

Land Development & Transportation Committee Staff Report

September 24, 2020



Case No:	20-ZONE-0063
Project Name:	Longtail Building
Location:	2532 S. 4 th Street
Owner(s):	Longtail Ventures, LLC
Applicant:	Longtail Ventures, LLC
Representative(s):	Wyatt, Tarrant, & Combs, LLP
Jurisdiction:	Louisville Metro
Council District:	6 – David James
Case Manager:	Joel P. Dock, AICP, Planner II

REQUEST(S)

- **Change-in-Zoning** from R-6, multi-family & C-1, commercial to C-2, commercial
- **Detailed District Development Plan**

CASE SUMMARY

A change in zoning to facilitate the rehabilitation and improvement of a former corner-lot tavern and 2 adjacent properties for a beer garden with indoor and outdoor gathering space is proposed. The subject site is primarily zoned C-1 with the rear portion of the site being within the R-6 district. An existing residential structure has been converted to accommodate an open-air gathering space that flows into the outdoor space and connects with the structure on the corner. The 1st floor of the corner-lot structure will be used for tavern operations and the 2nd floor will remain an office space. Most recently, an office use has been present within the corner-lot structure.

STAFF FINDING

Except for the current parking standards, which are under consideration by Metro Council, and calculations shown on the most recently submitted detailed plan, the proposal appears to be in order and ready for the next available public hearing before the Planning Commission.

TECHNICAL REVIEW

The most recent submittal of the development plan on August 10, 2020 provides parking calculations based on currently adopted parking standards contained in Ch. 9 of the Land Development Code. It utilizes the reductions afforded to development in traditional form districts and includes a parking waiver of 4 spaces. On-street parking is being used exclusively. However, the Planning Commission made a recommendation to Metro Council to adopt amended parking standards at its public hearing on August 20th. Council is scheduled to adopt the recommendations at its meeting on September 17, 2020.

The recommended amended would result in the proposed development being complaint with those standards. Most notable in this case, structures over 50 years old are not required to provide additional parking and the ratio for taverns is to be increased from 1 space per 100 sq. ft. to 1 space per 1,000 sq. ft. Parking calculations on the plan will need to be revised in advance of the public hearing to demonstrate compliance.

STANDARD OF REVIEW FOR ZONING DISTRICT CHANGES

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 Plan 2040; **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 Plan 2040 which have substantially altered the basic character of the area.

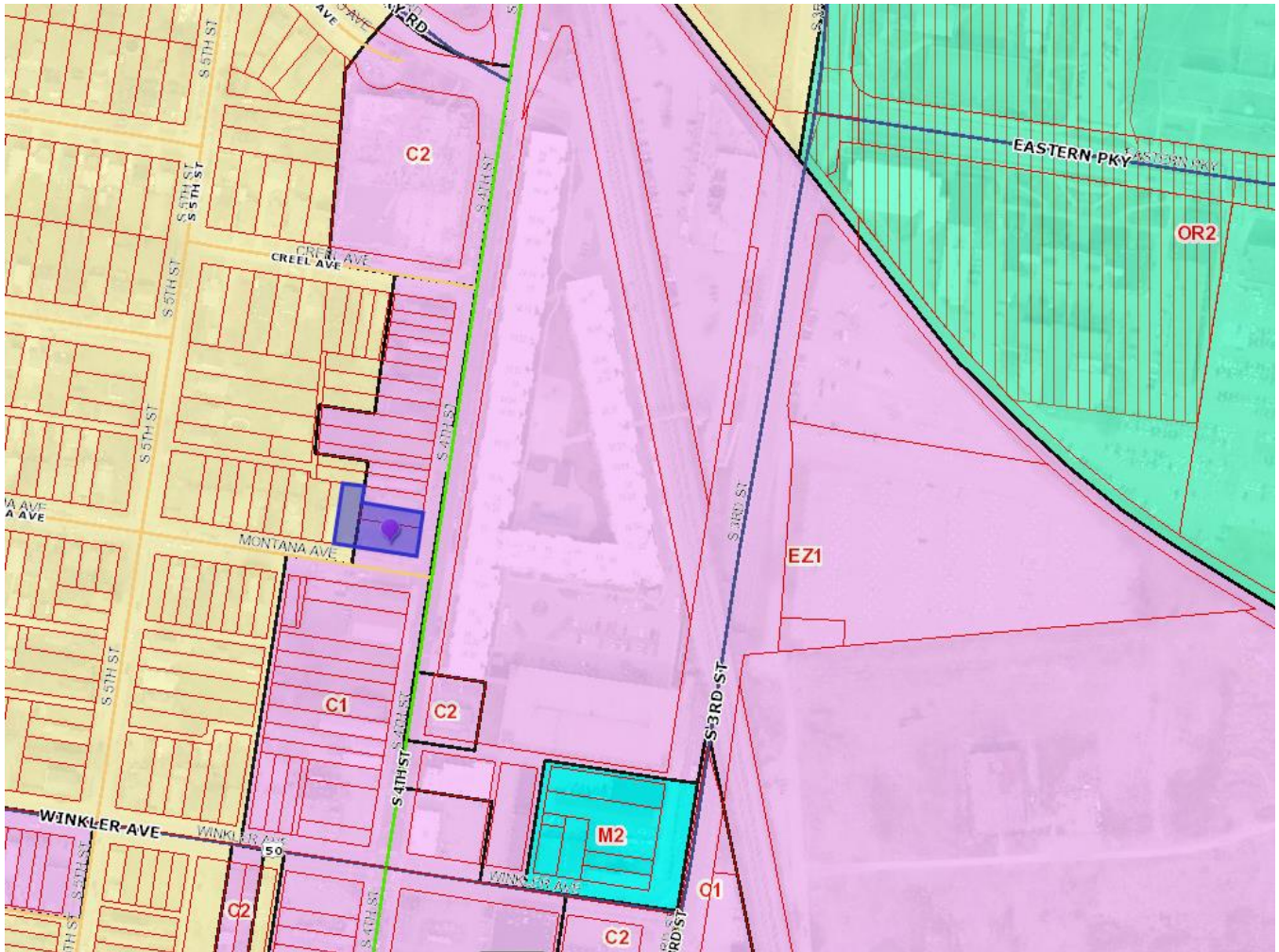
NOTIFICATION

Date	Purpose of Notice	Recipients
9/10/20	Hearing before LD&T	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 6
	Hearing before Planning Commission	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 6
	Hearing before PC	Sign Posting on property
	Hearing before PC	Legal Advertisement in the Courier-Journal

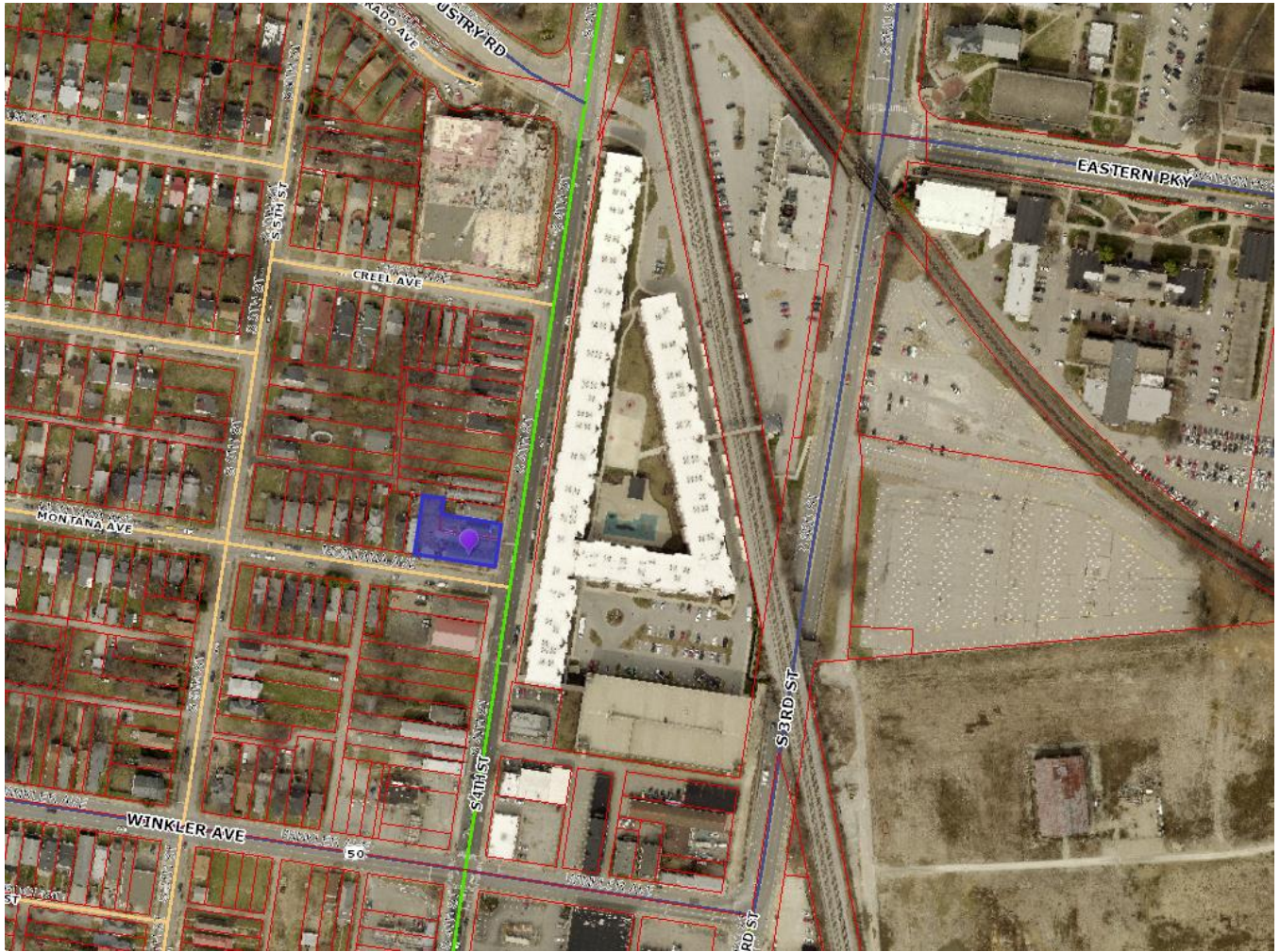
ATTACHMENTS

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

1. **Zoning Map**



2. Aerial Photograph



3. 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 Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit or certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be 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 Division of Planning and Design Services. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
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.
5. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.