

**Development Review Committee**  
**Staff Report**  
May 22, 2019



<b>Case No:</b>	19WAIVER1020
<b>Project Name:</b>	Parking Waiver
<b>Location:</b>	1016 E Washington St
<b>Owner(s):</b>	Andrew Blieden, Butcher Blockbuster LLC
<b>Applicant:</b>	Andrew Blieden, Butcher Blockbuster LLC
<b>Jurisdiction:</b>	Louisville
<b>Council District:</b>	4 – Barbara Sexton Smith
<b>Case Manager:</b>	Lacey Gabbard, AICP, Planner I

**REQUEST(S)**

1. **Waiver** of Land Development Code section 5.5.1.A.3.a to allow parking in front of the building
2. **Waiver** of Land Development Code section 5.5.1.A.4 to allow a loading area on the front façade

**CASE SUMMARY/BACKGROUND**

The applicant is proposing to reuse an existing concrete area for parking and loading in the front of an existing 22,220 square foot industrial building. The proposal will decrease the total impervious surface area by 2,604 square feet. The subject site is located in the Butchertown Historic Preservation District and is zoned C-M Commercial Manufacturing in the Traditional Marketplace Corridor form district. The site is located east of N Wenzel Street and west of the North Johnson Street intersection with E Washington Street.

This waiver request is associated with Cat2B development plan 19DEVPLAN1048, which is staff approvable.

**STAFF FINDING**

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

**TECHNICAL REVIEW**

There are no outstanding technical issues concerning this request.

Urban Design provided the following comment:

The site is located in the Butchertown Historic Preservation District. Any exterior or site changes will need a Certificate of Appropriateness.

At the time this staff report was published, a Certificate of Appropriateness had not yet been submitted, but was pending.

**INTERESTED PARTY COMMENTS**

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

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 5.5.1.A.4 TO ALLOW PARKING IN FRONT OF THE BUILDING**

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

STAFF: The waiver will not adversely affect adjacent property owners since the impervious surface is already existing. Additionally, the applicant is proposing to improve the street front with plantings and landscaping between the parking area and right-of-way.

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

STAFF: Land Use & Development Goal 1, Policy 12 states to design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades, or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes. Land Use & Development Goal 3, Policy 3 encourages preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.

The applicant is not proposing to create new impervious areas, but rather utilize the existing impervious area for parking. Additionally, the applicant is proposing a landscaping and planting area between the proposed parking area that will serve to mitigate adverse impacts on the residential properties across the street.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF: The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since the area proposed for parking is already in existence.

- (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 not deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant since the proposed development is utilizing an existing impervious area. Additionally, the applicant is

proposing a landscaping and planting area between the proposed parking area that will serve to mitigate adverse impacts on the residential properties across the street.

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 5.5.1.A.3 TO ALLOW A LOADING AREA ON THE FRONT FAÇADE**

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

STAFF: The waiver will not adversely affect adjacent property owners since the impervious surface is already existing. Additionally, the applicant is proposing to improve the street front with plantings and landscaping between the loading area and right-of-way.

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

STAFF: Land Use & Development Goal 1, Policy 12 states to design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades, or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes. Land Use & Development Goal 3, Policy 3 encourages preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.

The applicant is not proposing to create new impervious areas, but rather utilize the existing impervious area for loading. Additionally, the applicant is proposing a landscaping and planting area between the proposed loading area that will serve to mitigate adverse impacts on the residential properties across the street.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF: The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since the area proposed for loading is already in existence.

- (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 not deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant since the proposed development is utilizing an existing impervious area. Additionally, the applicant is

proposing a landscaping and planting area between the proposed loading area that will serve to mitigate adverse impacts on the residential properties across the street.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Waivers**

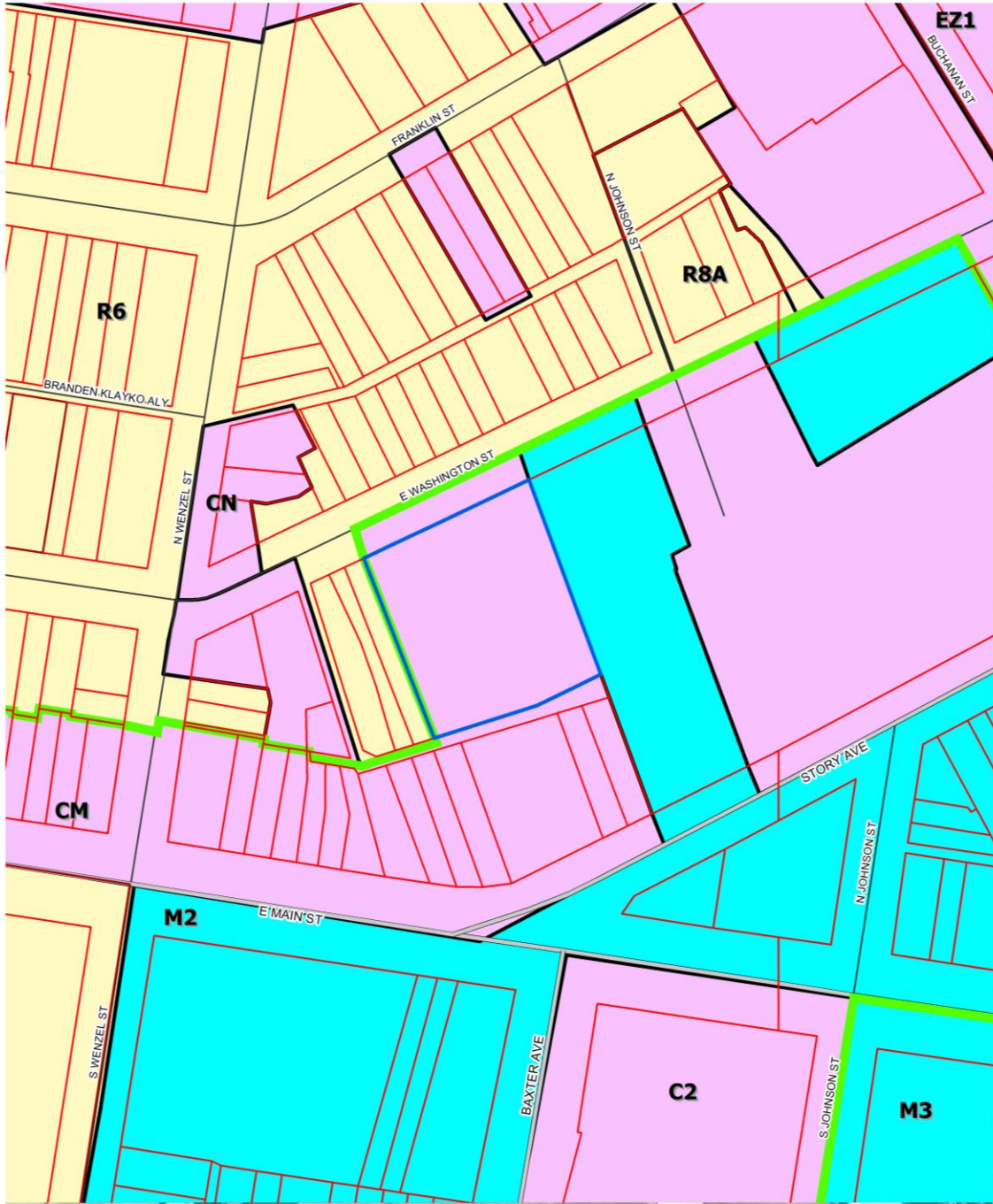
**NOTIFICATION**

Date	Purpose of Notice	Recipients
5-22-19	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Registered Neighborhood Groups in Council District 4

**ATTACHMENTS**

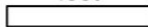
1. Zoning Map
2. Aerial Photograph

1. Zoning Map



1016 E WASHINGTON ST

feet



125

Map Created: 4/24/2019



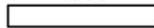
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2. Aerial Photograph



1016 E WASHINGTON ST

feet



125

Map Created: 4/24/2019



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