

# Planning Commission

## Staff Report

May 6, 2021



<b>Case No:</b>	20-TNzd-0001
<b>Project Name:</b>	TNzd Map Amendment
<b>Location:</b>	1801 & 1803 S 3 <sup>rd</sup> Street
<b>Owner(s):</b>	Mansard LLC
<b>Applicant:</b>	Mansard LLC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	6 – David James
<b>Case Manager:</b>	Dante St. Germain, AICP, Planner II

### REQUEST

- **TNzd Map Amendment** from General Neighborhood, Single- or Two-Family Residential to General Neighborhood, Multi-Family Residential

### CASE SUMMARY/BACKGROUND

The subject site is located at the intersection of S 3<sup>rd</sup> Street and W Bloom Street, and consists of two contiguous parcels. The site is in the Traditional Neighborhood Zoning District and current mapped General Neighborhood, Single- or Two-Family Residential. The applicant wishes to re-map the site to General Neighborhood, Multi-Family Residential in order to renovate the building to provide eight dwelling units.

The area around the site is mostly in the General Neighborhood type, mapped Single- or Two-Family Residential, Multi-Family Residential and Institutional. General Campus Edge Transition type is located across S 3<sup>rd</sup> Street to the south-west. University of Louisville is located across W Cardinal Blvd to the south.

A Certificate of Appropriateness was granted in 2017 to replace the cedar shake roof with synthetic slate shingles, under case number 17COA1129.

### STAFF FINDING

The TNzd map amendment is in conformance with the Guidelines and Policies of Plan 2040, the traditional pattern, and the urban residential character of the area. The architectural integrity of the site will be retained as the renovations will be on the interior of the building only. The subject site is located in a walkable and connected urban neighborhood. The proposal would meet the needs of future residents by providing for more dwelling units in the neighborhood.

### TECHNICAL REVIEW

Amendments to the TNzd map to a “permitted use where mapped” do not require legislative action. The Planning Commission is required to hold at least one public hearing after notice has been sent to 1<sup>st</sup> tier adjoining property owners 30 days in advance of the hearing. The Planning Commission may approve the proposed TNzd map amendment if it finds that the proposed land use change conforms to

the Comprehensive Plan, the traditional pattern, and the urban residential character of the area as described in the TNZD Plan. TNZD map amendments are not “plan certain”.

### **INTERESTED PARTY COMMENTS**

Two interested party comments have been received by staff.

### **STAFF ANALYSIS FOR TNZD MAP AMENDMENT**

#### **The site is located in the Traditional Neighborhood Form District**

This form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings. Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

#### **Traditional Pattern and Urban Residential Character**

The TNZD pattern is generally characterized by these features:

- a. A variety of housing types. This allows younger and older people, singles and families, and people with a wide range of incomes to have places to live. Examples include detached houses on small, standard, or large lots, duplexes, row houses, and apartment buildings;
- b. A network of connected streets and walkways. Traditional neighborhood streets provide a variety of transportation routes and disperse traffic. Streets are relatively narrow and most are tree lined to create a pleasant environment;
- c. Civic or institutional buildings such as schools, libraries, museums, meeting halls, places of worship, and day care facilities may occupy prominent places in the traditional neighborhood. Civic or institutional uses should be encouraged to use buildings originally designed for those uses to assure their preservation as part of the community fabric and may have public open space around the buildings. Civic buildings have a distinctive form to differentiate their role from that of other buildings;
- d. A human building scale described by a variety of many separate buildings on small lots to generate a cohesive pattern that allows streets to be civic places. Building heights vary, with one to four story structures typical in the TNZD. Buildings in the Traditional Neighborhood Center should generally be four stories and placed close to the sidewalk, creating a strong sense of spatial definition, while buildings in the Traditional Neighborhood General are usually

set back from the sidewalk reflecting the predominant setback pattern along the block face. Buildings in the Traditional Neighborhood Transition-Center should also reflect the predominant setback pattern along the block face.

e. Open space and natural features, such as trees of high quality and significant tree stands, wetlands, streams, and steep slopes, are retained, linked where possible and incorporated into the traditional neighborhood pattern; and

f. Cultural resources, such as historic buildings, districts and landscapes, are preserved and reused in the TNZD.

The proposal would expand opportunities for housing in the neighborhood. As currently mapped, the large structure that crosses two parcels would be eligible for a total of 4 dwelling units (2 per parcel). The structure as currently in use has two large units with five bedrooms per unit, one unit per parcel, and is rented by the property owner to large groups of renters who comprise single housekeeping units as defined as “Family” under the Land Development Code. Dividing the property into smaller dwelling units would permit more flexibility and allow for a greater number of potential residents to access the units.

The site is located in an urban neighborhood in proximity to retail and within walking distance of the University of Louisville. The proposal includes the preservation and use the existing structure, in a neighborhood that is recognized as having historical or architectural value. The proposal promotes mass transit, bicycle and pedestrian use and is located in proximity to amenities that support these modes of transportation, as it would increase the availability of housing in an urban neighborhood. The site is located along an arterial roadway with transit service in a walkable urban neighborhood.

### **REQUIRED ACTIONS**

- **APPROVE** or **DENY** the **TNZD Map Amendment** from General Neighborhood, Single- or Two-Family Residential to General Neighborhood, Multi-Family Residential

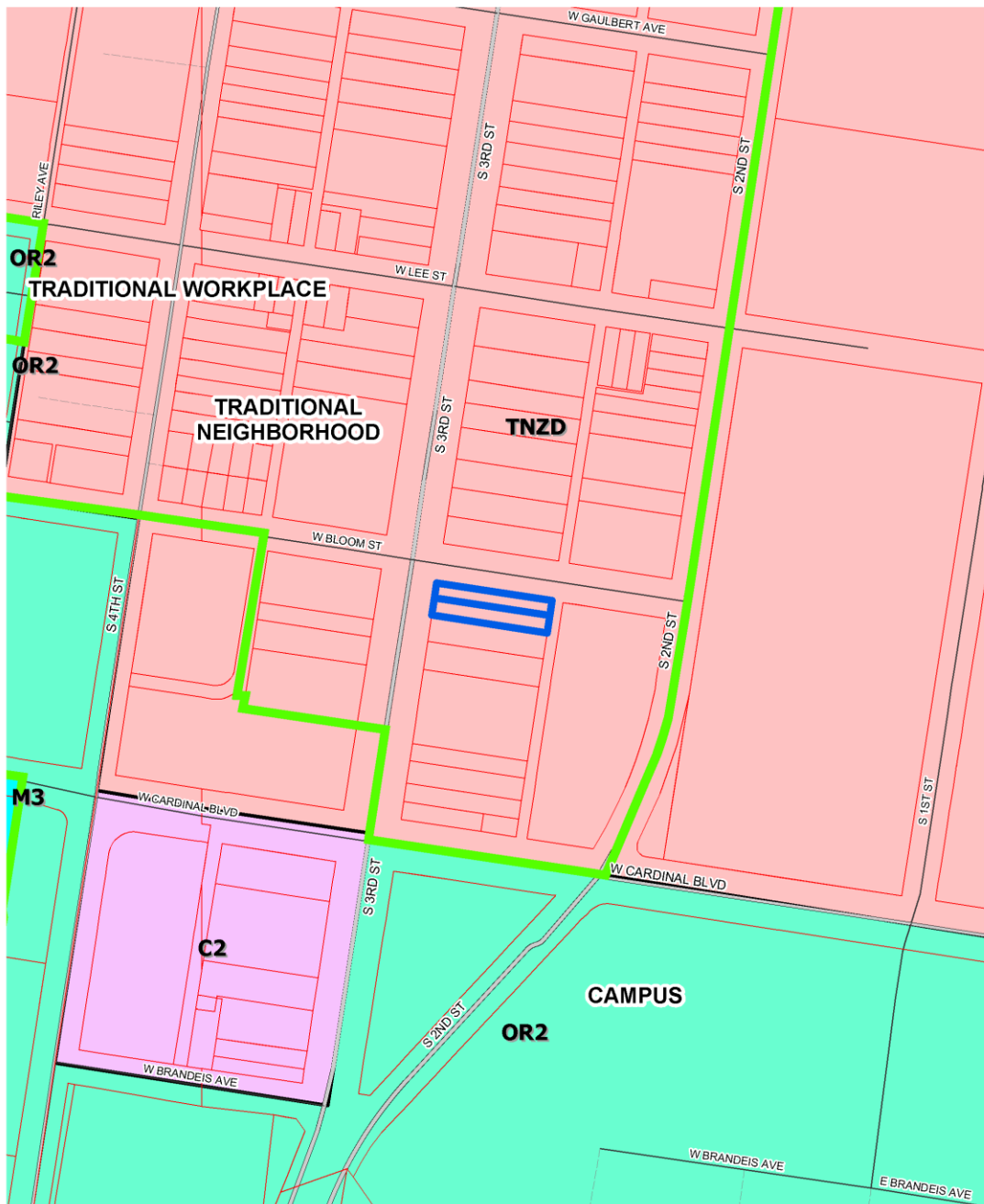
### **NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
<b>02/24/2021</b>	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 6
<b>03/15/2021</b>	Hearing before PC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 6

### **ATTACHMENTS**

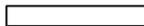
1. Zoning Map
2. Aerial Photograph
3. Staff Plan 2040 Checklist

1. Zoning Map



1801 & 1803 S 3rd Street

feet



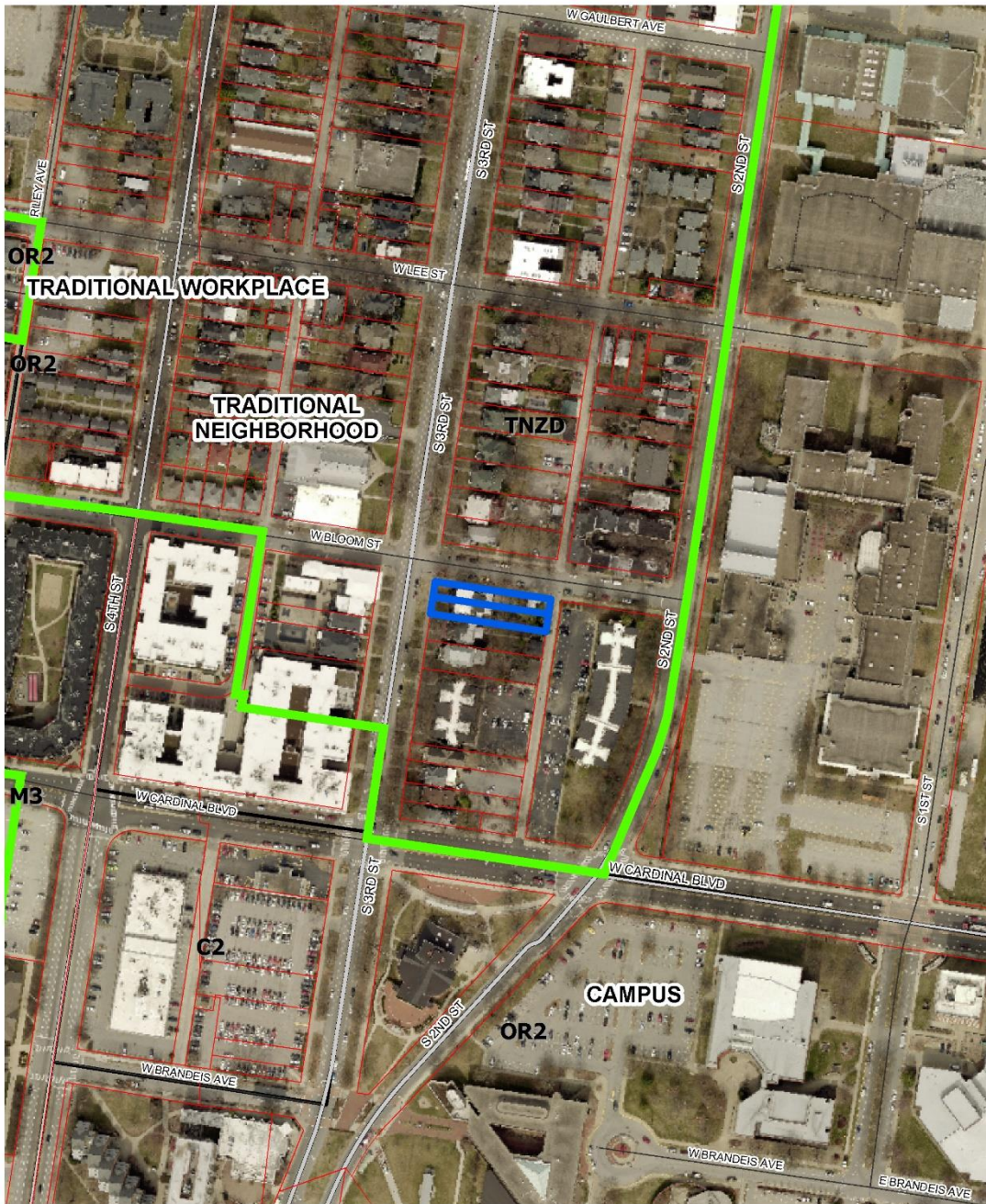
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Map Created: 3/2/2021



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2. Aerial Photograph



1801 & 1803 S 3rd Street

feet



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### 3. Staff Plan 2040 Checklist

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

#### Traditional Neighborhood: Residential

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
1	Community Form: Goal 1	7. Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned.	✓	The proposal would permit higher density uses near a transit corridor, near an employment center, and near an activity center.
2	Community Form: Goal 1	9. Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.	✓	Appropriate transitions will be provided. No exterior changes are proposed to the structure.
3	Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	✓	The proposal would provide for the re-use of a building providing residential uses.
4	Community Form: Goal 3	10. Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.	✓	No wet or highly permeable soils, or severe, steep or unstable slopes are evident on the site.
5	Community Form: Goal 4	2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.	✓	The proposal would preserve and re-use an existing structure in a historic neighborhood.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
6	Community Form: Goal 4	3. Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.	✓	The proposal would preserve and re-use an existing structure in a historic neighborhood.
7	Mobility: Goal 1	4. Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.	✓	The site is near the University of Louisville, a major employment and activity center, and in proximity to retail. The site is on a transit corridor and near other transit corridors.
8	Mobility: Goal 2	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	✓	Access to the site is via S 3 <sup>rd</sup> Street, a major arterial at this location, and an unnamed alley in the rear of the site which is accessed from W Bloom Street.
9	Mobility: Goal 3	2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.	✓	The proposal would increase the mixture of compatible land uses in the vicinity of a transit corridor.
10	Mobility: Goal 3	5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	✓	No impact on the transportation network is anticipated by the proposal.
11	Mobility: Goal 3	6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	✓	No additional transportation facilities or services are anticipated to be made necessary by the proposal.
12	Mobility: Goal 3	9. When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.	✓	Existing transportation facilities and services are adequate to serve the proposal in addition to existing development.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
13	Mobility: Goal 3	10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	✓	No improvements are anticipated to be made necessary by the proposal.
14	Mobility: Goal 3	21. Prevent safety hazards caused by direct residential access to high speed roadways.	✓	Although S 3 <sup>rd</sup> Street is a major arterial at this location, the speed limit is 35 MPH, and vehicular access to the site is likely to take place via the rear alley, which connects to W Bloom Street, a local road.
15	Community Facilities: Goal 2	1. Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.	✓	The site is served by existing utilities.
16	Community Facilities: Goal 2	2. Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.	✓	The site is served by Louisville Water Company.
17	Community Facilities: Goal 2	3. Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).	✓	The site is served by MSD.
18	Livability: Goal 1	5. Encourage development that recognizes and incorporates the unique characteristics of identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.	✓	No landscape or plant communities are evident on the site. Any existing tree canopy will be retained.
19	Livability: Goal 1	17. Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.	✓	No karst features are evident on the site.
20	Livability: Goal 1	21. Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.	✓	The site is not located in the regulatory floodplain.



#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
21	Housing: Goal 1	1. Encourage a variety of housing types including, but not limited to, detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing. Allow for accessory residential structures and apartments. Housing types should reflect the Form District pattern.	✓	The proposal would encourage a variety of housing types in the neighborhood by increasing the availability of housing to future residents.
22	Housing: Goal 1	2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	✓	The proposal would support aging in place by providing an increased number of dwelling units at a reduced cost in comparison with the current dwelling units on the site, in proximity to transit and neighborhood goods and services.
23	Housing: Goal 2	1. Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.	✓	The proposal would permit the encouragement of inter-generational mixed-income and mixed-use development. The site is connected to the neighborhood and surrounding area.
24	Housing: Goal 2	2. Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.	✓	The site is in proximity to multi-modal transportation corridors and to neighborhood goods and services.
25	Housing: Goal 3	1. Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro.	✓	The proposal would encourage the provision of fair and affordable housing by increasing the number of units on each parcel, thereby decreasing the cost for each unit. The proposal would expand opportunities for people to live in quality, variably priced housing in locations of their choice.
26	Housing: Goal 3	2. As neighborhoods evolve, discourage displacement of existing residents from their community.	✓	No existing residents will be displaced by the proposal.
27	Housing: Goal 3	3. Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.	✓	The proposal would permit innovative methods of housing.