

**Planning Commission  
Staff Report  
May 23, 2019**



<b>Case No:</b>	19MISC1023
<b>Project Name:</b>	W. Chestnut Spot Condemnation
<b>Location:</b>	2700-2708 W. Chestnut Street
<b>Owner(s):</b>	Deeper Life Christian Church
<b>Applicant:</b>	Louisville/Jefferson County Landbank Authority
<b>Representative(s):</b>	Mary McGuire
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	5 – Donna Purvis
<b>Case Manager:</b>	Brian Davis, AICP, Planning & Design Manager

**REQUEST(S)**

- **Comprehensive Plan Review of Blight Determination per Louisville Metro Code of Ordinances 32.777**

**CASE SUMMARY**

The Louisville/Jefferson County Landbank Authority, Inc. is in the process of completing a spot blight condemnation for properties located at 2700-2708 W. Chestnut Street. There are three buildings on the site: the St. Charles Borromeo Church building, the rectory building, and the school building. The property is zoned R-6 Residential and located in the Traditional Neighborhood Form District.

According to Louisville Metro Code of Ordinances Section 32.777 “The Landbank Authority shall have the authority to determine whether a property is blighted or deteriorated when it has been referred to the Landbank Authority by the appropriate Metro Government agency as tax delinquent or in violation of local codes.” The ordinance goes on to say that certification of property as blighted or deteriorated may only be made after a number of determination are made, one of which states “That the Planning Commission has determined that the reuse of the property is in keeping with the comprehensive plan.”

**STAFF FINDING**

The proposed reuse of the property would conform to the land use and development policies of Plan 2040 as demonstrated within the staff analysis and detailed further in Attachment 3.

**STAFF ANALYSIS**

The following is a summary of staff’s analysis of the proposed reuse of the property against the Land Use and Development Policies of Plan 2040:

**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 fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces

The property is located in an area of varying intensities and densities and does not result in a non-residential expansion into existing residential areas. The property is located in the traditional neighborhood form on an arterial roadway in a walkable urban community served by public transit and adjacent to similar intensities where demand and adequate infrastructure exists. The proposed reuse of the existing structures exhibit compatibility with the character of the area.

**REQUIRED ACTION(S)**

- The Planning Commission shall determine whether the reuse of the property is in keeping with the Comprehensive Plan.

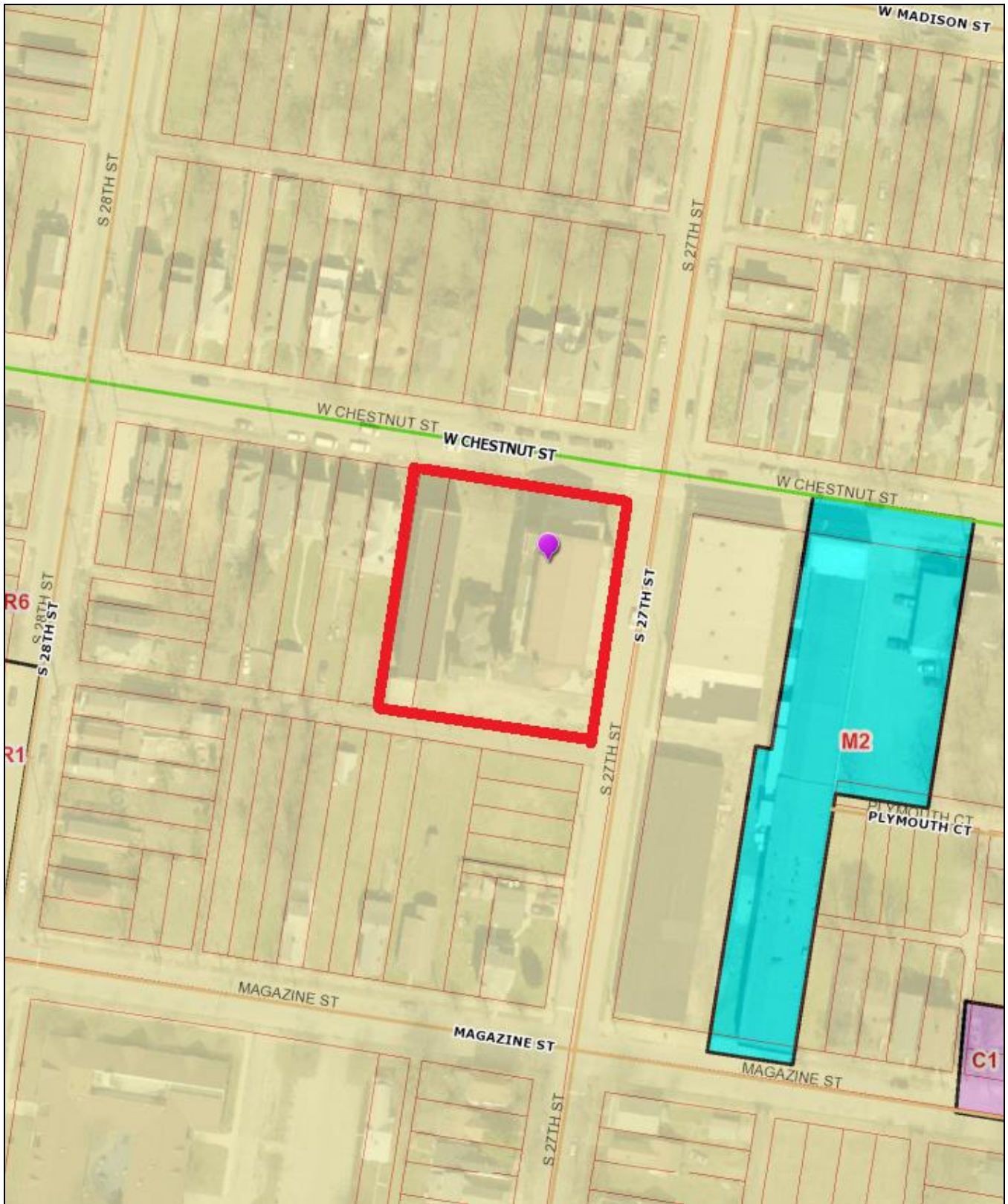
**NOTIFICATION**

Date	Purpose of Notice	Recipients
5/7/2019	Hearing before Planning Commission	Registered Neighborhood Groups in Council District 5

**ATTACHMENTS**

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

1. Zoning Map



2. Aerial Photograph



### 3. Plan 2040 Staff Analysis

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

#### Traditional Neighborhood: Non-Residential

Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
Land Use & Development Goal 1: Community Form	<b>6.</b> Discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. Evaluation of impacts may include, but not be limited to, displacement of residents, loss of affordable housing units, traffic, parking, signs, lighting, noise, odor, and stormwater. Appropriate transitions from non-residential to residential uses should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential.	✓	The property is located in an area of varying intensities and densities and reuse of the structure would not result in a non-residential expansion into existing residential areas
Land Use & Development Goal 1: Community Form	<b>7.</b> 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 property is located on a minor arterial level roadway with public transit service on W. Chestnut Street as well as S. 28 <sup>th</sup> Street (one block away).
Land Use & Development Goal 1: Community Form	<b>17.</b> Mitigate adverse impacts of traffic from proposed development on nearby existing communities.	✓	No adverse impacts of traffic will result as the site is located on an arterial roadway in a walkable urban community served by public transit.
Land Use & Development Goal 1: Community Form	<b>18.</b> Mitigate adverse impacts of noise from proposed development on existing communities.	✓	Reuse of the structures would result in minimal noise impact based on the zoning district (R-6) and/or any non-conforming rights associated with the previous use of the structures.

Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
Land Use & Development Goal 2: Community Form	1. Locate activity centers in appropriate areas in all Form Districts. Design and density should be compatible with desired form, adjacent uses, and existing and planned infrastructure.	✓	Existing facilities will be repurposed.
Land Use & Development Goal 2: Community Form	4. Allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity.	✓	The property is located in the Traditional Neighborhood form on an arterial roadway in a walkable urban community served by public transit.
Land Use & Development Goal 2: Community Form	5. Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it.	N/A	There are no proposed retail commercial activities planned for the site at this time.
Land Use & Development Goal 2: Community Form	6. Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.	✓	The proposed reuse of the property would encourage a concentration of non-residential uses along the corridor resulting in an efficient land use and cost-effective infrastructure investment.
Land Use & Development Goal 2: Community Form	7. Encourage activity centers to include a mixture of compatible land uses in order to reduce traffic congestion by requiring fewer trips, support and enhance alternative modes of travel, and encourage vitality and a sense of place.	✓	The proposed reuse of the property would allow for a concentration of commercial activities of varying intensities to be located along a commercial and transit corridor resulting in fewer trips, the support and enhancement of alternative modes of travel, and vitality and a sense of place.
Land Use & Development Goal 2: Community Form	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	✓	The Landbank Authority would work with potential buyers to reuse/rehabilitate the existing structures.
Land Use & Development Goal 3: Community Form	9. Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	✓	This is a previously developed site and does not impact floodplain or soils.
Land Use & Development Goal 3: Community Form	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.	✓	This is a previously developed site and does not impact floodplain or soils.

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Land Use & Development Goal 3: Community Form	12. When reviewing proposed developments consider changes to flood-prone areas and other features vulnerable to natural disasters such as sinkholes and landslides. Ensure appropriate measures to protect health, safety and welfare of future users of the development.	✓	This is a previously developed site and does not impact any natural features.
Land Use & Development Goal 4: Community Form	1. Preserve buildings, sites, districts and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, architecture style and placement when located within the impact area of such resources.	✓	The proposed condemnation will hopefully result in preservation of the existing structures that exhibit compatibility with the character of the area.
Land Use & Development Goal 4: Community Form	2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.	✓	No cultural features are present on the subject site.
Land Use & Development Goal 1: Mobility	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 proposed reuse is located amongst 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
Land Use & Development Goal 2: Mobility	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	✓	The area contains a wide variety of intensities and densities. Access is through areas of similar intensity.
Land Use & Development Goal 3: Mobility	1. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling.	✓	The proposed reuse of the property increases the availability of non-residential activities without encroachment into the neighborhood and located along a transit corridor in a walkable urban neighborhood.
Land Use & Development Goal 3: Mobility	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 reuse of the site will not negatively impact mobility or accessibility to transit, pedestrians and people with disabilities.

Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
Land Use & Development Goal 3: Mobility	<b>3.</b> Evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices.	✓	The property is located along a major transit corridor that is readily accessible to pedestrians.
Land Use & Development Goal 3: Mobility	<b>5.</b> Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	✓	The site is located on an arterial roadway in a walkable urban community served by public transit.
Land Use & Development Goal 3: Mobility	<b>6.</b> Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	N/A	
Land Use & Development Goal 3: Mobility	<b>9.</b> 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.
Land Use & Development Goal 3: Mobility	<b>10.</b> Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	✓	There do not appear to be any long range plans for transportation improvements
Land Use & Development Goal 2: Community Facilities	<b>1.</b> Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.	✓	The property is served by existing utilities.
Land Use & Development Goal 2: Community Facilities	<b>2.</b> 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.	✓	An adequate supply of potable water and water for fire-fighting purposes is available.



Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
Land Use & Development Goal 2: Community Facilities	<b>3.</b> 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).	✓	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 is provided.
Land Use & Development Goal 1: Economic Development	<b>3.</b> Locate commercial uses generating high volumes of traffic on a major arterial street, at the intersection of two minor arterials, or at a location with adequate access to a major arterial and at locations where nuisances and activities of the proposed use will not adversely affect adjacent areas.	✓	The property is located along an arterial roadway with multi-modal options that do not impact adjacent areas.
Land Use & Development Goal 1: Livability	<b>21.</b> 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 property is previously developed and is not located within the floodplain.