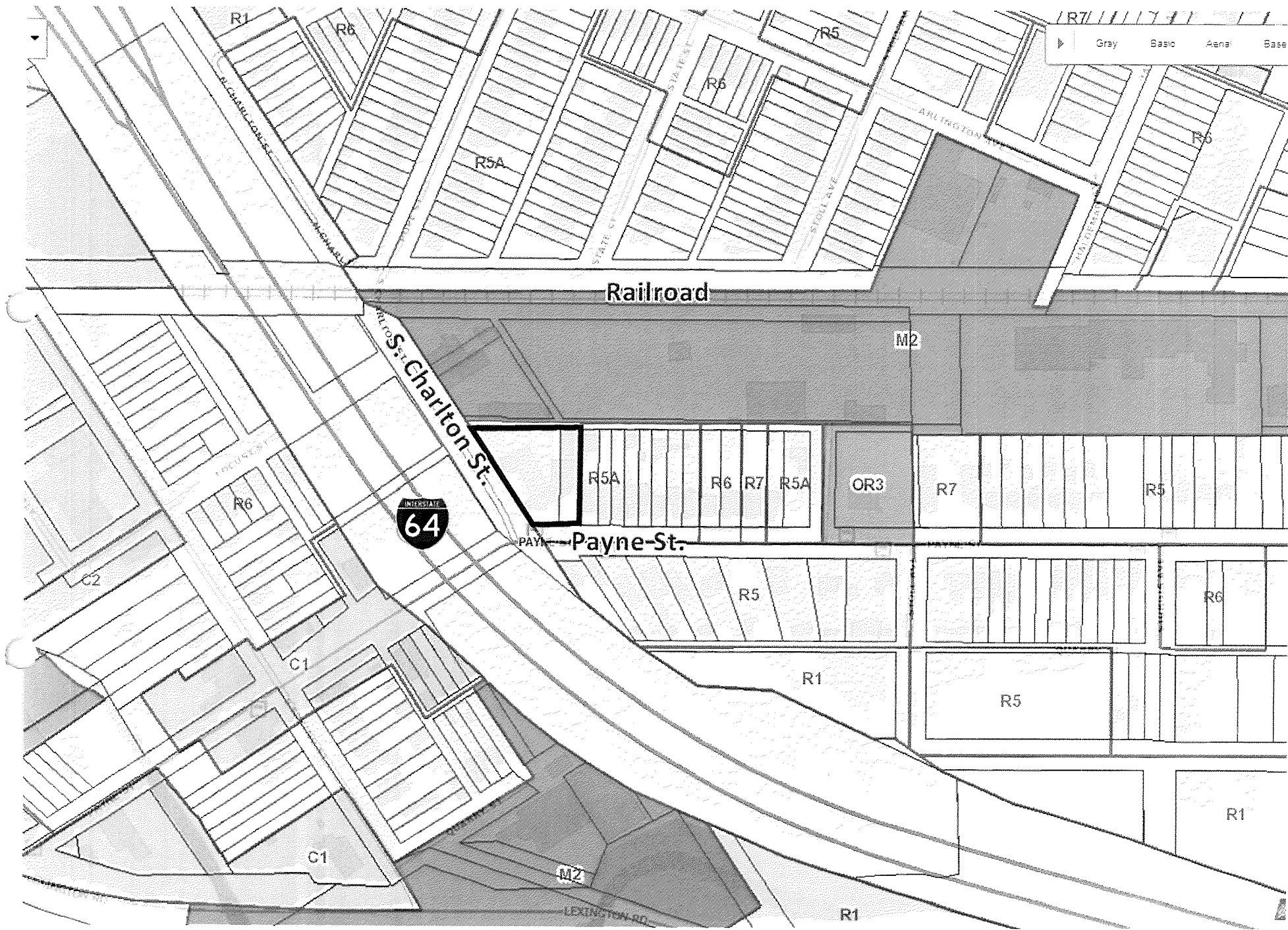
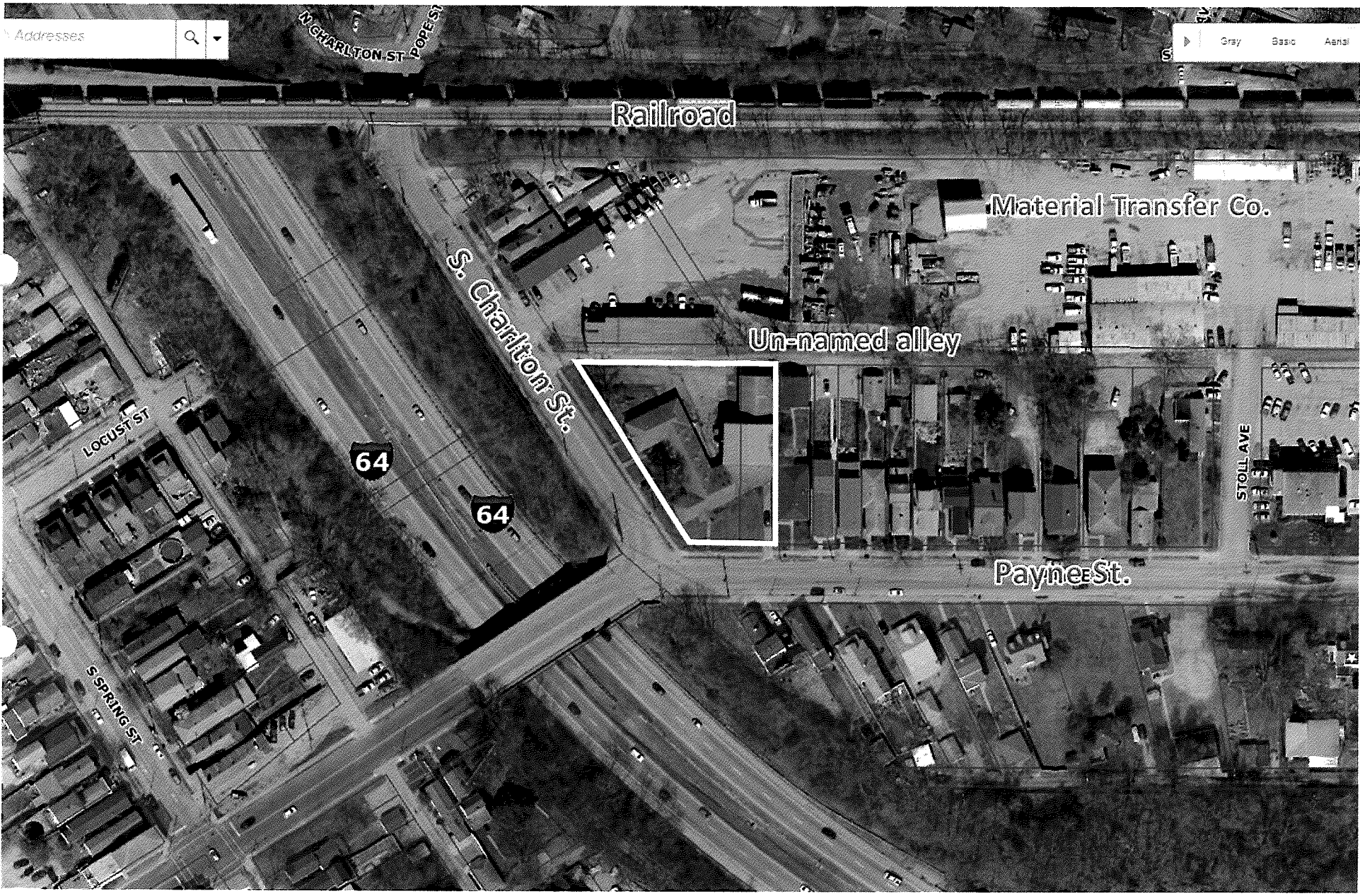


Docket No. 17ZONE1052

Proposed change in zoning from R-5A to OR-1 to allow a 1-story, 10,000 sf office building on approximately 0.62 acres at 1701 & 1705 Payne Street

c/o Lowes Investment Properties





Railroad

Material Transfer Co.

Un-named alley



S. Charlton St.

64

64

Payne St.

STOLL AVE

LOCUST ST

SPRING ST

W. CHARLTON ST

POPE ST

Addresses



Gray Basic Aerial



RAILROAD

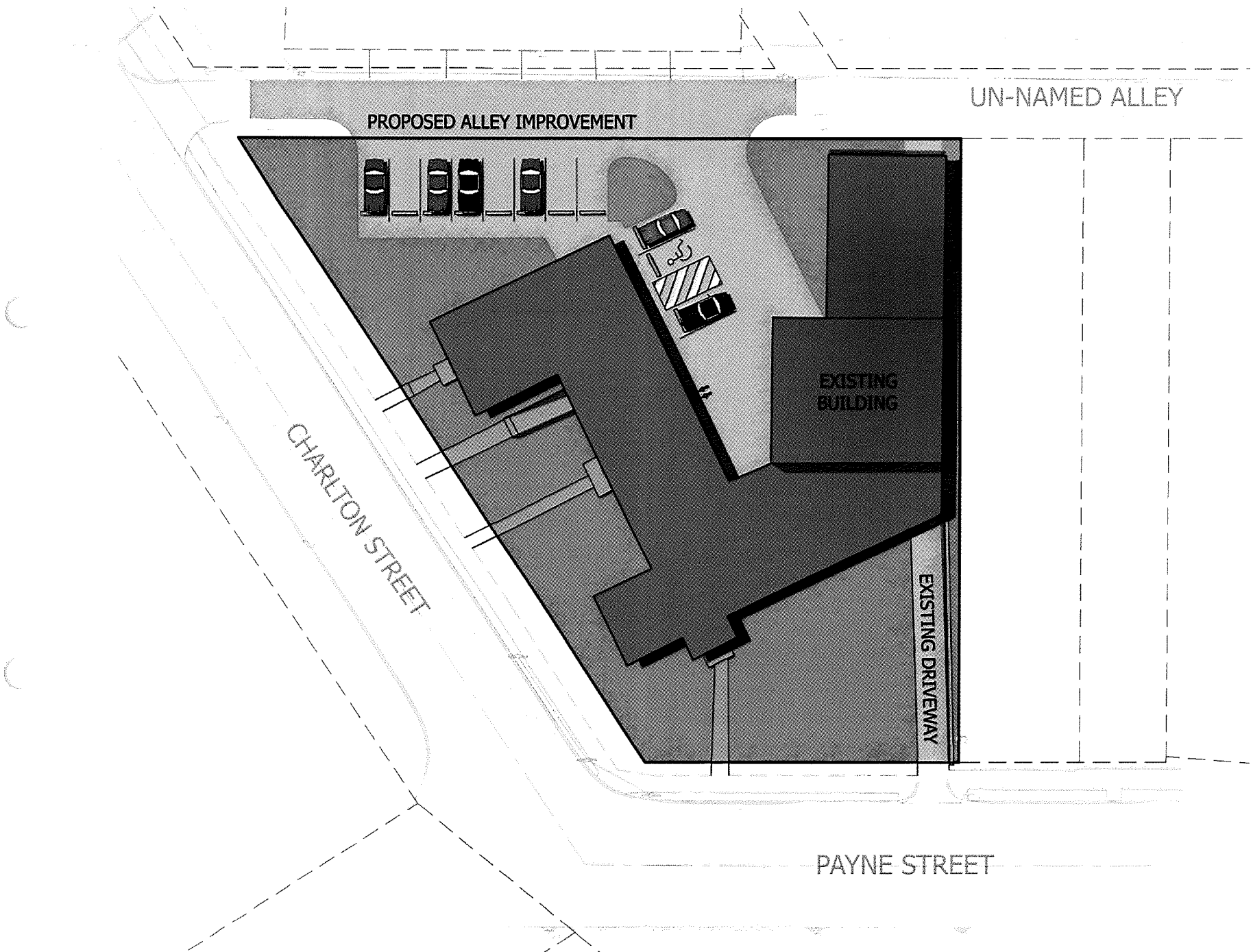
I-64

CHARLTON STREET

SPRING STREET

PAYNE STREET





PROPOSED ALLEY IMPROVEMENT

UN-NAMED ALLEY

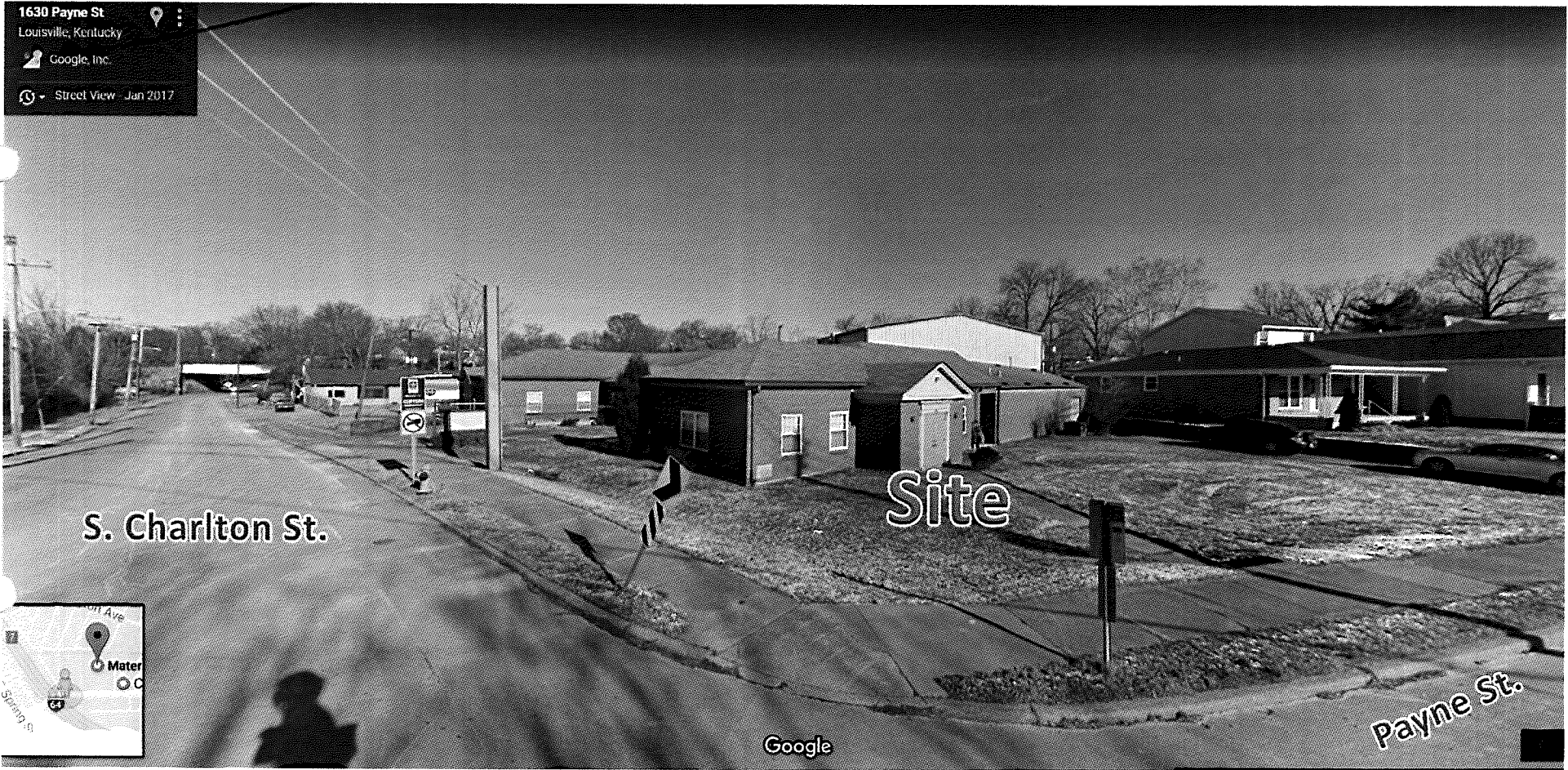
CHARLTON STREET

EXISTING BUILDING

EXISTING DRIVEWAY

PAYNE STREET

1630 Payne St
Louisville, Kentucky
Google, Inc.
Street View - Jan 2017

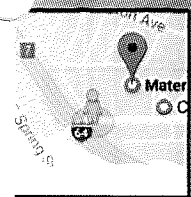


S. Charlton St.

Site

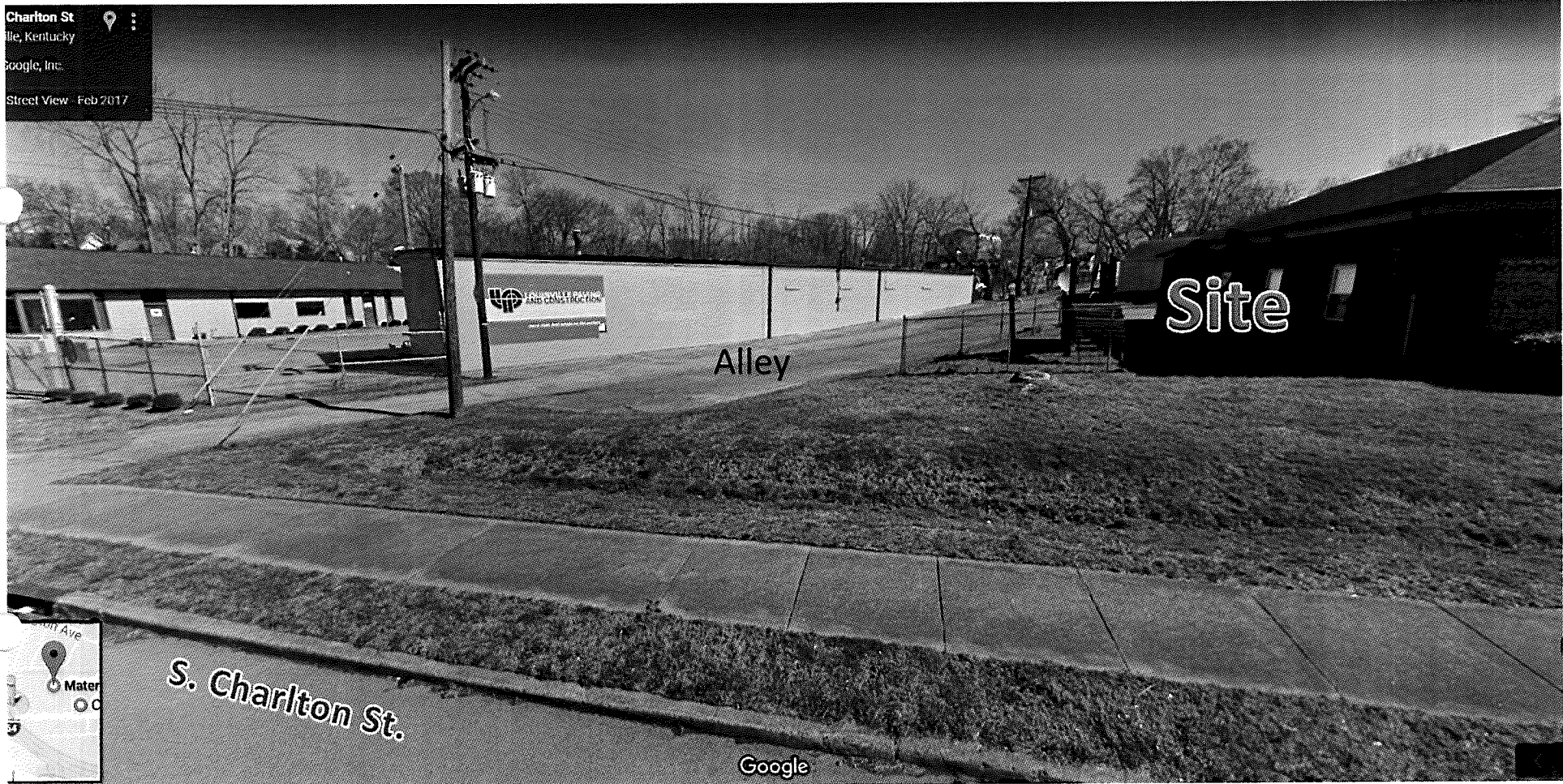
Payne St.

Google





View of existing building on site from S. Charlton Street



View of alley from S. Charlton Street



Another view of alley from S. Charlton Street



View of site from Payne St.

October 24, 2017
Neighborhood Meeting

Docket No. 17ZONE1052

(case manager - Laura Mattingly)

Proposed change in zoning from R-5A to OR-1 to
allow a 1-story, 10,000 sf office building on
approximately 0.62 acres at
1701 & 1705 Payne Street

c/o Lowes Investment Properties

RECEIVED
OCT 30 2017
PLANNING
DESIGN SERVICES

Attorneys: Bardenwerper, Talbott & Roberts, PLLC
Land Planner, Landscape Architects & Engineers: Mindel, Scott & Associates, Inc.

RECEIVED
OCT 30 2017
R5A PLANNING &
DESIGN SERVICES

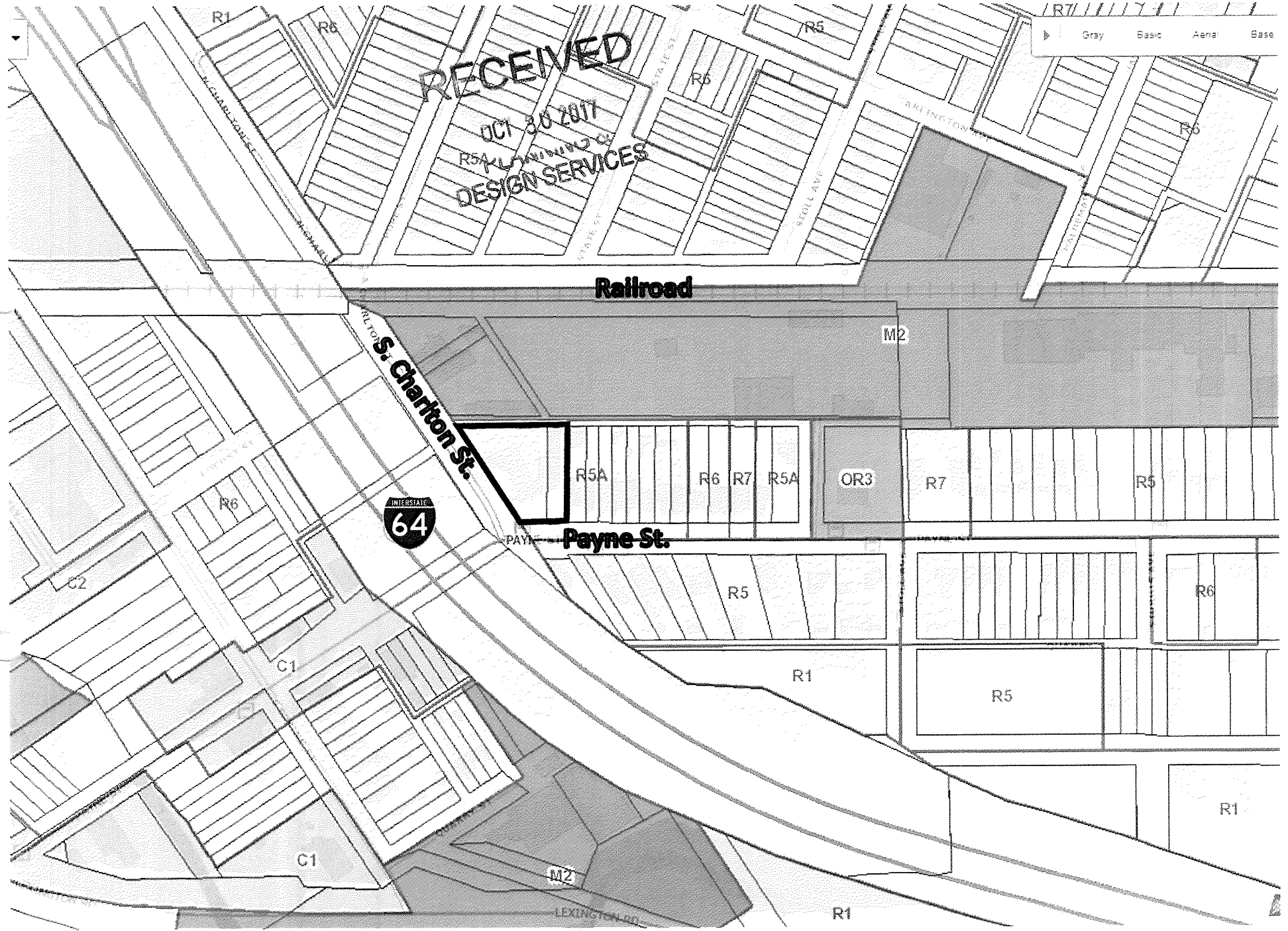
Gray Basic Aerial Base

Railroad

S. Charlton St.

INTERSTATE
64

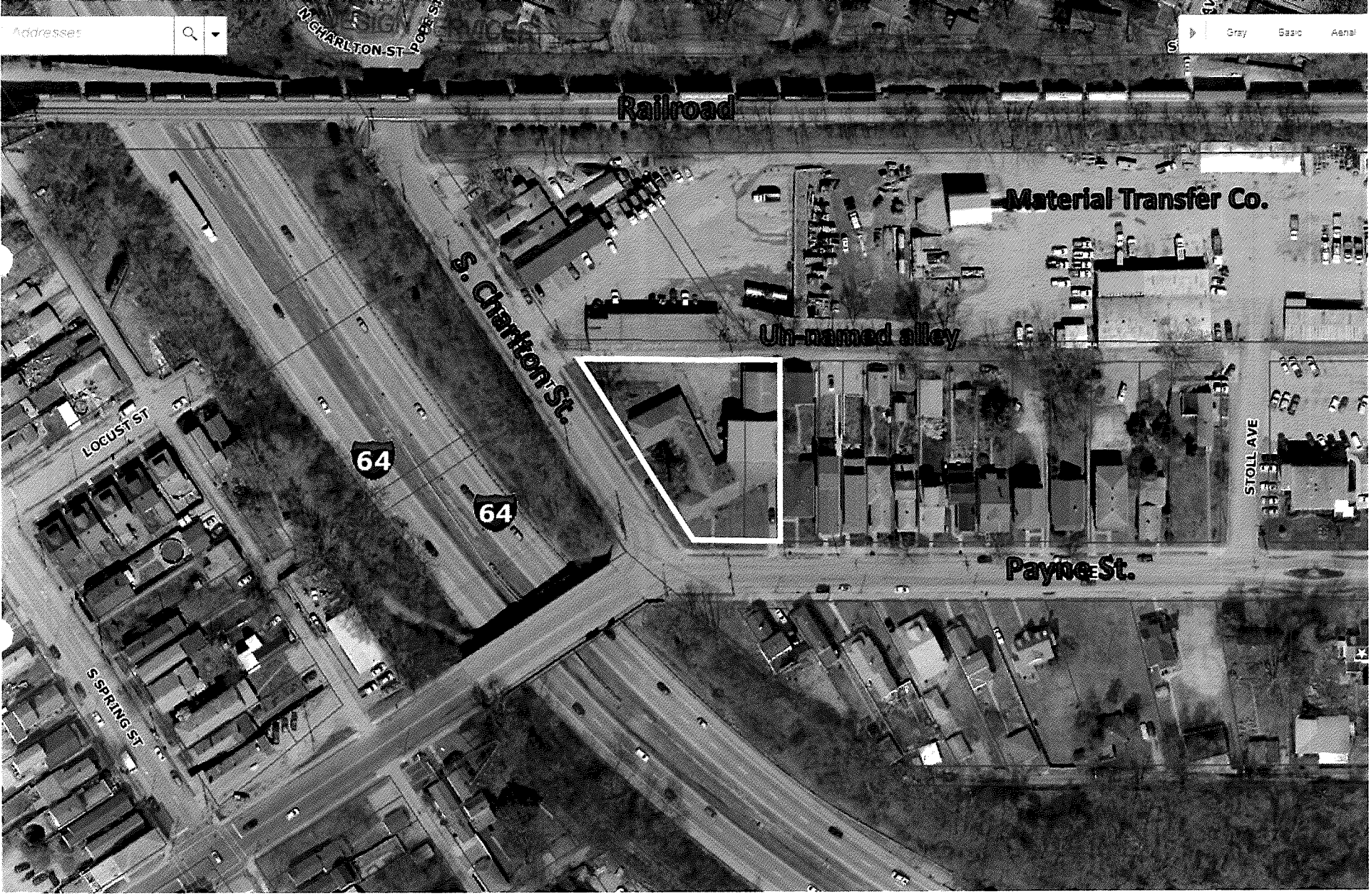
Payne St.



17 ZONE 1052

RECEIVED

OCT 30 2017



17 ZONE 1052



MSA Mindel, Scott & Associates, Inc.
Planning • Engineering • Surveying • Landscape Architecture
Utility Consulting • Property Management
October, 2017

RECEIVED

PAYNE STREET REZONING

Louisville, KY
#3468

OCT 30 2017
PLANNING &
DESIGN SERVICES

17 ZONE 1052



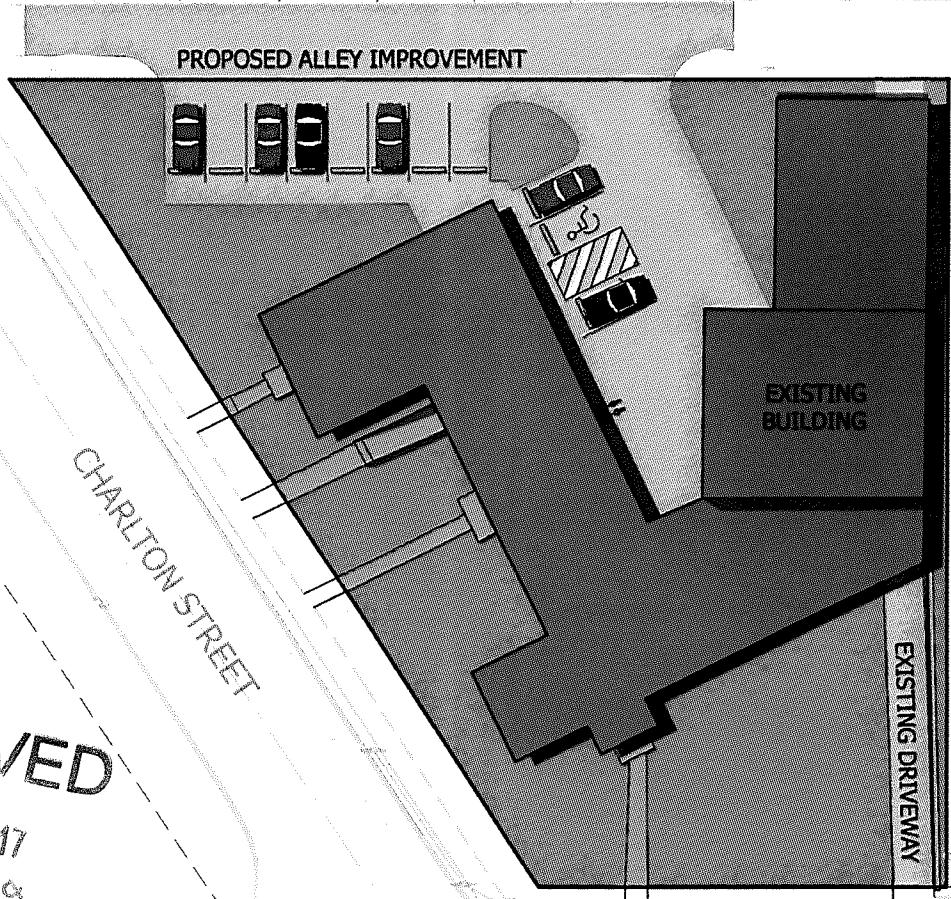
RECEIVED

PAYNE STREET REZONING

Louisville, KY
#3468

OCT 30 2017
PLANNING &
DESIGN SERVICES

17 ZONE 1057



PROPOSED ALLEY IMPROVEMENT

UN-NAMED ALLEY

CHARLTON STREET

EXISTING BUILDING

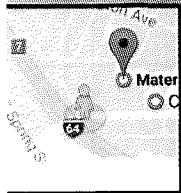
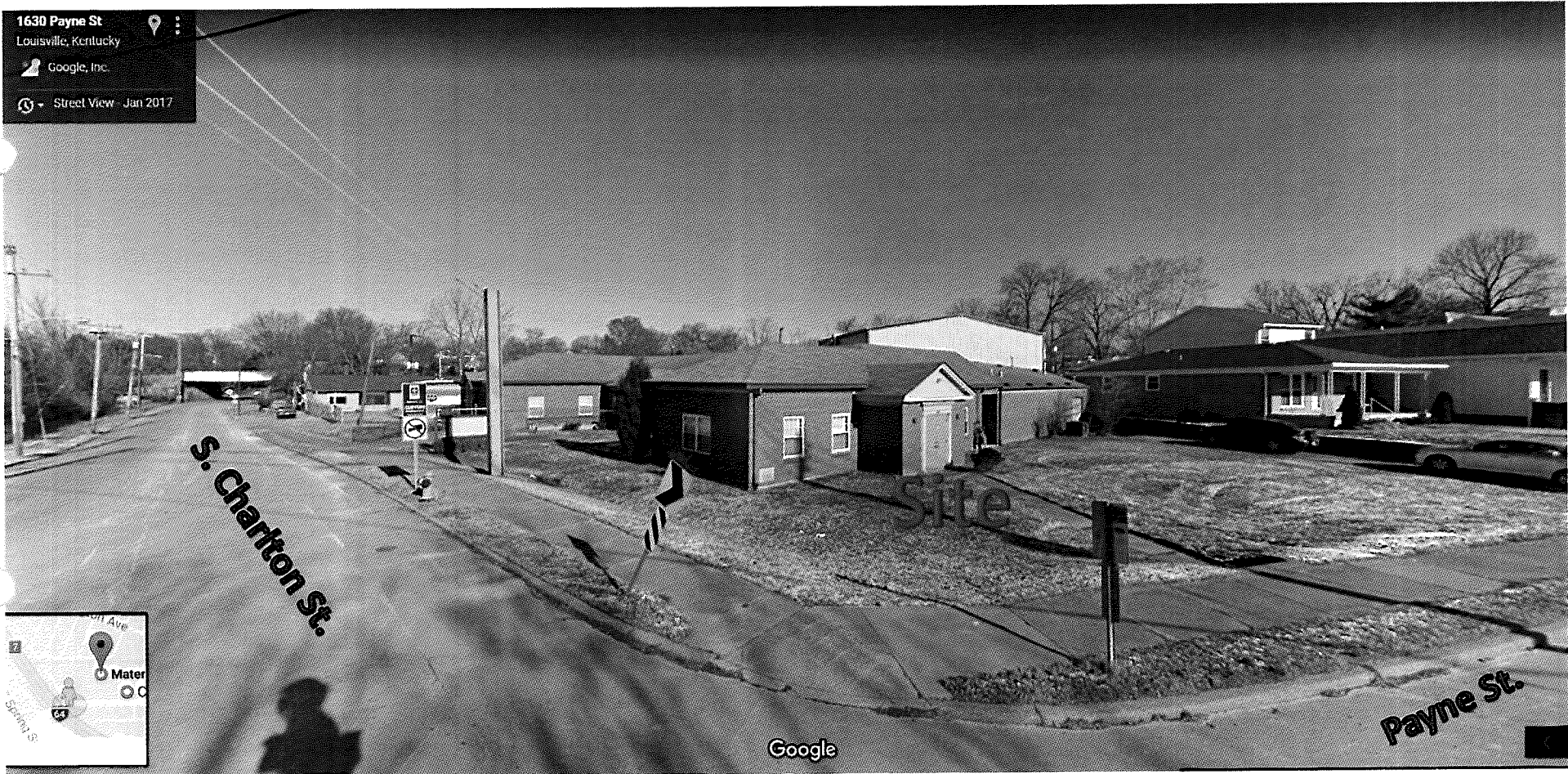
EXISTING DRIVEWAY

PAYNE STREET

RECEIVED
OCT 30 2017
PLANNING &
DESIGN SERVICES

17 ZONE 1052

1630 Payne St
Louisville, Kentucky
Google, Inc.
Street View Jan 2017



Google

RECEIVED

OCT 30 2017

PLANNING &
DESIGN SERVICES

17 ZONE 1057



View of existing building on site from S. Charlton Street

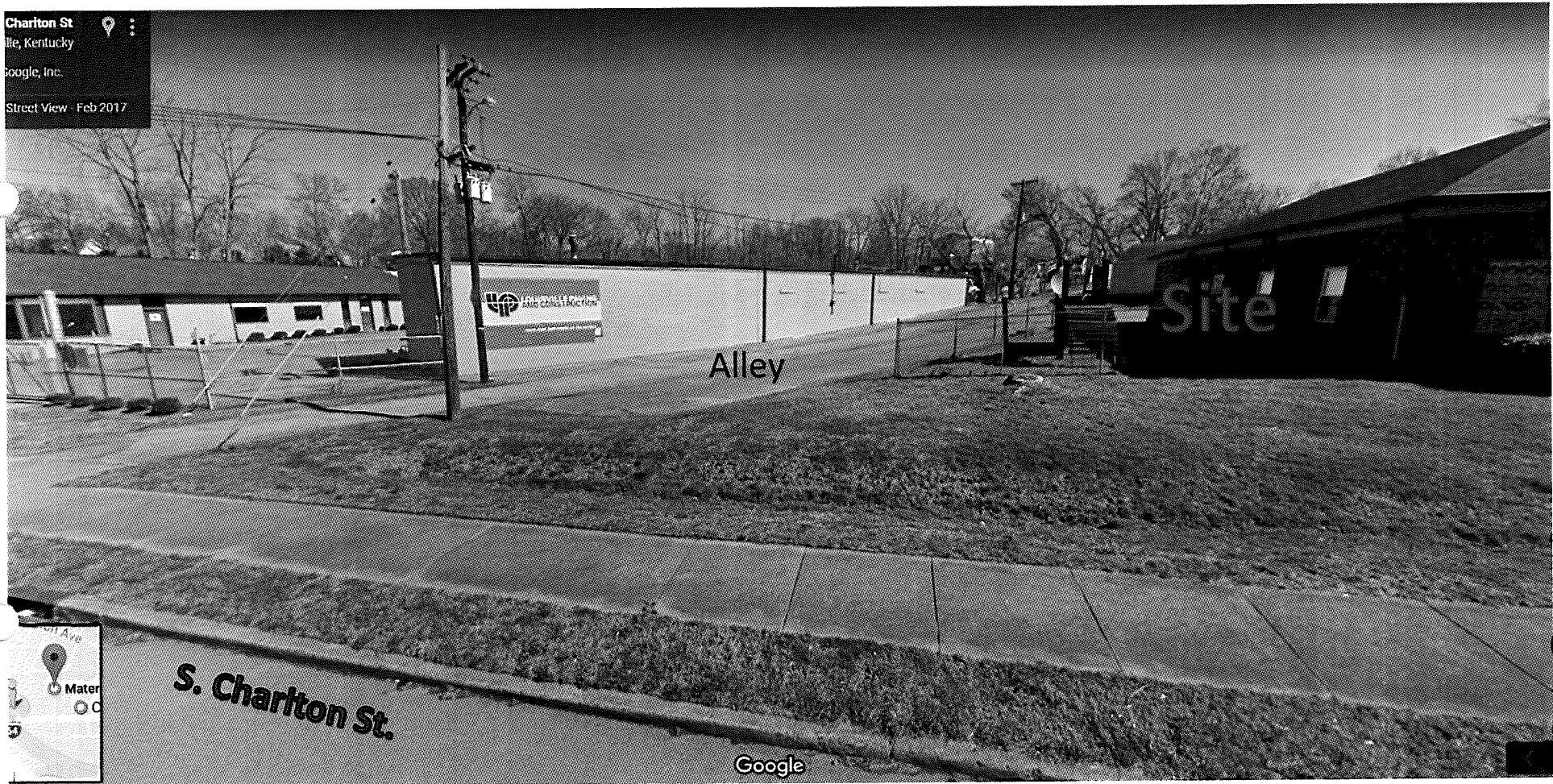
RECEIVED

OCT 30 2017

PLANNING &
DESIGN SERVICES

17 ZONE 1052

Charlton St
lle, Kentucky
Google, Inc.
Street View Feb 2017



Alley

S. Charlton St.

Google

RECEIVED

View of alley from S. Charlton Street

OCT 30 2017
PLANNING &
DESIGN SERVICES

17 ZONE 1052



Another view of alley from S. Charlton Street

RECEIVED

OCT 30 2017

PLANNING &
DESIGN SERVICES

17 ZONE 105



View of site from Payne St.

RECEIVED

OCT 30 2017

PLANNING &
DESIGN SERVICES

17 ZONE 1052

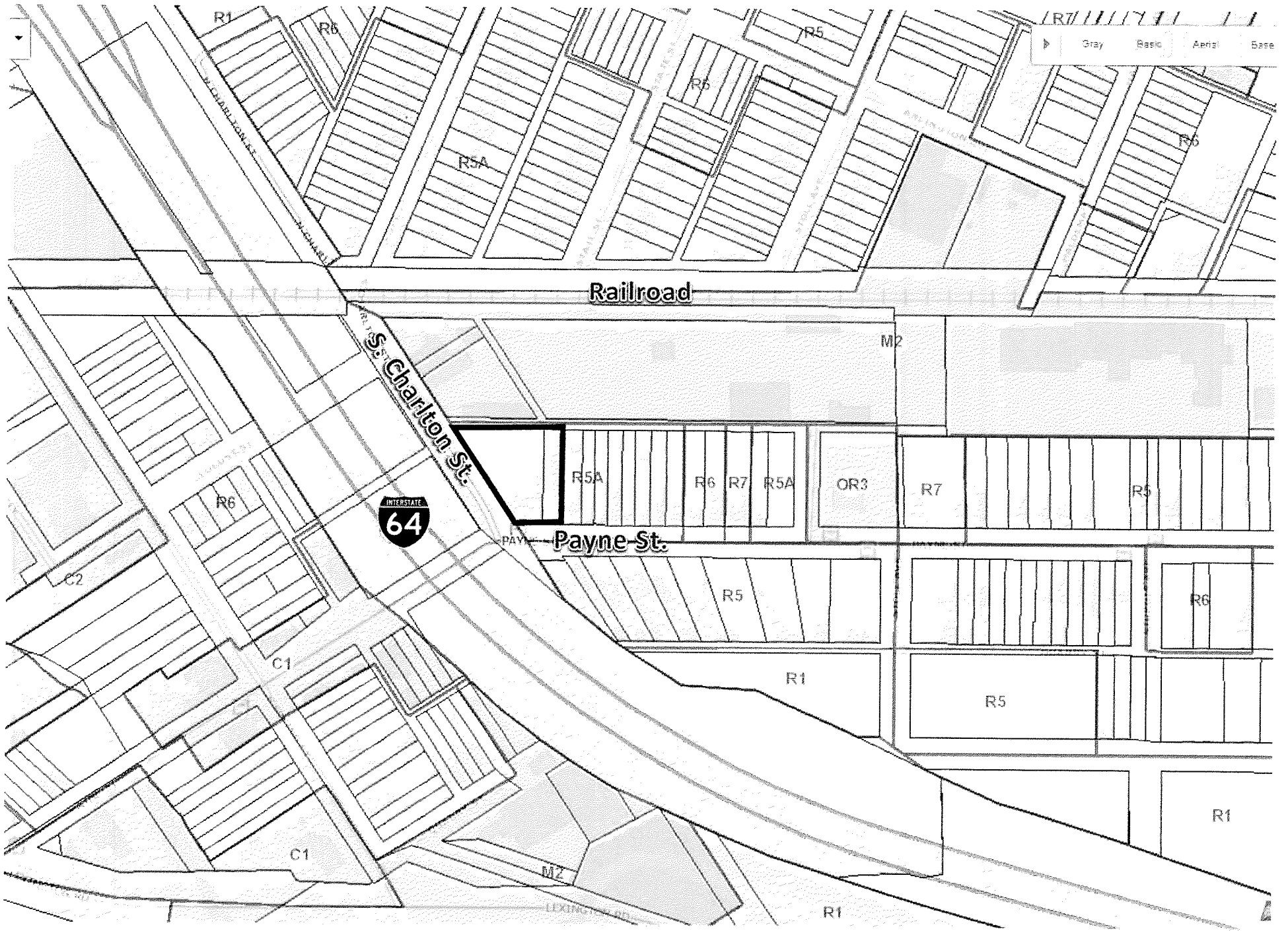
Docket No. 17ZONE1052

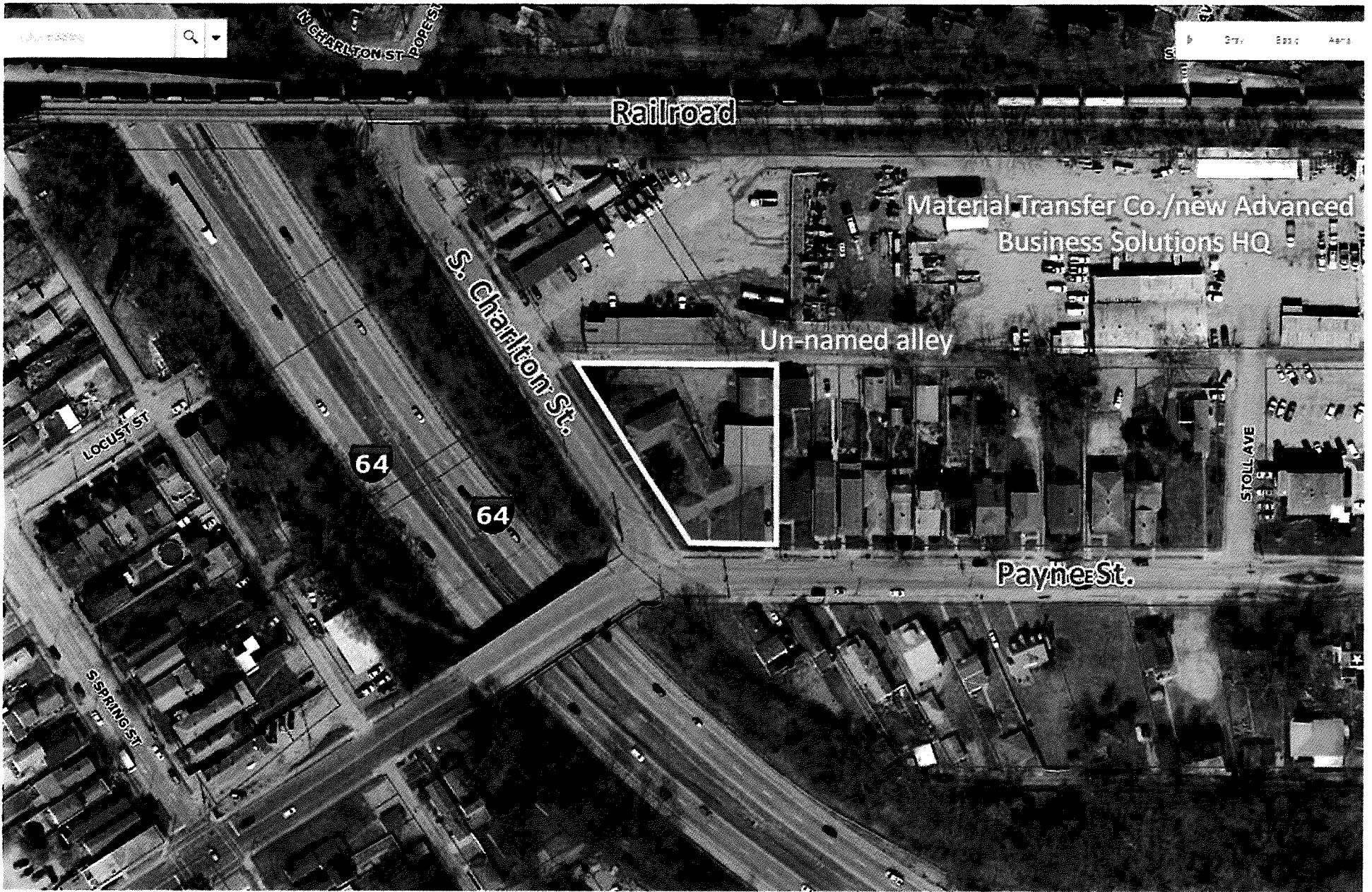
Proposed change in zoning from R-5A to OR-1 to allow a
1-story, 10,000 sf office building on approximately 0.62 acres at
1701 & 1705 Payne Street

c/o Lowes Investment Properties

INDEX:

1. LOJIC Zoning Map
2. Aerial photographs of the site and surrounding area
3. Ground level photographs of the site and surrounding area
4. Neighborhood Meeting notice list map, letter to neighbors inviting them to the meeting and summary of meeting
5. Development Plan
6. Statement of Compliance filed with the original zone change application with all applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan
7. Proposed findings of fact pertaining to compliance with the Comprehensive Plan







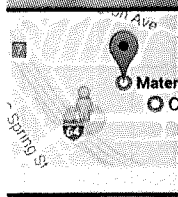
1630 Payne St
Louisville, Kentucky
Google, Inc.
Street View - Jan 2017

S. Charlton St.

Site

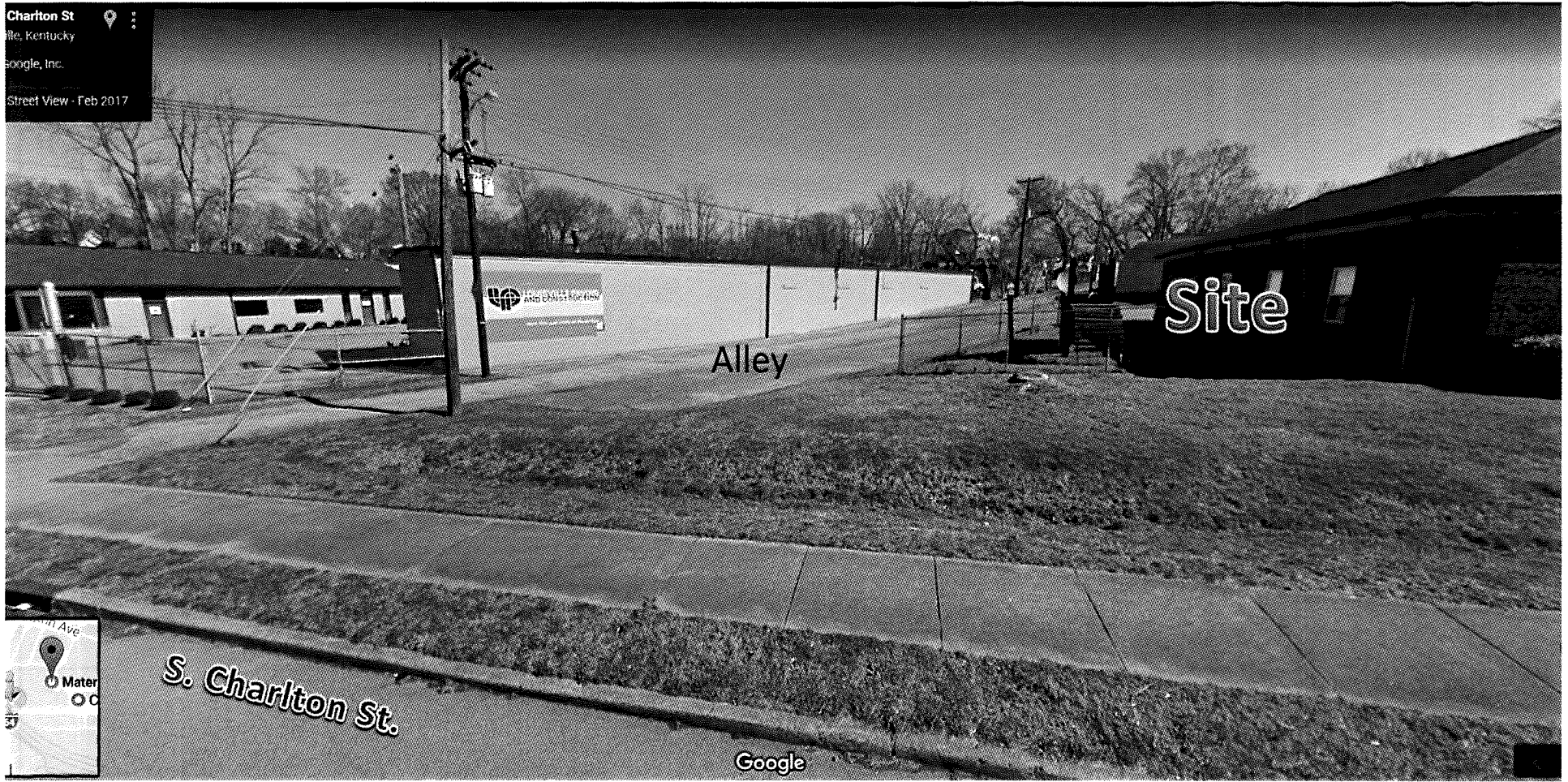
Payne St.

Google





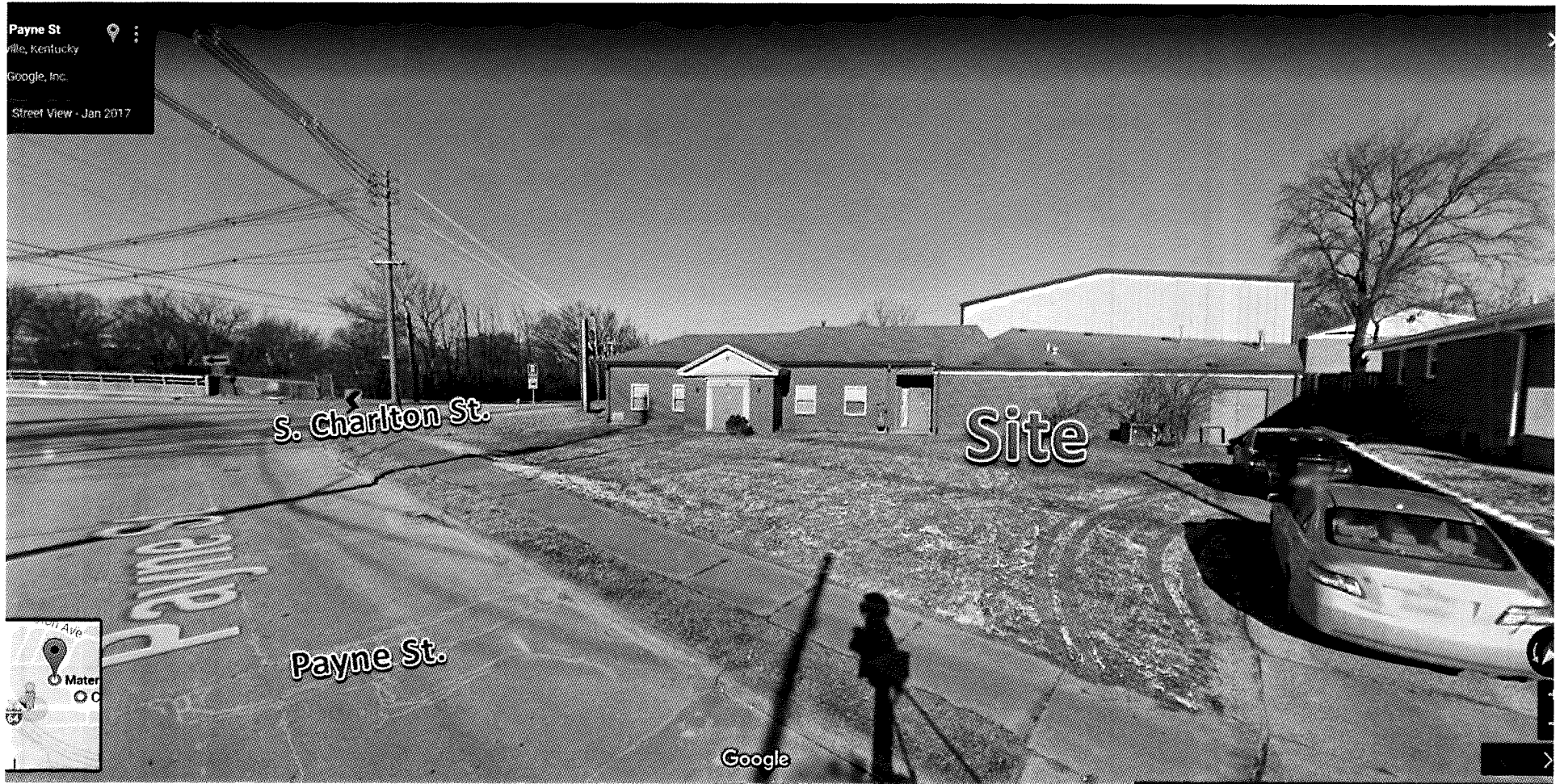
View of existing building on site from S. Charlton Street



View of alley from S. Charlton Street

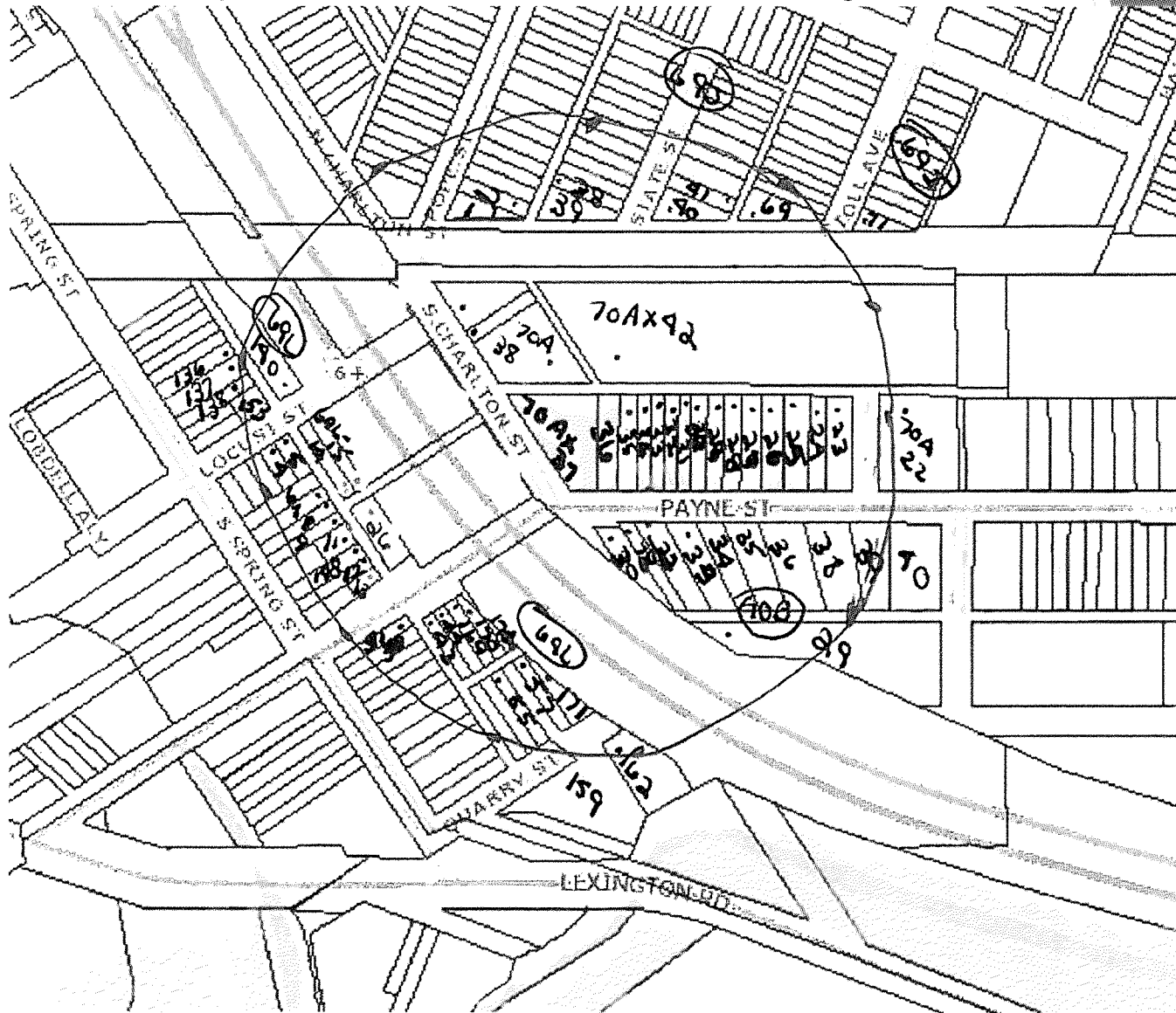


Another view of alley from S. Charlton Street



View of site from Payne St.

Adjoining property owner notice list map wherein 56 neighbors were invited to the various neighborhood meetings and the subsequent LD&T and Planning Commission public hearing.



BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • (502) 425-0561 (FAX) • WWW.BARDLAW.NET

Nicholas R. Pregliasco
Direct dial: 426-0388, ext. 139
Email: NRP@BARDLAW.NET

October 10, 2017

Dear Neighbor,

RE: Proposed change in zoning from R-5A to OR-1 to allow a 1-story, 10,000 sf office building on approximately 0.62 acres at the northeast corner of S. Charlton and Payne Streets at 1701 & 1705 Payne Street

We are writing to invite you to a meeting we have scheduled to present neighbors with our zone change plan to allow a 1-story, 10,000 sf office building to be located as above.

Accordingly, we have filed a plan for pre-application review on Monday, October 2nd with the Division of Planning and Design Services (DPDS) that has been assigned case manager, **Laura Mattingly** and case number **17ZONE1052**. We would like to show and explain to neighbors this plan so that we might hear what thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Tuesday, October 24th at 7:00 p.m.** at the subject site at **1701 Payne Street, Louisville, KY.**

If you cannot attend the meeting but have questions or concerns, please call me at 426-6688 or the land planning and engineering firm representatives Kent Gootee or Kathy Linares at 485-1508.

We look forward to seeing you.

Sincerely,



Nicholas Pregliasco

cc: Hon. Bill Hollander, Councilman, District 9
Laura Mattingly, case manager with Division of Planning & Design Services
Kent Gootee & Kathy Linares, land planners with Mindel, Scott & Associates, Inc.
Chip Summers, P.E., applicant/developer

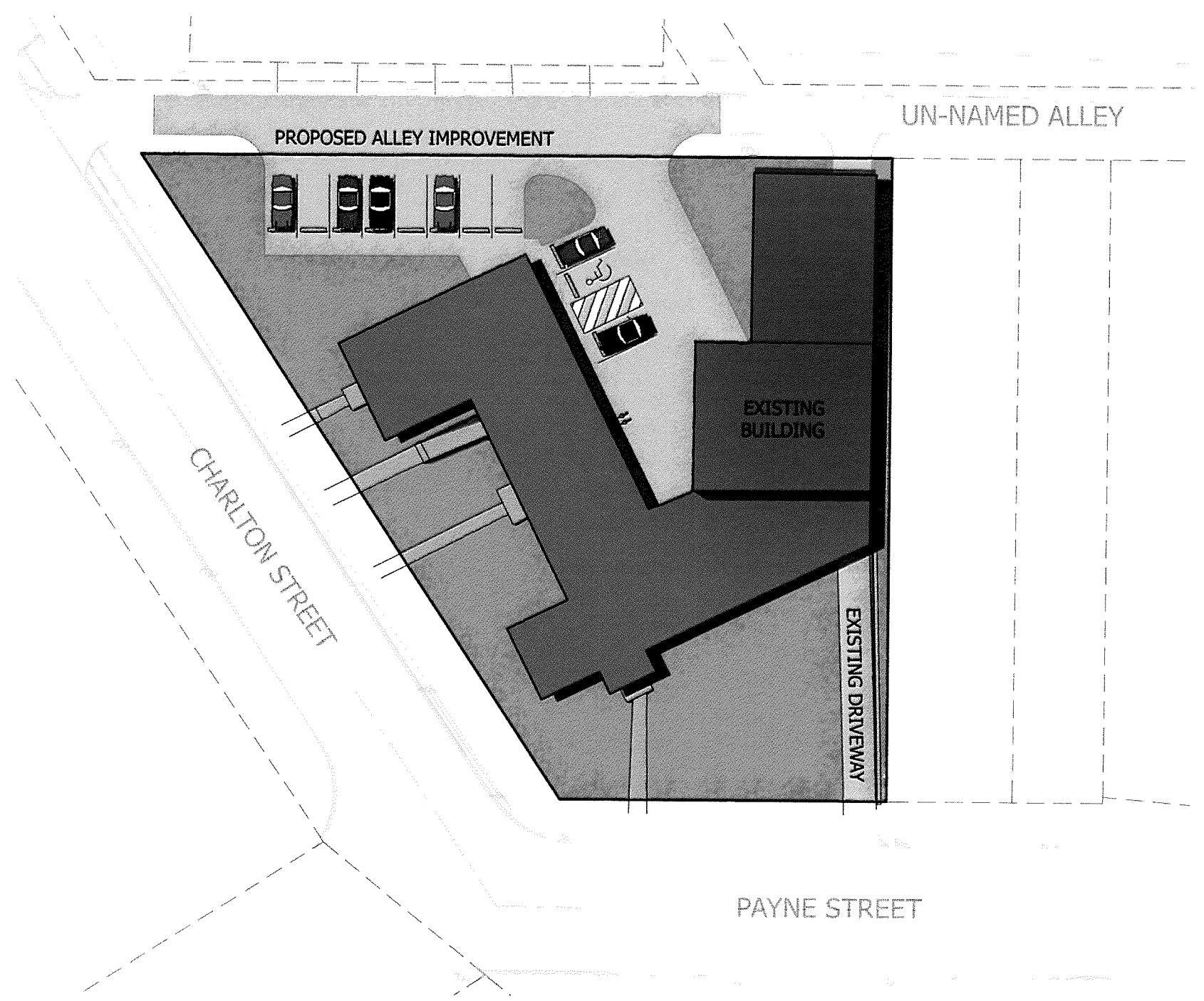
Neighborhood Meeting Summary

A neighborhood meeting was held on Tuesday, October 27th at 7:00 pm at the subject site at 1701 Payne Street. Those in attendance included the applicant's attorney, John Talbott, with Bardenwerper Talbott & Roberts, PLLC, land planner and engineer, Curtis Mucci with Mindel Scott & Associates, as well as the applicant.

The applicant and its representatives waiting approximately 30 minutes, but no neighbors or interested parties attended the meeting.







PROPOSED ALLEY IMPROVEMENT

UN-NAMED ALLEY

EXISTING BUILDING

EXISTING DRIVEWAY

CHARLTON STREET

PAYNE STREET

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Applicant: Donald A. Summers

Owner: Lowes Investment Properties

Location: 1701 & 1705 Payne Street

Proposed Use: Office

Request: Zone change from R-5A to OR-1

Engineers, Land Planners and
Landscape Architects: Mindel Scott & Associates, Inc.

INTRODUCTION

While the property is zoned R-5A, the property has previously been used as a day care center and then as a rehabilitation home with a Conditional Use Permit granted in 2010. Currently the property is vacant and has been for some time. The applicant desires to convert this day care center/rehabilitation center building to an office use as the administrative office for Air Equipment Company. The existing buildings shall be updated and renovated and remain with only modifications to the parking lot as shown on the Detailed District Development Plan (the "Development Plan").

GUIDELINE 1 – COMMUNITY FORM

The subject property is located in the Traditional Neighborhood Form District, which is characterized by predominately residential uses from low to high density with neighborhood serving low-intensity commercial, such as office use, located on corners, as is this case in this area of Clifton. The proposed development is to allow a vacant building previously used as a day care center to be redeveloped and revitalized as a new use. The Traditional Neighborhood Form District emphasizes the preservation and renovation of existing buildings as is the case here.

GUIDELINE 2 – CENTERS

This Guideline encourages mixed land uses organized around compact activity centers that are existing, proposed or planned in order to promote efficient use of land and investment in existing infrastructure. The proposed project is at the corner of Payne Street and S. Charlton Street, with the neighboring industrially zoned property (formerly the Louisville Paving operations) being converted to new uses, including the recently approved Advanced Business Solutions information technology headquarters. The infrastructure is already in place for the proposed project, with more than ample parking.

Policies 1 of this Guideline suggest locating activity centers on at street intersections like this one. Policy 2 of this Guideline is met as this is an expansion of the current corner activity center one block to the Northeast and is of less intensity than the former uses of the property. The proposed administrative office represents a mixture of compatible uses as set forth in Policy 5 as it will an adaptive reuse of the property reducing overall traffic congestion by locating close to the office workers, including the principal applicant who lives just blocks away.

GUIDELINE 3 – COMPATIBILITY

The proposed project complies with all of the applicable Intents and Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 20, 21, 22, 23, 24, and 28 of Guideline 3 for these reasons.

This project will serve the surrounding neighborhood with a small office building. The proposed project does not involve any known nuisances, such as odors, noises, lighting, aesthetics or traffic different than what already existed as a day care center and rehabilitation center. In fact the nuisances will be less with a newly renovated office building. Setbacks will include compatible side and rear yards with no waivers or variances requested. The detailed district development plan, neighborhood meeting PowerPoint filed with the application demonstrate all that. Further, the existing building will remain with improvements to the building and parking. This project is located in the population that will support it, result in compact development, and provide a mixture of compatible uses. The new parking area will be to the rear of the property off the alley, in an area already paved and used for parking. The improvements will result in an overall reduction in impervious surface. This proposal will also provide a transition from the adjoining industrially zoned properties to the Northeast to the residential in the area.

GUIDELINES 4 AND 5 – OPEN SPACE / NATURAL AREAS AND SCENIC AND HISTORIC RESOURCES

The proposed project complies with all applicable Intents and Policies 1, 2 3, 4, 5, 6, and 7 of Guideline 4 and Policies 1 and 2 of Guideline 5 for these reasons.

The project will maintain buffers as provided on the development plan and is an adaptive reuse of the existing building on the property which shall remain. Due to the small nature of the changes and improvements to the property, the open space will be consistent with what is currently there. Further, the renovation of the existing building will preserve any natural features that may currently exist.

GUIDELINE 6 – MARKETPLACE

The proposed project complies with all of the applicable Intents and Policies 1, 2, 3, 5, and 11 of Guideline 6 for these reasons:

This project will provide an administrative office to be used by workers living in the area. This project will also provide redevelopment of the vacant building and provide a better and more productive use than previously existed. And this project will result in a significant investment in an older neighborhood helping to revitalize same.

**GUIDELINE 7 AND 8 – CIRCULATION AND TRANSPORTATION FACILITY
DESIGN; GUIDELINE 9 - BICYCLE, PEDESTRIAN AND TRANSIT;
GUIDELINE 12 – AIR QUALITY**

The proposed project complies with all of the applicable Intents and Policies 1, 2, 3, 4, 6, 10, 11, 13, 14, 15, and 18 of Guideline 7; Policies 4, 5, 7, 9, 10 and 11 of Guideline 8; Policies 1, 2, 3 and 4 of Guideline 9; and Policies 1, 2, 3, 4, 6, and 8 of Guideline 12 for these reasons.

This project is situated at a corner where a previous day care center and rehabilitation home was located and the project will serve the neighborhood thus causing little impact for traffic, etc.. The applicant is improving the parking lot and off-street parking to address the parking needs of the site. The project is located along a TARC traffic lines allowing ease of access. All utilities to serve the project already exist to serve the proposed project. Further, this project must be reviewed by Metro Transportation Planning Services personnel, who must stamp the preliminary plan for approval prior to its docketing for Planning Commission review. That assures that all of these applicable Public Works standards are complied with, including Policies of the 2020 Land Development Code (LDC).

The office building will serve as an additional location for office use and serve the area and will not negatively impact traffic as people coming to the property can walk or use transit, and the traffic will be less than the previous uses. Thus, all negative traffic impacts are avoided with this development. And, as noted, design of the site, as shown on the detailed district development plan accompanying this application assures that corner clearances, driveway access, median openings, cross connections, etc. are provided as required -- that is, except as some disconnectivity to existing adjoining properties which already exists.

GUIDELINES 10 AND 11 – STORMWATER AND WATER QUALITY

The proposed project complies with all applicable Intents and Policies 1, 3, 6, 7, 10 and 11 of Guideline 10 and Policies 3 and 5 of Guideline 11 for these reasons.

MSD will require that post-development peak rates of stormwater runoff do not exceed pre-development peak flows. Here, there will be a net reduction in impervious surface. Also, MSD will have to stamp for preliminary approval the development plan before it is set for Planning Commission review. And at time of construction, the proposed subdivision will need to include water quality measures to address the new MSD water quality standards if applicable. Any new construction will have to comply with MSD's soil erosion and sediment control standards.

GUIDELINE 13 – LANDSCAPE CHARACTER

The proposed project complies with the Intent and applicable Policies 1, 2, 4, 5 and 6 of Guideline 13 for these reasons.

The local LDC requires tree canopies, certain kinds of landscaping for certain kinds of uses and screening and buffering of incompatible uses. Accordingly, the LDC will be fully complied with.

* * *

For all of these and other reasons set forth on the Detailed District Development Plan accompanying this application and in accordance with evidence presented at Planning Commission public hearings, this application will comply with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

Respectfully submitted,

BARDENWERPER, TALBOTT & ROBERTS, PLLC
Bardenwerper Talbott & Roberts, PLLC
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223
(502) 426-6688

e:\client folder\summer, patrick\chip summers oct 2017\application\compliance statement.doc

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • WWW.BARDLAW.NET

PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

Applicant: Donald A. Summers

Owner: Lowes Investment Properties

Location: 1701 & 1705 Payne Street

Proposed Use: Office

Request: Zone change from R-5A to OR-1

Engineers, Land Planners and Landscape Architects: Mindel Scott & Associates, Inc.

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on December 21, 2017 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

INTRODUCTION

WHEREAS, while the property is zoned R-5A, the property and existing building to remain have previously been used as a day care center and then as a rehabilitation home with a Conditional Use Permit granted in 2010; the property is vacant and has been for some time; the applicant desires to convert this day care center/rehabilitation center building to an office use as the administrative office for Air Equipment Company; and the existing buildings shall be updated and renovated and remain with only modifications to the parking lot as shown on the Detailed District Development Plan; and

GUIDELINE 1 – COMMUNITY FORM

WHEREAS, the subject property is located in the Traditional Neighborhood Form District, which is characterized by predominately residential uses from low to high density with neighborhood serving low-intensity commercial, such as office use, located on corners, as is this case in this area of Clifton; the proposed development is to allow a long vacant building previously used as a day care center to be redeveloped and revitalized as a new use; and the Traditional Neighborhood Form District emphasizes the preservation and renovation of existing buildings as is the case here; and

GUIDELINE 2 – CENTERS

WHEREAS, this Guideline encourages mixed land uses organized around compact activity centers that are existing, proposed or planned in order to promote efficient use of land and

investment in existing infrastructure; the proposed project is at the corner of Payne Street and S. Charlton Street, with the neighboring industrially zoned property (formerly the Louisville Paving operations) being converted to new uses, including the recently approved Advanced Business Solutions information technology headquarters; and the infrastructure is already in place for the proposed project, with more than ample parking; and

WHEREAS, Policy 1 of this Guideline suggests locating activity centers on at street intersections like this one; Policy 2 of this Guideline is met as this is an expansion of the current corner activity center one block to the Northeast and is of less intensity than the former uses of the property; and the proposed administrative office represents a mixture of compatible uses as set forth in Policy 5 as it will an adaptive reuse of the property reducing overall traffic congestion by locating the corporate office close to the office workers, including the principal applicant who lives just blocks away; and

GUIDELINE 3 – COMPATIBILITY

WHEREAS, the proposed project complies with all of the applicable Intents and Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 20, 21, 22, 23, 24, and 28 of Guideline 3 because this project will serve the surrounding neighborhood with a small office building; the proposed project does not involve any known nuisances, such as odors, noises, lighting, aesthetics or traffic different than what already existed as a day care center and rehabilitation center; in fact the nuisances will be less with a newly renovated office building; setbacks will include compatible side and rear yards with no waivers or variances requested; the detailed district development plan, neighborhood meeting PowerPoint filed with the application demonstrate all that; further, the existing building will remain with improvements to the building and parking; this project is located within close proximity to the population that will support it, result in compact development, and provide a mixture of compatible uses; the new parking area will be to the rear of the property off the alley, in an area already paved and used for parking; the improvements will result in an overall reduction in impervious surface; and this proposal will also provide a transition from the adjoining industrially zoned properties to the northeast to the residential in the area; and

GUIDELINES 4 AND 5 – OPEN SPACE / NATURAL AREAS AND SCENIC AND HISTORIC RESOURCES

WHEREAS, the proposed project complies with all applicable Intents and Policies 1, 2 3, 4, 5, 6, and 7 of Guideline 4 and Policies 1 and 2 of Guideline 5 because the project will maintain buffers as provided on the development plan and is an adaptive reuse of the existing building on the property which shall remain; due to the small nature of the changes and improvements to the property, the open space will be consistent with what is currently there; and the renovation of the existing building will preserve any natural features that may currently exist; and

GUIDELINE 6 – MARKETPLACE

WHEREAS, the proposed project complies with all of the applicable Intents and Policies 1, 2, 3, 5, and 11 of Guideline 6 because this project will provide an administrative office to be used by workers living in the area; this project will also provide redevelopment of the vacant building and provide a better and more productive use than previously existed; and this project will result in a significant investment in an older neighborhood helping to revitalize same; and

NOW, THEREFORE, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-5A to OR-1 and approves the Detailed District Development Plan.