

17CUP1043 282 Evangeline Ave.



Louisville Board of Zoning Adjustment Public Hearing

Brian Mabry, AICP, Planning & Design Supervisor

October 30, 2017

Requests

- Conditional Use Permit to allow outdoor alcohol sales and consumption in a C-1 zoning district.

Case Summary/Background

- Applicant operates a café on the subject property and would like to add an outdoor alcohol area
- Café has an indoor capacity of approximately 100 seats. It is open from 10 AM to 4 AM, except for Sunday, when it closes at 2 AM. Café closes sooner on slower nights.
- Outdoor alcohol area proposed to be 33 feet wide and 16 feet deep for a total of 528 square feet with four tables and four chairs for each table.
- Applicant proposes a four-foot tall wood picket fence around perimeter of outdoor alcohol area as well as a structural covering over the area.
- Considering installing speakers for recorded music.
- A neighborhood meeting was held on 7/29/17 with 1 guest. Staff has received no interested party comments as of the publication of this Staff Report.

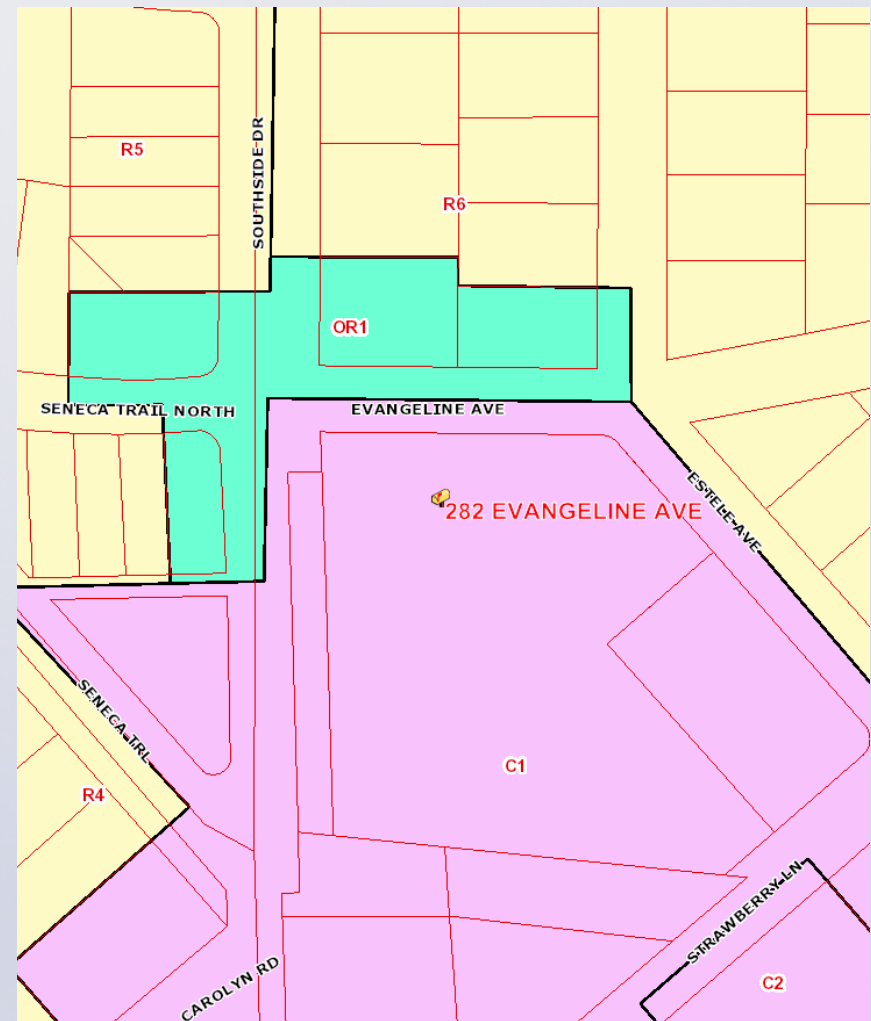
Zoning/Form Districts

Subject:

- Existing: C-1/TN
- Proposed: C-1/TN

Surrounding:

- North: OR-1/TN
- South: C-1/TN
- East: C-1/TN
- West: C-1/TN



Aerial Photo/Land Use

Subject:

- Existing: Restaurant
- Proposed: Restaurant with outdoor alcohol area

Surrounding:

- North: Office
- South: Grocery store
- East: Restaurant
- West: Discount store





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Subject Property Looking South

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TRUNG NGUYEN
Cafe

EST. 1873
Heineken®

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Restaurant to Left of Subject

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Discount Store to Right of Subject

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Office Across Evangeline Ave.

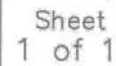
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Grocery Store to South / Rear of Subject

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Staff Findings

- The proposal meets the applicable policies of the Comprehensive Plan. There are eight specific standards related to the Conditional Use Permit. Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the Land Development Code for a conditional use permit

Proposed Conditions of Approval

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for outdoor alcohol sales and consumption without further review and approval by the Board.
3. The business must obtain an ABC license described in LDC Section 4.2.41.E within 60 days of the approval of the minutes of this case. If the business does not obtain such license within 60 days of the approval of the minutes of this case, then the Conditional Use Permit shall be deemed null and void.

Required Actions

Approve or Deny:

- Conditional Use Permit to allow outdoor alcohol sales and consumption in a C-1 zoning district.