

Development Review Committee

Staff Report

May 6, 2015



Case No:	15DEVPLAN1048
Request:	Revised Detailed District Development Plan with Binding Element Amendments
Project Name:	Chef Space
Location:	1812 W Muhammad Ali Boulevard
Owner:	Community Reinvestment Properties LLC
Applicant:	Community Ventures
Representative:	CMW Inc.
Jurisdiction:	Louisville Metro
Council District:	4 – David Tandy
Case Manager:	Brian Davis, AICP, Planning Supervisor

REQUEST

- Revised Detailed District Development Plan
- Binding Element Amendments

CASE SUMMARY/BACKGROUND/SITE CONTEXT

Existing Zoning District: C-1
Existing Form District: Traditional Neighborhood
Existing/Proposed Use: Vacant Restaurant/Food Service Incubator
Plan Certain Docket #: 9-12-93

The applicant is proposing to repurpose the existing 13,410 square foot building into a food service incubator, which the applicant describes as follows:

“The main operation in this building is a kind of incubator for ideas in food service. Food service will not take place here but the creation of food and food ideas will. Teaching the business of food service operations is also a big part of this operation. When these ideas mature into a business they leave this location and establish in the locations consistent with the business plan of the entrepreneur.”

There are no proposed additions or demolitions to the existing building. The development plan does call for some changes to the internal vehicular circulation, adding interior landscape areas, and constructing a secure area for parking food trucks on the site as well as some exterior design changes to the building.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Restaurant	C-1	TN
Proposed	Food Hub Incubator	C-1	TN
Surrounding Properties			
North	Residential	R-6	TN
South	Residential	R-6	TN
East	Residential/Commercial	R-6/C-1/OR-2	TN
West	Residential	R-6	TN

PREVIOUS CASES ON SITE

- 9-12-93: On April 15, 1993 the Planning Commission approved a zoning map amendment from R-6 to C-1 and the development plan for a 13,200 square foot restaurant fronting Muhammad Ali Boulevard and a two-story 3,600 square foot structure fronting 18th Street. The Commission also approved a variance to allow the proposed structures to encroach into the front and street side yard as well as a parking waiver to reduce the required parking spaces from 183 to 138.
- 1-20-93: Stone Alley was closed.

INTERESTED PARTY COMMENTS

No interested party comments have been received by staff.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR RDDDP and/or AMENDMENT TO BINDING ELEMENTS

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There does not appear to be any environmental constraints or historic resources on the subject site. While the site is located in the Russell National Historic District the structure, which was constructed in the 1990s, is not a contributor.

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

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Transportation Review 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: There are no open space requirements with the current proposal.

- 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 provisions 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 and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks as approved with the original variance that was granted in 1993.

- 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 guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

TECHNICAL REVIEW

- There are not outstanding technical issues.

STAFF CONCLUSIONS

The proposed changes to the site will not alter the existing character of the area. The proposed use is in keeping with other uses permitted in the C-1 zoning district.

The standard of review has been met for the requested revised detailed district development plan. Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standards for approving the Revised Detailed District Development Plan and amended binding elements.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the RDDDP as well as the amended binding elements attached to the plan.

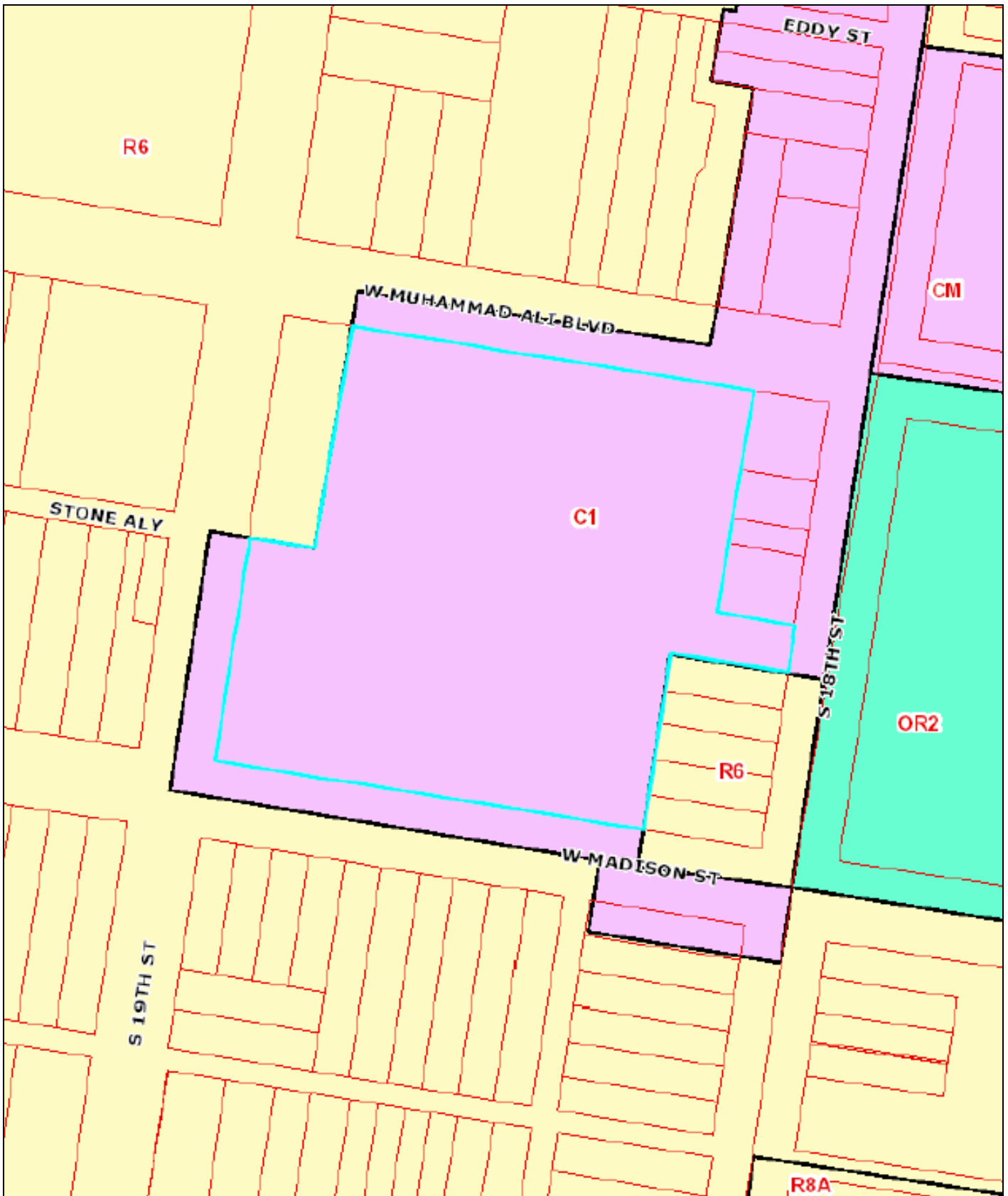
NOTIFICATION

Date	Purpose of Notice	Recipients
4/20/2015	Hearing before DRC	1 st tier adjoining property owners Subscribers of Council District 4 Notification of Development Proposals

ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



3. Existing Binding Elements

1. The development plan shall be in accordance with the approved district development plan, land use and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission.
2. The development shall not exceed 13,200 square feet of gross floor area for restaurant, 3,600 square feet of gross floor area for retail and 6,572 square feet of gross floor area for retail.
3. The existing 6,572 square foot and proposed 3,600 square foot structures shall not be used for restaurants or any other use requiring a parking ratio greater than one space for every 200 square feet of floor area unless parking can meet the requirement of the proposed use.
4. There shall be no vehicular access to Madison Street.
5. There shall be no freestanding business identification sign permitted on site.
6. Outdoor lighting shall be directed down and away from adjacent residential use.
7. Outdoor storage shall not be permitted on the site.
8. Before a building or alteration permit and/or a certificate of occupancy is requested:
 - a. The development plan must be reapproved by the City of Louisville Department of Inspections, Permits and Licenses and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - c. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Planning Commission.
 - d. The alley right-of-way shown on the approved general district development plan must be closed.
9. If a building permit is not issued within one year of the date of approval of the plan and rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
10. A certificate of occupancy must be received from the appropriate code enforcement office 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.

4. Proposed Binding Elements

2. The development shall not exceed ~~13,410~~**13,200** square feet of gross floor area for restaurant ~~the~~**primary building**, 3,600 square feet of gross floor area for retail and 6,572 square feet of gross floor area for retail.
8. Before a building or alteration permit and/or a certificate of occupancy is requested:
 - a. The development plan must be reapproved by the ~~City of Louisville~~ **Metro** Department of Inspections, Permits and Licenses and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in ~~Article 12~~**Chapter 10**. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - c. ~~A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Planning Commission.~~
 - d. ~~The alley right-of-way shown on the approved general district development plan must be closed.~~

9. If a building permit is not issued within ~~one~~ **two** years of the date of approval of the plan and rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.