

**Detailed Statement of Compliance
With the Applicable Guidelines and Policies of the
Plan 2040 Comprehensive Plan**

Property Owner: Gustavo Reyes Torres
Applicant: Encompass DDC, LLC
Pre-App Case No.: 22-ZONEPA-0100
Location: 8907H US Highway 42
Engineer: Prism Engineering
Proposed Use: Retail Use
Requests: Zone Change from OR-3 to C-1

Introductory Statement

The applicant proposes a change in zoning from the existing OR-3 zoning to the proposed C-1 zoning classification for the property located at 8907H US Highway 42. The site is located a Village (Outlying) Form District. The applicant proposes to construct a 5,000 SF retail building on the property.

Community Form Goal 1: Guide the form and design of development

The applicant's proposal complies with Community Form Goal 1, Policies 6, 7, 17 and 18 of Plan 2040.

Policy 6 - The proposal is adjacent to residential zones, but the proposal does not abut residential uses. Additionally, the area provides a transition from the more intense activity center to the lower intensity districts. This proposal does not result in an expansion of a non-residential use into a residential area.

Policy 7 – The proposal is located within proximity of an activity center with demand and infrastructure availability to support transit service.

Policy 17 – The proposal should not generate significant traffic volumes that would have a negative impact on the community.

Policy 18 – The proposed district does not generally allow uses that would produce a high level of noise that would adversely affect the community.

Community Form Goal 2: Encourage sustainable growth and density

The applicant's proposal complies with Community Form Goal 2, Policies 1, 4, 6, 7, and 11 of Plan 2040.

Policy 1 – The proposal is located in an existing transitional area relative to the activity center and is adjacent to compatible non-residential uses.

Policy 4 – The proposal will enhance pedestrian connectivity in the project area, allowing future connection to the activity center.

Policy 6 – The proposal locates the non-residential use in an area that does not abut existing residential uses. The proposal is located in an area with existing infrastructure, resulting in a proposal that considers both efficiency and cost of necessary improvements.

Policy 7 – The proposal is located in an area in close proximity to the activity center, allowing fewer trips, while encouraging vitality and a sense of place.

Policy 11 – The proposal is located in an area of non-residential uses and is of such scale to be compatible with nearby residential uses.

Community Form Goal 3: Protection of natural resources

The applicant's proposal complies with Community Form Goal 3, Policies 9, 10, and 12 of Plan 2040.

Policy 9 – The proposed site does not contain sensitive natural features, nor does it propose significant changes in topography.

Policy 10 – The proposal does not impact wet or high permeable soils, and does not include steep or unstable slopes. Appropriate stormwater and erosion control best management practices will be incorporated into the project design.

Policy 12 – The proposal is not located within a flood-prone area, nor areas with sinkholes or landslides. Appropriate measures will be employed to protect the health, safety and welfare of users and neighboring properties.

Community Form Goal 4: Preserve historic and archaeological resources

The applicant's proposal complies with Community Form Goal 4, Policies 1 and 2 of Plan 2040.

Policy 1 - Plan 2040 intends to preserve historic and archaeological resources in the neighborhood. The proposed request does not impact any known historic or archaeological resources.

Policy 2 - The comprehensive plan also encourages the preservation of distinctive cultural features, such as existing landscapes, natural elements, and built features. The existing site is vacant and does not contain any distinctive cultural features.

Mobility Goal 1: Implement an accessible system of transportation

The applicant's proposal complies with Mobility Goal 1, Policy 4 of Plan 2040.

Policy 4 – The proposal is located in a transitional area in proximity to the activity center, along an existing corridor connecting directly to the activity center.

Mobility Goal 2: Plan, build and maintain a safe and accessible transportation system

The applicant's proposal complies with Mobility Goal 2, Policy 4 of Plan 2040.

Policy 4 - Plan 2040 recommends avoiding access for developments through areas of significantly lower intensity of density, if such access would create a nuisance. In this case, the site is directly adjacent to US Hwy 42, a major arterial roadway. Therefore, the applicant's proposed zoning change and proposed use would not create a nuisance for the neighborhood.

Mobility Goal 3: Encourage land use and transportation patterns that connect and support future growth in Louisville Metro

The applicant's proposal complies with Mobility Goal 3, Policies 1, 2, 3, 4, 5, 6, and 9 of Plan 2040.

Policy 1 - Plan 2040 encourages transportation facilities and services that promote and accommodate growth, with development that is a mixture of neighborhood serving businesses and services that encourage short trips which are easily made by walking or bicycling, which is supported by this proposal.

Policy 2 – The proposal encourages a mixture of neighborhood serving businesses that area easily accessible, which reduces travel length and the number of trips.

Policies 3, 4, and 5 - The comprehensive plan encourages the promotion of public transit and pedestrian movement. While this site will have no significant effect on the existing transportation network, the inclusion of sidewalks will promote pedestrian movement, by allowing future connectivity to the activity center and surrounding community.

Policies 6 and 9 – Any necessary improvements to the existing roadway, installation of required sidewalks and pedestrian connections at the proposed site will be constructed by the developer.

Community Facilities Goal 2: Plan for community facilities

The applicant's proposal complies with Community Facilities Goal 2, Policies 1, 2, and 3 of Plan 2040.

Policy 1 - The existing site is served by existing utilities and infrastructure that can sustain the proposed use. No additional infrastructure and disruption to existing services will be required for the proposed use.

Policy 2 – The proposal is located in an area served by Louisville Water for both domestic and fire protection purposes.

Policy 3 – The Metropolitan Sewer District has provided preliminary approval of the proposal and the site is located within an area currently served by a wastewater treatment facility.

Economic Development Goal 1: Provide an economic climate that improves growth, innovation, investment and opportunity for all.

The applicant's proposal complies with Economic Development Goal 1, Policy 3 of Plan 2040.

Policy 3 – The proposal site is located along an existing major arterial roadway, which provides a direct connection to the activity center to avoid impacts to the neighboring areas.

Livability Goal 1: Protect and enhance the natural environment and integrate it with the built environment as development occurs

The applicant's proposal complies with Livability Goal 1, Policies 17 and 21 of Plan 2040.

Policy 17 - The proposed zone change request will have no negative impacts on the existing environment within the site or within the neighborhood. There are no apparent susceptible environmental features. The increase in impervious area will be offset by the installation of a stormwater detention basin and stormwater quality treatment unit.

Policy 21 – The proposed site is not located within a floodplain. The increase in impervious area will be offset by the installation of a stormwater detention basin and stormwater quality treatment unit in conjunction with the development approved for the property at 8909 US Hwy 42.

Summary Statement

For all of the above reasons and others identified on the development plan submitted with this application, including any conditions of approval that may need to be addressed and presented at the time of Planning Commission review, this application complies with all relevant and applicable Guidelines and Policies of the Plan 2040 Comprehensive Plan.