



26-ZONE-0013

Planning Commission
Staff Report
August 8, 2026

Outer Loop Barbershop

Location: 5114 Outer Loop
Applicant: Roberto Perez
Representative: Bluestone Engineers PLLC
Jurisdiction: Louisville Metro
Council District: 24 – Ginny Mulvey Woolridge
Case Manager: Mark Pinto, Planner II

REQUESTS & RECOMMENDED ACTIONS

1. Change in Zoning from R-4 Single-Family Residential to OR-2 Office Residential
 - Staff finds the request is in keeping with Plan 2040 and recommends the Planning Commission **RECOMMENDS** that the Louisville Metro Council **APPROVE** the requested change in zoning.
2. **26-VARIANCE-0077:** Variance from Land Development Code (LDC) Section 5.3.1.C.5, Table 5.3.2 to allow the existing building and proposed parking area to encroach into the required non-residential to residential setback of 15 feet (Proposed Setback of 7 feet, for a Variance of 8 feet).
 - Staff finds the justification for the request is adequate and recommends the Planning Commission **APPROVE** the Variance.
3. **26-VARIANCE-0077:** Variance from Land Development Code Section 5.1.12.B.2.a to allow the proposed parking area to encroach into the required infill front yard setback range of 47-50 feet (Proposed Setback of 8 feet, for a Variance of 39 feet).
 - Staff finds the justification for the request is adequate and recommends the Planning Commission **APPROVE** the Variance.
4. **26-WAIVER-0071:** Waiver of Land Development Code Section 10.2.4 to allow the existing building to encroach into the 15-foot property perimeter landscape buffer area (LBA) and reduce the width of the required LBA along the east and west property lines.
 - Staff finds the justification for the request is adequate and recommends the Planning Commission **APPROVE** the Waiver.
5. Detailed District Development Plan with Binding Elements
 - Staff finds the justification for the request is adequate and recommends the Planning Commission **APPROVE** the Detailed District Development Plan.

CASE SUMMARY

The subject site is currently zoned R-4 Single-Family Residential, within the Neighborhood form district, and developed with an existing residential structure on approximately 0.3 acres. The applicant is proposing to change the zoning on the site to OR-2 Office-Residential to allow a barbershop. No new construction is proposed to the existing building on site, a one-story house with an attached carport that is proposed to be converted to the barbershop. New off-street parking is proposed consisting of two spaces in front of the existing building and three spaces in the rear that are to be accessed from the existing driveway. A right-in, right-out access is proposed from Outer Loop.

TECHNICAL REVIEW

- Comprehensive Plan 2040
- Land Development Code (Louisville Metro 2025)
- MSD and Transportation Planning have preliminarily approved the Detailed District Development Plan. There are no outstanding agency review comments.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

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 / FORM DISTRICT

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

The site is located in the Neighborhood Form District

Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and 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.

The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages, incomes and abilities. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby

land uses. These types may include, but not be limited to, large lot single family developments with cul-de-sacs, traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other streets, villages and zero-lot line neighborhoods with open space, and high density multi-family housing.

The Neighborhood Form may contain open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. The Neighborhood Form should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycle and transit.

Neighborhood streets may be either curvilinear, rectilinear or in a grid pattern and should be designed to support physical activity for all users and invite human interaction. Streets are connected and easily accessible to each other, using design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets. Examples of design elements that encourage this interaction include narrow street widths, street trees, sidewalks, shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

STAFF FINDING: The proposed zoning change would not constitute non-residential expansion into an existing residential area. The subject site is located along Outer Loop, a major arterial roadway and commercial corridor that serves a variety of land uses in the area and along the corridor. The site is adjacent to residential properties, landscaping and screening shall be provided to mitigate any potential adverse impacts as required in LDC Chapter 10.

The proposal is in keeping with the Neighborhood form district, as the proposed zoning district permits residential uses and lower intensity neighborhood serving uses such as offices, barbershops, and salons. The subject site is adequately located along a major arterial roadway and commercial corridor that is connected to services, amenities, and centers throughout Louisville Metro. Safe vehicular and pedestrian access shall be provided to adjacent rights-of-way. Public transportation is available at multiple points along Outer Loop.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-WAIVER-0071

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

STAFF FINDING: The requested waiver will not adversely affect adjacent property owners as the existing single-family home will be preserved and no new construction is proposed to the existing building. A portion of the required LBA will be provided to adequately screen the proposal from adjacent residences.

(b) The waiver will not violate specific guidelines of Plan 2040;

STAFF FINDING: Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 1, Policy 12 calls for the proposal to Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. There is no proposed construction to the existing building that is proposed to remain, which is the reason for the requested waiver. A portion of the required LBA will be provided to adequately screen and buffer the proposal from adjacent R-4 properties.

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

STAFF FINDING: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the existing building encroaches into the required 15-foot LBA. In order to comply fully with the 15 foot requirement, the existing building would need to be partially demolished, which could reduce compatibility with the area.

(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 FINDING: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant. The existing house would need to be partially demolished, which would be challenging given the request is to convert the existing house into a barbershop.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR 26-VARIANCE-0070 (Residential to Non-Residential Setback)

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect the public health, safety, or welfare, and will not cause a hazard or nuisance to the public. The request to encroach into the required setback does not impede the safe movement of vehicles or pedestrians along any right-of-way. Additionally, there is no proposed construction to the existing structure and therefore will not be located any closer to the side property lines as the structure is currently.

-
- The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity or allow an unreasonable circumvention of the zoning regulations. Structures in the area maintain similar setbacks. Although the use of the structure is changing from residential to a barbershop, the existing building is to be preserved with no new exterior site construction, which will maintain the existing character of the area.

- The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property is similar in size and width to most of the properties on the block face that are developed residentially.

- The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land as the existing building would need to be partially or entirely demolished to meet the required setback.

- The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the variance has been requested and the zoning change has not been approved.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR 26-VARIANCE-0070 (Infill Front Yard Setback)

- The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

STAFF FINDING: The requested variance will not adversely affect the public health, safety, or welfare, and will not cause a hazard or nuisance to the public because the request to encroach into the required setback does not impede the safe movement of vehicles or pedestrians along any right-of-way, including vehicles or pedestrians travelling along Outer Loop. Additionally, parking in front of buildings is commonplace along Outer Loop. The Kentucky Transportation Cabinet and Transportation Planning have reviewed the proposed access and given preliminary approval.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

STAFF FINDING: The requested variance will not alter the essential character of the general vicinity as structures and off-street parking areas in the area maintain similar setbacks. The variance will not allow an unreasonable circumvention of the requirements since the site is located in a suburban form district which anticipates parking to be located in front of the building.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

STAFF FINDING: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property is similar in size and width to most of the properties on the block face that are developed residentially.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

STAFF FINDING: The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land since the front yard setback as determined by infill would not permit parking in front of the building. Suburban form districts such as Neighborhood and Suburban Marketplace Corridor forms anticipate parking to be located in front of the building between the façade and street.

5. *The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

STAFF FINDING: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the variance has been requested and the zoning change has not been approved.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DETAILED DISTRICT DEVELOPMENT PLAN AND 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 FINDING: There does not appear to be any environmental constraints or historic resources on the subject site. The existing building is to remain and be converted to a barbershop. Landscaping and screening requirements per Chapter 10 of the LDC will be provided.

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

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

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

STAFF FINDING: The proposal is providing open space at the rear of the lot where there is no proposed construction. Should the site be redeveloped, future multi-family development proposed on the subject site will be required to meet Land Development Code requirements.

- 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 FINDING: The Metropolitan Sewer District (MSD) has reviewed the proposal and provided preliminary approval for the plan.

- 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 FINDING: The overall site design and land uses are compatible with the existing and future development of the area as Outer Loop is a major arterial roadway that is developed with a variety of land uses and zoning districts. The existing residential structure is proposed to be preserved and converted into a barbershop, thereby maintaining compatibility with 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 FINDING: The development plan conforms to all applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code, except where the waiver and variances have been requested. The proposal would not constitute non-residential expansion into an existing residential area as Outer Loop is a major arterial roadway and commercial corridor. A variety of zoning districts and land uses exist in the immediate vicinity along Outer Loop. The existing residential structure is to remain and be converted into a barbershop.

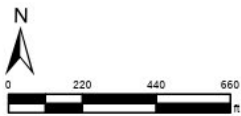
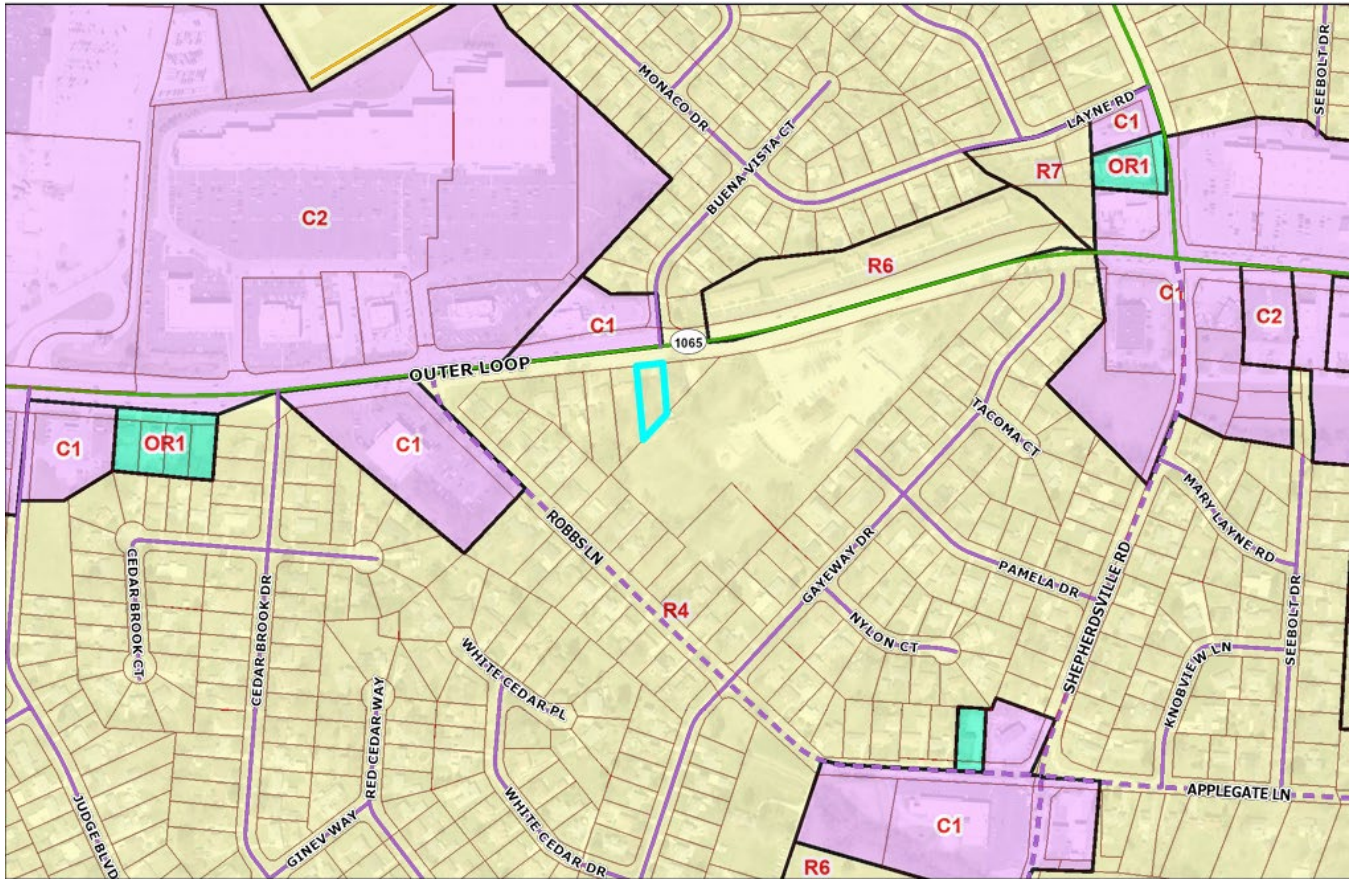
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/22/2026	Planning Commission Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 23 & 24
7/21/2026	Planning Commission Public Hearing	Sign Posting on Property
7/30/2026	Planning Commission Public Hearing	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Plan 2040 Checklist
4. Proposed Binding Elements

1. Zoning Map

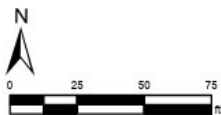


Tuesday, July 28, 2026 | 3:57 PM



This map is not a legal document and should only be used for general reference and identification.

2. Aerial Map



Tuesday, July 28, 2026 | 3:59 PM



LOJIC © 2026

This map is not a legal document and should only be used for general reference and identification.

3. Plan 2040 Checklist

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

Neighborhood Form: Non-Residential

Plan 2040 Plan Elements/Staff Analysis	
1	<u>Community Form: Goal 1, Policy 6.</u> Discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. Evaluation of impacts may include, but not be limited to, displacement of residents, loss of affordable housing units, traffic, parking, signs, lighting, noise, odor, and stormwater. Appropriate transitions from non-residential to residential uses should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential. ✓ <u>Staff Analysis:</u> The proposal would not constitute non-residential expansion into an existing residential area. The subject site is located along Outer Loop, a major arterial roadway and commercial corridor. Outer Loop serves a variety of residential and commercial land uses in the immediate area. The site is adjacent to residential properties, landscaping and screening shall be provided to mitigate any potential adverse impacts as required in LDC Chapter 10.
2	<u>Community Form: Goal 1, Policy 7.</u> 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. ✓ <u>Staff Analysis:</u> The subject site is located along Outer Loop, a major arterial roadway and commercial corridor that serves a variety of land uses in the area. Employment and activity centers are within the immediate area, demand and adequate infrastructure exists to serve the proposal. Public transportation is available at multiple points along the corridor through an established sidewalk network.
3	<u>Community Form: Goal 1, Policy 8.</u> Encourage industries to locate in workplace Form Districts or in areas readily served by infrastructure and transportation facilities, including transit, rather than isolated industrial sites. NA <u>Staff Analysis:</u> The proposed zoning district would not permit industrial uses.
4	<u>Community Form: Goal 1, Policy 15.</u> When reviewing proposals for siting hazardous uses and uses with air, noise and light emissions, ensure disadvantaged populations are not disproportionately impacted.

Plan 2040 Plan Elements/Staff Analysis	
✓	Staff Analysis: The proposed zoning district would not permit industrial land uses that may handle hazardous materials and uses with air, noise, and light emissions.
5	Community Form: Goal 1, Policy 16. Consider impacts on human health, quality of life and the environment including prevailing meteorological conditions and the potential to transport noxious odors, particulates and emissions when reviewing new developments and redevelopments. Special attention should be paid to air and water quality when residences, schools, parks or vulnerable populations will be impacted. Mitigate impacts to areas that are disproportionately affected.
NA	Staff Analysis: The proposed zoning district would not permit industrial land uses with the potential to transport noxious odors, particulates, or emissions.
6	Community Form: Goal 1, Policy 17. Mitigate adverse impacts of traffic from proposed development on nearby existing communities.
✓	Staff Analysis: The subject site is located off Outer Loop, a major arterial roadway with adequate infrastructure so support the proposal and future development. The proposed zoning district should not generate additional traffic that necessitates mitigation or roadway improvements. The OR-2 zoning district permits residential and lower intensity, neighborhood serving uses such as barbershops, salons, and offices.
7	Community Form: Goal 1, Policy 18. Mitigate adverse impacts of noise from proposed development on existing communities.
✓	Staff Analysis: The proposal is not likely to generate nuisance levels of noise as OR-2 is a lower intensity, residential and office zoning district. Entertainment or industrial uses would not be permitted that could have an adverse impact on adjacent residences with respect to noise. The Louisville Metro noise ordinance and LDC standards for loading and unloading are applicable regardless of the zoning district.
8	Community Form: Goal 1, Policy 21. Require that industries which handle hazardous or flammable materials or are potentially offensive such as junkyards, landfills and quarries are sited to protect public health, safety and welfare and are located away from residential areas and population centers.
NA	Staff Analysis: The proposed zoning district does not permit industrial land uses that may handle hazardous or flammable uses, or potentially offensive uses.
9	Community Form: Goal 2, Policy 1. Locate activity centers in appropriate areas in all Form Districts. Design and density should be compatible with desired form, adjacent uses, and existing and planned infrastructure.
✓	Staff Analysis: The proposed zoning district would not permit activity centers. OR-2 is a residential and office zoning district that permits residential and office uses. The proposal is adequately located along Outer Loop, a major arterial roadway and commercial corridor that serves a variety of land uses in the area. The proposal is in keeping with the Neighborhood form district, as the proposed zoning district permits residential uses and lower intensity neighborhood serving uses such as offices, barbershops, and salons.
10	Community Form: Goal 2, Policy 4. Allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity.
✓	Staff Analysis: The subject site is adequately located along a major arterial roadway and commercial corridor that is connected to services, amenities, and centers throughout Louisville Metro. Safe vehicular and pedestrian access shall be provided to adjacent rights-of-way. Public transportation is available at multiple points along Outer Loop.
11	Community Form: Goal 2, Policy 5. Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it.
✓	Staff Analysis: The subject site is near multiple activity centers and established neighborhoods comprised of a mix of residential densities.

Plan 2040 Plan Elements/Staff Analysis	
12	<u>Community Form: Goal 2, Policy 6.</u> Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment. ✓ <u>Staff Analysis:</u> The proposed zoning district permits a mix of office, residential, and neighborhood serving uses on a scale that is compatible with the area and Neighborhood form district.
13	<u>Community Form: Goal 2, Policy 7.</u> Encourage activity centers to include a mixture of compatible land uses in order to reduce traffic congestion by requiring fewer trips, support and enhance alternative modes of travel, and encourage vitality and a sense of place. ✓ <u>Staff Analysis:</u> The proposed zoning district permits a mix of office, residential, and neighborhood serving uses that could reduce traffic congestion by requiring fewer trips. Public transportation is available at multiple points along Outer Loop.
14	<u>Community Form: Goal 2, Policy 8.</u> Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multi-story retail buildings. ✓ <u>Staff Analysis:</u> The proposed zoning district would permit a mix of residential development including single and multi-family, and office uses.
15	<u>Community Form: Goal 2, Policy 9.</u> Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses. ✓ <u>Staff Analysis:</u> The proposed zoning district permits new residential and office development. The proposal is preserving the existing single-family home on the property.
16	<u>Community Form: Goal 2, Policy 10.</u> Encourage outlot development in underutilized parking lots of existing development to promote utilization of existing infrastructure provided specific criteria for elements such as location, scale, signs, parking, lighting, and landscaping are met. Outlot development shall encourage street-level retail with residential units above. ✓ <u>Staff Analysis:</u> The subject site is not an outlot associated with an activity center. The site is near multiple activity centers along Outer Loop with outlot development.
17	<u>Community Form: Goal 2, Policy 11.</u> Ensure appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood and Village Form Districts to ensure compatibility with nearby residences. ✓ <u>Staff Analysis:</u> The proposed zoning district permits a mix of office, residential, and neighborhood serving uses on a scale that is compatible with the area and Neighborhood form district.
18	<u>Community Form: Goal 3, Policy 9.</u> Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems. ✓ <u>Staff Analysis:</u> There are no known natural features on the site or natural systems that may be disturbed by the proposal.
19	<u>Community Form: Goal 3, Policy 10.</u> 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. ✓ <u>Staff Analysis:</u> There are no known environmental constraints such as highly permeable soils or steep slopes on the subject property. MSD has reviewed the proposal and given preliminary approval.
20	<u>Community Form: Goal 3, Policy 11.</u> Encourage land uses within the Ohio River Corridor that are appropriate for and related to river corridor activities and that are consistent with the goals and objectives of the Ohio River Corridor Master Plan. Reserve appropriate riverfront sites such as the Upper River Road industrial area for river-related development. Allow development of commercial leisure businesses related to the river, such as boating services and restaurants in appropriate locations. Encourage new development in the Ohio River corridor and along key greenway and street

Plan 2040 Plan Elements/Staff Analysis	
	connections to provide for public access in new riverfront development and to maintain views of the river from public rights-of-way.
NA	Staff Analysis: The site is not near the Ohio River.
21	Community Form: Goal 3, Policy 12. When reviewing proposed developments consider changes to flood-prone areas and other features vulnerable to natural disasters such as sinkholes and landslides. Ensure appropriate measures to protect health, safety and welfare of future users of the development. ✓ Staff Analysis: The subject site is not in the floodplain. MSD reviewed the proposal and provided preliminary approval.
22	Community Form: Goal 4, Policy 1. Preserve buildings, sites, districts and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, architecture style and placement when located within the impact area of such resources. ✓ Staff Analysis: There are no natural or built features on the site that have any known historical or architectural significance.
23	Community Form: Goal 4, Policy 2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features. ✓ Staff Analysis: There are no natural or built features on the site that have any known historical or architectural significance.
24	Mobility: Goal 1, Policy 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. ✓ Staff Analysis: The subject site is near multiple activity centers, amenities, and services located along Outer Loop, a major arterial roadway and commercial corridor. Public transportation is available at multiple points along Outer Loop. An established sidewalk network exists that provides safe pedestrian access to and around the site.
25	Mobility: Goal 2, Policy 4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances. ✓ Staff Analysis: The proposal does not constitute access through areas of significantly lower intensity. The site is located along a major arterial roadway and commercial corridor that services a variety of land uses in the area.
26	Mobility: Goal 3, Policy 1. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling. ✓ Staff Analysis: The proposed zoning district permits a mix of residential, office, and neighborhood serving uses that may be accessed by public transit, walking, or bicycling.
27	Mobility: Goal 3, Policy 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. ✓ Staff Analysis: The proposed zoning district permits a mix of residential, office, and neighborhood serving uses that may be accessed by public transit, walking, or bicycling. A variety of housing choices would be permitted near established activity and employment centers.
28	Mobility: Goal 3, Policy 3. Evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices.

Plan 2040 Plan Elements/Staff Analysis	
✓	Staff Analysis: The proposed zoning district permits residential, office, and neighborhood serving uses that may be accessed by public transit, walking, or bicycling. An established sidewalk network exists along Outer Loop to encourage pedestrian activity. Public transportation is available at multiple points along the corridor. Additionally, the proposed zoning district expands housing choices by allowing a variety of housing types.
29	Mobility: Goal 3, Policy 4. Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following: 4.1. nodal connections identified by Move Louisville; 4.2. impact on freight routes; 4.3. time of operation of facilities; 4.4. safety; 4.5. appropriate linkages between neighborhoods and employment; and 4.6. the potential for reducing travel times and vehicle miles traveled. Staff Analysis: The proposed zoning district permits residential, office, and neighborhood serving uses that may be accessed by public transit, walking, or bicycling. An established sidewalk network exists along Outer Loop to encourage pedestrian activity. Public transportation is available at multiple points along the corridor. The available alternative transit options in the area may contribute to the reduction in miles traveled by car and encourage shorter trips. ✓ Additionally, the proposed zoning district expands housing choices by allowing a variety of housing types. The subject site is well connected to established activity and employment centers, services, and amenities located along Outer Loop and throughout Jefferson County. Safe pedestrian and vehicular access are provided to and from adjacent rights-of-way.
30	Mobility: Goal 3, Policy 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. ✓ Staff Analysis: The proposal will not substantially impact the existing transportation network. The proposed zoning district permits a mix of residential, office, and neighborhood serving uses that typically do not necessitate roadway improvements. The site is located along Outer Loop, a major arterial and commercial corridor the serves multiple higher intensity activity and employment centers.
31	Mobility: Goal 3, Policy 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. ✓ Staff Analysis: The proposal does not necessitate roadway improvements. Transportation Planning and Public Works reviewed the proposal and provided preliminary approval.
32	Mobility: Goal 3, Policy 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. ✓ Staff Analysis: The proposal does not necessitate roadway improvements. Transportation Planning and Public Works reviewed the proposal and provided preliminary approval.
33	Mobility: Goal 3, Policy 10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel. ✓ Staff Analysis: The proposal does not necessitate roadway improvements. Transportation Planning and Public Works reviewed the proposal and provided preliminary approval.
34	Community Facilities: Goal 2, Policy 1. Locate development in areas served by existing utilities or capable of being served by public or private utility extensions. Staff Analysis: The subject site is located in an area that is served by existing utilities.
35	Community Facilities: Goal 2, Policy 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.

Plan 2040 Plan Elements/Staff Analysis	
✓	Staff Analysis: An adequate supply of potable water shall be made available for fire fighting services.
36	Community Facilities: Goal 2, Policy 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).
✓	Staff Analysis: MSD has reviewed the proposal and provided preliminary approval. Sanitary sewage and drainage shall be made available to serve the proposal.
37	Economic Development: Goal 1, Policy 2. Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.
NA	Staff Analysis: The proposed zoning district does not permit industrial development.
38	Economic Development: Goal 1, Policy 3. Locate commercial uses generating high volumes of traffic on a major arterial street, at the intersection of two minor arterials, or at a location with adequate access to a major arterial and at locations where nuisances and activities of the proposed use will not adversely affect adjacent areas.
✓	Staff Analysis: The proposed zoning district does not permit commercial uses that generate high volumes of traffic. However, the site is located along a major arterial roadway and commercial corridor that serves established activity and employment centers along the corridor.
39	Economic Development: Goal 1, Policy 4. Utilize industrial sites near the airport and the Ohio River to support the growth and development of uses whose infrastructure and production needs require such a location or for land uses that support airport-oriented or river-oriented industrial uses.
	Staff Analysis: The site is not near the Ohio River.
40	Economic Development: Goal 1, Policy 5. Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.
	Staff Analysis: The proposed zoning district does not permit industrial land use.
41	Livability: Goal 1, Policy 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.
✓	Staff Analysis: MSD has reviewed the proposal and given preliminary approval.
42	Livability: Goal 1, Policy 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.
✓	Staff Analysis: The site is not located in the floodplain. MSD has reviewed the proposal and given preliminary approval.
43	Livability: Goal 1, Policy 24. Ensure, to the extent feasible, that critical facilities and those that store or use hazardous wastes are located outside the regulatory floodplain. Where essential community facilities must be located within a floodplain (e.g., pumping stations), ensure that these facilities are designed, located and operated in a manner that minimizes loss of services during flood events as well as limits, to the extent possible, floodplain disturbance.
✓	Staff Analysis: The site is not in the floodplain. MSD has reviewed the proposal and given preliminary approval.
44	Housing: Goal 1, Policy 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.

Plan 2040 Plan Elements/Staff Analysis	
✓	Staff Analysis: The proposed zoning district would permit a variety of housing types and services that encourage aging in place. The site is located near employment centers, parks, and similar services and amenities. Public transit is readily available to the site.
45	Housing: Goal 2, Policy 1. <i>Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.</i> ✓ Staff Analysis: The proposed zoning district would permit a variety of housing development that supports intergenerational and mixed-income housing, including mixed-use development. The proposal is located along a transit corridor and provides connectivity to employment centers and amenities along the corridor and throughout Louisville metro. Access for pedestrians will be made to all public roadways (existing/proposed) to connect to adjacent and nearby development.
46	Housing: Goal 2, Policy 2. <i>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.</i> ✓ Staff Analysis: Existing activity centers, employment opportunities, and transit-oriented services exist within the immediate area to serve the proposal.
47	Housing: Goal 3, Policy 2. <i>As neighborhoods evolve, discourage displacement of existing residents from their community.</i> ✓ Staff Analysis: There would be no displacement of existing residents from their communities. The proposed zoning district permits a variety of housing types.
48	Housing: Goal 3, Policy 3. <i>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.</i> ✓ Staff Analysis: The proposed zoning district would encourage innovative, alternative housing types that advance efforts for 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. 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.
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.