

Board of Zoning Adjustment Staff Report

June 18, 2018



Case No:	17DEVPLAN1197
Project Name:	Beecher Terrace Senior Living
Location:	320 Roy Wilkins Ave.
Owner(s):	Tim Barry – Louisville Metro Housing Authority
Applicant:	Tim Barry – Louisville Metro Housing Authority
Representative(s):	Missy Legel – Civil Design Inc.
Project Area/Size:	1.89 acres OR 82,165.20 sf. (Tract 2)
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Ross Allen – Planner I

REQUEST(S)

- **Re-Approval of a Category 3 Development Plan** for the proposed mixed-use 4 story 111,857 s.f. structure with proposed changes which do not impact any of the previously approved variances or waivers for the Beecher Terrace Lifelong Wellness Building - Phase I as associated with the Vision Russell Transformation Plan.

Variances and Waivers were approved on Dec. 18, 2017 at BOZA.

- **Approved of VARIANCE #1:** from LDC Section 5.2.1.C.2 to not provide/maintain a street wall, at least 3 stories in height, for the lengths of the lot frontage(s) as found along Liberty Street (proposed), South 10th Street, and Roy Wilkins Ave./9th Street.
- **Approved of VARIANCE #2:** from LDC Section 5.2.1.C.3 to allow the proposed building setback to exceed 15 feet as measured from the right of way along Fisk Court and South 10th Street.
- **Approved of VARIANCE #3:** from LDC Section 5.2.1.C.6 to allow a corner lot within the Downtown Form District to not maintain a zero foot setback from the street wall for at least 50 feet from the intersection along each street, or the width of the lot, whichever is less.
- **Approved of WAIVER #1:** from LDC Section 5.5.1.B.1.a.ii to allow surface parking to not be located completely behind all principal structures as found along Fisk Court.
- **Approved of WAIVER #2:** from LDC 5.8.1.C.1.b to not provide sidewalks at least 84 inches wide and not being constructed from the building façade to the face or the curb along Fisk Court (proposed), Liberty Street (proposed), South 10th Street, and Roy Wilkins Ave./9th Street.

CASE SUMMARY/BACKGROUND

On January 16, 2015 the Louisville Metro Housing Authority (LMHA) was awarded a \$425,000 Choice Neighborhoods planning grant from the U.S. Department of Housing and Urban Development (HUD) for the Beecher Terrace public housing development and the Russell Neighborhood. Beecher Terrace was built in 1939 and the site includes a total of 768 apartments located throughout 59 buildings on 35+ acres.

The Choice Neighborhoods Initiative, which supersedes the HOPE VI Revitalization program, is centered on three core goals: 1) To transform distressed public and assisted housing into energy efficient, mixed-income housing that is physically and financially viable over the long-term; 2) To support positive outcomes for families who live in the target developments and the surrounding neighborhoods, particularly outcomes related to residents' health, safety, employment, mobility and education; and 3) To transform distressed, high-poverty neighborhoods into viable, mixed-income neighborhoods with access to well-functioning services, high quality public schools and education programs, high quality early learning programs and services, public assets, public transportation, and improved access to jobs. Planning activities related to the grant will culminate in the development of a community-endorsed, implementable, and financially feasible Transformation Plan for the Russell Neighborhood. This plan is called Vision Russell and will continue to be developed until final submission to HUD on January 16, 2017.

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- To transform distressed public and assisted housing into energy efficient, mixed-income housing that is physically and financially viable over the long-term;
- To support positive outcomes for families who live in the target developments and the surrounding neighborhoods, particularly outcomes related to residents' health, safety, employment, mobility and education; and
- To transform distressed, high-poverty neighborhoods into viable, mixed-income neighborhoods with access to well-functioning services, high quality public schools and education programs, high quality early learning programs and services, public assets, public transportation, and improved access to jobs.

Louisville Metro Government, has contributed more than \$500,000 to the project, and is working with the LMHA and its partners, including Planning Coordinator, EJP Consulting Group, to develop financing strategies and begin securing funding to implement the Transformation Plan.

The subject site (tract 2 on Case no. 17RECORDPLAT1025) is located on a C-2 zoned tract within the Downtown Form District and is bounded by Roy Wilkins Ave./9th Street to the east, South 10th Street to the west, a newly proposed eastern extension of Fisk Court to the south, and Cedar Court, currently a walking path, which will be converted into the newly proposed Liberty Street to the north. Additionally, the proposal will encompass a portion of the Old Walnut/Beecher Park. The proposal is to construct a 111,857 sf.; 4 story building. The proposed structure is situated closest to the intersection of the newly proposed Liberty Street and Roy Wilkins Ave/9th Street. The proposal includes a six foot tall ornamental Fence enclosing a pool, pool house, and Pergola and has a 19,965 sf. gated Vehicular Use Area (VUA) with 39 parking spaces located between the proposed Structure and the newly created eastern extension of Fisk Court and will have an egress onto South 10th Street and ingress/egress on Fisk Court. The building will have access from all rights of way (all sides).

The floor plan for the proposed structure indicates the first floor with a total of 28,017 sf. will have the following uses: Family Management (includes offices, fitness, maintenance, and community room) totaling 6,854 sf., Senior Management (offices) with a total of 1,582 sf., Apartments with a total of 10,624 sf., and remaining areas (elevator, dining, laundry, fitness, sitting area, and billiard area) with a total of 8,957 sf.. The second floor will have a total of 27,694 sf. including 20,499 sf. of apartment space and areas for a doctor, sitting areas, and laundry totaling 7,195 sf. The third floor will have a total of 27,837 sf. with the following uses: salon, library, sitting areas, and laundry totaling 7,226 sf.. The fourth floor will have a total of 27,809 sf. with the following uses: apartments 20,584 sf., elevator, craft space, sitting areas, lounge, and laundry totaling 7,225 sf.

Changes to the previously approved (BOZA Dec. 18, 2017) development plan include the following: The building has been increased from 111,357 s.f. to 111,857 s.f., an increase of 500 s.f. total while decreasing the number of dwelling units from 120 to 117 (Dwelling units per acre decreased from 63.5 to 61.9) and not impacting any of the previously approved variances or waivers. The applicant has also removed the pool, 1 story pool house, and pergola for the pool canopy as located on the northeastern portion of tract 2

south of the proposed multi-use building. In the place of the pool the applicant has added a concrete pad which encompasses the northeastern corner of the structure abutting the building and having five benches on the south side along with a Pergola and 7 tables with four seats each. The Vehicular Use Area has decreased from 20,377 s.f. to 19,965 s.f. while increasing the number of parking spaces from 35 parking spaces to 39 parking spaces.

Related Cases:

- 17RECORDPLAT1025 – creation of 7 tracts from two tracts on 16.69 acres zoned C-2. Not recorded to date.
- 16AREA1001 – Area-wide change in zoning from R-7 to C-2 and change in form district from Traditional Neighborhood to Downtown. Approved by Planning Commission on 5/19/2016.
- 18LSCAPE1030 – Approved tree preservation plan.

STAFF FINDING / RECOMMENDATION (Approved at BOZA on April 18, 2017)

Staff recommends the re-approval of the Category 3 development plan for the proposed mix-use 4 story 111,857 sf. structure of the Beecher Terrace Lifelong Wellness Building – Phase I with minor revisions to the previously approved (BOZA Dec. 18, 2017) development plan and having no impact upon prior approved variances and waivers.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
<i>Subject Property</i>			
Existing	Multi-family Residential	C-2	Downtown
Proposed	Multi-family Residential (Primary use) /Mixed-Use	C-2	Downtown
<i>Surrounding Properties</i>			
North	Multi-family Residential/Public and Semi-Public (Mini-Versity Child Development Center)	C-2	Downtown
South	Multi-family Residential	C-2	Downtown
East	Multi-family Residential/Office - Residential District	C-2/OR-3	Downtown
West	Multi-family Residential	C-2	Downtown

TECHNICAL REVIEW

On March 24, 2015 a community kickoff meeting was held in the Russell Neighborhood to inform interested parties about the Choice Neighborhood planning grant, discuss the process going forward, and to facilitate discussion and receive feedback about the future of the Beecher Terrace housing complex. Better housing, more open space, commercial investment, improved safety, compatible parking, and greater accessibility were the predominant desires that arose from the workshop.

Several neighborhood task force meetings were held following the community kickoff meeting to continue dialogue between area residents and Louisville Metro staff regarding the potential redevelopment. The result of these discussions determined that a dense, mixed-use development would be the best form of redevelopment

to meet the preferences of the residents. The Beecher Terrace Housing Complex was zoned R-7 (multi-family residential) and was in the Traditional Neighborhood (TN) form district. The proposed changes in form district, from Traditional Neighborhood to Downtown, and zoning, from R-7 to C-2 were needed to allow for the increase in the land uses and density requirements to successfully redevelop the site.

On April 16, 2016 staff from the Louisville Metro Housing Authority and the Office of Advanced Planning held a neighborhood meeting and design workshop in the Russell Neighborhood, in which all affected property owners were invited to attend along with first and second tier adjacent property owners and persons or groups signed up to receive notice of Planning Commission meetings within Council District 4, 5, and 6. The purpose of the meeting was to inform property owners and residents of potential design concepts for Beecher Terrace to allow mixed use redevelopment.

As the Beecher Terrace Transformation Plan is nearing completion, Louisville Metro Housing Authority is preparing to apply for a Choice Neighborhood Implementation Grant. The application was submitted in July of 2016 the rezoning and form district change were in place for the property. The grant funding was necessary to begin implementation of the project as we are currently in the process of reviewing and potentially approving the Beecher Terrace Lifelong Wellness Building Phase I.

The Beecher Terrace site will require one-for-one replacement of any units demolished. Displaced residents would be allowed to return either on-site or to off-site replacement housing if they were lease-compliant at the time of departure from the original site and remained lease-compliant during the relocation period. Residents would not have to meet any work/income requirements in order to return, and returning residents would have a wait list preference for both on-site and off-site replacement units.

Louisville Metro's Land Development Code uses a two tiered approach to zoning. The zoning districts listed in the Land Development Code govern permitted and conditional uses, and density/intensity standards. The form district regulations are used in conjunction with the zoning district regulations, and set forth site design standards to provide a pattern or rhythm of development within each form district. Therefore, the changes to zoning districts mainly affect the uses permitted on the property, as well as the density and intensity of development permitted.

Please refer to case no. 16AREA1001 for more information concerning the rezoning and form district change.

INTERESTED PARTY COMMENTS

No formal comments have been received by interested parties.

APPLICABLE PLANS AND POLICIES

Land Development Code (LDC August 2017a)
Comprehensive Plan (Cornerstone 2020)

REQUIRED ACTIONS

- **Approve/Deny** the Category 3 Development Plan for the proposed mixed-use 4 story 111,857 sf. of the Beecher Terrace Lifelong Wellness Building - Phase I as associated with the Vision Russell Transformation Plan with minor revisions and no impacts upon previously approved variances and waivers.

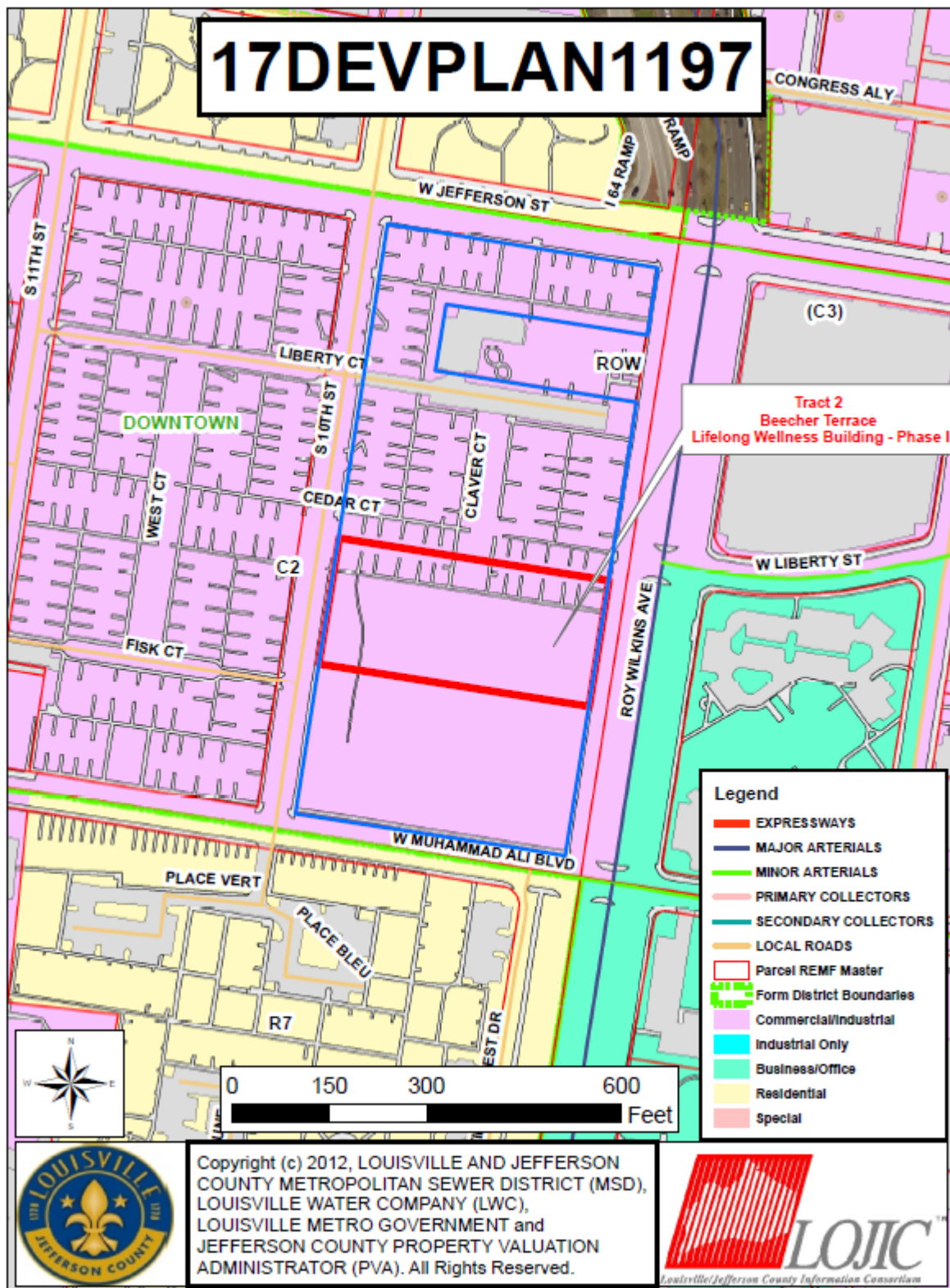
NOTIFICATION

Date	Purpose of Notice	Recipients
June 4, 2018	Hearing before DRC	1 st tier adjoining property owners Subscribers of Council District 4 Notification of Development Proposals
May 18, 2018	Sign Posting	Subject Site as located at 320 Roy Wilkins Ave.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Approved Category 3 Development Plan (BOZA Dec. 18, 2017)
4. Re-approval Category 3 Development Plan (minor changes, no impacts to existing variances and/or waivers).

1. Zoning Map



2. Aerial Photograph





4. **Re-approval Category 3 Development Plan (minor changes, no impacts to existing variances and/or waivers).**

