

Case No. 13ZONE1018 Findings of Fact

WHEREAS, the Louisville Metro Planning Commission (“Planning Commission”) finds that the proposed change in zoning from EZ-1 Enterprise Zone to C-2 Commercial on the property located at 1900 S. Floyd Street (the “subject property”) complies with Guideline 1 of the Cornerstone 2020 Comprehensive Plan (the “Comprehensive Plan”) because the subject property is located within the Campus Form District; Guideline 1.B.11 provides that the Campus Form District typically contains a mixture of uses clustered for a single or predominant function which primarily serve the people who work or live on the campus; development and redevelopment should be consistent with the organization and pattern of the district; access should be provided by a series of well-connected streets that relate to the function of the major roadway network in surrounding districts and also encourage bicycle, pedestrian, and transit travel; a variety of land uses are encouraged in the Campus Form District to serve the daily needs of residents, students, and workers, including medium to high density residential uses, shops, services, offices and institutional uses, and proposed developments should also have adequate parking facilities that are convenient for motorists, but do not negatively impact the pedestrian environment; the proposed development will provide housing that will serve the need of students of the University; vehicular access to the proposed development will be from S. Floyd Street, which has adequate capacity to handle the traffic that will be generated by the proposed development; the development provides an adequate level of vehicular, pedestrian, bicycle, and transit connectivity because the development will include a bicycle parking area, and the existing sidewalk along the west side of S. Floyd Street will be repaired and improved; and the proposed building will incorporate high quality architectural design features that are compatible with development on U of L’s campus and in the surrounding area; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guideline 2 of the Comprehensive Plan because the subject site is located in an existing activity center at the intersection of E. Brandeis Avenue and S. Floyd Street, both minor arterials, west of I-65 and across the street from U of L; the provision of additional student housing enhances the mixture of uses within the Campus Form District; the proposed development will incorporate streetscape amenities, landscaping, pedestrian connections, and adequate on-site parking; the developer is committed to a high-quality architectural design for the proposed building. The building will be articulated to provide visual interest and will include brick and glass materials, transparent doorways and entry areas, and other animating features; and the proposed development will encourage vitality and a sense of place within and around the University of Louisville campus; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guideline 3 of the Comprehensive Plan because the subject property is located on the northwest corner of the intersection of E. Brandeis Avenue and S. Floyd Street, west of I-65, in a mixed-use area, with an LG&E facility to the north, warehouses to the east, and railroad to the west, all of which are zoned EZ-1; immediately to the south across E. Brandeis Avenue is U of L, which is zoned OR-2; diagonally across E. Brandeis Avenue from the subject property is property zoned C-2 and M-2; and beyond the railroad tracks is a bookstore and a restaurant that are in the TNZD district; the proposed rezoning is compatible with existing zoning and will cause no adverse visual or noise impacts to the surrounding area; the proposed development will incorporate site design and architectural character that blends the existing industrial character of the area and the character of U of L’s campus; and outdoor lighting and signage will meet the requirements of the Land Development Code; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guidelines 4 and 5 of the Comprehensive Plan because there are no natural, scenic, environmental, or historic resources on the subject property that would restrict the proposed development; and outdoor open space for the residents of the development is provided on site in accordance with Land Development Code requirements; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guideline 6 of the Comprehensive Plan because the proposed development will encourage redevelopment, rehabilitation and reinvestment opportunities in an older industrial areas that is consistent with the Campus form district pattern; the subject property is appropriate for the proposed development because it is located at the intersection of two minor arterial roadways with in close proximity to I-65 in an area where the activities of the proposed use will not adversely affect adjacent areas; and the proposal represents an excellent adaptive reuse of an old industrial site that will meet the University's housing needs within close proximity to U of L's main campus; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guidelines 7, 8, and 9 of the Comprehensive Plan because the site is located at the northwest corner of the intersection of E. Brandeis Avenue and S. Floyd Street, both of which are classified as minor arterials, in close proximity to the I-65 interchange; S. Floyd Street and E. Brandeis Avenue have adequate carrying capacity for the traffic that will be generated by development; the access to the site and parking garage, which will be provided from S. Floyd Street, is located to facilitate safe vehicular and pedestrian access to and from the property; a separate bicycle storage area will also be provided; the sidewalk along S. Floyd Street will be improved to provide pedestrian access to and from the development; the subject property is located along local and circulator TARC routes, ensuring an adequate level of public transit service; therefore, the subject site is located where transportation infrastructure exist to ensure the safe and efficient movement of people and goods; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guidelines 10 and 11 of the Comprehensive Plan because the subject site is not located in the 100-year flood plain, and there are no streams, wetlands, or waterways on the site; stormwater detention will be handled on site in an underground vault that will be designed to accommodate the runoff from the proposed development in accordance with regulatory requirements; and an erosion prevention and sediment control plan will be implemented prior to construction utilizing best management practices as required by the Metropolitan Sewer District; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guideline 12 of the Comprehensive Plan because the proposal represents an efficient land use pattern and utilizes current traffic patterns; the close proximity of the subject property to the University's campus, bicycle and pedestrian amenities provided, and availability of TARC service will promote a reduction in vehicle miles traveled and increase pedestrian travel in an effort to reduce the air impacts of the development; the proposed development will also aid in reducing commuting time and transportation-related air pollution; and the existing and proposed roadway infrastructure provides adequate capacity for the additional traffic generated by this development; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guideline 13 of the Comprehensive Plan because the subject property is an old industrial site with no existing landscaping or landscape buffer areas; the surrounding property is developed in a traditional urban pattern with minimal or no setbacks or landscape buffer areas; existing tree

canopy within the E. Brandeis Avenue right-of-way will be preserved to meet Land Development Code requirements; and outdoor lighting and signage will be consistent with the Campus form of development and comply with Land Development Code requirements; and

WHEREAS, the Commission further finds that the proposed change in zoning complies with Guideline 14 and 15 of the Comprehensive Plan because the subject property is served by existing infrastructure which has adequate capacity for the proposed development; all necessary utilities, including water, electricity, telephone, and cable are available; and the development has an adequate supply of potable water and water for fire-fighting purposes and is served by the Louisville Fire Department; and

WHEREAS, the Commission further finds that the proposed development complies with KRS 100.213 in as much as the existing EZ-1 Enterprise Zone classification is not appropriate while the C-2 Commercial is appropriate; the property is located in the Campus Form District, which encourages a mixture of uses that serve the daily needs of residents and employees within the Campus; the EZ-1 zoning does not allow residential uses in a Campus Form District; therefore, the proposed C-2 zoning is appropriate to allow this industrial site to be redeveloped into student housing, which is appropriate in this Campus Form District; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, portions of the staff report, and the applicant's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore
be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative council of Louisville Metro Government that the Change in zoning from EZ-1, Enterprise Zone, to C-2, Commercial on property located at 1900 South Floyd Street as described in the attached legal description be **APPROVED**.