



26-ZONE-0005

Planning Commission
Staff Report
July 30, 2026

Logan Street Rezoning

Location: 1117 Logan Street
Applicant: Sarah Duncan
Representative: Sarah Duncan
Jurisdiction: Louisville Metro
Council District: 6 – JP Lyninger
Case Manager: Jude Mattingly, *Planner II*

REQUESTS & RECOMMENDED ACTIONS

1. Change in Zoning from OR-2 Office Residential to C-2 Commercial
 - Staff finds the request is in keeping with Plan 2040 and recommends the Planning Commission **RECOMMEND** that the Louisville Metro Council **APPROVE** the requested change in zoning
2. **26-WAIVER-0074:** Waiver of Land Development Code Section 10.2.10 to omit the required 10-foot property perimeter landscape buffer area along the southern property line.
 - Staff finds the justification for the request is adequate and **RECOMMENDS** the Planning Commission **APPROVE** the Waiver
3. 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 with Binding Elements

CASE SUMMARY

The subject property is located north of the Logan Street and Mary Street intersection in the Shelby Park neighborhood. The site is presently zoned OR-2 office residential and is located within a Traditional Neighborhood form district. The proposal calls for a change in zoning of the entirety of the 0.07 acre site from the current OR-2 to C-2, a Detailed District Development Plan with proposed Binding Elements, and a Waiver request to omit a property perimeter landscape buffer area. The proposal does not include any new construction, as the site is currently developed with a 2-story non-residential structure that will be repurposed for a new use, nor does the proposal increase impervious surface area or vehicular use area.

If this proposal were to be approved as presented, the immediate area would be predominantly zoned commercial, industrial, and office residential. Several other properties in the general vicinity have been rezoned for commercial use since 2020.

The applicant has indicated that they would like to offer the structure to local business owners which may include hair stylists, massage therapists, and tattoo artists. C-2 zoning would be required to allow all three of the identified proposed uses.

TECHNICAL REVIEW

- Comprehensive Plan 2040
- Land Development Code (Louisville Metro 2025)
- Smoketown / Shelby Park Neighborhood Plan:
-No specific recommendations for this site but it is included within a “Mixed Use (commercial, residential, industrial)” and “Transition” area of the conceptual master plan.
- Metropolitan Sewer District (MSD) has provided preliminary approval.
- Transportation Planning has provided preliminary approval.

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 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.

STAFF FINDING: The proposal does not represent an expansion of non-residential uses into a residential area of the Traditional Neighborhood form district. There are a variety of commercial, industrial, and residential zoning classifications and land uses in the immediate area. There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal.

The Traditional Neighborhood form district encourages that structures be revitalized and preserved through redevelopment. The existing structure that the Jefferson County Property Valuation Administrator indicates as having originally been constructed in the early 1900s is being preserved and repurposed for the new use.

C-2 zoning in the context of the Traditional Neighborhood form district is appropriate at this location. It represents a similar intensity in zoning as several other properties on the same block face and would encourage mixed-use and further residential options if redeveloped in the future. Some of the more intense land uses that can be allowed in C-2 zoning are unlikely to occur given site constraints.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-WAIVER-0079

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

STAFF FINDING: The waiver is unlikely to adversely affect adjacent property owners. There is no new construction proposed with this request. The existing structure and site conditions are compatible with other properties on the same block face.

(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. The proposal is of similar intensity to the adjacent sites.

(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 as implementing the provision in full would make the lot effective undevelopable without demolition or significant exterior alterations to a historic structure that the Jefferson County Property Valuation Administrator indicates was originally constructed in the early 1900's. There is no new construction that would further encroach into the buffer 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 unnecessary hardship on the applicant. Implementing the provision in full would make the lot effective undevelopable without demolition or significant exterior alterations to a historic structure that the Jefferson County Property Valuation Administrator indicates was originally constructed in the early 1900's.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DETAILED DISTRICT DEVELOPMENT PLAN AND 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 do not appear to be any environmental constraints or historic resources on the subject site. The proposal preserves the historic structure and repurposes it for the new use.

- 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 have been provided, and the Department of Transportation 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 FINDING: There are no open space requirements associated with this proposal. If the property were redeveloped in the future the subject site would be required to meet Land Development Code requirements or be granted relief.

- 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 provided preliminary approval for the 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 FINDING: 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 FINDING: The development plan conforms to all applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code, except for the requested waiver which is adequately justified for approval.

REQUIRED ACTIONS

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **Change in Zoning** from OR-2 Office Residential to C-2 Commercial
- **APPROVE** or **DENY 26-WAIVER-0074** of Land Development Code Section 10.2.10 to omit the required 10-foot property perimeter landscape buffer area along the southern property line.
- **APPROVE** or **DENY** the **Detailed District Development Plan** subject to proposed binding elements

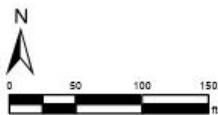
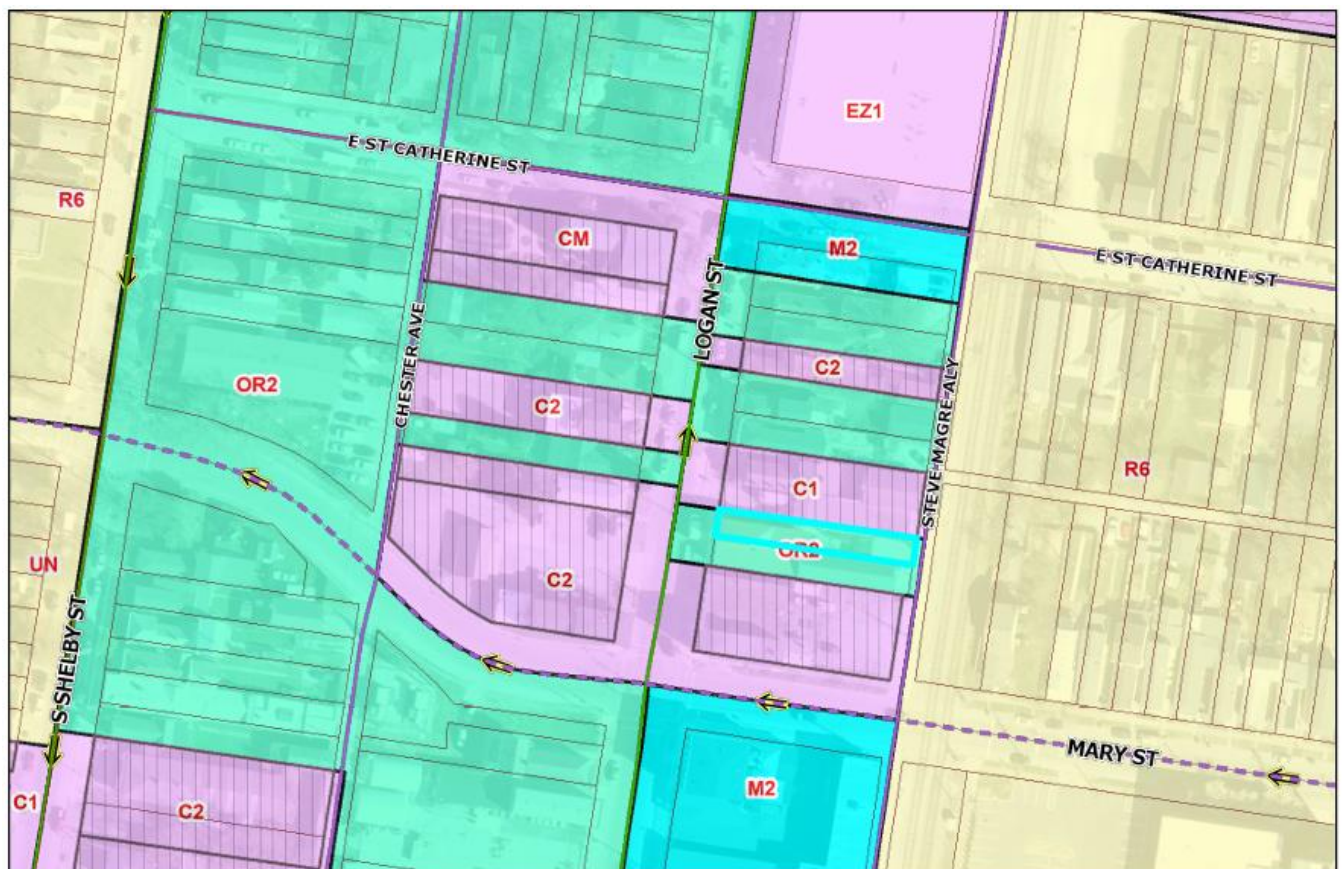
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/14/2026 7/16/2026	Planning Commission Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 6
7/13/2026	Planning Commission Public Hearing	Sign Posting on Property
7/17/2026	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



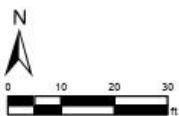
ZONING MAP

Tuesday, July 21, 2026 | 2:50 PM



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

2. AERIAL PHOTOGRAPH



AERIAL PHOTOGRAPH

Tuesday, July 21, 2026 | 2:52 PM



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3. PLAN 2040 CHECKLIST

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

Traditional Neighborhood: 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 does not represent an expansion of non-residential uses into a residential area of the Traditional Neighborhood form district. There are a variety of commercial, industrial, and residential zoning classifications and land uses in the immediate area. There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal.
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 north of the intersection of two minor arterial roadways. There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal.
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. <u>Staff Analysis:</u> C-2 zoning would not permit industrial land 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. <u>Staff Analysis:</u> C-2 zoning would not permit industrial land uses more commonly associated with sitting hazardous materials and is unlikely to adversely impact any population with obnoxious light emissions, violations of a noise ordinance, and/or air pollution.
5	<u>Community Form: Goal 1, Policy 16.</u> 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. <u>Staff Analysis:</u> The proposal is unlikely to result in a negative impact on human health, quality of life, and/or the environment of any residential use in the immediate area.
6	<u>Community Form: Goal 1, Policy 17.</u> Mitigate adverse impacts of traffic from proposed development on nearby existing communities. <u>Staff Analysis:</u> The proposal is unlikely to result in a negative impact on traffic in the immediate area. There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal. The proposal is in an area where walkable trips to multiple commercial locations is easy and accessible.

Plan 2040 Plan Elements/Staff Analysis	
7	<u>Community Form: Goal 1, Policy 18.</u> Mitigate adverse impacts of noise from proposed development on existing communities. ✓ <u>Staff Analysis:</u> The proposal is unlikely to have an adverse impact on noise generation in the immediate area. Any ordinances regulating noise expectations would still apply and be enforceable.
8	<u>Community Form: Goal 1, Policy 21.</u> 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 <u>Staff Analysis:</u> C-2 zoning would not permit industrial land uses more commonly associated with the handling of hazardous or flammable materials, and would not permit a junkyard, landfill, and/or quarry.
9	<u>Community Form: Goal 2, Policy 1.</u> 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. ✓ <u>Staff Analysis:</u> The subject site is located in an area with compatible zoning, land uses, and density with an adequate infrastructure to accommodate the use.
10	<u>Community Form: Goal 2, Policy 4.</u> Allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity. ✓ <u>Staff Analysis:</u> There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal. The proposal is in an area where walkable trips to multiple commercial locations is easy and accessible.
11	<u>Community Form: Goal 2, Policy 5.</u> Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it. ✓ <u>Staff Analysis:</u> The subject site is located in an area with compatible zoning, land uses, and density with an adequate infrastructure to accommodate the use. There is a sufficient population that exists and is anticipated to support it.
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 subject site is located in an area with compatible zoning, land uses, and density with an adequate infrastructure to accommodate the use. The proposal assimilates with several change in zoning cases on the same block face that have been previously reviewed and recommended for approval by the Planning Commission.
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> There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal. The proposal is in an area where walkable trips to multiple commercial locations is easy and accessible.
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.

Plan 2040 Plan Elements/Staff Analysis	
✓	Staff Analysis: While the current proposal does not include residential development, C-2 zoning would allow future mixed-use and expanded residential options if redeveloped in the future.
15	Community Form: Goal 2, Policy 9. <i>Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.</i> Staff Analysis: The proposal preserves and repurposes a historic structure that the Jefferson County Property Valuation Administrator indicates was originally constructed in the early 1900's.
16	Community Form: Goal 2, Policy 10. <i>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.</i> NA Staff Analysis: The proposal does not represent or create any outlot development.
17	Community Form: Goal 2, Policy 11. <i>Ensure appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood and Village Form Districts to ensure compatibility with nearby residences.</i> Staff Analysis: The subject site is located in an area with compatible zoning, land uses, and density. There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal.
18	Community Form: Goal 3, Policy 9. <i>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.</i> Staff Analysis: There is no new construction proposed, as a result no concerns with changes to topography or property damage / environment degradation resulting from disturbing a natural system is anticipated.
19	Community Form: Goal 3, Policy 10. <i>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.</i> Staff Analysis: No wet or highly permeable soils, severe, steep or unstable slopes, or unstable soils have been observed at the subject site.
20	Community Form: Goal 3, Policy 11. <i>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 connections to provide for public access in new riverfront development and to maintain views of the river from public rights-of-way.</i> NA Staff Analysis: The subject site is not along the Ohio River.
21	Community Form: Goal 3, Policy 12. <i>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.</i>

Plan 2040 Plan Elements/Staff Analysis	
✓	Staff Analysis: The subject site is not located within the regulatory floodplain and does not have any indication of being inherently flood-prone or containing any natural features that are more vulnerable to natural disasters.
22	Community Form: Goal 4, Policy 1. <i>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.</i> ✓ Staff Analysis: The proposal preserves and repurposes a historic structure that the Jefferson County Property Valuation Administrator indicates was originally constructed in the early 1900's and is located in an area with compatible zoning, land uses, and density with an adequate infrastructure to accommodate the use
23	Community Form: Goal 4, Policy 2. <i>Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.</i> ✓ Staff Analysis: The subject site is located within the Shelby Park National Register District. There is no new construction or exterior changes included with this request. If redeveloped in the future special attention should be given to preserving the historic structure.
24	Mobility: Goal 1, Policy 4. <i>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.</i> ✓ Staff Analysis: There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal. The proposal is in an area where walkable trips to multiple commercial locations is easy and accessible.
25	Mobility: Goal 2, Policy 4. <i>Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.</i> ✓ Staff Analysis: The proposal does not include access through an area of significantly lower intensity or density.
26	Mobility: Goal 3, Policy 1. <i>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.</i> ✓ Staff Analysis: There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal. The proposal is in an area where walkable trips to multiple commercial locations is easy and accessible.
27	Mobility: Goal 3, Policy 2. <i>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.</i> ✓ Staff Analysis: There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal. The proposal is in an area where walkable trips to multiple commercial locations is easy and accessible.
28	Mobility: Goal 3, Policy 3. <i>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.</i>

Plan 2040 Plan Elements/Staff Analysis	
✓	Staff Analysis: There is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal. The proposal is in an area where walkable trips to multiple commercial locations is easy and accessible.
29	Mobility: Goal 3, Policy 4. <i>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.</i> ✓ Staff Analysis: The proposal has been reviewed by the Department of Transportation and has been given preliminary approval.
30	Mobility: Goal 3, Policy 5. <i>Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.</i> ✓ Staff Analysis: The proposal has been reviewed by the Department of Transportation and has been given preliminary approval.
31	Mobility: Goal 3, Policy 6. <i>Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.</i> ✓ Staff Analysis: The proposal has been reviewed by the Department of Transportation and has been given preliminary approval. A note is included on the plan that calls for the repairing of sidewalks to comply with Metro and/or ADA standards.
32	Mobility: Goal 3, Policy 9. <i>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.</i> ✓ Staff Analysis: The proposal has been reviewed by the Department of Transportation and has been given preliminary approval.
33	Mobility: Goal 3, Policy 10. <i>Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.</i> ✓ Staff Analysis: The proposal has been reviewed by the Department of Transportation and has been given preliminary approval.
34	Community Facilities: Goal 2, Policy 1. <i>Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.</i> ✓ Staff Analysis: No issues with the subject site's ability to be served by utilities has been observed or are anticipated.
35	Community Facilities: Goal 2, Policy 2. <i>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.</i> ✓ Staff Analysis: No issues with the supply of potable water and/or water for fire fighting purposes has been observed or are anticipated.

Plan 2040 Plan Elements/Staff Analysis	
36	<u>Community Facilities: Goal 2, Policy 3.</u> <i>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).</i> ✓ <u>Staff Analysis:</u> Metropolitan Sewer District (MSD) have reviewed and provided preliminary approval.
37	<u>Economic Development: Goal 1, Policy 2.</u> <i>Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.</i> NA <u>Staff Analysis:</u> C-2 zoning would not permit industrial land uses.
38	<u>Economic Development: Goal 1, Policy 3.</u> <i>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.</i> ✓ <u>Staff Analysis:</u> While the proposal is unlikely to generate a high volume of traffic, the subject site is located north of the intersection of two minor arterial roadways, and there is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal.
39	<u>Economic Development: Goal 1, Policy 4.</u> <i>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.</i> NA <u>Staff Analysis:</u> The subject site is not located near the Ohio River or an airport. C-2 zoning would not permit industrial land uses.
40	<u>Economic Development: Goal 1, Policy 5.</u> <i>Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.</i> NA <u>Staff Analysis:</u> C-2 zoning would not permit industrial land uses.
41	<u>Livability: Goal 1, Policy 17.</u> <i>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.</i> ✓ <u>Staff Analysis:</u> Metropolitan Sewer District (MSD) has reviewed and provided preliminary approval.
42	<u>Livability: Goal 1, Policy 21.</u> <i>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.</i> NA <u>Staff Analysis:</u> The subject site is not located within the regulatory floodplain.
43	<u>Livability: Goal 1, Policy 24.</u> <i>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.</i> NA <u>Staff Analysis:</u> The subject site is not located within the regulatory floodplain.

Plan 2040 Plan Elements/Staff Analysis	
44	<u>Housing: Goal 1, Policy 2.</u> <i>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.</i> ✓ <u>Staff Analysis:</u> While the current proposal does not include residential development, C-2 zoning would allow for expanded housing opportunities if redeveloped in the future.
45	<u>Housing: Goal 2, Policy 1.</u> <i>Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.</i> ✓ <u>Staff Analysis:</u> While the current proposal does not include residential development, C-2 zoning would allow for expanded housing opportunities if redeveloped in the future, that could encourage inter-generational, mixed-income and mixed-use development.
46	<u>Housing: Goal 2, Policy 2.</u> <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> ✓ <u>Staff Analysis:</u> While the current proposal does not include residential development there is a developed network of sidewalks, public transit options, and roadways with the infrastructure to accommodate the proposal.
47	<u>Housing: Goal 3, Policy 2.</u> <i>As neighborhoods evolve, discourage displacement of existing residents from their community.</i> ✓ <u>Staff Analysis:</u> No residents are known to be displaced by this request.
47	<u>Housing: Goal 3, Policy 3.</u> <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> ✓ <u>Staff Analysis:</u> While the current proposal does not include residential development, C-2 zoning would allow for expanded housing opportunities if redeveloped in the future.

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 (and to the City of Lyndon, St. Matthews, Hurstbourne, or Middletown etc) 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 issued:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
4. 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.
5. 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.
6. There shall be no outdoor music (live, piped, radio, or amplified) or outdoor PA system permitted on site.