

Planning Commission
Staff Report
October 17, 2019



Case No:	19-ZONE-0046
Project Name:	Urban Government Center
Location:	768, 810, & 850 Barret Ave & 1235 E Breckinridge St.
Owner(s):	Louisville Metro
Applicant:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	4- Barbara Sexton Smith
Case Manager:	Julia Williams, AICP, Planning Supervisor

REQUEST(S)

- Area-wide change in zoning from R-6 and OR-2 to C-2

CASE SUMMARY/BACKGROUND

The proposal is for an area-wide change in zoning from R-6 and OR-2 to C-2 to permit the site to be developed as mixed use. There is no development proposed at this time.

Staff held a neighborhood meeting on August 8, 2019 where staff presented the proposal for the change in zoning.

STAFF FINDING

Staff finds that the proposal meets the guidelines of the Comprehensive Plan and requirements of the Land Development Code.

TECHNICAL REVIEW

Plan 2040

INTERESTED PARTY COMMENTS

None received

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 Plan 2040; 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 Plan 2040 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 Plan 2040.

The site is located in the Traditional Neighborhood Form District

Traditional Neighborhood: 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 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments. 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) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

The proposal is not a non-residential expansion into an existing residential area as the site is currently zoned for high density residential, office, and commercial. The proposal is for high density and intensity zoning located at the intersection of a minor arterial and primary collector, along a transit corridor (Barret Ave.), within an existing activity center, and where adequate infrastructure exists or is planned with the proposal. The proposal is located in an existing activity center. C-2 permits high density and intensity uses that when developed will follow the Traditional Form. The proposal permits uses that are compatible with the surrounding neighborhoods. The site has access to a minor arterial, primary collector, local level road, and an alley around the site. The proposal is located in an existing activity center where population is proposed and existing to support the zoning.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Plan 2040.

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.

REQUIRED ACTIONS:

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **area-wide Change-in-Zoning** from R-6 and OR-2 to C-2.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if there have been major changes of an economic, physical,

or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

NOTIFICATION

Date	Purpose of Notice	Recipients
9/12/19	Hearing before LD&T on 9/26/19	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 4
10/1/19	Hearing before PC on 10/17/19	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 4
9/27/19	Hearing before PC	Sign Posting on property
10/4/19	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Staff Plan 2040 Checklist
4. Proposed land uses that should be excluded in the re-development agreement
5. Staff's Findings of Fact

1. Zoning Map



2. Aerial Photograph



3. Staff Plan 2040 Checklist

- + 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
1	Community Form: Goal 1	6. 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 proposal is not a non-residential expansion into an existing residential area as the site is currently zoned for high density residential, office, and commercial.
2	Community Form: Goal 1	7. 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 proposal is for high density and intensity zoning located at the intersection of a minor arterial and primary collector, along a transit corridor (Barret Ave.), within an existing activity center, and where adequate infrastructure exists or is planned with the proposal.
3	Community Form: Goal 1	8. Encourage industries to locate in workplace Form Districts or in areas readily served by infrastructure and transportation facilities, including transit, rather than isolated industrial sites.	NA	The proposal does not include industrial land uses.
4	Community Form: Goal 1	15. When reviewing proposals for siting hazardous uses and uses with air, noise and light emissions, ensure disadvantaged populations are not disproportionately impacted.	NA	The proposal does not include any hazardous land uses.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
5	Community Form: Goal 1	16. Consider impacts on human health, quality of life and the environment including prevailing meteorological conditions and the potential to transport noxious odors, particulates and emissions when reviewing new developments and redevelopments. Special attention should be paid to air and water quality when residences, schools, parks or vulnerable populations will be impacted. Mitigate impacts to areas that are disproportionately affected.	✓	C-2 zoning does not allow for hazardous uses. C-2 zoning will not negatively impact vulnerable populations or the environment because there is no residential on the site currently nor are there existing environmental features.
6	Community Form: Goal 1	17. Mitigate adverse impacts of traffic from proposed development on nearby existing communities.	✓	Any traffic issues will be addressed with a development proposal. The site has access to a minor arterial, primary collector, local level road, and an alley around the site.
7	Community Form: Goal 1	18. Mitigate adverse impacts of noise from proposed development on existing communities.	✓	There are no residential land uses located adjacent to the subject site. Noise issues will be addressed with a development proposal.
8	Community Form: Goal 1	21. Require that industries which handle hazardous or flammable materials or are potentially offensive such as junkyards, landfills and quarries are sited to protect public health, safety and welfare and are located away from residential areas and population centers.	NA	The proposal does not include industrial land uses.
9	Community Form: Goal 2	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.	✓	The proposal is located in an existing activity center. C-2 permits high density and intensity uses that when developed will follow the Traditional Form. The proposal permits uses that are compatible with the surrounding neighborhoods.
10	Community Form: Goal 2	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 site has access to a minor arterial, primary collector, local level road, and an alley around the site.
11	Community Form: Goal 2	5. Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it.	✓	The proposal is located in an existing activity center where population is proposed and existing to support the zoning.
12	Community Form: Goal 2	6. Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.	✓	The proposal allows for compact mixed use development in an existing activity center. C-2 zoning results in an efficient land use pattern as there are a mix of non-residential zoning districts along Barret Ave.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
13	Community Form: Goal 2	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 proposal is located in an existing activity center where mixed use is permitted. Alternative modes of travel are supported. A transit stop is located on the site along Barret Ave. Sidewalks exist around the site.
14	Community Form: Goal 2	8. Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multi-story retail buildings.	✓	The proposal allows for mixed use development in an existing activity center where residential and office can be located above commercial which would be consistent with the Traditional Form.
15	Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	✓	The proposal is for mixed use development in an existing activity center where residential and office will be located above commercial.
16	Community Form: Goal 2	10. Encourage outlot development in underutilized parking lots of existing development to promote utilization of existing infrastructure provided specific criteria for elements such as location, scale, signs, parking, lighting, and landscaping are met. Outlot development shall encourage street-level retail with residential units above.	NA	The proposal is not for outlot development in an underutilized parking lot.
17	Community Form: Goal 2	11. Ensure appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood and Village Form Districts to ensure compatibility with nearby residences.	✓	The proposal is appropriately located in an existing activity center in the Traditional Neighborhood form. All residential is located across a right of way from the proposal.
18	Community Form: Goal 3	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.	✓	The existing site is mostly impervious surface with a few mature trees which makes it largely absent of natural features.
19	Community Form: Goal 3	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.	✓	Soils are not an issue with the proposal.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
20	Community Form: Goal 3	11. Encourage land uses within the Ohio River Corridor that are appropriate for and related to river corridor activities and that are consistent with the goals and objectives of the Ohio River Corridor Master Plan. Reserve appropriate riverfront sites such as the Upper River Road industrial area for river-related development. Allow development of commercial leisure businesses related to the river, such as boating services and restaurants in appropriate locations. Encourage new development in the Ohio River corridor and along key greenway and street connections to provide for public access in new riverfront development and to maintain views of the river from public rights-of-way.	NA	The proposal is not located with the Ohio River Corridor.
21	Community Form: Goal 3	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.	NA	The proposal is not located in a flood prone area.
22	Community Form: Goal 4	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 C-2 zoning does not affect the preservation or demolition of the structures on the site.
23	Community Form: Goal 4	2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.	NA	The site does not have any distinct cultural features.
24	Mobility: Goal 1	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 proposal is located near an existing marketplace corridors (Broadway) The proposal is within an existing activity corridor where it supports existing public transit and where sidewalks exist along all roadways.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
25	Mobility: Goal 2	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	✓	Access to the development is by way of a minor arterials, primary collector, and a local level road.
26	Mobility: Goal 3	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 C-2 allows for mixed use development. The land uses permitted are generally neighborhood serving and can encourage trips made by walking and bicycling due to the existing sidewalk around the site and existing connection to surrounding neighborhoods.
27	Mobility: Goal 3	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 proposed C-2 allows for mixed use development. The land uses permitted are generally neighborhood serving and can encourage trips made by walking and bicycling due to the existing sidewalk around the site and existing connection to surrounding neighborhoods.
28	Mobility: Goal 3	3. 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 proposed C-2 allows for mixed use development. The proposal promotes public transit and pedestrian use by way of an existing sidewalk around the site and transit along Barret.
29	Mobility: Goal 3	4. Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following: 4.1. nodal connections identified by Move Louisville; 4.2. impact on freight routes; 4.3. time of operation of facilities; 4.4. safety; 4.5. appropriate linkages between neighborhoods and employment; and 4.6. the potential for reducing travel times and vehicle miles traveled.	✓	The proposed C-2 allows for mixed use development. The proposal promotes public transit and pedestrian use by way of an existing sidewalk around the site and transit along Barret.
30	Mobility: Goal 3	5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	✓	Traffic for the proposal will be evaluated with development plans for the site.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
31	Mobility: Goal 3	6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	✓	Traffic for the proposal will be evaluated with development plans for the site.
32	Mobility: Goal 3	9. 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.	✓	Traffic for the proposal will be evaluated with development plans for the site.
33	Mobility: Goal 3	10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	✓	Traffic for the proposal will be evaluated with development plans for the site.
34	Community Facilities: Goal 2	1. Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.	✓	Existing and proposed utilities will serve and be improved for the site.
35	Community Facilities: Goal 2	2. 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 water supply is available to the site.
36	Community Facilities: Goal 2	3. 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).	✓	Sewerage and drainage will be evaluated with development plans for the site.
37	Economic Development: Goal 1	2. Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.	NA	The proposal does not include industrial land uses.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
38	Economic Development: Goal 1	3. 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 proposal for C-2 located along a minor arterial, primary collector, and local level road with access down Barret to Broadway which is a major arterial.
39	Economic Development: Goal 1	4. Utilize industrial sites near the airport and the Ohio River to support the growth and development of uses whose infrastructure and production needs require such a location or for land uses that support airport-oriented or river-oriented industrial uses.	NA	The proposal does not include industrial land uses.
40	Economic Development: Goal 1	5. Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.	NA	The proposal does not include industrial land uses.
41	Livability: Goal 1	17. Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.	✓	Erosion control measures during construction will be put in place per MSD requirements.
42	Livability: Goal 1	21. 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.	NA	The proposal is not located in a floodplain.
43	Livability: Goal 1	24. Ensure, to the extent feasible, that critical facilities and those that store or use hazardous wastes are located outside the regulatory floodplain. Where essential community facilities must be located within a floodplain (e.g., pumping stations), ensure that these facilities are designed, located and operated in a manner that minimizes loss of services during flood events as well as limits, to the extent possible, floodplain disturbance.	NA	The proposal is not located in a floodplain and does not propose industrial uses.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
44	Housing: Goal 1	2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	✓	The C-2 proposal provides an environment where aging in place could occur due to permitted land uses and allowance for mixed use. The proposal is located on a transit route.
45	Housing: Goal 2	1. Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.	✓	The proposal allows for mixed use development that is connected to the surrounding neighborhoods via existing sidewalks and transit.
46	Housing: Goal 2	2. Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.	✓	The proposal allows for mixed use development. Any permitted housing would be connected to the surrounding neighborhoods via sidewalks and transit. C-2 provides employment opportunities and non-residential uses that provide neighborhood goods and services. The proposal could include high density along a transit route and within an existing activity center.
47	Housing: Goal 3	2. As neighborhoods evolve, discourage displacement of existing residents from their community.	✓	The proposal allows for mixed use which could bring residential to the site where there is none existing.
48	Housing: Goal 3	3. Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.	✓	The proposal allows for mixed use which could bring residential to the site where there is none existing. Affordable housing could also be a component to any proposed residential.

4. Proposed land uses that should be excluded in the re-development agreement

1. Automobile rental agencies
2. Automobile repair garages
3. Automobile sales agencies
4. Boat Sales and related storage
5. Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building

5. Staff's Findings of Fact

WHEREAS, the Planning Commission finds that the area wide rezoning complies with the applicable guidelines and policies of Plan 2040.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Community Form Goal 1 of Plan 2040 as the proposal is not a non-residential expansion into an existing residential area as the site is currently zoned for high density residential, office, and

commercial. The proposal is for high density and intensity zoning located at the intersection of a minor arterial and primary collector, along a transit corridor (Barret Ave.), within an existing activity center, and where adequate infrastructure exists or is planned with the proposal. C-2 zoning does not allow for hazardous uses. C-2 zoning will not negatively impact vulnerable populations or the environment because there is no residential on the site currently nor are there existing environmental features. Any traffic issues will be addressed with a development proposal. The site has access to a minor arterial, primary collector, local level road, and an alley around the site. There are no residential land uses located adjacent to the subject site. Noise issues will be addressed with a development proposal.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Community Form Goal 2 of Plan 2040, as the proposal is located in an existing activity center. C-2 permits high density and intensity uses that when developed will follow the Traditional Form. The proposal permits uses that are compatible with the surrounding neighborhoods. The site has access to a minor arterial, primary collector, local level road, and an alley around the site. The proposal is located in an existing activity center where population is proposed and existing to support the zoning. The proposal allows for compact mixed use development in an existing activity center. C-2 zoning results in an efficient land use pattern as there are a mix of non-residential zoning districts along Barret Ave. The proposal is located in an existing activity center where mixed use is permitted. Alternative modes of travel are supported. A transit stop is located on the site along Barret Ave. Sidewalks exist around the site. The proposal allows for mixed use development in an existing activity center where residential and office can be located above commercial which would be consistent with the Traditional Form. The proposal is for mixed use development in an existing activity center where residential and office will be located above commercial. The proposal is appropriately located in an existing activity center in the Traditional Neighborhood form. All residential is located across a right of way from the proposal.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Community Form Goal 3 of Plan 2040, as the existing site is mostly impervious surface with a few mature trees which makes it largely absent of natural features. Soils are not an issue with the proposal.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Community Form Goal 4 of Plan 2040, as the C-2 zoning does not affect the preservation or demolition of the structures on the site.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Mobility Goal 1 of Plan 2040, as the proposal is located near an existing marketplace corridors (Broadway) The proposal is within an existing activity corridor where it supports existing public transit and where sidewalks exist along all roadways.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Mobility Goal 2 of Plan 2040, as access to the development is by way of a minor arterials, primary collector, and a local level road.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Mobility Goal 3 of Plan 2040, as the proposed C-2 allows for mixed use development. The land uses permitted are generally neighborhood serving and can encourage trips made by walking and bicycling due to the existing sidewalk around the site and existing connection to surrounding neighborhoods. The proposed C-2 allows for mixed use development. The proposal promotes public transit and pedestrian use by way of an existing sidewalk around the site and transit along Barret.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Community Facilities Goal 2 of Plan 2040, as existing and proposed utilities will serve and be improved

for the site. An adequate water supply is available to the site. Sewerage and drainage will be evaluated with development plans for the site.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Economic Development Goal 1 of Plan 2040, as the proposal for C-2 located along a minor arterial, primary collector, and local level road with access down Barret to Broadway which is a major arterial.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Livability Goal 1 of Plan 2040, as erosion control measures during construction will be put in place per MSD requirements.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Housing Goal 1 of Plan 2040, as the C-2 proposal provides an environment where aging in place could occur due to permitted land uses and allowance for mixed use. The proposal is located on a transit route.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Housing Goal 2 of Plan 2040, as the proposal allows for mixed use development that is connected to the surrounding neighborhoods via existing sidewalks and transit. The proposal allows for mixed use development. Any permitted housing would be connected to the surrounding neighborhoods via sidewalks and transit. C-2 provides employment opportunities and non-residential uses that provide neighborhood goods and services. The proposal could include high density along a transit route and within an existing activity center.

WHEREAS, the Planning Commission further finds that the area wide rezoning complies with Housing Goal 3 of Plan 2040, as the proposal allows for mixed use which could bring residential to the site where there is none existing. The proposal allows for mixed use which could bring residential to the site where there is none existing. Affordable housing could also be a component to any proposed residential.

WHEREAS, the Planning Commission further finds that based on the reasons stated above, or otherwise stated in the staff report, and as depicted in the maps presented at the Planning Commission public hearing, the area wide rezoning complies with all other Guidelines and Policies of Plan 2040.

WHEREAS, the Planning Commission further finds that the existing zoning classification is inappropriate and the proposed zoning classification is appropriate. The area wide rezoning will ensure that new development will be designed to be compatible with the scale and form of existing development in the neighborhood, as well as with the pattern of existing uses. The neighborhood is comprised of both residential and non-residential uses and a grid pattern of streets, alleys and sidewalks. The area wide rezoning will encourage the development of an underutilized site which is currently vacant.

**Land Development and Transportation
Committee
Staff Report
September 26, 2019**



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Project Name:	Urban Government Center
Location:	768, 810, & 850 Barret Ave & 1235 E Breckinridge St.
Owner(s):	Louisville Metro
Applicant:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	4- Barbara Sexton Smith
Case Manager:	Julia Williams, AICP, Planning Supervisor

REQUEST(S)

- Area-wide change in zoning from R-6 and OR-2 to C-2

CASE SUMMARY/BACKGROUND

The proposal is for an area-wide change in zoning from R-6 and OR-2 to C-2 to permit the site to be developed as mixed use. There is no development proposed at this time.

Staff held a neighborhood meeting on August 8, 2019 where staff presented the proposal for the change in zoning.

STAFF FINDING

The proposal is ready for a public hearing date to be set.

TECHNICAL REVIEW

Plan 2040

INTERESTED PARTY COMMENTS

None received

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 Plan 2040; 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 Plan 2040 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 Plan 2040.

The site is located in the Traditional Neighborhood Form District

Traditional Neighborhood: 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 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments. 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) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

REQUIRED ACTIONS:

- SET the public hearing date for October 17, 2019

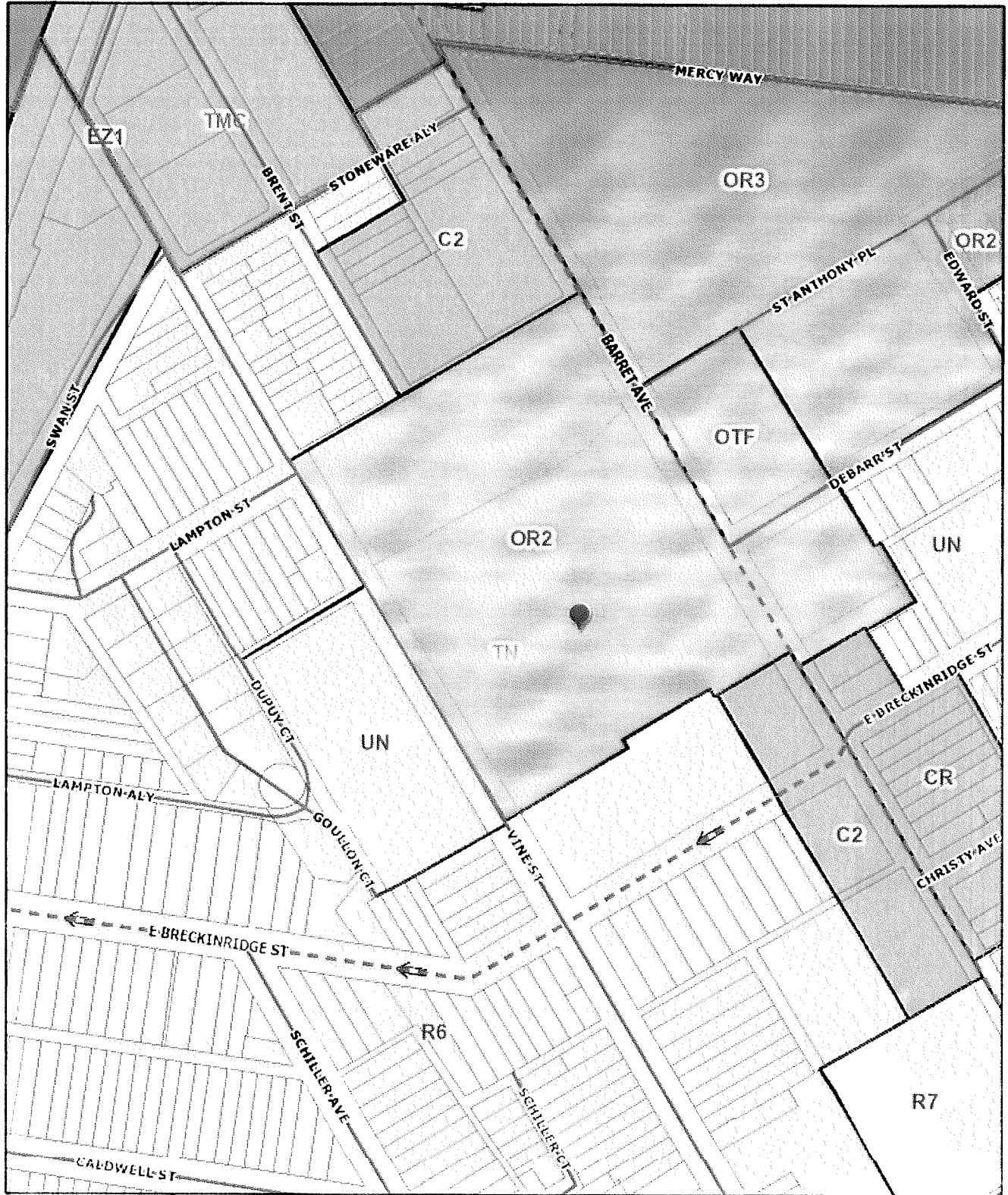
NOTIFICATION

Date	Purpose of Notice	Recipients
9/12/19	Hearing before LD&T on 9/26/19	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 4
	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

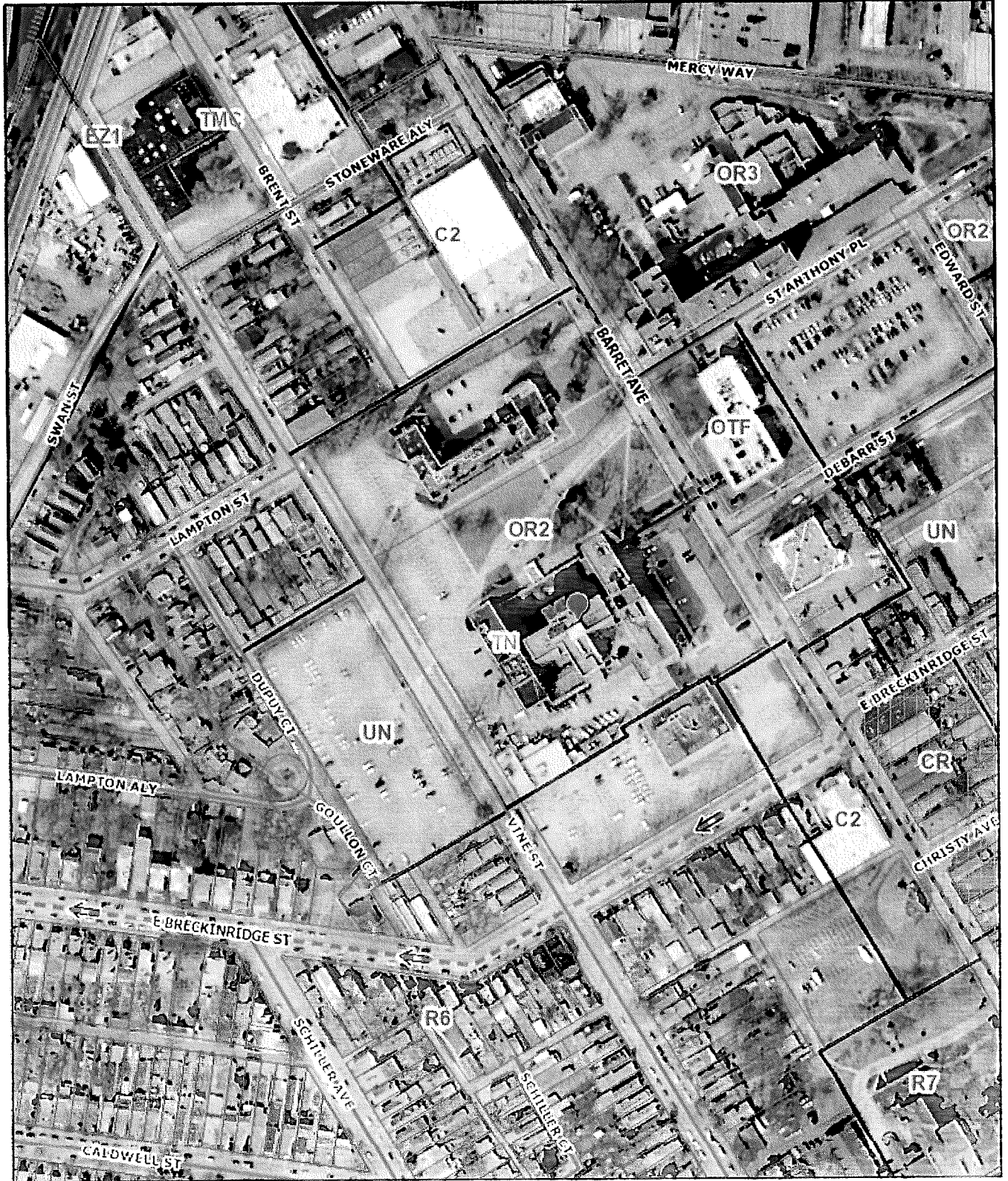
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed land uses that should be excluded in the re-development agreement

1. **Zoning Map**



2. Aerial Photograph



3. Proposed land uses that should be excluded in the re-development agreement

1. Automobile rental agencies
2. Automobile repair garages
3. Automobile sales agencies
4. Boat Sales and related storage
5. Used car sales areas, provided that no repair or reconditioning of automobiles or storage of parts shall be permitted except when enclosed in a building

none - part of redevelopment agreement

Community engagement exercise for the city to get ideas to redevelop site.

City entered into a re-development agreement & none is part of that agreement.

Regardless of who develops the site C-2 is required to encompass the mixed use as proposed in the redevelopment agreement.