

Planning Commission Staff Report

December 15, 2022



Case No:	22-PARKWAIVER-0010
Project Name:	Senora Arepa Restaurant
Location:	117 St. Matthews Avenue
Owner(s):	Louisville Timber & Wooden Products Co.
Applicant:	Forza Architecture, Inc. – Stephen Tracy
Jurisdiction:	City of St. Matthews
Council District:	9 – Bill Hollander
Case Manager:	Joel P. Dock, AICP, Planning Coordinator

REQUEST

- **Parking Waiver** to reduce the required number of parking spaces from 42 to 30 spaces

CASE SUMMARY

The applicant has proposed a restaurant with outdoor dining along St. Matthews Avenue between Shelbyville and Westport Roads. The proposed restaurant is in the City of St. Matthews. Parking is set by Chapter 9 of the March 2006 edition of the Land Development Code (LDC), which requires 1 parking space for each 125 sq. ft. of gross floor area for a restaurant. There is also a small office on the 2nd floor requiring 1 space per 350 sq. ft. The total parking required for this proposal is 42 spaces. It is worth noting that this same set of uses in Louisville Metro within the Town Center form district (form of the subject site) would require a minimum of 7 spaces.

The proposal will utilize off-site and joint-use parking at 119 and 129 St. Matthews Avenue to provide 30 parking spaces accessible by sidewalks. These parking areas are under the same ownership as the subject property. The users of the property at 129 St. Matthews Avenue include personal training, adult day care, and an optical shop. The adult care and optical shop close at 5 and 5:30 PM, respectively. The proposed restaurant opens each day at 5 P.M. Parking at 119 St. Matthews Avenue is jointly shared with an office also closing at 5 P.M.

STAFF FINDING

The parking waiver is adequately justified for approval based on staff's analysis contained in the standard of review.

TECHNICAL REVIEW

- The proposed restaurant opens each day at 5 P.M. The applicant provided a site survey of parking demand for the property at 129 St. Matthews Ave where 27 parking spaces are to be shared jointly. The survey conducted during business hours for the uses from Wednesday through Friday from 8:30 A.M to 4:30 PM at 30-minute intervals showed that the parking area is capable of being shared jointly amongst users and that there would be no conflict during the transition from one set of uses to another around 5 P.M each day. If necessary, additional parking is available to supplement this parking at 139 St. Matthews Avenue where a dentist office operates until 5 P.M. However, these spaces do not meet the standards for off-site credit per the LDC as there is no sidewalk connectivity.

- 17PARK1002: Parking waiver to reduce from 55 spaces to 39 spaces for an ice cream/coffee shop (Recommended for approval by the Planning Commission June 15, 2017; St. Matthews approved July 25, 2017). This request also involved waiving spaces in areas where spaces are now proposed to be used jointly.
- 22-CUP-0315: A conditional use permit for outdoor alcohol sales and consumption associated with a restaurant in the C-1, commercial zoning district is to be heard by the Board of Zoning Adjustment on December 19, 2022. Parking requirements remain the same whether the dining area provides alcohol or does not provide alcohol.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR PARKING WAIVER (LDC – March 2006)

1. The Parking Waiver is in compliance with the Comprehensive Plan; and

Staff: The proposal is in compliance with Plan 2040. The form of the subject site (Town Center) calls for a high level of pedestrian, roadway, transit and bicycle access, a connected street pattern, shared parking and pedestrian amenities. Plan 2040 further promotes parking reductions to support transit-oriented development and encourages adjacent development sites to share entrance and parking facilities in order to reduce the number of curb cuts and the amount of surface parking. Plan 2040 provides that parking requirements should consider: the density and relative proximity of residences to businesses in the market area; the availability and use (both current and potential) of multimodal transportation options; the character and pattern of the Form District; and advances in technology. Additional considerations including hours of operation and opportunities for shared parking may be factored on a site-by-site basis. On-site parking standards should reflect the availability of on-street, shared, and public parking spaces. Lastly, parking minimums are to be reduced where appropriate.

2. The applicant made a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through joint use provisions; and

Staff: The applicant made a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through joint use provisions. The proposal will utilize off-site and joint-use parking at 119 and 129 St. Matthews Avenue to provide 30 parking spaces accessible by sidewalks. These parking areas are under the same ownership as the subject property. The users of the property at 129 St. Matthews Avenue include personal training, adult day care, and an optical shop. The adult care and optical shop close at 5 and 5:30 PM, respectively. The proposed restaurant opens each day at 5 P.M. Parking at 119 St. Matthews Avenue is jointly shared with an office also closing at 5 P.M. The applicant provided a site survey of parking demand for the property at 129 St. Matthews Ave where 27 parking spaces are to be shared jointly. The survey conducted during business hours for the uses from Wednesday through Friday from 8:30 A.M to 4:30 PM at 30-minute intervals showed that the parking area is capable of being shared jointly amongst users and that there would be no conflict during the transition from one set of uses to another around 5 P.M each day. If necessary, additional parking is available to supplement this parking at 139 St. Matthews Avenue where a dentist office operates until 5 P.M. However, these spaces do not meet the standards for off-site credit per the LDC as there is no sidewalk connectivity

3. The requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use; and

Staff: The requested waiver is the minimum reduction of parking spaces necessary to accommodate the proposed use.

4. The requirements found in Table 9.1.2 do not accurately depict the parking needs of the proposed use and the requested reduction will accommodate the parking demand to be generated by the proposed use; and

Staff: The requirements found in Chapter 9 (Table 9.1.2) of the March 2006 edition of the Land Development Code do not accurately reflect the parking demanded of the proposed use. Chapter 9 of the Land Development Code has been updated on several occasions since 2006. The most recent edition utilizes a land-based classification system (LBCS) requiring a minimum of 1 space per 1,000 sq. ft. of gross floor area for a restaurant. Most significantly, the 2006 edition does not recognize the form of the proposed use; meaning that most uses are treated the same no matter the context of the built environment or intended pattern of development (suburban vs. traditional).

5. That there is a surplus of on-street or public spaces in the area that can accommodate the generated parking demand.

Staff: Parking spaces are available in the area to accommodate the proposal. The proposal will utilize off-site and joint-use parking at 119 and 129 St. Matthews Avenue to provide 30 parking spaces accessible by sidewalks. These parking areas are under the same ownership as the subject property. The users of the property at 129 St. Matthews Avenue include personal training, adult day care, and an optical shop. The adult care and optical shop close at 5 and 5:30 PM, respectively. The proposed restaurant opens each day at 5 P.M. Parking at 119 St. Matthews Avenue is jointly shared with an office also closing at 5 P.M.

REQUIRED ACTIONS:

- **RECOMMEND** to the City of St. Matthews **APPROVAL** or **DENIAL** of the **PARKING WAIVER** to reduce the required number of parking spaces from 42 to 30 spaces

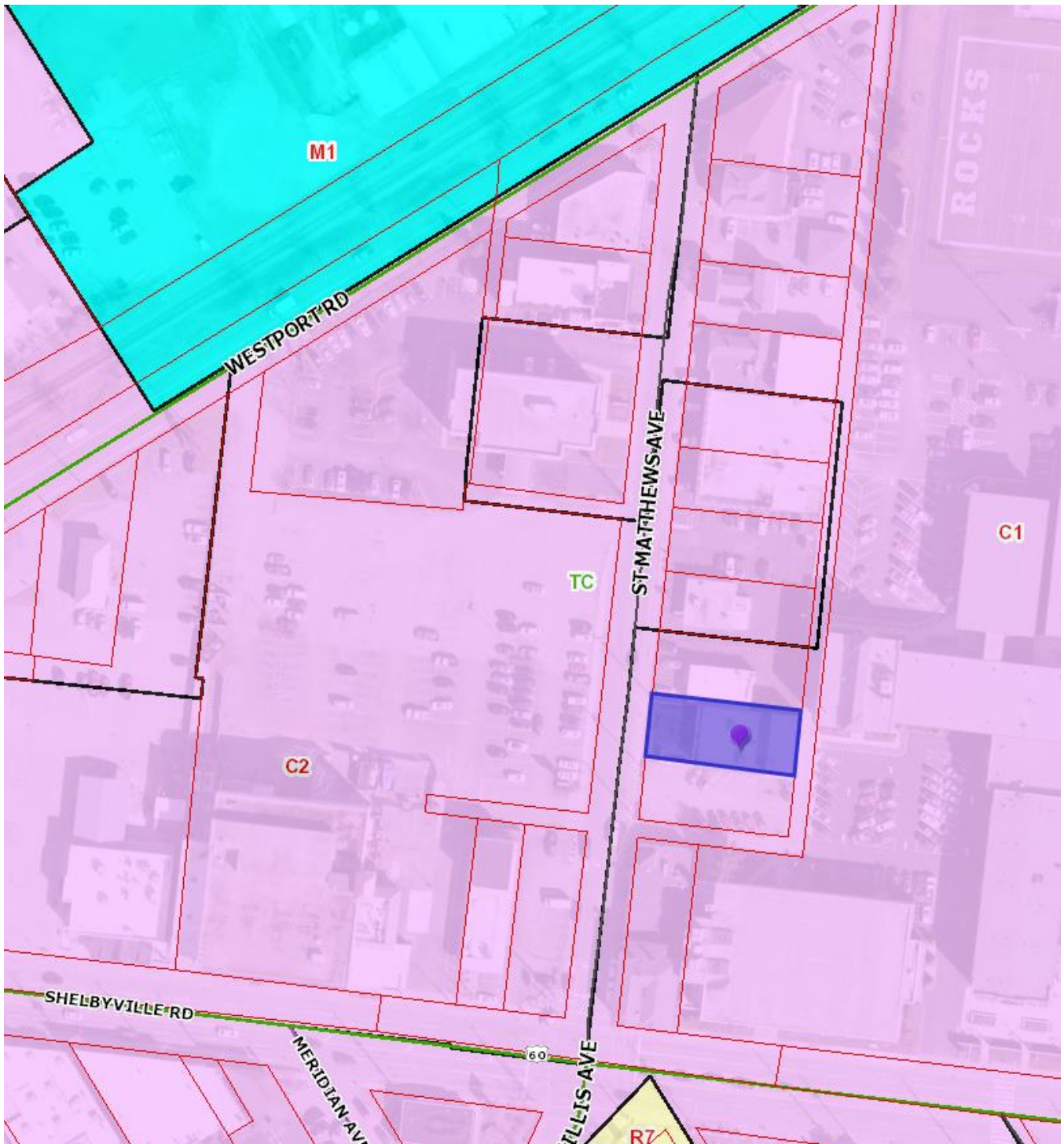
NOTIFICATION

Date	Purpose of Notice	Recipients
11/29/22	Planning Commission	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 9

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

