

Development Review Committee

Staff Report

May 6, 2026



Case No:	26-WAIVER-0044
Project Name:	Swig Parking Lot
Location:	6402 Bardstown Rd
Applicant:	Noperl Indy LLC
Representative:	Land Design & Development
Jurisdiction:	Louisville Metro
Council District:	22 – Kevin Bratcher
Case Manager:	Abby Bills, Planner I

REQUEST

- **Waiver** of Land Development Code Section 5.5.1.A.3.a to allow a parking lot to be located in front of a building.

CASE SUMMARY

The subject site is approximately 0.5 acres in the C-1 Commercial zoning district and Town Center Form District. The site is located on Bardstown Rd, between Ferndale Rd and Beulah Church Rd. The subject property is undeveloped, and the applicant is proposing to construct a Swig soda shop with eight (8) total parking spaces. Six (6) parking spaces will be located in front of the proposed building. Parking lots are not permitted in front of non-residential buildings in Traditional form districts, therefore a waiver is required.

STAFF FINDING

Staff finds that the requested waiver is adequately justified for approval based on the analysis contained in the standard of review.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

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

STAFF: The waiver will not adversely affect adjacent property owners, as there are no residential properties adjacent to the site. The closest residential properties are located behind the building, so the proposed location of the parking lot would actually benefit those properties by providing additional shielding from vehicular traffic.

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

STAFF: The waiver will not violate specific guidelines of Plan 2040. Community Form Goal 1, Policy 4 seeks to “Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District.” The proposal is compatible with the site design of other developments

in the nearby vicinity, as the majority of the adjacent commercial properties along Bardstown Rd have parking in front of buildings.

Additionally, the desired pattern of development within the Town Center form district encourages buildings to be located close to the street. While the location of the parking lot does prohibit the building from being located directly adjacent to the street, the proposed parking lot is much smaller than other similar parking lots in the area and still allows the building to be closer to the street than those in the general vicinity.

- (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 subject site is small compared to most sites in the vicinity, and the applicant has provided other required parking spaces in the limited space located behind the building.

- (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: The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the proposed business relies heavily on drive-thru lanes that wrap behind the building. Requiring parking spaces behind the building would deprive the applicant of space to include compliant drive-thru lanes.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Waiver** of Land Development Code Section 5.5.1.A.3.a to allow a parking lot to be located in front of a building.

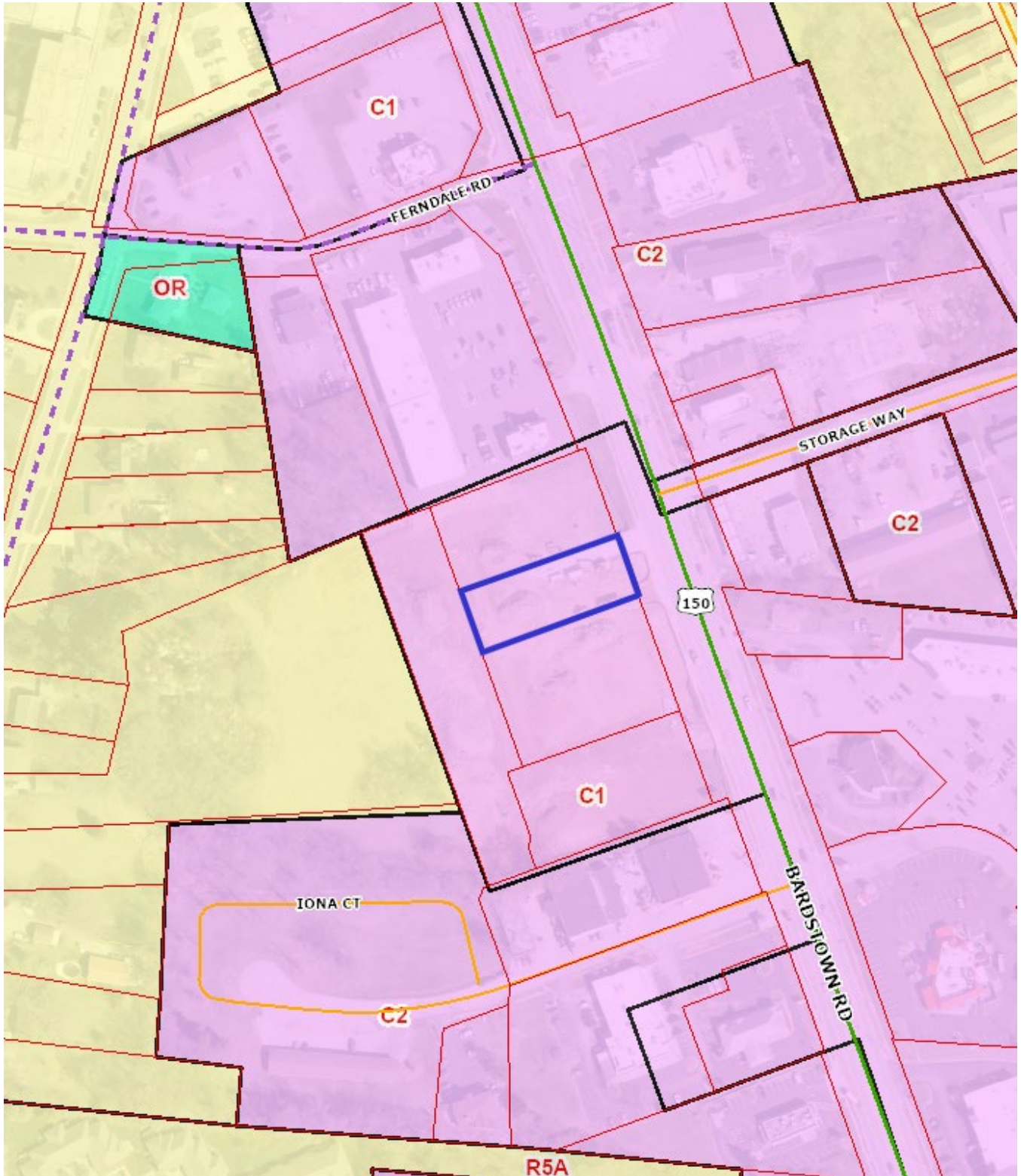
NOTIFICATION

Date	Purpose of Notice	Recipients
4/10/2026	Hearing before DRC	1 st tier adjoining property owners and current residents
4/8/2026		Registered Neighborhood Groups in Council District 22

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

