

# Development Review Committee

## Staff Report

March 19, 2025



<b>Case No:</b>	25-PARKWAIVER-0002
<b>Project Name:</b>	7 Brew Coffee (Dixie Hwy)
<b>Location:</b>	10645 Dixie Highway
<b>Owner(s):</b>	Kroger Limited Partnership I
<b>Applicant:</b>	7 Brew Team KY, LLC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	25 – Khalil Batshon
<b>Case Manager:</b>	Kaitlin Dever, Planner I

### **REQUEST(S)**

- **Parking Waiver** from Land Development Code (LDC) Table 9.1.3B to exceed the 8 maximum permitted parking spaces by 3 spaces, for a total of 11 parking spaces.

### **CASE SUMMARY**

The subject site is approximately 0.5 acres zoned C-2 Commercial in the Suburban Marketplace Corridor form district, located on Dixie Highway to the north of its intersection with the Gene Snyder Freeway. The property is currently used as off-street parking for a grocery store and other commercial outlets. The applicant is proposing to subdivide the lot and construct a drive-thru restaurant with vehicular access from an internal drive serving the nearby commercial properties. The extent of the development does not meet the Form District threshold for additional review; however, the applicant is requesting to exceed the maximum permitted parking of 8 spaces by 3 spaces for a total of 11 parking spaces (including 1 ADA accessible space).

### **STAFF FINDING**

The requested Parking Waiver is not adequately justified for approval based on staff's analysis contained in the standard of review. The Development Review Committee should further discuss the appropriate method of obtaining parking for the site to meet the demonstrated demand for the proposed use.

### **TECHNICAL REVIEW**

This site is subject to the Dixie Highway Corridor Master Plan (2013). The plan encourages combining parking lots to create shared parking (p. 37). Parking adjacent to the street or public sidewalk should use landscaping, trees, etc. to maintain the line formed by structures along the sidewalk (p. 37). Parking lot landscaping such as shade trees and screens that buffer vehicles should be encouraged (p. 37). Parking should generally be located behind outparcel development and in front of "big box" development (between the two) (p. 37).

## **INTERESTED PARTY COMMENTS**

No interested party comments have been received by staff.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR PARKING WAIVER**

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

STAFF: Plan 2040 Community Form Goal 1 Policy 3.1.8 characterizes the Suburban Marketplace Corridor form district as a pattern of development distinguished by a mixture of medium- to high-intensity uses on major roadways. Accommodation for transit users, bicyclists, and pedestrians are encouraged in an effort to attract a variety of users as well as to minimize automobile dependency and traffic congestion. Connectivity to nearby uses should be encouraged. Developers should be encouraged to design new commercial development in compact groups of building, which use the same curb cut, share parking, and have a common freestanding sign identifying the uses and have a common buffering or streetscape plan with respect to any abutting uses of lower density or intensity.

Mobility Goal 2 Policy 1 advocates for the provision of transportation facilities and systems that accommodate all users and allow for context sensitive solutions that recognize the distinguishing characteristic of each of the Form Districts. Mobility Goal 3 calls to ensure that transportation facilities of new developments are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. Where appropriate, provide at least one continuous roadway through the development to tie all local access roads or parking areas to the arterial street system. The proposal accommodates for some transit users in the provision of vehicular parking, bicycle parking, and its proximity to public transportation facilities. The site will be served by an internal drive with no direct access to the Dixie Highway major arterial to reduce traffic and is compatible with the pattern of development in the surrounding area.

Mobility Goal 3 Policy 4 states that parking requirements should take into account the density and relative proximity of residence to businesses in the market area, the availability and use (both current and potential) of multi-modal transportation options, the character and pattern of the Form District, and advances in technology. Additional consideration include hours of operation and opportunities for shared parking may be factored on a site-by-site basis. On-site parking standards should reflect the availability of on-street, shared, and public parking spaces. Parking standards should include the minimum and maximum number of spaces required based on the land use and pattern of development in the area. The site will be served by public transportation facilities such as TARC. The subject site is located on a major arterial roadway in a heavily commercial corridor with multi- and single-family zoning districts in the vicinity.

The parking study submitted in accordance with LDC Section 9.1.17 does indicate that parking demand exceeds the maximum permitted by the LDC in similar market areas. On-street parking is not available for this site. However, this parcel is owned by the same property owner of the larger development at 10645 Dixie Highway. The site could utilize shared parking agreement with the property owner at 10645 Dixie Highway to obtain additional off-site parking to accommodate the demand of the proposed use, as recommended by the Plan 2040 Suburban Marketplace Corridor guidelines, Dixie Highway Corridor Master Plan, and as suggested by staff.

- (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 made a good faith effort to provide as many parking spaces as possible on the development site, but did not do so in considering other property under the same ownership or through joint use provisions. This parcel is owned by the same property owner of the larger development at 10645 Dixie Highway. The site could have benefitted from a shared parking agreement with the property owner at 10645 Dixie Highway to obtain additional off-site parking to accommodate the demand of the proposed use, as recommended by the Plan 2040 Suburban Marketplace Corridor guidelines, Dixie Highway Corridor Master Plan, and as suggested by staff. The layout of the site could have allowed for a pedestrian access to shared parking spaces to the north or south of the subject site within the existing parking lot at 10645 Dixie Highway, and would have supported the peak demand and staff shift changes that necessitate more parking.

- (c) The requirements found in Table 9.1.3B do not allow the provision of the number of parking spaces needed to accommodate the parking needs of the proposed use; and

STAFF: The requirements found in Table 9.1.3B do not allow the provision of the number of parking spaces needed to accommodate the parking needs of the proposed use. The LDC does not account for the peak demand and staffing changes of small-scale drive-thru restaurant uses which do not meet the anticipated definition and parking requirements of a standard restaurant use. The applicant is requesting to provide a number of on-site parking spaces reasonably supported by the parking study of similar sites to meet the market demand of the proposed use.

- (d) The requested increase is the minimum needed to do so.

STAFF: The requested increase is the minimum needed to accommodate use as supported by the applicant's parking study of similar sites in Jeffersonville, IN and Kingsport, TN. The parking study demonstrates that peak demand occurs in the morning, varying from 9-12 occupied parking spaces. The requested maximum parking is 11 spaces, including an ADA accessible space.

### **REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Parking Waiver** from Land Development Code (LDC) Table 9.1.3.B to exceed the 8 maximum permitted parking spaces by 3 spaces, for a total of 11 parking spaces.

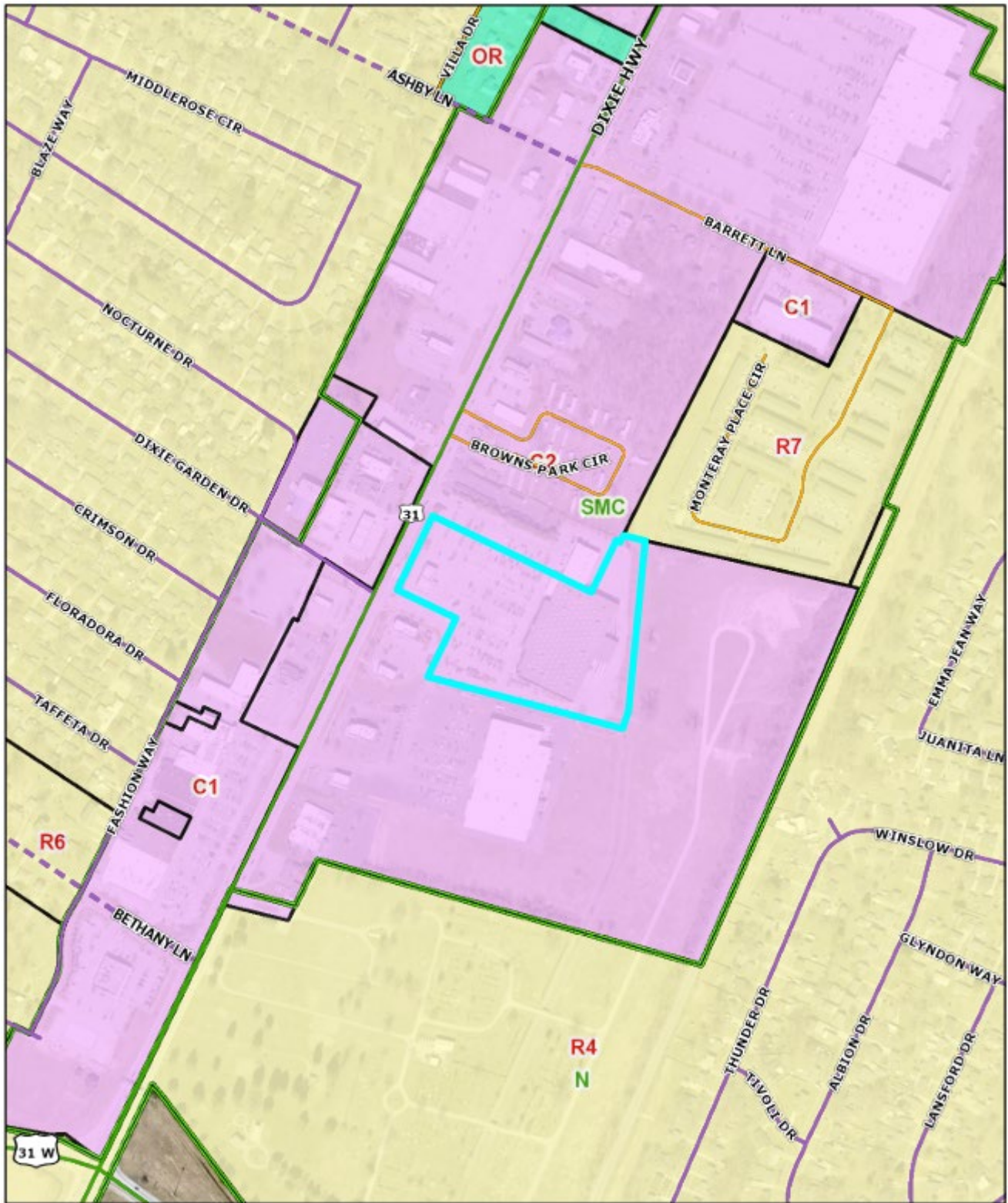
### **NOTIFICATION**

Date	Purpose of Notice	Recipients
3/4/2025	Hearing before DRC	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners and current residents Metro Council District 25 Representative Registered Neighborhood Groups in Council District 25

### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map





2. Aerial Photograph

