

**Letter of Explanation
Conditional Use Permit
Assumption Campus Building
2169 Tyler Lane
Related case: N/A**

Assumption High School is requesting approval of a Conditional Use Permit for a Private Institutional Use on property located at 2169 Tyler Lane. The main existing structure on the property was used as a convent by another owner until two years ago. The applicant wants to convert portions of the interior space of the building into offices and art studio classrooms. The main building totals 16,787 square feet. 8,746 square feet is proposed to be converted to offices. 3,571 square feet is proposed to be converted into five studio art classrooms for the school's art department. The remaining 4,470 square feet of the building will be used for storage and miscellaneous uses. No exterior construction or site improvements are anticipated. There are parking spaces on the site that can be utilized by staff, but most users of the building, including students, will park in the main Assumption parking lot and walk to the site utilizing the existing crosswalk across Tyler Lane. There is also a 4,250 square foot residence on the parcel that Assumption would like to use in some capacity related to their school in the future (possibly offices or storage space).

The property is zoned R-5, is within the Neighborhood Form District and is located in Louisville Metro. No waivers or variances are requested.

Compliance with the applicable Conditional Use Permit standards is demonstrated below.

4.2.65 Private Institutional Use in a Single-Family Zoning District

Private institutional uses, except for such uses specifically regulated elsewhere in this LDC, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements:

A. Except in the R-R zoning district, all structures, except fencing, and all off-street parking shall be at least 30 feet from any property line adjacent to an existing residential use or residential zoning district. In the R-R zoning district all structures, except fencing, shall be at least 150 feet from any property line and all off-street parking shall be at least 30 feet from any property line.

Applicant's Response: All existing structures and parking spaces are located more than 30' from any property line that is adjacent to residentially used or zoned private property.

B. The applicant must demonstrate that the impact of the traffic generated by the use can be mitigated.

Applicant's Response: The granting of this Conditional Use Permit will not generate any additional traffic that is not already travelling to and from the Assumption High School campus. The existing nine parking spaces on the property may be utilized by Assumption staff members while students attending classes in the building will

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park in the main Assumption parking lot across Tyler Lane and cross the street using the existing crosswalk.

C. Off-street parking not located within a driveway shall be located to the side or rear of the building(s). The number of required off-street parking spaces shall be determined by the Planning Director in consultation with the Director of Public Works based on the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.

Applicant's Response: The nine existing parking spaces are located behind the building and are not visible from Tyler Lane or Bardstown Road. The Director of Planning has determined that the existing parking spaces will be enough to adequately serve the proposed use on the property.

D. All activities shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).

Applicant's Response: All activities that will occur on the property will be compliant with the Metro Noise Ordinance.

E. The Board of Zoning Adjustment may set hours of operation for the institutional use in order to minimize potential negative impacts on surrounding residential properties.

Applicant's Response: The majority of the activity occurring within the building will occur during regular school hours. However, it is possible that the space could be used occasionally in the late afternoon or early evening hours for school related activities. The building will most likely be used from 7am-5pm (occasionally until 8 or 9pm) on weekdays, with occasional weekend use.

Additionally, any lighting added to the building will be compliant with the lighting requirements of the Land Development Code, will be very minimal and will face downward and away from any residential neighbors.

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Land Design & Development, Inc.

January 28, 2020

Dear Neighbor,

We are writing to invite you to a Neighborhood Meeting we have scheduled to present adjacent property owners with a proposal for a Conditional Use Permit to allow an interior renovation of an existing building located at 2169 Tyler Lane, Louisville, KY 40205. The subject building, which was used as a convent by previous owners for several years, is proposed to be used as office space and art studio classrooms by the current owner, Assumption High School.

This will be an informal meeting to give you the opportunity to review the proposed plan and discuss the proposal with the property owners and their representatives. This meeting will be held in addition to the established public meeting procedures of the Planning Commission.

Date: Tuesday, February 11th, 2020 at 6 p.m.
Location: Assumption High School Cafeteria
2170 Tyler Lane
Louisville, KY 40205

If you cannot attend the meeting but have questions or concerns, please call our land planning and engineering firm representatives Kevin Young or Mike Hill at 502-426-9374.

We look forward to seeing you.

Sincerely,
Assumption High School

P.S. – This Conditional Use Permit pre-application was filed at the office of Louisville Metro Planning & Design Services on January 17, 2020. The Planning & Design Services Case Manager assigned to this project is Jon Crumbie. Mr. Crumbie may also be contacted at 502-574-6230 to learn more about this project and the review process. The case number to reference is 20-CUPPA-0014.

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NEIGHBORHOOD MEETING NOTICE LIST

Mike Hill, AICP
Land Design & Development, Inc.
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222

Planning & Design Services
Attn: Jon Crumbie
444 S. Fifth Street
Louisville, KY 40202

Councilman Brandon Coan
Council District 8
601 W. Jefferson Street
Louisville, KY 40202

Roman Catholic Bishop of Louisville
DbA St. Raphael Catholic Church
3940 Poplar Level Rd
Louisville, KY 40213

Cathy Wilson
2134 Tyler Ln
Louisville, KY 40205

Edward & Claire Wilson
2819 Eleanor Ave
Louisville, KY 40205

Donna Mackey
2821 Eleanor Ave
Louisville, KY 40205

Susan Flynn
2153 Gladstone Ave
Louisville, KY 40205

Nancy Renzi
2165 Gladstone Ave
Louisville, KY 40205

Assumption High School, Inc
2170 Tyler Ln
Louisville, KY 40205

Garrett & Brandy French
2161 Gladstone Ave
Louisville, KY 40205

Andrew Pike & Julia Leist
2169 Gladstone Ave
Louisville, KY 40205

Mary Molter
2135 Tyler Ln
Louisville, KY 40205

Eckerle Family Wealth Trust
2137 Tyler Ln
Louisville, KY 40205

Christopher Hardt
2147 Tyler Ln
Louisville, KY 40205

Jamie Baker & Penny Mills
2157 Tyler Ln
Louisville, KY 40205

Gregory Zoeller
2161 Tyler Ln
Louisville, KY 40205

Patricia Cecil & Edward Sullivan
2815 Bardstown Rd
Louisville, KY 40205

Strathmoor Presbyterian Church
2201 Hawthorne Ave
Louisville, KY 40205

Glenda Ehrler
2214 Tyler Ln
Louisville, KY 40205

Andrew Pike & Julia Leist
2169 Gladstone Ave
Louisville, KY 40205

Michael & Sandra Mercer
1805 Aberdeen Dr
Louisville, KY 40205

William Yore
2174 Gladstone Ave
Louisville, KY 40205

Kara & David Board
2172 Gladstone Ave
Louisville, KY 40205

Charles Lickteig
2168 Gladstone Ave
Louisville, KY 40205

Joseph & Aubrey Gonzalez
2164 Gladstone Ave
Louisville, KY 40205

William Bean
2162 Gladstone Ave
Louisville, KY 40205

Jaytee Bardstown LLC
601 W. Market Street
Louisville, KY 40202

Strathmoor Building LLC
2811 Bardstown Rd
Louisville, KY 40205

Patty Jo Lynn
2207 Tyler Ln
Louisville, KY 40205

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NGH MTG LIST (CONT.)

Elizabeth Pate
2220 Gladstone Ave
Louisville, KY 40205

First Capital Bank of Kentucky
293 N. Hubbards Ln
Louisville, KY 40207

Leslie & Anthony Cissell
2156 Gladstone Ave
Louisville, KY 40205

Tracy Grizzle
2175 Gladstone Ave
Louisville, KY 40205

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Assumption High School Neighborhood Meeting Sign-In

February 11, 2020

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**Assumption High School Neighborhood Meeting Minutes
February 11, 2020**

Time and Place: The meeting was held in the cafeteria of Assumption High School at 6:00PM on Tuesday, February 12, 2020.

Opening and Introductions: Mary Lang opened the meeting with introductions and gave some background on the facilities expansion plan as well as background information on St. Catherine Convent. Currently the convent is being used for a parent prayer group and storage. The goal is to make the convent useable space. Mary reviewed the short-term and long-term plans for the building. These plans include using the building for office space during the facilities expansion and creating a workspace for teachers and then eventually adding classroom space for the arts department. The plans will give the empty building purpose and new life. The goal is to beautify the campus and be a good neighbor.

Land Development and Design Presentation: Mary Lang introduced Mike Hill from Land Development and Design. Mike Hill gave a presentation of the proposed plans for the convent as well as a timeline for the process of the application for the Conditional Use Permit. The presentation was followed by a brief question and answer segment.

Questions and Answers:

Will students continue to use the crosswalk to access the convent and can speed humps/bumps be added to Tyler?

- Yes, they will use the crosswalk. LD&D will work with the city to ensure the crosswalk is clearly marked and can relay the safety concerns to the city.

Will Rose Theatre continue to use the basement of the convent as storage?

- At this time, the plan is for Theatre to continue to use it as storage.

When will the facilities expansion be complete?

- It is scheduled to be completed fall of 2021

Will the landscape stay?

- Yes, the landscape will be cleaned up and spruced up.

Meeting Adjourned at 6:27PM

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Crumbie, Jon

From: Stuber, Elizabeth W.
Sent: Monday, February 17, 2020 9:46 AM
To: Mike Hill; Liu, Emily
Cc: Crumbie, Jon; Dutrow, Mark B
Subject: RE: Director Approval of Parking Request - 2169 Tyler Lane - 20-CUPPA-0014

Emily,

Jeff Brown did not have any issue with the parking request.

Beth Stuber, PE
Transportation Engineering Supervisor

From: Mike Hill <hill@ldd-inc.com>
Sent: Friday, February 14, 2020 1:47 PM
To: Liu, Emily <emily.liu@louisvilleky.gov>
Cc: Crumbie, Jon <Jon.Crumbie@louisvilleky.gov>; Stuber, Elizabeth W. <Elizabeth.Stuber@louisvilleky.gov>; Dutrow, Mark B <Mark.Dutrow@louisvilleky.gov>
Subject: RE: Director Approval of Parking Request - 2169 Tyler Lane - 20-CUPPA-0014

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Thanks for the quick response, Emily.

I look forward to hearing back from Beth/Jeff.

Michael D. Hill, AICP
Senior Land Planner
Land Design & Development, Inc.
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222
Phone: (502) 426-9374
Fax: (502) 426-9375
hill@ldd-inc.com
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From: Liu, Emily <emily.liu@louisvilleky.gov>

Sent: Friday, February 14, 2020 1:37 PM

To: Mike Hill <hill@ldd-inc.com>

Cc: Crumbie, Jon <Jon.Crumbie@louisvilleky.gov>; Stuber, Elizabeth W. <Elizabeth.Stuber@louisvilleky.gov>; Dutrow, Mark B <Mark.Dutrow@louisvilleky.gov>

Subject: RE: Director Approval of Parking Request - 2169 Tyler Lane - 20-CUPPA-0014

Mike, I agree that the existing parking spaces should adequately accommodate the proposed use under this case.

Beth, can you check with Jeff Brown to make sure Public Works is fine with it? The LDC requires consultation with Public Works before final determination is made.

Thanks!

Emily

Yu "Emily" Liu, AICP

Director

Planning & Design Services

Department of Develop Louisville

LOUISVILLE FORWARD

444 South Fifth Street, Suite 300

Louisville, KY 40202

(502) 574-6678

<https://louisvilleky.gov/government/planning-design>

From: Mike Hill <hill@ldd-inc.com>

Sent: Friday, February 14, 2020 1:18 PM

To: Liu, Emily <emily.liu@louisvilleky.gov>

Cc: Crumbie, Jon <Jon.Crumbie@louisvilleky.gov>; Stuber, Elizabeth W. <Elizabeth.Stuber@louisvilleky.gov>; Dutrow, Mark B <Mark.Dutrow@louisvilleky.gov>

Subject: Director Approval of Parking Request - 2169 Tyler Lane - 20-CUPPA-0014

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Emily,

Per Section 4.2.65.C (CUP for Private Institutional Use) I am requesting that you please make a determination on the adequacy of the existing parking spaces for 20-CUPPA-0014. This is a proposed CUP located at 2169 Tyler Lane, right across the street from Assumption High School. The existing building, which is already owned by Assumption, was previously used as a convent and Assumption is proposing to renovate the interior of the building for offices and art

studio classrooms. No exterior construction is proposed. The site has nine existing parking spaces in which the applicant intends to restrict to school staff use only. The students attending the art classes, during regular school hours, will already be parking across the street in the main Assumption parking lot. There is an existing crosswalk across Tyler Lane that will be utilized by the students. This request will not generate any new traffic beyond what Assumption already experiences. I've attached two exhibits for your reference.

We feel that the existing parking situation will adequately accommodate the proposed use requested under this CUP. We were advised by our case manager to make this request of you.

I look forward to receiving your response and please let me know if you have any questions.

Thanks

Michael D. Hill, AICP
Senior Land Planner
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503 Washburn Avenue, Suite 101
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This Deed between Fidelity & Columbia Trust Company, a corporation, Trustees under the will of Edward D Briscoe, deceased, party of the first part, and Carrie Ehrmann, wife of George W Ehrmann, party of the second part,

Witnesseth, That for a valuable consideration, the receipt of which is hereby acknowledged and in pursuance of the power of sale vested in said first party under the will of said Edward D Briscoe, deceased, dated March 20, 1896, and recorded in Will Book 20, page 364, in the office of the Clerk of the County Court of Jefferson County, Kentucky, and for the purpose of reinvesting the proceeds, the said party of the first part does hereby convey unto the party of the second part, in fee simple, with covenant of General warranty, the following described real estate situated in Jefferson County, Kentucky, about five miles southeastwardly of the Court House in the City of Louisville, and bounded thus.

Beginning in the northwestern line of Tyler Avenue two hundred and nine feet, two inches southwestwardly from the intersection of said line of Tyler Avenue with the southwestern line of the Bardstown Road, thence northwestwardly one hundred and sixty feet to a point in an alley 10 feet wide, one hundred and eighty one feet, two inches, southwestwardly from the southwestern line of said Bardstown Road, as measured on a line parallel with Tyler Avenue, thence with said alley, and parallel with Tyler Avenue, southwestwardly one hundred feet, thence southeastwardly one hundred and sixty feet to a point in the Northwestern line of Tyler Avenue, three hundred and nine feet, two inches, Southwestwardly from Bardstown Road, thence with Tyler Avenue northeastwardly one hundred feet to the point of beginning. Title to said property, with power of sale, being vested in first party under the will aforesaid.

The party of the first part further covenants that it is lawfully seized of the estate hereby conveyed, has full right and power to convey the same, and that said estate is free from all encumbrances, except taxes for the year 1917, which second party hereby assumes and agrees to pay.

Provided, however, that the foregoing warranty and covenants of title, are made by the party of the first part in its capacity as trustee, as aforesaid, and shall bind it only to the extent of assets of the estate in its hands at the time of notice to it of the breach of any of such covenants or warranty.

It is mutually agreed between the parties hereto that the following restrictions as to use and improvement of the property on Tyler Avenue, shall be observed, viz,

First: Said second party agrees to erect a residence of brick, brick veneer, or stucco, two stories in height, or of the bungalow type, and adhere to a building line, said line to be a distance of forty feet from the main wall of said dwelling to the property line, said building to cost not less than Four Thousand Dollars.

Second All partition fences to be of wire, and not to extend nearer the front than the rear end of the main wall of residence.

Third All out buildings to be one story, and on the rear end of said lot.

Fourth The property is not to be rented or sold to any person or persons of another descent.

Fifth The above restrictions to apply to all buildings erected on Tyler Avenue back as far as Lot Numbered Eight, same restrictions to apply from Lot Numbered Eight to Lot Numbered Fifteen, excepting that the cost of the dwelling erected is to be not less than Thirty five Hundred Dollars.

Sixth All buildings erected are to be used exclusively for residence purposes.

In testimony whereof, the party of the first part by its President thereto duly authorized by resolution of its Board of Directors, has hereto signed its name and affixed its corporate seal this 8th day of September, 1916.

FIDELITY & COLUMBIA TRUST COMPANY,
Trustee, under the will of Edward D Briscoe,
deceased

By Joe W Barr, Jr., President

#29
Fidelity & Columbia
Trust Co
Carrie Ehrmann
Rec'd
9/20/16

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MAR 12 2020

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