

# Louisville Metro Government



## Meeting Agenda – Final

Thursday, April 11, 2024

6:00 PM

**THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE**  
Council Chambers/Virtual

### Metro Council

*Tammy Hawkins (D-1), Barbara Shanklin (D-2), Kumar Rashad (D-3),  
Jecorey Arthur (D-4), Donna L. Purvis (D-5), Phillip T. Baker (D-6), Paula McCraney  
(D-7),*

*Ben Reno-Weber (D-8), Andrew Owen (D-9), Pat Mulvihill (D-10),  
Kevin Kramer (R-11), Rick Blackwell (D-12), Dan Seum (R-13), Cindi Fowler (D-14),  
Jennifer Chappell (D-15), Scott Reed (R-16), Markus Winkler (D-17),  
Marilyn Parker (D-18), Anthony Piagentini (R-19), Stuart Benson (R-20), Betsy  
Ruhe(D-21),*

*Robin Engel (R-22), Jeff Hudson(R-23), Madonna Flood (D-24), Khalil Batshon (R-  
25), Brent Ackerson (D-26)*

*President: Markus Winkler (D-17)*

*President Pro Tem: Paula McCraney (D-7)*

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**53. O-069-24** AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 1116 LOGAN STREET CONTAINING APPROXIMATELY 0.1033 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 23ZONE0163).

4/25/24 Metro Council Passed

4/16/24 Planning and Zoning Committee Recommended for Approval

Enactment #: Ordinance No. 061, Series 2024

**Sponsors:**

**ORDINANCE NO. \_\_\_\_\_, SERIES 2024**

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 1116 LOGAN STREET CONTAINING APPROXIMATELY 0.1033 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 23ZONE0163).**

**SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the “Planning Commission”) and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 23ZONE0163; and

**WHEREAS**, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 23ZONE0163 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** That the zoning of the property located at 1116 Logan Street containing approximately 0.1033 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 23ZONE0163, is hereby changed from OR-2 Office Residential to C-2 Commercial; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 23ZONE0163.

**SECTION II:** This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

\_\_\_\_\_  
Sonya Harward  
Metro Council Clerk

\_\_\_\_\_  
Markus Winkler  
President of the Council

\_\_\_\_\_  
Craig Greenberg  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

O-069-24– Zoning at 1116 Logan Street (If)

**PLANNING COMMISSION MINUTES**  
**March 21, 2024**

**PUBLIC HEARING**

**CASE NO. 23-ZONE-0163**

Request: Change in Zoning from OR-2 to C-2 with Detailed District Development Plan and Binding Elements, and Waiver  
Project Name: 1116 Logan Street Rezoning  
Location: 1116 Logan Street  
Owner: Suite Bea LLC  
Applicant: Suite Bea LLC  
Representative: Suite Bea LLC  
Jurisdiction: Louisville Metro  
Council District: 6 – Phillip Baker  
Case Manager: Dante St. Germain, AICP, Senior Planner

Notice of this public hearing appeared in **The Courier Journal**, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Office of Planning offices, 444 S. 5th Street.)

**Agency Testimony:**

03:17:04 Dante St. Germain provided an overview of the request and presented a PowerPoint presentation (see recording for details).

**The following spoke in favor of this request:**

Garrett Dean, 1116 Logan St., Louisville, KY 40202

**Summary of testimony of those in favor:**

03:21:33 Garrett Dean spoke in support of the request and presented a PowerPoint presentation. Dean stated that the proposed property was not zoned in a way to accommodate all of the uses the property could provide. Dean mentioned he would like to bring in a tenant that can contribute to the growth with in the Logan corridor. Dean responded to questions from Commission Members (see recording for details)

**The following spoke in opposition:**

**None**

**PLANNING COMMISSION MINUTES**  
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**PUBLIC HEARING**

**CASE NO. 23-ZONE-0163**

**Deliberation:**

03:32:34 Planning Commission deliberation.

**An audio/visual recording of the Planning Commission hearing related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**Change in zoning from OR-2 Office Residential to C-2 Commercial**

03:36:32 On a motion by Commissioner Mims, seconded by Commissioner Sistrunk, the following resolution, based on the staff analysis contained in the standard of review in the staff report and evidence and testimony heard today, was adopted:

**WHEREAS**, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the site is adjacent to an existing activity center. The proposal would not constitute a non-residential expansion into an existing residential area. The site is located on Logan Street, a minor arterial and transit corridor, and is adjacent to an existing activity center. The proposed zoning district would not permit hazardous uses. Uses with air, noise and light emissions must comply with LMCO and LDC limitations. The proposed zoning district would not permit uses with noxious odors, particulates, or emissions. Access to the site is via the alley behind Logan Street, a minor arterial at this location. Noise impacts are unlikely to affect nearby residential uses, due to the size of the site and the distance to residential uses, and

**WHEREAS**, the Planning Commission finds proposal meets Community Form: Goal 2 because the site is located adjacent to an existing activity center and re-uses an existing structure which is already part of the fabric of the neighborhood. The site has appropriate access and connectivity. The site is located on Logan Street, a minor arterial, and has alley access. The site is located adjacent to an existing activity center. The proposal would permit a more compact pattern of development. The proposal would permit an increase in the mixture of compatible land uses in an existing activity center. The proposed zoning district would permit residential, and office uses above retail and other mixed-use multi-story retail buildings. The proposal would permit the re-use of an existing building. The proposal would re-use an existing structure for commercial purposes. The building is already a part of the fabric of the neighborhood, and

**WHEREAS**, the Planning Commission finds proposal meets Community Form: Goal 4 because the proposal re-uses an existing structure, and

**PLANNING COMMISSION MINUTES**  
**March 21, 2024**

**PUBLIC HEARING**

**CASE NO. 23-ZONE-0163**

**WHEREAS**, the Planning Commission finds proposal meets Mobility: Goal 1 because the site is located adjacent to an existing activity center and is located on a transit corridor, and

**WHEREAS**, the Planning Commission finds proposal meets Mobility: Goal 2 because access to the site is via Logan Street, a minor arterial at this location, and

**WHEREAS**, the Planning Commission finds proposal meets Mobility: Goal 3 because the proposed zoning district would permit an increase in the mix of complementary neighborhood-serving businesses and services in a neighborhood center. The site is easily accessible by bicycle, car, transit, pedestrians, and people with disabilities. The proposal would promote public transit and pedestrian use. The site is located on Logan Street, a transit corridor, and is close to other transit corridors. The site is accessible by sidewalk. Transportation Planning has approved the proposal, and

**WHEREAS**, the Planning Commission finds proposal meets Community Facilities: Goal 2 because the relevant utilities have approved the proposal. Louisville Water Company has approved the proposal. MSD has approved the proposal, and

**WHEREAS**, the Planning Commission finds proposal meets Economic Development: Goal 1 because the site is located near the intersection of Logan Street with E St. Catherine Street, the intersection of two minor arterials, and

**WHEREAS**, the Planning Commission finds proposal meets Housing: Goal 1 because the proposal would permit neighborhood-serving goods and services in proximity to existing housing, which supports aging in place, and

**WHEREAS**, the Planning Commission finds proposal meets Housing: Goal 2 because the proposal would encourage inter-generational mixed-income and mixed-use development by permitting commercial uses close to existing housing. The proposal would permit commercial uses close to existing housing, along an existing commercial corridor, and

**WHEREAS**, the Planning Commission finds proposal meets Housing: Goal 3 because no existing residents will be displaced by the proposal. The proposal would permit innovative methods of housing; now, therefore be it

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the change in zoning from OR-2 Office Residential to C-2 Commercial.

**PLANNING COMMISSION MINUTES**  
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**PUBLIC HEARING**

**CASE NO. 23-ZONE-0163**

The vote was as follows:

**YES: Commissioners Carlson, Mims, Kern, Sistrunk, Pennix, Fischer, and Howard**  
**ABSENT: Commissioner Cheek**

**Waiver from 10.2.4.B.1 to permit encroachment into the required property perimeter Landscape Buffer Area (LBA) on the north and south property lines, and to omit the required plantings where the encroachment occurs (24-WAIVER-0005)**

03:37:23 On a motion by Commissioner Mims, seconded by Commissioner Sistrunk, the following resolution, based on the staff analysis contained in the standard of review in the staff report and evidence and testimony heard today, was adopted:

**WHEREAS**, the Planning Commission finds waiver will not adversely affect adjacent property owners as the structure already exists on the site and has caused no known adverse effects, and

**WHEREAS**, the Planning Commission finds waiver will not violate specific guidelines of Plan 2040 as Plan 2040 encourages appropriate buffering and transitions between uses that are significantly different in density or intensity. The vicinity of the site is non-residential in nature and unlikely to be adversely impacted, and

**WHEREAS**, the Planning Commission finds extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the structure already exists. Furthermore, the required Landscape Buffer Area covers the entirety of the lot, and there would be no way to use the lot while fully providing the LBA, and

**WHEREAS**, the Planning Commission finds 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 because the structure already exists, and the lot would be unusable if the full LBA were provided; now , therefore be it

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **APPROVE** the waiver from 10.2.4.B.1 to permit encroachment into the required property perimeter Landscape Buffer Area (LBA) on the north and south property lines, and to omit the required plantings where the encroachment occurs (24-WAIVER-0005)

**PLANNING COMMISSION MINUTES**  
**March 21, 2024**

**PUBLIC HEARING**

**CASE NO. 23-ZONE-0163**

The vote was as follows:

**YES: Commissioners Carlson, Mims, Kern, Sistrunk, Pennix, Fischer, and Howard**  
**ABSENT: Commissioner Cheek**

**Detailed District Development Plan with Binding Elements**

03:38:33 On a motion by Commissioner Mims, seconded by Commissioner Sistrunk, the following resolution, based on the staff analysis contained in the standard of review in the staff report and evidence and testimony heard today, was adopted:

**WHEREAS**, the Planning Commission finds site is already developed, and no natural resources exist on the site currently. Required street trees will be provided, and

**WHEREAS**, the Planning Commission finds provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan, and

**WHEREAS**, the Planning Commission finds no open space requirements are pertinent to the request, and

**WHEREAS**, the Planning Commission finds 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, and

**WHEREAS**, the Planning Commission finds overall site design is in compliance with existing and planned future development in the area. The proposal would provide commercial development in a non-residential corridor, and

**WHEREAS**, the Planning Commission finds development plan conforms to applicable requirements of the Land Development Code and Plan 2040 with the exception of the requested waiver. The site plan complies with the policies and guidelines of the Comprehensive Plan; now, therefore be it

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan with Binding Elements **SUBJECT** to the following Binding Elements:

**PLANNING COMMISSION MINUTES**  
**March 21, 2024**

**PUBLIC HEARING**

**CASE NO. 23-ZONE-0163**

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. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
5. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
6. 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.
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

**PLANNING COMMISSION MINUTES**  
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**PUBLIC HEARING**

**CASE NO. 23-ZONE-0163**

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.

**The vote was as follows:**

**YES: Commissioners Carlson, Mims, Kern, Sistrunk, Pennix, Fischer, and Howard**  
**ABSENT: Commissioner Cheek**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE  
MINUTES  
February 8, 2024**

**NEW BUSINESS**

**CASE NO.23-ZONE-0163**

Request: Change in Zoning from OR-2 to C-2 with Detailed District Development Plan and Binding Elements, and Waiver  
Project Name: 1116 Logan Street Rezoning  
Location: 1116 Logan Street  
Owner: Suite Bea LLC  
Applicant: Suite Bea LLC  
Representative: Suite Bea LLC  
Jurisdiction: Louisville Metro  
Council District: 6 – Phillip Baker  
Case Manager: Dante St. Germain, AICP, Senior Planner

Notices were sent by first-class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Committee Members received this report in advance of the meeting, and this report was available to any interested party prior to the public meeting. (Staff report is part of the case file maintained in the Office of Planning, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

01:07:30 Dante St. Germain provided an overview of the request and presented a PowerPoint presentation. St. Germain responded to questions from Committee Members (see recording for details).

**The following spoke in favor of this request:**

Garrett Dean, 1002 E St Catherine Street, Louisville, KY 40204

**Summary of testimony of those in favor:**

01:11:50 Garrett Dean presented the case and showed a slideshow presentation. Dean responded to questions from the Commissioners. (See recording for a detailed presentation).

**The Following Spoke in Opposition of This Request:**

None

**An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE  
MINUTES  
February 8, 2024**

**NEW BUSINESS**

**CASE NO.23-ZONE-0163**

01:14:10     **RESOLVED**, that the Louisville Metro Land Development & Transportation Committee by general consensus scheduled case number 23-ZONE-0163 to be heard at the March 21, 2024, Planning Commission public hearing.

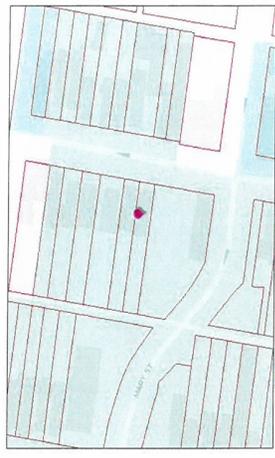
801 MARY STREET  
SEVEN COUNTIES SERVICES INC  
ZONING: OR-2  
DEED BOOK & PAGE:  
12187 0300  
FORM DISTRICT: TN



BY: *Sam Darden*  
DATE: 2/13/24  
LOUISVILLE METROPOLITAN COUNTY



FIGURE 1: Boundary of Study Area



LOJIC Map

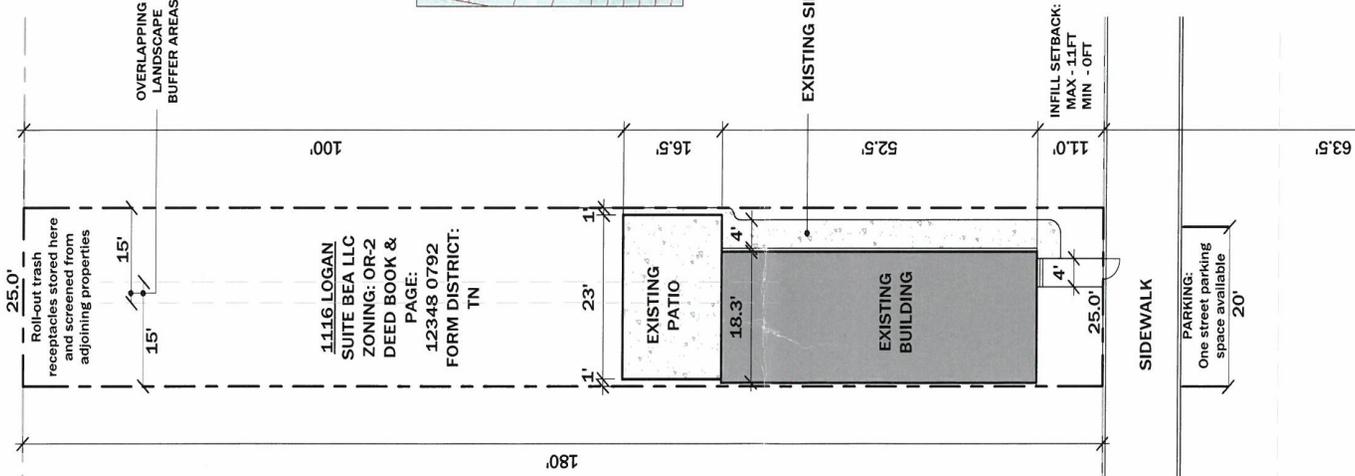
<b>NOTES &amp; PROPERTY INFORMATION</b>	
PARCEL ID: 025A00410000	
AREA OF SITE: 0.1033 AC / 4,500 SF	
BUILDING GROSS FLOOR AREA: 980 SF	
PARKING REQUIREMENTS: 1 SPACE	
LANDSCAPE BUFFER AREA: 15'	
*WAIVER TO ENCRoACH SUBMITTED*	
COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY THE RESPONSIBLE AGENCIES	
SIDEWALK CONNECTION TO PUBLIC SIDEWALK SHALL BE ADA COMPLIANT	
<b>TREE CANOPY CALCULATIONS</b>	
Existing Tree Canopy: 3,300 SF (73%)	
Existing Tree Canopy to be Preserved: 3,300 SF (73%)	
Additional Canopy to be Planted: 0 SF (0%)	

**PRELIMINARY APPROVAL**

Condition of Approval:

*Submitted for TRK 2-12-24*  
Date  
Development Review

LOUISVILLE & JEFFERSON COUNTY  
METROPOLITAN SEWER DISTRICT  
1124 LOGAN  
ZONING: OR-2  
DEED BOOK & PAGE:  
12456 0409  
FORM DISTRICT: TN



1112 LOGAN  
LOGANS CHADHOUSE LLC  
ZONING: OR-2  
DEED BOOK & PAGE:  
12400 0359  
FORM DISTRICT: TN

**RECEIVED**  
FEB 02 2024  
OFFICE OF PLANNING

**LOGAN STREET**  
(MINOR ARTERIAL ROAD)

**SITE PLAN**  
(as of 01/31/2024)

1116 Logan Street  
Louisville, KY 40204

Existing Zoning: OR-2  
Proposed Zoning: C-2

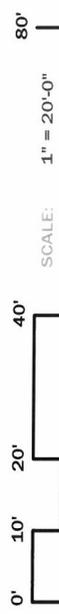
Owner & Engineer:  
Garrett Dean  
1001½ Mary Street  
(502) 907-2167  
garrett@lone-camel.com

1115 LOGAN  
JEFFREY WIESNER  
ZONING: OR-2  
DEED BOOK & PAGE:  
12301 0904  
FORM DISTRICT: TN

1117 LOGAN  
RIDD LLC  
ZONING: OR-2  
DEED BOOK  
& PAGE:  
11137 0015  
FORM  
DISTRICT:  
TN

1119 LOGAN  
METRO-1  
HEATING LLC  
ZONING: OR-2  
DEED BOOK  
& PAGE:  
9765 0235  
FORM  
DISTRICT:  
TN

1125 LOGAN  
TAMMANY LLC  
ZONING: C-2  
DEED BOOK  
& PAGE:  
10563 0767  
FORM DISTRICT:  
TN



## Legal Description

1116 Logan Street, located in Jefferson County, Kentucky:

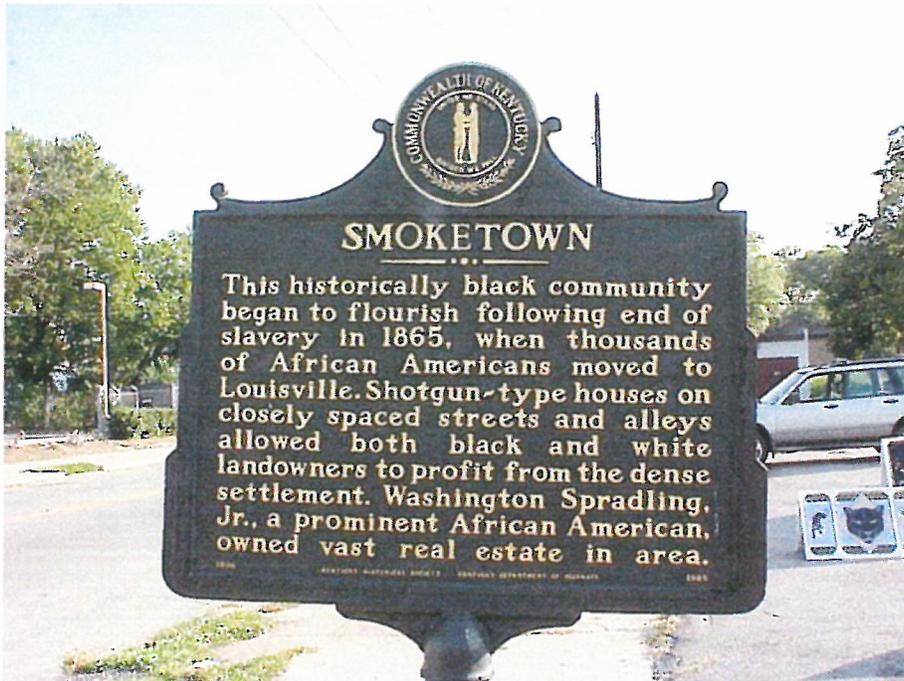
Beginning at a point on the West side of Logan Street, 190 feet South of the Southwest corner of Logan Street and St. Catherine Street (formerly Cane Street); running thence Southwardly along the West side of Logan Street, 25 feet, and extending back Westwardly between parallel lines 180 feet to a 17 foot alley and being the South Half of a 50 foot lot known as Lot Number 17, Block 2, of Logan's Subdivision.

**RECEIVED**

DEC 06 2023

PLANNING & DESIGN  
SERVICES

23-ZONE-0163



***SMOKETOWN / SHELBY PARK  
NEIGHBORHOOD PLAN UPDATE***

***March 5, 2002***



Gresham, Smith &  
Partners

Smoketown / Shelby  
Park Neighborhood  
Task Force



Louisville Development  
Authority

public meetings were held June 21 and August 16, 2001 in order to keep residents and business owners up-to-date on the progress of the neighborhood plan and to gather ideas.

### *2.3 Goals and Strategies*

Part of the public process focused on developing goals and strategies for the Neighborhood Plan. The 1995 *Development Strategy* contained a series of goals and strategies to address four key issue areas: Human Capital Development, Economic Development, Residential Development, and Public Safety. Within these four issue areas were goals and strategies specifically focused on land use. Because a considerable amount of time and energy was devoted to development of goals and strategies in 1995, this process began by examining those goals and strategies. They included:

#### *Issue: Human Capital Development*

**Goal:**

Coordinate institutional development—agencies and institutions involved in human development—to better serve the people of Smoketown and Shelby Park.

#### *Issue: Economic Development*

**Goal:**

Create an economically viable, entrepreneurial neighborhood through partnership and collaborations among neighborhood-based institutions, local government, and businesses. To ensure that the neighborhood does not come at the expense of the neighborhood, strive for maximum participation of neighborhood residents to promote economic improvement and individual self-sufficiency.

#### *Issue: Residential Development*

**Goal:**

Promote balanced residential development within Smoketown and Shelby Park. Create a neighborhood composed of a diverse blend of housing types, providing housing opportunity for people with a variety of needs and preferences and consisting of homes affordable and available to current residents and households.

#### *Issue: Public Safety*

**Goal:**

Reduce both crime and violence, and the fear of crime in Smoketown and Shelby Park.

#### *Issue: Economic Development*

**Strategies:**

- East Broadway Corridor

## Smoketown / Shelby Park Neighborhood Plan

- Character/location of edge of commercial corridor is important to quality of life on Finzer and to marketability of future residential development in the general area
- Finzer from S. Jackson to S. Clay should remain residential as a transition with commercial uses limited to what is currently existing
- Ensure that Finzer does not become “back door” to Broadway
- Establish design guidelines to ensure appropriate transition between commercial and residential areas.
- Preston to Brook Street Corridors
  - Explore the market potential for neighborhood commercial development along Preston
  - Develop a health related light industrial park in close proximity to the Medical Center for the north portion of Preston corridor in support of the Empowerment Zone Strategy recommendations
- Shelby/Logan Street Corridor
  - Maintain corridor as a mixed-use area, with Shelby focusing on residential and commercial uses and Logan continuing to target manufacturing and industrial
- Residential Core Business Expansion/Encroachment
  - Community should take an active role in the review process for proposals involving business expansion/conversion



### *Issue: Residential Development*

#### **Strategies:**

- Home Ownership
  - Extend opportunity for home ownership to as many residents as possible
- Neighborhood-Based Housing Development
  - Improve the transition areas surrounding Sheppard Square
- Rehabilitation
  - Encourage rehabilitation of substandard properties
- Zoning
  - The LDA should initiate the analysis for an area-wide rezoning
- Character Development

## Smoketown / Shelby Park Neighborhood Plan

residential uses. The “three R’s” of reinvestment, rehabilitation, and redevelopment should be encouraged in these areas, since they are often in older neighborhoods. Cornerstone 2020 encourages the use of a vision and master plan to guide redevelopment and reuse in each district. In addition, development along the edges of this form area should be compatible with the adjacent area. Heavy industrial uses may locate there as well, provided they are sufficiently buffered from surrounding uses and that they have easy access to infrastructure so as not to create truck routes in residential areas. By identifying this area as “Industrial/Warehouse/Manufacturing” on the Conceptual Master Plan, these goals can be achieved.

*(Source: Cornerstone 2020 Comprehensive Land Use Plan: FINAL-For Transmittal to the Louisville and Jefferson County Planning Commission – June 15, 2000)*

### 4.8 Recommendations

#### 4.8.1. Conceptual Master Plan

A Conceptual Master Plan (CMP) for the study area was developed combining the land use goals and strategies with the analysis of existing land use patterns (Figure 10). The CMP defines general land use zones and is intended to guide future development in the Smoketown/Shelby Park area by concentrating certain uses into their own zone. The CMP can also be used as a guide for redevelopment and capital improvements.

The CMP envisions the Smoketown/Shelby Park area as a vibrant neighborhood with a strong, central residential core interspersed with an array of institutional uses (churches, schools, etc.) and a limited amount of neighborhood-serving retail, mostly along Breckenridge Street. Surrounding the residential core to the east, west and south, including Shelby and Preston streets, is an area of mixed uses including, multi-family residential, retail, office, and light industrial/manufacturing. To the north is the Broadway corridor, which would continue to be supported as a retail corridor.

“Transition zones” have been identified on the CMP at the edge of the residential core to serve as buffers between areas.

Smoketown / Shelby Park Neighborhood Plan

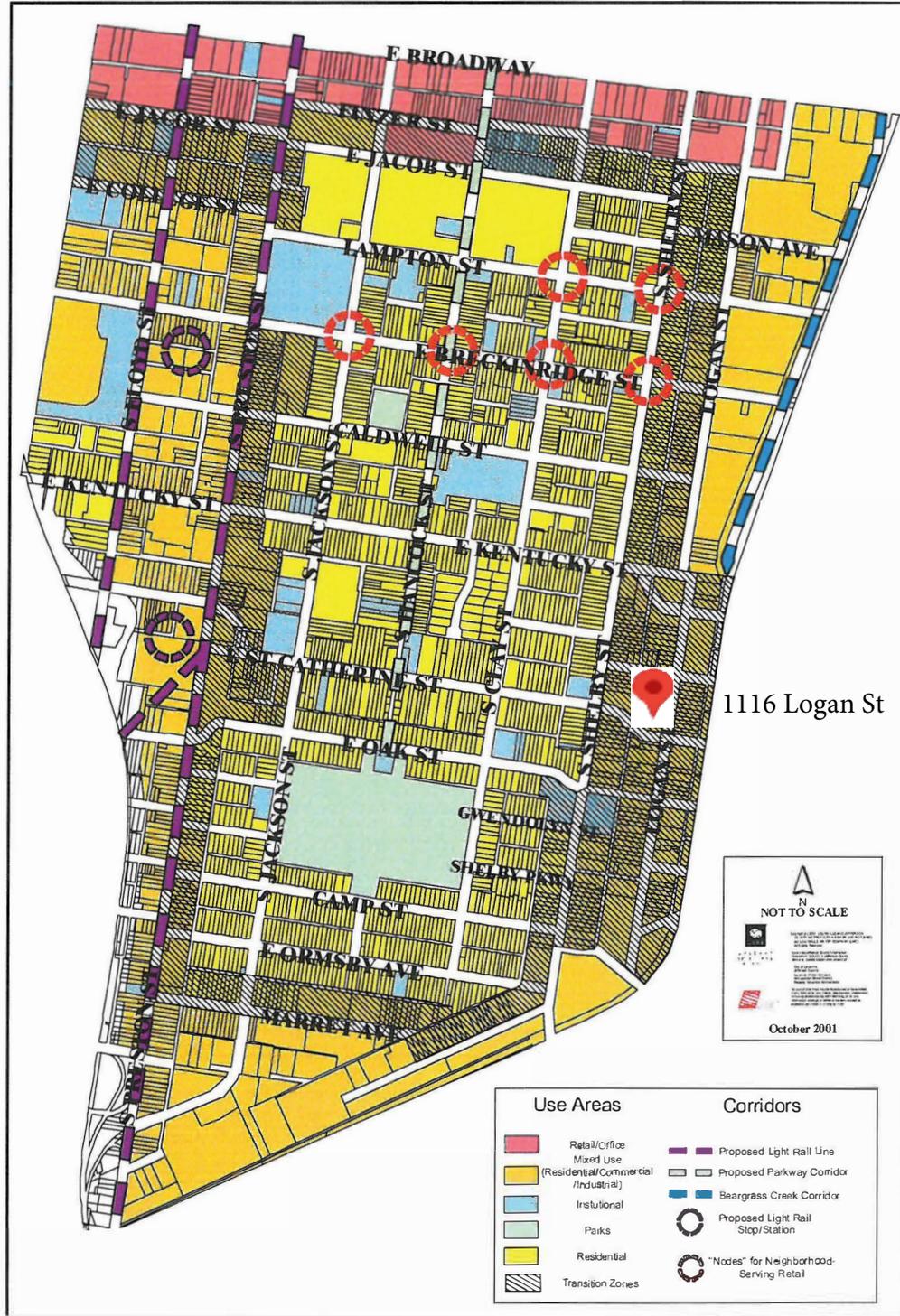
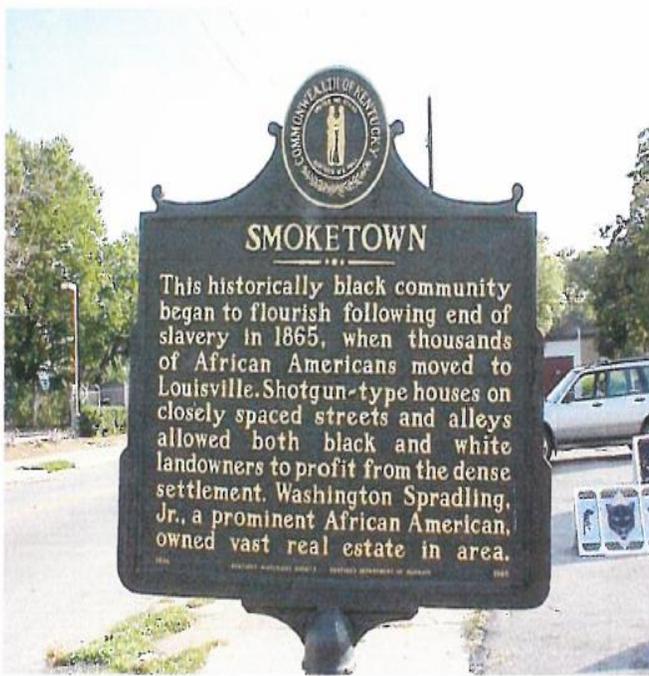


FIGURE 10: Conceptual Master Plan



## ***SMOKETOWN / SHELBY PARK NEIGHBORHOOD PLAN UPDATE***

***March 5, 2002***



Gresham, Smith &  
Partners

Smoketown / Shelby  
Park Neighborhood  
Task Force



Louisville Development  
Authority

### ***2.3 Goals and Strategies***

Part of the public process focused on developing goals and strategies for the Neighborhood Plan. The 1995 *Development Strategy* contained a series of goals and strategies to address four key issue areas: Human Capital Development, Economic Development, Residential Development, and Public Safety. Within these four issue areas were goals and strategies specifically focused on land use. Because a considerable amount of time and energy was devoted to development of goals and strategies in 1995, this process began by examining those goals and strategies. They included:

- Shelby/Logan Street Corridor
  - Maintain corridor as a mixed-use area, with Shelby focusing on residential and commercial uses and Logan continuing to target manufacturing and industrial

## 4.8 Recommendations

### 4.8.1. Conceptual Master Plan

A Conceptual Master Plan (CMP) for the study area was developed combining the land use goals and strategies with the analysis of existing land use patterns (Figure 10). The CMP defines general land use zones and is intended to guide future development in the Smoketown/Shelby Park area by concentrating certain uses into their own zone. The CMP can also be used as a guide for redevelopment and capital improvements.

The CMP envisions the Smoketown/Shelby Park area as a vibrant neighborhood with a strong, central residential core interspersed with an array of institutional uses (churches, schools, etc.) and a limited amount of neighborhood-serving retail, mostly along Breckenridge Street. Surrounding the residential core to the east, west and south, including Shelby and Preston streets, is an area of mixed uses including, multi-family residential, retail, office, and light industrial/manufacturing. To the north is the Broadway corridor, which would continue to be supported as a retail corridor.

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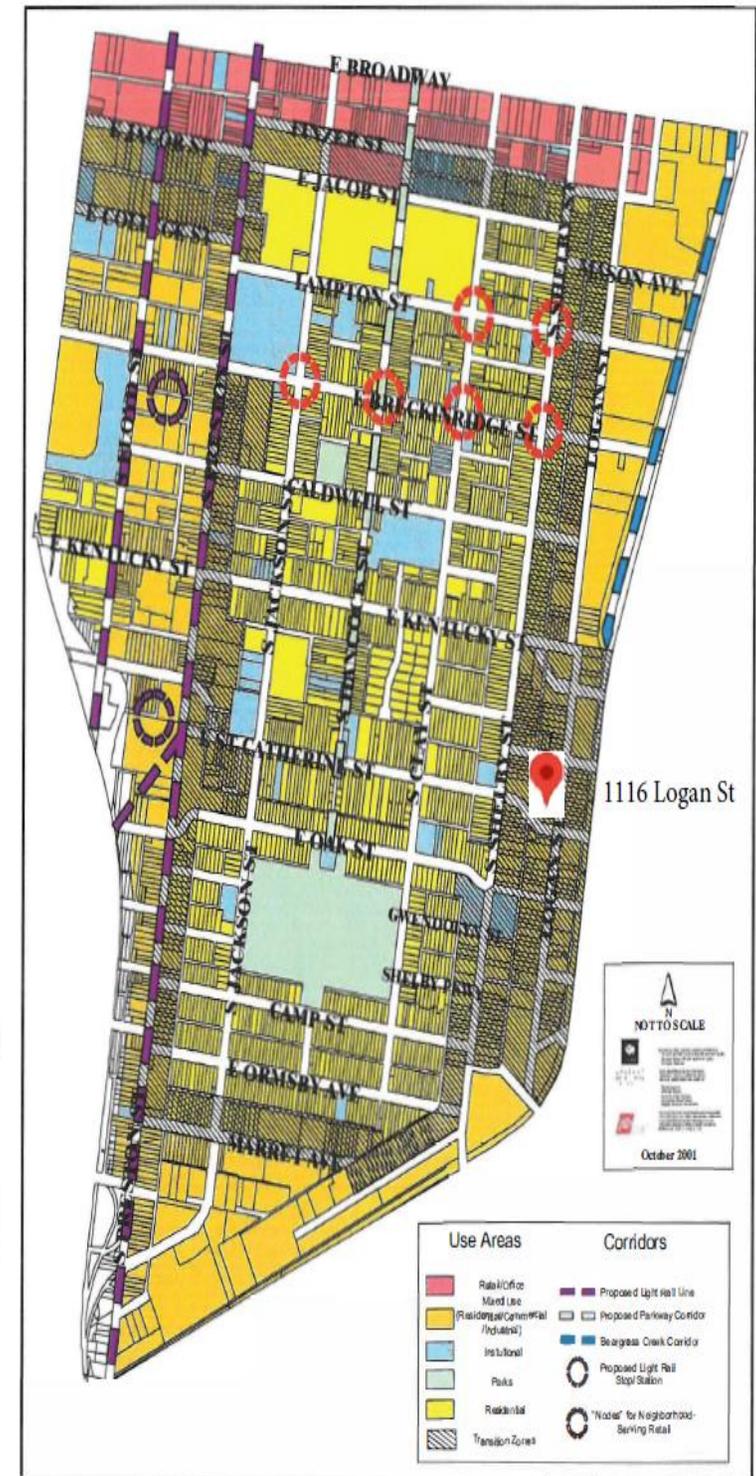


FIGURE 10: Conceptual Master Plan

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DEC 06 2023

PLANNING & DESIGN  
SERVICES

## Justification Statement

To the Citizens, Planners, and Elected Officials of Louisville –

The purpose of this document is to demonstrate compliance with Plan 2040 for the property located at 1116 Logan Street which seeks a zoning change from OR-2 to C-2. The main purpose of the zoning change is to broaden the small business possibilities for the property, thereby contributing to the direction of growth in the immediate vicinity and within the Shelby Park neighborhood.

### **Background:**

The Logan and Shelby Street corridor is undergoing rapid change, and municipal investment is helping to steer and accommodate positive change. Most notably, the conversion of Logan and Shelby streets to two-way traffic is on the horizon to make the corridor more accommodating and safer for pedestrians and reduce traffic incidents. A significant contributor to the increase in pedestrian traffic is the local, small businesses establishing themselves within the corridor.

1116 Logan Street is a 0.10-acre parcel located near the corner of Logan & Mary streets, across from Metro 1 Heating & Cooling and the former Keswick Democratic Club. On the parcel sits an original, single-story 1,100 square foot brick structure, constructed in the early 1900's. This structure will be preserved in its original aesthetic. The property is currently vacant and set up for office space.

### **Why C-2?**

1116 Logan Street is located one block south of Logan Street Market, which has become a local business incubator for the immediate area. On occasion, businesses within Logan Street Market desire a larger footprint and look to relocate to a brick-and-mortar location of their own. Many of the properties along Logan Street in this vicinity are zoned OR-2 and cannot accommodate food or alcohol beverage service.

One example of a Logan Street Market business outgrowing their space and moving into the Logan/Shelby Street corridor is Canary Club, which started life as The Breeze Wine Shop in Logan Street Market. Canary Club now holds residence on South Shelby Street in an old, refurbished brick building that is zoned C-2.

Logan Street Market is considered an existing neighborhood activity center. Re-zoning 1116 Logan Street C-2 will allow for all businesses within the Logan Street Market ecosystem to establish themselves within 300ft of their original neighborhood activity center location, in a stand-alone physical space.

### **Plan 2040 Compliance**

1) **Community Form:** re-zoning 1116 Logan Street to C-2 maintains the distinctive physical, historic, and cultural qualities of the Shelby Park neighborhood. It is located on a minor arterial and transit corridor and adjacent to an existing activity center. The original façade will be preserved to maintain the streetscape and fabric of the neighborhood. Historically this property was a single-family home. Although the use will change it will remain a resource in the community. It will invite commercial development on an already commercially developed block in proportion to the neighborhood.

23-ZONE-0165

Impacts from noise: C-2 zoning does allow for business tenants that may create more noise than businesses restricted to OR-2. At a size of 0.10 acres, the parcel maintains a relatively small footprint and does not adjoin any properties being used as primary residences: 1124 Logan (to the south) is a 3-story commercial building currently used as office space, and 1112 Logan (to the north) is a Short Term Rental owned by a Tennessee-based LLC. Properties on this block of Logan between Mary & E Saint Catherine are increasingly used for commercial purposes. All Logan Street commercial tenants are subject to Louisville Metro Government noise ordinances.

- 2) **Mobility:** C-2 zoning for 1116 Logan Street will allow for higher density along an established transit corridor and within 300ft of a neighborhood activity center. It will also encourage transit-oriented development.
- 3) **Community Facilities:** Broadening commercial use with C-2 zoning allows for further commercial development in a small area already experiencing growth and community in-fill. This property is located along an improving transit corridor and will not stress existing infrastructure or utilities.
- 4) **Economic Development:** C-2 zoning promotes the redevelopment of this underused residential building on an increasingly commercialized block within a developing corridor.
- 5) **Livability:** C-2 zoning promotes better use of the existing, 100+ year old – yet architecturally significant – brick structure. An aging residential home, the building’s aesthetic is desirable in commercial form: solid brick walls, tall ceilings, and period-correct façade. Enhanced zoning will help prevent potential demolition and unnecessary waste.
- 6) **Housing:** C-2 zoning will permit neighborhood-serving goods and services in proximity to existing housing, which supports aging in place for the Shelby Park, Smoketown, and Germantown residents. No existing residents will be displaced by this proposal.

The above is presented for consideration in the proposal to re-zone the property located at 1116 Logan Street from OR-2 to C-2.

Respectfully,



Garrett Dean  
(502) 907-2167  
garrett@lone-camel.com

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23-ZONE-0163

**Land Development and Transportation  
Committee  
Staff Report  
February 8, 2024**



<b>Case No:</b>	23-ZONE-0163
<b>Project Name:</b>	1116 Logan Street Rezoning
<b>Location:</b>	1116 Logan Street
<b>Owner(s):</b>	Suite Bea LLC
<b>Applicant:</b>	Suite Bea LLC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	6 – Phillip Baker
<b>Case Manager:</b>	Dante St. Germain, AICP, Planner II

**REQUESTS**

- **Change in zoning** from OR-2 Office Residential to C-2 Commercial
- **Waiver** from 10.2.4.B.1 to permit encroachment into the required property perimeter Landscape Buffer Area (LBA) on the north and south property lines, and to omit the required plantings where the encroachment occurs (24-WAIVER-0005)
- **Detailed District Development Plan** with Binding Elements

**CASE SUMMARY/BACKGROUND**

The subject site is located on Logan Street between the intersections with Mary Street and E St. Catherine Street, and consists of one parcel currently developed with structure that could be utilized for residential or non-residential uses. The applicant proposes to rezone the site in order to use the structure for a restaurant, retail, or similar small commercial.

The immediate neighborhood is a mix of residential, commercial and industrial uses. The site is located within the study area for the Smoketown/Shelby Park Neighborhood Plan. The site is designated within the transition zone on the Conceptual Master Plan, to serve as a buffer between the residential core and the non-residential zones to the east.

**STAFF FINDING**

The proposal is ready for a public hearing date to be set.

**TECHNICAL REVIEW**

MSD and Transportation Planning have provided preliminary approval of the proposal.

**INTERESTED PARTY COMMENTS**

No interested party comments have been received by staff.

## **STANDARD OF REVIEW FOR REZONING**

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**

The site is located in the Traditional Neighborhood Form District

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.

## **REQUIRED ACTIONS**

- **Set** the public hearing date.

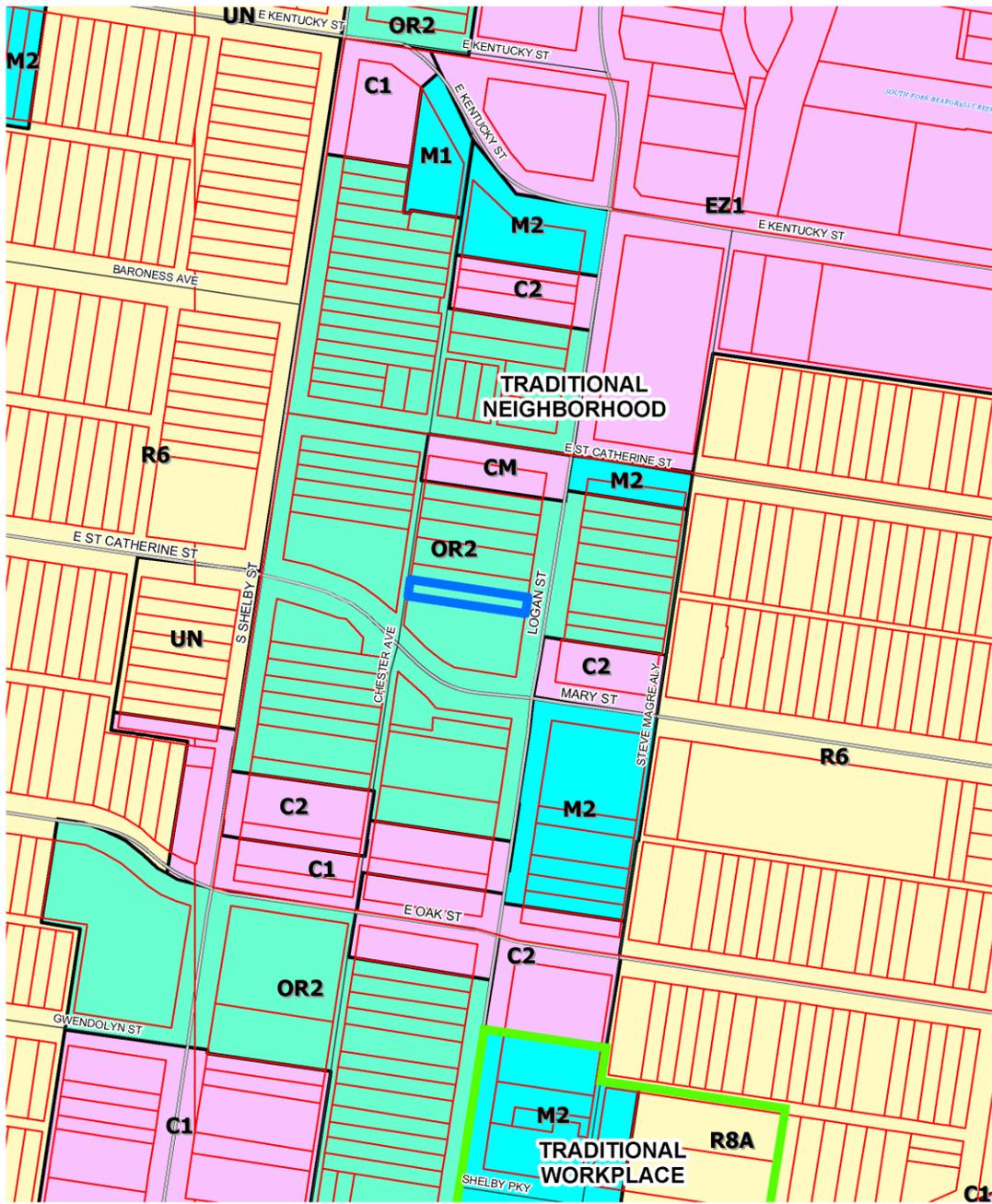
## **NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
<b>01/26/2024</b>	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 6
	Hearing before PC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 6
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

## **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. Zoning Map



1116 Logan Street  
feet



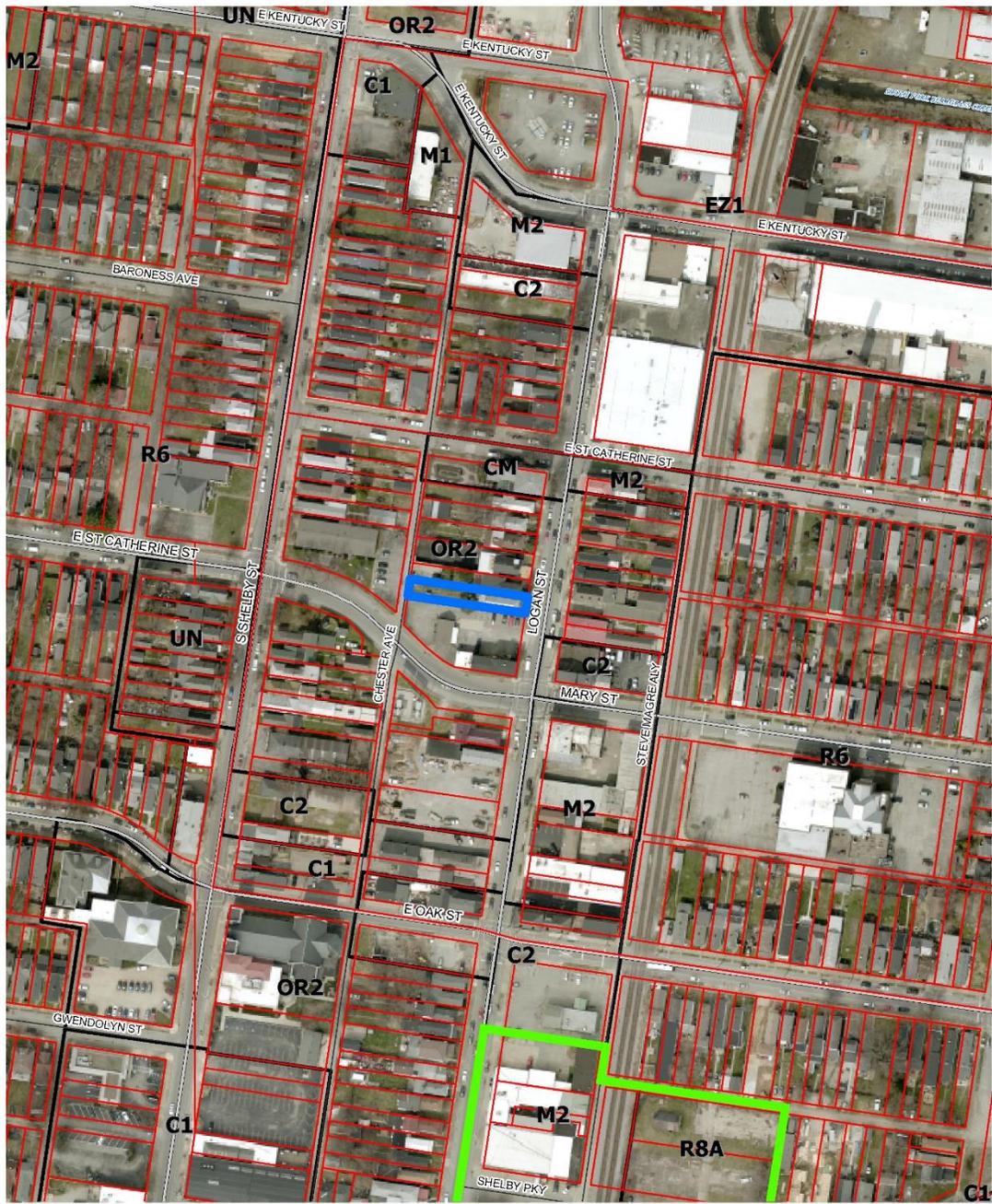
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Map Created: 3/6/2023



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2. Aerial Photograph



1116 Logan Street  
feet

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Map Created: 3/6/2023



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### **3. 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. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
5. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
6. 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.
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.

# Planning Commission

## Staff Report

March 21, 2024



<b>Case No:</b>	23-ZONE-0163
<b>Project Name:</b>	1116 Logan Street Rezoning
<b>Location:</b>	1116 Logan Street
<b>Owner(s):</b>	Suite Bea LLC
<b>Applicant:</b>	Suite Bea LLC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	6 – Phillip Baker
<b>Case Manager:</b>	Dante St. Germain, AICP, Planner II

### REQUESTS

- **Change in zoning** from OR-2 Office Residential to C-2 Commercial
- **Waiver** from 10.2.4.B.1 to permit encroachment into the required property perimeter Landscape Buffer Area (LBA) on the north and south property lines, and to omit the required plantings where the encroachment occurs (24-WAIVER-0005)
- **Detailed District Development Plan** with Binding Elements

### CASE SUMMARY/BACKGROUND

The subject site is located on Logan Street between the intersections with Mary Street and E St. Catherine Street, and consists of one parcel currently developed with structure that could be utilized for residential or non-residential uses. The applicant proposes to rezone the site in order to use the structure for a restaurant, retail, or similar small commercial.

The immediate neighborhood is a mix of residential, commercial and industrial uses. The site is located within the study area for the Smoketown/Shelby Park Neighborhood Plan. The site is designated within the transition zone on the Conceptual Master Plan, to serve as a buffer between the residential core and the non-residential zones to the east.

### STAFF FINDING

Staff finds that the proposed zoning change meets the guidelines of the Comprehensive Plan. The waiver is adequately justified and meets the standard of review. The site plan meets the requirements of the Land Development Code with the exception of the requested waivers, and meets the guidelines of the Comprehensive Plan.

### TECHNICAL REVIEW

Plan 2040

Land Development Code (Louisville Metro)

MSD and Transportation Planning have provided preliminary approval of the proposal.

## **INTERESTED PARTY COMMENTS**

No interested party comments have been received by staff.

## **STANDARD OF REVIEW FOR REZONING**

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**

The site is located in the Traditional Neighborhood Form District

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.

Following is staff's analysis of the proposed rezoning against the Goals, Objectives and Policies of Plan 2040.

The requested C-2 zoning is appropriate for the site, as the neighborhood of the site is largely non-residential in character and many of the surrounding parcels are proposed to also change to commercial zoning. The site is relatively small, and any adverse impacts from uses permitted in the C-2 zoning district are unlikely to materialize on a small site. The site is within the transition zone in the Smoketown/Shelby Park Neighborhood Plan, intended to serve as a buffer between higher-intensity uses to the east and the single-family residential uses to the west. The proposed zoning district would provide such a buffer.

The proposed zoning district is generally in compliance with the plan elements and CHASE principles of Plan 2040. All other agency comments should be addressed to demonstrate compliance with the remaining Goals, Objectives and Policies of Plan 2040.

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 OF SECTION 10.2.4.B.1**

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

STAFF: The waiver will not adversely affect adjacent property owners as the structure already exists on the site and has caused no known adverse effects.

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

STAFF: The waiver will not violate specific guidelines of Plan 2040 as Plan 2040 encourages appropriate buffering and transitions between uses that are significantly different in density or intensity. The vicinity of the site is non-residential in nature and unlikely to be adversely impacted.

- (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 as the structure already exists. Furthermore, the required Landscape Buffer Area covers the entirety of the lot, and there would be no way to use the lot while fully providing the LBA.

- (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: 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 because the structure already exists, and the lot would be unusable if the full LBA were provided.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP**

- (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 is already developed and no natural resources exist on the site currently. Required street trees will be provided.

- (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 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: No open space requirements are pertinent to the request.

- (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 site design is in compliance with existing and planned future development in the area. The proposal would provide commercial development in a non-residential corridor.

- (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 development plan conforms to applicable requirements of the Land Development Code and Plan 2040 with the exception of the requested waiver. The site plan complies with the policies and guidelines of the Comprehensive Plan.

**REQUIRED ACTIONS**

- **RECOMMEND** that Metro Council **APPROVE** or **DENY** the **Change-in-Zoning** from OR-2 to C-2
- **APPROVE** or **DENY** the **Waiver**
- **APPROVE** or **DENY** the **Detailed District Development Plan** with **Binding Elements**

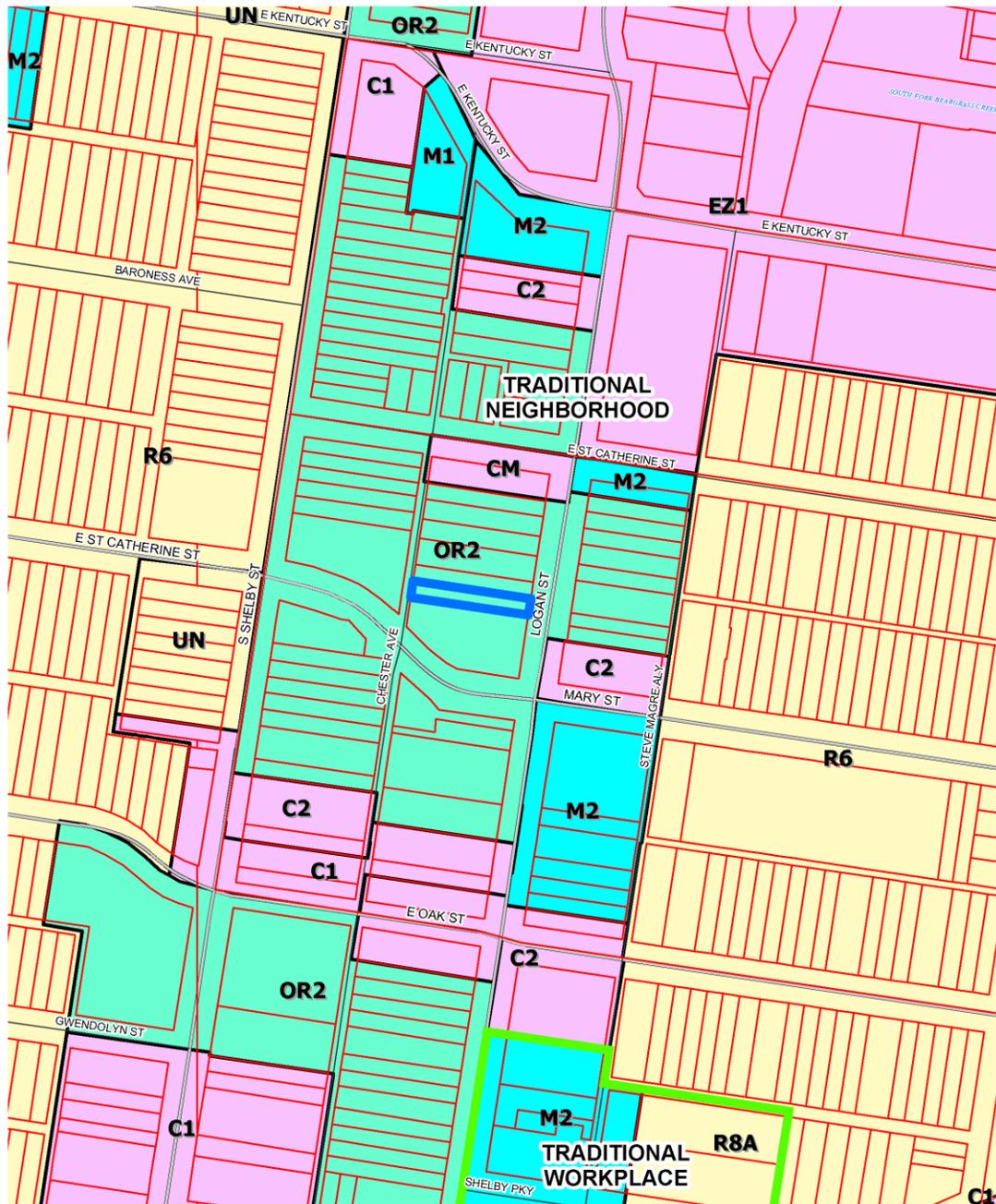
**NOTIFICATION**

Date	Purpose of Notice	Recipients
01/26/2024	Hearing before LD&T	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 6
03/01/2024	Hearing before PC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 6
03/04/2024	Hearing before PC	Sign Posting on property
03/04/2024	Hearing before PC	Legal Advertisement in the Courier-Journal

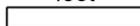
## **ATTACHMENTS**

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

1. Zoning Map



1116 Logan Street  
feet



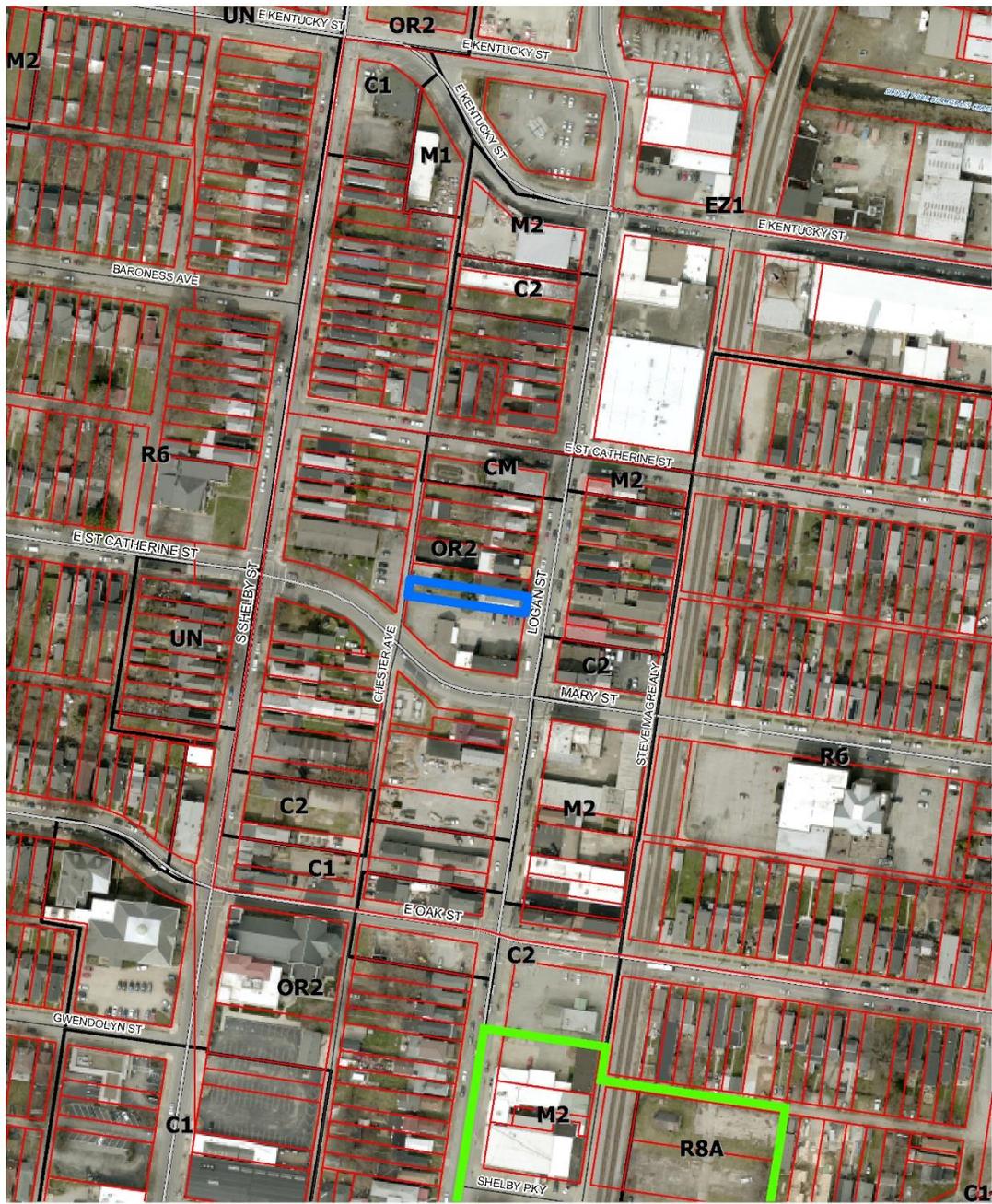
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2. Aerial Photograph



1116 Logan Street  
feet

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Map Created: 3/6/2023



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### 3. Staff Plan 2040 Checklist

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

#### Traditional Neighborhood: Non-Residential

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
1	Community Form: Goal 1	<b>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.	✓	The site is adjacent to an existing activity center. The proposal would not constitute a non-residential expansion into an existing residential area.
2	Community Form: Goal 1	<b>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.	✓	The site is located on Logan Street, a minor arterial and transit corridor, and is adjacent to an existing activity center.
3	Community Form: Goal 1	<b>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.	NA	The proposal is not for industrial zoning.
4	Community Form: Goal 1	<b>15.</b> When reviewing proposals for siting hazardous uses and uses with air, noise and light emissions, ensure disadvantaged populations are not disproportionately impacted.	✓	The proposed zoning district would not permit hazardous uses. Uses with air, noise and light emissions must comply with LMCO and LDC limitations.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
5	Community Form: Goal 1	<b>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.	✓	The proposed zoning district would not permit uses with noxious odors, particulates or emissions.
6	Community Form: Goal 1	<b>17.</b> Mitigate adverse impacts of traffic from proposed development on nearby existing communities.	✓	Access to the site is via the alley behind Logan Street, a minor arterial at this location.
7	Community Form: Goal 1	<b>18.</b> Mitigate adverse impacts of noise from proposed development on existing communities.	✓	Noise impacts are unlikely to affect nearby residential uses, due to the size of the site and the distance to residential uses.
8	Community Form: Goal 1	<b>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.	NA	The proposed zoning district would not permit hazardous or flammable materials, or uses similar to junkyards, landfills or quarries.
9	Community Form: Goal 2	<b>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.	✓	The site is located adjacent to an existing activity center, and re-uses an existing structure which is already part of the fabric of the neighborhood.
10	Community Form: Goal 2	<b>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.	✓	The site has appropriate access and connectivity. The site is located on Logan Street, a minor arterial, and has alley access.
11	Community Form: Goal 2	<b>5.</b> Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it.	✓	The site is located adjacent to an existing activity center.
12	Community Form: Goal 2	<b>6.</b> Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.	✓	The proposal would permit a more compact pattern of development.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
13	Community Form: Goal 2	7. Encourage activity centers to include a mixture of compatible land uses in order to reduce traffic congestion by requiring fewer trips, support and enhance alternative modes of travel, and encourage vitality and a sense of place.	✓	The proposal would permit an increase in the mixture of compatible land uses in an existing activity center.
14	Community Form: Goal 2	8. Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multi-story retail buildings.	✓	The proposed zoning district would permit residential and office uses above retail and other mixed-use multi-story retail buildings.
15	Community Form: Goal 2	9. Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.	✓	The proposal would permit the re-use of an existing building.
16	Community Form: Goal 2	10. Encourage outlot development in underutilized parking lots of existing development to promote utilization of existing infrastructure provided specific criteria for elements such as location, scale, signs, parking, lighting, and landscaping are met. Outlot development shall encourage street-level retail with residential units above.	NA	The proposal does not include any underutilized parking lots.
17	Community Form: Goal 2	11. Ensure appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood and Village Form Districts to ensure compatibility with nearby residences.	✓	The proposal would re-use an existing structure for commercial purposes. The building is already a part of the fabric of the neighborhood.
18	Community Form: Goal 3	9. Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems.	NA	No natural features are evident on the site.
19	Community Form: Goal 3	10. Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.	NA	No wet or highly permeable soils, or severe, steep or unstable slopes are evident on the site.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
20	Community Form: Goal 3	<b>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	The site is not located in the Ohio River Corridor.
21	Community Form: Goal 3	<b>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.	NA	The site is not in a flood-prone area. No karst terrain is evident on the site.
22	Community Form: Goal 4	1. Preserve buildings, sites, districts and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, architecture style and placement when located within the impact area of such resources.	✓	The proposal re-uses an existing structure.
23	Community Form: Goal 4	<b>2.</b> Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.	✓	The proposal re-uses an existing structure.
24	Mobility: Goal 1	<b>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.	✓	The site is located adjacent to an existing activity center and is located on a transit corridor.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
25	Mobility: Goal 2	4. Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.	✓	Access to the site is via Logan Street, a minor arterial at this location.
26	Mobility: Goal 3	1. 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.	✓	The proposed zoning district would permit an increase in the mix of complementary neighborhood-serving businesses and services in a neighborhood center.
27	Mobility: Goal 3	2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.	✓	The site is easily accessible by bicycle, car, transit, pedestrians and people with disabilities.
28	Mobility: Goal 3	3. Evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices.	✓	The proposal would promote public transit and pedestrian use. The site is located on Logan Street, a transit corridor, and is close to other transit corridors. The site is accessible by sidewalk.
29	Mobility: Goal 3	4. Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following: 4.1. nodal connections identified by Move Louisville; 4.2. impact on freight routes; 4.3. time of operation of facilities; 4.4. safety; 4.5. appropriate linkages between neighborhoods and employment; and 4.6. the potential for reducing travel times and vehicle miles traveled.	✓	Transportation Planning has approved the proposal.
30	Mobility: Goal 3	5. Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.	✓	Transportation Planning has approved the proposal.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
31	Mobility: Goal 3	6. Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.	✓	Transportation Planning has approved the proposal.
32	Mobility: Goal 3	9. When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.	✓	Transportation Planning has approved the proposal.
33	Mobility: Goal 3	10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.	✓	Transportation Planning has approved the proposal.
34	Community Facilities: Goal 2	1. Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.	✓	The relevant utilities have approved the proposal.
35	Community Facilities: Goal 2	2. Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.	✓	Louisville Water Company has approved the proposal.
36	Community Facilities: Goal 2	3. Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).	✓	MSD has approved the proposal.
37	Economic Development: Goal 1	2. Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.	NA	The proposal is not for industrial zoning.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
38	Economic Development: Goal 1	<b>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.	✓	The site is located near the intersection of Logan Street with E St. Catherine Street, the intersection of two minor arterials.
39	Economic Development: Goal 1	<b>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	The proposal is not for industrial zoning. The site is not located near the Ohio River or the airport.
40	Economic Development: Goal 1	<b>5.</b> Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.	NA	The proposal is not for industrial zoning.
41	Livability: Goal 1	<b>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.	NA	The site is not located on karst terrain.
42	Livability: Goal 1	<b>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.	NA	The site is not located in the regulatory floodplain.
43	Livability: Goal 1	<b>24.</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.	NA	The site is not located in the regulatory floodplain.

#	Plan 2040 Plan Element	Land Use & Development Policy	Staff Finding	Staff Analysis
44	Housing: Goal 1	2. 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.	✓	The proposal would permit neighborhood-serving goods and services in proximity to existing housing, which supports aging in place.
45	Housing: Goal 2	1. Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.	✓	The proposal would encourage inter-generational mixed-income and mixed-use development by permitting commercial uses close to existing housing.
46	Housing: Goal 2	2. 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.	✓	The proposal would permit commercial uses close to existing housing, along an existing commercial corridor.
47	Housing: Goal 3	2. As neighborhoods evolve, discourage displacement of existing residents from their community.	✓	No existing residents will be displaced by the proposal.
48	Housing: Goal 3	3. 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.	✓	The proposal would permit innovative methods of housing.

#### 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. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
5. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
6. 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.
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.

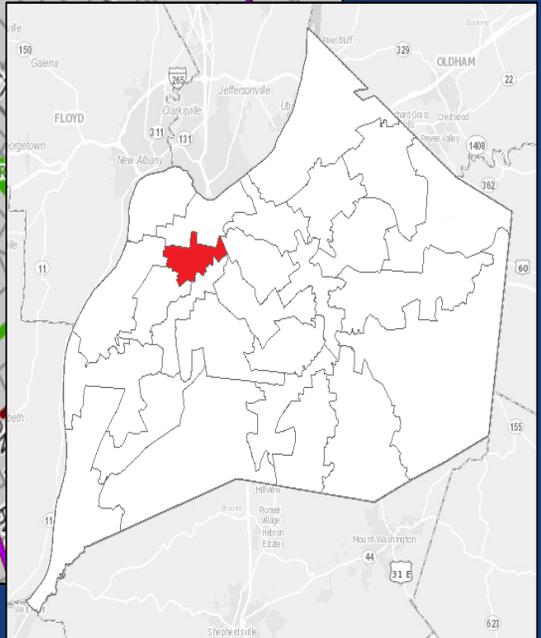
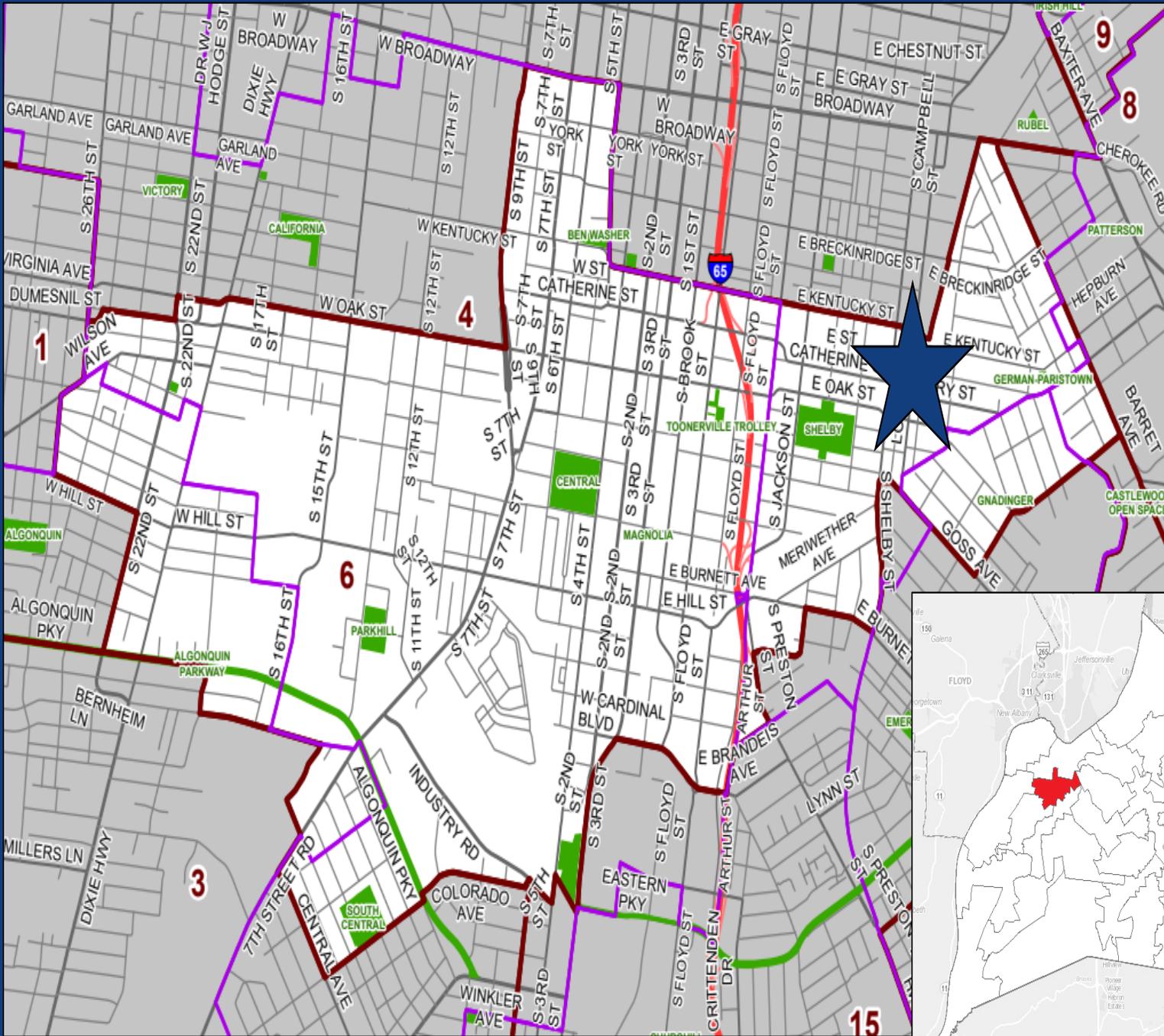
# 23-ZONE-0163

## 1116 Logan Street Rezoning

Planning & Zoning Committee

April 16, 2024





1116 Logan Street  
 District 6 – Phillip Baker

23-ZONE-0163

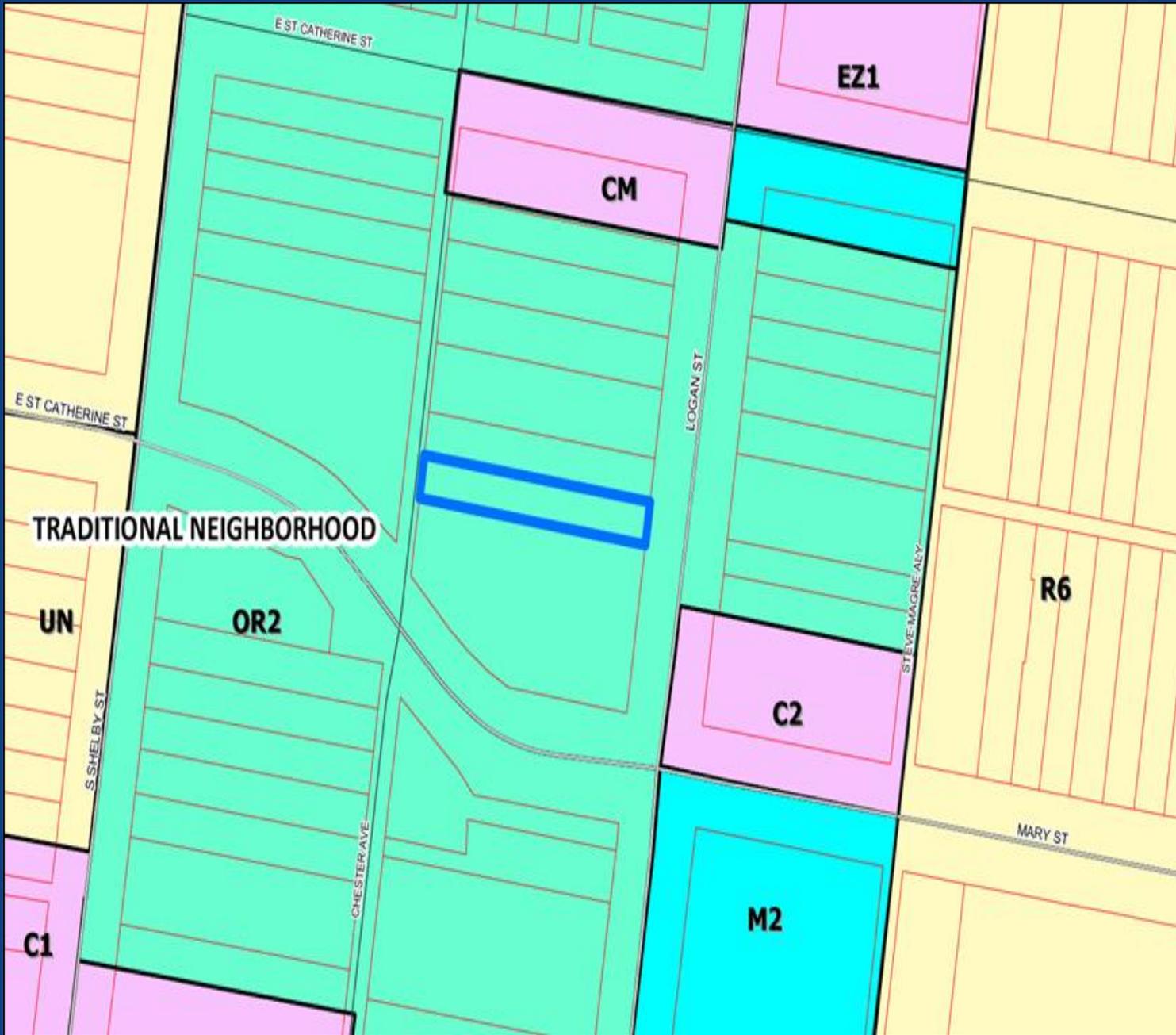




Existing: Office/Residential  
Proposed: Commercial

23-ZONE-0163





Existing: OR-2/TN  
Proposed: C-2/TN

23-ZONE-0163



# REQUESTS

- Change in Zoning from OR-2 Office Residential to C-2 Commercial
- Waiver from 10.2.4.B.1 to allow encroachment into the required property perimeter LBAs and waive plantings in the area of encroachment (24-WAIVER-0005)
- Detailed District Development Plan with Binding Elements

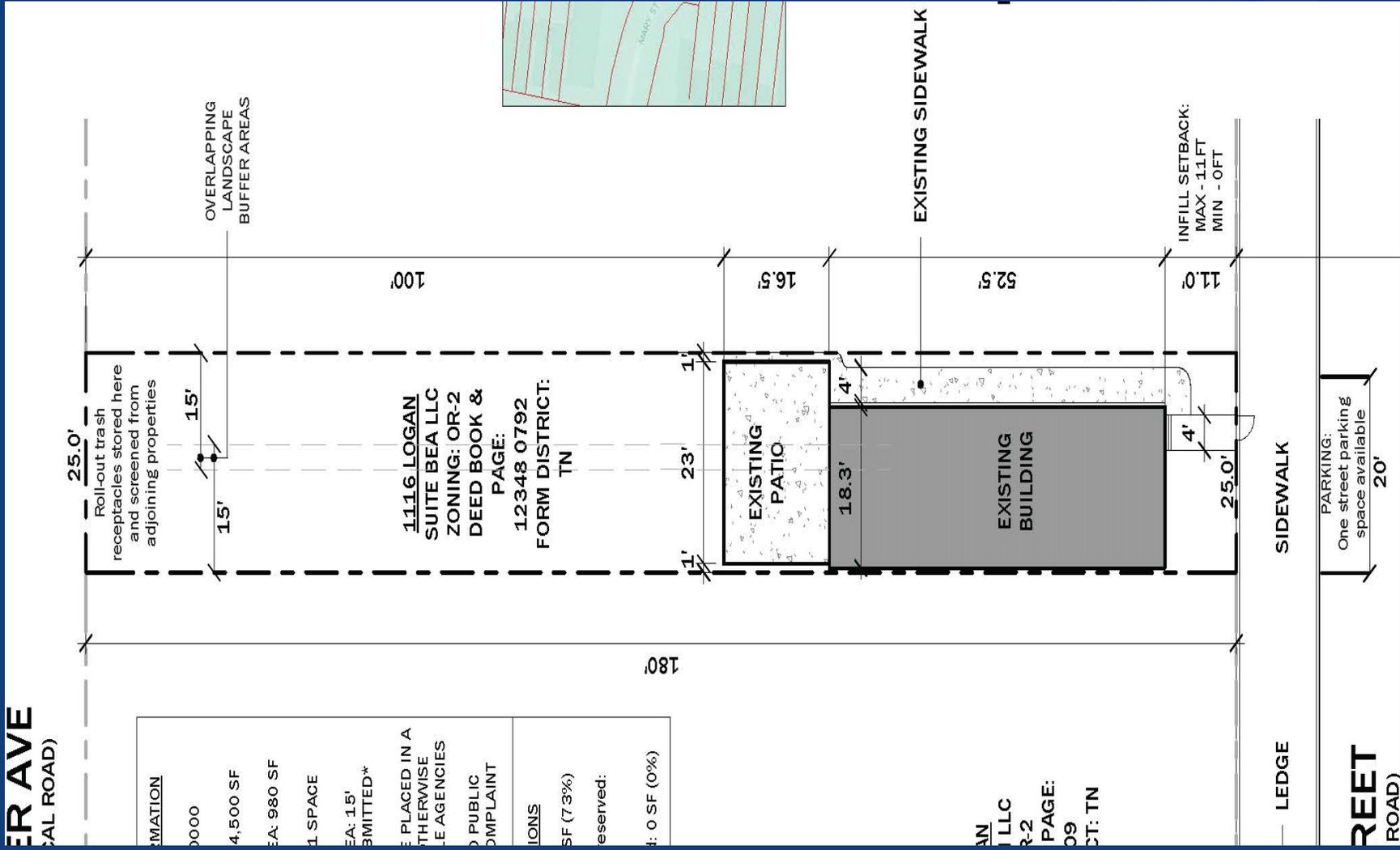


# CASE SUMMARY

- Currently developed with a structure that could be in residential or non-residential use
- Proposed restaurant space
- Possible retail or other small commercial
- Smoketown/Shelby Park Neighborhood Plan – transition zone



# DEVELOPMENT PLAN



<b>DESCRIPTION</b>	<b>PERCENTAGE</b>
0000	
4,500 SF	
EA: 980 SF	
1 SPACE	
EA: 15'	
MITTED*	
PLACED IN A	
OTHERWISE	
LE AGENCIES	
AND PUBLIC	
COMPLAINT	
<b>REMARKS</b>	
SF (7.3%)	
reserved:	
0 SF (0%)	



# SITE PHOTOS – SUBJECT PROPERTY



23-ZONE-0163

# SITE PHOTOS – ADJACENT PROPERTY

Residential and short-term rental to north



Non-residential to south

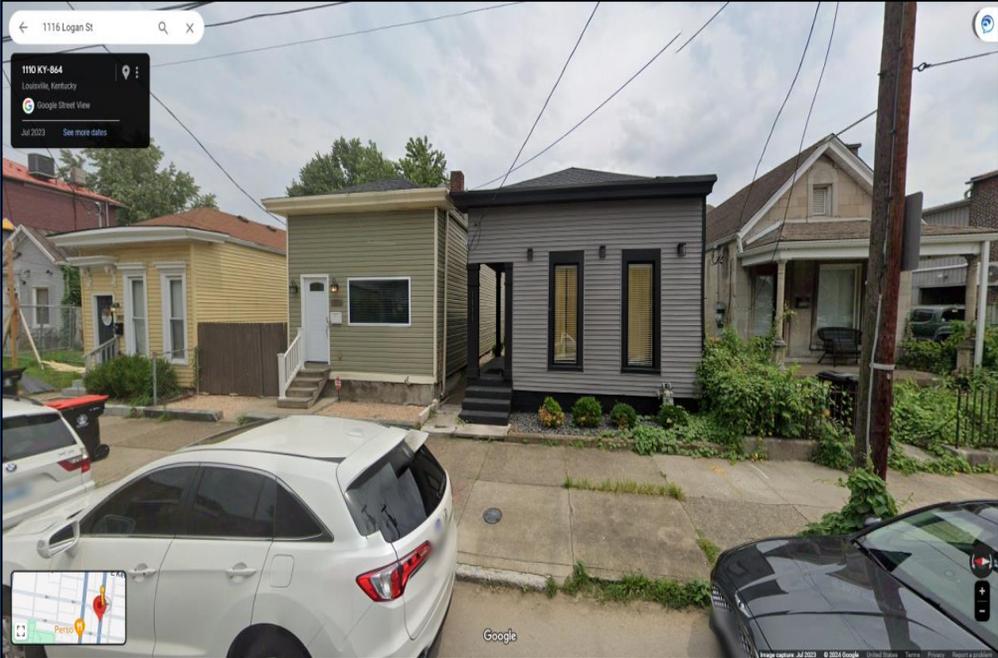


# SITE PHOTOS – ADJACENT PROPERTY



Residential and non-residential across Logan Street

Residential and non-residential across Logan Street



# PUBLIC MEETINGS

- Neighborhood Meeting on November 2, 2023
- LD&T Meeting on February 8, 2024
- Planning Commission Public Hearing on March 21, 2024
  - Motion to recommend approval of the change in zoning from OR-2 to C-2 passed by a vote of 7-0.



ORDINANCE NO. 061, SERIES 2024

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 1116 LOGAN STREET CONTAINING APPROXIMATELY 0.1033 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 23ZONE0163).

**SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the "Planning Commission") and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 23ZONE0163; and

**WHEREAS**, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 23ZONE0163 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** That the zoning of the property located at 1116 Logan Street containing approximately 0.1033 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 23ZONE0163, is hereby changed from OR-2 Office Residential to C-2 Commercial; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 23ZONE0163.

**SECTION II:** This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

  
\_\_\_\_\_  
Sonya Harward  
Metro Council Clerk

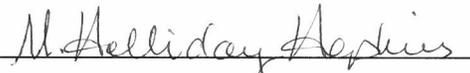
  
\_\_\_\_\_  
Markus Winkler  
President of the Council

  
\_\_\_\_\_  
Craig Greenberg  
Mayor

  
\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: 

O-069-24- Zoning at 1116 Logan Street (lf)

