

Justification Statement/Statement of Compliance with the 2040 Comprehensive Plan
Case No. 23-Zone-0123

Project Name:

Location: 1108 South Eighth Street

Owner: Dwayne A. Johnson, Jr.

Applicant: Charles Podgursky, CRP & Associates

Proposed Use: Restaurant

The proposed change in zoning from R-7 to C-R is for a proposed restaurant on the northwest corner of Eighth and Oldham Streets where both provide ready access for pedestrians and vehicles to the subject site, services, and job opportunities. This site is also east of and near the Ninth Street extension where an adequate workforce population could support the use.

The applicant proposes to renovate/repurpose an existing 2 story vacant brick structure. The use will fit in well with the character of the area. The reuse of this building is a great example of bringing life to a corner that has been vacated for quite some time.

The request complies with the applicable Plan Elements and policies of the 2040 Comprehensive Plan as follows:

The request meets Community Form: Goal 1. The proposal will not be an expansion of non-residential uses into a residential area. The existing structure appears to have been originally built as a corner lot commercial building possibly for a "mom and pop" grocery store. The building was last used as a church. The site is within an established neighborhood that has experienced changes from residential to mixed uses. The proposed zoning and use would not permit industrial development or other hazardous uses but would be similar in intensity to nearby developments. The site will be subject to all lighting and noise standards of the Land Development Code and the Louisville Metro Code of Ordinances. The proposal will be a neighborhood serving use providing a family style restaurant that will benefit the mixed-use area of residents, churches, and businesses.

The request meets Community Form: Goal 2. The site is in an area near existing activity centers, workplaces, and churches. Repurposing the building will provide a needed commercial use and perhaps in the future residential uses on the second floor. Appropriate access and connectivity exist to allow for safe and efficient vehicular and pedestrian transportation. Plenty of parking is available on Eighth and Oldham Streets. The proposed zoning, if approved, will permit a small restaurant to serve in an area with an adequate population, residential and businesses, to support it. The proposed zoning district will result in land use that utilizes existing infrastructure, and the proposed land use would encourage pedestrian movement and alternative modes of travel.

RECEIVED

NOV 10 2023

OFFICE OF PLANNING

23-ZONE-0123

The request meets Community Form: Goal 3. The site is developed with an existing 2 story brick building and does not contain distinctive natural features. The subject site is not in the floodplain and does not have apparent environmental limitations. An existing tree that is adjacent to the south property line will be preserved.

The request meets Community Form: Goal 4. The existing building will be preserved with adaptive reuse on the site. All local standards, including food service regulations and all current Metro Smoking Ordinances, will be met to ensure compliance with current State and federal regulations.

The request meets Mobility: Goals 1, 2, and 3. The subject site is within a block of West Oak Street that is served by TARC, an efficient public transportation system. Access to the development will not create a significant nuisance. The site will be accessed via Oldham and Eighth streets and sidewalks exists for pedestrian movement; all easily accessible by bicycle, car, transit, pedestrians, and people with disabilities.

Transportation Planning has reviewed and approved the preliminary development plan.

The request meets Community Facilities: Goal 2. The site is in an area served by existing utilities and utility services will be coordinated with appropriate agencies, including an adequate supply of potable water and water for fire-fighting purposes. MSD has reviewed and approved the preliminary development plan.

The request meets Livability: Goal 1. Tree canopy requirements will be respected. Upkeep and maintenance of the building as well as evergreen plantings along the north and west property lines will increase an aesthetically pleasing view in this area of the neighborhood.

The request meets Housing: Goal 1. The proposed use is consistent with previous uses of the existing building most recently as a church and formerly a "mom and pop" use. The proposed use will not displace any existing residents or change the current residential makeup of the area.

The request meets Economic Development Goal1. Redevelopment of underused commercial and residential land is available and can be repurposed to provide a start-up small restaurant to serve the neighborhood, nearby workforce employees, other commercial, industrial, and institution uses. The proposed use will make use of a vacant building that is being renovated. The proposed use will be operated by local business owners.

For the above reasons, as well as the materials submitted with the application, the application process, as well as the testimony to be given at the upcoming public hearings, this application complies with the intent, the relevant policies, and the Guidelines of Comprehensive Plan 2040. And meets the CHASE principles including Equitable which focuses on the community's diversity and recognizes that resources, opportunities, and outcomes must be shared by all.

Respectfully submitted,

RECEIVED

NOV 10 2023

OFFICE OF PLANNING

23-ZONE-0123

RECEIVED

NOV 10 2023

OFFICE OF PLANNING

23-ZONE-0123