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May 24th, 2019

Develop Louisville
Department of Planning and Design Services
444 South 5th Street, Ste. 300
Louisville KY 40202

**Subject: Nazareth Home & Sacred Heart Village Campuses
Category 3 and Modified Conditional Use Permit
2002-2004 Payne Street; 1973-1977 Quarry Street; 1200 Vance Street; 2108-2118 Payne Street
Louisville, KY 40206**

To Case Manager,

The applicant is proposing construction of a three story, 306,600 SF assisted living facility on properties at 2002 ½ Payne Street, 1973 & 1977 Quarry Street. The new building will be constructed on Tracts 5-8. It will consist of 102 units over the stepped three stories of the building. The associated new parking spaces will be located on Tract 4 (2004 Payne Street) with the shared access on Tract 3 under the ownership of Sacred Heart Village II (2108 Payne Street). All of these plans will follow the Category 3 development plan process required and the Clifton Architectural Review Committee for the building design.

On Tract 1 (2118 Payne Street), the applicant is constructing a one story, 11,029 SF addition for a chapel and new entrance to the existing assisted living and nursing facility. The two story, 32 assisted living units, administrative offices and adult day care buildings will be demolished on this same tract to create new parking with full connectivity between the tracts. The demolition will include the connective building pathways between Tract 2 (2110 Payne Street) and Tract 3 (2018 Payne Street) to Tract 1 (2118 Payne Street). The building connections are between the Sacred Heart Village and Nazareth Home campuses. There is an existing Conditional Use Permit for the Nazareth Home Tract 1 and the revisions to this portion of the Nazareth Home and Sacred Heart Village Campuses will require a Modified Conditional Use Permit.

Please do not hesitate to give me a call at 502-815-7535 if you have any questions.

Sincerely,

Chris Brown, AICP
Planning Director/Project Manager

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July 1st, 2019

To Case Manager,

Variance justification statements as follows:

Request for Infill Setback Variance from Chapter 5.1.12.A.2.a of the Land Development Code to allow the canopy structure to encroach into the required 15' minimum infill front yard setback

- (a) The requested variance will not adversely affect the public health, safety or welfare.

The requested variance will not adversely affect the public health, safety or welfare since the existing sidewalk network for Payne Street and proposed vehicular access to the site will not be affected by the canopy encroachment.

- (b) The requested variance will not alter the essential character of the general vicinity.

The requested variance will not alter the essential character of the general vicinity since there are varying setbacks along the existing blocks of Payne Street from I-64 overpass to South Ewing Avenue.

- (c) The requested variance will not cause a hazard or nuisance to the public.

The requested variance will not cause a hazard or nuisance to the public since the public ROW will be unaffected with full pedestrian and vehicular access unimpeded to the site.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

The requested variance will not allow an unreasonable circumvention of the zoning regulations since it is a minimized encroachment at an angle to allow a covered canopy structure over the entrance that will provide protected entry for residents.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity.

The requested variance arises from special circumstances which do not generally apply to land in the general vicinity since the topography of the site necessitates access and entrance to the building closer to Payne Street with the canopy structure at the first floor.

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2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant by not allowing the needed canopy to follow the angle of the vehicular access to the site.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought.

The circumstances are the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought since the topography and depth of the lot existed prior to the adoption of the current zoning regulations.

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Sidewalk Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

The proposed waiver conforms to the Comprehensive Plan and the intent of the Land Development Code with the full internal pedestrian connections being provided amongst the entire campus. The internal pedestrian network connects to the existing sidewalks along Payne Street. South Clifton Avenue along the subject property functions similar to alley in both ROW and functioning with the campus and nearby residences. South Clifton Avenue terminates at the subject site prior to I-64 ROW.

2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

Compliance with the regulations would require construction of sidewalks along portions of South Clifton Avenue that serve as an alley for nearby residences and lack sufficient ROW for the construction. Portions of the road contain utilities that would create conflicts with connecting the sidewalks to the existing sidewalks along Payne Street. The development would be more in line with the intent of the Land Development Code and Comprehensive Plan since it will provide a full internal pedestrian network with connections to the existing Payne Street sidewalks.

3. What impacts will granting of the waiver have on adjacent property owners?

The granting of the waiver will not adversely affect adjacent property owners since there will be existing sidewalks along Payne Street and the majority of residences fronting on Albany Avenue.

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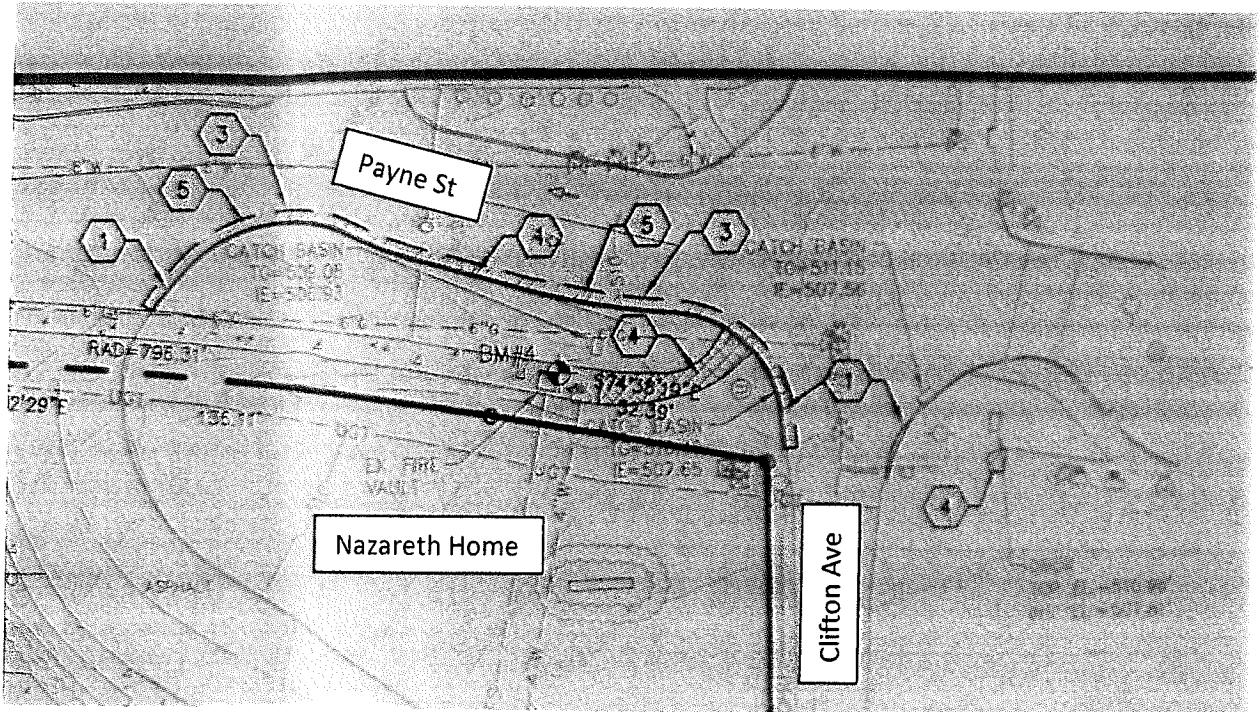
4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

The strict application of the regulations would create an unnecessary hardship on the subject property by requiring construction of sidewalks for unused portions of the South Clifton Avenue ROW that functions as an alley with a termination point prior to the I-64 ROW. There are also portions of South Clifton Avenue that would have issues with sidewalk construction due to the existing utility lines and spacing for construction within the ROW.

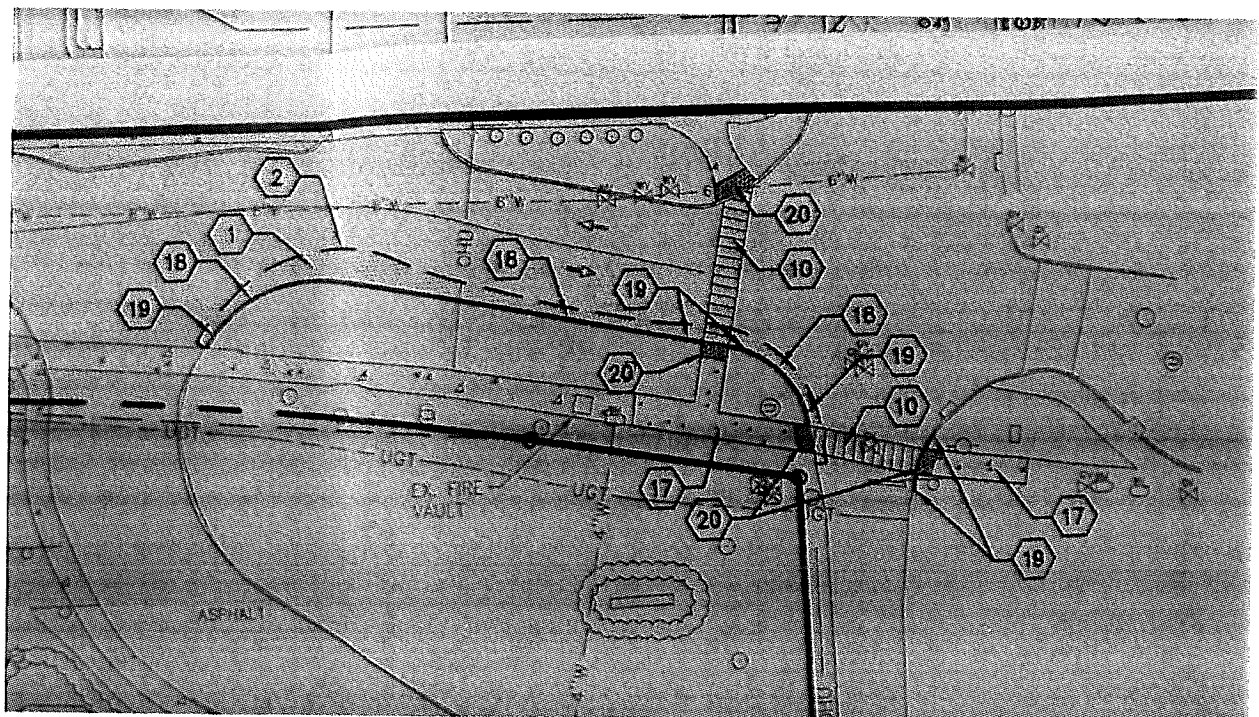
Public meeting 09.17.19

Payne Street & Clifton Avenue

Existing:



Proposed:



Striped crosswalk (10) across Payne Street will only be striped if a four-way stop is warranted and installed.



Historic Landmarks and Preservation Districts Commission

Certificate of Appropriateness Report of the Committee

To: Chris Brown, BTM Engineering, Inc.
Thru: Clifton Architectural Review Committee
From: Savannah Darr, Planning & Design Coordinator
Date: July 10, 2019

Case No: 19COA1161
Classification: Committee Review

GENERAL INFORMATION

Property Address: 2002 ½ - 2120 Payne Street

Applicant: Chris Brown
BTM Engineering, Inc.
3001 Taylor Springs Drive
Louisville, KY 40220
502-459-8402
cbrown@btmeng.com

Owner: Mary Haynes
Nazareth Home, Inc.
2000 Newburg Road
Louisville, KY 40205
502-459-9681
mhaynes@nazhome.org

Architect: Studio A Architecture

Estimated Project Cost: TBD

Description of proposed exterior alteration:

The applicant seeks approval to construct an addition on the front of the existing Nazareth Home building. The addition is an irregular shape to accommodate a new main entry, chapel, and "Main Street," which will feature dining options and gathering spaces. The round chapel will be located on the east side of the addition with the main entry to the west. The roof of the chapel will be 27'-11.5" tall with a cross feature that will be 40'-0" tall. The rest of the addition will be around the same height as the existing building. The addition will be clad in fiber cement siding, brick, and stone. As a result of this proposed addition and the previous demolition approval, the parking lot will be redesigned for better

circulation and building navigation. The entry to the parking will utilize the existing driveway off Payne Street.

The applicant also seeks approval to construct a new building on the vacant lot west of the Nazareth Home buildings where Bill Goat Hill is located. The proposed new building will be 116,000 square feet and three stories tall. However, from Payne Street the building will only appear to be one story tall due to the slope of the property. The building will feature a three-story rounded entry with a cupola and entry canopy that faces northeast toward the intersection of Payne Street and S. Clifton Avenue. Then the remainder of the Payne Street, or north, elevation will be one-story tall with a series of hips and front gabled porch roofs for residential entry. The east and west elevations are a variety of heights based on the slope of the property. There are some depth and roof variations to break up the massing. The south elevation of the property, which faces the woods will be three stories tall with a series of balconies for the residents as well as an inset courtyard area. The center of the building also contains an outdoor courtyard area. Designed with a nod to the Craftsman style the building will be clad in stone, brick, and shake shingles.

Communications with Applicant, Completion of Application

The application was received on May 24, 2019 and considered complete and requiring committee level review on May 27, 2019. Staff met with representatives of the property owner and architect on December 14, 2018 to discuss their new plans. The case was scheduled to be heard by the Clifton Architectural Review Committee (ARC) on July 10, 2019 at 5:30 pm, at 444 S. 5th Street, Conference Room 101.

The Clifton Architectural Review Committee met on July 10, 2019 at 5:32 pm in Conference Room 101 at 444 South 5th Street to discuss the case. Members present were Jay Stottman (Chair), Edith Nixon, Pam Vetter, and David Marchal. Committee member Jessica Murphy recused herself due to a working relationship with Studio A Architecture. Savannah Darr, Landmarks staff; John Addington, representing the applicant; Mary Haynes and Lisa Biddle-Puffer, representatives of Nazareth Home; and Adrie Hammond and Vadim Kaplan, architects with Studio A Architecture, were present. Members of the general public were also present for the hearing.

Ms. Darr presented the case for the alterations to the Nazareth Home campus and the new building construction. Ms. Darr recommended approval of the project with four conditions listed in the staff report. Mr. Addington introduced himself; Mary Haynes and Lisa Biddle-Puffer, representatives of Nazareth Home; and Adrie Hammond and Vadim Kaplan, architects with Studio A Architecture. He then asked Ms. Haynes to speak. Ms. Haynes stated that the current Nazareth Home campus needs an update, as there are serious wayfinding issues. She also mentioned the need for constructing a new chapel to create a destination chapel, which is a place for the families to meet without entering the entire facility. Mr. Addington shared a PowerPoint presentation with plans of the site as well as elevation renderings of the alterations to the existing campus

buildings and new construction. Ms. Hammond and Mr. Kaplan then presented the new building construction.

The ARC members asked a variety of questions to better understand the plan. Ms. Nixon asked if the front porches on the new construction would have sidewalks to Payne Street. Ms. Haynes and Mr. Addington said that they were not at that part of the planning process but likely not. Ms. Nixon asked if there would be buffer landscaping on the west side of the building, which faces residences. Mr. Kaplan stated that they would do what they could to keep a buffer. Ms. Vetter asked for clarification on how the proposed building materials would be used. Ms. Hammon said they would use a variety of colors and textures to break up the Payne Street façade. Ms. Nixon asked what the front porch railings or fences would look like. Ms. Hammond confirmed they had not been designed yet. Mr. Marchal asked about the neighborhood meetings that Nazareth Home attended. Ms. Haynes described those meetings and the concerns expressed by Clifton residents.

Mr. Stottman opened the hearing for public comment. Cassandra Culin, 185 N. Bellaire Avenue, said that she supported the project. She thought residences might like front sidewalks to Payne Street. Ms. Haynes said that in her experience that is not necessarily the case and could cause security issues. Ms. Culin also asked how the southern tree line would be affected. Mr. Addington stated that some of the trees will be removed for construction but not too many. Jessica Murphy, 100 N. Rastetter Avenue, stated that Studio A Architecture put a lot of thought into this plan and design and it showed. Mr. Stottman closed the public comment portion of the hearing. Mr. Stottman asked the ARC members about their opinion on the loss of Billy Goat Hill. The members felt that different developments had been planned over the years, so this was not a surprise or big negative.

Ms. Nixon made a motion to the project as recommended in the staff report with the addition of one condition (**condition 5 in DECISION**) that final details, like the front porch railings, shall be reviewed and approved by staff. Ms. Murphy seconded the motion. Ms. Vetter seconded the motion. Mr. Stottman clarified the archaeology condition. Mr. Marchal clarified that the previously approved demolition still stood. With no further comment, Mr. Stottman asked for a vote. The motion carried unanimously with four ayes (Marchal, Nixon, Stottman, and Vetter). The next case on the agenda was heard at 6:34 pm.

FINDINGS

Guidelines

The following design review guidelines, approved for the Clifton Preservation District, are applicable to the proposed exterior alterations: **Addition, New Construction-Non-Residential, Site, Cultural Landscape, and Archaeology**. The report of the Commission Staff's findings of fact and conclusions with respect to these guidelines is attached to this report.

The following additional findings are incorporated in this report:

Site Context/Background

The property is located on the south side of Payne Street, west of the intersection with S. Clifton Avenue. The site is zoned R1 and R6 within the Traditional Neighborhood Form District. The Nazareth Home, former Sacred Heart Home, is a care facility for older adults. The campus is comprised of a series of three-story masonry structures connected by hallway additions. All of the buildings, except for two, are modern and not historic (late twentieth to early twenty-first century construction).

Located west of the campus, there is an open grassy area known as Billy Goat Hill where the community garden is located. In 1877, James W. Bowles and James Bridgeford laid out Cavewood Park Subdivision on a southern portion of the Bowles estate. The perimeter was formed by the L & N tracks and Frankfort Avenue to the north, Bellaire Avenue (formerly Young Avenue) to the west, Beargrass Creek to the south, and Clifton Avenue (formerly Cavewood Avenue) to the east. According to the Clifton Preservation District Designation Report,

In addition to the building types previously mentioned that establish the feeling of association in the district, *there is one natural feature of note which contributes to Clifton's sense of time and place*: Fritz Whalen's goat farm. It is situated at the south end of the district on high ground just above the cliffs adjacent to Interstate-64. It was here that Fritz Whalen grazed over 200 goats since before the turn of the century. Records as far back as 1884 document this use as do written accounts, most notably the St. Frances of Rome 65th Anniversary Booklet, published in 1964. This pasture land was historically characterized by an open meadow upon which the goats roamed freely. Also on the site was a public spring and the old Osborne estate, now demolished. This site has been occupied since 1892 by the grounds of the Sacred Heart Home, an infirmary for the aged, and owned by the Sisters of Charity. In as much as it retains its open meadow appearance, upon which few new buildings have been constructed, it is deemed to contribute to establishing a sense of Clifton's very early agricultural character.

According to the St. Frances of Rome map, much of Billy Goat Hill has been developed for housing along Payne Street. There was a small remaining area where the community garden is located. It was platted for housing, but it appears that it was likely never built. There were some properties along Valley Avenue, which were listed in the Louisville City Directories circa 1909 through the 1920s. However, that appears to be the only housing in that area despite several streets shown on city maps from 1884 through 1938. The Sanborn Fire Insurance Map did not map this block of Payne Street. Historic aerial photographs from the 1940s and 1950s show the orphanage building and sparse housing on the land around it. The housing was denser to the east and west along Payne Street as it appears today.

In 2017, the Clifton ARC approved a COA (17COA1120) for the demolition of four buildings on the campus, including the St. Vincent Orphanage Building and the priest's house. According to the conditions of approval, no demolition can occur until new construction had been approved by the ARC. Furthermore, Kentucky Historic Properties Survey Forms are required for the Orphanage Building and priest's house. The ARC also provided guidance on proposed site changes and new construction, but they did not approve it. In 2010, staff

approved a COA (14362-CL) for the construction of a storage shed for the community garden.

Conclusions

The proposed addition and site changes to the Nazareth Home campus generally meet the Clifton design guidelines for **Addition, Site, and Archaeology**. Typically, additions are not permitted on the front of structures. However, the Nazareth Home structure is not historic in age, so a front addition can be permitted. Furthermore, the addition is appropriately designed for the building. The proposed parking lot changes are appropriate for the site.

The proposed new construction for the Billy Goat Hill area generally meets the Clifton design guidelines for **New Construction - Non-Residential, Site, and Archaeology**. The proposed building will appear to be one-story tall from Payne Street and then follow the slope to three stories in height. Facing Payne Street, the building is designed with a variety of roof forms to emulate smaller residences with porches. The building has 15'-0" front yard setback which is appropriate for the block. Furthermore, its scale and massing is similar to that of the Sacred Heart Village and Nazareth Home to the east and Holy Trinity Campus to the north. While the building is designed with a nod to the Craftsman style, it is still of its time and not faux historic.

However, the proposed parking area east of the new building does not quite meet **New Construction - Non-Residential** design guidelines NC32, NC33, and NC34 and **Cultural Landscape** design guidelines CL9(G) and CL12(G). A new parking lot will be located next to the proposed new building facing Payne Street. Due to slope and parcel size, parking is not feasible for the rear. However, it is proposed close to Payne Street. Around 20% of the parking area appears to be landscaped. However, there is no buffer shown between the parking and Payne Street. The area is open green space currently, so the parking area keeps that visual break in the streetscape. However, it will be paved and not provide that green vista. Staff recommends that new street trees and more landscaping be planted to screen the new parking area from Payne Street.


The proposed new building for the Billy Goat Hill area does not meet **Cultural Landscape** design guidelines CL2(P), CL4(G), and CL15(G). The Billy Goat Hill area is considered a key view within the Clifton Preservation District. Historically, this area was platted for dense housing similar to what exists today along Payne Street. Very little housing was ever constructed leaving some green space at Billy Goat Hill. While this area is considered a key view, appropriate infill could have a positive impact on the Clifton neighborhood and the city as a whole. Infill construction on urban properties can help reduce sprawl and the loss of large, undeveloped acreage outside of the city. Furthermore, the new building will retain the original slope as it generally follows the existing topography.

DECISION

Considering the information furnished, the Committee approved the application for a Certificate of Appropriateness with the following conditions:

1. Staff recommends that new street trees and more landscaping be planted to screen the new parking area from Payne Street.
2. Staff shall be notified of an excavation schedule for the site and if archaeological discoveries such as artifacts, features, and other archaeological deposits are found.
3. The concrete mixture shall match the existing or historic concrete mixture when creating, repairing, or replacing sidewalks.
4. If the design changes, the applicant, owner, and/or their representative shall contact staff for review and approval.
5. Final details, like the front porch railings, shall be reviewed and approved by staff.

The foregoing information is hereby incorporated in the Certificate of Appropriateness as approved and is binding upon the applicant, his successors, heirs or assigns. This Certificate does not relieve the applicant of responsibility for obtaining the necessary permits and approvals required by other governing agencies or authorities.


 Jay Spottman
 Chair

7-16-2019
 Date

Addition

Clifton Design Guideline Checklist

- | | | | |
|-----|----------------------------------|-----|----------------------------|
| + | Meets Guidelines | NA | Not Applicable |
| - | Does Not Meet Guidelines | NSI | Not Sufficient Information |
| +/- | Meets Guidelines with Conditions | | |

	Guideline	Finding	Comment
A1	The design of any new addition or expansion should be compatible and in proportion with the mass and scale of the historic building, adjacent structures, and the district.	+	Addition on a non-historic structure
A2	New additions should be designed in a manner that makes clear what is historic and what is new. Do not design additions to appear older than the original building.	+	
A3	Additions should be designed so there are subtle distinguishing characteristics between the historic portion and the new alteration. This may include simplifying details, changing materials, or slightly altering proportion. Do not duplicate the exact form, material, style, and detailing of the historic building in the new addition.	+	
A4	Additions should be attached to side or rear elevations (façades) and should be set back from the street front façade, and should not damage or obscure character-defining features.	+/-	The addition will be attached on the front of the building. However, this is not a historic structure.
A5	The design of the new addition should be subordinate to the original building. Rear and side additions should not exceed half of the original building's total floor area or building footprint.	+/-	See comment above