

Development Review Committee

Staff Report

January 17, 2018



Case No:	17DEVPLAN1185
Project Name:	Naïve Restaurant
Location:	1001 E Washington St
Owner(s):	Geiger St Properties LLC
Applicant:	Catherine MacDowell
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- Revised District Development Plan

CASE SUMMARY/BACKGROUND

The property was rezoned from R-6 to CN under docket 9-112-89. The original request in that case was for C-1 zoning, which the Planning Commission recommended be denied due to a shortage of 3 parking spaces and a claim that the property was inappropriate for commercial use in a residential area. The Louisville Board of Alderman disagreed with the Planning Commission and decided to grant the applicant a change to CN zoning, as the structure was originally built as a corner commercial structure and was deemed more appropriate as a neighborhood serving commercial use rather than conversion to multifamily. The Board of Alderman added a binding element that states:

“No improvement shall be made on the unimproved portion of the subject premises except for uses permitted in the R-6 zone or a parking lot as may be required to support a CN use of the building currently located on the subject premises.”

The applicant is proposing to eliminate this binding element as part of this request. The proposed restaurant use is able to meet its parking requirements under current Land Development Code by utilizing adjacent on-street parking. The proposed development would utilize parts of the site for accessory uses including a walk-in cooler and dumpsters to support the restaurant use.

STAFF FINDING

The request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR (R)DDDP and/or AMENDMENT TO BINDING ELEMENTS

- a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There do not appear to be any environmental constraints or historic resources on the subject site.

- b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan.

- c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: There are no open space requirements pertinent to the current proposal.

- d. The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks.

- f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. The plan is consistent with the land use recommendations of the Butchertown Neighborhood Plan.

REQUIRED ACTIONS:

- **APPROVED** or **DENY** the **Revised District Development Plan**

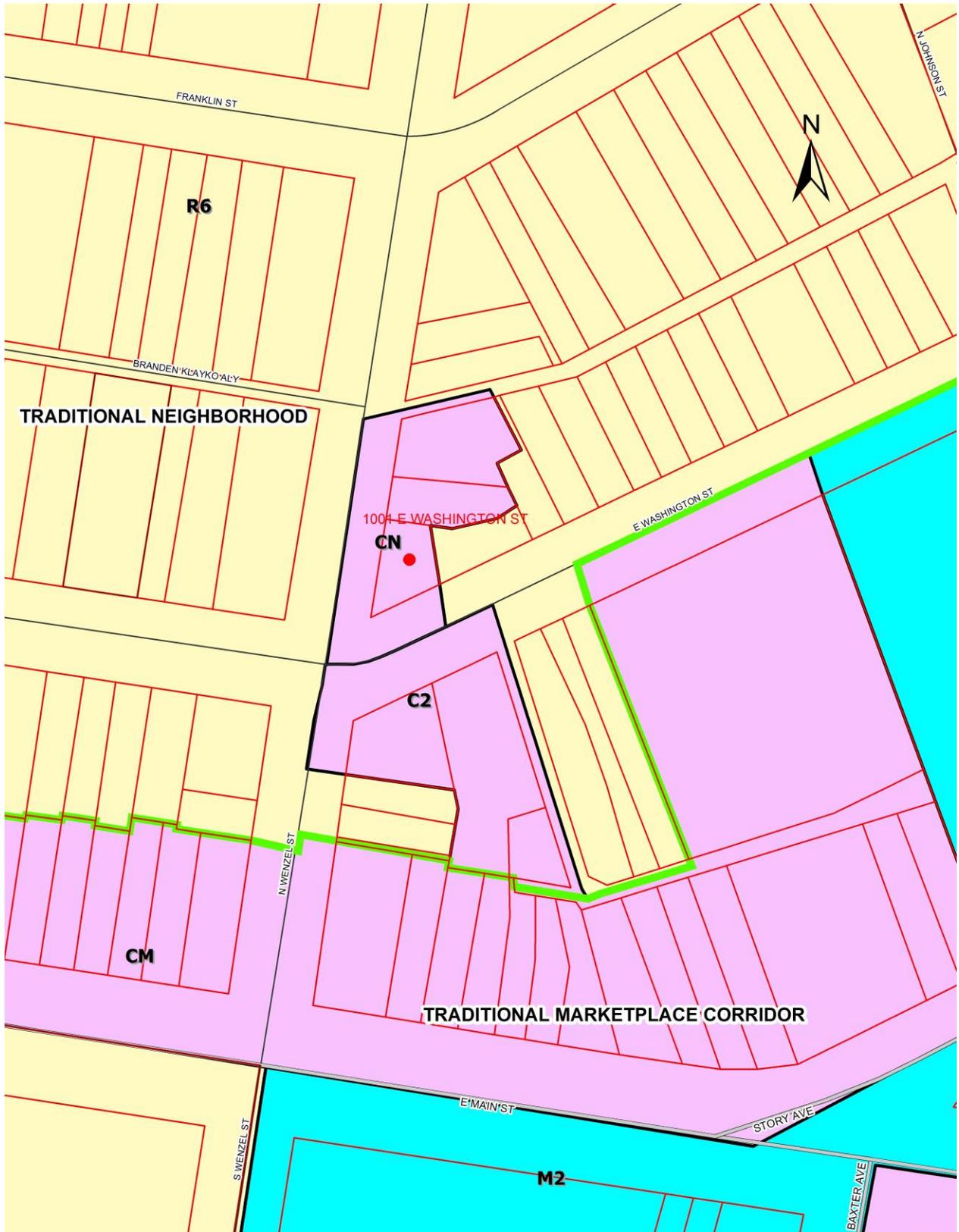
NOTIFICATION

Date	Purpose of Notice	Recipients
1-3-17	Hearing before DRC	1 st tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 4

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Existing and/or Proposed Binding Elements

1. **Zoning Map**



2. Aerial Photograph



3. Existing Binding Elements

1. The development shall be in accordance with the approved district development plan. No further development will occur without prior approval from the Planning Commission.
- ~~2. The development shall not exceed 4,170 square feet of gross floor area.~~
3. Before a construction permit for parking lot is requested:
 - a) The development plan must be reapproved by the ~~City of Louisville Department of Inspections, Permits and Licensing~~ **Develop Louisville** and the Metropolitan Sewer District.
 - b) The size and location of any proposed **freestanding** sign must be approved by the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted in the Zoning District Regulations.
 - c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in ~~Article 12~~ **Chapter 10**. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - d) All necessary recording fees shall be paid.
4. No outdoor advertising signs (billboards) or small freestanding (temporary) signs shall be permitted on the site.
- ~~5. If a construction permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.~~
6. All binding elements must be implemented prior to requesting issuance of the construction permit.
- ~~7. The above binding elements may be amended as provided for in the Zoning District Regulations.~~
- ~~8. No improvement shall be made on the unimproved portion of the subject premises except for uses permitted in the R-6 zone or a parking lot as may be required to support a CN use of the building currently located on the subject premises.~~

Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan. No further development will occur without prior approval from the Planning Commission.
2. Before a construction permit for is requested:
 - a) The development plan must be approved by Develop Louisville and the Metropolitan Sewer District.
 - b) The size and location of any proposed freestanding sign must be approved by the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted in the Zoning District Regulations.

- c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - d) All necessary recording fees shall be paid.
3. No outdoor advertising signs (billboards) or small freestanding (temporary) signs shall be permitted on the site.
 4. All binding elements must be implemented prior to requesting issuance of the construction permit.