



The Standard at Louisville

**Change in Zoning from EZ-1 Enterprise Zone to C-2 Commercial,
Variances, and Landscape Waiver**

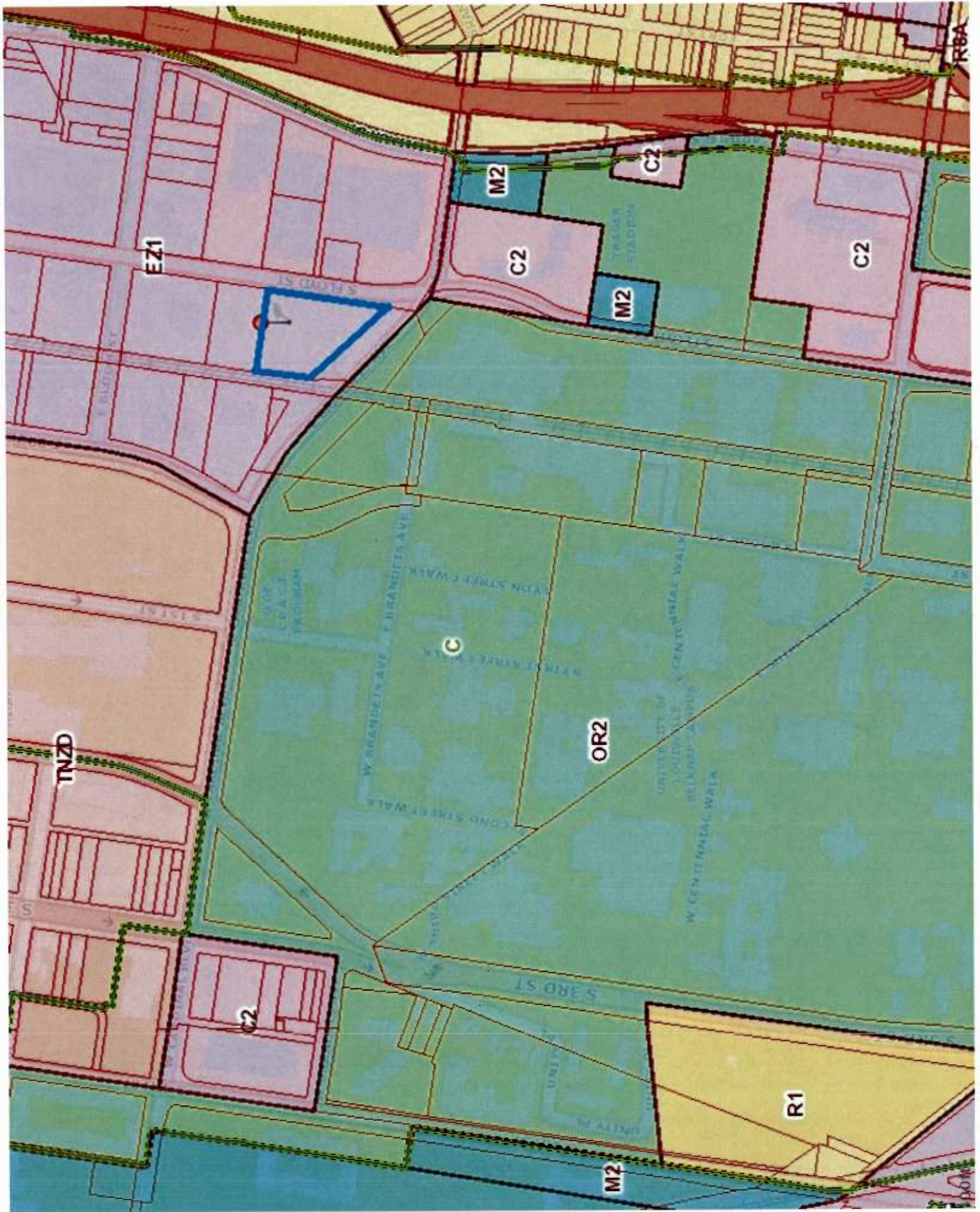
**1900 S. Floyd Street
Case No. 13ZONE1018**

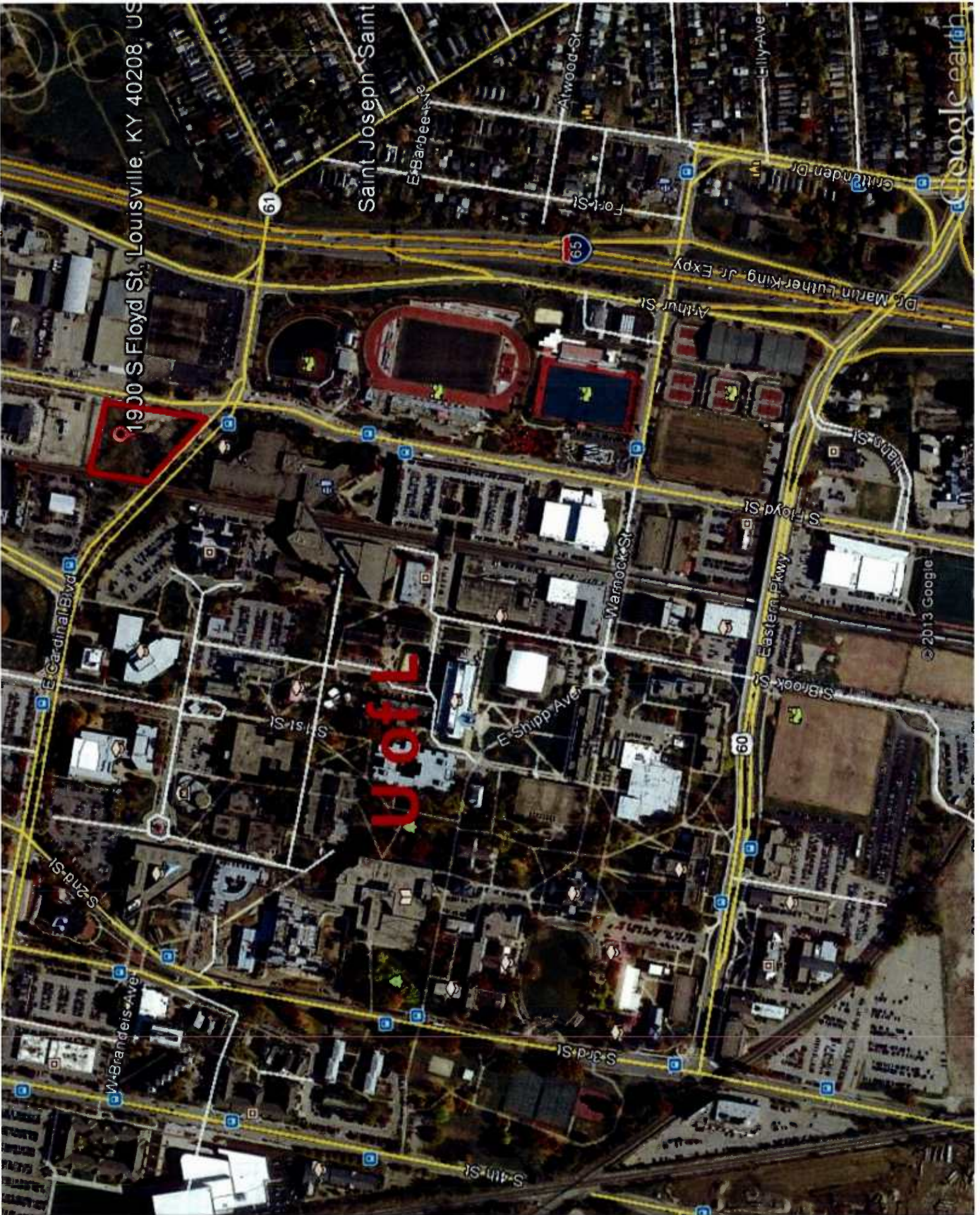
APPLICANT'S PUBLIC HEARING EXHIBIT BOOKLET January 16, 2014

1. **LOJIC Zoning/Form District Map**
2. **Color Rendered Development Plan**
3. **Aerial Photograph of Subject Property and Surrounding Area**
4. **Color Plan on Aerial Photograph**
5. **Perspective Rendering from S. Floyd Street and E. Brandeis Avenue Intersection**
6. **Building Elevations**
7. **Photos of Residential Buildings on U of L Campus**
8. **Proposed Findings of Fact for Change in Zoning, Height Variance, Setback Variance and Landscape Waiver**

**Deborah Bilitski
WYATT, TARRANT & COMBS LLP
500 W. Jefferson Street, Suite 2800
Louisville, KY 40202**

**Ann Richard
LAND DESIGN & DEVELOPMENT
503 Washburn Avenue, Suite 101
Louisville, KY 40222**





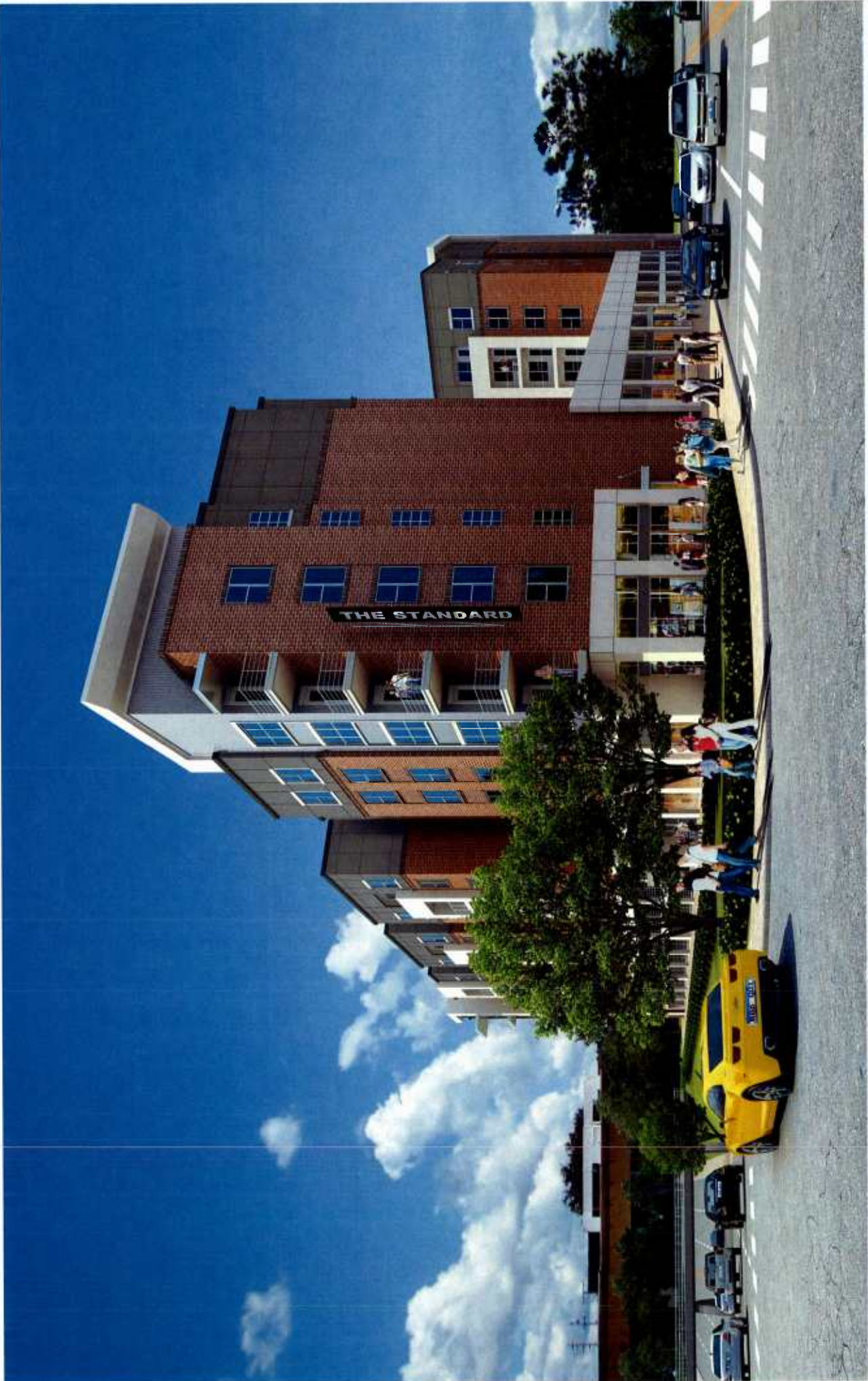
1900 S Floyd St, Louisville, KY 40208, US

U of L

© 2013 Google

Google earth







NORTH ELEVATION



SCALE: 1/16" = 1'-0" 24"x36" SHEET
 0' 16' 32' 64'

A411

FLOYD STREET ELEVATION

THE STANDARD AT LOUISVILLE
 908 DEVELOPMENT
 LOUISVILLE, KY

HPA#13596

11/27/2013



HUMPHREYS & PARTNERS ARCHITECTS L.P.
 5240 Alpha Road, Suite 300, Dallas, TX 75240 972.774.2626 972.774.5031
 DALLAS CHARLOTTE DENVER LOS ANGELES NEW ORLEANS NEW YORK PHOENIX

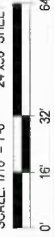
© 2013, by **HUMPHREYS & PARTNERS ARCHITECTS, LP**
 This architectural conceptual site plan is for feasibility purposes only. It is not intended to be used for any other purpose. It is not a final plan and may not be reproduced in any form without the written permission of Humphreys & Partners Architects, LP.



BRANDEIS AVENUE ELEVATION



SCALE: 1/16" = 1'-0" 24"x36" SHEET



RAILROAD ELEVATION

A410

THE STANDARD AT LOUISVILLE

908 DEVELOPMENT

LOUISVILLE, KY

11/27/2013

HPA#13596

HUMPHREYS & PARTNERS ARCHITECTS L.P.

3259 Alpha Tower, Suite 1000, Louisville, KY 40203
 Phone: (502) 582-1000 Fax: (502) 582-1001
 www.humphreys.com



© 2013 by HUMPHREYS & PARTNERS ARCHITECTS, L.P.
 and its partners. All rights reserved. This drawing is the
 sole property of Humphreys & Partners Architects L.P. and may
 not be reproduced in any form without the prior written
 permission of Humphreys & Partners Architects L.P.

1901 S 1ST STREET

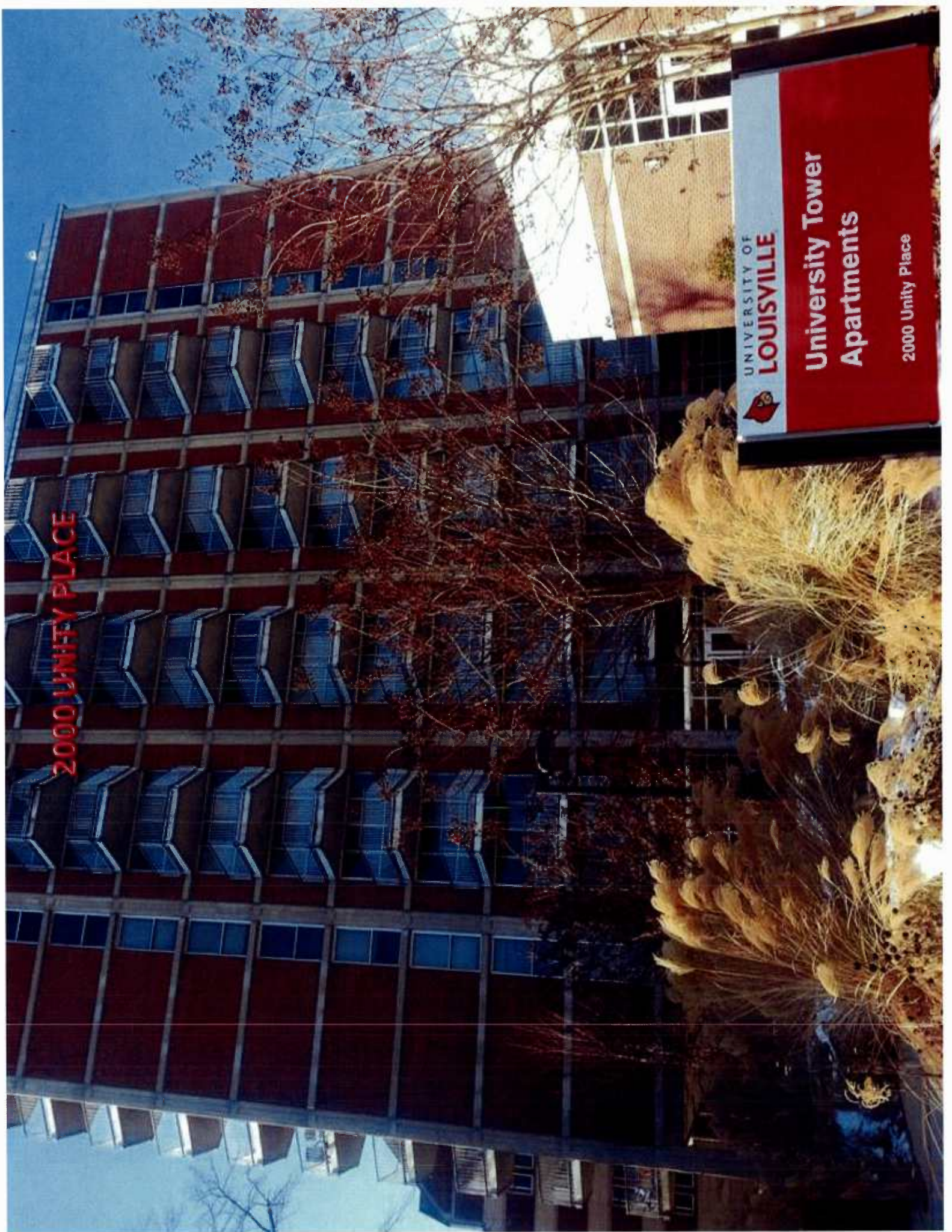


2000 UNITY PLACE

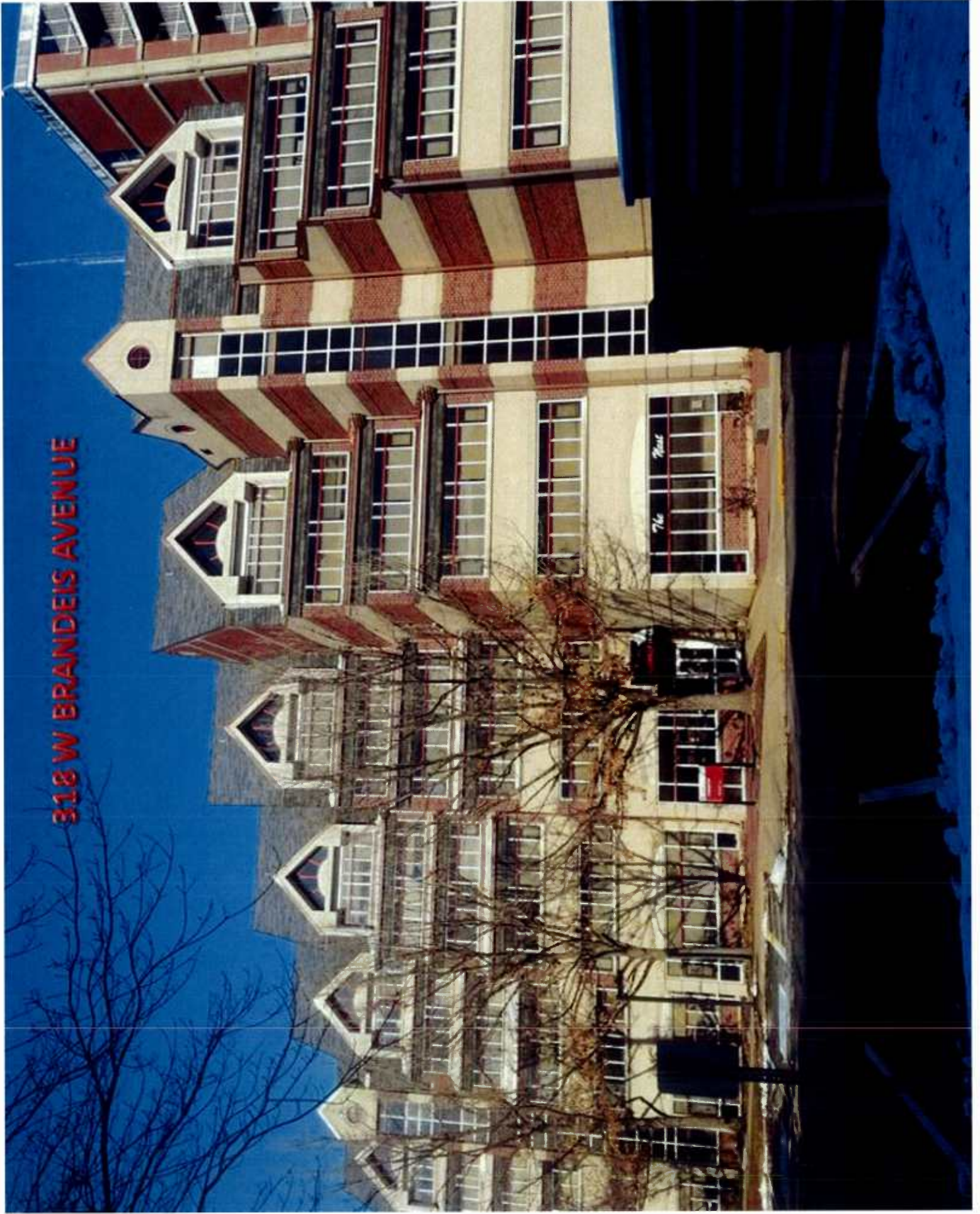
UNIVERSITY OF
LOUISVILLE

**University Tower
Apartments**

2000 Unity Place



318 W BRANDEIS AVENUE



PROPOSED FINDINGS FOR CHANGE IN ZONING

Change in Zoning from EZ-1 Enterprise Zone to C-2 Commercial

1900 S. Floyd Street

CASE NO. 13ZONE1018

January 6, 2014

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

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

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

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

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

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

WHEREAS, the Planning Commission finds the proposed change in zoning complies with Guidelines 10 and 11 of the Comprehensive Plan because the subject site is not located in the

100-year flood plain, and there are no streams, wetlands, or waterways on the site; stormwater detention will be handled on site in an underground vault that will be designed to accommodate the runoff from the proposed development in accordance with regulatory requirements; and an erosion prevention and sediment control plan will be implemented prior to construction utilizing best management practices as required by the Metropolitan Sewer District;

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

WHEREAS, the Planning Commission finds the proposed change in zoning complies with Guideline 13 of the Comprehensive Plan because the subject property is an old industrial site with no existing landscaping or landscape buffer areas; the surrounding property is developed in a traditional urban pattern with minimal or no setbacks or landscape buffer areas; existing tree canopy within the E. Brandeis Avenue right-of-way will be preserved to meet Land Development Code requirements; and outdoor lighting and signage will be consistent with the Campus form of development and comply with Land Development Code requirements;

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

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

PROPOSED FINDINGS FOR HEIGHT VARIANCE

**1900 S. Floyd Street
CASE NO. 13ZONE1018
January 6, 2014**

WHEREAS, the Louisville Metro Planning Commission (“Planning Commission”) finds, based on the staff report, evidence and testimony presented at the public hearing, and the applicant’s proposed findings of fact, that the requested variance to permit the proposed structure to be 85 feet in height will not adversely affect the public health, safety or welfare or alter the essential character of the vicinity because the Campus Form District allows nonresidential structures to be 150 feet in height, but limits the height of residential structures to 45 feet; the subject property is located on the northwest corner of the intersection of E. Brandeis Avenue and S. Floyd Street, across from University of Louisville’s Belknap campus; the properties further to the north along S. Floyd Street are industrial in nature and will not be adversely affected by the requested variance; directly to the west is a railroad, and across S. Floyd Street to the east are properties zoned EZ-1, which contain large warehouse buildings; the proposed building height is consistent with other residential buildings on U of L’s campus, including Uitas Towers (11 stories), University Tower Apartments (11 stories), and Louisville Hall (6 stories); the proposed building will incorporate site design and architectural quality compatible with the character of the surrounding area, which blends the existing industrial character of the surrounding area with the more traditional architecture found on and around U of L’s campus; the building facades will be constructed using a mixture of materials, including brick and glass, and will incorporate architectural features including windows and entryways consistent with traditional development in an urban setting; the building façade will be articulated to create an interesting streetscape; and sidewalks will be available along E. Brandeis Avenue and S. Floyd Street;

WHEREAS, the Planning Commission finds the proposed variance will not cause a hazard or nuisance to the public or cause an unreasonable circumvention of the requirements of the zoning regulations because the site is surrounded by industrial uses, and LG&E facility, and a railroad track; there are no residential uses in the immediate area that will be impacted by the proposed development; the building is designed to be compatible with the pattern of development of the area and will incorporate architectural features that will complement the character of the surrounding area; and the proposed development represents a significant investment in the redevelopment and rehabilitation of an older and declining neighborhood in a manner that is consistent with the form district;

WHEREAS, the Planning Commission finds that special circumstances exist that do not generally apply to land in the general vicinity which are not the result of actions taken by the application subsequent to the adoption of the regulations from which relief is sought because the subject property is an irregularly-shaped corner parcel located in a transitional area between an old, declining industrial area and the University, and is surrounded entirely by non-residential properties, a railroad, and an LG&E facility; the Campus Form District regulations

limit only residential buildings to 45 feet in height, while nonresidential structures may be 150 feet in height; and there are several residential structures on the U of L campus that exceed 45 feet in height;

WHEREAS, the Planning Commission finds that if the requested variance is not granted, the applicant will be unable to develop the land in a manner consistent with properties in the surrounding area; a substantial number of dwelling units would be lost, making the project financially infeasible; therefore, the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and create an unnecessary hardship;

61099078.1

PROPOSED FINDINGS FOR SETBACK VARIANCE

**1900 S. Floyd Street
CASE NO. 13ZONE1018
January 6, 2014**

WHEREAS, the Louisville Metro Planning Commission ("Planning Commission") finds, based on the staff report, evidence and testimony presented at the public hearing, and the applicant's proposed findings of fact, that the requested variance to permit the proposed structure to encroach 5 feet into the 15-foot required front yard along E. Brandeis Avenue will not adversely affect public health, safety or welfare because the subject property is located on the northwest corner of the intersection of E. Brandeis Avenue and S. Floyd Street, across from University of Louisville's Belknap campus; the properties further to the north along S. Floyd Street are industrial in nature and will not be adversely affected by the variance; directly to the west is a CSX Railroad, and across S. Floyd Street to the east are properties zoned EZ-1, which contain large warehouse buildings; the surrounding property is developed in predominantly a traditional urban pattern with minimal or no setbacks or landscape buffer areas; the proposed building will incorporate site design and architectural quality compatible with the character of the surrounding area, which blends the existing industrial character of the surrounding area with the more traditional architecture found on and around U of L's campus; the building facades will be constructed using a mixture of materials, including brick and glass, and will incorporate architectural features including windows and entryways consistent with traditional development in an urban setting; and sidewalks will be available along E. Brandeis Avenue and S. Floyd Street as shown on the development plan;

WHEREAS, the Planning Commission finds that, although the property is located in the Campus Form District, the properties surrounding the subject property are developed in a traditional pattern with minimal or no setbacks; the setbacks of the new structure on the property are consistent with the existing setbacks on surrounding properties; the proposed buildings on the subject property will be constructed with a high level of architectural design that blends the existing industrial character of the area with the more traditional architecture found on and around U of L's campus; and there is a significant amount of excess right-of-way along E. Brandeis Avenue separating the proposed development from the roadway; therefore, granting the requested variance will not alter the essential character of the general vicinity;

WHEREAS, the Planning Commission finds that the proposed variance will not cause a hazard or nuisance to the public because the resultant setback will be consistent with setbacks in the vicinity; the location of the building will continue the traditional pattern of development found in the area; the properties to the north and east of the site contain an industrial uses and there are no residential properties in direct proximity to site;

WHEREAS, the Planning Commission finds that the granting the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because it will allow the proposed building to be consistent with the pattern of development in the general vicinity and will not cause any adverse impacts to surrounding properties;

WHEREAS, the Planning Commission finds that special circumstances exist that do not generally apply to land in the general vicinity because the subject property is an irregularly-shaped corner parcel located in a transitional area between an old, declining industrial area and the University, and is surrounded entirely by non-residential properties, a railroad, and an LG&E facility; the Traditional Neighborhood Form District regulations require only residential buildings to observe a 15-foot front yard setback, while mixed-use and non-residential structures may be located on the property line; thus, if the proposed building incorporated a non-residential use, the setback variance would not be required; and there is a substantial amount of excess right-of-way along E. Brandeis Avenue which serves to separate the proposed building from the roadway;

WHEREAS, the Planning Commission finds that the strict application of the regulations would deprive the applicant of the reasonable use of the land and create an unnecessary hardship because the applicant will be unable to develop the land in a manner consistent with properties in the surrounding area; the irregular shape of the parcel, being adjoined by a railroad on one side, an LG&E facility on another, and having two roadway frontages make it extremely difficult to comply with the setback requirements on all sides of the property; the applicant is not responsible for these conditions, and therefore, the circumstances giving rise to the variance are not the result of actions taken by the application subsequent to the adoption of the regulations from which relief is sought;

61099097.1

PROPOSED FINDINGS FOR LANDSCAPE WAIVER

**1900 S. Floyd Street
CASE NO. 13ZONE1018
January 6, 2014**

WHEREAS, the Louisville Metro Planning Commission (“Planning Commission”) finds, based on the staff report, evidence and testimony presented at the public hearing, and the applicant’s proposed findings of fact, that the requested waiver of Section 10.2.4. of the Land Development Code to reduce the 15-foot landscape buffer area (LBA) to 5 feet along the north property line adjacent to the LG&E facility, and to 10 feet along the west property line adjacent to the railroad will not adversely affect adjacent property owners because the properties directly to the north and west of the subject site where the landscape waiver is requested contain an LG&E electric substation and a railroad line, respectively; the properties further to the north and across S. Floyd Street to the east are all zoned EZ-1 and contain industrial uses; the surrounding properties are developed in a traditional urban pattern with minimal or no setbacks or landscape buffer areas; the proposed development will meet tree canopy requirements off site within the excess right-of-way along E. Brandeis Avenue, and street trees will be provided, as possible, along the S. Floyd Street frontage;

WHEREAS, the Planning Commission finds that the requested waiver complies with the Cornerstone 2020 Comprehensive Plan because the proposed use is consistent with the Campus Form District, which encourages a mixture of uses that serves the daily needs of residents and employees in the campus, unique building and site design elements, a high level of pedestrian and transit access, and high quality design of buildings; outdoor lighting and signage will comply with Land Development Code requirements; an LG&E substation is located north of the site, large warehouse buildings are located to the east, and a railroad is located immediately west of the subject property, and, therefore, the proposed development will create no adverse traffic, noise, lighting, or other impacts to surrounding properties;

WHEREAS, the Planning Commission finds that the requested waiver is the minimum necessary to afford relief to the applicant because the proposed development is a redevelopment of an old industrial site, which contains no existing landscaping or landscape buffer areas; the site is an irregularly-shaped parcel, further making compliance with the required landscape buffer area infeasible; and in order to develop the site as proposed while providing sufficient parking, appropriate access, and vehicle maneuvering area, the requested landscape waiver along the north and west property lines is required;

WHEREAS, the Planning Commission finds that the irregular shape of the parcel, being adjoined by a railroad on one side, an LG&E facility on another, and having two roadway frontages, make it difficult to comply with the landscape requirements on all sides of the property; the entrance and access drive from S. Floyd Street are in the most appropriate location, being as far from the intersection of S. Floyd Street and Cardinal Boulevard as possible; if the requested waiver is not granted, the applicant would be unable to reasonably develop the property in a manner consistent with surrounding properties; therefore, the strict

application of the regulations would deprive the applicant of the reasonable use of the land and create an unnecessary hardship;

61099103.1