

PLANNING COMMISSION MINUTES
May 23, 2019

PUBLIC HEARING

CASE NO. 19PARK1000

| | |
|-------------------|--------------------------|
| Request: | Parking Waiver |
| Project Name: | NoRae Bar Parking Waiver |
| Location: | 717 East Market Street |
| Owner: | East Market Holdings LLC |
| Applicant: | East Market Holdings LLC |
| Representative: | Louis Adamson |
| Jurisdiction: | Louisville Metro |
| Council District: | 4 – Barbara Sexton Smith |

Case Manager: **Jay Luckett, AICP, Planner I**

Notice of this public hearing appeared in The Courier-Journal, a notice was posted on the property, and notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:57:05 Jay Luckett presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

01:01:14 Commissioner Brown asked if one additional parking space could be found, since the applicant is removing a driveway curb cut in the front of the site (on Market). He asked if approval of this request could be on condition that the applicant removes the driveway that was there. Mr. Luckett said yes.

The following spoke in support of this request:

Louis Adamson, 717 East Market Street, Louisville, KY 40202

Summary of testimony of those in support:

01:02:22 Louis Adamson, co-owner of the property, said he would be willing to redo/remove the curb cut. He also discussed parking availability in the surrounding area.

01:03:45 Commissioner Brown asked if the applicant is considering using a valet parking service. Mr. Adamson said they are considering using a type of parking

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reimbursement for customers who park at the AC Hotel. Their hours of operation will also start at 5:00 p.m., so their customer parking should not conflict with other businesses in the area.

The following spoke in opposition to this request:
No one spoke.

Deliberation:
01:04:47 Commissioners' deliberation.

An audio/visual recording of the Planning Commission hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Parking Waiver

01:06:44 On a motion by Commissioner Carlson, seconded by Commissioner Daniels, the following resolution, based on the Standard of Review and Staff Analysis, and evidence and testimony heard today, was adopted:

WHEREAS, the Louisville Metro Planning Commission finds that the proposal would allow for the reuse of an existing site within an established activity center. The site is well served by existing transportation networks and is part of a walkable area well served by transit, bike and pedestrian networks. The elimination of parking minimums is consistent with the Traditional Marketplace form district as described in Plan 2040; and

WHEREAS, the Commission further finds that the applicant has provided one space on the subject site, and made a good faith effort to secure agreements with other sites for joint-use parking but was unsuccessful; and

WHEREAS, the Commission further finds that the requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use, as they have provided as much as possible on site; and

WHEREAS, the Commission further finds that adjacent or nearby properties will not be adversely affected, as the development pattern of the area allows for minimum on-site parking for most sites. Businesses in the area are used to sharing public parking

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facilities and patrons are able to utilize alternative transportation networks to reach the area; and

WHEREAS, the Commission further finds that the requirements found in table 9.1.2 do not accurately depict the parking needs of the proposed use. Patrons of bars and taverns should be discouraged from driving as much as possible. Bars and taverns have a parking requirement in the Land Development Code that is at odds with the public health, safety and welfare. Public transit, pedestrian networks and the wide availability of taxis and ride-sharing services reduce the need for patrons to drive to bars and taverns, thereby mitigating public safety issues traditionally associated with such uses; and

WHEREAS, the Commission further finds that there is a surplus of on-street and public spaces in the area that can accommodate generated parking demand. All streets near the area have abundant on-street parking available and there is a large public garage located on the same block as the subject site; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the proposed **Parking Waiver** to reduce minimum parking requirement from 10 to 1, to utilize parking spaces located in a public parking lot and to use on-street parking spaces not directly abutting the subject site be approved, **ON CONDITION** that the existing driveway be removed and the sidewalk restored in order to gain an additional on-street parking space.

The vote was as follows:

YES: Commissioners Tomes, Peterson, Daniels, Brown, Lewis, Howard, Carlson, and Jarboe.

NOT PRESENT: Commissioners Smith and Robinson.

19PARK1000 NoRae Bar Parking Waiver



Louisville Metro Planning Commission

Public Hearing

Jay Lockett, AICP, Planner I

May 23, 2019

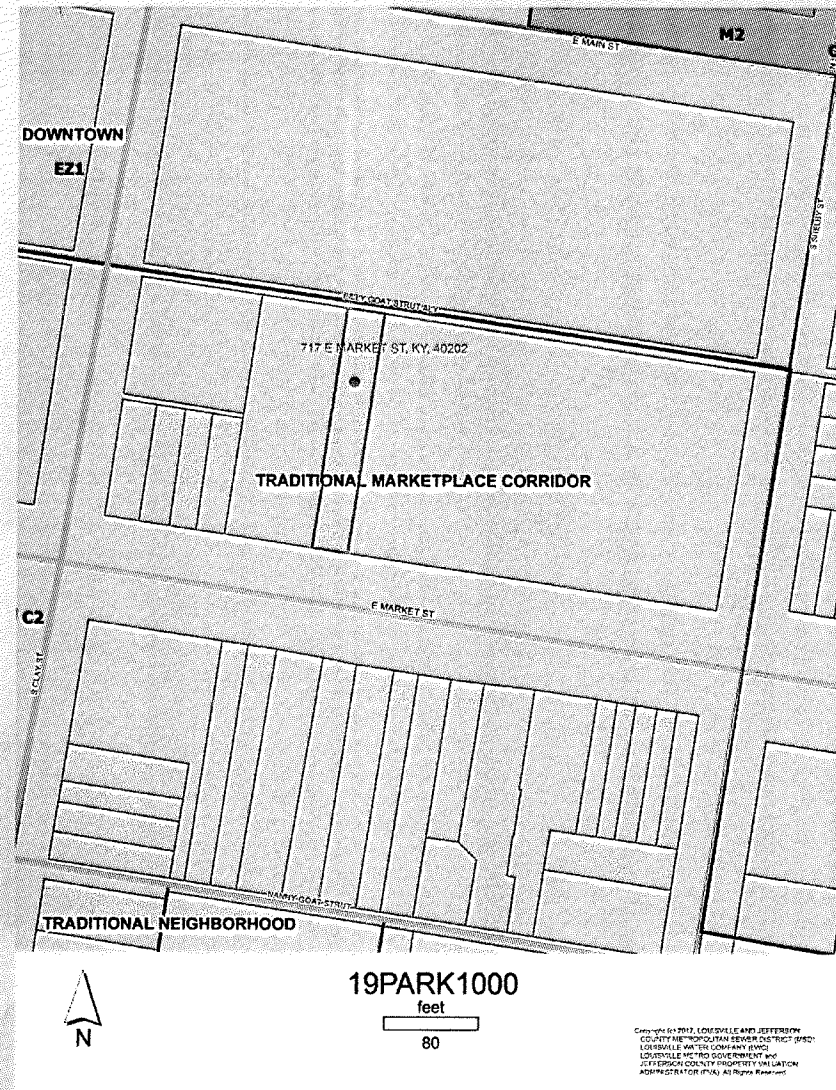
Requests

- **Parking Waiver** to reduce minimum parking requirement from 10 to 1, to utilize parking spaces located in a public parking lot and to use on-street parking spaces not directly abutting the subject site.

Site Context



Zoning / Form District



Aerial Photo



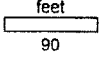
19PARK1000
feet
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LOUISVILLE WATER COMPANY (LWC).
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Proposed Site Plan



19PARK1000



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Parking Study

NoraeBar, LLC: Location 717 E Market Street, Louisville KY 40202

Current parking spaces - 6 front lot, 1 rear (waiver needed to maintain front spaces for change of use)

Requested parking spaces - 1 rear (purposed development plans require 11 spaces)

Survey days included 4/4/2019 - 4/7/2019, 4/11/2019 - 4/14/2019, 4/18/2019 - 4/21/2019

Space were counted each hour of each day, and averaged for each day Thursday - Sunday

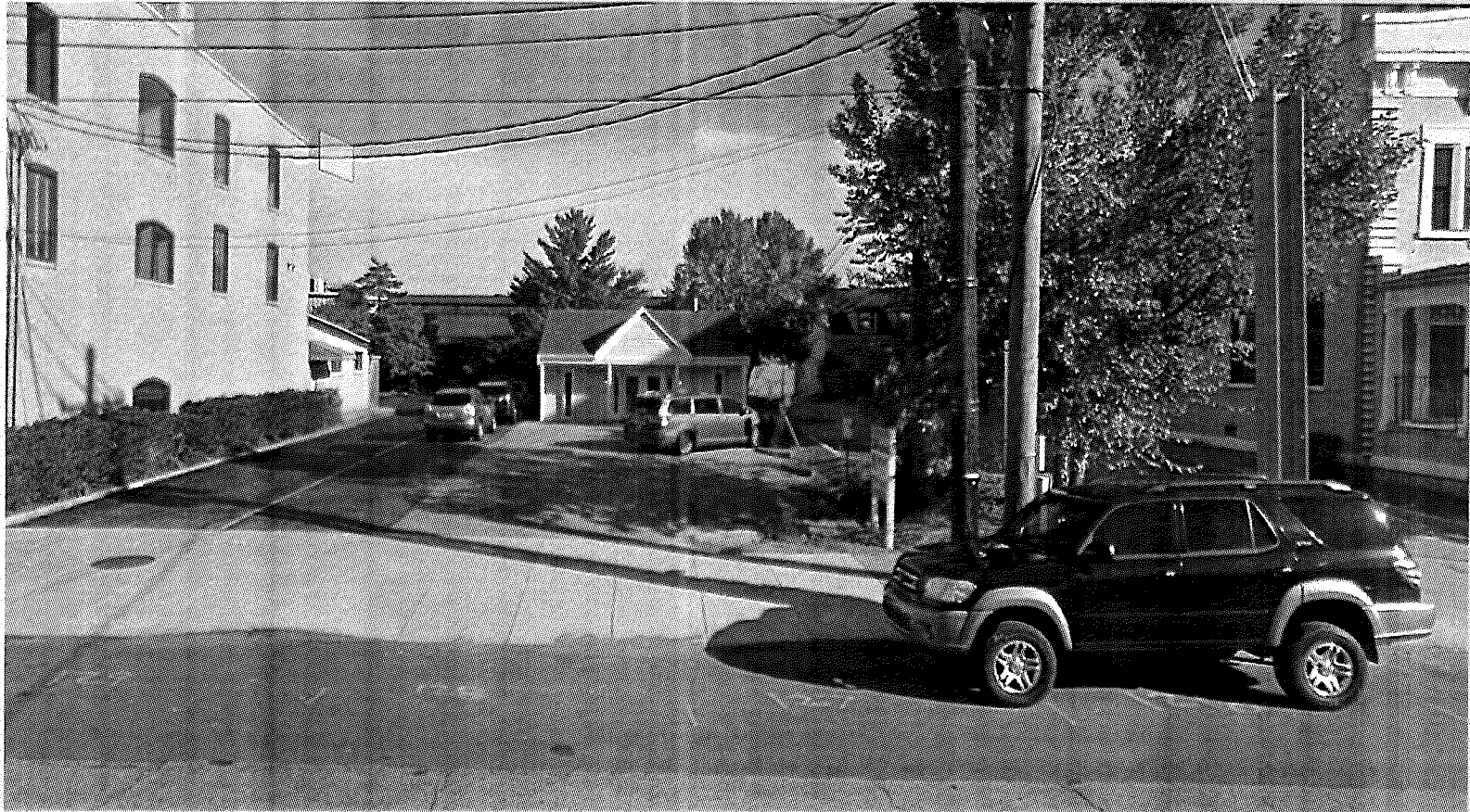
Adjacent Property

| Owners | Address | Business | Off Street Lot/Spaces |
|--------|---------------------|---|---|
| APO #1 | 713 E Market Street | Private legal practice | Yes/23 spaces |
| APO #2 | 725 E Market Street | Victorian house, AC Hotel - Marriot | Yes/200 spaces (191 paid public garage) |
| APO #3 | 716 E Market Street | DKN Architects | No off street parking |
| APO #4 | 700 E Main Street | Formerly Service Tanks Inc., currently vacant | Yes/ vacant property |

Available On-Street (metered & non-metered street open park spaces within 200 ft.) - Total 137 on-street parking spaces

| NoraeBar LLC Hour/Peak Time | Thursday open 5pm - 4am | Friday open 5pm - 4am | Saturday open 5pm - 4am | Sunday open 5pm - 4am |
|--------------------------------|----------------------------|--------------------------|----------------------------|--------------------------|
| | No peak time | Peak 9pm - 3am | Peak 9pm - 3am | No peak time |
| 5pm | 47 | 52 | 41 | 57 |
| 6pm | 42 | 45 | 44 | 65 |
| 7pm | 55 | 27 | 52 | 62 |
| 8pm | 38 | 32 | 42 | 58 |
| 9pm | 40 | 53 | 56 | 60 |
| 10pm | 46 | 48 | 53 | 67 |
| 11pm | 52 | 57 | 61 | 62 |
| 12am | 58 | 60 | 70 | 70 |
| 1am | 64 | 54 | 73 | 81 |
| 2am | 68 | 71 | 83 | 80 |
| 3am | 70 | 69 | 86 | 78 |
| 4am | 78 | 83 | 85 | 74 |

Subject Site



METRO
Louisville

19PARK1000

Available Public Parking Garage Near Subject Site



METRO
Louisville

19PARK1000

Available Street Parking Near Subject Site



Staff Analysis and Conclusions

- There is an abundance of street parking available near the subject site.
- There is a publicly available garage near the subject site.
- Parking reductions are consistent with the description of the Traditional Marketplace Corridor Form District as described in Plan 2040.
- The parking requirements for bars and taverns in the Land Development Code are not consistent with the protection of public health, safety and welfare.
- **The request is adequately justified and meets the standard of review.**

Required Actions

- **RECOMMEND** that Louisville Metro Council **APPROVE** or **DENY** the Parking Waiver.

Brashear, Pamela

From: Louisvilleky.gov <Louisvilleky@public.govdelivery.com>
Sent: Wednesday, May 8, 2019 11:01 AM
To: Bowling, Caitlin; Reid, Sue; Bryant, Terri; Wethington, Jessica; Brashear, Pamela; Cestaro, Chris; Ford, Will F; Dooley, Rachel M; Herron, Caitlin; Reynolds, Mike
Subject: Courtesy Copy: May 23, 2019 PC Meeting - Case No. 19PARK1000, located at 717 E. Market Street
Attachments: 19PARK1000 PC Notice.pdf

This is a courtesy copy of an email bulletin sent by Pamela Brashear.

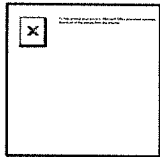
This bulletin was sent to the following groups of people:

Subscribers of Council District 4 Notification of Development Proposals (853 recipients)

The attached is notification of the May 23, 2019 Planning Commission meeting to be held at the Old Jail Building, 514 W. Liberty St., at 1:00 p.m.

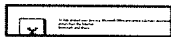
- [19PARK1000 PC Notice.pdf](#)

Having trouble viewing this email? [View it as a Web page.](#)



Visit <http://www.louisvilleky.gov>

[Contact a Metro Department](#)



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Planning Commission Staff Report May 23, 2019



| | |
|--------------------------|------------------------------|
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| Applicant: | East Market Holdings |
| Jurisdiction: | Louisville Metro |
| Council District: | 4 – Barbara Sexton Smith |
| Case Manager: | Jay Lockett, AICP, Planner I |

REQUEST(S)

- **Parking Waiver** to reduce minimum parking requirement from 10 to 1, to utilize parking spaces located in a public parking lot and to use on-street parking spaces not directly abutting the subject site.

CASE SUMMARY/BACKGROUND

The applicant is proposing to open a bar in an existing structure located in the NULU area of Louisville Metro. The building area is approximately 1,941 SF, which gives a raw parking requirement of 20 spaces based on 1/100 SF requirement for bars and taverns. The Land Development Code allows for 10% credit for available transit, 20% for renovation of a building that is eligible for the National Register of Historic Places and 20% for meeting the Green Design Criteria found in Land Development Code Appendix 5A. Of the 10 spaces required for this development, the applicant is able to provide 1 on the rear of the subject site accessed via the alley. The applicant has requested to waive the remainder of the parking requirements.

STAFF FINDING

There is an abundance of public parking available near the subject site. In addition to on-street parking, there is a large public parking garage attached to a nearby hotel. The subject site is well served by transit, bike, pedestrian networks and other alternative transportation options reducing the need for patrons to drive to the site. Therefore, the request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

Proposed changes to the exterior of the site were reviewed and approved per the NULU architectural review overlay under 19COA1088.

INTERESTED PARTY COMMENTS

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

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

- (a) The Parking Waiver is in compliance with the Comprehensive Plan; and

STAFF: The proposal would allow for the reuse of an existing site within an established activity center. The site is well served by existing transportation networks and is part of a walkable area well served by transit, bike and pedestrian networks. The elimination of parking minimums is consistent with the Traditional Marketplace form district as described in Plan 2040.

- (b) The applicant made a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through joint use provisions; and

STAFF: The applicant has provided one space on the subject site, and made a good faith effort to secure agreements with other sites for joint-use parking but was unsuccessful.

- (c) The requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use; and

STAFF: The requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use, as they have provided as much as possible on site.

- (d) Adjacent or nearby properties will not be adversely affected; and

STAFF: Adjacent or nearby properties will not be adversely affected, as the development pattern of the area allows for minimum on-site parking for most sites. Businesses in the area are used to sharing public parking facilities and patrons are able to utilize alternative transportation networks to reach the area.

- (e) The requirements found in Table 9.1.2 do not accurately depict the parking needs of the proposed use and the requested reduction will accommodate the parking demand to be generated by the proposed use; and

STAFF: The requirements found in table 9.1.2 do not accurately depict the parking needs of the proposed use. Patrons of bars and taverns should be discouraged from driving as much as possible. Bars and taverns have a parking requirement in the Land Development Code that is at odds with the public health, safety and welfare. Public transit, pedestrian networks and the wide availability of taxis and ride-sharing services reduce the need for patrons to drive to bars and taverns, thereby mitigating public safety issues traditionally associated with such uses.

- (f) That there is a surplus of on-street or public spaces in the area that can accommodate the generated parking demand.

STAFF: There is a surplus of on-street and public spaces in the area that can accommodate generated parking demand. All streets near the area have abundant on-street parking available and there is a large public garage located on the same block as the subject site.

REQUIRED ACTIONS:

- **RECOMMEND** that **Louisville Metro Council APPROVE** or **DENY** the **Parking Waiver**.

NOTIFICATION

| Date | Purpose of Notice | Recipients |
|--------|-------------------|--|
| 5-4-19 | Hearing before PC | 1 st and 2 nd tier adjoining property owners, property owners within 100 feet of on-street parking spaces considered for this request. Registered Neighborhood Groups in Council District 4 |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



19PARK1000
feet
80

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2. Aerial Photograph



19PARK1000
feet
80

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| 2am | 68 | 71 | 83 | 80 |
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| 4am | 78 | 83 | 85 | 74 |



19 PARK 1000

feet



90

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AGENCY NOTIFICATION MEMORANDUM

****IARC Committee ****

PDS

Date April 02, 2019
Docket No. 19PARK1000
Project Name 717 E Market St
Address 717 E MARKET ST
Type of Work Parking / Parking Waiver
Distribution Date April 03, 2019
Comments Due Date 04/17/2019

Contact Name MARKET HOLDINGS LLC EAST **Phone**

A copy of the site plan is attached. Please review it and prepare comments for inclusion in the staff report. All IARC members are required to comment in writing. Advisory members shall comment only if necessary.

Initial discussion of this case will occur at the IARC meeting. If you need information prior to that meeting, please contact the case manager listed below.

The case manager below has been assigned to this case. All correspondence shall be directed accordingly.

Jay Lockett
Case Manager

EMAIL jay.lockett@louisvilleky.gov **Phone** (502)574-5159

Project Description

Parking Waiver application to reduce the minimum parking requirement from 11 spaces to 1 space on .1469 acres in the C2 zoning district in the NULU Review Overlay District.

Dist to
Transportation
+
Labels
Thanks - Jay-

TPR/PW ✓
PDS ✓ Q



Land Development Report

February 27, 2019 12:09 AM

About LDC

Location

Parcel ID: 017D01170000
Parcel LRSN: 8002183
Address: 717 E MARKET ST

Zoning

Zoning: C2
Form District: TRADITIONAL MARKETPLACE CORRIDOR
Plan Certain #: NONE
Proposed Subdivision Name: NONE
Proposed Subdivision Docket #: NONE
Current Subdivision Name: NONE
Plat Book - Page: NONE
Related Cases: NONE

Special Review Districts

Overlay District: NULU
Historic Preservation District: NONE
National Register District: PHOENIX HILL
Urban Renewal: NO
Enterprise Zone: YES
System Development District: NO
Historic Site: YES

Environmental Constraints

Flood Prone Area

FEMA Floodplain Review Zone: NO
FEMA Floodway Review Zone: NO
Local Regulatory Floodplain Zone or
Combined Sewer Floodprone Area: NO
Local Regulatory Conveyance Zone: NO
FEMA FIRM Panel: 21111C0026E

Protected Waterways

Potential Wetland (Hydric Soil): NO
Streams (Approximate): NO
Surface Water (Approximate): NO

Slopes & Soils

Potential Steep Slope: NO
Unstable Soil: NO

Geology

Karst Terrain: NO

Sewer & Drainage

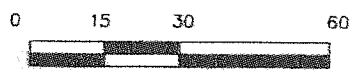
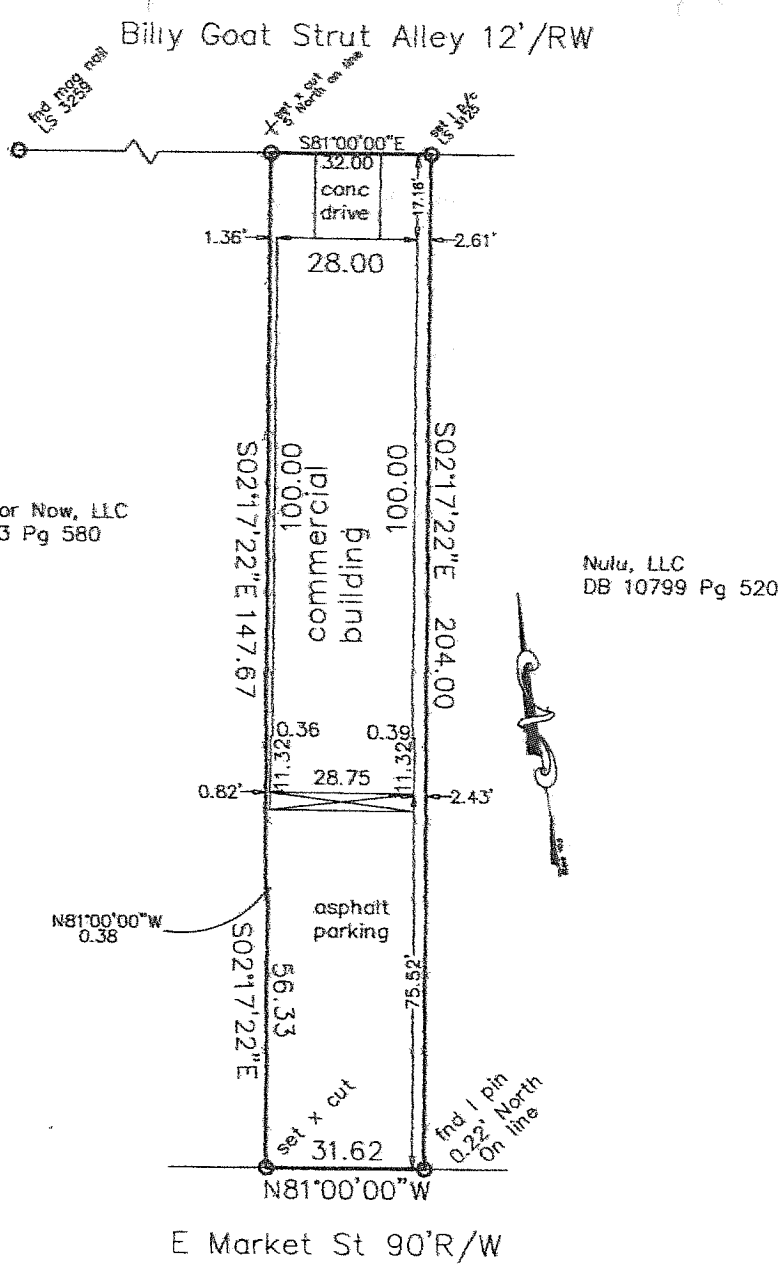
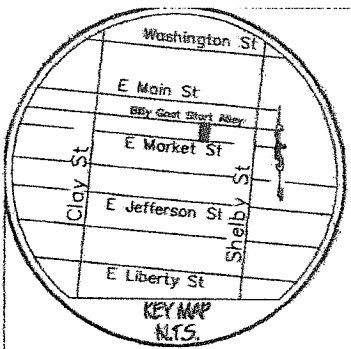
MSD Property Service Connection: YES
Sewer Recapture Fee Area: NO
Drainage Credit Program: CSO058 - Project(s) Value between \$.04 - \$1.5

Services

Municipality: LOUISVILLE
Council District: 4
Fire Protection District: LOUISVILLE #2
Urban Service District: YES

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19 Parkl000



GRAPHIC SCALE 1=30

LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat and survey were made under my direct supervision on December '18 and that the angular and linear measurements, as witnessed by monuments, shown hereon, are true and correct to the best of my knowledge and belief.

- SURVEY CLASS "Urban" -

This survey meets or exceeds the minimum standards of governing authorities.

MIKE SEELY & ASSOCIATES
P.O. BOX 18768
LOUISVILLE, KY. 40261
(502) 643-1785

- BOUNDARY SURVEY -

FOR: Adamson Properties, LLC

LOCATION: 717 E Market St
Louisville, KY 40202

RECORD SOURCES: Lot 117 Block 17D
DB 10931 Pg 78

COUNTY: JEFFERSON

SCALE: 1=30 DATE: December 13, '18



Michael D. Seely
Licensed Land Surveyor #3125

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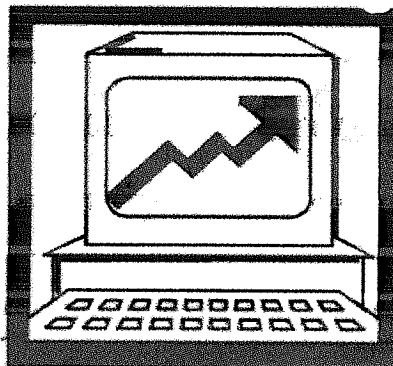
717 E. Market Street

Parking Waiver Application - Mailing Labels



19 Park 1000

Marketplace Strategy



Goals and Objectives

LAND AND PHYSICAL INFRASTRUCTURE

Goal A1 Land

Ensure the availability of necessary usable land to facilitate commercial, industrial, and residential development. Agricultural uses should be allowed in all areas.

Objectives

- A1.1 Ensure that comprehensive plan(s), zoning ordinance(s), and land use regulations are consistent with constitutional guarantees and evolving case law, in order to ensure private property rights and preserve the public interest.
- A1.2 Ensure that planning and zoning requirements are clear, consistent, and reasonable.
- A1.3 Develop appropriate regulations to facilitate efficient and economical redevelopment of older commercial and industrial land including that which requires environmental clean up.
- A1.4 Create incentives and modify regulations in order to promote the re-use of commercial and industrial land facilities.
- A1.5 Continuously identify and allocate suitable land to meet Jefferson County's commercial and industrial needs.

Goal B1 Physical Infrastructure

Provide reliable, efficient and affordable infrastructure throughout Jefferson County to accommodate commercial, industrial and residential needs.

Objectives

- B1.1 Establish an ongoing countywide coordinated capital investment program which is compatible with economic development priorities to ensure cost-effective infrastructure throughout Jefferson County.
- B1.2 Establish effective intermodal movement of goods and services for Jefferson County through efficient and effective highway, air, rail, and water transportation networks and transportation facilities.
- B1.3 Link population and employment centers with efficient and effective intermodal transportation facilities.
- B1.4 Maintain, expand, improve and coordinate telecommunications, water, sewage, electric and natural gas systems in Jefferson County in order to accommodate development and economic growth.

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 Louisville, KY 40202 - 4313



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BAT Realty Group LLC
 630 E Main Street
 Louisville KY 40202

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MAY 21 2014

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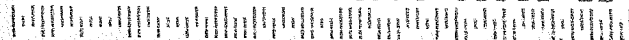
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FOREVER



East Main LLC
 700 E Washington Street
 Louisville KY 40202

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MAY 17 2019

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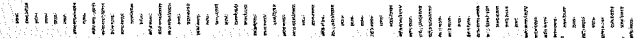
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 Louisville, KY 40202 - 4313



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OBF Realty LLC
 724 E Washington St
 Louisville KY 40202

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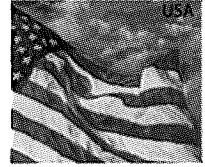
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William & Mary Lou Marzian
 129 S Shelby Street
 Louisville KY 40202

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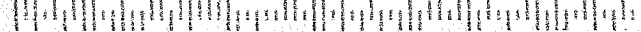
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CR Commercial Property LLC
 713 E Main Street
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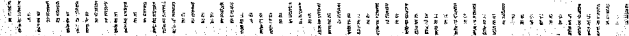
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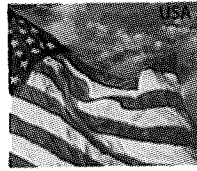




Louisville Metro Planning and Design Services
 444 S. 5th Street - Suite 300
 Louisville, KY 40202 - 4313



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FOREVER

OBF Realty LLC
 743 E Main Street
 Louisville KY 40202

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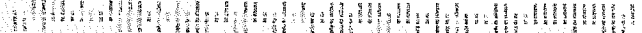
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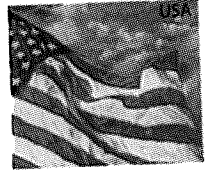




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Richard Nugent
 107 S Shelby Street
 Louisville KY 40202

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OBF Realty LLC
 106 N Shelby Street
 Louisville KY 40202

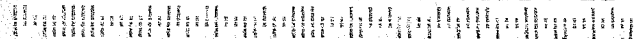
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Louisville, KY 40202 - 4313



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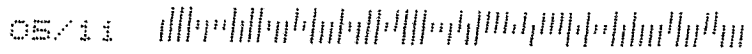


Jay Lockett - Case Manager
Planning and Design Services
444 S 5th St, Suite 300
Louisville, KY 40204

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1st Tier APOs

BCTS Louisville KKC
700 E Market Street
Louisville KY 40202

Nulu LLC
725 E Market Street
Louisville KY 40202

For Now Blank LLC
713 E Market Street
Louisville KY 40202

SQ Properties LLC
716 E Market Street
Louisville KY 40202

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2nd Tier APOs

Geiger Street Properties LLC
700 E Market Street
Louisville KY 40202

PVA Enterprises LLC
712 E Market Street
Louisville KY 40202

Nulu Properties LLC
714 E Market Street
Louisville KY 40202

SQ Properties LLC
716 E Market Street
Louisville KY 40202

NewLou LLC
720 E Market Street
Louisville, KY 40202

Rabbit Hole Spirits LLC
724 E Market Street
Louisville KY 40202

Haystack Partners LLC
726 E Market Street
Louisville KY 40202

Haystack Partners LLC
728 E Market Street
Louisville KY 40202

Haystack Partners LLC
730 E Market Street
Louisville KY 40202

Haystack Partners LLC
732 E Market Street
Louisville KY 40202

736/738 E Market Street LLC
736 E Market Street
Louisville KY 40202

Junk Shop Corner LLC
740 E Market Street
Louisville KY 40202

Junk Shop Corner LLC
742 E Market Street
Louisville KY 40202

Junk Shop Corner LLC
746 E Market Street
Louisville KY 40202

Junk Shop Corner LLC
748 E Market Street
Louisville KY 40202

Michael Brohm
708 E Market Street
Louisville KY 40202

707 E Market Street LLC
707 E Market Street
Louisville KY 40202

OBF Realty LLC
106 N Shelby Street
Louisville KY 40202

OBF Realty LLC
743 E Main Street
Louisville KY 40202

OBF Realty LLC
724 E Washington St
Louisville KY 40202

DEB Properties LLC
721 E Main Street
Louisville KY 40202

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CR Commercial Property LLC
713 E Main Street
Louisville KY 40202

East Main LLC
700 E Washington Street
Louisville KY 40202

BAT Realty Group LLC
630 E Main Street
Louisville KY 40202

Main Street Firehouse LLC
802 E Main Street
Louisville KY 40202

The Linton Family Trust
705 E Market Street
Louisville KY 40202

The Linton Family Trust
701 E Market Street
Louisville KY 40202

Roberto De Leon
117 S Shelby Street
Louisville KY 40202

Roberto De Leon
119 S Shelby Street
Louisville KY 40202

Mae Jordon
121 S Shelby Street
Louisville KY 40202

H&HD LLC
123 S Shelby Street
Louisville KY 40202

Michael Maloney
125 S Shelby Street
Louisville KY 40202

William & Mary Lou Marzian
129 S Shelby Street
Louisville KY 40202

Richard Nugent
107 S Shelby Street
Louisville KY 40202

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Bobbie Holsclaw
Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Jefferson County Clerk's Office.



INST # 2018287012

BATCH # 159952

JEFFERSON CO, KY FEE \$17.00

STATE OF KY DEED TAX \$675.00

PRESENTED ON: 12-10-2018 8 08:37:04 AM

LODGED BY: MATTINGLY FORD TITLE SERVICES LLC

RECORDED: 12-10-2018 08:37:04 AM

BOBBIE HOLSCLAW

CLERK

BY: JOLENE CARDWELL

RECORDING CLERK

BK: D 11303

PG: 946-948

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2+

1810470

GENERAL WARRANTY DEED

THIS DEED, made and entered into this 30th day of November, 2018, by and between RDKJ Properties LLC, a Kentucky Limited Liability Company, 1604 Story Avenue, Louisville, KY 40206, Party of the First Part, and East Market Holdings LLC, a Kentucky Limited Liability Company, with a mailing address of and an in-care-of address for the 2018 property tax bill of 2111 Edgeland Avenue, Louisville, KY 40204, Party of the Second Part.

WITNESSETH: That, for a valuable consideration in the amount of \$675,000.00, the receipt of which is hereby acknowledged, the Party of the First Part hereby conveys unto the Party of the Second Part, in fee simple, with covenant of General Warranty, the following described property located in Jefferson County, KY, to wit:

Beginning on the North side of Market Street, 178 feet East of Clay Street; running thence Eastwardly along the North side of Market Street, 32 feet and extending back Northwardly of the same width in lines parallel with Clay Street, 204 feet to an alley, excepting however, so much as was conveyed to Phillip Gatterdam by Deed dated November 22, 1906, recorded in Deed Book 655, Page 117 in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

Being the same property conveyed to RDKJ Properties LLC, a Kentucky Limited Liability Company, by Deed dated July 7, 2017 of record in Deed Book 10931, Page 78 in the Office of the Clerk of Jefferson County, Kentucky.

The Parties hereto certify that the full consideration for the conveyance is the sum of \$675,000.00.

The Party of the First Part further covenants lawful seisin of the estate hereby conveyed, with full power to convey the same, and that said estate is free of encumbrances except restrictions and easements of record, the 2018 State, County and School taxes and taxes thereafter, which the Second Party hereby assumes and agrees to pay.

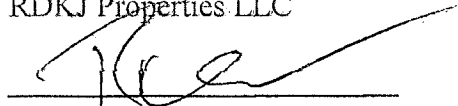
As used in this Deed words in the singular shall mean and include the plural and vice versa.

IN TESTIMONY WHEREOF, WITNESS the signatures of the Party of the First and Second Parts.

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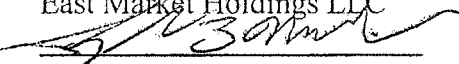
19 Park 1000

RDKJ Properties LLC



By: Rick Kueber, Sole Member
Party of the First Part

East Market Holdings LLC



By: Joseph B. Miller, Manager
Party of the Second Part

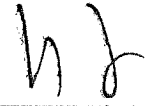


By: Louis Adamson, Manager
Party of the Second Part

STATE OF KENTUCKY)

COUNTY OF JEFFERSON)

I hereby certify that the foregoing deed was acknowledged and the consideration statement was sworn to before me this 30th day of November, 2018, by Rick Kueber as Sole Member of RDKJ Properties LLC, a Kentucky Limited Liability Company, Party of the First Part.

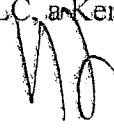


Notary Public
Jefferson County, Kentucky
My Commission Expires: 5/31/2020

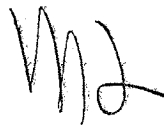
STATE OF KENTUCKY)

COUNTY OF JEFFERSON)

I hereby certify that the foregoing deed was acknowledged and the consideration statement was sworn to before me this 30th day of November, 2018, by Joseph B. Miller as Manager and Louis Adamson as Manager of East Market Holdings LLC, a Kentucky Limited Liability Company, Party of the Second Part.



Notary Public
Jefferson County, Kentucky
My Commission Expires: 5/31/2020

Prepared by: 

Russell D. Ford, Attorney
MATTINGLY-FORD, P.S.C.
1650 UPS Drive, Suite 102
LOUISVILLE, KY 40223
(502) 515-0915

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2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2nd floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: <https://search.jeffersondeeds.com>
3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: <https://jeffersonpva.ky.gov/property-search>
4. View agency comments at: <http://portal.louisvilleky.gov/codesandregs/mainsearch>. Enter your case number in the 'Permit/Case/Docket Number' search bar and then select your case under the 'Application Number' tab.

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Signature: 

Date: 3/28/2019

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

Please submit the completed application along with the following items:

Property information

- Land Development Reports for all properties included in the submittal¹
- A copy of the current recorded deed(s) for all properties included in the submittal² (*must show "End of Document" stamp on last page*)

Site plan and supporting documentation

- Two copies of the site plan, including the following elements.
 - Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
 - Vicinity map that shows the distance from the property to the nearest intersecting street
 - North arrow
 - Street name(s) abutting the site
 - Existing and proposed structures and parking spaces
- A Parking Study per Chapter 9.1.17 of the Land Development Code

Mailing labels to notify Adjoining Property Owners (APOs)³

- Notice of filing of this application is required to be mailed within 17 days of the filing deadline day. A copy of the notice should be provided to Planning & Design Services as soon as possible to be emailed to the Council District notification list. A notice template can be found on the Planning & Design website.
- One set of mailing label sheets for: 1st and 2nd tier APOs; 2nd through 6th class city, if applicable; those listed on the application; and any property owner within 100 feet of any on-street parking spaces or public parking lot proposed to be used to meet the requirements
- One copy of the APO mailing label sheets

Fee (cash, charge or check made payable to Planning & Design Services)

- Application Fee according to fee schedule below:

| <i>Number of parking spaces requested for waiver:</i> | <i>Fee:</i> |
|---|-------------|
| Reduction of fewer than 5 spaces or less than 10% | \$ 225 |
| Reduction of more than 10% but less than 30% or to exceed the maximum | \$ 375 |
| Reduction of 30%-50% | \$ 450 |
| Reduction of greater than 50% | \$ 675 |

- Clerk's Fee: \$25.50
(If two or more applications are submitted simultaneously for the same site, only one clerk's fee is required)

- Notice fee: \$1.00 per mailing label

Resources:

1. Land Development Reports can be obtained online by entering the site address at: <https://www.lojic.org/lojic-online>

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Contact Information:

Owner: *Check if primary contact*

Applicant: *Check if primary contact*

Name: Louis Adamson

Name: _____

Company: East Market Holdings LLC

Company: _____

Address: 2111 Edgeland St

Address: _____

City: Louisville State: KY Zip: 40204

City: _____ State: _____ Zip: _____

Primary Phone: 502-500-1888

Primary Phone: _____

Alternate Phone: _____

Alternate Phone: _____

Email: adamsonproperties@gmail.com

Email: _____

Owner Signature (required): _____

Attorney: *Check if primary contact*

Plan prepared by: *Check if primary contact*

Name: _____

Name: _____

Company: _____

Company: _____

Address: _____

Address: _____

City: _____ State: _____ Zip: _____

City: _____ State: _____ Zip: _____

Primary Phone: _____

Primary Phone: _____

Alternate Phone: _____

Alternate Phone: _____

Email: _____

Email: _____

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Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Louis Adamson, in my capacity as Authorized agent, hereby
representative/authorized agent/other

certify that East Market Holdings, LLC is (are) the owner(s) of the property which
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Parking Waiver Justification:

In order to justify approval of any parking waiver, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

For all Parking Waivers:

- 1. The Parking Waiver is in compliance with the Comprehensive Plan.

Yes, The building is being fully renovated to current code requirements, meeting objectives A1.1 – .5. The waiver would support business adding a complimentary enterprise to the 700 block of Market St. The property is on the first block outside the Downtown form district where there is no minimum.

- 2. The applicant made a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through joint use provisions.

We are creating as many spaces as possible at the rear alley area, plan bike parking and are willing to remove the front curb cut to add a metered space on Market Street.

For Waivers to reduce the minimum number of required parking spaces; OR use on-street parking spaces that are not directly adjacent to or abutting the development site; OR use parking spaces located in a public parking lot:

- 1. The requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use.

The rear property area can accommodate on space off the alley. The front property area is narrow and does not fit the recommended spacing for the steepest angled parking and isle which would still require vehilces to back out onto market street.

- 2. Adjacent or nearby properties will not be adversely affected.

Immediate mneighbors both have parking lots, and the A/C Marriot Hotel has a large parking garage. There is ample street parking in the area on Market, Clay, Shelby and Main Streets.

- 3. The requirements found in Table 9.1.2 do not accurately depict the parking needs of the proposed use and the requested reduction will accommodate the parking demand to be generated by the proposed use.

The calculation and applicable credits call for 11 spaces for the gross square footage, although more than half our building will be used for private room rentals where occupancy is limited.

- 4. There is a surplus of on-street or public spaces in the area that can accommodate the generated parking demand.

Metered parking exists on Market Street, and there is street parking on all surrounding city blocks on Clay, Shelby, Main and Jefferson Streets. The A/C Hotel parking garage is also open to the public.

Waivers to provide more parking spaces than the maximum allowed:

- 1. The requirements found in Table 9.1.2 do not allow the provision of the number of parking spaces needed to accommodate the parking needs.

[Empty box]

- 2. The requested increase is the minimum needed to do so.

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Parking Waiver Application

Louisville Metro Planning & Design Services

Case No.: 19Park1000 Intake Staff: KP

Date: 3/28/19 Fee: \$713.00

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/government/Planning-Design>.

Project Information:

Type of parking waiver(s) proposed (please check all that apply):

- Parking Waiver to reduce minimum parking requirement from 11 spaces to 1
- Parking Waiver to increase maximum parking allowed from _____ spaces to _____
- Parking Waiver to use on-street parking spaces that are not directly adjacent or abutting the site
- Parking Waiver to use parking spaces located in a public parking lot

Primary Project Address: 717 E Market Street, Louisville, KY 40202

Additional Address(es): N/A

Primary Parcel ID: 017D01170000

Additional Parcel ID(s): N/A

Proposed Use: Bar/Night Cl;ub Existing Use: Office/Warehouse

Deed Book(s) / Page Numbers²: DB 11303 Page 946-948

The subject property contains .0147 acres. Number of Adjoining Property Owners: 4

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: _____ Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

