

**Development Review Committee**  
**Staff Report**  
June 20, 2018



|                         |                              |
|-------------------------|------------------------------|
| <b>Case No.</b>         | 18WAIVER1015                 |
| <b>Project Name</b>     | Hooked on Frankfort          |
| <b>Location</b>         | 3202 Frankfort Avenue        |
| <b>Owner</b>            | Sonyajean Inc.               |
| <b>Applicant</b>        | EC Design                    |
| <b>Jurisdiction</b>     | Louisville Metro             |
| <b>Council District</b> | 9 – Bill Hollander           |
| <b>Case Manager</b>     | Beth Jones, AICP, Planner II |

**REQUEST(S)**

Parking Waiver request to reduce the required number of spaces for a sit-down restaurant from ten to five (LDC Table 9.1.2E)

**CASE SUMMARY/BACKGROUND**

The applicant is converting part of an existing structure from use as a laundromat to a sit-down restaurant with an outdoor patio. The 0.23 acre site is located on the south side of Frankfort Avenue at the corner of Crabbs Lane, an alley, between Crestwood and McCready Avenues. It is developed with a single building containing two commercial uses, one of which is the subject use.

A CUP request for outdoor alcohol sales and consumption for a restaurant in the C-1 zoning district (LDC 4.2.41) was heard and granted on May 7, 2018 (17CUP1035).

Adjoining parcels to the east and west are zoned C-1. Three parcels to the west adjoin the proposed deck area across Crabbs Lane at their rear property lines. These parcels are in commercial, multi-family residential and single-family residential uses. The adjoining parcel to the east is in commercial use and all parcels to the north and south are single-family residences. A railroad track is located across from and parallel to Frankfort Avenue.

Under normal conditions, a parking waiver reduction of 10% or less or five spaces or less may be reviewed by the Planning Director (LDC 9.1.16.A.3.) after proper notification of neighboring property owners. Due to comments received regarding the waiver request, the review has been referred to the Development Review Committee (DRC).

The change in use results in a requirement of ten spaces, a net increase of five over the existing parking. There is no available space on the site for these additional parking spaces. There are twelve existing pull-in spaces on the site and nine existing on-street parking spaces along Frankfort Avenue directly across from the site. None of these may be credited toward the parking requirement because the spaces on the site are non-conforming and because there is no existing signaled pedestrian crossing to the on-street spaces.

## **STAFF FINDING**

Parking sufficient to meet requirements for the proposed restaurant use exists on or near the site but may not be credited toward requirements due to extenuating circumstances.

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

## **TECHNICAL REVIEW**

There are no remaining unresolved technical issues.

## **INTERESTED PARTY COMMENTS**

Staff has received comments on this request regarding availability of on-street parking spaces and traffic issues. These comments have been forwarded to DRC members in advance of the hearing.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR PARKING WAIVER REQUEST TO REDUCE THE REQUIRED NUMBER OF SPACES FOR A SIT-DOWN RESTAURANT FROM TEN TO FIVE (LDC TABLE 9.1.2E)**

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

STAFF: The waiver will not adversely affect adjacent property owners since the existing parking is to remain and additional parking is available along Frankfort Avenue in the vicinity of the subject site that will not affect nearby residential uses.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: Guideline 1 B.3: The proposed use is within a neighborhood center with a mixture of uses such as offices, retail shops, restaurants and services at a scale that is appropriate for nearby neighborhoods and is located on a major or minor arterial. Guideline 2 A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment. Guideline 3 A.4/5/6/7: The proposal does not constitute a non-residential expansion into an existing residential area. Guideline 5 A.2/4: The proposal includes the preservation, use or adaptive reuse of buildings.

- (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.

## **REQUIRED ACTION**

- **APPROVE** or **DENY** the parking waiver request to reduce the required number of spaces for a sit-down restaurant from ten to five (LDC Table 9.1.2E).

**NOTIFICATION**

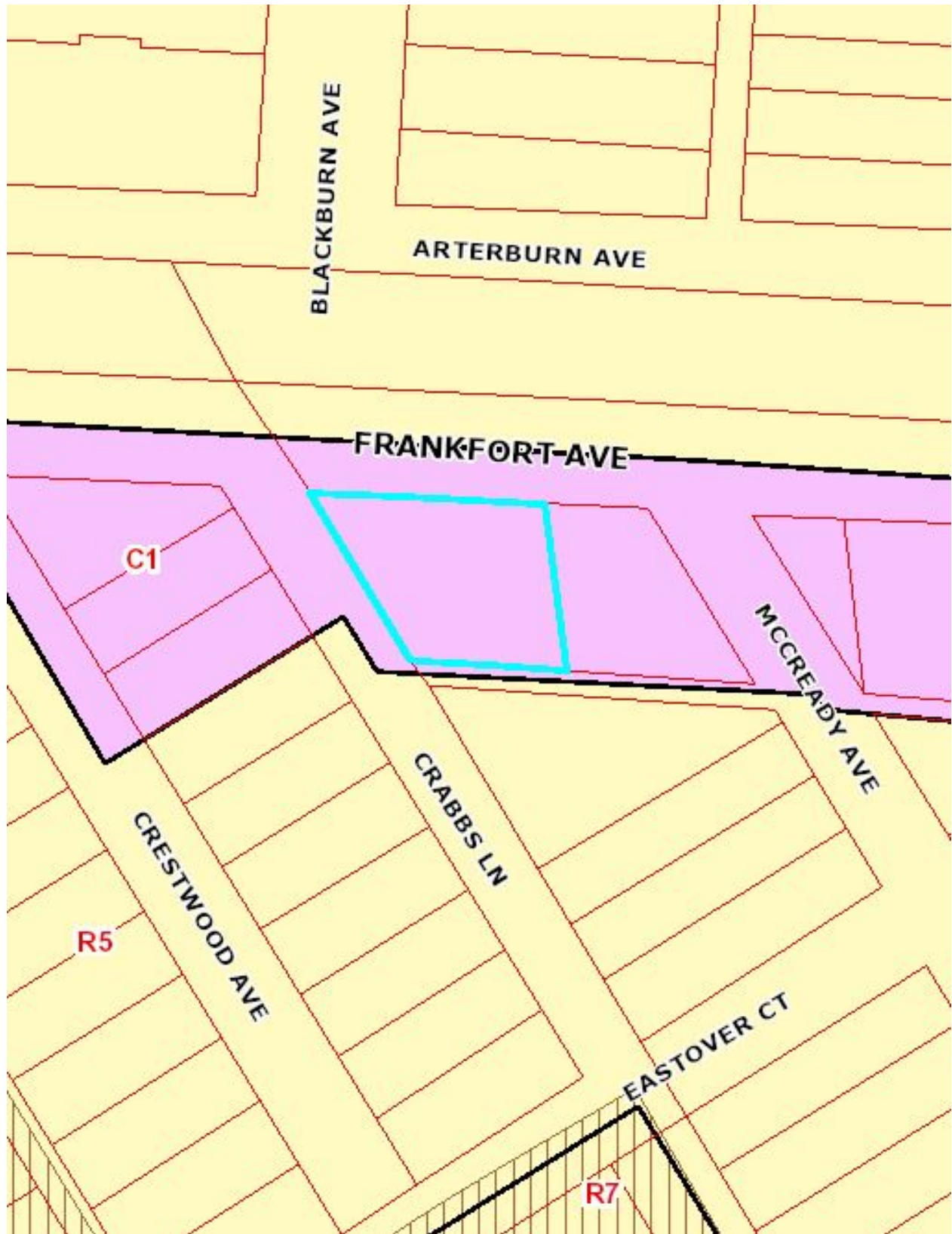
| Date      | Purpose of Notice  | Recipients   |
|-----------|--------------------|--|
| 5/15/2018 | Hearing before DRC | 1st and 2nd Tier Property Owners<br>Registered Neighborhood Groups in Council District 9<br>Responders to Notice of Parking Waiver |

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

DRAFT

1. Zoning Map





2. Aerial Photograph

