



OFFICE OF PLANNING & DESIGN SERVICES
DEVELOP LOUISVILLE
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

YU "EMILY" LIU, AICP
DIRECTOR

Date: March 29, 2017

Case Number: 17INTERP1001

Question 1

Can the property at 523 Park Ave be converted to a Multi-Family use?

Abbreviated Answer

Yes

Background

The property at 523 Park Ave is in the TNZD Zoning District and mapped as an Institutional Use in the General Neighborhood Type.

Table 2.7.7 of the Land Development Code has the following entry concerning residential uses.

Land Use Category	Description of Uses Permitted Where Mapped
Residential Uses	
Dwellings, multifamily	Three or more residential units in the principal structure on a lot, not to exceed 34.8 dwelling units per acre for map-designated multifamily or, for replacement structures, the number of units shall not exceed previously existing density are permitted.
	Existing structures originally built as multifamily residential structures are permitted.
	Conversions may decrease the existing number of dwelling units, and shall not be permitted to exceed the existing number of dwelling units.
	Conversions to multifamily residential uses are permitted in structures where the original use has been determined to be a non-residential or institutional use.
	New multifamily residential structures are permitted only where multifamily and institutional land uses are identified on the District Plan Map.
	Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction are permitted.

The property was once used as a convent, and more recently as a day care.

Interpretation

The section of Table 2.7.7 relative to Institutional Uses does not contain a listing for residential uses. However, the Residential Uses section of Table 2.7.7 clearly permits multifamily residential uses when the original use of the building was non-residential or institutional. The relative sentence in Table 2.7.7 is as follows: "Conversions to multifamily residential uses are permitted in structures where the original use has been determined to be a non-residential or institutional use." This sentence would allow the property at 523 Park Ave to be converted into a multifamily residential use since the original use has been determined to be a non-residential or institutional use, specifically a convent.

LOUISVILLE FORWARD

www.louisvilleky.gov

METRO DEVELOPMENT CENTER 444 S. FIFTH STREET, STE 300, LOUISVILLE, KENTUCKY 40202 502.574.0000 FAX 502. 574.0000



OFFICE OF PLANNING & DESIGN SERVICES
DEVELOP LOUISVILLE
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

YU "EMILY" LIU, AICP
DIRECTOR

Question 2

How many dwelling units are permitted on 523 Park Ave if it is converted to a Multi-Family use?

Abbreviated Answer

34.8 dwelling units per acre

Background

The property at 523 Park Ave is in the TNZD Zoning District and mapped as an Institutional Use in the General Neighborhood Type.

Table 2.7.7 of the Land Development Code has the following entry concerning residential uses.

Land Use Category	Description of Uses Permitted Where Mapped
Residential Uses	
Dwellings, multifamily	Three or more residential units in the principal structure on a lot, not to exceed 34.8 dwelling units per acre for map-designated multifamily or, for replacement structures, the number of units shall not exceed previously existing density are permitted.
	Existing structures originally built as multifamily residential structures are permitted.
	Conversions may decrease the existing number of dwelling units, and shall not be permitted to exceed the existing number of dwelling units.
	Conversions to multifamily residential uses are permitted in structures where the original use has been determined to be a non-residential or institutional use.
	New multifamily residential structures are permitted only where multifamily and institutional land uses are identified on the District Plan Map.
	Replacement structures not to exceed the footprint of the previous contributing principal structure, unless approved by governing authorities in accordance with standards for new construction are permitted.

The property was once used as a convent, and more recently as a day care.

Interpretation

Relative sections of Table 2.7.7 under the listing of Residential Uses:

"Three or more residential units in the principal structure on a lot, not to exceed 34.8 dwelling units per acre for map-designated multifamily or, for replacement structures, the number of units shall not exceed previously existing density are permitted."

"Conversions may decrease the existing number of dwelling units, and shall not be permitted to exceed the existing number of dwelling units."

These sentences state that conversions may not increase the number of dwelling units. However, the previous uses did not contain a specific number of dwelling units. Therefore, the permitted number of dwelling units would remain at 34.8 dwelling units per acre.

Sincerely,

Yu "Emily" Liu, AICP
Planning Director
Louisville Metro Planning & Design Services

LOUISVILLE FORWARD

www.louisvilleky.gov

METRO DEVELOPMENT CENTER 444 S. FIFTH STREET, STE 300, LOUISVILLE, KENTUCKY 40202 502.574.0000 FAX 502. 574.0000