

**Planning Commission  
Staff Report**  
September 15, 2016



<b>Case No:</b>	<b>16ZONE1038</b>
<b>Request:</b>	<b>Text amendment of the SoBro PDD regarding allowing student housing as a Conditional Use within the Broadway subarea</b>
<b>Project Name:</b>	<b>200 &amp; 212 W. Broadway</b>
<b>Location:</b>	<b>SoBro PDD Broadway Subarea</b>
<b>Owner:</b>	<b>Multiple</b>
<b>Applicant:</b>	<b>Lockett &amp; Farley Development, LLC</b>
<b>Representative:</b>	<b>Lockett &amp; Farley Development, LLC</b>
<b>Jurisdiction:</b>	<b>Louisville Metro</b>
<b>Council District:</b>	<b>4 – David Tandy</b>
<b>Case Manager:</b>	<b>Brian Mabry, Planning &amp; Design Supervisor</b>

**REQUEST**

- SoBro Planned Development District Text Amendment

**CASE SUMMARY/BACKGROUND/SITE CONTEXT**

Existing Zoning District: PDD, Planned Development District  
Existing Form District: Downtown  
Plan Certain Docket #: 15635

The SoBro Planned Development District divides the SoBro area in the four subareas, based on predominant land use or similar characteristics. The current text of the SoBro Planned Development District permits RU2 uses, which consist of “institutional related residential housing such as dorms, fraternities, and sororities” only in the Campus subarea and prohibits them in the Neighborhood Core, Historic Neighborhood, and Broadway subareas. Other types of institutional residential uses include rehabilitation homes and transitional housing, even if those uses are not given as examples of institutional residential in the quoted text of the SoBro Planned Development District. The applicant is proposing a change to the text of the SoBro Planned Development District so that these RU2 uses would be allowed with a Conditional Use Permit within the Broadway subarea.

This is not a site-specific request; however, the applicant does intend to submit a Conditional Use Permit application to allow dormitories associated with the Jefferson Educational Center at 200 and 212 West Broadway, if Metro Council approves this requested change to the text of the SoBro Planned Development District.

The text of the SoBro Planned Development District document, as excerpted below, is proposed to be amended as follows:

TABLE 1: PERMITTED, LIMITED, AND CONDITIONAL USES

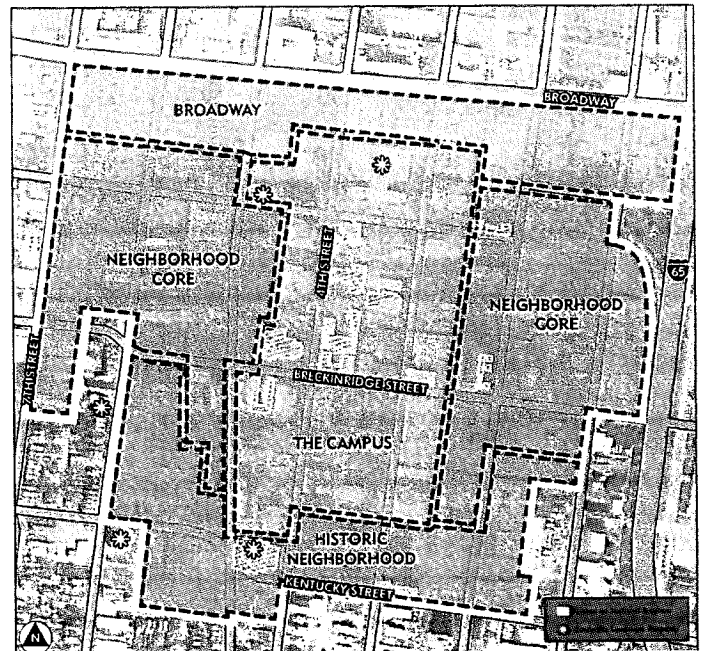
List of Uses	Broadway	Campus	Neighborhood Core	Historic Neighborhood
Commercial Use Category 1 (CU1)	✓	✓	✓	✓
Commercial Use Category 2 (CU2)	✓	✓	✓	
Institutional Use Category (IU)	✓	✓	✓	✓
Office Use Category (OU)	✓	✓	✓	✓
Residential Use Category (RU1)	✓	✓	✓	✓
Residential Use Category (RU2)	✓ <sup>5</sup>	✓		
Limited Use Category 1 (LU1) <sup>1,5</sup>			✓	
Limited Use Category 2 (LU2) <sup>2,5</sup>	✓		✓	
Limited Use Category 3 (LU3) <sup>2</sup>	✓	✓	✓	
Limited Use Category 4 (LU4) <sup>4</sup>			✓	✓
Limited Use Category 5 (LU5)	✓	✓	✓	✓
Limited Use Category 6 (LU6)	✓	✓	✓	✓
Limited Use Category 7 (LU7) <sup>2</sup>			✓	
Limited Use Category 8 (LUB)	✓	✓	✓	
Limited Use Category 9 (LU9) <sup>2</sup>	✓	✓	✓	✓
Limited Use Category 10 (LU10) <sup>2</sup>	✓			
Conditional Use Category 1 (CO1) <sup>5</sup>			✓	
Conditional Use Category 2 (CO2)		✓		

<sup>1</sup> Limited to property fronting Seventh Street or adjacent to the I-65 corridor.  
<sup>2</sup> Limited to property within the SoBro PDD, north of Breckenridge Street.  
<sup>3</sup> This use shall not be located adjacent to or directly across the street from existing single-family residential uses.  
<sup>4</sup> This use shall be permitted only as accessory to an existing single-family structure within the Neighborhood Core.  
<sup>5</sup> These limited and conditional uses have additional location restrictions.  
<sup>6</sup> This use shall be permitted with a Conditional Use Permit in accordance with Chapter 11, Part 5A, of the Land Development Code.  
 Note: Land uses in effect prior to the adoption of these regulations and operating in a legal fashion according to the prior zoning classification of the property, including legal non-conforming uses, may continue to operate under the prior zoning classification of the property. Legal non-conforming uses may not be expanded and are subject to Section 1.3 of the LDC.

The proposed text amendment above will only affect the Broadway subarea of the SoBro Planned Development District, which, as shown to the right, spans along the southern block face of Broadway from I-65 to the east to S. 7<sup>th</sup> Street to the west. The Urban Design Considerations for the Broadway subarea are established in the Planned Development District as follows:

“The Broadway subarea standards include requirements that will result in large-scale structures and greater density than other subareas in order to reflect the district form on the north side of Broadway. The Broadway subarea created for the northern edge of the SoBro neighborhood will begin to illustrate a gradual transition between Downtown Louisville and the historic old Louisville neighborhood.

Development principles for the Broadway subarea center on re-establishing the south side streetwall with



infill development that strengthens the economic and social activity of this important commercial corridor. Development standards assure compatibility of character and scale for new community-wide uses and structures such as retail, restaurants, entertainment and residential to balance the existing institutional and office uses.”

**LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE**

	Land Use	Zoning	Form District
<b>Subject Property</b>			
<b>Existing (Broadway Subarea)</b>	Multiple, including but not limited to fuel sales, hotel, restaurant, florist, mobile phone service, off-street parking, office, and vacant	PDD	DT
<b>Proposed</b>	Allowing RU2 use groups with a Conditional Use Permit	PDD	DT
<b>Surrounding Properties</b>			
<b>North (Separated by Broadway)</b>	Multiple, including but not limited to government office, newspaper establishment, restaurant, hospital, hotel, and theater	C-3	DT
<b>South</b>	Multiple, including but not limited to off-street parking, contractor, government office, multifamily and religious	PDD	DT
<b>East (Separated by I-65)</b>	Off-street parking and retail	C-2 and C-3	DT
<b>West (Separated by S.8<sup>th</sup> St)</b>	Restaurant and contractor	C-M	DT

**PREVIOUS CASES ON SITE**

15635: Planning Commission and Metro Council approved an area-wide form district change from Traditional Neighborhood to Downtown as well as an area-wide rezoning from multiple zoning districts to Planned Development District for the SoBro (South of Broadway) Neighborhood.

**INTERESTED PARTY COMMENTS**

None received.

**STAFF ANALYSIS FOR TEXT AMENDMENT**

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

The site is located in the Downtown Form District

This form is characterized by its location near the center of the population it serves. The Downtown Form is comprised of predominantly office, commercial, civic, medical, high-density residential and cultural land uses. It has a grid pattern of streets designed to accommodate a large volume of vehicular traffic and public transportation. There are provisions for on-street and long-term parking of vehicles and for substantial pedestrian and non-vehicular movement within the district. Buildings are generally the greatest in volume and height in the metropolitan area, and there is public open space including plazas and squares. The Downtown Form should give identity to the whole community and should provide for a mixture of high density and intensity uses. Unlike the other community forms, the Downtown is already a geographically defined area that is described by Louisville Codified Ordinance and in the Louisville

Downtown Development Plan. The Downtown Development Plan also recognizes that Downtown consists of seven sub-districts and describes those sub-districts. The Downtown Development Plan and its successors are to be used as official planning evidence guiding land use decisions in the Downtown.

The proposal to amend the text for the SoBro Planned Development District will allow institutional residential uses such as dormitories, fraternities and sororities in the Broadway subarea of the SoBro PDD with a Conditional Use Permit. The Downtown form district encourages a mixture of high density and intensity uses. The proposal will set the stage for an increased residential element in the area.

The proposal is in conformance with **Guideline One, Community Form**, of the comprehensive plan because the proposed text amendment to the Planned Development District is compatible to the area and the mixture of uses and densities.

The text amendment provides the opportunity to enhance the vitality of the existing Broadway Subarea by providing additional residential units within the greater downtown area. The SoBro area, through the Planned Development District provides for different types of residential centers and densities as part of the Downtown Form District. In addition, the mechanism of Conditional Use Permit review ensures compatibility with surrounding properties; therefore, this proposal is in conformance with **Guidelines Two, Centers and Three, Compatibility**, of the comprehensive plan.

The proposal is in conformance with **Guideline Six, Economic Growth and Sustainability**, because the text amendment to the Planned Development District will contribute to the potential to have more people living in the SoBro district, which may bolster economic activity for the area.

The proposal is in conformance with **Guideline Nine, Bicycle, Pedestrian and Transit**, because the proposed text amendment will not affect the existing grid layout of the street or its multi-modal connections with an existing sidewalk network.

The proposal is generally in conformance with the SoBro Neighborhood Plan that was adopted by Louisville Metro in October of 2007. It furthers the Vision statement in the Plan which seeks to make SoBro a vibrant and diverse neighborhood district.

The proposal is in conformance with the provisions for the Broadway Subarea of the SoBro Planned Development District, which is geared toward greater density than the other Subareas and has a purpose statement that seeks to bring in "new community-wide uses and structures such as retail, restaurants, entertainment and residential to balance the existing institutional and office uses."

The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this Planned Development District text amendment. The Louisville Metro Council has final action authority over the request.

## **APPLICABLE PLANS AND POLICIES**

Cornerstone 2020  
SoBro Planned Development District  
Land Development Code  
SoBro Neighborhood Plan

## **TECHNICAL REVIEW**

No outstanding technical reviews issues need to be addressed.

## STAFF CONCLUSIONS

The proposed text amendment to the SoBro Planned Development District will allow the RU2 residential uses, which include dormitories, fraternities, and sororities, in the Broadway Subarea. The proposal meets the comprehensive plan guidelines in a similar manner as the original approval for the SoBro Planned Development District.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal meets the standards for approving a text amendment to the SoBro Planned Development District.

## NOTIFICATION

Date	Purpose of Notice	Recipients
8/18/16	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 4 Notification of Development Proposals
08/26/16	Hearing before PC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 4 Notification of Development Proposals
09/02/16	Hearing before PC	Legal Advertisement in the Courier-Journal

## ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



16ZONE1038

Plot Date 8/15/2016  
LOJIC Outlines

2. Aerial Photograph



**Land Development & Transportation**  
**Staff Report**  
August 25, 2016



<b>Case No:</b>	<b>16ZONE1038</b>
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<b>Project Name:</b>	<b>200 &amp; 212 W. Broadway</b>
<b>Location:</b>	<b>SoBro PDD Broadway Subarea</b>
<b>Owner:</b>	<b>Multiple</b>
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<b>Jurisdiction:</b>	<b>Louisville Metro</b>
<b>Council District:</b>	<b>4 – David Tandy</b>
<b>Case Manager:</b>	<b>Brian Mabry, Planning &amp; Design Supervisor</b>

**REQUEST**

- SoBro PDD Text Amendment

**CASE SUMMARY/BACKGROUND/SITE CONTEXT**

Existing Zoning District: PDD, Planned Development District  
Existing Form District: Downtown  
Plan Certain Docket #: 15635

The current text of the SoBro PDD prohibit RU2 uses, which consist of "institutional related residential housing such as dorms, fraternities, and sororities" in the Broadway subarea. The applicant is proposing a change to the text of the SoBro PDD regarding Conditional Uses within the Broadway subarea to accommodate these RU2 uses. This is not a site-specific request; however, the applicant does intend to submit a Conditional Use Permit application to allow dormitories at 200 and 212 West Broadway if Metro Council approves this requested change to the text of the SoBro PDD. The text of the SoBro PDD document, as excerpted below, is proposed to be amended as follows:



**TABLE 1: PERMITTED, LIMITED, AND CONDITIONAL USES**

List of Uses	Broadway	Campus	Neighborhood Core	Historic Neighborhood
Commercial Use Category 1 (CU1)	✓	✓	✓	✓
Commercial Use Category 2 (CU2)	✓	✓	✓	
Institutional Use Category (IU)	✓	✓	✓	✓
Office Use Category (OU)	✓	✓	✓	✓
Residential Use Category (RU1)	✓	✓	✓	✓
Residential Use Category (RU2)	✓ <sup>6</sup>	✓		
Limited Use Category 1 (LU1) <sup>1,5</sup>			✓	
Limited Use Category 2 (LU2) <sup>2,5</sup>	✓		✓	
Limited Use Category 3 (LU3) <sup>3</sup>	✓	✓	✓	
Limited Use Category 4 (LU4) <sup>4</sup>			✓	✓
Limited Use Category 5 (LU5)	✓	✓	✓	✓
Limited Use Category 6 (LU6)	✓	✓	✓	✓
Limited Use Category 7 (LU7) <sup>5</sup>			✓	
Limited Use Category 8 (LU8)	✓	✓	✓	
Limited Use Category 9 (LU9) <sup>3</sup>	✓	✓	✓	✓
Limited Use Category 10 (LU10) <sup>5</sup>	✓			
Conditional Use Category 1 (CO1) <sup>5</sup>			✓	
Conditional Use Category 2 (CO2)		✓		

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<sup>2</sup> Limited to property within the SoBro PDD, north of Breckenridge Street.

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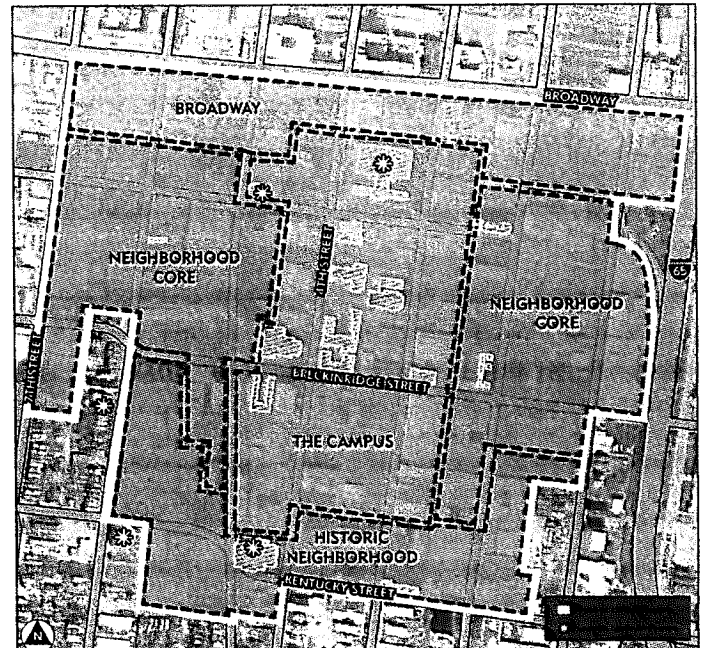
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social activity of this important commercial corridor. Development standards assure compatibility of character and scale for new community-wide uses and structures such as retail, restaurants, entertainment and residential to balance the existing institutional and office uses.”

**LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE**

	<b>Land Use</b>	<b>Zoning</b>	<b>Form District</b>
<b>Subject Property</b>			
<b>Existing (Broadway Subarea)</b>	Multiple, including but not limited to fuel sales, hotel, restaurant, florist, mobile phone service, off-street parking, office, and vacant	PDD	DT
<b>Proposed</b>	Allowing RU2 use groups with a Conditional Use Permit	PDD	DT
<b>Surrounding Properties</b>			
<b>North (Separated by Broadway)</b>	Multiple, including but not limited to government office, newspaper establishment, restaurant, hospital, hotel, and theater	C-3	DT
<b>South</b>	Multiple, including but not limited to off-street parking, contractor, government office, multifamily and religious	PDD	DT
<b>East (Separated by I-65)</b>	Off-street parking and retail	C-2 and C-3	DT
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**PREVIOUS CASES ON SITE**

15635: Planning Commission and Metro Council approved an area-wide form district change from Traditional Neighborhood to Downtown as well as an area-wide rezoning from multiple zoning districts to Planned Development District for the SoBro (South of Broadway) Neighborhood.

**INTERESTED PARTY COMMENTS**

None received.

**APPLICABLE PLANS AND POLICIES**

Cornerstone 2020  
SoBro Planned Development District  
Land Development Code

**TECHNICAL REVIEW**

- No outstanding technical reviews issues need to be addressed.

**STAFF CONCLUSIONS**

The proposal is ready for a public hearing.

### NOTIFICATION

Date	Purpose of Notice	Recipients
8/18/16	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 4 Notification of Development Proposals
	Hearing before PC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Speakers at Planning Commission public hearing Subscribers of Council District 4 Notification of Development Proposals
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

### ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



16ZONE1038

0 400  
\* Distance are in feet

Plot Date 8/15/2016  
LOJIC Quickmap



2. Aerial Photograph

