

**Land Development & Transportation
Staff Report**
December 14, 2017



Case No:	17ZONE1051
Project Name:	Architype Gallery
Location:	1764 Frankfort Avenue
Owner(s):	1764 Frankfort, LLC - Brad Stengel
Applicant:	1764 Frankfort, LLC - Brad Stengel
Representative(s):	1764 Frankfort, LLC - Brad Stengel
Project Area/Size:	0.19 acres
Jurisdiction:	Louisville Metro
Council District:	9 – Bill Hollander
Case Manager:	Joel P. Dock, Planner II

REQUEST

- **Change-in-Zoning** from C-1 to C-2, Commercial
- **Detailed District Development Plan**

CASE SUMMARY

The applicant requests a change-in-zoning from C-1 to C-2, Commercial to allow for an existing art gallery to become a champagne bar with gallery space. The subject property also contains a yoga studio, along with four residential dwelling units on the second floor. The site is located at the intersection of Frankfort Avenue and Pope Street in the Clifton neighborhood. No exterior changes or expansion to the existing footprint are proposed at this time, with the exception of a small area along the public sidewalk for outdoor seating. The corridor contains an eclectic mixture of uses often found along commercial ribbons extending from the urban core.

STAFF FINDING

The request is ready to be scheduled for a public hearing.

TECHNICAL REVIEW

- A Joint-use/off-site parking agreement has been drafted between the subject site and the property at 1752 Frankfort Avenue to secure the minimum parking requirements per Chapter 9 of the Land Development Code (proposed binding element 3.d).
- Right-of-way will be dedicated prior to construction plan approval to incorporate the majority of the public sidewalk into the rights-of-way of Pope Street and Frankfort Avenue (proposed binding element 3.c). *-work w/ TR*
- MSD and Transportation Planning have provided preliminary approvals for the project.
- *move bike parking due to meters on building*

STANDARD OF REVIEW FOR REZONING

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

NOTIFICATION

Date	Purpose of Notice	Recipients
12/18/17	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Subscribers of Council District 9 Notification of Development Proposals
	Hearing before PC	1 st and 2 nd tier adjoining property owners Subscribers of Council District 9 Notification of Development Proposals
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



1. **Proposed Binding Elements**

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. Right-of-way dedication by deed or plat shall be recorded to incorporate the sidewalks along Frankfort Avenue and Pope Street. A copy of the recorded instrument shall be submitted to the Office of Planning and Design Services
 - d. A Joint-use/off-site parking agreement shall be recorded to secure the minimum parking requirements per Chapter 9 of the Land Development Code. A copy of the recorded instrument shall be submitted to the Office of Planning and Design Services
3. A certificate of occupancy must be received from the appropriate code enforcement department 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. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.