



25-ZONE-0095

Planning Commission
Staff Report
August 8, 2026

8300 Nash Road Rezoning

Location: 8300 Nash Road
Applicant: Jaime Perez
Representative: Bluestone Engineers PLLC
Jurisdiction: Louisville Metro
Council District: 13 – Dan Seum Jr.
Case Manager: Mark Pinto, Planner II

REQUESTS & RECOMMENDED ACTIONS

1. Change in Zoning from M-2 Industrial and R-4 Single-Family Residential to C-M Commercial Manufacturing
 - 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. 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 M-2 Industrial in the front and R-4 Residential in the rear. The entire site is located within the Suburban Workplace form district, approximately 1.4 acres, and developed with an existing 1,200 square-foot building. The M-2 portion of the site was originally rezoned under docket #9-105-02 for indoor and outdoor storage. A Revised Detailed District Development Plan was approved under docket #DP-19080-13 for an office and warehouse, with a proposed 3,489 square foot building addition. However, the proposal was never constructed.

The applicant is proposing to change the zoning on the site to C-M Commercial Manufacturing to allow auto sales in front of the property and heavy truck parking and storage in the rear. The existing building on site is to remain and the attached 720 square-foot carport is to be enclosed and become part of the existing building. Access for the auto sales lot is proposed from Nash Road. Access for the heavy truck area in the rear of the lot is proposed off Mouser Avenue, a private access road.

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.
- LOJIC identified the potential for hydric soils on the site. A wetlands determination report submitted on January 26, 2026, indicated there are no jurisdictional wetlands on site. A non-jurisdictional wetland was identified on site during the field assessment along the southern boundary of the site.

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 Suburban Workplace Form District

A Suburban Workplace is a form characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. Suburban Workplaces often contain a single large-scale use or a cluster of uses within a master planned development. New larger proposed industrial uses are encouraged to apply for a planned development district.

In order to provide adequate transportation access in suburban workplaces connected roads, public transportation and pedestrian facilities should be encouraged. Walkways to workplace serving uses are encouraged for workplace employees. Development within Suburban Workplace Form Districts may need significant buffering from abutting uses.

STAFF FINDING: The proposed change in zoning is adequately justified. The proposal would not constitute non-residential expansion into an existing residential area. Nash Road is developed with a mixture of industrial, commercial, and residential zoning and uses. Tolls Lane, a residential street with existing homes, is located to the west and adjoins the subject property at the rear. Landscaping, screening, and plantings shall be provided in accordance with LDC Chapter 10. The site is located along Nash Road and within the Suburban Workplace form district, which anticipates industrial and office development. The subject property is adjacent to existing higher intensity industrial and commercial land uses.

**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: LOJIC identified hydric soil on site which is an indication of potential wetlands. A wetlands determination report was completed and submitted that identified no jurisdictional wetlands on site. A non-jurisdiction wetland was identified along the southern property boundary. The Detailed District Development Plan shows a 15 ft. buffer from the non-jurisdictional wetland where no impervious surface is proposed.

The proposal shall comply with landscaping, screening, and tree canopy requirements per Chapter 10. Additionally, the site is located in the floodplain. MSD has reviewed the proposal and provided preliminary approval as there is a proposed MSD floodplain compensation area in the rear of the property where no impervious surface area is proposed.

- 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 and is meeting the required 50 ft. landscape buffer area where the subject site adjoins residential development along Tolls Lane. A 15 ft. buffer for the non-jurisdictional wetland is also provided as identified on the Detailed District Development Plan. 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. The site is located in the floodplain. As such, there is an area in the rear of the lot set aside for an MSD floodplain compensation area.

- 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 Nash Road is developed with a mixture of higher intensity commercial and industrial land uses that are adjacent to the site. Nash Road is connected to Outer Loop, a major arterial roadway, and National Turnpike, a minor arterial roadway. National Turnpike and Outer Loop are developed with activity and employment centers.

- 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. The proposed change in zoning is adequately justified. The proposal would not constitute non-residential expansion into an existing residential area. Nash Road is developed with a mixture of industrial, commercial, and residential zoning and uses. Tolls Lane, a residential street with existing homes, is located to the west and adjoins the subject property at the rear. Landscaping, screening, and plantings shall be provided in accordance with LDC Chapter 10. The site is located along Nash Road and within the Suburban Workplace form district, which anticipates industrial and office development. The subject property is adjacent to existing higher intensity industrial and commercial land uses.

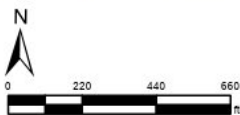
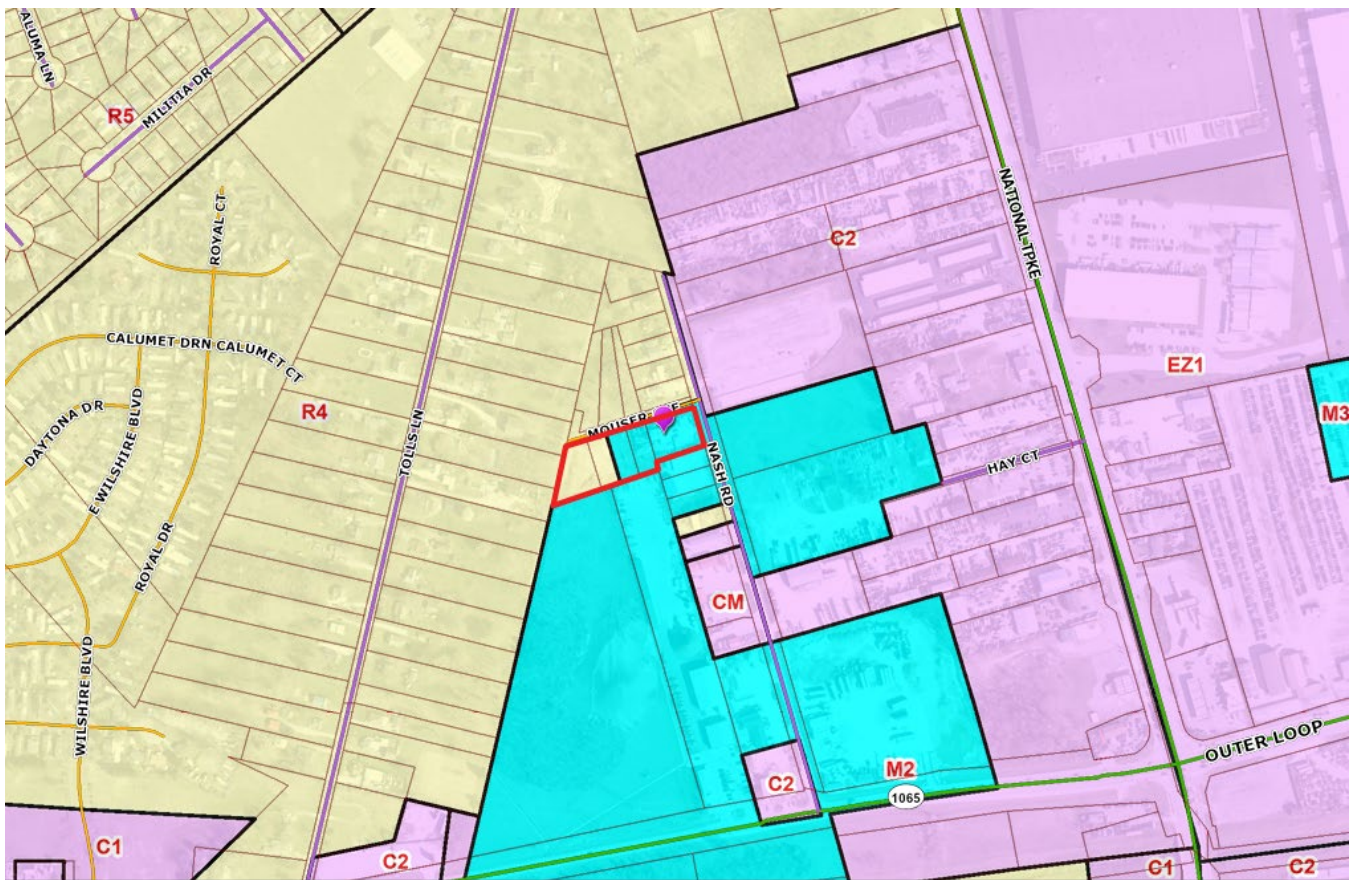
NOTIFICATION

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 13
7/21/2026	Planning Commission Public Hearing	Sign Posting on Property
7/23/2026	Planning Commission Public Hearing	Legal Advertisement in the Courier-Journal

ATTACHMENTS

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

1. Zoning Map



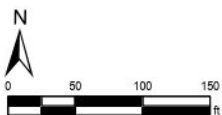
Wednesday, July 29, 2026 | 4:29 PM



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

2. Aerial Map



Wednesday, July 29, 2026 | 4:30 PM



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3. Plan 2040 Checklist

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

Suburban Workplace: 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. Nash Road is developed with a mixture of industrial, commercial, and residential zoning and uses. Tolls Lane, a residential street with existing homes, is located to the west and adjoins the subject property at the rear. Landscaping, screening, and plantings shall be provided in accordance with 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 Nash Road which connects to Outer Loop and National Turnpike. Outer Loop is a major arterial that connects to National Turnpike, a minor arterial with a mix of commercial and industrial uses. The site is located near established activity and employment centers along Outer Loop and National Turnpike. Public transportation is available near the site along National Turnpike at multiple points.
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> The entirety of the subject site is located in the Suburban Workplace form district and adjacent to established industrial zoning and land uses. Nash Road serves a variety of commercial, industrial, and residentially zoned properties.
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 permit residential, commercial, and lower intensity M-1 Industrial uses. Hazardous uses would not be permitted on site without potentially a change in zoning to a more intense industrial zoning district (M-3) and approval of a conditional use permit. Noise and lighting emissions shall meet the requirements of the Land Development Code and Louisville Metro Code of Ordinances. The Louisville Metro Noise Ordinance is applicable to the site regardless of the zoning district.
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. Staff Analysis: The proposed zoning district would permit residential, commercial, and lower intensity M-1 Industrial uses. The site is adjacent to existing industrially zoned and used properties along Nash Road. The property is located in the Suburban Workplace form district, which contemplates industrial development. Workplace form districts are encouraged for industrial land uses, as industrial uses can become incompatible with Neighborhood and Corridor form districts. ✓ The C-M zoning district has been requested to permit heavy truck parking and storage. Additional restrictions shall apply for the idling of trucks to mitigate potential adverse impacts on adjacent residential properties. The site shall comply with all landscaping, screening, and planting requirements of LDC Chapter 10 to adequately buffer the heavy truck activity from adjacent residents to the west. Hazardous uses and uses that have the potential to transport odors and particulates would not be permitted on site without potentially a change in zoning to a more intense industrial zoning district (M-2 or M-3) and approval of a conditional use permit in some instances.
6	Community Form: Goal 1, Policy 17. Mitigate adverse impacts of traffic from proposed development on nearby existing communities. ✓ Staff Analysis: Transportation Planning/Public Works have reviewed the proposal and provided preliminary approval. The site is served by Nash Road, which also serves a variety of higher intensity commercial and industrial uses. Nash Road is connected to Outer Loop and National Turnpike, two arterial roadways with existing transportation infrastructure to support the proposal.
7	Community Form: Goal 1, Policy 18. Mitigate adverse impacts of noise from proposed development on existing communities. ✓ Staff Analysis: Adequate landscaping, buffering, and screening shall be provided in accordance with LDC Chapter 10 to help mitigate adverse impacts of noise. The Louisville Metro Noise Ordinance and compatibility standards for unloading and loading are applicable to the site 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. ✓ Staff Analysis: The proposed zoning district would permit lower intensity M-1 Industrial uses. Hazardous uses would require a rezoning to M-3 Industrial and approval of a conditional use permit in accordance with LDC Section 4.2.42. The proposal would not permit potentially offensive uses such as junkyards, landfills, or quarries.
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 permit activity centers in an area with existing infrastructure with connectivity to two arterial roadways that serve a mixture of commercial, residential, and industrial uses.

Plan 2040 Plan Elements/Staff Analysis	
	The subject is located within the Suburban Workplace form district which anticipates industrial and commercial development.
10	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 proposed zoning district would permit new commercial development in an area with existing residential and commercial uses that can support it.
11	Community Form: Goal 2, Policy 6. Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment. ✓ Staff Analysis: The proposal would permit a variety of commercial and industrial land uses that could result in a more compact development pattern.
12	Community Form: Goal 2, Policy 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. ✓ Staff Analysis: The proposed zoning district would permit a mix of residential, commercial, and industrial land uses that may reduce the number of trips and miles travelled by automobile. Public transportation and sidewalks are available near the site along National Turnpike.
13	Community Form: Goal 2, Policy 8. Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multi-story retail buildings. ✓ Staff Analysis: The proposal would permit residential, office, and retail development whereas the existing M-2 Industrial zoning of the property does not.
14	Community Form: Goal 2, Policy 9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses. ✓ Staff Analysis: The proposed zoning district would permit new commercial and office development, and rehabilitation of existing buildings.
15	Community Form: Goal 2, Policy 10. 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. NA Staff Analysis: The subject site is an outlot associated with a commercial activity center.
16	Community Form: Goal 3, Policy 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. ✓ Staff Analysis: LOJIC identified hydric soil on site which is an indication of potential wetlands. A wetlands determination report was completed and submitted that identified no jurisdictional wetlands on site. A non-jurisdiction wetland was identified along the southern property boundary. The Detailed District Development Plan shows a 15 ft. buffer from the non-jurisdictional wetland where no impervious surface is proposed. The proposal shall comply with landscaping, screening, and tree canopy requirements per Chapter 10.
17	Community Form: Goal 3, Policy 10. Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation. ✓ Staff Analysis: LOJIC identified hydric soil on site which is an indication of potential wetlands. A wetlands determination report was completed and submitted that identified no jurisdictional wetlands on site. A non-

Plan 2040 Plan Elements/Staff Analysis	
	jurisdiction wetland was identified along the southern property boundary. The Detailed District Development Plan shows a 15 ft. buffer from the non-jurisdictional wetland where no impervious surface is proposed.
18	Community Form: Goal 3, Policy 11. 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. NA Staff Analysis: The subject site is not near the Ohio River or along the Ohio River Corridor.
19	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 site is located within the floodplain. MSD has reviewed the proposal and provided preliminary approval. An area in the rear of the site is set aside for an MSD floodplain and compensation area.
20	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: Historic Preservation and Urban Design reviewed the proposal and determined there were no historical or cultural resources on site.
21	Community Form: Goal 4, Policy 2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features. ✓ Staff Analysis: Historic Preservation and Urban Design reviewed the proposal and determined there were no historical or cultural resources on site.
22	Mobility: Goal 3, Policy 1. 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 site is near a variety of zoning districts that would permit higher densities and intensities. The subject site is located on Nash Road, which serves existing higher intensity commercial and industrial uses. Nash Road is connected to Outer Loop and National Turnpike, two arterial roadways that serve activity and employment centers in the area. Public Transportation is not available along Nash Road or Outer Loop, but is located along National Turnpike at multiple points.
23	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 would permit a mixture of residential, commercial, and industrial uses that could be made easily accessible by alternative modes of travel. Sidewalks exist along Nash Road and National Turnpike, but not Outer Loop. Public transportation is available along National Turnpike at multiple points.
24	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: Safe vehicular and pedestrian access shall be provided to adjacent public rights-of-way. Public transportation is available near the site along National Turnpike. The proposed zoning district would permit a mixture of residential, commercial, and industrial land uses including expanding housing choices.
25	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 a mixture of compatible residential, commercial, and lower intensity industrial uses. Sidewalks exist along Nash Road and near the site along National Turnpike. The site is connected to two arterial roadways that serve a variety of higher intensity commercial and industrial uses including employment and activity centers.
26	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: Transportation Planning and Public Works reviewed the proposal and provided preliminary approval. The subject site is near existing higher intensity commercial and industrial development that are served by arterial roadways with existing infrastructure.
27	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: Transportation Planning and Public Works reviewed the proposal and provided preliminary approval. Sidewalks exist along Nash Road.
28	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: Transportation Planning and Public Works reviewed the proposal and provided preliminary approval. The proposal does not necessitate additional roadway improvements for adjacent and nearby public roads.
29	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: Transportation Planning and Public Works reviewed the proposal and provided preliminary approval. The proposal does not necessitate additional roadway improvements for adjacent and nearby public roads.
30	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 in an area that is served by existing utilities. The applicant shall coordinate with public and private utilities as needed.
31	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. ✓ Staff Analysis: An adequate supply of potable water and water for fire-fighting purposes shall be made available.
32	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).

Plan 2040 Plan Elements/Staff Analysis	
✓	Staff Analysis: MSD has reviewed the proposal and provided preliminary approval. Sanitary sewage and drainable shall be made available to serve the proposal.
33	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. ✓ Staff Analysis: The proposal is located adjacent to existing industrial uses within the Suburban Workplace form district. Nash Road, Outer Loop, and National Turnpike serve a mixture of commercial, residential, and industrial uses in the area.
34	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 would permit a mixture of commercial, industrial, and residential land uses. Nash Road is a local road that serves existing higher intensity commercial and industrial uses. Nash Road is connected to Outer Loop and National Turnpike, two arterial roadways with existing infrastructure that serve existing development.
35	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. NA Staff Analysis: The proposal is not located near the airport or Ohio River.
36	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 proposal is adequately located with transportation connectivity to adjacent industrial development. Nash Road is developed with existing industrial development and is connected to arterial roadways.
37	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 reviewed the proposal and provided preliminary approval of the request.
38	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 subject site is located in the floodplain. An area in the rear of the site is set aside for an MSD floodplain compensation area. MSD reviewed the proposal and provided preliminary approval of the request.
39	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 proposal would not permit industrial uses that store hazardous materials. The subject site is located in the floodplain. An area in the rear of the site is set aside for an MSD floodplain compensation area. MSD reviewed the proposal and provided preliminary approval of the request.

Plan 2040 Plan Elements/Staff Analysis	
40	<u>Housing: Goal 1, Policy 2.</u> 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. ✓ <u>Staff Analysis:</u> 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 available along National Turnpike.
41	<u>Housing: Goal 2, Policy 1.</u> Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area. ✓ <u>Staff Analysis:</u> 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 connected to two arterial roadways.
42	<u>Housing: Goal 2, Policy 2.</u> 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. ✓ <u>Staff Analysis:</u> Existing activity centers, employment opportunities, and transit-oriented services exist within the immediate area to serve the proposal.
43	<u>Housing: Goal 3, Policy 2.</u> As neighborhoods evolve, discourage displacement of existing residents from their community. ✓ <u>Staff Analysis:</u> There are no concerns of displacement with the proposal as the subject site is not developed residentially. The existing M-2 zoning would not permit new residential development whereas the proposed zoning district would permit a variety of housing types and densities.
44	<u>Housing: Goal 3, Policy 3.</u> 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. ✓ <u>Staff Analysis:</u> The proposed zoning district would encourage innovative, alternative housing types that advance efforts for affordable housing.

4. Existing 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. ~~The structure on the development shall not exceed 4,712 square feet of gross floor area.~~
3. ~~There shall be no freestanding sign permitted on site without prior approval. Monument style signs that meet the size and height limits established in the "Policies for future Development Along Designated Parkways" may be approved by DPDS staff. Signs that exceed those limits are permitted only if approved by LD&T or the Commission. LLD&T or the Planning Commission may require that the signs be smaller than would otherwise be permitted in the Zoning District Regulations.~~
4. ~~No outdoor advertising signs, small free standing signs, pennants, balloons, or banners shall be permitted on site.~~
5. ~~There shall be no outdoor storage, display or sales except as permitted under Section 9.7 of the Jefferson County Development Code and within designated areas on the approved development plan.~~
6. ~~Outdoor lighting (for parking lot illumination and security) shall be directed down and away from surrounding residential properties. Lighting fixtures shall have a 90 degree cutoff and height of the light standard shall be set so that no light source is visible off site.~~
7. ~~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.~~
8. ~~Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:~~
 - a. ~~The development plan must receive full construction approval from the Department of Public Works and Transportation (400 Fiscal Court Building) and the Metropolitan Sewer District (700 West Liberty).~~
 - b. ~~The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.~~

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9. ~~If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.~~
 10. ~~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.~~
 11. ~~If work is required within the easement causing removal or damage of landscape materials, the property owner shall be responsible for replacement of materials according to the landscape plan.~~
 12. ~~The design of structure shall be consistent with the rendering shown at the Planning Commission public hearing on May 29, 2003.~~
 13. ~~The hours of operation shall be from 8:00 a.m. to 6:00 p.m. daily.~~
 14. ~~An address shall be affixed to the building prior to issuance of a certificate of occupancy.~~
 15. ~~Water and sewer utilities shall be connected to the site prior to obtaining a certificate of occupancy.~~
 16. ~~A six foot wood privacy fence shall be constructed on the north and west sides of the site at the location shown on the plan.~~
 17. ~~A sidewalk shall be constructed along the Nash Road frontage, so that the sidewalk constructed on the site will join and continue the sidewalk from the property immediately adjacent from the south.~~

5. 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. There shall be no junked or inoperable vehicles parked or stored on site that are not queued for repair.
6. No idling of trucks shall take place between the hours of 8:00 p.m. and 7:00 a.m. No overnight idling of trucks shall be permitted on site.
7. No loading or unloading operations shall be conducted between the hours of 10:00 p.m. and 7:00 a.m.
8. All vehicles whether parked, stored, or transient, shall be on a hard and durable surface. Other materials, such as gravel, may be approved prior to installation by the Office of Planning and Department of Transportation. Any approved gravel shall include a binding agent to stabilize the surface to prevent dust.

9. 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.