

21-CUP-0125

**Brownsboro Rd Plaza
10000 Brownsboro Rd**



Board of Zoning Adjustment

Jay Lockett, AICP, Planner I

September 27, 2021

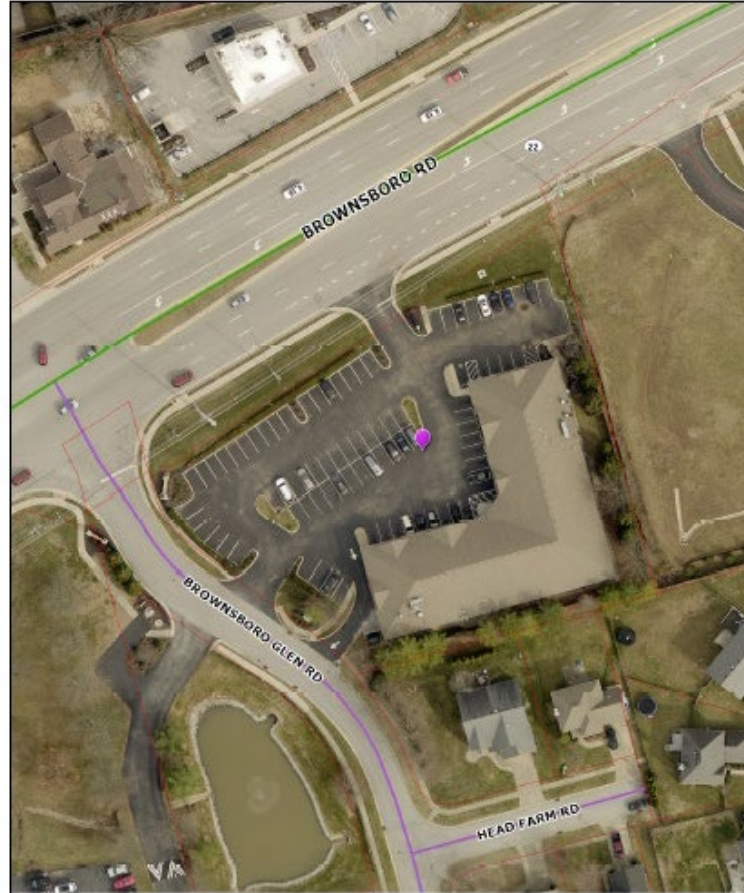
Requests

- **Conditional Use Permit to allow outdoor alcohol sales and consumption.**

Project Summary

- The applicant is proposing to construct a patio for outdoor dining and rearrange a portion of the parking lot for a restaurant in an existing commercial development.
- The applicant has submitted a Conditional Use Permit to allow outdoor dining with alcohol sales in the C-1 zoning district.
- A Revised Detailed District Development Plan has been approved by the Development Review Committee.

Site Aerial



21-DDP-0051

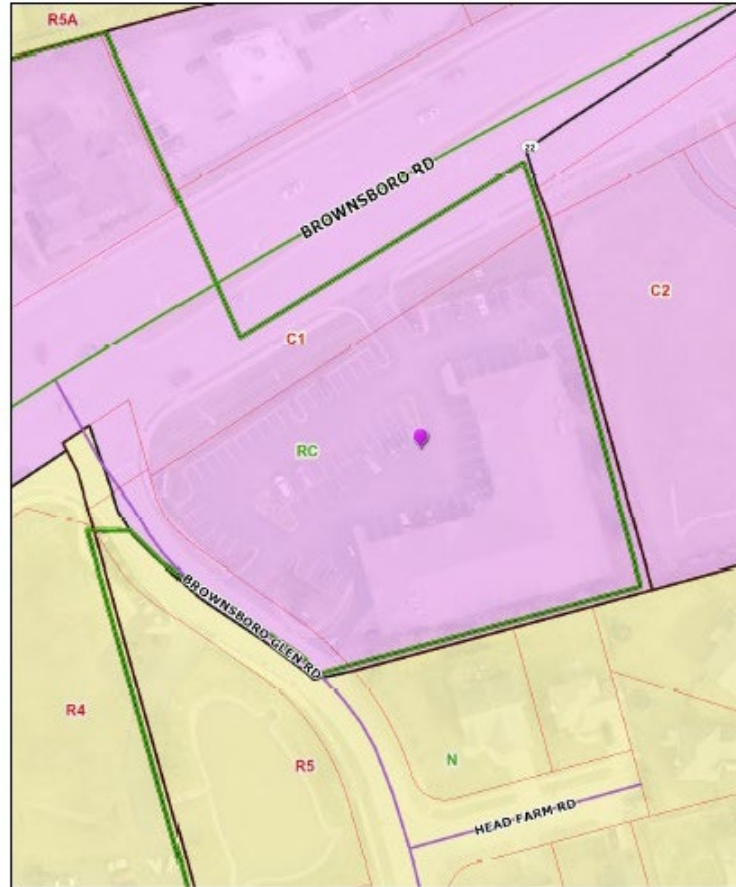
Tuesday, August 10, 2021 | 3:55:59 PM



LOJIC © 2021

This map is not a legal document and should only be used for general reference and identification.

Site Zoning



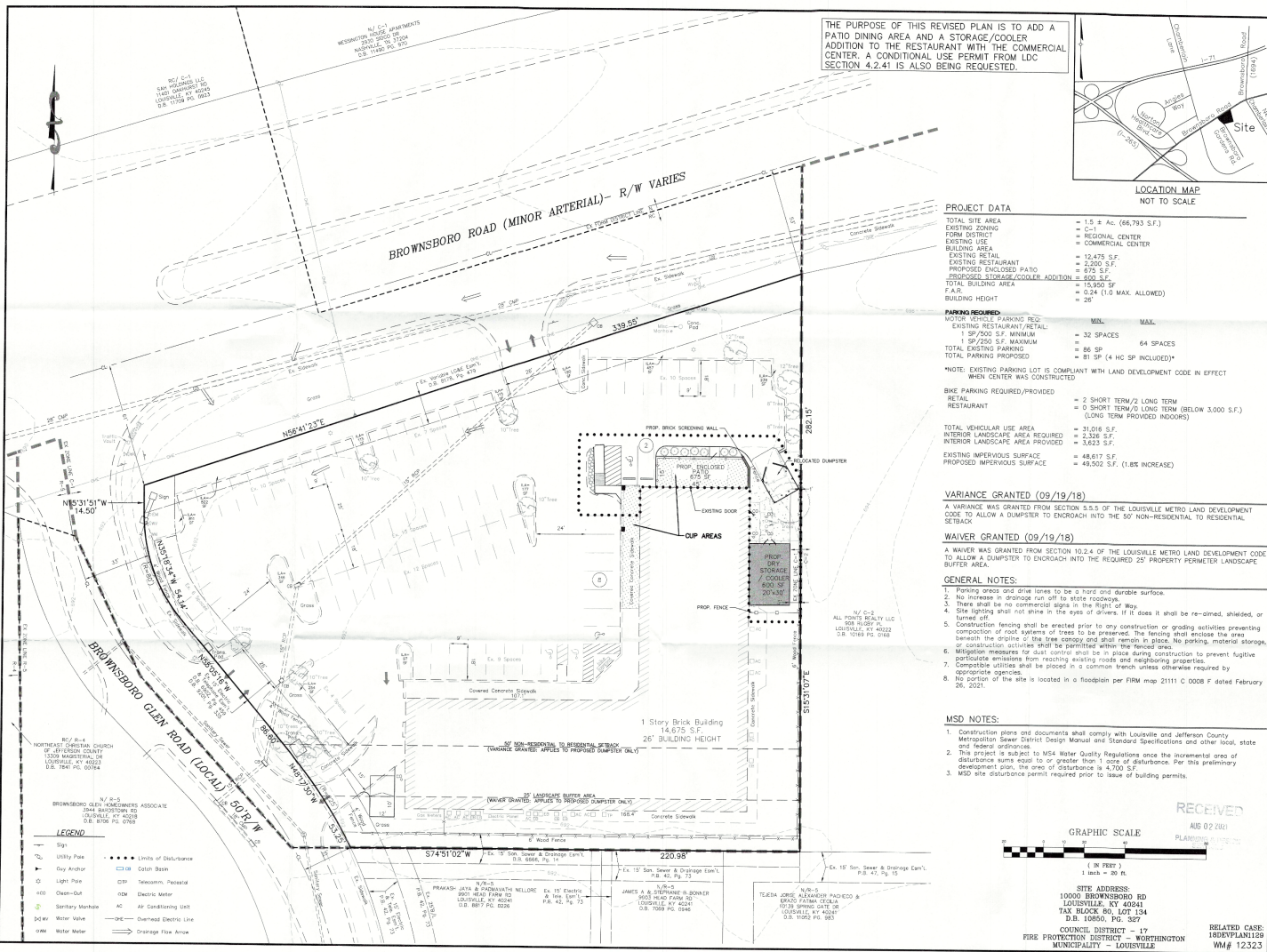
21-DDP-0051

Tuesday, August 10, 2021 | 3:57:00 PM

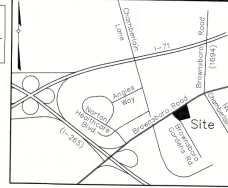


LOJIC © 2021
This map is not a legal document and should only be used for general reference and identification.

Proposed Plan



THE PURPOSE OF THIS REVISED PLAN IS TO ADD A PATIO DINING AREA AND A STORAGE/COOLER ADDITION TO THE RESTAURANT WITH THE COMMERCIAL CENTER. A CONDITIONAL USE PERMIT FROM LDG SECTION 4.2.41 IS ALSO BEING REQUESTED.



PROJECT DATA

TOTAL SITE AREA	= 1.5 ± Ac. (66,793 S.F.)
EXISTING ZONING	= C-1
FORM DISTRICT	= REGIONAL CENTER
EXISTING USE	= COMMERCIAL CENTER
BUILDING AREA	= 12,475 S.F.
EXISTING RETAIL	= 2,200 S.F.
EXISTING RESTAURANT	= 875 S.F.
PROPOSED ENCLOSED PATIO	= 400 S.F.
PROPOSED STORAGE/COOLER ADDITION	= 1,500 S.F.
TOTAL BUILDING AREA	= 15,000 S.F.
F.A.R.	= 0.24 (1.0 MAX. ALLOWED)
BUILDING HEIGHT	= 26'

PARKING REQUIRED:

MOTOR VEHICLE PARKING REQ.	MIN.	MAX.
EXISTING RESTAURANT/RETAIL	= 32 SPACES	64 SPACES
1 SF/200 S.F. MINIMUM	= 32 SPACES	64 SPACES
SF/250 S.F. MAXIMUM	= 86 SP	
TOTAL EXISTING PARKING	= 86 SP	
TOTAL PARKING PROVIDED	= 91 SP (4 HC SP INCLUDED)*	

*NOTE: EXISTING PARKING LOT IS COMPLIANT WITH LAND DEVELOPMENT CODE IN EFFECT WHEN CENTER WAS CONSTRUCTED

BIKE PARKING REQUIRED/PROVIDED:

RESTAURANT	= 2 SHORT TERM/2 LONG TERM
RESTAURANT	= 0 SHORT TERM/0 LONG TERM (BELOW 3,000 S.F.)
	(LONG TERM PROVIDED INDOORS)

TOTAL VEHICULAR USE AREA = 31,016 S.F.
INTERIOR LANDSCAPE AREA REQUIRED = 2,326 S.F.
INTERIOR LANDSCAPE AREA PROVIDED = 3,023 S.F.

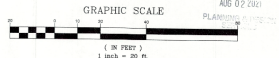
EXISTING IMPERVIOUS SURFACE = 48,617 S.F.
PROPOSED IMPERVIOUS SURFACE = 49,502 S.F. (1.8% INCREASE)

VARIANCE GRANTED (09/19/18)
 A VARIANCE WAS GRANTED FROM SECTION 5.5.5 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE TO ALLOW A DUMPSTER TO ENDOACH INTO THE 50' NON-RESIDENTIAL TO RESIDENTIAL SETBACK.

WAIVER GRANTED (09/19/18)
 A WAIVER WAS GRANTED FROM SECTION 10.2.4 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE TO ALLOW A DUMPSTER TO ENDOACH INTO THE REQUIRED 25' PROPERTY PERIMETER LANDSCAPE BUFFER AREA.

- GENERAL NOTES:**
- Parking areas and drive lanes to be a hard and durable surface.
 - No increase in drainage run off to exist roofpools.
 - There shall be no commercial signs in the Right of Way.
 - Site lighting shall not shine in the eyes of drivers if it does it shall be re-aimed, shielded, or turned off.
 - Construction fencing shall be erected prior to any construction or grading activities preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the canopy of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
 - Weighting measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
 - Compatible utilities shall be placed in a common trench unless otherwise required by applicable codes.
 - No portion of the site is located in a floodplain per FIRM map 21111 C 0008 F dated February 28, 2021.

- MSD NOTES:**
- Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District Design Manual and Standard Specifications and other local, state and federal ordinances.
 - This project is subject to MS4 Water Quality Regulations once the incremental area of disturbance sums equal to or greater than 1 acre of disturbance. For this preliminary development plan, the area of disturbance is 4,700 S.F.
 - MSD site disturbance permit required prior to issue of building permits.



SITE ADDRESS:
 10000 BROWNSBORO RD
 LOUISVILLE, KY 40241
 TAX BLOCK NO. LOT 154
 D.B. 10850, PG. 327

COUNCIL DISTRICT - 17
FIRE PROTECTION DISTRICT - NORTHINGTON
MUNICIPALITY - LOUISVILLE

RELATED CASE:
 18897PLAN1129
 WM# 12323

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHK	APP.
1	8/22/18	AS-BUILT AND DIMENSIONS	JL		
2	7/12/17	AS-BUILT DIMENSIONS	JL		
3	7/27/17	AS-BUILT DIMENSIONS	JL		
4	7/27/17	C.I.P. AREA LABEL	JL		

PROFESSIONAL SEAL

PROJECT DATA

PROJECT NAME	BROWNSBORO ROAD PLAZA
DATE	7-27-17
SCALE	AS SHOWN
DESIGNED BY	JL
CHECKED BY	ML

L&D
 LAND DESIGN & DEVELOPMENT, INC.
 9350 WILMINGTON AVENUE, SUITE 100
 LOUISVILLE, KY 40228
 TEL: 502-261-1111
 FAX: 502-261-1112
 WWW.LANDDESIGNANDDEVELOPMENT.COM

BROWNSBORO ROAD PLAZA

OWNER/DESIGNER:
HOGAN HOLDINGS 42 LLC
 9350 WILMINGTON AVENUE, SUITE 100
 LOUISVILLE, KY 40228

RECEIVED
 AUG 02 2018
 PLANNING DEPARTMENT

NO. 16218
 SHEET 1 OF 1

Area of Proposed Patio



Proposed Patio Area



Outdoor Dining Area



Staff Findings

- It appears that all listed standards will be met. Based upon the information in the staff report and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the LDC for a Conditional Use Permit.

Required Actions

- **APPROVE or DENY the Conditional Use Permit**