

**20-VARIANCE-0033, 20-
WAIVER-0027 and 19-WAIVER-
0008**

West Broadway Commercial



Louisville Metro Board of Zoning Adjustment

Public Hearing

Jay Lockett, Planner I

August 3, 2020

Request

- **Variance**

1. **Variance** of Land Development Code section 5.5.1.A.2 to exceed the maximum 5 foot corner lot setback by up to 13 feet as shown on the development plan.

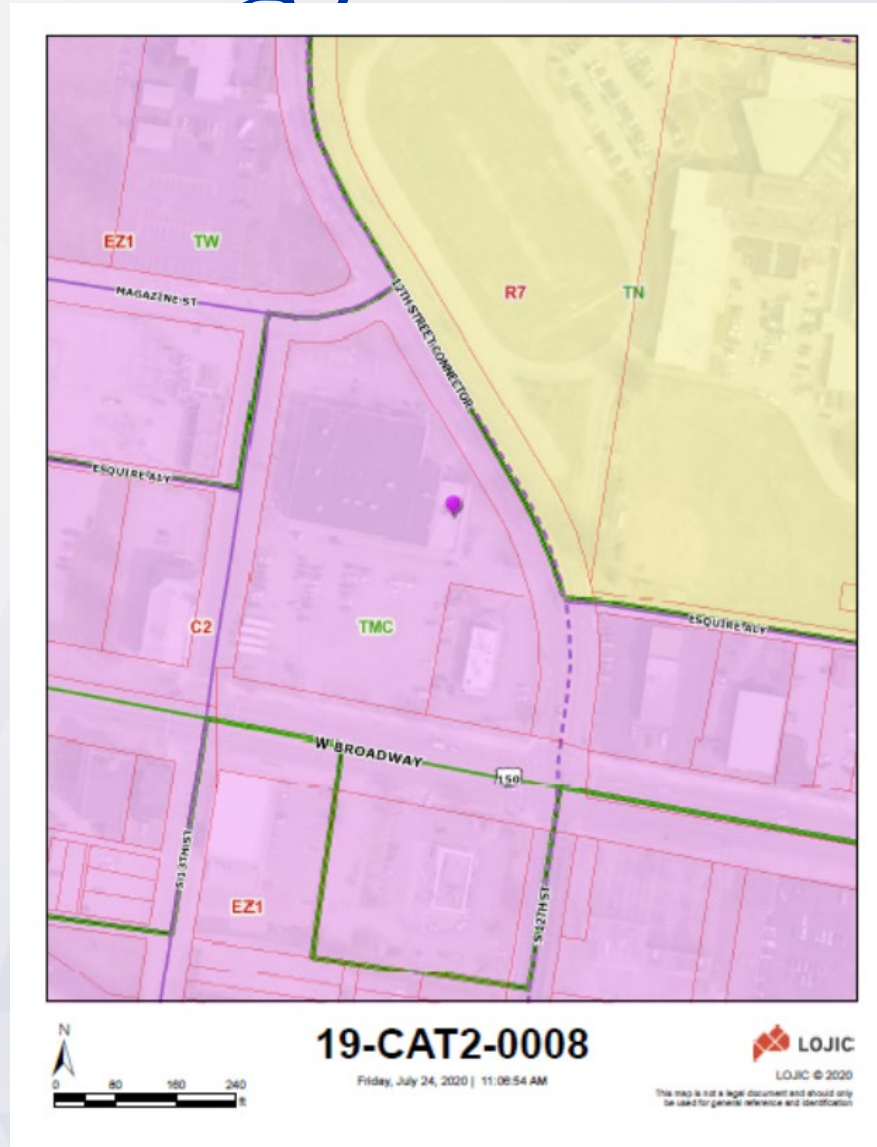
- **Waivers**

1. **Waiver** of Land Development Code section 5.5.1.A.3 and 5.9.2.C to allow a drive-thru lane in front of a building in the Traditional Marketplace Corridor form district.
2. **Waiver** of Land Development Code section 10.2.10 to allow a proposed drive-thru lane, existing parking areas and a proposed dumpster to encroach into required Vehicle Use Area Landscape Buffer Areas as shown on the development plan.

Site Context



Zoning / Form District



Aerial Photo



19-CAT2-0008

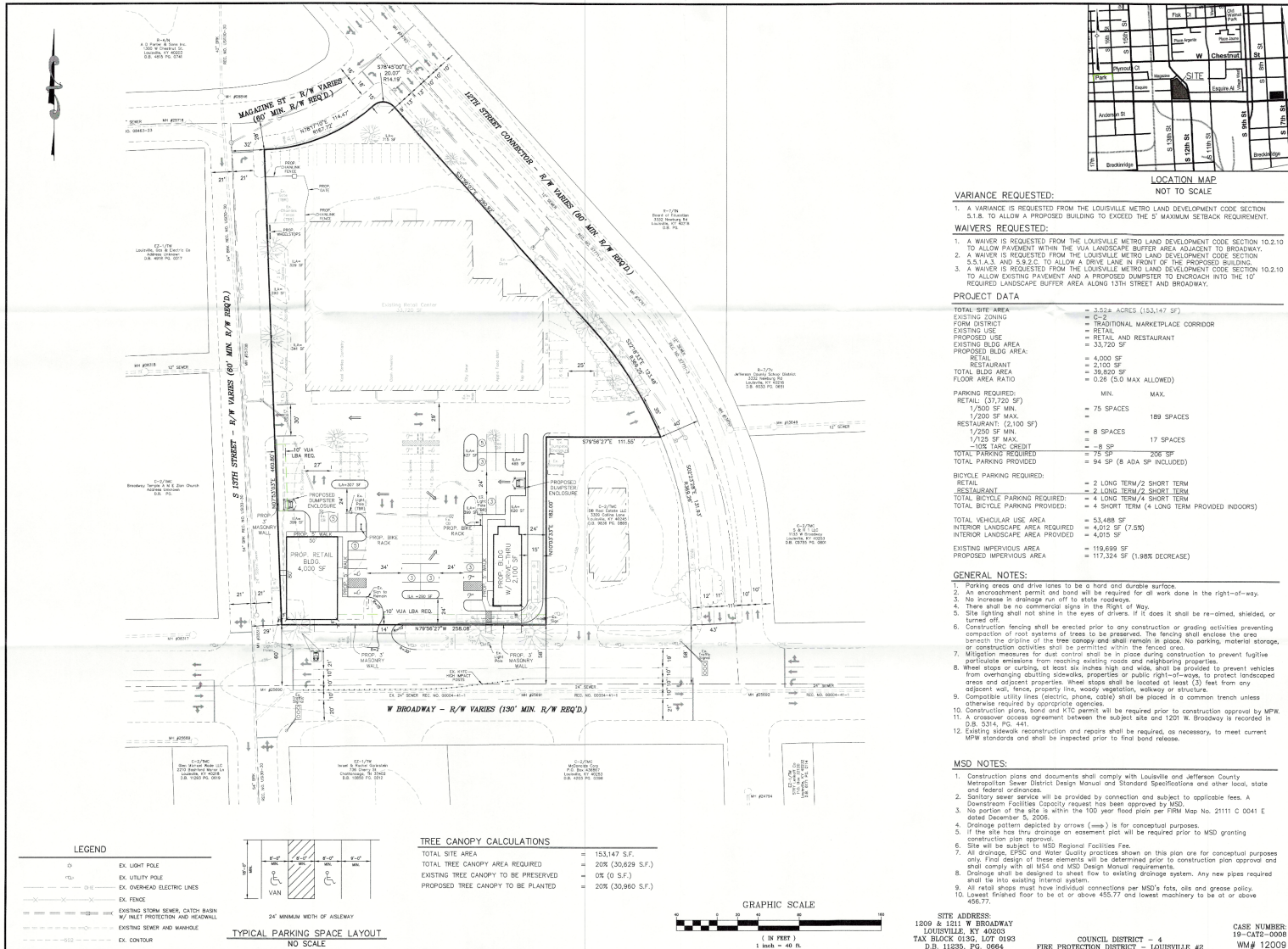
Friday, July 24, 2020 | 11:05:42 AM



LOJIC © 2020

This map is not a legal document and should only be used for general reference and identification.

Proposed Site Plan with area of requests



VARIANCE REQUESTED:

- A VARIANCE IS REQUESTED FROM THE LOUISVILLE METRO LAND DEVELOPMENT CODE SECTION 5.1.8. TO ALLOW A PROPOSED BUILDING TO EXCEED THE 5' MAXIMUM SETBACK REQUIREMENT.

WAIVERS REQUESTED:

- A WAIVER IS REQUESTED FROM THE LOUISVILLE METRO LAND DEVELOPMENT CODE SECTION 10.2.10 TO ALLOW PARKING WITHIN THE VIA LANDSCAPE BUFFER AREA ADJACENT TO BROADWAY.
- A WAIVER IS REQUESTED FROM THE LOUISVILLE METRO LAND DEVELOPMENT CODE SECTION 5.5.1.4.3. AND 5.5.1.2 TO ALLOW A DRIVE LANE IN FRONT OF THE PROPOSED BUILDING.
- A WAIVER IS REQUESTED FROM THE LOUISVILLE METRO LAND DEVELOPMENT CODE SECTION 10.2.10 TO ALLOW EXISTING PARKING AND A PROPOSED DUMPSTER TO ENCRoACH INTO THE 10' REQUIRED LANDSCAPE BUFFER AREA ALONG 13TH STREET AND BROADWAY.

PROJECT DATA

TOTAL SITE AREA	=	3,524 ACRES (153,147 SF)
EXISTING ZONING	=	CP-2
FORM DISTRICT	=	TRADITIONAL MARKETPLACE CORRIDOR
EXISTING USE	=	RETAIL
PROPOSED USE	=	RETAIL AND RESTAURANT
EXISTING BLDG AREA	=	33,700 SF
PROPOSED BLDG AREA	=	4,000 SF
RETAIL	=	2,100 SF
RESTAURANT	=	1,900 SF
FLOOR AREA RATIO	=	0.28 (5.0 MAX ALLOWED)

PARKING REQUIRED:	MIN.	MAX.
RETAIL (37,220 SF)	1,500 SF MIN.	75 SPACES
RESTAURANT (2,100 SF)	1,250 SF MAX.	189 SPACES
RESTAURANT (2,100 SF)	1,725 SF MAX.	8 SPACES
15% TASC CREDIT	=	-8 SP
TOTAL PARKING REQUIRED	=	205 SP
TOTAL PARKING PROVIDED	=	94 SP (8 ADA SP INCLUDED)

BICYCLE PARKING REQUIRED:	RETAIL	=	2 LONG TERM/2 SHORT TERM
RESTAURANT	=	4 LONG TERM/2 SHORT TERM	
TOTAL BICYCLE PARKING REQUIRED:	=	4 LONG TERM/4 SHORT TERM	
TOTAL BICYCLE PARKING PROVIDED:	=	4 SHORT TERM (4 LONG TERM PROVIDED INDOORS)	
TOTAL VEHICULAR USE AREA	=	43,488 SF	
INTERIOR LANDSCAPE AREA REQUIRED	=	4,012 SF (7.5%)	
INTERIOR LANDSCAPE AREA PROVIDED	=	4,015 SF	
EXISTING IMPERVIOUS AREA	=	119,699 SF	
PROPOSED IMPERVIOUS AREA	=	117,324 SF (0.98% DECREASE)	

GENERAL NOTES:

- Parking areas and drive lanes to be a hard and durable surface.
- An encroachment permit and bond will be required for all work done in the right-of-way.
- No increase in drainage run off to state roads.
- There shall be no commercial signs in the Right of Way.
- Site lighting shall not shine in the eyes of drivers if it does it shall be re-aimed, shielded, or turned off.
- Construction fencing shall be erected prior to any construction or grading activities preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the canopy of the tree canopy and shall remain in place. No parking, material storage, or construction activities shall be permitted within the fenced area.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
- Wheel stops or curbing, at least six inches high and wide, shall be provided to prevent vehicles from overhanging abutting sidewalks, properties or public right-of-ways, to protect landscaped areas and adjacent properties. Wheel stops shall be located at least (3) feet from any adjacent wall, fence, property line, woody vegetation, walkway or structure.
- Compatible utility lines (electric, phone, cable) shall be placed in a common trench unless otherwise required by appropriate agencies.
- Construction bond and P/C permit will be required prior to construction approved by MPW.
- A crossover access agreement between the subject site and 1201 W. Broadway is recorded in D.S. 0374, PG. 441.
- Existing sidewalk reconstruction and repairs shall be required, as necessary, to meet current MPW standards and shall be inspected prior to final bond release.

MSD NOTES:

- Construction plans and documents shall comply with Louisville and Jefferson County Metropolitan Sewer District Design Manual and Standard Specifications and other local, state and federal ordinances.
- Sanitary sewer service will be provided by connection and subject to applicable fees. A Downstream Facilities Capacity request has been approved by MSD.
- No portion of the site is within the 100 year flood plain per FIRM Map No. 21111 C 0041 E dated December 5, 2006.
- Drainage pattern depicted by arrows (==) is for conceptual purposes.
- If the site has two drainage on assessment plot will be required prior to MSD granting construction plan approval.
- Site will be subject to MSD Regional Facilities Fee.
- All drainage, EPC and Water Quality practices shown on this plan are for conceptual purposes only. Final design of these elements will be determined prior to construction plan approval and shall comply with all MSD and MSD Design Manual requirements.
- Drainage shall be designed to divert flow to existing drainage system. Any new pipes required shall tie into existing internal system.
- All retail shops must have individual connections per MSD's fats, oils and grease policy.
- Lowest finished floor to be at or above 455.77' and lowest machinery to be at or above 456.77'.

SITE ADDRESS:
1209 + 1211 W BROADWAY
LOUISVILLE, KY 40203
TAX BLOCK 0130, LOT 0193
D.B. 11235, PG. 0684

COUNCIL DISTRICT - 4
FIRE PROTECTION DISTRICT - LOUISVILLE #2

CASE NUMBER:
19-CAT-0008
WM# 12009

REVISIONS

NO.	DATE	DESCRIPTION
1	1-18-20	ADJUST COMMENTS
2	1-18-20	ADJUST COMMENTS
3	1-27-20	ADJUST COMMENTS
4	1-18-20	ADJUSTED FINISH DATE

PROJECT DATA

1209 + 1211 WEST BROADWAY
QUADRANT HOTELS, LLC
9802 BUNSEN WAY
LOUISVILLE, KY 40299

L&D
LAND DESIGN & DEVELOPMENT, INC.
1000 W. MARKET STREET, SUITE 200
LOUISVILLE, KY 40202

1209 + 1211 WEST BROADWAY
QUADRANT HOTELS, LLC
9802 BUNSEN WAY
LOUISVILLE, KY 40299

RECEIVED
JUN 18 2019
METRO PLANNING & DESIGN

19050
SHEET 1 OF 1

Subject Site Front



Site front towards east



View Towards S 13th St

Jul 21, 2020 at 4:42:37 PM
1201 W Broadway
Louisville KY 40203
United States

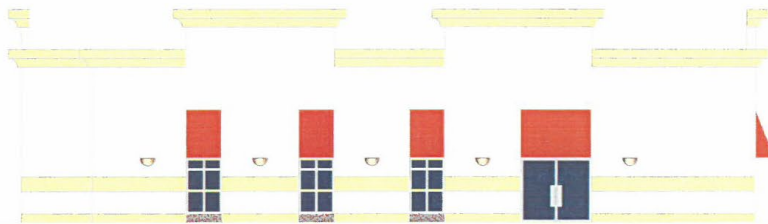


View towards existing structure

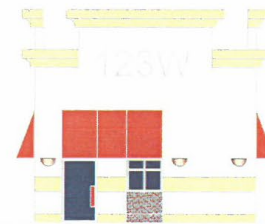
Jul 21, 2020 at 4:43:14 PM
1211 W Broadway
Louisville KY 40203
United States



Proposed Elevations



VIEW OF RETAIL BUILDING FROM PARKING LOT



VIEW OF RETAIL BUILDING FROM W BROADWAY

SKETCH ELEVATIONS FOR PROPOSED RETAIL BUILDING AT
1209 WEST BROADWAY

Staff Analysis and Conclusions

- The requests are adequately justified and meets the standard of review.
- The existing development is significantly non-conforming to the setback rules for the Traditional Marketplace Corridor form district. The new development will bring commercial activity closer to the front of the site, which will bring the site further into compliance with current regulations. The development will increase the density of neighborhood serving uses on a previously developed site.

Required Actions

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