

**Pre-Application
Staff Report**
November 3, 2017

vent space
large outdoor
concerts } C-2



Case No:	17ZONE1050
Project Name:	Louisville City FC
Location:	237-243, 249-251, 255-257, 261, 267-275, & 270 N. Campbell St., 250, 350, 375, & 1080 Adams St., 214, 225-229, 249-257, 261-265, & 271 Mill St., 200, 203/203R Cabel St., 275 N Shelby St.
Owner(s):	Outdoor Systems Inc., George & Virginia Oakleaf, Marshall's Auto Parts, Inc., ESS Prisa LLC, Meadowlands 2 LLC, Ace Salvage Co., Waterfront Development Corp., & LG&E
Applicant:	Louisville City FC
Jurisdiction:	Louisville Metro
Council District:	4-Barbara Sexton Smith
Case Manager:	Julia Williams, RLA, AICP, Planning Supervisor

REQUEST(S)

- Change in zoning from M-3 and EZ-1 to C-2
- General Plan/Detailed District Development Plan with Binding Elements

CASE SUMMARY/BACKGROUND

The development site encompasses 44 lots that are either zoned M-3 or EZ-1. The existing land uses include salvage yards, mini-storage, and an automotive lift company. The proposal is for several office buildings, hotels, an athletic facility, and retail. A street (Mill Street) and several public alley ways will need to be closed in order to accomplish the proposal.

STAFF FINDING

The proposals regional draw is more appropriately located in the Downtown Form District. Not being located along a transit route is a detriment to the project however, increased pedestrian connectivity and expanded pedestrian routes from Story Ave. and Main Street would help gain access to the development. Increased pedestrian infrastructure and routing (wayfinding at key intersections) would also increase visibility of the existing commercial businesses located in the area.

TECHNICAL REVIEW

Butchertown Neighborhood Plan (2008)

- The Butchertown Neighborhood Plan recommends:
 - LU2 After final determination of Bridges Project impacts, evaluate the status of industrial-zoned properties to determine those properties suitable for EZ-1 or other mixed use zoning. This evaluation shall include consideration of existing land use and zoning of properties. Rezone properties in accordance with recommendations of evaluation. (Existing M-3 properties, with a use that requires a Conditional Use Permit not allowed in

the proposed EZ-1 district, should not be rezoned without agreement from property owner.)

- o LU14 Partner with Metro agencies and affected industries to reduce the secondary (nuisance) impacts of existing industrial operations on residents and retail businesses.
- o LU16 Redevelop/rehabilitate industrial buildings for office, retail, mixed-use, or multi-family residential if industrial uses are no longer viable.

Cornerstone 2020
Land Development Code

INTERESTED PARTY COMMENTS

Written to Councilwoman Julie Denton: "As someone who has recently moved into your district, I implore you to vote yes for the proposed stadium district. Having been to numerous cities where a culture of positivity and growth are not only possible, but prevalent, please allow Louisville to grow. This proposal will serve upon multiple purposes, creating a positive and commercial area where businesses and people can gather. Create an environment where Louisville can improve its vibrant culture. And remove an eyesore brownfield from downtown. I appreciate your desire to make sure this deal is in our best interest financially, but I also ask you to consider the cultural and societal impacts in the long term."—Neil Javins

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Cornerstone 2020.

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 proposal is located adjacent to the Downtown form where the proposed uses would be more appropriately associated. The proposed C-2 zoning is located in a former industrial area with minimal population density in the vicinity. The proposal is for a high intensity commercial zoning district that will create an activity center that is not located on a transit corridor. The closest available transit is located along Main Street south of the site.

The proposal is not located adjacent to public open spaces but is located in close proximity to Waterfront Park. The existing buildings on the site are not historic and are not consistent with the neighborhood. The proposal will create a new center in the TNFD that includes new construction. C-2 zoning allows for commercial, office, and residential. The Butchertown Neighborhood Plan call for the evaluation of the status of industrial-zoned properties to determine those properties suitable for EZ-1 or other mixed use zoning, to reduce the secondary (nuisance) impacts of existing industrial operations on residents and retail businesses and to redevelop/rehabilitate industrial buildings for office, retail, mixed-use, or multi-family residential if industrial uses are no longer viable. The proposed C-2 zoning would result in an efficient land use pattern as the Butchertown neighborhood has been transitioning out of its industrial past for some time. The infrastructure needs for commercial would be met with the existing roads and utilities.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

NOTIFICATION

Date	Purpose of Notice	Recipients
	Hearing before ____	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District ____
	Hearing before ____	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District ____
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Staff Cornerstone 2020 Checklist

3. Staff Cornerstone 2020 Checklist

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

Traditional Neighborhood: Non-Residential

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
1	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves the existing grid pattern of streets, sidewalks and alleys.	+/-	The proposal involves the closure of Mill Street which currently runs through a private business and several unimproved alleyways. The closure of these rights of way will not disturb the existing grid pattern or access to adjacent property. More information is needed on existing sidewalks.
2	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal introduces an appropriately-located neighborhood center including a mix of neighborhood-serving uses such as offices, shops and restaurants.	+/-	C-2 permits more regional land uses but C-2 also permits the more neighborhood serving C-1 land uses. More information is necessary to determine how this site will serve the neighborhood.
3	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves public open spaces, and if the proposal is a higher density use, is located in close proximity to such open space, a center or other public areas.	✓	The proposal is not located adjacent to public open spaces but is located in close proximity to Waterfront Park.
4	Community Form/Land Use Guideline 1: Community Form	B.2: The proposal preserves and renovates existing buildings if the building design of these structures is consistent with the predominate neighborhood building design.	✓	The existing buildings on the site are not historic and are not consistent with the neighborhood.
5	Community Form/Land Use Guideline 2: Centers	A.1/7: The proposal, which will create a new center, is located in the Traditional Neighborhood Form District, and includes new construction or the reuse of existing buildings to provide commercial, office and/or residential use.	✓	The proposal will create a new center in the TNFD that includes new construction. C-2 zoning allows for commercial, office, and residential. The Butchertown Neighborhood Plan call for the evaluation of the status of industrial-zoned properties to determine those properties suitable for EZ-1 or other mixed use zoning, to reduce the secondary (nuisance) impacts of existing industrial operations on residents and retail businesses and to redevelop/rehabilitate industrial buildings for office, retail, mixed-use, or multi-family residential if industrial uses are no longer viable.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
6	Community Form/Land Use Guideline 2: Centers	A.3: The proposed retail commercial development is located in an area that has a sufficient population to support it.	-	The proposed C-2 zoning is located in a former industrial area with minimal population density in the vicinity.
7	Community Form/Land Use Guideline 2: Centers	A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment.	✓	The proposed C-2 zoning would result in an efficient land use pattern as the Butchertown neighborhood has been transitioning out of its industrial past for some time. The infrastructure needs for commercial would be met with the existing roads and utilities.
8	Community Form/Land Use Guideline 2: Centers	A.5: The proposed center includes a mix of compatible land uses that will reduce trips, support the use of alternative forms of transportation and encourage vitality and sense of place.	+/-	The proposed C-2 zoning permits a mix of uses that could be compatible and reduce trips. More information on sidewalks is necessary because transit is not located near the site. More information on the development is necessary to determine if it is contributing to the Butchertown neighborhoods sense of place.
9	Community Form/Land Use Guideline 2: Centers	A.6: The proposal incorporates residential and office uses above retail and/or includes other mixed-use, multi-story retail buildings.	✓	C-2 zoning permits mixed use.
10	Community Form/Land Use Guideline 2: Centers	A.12: If the proposal is a large development in a center, it is designed to be compact and multi-purpose, and is oriented around a central feature such as a public square or plaza or landscape element.	+/-	The development is designed to be multi-purpose which is consistent with the proposed C-2 zoning. There are proposed "common" areas surrounded by vehicle drop off areas which decrease the public value of the common areas.
11	Community Form/Land Use Guideline 2: Centers	A.13/15: The proposal shares entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns.	+/-	Parking areas are not shown as being shared on the development plan. Curb cuts could be further reduced with a more cohesive parking plan for the overall development site. It is unclear on the plan how the vehicular movements of the site will affect pedestrian movements.
12	Community Form/Land Use Guideline 2: Centers	A.14: The proposal is designed to share utility hookups and service entrances with adjacent developments, and utility lines are placed underground in common easements.	+/-	More information is necessary.
13	Community Form/Land Use Guideline 2: Centers	A.16: The proposal is designed to support easy access by bicycle, car and transit and by pedestrians and persons with disabilities.	+/-	It is unclear on the plan how the vehicular movements of the site will affect pedestrian movements.
14	Community Form/Land Use Guideline 3: Compatibility	A.2: The proposed building materials increase the new development's compatibility.	+/-	More information is necessary.

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15	Community Form/Land Use Guideline 3: Compatibility	A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area, or demonstrates that despite such an expansion, impacts on existing residences (including traffic, parking, signs, lighting, noise, odor and stormwater) are appropriately mitigated.	✓	The proposal is not a non-residential expansion into a residential area.
16	Community Form/Land Use Guideline 3: Compatibility	A.5: The proposal mitigates any potential odor or emissions associated with the development.	+/-	APCD is reviewing the proposal.
17	Community Form/Land Use Guideline 3: Compatibility	A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities.	+/-	Transportation Planning is reviewing the traffic.
18	Community Form/Land Use Guideline 3: Compatibility	A.8: The proposal mitigates adverse impacts of its lighting on nearby properties, and on the night sky.	+/-	More information on lighting is necessary.
19	Community Form/Land Use Guideline 3: Compatibility	A.11: If the proposal is a higher density or intensity use, it is located along a transit corridor AND in or near an activity center.	-	The proposal is for a high intensity commercial zoning district that will create an activity center that is not located on a transit corridor. The closest available transit is located along Main Street south of the site.
20	Community Form/Land Use Guideline 3: Compatibility	A.21: The proposal provides appropriate transitions between uses that are substantially different in scale and intensity or density of development such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, or setback requirements.	✓	The proposal is not located adjacent to incompatible developments or zoning.
21	Community Form/Land Use Guideline 3: Compatibility	A.22: The proposal mitigates the impacts caused when incompatible developments unavoidably occur adjacent to one another by using buffers that are of varying designs such as landscaping, vegetative berms and/or walls, and that address those aspects of the development that have the potential to adversely impact existing area developments.	✓	The proposal is not located adjacent to incompatible developments or zoning.
22	Community Form/Land Use Guideline 3: Compatibility	A.23: Setbacks, lot dimensions and building heights are compatible with those of nearby developments that meet form district standards.	+/-	More information is necessary.

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23	Community Form/Land Use Guideline 3: Compatibility	A.24: Parking, loading and delivery areas located adjacent to residential areas are designed to minimize adverse impacts of lighting, noise and other potential impacts, and that these areas are located to avoid negatively impacting motorists, residents and pedestrians.	+/-	More information is necessary on the impacts of parking areas with pedestrian connectivity.
24	Community Form/Land Use Guideline 3: Compatibility	A.24: The proposal includes screening and buffering of parking and circulation areas adjacent to the street, and uses design features or landscaping to fill gaps created by surface parking lots. Parking areas and garage doors are oriented to the side or back of buildings rather than to the street.	+/-	More information on parking buffering is necessary.
25	Community Form/Land Use Guideline 3: Compatibility	A.25: Parking garages are integrated into their surroundings and provide an active, inviting street-level appearance.	+/-	More information is necessary.
26	Community Form/Land Use Guideline 3: Compatibility	A.28: Signs are compatible with the form district pattern and contribute to the visual quality of their surroundings.	+/-	More information is necessary.
27	Community Form/Land Use Guideline 4: Open Space	A.2/3/7: The proposal provides open space that helps meet the needs of the community as a component of the development and provides for the continued maintenance of that open space.	+/-	More information is necessary.
28	Community Form/Land Use Guideline 4: Open Space	A.4: Open space design is consistent with the pattern of development in the Neighborhood Form District.	+/-	More information is necessary.
29	Community Form/Land Use Guideline 4: Open Space	A.5: The proposal integrates natural features into the pattern of development.	+/-	Much of the site is located in the floodplain. More information is needed on how that issue will be dealt with.
30	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.1: The proposal 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.	+/-	Much of the site is located in the floodplain. More information is needed on how that issue will be dealt with.

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
31	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings, sites, districts and landscapes that are recognized as having historical or architectural value, and, if located within the impact area of these resources, is compatible in height, bulk, scale, architecture and placement.	✓	The proposal does not have structures or land that is recognized as being historic.
32	Community Form/Land Use Guideline 5: Natural Areas and Scenic and Historic Resources	A.6: Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes with the potential for severe erosion.	+/-	The development is located in an area with highly erodible soils. More information is necessary.
33	Marketplace Guideline 6: Economic Growth and Sustainability	A.2: Ensure adequate access between employment centers and population centers.	+/-	More information on access is needed to determine how traffic will operate before and after athletic events.
34	Marketplace Guideline 6: Economic Growth and Sustainability	A.3: Encourage redevelopment, reinvestment and rehabilitation in the downtown where it is consistent with the form district pattern.	-	The proposal is located adjacent to the Downtown form where the proposed uses would be more appropriately associated.
35	Marketplace Guideline 6: Economic Growth and Sustainability	A.4: Encourage industries to locate in industrial subdivisions or adjacent to existing industry to take advantage of special infrastructure needs.	NA	The proposal is not for industrial zoning.
36	Marketplace Guideline 6: Economic Growth and Sustainability	A.6: Locate retail commercial development in activity centers. Locate uses generating large amounts of traffic on a major arterial, at the intersection of two minor arterials or at locations with good access to a major arterial and where the proposed use will not adversely affect adjacent areas.	+/-	The proposal for commercial zoning will be for the development of a new activity center that would generate large amounts of traffic. The surrounding roadways are mainly local level with the exception of E. Witherspoon (minor arterial), N Shelby (primary collector), and Adams Street (primary collector). The closest major arterial is Main Street/Story Avenue to the south. A traffic plan to understand how traffic will be conducted before and after events is necessary.
37	Marketplace Guideline 6: Economic Growth and Sustainability	A.8: Require industrial development with more than 100 employees to locate on or near an arterial street, preferably in close proximity to an expressway interchange. Require industrial development with less than 100 employees to locate on or near an arterial street.	NA	The proposal is not for industrial zoning.
38	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	+/-	More information on possible roadway improvements is necessary.

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39	Mobility/Transportation Guideline 7: Circulation	A.3/4: The proposal promotes mass transit, bicycle and pedestrian use and provides amenities to support these modes of transportation.	+/-	More information is necessary.
40	Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	✓	No new roadways are being created with this proposal.
41	Mobility/Transportation Guideline 7: Circulation	A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development.	+/-	Transportation Planning is reviewing the proposal for possible dedication of ROW.
42	Mobility/Transportation Guideline 7: Circulation	A.10: The proposal includes adequate parking spaces to support the use.	+/-	More information is necessary.
43	Mobility/Transportation Guideline 7: Circulation	A.13/16: The proposal provides for joint and cross access through the development and to connect to adjacent development sites.	✓	There are 3 lots involved in the overall development. These lots are bound by ROW so cross access is provided through existing ROWs.
44	Mobility/Transportation Guideline 8: Transportation Facility Design	A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land.	✓	No new roadways are being created with the development.
45	Mobility/Transportation Guideline 8: Transportation Facility Design	A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance.	✓	Access to the site will be from public ROWs.
46	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	+/-	More information on traffic access to and from the site is needed to determine the impacts on the existing residential activity areas in the area.
47	Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit	A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity.	+/-	More information is necessary.

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48	Livability/Environment Guideline 10: Flooding and Stormwater	The proposal's drainage plans have been approved by MSD, and the proposal mitigates negative impacts to the floodplain and minimizes impervious area. Solid blue-line streams are protected through a vegetative buffer, and drainage designs are capable of accommodating upstream runoff assuming a fully-developed watershed. If streambank restoration or preservation is necessary, the proposal uses best management practices.	+/-	MSD is reviewing the proposal.
49	Livability/Environment Guideline 12: Air Quality	The proposal has been reviewed by APCD and found to not have a negative impact on air quality.	+/-	APCD is reviewing the proposal.
50	Livability/Environment Guideline 13: Landscape Character	A.3: The proposal includes additions and connections to a system of natural corridors that can provide habitat areas and allow for migration.	+/-	More information is necessary.
51	Community Facilities Guideline 14: Infrastructure	A.2: The proposal is located in an area served by existing utilities or planned for utilities.	✓	Existing utilities will serve the site.
52	Community Facilities Guideline 14: Infrastructure	A.3: The proposal has access to an adequate supply of potable water and water for fire-fighting purposes.	✓	There is an adequate water supply to accommodate the site.
53	Community Facilities Guideline 14: Infrastructure	A.4: The proposal has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams.	+/-	The health department is reviewing the proposal.