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Request:

Project Name:      Main Street Parking Lot

Location:

Applicant:

Representative:

Jurisdiction:

Council District:

Case Manager:

# Planning Commission

## Staff Report

May 29, 2025



<b>Case No:</b>	24-ZONE-0132
<b>Project Name:</b>	Main Street Parking Lot
<b>Location:</b>	941 E Main Street
<b>Applicant:</b>	Main Plumb, LLC.
<b>Representative:</b>	Frost, Brown and Todd, LLC.
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	4 – Ken Herndon
<b>Case Manager:</b>	Molly Clark, Planner II

### REQUEST(S)

- **Change in zoning** from R-6 multi-family residential and CM commercial manufacturing to C-2 commercial
- **Waivers:**
  1. **Waiver** from 10.2.4 to allow the existing parking lot to encroach into the required 15 ft property perimeter landscape buffer
- **Detailed District Development plan** with binding elements

### CASE SUMMARY

The subject site is zoned R-6, multi-family residential, within the Traditional Neighborhood form district. Part of the subject property is also zoned C-M, Commercial-Manufacturing, with the Traditional Marketplace Corridor form district. The subject property is developed with an existing parking lot that previously served the Plumbers Supply building, located at 1000 E Main Street. The applicant is proposing to rezone to C-2 to allow for the continued use of the existing parking lot. There is no proposed construction.

### STAFF FINDING

The zoning change is generally compliant with the Comprehensive Plan and consistent with the Butchertown Nulu Phoenix Hill Neighborhood Plan. The Detailed District Development Plan is compliant with the Land Development Code except where relief has specifically been requested. The waiver is adequately justified based on the staff analysis contained in the staff report.

### TECHNICAL REVIEW

- Butchertown Nulu Phoenix Hill Neighborhood Plan
  - The Butchertown Nulu Phoenix Hill Neighborhood Plan recommends infill vacant and underutilized properties targeting known “gaps” and identify industrial properties that may transition into residential, mixed-use or commercial.

Land Development Code (2025) Louisville Metro

MSD and Transportation Planning have provided preliminary approval of the proposal

## **INTERESTED PARTY COMMENTS**

All comments received have been placed in the record and made available to the Commission in advance of the public hearing.

## **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**

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: The proposed rezoning will not be a non-residential expansion into existing residential areas as the subject site has been used as an off-street parking lot for several decades. There is existing solid fencing around the property that screens the parking lot from adjacent residential uses. The proposed parking will be serving other commercial uses in the immediate area. The proposed plan is preserving what is existing. The proposed rezoning to commercial will locate higher density and intensity uses near major transportation facilities and transit corridors and will be located within a commercial activity center. There is adequate infrastructure to serve the development.

### The site is located in the Traditional Marketplace Corridor Form District

The Traditional Marketplace Corridor is a form found along a major roadway where the pattern of development is distinguished by a mixture of low-to medium-intensity uses such as neighborhood-serving shops, small specialty shops, restaurants, and services. These uses frequently have apartments or offices on the second stories. Buildings generally have little or no setback, roughly uniform heights and a compatible building style. Buildings are oriented toward the street. Buildings typically have 2-4 stories. New development and redevelopment should respect the predominant rhythm, massing and spacing of existing buildings. However, at certain nodes taller buildings and more intense uses may be appropriate and may facilitate the creation of transit nodes.

There should be a connected street and alley system. New development should maintain the grid pattern and typical block size. Development density and intensity should support existing and future transit operations. If parking is provided, it should be either on-street or in lots at the rear of buildings. Consideration for elimination of parking minimums may be appropriate in certain locations. New development should respect this pattern. Flexible and shared parking arrangements are encouraged. A street capable of permitting on-street parking is usually necessary. Wide sidewalks, street furniture and shade trees should make a pedestrian-friendly environment that invites shoppers to make multiple shopping stops by walking, using bicycles or using transit. Providing access for pedestrians, transit and bicycle users is critical for the Traditional Marketplace form.

Attention to discreet signs can also help make this a very desirable form. A premium should be placed on compatibility of the scale, architectural style, and building materials of any proposed new development with nearby existing development in the corridor.

STAFF: The proposed rezoning will not be a non-residential expansion into existing residential areas as the site is currently zoned CM commercial manufacturing and is located in an area with a variety of uses that are residential and non-residential. Within the R-6 portion of the subject site is a non-residential use for off-street parking that has existed for several decades. The proposed rezoning to commercial will allow a higher density of commercial and residential along Main Street which is an established commercial activity center with adequate infrastructure to serve the subject site.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

#### **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER**

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

STAFF: The waiver will not adversely affect adjacent property owners since there is existing fencing between the subject site and adjacent residential.

- (b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Community Form Goal 1, Policy 4 calls to ensure that 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. The proposal does not include the demolition of existing site conditions or new construction, which could reduce compatibility with the scale and site design in the area.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since due to the location of the existing parking lot. There is still screening being provided with existing fencing.

- (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: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant as there is screening being provided between the commercial and adjacent residential use. There is no new construction being proposed. The site has historically been a parking lot.

#### **STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP and/or 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: The site does not have any environmentally sensitive areas.

- (b) The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Transportation Planning 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: The applicant is providing the required open space with recreational components are required by the Land Development Code.

- (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: The Metropolitan Sewer District has approved the preliminary 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: The overall design of the project is consistent with existing and future development in 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: The plan is in conformance with the requirements of the Land Development Code.

#### **REQUIRED ACTIONS:**

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **Change-in-Zoning** from R-6 multi-family residential and CM commercial manufacturing to C-2 commercial
- **APPROVE** or **DENY** the **Waiver** from 10.2.4 to allow the existing parking lot to encroach into the required 15 ft property perimeter landscape buffer
- **APPROVE** or **DENY** the **Detailed District Development Plan** with binding elements

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if 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.

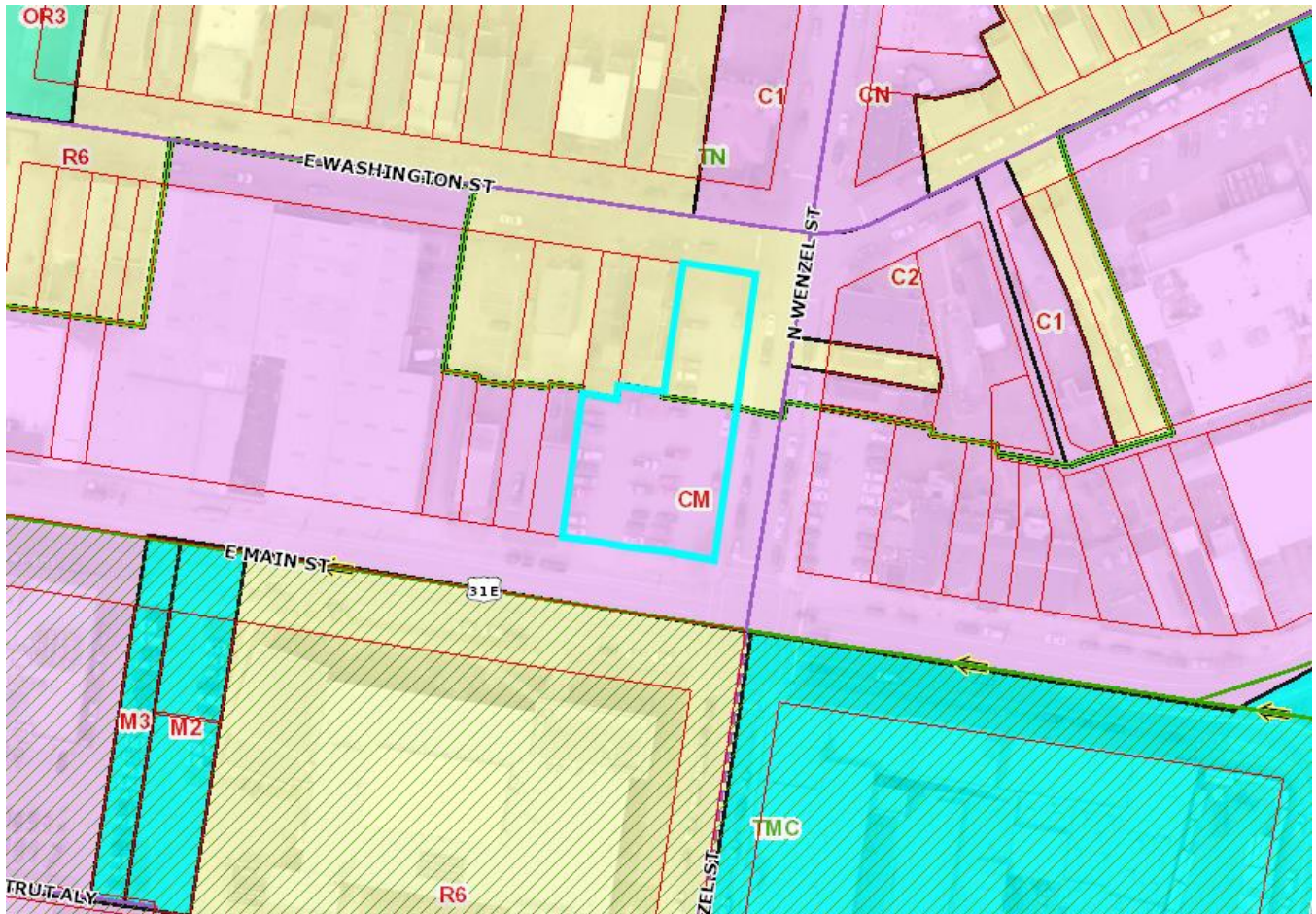
#### **NOTIFICATION**

Date	Purpose of Notice	Recipients
4-23-25	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 4__
5-13-25	Hearing before PC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 4
5-12-25	Hearing before PC	Sign Posting on property
5-14-25	Hearing before PC	Legal Advertisement in the Courier-Journal

#### **ATTACHMENTS**

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

1. Zoning Map





## 2. Aerial Photograph



## 3. Comp 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	<b><u>Community Form: Goal 1, Policy 6.</u></b> 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



Plan 2040 Plan Elements/Staff Analysis	
	<p>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.</p> <p>✓ <b>Staff Analysis:</b> The proposed rezoning will not be a non-residential expansion into existing residential areas as the subject site has been used as an off-street parking lot for several decades. There is existing solid fencing around the property that screens the parking lot from adjacent residential uses. The proposed parking will be serving other commercial uses in the immediate area.</p>
2	<p><b>Community Form: Goal 1, Policy 7.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The proposed rezoning to commercial will locate higher density and intensity uses near major transportation facilities and transit corridors and will be located within a commercial activity center. There is adequate infrastructure to serve the development.</p>
3	<p><b>Community Form: Goal 1, Policy 8.</b> 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.</p> <p>NA <b>Staff Analysis:</b> The proposed rezoning does not permit industrial uses.</p>
4	<p><b>Community Form: Goal 1, Policy 15.</b> When reviewing proposals for siting hazardous uses and uses with air, noise and light emissions, ensure disadvantaged populations are not disproportionately impacted.</p> <p>✓ <b>Staff Analysis:</b> The proposed rezoning does not allow for hazardous or nuisance uses. The proposed zoning to commercial will not disproportionately impact disadvantaged populations.</p>
5	<p><b>Community Form: Goal 1, Policy 16.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> There are not environmental constraints on the subject site. The parking lot is already existing and is to remain.</p>
6	<p><b>Community Form: Goal 1, Policy 17.</b> Mitigate adverse impacts of traffic from proposed development on nearby existing communities.</p> <p>✓ <b>Staff Analysis:</b> The proposed use will generate minimal traffic. Should the site redevelop, the proposed zoning district, adverse impacts from traffic are unlikely due to the size of the lot.</p>
7	<p><b>Community Form: Goal 1, Policy 18.</b> Mitigate adverse impacts of noise from proposed development on existing communities.</p> <p>✓ <b>Staff Analysis:</b> The proposed use will generate minimal noise and will have minimal adverse impacts within the existing community.</p>
8	<p><b>Community Form: Goal 1, Policy 21.</b> 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.</p> <p>NA <b>Staff Analysis:</b> The proposed rezoning does not allow for industrial uses.</p>
9	<p><b>Community Form: Goal 2, Policy 1.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The proposed commercial zoning will be located within an existing commercial activity center along Main Street. There is adequate infrastructure to serve the development.</p>
10	<p><b>Community Form: Goal 2, Policy 4.</b> Allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity.</p> <p>✓ <b>Staff Analysis:</b> The proposed rezoning allows for commercial uses in a location with appropriate access and connectivity.</p>
11	<p><b>Community Form: Goal 2, Policy 5.</b> Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it.</p>

Plan 2040 Plan Elements/Staff Analysis	
✓	<b>Staff Analysis:</b> The proposed rezoning will locate commercial zoning in an existing activity center with sufficient population to support it.
12	<b>Community Form: Goal 2, Policy 6.</b> Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.
✓	<b>Staff Analysis:</b> The proposed rezoning will allow the existing commercial activity center to expand in an area with existing infrastructure to serve it.
13	<b>Community Form: Goal 2, Policy 7.</b> 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.
✓	<b>Staff Analysis:</b> The proposed rezoning will allow for the subject site to be commercial within an existing activity center. The existing parking lot will serve the adjacent commercial uses and elevate on street parking for the immediate area.
14	<b>Community Form: Goal 2, Policy 8.</b> Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multi-story retail buildings.
✓	<b>Staff Analysis:</b> The proposed rezoning will allow for residential land uses should the subject site redevelop. The proposed commercial zoning will also allow residential and office uses above retail and other mixed-use multi-story retail buildings.
15	<b>Community Form: Goal 2, Policy 9.</b> Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.
✓	<b>Staff Analysis:</b> The site has an existing parking lot with no existing buildings to preserve. Should the site redevelop the proposed zoning district would allow for commercial, office and/or residential uses.
16	<b>Community Form: Goal 2, Policy 10.</b> 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	<b>Staff Analysis:</b> There are no proposed outlots with this zoning change.
17	<b>Community Form: Goal 2, Policy 11.</b> Ensure appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood and Village Form Districts to ensure compatibility with nearby residences.
✓	<b>Staff Analysis:</b> The proposed rezoning will be located within an existing activity center in the Traditional Neighborhood form district and will be compatible with nearby development.
18	<b>Community Form: Goal 3, Policy 9.</b> 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.
✓	<b>Staff Analysis:</b> There are no environmental features on the subject site to preserve. The site is already developed with an existing parking lot with the applicant preserving the existing trees.
19	<b>Community Form: Goal 3, Policy 10.</b> 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.
✓	<b>Staff Analysis:</b> The subject site is not located within steep slopes or within the floodplain. The subject site does not contain any environmental constraints.
20	<b>Community Form: Goal 3, Policy 11.</b> 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	<b>Staff Analysis:</b> The subject site is not located within the Ohio River Corridor.
21	<b>Community Form: Goal 3, Policy 12.</b> 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.

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✓	<b>Staff Analysis:</b> The subject site is not located within the regulatory floodplain. MSD has preliminary approved the proposal.
22	<b>Community Form: Goal 4, Policy 1.</b> 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.
✓	<b>Staff Analysis:</b> The proposed plan will preserve existing trees on the subject site and will be using the existing parking lot. No new construction is proposed for this rezoning.
23	<b>Community Form: Goal 4, Policy 2.</b> Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.
✓	<b>Staff Analysis:</b> There are no distinctive cultural features to preserve on the subject site. There are existing trees to stay with the existing parking lot and no proposed changes.
24	<b>Mobility: Goal 1, Policy 4.</b> 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.
✓	<b>Staff Analysis:</b> The proposed rezoning will allow for commercial uses to be located next to an existing marketplace corridor and existing commercial activity center along Main Street. Main Street is also supported by public transit.
25	<b>Mobility: Goal 2, Policy 4.</b> Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.
✓	<b>Staff Analysis:</b> The proposed development will avoid access through areas of significantly lower intensity or density.
26	<b>Mobility: Goal 3, Policy 1.</b> 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.
✓	<b>Staff Analysis:</b> The proposed rezoning will allow for neighborhood serving businesses and services should the site redevelop. The existing parking lot will serve the other adjacent commercial uses in the immediate area.
27	<b>Mobility: Goal 3, Policy 2.</b> 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.
✓	<b>Staff Analysis:</b> The proposed rezoning to commercial will allow for compatible neighborhood serving commercial uses should the subject site redevelop. The existing parking lot will serve the existing commercial activity center along Main Street and N Wenzel Street.
28	<b>Mobility: Goal 3, Policy 3.</b> 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.
✓	<b>Staff Analysis:</b> The proposed rezoning would allow for higher density commercial uses along an existing commercial activity center on Main Street and N Wenzel Street. The existing parking lot would allow customers to park and visit multiple establishments.
29	<b>Mobility: Goal 3, Policy 4.</b> Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following: <b>4.1.</b> nodal connections identified by Move Louisville; <b>4.2.</b> impact on freight routes; <b>4.3.</b> time of operation of facilities; <b>4.4.</b> safety; <b>4.5.</b> appropriate linkages between neighborhoods and employment; and <b>4.6.</b> the potential for reducing travel times and vehicle miles traveled.
✓	<b>Staff Analysis:</b> The proposed rezoning to commercial will allow neighborhood serving commercial uses in an area with complete sidewalk and street networks and along an area with public transit. The proposed plan has received preliminary approval from Transportation Planning.
30	<b>Mobility: Goal 3, Policy 5.</b> Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.
✓	<b>Staff Analysis:</b> The proposed plan to keep the existing parking lot will unlikely have an impact on the existing transportation network. The proposed plan has received preliminary approval from Transportation Planning.
31	<b>Mobility: Goal 3, Policy 6.</b> Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.
✓	<b>Staff Analysis:</b> The subject site is located within an area with establish sidewalk and street networks.
32	<b>Mobility: Goal 3, Policy 9.</b> When existing transportation facilities and services are inadequate and public funds are not

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	<p>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.</p> <p>✓ <b>Staff Analysis:</b> The subject site is located within an area with establish sidewalk and street networks. The proposed plan has received preliminary approval from Transportation Planning.</p>
33	<p><b>Mobility: Goal 3, Policy 10.</b> Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.</p> <p>✓ <b>Staff Analysis:</b> The subject site is located within an area with establish sidewalk and street networks. The proposed plan has received preliminary approval from Transportation Planning.</p>
34	<p><b>Community Facilities: Goal 2, Policy 1.</b> Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.</p> <p>✓ <b>Staff Analysis:</b> The subject site is adequately served by existing utilities.</p>
35	<p><b>Community Facilities: Goal 2, Policy 2.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The subject site is adequately served by existing utilities. The proposed plan has received preliminary approval from MSD.</p>
36	<p><b>Community Facilities: Goal 2, Policy 3.</b> 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).</p> <p>✓ <b>Staff Analysis:</b> There is no proposed construction with this rezoning. The proposed plan has received preliminary approval from MSD.</p>
37	<p><b>Economic Development: Goal 1, Policy 2.</b> Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.</p> <p>NA <b>Staff Analysis:</b> The proposed zoning district does not allow for industrial uses.</p>
38	<p><b>Economic Development: Goal 1, Policy 3.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The proposed change in zoning will locate commercial within an existing commercial activity center that fronts on Main Street – major arterial roadway. It will serve other commercial uses in the immediate area.</p>
39	<p><b>Economic Development: Goal 1, Policy 4.</b> 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.</p> <p>NA <b>Staff Analysis:</b> The proposed rezoning does not allow for industrial uses. The subject site is not located near the airport or the Ohio River.</p>
40	<p><b>Economic Development: Goal 1, Policy 5.</b> Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.</p> <p>NA <b>Staff Analysis:</b> The proposed rezoning does not permit industrial uses.</p>
41	<p><b>Livability: Goal 1, Policy 17.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The subject site does not have any environmental constraints. There is no new construction proposed and the plan has received preliminary approval from MSD.</p>

## Plan 2040 Plan Elements/Staff Analysis

42	<p><b><u>Livability: Goal 1, Policy 21.</u></b> 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.</p> <p>✓ <b><u>Staff Analysis:</u></b> The subject site is not located within the regulatory floodplain. The proposed plan has received preliminary approval from MSD.</p>
43	<p><b><u>Livability: Goal 1, Policy 24.</u></b> 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.</p> <p><b>NA</b> <b><u>Staff Analysis:</u></b> The subject site is not in the floodplain.</p>
44	<p><b><u>Housing: Goal 1, Policy 2.</u></b> 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.</p> <p>✓ <b><u>Staff Analysis:</u></b> The proposed zoning district would allow for a variety of housing types and densities. The site is near a variety of services that support aging in place. Transit is available.</p>
45	<p><b><u>Housing: Goal 2, Policy 1.</u></b> Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.</p> <p>✓ <b><u>Staff Analysis:</u></b> The proposed zoning district would allow for a variety of housing types and densities since commercial zoning does permit residential uses.</p>
46	<p><b><u>Housing: Goal 2, Policy 2.</u></b> 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.</p> <p>✓ <b><u>Staff Analysis:</u></b> The proposed rezoning allows for higher density and accessible residential uses along transit corridors should the site redevelop.</p>
47	<p><b><u>Housing: Goal 3, Policy 2.</u></b> As neighborhoods evolve, discourage displacement of existing residents from their community.</p> <p>✓ <b><u>Staff Analysis:</u></b> The proposal does not involve the displacement of existing residents.</p>
47	<p><b><u>Housing: Goal 3, Policy 3.</u></b> 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.</p> <p>✓ <b><u>Staff Analysis:</u></b> Should the subject site redevelop, mixed use developments, co housing and accessory apartments would be permitted.</p>

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

## Traditional Marketplace Corridor: Non-Residential

Plan 2040 Plan Elements/Staff Analysis	
1	<p><b>Community Form: Goal 1, Policy 6.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The proposed rezoning will not be a non-residential expansion into existing residential areas as the site is currently zoned CM commercial manufacturing and is located in an area with a variety of uses that are residential and non-residential. Within the R-6 portion of the subject site is a non-residential use for off-street parking that has existed for several decades.</p>
2	<p><b>Community Form: Goal 1, Policy 7.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The proposed rezoning to commercial will allow a higher density or commercial and residential along Main Street which is an established commercial activity center with adequate infrastructure to serve the subject site.</p>
3	<p><b>Community Form: Goal 1, Policy 8.</b> 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.</p> <p>NA <b>Staff Analysis:</b> The proposed rezoning to commercial does not allow for industrial uses.</p>
4	<p><b>Community Form: Goal 1, Policy 15.</b> When reviewing proposals for siting hazardous uses and uses with air, noise and light emissions, ensure disadvantaged populations are not disproportionately impacted.</p> <p>✓ <b>Staff Analysis:</b> The proposed change in zoning does not allow for hazardous or nuisance uses. The subject site has solid fencing adjacent to residential that screens the parking.</p>
5	<p><b>Community Form: Goal 1, Policy 16.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The proposed zoning would not permit industrial development or other hazardous uses. The site will be subject to all lighting and noise standards of the Land Development Code and the Louisville Metro Code of Ordinances.</p>
6	<p><b>Community Form: Goal 1, Policy 17.</b> Mitigate adverse impacts of traffic from proposed development on nearby existing communities.</p> <p>✓ <b>Staff Analysis:</b> The proposed zoning district should not generate a level of traffic that could reduce compatibility with surrounding communities existing commercial uses and zoning do not already produce.</p>
7	<p><b>Community Form: Goal 1, Policy 18.</b> Mitigate adverse impacts of noise from proposed development on existing communities.</p> <p>✓ <b>Staff Analysis:</b> The proposal does not appear to add significant additional noise-generating uses, since the area is served by existing commercial uses that generate noise from similar sources such as pedestrians and automobiles along Main Street and N Wenzel Street within the existing commercial activity center.</p>
8	<p><b>Community Form: Goal 1, Policy 21.</b> 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.</p> <p>NA <b>Staff Analysis:</b> The proposed rezoning does not allow for industrial uses or hazardous or nuisance uses.</p>
9	<p><b>Community Form: Goal 2, Policy 1.</b> 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.</p>



Plan 2040 Plan Elements/Staff Analysis	
✓	<b>Staff Analysis:</b> The site is adjacent to an established commercial activity center and in an area with a variety of uses and zoning districts.
10	<b>Community Form: Goal 2, Policy 5.</b> Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it.
✓	<b>Staff Analysis:</b> The proposed rezoning will locate commercial within an existing commercial activity center along Main Street.
11	<b>Community Form: Goal 2, Policy 6.</b> Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.
✓	<b>Staff Analysis:</b> The development is adjacent to an established commercial activity center. The proposal is compatible with the compact development pattern of the Traditional Marketplace Corridor form district.
12	<b>Community Form: Goal 2, Policy 7.</b> 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.
✓	<b>Staff Analysis:</b> The proposed zoning district would allow a variety of land uses that encourage walkability and alternative modes of travel. The subject property is near a transportation corridor with adequate access to public transportation.
13	<b>Community Form: Goal 2, Policy 8.</b> Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multi-story retail buildings.
✓	<b>Staff Analysis:</b> The zoning district would allow for a variety of uses, including mixed residential and commercial uses.
14	<b>Community Form: Goal 2, Policy 9.</b> Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.
✓	<b>Staff Analysis:</b> The proposal does include the conversion of the existing structure. There is no new construction with this plan.
15	<b>Community Form: Goal 2, Policy 10.</b> 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	<b>Staff Analysis:</b> The proposed development does not entail outlot development.
16	<b>Community Form: Goal 3, Policy 9.</b> 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.
✓	<b>Staff Analysis:</b> The site does not contain distinctive natural features. There will be minimal property damage as there is no proposed construction.
17	<b>Community Form: Goal 3, Policy 10.</b> 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.
✓	<b>Staff Analysis:</b> There are no environmental constraints on the subject site such as steep slopes or hydric soils. There is no proposed construction.
18	<b>Community Form: Goal 3, Policy 11.</b> 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	<b>Staff Analysis:</b> The subject site is not located near or within the Ohio River Corridor Master Plan.
19	<b>Community Form: Goal 3, Policy 12.</b> 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.

Plan 2040 Plan Elements/Staff Analysis	
✓	<b>Staff Analysis:</b> Subject site is not located within a flood-prone area and has received preliminary approval from MSD.
20	<b>Community Form: Goal 4, Policy 1.</b> 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.
✓	<b>Staff Analysis:</b> The plan for the proposed change in zoning shows no new construction. The existing parking lot will be compatible with adjacent commercial uses.
21	<b>Community Form: Goal 4, Policy 2.</b> Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.
✓	<b>Staff Analysis:</b> There are no existing structures on the properties. The site does not have any distinctive cultural or natural features.
22	<b>Mobility: Goal 1, Policy 4.</b> 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.
✓	<b>Staff Analysis:</b> The site fits within the context of the traditional marketplace corridor and is adjacent to an established commercial area
23	<b>Mobility: Goal 3, Policy 1.</b> 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.
✓	<b>Staff Analysis:</b> The proposed zoning would allow a mix of neighborhood serving uses that encourage walking and biking.
24	<b>Mobility: Goal 3, Policy 2.</b> 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.
✓	<b>Staff Analysis:</b> The proposed zoning would allow a mix of neighborhood serving uses that encourage a reduction in vehicle miles traveled.
25	<b>Mobility: Goal 3, Policy 3.</b> 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.
✓	<b>Staff Analysis:</b> The proposed zoning would allow a mix of neighborhood serving uses that facilitate housing and transportation options, and transit service is available to the site.
26	<b>Mobility: Goal 3, Policy 4.</b> Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following: <b>4.1.</b> nodal connections identified by Move Louisville; <b>4.2.</b> impact on freight routes; <b>4.3.</b> time of operation of facilities; <b>4.4.</b> safety; <b>4.5.</b> appropriate linkages between neighborhoods and employment; and <b>4.6.</b> the potential for reducing travel times and vehicle miles traveled.
✓	<b>Staff Analysis:</b> The proposed zoning would allow a mix of neighborhood serving uses that encourage a reduction in vehicle miles traveled through an efficient land use pattern.
27	<b>Mobility: Goal 3, Policy 5.</b> Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.
✓	<b>Staff Analysis:</b> The subject site is served by existing transportation networks.
28	<b>Mobility: Goal 3, Policy 6.</b> Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.
✓	<b>Staff Analysis:</b> Transportation and Public Works have preliminarily approved the proposal.
29	<b>Mobility: Goal 3, Policy 9.</b> 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.
✓	<b>Staff Analysis:</b> The subject site is located within an area with establish sidewalk and street networks. The proposed plan has received preliminary approval from Transportation Planning.
30	<b>Mobility: Goal 3, Policy 10.</b> Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.

Plan 2040 Plan Elements/Staff Analysis	
✓	<b>Staff Analysis:</b> Transportation and Public Works have preliminarily approved the proposal.
31	<b>Community Facilities: Goal 2, Policy 1.</b> Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.
✓	<b>Staff Analysis:</b> The subject site is adequately served by existing utilities.
32	<b>Community Facilities: Goal 2, Policy 2.</b> 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.
✓	<b>Staff Analysis:</b> Water service with Louisville Water Company shall be coordinated.
33	<b>Community Facilities: Goal 2, Policy 3.</b> 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).
✓	<b>Staff Analysis:</b> The proposed plan does not entail any new construction. MSD and provided preliminary approval on the plan.
34	<b>Economic Development: Goal 1, Policy 2.</b> Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.
NA	<b>Staff Analysis:</b> The proposed rezoning does not permit industrial uses.
35	<b>Economic Development: Goal 1, Policy 3.</b> 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.
✓	<b>Staff Analysis:</b> The proposed change in zoning will locate commercial within an existing commercial activity center that fronts on Main Street – major arterial roadway. It will serve other commercial uses in the immediate area.
36	<b>Economic Development: Goal 1, Policy 4.</b> 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	<b>Staff Analysis:</b> The proposed rezoning does not permit industrial uses and the subject site is not located near the airport or the Ohio River.
37	<b>Economic Development: Goal 1, Policy 5.</b> Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.
NA	<b>Staff Analysis:</b> The proposed rezoning does not permit industrial uses.
38	<b>Livability: Goal 1, Policy 17.</b> 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.
✓	<b>Staff Analysis:</b> The subject site does not have any environmental constraints. There is no new construction proposed and the plan has received preliminary approval from MSD.
39	<b>Livability: Goal 1, Policy 21.</b> 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.
✓	<b>Staff Analysis:</b> The subject site is not located within the regulatory floodplain. The proposed plan has received preliminary approval from MSD as there is no proposed construction.
40	<b>Livability: Goal 1, Policy 24.</b> Ensure, to the extent feasible, that critical facilities and those that store or use hazardous

Plan 2040 Plan Elements/Staff Analysis	
	<p>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.</p> <p>✓ <b>Staff Analysis:</b> The subject site is not located within a regulatory flood plain. MSD has preliminarily approved the development plan as there is no proposed construction.</p>
41	<p><b>Housing: Goal 1, Policy 2.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The proposed rezoning to C-2 will allow for higher density residential along a transit corridor on Main Street should the subject site redevelop.</p>
42	<p><b>Housing: Goal 2, Policy 1.</b> Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.</p> <p>✓ <b>Staff Analysis:</b> Should the site redevelop, the proposed commercial zoning district would allow for mixed use development that can encourage inter-generational, mixed-income and mixed-use development.</p>
43	<p><b>Housing: Goal 2, Policy 2.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> The proposed rezoning allows for higher density and accessible residential uses along transit corridors should the site redevelop.</p>
44	<p><b>Housing: Goal 3, Policy 2.</b> As neighborhoods evolve, discourage displacement of existing residents from their community.</p> <p>✓ <b>Staff Analysis:</b> The proposal does not involve the displacement of existing residents.</p>
45	<p><b>Housing: Goal 3, Policy 3.</b> 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.</p> <p>✓ <b>Staff Analysis:</b> Should the subject site redevelop, mixed use developments, co housing and accessory apartments would be permitted.</p>

#### 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. 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.
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. 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.

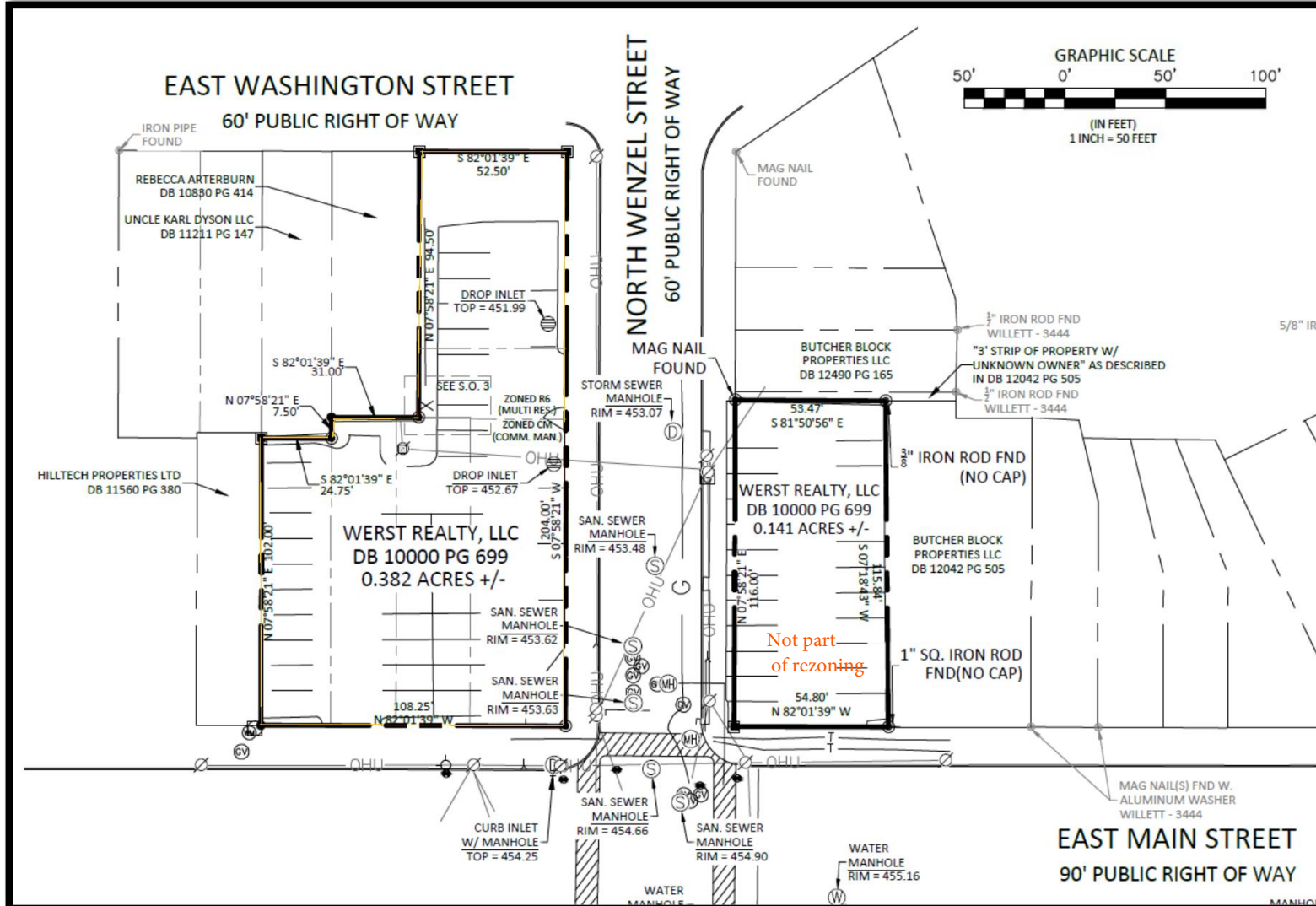
**Site Data:**

Current Zoning: R-6 Multi-family residential  
CM Commercial Manufacturing  
Proposed Zoning C-2 Commercial  
Form District Traditional Neighborhood  
Traditional Marketplace Corridor  
Proposed Use Parking Lot  
Current Use Parking Lot  
Site Area 0.382 Acres

Property Owner: Main Plumb, LLC.  
Primary Address: 10602 Timberwood Cir (Suite 13)  
Deed Book and Page:: DB 12769 PG 633

Parking Spaces Provided: 42 spaces

No new construction being proposed,



**Plan Notes:**

1. Site is located within the Butchertown Historic Preservation District. Proposed changes to the site in the future may require a Certificate of Appropriateness (COA)



## **ZONING CHANGE JUSTIFICATION**

### **941 East Main Street (“Property”)**

This application involves an approximately .382-acre tract located at 941 East Main Street. The sites vesting deed is recorded in Book 12769, Page 633 in the Jefferson County Clerk’s Office. The site is zoned R-6 and C-M.

The existing zoning in the surrounding area is mostly commercial. The property immediately to the west is zoned C-M. Two properties immediately to the east are zoned C-M. Properties to the north of the site are zoned residential. The applicant is requesting a change in zoning to a C2 Zone (“C2”) to allow for the existing parking lot to continue as is in this location.

The applicant conducted a neighborhood meeting on September 26, 2024.

## **COMPREHENSIVE PLAN 2040**

Compliance with specific applicable plan elements, goals, objectives, and policies of the Plan 2040 A Comprehensive Plan for Louisville Metro (“Plan”) are set forth in this Justification Statement.

### **Plan Element 4.1      Community Form. (Goals 1.a, c, d, e, 2.a, c, 3.a, b)**

The proposed rezoning C2 is appropriate for the site. The existing parking lot has been in use for several decades. It conforms to the intent of the Community Form Plan Element because promotes the prosperity of the neighborhood. The zoning change allows for adaptive infill development which is a clear objective of the Community Form Plan Element. The new use allows for operation of an existing parking lot and encourages the enterprise to be located in an area already served by existing infrastructure.

### **Plan Element 4.2      Mobility (Goals 1.e, 2.a, c, 3.e)**

The plan element of Mobility promotes effective connectivity through the community via a safe and effective transportation system. Goal 3 of the Mobility plan element is to encourage land use and transportation patterns that connect Louisville Metro and support future growth. The location is already connected to existing infrastructure and by allowing the continued operation of an existing parking lot will enhance assist the neighborhood in dealing with the commercial growth in the area.

Policy 3 under Goal 3 of the Mobility plan element is to evaluate developments for their ability to promote public transportation and pedestrian use. No additional traffic will be generated by this proposal.

### **Plan Element 4.3      Community Facilities (Goals 2.b, c, d)**

Although the proposal does not include any new community facilities, it does comply with Policy 1 of Goal 2 of the Community Facilities plan element. The development is located in an area that is being served by existing utilities. In addition, the Louisville Fire Department will provide fire safety services to the site and the Metro Louisville Police Department will provide police service to the site.

#### **Plan Element 4.4      Economic Development (Goals 1.d, h, 2.b)**

The intent of the Economic Development plan element is to provide a framework for a healthy economic climate. The goals, objectives and policies advance Louisville Metro's economic development vision by supporting small and mid-sized businesses and encouraging investment in areas facing disinvestment. Clearly allowing the applicant to continue to operate the parking lot at this location would further to strategy of promoting small businesses and encouraging investment. Objective (b) of Goal 1 of this plan element is the redevelopment of underused commercial property. This property is currently R6 and CM and the change to C2 would allow the existing use to continue. Policy 2 of Goal 2 of this plan element encourages opportunities for adaptive re-use and encourages infill development through flexible land use regulations. While the current proposal is to allow the existing parking lot to remain, the zoning change will allow for future infill development.

#### **Plan Element 4.5      Livability (Goals 1.d, 4.f)**

The intent of the Livability plan element is to provide guidance and direction for the provision and maintenance of resources necessary for the health and well-being of the citizens. The applicant will fully comply with any new tree canopy requirements and the plantings required by the Land Development Code. Policy 2 of Goal 2 of this plan element is to streamline the application and permitting process for the appropriate properties. While there is not an absent property owner, this property as currently zoned does not allow for its adaptive reuse and the zoning change would allow for appropriate reuse. Finally, Goal 3 of this plan element promotes equitable access to land use planning to not only those large developers and industry, but also to small business owners looking to expand operations and business opportunities which in turn leads to better neighborhoods and prosperity of the citizens of those neighborhoods.

#### **Plan Element 4.6      Housing (Goals 1.a, 2.b, e, f)**

The proposed zoning change would not displace any existing residence. The property contains an existing parking lot. This plan element seeks to enhance housing opportunities to all citizens of Louisville. Specifically Goal 2 of this element is to facilitate the development of connected neighborhoods with an objective to promote infill development and adaptive re-use. This site is currently zoned R6 and CM. The zoning change will allow the continuous operation of the existing parking lot, but also provide for future infill development. This business is appropriate and integrated with the nearby residential neighborhoods and gives residents some relief from parking concerns in front of their houses.

**WAIVER JUSTIFICATION  
24-ZONE-0132**

**This is a request for a waiver from Land Development Code (“LDC”) Section 10.2.3 to allow the landscape buffer area to be less than fifteen feet.**

**1. The waiver will not adversely affect adjacent property owners.**

The waiver will not affect adjacent property owners because the existing conditions in the area will remain unchanged. There is an existing fence between the property and the adjacent R-6 lots.

**2. Will the waiver violate the Comprehensive Plan?**

No. No provision of Plan 2040 would be violated by the grant of the waiver allowing the existing conditions to remain. East Main Street is a major arterial and the area is well served by the existing parking lot.

**3. Is the extent of the waiver of the regulation the minimum necessary to afford relief to the applicant?**

Yes, the waiver request is the minimum necessary to allow for the existing development to continue as is.

**4. Has either (a) the applicant 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 would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

The strict application of the regulation would both deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant.

# Staff Findings of Fact

## Case # 24-ZONE-0132

### **ZONING FINDINGS**

**WHEREAS**, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the proposed rezoning will not be a non-residential expansion into existing residential areas as the site is currently zoned CM commercial manufacturing and is located in an area with a variety of uses that are residential and non-residential. Within the R-6 portion of the subject site is a non-residential use for off-street parking that has existed for several decades. The proposed rezoning to commercial will allow a higher density of commercial and residential along Main Street which is an established commercial activity center with adequate infrastructure to serve the subject site.

**WHEREAS**, the proposal meets Community Form: Goal 2 because the site is adjacent to an established commercial activity center and in an area with a variety of uses and zoning districts. The proposal is compatible with the compact development pattern of the Traditional Marketplace Corridor form district and Traditional Neighborhood form district. The subject property is near a transportation corridor with adequate access to public transportation.

**WHEREAS**, the proposal meets Community Form: Goal 3 because the site does not contain distinctive natural features. There will be minimal property damage as there is no proposed construction. There are no environmental constraints on the subject site such as steep slopes or hydric soils. Subject site is not located within a flood-prone area and has received preliminary approval from MSD.

**WHEREAS**, the proposal meets Community Form: Goal 4 because the site fits within the context of the traditional marketplace corridor and traditional neighborhood and is adjacent to an established commercial area. There are no existing structures on the properties. The site does not have any distinctive cultural or natural features.

**WHEREAS**, the proposal meets Mobility: Goal 3 because the proposed zoning would allow a mix of neighborhood serving uses that encourage walking and biking. The proposed zoning would allow a mix of neighborhood serving uses that encourage a reduction in vehicle miles traveled. The subject site is served by existing transportation networks.

**WHEREAS**, the proposal meets Community Facilities: Goal 2 because the subject site is adequately served by existing utilities.

**WHEREAS**, the proposal meets Economic Development: Goal 1 because the proposed change in zoning will locate commercial within an existing commercial activity center that fronts on Main Street – major arterial roadway. It will serve other commercial uses in the immediate area.

**WHEREAS**, the proposal meets Livability: Goal 1 because the subject site is not located within a regulatory flood plain. MSD has preliminarily approved the development plan as there is no proposed construction.

**WHEREAS**, the proposal meets Housing: Goal 1 because the proposed rezoning to C-2 will allow for higher density residential along a transit corridor on Main Street should the subject site redevelop.

**WHEREAS**, the proposal meets Housing: Goal 2 because the proposed commercial zoning district would allow for mixed use development that can encourage inter-generational, mixed-income and mixed-use development. The proposed rezoning allows for higher density and accessible residential uses along transit corridors should the site redevelop.

**WHEREAS**, the proposal meets Housing: Goal 3 because should the subject site redevelop, mixed use developments, co housing and accessory apartments would be permitted. The proposal does not involve the displacement of existing residents.