26-DDP-0005

Planning Commission
Staff Report
July 16, 2026

General Development Plan – Old Bardstown Road

Location:	8803, 8805, & 8807 Old Bardstown Road
Applicant:	Goodwill Industries of Kentucky Inc.
Representative:	Bardenwerper Talbott & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	22 – Kevin Bratcher
Case Manager:	Sydney Fawcett, AICP, Planner I

REQUEST & RECOMMENDED ACTION

1. Revised Detailed District Development Plan with Amendment to Binding Elements
   - Staff finds the justification for the request is adequate and recommends the Planning Commission **RECOMMEND** the Louisville Metro Council **APPROVE** the Revised Detailed District Development Plan with Amendment to Binding Elements

CASE SUMMARY

The subject site is approximately 7.02 acres zoned C-1 Commercial and OR-1 Office Residential in the Neighborhood form district. The subject site is located at the corner of Old Bardstown Road and Fairmount Road west of Bardstown Road. The applicant is proposing to construct three (3) 15,000 square foot office and retail buildings with 182 associated parking spaces. The applicant is requesting the building within the C-1 Commercial zoning district be 27 feet. However, Binding Element #9 restricts the building height within the C-1 Commercial zoning district to 25 feet. Staff recommends removing the binding element as the Neighborhood form district permits structures within the C-1 Commercial zoning district to be up to 35 feet in height.

Related Cases

- **24-ZONE-0105:** Change in zoning from R-4 Single-Family Residential and C-1 Commercial to OR-1 Office Residential and C-1 Commercial with a Detailed District Development Plan

TECHNICAL REVIEW

- Comprehensive Plan 2040
- Land Development Code (Louisville Metro 2025)
- MSD has provided preliminary approval.
- Transportation Planning has provided preliminary approval.

- Detailed District Development Plan Binding Element #12 requires that any significant changes or alterations to the proposed structures (i.e., building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property, and/or any amendments to the binding elements shall be reviewed before the Planning Commission, with final action to be determined by the Metro Council.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR REVISED DETAILED DISTRICT DEVELOPMENT PLAN AND AMENDMENT TO BINDING ELEMENTS

a. *The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;*

STAFF FINDING: There do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site.

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. Metro Public Works 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 for the proposed development.

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 has preliminarily approved the development 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. Appropriate screening will be provided to screen adjacent properties and roadways.

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 applicable guidelines and policies of the Comprehensive Plan. Community Form Goal 1 Policy 4 calls to ensure new development and redevelopment is compatible with the scale and site design of nearby existing development and with the desire pattern of development within the Form District. Community Form Goal 1 Policy 9 suggests implementing an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The surrounding area has a mix of single-family, multi-family, and commercial developments. The applicant is providing a 15- to 30- foot landscape buffer and plantings along each property line to screen the proposed development from the existing nearby uses and Bardstown Road. Community Form Goal 1 Policy 11 advocates for setbacks, lot dimensions, and building heights are compatible with those of nearby developments that meet Form District guidelines. The proposal demonstrates compatibility in terms of scale, height, and setbacks with adjacent developments.

Mobility Goal 3 Policy 20 suggests promoting joint access and circulation systems for development sites comprised of more than one buildable lot. The applicant is proposing to create 3 buildable lots and provide vehicular and pedestrian connection between each lot. Two access points will be from Old Bardstown Road, and one access point will be from Fairmount Road.

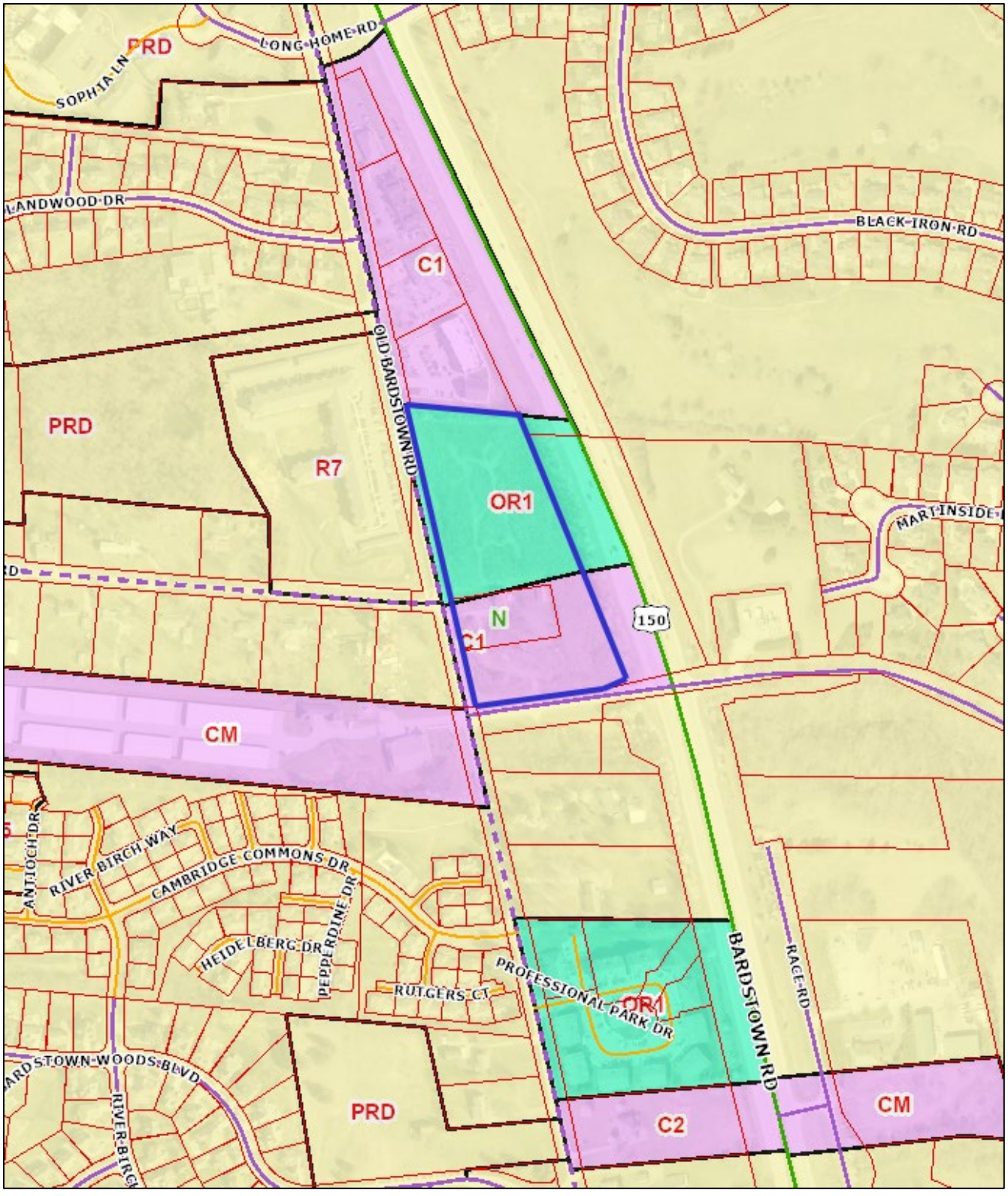
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
6/26/2026	Planning Commission Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 22

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing Binding Elements with Proposed Amendments
4. Proposed Binding Elements

1. Zoning Map


PRD
LONG HOME RD
SOPHIA LN
LANDWOOD DR
BLACK IRON RD
C1
OLD BARDSTOWN RD
PRD
R7
OR1
MART INSIDE
N
C1
150
CM
ANTIOCH DR
RIVER BIRCH WAY
CAMBRIDGE COMMONS DR
HEIDELBERG DR
PEPPERDINE DR
RUTGERS CT
PROFESSIONAL PARK DR
OR1
BARDSTOWN RD
RACE RD
BARDSTOWN WOODS BLVD
RIVER BIRCH
PRD
C2
CM

2. Aerial Photograph

3. **Existing Binding Elements with Proposed Revisions**

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. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.~~

3. 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.

4. 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. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
    c. A minor subdivision plat or legal instrument shall be recorded (creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
    d. 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.
    e. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
    f. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
    ~~g. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the April 10, 2025, Planning Commission meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.~~

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 entertainment or outdoor PA system permitted on the site).

7. 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.

8. At such a time the property to the north redevelops for a commercial use, a reciprocal access and crossover easement agreement In a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded.

~~9. Buildings on the C-1 zoned portion of the site shall not exceed one (1) story. They shall also not exceed twenty-five (25) feet in height.~~

~~10. Buildings on the OR-1 portion of the site shall not exceed two (2) stories. They shall also not exceed thirty-five (35) feet in height.~~

11. The following uses shall be prohibited on site:

    a. Automobile rental agencies
    b. Automobile parking areas, public and private
    c. Automobile service stations with service bats for repair of no more than two vehicles
    d. Banks, credit unions, savings and loan, check cashing services and similar financial institutions that are primarily payday loan or check cashing operations, or that are only state-regulated are prohibited, but traditional banks and credit unions that are full service and federally regulated are permitted.
    e. Bowling alleys
    f. Car washes
    g. Charitable gaming facilities
    h. Convenience groceries

i. Dry-cleaning, dyeing, pressing, and laundry; distributing stations or retail businesses where no cleaning, dyeing, pressing or laundry is done for other distributing station or cleaning establishments
j. Dwelling, Multiple-family if the density exceeds 12.01 dwelling units per acre
k. Extended stay lodging
l. Hotels and motels
m. Package liquor stores
n. Pawn shops
o. Rental business offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center
p. Restaurants, tea rooms and cafes
q. Tents, air structures and other temporary structures intended for occupancy by commercial activities including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that such structures may not be installed for a period (or periods totaling) more than ten (10) days during a calendar year

12. Any significant increases to the proposed structures (e.g. increase in building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property which directly or indirectly require a public hearing before the Planning Commission or subcommittee thereof, and/or any amendments to the binding elements, other than (i) the addition of new binding elements, (ii) changes to the binding elements that merely update the public hearing date, or (iii) updating a previous version of this binding element to reflect the current language, shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

4. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

2. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:

    a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
    b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
    c. A minor subdivision plat or legal instrument shall be recorded (creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
    d. 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.
    e. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
    f. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.

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 outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site).

6. 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.

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    2. Automobile parking areas, public and private
    3. Automobile service stations with service bats for repair of no more than two vehicles
    4. Banks, credit unions, savings and loan, check cashing services and similar financial institutions that are primarily payday loan or check cashing operations, or that are only state-regulated are prohibited, but traditional banks and credit unions that are full service and federally regulated are permitted.
    5. Bowling alleys
    6. Car washes
    7. Charitable gaming facilities
    8. Convenience groceries
    9. Dry-cleaning, dyeing, pressing, and laundry; distributing stations or retail businesses where no cleaning, dyeing, pressing or laundry is done for other distributing station or cleaning establishments
    10. Dwelling, Multiple-family if the density exceeds 12.01 dwelling units per acre
    11. Extended stay lodging
    12. Hotels and motels
    13. Package liquor stores
    14. Pawn shops
    15. Rental business offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center
    16. Restaurants, tea rooms and cafes
    17. Tents, air structures and other temporary structures intended for occupancy by commercial activities including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that

such structures may not be installed for a period (or periods totaling) more than ten (10) days during a calendar year

9. Any significant increases to the proposed structures (e.g. increase in building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property which directly or indirectly require a public hearing before the Planning Commission or subcommittee thereof, and/or any amendments to the binding elements, other than (i) the addition of new binding elements, (ii) changes to the binding elements that merely update the public hearing date, or (iii) updating a previous version of this binding element to reflect the current language, shall be reviewed before the Planning Commission with final action to be determined by Metro Council.