

Land Development and Transportation Committee Staff Report March 27, 2025



Case No:	25-ZONE-0006
Project Name:	Dutch Bros – S 3 rd St
Location:	3145 R, 3147, 3151, 3153 S. 3 rd St
Applicant:	Bowman Consulting Group
Representative:	Bowman Consulting Group
Jurisdiction:	Louisville Metro
Council District:	15 – Jennifer Chappell
Case Manager:	Mark Pinto, Planner II

REQUEST(S)

- **Change in zoning from R-6 Residential Multi-Family to C-1 Commercial.**
- **Variance** from Land Development Code (LDC) 5.5.1.A.2 to allow the building to not be located within 0'-5' of the corner (24-VARIANCE-0160).
- **Waivers:**
 1. **Waiver** from LDC 10.2.4 to waive the required 15 ft. property perimeter LBA along the northern property line. (25-WAIVER-0017)
 2. **Waiver** from LDC 5.5.1.A.3.a to allow parking and drive-through lanes to be located between the building and right-of-way. (25-WAIVER-0018)
- **Detailed District Development plan** with binding elements.

CASE SUMMARY

The subject site is located near the intersection of Cardinal Station Boulevard and S. 3rd Street, S. 2nd Street is to the rear. The site is approximately 0.54 acres, currently zoned R-6 Multi-Family, within the Traditional Neighborhood form district, and vacant with no existing structures. The applicant has proposed to rezone the properties to C-1 Commercial to allow for a drive-through coffee shop restaurant.

STAFF FINDING

Staff finds the proposal is ready for a public hearing before the Planning Commission.

TECHNICAL REVIEW

Land Development Code (2025) Louisville Metro

Transportation Planning and MSD have preliminarily approved the proposal.

INTERESTED PARTY COMMENTS

All interested party comments staff receives shall be incorporated into the record.

REQUIRED ACTIONS:

- **SET** the public hearing date for Planning Commission.

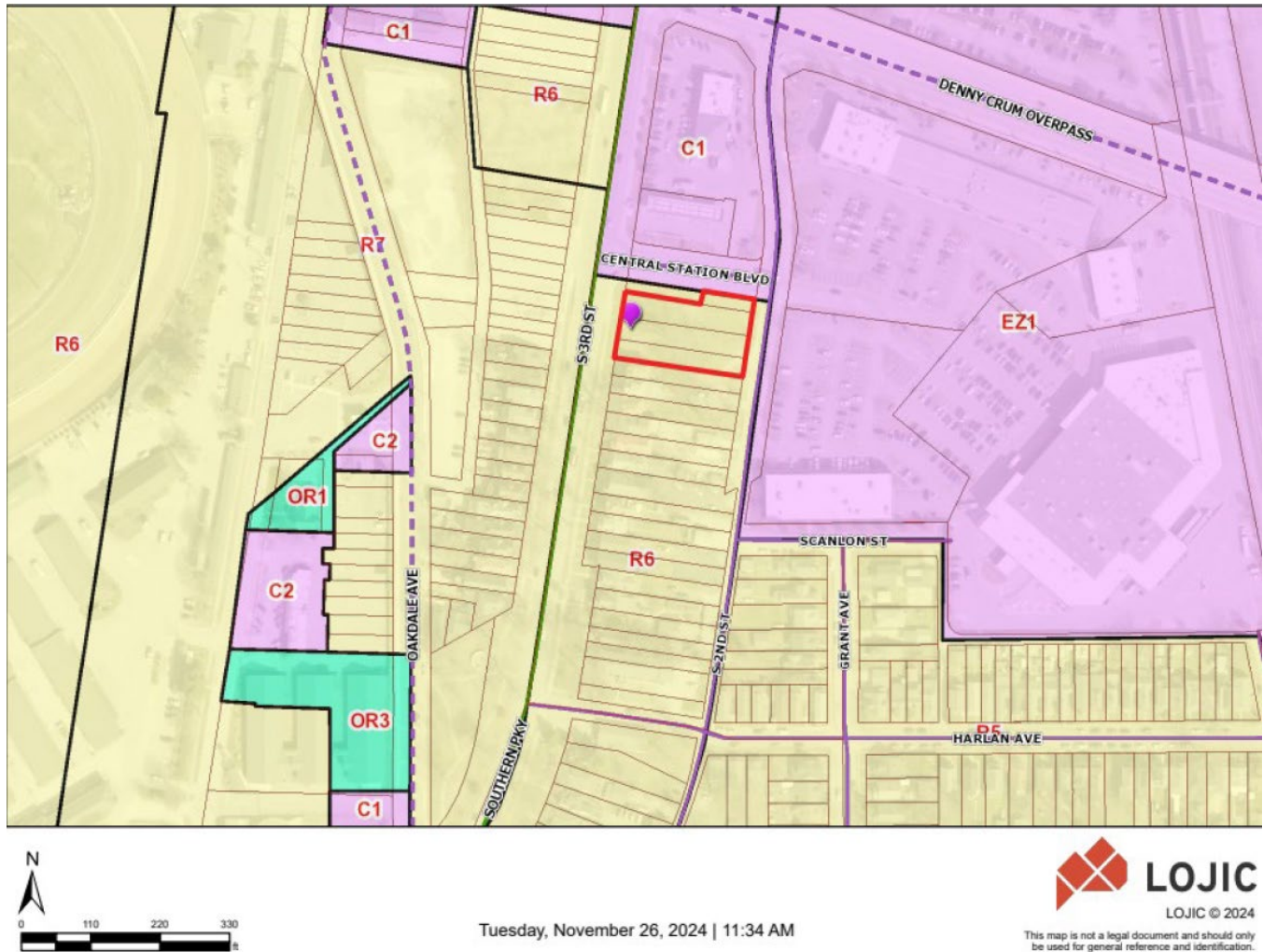
NOTIFICATION

Date	Purpose of Notice	Recipients
3/17/2025 3/14/2025	Hearing before LD&T	1 st and 2 nd tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 15
TBD	Hearing before PC	1 st and 2 nd tier adjoining property owners and current residents Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 15
TBD	Hearing before PC	Sign Posting on property
TBD	Hearing before PC	Legal Advertisement in the Courier-Journal

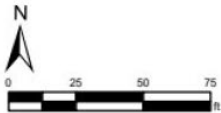
ATTACHMENTS

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

1. Zoning Map



2. Aerial Photograph



Tuesday, November 26, 2024 | 11:35 AM



LOJIC © 2024

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

3. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument OR A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - e. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the _____ Planning Commission meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
5. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.