

CHANGE IN ZONING JUSTIFICATION STATEMENT
CASE NO. 22-ZONEPA-0060

Renaissance on Broadway, LP.
R-5, Single-Family Residential & R-7 Multi-Family Residential to R-7, Multi-Family Residential
Detailed District Development Plan

May 27, 2022

REQUEST SUMMARY

Renaissance on Broadway, LP (the "Applicant") is requesting a change in zoning district designation from R-5, Single-Family Residential and R-7, Multi-Family Residential to R-7, Multi-Family Residential for properties located at 4440 and 4422 West Broadway, Louisville, KY 40211 (the "Property"), which are owned by Christ Temple Christian Life Center and Christ Temple Apostolic Church Inc., respectively (taken together, the "Owners"); when the two parcels are consolidated, the Property will be 4.39 acres in size. The Applicant files its zoning request alongside a detailed development plan, drafted by Luckett-Farley (the "Plan"), depicting thereon a footprint to a proposed brand new, four-story apartment building, wherein fifty-five (55) affordable dwelling units of varying rental rates and supporting amenities will be constructed, along with parking and underground stormwater detention (the "Proposal"). The Property is in the Chickasaw Neighborhood and part of an established Traditional Neighborhood Form. More specifically, the Property fronts the south side of W. Broadway, near its western terminus at Southwestern Parkway and Shawnee Park; across W. Broadway, a minor arterial roadway, to the north are six parcels of property, all zoned R-7, Multi-Family Residential; to the west, the Property fronts S. 45th Street; to the immediate south of the Property is Doerhoefer Avenue; and to the east are two properties, one – 724 S. 44th Street – is Christ the King Church, and the other – 700 S. 44th Street – is an R-8A Multi-Family Residential property that holds the corner of 44th and W. Broadway, zoned R-8A and owned by Housing Partnership Inc.

The Applicant's Proposal is in agreement with Louisville Metro's Plan 2040 Comprehensive Plan ("Plan 2040"), because it offers much needed quality affordable housing to residents in the 30%, 50% and 60% AMI ranges, including to residents whom have recently aged out of foster care. Considering Louisville Metro's Housing Needs Assessment Report, the Chickasaw Neighborhood is located within the West Core housing market, which is very much in need of affordable and available homes to families earning 30% and 50% AMI. The Applicant's and the Owners' Proposal will provide affordable housing units to these families in need with a brand new building designed with current architectural style and equipped with updated amenities to serve the residents. In short, the applicant's Proposal seeks to provide a new, different style of multi-family housing to the immediate area, yet sensitive to its neighboring properties and the W. Broadway Corridor, thereby adding to the diversification and affordability of housing types in the Traditional Neighborhood Form. Consequently, the proposed rezoning from R-5 Single-Family and R-7 Multi-Family to R-7, Multi-Family complies with Metro's Plan 2040 Comprehensive Plan, is appropriate for the Property and, as more fully justified herein, therefore, should be approved.

THE PROPOSAL IS IN AGREEMENT WITH AND CONFORMS TO ALL APPLICABLE PLAN ELEMENTS, GOALS, OBJECTIVES AND POLICIES OF PLAN 2040, A COMPREHENSIVE PLAN FOR LOUISVILLE METRO

Plan Element 1 – Community Form

The Property is within the Traditional Neighborhood Form. Plan 2040's Community Form Goal 1, Policy 3.1.2 describes the Traditional Neighborhood Form District as characterized by predominantly residential uses, by a grid pattern of streets with sidewalks. 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 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. *There is usually a significant range of housing opportunities, including multi-family dwellings and traditional neighborhoods often have and are encourage to have a significant proportion of public open space such as parks.* (Emphasis added).

The Property is located in the Chickasaw Neighborhood in West Louisville, one block east of where W. Broadway terminates at Southwestern Parkway. The Applicant's Proposal aims to address a dire need for more affordable housing in Louisville Metro, including in markets where folks with 50% AMI or less are in need of quality, secure housing. According to Louisville Metro Housing Authority's Housing Assessment Report, the Property is located in the West Core market of Louisville Metro, which is a housing market where family households making 30% to 50% AMI have difficulty finding available housing in which to reside. The Applicant's Proposal will bring new affordable housing to the West Core market, deploying current design and green construction, with quality, sustainable building materials, catty-corner from a large public park, and will be served by multi-modal transportation. The proposed building will be four (4) stories and have its fourth story setback from the front façade to reduce massing and scale as the building relates to W. Broadway and to neighboring buildings; the footprint of the building is twenty-thousand square feet (20,000 sf). Brick, glass, and architectural metal, among other materials, will be utilized in constructing the building; the color of the building's brick will match the brick on the Christ Temple Apostolic Church building, harmonizing the look and feel of the structures on the Property. The rezoning R-7 is appropriate for the Property, which already has a significant portion of its area already zoned R-7, because R-7 zoning is prevalent along both sides of the W. Broadway corridor, and the property to the immediate east of the Property is zoned R-8A, Multi-Family Residential. After consolidation of the 4440 and 4422 W. Broadway properties, and with the existing twelve (12) dwelling units, the addition of the proposed fifty-five (55) units (67 units total on the property) will yield a density of 15.3 units an acre, well within the allowable limits for R-7 zoning, and thereby contributing to the mix of densities in the neighborhood. As a result, the Proposal will diversify and strengthen the Traditional Neighborhood Form surrounding the Property.

The primary entrance to the building will be on its western façade, which Property relates to the parking and drop-off area immediately to the west of the building. Pedestrian connections from the building connect residents from the building to the parking area. Another entrance and exit to/from the building will be on the front façade, where pedestrian connections link the door to sidewalks along W. Broadway. Twenty-four (24) parking spaces are planned in support of the building, well below the maximum parking count of one hundred ten (110). A ride-sharing program is proposed to assist residents who do not have or want to own an automobile; the program is sponsored by a major car manufacturer and will allow for licensed residents to rent automobiles for a specified duration. The parking field on the Property will be well-landscaped. The Applicant's Proposal will not detract from

the existing neighborhood form by inserting adverse traffic impacts to the immediate area, however. The request to add fifty-five dwelling units will not generate significant traffic trips to cause disruption of existing traffic flows, over-capacitate existing roadway infrastructure, especially in light of multi-modal transportation options available to serve the residents of the Property. Renaissance on Broadway will not bring about any known nuisances, such as noise, odor, intrusive lighting, or out-of-place visual intrusions to existing viewsheds or neighboring properties. As such, and for the foregoing reasons, the applicant's request for R-7 zoning for the Property is in further agreement with Plan 2040's Community Form Goal 1.

The applicant's Proposal advances Goal 2 of Plan 2040's Community Form because with its relatively compact site design for a church, the proposed apartment building and the Christ Temple Christian Life Center, which operates out of the historic Doerhoefer Mansion, all together on 4.39 acres fronting a major, mixed-use corridor in W. Broadway. With the addition of the apartment building to the Property, the site will operate efficiently and cost-effectively via the sharing of utilities, curb cuts and parking. Goal 2 of Community Form looks to accomplish, among other objectives, the promotion of corridors for investment, encouragement of diverse land uses to enhance quality of place and provide safe mobility options to strengthen connectivity around centers and corridors. The proposed change in zoning improves the applicable Traditional Neighborhood Form, further diversifying its stock of quality housing, adding new architecture to the W. Broadway corridor while also supporting the commercial uses sprinkled throughout the W. Broadway corridor. Safe connections to existing roadways, bike lanes and sidewalks support movement of people between neighborhoods and beyond.

The applicant's Proposal is also in concert with Goals 3 and 4 of Plan 2040's Community Form because the site enhances the neighborhood by strengthening the connection between the Property and the Shawnee Park across W. Broadway, where myriad activities, exercise, and recreation can take place. The Applicant looks to protect the existing trees on the Property and supplement the plantings on the site with additional landscaping. The Property contains no real other vital resource systems to protect, such as steep slopes, streams or wetlands. No karst has been identified onsite. Development of the Property will avoid substantial changes to the site's existing topography. All applicable building setbacks will be met. Additionally, light impacts on adjacent properties will be inconsequential, building height will meet LDC requirements and is designed to respect neighboring properties and the W. Broadway corridor, notably with the fourth-floor setback. Accordingly, the proposed development complies with Plan 2040's Community Form Plan Element. The Property is home to the Peter C. Doerhoefer House and designated an individual landmark. Applicant and the Owners are working closely with the Louisville Metro Landmarks Commission on the design of the proposed building as well as on mitigation efforts related to the mistaken permitting of removal of a contributing historic structure to the Property.

Plan Element 2 – Mobility

The Applicant's Proposal complies with Plan 2040's Mobility Plan Element and its three Goals because, when developed, the Proposal will furnish and maintain proper site access, efficient and safe circulation throughout the Property for pedestrians and vehicles, while creating little to no adverse traffic-related effects onto adjacent areas. As typical in traditional neighborhood forms, the Property is served by a surrounding grid of interconnected roadways and pedestrian connections, which allows for the safe and efficient flow of cars, bikes and pedestrians to and around the Property. The primary vehicular access to the Property will be from S. 45th Street, which is a local road. Today, two (2) vehicular connections from W. Broadway to what will be the consolidated property exist -- one (1) to the current 4440 W. Broadway property, and one (1) to the 4422 W. Broadway property. Should the zoning application be approved and the properties consolidated, the current vehicular access to the

4422 W. Broadway property will be removed and the access from S. 45th Street to the proposed building will be utilized. Existing sidewalks along S. 45th Street, W. Broadway, and S. 44th Street border the Property and existing pedestrian connections from these sidewalks will remain while additional connections from the proposed building to those sidewalks will be installed on the Property. Said mobility upgrades will supply even more connections between the Property and the surrounding grid of pedestrian connections in the immediate area, providing safer, quicker passage for residents to access surrounding areas, including nearby Shawnee Park. Thus, the Proposal's access design is appropriately coordinated for current use and for future roadway and pedestrian improvements.

W. Broadway is classified as a minor arterial level roadway equipped with pedestrian connections and bike lanes, is of the level roadway that can easily absorb the moderate vehicular traffic generated by 55 new dwelling units, and is served by a local TARC route. Bicycle parking will be furnished onsite. Accordingly, the proposed rezoning of the Property to R-7, Multi-Family Residential is in agreement with Plan 2040 Mobility Goals and applicable Objectives and Policies because it will allow the appropriate location of residential density, including accessible affordable housing, near multi-modal transportation options, including transit. Thus, future residents can take advantage of mobility options other than wholly relying upon vehicular transportation or, at least reduce the miles traveled solely by vehicle. The Property is located just over a mile from the Watterson Expressway and over two (2) miles to the downtown central business district.

Proposed roadway and entrance intersections will meet the requirements for landing areas, as set by Louisville Metro Public Works; safe sightlines will be established and maintained for all points of access into the Property. The applicant's Proposal avoids access to surrounding development through areas of significantly lower intensity or density. Circulation and turning radii will all meet minimum standards of Metro Transportation Planning and Public Works. The minimum grade of all streets shall be 1% and the maximum grade shall be 10%. Construction plans, bond, and permit are required prior to construction approval by Louisville Metro Public Works. A sufficient amount of parking to serve the site will be provided on the Property and ridesharing programs amongst residents will be established and encouraged. Street trees will be planted in accordance with LDC requirements and in a manner that does not interfere with sight distances or create public safety issues. For the aforementioned reasons, the applicant's Proposal therefore complies with Plan 2040's Mobility plan element and all applicable objectives and policies therein contained.

Plan Element 3 – Community Facilities

Plan 2040's Community Facilities Plan Element provides guidance and recommendations for the proper integration of necessary community resources across Louisville Metro to plan and maintain accessible facilities that will improve the quality of life for existing and future residents and visitors of Louisville Metro. The Proposal complies with the Community Facilities Plan Element of Plan 2040 and all its applicable Goals and Policies because although the Proposal itself is not intended to be a community facility, it will be served by all necessary utilities, including water, sewer, electricity, telephone and cable, all of which are currently available to the site without extensive costs or disturbances to private or public properties. The Property is located within the Urban Service District. To the extent possible, compatible utilities will be located within common easements and trenches, as required by each utility. Sanitary sewer will be provided by property service connection and waste water treatment provided by Morris Forman Treatment Plant; sanitary sewer facilities shall conform to MSD's adopted standards. The development also has an adequate supply of potable water and water for fire-fighting purposes; Renaissance on Broadway will be served by the Louisville Fire District #1 and the Second Division of the Louisville Metro Police Department. Recreational space is readily

accessible to residents almost directly across West Broadway at Shawnee Park and at Chickasaw Park, though not as near to the Property as Shawnee Park, is located nearby on Southwestern Parkway.

Plan Element 4 – Economic Development

Goal 1 of the Plan 2040's Economic Development Plan Element strives to provide an economic climate that improves growth, innovation, investment and opportunity for all. Goal 2 of the Economic Development Plan Element is to cultivate a vibrant, unique city that attracts, retains, and develops a highly-skilled workforce; Goal 2 lists as one of its objectives protecting and improving the economic value of the neighborhood. Here, the applicant requests approval from Louisville Metro to construct an apartment building on West Broadway, a minor arterial roadway served by a local TARC route, that will add dwelling units varying in levels of affordable rents, thereby allowing for new residents to have much needed housing with access to mobility options for work, school, and activities located in other areas of Louisville Metro. Thru its zoning application and associated Plan, the applicant seeks to add brand new, secure dwelling units to the inventory of affordable housing options in the Chickasaw Neighborhood, which supports the goal of attracting, retaining, and developing a highly-skilled workforce because workers need safe, secure housing. Moreover, the quality of the proposed building will advance the goal of protecting and improving the economic value of the surrounding neighborhood and associated Traditional Neighborhood Form, while also providing levels of affordability to its residents, so that the residents will not have to devote overly burdensome amounts of their respective incomes toward housing costs, and, in turn, the residents will have more of the percentage of their incomes to spend on other necessities, thereby contributing to economic development in the area.

The applicant's Proposal adds to the diversity in housing and housing types in the traditional neighborhood form fronting the West Broadway corridor, and the future residents will support the neighborhood-serving commercial uses (and vice versa) either through the purchase of goods and services or through filling needed employment, all of which are facilitated by safe, accessible and convenient multi-modal transportation, whether by car, bike and/or walking. Consequently, Renaissance on Broadway is an ideal project for individuals or small families needing safe, affordable housing while pursuing new job opportunities and are shopping for housing within a walkable community and supported by access to nearby commercial, employment and recreational opportunities. Accordingly, the Proposal advances Plan 2040's Economic Development Plan Element because it adds to the availability and diversity of quality housing located near job and commercial activity centers.

Plan Element 5 – Livability

The Livability Plan Element of Plan 2040 gives guidance and direction for the provision and maintenance of resources necessary for the health and well-being of Louisville Metro's citizens. The applicant's Proposal is consistent with the applicable policies of Plan 2040's Livability Plan Element, notably those set forth under Goal 1 of the Plan Element, because with the development of the Property, the applicant, in an effort to enhance the natural environment and integrate it with the built environment, will develop the Property in a manner that respects its topography, protects environmental features, and supplies additional tree canopy all while efficiently hooking up to necessary utilities to serve the Property and without causing disruption to neighboring properties.

Per LDC Table 10.1.1, because the site is located within the traditional neighborhood form district, no tree canopy is required. The Applicant will plant additional trees onsite, however, thereby adding to its existing tree canopy. The applicant will make certain street trees are planted in a manner that does not affect public safety or hamper sight distances; existing street trees along W. Broadway

will be retained. Perimeter setback areas on the Property will be maintained. The Property will be well-landscaped with plant species native to the area and Kentucky in general, which will help blend the natural and built environments of the Property, and improve aesthetics of the Property as it related to W. Broadway and from the perspective of neighboring properties. Required mosquito control shall be provided in accordance with Chapter 96 of the Louisville Jefferson County Metro Government Ordinances. A karst survey was conducted on the Property and, therefrom, no karst features were identified.

Although no open space is planned for the site with the proposed rezoning of the property and construction of the apartment building (LDC requires zero open space for the Property), easy, convenient access for residents is available to over 200 acres of open space at Shawnee Park, which is located at 4501 W. Broadway and catty-corner to the Property. Having such close proximity to Shawnee Park will be a great benefit for future residents on the Property because opportunities for recreational and physical activities are merely steps away from their dwelling units. An additional 60 acres of open space is available to residents less than a mile to the south from the Property at Chickasaw Park, located on Southwestern Parkway.

The applicant's proposed rezoning of the Property to R-7, Multi-Family Residential further complies with Plan 2040's Livability Plan Element because the Proposal includes installing underground onsite stormwater detention infrastructure to serve the new development and rest of the Property. After its installation, the underground detention will help ensure that the post-development discharge to the 10-year pre-developed discharge, per section 10.3.1.2 of the MSD Design Manual. Pre-developed drainage area and flow rate are to be evaluated and downstream capacity is to be verified prior to MSD construction plan approval. As a result of installation of new infrastructure, the site will properly drain, per MSD requirements, thereby protecting adjacent and downstream properties from adverse impacts of stormwater drainage exiting the Property (*See Detailed District Development Plan, General Notes 2, 3, 7, 26*). The underground drainage basin will be constructed underneath the proposed parking field, just to the west of the proposed apartment building, where it is centrally located to collect stormwater properly piped from various areas of the Property, and the underground basin will hold the stormwater while it discharges at an appropriately safe rate into the greater combined sewer and stormwater system. Today, no stormwater detention infrastructure exists onsite to properly drain and hold stormwater prior to it exiting from or puddling on the Property. Consequently, with the addition of the stormwater infrastructure, stormwater drainage will improve for the Property and hopefully assist in drainage of pooling water on neighboring properties, too. Moreover, the development preserves on-site, natural drainage features to accommodate runoff, assuming the full buildout of the watershed as required, and will maximize the saturation capacity of the soil in accordance with Metropolitan Sewer District ("MSD") requirements.

The Property's existing service connection to MSD sanitary sewer infrastructure will protect groundwater sources underneath the development and on adjacent properties. The Property contains thereon no wetlands nor areas within the 100-year flood hazard area per FEMA Map No. 21111C0023F & 21111C0039F, dated February 26, 2021. Accordingly, emergency vehicle access will traverse ground above any flood levels that might impact the Property. Moreover, before the applicant can proceed to the Planning Commission's Land Development and Transportation Committee meeting, MSD must be satisfied with the applicant's proposed stormwater management system. To ensure completion of proposed storm-water infrastructure, the Property will be subject to MSD drainage bonding prior to construction plan approval. The final design of this project must meet all MS4 water quality regulations established by MSD. The layout of the site may change at the design phase to facilitate proper sizing of green best management practices (BMPs). Finally, an erosion prevention and

sediment control plan will be implemented prior to construction utilizing best management practices as required by the MSD.

As evidenced by the renderings submitted as part of the applicant's zoning application, the Renaissance on Broadway apartment building will have quality, well-manufactured building materials that will deploy sustainability and efficient energy use. The four-story structure is designed for accessibility to support residents and guests of different ages and physical abilities, including an elevator to access floors 2 through 4. The applicant's Proposal complies with Plan 2040's Livability Plan Element because the applicant proposes a well-designed multi-family residential community of 55 multi-family lots which, as a whole, will cause minimal impacts to existing traffic along W. Broadway, 46th, 44th, Doerhoefer Avenue and surrounding streets. Pedestrian connections from the proposed building to existing sidewalks and supporting parking areas will serve the site and existing pedestrian connections along W. Broadway and 45th St. will be repaired and updated, as necessary. Thus, the Proposal will encourage pedestrian activity throughout the site, connect the multi-family dwelling units to the grid of pedestrian connections established throughout the area, including to large recreational space cattycorner to the site at Shawnee Park. Close proximity to neighborhood-serving commercial uses located along W Broadway corridor, which maintains bike lanes and access to transit, enables access to commercial goods and services through vehicular, pedestrian, bicycle and transit traffic. All of these measures will improve traffic conditions and, as a result, will minimize air pollution. Therefore, the proposed rezoning complies with Plan 2040's Livability Plan Element.

Plan Element 6 – Housing

The Housing Plan Element strives to enhance housing opportunities for all citizens of Louisville Metro by promoting equitable housing means and ensuring diverse, quality, physically accessible, and affordable housing choices with access to employment opportunities, services and amenities. The following three Goals are set forth within the Housing Plan Element: 1) Expand and ensure a diverse range of housing choices; 2) Facilitate the development of connected mixed-use neighborhoods; and 3) Ensure long-term affordability and livable options in all neighborhoods. As discussed herein, the Applicant's Proposal advances all three Goals of the Housing Plan Element. Renaissance on Broadway will furnish quality-designed, well-constructed, sustainable apartment building on property that is already zoned largely R-7, Multi-Family Residential, which will add safe and secure affordable housing for mixed-income residents and a number of individuals graduating from foster care programs and in need of independent housing, thereby diversifying the existing housing types, styles and design within the market of the Property's existing Traditional Neighborhood Form.

The Proposal is in agreement with the applicable policies of Housing Goals 1, 2, and 3 because the development of Renaissance on Broadway on the Property will widen the supply of housing product and diversify the type of homes in this particular real estate market while also addressing a dire need in Louisville Metro – an inventory of quality affordable housing. Indeed, Renaissance on Broadway will be a new 55-unit, four-story elevator apartment building consisting of 18 one-bedroom and 37 two-bedroom apartments and rents will be affordable to persons at 30, 50 and 60 percent of Area Median Income located on Property that is supported by multi-modal transportation options, including transit. 20 percent of the dwelling units will be utilized by residents who have recently aged out of foster care and need housing. This proposed development is crucial for addressing Louisville Metro's dire affordable housing crisis. Indeed, per Louisville's Office of Housing and the Louisville Affordable Housing Trust Fund's (LAHTF) Housing Needs Assessment Report ("Report"), the Property is within the Report's West Core market. According to the Report, more than half of all West Core families earn 50% AMI or less, and there is a shortage of homes affordable to these low-income families. Further, the Report identifies a void in affordable housing investment within the West Core market, for an

estimated 1,772 of its 30% AMI families and 672 of its 50% AMI families. Lastly, in West Core market, 61% of households are renters, and over half of those renters have an income at or below 30% AMI and the housing supply can only meet the needs of 53% of 30% AMI renters.¹ The Proposal will respond directly to this housing shortfall. And, what's more, all the utilities are included in the tenant paid rent, which is a part of the innovative strategy for the project. The goals of this revitalization effort are to enhance the quality of life its of residents by putting more money back into their pockets through addressing not only affordable rents but also managing transportation and utility cost and by creating a "caring network" of case management workers and volunteers that are interested in building trusting relationships with residents and especially those residents that are aging out of foster care.

To support these efforts to improve the quality of life for residents, the building will feature extensive common areas with offices, activity rooms, an exercise center, a classroom with a computer lab, a coin operated laundry facility and an interior courtyard including a community garden and playground. Design features to improve resident safety will be incorporated into the building. There will be an enhanced video/security system to manage tenant safety and access with proven bidirectional audio/video technologies. There will be fire extinguishers in the common areas and peep holes in exterior doors of the units. Units will include dishwashers and garbage disposals. The innovative components of the development involve smart meters and thermostats – residents can monitor energy usage with their smart phones/tablets and remotely adjust their usage in real-time. Newly planted trees and landscaping throughout the site will improve its appearance and strengthen its compatibility with neighboring properties.

Consistent Plan 2040's Housing Plan Element, the Applicant's proposed rezoning will help ensure long-term affordability and livable options in a traditional neighborhood form because the development of Renaissance on Broadway on the Property appropriately places manageable density of much needed, well-designed and quality-constructed multi-family housing style on the minor arterial W. Broadway corridor within an area already consisting of various housing styles, ages and price points; the addition of Renaissance on Broadway adds current housing styles to this area's evolution. The Property is supported by existing infrastructure, near recreation options, and within short distances to workplaces, commercial goods, services, and entertainment options. The construction of the new multi-family building does not displace existing residents, however, as the twelve (12) existing residents on the Property will remain. The development of the Property allows for new residents to move to the area and for existing residents in the area to remain residing affordably within the neighborhood.

¹ Louisville Housing Needs Assessment – West Core Housing Market Area Profiles, <https://louisvilleky.gov/housing/document/westcorepdf>.