

Planning Commission
Staff Report
March 30, 2023



Case No:	22-ZONE-0075
Project Name:	Renaissance on Broadway
Location:	4402 W Broadway
Owner(s):	Christ Temple Apostolic Church
Applicant:	Renaissance on Broadway LP
Jurisdiction:	Louisville Metro
Council District:	5 – Donna Purvis
Case Manager:	Jay Lockett, AICP, Planner II

REQUEST(S)

- **Waivers**
 1. **Land Development Code** section 5.4.1 to permit residential development that does not conform to the 4 basic components of traditional site design.
 2. **Land Development Code** section 10.2.10 to not provide the required 5-foot Vehicle Use Area Landscape Buffer Area adjacent to the Roman Catholic Bishop of Louisville property.
- **District Development plan** with Binding Elements

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct 42 multifamily dwelling units in a single building. The subject site is approximately 4.39 acres and currently contains a mix of multifamily residential units, religious institution and historic sites. The site is located in western Louisville Metro across from Shawnee Park. The vicinity along W Broadway contains a mix of housing types and nonresidential uses, while the neighborhood area surrounding the rear of the subject site is predominantly single family residential.

The site is an Individual Landmark which is known as the Peter C Doerhoeffer House. The house itself was recently demolished by the applicant. The applicant subsequently received a Certificate of Appropriateness concerning demolition after-the-fact as well as the initially proposed 4-story structure for the site, subject to Conditions of Approval. The revised 3-story structure is still under review by Historic Preservation staff.

The Planning Commission recommended that the Louisville Metro Council approve the change in zoning from R-5 to R-7 for this site at the March 16, 2023 hearing. They denied the waiver from the four areas of traditional residential site design and the district development plan.

STAFF FINDING

The proposal would provide opportunities for fair and affordable housing in an area with ready access to services, amenities and employment opportunities.

The waivers and Detailed District Development Plan are adequately justified and meet the standards of review. The proposed structure is consistent with multifamily development in the Traditional Neighborhood Form District found throughout the city.

TECHNICAL REVIEW

As of the publication of this staff report, no revised development plan has been submitted.

The preliminary plan presented to the Planning Commission on March 16, 2023 had been approved by MSD and Transportation Planning.

During the course of the review of this project, the applicant has reduced the scale from an initial proposal for 55 units in a 4-story structure to a proposed 42 units in a 3-story structure. The Individual Landmarks Architectural Review Committee approved the 4-story design on May 25, 2022. The 3-story structure has not yet been reapproved. Historic Preservation Staff are currently reviewing the revised proposal.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the **Waiver(s)**.
- **APPROVE** or **DENY** the **Detailed District Development Plan with Binding Elements**

INTERESTED PARTY COMMENTS

Several area residents have contacted staff to express their opinions regarding this proposal. See attachments for resident emails and petition.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 1

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as the adjacent properties are developed at a similar scale and site design. The retirement community to the east is a 3-story structure with associated parking, while the Basil Doerhoeffer House is a historic mansion converted to multifamily dwellings. To the rear of the proposed development is Christ the King Church. There are other multifamily developments in the area along W Broadway that similarly do not comply with the 4-areas of traditional site design.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: The waiver will not violate the Comprehensive Plan, as the structure meets all multifamily building design requirements found in the Land Development Code. The site has close access to Shawnee Park, providing opportunities to residents for recreation and outdoor activities without a private yard area. Parking is provided along the side of the structure and served via shared access through the site behind the proposed structure. The proposal would create additional affordable housing options in an area with access to services, amenities and employment opportunities. The site is served by transit and has dedicated bike lanes along W Broadway.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as the site is irregularly shaped and occupied with multiple principle structures. Apartment buildings are found throughout the Traditional Neighborhood Form District areas of Louisville Metro that similarly do not follow the 4-areas of traditional site design. Numerous examples of similar-scale urban apartment development can be found throughout West Louisville, Old Louisville, Cherokee Triangle and other older areas of the city.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 2

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as the area to be screened on the adjacent property is a parking lot that shares access through the subject site.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: The waiver will not violate the Comprehensive Plan, as all required planting and screening will be provided elsewhere around the site.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant. All other screening and planting required will be provided on the subject site.

- (d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as the buffer area would be between two parking areas that share crossover access.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR (R)DDDP and/or AMENDMENT TO BINDING ELEMENTS

- (a) The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There do not appear to be any environmental constraints on the subject site. The site is an Individual Landmark known as the Peter Doerhoeffer House. That historic structure has been demolished. Individual Landmarks reviewed and approved the demolition after-the-fact and a preliminary approval of the initial building design.

- (b) The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan.

- (c) The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: There are no open space requirements pertinent to the current proposal. The site is less than 300 feet from Shawnee Park.

- (d) The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- (e) The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways.

- (f) Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

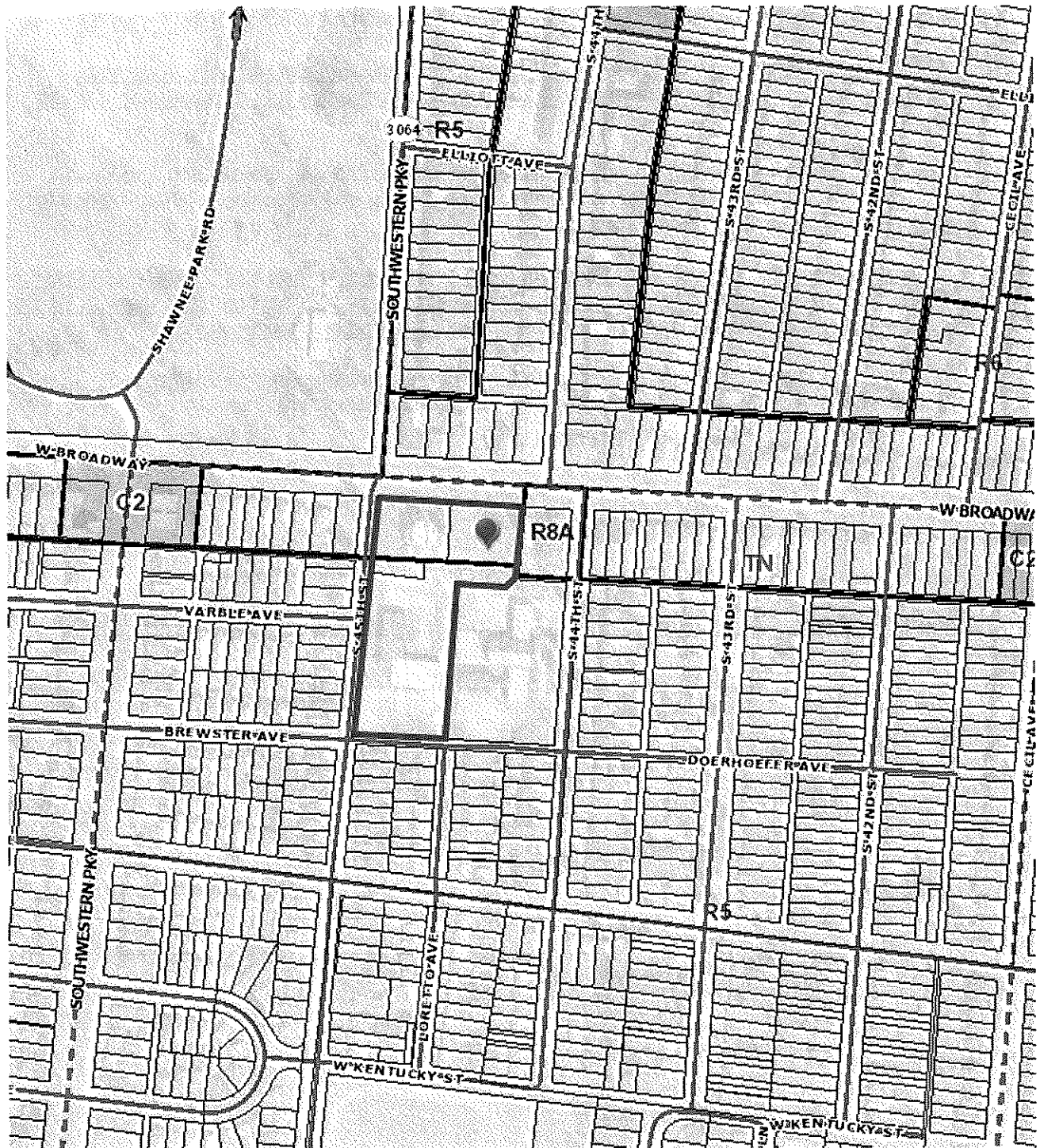
NOTIFICATION

Date	Purpose of Notice	Recipients
1-26-23	Hearing before LD&T	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 5
3-1-23	Hearing before PC	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 5
2-27-23	Hearing before PC	Sign Posting on property
3-3-23	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph



4. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. A minor subdivision plat or legal instrument shall be recorded creating the lot lines as shown on the approved development plan
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A shared parking, access and crossover agreement in a form acceptable to Planning Commission legal counsel shall be created between the sites and recorded. A copy of the recorded instrument shall be submitted to the Office of Planning and Design Services prior to requesting a certificate of occupancy.
 - e. Final elevations/renderings shall be submitted for review and approval by Planning Commission staff and shall be substantially similar to the elevations shown at the Planning Commission public hearing. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.
4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

6. The development shall be in accordance with a Certificate of Appropriateness approved by the Historic Landmarks and Preservation District Commission and/or Historic Preservation Staff. The development shall follow all associated Conditions of Approval.

Planning Commission
Staff Report
March 16, 2023



Case No:	22-ZONE-0075
Project Name:	Renaissance on Broadway
Location:	4402 W Broadway
Owner(s):	Christ Temple Apostolic Church
Applicant:	Renaissance on Broadway LP
Jurisdiction:	Louisville Metro
Council District:	5 – Donna Purvis
Case Manager:	Jay Lockett, AICP, Planner II

REQUEST(S)

- **Change in zoning** from R-5 and R-7 to R-7
- **Waivers**
 1. **Land Development Code** section 5.4.1 to permit residential development that does not conform to the 4 basic components of traditional site design.
 2. **Land Development Code** section 10.2.10 to not provide the required 5-foot Vehicle Use Area Landscape Buffer Area adjacent to the Roman Catholic Bishop of Louisville property.
- **District Development plan** with Binding Elements

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct 42 multifamily dwelling units in a single building. The subject site is approximately 4.39 acres and currently contains a mix of multifamily residential units, religious institution and historic sites. The site is located in western Louisville Metro across from Shawnee Park. The vicinity along W Broadway contains a mix of housing types and nonresidential uses, while the neighborhood area surrounding the rear of the subject site is predominantly single family residential.

The site is an Individual Landmark which is known as the Peter C Doerhoeffer House. The house itself was recently demolished by the applicant. The applicant subsequently received a Certificate of Appropriateness concerning demolition after-the-fact as well as the initially proposed 4-story structure for the site, subject to Conditions of Approval. The revised 3-story structure is still under review by Historic Preservation staff.

STAFF FINDING

The proposed change is generally in keeping with the provision of the Comprehensive Plan. The proposal would provide opportunities for fair and affordable housing in an area with ready access to services, amenities and employment opportunities.

The waivers and Detailed District Development Plan are adequately justified and meet the standards of review. The proposed structure is consistent with multifamily development in the Traditional Neighborhood Form District found throughout the city.

TECHNICAL REVIEW

The preliminary plan has been approved by MSD and Transportation Planning.

During the course of the review of this project, the applicant has reduced the scale from an initial proposal for 55 units in a 4-story structure to a proposed 42 units in a 3-story structure. The Individual Landmarks Architectural Review Committee approved the 4-story design on May 25, 2022. The 3-story structure has not yet been reapproved. Historic Preservation Staff are currently reviewing the revised proposal.

REQUIRED ACTIONS

- **RECOMMEND** that Louisville Metro Council **APPROVE** or **DENY** the proposed **change in zoning from R-5 and R-7 to R-7.**
- **APPROVE** or **DENY** the **Waivers.**
- **APPROVE** or **DENY** the **Detailed District Development Plan with Binding Elements**

INTERESTED PARTY COMMENTS

Several area residents have contacted staff to express their opinions regarding this proposal. See attachments for resident emails and petition.

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Traditional Neighborhood Form District

Traditional Neighborhood: This form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. 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. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses 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. Although many existing traditional neighborhoods are 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments.

Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

The subject site is located on W Broadway, a major arterial roadway with transit and dedicated bike lanes along the site frontage. The proposal would provide opportunities for fair and affordable housing in an area with ready access to services, amenities and employment opportunities.

The proposed zoning and uses are similar in intensity to the adjacent properties. Adjacent buildings are of a comparable scale and contain a mix of multifamily residential, senior living and religious institutional uses. The applicant should work closely with Historic Preservation Staff to ensure compatibility of the new structure within the context of the historic site. The proposal is consistent with multifamily development in the Traditional Neighborhood Form District found throughout the city.

The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. Louisville Metro Council has zoning authority over the property in question.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 1

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as the adjacent properties are developed at a similar scale and site design. The retirement community to the east is a 3-story structure with associated parking, while the Basil Doerhoeffer House is a historic mansion converted to multifamily dwellings. To the rear of the proposed development is Christ the King Church. There are other multifamily developments in the area along W Broadway that similarly do not comply with the 4-areas of traditional site design.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: The waiver will not violate the Comprehensive Plan, as the structure meets all multifamily building design requirements found in the Land Development Code. The site has close access to Shawnee Park, providing opportunities to residents for recreation and outdoor activities without a private yard area. Parking is provided along the side of the structure and served via shared access through the site behind the proposed structure. The proposal would create additional affordable housing options in an area with access to services, amenities and employment opportunities. The site is served by transit and has dedicated bike lanes along W Broadway.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant.

- (d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as the site is irregularly shaped and occupied with multiple principle structures. Apartment buildings are found throughout the Traditional Neighborhood Form District areas of Louisville Metro that similarly do not follow the 4-areas of traditional site design. Numerous examples of similar-scale urban apartment development can be found throughout West Louisville, Old Louisville, Cherokee Triangle and other older areas of the city.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 2

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as the area to be screened on the adjacent property is a parking lot that shares access through the subject site.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: The waiver will not violate the Comprehensive Plan, as all required planting and screening will be provided elsewhere around the site.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant. All other screening and planting required will be provided on the subject site.

- (d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as the buffer area would be between two parking areas that share crossover access.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR (R)DDDP and/or AMENDMENT TO BINDING ELEMENTS

- (a) The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There do not appear to be any environmental constraints on the subject site. The site is an Individual Landmark known as the Peter Doerhoeffer House. That historic structure has been demolished. Individual Landmarks reviewed and approved the demolition after-the-fact and a preliminary approval of the initial building design.

- (b) The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan.

- (c) The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: There are no open space requirements pertinent to the current proposal. The site is less than 300 feet from Shawnee Park.

- (d) The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- (e) The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways.

- (f) Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

NOTIFICATION

Date	Purpose of Notice	Recipients
1-26-23	Hearing before LD&T	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 5
3-1-23	Hearing before PC	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 5
2-27-23	Hearing before PC	Sign Posting on property
3-3-23	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Comprehensive Plan Checklist
4. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph



3. Staff Plan 2040 Checklist

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

Traditional Neighborhood: Non-Residential

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
1	Community Form: Goal 1	7. Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned.	✓	The subject site is located on W Broadway, a major arterial roadway with transit and dedicated bike lanes along the site frontage. W Broadway provides ready access to services, amenities and job opportunities.
2	Community Form: Goal 1	9. Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.	✓	The proposed zoning and uses are similar in intensity to the adjacent properties.
3	Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	✓	The proposal includes a mix of residential and institutional uses.
4	Community Form: Goal 3	10. Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.	✓	The site does not have environmental concerns.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
5	Community Form: Goal 4	2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.	+/-	An individual landmark known as the Peter C Doerhoefer House has been demolished on the site. The applicant should take care to ensure the future integrity and preservation of the remaining Basil Doerhoefer on the site. The applicant should work closely with Historic Preservation Staff to ensure compatibility of the new structure within the context of the historic site. Individual Landmarks approved the original 4-story concept. Historic Preservation staff is still reviewing the revised 3-story structure.
6	Community Form: Goal 4	3. Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.	+/-	An individual landmark known as the Peter C Doerhoefer House has been demolished on the site. The applicant should take care to ensure the future integrity and preservation of the remaining Basil Doerhoefer on the site. The applicant should work closely with Historic Preservation Staff to ensure compatibility of the new structure within the context of the historic site. Individual Landmarks approved the original 4-story concept. Historic Preservation staff is still reviewing the revised 3-story structure.
7	Mobility: Goal 1	4. Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.	✓	The subject site is served by transit and has ready access to services, amenities and job opportunities.
8	Mobility: Goal 2	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	✓	The site will be accessed via existing public streets and shared access.
9	Mobility: Goal 3	2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.	✓	The proposed zoning would permit a variety of housing types and densities in an area well served by multimodal transportation networks.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
10	Mobility: Goal 3	5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	✓	The subject site is well served by existing transportation networks. Transportation Planning has approved the preliminary development plan.
11	Mobility: Goal 3	6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	✓	The applicant may need to repair or upgrade sidewalks around the subject site.
12	Mobility: Goal 3	9. When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.	✓	The subject site is well served by existing transportation networks. Transportation Planning has approved the preliminary development plan.
13	Mobility: Goal 3	10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	✓	The subject site is well served by existing transportation networks. Transportation Planning has approved the preliminary development plan.
14	Mobility: Goal 3	21. Prevent safety hazards caused by direct residential access to high speed roadways.	✓	Transportation Planning has approved the preliminary development plan.
15	Community Facilities: Goal 2	1. Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.	✓	Utility service will be coordinated.
16	Community Facilities: Goal 2	2. Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.	✓	Water service will be coordinated.
17	Community Facilities: Goal 2	3. Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).	✓	MSD has reviewed and approved the preliminary development plan.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
18	Livability: Goal 1	5. Encourage development that recognizes and incorporates the unique characteristics of identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.	✓	The subject site does not contain distinctive natural features.
19	Livability: Goal 1	17. Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.	✓	The subject site does not have potential for unstable soils.
20	Livability: Goal 1	21. Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.	✓	The site is not in the floodplain.
21	Housing: Goal 1	1. Encourage a variety of housing types including, but not limited to, detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing. Allow for accessory residential structures and apartments. Housing types should reflect the Form District pattern.	✓	The proposed zoning would allow a variety of housing types and densities appropriate for the form district.
22	Housing: Goal 1	2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	✓	The proposed zoning would allow a variety of housing types and densities that support aging in place.
23	Housing: Goal 2	1. Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.	✓	The proposed zoning would allow a variety of housing types and densities in a well-connected location that supports a mixed-income neighborhood.
24	Housing: Goal 2	2. Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.	✓	The proposed zoning would allow a variety of housing types and densities in an area that is well connected to a multimodal transportation network with a variety of services and amenities.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
25	Housing: Goal 3	1. Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro.	✓	The site is near a wide variety of services, amenities and employment opportunities. The proposal would provide opportunities for fair and affordable housing.
26	Housing: Goal 3	2. As neighborhoods evolve, discourage displacement of existing residents from their community.	✓	Residents would not be displaced by the proposal.
27	Housing: Goal 3	3. Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.	✓	The proposed zoning allows for a variety of housing options that promotes the provisioning of fair and affordable housing.

4. **Proposed Binding Elements**

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. A minor subdivision plat or legal instrument shall be recorded creating the lot lines as shown on the approved development plan
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A shared parking, access and crossover agreement in a form acceptable to Planning Commission legal counsel shall be created between the sites and recorded. A copy of the

recorded instrument shall be submitted to the Office of Planning and Design Services prior to requesting a certificate of occupancy.

- e. Final elevations/renderings shall be submitted for review and approval by Planning Commission staff and shall be substantially similar to the elevations shown at the Planning Commission public hearing. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.
4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
6. The development shall be in accordance with a Certificate of Appropriateness approved by the Historic Landmarks and Preservation District Commission and/or Historic Preservation Staff. The development shall follow all associated Conditions of Approval.

Land Development and Transportation Committee

Staff Report

February 9, 2023



Case No:	22-ZONE-0075
Project Name:	Renaissance on Broadway
Location:	4402 W Broadway
Owner(s):	Christ Temple Apostolic Church
Applicant:	Renaissance on Broadway LP
Jurisdiction:	Louisville Metro
Council District:	5 – Donna Purvis
Case Manager:	Jay Lockett, AICP, Planner II

REQUEST(S)

- Change in zoning from R-5 and R-7 to R-7
- Waivers
 1. **Land Development Code** section 5.4.1 to permit residential development that does not conform to the 4 basic components of traditional site design.
 2. **Land Development Code** section 10.2.10 to not provide the required 5-foot Vehicle Use Area Landscape Buffer Area adjacent to the Roman Catholic Bishop of Louisville property.
- District Development plan with Binding Elements

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct 42 multifamily dwelling units in a single building. The subject site is approximately 4.39 acres and currently contains a mix of multifamily residential units, religious institution and historic sites. The site is located in western Louisville Metro across from Shawnee Park. The vicinity along W Broadway contains a mix of housing types and nonresidential uses, while the neighborhood area surrounding the rear of the subject site is predominantly single family residential.

The site is an Individual Landmark which is known as the Peter C Doerhoeffer House. The house itself was recently demolished by the applicant. The applicant subsequently received a Certificate of Appropriateness concerning demolition after-the-fact as well as the newly proposed structure for the site, subject to Conditions of Approval.

STAFF FINDING

The proposal is ready for a public hearing.

TECHNICAL REVIEW

The preliminary plan has been approved by MSD and Transportation Planning.

REQUIRE ACTIONS

- Set the Public Hearing Date

INTERESTED PARTY COMMENTS

Several area residents have contacted staff to express their opinions regarding this proposal. See attachments for resident emails and petition.

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Traditional Neighborhood Form District

Traditional Neighborhood: This form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. 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. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses 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. Although many existing traditional neighborhoods are 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments.

Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. Louisville Metro Council has zoning authority over the property in question.

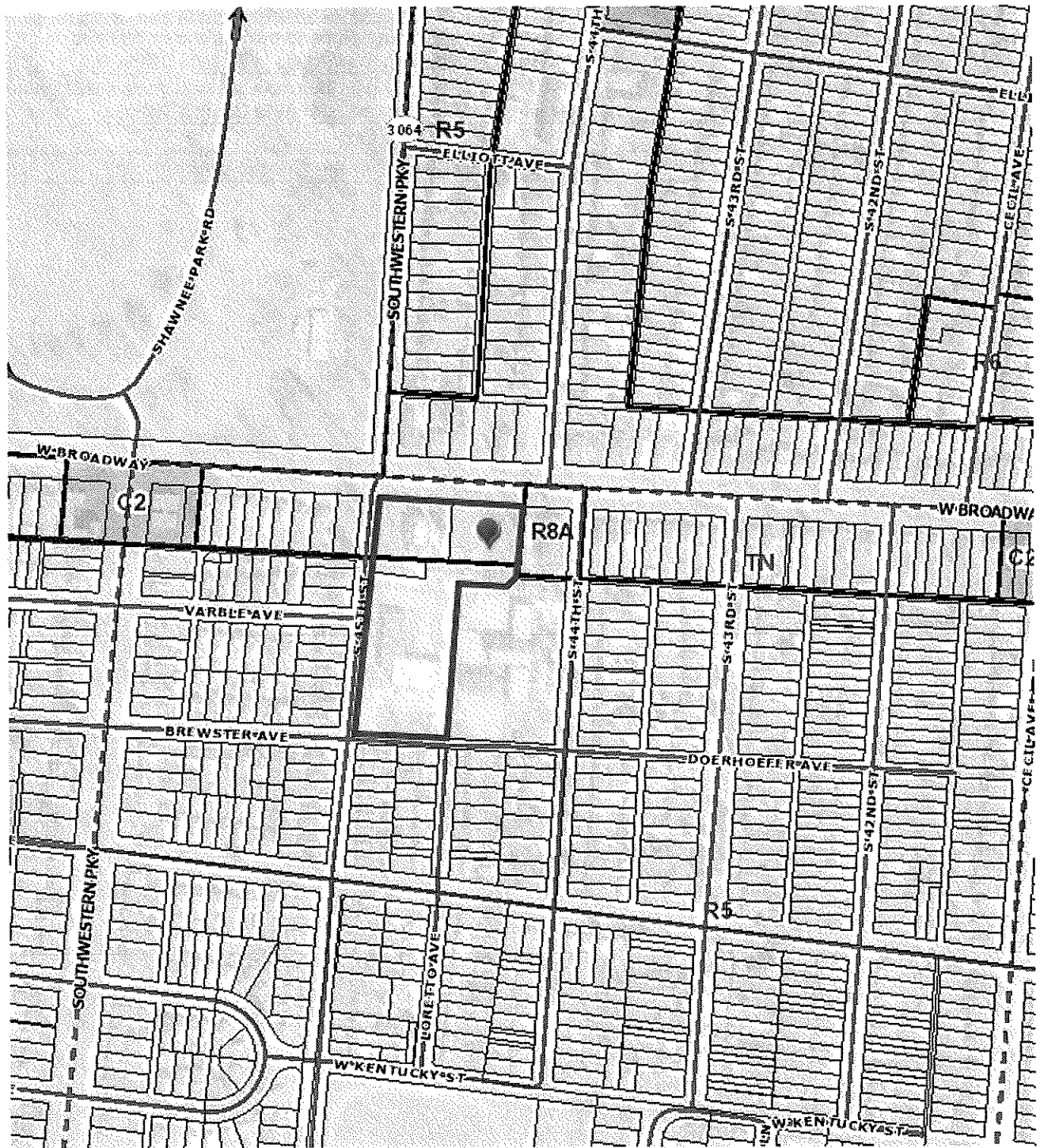
NOTIFICATION

Date	Purpose of Notice	Recipients
1-26-23	Hearing before LD&T	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 5
	Hearing before ____	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 5
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph



3. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. A minor subdivision plat or legal instrument shall be recorded creating the lot lines as shown on the approved development plan
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A shared parking, access and crossover agreement in a form acceptable to Planning Commission legal counsel shall be created between the sites and recorded. A copy of the recorded instrument shall be submitted to the Office of Planning and Design Services prior to requesting a certificate of occupancy.
 - e. Final elevations/renderings shall be submitted for review and approval by Planning Commission staff and shall be substantially similar to the elevations shown at the Planning Commission public hearing. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.
4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
6. The development shall be in accordance with a Certificate of Appropriateness approved by the Historic Landmarks and Preservation District Commission and/or Historic Preservation Staff. The development shall follow all associated Conditions of Approval.

Pre-Application Staff Report May 13, 2022



Case No:	22-ZONEPA-0060
Project Name:	Renaissance on Broadway
Location:	4402 W Broadway
Owner(s):	Christ Temple Apostolic Church
Applicant:	Renaissance on Broadway LP
Jurisdiction:	Louisville Metro
Council District:	5 – Donna Purvis
Case Manager:	Jay Lockett, AICP, Planner II

REQUEST(S)

- Change in zoning from R-5 and R-7 to R-7
- Detailed District Development plan

CASE SUMMARY/BACKGROUND

The proposal is to construct 55 multifamily dwelling units. The subject site is approximately 4.39 acres and currently contains a mix of multifamily residential units, religious institution and historic sites. The site is located in western Louisville Metro near Shawnee Park.

STAFF FINDING

The proposal is ready for a neighborhood meeting and formal application. The applicant should work closely with Historic Preservation staff to ensure the preservation and integrity of the remaining historic structure on the subject site and ensure that the new development fits within the context of the neighborhood. Ultimately Louisville Metro Council must decide if the proposal meets the requirements of the Comprehensive Plan.

TECHNICAL REVIEW

See agency review comments.

INTERESTED PARTY COMMENTS

None received.

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR

3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Traditional Neighborhood Form District

Traditional Neighborhood: This form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. 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. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses 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. Although many existing traditional neighborhoods are 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments.

Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. Louisville Metro Council has zoning authority over the property in question.

NOTIFICATION

Date	Purpose of Notice	Recipients
	Hearing before ____	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 13
	Hearing before ____	1 st and 2 nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 13
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Staff Plan 2040 Checklist

1. Zoning Map



2. Aerial Photograph



3. Staff Plan 2040 Checklist

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

Traditional Neighborhood: Non-Residential

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
1	Community Form: Goal 1	7. Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned.	✓	The subject site is served by transit and has ready access to services, amenities and job opportunities.
2	Community Form: Goal 1	9. Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.	✓	The proposed zoning and uses is similar in intensity to the adjacent properties.
3	Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	✓	The proposal includes a mix of residential and institutional uses.
4	Community Form: Goal 3	10. Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.	✓	The site does not have environmental concerns.
5	Community Form: Goal 4	2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.	-	An individual landmark known as the Peter C Doerhoefer House has been demolished on the site. The applicant should take care to ensure the future integrity and preservation of the remaining Basil Doerhoefer on the site. The applicant should work closely with Historic Preservation Staff to ensure compatibility of the new structure within the context of the historic site.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
6	Community Form: Goal 4	3. Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.	-	An individual landmark known as the Peter C Doerhoefer House has been demolished on the site. The applicant should take care to ensure the future integrity and preservation of the remaining Basil Doerhoefer on the site. The applicant should work closely with Historic Preservation Staff to ensure compatibility of the new structure within the context of the historic site.
7	Mobility: Goal 1	4. Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.	✓	The subject site is served by transit and has ready access to services, amenities and job opportunities.
8	Mobility: Goal 2	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	✓	The site will be accessed via existing public streets.
9	Mobility: Goal 3	2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.	✓	The proposed zoning would permit a variety of housing types and densities in an area well served by multimodal transportation networks.
10	Mobility: Goal 3	5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	✓	The subject site is well served by existing transportation networks.
11	Mobility: Goal 3	6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	+/-	The applicant may need to repair or upgrade sidewalks around the subject site.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
12	Mobility: Goal 3	9. When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.	✓	The subject site is well served by existing transportation networks.
13	Mobility: Goal 3	10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	✓	The subject site is well served by existing transportation networks.
14	Mobility: Goal 3	21. Prevent safety hazards caused by direct residential access to high speed roadways.	+/-	The proposed access to W Broadway may not be permitted per initial transportation planning comments.
15	Community Facilities: Goal 2	1. Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.	+/-	Utility service will need to be coordinated.
16	Community Facilities: Goal 2	2. Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.	+/-	Water service will need to be coordinated.
17	Community Facilities: Goal 2	3. Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).	+/-	MSD review and approval required.
18	Livability: Goal 1	5. Encourage development that recognizes and incorporates the unique characteristics of identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.	✓	The subject site does not contain distinctive natural features.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
19	Livability: Goal 1	17. Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.	✓	The subject site does not have potential for unstable soils.
20	Livability: Goal 1	21. Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.	✓	The site is not in the floodplain.
21	Housing: Goal 1	1. Encourage a variety of housing types including, but not limited to, detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing. Allow for accessory residential structures and apartments. Housing types should reflect the Form District pattern.	✓	The proposed zoning would allow a variety of housing types and densities appropriate for the form district.
22	Housing: Goal 1	2. Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.	✓	The proposed zoning would allow a variety of housing types and densities that support aging in place.
23	Housing: Goal 2	1. Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.	✓	The proposed zoning would allow a variety of housing types and densities in a well-connected location that supports a mixed-income neighborhood.
24	Housing: Goal 2	2. Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.	✓	The proposed zoning would allow a variety of housing types and densities in an area that is well connected to a multimodal transportation network with a variety of services and amenities.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
25	Housing: Goal 3	1. Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro.	✓	The site is near a wide variety of services, amenities and employment opportunities.
26	Housing: Goal 3	2. As neighborhoods evolve, discourage displacement of existing residents from their community.	✓	Residents would not be displaced by the proposal.
27	Housing: Goal 3	3. Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.	✓	The proposed zoning allows for a variety of housing options that promotes the provisioning of fair and affordable housing.