

**21-VARIANCE-0013/21-
WAIVER-0009/21-WAIVER-0011
2801 W Broadway**



Board of Zoning Adjustment

Jay Lockett, AICP, Planner I

March 29, 2021

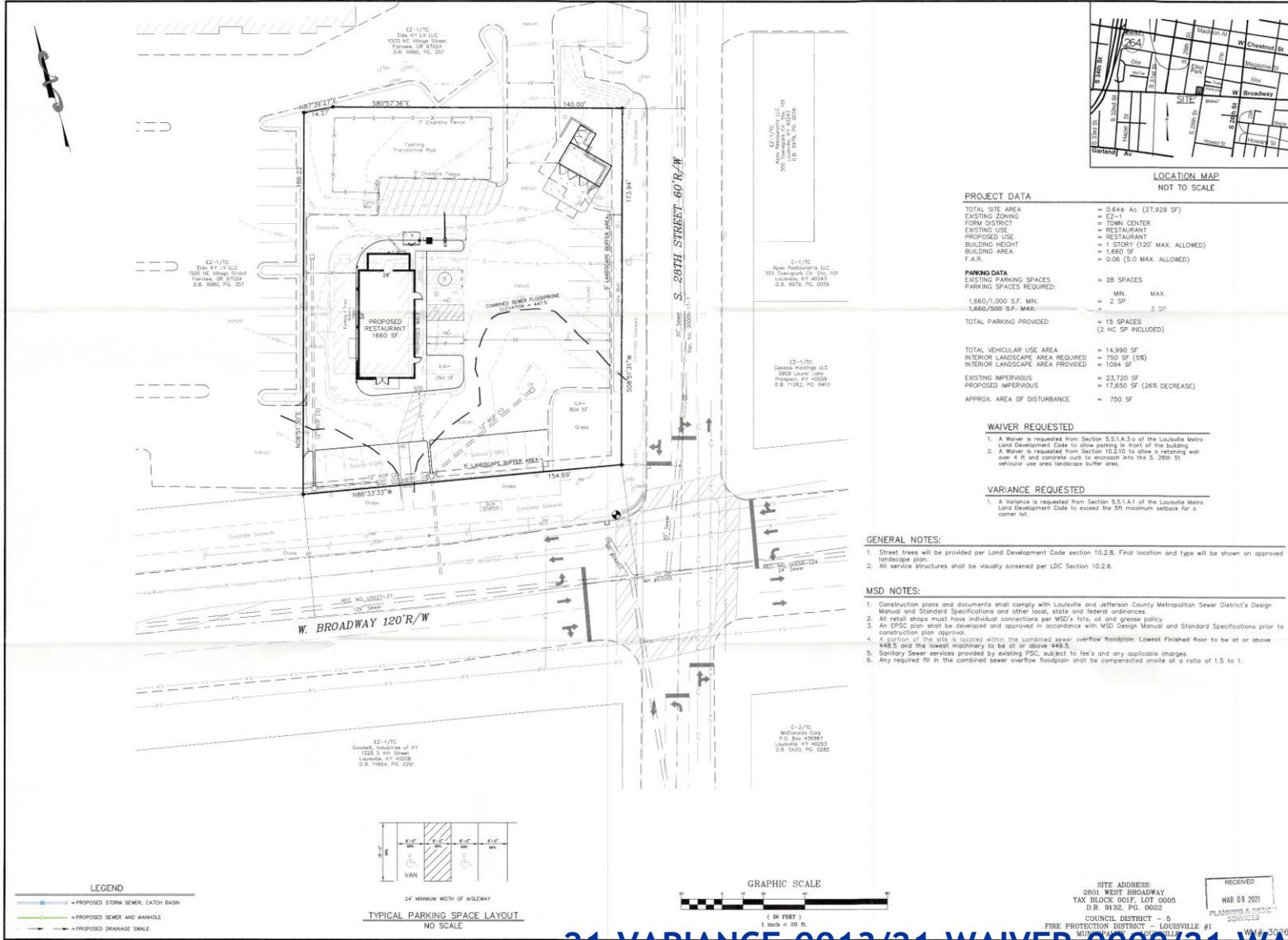
Requests

- **Variance** of Land Development Code section 5.5.1.A.2 to exceed the maximum 5-foot corner lot setback by up to 48 feet along W Broadway and up to 95 feet along S 28th St as shown on the development plan.
- **Waivers**
 1. **Waiver** (20-WAIVER-0009) of Land Development Code section 5.5.1.A.3.a to allow vehicular circulation in front of the structure.
 2. **Waiver** (20-WAIVER-0011) of Land Development Code section 10.2.10 to allow an existing retaining wall and curb to encroach into the required 5-foot Vehicle Use Area Landscape Buffer Area.

Project Summary

- Proposing to demolish existing Taco Bell restaurant and replace with updated restaurant.
- Site is located at corner of S 28th St and W Broadway in the Russell neighborhood of West Louisville
- The site is in an area of mixed commercial development along the Broadway corridor.

Proposed Plan



PROJECT DATA

TOTAL SITE AREA	=	0.64± Ac. (27,929 SF)
EXISTING ZONING	=	EZ-1
FORM DISTRICT	=	TOWN CENTER
EXISTING USE	=	RESTAURANT
PROPOSED USE	=	RESTAURANT
BUILDING HEIGHT	=	1 STORY (120' MAX. ALLOWED)
BUILDING AREA	=	1,660 SF
F.A.R.	=	0.06 (5.0 MAX. ALLOWED)

PARKING DATA

EXISTING PARKING SPACES	=	28 SPACES
PARKING SPACES REQUIRED:		
1,660/1,000 S.F. MIN.	=	MIN. 2 SP
1,660/500 S.F. MAX.	=	MAX. 3 SP
TOTAL PARKING PROVIDED	=	15 SPACES
		(2 HC SP INCLUDED)

LANDSCAPE DATA

TOTAL VEHICULAR USE AREA	=	14,990 SF
INTERIOR LANDSCAPE AREA REQUIRED	=	750 SF (5%)
INTERIOR LANDSCAPE AREA PROVIDED	=	1,094 SF

EXISTING IMPERVIOUS

EXISTING IMPERVIOUS	=	23,720 SF
PROPOSED IMPERVIOUS	=	17,650 SF (26% DECREASE)

APPROX. AREA OF DISTURBANCE

APPROX. AREA OF DISTURBANCE	=	750 SF
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WAIVER REQUESTED

- A Waiver is requested from Section 5.5.1.3 of the Louisville Metro Land Development Code to allow parking in front of the building.
- A Waiver is requested from Section 10.2.8 to allow a retaining wall over 4 ft and concrete curb to encroach into the S. 28th St vehicular use area landscape buffer area.

VARIANCE REQUESTED

- A Variance is requested from Section 5.5.1.1 of the Louisville Metro Land Development Code to exceed the 5ft minimum setback for a corner lot.

GENERAL NOTES:

- Street trees will be provided per Land Development Code section 10.2.8. Final location and type will be shown on approved landscape plan.
- All service structures shall be visually screened per LDC Section 10.2.6.

MSD NOTES:

- Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District's Design Manual and Standard Specifications and other local, state and federal ordinances.
- All retail shops must have individual connections per MSD's fats, oil and grease policy.
- An EPSC plan shall be developed and approved in accordance with MSD Design Manual and Standard Specifications prior to construction plan approval.
- A portion of the site is located within the combined sewer overflow floodplain. Lowest Finished Floor to be at or above 449.5.
- Sanitary Sewer services provided by existing PSC, subject to fees and any applicable charges.
- Any required fill in the combined sewer overflow floodplain shall be compensated onsite at a ratio of 1.5 to 1.

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	11-15-21	ISSUED FOR PERMITS	DT
2	11-15-21	PERMITS COMMENTS	DT
3	3/8/22	REVISED LAYOUT	DT
		REVISION	

PROJECT DATA

FILE NAME: 20156.dwg

DATE: 10/19/20

CREATED BY: JH

DESIGNED BY: JH

ENGINEER'S SEAL

SURVEYOR'S SEAL

L&D

LAND DESIGN & DEVELOPMENT, INC.

100 WEST BROADWAY, SUITE 200

LOUISVILLE, KY 40202

PH: 502-582-1111 FAX: 502-582-1112

WWW.LDDINC.COM

TACO BELL

2801 WEST BROADWAY

CHINA/TAQUERIA

HOGAN HOLDINGS 14 LLC

P.O. BOX 250

HOUGHTON LAKE, MI 48629

CATEGORY 2A PLAN, VARIANCE AND WAIVERS

NO. 20156

SHEET 1 OF 1

RECEIVED

MAR 08 2021

PLANNING & PERMITS SERVICES

RECEIVED

MAR 08 2021

PLANNING & PERMITS SERVICES

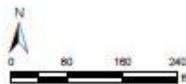
COUNCIL DISTRICT - 5

FIRE PROTECTION DISTRICT - LOUISVILLE #1

MUNICIPAL FIRE DEPARTMENT

WWW.3096

Site Aerial



21-VARIANCE-0013

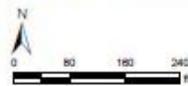
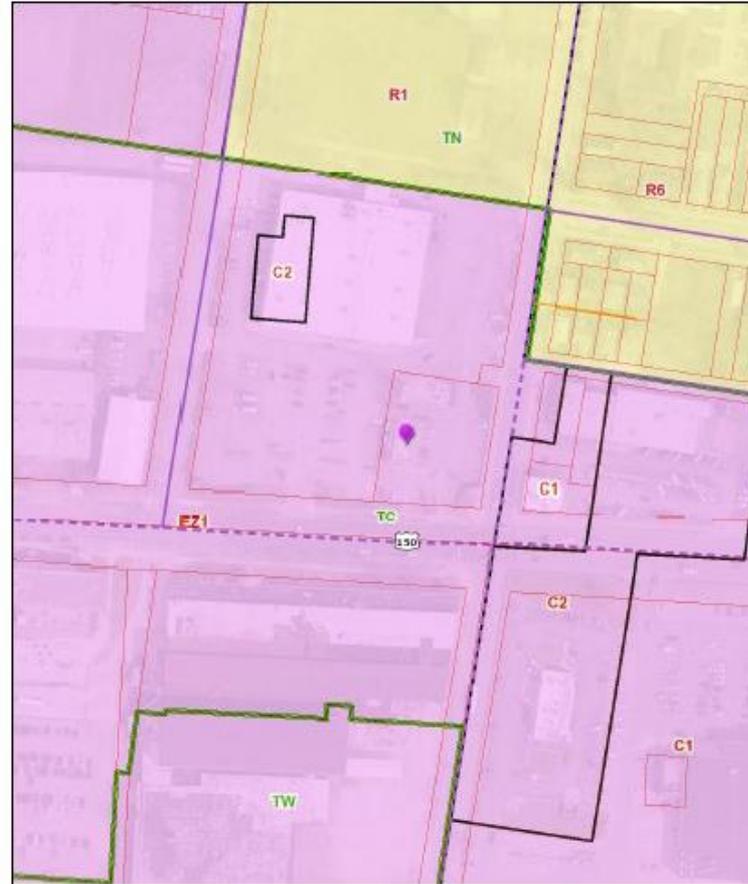
Friday, March 19, 2021 | 3:08:58 PM



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Site Zoning



21-VARIANCE-0013

Friday, March 19, 2021 | 3:08:01 PM

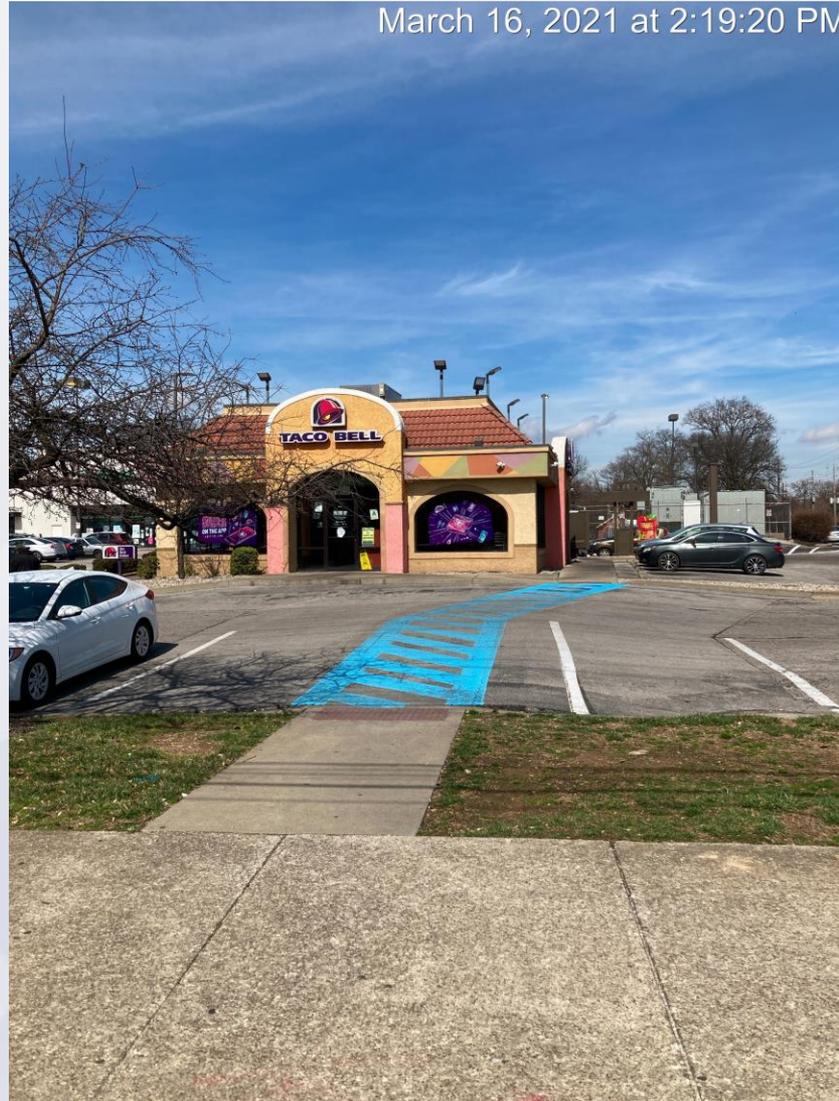


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Subject Site from W Broadway

March 16, 2021 at 2:19:20 PM



Looking north along subject site

March 16, 2021 at 2:20:28 PM



Area of parking to be removed

March 16, 2021 at 2:20:22 PM



Staff Findings

- The requests are adequately justified and meet the standards of review.
- The increased setbacks allow the building to be setback out of the combined sewer floodprone area of the site which is closest to the corner.
- The waivers would allow the applicant to utilize most of the existing parking areas on the site. The applicant has agreed to remove some parking in front of the site to accommodate required landscaping and screening along W Broadway.

Required Actions

- **APPROVE or DENY the Variance**
- **APPROVE or DENY the Waivers.**