

- Applicant -

## Justification Statement Comprehensive Plan 2040



<b>Case No:</b>	20-ZONEPA-0046
<b>Project Name:</b>	PRTC
<b>Location:</b>	8509 Terry Road
<b>Owner(s):</b>	PRP Retail Opportunity Fund, LLC
<b>Applicant:</b>	PRP Retail Opportunity Fund, LLC
<b>Representative(s):</b>	PRP Retail Opportunity Fund, LLC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	14 – Cindi Fowler
<b>Case Manager:</b>	Joel P. Dock, AICP, Planner II

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

### Neighborhood: Non-Residential

Plan 2040 Plan Element	Land Use & Development Policy	Meets Guideline?	Justification Statement
Community Form: Goal 1	6. Discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated.	✓	The proposal does not result in the expansion of a non-residential use into a residential area as the site is presently zoned for commercial activities.
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 property is located along a public transit route with covered bus stop going in soon. Binding elements will be placed on incompatible, high intensity uses (exposition building & theatre) and rezoning will be limited to the 2.16-acre footprint of the existing buildings and not the whole 7.96-acre site.
Community Form: Goal 1	17. Mitigate adverse impacts of traffic from proposed development on nearby existing communities.	✓	The proposed district is located at the intersection of arterial and collector level roadways, and along a TARC route.
Community Form: Goal 1	18. Mitigate adverse impacts of noise from proposed development on existing communities.	✓	All proposed activities to be located inside the building. Binding elements for incompatible uses.

Community Form: Goal 2	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.	✓	Binding Elements to be placed on several regionally focused uses such as automobile dealership, movie theaters, and event/recreational centers. We are open to binding other uses if needed.
Community Form: Goal 2	4. Allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity.	NA	Not a new development. No construction proposed.
Community Form: Goal 2	6. Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.	NA	Not a new development. No construction proposed.
Community Form: Goal 2	7. 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.	✓	Binding Elements to be placed on several regionally focused uses such as automobile dealership, movie theaters, and event/recreational centers. We are open to binding other uses if needed.
Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	✓	The site is currently occupied by commercial uses.
Community Form: Goal 3	9. 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.	✓	No natural features are present as the site was previously developed. No construction is proposed.

Community Form: Goal 3	<b>10.</b> 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.	NA	Not a new development. No construction proposed.
Community Form: Goal 3	<b>12.</b> 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.	NA	Not a new development. No construction proposed.
Community Form: Goal 4	<b>1.</b> 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.	NA	No historic features present.
Community Form: Goal 4	<b>2.</b> Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.	NA	No historic features present.
Mobility: Goal 1	<b>4.</b> 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.	✓	Binding Elements to be placed on several regionally focused uses such as automobile dealership, movie theaters, and event/recreational centers. We are open to binding other uses if needed.  Bike racks and a covered bus stop to be added. Ownership is open to other ideas.
Mobility: Goal 2	<b>4.</b> Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	✓	The proposed district does not require travel through lower density/intensity areas.

Mobility: Goal 3	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.	✓	Binding Elements to be placed on several regionally focused uses such as automobile dealership, movie theaters, and event/recreational centers. We are open to binding other uses if needed.
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.	✓	Binding Elements to be placed on several regionally focused uses such as automobile dealership, movie theaters, and event/recreational centers. We are open to binding other uses if needed.
Mobility: Goal 3	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.	NA	Subject property is not a new development.
Mobility: Goal 3	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.	NA	Subject property is not a new development.
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.	NA	Subject property is not a new development.

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	NA	Subject property is not a new development.
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.	NA	Subject property is not a new development.
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.	✓	Bike racks and a covered bus stop to be added. Ownership is open to other ideas.
Community Facilities: Goal 2	1. Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.	NA	Subject property is not a new development. Utilities are already present and adequate.
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.	NA	Subject property is not a new development. Water supply is already present and adequate.
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).	NA	Subject property is not a new development. Sewer capacity is already present and adequate.

**PLEASURE RIDGE TOWN CENTRE**  
**REZONING REQUEST SUMMARY**

Planning Commission and LD&T,

PRP Retail Opportunity Fund, LLC purchased the property in December 2019. It was in disrepair and not being managed well. We recognized an opportunity to fix it up and make it a better place for the tenants, the community, and our investors. Our vision is to breathe new life into the property and re-establish it as a family-friendly place to do business in the Pleasure Ridge Neighborhood.

To that end we've spent approximately \$500,000 improving the property in the two years since we purchased it. After all these improvements we have only leased two new spaces and the center is remains only 62% leased. Several of the vacant spaces have sat empty for years and years, in particular the larger suites. Filling up and activating these spaces plays a crucial role in our ability to continue investing in the property and the success of our existing tenants, almost all of which are small businesses.

Since purchasing the property we've faced continuous headwinds due to the decline of 'brick and mortar' retail versus online. Approximately a year ago when the pandemic hit several of our tenants saw their sales drop drastically, others were forced to temporarily close their doors. We've been working with those tenants and have not forced anyone out of the property. The net result however is that the pandemic has had a very negative impact on the property's finances.

Our request to rezone centers around our need to broaden the leasing pool, fill up, and activate the empty spaces. We're interested in pursuing C-2 uses including restaurants with outdoor dining, micro-breweries, laser tag, community service facilities, contractor's shops, and training schools among others.

At the same time, we have no interest in adding obnoxious or inappropriate tenants that would negatively impact the property or the area. After talking with PDS staff, Councilwoman Cindi Fowler, and the community we have agreed to place binding elements on six uses (auto repair, auto sales, used car sales, exposition building, tavern/bar/saloon, and theatres). Also, we're seeking only to re-zone the current footprint of the building and not the entire 7.96-acre property.

Please consider our application and effort to continue the rehab of Pleasure Ridge Town Centre into something that the residents of Pleasure Ridge and the surrounding area can be proud to visit, shop, work, and find entertainment.

Thank you,



Tyler Divin, Secretary  
PRP Retail Opportunity Fund, LLC

**RECEIVED**  
**MAR 11 2021**  
**PLANNING & DESIGN SERVICES**

**21-ZONE-0025**