

4.

Request:

Project Name: Shalom Towers

Location:

Applicant:

Representative:

Jurisdiction:

Council District:

Case Manager:

Development Review Committee

Staff Report

April 23, 2025



| | |
|--------------------------|--------------------------------|
| Case No: | 25-AMEND-0004 |
| Project Name: | Shalom Towers |
| Location: | 3630, 3640, 3650 Dutchmans Ln. |
| Owner(s): | Urban Shalom, LP |
| Applicant: | ATA Beilharz Architects, LLC |
| Jurisdiction: | Louisville Metro |
| Council District: | 8 – Ben Reno-Weber |
| Case Manager: | Kaitlin Dever, Planner I |

REQUEST(S)

- **Amendment to Binding Elements** to eliminate Binding Element 1 under case 9-12-78

CASE SUMMARY

The subject site is approximately 2.29 acres zoned OR-3 Office Residential in the Neighborhood form district located near the intersection of Cannons Ln. and Dutchmans Ln. north of I-264. The existing use is multi-family residential with 150 dwelling units and associated parking on site. The applicant is proposing to convert various vacant commercial spaces on the first three floors of the building into 14 additional units for aging and senior populations. No significant exterior site work is proposed. The site benefits from an existing shared access drive and a nearby TARC stop on Dutchmans Ln.

The subject site was rezoned under case 9-12-78 and the applicant is requesting to eliminate Binding Element 1 which states: "The density of the development will not exceed 67.87 dwelling units per acre (150 units on 2.21 acres)." The current zoning district OR-3 Office Residential permits a maximum of 145-435 du/ac depending on the number of bedrooms provided in each dwelling unit. The proposed 14 additional dwelling units increases the density of the property to 74.2 du/ac, significantly less than is otherwise permitted by the current zoning district.

STAFF FINDING

The Amendment to Binding Elements is adequately justified for approval based on the analysis contained in the standard of review.

TECHNICAL REVIEW

This site is subject to the Bowman Area Neighborhoods Plan (2020) and is located within the Bowman neighborhood south of Dutchmans Ln. Land Use and Community Form Recommendation 8 (LU8) promotes compatible infill housing on vacant residential lots. While the subject site is not vacant, it does propose the conversion of underutilized, vacant space within the existing structure into additional housing units and fulfills the intent of LU8. The neighborhood plan does not make any further recommendations for this site.

INTERESTED PARTY COMMENTS

No interested party comments have been received by staff.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 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 or historic resources on the subject site.

- 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 is provided and will be maintained.

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

STAFF: The extent of the development is limited to interior construction for the conversion of vacant commercial space into 14 additional dwelling units, therefore no open space requirements are pertinent to the current proposal. Any future development which proposes significant exterior site work shall meet the requirements of the Land Development Code.

- 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 approved the previous development plan under case 9-12-78 for the initial construction of the existing structure on site and will continue to 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.

- 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 proposal and request to amend the binding elements conforms to the applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. Plan 2040 Community Form Goal 1, Policy 3.1.3 characterizes the Neighborhood form district as predominantly residential uses that vary from low to high density that blend compatibly into the existing landscape and neighborhood areas. High-density uses

will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas. Community Form Goal 1, Policy 7 calls for 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. Mobility Goal 1, Policy 4 promotes higher densities and intensities within or near existing marketplace corridors and existing and future activity and employment centers to support transit-oriented development and an efficient public transportation system. Mobility Goal 2, Policy 2 states to improve mobility, and reduce vehicle miles traveled and congestion, Plan 2040 advocates for 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 greater area surrounding the subject site boasts a variety of mixed uses and zoning districts which thrive on major and minor arterial connections and access to the interstate. The subject site is located on a minor arterial road less than a mile from significant commercial, medical, and office uses at the intersection of Dutchmans Pkwy. and Breckinridge Ln. north of I-264. Additionally, the subject site benefits from public transportation facilities with a TARC stop directly to the north on Dutchmans Ln. that provides increased accessibility to the nearby large commercial and employment centers to the east. Community Form Goal 2, Policy 9 also encourages new developments and rehabilitation of buildings that provide commercial, office, and/or residential uses. The applicant is proposing a conversion of vacant, underutilized commercial space into additional housing units that will be adequately supported and served by adjacent transportation facilities and close proximity to established activity centers on a minor arterial road.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Amendment to Binding Elements** to eliminate Binding Element 1 under case 9-12-78

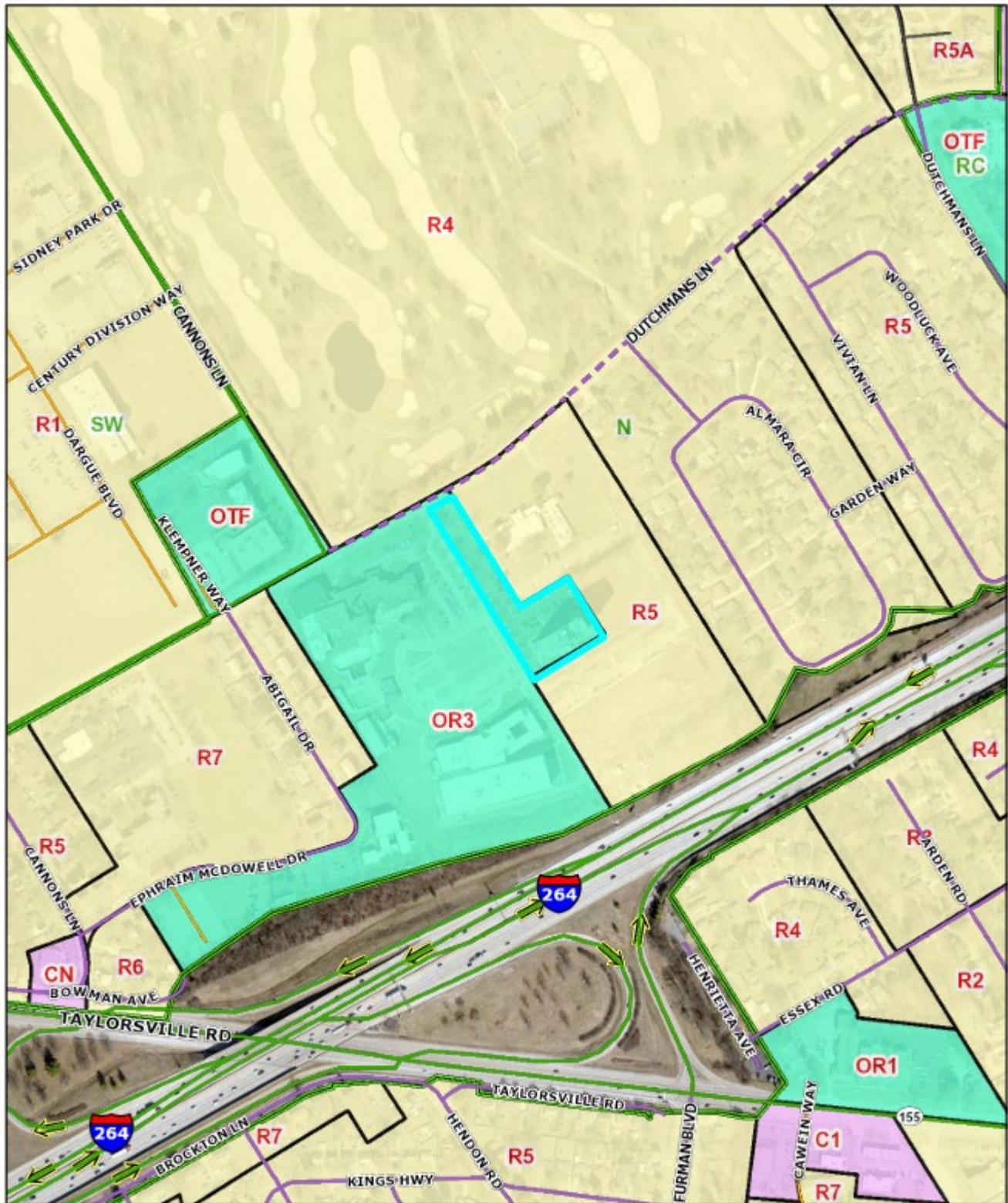
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|-----------|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4/10/2025 | Hearing before DRC | 1 st tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 8 |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements (9-12-78) with Proposed Changes
4. Proposed Binding Elements

1. Zoning Map



2. Aerial Photograph

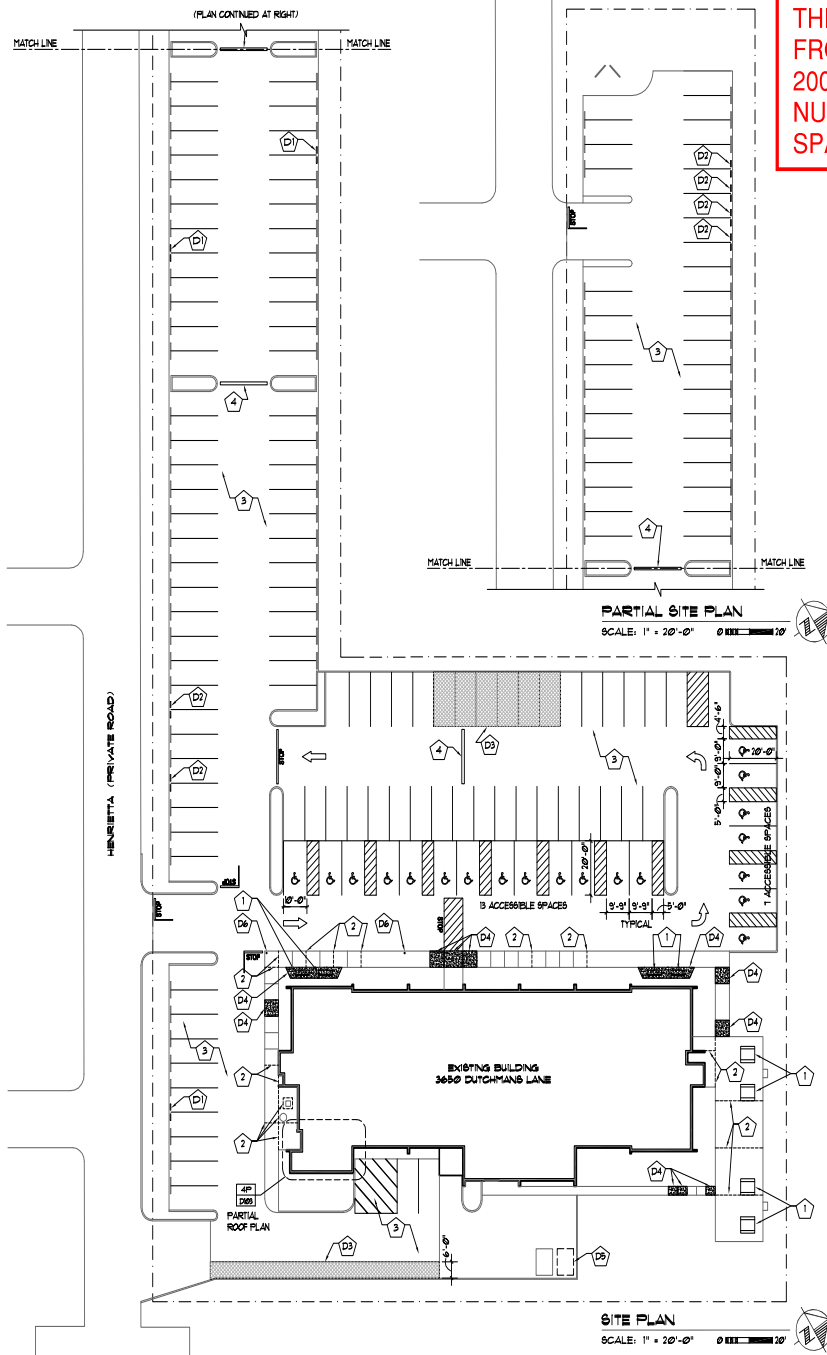


3. Existing Binding Elements (9-12-78) with Proposed Changes

1. ~~The density of the development will not exceed 67.87 dwelling units per acre (150 units on 2.21 acres).~~
2. The height of the building will not exceed the limitation established by the Kentucky Airport Zoning for this location.
3. Thirty feet from centerline will be dedicated to the right-of-way of the existing Dutchmans Lane. Dedication will be by minor subdivision plat.
4. The plan must be reapproved by the Water Management Section of the Jefferson County Works Department and the Traffic Engineering Department before building permits are issued.
5. Unless use in accordance with the approved plan and binding elements has been substantially established within two years from the date of approval of the plan or rezoning, whichever is later, the property may not be used in any manner until such time as a district development plan has been approved by the Planning Commission.

4. Proposed Binding Elements

1. The height of the building will not exceed the limitation established by the Kentucky Airport Zoning for this location.
2. Thirty feet from centerline will be dedicated to the right-of-way of the existing Dutchmans Lane. Dedication will be by minor subdivision plat.
3. The plan must be reapproved by the Water Management Section of the Jefferson County Works Department and the Traffic Engineering Department before building permits are issued.
4. Unless use in accordance with the approved plan and binding elements has been substantially established within two years from the date of approval of the plan or rezoning, whichever is later, the property may not be used in any manner until such time as a district development plan has been approved by the Planning Commission.



THIS IS A SITE PLAN
FROM WORK DONE IN
2006. CURRENT TOTAL
NUMBER OF PARKING
SPACES=164.

- SITE KEYNOTES**
- 1 EXISTING BENCH TO REMAIN IN PLACE. SAND BENCH. REMOVE LOOSE PAINT, AND REPAINT TO MATCH EXTERIOR BUILDING COLOR AS DIRECTED BY ARCHITECT.
 - 2 PROVIDE BACKER ROD AND SELF-LEVELING SEALANT AT SIDEWALK EXPANSION JOINTS TO ELIMINATE TRIP HAZARDS.
 - 3 SEAL COAT AND RE-STRIPE ASPHALT PARKING LOT.
 - 4 REPAINT EXISTING SPEED BUMP.

- DEMOLITION KEYNOTES**
- D1 REMOVE AND REPLACE DAMAGED PARKING BUFFER BLOCKS.
 - D2 RE-SET EXISTING PARKING BUFFER BLOCKS WITH NEW REBAR ANCHORS.
 - D3 GRIND DOWN EXISTING ASPHALT PAVEMENT TO BASE COURSE. REMOVE AND OVERLAY WITH NEW ASPHALT SURFACE COURSE TO EXTENT SHOWN.
 - D4 REPLACE CRACKED AND HEAVED AREAS OF SIDEWALK WITH 4" CONCRETE SIDEWALK TO MEET ADJACENT PAVING.
 - D5 REMOVE STORAGE SHED IN ITS ENTIRETY.
 - D6 REMOVE POST ANCHOR FROM CONCRETE. FILL HOLE W/ SELF-LEVELING SEALANT.
 - INDICATES EXTENT OF NEW CONCRETE PAVEMENT.
 - INDICATES EXTENT OF NEW ASPHALT PAVEMENT.

- GENERAL NOTES**
- 1. ITEMS INDICATED TO REMAIN THAT ARE REMOVED BY THE CONTRACTOR SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
 - 2. PROTECT EXISTING CONSTRUCTION FROM DAMAGE.
 - 3. FIELD VERIFY EXISTING DIMENSIONS. CONDITIONS MAY VARY SLIGHTLY FROM THOSE ILLUSTRATED. CONTRACTOR'S FAILURE TO DETERMINE THE EXISTING CONDITIONS DOES NOT RELIEVE HIM FROM THE OBLIGATION TO PERFORM WORK ACCORDING TO THE REQUIREMENTS AND INTENT OF THE CONTRACT DOCUMENTS.

date 09/22/06
revised
drawn by JMM
checked by DLA

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REMODELING WORK FOR
URBAN INNOVATIONS SENIOR HOUSING
3650 DUTCHMANS LANE
LOUISVILLE, KENTUCKY

SITE PLAN,
PARTIAL ROOF
PLAN, AND
DETAILS

sheet
C101
project 06-1025-400

March 31, 2025

Mr. Joel Dock
Planning Manager
444 South 5th Street
Louisville, KY 40202

Re: Shalom Towers Alterations – Binding Element Amendment Application
3650 Dutchmans Lane, Louisville, Kentucky 40205
Reference Number: **COM-ALT-25-00061**
Letter of Explanation

Mr. Dock,

As required for the “Binding Element Amendment Application,” we are providing a detailed letter of explanation outlining the proposal.

The owner of this project, Urban Shalom Limited Partnership, proposes to increase the number of apartments in this facility from 150 to 164. On 3/28/2025, we were notified via email that property is subject to Binding Elements in docket 9-12-78 (rezoned to allow current use in 1978). The Binding Elements restrict the number of housing units to a maximum of 150 dwellings. Therefore, the owner is required to apply for the amendment.

No site work is planned as part of this project. This is an existing building with interior alterations proposed only. No additions or expansion of the building footprint is planned.

The existing second floor of this facility was, until recently, commercial space. This floor is currently vacant, and the owner proposes to convert it to new apartments. Additionally, one space on the first floor and one on the third floor will be converted to apartments. There is a four year waiting list for the building, and the additional units will provide more housing for area senior citizens that need it. With the commercial space no longer in place, it is not anticipated that the increase in unit count will affect the amount traffic in and out of the site. There are currently two entrances/exits on Dutchmans Lane including one shared with the adjacent community center. There is an existing bus stop on Dutchmans adjacent to the vehicular entry for tenants that use public transportation. The existing number of parking spaces is adequate and meets the requirements of the Land Development Code for 164 units.

Additionally, we have attached a conditional commitment letter issued by the Louisville Metro Housing Authority by which they agreed that the majority of these new units will be used to house residents being displaced from Dosker Manor (preference) and to provide rental subsidy on their behalf.

Thank you for your consideration in this matter. Please contact me with next steps. If you have any questions or concerns, please do not hesitate to reach out.

Sincerely,
ATA Beilharz Architects



Greg Hackett, RA/Partner (greg@ata-b.com)



August 1, 2024

Mr. Steve Greenbaum
Urban Shalom LP
853 North Elston Avenue
Chicago, IL 60642

Re: Shalom Tower Conditional Commitment Letter

Dear Mr. Greenbaum:

On July 16, 2024, the Louisville Metro Housing Authority (LMHA) Board of Commissioners approved a Resolution for a conditional commitment of a Project-Based Voucher (PBV) award to Senior Housing Group LLC (Developer) for the second-floor conversion of Shalom Tower to be constructed at 3650 Dutchmans Lane, Louisville, KY 40205. LMHA is pleased to offer a conditional commitment of eight (8) PBVs for the subject development consisting of six (6) one-bedroom units, and two (2) two-bedroom units to serve a target population of seniors.

The PBV award is conditioned upon Part 58 environmental approval, Subsidy Layering Review approval, satisfactory Rent Reasonableness review, and Receipt of a Certificate of Occupancy upon completion of construction. LMHA will determine the initial rent to owner at the beginning of the Housing Assistance Payment (HAP) contract term. Lease compliant residents occupying Dosker Manor as of the Initiation of Negotiations date (to be determined) will have an initial occupancy first preference for PBV units at Shalom Tower.

The development must be under a recorded deed restriction to maintain affordability for the entirety of the HAP contract, including any HAP contract extensions, and an Agreement to Enter Into a Housing Assistance Payment Contract (AHAP) no later than September 30, 2027.

Your signature below indicates your understanding and acceptance of this conditional commitment of PBVs. Please sign and return this letter via email no later than Friday, August 9, 2024, to Sherrie Rogers, Special Vouchers Manager, at srogers@lmha1.org.

DEVELOPER
Urban Shalom LP

By: _____

Name: Steve Greenbaum

Title: Partner

Date: _____

[Handwritten Signature]
Aug. 9, 2024



420 South Eighth Street, Louisville, KY 40203 | 502.569.3400 | Fax 502.569.3459

