not contact anyone until last week and we definitely have passed the deadline for any requests or objections.

There are very few restrictions to the type of businesses that can operate under CR, so we also do not believe the rezoning will devalue his property in any way.

Thank you for your efforts and support throughout this project.

Jackie Leslie, President
Phillip Brown, Vice President
Alison Torpey, Secretary
Chuck Woodall, Treasurer

Furthermore, several additional property owners along Barret Avenue, between Highland Avenue and Lynn's Paradise Café, are opposed to the Original Highland's Neighborhood Plan recommendation to down-zone their properties from C-2 to C-R for the proposed arts/boutique district, and have obtained legal representation to prevent the area-wide rezoning in this area.

STAFF FINDINGS / ANALYSIS FOR AREA-WIDE REZONING

Staff finds that the area-wide rezoning is appropriate for the neighborhood and complies with applicable guidelines and policies of Cornerstone 2020. The proposal is in conformance with the Neighborhood Plan adopted by Louisville Metro Council in 2006.

STAFF FINDINGS

Community Form

The area-wide rezoning is in conformance with **Guideline 1 (Community Form)** of the comprehensive plan considering that the Original Highlands is made up of Traditional Neighborhood and Traditional Marketplace Corridor form districts. Revitalization and reinforcement of these districts focuses upon preservation and renovation of existing buildings, maintenance of the existing grid pattern of streets and alleys, preservation of open space, and enhancing the single and two-family residential character of the neighborhood while focusing commercial and mixed-use development along the Baxter and Barret Avenue corridors.

Centers and Compatibility

The Original Highlands Neighborhood is located 1.5 miles southeast of Downtown Louisville and is a unique area with a mixture of land uses in a highly desirable urban environment. The Traditional Neighborhood and Traditional Marketplace Corridor form districts promote a variety of appropriate uses, including office, commercial, residential, and mixed-uses. The area-wide rezoning is in conformance with **Guidelines 2 (Centers) and 3 (Compatibility)** because public input ensured that there was an expressed interest in preserving and protecting single and two-family residential properties, as well as commercial uses.

Open Space/Natural Areas and Scenic and Historic Resources

The proposal is in conformance with **Guidelines 4 (Open Space) and 5 (Natural Areas and Scenic and Historic Resources)** because it encourages revitalization and reinforcement of resources and it focuses upon preservation and renovation of existing buildings, preservation and maintenance of the existing grid pattern of streets and alleys, and preservation of open spaces.

Economic Growth and Sustainability and Circulation

The proposal is in conformance with **Guidelines 6 (Economic Growth and Sustainability) and 7 (Circulation)** because the area-wide rezoning ensures economic growth and neighborhood preservation, adaptive reuse of institutions, increasing opportunities for open spaces, and providing effective movement of vehicles, bicycles, and pedestrians, which is of primary importance.

Bicycle, Pedestrian and Transit

The proposal is in conformance with **Guideline 9 (Bicycle, Pedestrian and Transit)** because the neighborhood promotes the highest level of pedestrian orientation by ensuring appropriate streetscape design. The mobility component reviews a number of questions relative to the transportation system in the neighborhood, with an emphasis on whether the system balances different types of movement, such as cars, walking, cycling, and public transit to shop, go to school, and work is available. In various meetings of the taskforce, the primary discussion focused on the parking situation, particularly as it relates to businesses along Baxter Avenue and to a lesser extent speeding and traffic issues, alleys, and sidewalks.

Zoning Overview

Zoning	Key Facts	Pros	Cons
R-5B Two-Family (Lots should be 4500sf & 35' wide)	☐ Two-family residential ☐ Density: 2 units per lot ☐ FAR: 0.5	Allows a maximum of 2 units per lot so restricts multi-family but gives owners some flexibility.	Requires more parking and some lots would be substandard.
UN Urban Neighborhood (Lots should be 2500sf & 25' wide)	☐ Single and multi-family residential ☐ Density: 1 dwelling per lot ☐ FAR: 0.75	Allows multi-family but neighborhood has input. Allows smaller lots but infill standards protect from overdevelopment.	Not restrictive enough for desired single-family character. Revised ordinance to allow neighborhood control in planned development process.
CR – Commercial / Residential	☐ Permits mix of commercial and residential ☐ Bans large bars/restaurants	Would support and enhances concept of arts district.	Perceived as to restrictive by some property owners by lowering property values.

STAFF CONCLUSIONS

The Original Highlands Area-Wide Rezoning Planning Commission Public Hearing was held on April 18, 2013. The case was presented to the Planning Commission with testimony given from proponents and opponents alike, as well as a statement from District 8 Councilman Tom Owen. The case was continued to May 30, 2013, due to notification issues associated with the required Courier-Journal newspaper advertisement and to allow adequate preparation for legal counsel recently attained to represent specific property owners opposed to the rezoning that is part of the Original Highlands Neighborhood Plan approved in 2006.

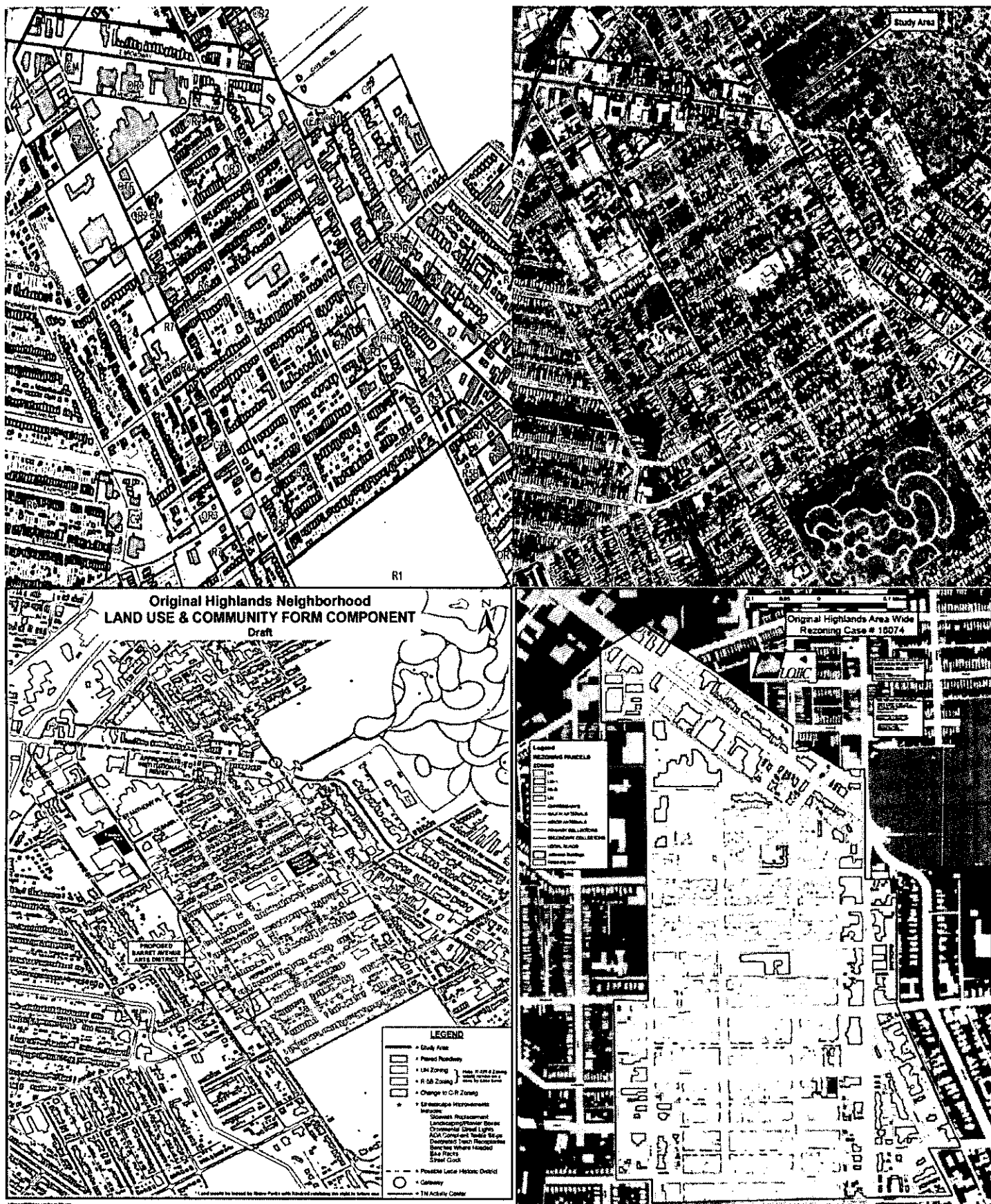
Staff concludes that the proposal is compliant with the applicable zoning district regulations, policies, and guidelines of the Land Development Code and Cornerstone 2020. Furthermore, the area-wide rezoning is in conformance with the Original Highlands Neighborhood Plan that was adopted by Louisville Metro Council in November 2006, as well as the final Planning Committee Meeting held on November 8, 2012.

NOTIFICATION

Date	Purpose of Notice	Recipients
Dual Notices Sent for the March 28 th LD&T Meeting & the April 18 th PC Public Hearing on March 13, 2013	LD&T Meeting - March 28, 2013 PC Public Hearing - April 18, 2013	Original Highlands Area-Wide Rezoning Property Owners & Neighborhood Notification Groups

ATTACHMENTS

Attachments 1, 2, 3, & 4: Existing Zoning & Aerial Maps / Proposed & Revised Rezoning Plans



**Planning Commission Minutes
April 18, 2013**

Public Hearing

CASE NO. 16074

Project Name: Original Highlands Area-Wide Rezoning

Owner: Multiple owners

Applicant: Louisville Metro Government/Planning Commission
444 S. 5th Street, Suite 300
Louisville, KY 40202

Form District: Traditional Neighborhood/Traditional Marketplace Corridor

Jurisdiction: Louisville Metro

Council District: 4—David Tandy and 8—Tom Owen

Staff Case Manager: Mike Wilcher

Notices of this public hearing were sent by first class mail to all property owners whose properties are included in the Original Highlands Area-Wide Rezoning.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Request:

An area-wide rezoning for 630 properties on 65 acres of land in the Original Highlands Neighborhood is requested from the following zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1 & C-2) to one of these zoning districts (R-5B Two-Family Residential, OR-1 Office-Residential, UN Urban-Neighborhood, or CR Commercial-Residential). The Original Highlands Neighborhood Plan Area-Wide Rezoning includes the following zoning changes:

- Rezone area north of Morton Avenue - 255 parcels / 19.30 acres to U-N
- Rezone area south of Morton Avenue - 339 parcels / 40.85 acres to R-5B
- Rezone part of the Barret Avenue Corridor - 35 parcels / 4.35 acres to C-R
- Rezone property at 1516 Hepburn Avenue - 1 parcel / 0.35 acres to OR-1

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14:24:04 Commissioner Blake stated there was a question of notice of the case. He said all testimony will be heard and will be continued to a date certain. Mike Wilcher clarified that it was the legal ad in the Courier Journal that was not placed on time; however, all property owners included in the rezoning were provided a dual LD&T and PC public hearing notice as required.

Agency Testimony:

14:25:25 Mike Wilcher showed a PowerPoint presentation and reviewed the requests as listed in the staff report. He reviewed the neighborhood plan area-wide rezoning recommendation. Mr. Wilcher then reviewed the vision statement and neighborhood identity from the Original Highlands Neighborhood Plan. He then showed existing/proposed land use maps to discuss the proposed rezoning. He reviewed the key goals and objectives of the Original Highland neighborhood plan. He showed the amended area-wide rezoning aerial maps and stated that the properties which are currently R-5B, and those which are proposed to be R-5B have been clarified, and pointed out the parcel on Hepburn Ave which is proposed to be rezoned from OR-3 to OR-1. Mr. Wilcher said there is one small property at 1309 Christie Ave, which will remain C-2 zoned and be excluded from the area-wide rezoning. He pointed out 35 parcels along Barret Ave, and stated that the recent opposition comes from some property owners from the area beginning at Highland Ave and Barret Ave and extending to the property north of Lynn's Paradise Café. He said several property owners stated they didn't receive notice, but public records in the case file have all properties included in the rezoning shown to have been sent all required notification for this case. Mr. Wilcher explained how the rezoning will affect properties. He provided information about the Original Highlands and the key recommendations of the neighborhood plan with regard to rezoning. He reviewed the permitted uses for the proposed zoning districts. He restated the requests, and reviewed non-conformance.

Mr. Wilcher then showed a slide which represented the percentage of parcels to be rezoned to U-N and R-5B. He reviewed required meetings and hearings held. He explained that the date this case could be continued to would be May 30, 2013. He showed a zoning map and clarified that the main area of opposition is resulting in a portion of Barret Ave, and none of the residential portions were included in the area-wide, only commercial properties. He showed an aerial map. He said right after it was announced that the area wide rezoning was moving forward, a rezoning case was submitted for two properties on Breckinridge St., which were later withdrawn once it was determined they were in the Original Highlands district. He said staff recommended that some homes on

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the 900 block of Barret Ave would be better used for R-5B zoning, rather than CR. However, property owners submitted a petition for CR, so the Planning Committee recommendation was changed so that the properties will be CR. He pointed out some errors in the area-wide rezoning map and stated they would be corrected.

The following spoke in favor of this request:

Councilman Tom Owen, Metro Council, 601 W. Jefferson St, Louisville, KY 40202

Jackie Leslie, 1322 Morton Avenue, Louisville, KY 40204

Greg Fleck, 1515 Highland Avenue, Louisville, KY 40204

Summary of testimony of those in favor:

14:50:52 Councilman Tom Owen stated he had been advised by counsel that even though this case will be determined by Metro Council, he can address the general process and intention of the area-wide rezoning. He said he has been supportive through the process and is committed and supportive of the neighborhood association. He said he represents around 53-58% of the Original Highlands district. Councilman Owen said change to an older neighborhood takes place very slowly. He said the neighborhood plan and area-wide rezoning is an effort to implement that change over time. He provided a brief history to the neighborhood and discussed surrounding density and uses. Councilman Owen stated that when you go through an area-wide rezoning, what remains as is through nonconforming rights, which speaks to the incremental rights.

14:55:52 Jackie Leslie, President of the Original Highlands Neighborhood Association, was sworn in. She discussed the time and money spent to work on the neighborhood plan. She said the board has been working with the planning department to finalize the area-wide rezoning. Ms. Leslie emphasized that the major consideration is to not have another bar district in their area. She said there are 40 drinking facilities within 2 miles of their neighborhood.

14:57:58 Greg Fleck said he has seen some major problems with rapid growth along Baxter Avenue. He said people in his neighborhood have spent quite a bit of money to improve their garages to address difficulty with parking. He explained that the traffic on Highland Ave has heavy traffic, so more

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businesses with high density are not needed on Barret Ave. He said he prefers a residential and pedestrian-friendly neighborhood. He asked that the commission support the area-wide rezoning, which is also supported by the neighborhood.

The following spoke in opposition to this request:

Gerald Atherton, 950 Barret Ave, Louisville, KY 40204

Ron Anderson, 1020 Barret Ave, Louisville, KY 40204

Deborah Bilitski, 500 W. Jefferson St, Suite 2800, Louisville, KY 40202

Ronald Tasman, 3010 Rexford Way, Louisville, KY 40205

Gene Rosenstein, 1323 E. Washington St, Louisville, KY 40206

Testimony of those who spoke in opposition:

15:02:16 Commissioner Blake addressed Mr. Wilcher and asked him to be prepared to point out the location of the property owners who are in opposition to the area-wide rezoning. Mr. Wilcher discussed the areas in which those in opposition live.

15:03:47 Gerald Atherton explained his business is on Barret Avenue. He raised concerns about the property being rezoned from C-2 to CR. He stated that the residential neighbors are not affected by his business. He said C-2 businesses bring diversity to the area. He said he doesn't think changing the C-2 status on the 900 block of Barret Ave will take care of the parking problems.

15:08:38 Commissioner Tomes asked Mr. Atherton to point out the location of his business. Mr. Wilcher pointed out the location as the corner of Highland Ave and Barret. Mr. Atherton explained that prior to his business it was used for auto repair. He then asked if he would still be able to operate if the zoning is approved.

15:10:12 Jonathan Baker, legal counsel, explained non-conforming uses and rights.

15:12:30 Mr. Atherton raised concerns about the proposed rezoning and non-conforming rights. Mr. Wilcher pointed out that this person is not the

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property owner and Mr. Atherton explained that he leases the property, but the Proud Family owns the property.

There was further discussion regarding non-conforming uses, expanding the use, and property rights.

15:19:15 Commissioner Proffitt pointed out that in other area-wide rezoning, property owners were allowed to request being excluded from the rezoning.

Ron Anderson was called; he stated he will speak at the May 30, 2013 public hearing.

15:26:19 Deborah Bilitski, attorney representing Ron Tasman and Jay Rosenstein, said her clients own the properties at 960 -982 Barret Ave. She explained because of the issue with the parking, the properties on Brent Street were acquired and off street parking was provided. She said they were not aware of the neighborhood plan during the process or the recommendations of that plan. Ms. Bilitski said had her clients known that process was going forward, they would have spoken in strong opposition of any down-zoning of their properties. She said it is a very severe reduction in change in uses. She said with the C-2, you also get all C-1 uses allowed. She explained that CR zoning is very restrictive. She provided an example of uses that would not be allowed with CR zoning. She said most of the properties would then become non-conforming uses. Ms. Bilitski said her clients are not aware of any complaints about any of the current tenants of the properties. She said non-conforming use is not desirable because it restricts what can be done in terms of expansion. She said this rezoning will significantly reduce their property values and limit their flexibility in putting tenants in the spaces. It is a unique and desirable area, but they don't want to be restricted. She said her clients would prefer to be removed entirely from the rezoning.

15:37:22 Commissioner Proffitt asked to find out what the average turnover rate for their properties. He said evidence also needs to be presented with regard to impacts on property values. He asked that this information be presented at the May 30 public hearing.

15:39:28 Commissioner Blake also asked for some delineation with regard to the properties in which she is representing and a justification for being removed from the rezoning.

Ron Tasman was called but declined to speak.

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15:40:33 Gene Rosenstein pointed out his properties and raised concerns about not receiving information about the neighborhood plan and area-wide rezoning until this hearing was noticed. He also raised concerns about the sewer system.

15:43:25 Mr. Wilcher clarified once again that all property owners included in the area-wide rezoning were notified of the neighborhood meeting held in August 2012, as well as the March 28, 2013, LD&T Meeting, and the Planning Commission Hearing held today. Moreover, the Neighborhood Plan was approved in November 2006, and it has been available since then on Planning & Designs website.

The following spoke neither for nor against the request:

Cliff Ashburner, 500 W. Jefferson Street, Louisville, KY 40202

Catherine Spalding, 325 W. Ormsby Ave, Louisville, KY 40203

Jim Proud, 12405 Ridgemoor Drive, Louisville, KY 40059

Testimony of those who spoke neither for nor against:

15:44:25 Clifford Ashburner, representing Catherine Spalding, was sworn in. He explained that the impact should be considered for individual properties. He presented a handout of materials with regard to Ms. Spalding's property and the potential impact of the area-wide rezoning. He said exempting the property and allowing the interior modification of the home into a duplex is appropriate. He said he would appreciate time with staff to discuss dividing the property into the way the nearby homes have done.

15:50:20 Catherine Spalding was sworn in and spoke about her investment in the property and improvements she has made.

15:51:22 Commissioner Tomes noted that the home is a camel-back, and asked if it was ever a duplex. Ms. Spalding said she was not sure but there was another property in the backyard previously.

15:51:54 Mr. Ashburner stated most of the properties had some sort of rear structures.

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An audio/visual recording of the Planning Commission hearing related to this case is available in the Planning & Design Services offices. Please contact the Customer Service staff to view the recording or to obtain a copy. The recording of this hearing will be found on the CD of the April 18, 2013 public hearing proceedings.

On a motion by Commissioner Proffitt, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** Case 16074 to the May 30, 2013 Planning Commission public hearing.

The vote was as follows:

YES: Commissioners Blake, Hughes, Turner, Proffitt, White, Tomes, and Scheer

NO: No one

NOT PRESENT FOR THIS CASE: Commissioners Jarboe and Kirchdorfer

ABSTAINING: No one.

**Planning Commission
Staff Report**
April 18, 2013



Case No:	16074
Project Name:	Original Highlands Area-Wide Rezoning
Location:	Neighborhood boundaries consist of East Broadway to the north, Barret Avenue to the west, Rufer Avenue to the south, & Baxter Avenue/Bardstown Road to the east.
Owner(s):	Multiple Owners
Applicant:	Louisville Metro Government
Representative(s):	Councilman Tom Owen
Project Area/Size:	630 Parcels / 65 Acres
Jurisdiction:	Louisville Metro
Council District:	4 – David Tandy / 8 – Tom Owen
Case Manager:	Mike Wilcher

REQUEST

- Rezone 255 parcels / 19.30 acres of the neighborhood north of Morton Avenue to UN
- Rezone 339 parcels / 40.85 acres of the neighborhood south of Morton Avenue to R-5B
- Rezone 35 parcels / 4.35 acres of the neighborhood along the Barret Avenue corridor to C-R
- Rezone 1 parcel / 0.35 acres located at 1516 Hepburn Avenue to OR-1
- Rezone a total of 630 parcels / 65 acres

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The Original Highlands Neighborhood Plan was adopted in November 2006. The neighborhood boundaries consist of Broadway on the north, Rufer Avenue on the south, Barret Avenue on the west, and Baxter Avenue/Bardstown Road on the east. The neighborhood is located approximately 1.5 miles from downtown Louisville and is the beginning of the economically thriving and diverse Bardstown Road commercial corridor.

The Original Highlands neighborhood has evolved from an older somewhat deteriorating neighborhood in the 1970's and 1980's into one of the truly dynamic urban neighborhoods of Louisville. It is both a gateway to Downtown Louisville and the Baxter Avenue/Bardstown Road commercial corridor. The Original Highlands embodies some of the best principles of recent urban planning, including creating places where people can live, work, and play with a variety of options for dining, shopping, and other forms of entertainment.

However, there are many challenges in the Original Highlands Neighborhood as well. Problems ranging from parking shortages, due in part to the success of businesses along Baxter Avenue, to complaints of crime, vandalism, and other activities that create concern among area residents. Some of the infrastructure, particularly in the alleys, is old and in urgent need of repairs. Some common complaints found in older urban neighborhoods such as the Original Highlands range from problems created by stray cats, to excessive littering, and speeding traffic.

The Original Highlands contains a strong neighborhood association that is willing to engage the community and take action. Moreover, district representatives on the Metro Council are supportive, involved in community affairs, and participate in the planning process through the Planning Task Force, public meetings, and community workshops.

RECOMMENDATIONS

The following recommendations are based on the land use/community form component of the neighborhood plan. Recommendations have been based on an extensive public involvement process including public meetings, a design charrette/ neighborhood workshop, and several meetings of the neighborhood task force. They represent the intent of the plan to work towards the vision of the neighborhood and reflect the goals and objectives established for the plan.

Key recommendations focus upon residential rezoning (UN - Urban Neighborhood) single-family residential north of Morton Avenue and (R-5B - Two-Family Residential) south of Morton Avenue. The purpose of the rezoning is to guide the neighborhood to become an area with a greater emphasis on single-family, owner occupied households with enough leeway to allow existing multi-family and future reuse of larger structures as duplexes. This will contribute both to prevent the neighborhood from transforming into a rental/apartment district and allowing it to maintain its current diversity.

Furthermore, it is recommended that a portion of Barret Avenue, north of Winter Avenue, be rezoned to (CR - Commercial-Residential) to effectively prohibit the type of development that exists on Baxter Avenue, while encouraging a boutique/arts type district between Highland Avenue and Lynn's Paradise Café parcel. In addition, the portion of the block from Lynn's Café to the block south of Winter Avenue will remain C-2 commercial zoned and be designated a Traditional Neighborhood Activity Center, as shown in the 2006 Plan.

The plan recommendation for consideration of future development on Baxter reflects the goal of a Traditional Marketplace Corridor under Cornerstone 2020 as a mixed-use corridor without a predominance of any one type of use. Additional bars and restaurants with liquor licenses should especially be discouraged.

The Original Highlands Neighborhood Plan (2006) recommended an area-wide rezoning from zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to zoning districts (R-5B, UN, & CR). However, meetings with Council District Members and Neighborhood Group Representatives in November 2011, and the Planning Committee in March 2012, led to revisions of the Neighborhood Plan, which were modified by the Planning Committee on February 9, 2012. The modifications included rezoning 7 parcels in the 900 block of Barret Avenue from R-7 to R-5B, as opposed to CR as initially recommended in the Neighborhood Plan (2006).

Consequently, requested revisions to the modified proposal were discussed at the Neighborhood Meeting held on August 21, 2012. An owner of a parcel in the 900 block of Barret Avenue attended the meeting and requested the CR Zoning District be reestablished for both his property, as well as the remaining properties in the 900 block of Barret Avenue, as initially recommended in the Neighborhood Plan. Additionally, a majority of the remaining property owners in the 900 block of Barret Avenue submitted a signed petition requesting that their properties be reestablished to the CR Commercial-Residential zoning district in accordance with the initial recommendations of the Original Highlands Neighborhood Plan.

The petition requesting the reestablishment of the CR Zoning for the 900 block of Barret Avenue, as shown in the Neighborhood Plan of (2006), was presented to the Planning Committee on November 8, 2012. The Planning Committee then reversed the previous change, per request of the majority of the property owners in the 900 block of Barret Avenue, and recommended that the aforementioned properties in the 900 Block of Barret Avenue be rezoned to CR Commercial-Residential, as initially recommended in the Neighborhood Plan.

Therefore, the proposed area-wide rezoning, as initially recommended in the neighborhood plan will remain, with the exception of the C-2 zoned parcel at 1309 Christy Avenue, which will remain C-2, as opposed to UN, and the parcel at 1516 Hepburn Avenue that will be rezoned to OR-1, as opposed to R-5B. The initial zoning districts were determined to be inappropriate for these two parcels. Moreover, 11 parcels located in the extreme southwest sector of the neighborhood were incorrectly shown to be rezoned to R-5B; however, it was discovered that these parcels are already zoned R-5B, hence the number of parcels to be rezoned was revised from 643 to 630 properties.

U-N Urban Neighborhood District - the following provisions shall apply in the UN Urban Neighborhood District unless otherwise provided in these regulations. Permitted uses: accessory buildings/uses, agricultural uses, churches, parish halls and temples, colleges, schools, and institutions of learning (except training schools), community residences, convents and monasteries, semi-detached dwellings where each unit is constructed on its own lot, single-family dwellings, family care home (mini-home), home occupations, libraries, museums, historical buildings & grounds, arboretums, aquariums, art galleries, parks, playgrounds, and community centers. Maximum FAR: 0.75 / Maximum Density: one dwelling per lot.

R-5B Residential Two-Family District - the following provisions shall apply in the R-5B Two-Family Residential District unless otherwise provided in these regulations. Permitted uses: the two-family residential district is intended to provide the opportunity for land in the medium density residential land development range to be used for single-family dwellings, two-family dwellings, semi-detached dwellings and carriage houses. Maximum FAR: 0.5 / Maximum Density: two dwellings per lot.

C-R Commercial Residential District - the C-R Commercial Residential District is primarily intended as a specialized district to promote the reuse of structures located in urban areas of Louisville Metro that had been constructed for mixed commercial and residential uses. The structures may be currently under used or vacant, located at street corners, or within blocks containing a significant number of retail business uses. C-R zoning may also be appropriate for new construction where a mixture of business and residential uses are found to conform to the Comprehensive Plan and any neighborhood plan covering the site. Permitted uses include all uses allowed in the R-7 Residential Multi-Family District, as well as special permitted uses including: antique shops and interior decorating shops, artist studios, art galleries, bakeries, retail sales on premises, barber and beauty shops, bed and breakfasts, book stores and stationery stores, candy stores, clothing, dry good, and notions stores, community service facility, grocery stores, where all merchandise is displayed and sold within an enclosed building, computer programming services and software sales, day care centers, day nurseries, nursery schools and kindergartens, dressmaking, drug stores or sundries stores, florist shops, hardware stores, jewelry stores, laundering and dry cleaning, professional or business office, photocopying, word processing and similar office-support activities, photographic shops and studios, picture framing, rental businesses, videocassette products, restaurants and delicatessens, excluding drive-in facilities, entertainment activity and outdoor alcohol sales and consumption, saddle and harness shops, shoe stores and shoe repair shops, tailors, and tanning salons. Maximum FAR: 3.0 / Maximum Density: 34.8 dwellings per acre.

OR-1 Office/Residential District - the following provisions shall apply in the OR-1 Office/Residential District unless otherwise provided in these regulations. Permitted uses: accessory buildings or uses, agricultural uses, bed and breakfasts, churches, parish halls and temples, colleges, schools and institutions of learning (except training schools), community service facility, convents and monasteries that accommodate eight or fewer persons, country clubs, day care centers, day nurseries, nursery schools and kindergartens, doctors offices, including accessory medical laboratories as part of a planned medical complex or medical office building, single-family residences, garage or yard sales, golf courses, except miniature courses, driving ranges or privately owned golf courses operated for commercial purposes, home occupations, libraries, museums, historical buildings and grounds, arboretums, aquariums, art galleries, professional and business offices, parks, playgrounds, community centers, residential care facilities, and temporary buildings. Additional uses in OR-1 District: artist studios, assisted living residence, barbers/cosmetologists/hairdressers/manicurists, boarding and lodging houses, community residences, computer programming services, convents and monasteries, multi-family and two-family dwellings, and care home (mini-home).

Non-conformance – part of the area-wide rezoning project included staff review and identification of properties that would be considered nonconforming once the change in zoning districts is completed, or their permitted uses would change based on their current zoning designations. Staff's review determined that there would be a decrease in the number of non-conforming lots because of the area-wide rezoning. Official rezoning notices were sent directly to each property owner informing them of the change in zoning of their properties and nonconforming status that would result – if applicable.

The following list of C-2 Commercial Zoning District uses is for comparison of permitted commercial uses in the CR Commercial-Residential Zoning District

The following provisions shall apply in the C-2 Commercial District. Permitted uses include all uses allowed in the C-1 Commercial District, as well as the following uses:
ABC licensed establishments holding a license that allows consumption of alcoholic beverages on-premises, auction sales, items transported to site of auction, automobile rental agencies, automobile repair garages, automobile sales agencies, billiard parlors, game rooms and similar entertainment uses, bingo halls and parlors, boat sales and related storage, bookbinding, building materials, storage, and sales provided all operations be totally enclosed in a building. Cleaning, pressing, and dyeing establishments using non-flammable and non-explosive cleaning fluid, community service facility, contractor's shop, including but not limited to building, electrical, HVAC, landscape, and plumbing contractors, provided all operations are confined within a building, dance halls, engraving, watch making, and jewelry manufacturing, where products are sold on premises, equipment rental, where all activities are within a building, exposition building or center, flea market, fraternities, sororities, clubs and lodges excluding those where the chief activity of which is a service customarily carried on as a business, furniture, storage, Indoor paint ball ranges, monument sales, music and vocal instructions, plumbing, and heating shops, storage and sales provided all operations be totally enclosed in a building, printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings, public transportation passenger terminals, public utility buildings and facilities, refrigerated lockers, restaurants, where food and drink may be served or consumed, where dancing or entertainment is allowed, outside as well as inside a building, including drive-in restaurants where all or part of the service or consumption is inside a vehicle, retail or wholesale stores or businesses not involving any kind of manufacture, processing, or treatment of products other than that which is clearly incidental to the business conducted on the premises, and provided that not more than fifty (50) percent of the floor area of the building is used in the manufacture, processing, or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes rubber stamp manufacturing, where products are sold on premises, sign painting, skating rinks (ice or roller) tattoo, body art, and piercing parlors, telephone exchanges, theaters, enclosed within a building, tourist homes, training school, provided all training activities are located within a building, upholstery and furniture repair shops, used car sales areas, provided that no repair or re-conditioning of automobiles or storage of parts shall be permitted except when enclosed in a building.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code
- Original Highlands Neighborhood Plan (2006)

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning:

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.

INTERESTED PARTY COMMENTS

James Proud addressed the LD&T Committee on March 28, 2013. He expressed concern that the area-wide rezoning from C-2 to CR would devalue three adjoining family owned parcels in which two and one-third of the lots are included in the proposed Barret Avenue Arts District as recommended in the Original Highlands Neighborhood Plan. Mr. Proud requests that these specific properties be excluded from the rezoning to protect the property values.

The LD&T Committee instructed staff to review the request with Councilman Owen and the Neighborhood Association, which occurred on April 1, 2013. A unanimous decision was reached by all involved parties that the rezoning should proceed as approved by the Planning Committee in November 2012.

The following statement was received from the Original Highlands Neighborhood Association on April 1, 2013, recommending that the existing neighborhood area-wide rezoning proposal remain as approved at the last meeting of the Planning Committee on November 8, 2012.

Mike,

This email is in response to Mr. James Proud's request to be granted an exception to the area rezoning on Barret Avenue from C2 to CR. The executive committee of the OHNA Board would like to request that you leave the rezoning as it is proposed and not allow any exceptions.

At this final stage of the process, we feel it would jeopardize the completion of this effort, an effort that has been ongoing for many years.

There also have been numerous notifications and hearings that this rezoning was going to take place. Mr. Proud did not contact anyone until last week and we definitely have passed the deadline for any requests or objections.

There are very few restrictions to the type of businesses that can operate under CR, so we also do not believe the rezoning will devalue his property in any way.

Thank you for your efforts and support throughout this project.

Jackie Leslie, President
Phillip Brown, Vice President
Alison Torpey, Secretary
Chuck Woodall, Treasurer

STAFF FINDINGS / ANALYSIS FOR AREA-WIDE REZONING

Staff finds that the area-wide rezoning is appropriate for the neighborhood and complies with applicable guidelines and policies of Cornerstone 2020. The proposal is in conformance with the Neighborhood Plan adopted by Louisville Metro Council in 2006, as well as the last Planning Committee Meeting on November 8, 2012.

STAFF FINDINGS

Community Form

The area-wide rezoning is in conformance with **Guideline 1 (Community Form)** of the comprehensive plan considering that the Original Highlands is made up of Traditional Neighborhood and Traditional Marketplace Corridor form districts. Revitalization and reinforcement of these districts focuses upon preservation and renovation of existing buildings, maintenance of the existing grid pattern of streets and alleys, preservation of open space, and enhancing the single and two-family residential character of the neighborhood while focusing commercial and mixed-use development along the Baxter and Barret Avenue corridors.

Centers and Compatibility

The Original Highlands Neighborhood is located 1.5 miles southeast of Downtown Louisville and is a unique area with a mixture of land uses in a highly desirable urban environment. The Traditional Neighborhood and Traditional Marketplace Corridor form districts promote a variety of appropriate uses, including office, commercial, residential, and mixed-uses. The area-wide rezoning is in conformance with **Guidelines 2 (Centers) and 3 (Compatibility)** because public input ensured that there was an expressed interest in preserving and protecting single and two-family residential properties, as well as commercial uses.

Open Space/Natural Areas and Scenic and Historic Resources

The proposal is in conformance with **Guidelines 4 (Open Space) and 5 (Natural Areas and Scenic and Historic Resources)** because it encourages revitalization and reinforcement of resources and it focuses upon preservation and renovation of existing buildings, preservation and maintenance of the existing grid pattern of streets and alleys, and preservation of open spaces.

Economic Growth and Sustainability and Circulation

The proposal is in conformance with **Guidelines 6 (Economic Growth and Sustainability) and 7 (Circulation)** because the area-wide rezoning ensures economic growth and neighborhood preservation, adaptive reuse of institutions, increasing opportunities for open spaces, and providing effective movement of vehicles, bicycles, and pedestrians, which is of primary importance.

Bicycle, Pedestrian and Transit

The proposal is in conformance with **Guideline 9 (Bicycle, Pedestrian and Transit)** because the neighborhood promotes the highest level of pedestrian orientation by ensuring appropriate streetscape design. The mobility component reviews a number of questions relative to the transportation system in the neighborhood, with an emphasis on whether the system balances different types of movement, such as cars, walking, cycling, and public transit to shop, go to school, and work is available. In various meetings of the taskforce, the primary discussion focused on the parking situation, particularly as it relates to businesses along Baxter Avenue and to a lesser extent speeding and traffic issues, alleys, and sidewalks.

Zoning Overview

Zoning	Key Facts	Pros	Cons
R-5B Two-Family (Lots should be 4500sf & 35' wide)	☐ Two-family residential ☐ Density: 2 units per lot ☐ FAR: 0.5	Allows a maximum of 2 units per lot so restricts multi-family but gives owners some flexibility.	Requires more parking and some lots would be substandard.
UN Urban Neighborhood (Lots should be 2500sf & 25' wide)	☐ Single and multi-family residential ☐ Density: 1 dwelling per lot ☐ FAR: 0.75	Allows multi-family but neighborhood has input. Allows smaller lots but infill standards protect from overdevelopment.	Not restrictive enough for desired single-family character. Revised ordinance to allow neighborhood control in planned development process.
CR – Commercial / Residential	☐ Permits mix of commercial and residential ☐ Bans large bars/restaurants	Would support and enhances concept of arts district.	Perceived as too restrictive by some property owners by lowering property values.

STAFF CONCLUSIONS

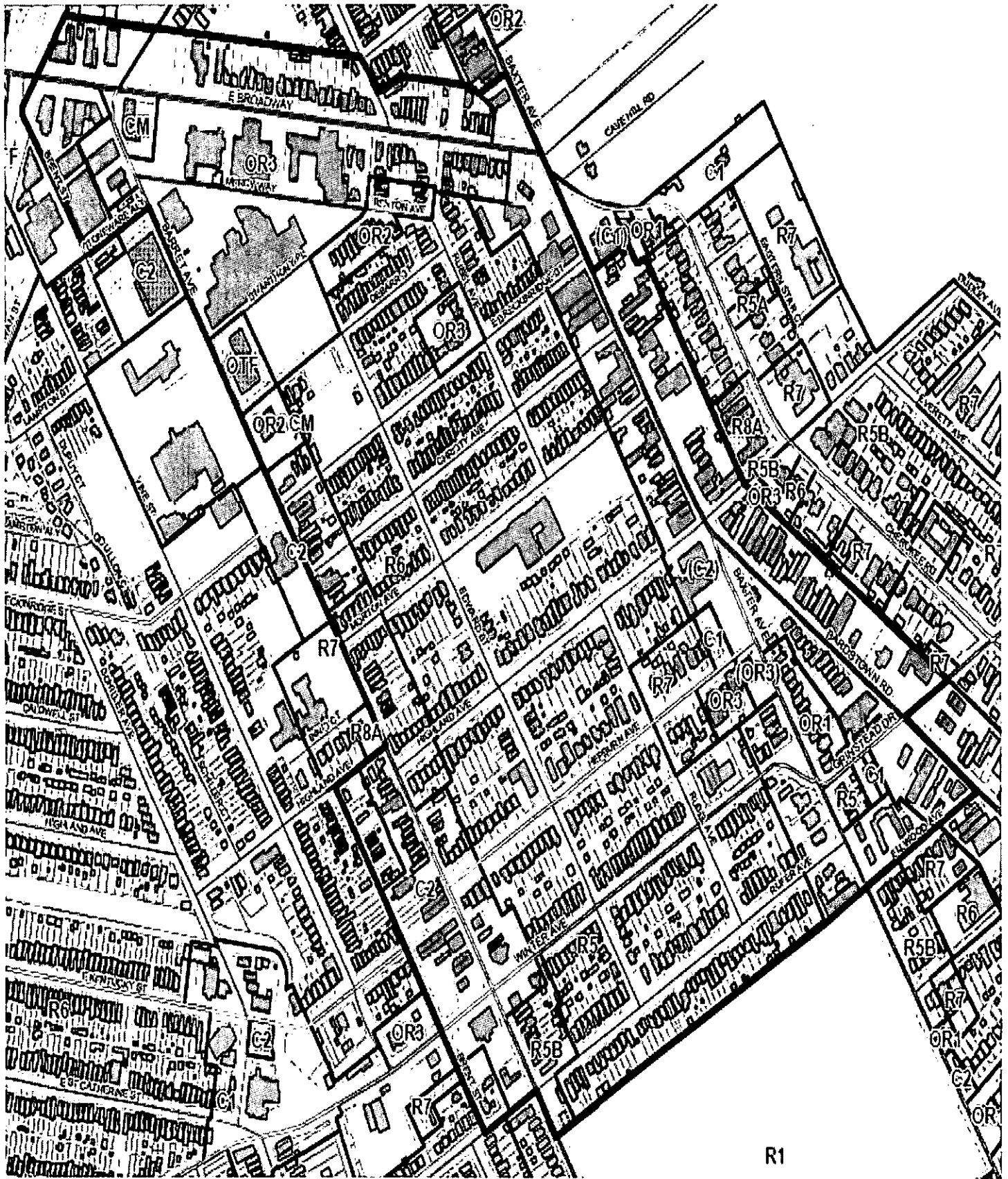
The request is compliant with the applicable zoning regulations and appropriate relief has been provided.

NOTIFICATION

Date	Purpose of Notice	Recipients
Dual Notices Sent for the March 28 th LD&T Meeting & the April 18 th PC Public Hearing on March 13, 2013	LD&T Meeting - March 28, 2013 PC Public Hearing - April 18, 2013	Original Highlands Area-Wide Rezoning Property Owners & Neighborhood Notification Groups

ATTACHMENTS

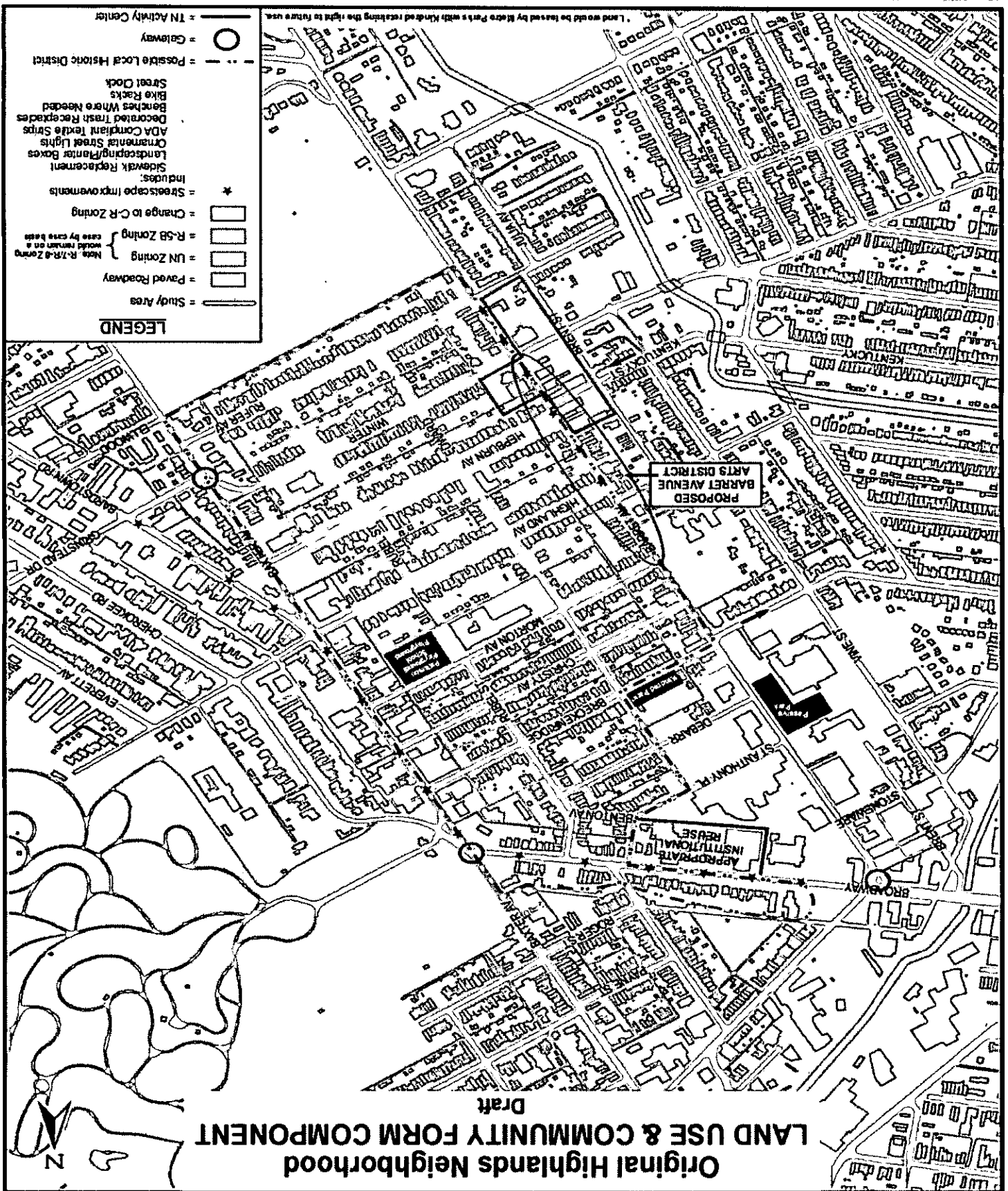
Attachment 1: Original Highlands Neighborhood / Existing Zoning Map



R1

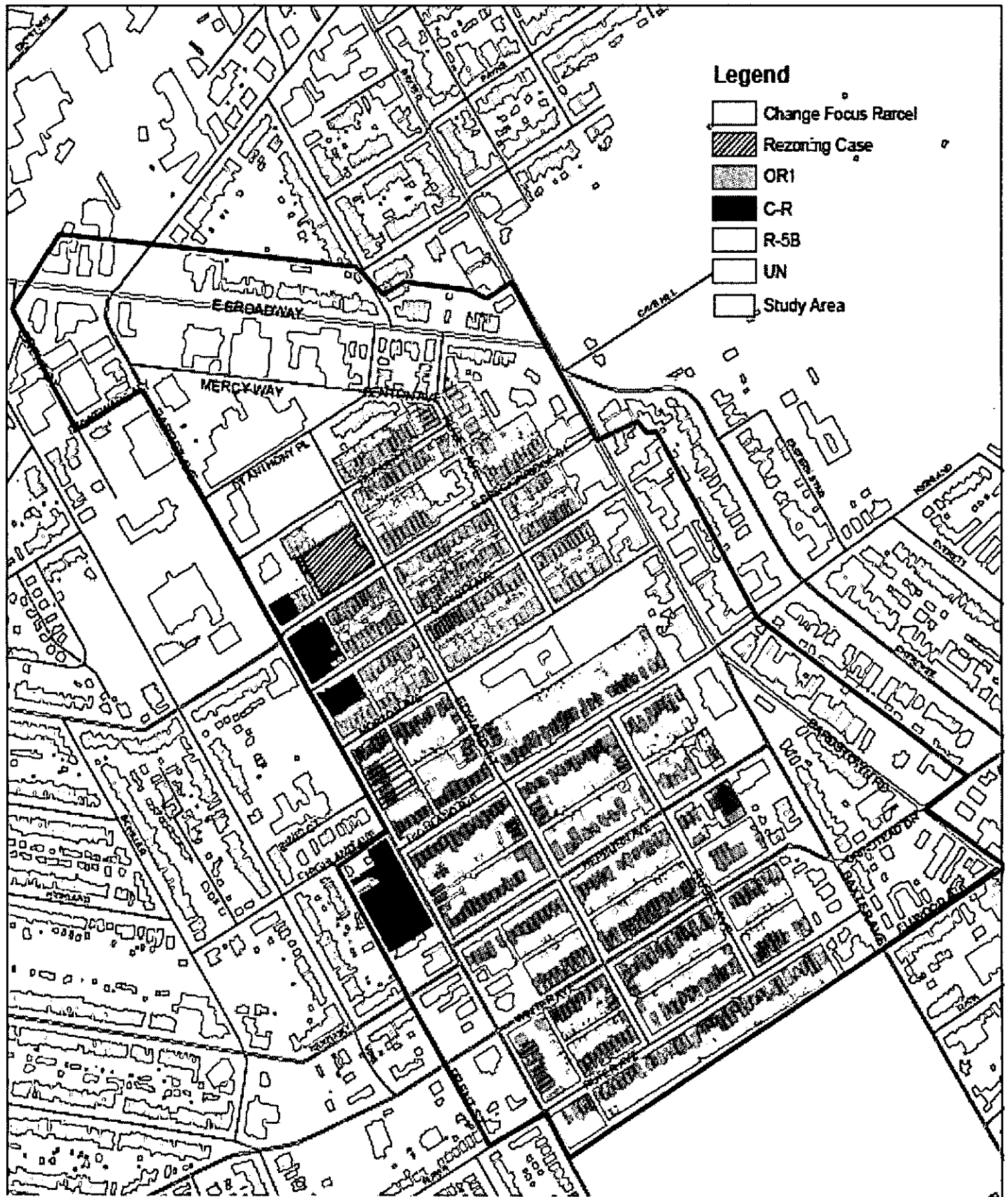
Attachment 2: Original Highlands Neighborhood / Aerial Map

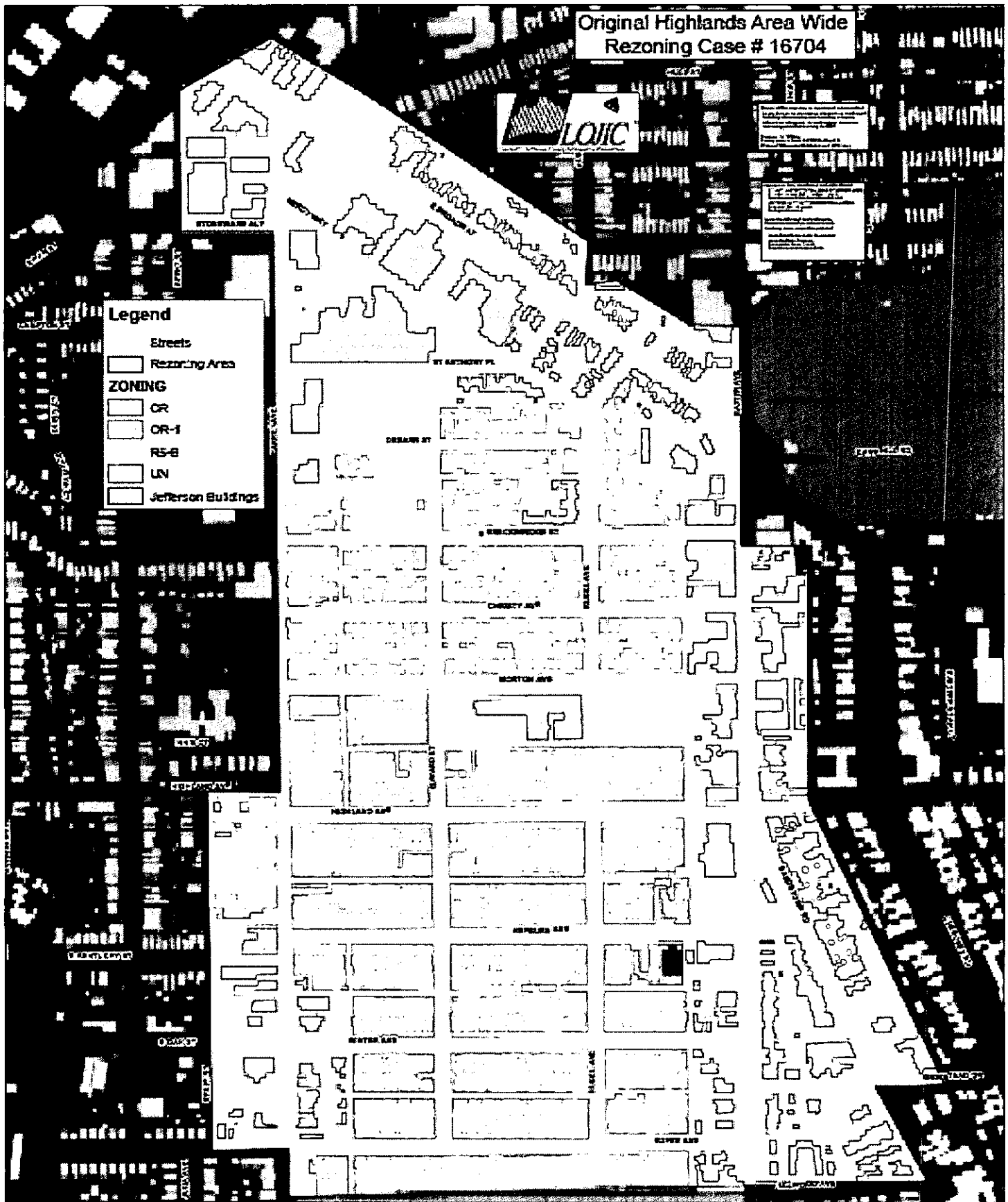




Attachment 3: Original Highlands Neighborhood Plan / Area-Wide Rezoning Map

Attachment 4: Original Highlands Neighborhood Plan / Revised Area-Wide Rezoning Map





**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

March 28, 2013

New Cases

CASE NO. 16074

Project Name:	Original Highlands Area-Wide Rezoning
Owners:	Multiple owners
Applicant:	Louisville Metro Government / Planning Commission
Representative(s):	Councilman Tom Owen
Project Area/Size:	630 parcels / 65 acres
Jurisdiction:	Louisville Metro
Council Districts:	4 – David Tandy and 8 – Tom Owen

Case Manager: **Mike Wilcher**

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Request:

An area-wide rezoning for 630 properties on 65 acres of land in the Original Highlands Neighborhood is requested from the following zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, and C-2) to one of these zoning districts (R-5B Two-Family Residential, UN Urban Neighborhood, CR Commercial Residential, or OR-1 Office Residential.) The Original Highlands Neighborhood Plan Area-Wide Rezoning includes the following proposed zoning changes:

- Rezone 255 parcels / 19.30 acres of the neighborhood north of Morton Avenue to UN
- Rezone 339 parcels / 40.85 acres of the neighborhood south of Morton Avenue to R-5B
- Rezone 35 parcels / 4.35 acres of the neighborhood along the Barret Avenue corridor to C-R
- Rezone 1 parcel / 0.35 acres located at 1516 Hepburn Avenue to OR-1
- Rezone a total of 630 parcels / 65 acres

The following spoke on behalf of Case No. 16074:

James Proud, 12905 Ridgemoor Drive, Prospect, KY 40059

Jackie Leslie, 1322 Morton Avenue, Louisville, KY 40204

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

March 28, 2013

New Cases

CASE NO. 16074

DISCUSSION:

03:14:50 Mike Wilcher presented the case (see staff report for detailed presentation.) The rezoning are being proposed due to recommendations from the Original Highlands Neighborhood Plan. He said this case had been to Planning Committee three times to revise the plan after input from staff, Council members and Neighborhood Committee members.

03:19:15 Mr. Wilcher said that a citizen attended one of the neighborhood meetings and objected to the proposed rezoning of part of the 900 block of Barrett Avenue (affected seven properties.) Staff felt that these properties would be better suited to R-5B instead of the recommended C-R. The Planning Committee felt that this area should be converted back to C-R; also, five of the seven property owners signed a petition requesting that the proposed rezoning category revert back to C-R, and it was. Mr. Wilcher showed a map which displayed the properties to be rezoned, as well as those to remain unchanged.

03:20:57 In response to a question from Commissioner Blake, Mr. Wilcher explained the differences between the C-R and U-N categories (what types of uses are permitted, etc.) He referred the Committee members to page 3 of the staff report, which has listed the uses for these categories.

03:24:44 Jackie Leslie, president of the Original Highlands Neighborhood Association, spoke in support of the proposals.

03:25:08 Jim Proud spoke on behalf of his mother, who owns three parcels in the affected area (near Highland and Barrett Avenues.) These parcels are currently zoned C-2 and are being proposed for rezoning to a C-R classification. He said the building at 950 Barrett Avenue was built in the 1930's/1940's as a service station. He said that, after reviewing the uses for each category, he said he did not think too many C-R uses would fit on this property. Another building (1226 Highland Avenue) was built primarily to be an office for contractors (small office area and two bays) and has no real exposure onto either Highland or Barrett Avenues. The building at 1228 Highland Avenue is being used as residential, although a small art gallery was in there recently but has since closed. The combined area of these tracts is about 3/10 of an acre. Mr. Proud said that these types of uses are consistent with those in an arts district.

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

March 28, 2013

New Cases

CASE NO. 16074

03:31:12 Based on a recommendation from Commissioner Blake, Mr. Wilcher said that he, Ms. Leslie and Councilman Owen could discuss this issue with Mr. Proud before the public hearing.

The Committee by general consensus scheduled Case 18337 for the Planning Commission public hearing on April 18, 2013 at the Old Jail Building.

Land Development & Transportation Committee
Staff Report
March 28, 2013



Case No:	16074
Project Name:	Original Highlands Area-Wide Rezoning
Location:	Neighborhood boundaries consist of East Broadway to the north, Barret Avenue to the west, Rufer Avenue to the south, & Baxter Avenue/Bardstown Road to the east.
Owner(s):	Multiple Owners
Applicant:	Louisville Metro Government
Representative(s):	Councilman Tom Owen
Project Area/Size:	630 Parcels / 65 Acres
Jurisdiction:	Louisville Metro
Council District:	4 – David Tandy / 8 – Tom Owen
Case Manager:	Mike Wilcher

REQUEST

- Rezone 255 parcels / 19.30 acres of the neighborhood north of Morton Avenue to UN
- Rezone 339 parcels / 40.85 acres of the neighborhood south of Morton Avenue to R-5B
- Rezone 35 parcels / 4.35 acres of the neighborhood along the Barret Avenue corridor to C-R
- Rezone 1 parcel / 0.35 acres located at 1516 Hepburn Avenue to OR-1
- Rezone a total of 630 parcels / 65 acres

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The Original Highlands Neighborhood Plan was adopted in November 2006. The neighborhood boundaries consist of Broadway on the north, Rufer Avenue on the south, Barret Avenue on the west, and Baxter Avenue/Bardstown Road on the east. The neighborhood is located approximately 1.5 miles from downtown Louisville and is the beginning of the economically thriving and diverse Bardstown Road commercial corridor.

The Original Highlands neighborhood has evolved from an older somewhat deteriorating neighborhood in the 1970's and 1980's into one of the truly dynamic urban neighborhoods of Louisville. It is both a gateway to Downtown Louisville and the Baxter Avenue/Bardstown Road commercial corridor. The Original Highlands embodies some of the best principles of recent urban planning, including creating places where people can live, work, and play with a variety of options for dining, shopping, and other forms of entertainment.

However, there are many challenges in the Original Highlands Neighborhood as well. Problems ranging from parking shortages, due in part to the success of businesses along Baxter Avenue, to complaints of crime, vandalism, and other activities that create concern among area residents. Some of the infrastructure, particularly in the alleys, is old and in urgent need of repairs. Some common complaints found in older urban neighborhoods such as the Original Highlands range from problems created by stray cats, to excessive littering, and speeding traffic.

The Original Highlands contains a strong neighborhood association that is willing to engage the community and take action. Moreover, district representatives on the Metro Council are supportive, involved in community affairs, and participate in the planning process through the Planning Task Force, public meetings, and community workshops.

RECOMMENDATIONS

The following recommendations are based on the land use/community form component of the neighborhood plan. Recommendations have been based on an extensive public involvement process including public meetings, a design charrette/ neighborhood workshop, and several meetings of the neighborhood task force. They represent the intent of the plan to work towards the vision of the neighborhood and reflect the goals and objectives established for the plan.

Key recommendations focus upon residential rezoning (UN - Urban Neighborhood) single-family residential north of Morton Avenue and (R-5B - Two-Family Residential) south of Morton Avenue. The purpose of the rezoning is to guide the neighborhood to become an area with a greater emphasis on single-family, owner occupied households with enough leeway to allow existing multi-family and future reuse of larger structures as duplexes. This will contribute both to prevent the neighborhood from transforming into a rental/apartment district and allowing it to maintain its current diversity.

Furthermore, it is recommended that a portion of Barret Avenue, north of Winter Avenue, be rezoned to (CR - Commercial-Residential) to effectively prohibit the type of development that exists on Baxter Avenue, while encouraging a boutique/arts type district. In addition, the block south of Winter Avenue will remain C-2 commercial zoned and be designated a Traditional Neighborhood Activity Center, as discussed in Cornerstone 2020.

The plan recommendation for consideration of future development on Baxter reflects the goal of a Traditional Marketplace Corridor under Cornerstone 2020 as a mixed-use corridor without a predominance of any one type of use. Additional bars and restaurants with liquor licenses should especially be discouraged.

The Original Highlands Neighborhood Plan (2006) recommended an area-wide rezoning from zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to zoning districts (R-5B, UN, & CR). However, meetings with Council District Members and Neighborhood Group Representatives in November 2011, and the Planning Committee in March 2012, led to revisions of the Neighborhood Plan, which were modified by the Planning Committee on February 9, 2012. The modifications included rezoning 7 parcels in the 900 block of Barret Avenue from R-7 to R-5B, as opposed to CR as initially recommended in the Neighborhood Plan (2006).

Consequently, requested revisions to the modified proposal were discussed at the Neighborhood Meeting held on August 21, 2012. An owner of a parcel in the 900 block of Barret Avenue attended the meeting and requested that the CR Zoning District be reestablished for both his property, as well as the remaining properties in the 900 block of Barret Avenue, as initially recommended in the Neighborhood Plan. Additionally, a majority of the remaining property owners in the 900 block of Barret Avenue submitted a signed petition requesting that their properties be reestablished to the CR Commercial-Residential zoning district in accordance with the initial recommendations of the Original Highlands Neighborhood Plan.

The petition requesting the reestablishment of the CR Zoning for the 900 block of Barret Avenue, as shown in the Neighborhood Plan of (2006), was presented to the Planning Committee on November 8, 2012. The Planning Committee then reversed the previous change, per request of the majority of the property owners in the 900 block of Barret Avenue, and recommended that the aforementioned properties in the 900 Block of Barret Avenue be rezoned to CR Commercial-Residential, as initially recommended in the Neighborhood Plan.

Therefore, the proposed area-wide rezoning, as initially recommended in the neighborhood plan will remain, with the exception of the C-2 zoned parcel at 1309 Christy Avenue, which will remain C-2, as opposed to UN, and the parcel at 1516 Hepburn Avenue that will be rezoned to OR-1, as opposed to R-5B. The initial zoning districts were determined to be inappropriate for these two parcels. Moreover, 11 parcels located in the extreme southwest sector of the neighborhood were incorrectly shown to be rezoned to R-5B; however, it was discovered that these parcels are already zoned R-5B, hence the number of parcels to be rezoned was revised from 643 to 630 properties.

U-N Urban Neighborhood District - the following provisions shall apply in the UN Urban Neighborhood District unless otherwise provided in these regulations. Permitted uses: accessory buildings/uses, agricultural uses, churches, parish halls and temples, colleges, schools, and institutions of learning (except training schools), community residences, convents and monasteries, semi-detached dwellings where each unit is constructed on its own lot, single-family dwellings, family care home (mini-home), home occupations, libraries, museums, historical buildings & grounds, arboretums, aquariums, art galleries, parks, playgrounds, and community centers. Maximum FAR: 0.75 / Maximum Density: one dwelling per lot.

R-5B Residential Two-Family District - the following provisions shall apply in the R-5B Two-Family Residential District unless otherwise provided in these regulations. Permitted uses: the two-family residential district is intended to provide the opportunity for land in the medium density residential land development range to be used for single-family dwellings, two-family dwellings, semi-detached dwellings and carriage houses. Maximum FAR: 0.5 / Maximum Density: two dwellings per lot.

C-R Commercial Residential District - the C-R Commercial Residential District is primarily intended as a specialized district to promote the reuse of structures located in urban areas of Louisville Metro that had been constructed for mixed commercial and residential uses. The structures may be currently under used or vacant, located at street corners, or within blocks containing a significant number of retail business uses. C-R zoning may also be appropriate for new construction where a mixture of business and residential uses are found to conform to the Comprehensive Plan and any neighborhood plan covering the site. Permitted uses include all uses allowed in the R-7 Residential Multi-Family District, as well as special permitted uses including: antique shops and interior decorating shops, artist studios, art galleries, bakeries, retail sales on premises, barber and beauty shops, bed and breakfasts, book stores and stationery stores, candy stores, clothing, dry good, and notions stores, community service facility, grocery stores, where all merchandise is displayed and sold within an enclosed building, computer programming services and software sales, day care centers, day nurseries, nursery schools and kindergartens, dressmaking, drug stores or sundries stores, florist shops, hardware stores, jewelry stores, laundering and dry cleaning, professional or business office, photocopying, word processing and similar office-support activities, photographic shops and studios, picture framing, rental businesses, videocassette products, restaurants and delicatessens, excluding drive-in facilities, entertainment activity and outdoor alcohol sales and consumption, saddle and harness shops, shoe stores and shoe repair shops, tailors, and tanning salons. Maximum FAR: 3.0 / Maximum Density: 34.8 dwellings per acre.

OR-1 Office/Residential District - the following provisions shall apply in the OR-1 Office/Residential District unless otherwise provided in these regulations. Permitted uses: accessory buildings or uses, agricultural uses, bed and breakfasts, churches, parish halls and temples, colleges, schools and institutions of learning (except training schools), community service facility, convents and monasteries that accommodate eight or fewer persons, country clubs, day care centers, day nurseries, nursery schools and kindergartens, doctors offices, including accessory medical laboratories as part of a planned medical complex or medical office building, single-family residences, garage or yard sales, golf courses, except miniature courses, driving ranges or privately owned golf courses operated for commercial purposes, home occupations, libraries, museums, historical buildings and grounds, arboretums, aquariums, art galleries, professional and business offices, parks, playgrounds, community centers, residential care facilities, and temporary buildings. Additional uses in OR-1 District: artist studios, assisted living residence, barbers/cosmetologists/hairdressers/manicurists, boarding and lodging houses, community residences, computer programming services, convents and monasteries, multi-family and two-family dwellings, and care home (mini-home).

Non-conformance – part of the area-wide rezoning project included staff review and identification of properties that would be considered nonconforming once the change in zoning districts is completed, or their permitted uses would change based on their current zoning designations. Staff's review determined that there would be a decrease in the number of non-conforming lots because of the area-wide rezoning. Official rezoning notices were sent directly to each property owner informing them of the change in zoning of their properties and nonconforming status that would result – if applicable.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code
- Original Highlands Neighborhood Plan (2006)

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning:

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 FINDINGS / ANALYSIS FOR AREA-WIDE REZONING

Staff finds that the area-wide rezoning is appropriate for the neighborhood and complies with applicable guidelines and policies of Cornerstone 2020. The proposal is in conformance with the Neighborhood Plan that was adopted by Louisville Metro in 2006.

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The area-wide rezoning is in conformance with **Guideline 1 (Community Form)** of the comprehensive plan considering that the Original Highlands is made up of Traditional Neighborhood and Traditional Marketplace Corridor form districts. Revitalization and reinforcement of these districts focuses upon preservation and renovation of existing buildings, maintenance of the existing grid pattern of streets and alleys, preservation of open space, and enhancing the single and two-family residential character of the neighborhood while focusing commercial and mixed-use development along the Baxter and Barret Avenue corridors.

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The proposal is in conformance with **Guidelines 4 (Open Space) and 5 (Natural Areas and Scenic and Historic Resources)** because it encourages revitalization and reinforcement of resources and it focuses upon preservation and renovation of existing buildings, preservation and maintenance of the existing grid pattern of streets and alleys, and preservation of open spaces.

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Zoning Overview

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UN Urban Neighborhood (Lots should be 2500sf & 25' wide)	☐ Single and multi-family residential ☐ Density: 1 dwelling per lot ☐ FAR: 0.75	Allows multi-family but neighborhood has input. Allows smaller lots but infill standards protect from overdevelopment.	Not restrictive enough for desired single-family character. Revised ordinance to allow neighborhood control in planned development process.
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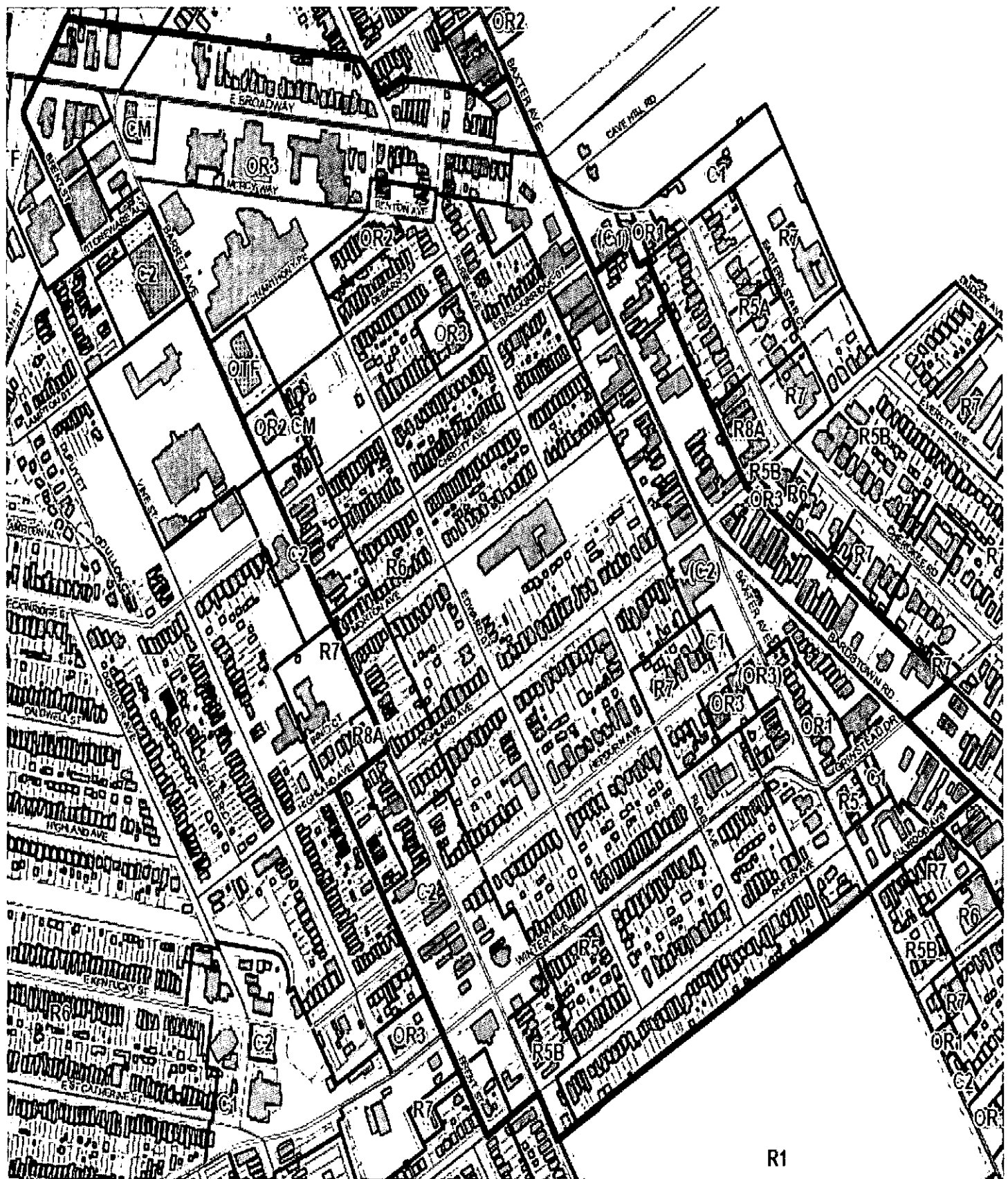
STAFF CONCLUSIONS

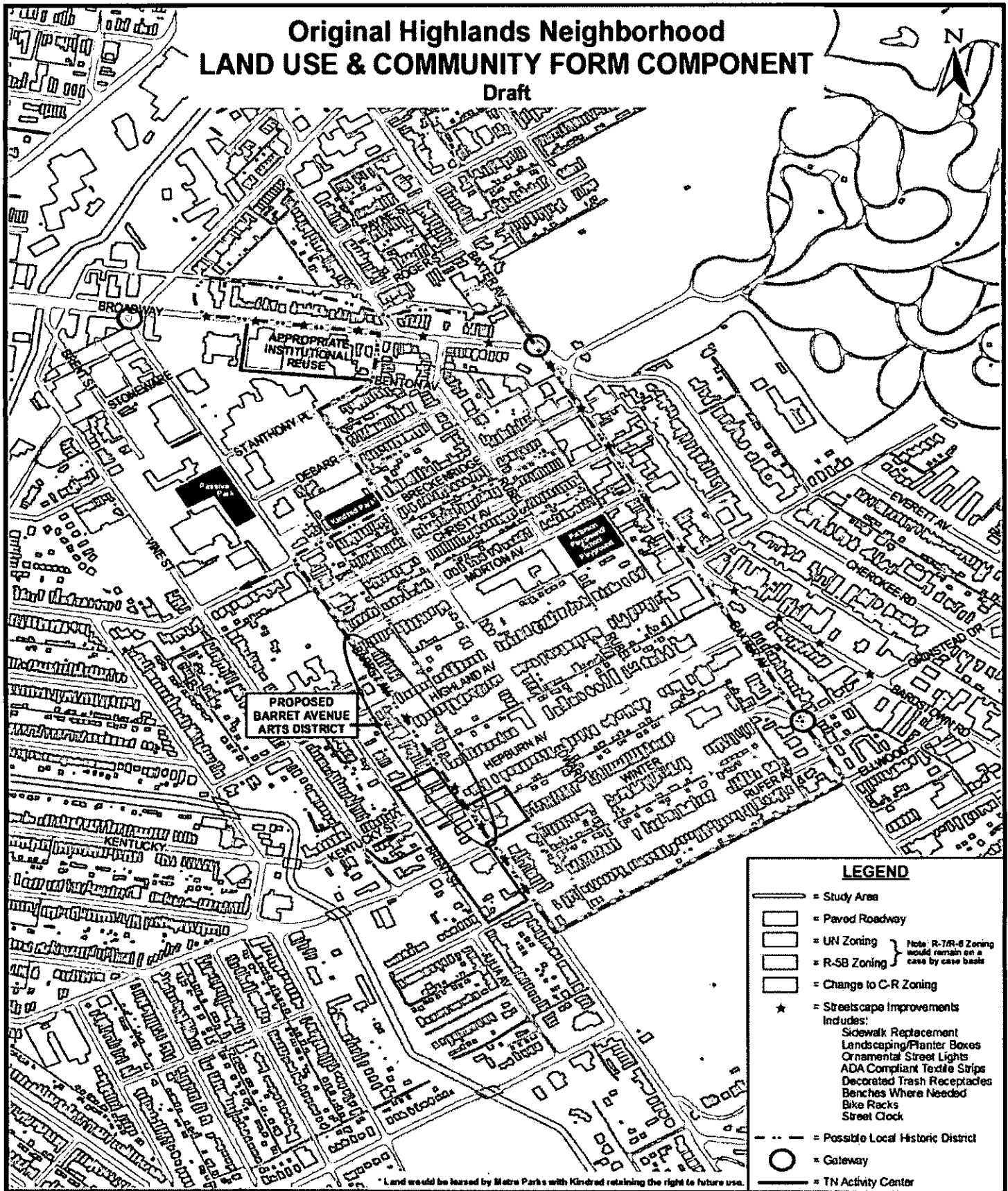
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NOTIFICATION

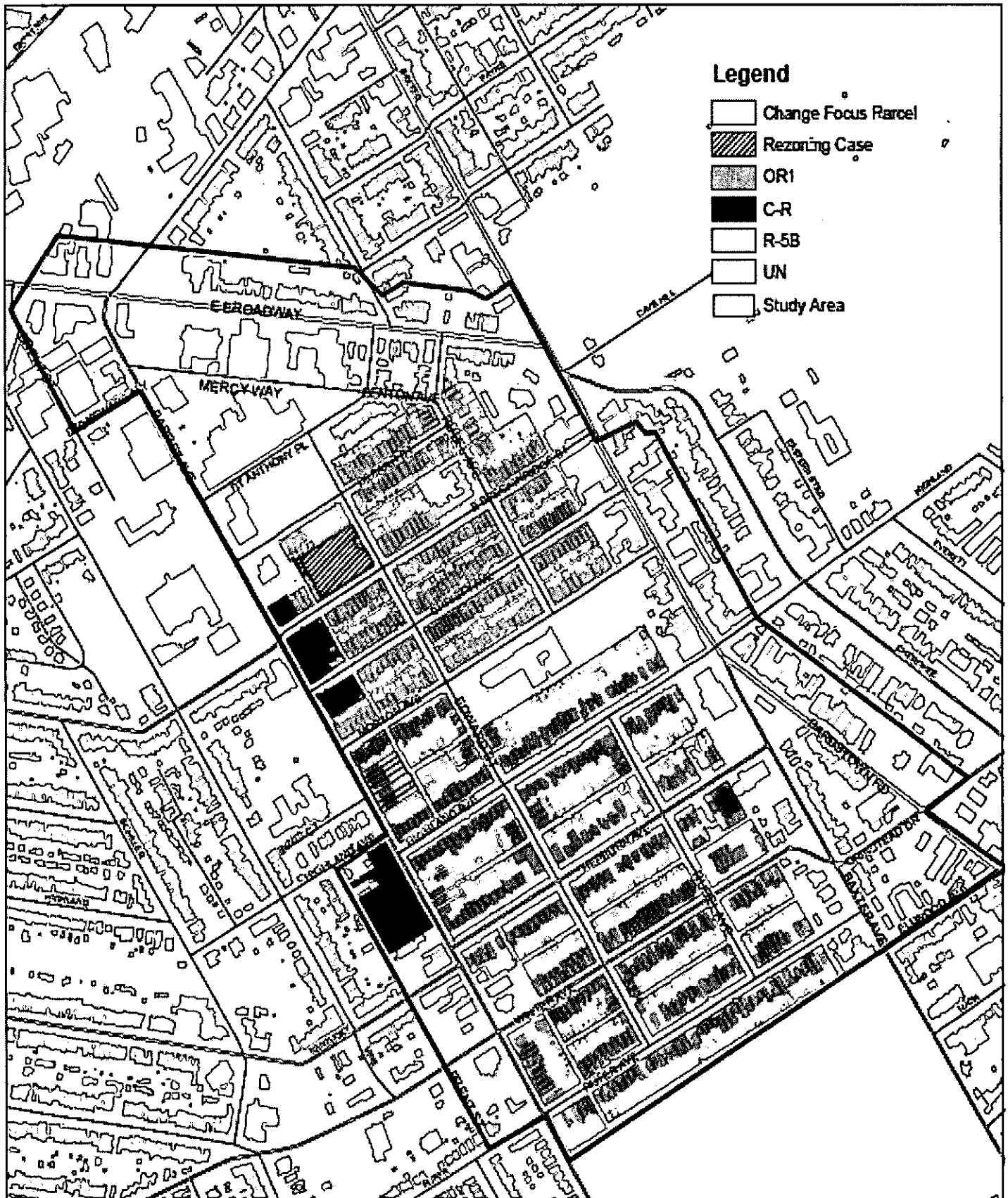
Date	Purpose of Notice	Recipients
Dual Notices Sent for the March 28 th LD&T Meeting & the April 18 th PC Public Hearing on March 13, 2013	LD&T Meeting - March 28, 2013 PC Public Hearing - April 18, 2013	Original Highlands Area-Wide Rezoning Property Owners & Neighborhood Notification Groups

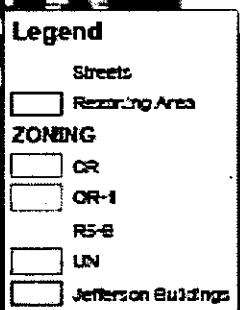
ATTACHMENTS





Attachment 3: Original Highlands Neighborhood Plan / Revised Area-Wide Rezoning Map





Attachment 5: Original Highlands Neighborhood / Aerial Map



Original Highlands Area Wide Re-Zoning Petition

Based on Original Highlands Neighborhood Plan (adopted in 2006)

Louisville Planning Commission Case Number: 16074

Case Manager: Mike Wilcher

By signing below, you agree that you are in support of the rezoning:

- * Rezone 255 parcels/19.3 acres of the neighborhood north of Morton Avenue to UN
- * Rezone 339 parcels/40.85 acres of the neighborhood south of Morton Avenue to R-5B
- * Rezone 35 parcels/4.35 acres of the neighborhood along the Barret Avenue corridor to C-R
- * Rezone 1 parcel/.35 acres of the neighborhood at 1516 Hepburn Avenue to OR-1
- * Rezone a total of 630 parcels/65 acres

	Name	Address	Signature
1	MICHAEL McDONALD	1518 HIGHLAND AVE	Michael McDonald
2	Bradley Hard	1518 Highland Ave	Bradley Hard
3	Charles Riche	1355 Bardtown Rd	Charles Riche
4	Rick Goldberger	1523 Highland Ave	Rick Goldberger
5	FRANCES COZINE	1509 HIGHLAND	Frances Cozine
6	Cassie Torrey	1506 Highland	Cassie Torrey
7	Alison Torrey	1506 Highland	Alison Torrey
8	ROBIN BLACKSHEAR	1515 Highland	Robin Blackshear
9	Joel Stottman	1515 HIGHLAND AVE	Joel Stottman
10	KISSIA C. MILES	1500 HIGHLAND AVE	Kissia C. Miles
11	Stephanie Simpson	1516 Highland Ave	Stephanie Simpson
12	William Dierkes	1512 Highland	William Dierkes
13	Brianne Coles	1519 Highland Ave	Brianne Coles
14	TISH HAY	1508 Highland Ave	Tish Hay
15	Erin Langston	1508 Highland Ave	Erin Langston
16	Frank Hogan	1508 Highland Ave	Frank Hogan
17	Scot Clavitt	1519 Highland Ave	Scot Clavitt
18	Clare McCarty	1511 Highland Ave	Clare McCarty
19	GREG FLECK	1515 HIGHLAND	Greg Fleck
20	Myriam Dobson	1507 Highland Ave	Myriam Dobson
21	David Dobson	1507 Highland Ave	David Dobson
22	Marianda Garm	1518 Highland Ave	Marianda Garm
23			
24			
25			

April - May, 2013

Received at the May 30, 2013 public hearing

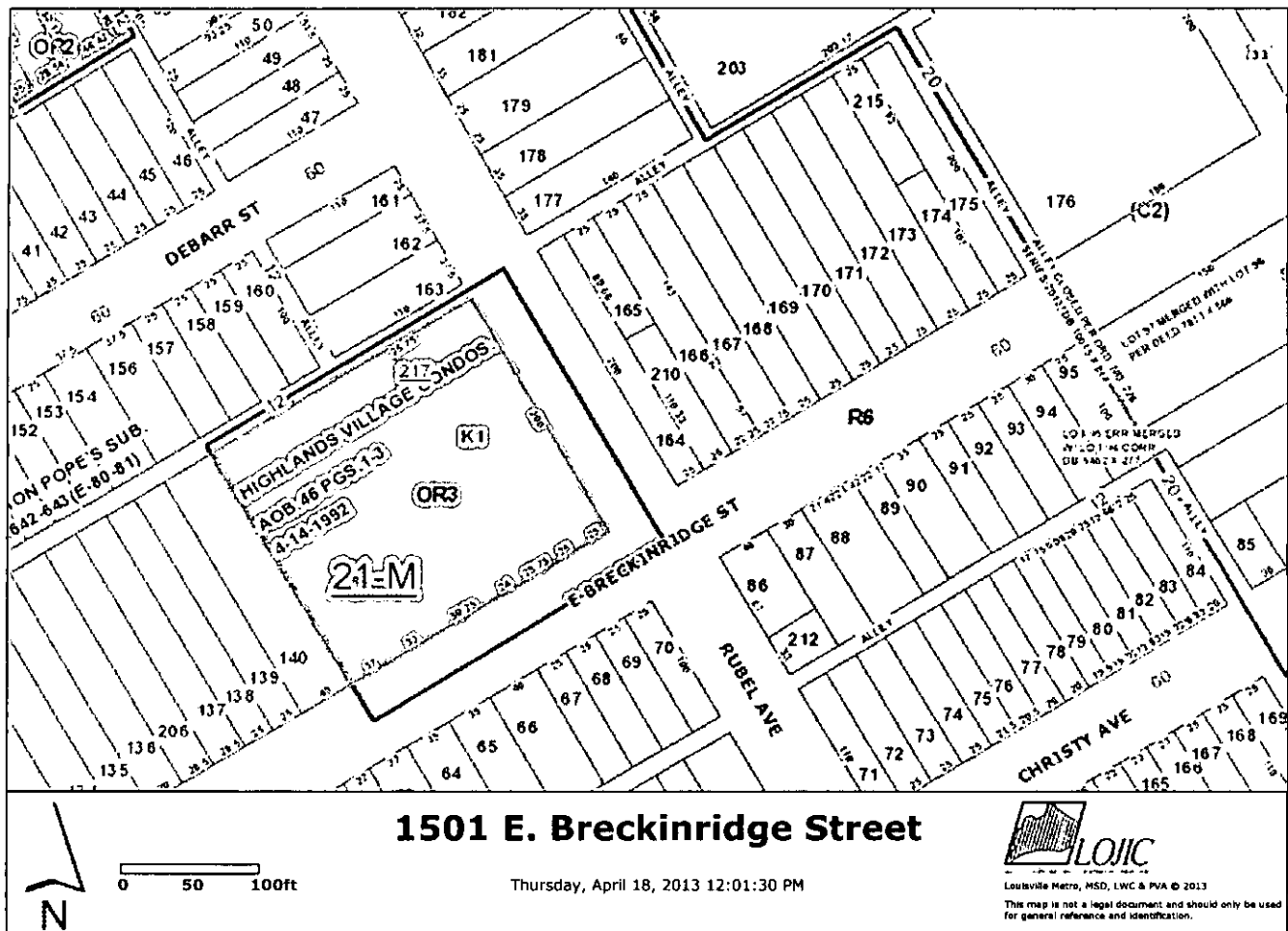
1501 E. Breckinridge

Request to be excluded
from U-N rezoning

Docket # 16074

Property Owned by Catherine
Spalding

Received at the May 30, 2013 public
hearing



Google

To see all the details that are visible on the screen, use the "Print" link next to the map.









May 29, 2013

VIA ELECTRONIC MAIL
AND REGULAR MAIL

Mr. Michael Wilcher
Louisville Metro Planning & Design Services
444 South Fifth Street
Louisville, KY 40202

Re: 1501 Breckinridge Street

Dear Mike:

I am writing on behalf of Catherine Spalding, the owner of property at 1501 Breckinridge Street (the "Property"), to formally request that the Property be excluded from the rezoning contemplated in Docket #16074. The Property is at the intersection of Rubel Avenue and Breckinridge Street and is currently zoned R-6. Based on the existing zoning, Mrs. Spalding has undertaken a renovation project that will result in the creation of two dwelling units on the Property. Louisville Metro has issued Building Permit #362786 for such construction, a copy of which is attached. Should the rezoning to U-N be allowed to apply to the Property, the Property would immediately become nonconforming, greatly hampering Mrs. Spalding's ability to operate the duplex, preventing her from expanding the structure by even a square foot.

I understand the work and time that has gone into the Original Highlands Neighborhood Plan and this rezoning request but do not believe this request for exclusion will detract from the objectives of either effort. The Property is surrounded by multi-family properties and is at the intersection of two streets, a location where higher intensity zoning districts are routinely encouraged. Also, because of the size of the Property, no more than two dwelling units will ever be allowed on the Property. Should the U-N rezoning occur, the same number of units would be allowed, though the Property would need to be subdivided into two lots. Since excluding the Property will not affect the number of dwelling units



Mr. Michael Wilcher
May 29, 2013
Page 2

allowed on the Property, and Mrs. Spalding has proceeded with construction under a valid building permit, we respectfully request that the Property be excluded.

Sincerely,

WYATT, TARRANT & COMBS, LLP

A handwritten signature in black ink, appearing to read 'Clifford H. Ashburner'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Clifford H. Ashburner

CHA/rb
Attachment
cc: Catherine H. Spalding

60384239.1

Building Application Information - Windows Internet Explorer provided by Louisville Metro

PREVIOUS NEXT ACTION PRINT HARP DOCUMENTS REPORTS HELP CLOSE

INFORMATION - APPLICATION# 362786

Application Type BUILDING Building Permit

Primary Applicant ALL IN ONE CONSTRUCTION

Address 1501 E BRECKINRIDGE ST LOUISVILLE KY 40204-0000

Location

Application is Open.
Current milestone is Issue Permit.
Current unpaid amount of \$0.00.

Job Description

Application Details

Reviews

Inspections

Conditions

Required Licenses

Fees

Bonds

Valuations

Applicants

Sites

Employees

Related Records

Logs

Attachments

Status Dates

Processed	5/20/2013	11:59	by	DANA M TINSLEY	Expires	11/18/2013
Issued	5/20/2013	12:17	by	BARBARA HAGAN		
Final	//	:	by			
Temp COO	//	:	by			
COO	//	:	by			

☒ Create eB Container

Job Description

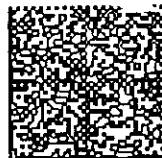
Work Type	RENALTREP	Renovation - Alter - Repair	# of Plans	3
Occupancy Type	SF	Single Family	# of Pages	3
Type	Exist	Existing	Declared Valuation	\$14,800.00
A/P Name	SINGLE FAMILY TO DUPLEX			
Square Footage	304.00	Actual Valuation	\$0.00	

Description of Work Renovation: Single Family residence separated for studio apartment above, walls framed for full bath on 2nd. work is not outside of existing footprint. SHALL COMPLY WITH 2007 KRC & KBC: 1hr fire separation between dwelling units 317; ceiling/floor assembly item #13-1.1 and partition walls item #12-1.1 per 720; fire doors min 45min 715. separate permit required for electrical, hvac & plumbing. dmt



WYATT, TARRANT & COMBS, LLP

500 West Jefferson Street, Suite 2800
Louisville, Kentucky 40202-2898



02 1M

0004290977

\$ 00.46⁰

MAY 29 2013

MAILED FROM ZIP CODE 40202

Mr. Michael Wilcher
Louisville Metro Planning & Design Services
444 South Fifth Street
Louisville, KY 40202

4020234314 C075



Integra Realty Resources
Kentucky-Southern Indiana

Kaden Tower, Suite 601
6100 Dutchmans Lane
Louisville, KY 40205-3284

T 502.452.1543
F 502.451.3657
www.irr.com



May 23, 2013

R&T Realty
c/o Ronald Tasman
PO Box 4342
Louisville, KY 40204

and

Janice Proud, Trustee of the Woodrow Mills Revocable Trust
c/o Proud & Proud, PLLC
PO Box 232
Goshen, KY 40026

RE: Consulting services regarding downzoning
C-R Zoning analysis
Integra Realty Resources File #: 1600-0015-13 (C)

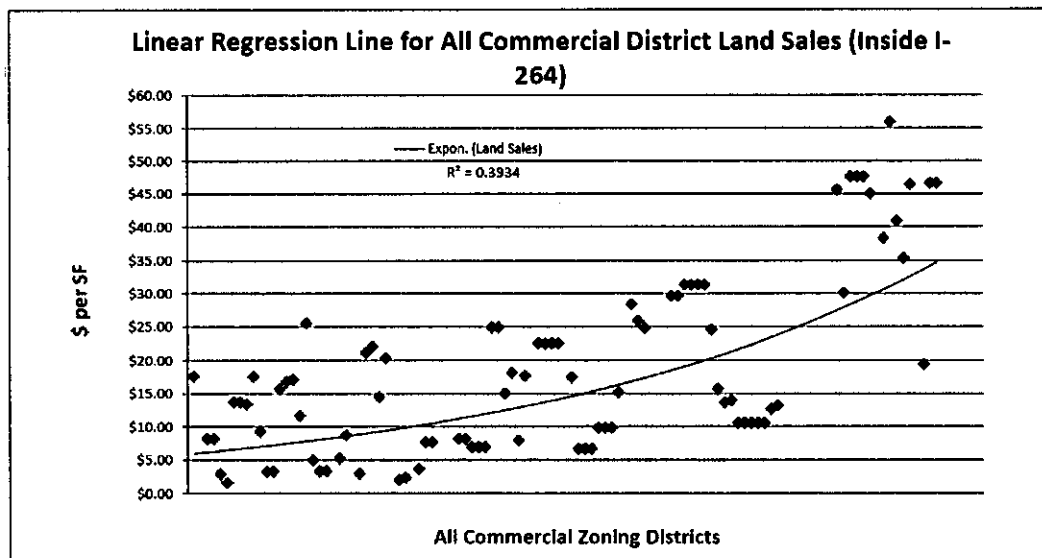
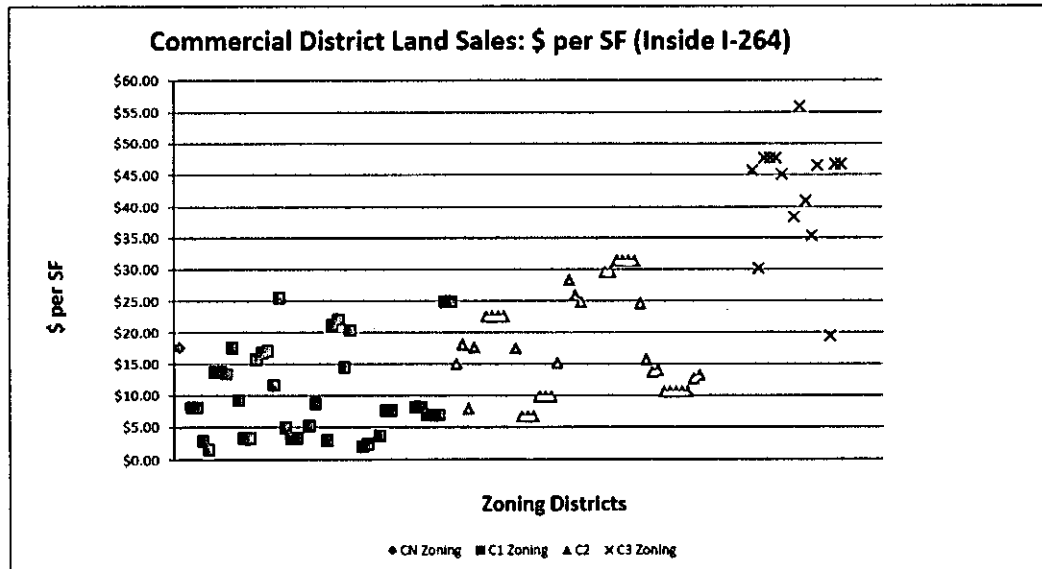
To whom it may concern,

Integra Realty Resources Kentucky-Southern Indiana is pleased to present the findings of our analysis regarding the effects of a proposed downzoning from C-2 to C-R in Louisville, KY.

We have compiled a graphic analysis of the commercial land sales provided in a spreadsheet by the Jefferson County property valuation assessor's office which depicts a decrease in value as the density decreases. Our methodology included plotting land sales (\$/sf) by zoning to determine any trend that could be attributed to zoning. Commercial zoning, in order of density, includes: C-R, C-N, C-1, C-2 and C-3. We attempted to cull data based on location by using sales inside the Watterson Expressway and also by removing aberrant transactions.

In our research, we used commercially zoned land sales since 2005 inside the Watterson Expressway. There were no C-R sales and one -CN. The averages are as follows:

Avg	C-1	\$10/SF
Avg	C-2	\$18/SF
Avg	C-3	\$47/SF



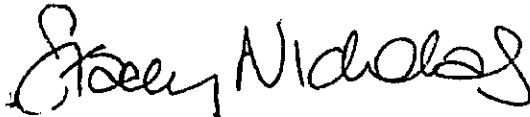
May 23, 2013

Page 3

Our findings indicate there is a relationship between land value and allowable density in commercial zoning districts such that it would be reasonable to conclude that the value of a lower commercial density would be diminished by a downzoning and C-R zoning would have a lower land value than C-2 zoning.

Sincerely,

Integra Realty Resources Kentucky-Southern Indiana

A handwritten signature in black ink, reading "Stacey Nicholas". The signature is fluid and cursive, with the first name "Stacey" and last name "Nicholas" clearly distinguishable.

Stacey S. Nicholas, MAI, MRICS

Certified General Real Estate Appraiser

Kentucky Certificate #3870

Telephone: 502-452-1543, ext. 3774

Email: snicholas@irr.com

Wilcher, Michael

From: Bill Bardenwerper [wbb@bardlaw.net]
Sent: Wednesday, April 03, 2013 7:22 PM
To: Wilcher, Michael
Cc: James Proud (jproud@me.com)
Subject: Original Highlands Area-Wide Re-zoning--staff report--Case # 16074
Attachments: 20130327103653410.pdf; 20130401105546487.pdf

Mike: I understand from the below that you are the Case Manager on this area-wide rezoning. I'd like to come talk with you with my client about this, either late day tomorrow after my PC PH case (I am last on the agenda) or perhaps 1130 Monday after the LDC Process Subcommittee mtg I expect to attend which begins at 10. Any chance either or both those days and times work for you? If you have other documentation in addition to the attached, perhaps you can share that with me when we meet, so I can better understand the situation and explore with you our options, if any, other than getting down-zoned. Many thanks. BB

Bill Bardenwerper
Bardenwerper Talbott & Roberts, PLLC
Home Builders Association of Louisville Building, Second Floor
1000 N. Hurstbourne Parkway
Louisville, Kentucky 40223
502-426-6688 (W)
502-419-7333 (M)
www.bardlaw.net

From: James Proud [mailto:jproud@me.com]
Sent: Monday, April 01, 2013 10:57 AM
To: Bill Bardenwerper
Cc: Jan Proud
Subject: Original Highlands Area-Wide Re-zoning--staff report--Case # 16074

Bill--thank you for speaking with me this morning. Here is the staff report on the Original Highlands Area-wide re-zoning.

The properties that my mother owns are 950 Barrett Avenue; 1228 Highland Avenue; and 1226 Highland Avenue. Two parcels (950 and 1228) are zoned C-2, and the portion of 1226 where the building sits is zoned C-2. The parcels are contiguous.

The hearing before the Planning Commission is set for 1:00 p.m. on April 18th. Mike Wilcher is the case manager. His direct dial is 574-8692. His e-mail is michael.wilcher@louisvilleky.gov.

The property is located in District 8, and Tom Owen is the council member for D8. I also attach the descriptions of C-R and C-2 from the LDC. The final attachment consists of two color maps--one shows the current zoning, and the other shows the proposed re-zoning. Note that much of the C-2 zoning on Barrett will remain C-2. On both maps, my mother's property is at the northern edge of the proposed C-R district (also noted as the "Proposed Barrett Avenue Arts District" on page 7 of the staff report) on Barrett.

I will also send a photo of each property by separate e-mails. I will be out of town on Friday, but I am otherwise fairly flexible. Thanks,

Jim

Wilcher, Michael

From: Wilcher, Michael
Sent: Tuesday, April 02, 2013 4:42 PM
To: 'Jackie Leslie'; Long, Terra L; Owen, Tom; Liu, Emily; Bills, Phillip
Cc: Alison Torpey; Chuck Woodall; Phillip Brown
Subject: RE: Original Highlands Area Rezoning

All:

Your prompt response and cooperation with this late request from Mr. Proud is greatly appreciated. After discussions with District 8 Councilman Tom Owen, Neighborhood Association President Jackie Leslie, Planning Director Phil Bills, and Assistant Director Emily Liu, all parties are in agreement that no changes shall be recommended for the area-wide rezoning proposal at this point in time.

Mr. Proud will have an opportunity to address the Planning Commission on April 18, 2013, if his family still intends to request a modification to the current area-wide rezoning for 2 and one-half properties included in the Original Highlands Neighborhood Area-Wide Rezoning proposal. Thank you.

Mike Wilcher

Metro Codes & Regulations
Code Enforcement Planner
444 S. 5th Street/Suite 200
Louisville, KY 40202
(502) 574-8692
michael.wilcher@louisvilleky.gov

From: Jackie Leslie [<mailto:Jackie.Leslie@insightbb.com>]
Sent: Monday, April 01, 2013 3:15 PM
To: Wilcher, Michael
Cc: Owen, Tom; Alison Torpey; Chuck Woodall; Phillip Brown
Subject: Original Highlands Area Rezoning

Mike,

This email is in response to Mr. James Proud's request to be granted an exception to the area rezoning on Barret Avenue from C2 to CR.

The executive committee of the OHNA Board would like to request that you leave the rezoning as it is proposed and not allow any exceptions.

At this final stage of the process, we feel it would jeopardize the completion of this effort; an effort that has been ongoing for many years.

There also have been numerous notifications and hearings that this rezoning was going to take place. Mr. Proud did not contact anyone until last week and we definitely have passed the deadline for any requests or objections.

There are very few restrictions to the type of businesses that can operate under CR, so we also do not believe the rezoning will devalue his property in any way.

Thank you for your efforts and support throughout this project.

Jackie Leslie, President
Phillip Brown, Vice President
Alison Torpey, Secretary
Chuck Woodall, Treasurer

Wilcher, Michael

From: Jackie Leslie [Jackie.Leslie@insightbb.com]
Sent: Monday, April 01, 2013 3:15 PM
To: Wilcher, Michael
Cc: Owen, Tom; Alison Torpey; Chuck Woodall; Phillip Brown
Subject: Original Highlands Area Rezoning

Mike,

This email is in response to Mr. James Proud's request to be granted an exception to the area rezoning on Barret Avenue from C2 to CR.

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Thank you for your efforts and support throughout this project.

Jackie Leslie, President
Phillip Brown, Vice President
Alison Torpey, Secretary
Chuck Woodall, Treasurer

Wilcher, Michael

From: Owen, Tom
Sent: Monday, April 01, 2013 8:57 AM
To: jproud@me.com
Cc: Wilcher, Michael; Long, Terra L
Subject: Area wide rezoning of Original Highlands neighborhood

Mr. Proud:

I spoke to Mr. Wilcher at Metro Planning and Design and he read the uses allowed under the .CR zone . Those many many many commercial uses seem appropriate for the shop district that is being proposed for that portion of Barret. In fact tattoo parlors, filling stations, bars and drive thru are about all that are excluded.

I believe you still can address the Planning Commission at its scheduled meeting.

Tom Owen 8

Wilcher, Michael

From: Owen, Tom
Sent: Monday, April 01, 2013 8:25 AM
To: Wilcher, Michael
Subject: original highlands area wide rezoning

Mike On Saturday I met with Mr. Proud who'S FAMILY owns the three properties .ai Barret and Highlands (southwest corner) please call me at 314 2565 to discuss Tom Owen 8

PLANNING COMMITTEE MEETING - November 8, 2012

Lbt in
December
PC in
JANUARY

CASE: 16074
Project Name: Original Highlands Area-Wide Rezoning
Applicant: Louisville Metro Government / Planning Commission
Form District: Traditional Neighborhood / Traditional Marketplace Corridor
Area: 66.0 Acres
Jurisdiction: Louisville Metro
Council District: 4 – David Tandy / 8 – Tom Owen
Case Manager: Mike Wilcher, Planner II

An area-wide rezoning for **643** properties on **66.0** acres of land is requested from existing zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to proposed zoning districts (R-5B Two-Family Residential, UN Urban-Neighborhood, CR Commercial-Residential, or OR-1 Office-Residential).

Key recommendations of the Original Highlands Neighborhood Plan focus upon residential rezoning (Urban Neighborhood – UN north of Morton and R-5B single family south of Morton). The purpose of the rezoning is to guide the neighborhood to become an area with a greater emphasis on single-family, owner occupied households with enough leeway to allow existing multi-family and future reuse of larger structure as duplexes. This will contribute both to prevent the neighborhood from transforming into a rental/apartment district and allowing it to maintain its current diversity.

It is also recommended that specific properties along a portion of Barret Avenue be rezoned to CR Commercial-Residential to effectively prohibit the type of development that exists on Baxter Avenue, while encouraging a boutique/arts type district instead. Moreover, the existing commercial area on Barret shall remain C-2 Commercial and be designated a Traditional Neighborhood Activity Center as discussed in Cornerstone 2020, as well as the fact that Barret Avenue is not in the Traditional Marketplace Corridor. The boundaries of this area should not be expanded, which will encourage neighborhood-serving uses.

While the existing bar and restaurant district along Baxter Avenue is recognized as contributing to the vibrancy, economy, and visual appearance of the neighborhood, there are detrimental issues associated with this district. Patrons create parking and other related problems throughout the neighborhood. They often leave and return to their cars in the early morning hours (post-midnight), and various conflicts, excessive noise, littering, and other detrimental factors are associated with the entertainment district. The plan recommendation for consideration of future development on Baxter reflects the goal of a Traditional Marketplace Corridor under Cornerstone 2020 as a mixed-use corridor without a predominance of any one type of use. Effectively, additional bars or restaurants with liquor licenses should be discouraged.

The Original Highlands Neighborhood Plan (2006) recommended zoning district changes that were modified by the Planning Committee on February 9, 2012. The modifications included rezoning 7 parcels in the 900 block of Barret Avenue from R-7 to R-5B, as opposed to CR as recommended in the Neighborhood Plan. Moreover, the owner of one of these specific parcels attended the Neighborhood Meeting on August 21, 2012, and requested that the CR Zoning District be reestablished as recommended in the 2006 Neighborhood Plan.

Furthermore, a majority of the remaining property owners in the 900 block of Barret Avenue recently provided a signed petition requesting that their properties be rezoned CR Commercial-Residential zoning, as initially recommended in the 2006 Neighborhood Plan, instead of R-5B.

The Original Highlands Neighborhood Plan Area-Wide Rezoning included the following revisions, which range from the initial Neighborhood Plan recommendation of November 2006, to the approved Planning Committee modifications of February 2012, to the current proposal of November 2012.

The Original Highlands Neighborhood Plan Area-Wide Rezoning - November 2006

An area-wide rezoning from multiple zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to (R-5B, UN, CR, & OR-1) is requested for 66 acres of the Original Highlands Neighborhood, including:

- Rezone area of neighborhood north of Morton - 258 parcels / 19.37 acres to U-N
- Rezone area of neighborhood south of Morton - 350 parcels / 42.26 acres to R-5B
- Rezone section along the Barret Avenue Corridor - 35 parcels / 4.35 acres to C-R
- Total - 643 parcels / 66.0 acres

Planning Committee Recommended Zoning Modifications - February 2012

An area-wide rezoning from multiple zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to (R-5B, UN, CR, & OR-1) is requested for 66 acres of the Original Highlands Neighborhood, including:

- Rezone area of neighborhood north of Morton - 255 parcels / 18.06 acres to U-N
- Rezone area of neighborhood south of Morton - 357 parcels / 42.76 acres to R-5B
- Rezone section along the Barret Avenue Corridor - 28 parcels / 3.54 acres to C-R
- Rezone three specific properties consisting of - 3 parcels / 1.61 acres to OR-1
- Total - 643 parcels / 66.0 acres

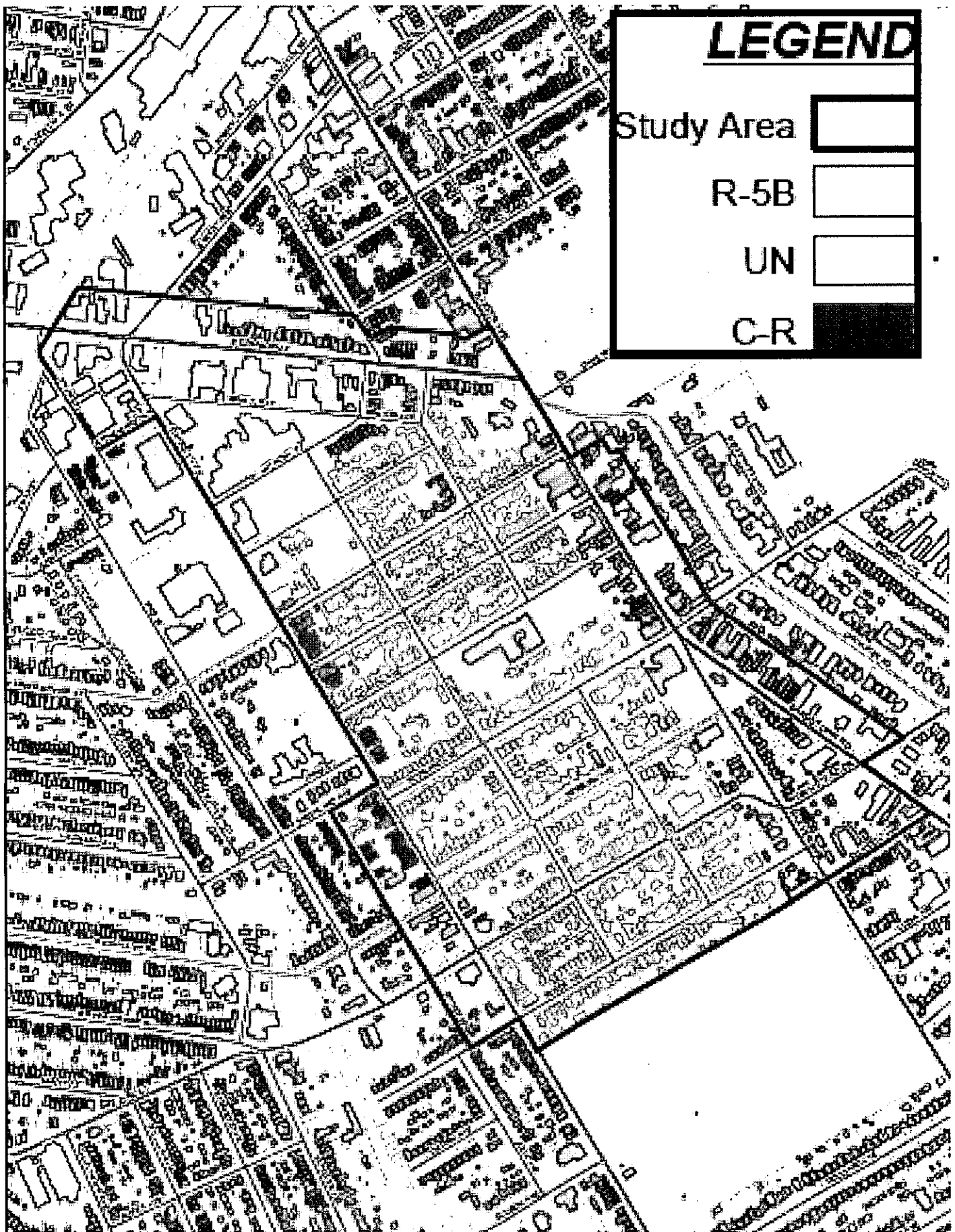
Planning Committee Recommended Zoning Modifications - November 2012

An area-wide rezoning from multiple zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to (R-5B, UN, CR, & OR-1) is requested for **66.0 acres** of the Original Highlands Neighborhood, including:

- Rezone area of neighborhood north of Morton - 257 parcels / 19.31 acres to U-N
- Rezone area of neighborhood south of Morton - 350 parcels / 42.26 acres to R-5B
- Rezone section along the Barret Avenue Corridor - 35 parcels / 4.35 acres to C-R
- Rezone property at 1516 Hepburn Avenue - 1 parcel / 0.35 acres to OR-1
- Total - 643 parcels / 66.0 acres

ZONING MAP ATTACHMENTS

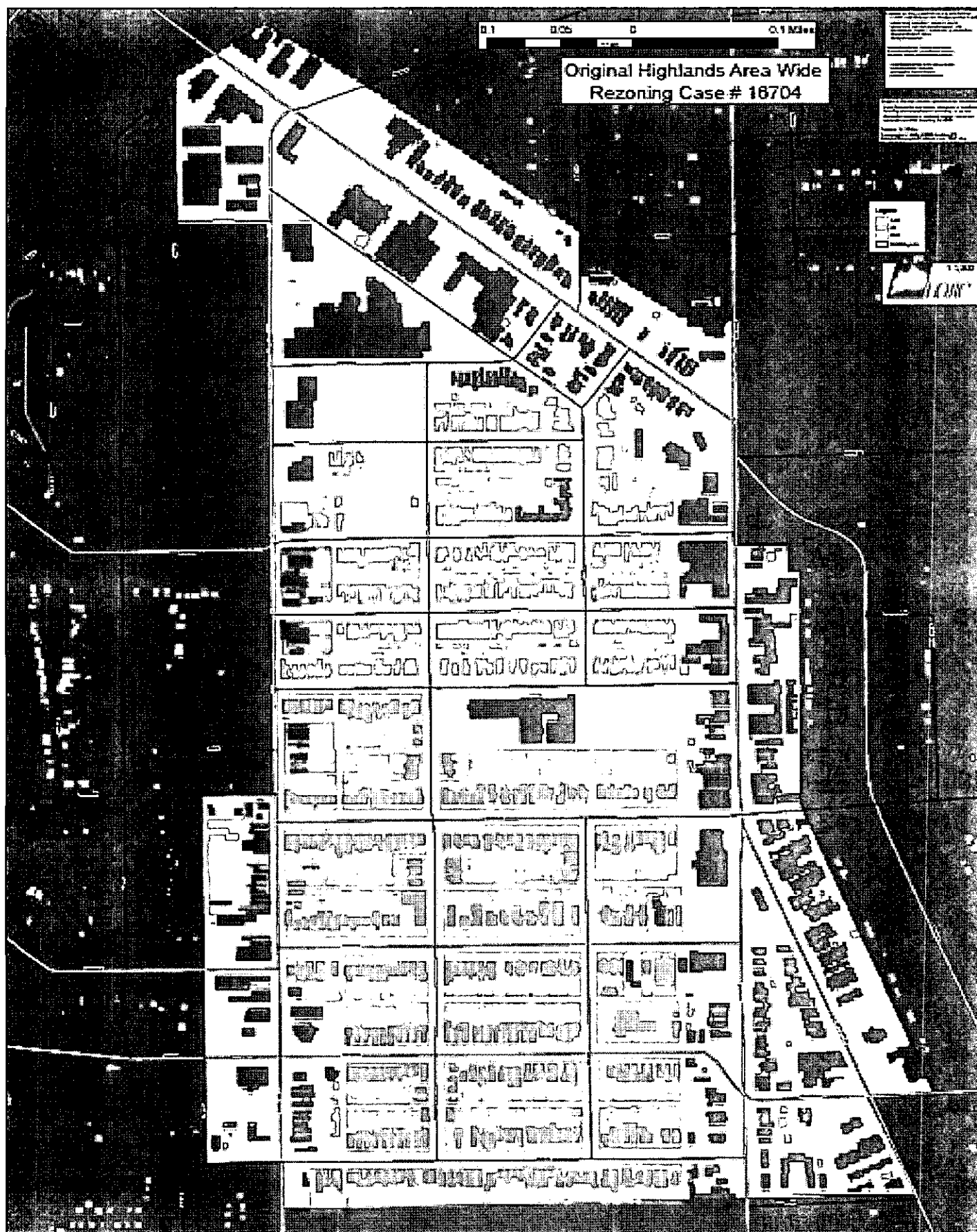
Neighborhood Plan Map / 1st Planning Committee Revised Map / 2nd Planning Committee Revised Map



Modified Rezoning Map – February 9, 2012, Planning Committee Meeting



Revised Rezoning Map – November 8, 2012, Planning Committee Meeting



Mike Wilcher, Planning & Design Services
444 S. 5th Street, Suite 300
Louisville, KY 40202

September 25, 2012

Re: Case 16074 / Original Highlands Neighborhood Area-Wide Rezoning
Properties 945, 947, 949, 951, 953, 955, & 957 Barret Avenue.

Dear Mr. Wilcher,

Thank you for your letter of September 7, 2012.

Please note: the following property owners hereby request that the Original Highlands Neighborhood Plan, adopted in November, 2006 remain as already adopted.

That means there is a zoning change for the above-listed properties from R-7 to C-R as planned on almost 6 years ago. This proposed change has already been adopted, agreed to, and we feel properly addresses the future development of this area.....any change in this already-adopted plan does not. Again, this has already been agreed upon; we simply see no reason to alter the original plan. If there is a reason to zone some of these properties differently, we have no objections to that; we just request that our properties' zoning changes remain as originally planned

Contact us as necessary and please keep us informed as this progresses.

Address :	Property Owner :	Contact informationn :
953	Matthew Black	502-287-3938
955	PETE BIVENS	(502) 475-9272
949 & 951	Lumas LLC Mary Ann Jacob	759-0179
949 & 951	Lumas LLC Mary Ann Jacob	452-2882
957	Kenneth Paul Whobrey	502-587-5270

Louisville, KY 40283
 401-244-2000
 FAX: 401-244-2000

1. What is the main purpose of the document?

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[illegible]

Adrian, M. J. 1993. Probability of survival of

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the team.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources needed to complete each task.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress regularly to ensure that the project is on track.

5. The final step is to evaluate the results of the project. This involves comparing the actual outcomes with the objectives and goals to determine the effectiveness of the project and identify areas for improvement.

ON PREVENTION & EDUCAT COUNCIL
845 BARRET AVE
LOUISVILLE, KY 40204-1743

FIRST PROPERTIES LLC ME
112 E OAK ST APT 5
LOUISVILLE, KY 40203-2745

MICHAEL A MCKINNEY
2116 LAKESIDE DR
LOUISVILLE, KY 40205-2544

PAUL & ANN M & KUHL PE KUHL
7302 GRADE LN
LOUISVILLE, KY 40219-3404

MATTHEW FARMER
945 BARRET AVE
LOUISVILLE, KY 40204-2061

JANICE M & WOODROW W M PROUD
PO BOX 52
PROSPECT, KY 40059-0052

755
SHELTERS PLC KENTUCKY
1243 KESWICK BLVD
LOUISVILLE, KY 40217-2257

PORFIRIO HERNANDEZ
6814 CREEDMOOR CT
LOUISVILLE, KY 40228-2343

& ROSENSTEIN FAMILY IN TASMAN
PO BOX 4342
LOUISVILLE, KY 40204-0342

& ROSENSTEIN FAMILY IN TASMAN
PO BOX 4342
LOUISVILLE, KY 40204-0342

ON PREVENTION & EDUCAT COUNCIL
845 BARRET AVE
LOUISVILLE, KY 40204-1743

MICHAEL A MCKINNEY
2116 LAKESIDE DR
LOUISVILLE, KY 40205-2544

LIVING TRUST ASHCRAFT
2323 EMBASSY LN
LOUISVILLE, KY 40216-2963

L BRADLEY LIVING TRUST EVELYN
1901 DALEVIEW LN
LOUISVILLE, KY 40207-1764

Kibbe, Shane J
ROBERT JOHNSON-
947 BARRET AVE
LOUISVILLE, KY 40204-2061

951
LLC LUNAS
1820 ALFRESCO PL
LOUISVILLE, KY 40205-1808

BEVERLY J MCROY
956 BARRET AVE
LOUISVILLE, KY 40204-2063

& T LLC R
3010 REXFORD WAY
LOUISVILLE, KY 40205-2718

& ROSENSTEIN FAMILY IN TASMAN
PO BOX 4342
LOUISVILLE, KY 40204-0342

& ROSENSTEIN FAMILY IN TASMAN
PO BOX 4342
LOUISVILLE, KY 40204-0342

REALTY LLC SJH
214 LINDEN LN
LOUISVILLE, KY 40206-2318

MICHAEL A MCKINNEY
PO BOX 5162
LOUISVILLE, KY 40255-0162

MARTIN N MCCLELLAND
208 MOCKINGBIRD GARDENS
LOUISVILLE, KY 40207-5711

DENISE & MARK BELAK
927 BARRET AVE
LOUISVILLE, KY 40204-2062

949
LLC LUNAS
1820 ALFRESCO PL
LOUISVILLE, KY 40205-1808

Jonathan Matthew Blair
DAVID L JR RANDOLPH
953 BARRET AVE
LOUISVILLE, KY 40204-2061

957
KENNETH PAUL WHOBREY
1952 MELLWOOD AVE
LOUISVILLE, KY 40206-1035

& ROSENSTEIN FAMILY IN TASMAN
PO BOX 4342
LOUISVILLE, KY 40204-0342

& ROSENSTEIN FAMILY IN TASMAN
PO BOX 4342
LOUISVILLE, KY 40204-0342

& T REALTY LLC R
PO BOX 4342
LOUISVILLE, KY 40204-0342



LOUISVILLE METRO PLANNING & DESIGN SERVICES

GREG FISCHER
MAYOR

PHILLIP BILLS
DIRECTOR

September 7, 2012

Case 16074 / Original Highlands Neighborhood Area-Wide Rezoning

Dear Original Highlands Neighborhood Property Owners:

The Original Highlands Neighborhood Plan was adopted in November 2006, and includes a number of land use/community form recommendations for the Original Highlands Neighborhood, as directed by Metro Council Resolution No. 69, Series 2011, Sponsored by Councilman Tom Owen. The Original Highlands Neighborhood Plan was adopted in order to rezone areas of the neighborhood for the purpose of providing greater emphasis on single-family, owner occupied households, with leeway to allow existing multi-family and future reuse of larger structure as duplexes. This in turn will assist in preventing the neighborhood from transforming into a rental/apartment district while allowing it to maintain its current diversity.

Moreover, it is recommended that specific properties on Barret Avenue be rezoned to Commercial-Residential, which will effectively prohibit the types of development that exists on Baxter Avenue, while encouraging a boutique/arts type district on Barret Avenue instead.

The Louisville Metro Planning Commission, with the assistance of Planning & Design Services, is ready to proceed with the rezoning process to implement the recommendations from the Original Highlands Neighborhood Plan. Notification of the recent neighborhood information meeting, which was held on August 21, 2012, at 850 Barret Avenue was sent to all property owners with recommended zoning changes.

Proposed changes to specific properties included: 945, 947, 949, 951, 953, 955, & 957 Barrett Avenue. The neighborhood plan recommended a zoning change from R-7 to C-R for these properties; however, suggested changes from the neighborhood plan recommended a zoning change from R-7 to R-5B instead, due to the existing single-family use of the properties.

During the neighborhood meeting on August 21, 2012, the property owner at 955 Barret Avenue requested that the zoning change remain from R-7 to C-R instead of R-5B for his property, as initially recommended in the neighborhood plan. Therefore, this special notice is being provided to all owners of the seven aforementioned properties on Barret Avenue requesting comments pertaining to your preference for a zoning district change to either CR or R-5B.

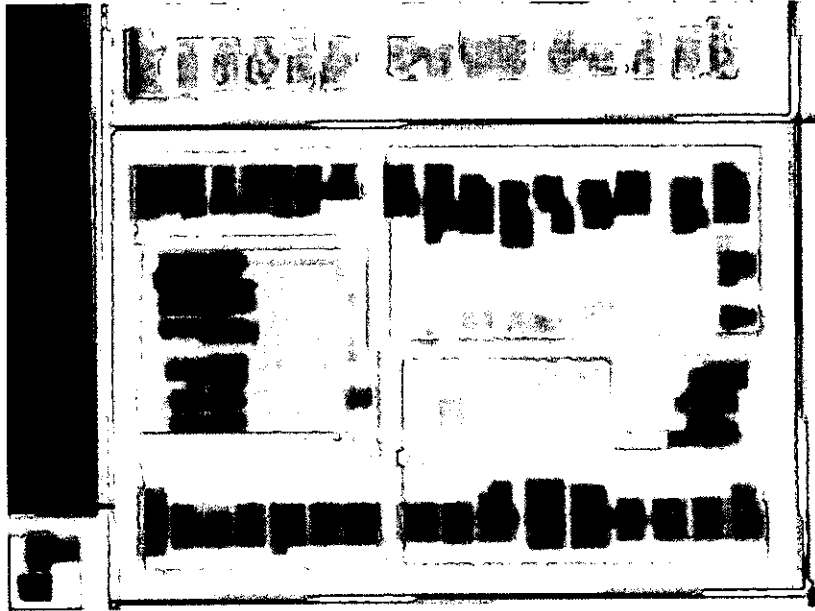
Please contact me by October 1, 2012, with the requested zoning district information associated with your specific property, to permit the area-wide rezoning process to continue for the Original Highlands Neighborhood.

Regards,

Mike Wilcher
Planning & Design Services
444 S. 5th Street, Suite 300
Louisville, KY 40202 / 502-574-8692
Michael.Wilcher@louisvilleky.gov

Dear Property Owners of the 900 Block of Barret Avenue:

The map below shows the initial proposal for Zoning District Changes to (C-R) for your 7 properties (highlighted in blue) as shown from the Original Highlands Neighborhood Plan of 2006.



Moreover, the map below shows the proposed Zoning District Change to (R-5B) for the 7 properties as recommended due to the existing single-family residential uses of the homes located on the properties.



Wilcher, Michael

From: Wilcher, Michael
Sent: Monday, October 08, 2012 11:22 AM
To: Long, Terra L; Owen, Tom; 'Jackie Leslie'; Booker, Charles
Cc: Liu, Emily; Bills, Phillip
Subject: RE: OHNA zoning
Attachments: Orig Highlands AW-RZ Revised notices to owners in 900 BL Barret Ave.docx; OHAWRZ Owner Petition CR Zoning - 900 block Barret Av.pdf

All:
The letter that was sent to 7 property owners in the 900 block of Barret Avenue last month, as well as a recently received signed petition from 5 of the 7 owners is attached for your review. All 5 owners who signed the petition are requesting that their properties be rezoned to CR instead of R-5B. The remaining 2 owners (Matthew Farmer at 945 Barret & Shane Kibbe at 947 Barret) did not contact our office in response to the letter, or agree to meet with the remaining 5 owners who made several attempts to reach them.

In order to proceed with the area-wide rezoning, staff proposes to schedule the case for the Planning & Zoning Committee Meeting on November 8, 2012, to present the signed owner petition requesting that the original recommendation to rezone the 7 aforementioned properties to CR, as opposed to R-5B.

Upon approval by the P&Z Committee, the case will be ready to schedule for LD&T and the Planning Commission.

Your comments are welcomed. Thanks.

Mike
574-8692

From: Wilcher, Michael
Sent: Wednesday, September 05, 2012 10:35 AM
To: Long, Terra L; Owen, Tom; 'Jackie Leslie'; Booker, Charles
Cc: Liu, Emily; Bills, Phillip
Subject: RE: OHNA zoning

Hello,
The revised letter to 7 property owners in the 900 block of Barret is attached for your review. The letter will be sent these owners this week to determine if there are additional concerns/requests that the CR zoning district remain for these specific properties as recommended in the neighborhood plan. This should provide adequate time for the owners to respond should they choose. Contact me should you have any questions. Thanks.

Mike Wilcher, Planning & Design Services
444 S. 5th Street, Suite 300
Louisville, KY 40202

September 25, 2012

Re: Case 16074 / Original Highlands Neighborhood Area-Wide Rezoning
Properties 945, 947, 949, 951, 953, 955, & 957 Barret Avenue.

Dear Mr. Wilcher,

Thank you for your letter of September 7, 2012.

Please note: the following property owners hereby request that the Original Highlands Neighborhood Plan, adopted in November, 2006 remain as already adopted.

That means there is a zoning change for the above-listed properties from R-7 to C-R as planned on almost 6 years ago. This proposed change has already been adopted, agreed to, and we feel properly addresses the future development of this area....any change in this already-adopted plan does not. Again, this has already been agreed upon; we simply see no reason to alter the original plan. If there is a reason to zone some of these properties differently, we have no objections to that; we just request that our properties' zoning changes remain as originally planned

Contact us as necessary and please keep us informed as this progresses.

Address :	Property Owner :	Contact informationn :
953	Matthew Black	502-287-3938
955	PETE BIVENS	(502) 415-2272
949 & 951	Lumas, LLC - Mary Ann Jacobs	759-0179
949 & 951	Lumas LLC Mary Ann Jacobs	452-2882
957	Kenneth Paul Whobrey	502-587-5270

Original Highlands Neighborhood Plan Area-Wide Rezoning
Neighborhood Meeting Sign-In Sheet
Tuesday, August 21, 2012

Name	Address
Rick Sweeney	1328 Hepburn Ave 40204
Eric Milner	1324 E. BRECKINRIDGE ST
Greg Hendricks	" "
Donald J Mc Donald	1518 Highland Ave 40204
JACKIE LESLIE	1322 Morton Ave 40204
BERNARD W. HAGAN	1324 HEPBURN AVE LOUISVILLE, KY 40204
Rob + Linda Berghaus	1320 Morton Ave Louisville, KY 40204
Rubin Blackshear	1519 Highland " " "
Beth Russell	1334 E Breckinridge St
Jacqueline Beck	1331 Highland
Mike Tyler	1317 Chestnut Dr
GREG FLECK	1515 HIGHLAND AVE
Wayne T. Ray	1312 DeBarr St
Pete Evans	955 Barrett Ave.
Paul Wagoner Joel Bruno	1421 E. BRECKINRIDGE

16074

MEETING SUMMARY

ORIGINAL HIGHLANDS NEIGHBORHOOD PLAN AREA-WIDE REZONING CASE #16074 NEIGHBORHOOD MEETING

AUGUST 21, 2012

Staff Present:

Mike Wilcher, Planner II

Phillip C. Bills, Director

Emily Liu, Assistant Director

Rebecca Simmons, Management Assistant (summary)

Phillip C. Bills, Director of Planning and Design Services, opened the meeting at approximately 6:30 pm. He provided a brief history of the Original Highlands Neighborhood Plan and information about the rezoning process.

Mike Wilcher showed a PowerPoint presentation and reviewed the neighborhood plan maps as well as the existing and proposed zoning maps. He then discussed how the rezoning will affect properties. Mr. Wilcher briefly discussed the proposed zoning case #17537 and explained that there has been no formal filing at this time. He then reviewed the characteristics of the Original Highlands Neighborhood and key recommendations of the neighborhood plan with regard to zoning. Mr. Wilcher provided information about proposed zones and reviewed the areas and acreage to be rezoned. He then reviewed the non-conforming lots and explained non-conformance. Mr. Wilcher discussed the percentage of parcels to be rezoned UN, C-R, and R-5B. He reviewed the required meetings and hearings and explained the notice requirements for said meetings.

There was some discussion about the parking plan for the neighborhood, Mr. Wilcher explained that parking is a separate element of the neighborhood plan and nothing pertaining to parking or road improvements is related to the proposed area-wide rezoning.

There was some discussion about the rezoning of specific properties.

The meeting adjourned at approximately 7:15 pm.

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MARCH 8, 2012

A meeting of the Planning Committee was held on, Thursday, March 8, 2012 at 10:00 a.m. at the Metro Development Center, located at 444 S. 5th Street, Louisville, Kentucky.

Committee Members present were:

Robert Kirchdorfer (opening Chairperson)
Chip White
Donnie Blake (arrived at 10:35 a.m.; chaired meeting after arrival)
Barbara Kelly

Committee Members absent were:

Lula Howard
Clifford Turner
Paula Wahl

Staff Members present were:

Phil Bills, Director, Planning and Design Services
Ken Baker, Planning and Design Supervisor, Louisville Metro Economic Growth and Innovation
Mike King, Associate Planner, Louisville Metro Economic Growth and Innovation
Chris Cestaro, Management Assistant (minutes)

The following matters were considered:

 (Original Highlands Case Information Page 7)

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Revisions to the Wolf Pen Branch Neighborhood Plan and Appendices

Ken Baker gave a brief background history of the Wolf Pen Branch Neighborhood Plan and appendices. He said the Wolf Pen Branch plan was adopted in 2006 as an amendment to Cornerstone 2020. In February 2011, the Louisville Metro Council approved a resolution to initiate an update to this plan, under the direction of Councilmember Kelly Downard (District 16.) This update was done without the aid of a consultant and was done primarily by staff and the citizen advisory group.

He said most of the revisions are minor. Many of these proposed revisions and clarifications occur in multiple places throughout the plan.

Mr. Baker started with the issue of density – the addition of “very low” density category has been added. He showed a map of the study boundary area and described where the areas are for recommended residential densities. He said that “extremely low to very low density” is 0.2 to 1 dwelling unit per acre. He clarified that this map is in the plan and is a part of the Executive Summary, which was adopted as part of Cornerstone 2020.

He said that, originally, the plan referenced the “Wolf Pen Branch neighborhood”. For consistency, this has been clarified to read WPBNSA (which stands for “Wolf Pen Branch Neighborhood Study Area) and is referred to as such throughout the plan. This area includes Wolf Pen Branch Road, Mint Spring Branch Road, Chamberlain Lane connecting the two, as well as Spring Farm Road and all roadways within the WPBNSA.

Related to recommendations for future commercial development, Mr. Baker said the plan has been updated to say that future development should be restricted to single family residential use and limit future non-residential development to the reuse of existing non-residentially zoned areas at River Road.

A mapping error has been corrected on the updated map which extends the Wolf Pen Branch Corridor along Chamberlain Lane to I-71. There is a small section of Chamberlain Lane that has been added (see updated map in the plan.)

Mr. Baker discussed sidewalk justification for the area. This has been changed to require no sidewalks on existing roadways within the WPBNSA with the exception of interior roads within platted subdivisions. Alternative pedestrian facilities, such as trails, should be provided instead of sidewalks (see the revised plan for verbatim justification.)

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The orientation of new homes was discussed. Mr. Baker said the new wording recommends orienting new homes so that the front faces the road, with garage doors to the rear and not part of the front façade. Detached garages shall be located no less than 15 feet beyond the furthest point of the rear façade.

He also discussed the "Dark Sky" compliant lighting to reduce light pollution. He said the standards outlined in the plan are LG&E standards.

Mr. Baker also reviewed the revised Vision Statement, which incorporated various revisions throughout the plan.

Barbara Kelly stated that the updated maps did not show up well on pages A3, A4 and A6. The map was left off in the photo study in Appendix B on page 10. Also, pages 18-19 were blurry. Mr. Baker said that Sabak, Wilson and Lingo were the original consultants for this neighborhood plan, and pointed out that they worked without pay on these revisions.

Chuck Kavanaugh asked why front-entry garages were restricted. He said that, to his knowledge, no other plan restricted front-entry garages like this. He said this type of housing design should not be "legislated".

Councilmember Kelly Downard said this came about to get a consistent application of design throughout the whole area. He said there have been several major developments that came through since this plan was first approved in 2006 which all complied with this with no problems. He said the major developer in this area was part of the process in developing this plan, and they said they felt that this was part of maintaining the quality of their overall development designs. Mr. Kavanaugh reiterated that this component was now being "legislated" and asked why this was being done in other areas of Louisville Metro. Councilmember Downard said this is being done in other areas, but not with the consistency that he felt was needed here. Mr. Kavanaugh said yes, but not with legislation. This design issue is worked out by negotiating with the developer on individual projects. He said he is concerned about setting a precedent, here and in other parts of the City.

Robert Kirchdorfer said there are probably deed restrictions in existing developments about this. He asked if the detached garages would have this back-entrance directive as well. An unidentified speaker said that it the preferred way. He clarified that the plan is intended to preserve the look and feel of this area, not to "enact legislation". Mr. Kavanaugh said this restriction is setting a precedent to legislate for every other neighborhood plan. He argued that a negotiated process [i.e. negotiating with the developer] is preferable to having

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this type of restriction or recommendation in the plan. He said he is concerned that this will become a requirement.

The unidentified speaker said this type of recommendation is done in every neighborhood plan. Ms. Kelly said this is a neighborhood preference, and that this orientation was already part of the approved neighborhood plan.

Phil Bills, Director of Planning and Design Services, said that this is a recommendation, not legislation. This document is part of Cornerstone 2020, not part of the Land Development Code. He said that, when a subdivision plan is reviewed, the lotting pattern is looked at, not the detailed houses being constructed on the sites.

***NOTE: Donnie Blake arrived at 10:35 a.m. and assumed the Chair of the meeting.**

There was additional discussion about garage design. Ms. Kelly said that homes with small lots in this area manage to have parking in the back. Mr. Kirchdorfer said that severe site restraints might be a problem but it could be worked out. An unidentified speaker said the purpose of this recommendation is to try to keep the rural feel of the area.

Chip White said each Neighborhood Plan is inclusive only to one particular neighborhood. Each neighborhood has its own setbacks, building heights, etc. and he does not feel that this is "setting a precedent" for other communities. Also, all neighborhood associations have their own rules. The Comprehensive Plan does allow for flexibility.

Councilmember Downard said that this language has been in the plan for six years; there have never been any concerns expressed about it before. He pointed out that the Wolf Pen neighbors requested this. Mr. Kavanaugh said it works here, because that is already the pattern in the area. It is not the pattern in other areas.

Commissioner White asked if a sentence could be added stating that this recommendation only applies to the WPBNSA. After some discussion, it was agreed to add, "Because this is the predominant pattern in the WPBNSA..." before the recommendation to have the rear-facing garages.

An unidentified person thanked Mike Jones of Canfield Development for the Dark Sky compliant lighting that was eventually chosen for this plan.

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MARCH 8, 2012

On a motion by Committee Member Kelly, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Committee does hereby **RECOMMEND** that the proposed Revisions to the Wolf Pen Branch Neighborhood Plan and Appendices, including the revisions discussed at today's meeting, be forwarded to the Louisville Metro Planning Commission for full review.

The vote was as follows:

YES: Committee Members Kirchdorfer, White, Blake, and Kelly.

NO: No one.

NOT PRESENT: Committee Members Howard, Turner, and Wahl.

ABSTAINING: No one.

Southeast Metro Regional Center Planning Study (SMRC)

Ken Baker gave a brief history of the formation of the Plan and introduced Doug Hebberle, the consultant with Qk4.

Mr. Hebberle showed a Power Point presentation which began with some background of the plan. He said the plan was funded by Councilmembers Benson, Engel and Peden to study future growth, traffic volumes, development impacts, and land uses, particularly in the area of Bardstown Road and the Gene Snyder. The first advisory group met in June of 2010; several public meetings were also held to elicit input. The plan mostly focuses on transportation network planning and land use recommendations.

There were three basic recommendations that came about from this study: Community Form / land use recommendations; policy changes, and a large number of suggested mobility enhancements.

Mr. Hebberle said there have been no changes to the Vision Statement.

He discussed the existing interconnected mobility network in the area. He showed a map of the SMRC study area, and explained how the suggested transportation network enhancements would affect a larger portion of Louisville Metro outside the boundaries of the study.

Mr. Hebberle discussed the Transportation Connector Network Concepts, which are:

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- To provide alternatives to reduce traffic on Bardstown Road while still serving a growing area.
- Present suggested *conceptual* linkages for future development.
- Transportation should be development driven.
- Connectors do not reflect a specific alignment but rather illustrate the potential need for a future connection between two points.

He said that multi-modal transportation was very popular with the advisory group/members of the public. These include providing options for safe pedestrian, bicycle and transit modes; and providing connections to various land uses including the Louisville Loop, Metro Parks, and Floyds Fork Park via bike lanes, sidewalks, and multi-use paths.

Regarding land use recommendations, Mr. Hebblerle said the Regional Center form district area/s around the interchange could include commercial, residential, retail, office, hotel, restaurant, open space and recreation, and parking. Since the last Planning Committee meeting, the requirements for specific densities, orientation of new parking areas, and connectivity requirements have been re-evaluated. He discussed the SMRC Planning Study Revised Community Form (CF) recommendations since the submittal of the draft report in June, 2011 (see handout on file.) These are recommended changes to the text.

Mr. Baker said the revised plan is a little less specific about land use recommendations, but it remains generally consistent with the original transportation recommendations. He said that the plan, if adopted, would set in motion changing the zoning in the area to Regional Center form district. It describes what a Regional center is, but does not dictate the design pattern of developments. It still leaves open the possibility of a future Planned Development District (PDD).

Robert Kirchdorfer asked if the predominant zoning in this area is R-4. Mr. Hebblerle said that, north of the Snyder, it is a wide variety of zoning categories. Donnie Blake agreed and said that most of the zoning changes that come through to the Planning Commission are south of the Snyder, which is predominantly R-4.

Mr. Kavanaugh said there was some concern from commercial developers and from some property owners about the extent of the design guidelines inside the Regional Center form district. He said one of the suggestions about assembling a group to look in to that is a good idea; there really aren't that many changes

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between Suburban Marketplace and Regional Center form districts. He said he felt it was important that there was a recognition that this area should be a Regional Center. He pointed out that there are recommendations from Qk4 in this plan that are "off-site" from the Regional Form District, which would allow for more connectivity. He said this area "could be a prime example of where the City could get in front and invest in off-site areas to create what they want." 01:01:21

On a motion by Committee Member Blake, the following resolution was adopted.

RESOLVED, that the Planning Committee forwards the Original Highlands Area-wide Rezoning to the neighborhood meeting stage, with the following criteria: the properties with recommended changes, other than what was addressed by the neighborhood plan, shall receive special notification before being placed on the LD&T Committee Meeting Agenda.

The vote was as follows:

YES: Committee Members White, Kirchdorfer, Wahl and Blake

NO: No one.

NOT PRESENT AND NOT VOTING: Committee Members Howard, Kelly and Kavanaugh

ABSTAINING: No one.

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Southeast Metro Regional Center Planning Study (SMRC)

Michael Hill briefly discussed the Land Development Code (LDC) Improvement Committee meetings and the recommendations of the Round 1 discussions. He said the idea for taking a look at the Land Development Code came from the audit of Planning and Design Services. Mr. Hill explained that the focus of the first phase was trying to identify minor corrections, duplications, improving cross-referencing, making the LDC's functionality better. Mr. Hill directed attention to the Master LDC Comment List (Updated: 2/2/2012) which includes all comments submitted. He also discussed the Proposed LDC Text Amendments document (Updated: 2/2/2012).

Committee Member Blake asked if there was any effort to reduce the need for variances or waivers. Mr. Hill responded that some of the more complex comments within the Round 2 portion speak to that concern and there will probably be some changes to eliminate those requests.

Committee Member White suggested there be some language about timeframe for the review process. Mr. Hill said a lot of general comments were made about the improvement of the process.

Mr. Hill discussed the summaries of the Round 1 proposed LDC text amendments from the staff report. (See Staff Report for summaries and Proposed LDC Text Amendments for specific amendments.)

Mr. Hill said he will probably need to remove the Chapter 3 comments from the Round 1 list because the Downtown Development Review Overlay board will need to approve these first.

Mr. Hill then reviewed the Green Management Practices concept from the staff report. He provided a brief overview of the changes included in the Round 1 text amendments to be implemented to address the Green Management Practices (see Proposed LDC Text Amendments). Mr. Hill then discussed the staff conclusions from the staff report. He said the next step would be for the Planning Commission to hold a full public hearing and then all legislative bodies would give their consideration for final action. He discussed a link on Planning and Design Services' website for the updated summaries and agendas for all the LDC Improvement Committee meetings.

Committee Member Kirchdorfer discussed his experience in attending the meetings.

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Committee Member Blake asked if there were established committee members. Mr. Hill said it was informal and anyone was welcome to participate in the discussions. During Round One there were no official committee members. Consensus was attempted for the items, if there was no consensus about a particular item, then it was moved to Round 2. He said Round 2 will be more formal and there will need to be a set committee.

Ms. Liu explained that Metro Council will appoint the committee. Committee Member Blake asked to be informed on the meetings. Mr. Hill said there will be a couple of positions on the committee for Planning Commission members.

Committee Member Blake raised concern about the length of time that Round 2 will take.

There was some discussion about the appendix items and referencing the website locations to updated documents.

On a motion by Committee Member Blake, the following resolution was made.

RESOLVED, that the Planning Committee **RECOMMENDS** that the Louisville Metro Planning Commission review the proposed Round One LDC Text Amendments.

The vote was as follows:

YES: Committee Members White, Kirchdorfer, Wahl and Blake

NO: No one.

NOT PRESENT AND NOT VOTING: Committee Members Howard, Kelly and Kavanaugh

ABSTAINING: No one.

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MARCH 8, 2012

Approval of February 9, 2012 Planning Committee Minutes

On a motion by Committee Member _____, the following resolution was adopted:

RESOLVED, the

Case 16074 – Original Highlands Area-Wide Rezoning – Mike Wilcher

Mike Wilcher presented the area-wide rezoning proposal. He said the rezoning is based upon the Original Highlands Neighborhood Plan of 2006. He reviewed the proposed zoning changes. Mr. Wilcher discussed an existing structure that is currently zoned OR-3 and used as an office building. He said it was to be rezoned to UN as part of the area-wide rezoning, but perhaps it should remain OR-3 based upon a site visit by staff. This was discussed at a meeting with neighborhood group representatives recently and the recommendation was to change this specific site to OR-1 zoning. He discussed the recommended zoning district changes from the 2006 Original Highlands Neighborhood Plan, as well as the suggested revisions to the area-wide rezoning from the staff report.

Commissioner Kirchdorfer asked Mr. Wilcher for clarification on the changes to the rezoning area map (boundary lines). Mr. Wilcher said the boundary lines are not changing. Emily Liu said there are a couple of properties on the border that may need to be included, but it would be minor revisions to that.

Mr. Wilcher showed the map and pointed out the area of the Barrett Ave corridor and discussed the CR properties that are suggested to be changed to R-5B.

In response to Committee Member Blake's question about which parties were involved in the suggested rezoning revisions, Mr. Wilcher responded that Councilman Owen, as well as members of the Original Highlands Neighborhood Association were involved.

Mr. Wilcher said that there was consensus for the proposed zoning revisions, with the exception of the proposed change of one parcel to OR-1, as opposed to OR-3, which Councilman Owen suggested. He said the existing property is supposed to be rezoned to R-5B. Mr. Wilcher confirmed that the site is conforming.

Committee Member Blake asked what the owner's opinion was. Mr. Wilcher said he did not know.

Committee Member Wahl asked what the consequences of leaving it OR-3. Ms. Liu said it would allow for a more intense use. Mr. Wilcher added that OR-3 zoning is already adjacent to the site and it would be continuous with the OR-3 zoned properties in the area. Otherwise, it will be the only OR-1 zoned parcel in the area.

In response to Committee Member White's question about the differences in restrictions between OR-1 and OR-3, Ms. Liu explained that there are some additional uses allowed and density differences.

Committee Member Blake asked if anyone questioned why Councilman Owen was so passionate about zoning the property OR-1, but Councilman Owen did not address the reason for the recommendation at the meeting. Committee Member Blake raised concern about the property owner being unaware of the rezoning.

Committee Member Wahl pointed out that this site is also near residential, which may give insight to Councilman Owen's concern about the rezoning.

Committee Member Blake reiterated concern about the property owner being involved.

There was some discussion about the differences in land uses allowed in OR-1 and OR-3 zoning districts.

Mr. Wilcher said that of the proposed revisions to specific sites within the area-wide rezoning, this was the only site that staff asked the committee to give additional attention. The remaining zoning revisions were straightforward.

There was discussion about non-conforming rights and potential declining property value risks for property owners.

There was also discussion about notice and the process of committee/commission review.

Mr. Wilcher explained that, with regard to the timeline, the next step would be a neighborhood meeting, but proclaimed that there is adequate time to plan and schedule the meeting. Ms. Liu confirmed that the plan could come back to Planning Committee after the neighborhood meeting.

Ms. Liu explained that every property owner affected will be noticed and discussed the language of the notice. Committee Member White asked if a letter could be sent to the individual property owner. Mr. Wilcher said anyone proposed to be changed could be sent a letter explaining what is being proposed.

Committee Member Kirchdorfer asked if this would be duplicating the process. Committee Member Blake said to send it to the neighborhood meeting, with understanding that the affected properties get special notice that their property will be considered for rezoning. He said he would then be comfortable about not bringing it back to Planning Committee.

Mr. Wilcher asked if there are major changes made at the neighborhood meeting, would the committee like to review those changes. Committee Member Kirchdorfer said it could probably move on in the process, but the committee would like to give advance notice to individuals that their properties are being considered for rezoning.

Committee Member Blake asked that the committee be notified when this case is scheduled for the Land Development and Transportation Committee, so committee members may attend if they wish.

On a motion by Committee Member Blake, the following resolution was adopted.

RESOLVED, that the Planning Committee forwards the Original Highlands Area-wide Rezoning to the neighborhood meeting stage, with the following criteria: the properties with recommended changes, other than what was addressed by the neighborhood plan, shall receive special notification before being placed on the LD&T Committee Meeting Agenda.

The vote was as follows:

YES: Committee Members White, Kirchdorfer, Wahl and Blake

NO: No one.

NOT PRESENT AND NOT VOTING: Committee Members Howard, Kelly and Kavanaugh

ABSTAINING: No one.

**MINUTES OF THE MEETING
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FEBRUARY 9, 2012

A meeting of the Planning Committee was held on, Thursday, February 9, 2012 at 10:30 a.m. at the Metro Development Center, located at 444 S. 5th Street, Louisville, Kentucky.

Committee Members present were:

Robert Kirchdorfer
Paula Wahl
Chip White
Donnie Blake

Committee Members absent were:

Lula Howard
Barbara Kelly
Clifford Turner
Chuck Kavanaugh

Staff Members present were:

Emily Liu, Planning Supervisor
Mike Wilcher, Planner II
Michael Hill, AICP, Planner II
Rebecca Simmons, Management Assistant (minutes)

The following matters were considered:

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Case 16074 – Original Highlands Area-Wide Rezoning – Mike Wilcher

Mike Wilcher presented the area-wide rezoning proposal. He said the rezoning is based upon the Original Highlands Neighborhood Plan of 2006. He reviewed the proposed zoning changes. Mr. Wilcher discussed an existing structure that is currently zoned OR-3 and used as an office building. He said it was to be rezoned to UN as part of the area-wide rezoning, but perhaps it should remain OR-3 based upon a site visit by staff. This was discussed at a meeting with neighborhood group representatives recently and the recommendation was to change this specific site to OR-1 zoning. He discussed the recommended zoning district changes from the 2006 Original Highlands Neighborhood Plan, as well as the suggested revisions to the area-wide rezoning from the staff report.

Commissioner Kirchdorfer asked Mr. Wilcher for clarification on the changes to the rezoning area map (boundary lines). Mr. Wilcher said the boundary lines are not changing. Emily Liu said there are a couple of properties on the border that may need to be included, but it would be minor revisions to that.

Mr. Wilcher showed the map and pointed out the area of the Barrett Ave corridor and discussed the CR properties that are suggested to be changed to R-5B.

In response to Committee Member Blake's question about which parties were involved in the suggested rezoning revisions, Mr. Wilcher responded that Councilman Owen, as well as members of the Original Highlands Neighborhood Association were involved.

Mr. Wilcher said that there was consensus for the proposed zoning revisions, with the exception of the proposed change of one parcel to OR-1, as opposed to OR-3, which Councilman Owen suggested. He said the existing property is supposed to be rezoned to R-5B. Mr. Wilcher confirmed that the site is conforming.

Committee Member Blake asked what the owner's opinion was. Mr. Wilcher said he did not know.

Committee Member Wahl asked what the consequences of leaving it OR-3. Ms. Liu said it would allow for a more intense use. Mr. Wilcher added that OR-3 zoning is already adjacent to the site and it would be continuous with the OR-3 zoned properties in the area. Otherwise, it will be the only OR-1 zoned parcel in the area.

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In response to Committee Member White's question about the differences in restrictions between OR-1 and OR-3, Ms. Liu explained that there are some additional uses allowed and density differences.

Committee Member Blake asked if anyone questioned why Councilman Owen was so passionate about zoning the property OR-1, but Councilman Owen did not address the reason for the recommendation at the meeting. Committee Member Blake raised concern about the property owner being unaware of the rezoning.

Committee Member Wahl pointed out that this site is also near residential, which may give insight to Councilman Owen's concern about the rezoning.

Committee Member Blake reiterated concern about the property owner being involved.

There was some discussion about the differences in land uses allowed in OR-1 and OR-3 zoning districts.

Mr. Wilcher said that of the proposed revisions to specific sites within the area-wide rezoning, this was the only site that staff asked the committee to give additional attention. The remaining zoning revisions were straightforward.

There was discussion about non-conforming rights and potential declining property value risks for property owners.

There was also discussion about notice and the process of committee/commission review.

Mr. Wilcher explained that, with regard to the timeline, the next step would be a neighborhood meeting, but proclaimed that there is adequate time to plan and schedule the meeting. Ms. Liu confirmed that the plan could come back to Planning Committee after the neighborhood meeting.

Ms. Liu explained that every property owner affected will be noticed and discussed the language of the notice. Committee Member White asked if a letter could be sent to the individual property owner. Mr. Wilcher said anyone proposed to be changed could be sent a letter explaining what is being proposed.

Committee Member Kirchdorfer asked if this would be duplicating the process. Committee Member Blake said to send it to the neighborhood meeting, with understanding that the affected properties get special notice that their property

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will be considered for rezoning. He said he would then be comfortable about not bringing it back to Planning Committee.

Mr. Wilcher asked if there are major changes made at the neighborhood meeting, would the committee like to review those changes. Committee Member Kirchdorfer said it could probably move on in the process, but the committee would like to give advance notice to individuals that their properties are being considered for rezoning.

Committee Member Blake asked that the committee be notified when this case is scheduled for the Land Development and Transportation Committee, so committee members may attend if they wish.

On a motion by Committee Member Blake, the following resolution was adopted.

RESOLVED, that the Planning Committee forwards the Original Highlands Area-wide Rezoning to the neighborhood meeting stage, with the following criteria: the properties with recommended changes, other than what was addressed by the neighborhood plan, shall receive special notification before being placed on the LD&T Committee Meeting Agenda.

The vote was as follows:

YES: Committee Members White, Kirchdorfer, Wahl and Blake

NO: No one.

NOT PRESENT AND NOT VOTING: Committee Members Howard, Kelly and Kavanaugh

ABSTAINING: No one.

The meeting was adjourned at 11:37 am.

Chairman

Division Director

CASE: 16074 (PLANNING & ZONING COMMITTEE 2/9/12)
Project Name: Original Highlands Area-Wide Rezoning
Applicant: Louisville Metro Government / Planning Commission
Form District: Traditional Neighborhood / Traditional Marketplace Corridor
Area: 66.0 Acres
Jurisdiction: Louisville Metro
Council District: 4 – David Tandy / 8 – Tom Owen
Case Manager: Mike Wilcher, Planner II

An area-wide rezoning for **643** properties is requested from existing zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to proposed zoning districts (R-5B Two-Family Residential, OR-1 Office-Residential, UN Urban-Neighborhood, or CR Commercial-Residential).

Key recommendations of the Original Highlands Neighborhood Plan focus upon residential rezoning (Urban Neighborhood – UN north of Morton and R-5B single family south of Morton). The purpose of the rezoning is to guide the neighborhood to become an area with a greater emphasis on single-family, owner occupied households with enough leeway to allow existing multi-family and future reuse of larger structure as duplexes. This will contribute both to prevent the neighborhood from transforming into a rental/apartment district and allowing it to maintain its current diversity.

It is also recommended that a portion of Barret Avenue north of Lynn's be rezoned to Commercial-Residential, CR, which effectively will prohibit the type of development that exists on Baxter Avenue and encourage a boutique/arts type district. In addition, the area from Lynn's to south of Winter, which will remain as C2 zoning, will be designated as a Traditional Neighborhood Activity Center, as discussed in Cornerstone 2020, and the fact that Barret Avenue is not in the Traditional Marketplace Corridor. The boundaries of this area should not be expanded. It will encourage neighborhood-serving uses.

An important focal point for the future is maintaining a positive balance between the neighborhood and commercial district (i.e., bars and restaurants) on Baxter Avenue. While they are recognized as contributing to the vibrancy, economy and visual appearance of the neighborhood, there are also issues, primarily that patrons park throughout the neighborhood, often leave and return to their cars late (post-midnight) and there are perceived and actual conflicts or excessive noise, littering, etc.

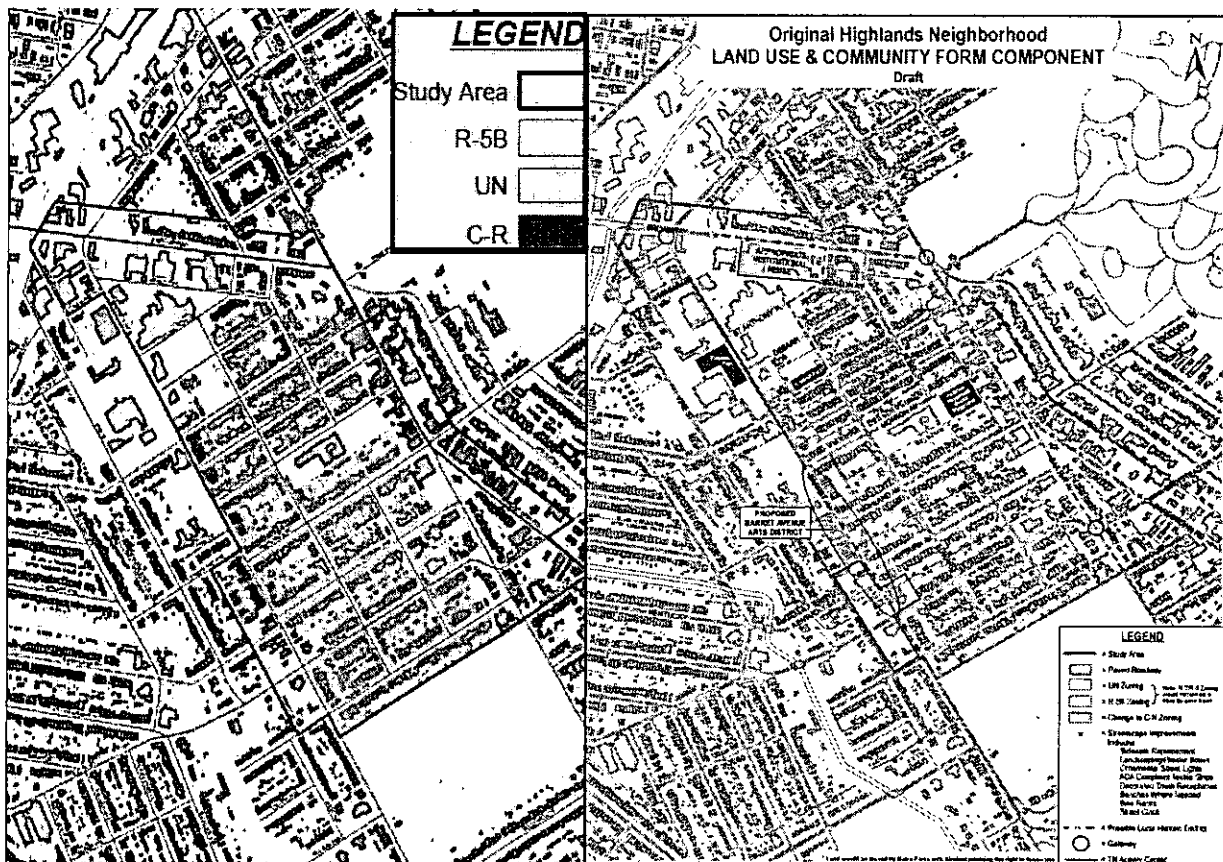
The plan recommendation for consideration of future development on Baxter reflects the goal of a Traditional Marketplace Corridor under Cornerstone 2020 as a mixed-use corridor without a predominance of any one type of use. Effectively, additional bars or restaurants with liquor licenses should be discouraged.

The Original Highlands Neighborhood Plan was adopted in November 2006 with the following recommended zoning district changes:

- Rezone area of the neighborhood north of Morton Avenue - **258 parcels / 19.37 acres** to U-N Zoning
- Rezone area of the neighborhood south of Morton Avenue - **350 parcels / 42.26 acres** to R-5B Zoning
- Rezone section of the neighborhood along the Barret Avenue Corridor - **35 parcels / 4.35 acres** to C-R Zoning

However, a meeting was held in November 2011 with the Council District Office and Neighborhood representatives to discuss staff findings regarding several properties. The following revisions to the area-wide rezoning were suggested:

- Rezone parcel at 1516 Hepburn Avenue - from OR-3 to OR-1, as opposed to OR-3 to R-5B
- Maintain C-2 zoning for 1309 Christy Avenue – 2nd lot from Barret Avenue on the north side of street (existing catering kitchen & storage facility) as opposed to zone change from C-2 to UN
- Rezone several parcels at 945, 947, 949, 951, 953, 955, & 957 Barrett Avenue – between Morton & Highland Avenues - from R-7 to R-5B (existing multi-family residential use) as opposed to R-7 to C-R



Case: 16074
Project Name: Original Highlands Neighborhood Plan Area-Wide Rezoning
Applicant: Louisville Metro Government / Planning Commission
Form District: Traditional Neighborhood / Traditional Marketplace Corridor
Council District(s): 4 – David Tandy / 8 – Tom Owen
Case Manager: Mike Wilcher

An area-wide rezoning for **66.0 acres / 643 properties** in the Original Highlands Neighborhood is requested from existing zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to proposed zoning districts (UN, R-5B, CR, and OR-1).

Key recommendations of the Original Highlands Neighborhood Plan (2006) focus upon residential rezoning to **UN** single-family for areas north of Morton and **R-5B** two-family for areas south of Morton. The purpose of the rezoning is to guide the neighborhood to become an area with a greater emphasis on single-family, owner occupied households, with enough leeway to allow existing multi-family and future reuse of larger structure as duplexes. This will contribute both to prevent the neighborhood from transforming into a rental/apartment district and allowing it to maintain its current diversity.

It is also recommended that specific parcels on Barret Avenue, from Highland to Hepburn Avenues, be rezoned to CR to prohibit the type of development that exists on Baxter Avenue, while encouraging a boutique/arts type district. One parcel containing an office structure is recommended to be rezoned from OR-3 to OR-1, and the area south of Lynn's Cafe will retain C-2 zoning and be designated a Traditional Neighborhood Activity Center as discussed in Cornerstone 2020, since Barret Avenue is not in the Traditional Marketplace Corridor.

The revised area-wide rezoning includes the following modifications:

- Rezone area of neighborhood north of Morton - **257 parcels / 19.32 acres to U-N**
- Rezone area of neighborhood south of Morton - **357 parcels / 42.76 acres to R-5B**
- Rezone along the Barret Avenue Corridor - **28 parcels / 3.53 acres to C-R Zoning**
- Rezone 1516 Hepburn Avenue - **1 parcel / 0.346 acres to OR-1**

U-N Urban Neighborhood District - the following provisions shall apply in the UN Urban Neighborhood District unless otherwise provided in these regulations. Permitted uses: accessory buildings/uses, agricultural uses, churches, parish halls and temples, colleges, schools, and institutions of learning (except training schools), community residences, convents and monasteries, semi-detached dwellings where each unit is constructed on its own lot, single-family dwellings, family care home (mini-home), home occupations, libraries, museums, historical buildings/grounds, arboretums, aquariums, art galleries, parks, playgrounds, and community centers.

Maximum Floor Area Ratio: 0.75 / Maximum Density: one dwelling per lot

R-5B Residential Two-Family District - the following provisions shall apply in the R-5B Two-Family Residential District unless otherwise provided in these regulations. Permitted uses: the two-family residential district is intended to provide the opportunity for land in the medium density residential land development range to be used for single-family dwellings, two-family dwellings, semi-detached dwellings and carriage houses.

Maximum Floor Area Ratio: 0.5 / Maximum Density: two dwellings per lot

C-R Commercial Residential District - the C-R Commercial Residential District is primarily intended as a specialized district to promote the reuse of structures located in urban areas of Louisville Metro that had been constructed for mixed commercial and residential uses. The structures may be currently under used or vacant, located at street corners, or within blocks containing a significant number of retail business uses. C-R zoning may also be appropriate for new construction where a mixture of business and residential uses are found to conform to the Comprehensive Plan and any neighborhood plan covering the site. Permitted uses include all uses allowed in the R-7 Residential Multi-Family District, as well as special permitted uses including: antique shops and interior decorating shops, artist studios, art galleries, bakeries, retail sales on premises, barber and beauty shops, bed and breakfasts, book stores and stationery stores, candy stores, clothing, dry good, and notions stores, community service facility, grocery stores, where all merchandise is displayed and sold within an enclosed building, computer programming services and software sales, day care centers, day nurseries, nursery schools and kindergartens, dressmaking, drug stores or sundries stores, florist shops, hardware stores, jewelry stores, laundering and dry cleaning, professional or business office, photocopying, word processing and similar office-support activities, photographic shops and studios, picture framing, rental businesses, videocassette products, restaurants and delicatessens, excluding drive-in facilities, entertainment activity and outdoor alcohol sales and consumption, saddle and harness shops, shoe stores and shoe repair shops, tailors, and tanning salons.

Permitted Uses with Special Standards: temporary activities, transitional housing, and homeless shelters.

Maximum Floor Area Ratio: 3.0 / Maximum Density: 34.8 dwellings per acre

**MINUTES OF THE MEETING
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MARCH 8, 2012

A meeting of the Planning Committee was held on, Thursday, March 8, 2012 at 10:00 a.m. at the Metro Development Center, located at 444 S. 5th Street, Louisville, Kentucky.

Committee Members present were:

Robert Kirchdorfer (opening Chairperson)

Chip White

Donnie Blake (arrived at 10:35 a.m.; chaired meeting after arrival)

Barbara Kelly

Committee Members absent were:

Lula Howard

Clifford Turner

Paula Wahl

Staff Members present were:

Phil Bills, Director, Planning and Design Services

Ken Baker, Planning and Design Supervisor, Louisville Metro Economic Growth and Innovation

Mike King, Associate Planner, Louisville Metro Economic Growth and Innovation

Chris Cestaro, Management Assistant (minutes)

The following matters were considered:



(Original Highlands Case Information Page 7)

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Revisions to the Wolf Pen Branch Neighborhood Plan and Appendices

Ken Baker gave a brief background history of the Wolf Pen Branch Neighborhood Plan and appendices. He said the Wolf Pen Branch plan was adopted in 2006 as an amendment to Cornerstone 2020. In February 2011, the Louisville Metro Council approved a resolution to initiate an update to this plan, under the direction of Councilmember Kelly Downard (District 16.) This update was done without the aid of a consultant and was done primarily by staff and the citizen advisory group.

He said most of the revisions are minor. Many of these proposed revisions and clarifications occur in multiple places throughout the plan.

Mr. Baker started with the issue of density – the addition of “very low” density category has been added. He showed a map of the study boundary area and described where the areas are for recommended residential densities. He said that “extremely low to very low density” is 0.2 to 1 dwelling unit per acre. He clarified that this map is in the plan and is a part of the Executive Summary, which was adopted as part of Cornerstone 2020.

He said that, originally, the plan referenced the “Wolf Pen Branch neighborhood”. For consistency, this has been clarified to read WPBNSA (which stands for “Wolf Pen Branch Neighborhood Study Area) and is referred to as such throughout the plan. This area includes Wolf Pen Branch Road, Mint Spring Branch Road, Chamberlain Lane connecting the two, as well as Spring Farm Road and all roadways within the WPBNSA.

Related to recommendations for future commercial development, Mr. Baker said the plan has been updated to say that future development should be restricted to single family residential use and limit future non-residential development to the reuse of existing non-residentially zoned areas at River Road.

A mapping error has been corrected on the updated map which extends the Wolf Pen Branch Corridor along Chamberlain Lane to I-71. There is a small section of Chamberlain Lane that has been added (see updated map in the plan.)

Mr. Baker discussed sidewalk justification for the area. This has been changed to require no sidewalks on existing roadways within the WPBNSA with the exception of interior roads within platted subdivisions. Alternative pedestrian facilities, such as trails, should be provided instead of sidewalks (see the revised plan for verbatim justification.)

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The orientation of new homes was discussed. Mr. Baker said the new wording recommends orienting new homes so that the front faces the road, with garage doors to the rear and not part of the front façade. Detached garages shall be located no less than 15 feet beyond the furthest point of the rear façade.

He also discussed the "Dark Sky" compliant lighting to reduce light pollution. He said the standards outlined in the plan are LG&E standards.

Mr. Baker also reviewed the revised Vision Statement, which incorporated various revisions throughout the plan.

Barbara Kelly stated that the updated maps did not show up well on pages A3, A4 and A6. The map was left off in the photo study in Appendix B on page 10. Also, pages 18-19 were blurry. Mr. Baker said that Sabak, Wilson and Lingo were the original consultants for this neighborhood plan, and pointed out that they worked without pay on these revisions.

Chuck Kavanaugh asked why front-entry garages were restricted. He said that, to his knowledge, no other plan restricted front-entry garages like this. He said this type of housing design should not be "legislated".

Councilmember Kelly Downard said this came about to get a consistent application of design throughout the whole area. He said there have been several major developments that came through since this plan was first approved in 2006 which all complied with this with no problems. He said the major developer in this area was part of the process in developing this plan, and they said they felt that this was part of maintaining the quality of their overall development designs. Mr. Kavanaugh reiterated that this component was now being "legislated" and asked why this was being done in other areas of Louisville Metro. Councilmember Downard said this is being done in other areas, but not with the consistency that he felt was needed here. Mr. Kavanaugh said yes, but not with legislation. This design issue is worked out by negotiating with the developer on individual projects. He said he is concerned about setting a precedent, here and in other parts of the City.

Robert Kirchdorfer said there are probably deed restrictions in existing developments about this. He asked if the detached garages would have this back-entrance directive as well. An unidentified speaker said that it the preferred way. He clarified that the plan is intended to preserve the look and feel of this area, not to "enact legislation". Mr. Kavanaugh said this restriction is setting a precedent to legislate for every other neighborhood plan. He argued that a negotiated process [i.e. negotiating with the developer] is preferable to having

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this type of restriction or recommendation in the plan. He said he is concerned that this will become a requirement.

The unidentified speaker said this type of recommendation is done in every neighborhood plan. Ms. Kelly said this is a neighborhood preference, and that this orientation was already part of the approved neighborhood plan.

Phil Bills, Director of Planning and Design Services, said that this is a recommendation, not legislation. This document is part of Cornerstone 2020, not part of the Land Development Code. He said that, when a subdivision plan is reviewed, the lotting pattern is looked at, not the detailed houses being constructed on the sites.

***NOTE: Donnie Blake arrived at 10:35 a.m. and assumed the Chair of the meeting.**

There was additional discussion about garage design. Ms. Kelly said that homes with small lots in this area manage to have parking in the back. Mr. Kirchdorfer said that severe site restraints might be a problem but it could be worked out. An unidentified speaker said the purpose of this recommendation is to try to keep the rural feel of the area.

Chip White said each Neighborhood Plan is inclusive only to one particular neighborhood. Each neighborhood has its own setbacks, building heights, etc. and he does not feel that this is "setting a precedent" for other communities. Also, all neighborhood associations have their own rules. The Comprehensive Plan does allow for flexibility.

Councilmember Downard said that this language has been in the plan for six years; there have never been any concerns expressed about it before. He pointed out that the Wolf Pen neighbors requested this. Mr. Kavanaugh said it works here, because that is already the pattern in the area. It is not the pattern in other areas.

Commissioner White asked if a sentence could be added stating that this recommendation only applies to the WPBNSA. After some discussion, it was agreed to add, "Because this is the predominant pattern in the WPBNSA..." before the recommendation to have the rear-facing garages.

An unidentified person thanked Mike Jones of Canfield Development for the Dark Sky compliant lighting that was eventually chosen for this plan.

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On a motion by Committee Member Kelly, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Committee does hereby **RECOMMEND** that the proposed Revisions to the Wolf Pen Branch Neighborhood Plan and Appendices, including the revisions discussed at today's meeting, be forwarded to the Louisville Metro Planning Commission for full review.

The vote was as follows:

YES: Committee Members Kirchdorfer, White, Blake, and Kelly.

NO: No one.

NOT PRESENT: Committee Members Howard, Turner, and Wahl.

ABSTAINING: No one.

Southeast Metro Regional Center Planning Study (SMRC)

Ken Baker gave a brief history of the formation of the Plan and introduced Doug Hebblerle, the consultant with Qk4.

Mr. Hebblerle showed a Power Point presentation which began with some background of the plan. He said the plan was funded by Councilmembers Benson, Engel and Peden to study future growth, traffic volumes, development impacts, and land uses, particularly in the area of Bardstown Road and the Gene Snyder. The first advisory group met in June of 2010; several public meetings were also held to elicit input. The plan mostly focuses on transportation network planning and land use recommendations.

There were three basic recommendations that came about from this study: Community Form / land use recommendations; policy changes, and a large number of suggested mobility enhancements.

Mr. Hebblerle said there have been no changes to the Vision Statement.

He discussed the existing interconnected mobility network in the area. He showed a map of the SMRC study area, and explained how the suggested transportation network enhancements would affect a larger portion of Louisville Metro outside the boundaries of the study.

Mr. Hebblerle discussed the Transportation Connector Network Concepts, which are:

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- To provide alternatives to reduce traffic on Bardstown Road while still serving a growing area.
- Present suggested *conceptual* linkages for future development.
- Transportation should be development driven.
- Connectors do not reflect a specific alignment but rather illustrate the potential need for a future connection between two points.

He said that multi-modal transportation was very popular with the advisory group/members of the public. These include providing options for safe pedestrian, bicycle and transit modes; and providing connections to various land uses including the Louisville Loop, Metro Parks, and Floyds Fork Park via bike lanes, sidewalks, and multi-use paths.

Regarding land use recommendations, Mr. Hebblerle said the Regional Center form district area/s around the interchange could include commercial, residential, retail, office, hotel, restaurant, open space and recreation, and parking. Since the last Planning Committee meeting, the requirements for specific densities, orientation of new parking areas, and connectivity requirements have been re-evaluated. He discussed the SMRC Planning Study Revised Community Form (CF) recommendations since the submittal of the draft report in June, 2011 (see handout on file.) These are recommended changes to the text.

Mr. Baker said the revised plan is a little less specific about land use recommendations, but it remains generally consistent with the original transportation recommendations. He said that the plan, if adopted, would set in motion changing the zoning in the area to Regional Center form district. It describes what a Regional center is, but does not dictate the design pattern of developments. It still leaves open the possibility of a future Planned Development District (PDD).

Robert Kirchdorfer asked if the predominant zoning in this area is R-4. Mr. Hebblerle said that, north of the Snyder, it is a wide variety of zoning categories. Donnie Blake agreed and said that most of the zoning changes that come through to the Planning Commission are south of the Snyder, which is predominantly R-4.

Mr. Kavanaugh said there was some concern from commercial developers and from some property owners about the extent of the design guidelines inside the Regional Center form district. He said one of the suggestions about assembling a group to look in to that is a good idea; there really aren't that many changes

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between Suburban Marketplace and Regional Center form districts. He said he felt it was important that there was a recognition that this area should be a Regional Center. He pointed out that there are recommendations from Qk4 in this plan that are "off-site" from the Regional Form District, which would allow for more connectivity. He said this area "could be a prime example of where the City could get in front and invest in off-site areas to create what they want." 01:01:21

On a motion by Committee Member Blake, the following resolution was adopted.

RESOLVED, that the Planning Committee forwards the Original Highlands Area-wide Rezoning to the neighborhood meeting stage, with the following criteria: the properties with recommended changes, other than what was addressed by the neighborhood plan, shall receive special notification before being placed on the LD&T Committee Meeting Agenda.

The vote was as follows:

YES: Committee Members White, Kirchdorfer, Wahl and Blake

NO: No one.

NOT PRESENT AND NOT VOTING: Committee Members Howard, Kelly and Kavanaugh

ABSTAINING: No one.

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Southeast Metro Regional Center Planning Study (SMRC)

Michael Hill briefly discussed the Land Development Code (LDC) Improvement Committee meetings and the recommendations of the Round 1 discussions. He said the idea for taking a look at the Land Development Code came from the audit of Planning and Design Services. Mr. Hill explained that the focus of the first phase was trying to identify minor corrections, duplications, improving cross-referencing, making the LDC's functionality better. Mr. Hill directed attention to the Master LDC Comment List (Updated: 2/2/2012) which includes all comments submitted. He also discussed the Proposed LDC Text Amendments document (Updated: 2/2/2012).

Committee Member Blake asked if there was any effort to reduce the need for variances or waivers. Mr. Hill responded that some of the more complex comments within the Round 2 portion speak to that concern and there will probably be some changes to eliminate those requests.

Committee Member White suggested there be some language about timeframe for the review process. Mr. Hill said a lot of general comments were made about the improvement of the process.

Mr. Hill discussed the summaries of the Round 1 proposed LDC text amendments from the staff report. (See Staff Report for summaries and Proposed LDC Text Amendments for specific amendments.)

Mr. Hill said he will probably need to remove the Chapter 3 comments from the Round 1 list because the Downtown Development Review Overlay board will need to approve these first.

Mr. Hill then reviewed the Green Management Practices concept from the staff report. He provided a brief overview of the changes included in the Round 1 text amendments to be implemented to address the Green Management Practices (see Proposed LDC Text Amendments). Mr. Hill then discussed the staff conclusions from the staff report. He said the next step would be for the Planning Commission to hold a full public hearing and then all legislative bodies would give their consideration for final action. He discussed a link on Planning and Design Services' website for the updated summaries and agendas for all the LDC Improvement Committee meetings.

Committee Member Kirchdorfer discussed his experience in attending the meetings.

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Committee Member Blake asked if there were established committee members. Mr. Hill said it was informal and anyone was welcome to participate in the discussions. During Round One there were no official committee members. Consensus was attempted for the items, if there was no consensus about a particular item, then it was moved to Round 2. He said Round 2 will be more formal and there will need to be a set committee.

Ms. Liu explained that Metro Council will appoint the committee. Committee Member Blake asked to be informed on the meetings. Mr. Hill said there will be a couple of positions on the committee for Planning Commission members.

Committee Member Blake raised concern about the length of time that Round 2 will take.

There was some discussion about the appendix items and referencing the website locations to updated documents.

On a motion by Committee Member Blake, the following resolution was made.

RESOLVED, that the Planning Committee **RECOMMENDS** that the Louisville Metro Planning Commission review the proposed Round One LDC Text Amendments.

The vote was as follows:

YES: Committee Members White, Kirchdorfer, Wahl and Blake

NO: No one.

NOT PRESENT AND NOT VOTING: Committee Members Howard, Kelly and Kavanaugh

ABSTAINING: No one.

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MARCH 8, 2012

Approval of February 9, 2012 Planning Committee Minutes

On a motion by Committee Member _____, the following resolution was adopted:

RESOLVED, the

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FEBRUARY 9, 2012

A meeting of the Planning Committee was held on, Thursday, February 9, 2012 at 10:30 a.m. at the Metro Development Center, located at 444 S. 5th Street, Louisville, Kentucky.

Committee Members present were:

Robert Kirchdorfer
Paula Wahl
Chip White
Donnie Blake

Committee Members absent were:

Lula Howard
Barbara Kelly
Clifford Turner
Chuck Kavanaugh

Staff Members present were:

Emily Liu, Planning Supervisor
Mike Wilcher, Planner II
Michael Hill, AICP, Planner II
Rebecca Simmons, Management Assistant (minutes)

The following matters were considered:

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FEBRUARY 9, 2012

Case 16074 – Original Highlands Area-Wide Rezoning – Mike Wilcher

Mike Wilcher presented the area-wide rezoning proposal. He said the rezoning is based upon the Original Highlands Neighborhood Plan of 2006. He reviewed the proposed zoning changes. Mr. Wilcher discussed an existing structure that is currently zoned OR-3 and used as an office building. He said it was to be rezoned to UN as part of the area-wide rezoning, but perhaps it should remain OR-3 based upon a site visit by staff. This was discussed at a meeting with neighborhood group representatives recently and the recommendation was to change this specific site to OR-1 zoning. He discussed the recommended zoning district changes from the 2006 Original Highlands Neighborhood Plan, as well as the suggested revisions to the area-wide rezoning from the staff report.

Commissioner Kirchdorfer asked Mr. Wilcher for clarification on the changes to the rezoning area map (boundary lines). Mr. Wilcher said the boundary lines are not changing. Emily Liu said there are a couple of properties on the border that may need to be included, but it would be minor revisions to that.

Mr. Wilcher showed the map and pointed out the area of the Barrett Ave corridor and discussed the CR properties that are suggested to be changed to R-5B.

In response to Committee Member Blake's question about which parties were involved in the suggested rezoning revisions, Mr. Wilcher responded that Councilman Owen, as well as members of the Original Highlands Neighborhood Association were involved.

Mr. Wilcher said that there was consensus for the proposed zoning revisions, with the exception of the proposed change of one parcel to OR-1, as opposed to OR-3, which Councilman Owen suggested. He said the existing property is supposed to be rezoned to R-5B. Mr. Wilcher confirmed that the site is conforming.

Committee Member Blake asked what the owner's opinion was. Mr. Wilcher said he did not know.

Committee Member Wahl asked what the consequences of leaving it OR-3. Ms. Liu said it would allow for a more intense use. Mr. Wilcher added that OR-3 zoning is already adjacent to the site and it would be continuous with the OR-3 zoned properties in the area. Otherwise, it will be the only OR-1 zoned parcel in the area.

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In response to Committee Member White's question about the differences in restrictions between OR-1 and OR-3, Ms. Liu explained that there are some additional uses allowed and density differences.

Committee Member Blake asked if anyone questioned why Councilman Owen was so passionate about zoning the property OR-1, but Councilman Owen did not address the reason for the recommendation at the meeting. Committee Member Blake raised concern about the property owner being unaware of the rezoning.

Committee Member Wahl pointed out that this site is also near residential, which may give insight to Councilman Owen's concern about the rezoning.

Committee Member Blake reiterated concern about the property owner being involved.

There was some discussion about the differences in land uses allowed in OR-1 and OR-3 zoning districts.

Mr. Wilcher said that of the proposed revisions to specific sites within the area-wide rezoning, this was the only site that staff asked the committee to give additional attention. The remaining zoning revisions were straightforward.

There was discussion about non-conforming rights and potential declining property value risks for property owners.

There was also discussion about notice and the process of committee/commission review.

Mr. Wilcher explained that, with regard to the timeline, the next step would be a neighborhood meeting, but proclaimed that there is adequate time to plan and schedule the meeting. Ms. Liu confirmed that the plan could come back to Planning Committee after the neighborhood meeting.

Ms. Liu explained that every property owner affected will be noticed and discussed the language of the notice. Committee Member White asked if a letter could be sent to the individual property owner. Mr. Wilcher said anyone proposed to be changed could be sent a letter explaining what is being proposed.

Committee Member Kirchdorfer asked if this would be duplicating the process. Committee Member Blake said to send it to the neighborhood meeting, with understanding that the affected properties get special notice that their property

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will be considered for rezoning. He said he would then be comfortable about not bringing it back to Planning Committee.

Mr. Wilcher asked if there are major changes made at the neighborhood meeting, would the committee like to review those changes. Committee Member Kirchdorfer said it could probably move on in the process, but the committee would like to give advance notice to individuals that their properties are being considered for rezoning.

Committee Member Blake asked that the committee be notified when this case is scheduled for the Land Development and Transportation Committee, so committee members may attend if they wish.

On a motion by Committee Member Blake, the following resolution was adopted.

RESOLVED, that the Planning Committee forwards the Original Highlands Area-wide Rezoning to the neighborhood meeting stage, with the following criteria: the properties with recommended changes, other than what was addressed by the neighborhood plan, shall receive special notification before being placed on the LD&T Committee Meeting Agenda.

The vote was as follows:

YES: Committee Members White, Kirchdorfer, Wahl and Blake

NO: No one.

NOT PRESENT AND NOT VOTING: Committee Members Howard, Kelly and Kavanaugh

ABSTAINING: No one.

The meeting was adjourned at 11:37 am.

Chairman

Division Director

CASE: 16074 (PLANNING & ZONING COMMITTEE 2/9/12)
Project Name: Original Highlands Area-Wide Rezoning
Applicant: Louisville Metro Government / Planning Commission
Form District: Traditional Neighborhood / Traditional Marketplace Corridor
Area: 66.0 Acres
Jurisdiction: Louisville Metro
Council District: 4 – David Tandy / 8 – Tom Owen
Case Manager: Mike Wilcher, Planner II

An area-wide rezoning for **643** properties is requested from existing zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to proposed zoning districts (R-5B Two-Family Residential, OR-1 Office-Residential, UN Urban-Neighborhood, or CR Commercial-Residential).

Key recommendations of the Original Highlands Neighborhood Plan focus upon residential rezoning (Urban Neighborhood.– UN north of Morton and R-5B single family south of Morton). The purpose of the rezoning is to guide the neighborhood to become an area with a greater emphasis on single-family, owner occupied households with enough leeway to allow existing multi-family and future reuse of larger structure as duplexes. This will contribute both to prevent the neighborhood from transforming into a rental/apartment district and allowing it to maintain its current diversity.

It is also recommended that a portion of Barret Avenue north of Lynn's be rezoned to Commercial–Residential, CR, which effectively will prohibit the type of development that exists on Baxter Avenue and encourage a boutique/arts type district. In addition, the area from Lynn's to south of Winter, which will remain as C2 zoning, will be designated as a Traditional Neighborhood Activity Center, as discussed in Cornerstone 2020, and the fact that Barret Avenue is not in the Traditional Marketplace Corridor. The boundaries of this area should not be expanded. It will encourage neighborhood-serving uses.

An important focal point for the future is maintaining a positive balance between the neighborhood and commercial district (i.e., bars and restaurants) on Baxter Avenue. While they are recognized as contributing to the vibrancy, economy and visual appearance of the neighborhood, there are also issues, primarily that patrons park throughout the neighborhood, often leave and return to their cars late (post-midnight) and there are perceived and actual conflicts or excessive noise, littering, etc.

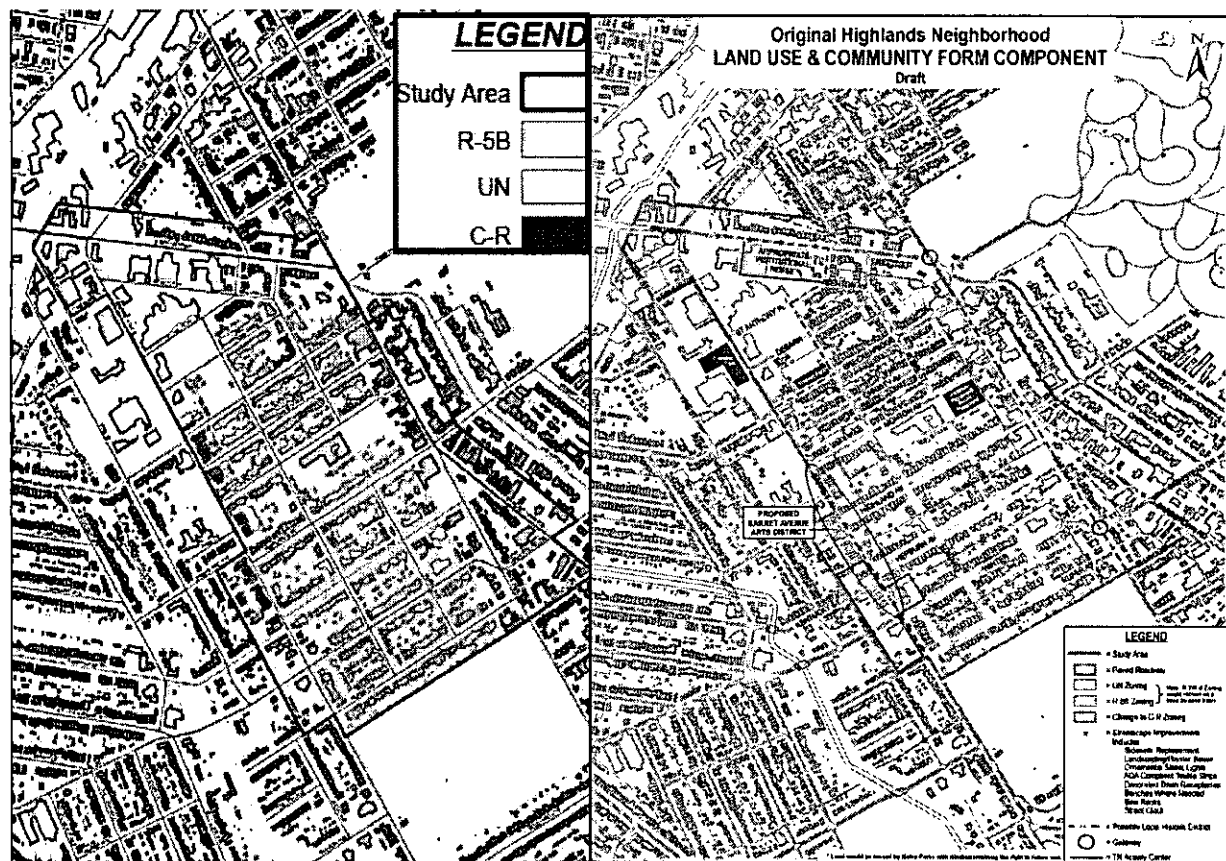
The plan recommendation for consideration of future development on Baxter reflects the goal of a Traditional Marketplace Corridor under Cornerstone 2020 as a mixed-use corridor without a predominance of any one type of use. Effectively, additional bars or restaurants with liquor licenses should be discouraged.

The Original Highlands Neighborhood Plan was adopted in November 2006 with the following recommended zoning district changes:

- Rezone area of the neighborhood north of Morton Avenue - **258** parcels / **19.37** acres to U-N Zoning
- Rezone area of the neighborhood south of Morton Avenue - **350** parcels / **42.26** acres to R-5B Zoning
- Rezone section of the neighborhood along the Barret Avenue Corridor - **35** parcels / **4.35** acres to C-R Zoning

However, a meeting was held in November 2011 with the Council District Office and Neighborhood representatives to discuss staff findings regarding several properties. The following revisions to the area-wide rezoning were suggested:

- Rezone parcel at 1516 Hepburn Avenue - from OR-3 to OR-1, as opposed to OR-3 to R-5B
- Maintain C-2 zoning for 1309 Christy Avenue – 2nd lot from Barret Avenue on the north side of street (existing catering kitchen & storage facility) as opposed to zone change from C-2 to UN
- Rezone several parcels at 945, 947, 949, 951, 953, 955, & 957 Barrett Avenue – between Morton & Highland Avenues - from R-7 to R-5B (existing multi-family residential use) as opposed to R-7 to C-R



RESOLUTION NO. 69, SERIES 2011

A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION INITIATE THE PROCESS OF IMPLEMENTING THE RECOMMENDATIONS PERTAINING TO ZONING DESIGNATION CONTAINED IN THE EXECUTIVE SUMMARY OF THE ORIGINAL HIGHLANDS NEIGHBORHOOD PLAN, HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE COUNCIL FOR FINAL ACTION.

Sponsored by: Councilman Tom Owen

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government ("Metro Council") approved and adopted the Original Highlands Neighborhood Plan and appended its Executive Summary to Cornerstone 2020 on November 21, 2006, pursuant to Chapter 161 of the Louisville/Jefferson County Metro Code of Ordinances, entitled "Neighborhood Plans," and,

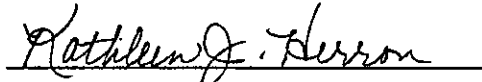
WHEREAS, the Metro Council understands that Chapter 161, "Neighborhood Plans," contains provisions guiding the amendment and review of adopted neighborhood plans, and wishes to implement that process with regard to the Original Highlands Neighborhood Plan, and,

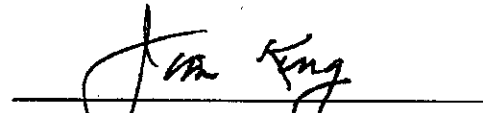
WHEREAS, the Metro Council wishes to initiate the process of implementing the land use recommendations contained in the Plan's Executive Summary,

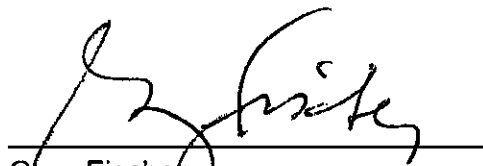
NOW, THEREFORE, BE IT RESOLVED BY THE METRO COUNCIL AS FOLLOWS:

Section 1: The Metro Council requests that the Planning Commission initiate the process of implementing the land use recommendations contained on page ES-3 of the Original Highlands Neighborhood Plan, and, following a public hearing on the subject, forward its recommendation as required to the Metro Council for further action.

Section 2: This Resolution shall take effect upon passage and approval.


Kathleen J. Herron
Metro Council Clerk

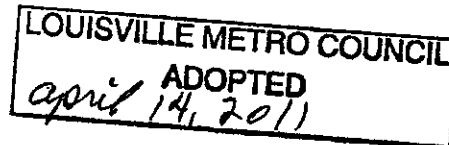

Jim King
President of the Council

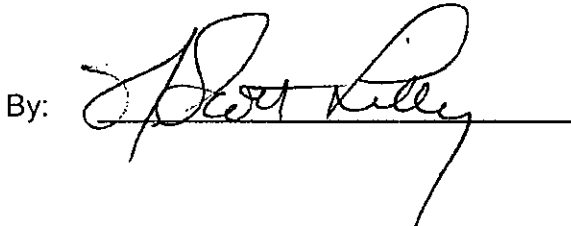

Greg Fischer
Mayor

Approved: 4/18/11
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney



By: 

Proposed zoning modifications for specific properties / Original Highlands Area-Wide Rezoning

An area-wide rezoning from multiple zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to (R-5B, UN, CR, & OR-1) is requested for 66 acres of the Original Highlands Neighborhood, including:

- Rezone area of neighborhood north of Morton - 258 parcels / 19.37 acres to U-N Zoning.
- Rezone area of neighborhood south of Morton - 350 parcels / 42.26 acres to R-5B Zoning
- Rezone section along the Barret Avenue Corridor - 35 parcels / 4.35 acres to C-R Zoning

The following changes to the proposed rezoning was suggested by the Office of Metro Council District 8, the Original Highlands Neighborhood Association Board, and Planning Commission Staff:

- Rezone parcel at 1516 Hepburn Ave from OR-3 to OR-1, as opposed to OR-3 to R-5B
- Rezone 7 parcels at 945, 947, 949, 951, 953, 955, & 957 Barret Ave from R-7 to R-5B, as opposed to R-7 to C-R (between Morton & Highland - currently residential with existing R-7 zoning)
(356 parcels / 40.00+ acres to R-5B - minus 1/ add 7) & (28 parcels / 3.00+ acres to CR - minus 7)
- The parcel at 1309 Christy Ave – 2nd lot from Barret on north side (currently used as catering kitchen & storage) the recommendation is to remain C-2, as opposed to rezone from C-2 to UN
- In addition, a new rezoning proposal for properties located at 828 Edward & 1315 Rear E. Breckinridge Streets (case-17537) was submitted for a change in zoning from R-6 Multi-Family Residential & CM Commercial Manufacturing to OR-3 Office Residential for the 1.3-acre site to permit construction of a 14,530 square foot medical office building. Staff recommended OR-1 as an alternate zoning district for the site since it is located within the boundaries of the Original Highlands Area-Wide Rezoning and the proposed use is permitted in less intense OR zoning districts. Moreover, a traffic-calming program, combined with a bicycle boulevard on Edward Street, is envisioned for the interior of the neighborhood. This would involve the building of mini-traffic circles at several locations, including a circle proposed at the intersection of East Breckinridge Street and Edward Street (p. 12, 15, 22), which is adjacent to the subject site. CM Owen and CM Tandy support staff's suggestion to change the request to OR-1, as opposed to OR-3. Additionally, the applicant agreed to change the request; therefore, the 2 parcels at 828 Edward & 1315 Rear E. Breckinridge Streets propose a zoning change from R-6 & CM to OR-1, as opposed to R-6 & CM to UN
(255 parcels / 18.00+ acres to UN - minus 3)

Additionally, the parcel at 1300 Hepburn Ave -southeast corner at Barret & Hepburn- is currently used as a bartending school and the recommendation remains to rezone the lot from C-2 to R-5B per the neighborhood plan. Moreover, the multi address parcel at 1301 Hepburn/985 Barret - northeast corner at Barret & Hepburn - is currently used for 1st floor commercial/upper floor residential. The recommendation remains to rezone from C-2 to R-5B per the neighborhood plan.

An area-wide rezoning from multiple zoning districts (R-5, R-6, R-7, OR-2, OR-3, OTF, C-1, & C-2) to (R-5B, UN, CR, & OR-1) is requested for 66 acres of the Original Highlands Neighborhood, including:

- Rezone area of neighborhood north of Morton - 255 parcels / 18.05 acres to U-N Zoning.
- Rezone area of neighborhood south of Morton - 357 parcels / 42.76 acres to R-5B Zoning
- Rezone section along the Barret Avenue Corridor - 28 parcels / 3.53 acres to C-R Zoning
- Rezone area of neighborhood north and south of Morton - 3 parcels / 1.61 acres to OR-1 Zoning

Wilcher, Michael

From: Chuck Burke [info@metromoj.com]
Sent: Friday, November 04, 2011 5:20 PM
To: Wilcher, Michael
Cc: Chuck Woodall; Owen, Tom; Long, Terra L; Baker, Kendal; Liu, Emily
Subject: Re: Planned down-zoning of Barret Ave.

I didn't notice anything out of the ordinary, looks good to me.

Best,
- C

Chuck Burke
CTO, Metromoj LLC.
502.552.3918

On Fri, Nov 4, 2011 at 2:44 PM, Wilcher, Michael <Michael.Wilcher@louisvilleky.gov> wrote:

All:

These properties were reviewed during the meeting yesterday with the following revisions/recommendations:

1. The parcel at **1300 Hepburn Ave** – Southeast corner at Barret & Hepburn (currently used as a bartending school) the recommendation remains to rezone from C-2 to R-5B.
2. The multiple address parcel at **1301 Hepburn/985 Barret** – Northeast corner at Barret & Hepburn – current use (1st floor commercial/upper floors residential) the recommendation remains to rezone from C-2 to R-5B.
3. The parcel at **1516 Hepburn Ave** – former school next to church (current office use) the recommendation is rezoned from OR-3 to OR-1, as opposed to OR-3 to R-5B.
4. The parcel at **1309 Christy Ave** – 2nd lot from Barret on north side (currently used as catering kitchen & storage) the recommendation is to remain C-2, as opposed to rezoning from C-2 to UN.
5. Several parcels on Barret Ave - **945, 947, 949, 951, 953, 955, & 957** – between Morton & Highland (currently residential with existing R-7 zoning) the recommendation is to rezone from R-7 to R-5B, as opposed to R-7 to C-R.

Comments and suggestions appreciated. Thank you.

Mike

Original Highland Area-Wide rezoning Weekly Staff Meeting

7/29/2011

Mike Wilcher and Emily Liu discussed research, neighborhood meeting, LD&T meeting and the public hearing:

Research:

- Parcel information has been completed. UN section has 258 parcels with 19.37 acres; R-5B section has 350 parcels with 42.26 acres, and the C-R section has 35 parcels with 4.35 acres
- Emily to calculate the total acreage for each of the sections (completed)
- Emily to check lot size to determine non-conforming lots based on min lot size
- Emily to talk to MAs for help clean up the database and convert them to labels

Neighborhood meeting:

- Emily to find and bring sample notices
- Need to determine location of meetings: Emily to talk to Ken
- Should it be a joint notice with LD&T?
- Dates tentative for Aug 30th or Sept 1.

LD&T and public hearings meetings:

- Joint public notice?
- LD&T may be scheduled for Sept 22
- PC public hearing may be scheduled for Nov. 3

Other: Revise work program schedule to reflect changes.

MEMORANDUM



DEPARTMENT OF CODES & REGULATIONS DIVISION OF PLANNING & DESIGN SERVICES

Louisville, Kentucky

GREG FISCHER
Mayor

JAMES L. MIMS
Director

TO: 2011 Work Program – Project Managers
FROM: Dawn T. Warrick, AICP, Assistant Director *DW*
DATE: April 7, 2011
RE: Management and reporting requirements for Work Program

Please review the attached 2011 Work Program for our agency. This document provides guidance for our staff in accomplishing the tasks that we need to address during this calendar year. The management team has developed this Work Program with input from various boards and commissions in an effort to clearly identify our priorities and to allocate resources in the most efficient manner. This document is dynamic in nature and may be amended from time to time. I have saved the Work Program to a folder on our PDS shared network drive for everyone to review as needed (G:\2011 Work Program).

As a lead planner/project manager for one or more of these tasks, you should have a clear understanding of the assigned task and related completion schedule. It is your responsibility to keep your task on schedule and to communicate with your direct supervisor about the ongoing status of your project(s) and to submit brief monthly reports which will be used to update our overall Work Program. The template for completing **required monthly reports** for each task is also located on the shared network drive containing our Work Program (a completed sample report is included for review). Monthly reports are due no later than the first working day of each month and should be submitted to me through Bev. Please submit your reports starting with the month of April which will be due no later than Monday, May 2, 2011.

Let me know if you have any questions or proposed improvements regarding this process.

**Planning Design Services
2011 Work Program**

ACTION ITEM	DESCRIPTION	SOURCE	ACTION STEPS	TARGET DATE	RESPONSIBLE PARTY	STATUS	PRIORITY
WORK PROGRAM ADOPTED BY PLANNING COMMISSION - FEBRUARY 2011							
1	Process Current Planning Applications	LDC	Manage internal and multi-agency review process	Jan - Dec	PDS staff	ongoing	1
2	Implement SIRE Agenda Plus	STAFF	Provide samples (minutes, agendas) for review	Dec 2010	D. Warrick	100%	3
			Negotiate contract terms with vendor	Jan - Feb	IT staff	100%	
			Review proposed setups for using the system	March	D. Warrick / C. Ewing / E. Liu / MA's	75%	
			Train key staff on new system	April			
			Fully implement new agenda system	June			
3	Conduct comprehensive plan update	KRS 100	Develop series of alternatives	June	C. French / consultancy teams as needed / PC / MC	50%	1
			Choose best alternative/process - dep. on avail. funds	July			
			Draft scope of work	Aug / Sept			
			Establish advisory group/committee	September			
			Conduct/contract research to support planning effort	Jan - Sept			
			Public engagement process	Oct - March			
			Public hearings & adoption process	Summer 2012			
4	Continue to implement adopted neighborhood plans (individual projects included as separate items)	CORNERSTON E 2020	varied - see individual projects listed in section below	on-going	PDS staff / consultancy teams		3
5	Develop data analysis tools to support decision-making	PDS STAFF / RESOURCES TEAM	Create template for displaying district stats and info	Mar - Apr	S. Lutz	75%	3
			Draft relevant text and tie template to Hansen data	April			
			Test several districts	May			
			Finalize documents and distribute to MC and PDS staff	June			
			Post on-line periodically (annually or more frequent)	July			
6	Review PC bylaws and policies	PC / STAFF	Convene Policy & Procedures committee of the PC	April	E. Liu / S. Hendrix / D. Marchal / D. Warrick		1
			Draft proposed changes	Apr - May			
			Present updated draft to P&P committee	May			
			Present final update to full PC for adoption	June			
7	Review conservation subdivision regs.	PC	Seat ad hoc PC committee and provide staff support	April	J. Williams / S. Sizemore		2
			Conduct meetings to understand core issues	Spring/Summer			
			Meet (several times) with stakeholders	Summer			
			Conduct public hearing	Sept/Oct			
			Transmit materials to MC	October			

**Planning Design Services
2011 Work Program**

ACTION ITEM	DESCRIPTION	SOURCE	ACTION STEPS	TARGET DATE	RESPONSIBLE PARTY	STATUS	PRIORITY
8	Develop and execute in-house continuing education program (PC, BOZA, Lmarks)	STAFF / KRS	Meet with admin team to discuss training needs Meet with PC, LM and BOZA chairs to discuss training needs Locate / develop appropriate training modules/sessions Ensure adequate funding for desired program Present program to staff, BOZA, PC, LM	January March ongoing ongoing ongoing	D. Warrick / P. Vincent / boards & commissions	100% 100%	2
9	Evaluate possibility of reviving Planning College program	STAFF	Propose for next fiscal budget cycle (offer in Spring 2012)	June	K. Baker	100%	3
10	Increase community outreach using social media and similar tools	STAFF	Identify training opportunities for PIO Ensure funding (if required) for training Create facebook account for PDS Publish at least two newsletters during 2011 Use polls and surveys on webpage to obtain feedback (1-2) Research other ways to reach out to different stakeholders	Spring 2011 ongoing April May / October Summer & Fall ongoing	C. Ewing	100%	2
11	Complete LDC amendments related to downtown signage	PC	Finalize draft language for amendments Review DDRO signage guidelines and update as approp. Review proposed guideline amendments w/ DDRO Present draft to Planning Committee Public hearings & adoption process	February March March - April April - May June	C. French / D. Marchal	100% 50%	2
12	Review public notification processes	PC	Update matrix of all notification processes for PDS cases Establish desirable timelines for notices Draft proposal to update/amend Draft any necessary LDC amendments related to action Present proposal to Policy & Procedures committee (PC) Public hearings & adoption process	April June July August August September	C. Ewing / PC / stakeholders		1
TASKS ADDED AFTER PC ADOPTION OF WORK PROGRAM							
13	Resolution - conduct public hearing re: video sign regulations	MC / 18	Planning Committee review Draft staff report and prep materials for PC Public hearing - present findings & gather public input Transmit recommendations to MC	May June July August	C. French		1
14	Resolution - update Wolf Pen Neighborhood Plan	MC / 16	Meet w/ CM Downard and neighbors Resolution approved by MC to undertake update Appointment of advisory group Initial work w/ advisory group Open house / public meeting(s) Planning Committee review Draft staff report and prep materials for PC Public hearing - present findings & gather public input Transmit recommendations to MC	January March March tbd tbd tbd tbd tbd tbd	K. Baker	100% 100% 100%	1

**Planning Design Services
2011 Work Program**

ACTION ITEM	DESCRIPTION	SOURCE	ACTION STEPS	TARGET DATE	RESPONSIBLE PARTY	STATUS	PRIORITY
15	Resolution - Incentives for "Green Building Projects"	MC / 9	Research	Jan - Mar	C. French	ongoing	1
			Planning Committee review	March / May		ongoing	
			Draft staff report and prep materials for PC	May			
			Public hearing - present findings & gather public input	June			
			Transmit recommendations to MC	July			
16	Resolution - Live Entertainment in TNZD	MC / 6	Research	Mar - May	C. French / D. Richards	ongoing	1
			Present to Planning Committee	May / July			
			Revise and draft report for PC	August			
			Public hearing - present findings & gather public input	September			
			Forward recommendation to MC	October			
17	Resolution - Area wide zone change (Renaissance Zone)	MC / 13	Research - work with LRAA and design team reps.	February	E. Liu / LRAA	100%	1
			Neighborhood informational meeting (not mandatory / preferred)	February		100%	
			Draft staff report and prep materials for PC	March		100%	
			Public hearing - present findings & gather public input	April			
			Transmit recommendations to MC	April			
18	Resolution - Evaluate commercial CUP's in R districts	MC / 21	Research	January	C. French / M. King	100%	1
			Planning Committee review	January		100%	
			Draft staff report and prep materials for PC	January		100%	
			Public hearing - present findings & gather public input	Jan - Feb		100%	
			Transmit recommendations to MC	February		100%	
19	Shawnee Neighborhood Plan	MC / 5	Ensure funding to initiate planning process	ongoing	CW Hamilton		1
			Appointment of advisory group	February	CW Hamilton / MC	100%	
			Initial work w/ advisory group	tbd	K. Baker / consultant		
			Open house / public meeting(s)	tbd			
			Planning Committee review	tbd			
			Draft staff report and prep materials for PC	tbd			
			Public hearing - present findings & gather public input	tbd			
			Transmit recommendations to MC	tbd			
20	SMRC - Southeast Metro Regional Center (Bardstown - I/265)	MC / 20, 22, 23	Draft scope for project	2010	K. Baker / advisory group / consultancy team	100%	1
			Secure funding from MC members - establish project account	2010		100%	
			Appointment of advisory group	2010		100%	
			Initial work w/ advisory group (incl at least 2 public mtgs.)	Fall 2010 - May		75%	
			Planning Committee review	July			
			Draft staff report and prep materials for PC	September			
			Public hearing - present findings & gather public input	September			
			Transmit recommendations to MC	October			
21	Portland area-wide zone changes (per adopted NP)	MC / 5	Research - review of NP, full analysis of existing zoning & uses	July - August	J. Reverman / S. Sizemore / advisory group		1
			Neighborhood informational meeting	Sept - Oct			
			Planning Committee review	November			
			Draft staff report and prep materials for PC	Nov - Dec			
			Public hearing - present findings & gather public input	Jan 2012			
			Transmit recommendations to MC	Jan 2012			

**Planning Design Services
2011 Work Program**

ACTION ITEM	DESCRIPTION	SOURCE	ACTION STEPS	TARGET DATE	RESPONSIBLE PARTY	STATUS	PRIORITY
22	Resolution - Area wide zone change (Glenview)	MC / 16	Research - review of NP, full analysis of existing zoning & uses Neighborhood informational meeting Planning Committee review Draft staff report and prep materials for PC Public hearing - present findings & gather public input Transmit recommendations to MC	April May June June July July	M. Hill		1
23	LDC Amendments for Alternative Energy Production	staff / interp requests	Research Draft proposed language Present to Planning Committee Public hearing Transmit to legislative bodies	February February March March April	C. French	100% 100% 100% 100%	1
24	SoBro Planned Development District	adopted NP	Draft scope for project Secure funding from MC members - establish project account Appointment of advisory group Initial work w/ advisory group (incl at least 2 public mtgs.) Planning Committee review Draft staff report and prep materials for PC Public hearing - present findings & gather public input Transmit recommendations to MC	Summer 2010 Summer 2010 Fall 2010 Fall 2010 March May June July	C. French / consultancy team / advisory group	100% 100% 100% 100% 100%	1
25	LDC Amendment - Underground Space CUP uses	MC / 10	Research Draft proposed language Present to Planning Committee Public hearing Transmit to legislative bodies	February March March March April	C. French	100% 100% 100%	1
26	Dixie Hwy Corridor Plan	MC / 12, 3	Draft scope for project Secure funding from MC members - establish project account Appointment of advisory group Initial work w/ advisory group (incl at least 2 public mtgs.) Planning Committee review Draft staff report and prep materials for PC Public hearing - present findings & gather public input Transmit recommendations to MC	Summer 2010 Fall 2010 Fall 2010 2010-2011 tbd tbd tbd tbd	K. Baker / consultancy team / advisory group	100% 100% 100% 50%	1
27	Resolution - Original Highlands area-wide zone change (NP recommendation)	MC / 8	Research - review of NP, full analysis of existing zoning & uses Neighborhood informational meeting Planning Committee review Draft staff report and prep materials for PC Public hearing - present findings & gather public input Transmit recommendations to MC	May June June July August August	M. Wilcher		1

**Planning Design Services
2011 Work Program**

ACTION ITEM	DESCRIPTION	SOURCE	ACTION STEPS	TARGET DATE	RESPONSIBLE PARTY	STATUS	PRIORITY
28	Floyd's Fork Area Study	MC / Capital project FY 09-10	Draft scope for project	2009	K. Baker / D. Warrick / consultancy team / stakeholders	100%	2
			Secure funding - establish project account	2009-2010		100%	
			Initial work w/ stakeholders (incl at least 2 public mtgs.)	2010		100%	
			Planning Committee review	ongoing		25%	
			Draft staff report and prep materials for PC				
			Public hearing - present findings & gather public input				
			Transmit recommendations to MC				
29	Health Impact Assessment - project within LPPW grant (LMPHW)	Administration	Assist in developing HIA checklist tool	ongoing	S. Sizemore	75%	2
30	Louisville Loop - technical support for project implementation	Administration	Work on implementation steps incl. coord. of resources	ongoing	S. Sizemore	50%	2
31	Resolution - Allow athletic facilities in R districts with a CUP	MC / 12	Research	tbd	C. French		1
			Draft proposed language	tbd			
			Present to Planning Committee	tbd			
			Public hearing	tbd			
			Transmit to legislative bodies	tbd			
32	Neighborhood Conservation District regulation	STAFF	Research		D. Marchal / C. French / T. Zawacki / R. Jett		2
			Draft language	Summer 2010		100%	
			Work with neighborhood reps & MC	Summer 2010		100%	
			Present to MC Committee	Fall 2010		100%	
			Additional meetings with stakeholders	Fall 2010		100%	
			MC resolution - directing PC to conduct hearing	March		100%	
			Revised draft for public hearing	May			
			Public hearing	June			
			Transmit recommendations to MC	July			
33	Rehabilitation and Demolition policy	STAFF / LM Commission	Research	Spring 2011	D. Marchal		3
			Draft	Summer 2011			
			Review w/ LM Commission and stakeholders	Fall 2011			
			Adopt policy	Fall 2011			