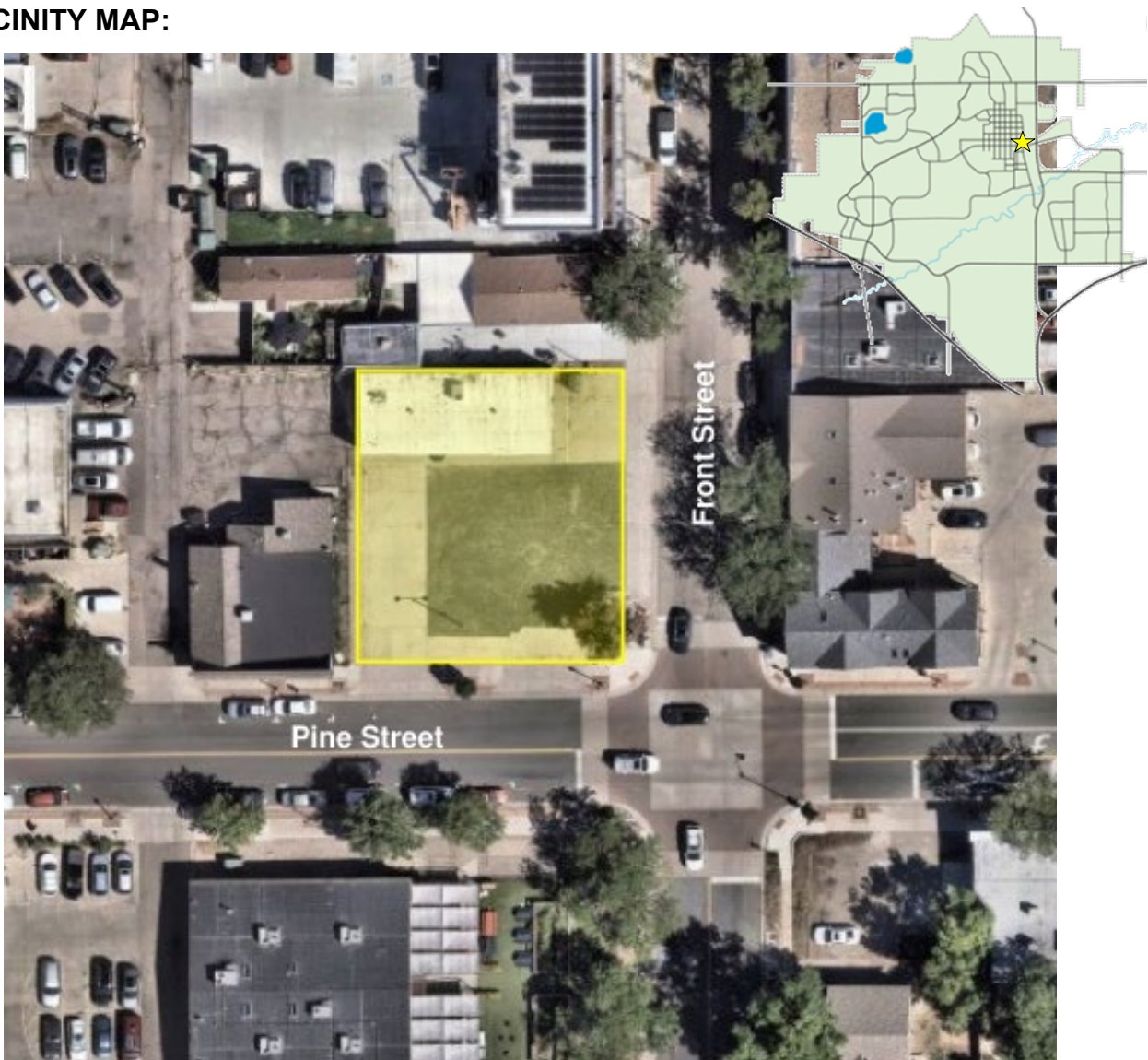


SUBJECT: RESOLUTION NO. 51, SERIES 2024 – APPROVING A PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT AND SPECIAL REVIEW USE TO ALLOW CONSTRUCTION OF A 728 SF ADDITION TO AN EXISTING BUILDING TO ESTABLISH OUTDOOR DINING AND OUTDOOR COMMERCIAL AMUSEMENT USES WITH A BAR AND RESTAURANT LOCATED AT 947 PINE STREET

DATE: NOVEMBER 4, 2024

PRESENTED BY: MATT POST, SENIOR PLANNER - COMMUNITY DEVELOPMENT

VICINITY MAP:



SUMMARY:

The applicant, Construction Concepts, LLC, is requesting approval of a Planned Unit Development (PUD) Amendment and Special Review Use (SRU) to allow outdoor dining and outdoor commercial amusement, with a bar and restaurant. The proposed development will include a 728 square-foot addition to the existing structure that will accommodate indoor virtual golf with a bar and restaurant. Exterior improvements will include outdoor dining and seating areas with a 1,634 square-foot miniature golf course.

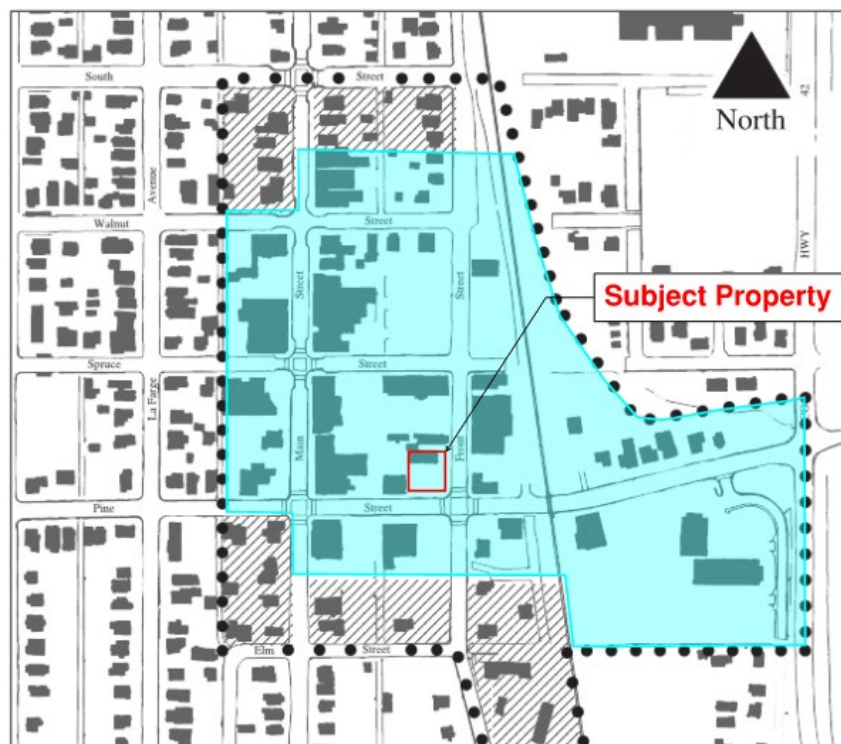
BACKGROUND:

The existing building and use were entitled as part of the George Oil PUD and Special Review Use approved in 1988 which established a fueling station and grocery store on the subject site.

The property is zoned Commercial Community (C-C) and is subject to the [Downtown Louisville Design Handbook](#) ("Design Handbook") and [Downtown Louisville Framework Plan](#) ("Framework Plan"). The Design Handbook and Framework Plan designate two character areas in Downtown, the "Core Area" and the "Transition Area." The map below shows the Core Area highlighted in blue and the Transition Area crosshatched. The Core Area is the traditional business center for Downtown while the Transition Area includes a mix of traditional commercial and residential uses. The Transition Area features policies that mandate shorter building heights and reduced density when compared to the Core Area. This approach facilitates the transition of buildings between the commercial core and the nearby residential neighborhoods.

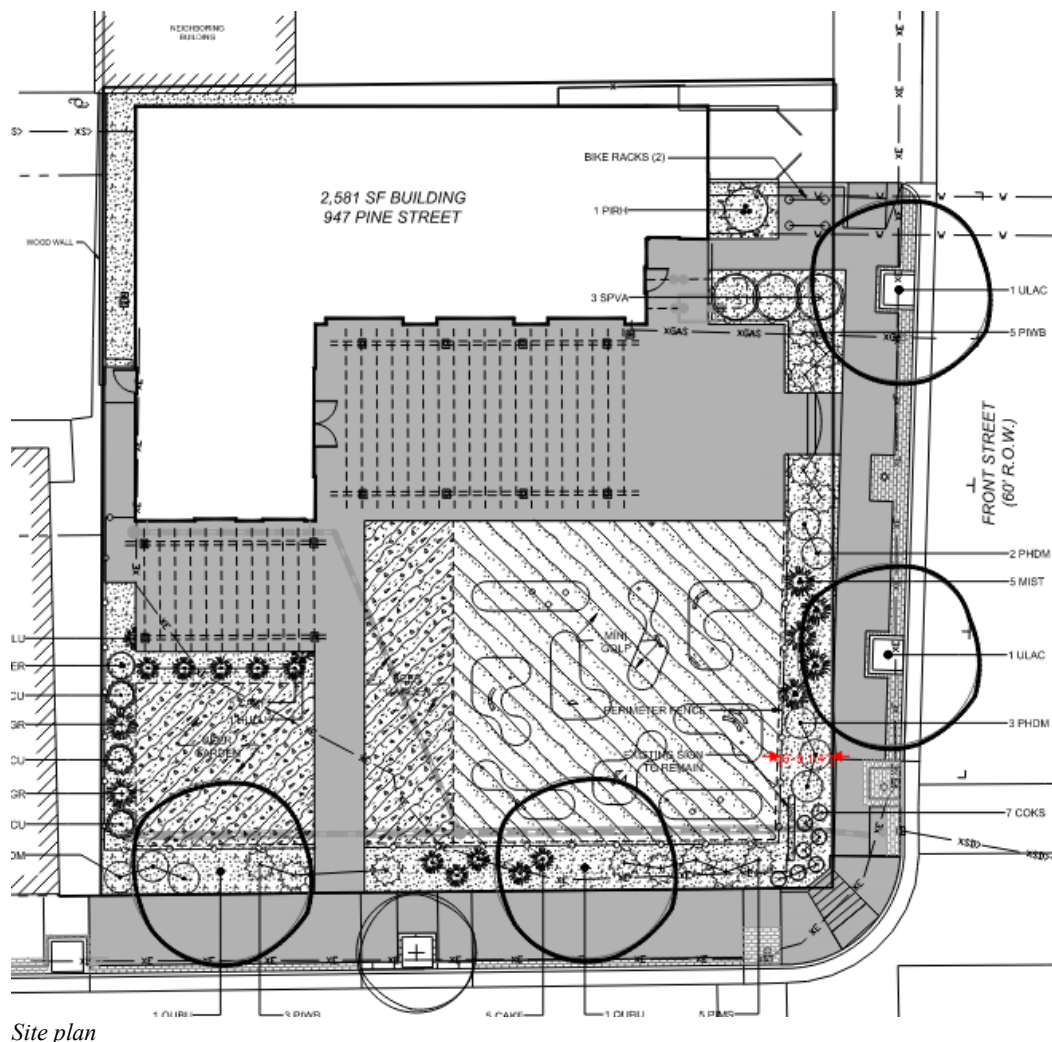
PROPOSAL:**PUD/SRU Proposal**

The applicant has proposed a 728 square-foot addition to the existing structure for a total building size of 2,608 square feet. The expanded structure will house indoor virtual golf with a bar and small eatery. Exterior improvements will include dining and



Downtown Map with Core Area in Blue and Transition Area is Crosshatch

The subject property is a corner lot with frontage on both Pine Street and Front Street, which holds a prominent location near a highly trafficked entry point to Downtown Louisville. The proposed addition on the west side of the site will bring the building closer to Pine Street with activated exterior space proposed behind the public sidewalks on both street-adjacent sides of the site. Pergolas are proposed on the south side of the buildings which will provide additional visual interest and further activate the exterior space, according to the applicant. A low, decorative, open-style fence will be installed within a six – seven-foot landscape buffer around the site which the applicant has designed to define the edge of the pedestrian way.



Current conditions on site include two vehicle curb cuts on Pine Street, and a vehicle curb cut and five head-in parking spaces on Front Street. The parking spaces on Front Street are configured such that existing vehicles would back out over the sidewalk and into the street right-of-way, which would not be permitted under currently adopted standards. When combined with the curb cut, the total length of vehicular access points is roughly 84 feet of a 105-foot property line on Front Street, and roughly 50 feet of 95-foot property line on Pine Street. Twelve parking spaces are currently present on site.

According to Louisville Municipal Code (LMC) [Sec. 17.20.025](#), developments in Downtown Louisville must provide one off-street parking space for every 500 square feet of nonresidential floor area, except that the first 999 square feet of new or additional floor area are exempt from parking requirements. Because the addition is 728 square feet, parking ratio requirements will be applied to the existing building square footage of 1,880 square feet. As such, four off-street parking spaces are required.

In an effort to increase walkability in Downtown Louisville and reduce the likelihood of vehicle-pedestrian conflicts near the site, staff recommended that the applicant satisfy the parking requirement with a nonrefundable parking improvement fee in lieu (LMC [Sec. 17.20.025.G](#)) to be paid into the



Site rendering

Downtown Parking Improvement Fund. The fee is \$23,521 per required parking space to be paid in full when the first building permit is issued for construction. The applicant has agreed to pay the parking improvement fee and has designed the site accordingly. No off-street parking is proposed with this development.

The closure of vehicle access points on the site will permit the construction of full-width, unimpeded sidewalks that will match existing public improvements in the direct vicinity of the site. Additional streetlights and street trees will be installed on both Pine Street and Front Street, and seven to eight new on-street, public parking spaces will be provided directly adjacent to the site.

Staff support the applicant's intent to pay into the Downtown Parking Improvement Fund to satisfy the off-street parking requirement.

Additional site improvements include four bicycle parking spaces and an enclosed trash container in the northeast corner of the site. Site lighting includes downcast and shielded fixtures, with low wattage, low temperature string lights mounted above the outdoor dining and miniature golf area.

Pursuant to Louisville Municipal Code (LMC) [Sec. 17.12.030](#), outdoor eating and drinking establishments and outdoor commercial amusement (miniature golf) are permitted as SRUs in the C-C zone district. The applicant has provided rationale for the use, and staff have provided further analysis below. Staff recommend approval of both SRUs.

The property includes a Landmarked sign on the southeast corner of the site. The sign currently bears the Shamrock logo from the most recent fueling station/convenience store use. However, it is Landmarked as the [Standard Oil Sign](#). The sign will remain in place with this development proposal, and the applicant may change the sign copy with an alteration certificate from the Historic Preservation Commission.

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Standard Oil Sign

947 Pine Street

The Standard Oil Sign is designated as an iconic sign by the City of Louisville. The sign was installed in 1961 when the current building was constructed. However, the property has been used as a gas station since Fred Eberharter started Eberharter Service Station in 1929.



Photo courtesy of the Louisville Historical Museum.

Landmarked sign

The applicant has requested two waivers to facilitate redevelopment of this site. The first waiver request is for relief from the 20-foot rear setback standard that applies to the

CITY COUNCIL COMMUNICATION

north property line. The existing building setback on the north side of the property is 2.5 feet. The applicant intends to extend the building by 8.3 feet while maintaining the existing setback on the north, therefore the waiver request is necessary.

The second waiver request is for relief from the 10-foot side interior setback on the west side of the site. The existing building setback is 4.3 feet, and the applicant intends to extend the building by 28 feet while maintaining the existing setback.

ANALYSIS:

Staff analysis includes a review of applicable Design Louisville Design Handbook policies followed by the waiver criteria, and the SRU criteria. The PUD review criteria are included as an appendix.

Design Handbook for Downtown Louisville

Any PUD within Downtown is subject to the Design Handbook policies. Staff have highlighted the following policies that are applicable to the project, along with staff's analysis in italics. Policies are broken out by categories of General Standards and Guidelines ("G") applicable to all areas of Downtown and Core Area Standards and Guidelines ("C"). Not all policies need to be met for approval or support of a project, but all projects should seek to meet all applicable policies when appropriate. Please reference pg. 4 of the Design Handbook for further discussion on how the policies are structured as either mandatory or only encouraged. Each policy is followed by staff's analysis in italics.

G1. All projects should respect the traditional context of downtown.

- 1) In all cases, consideration should be given to the broader context of the block and the town at large.

This block of Front Street is comprised of a mix of commercial uses, including offices, retail, and a restaurant. Pine Street includes bars, restaurants and entertainment uses with structures pulled directly to the street. Building heights and form vary significantly from historic one-story structures to two-story modern office and commercial buildings. The applicant has considered directly adjacent building forms and site improvements in their design.

G4. Develop the street and alley edges of a property to be at a pedestrian scale.

- 1) Provide visual interest on all facades which will be seen from streets, alleys and pedestrian ways.
- 3) Buildings should express human scale, through materials and forms that are familiar building elements in town.
- 4) Use varied building setbacks and changes in materials to create interest and reduce the perceived scale of buildings along alleys.

The building materials at the ground level is predominantly smooth wood siding with a traditional 6-inch exposure and brick. Both street front elevations utilize large glass and storefront displays to engage pedestrians and allow visual connection to interior activities. No parking is proposed on site, allowing for expanded and continuous sidewalks where they did not exist previously. The addition to the existing structure will create varied setbacks with material variation.

G10. Minimize the visual impacts of site and architectural lighting.

- 1) Prevent glare onto adjacent properties by using shielded and focused light sources that direct light onto the ground.
- 2) Un-shielded, high intensity light sources and those which direct light upward will not be permitted.
- 3) Shield lighting associated with service areas, parking lots and parking structures.
- 4) Avoid placing lights in highly visible locations, such as on the upper walls of buildings.

All lighting is full cut off to minimize glare, while the proposed string lights are low wattage and low temperature.

G11. Provide site lighting that encourages pedestrian activity at night.

- 1) Site lighting should be at a pedestrian scale and help define different functional areas of the property.

The development will include additional streetlights along Front Street and Pine Street to encourage pedestrian street activity.

G13. Where appropriate, design a parking area to be accessed from an alley rather than the street.

- 1) In a residential context, the use of a detached garage, located along the alley, is especially encouraged.

The project includes no parking on site and is instead adding public street parking.

G15. Locate parking such that it will be subordinate to other site features.

- 1) An on-site parking area should be located inside or behind a building, where its visual impacts will be minimized.

No parking is included on site.

G20. New construction should appear similar in mass and scale to structures found traditionally in the area.

The design takes inspiration from the flat/low-slope roof form of 637 Front Street and the gable roof form of 702 Front St, directly adjacent to the site. The proposed height of the structure is 24 feet, which is similar to or less than existing heights on Front Street.

G24. New interpretations of traditional building styles are encouraged

- 1) A new design that draws upon the fundamental similarities among traditional buildings in the community without copying them is preferred. This will allow them to be seen as products of their own time yet compatible with their older neighbors.

Staff find the new construction is differentiated from the existing, historic buildings in Downtown and appears as a product of its own time while maintaining historic elements.

G29. Maintain the existing range of exterior wall materials found in downtown.

- 1) Appropriate materials for primary structures include horizontal and vertical siding, shingles and brick.
- 2) The lap dimensions of siding should be similar to those found traditionally. Typically 4-6 inches exposed.
- 6) For larger buildings, consider a combination of appropriate materials as a means to reduce the apparent size of the project.

Staff find brick is an appropriate material for the primary façade of a Downtown building. The façade also include smooth lap siding similar to traditional siding in Downtown. The use of materials that includes brick and pedestrian-scale windows. The colors were selected from a historic color preservation palette.

G31. New materials may be considered, if they appear similar in character and detailing to those used traditionally.

- 3) Details of hard board siding, and their joints, should match that of traditional wood siding.

Staff find the use of brick and horizontal siding matches traditional materials and form in Downtown.

C3. Maintain the average scale of one-story buildings at the sidewalk.

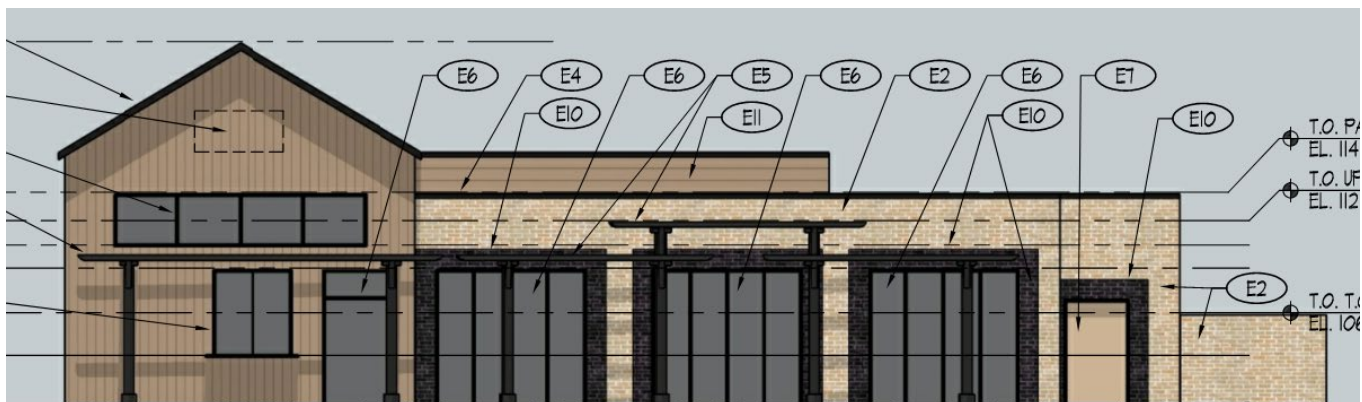
- 1) Traditionally, most commercial storefronts in this area were one- or two-stories in height and, while each block contained a mix of these heights, an overall sense of unity in scale was established.
- 2) In larger projects, a mix of one- and two-story modules should be used to maintain variety in heights.
- 3) New construction should present a tall one-story or two-story facade at the front property line. This facade height should not exceed 30 feet.
- 4) Floor-to-floor heights should also appear similar to those buildings seen traditionally.

The use of the storefront windows and horizontal wood siding help to provides a one-story visual element to help reinforce the pedestrian scale of the building. Staff finds the intent of this policy is met with the building design.

C7. Rectangular forms should be dominant on Core Area facades.

- 1) The facade should appear as predominantly flat, with any decorative elements and projecting or setback “articulations” appearing to be subordinate to the dominant form.

The building and building elements are predominantly rectangular in form.



C9. Use a flat roof line as the dominant roof form.

- 1) Historically, commercial roof forms were flat, sloped or gabled, but each had a false front that gave the appearance of a flat roof as seen from the street.
- 2) False fronts and parapets should be considered for new buildings with gabled roof forms.
- 3) Parapets on side facades should step down towards the rear of the building.

The dominate roof form is flat, though gable designs are included.

Waiver Criteria

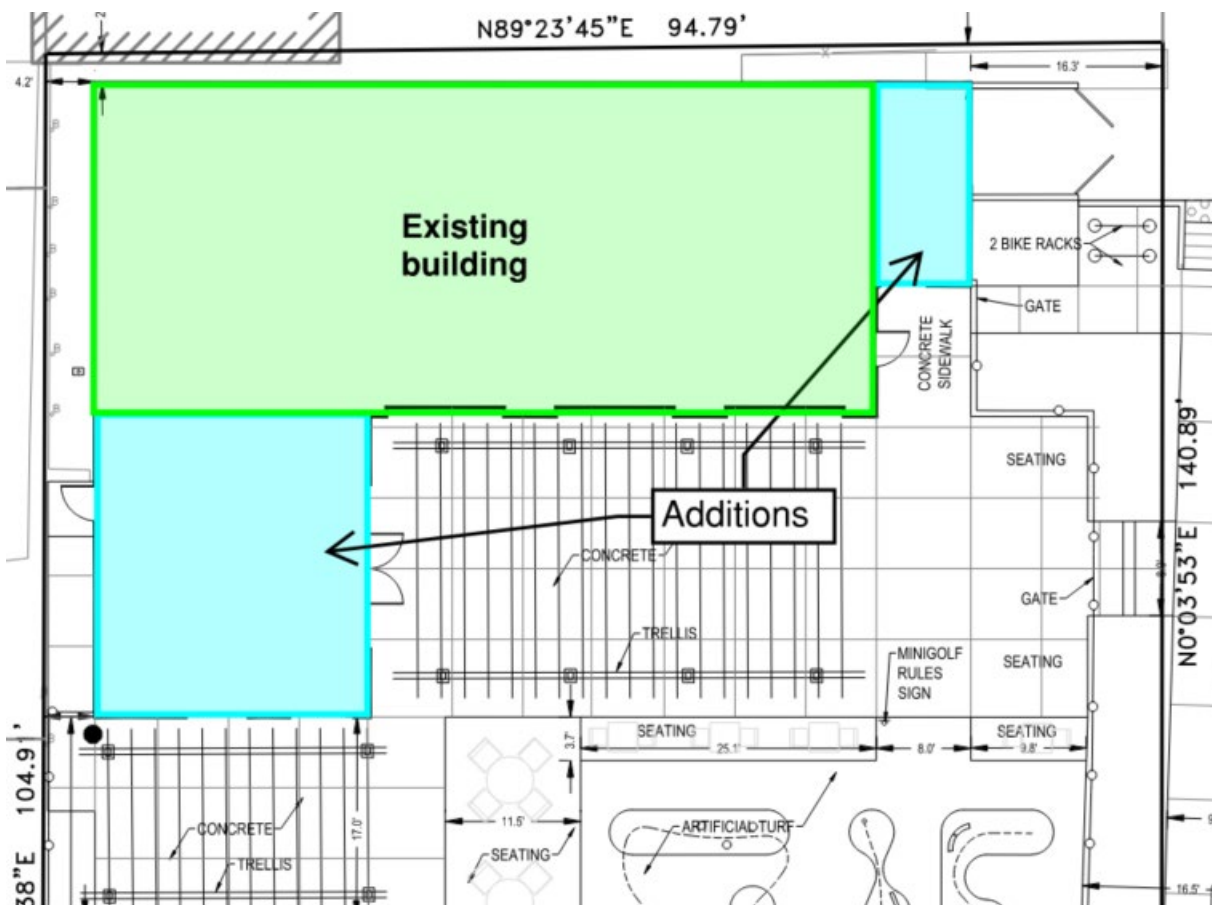
The applicant has requested two waivers to support the redevelopment of the site.

The first waiver seeks relief from the 20-foot rear setback requirement along the north side property line. The existing building is setback 2.5 feet on the north side, and the applicant plans to extend the building by 8.3 feet while retaining the existing setback.

The second waiver requests relief from the 10-foot side interior setback on the west side of the site. The existing setback is 4.3 feet, and the applicant intends to extend the building by 28 feet while retaining the current setback.

Staff find that the side interior and rear setbacks applicable to the C-C zoning district are limiting for this corner property in Downtown Louisville. Existing and historic development patterns in the core area of downtown include conditions with minimal side and rear setbacks, which support the traditional development context present.

The requested waivers will allow for the adaptive reuse of the existing building while retaining a large portion of the site as functional and activated open space. Adjacent property impacts are anticipated to be limited as the applicant is continuing an existing condition on site. Staff recommend approval of the waivers as requested.



Proposed additions – waiver exhibit

Special Review Use

Pursuant to Louisville Municipal Code (LMC) Sec. 17.12.030, outdoor eating and drinking establishments and outdoor commercial amusement (miniature golf) are permitted as SRUs in the C-C zoning district.

SRUs shall be reviewed against the criteria listed in LMC Sec. 17.40.100 to determine whether the proposed use is compatible with the surrounding area and if any conditions

on the use may be appropriate. Staff's analysis of the SRU review criteria is provided below.

1. That the proposed use/development is consistent in all respects with the spirit and intent of the comprehensive plan and of this chapter, and that it would not be contrary to the general welfare and economic prosperity of the city or the immediate neighborhood;

The Comprehensive Plan (Plan) envisions "a healthy and vibrant Downtown"

(Policy LU-4.2) with a "mix of uses that bring new revenue generation to the Downtown area" (Policy ED-5.3). The Comprehensive Plan classifies Downtown Louisville as Center type development and describes Center development by the following:

Centers are defined by their mixture of uses (retail, commercial, and residential), street interconnectivity, and integrated public spaces. A center's physical design is that of a destination or gathering point for city-wide activities. Centers are connected to and oriented toward their adjacent land uses. Centers typically have the greatest retailing opportunities. Centers feature integrated public spaces with a recognized public space, or focal point.

*The Downtown Louisville Framework Plan includes a goal to "Maintain downtown as a vibrant, mixed-use activity center". The use and activation of this previously vacant site will improve economic activity and vibrancy of downtown while also improving the streetscape and pedestrian scale development patterns. **Staff find the proposal meets this criterion.***

2. That such use/development will lend economic stability, compatible with the character of any surrounding established areas;

*The proposed uses will support continued economic activity and investment in the area. The building design is consistent with Design Handbook policies, including creating an inviting pedestrian scale to Downtown. Surrounding development includes office, retail, restaurant and the public library, and some residential, which are all compatible with an outdoor dining and outdoor amusement use in the downtown area. **Staff find the proposal meets this criterion.***

3. That the use/development is adequate for internal efficiency of the proposal, considering the functions of residents, recreation, public access, safety and such factors including storm drainage facilities, sewage and water facilities, grades,

dust control and such other factors directly related to public health and convenience;

*Public Works has reviewed the drainage plan and is coordinating the utility plans for the development and is in support of the proposal. The Fire District has also reviewed the plans and has no conflict with the proposal. **Staff finds the proposal meets this criterion.***

4. That external effects of the proposal are controlled, considering compatibility of land use; movement or congestion of traffic; services, including arrangement of signs and lighting devices as to prevent the occurrence of nuisances; landscaping and other similar features to prevent the littering or accumulation of trash, together with other factors deemed to effect public health, welfare, safety and convenience;

*External effects of the proposed uses are anticipated to be limited and similar to nearby uses with outdoor dining areas. Lighting plans meet the Design Handbook Standards, though staff do propose conditions to ensure that lighting does not become a nuisance. The site is fenced and landscaped, providing a buffer from the public way. Staff are also recommending a condition prohibiting amplified music be limited between the hours of 10:00pm and 8:00am, as has been proposed for other outdoor dining uses in the vicinity. **Staff find the proposal meets this criterion.***

5. That an adequate amount and proper location of pedestrian walks, malls and landscaped spaces to prevent pedestrian use of vehicular ways and parking spaces and to separate pedestrian walks, malls and public transportation loading places from general vehicular circulation facilities.

*The applicant has removed all parking from the site allowing for continuous, unimpeded improvements of the pedestrian way around the full extent of the site. The site will be updated with landscaping and decorative fencing creating a clear and defined public way. **Staff find the proposal meets this criterion.***

DEVELOPMENT CAP IN WESTERLY PORTION OF DOWNTOWN

Section 17.12.060 of the LMC allows a maximum of 475,000 sq. ft. of floor area for the westerly portion of Downtown. Recent analysis of the total floor shows that the current sum total is 347,467 square feet. With the proposed 728 square-foot addition, the new total floor area for the westerly portion of downtown is 348,195 square feet, which is within the maximum floor area allowed.

PUBLIC COMMENTS:

No public comments have been received as of the date of this report.

RECOMMENDATION:

Planning Commission recommended approval at a public hearing on September 12, 2024. The video of that meeting is available here -

<https://louisville.ompnetwork.org/embed/sessions/299730/09-12-24-planning-commission-meeting>

Staff recommend approval of Resolution 51, Series 2024, recommending approval of a Planned Unit Development (PUD) Amendment and Special Review Use to allow outdoor dining and an outdoor commercial amusement use with the following condition:

- The Development Agreement will be finalized prior to recording the Planned Unit Development Amendment.

ATTACHMENTS:

1. Resolution 51, Series 2024
2. Planning Commission Resolution 9, Series 2024
3. Application Materials

APPENDIX: PUD Criteria Analysis

Criteria 17.28.120 (A)	Finding	Narrative
1. An appropriate relationship to the surrounding area.	Compliant	The design is appropriate for the area and permitted in the CC zone district. The site and building design are compatible with the Design Handbook for Downtown Louisville
2. Circulation in terms of the internal street circulation system, designed for the type of traffic generated, safety, separation from living areas, convenience, access, and noise and exhaust control. Proper circulation in parking areas in terms of safety, convenience, separation and screening.	Compliant	The application provides for adequate and safe internal circulation. The City's engineering division and Fire District have reviewed the proposal and have no concerns.
3. Consideration and provision for low and moderate-income housing	Compliant	The proposed housing is not designated for low or moderate income housing, but does provide a greater variant of housing choices for the City.
4. Functional open space in terms of optimum preservation of natural features, including trees and drainage areas, recreation, views, density relief and convenience of function	Compliant	The PUD complies with landscape requirements in the Design Handbook.
5. Variety in terms of housing types, densities, facilities and open space	Complaint	The proposed housing provides a greater variant of housing density and types.

6. Privacy in terms of the needs of individuals, families and neighbors	Compliant	The housing proposed is intended for a downtown urban environment. The outdoor spaces designed into the units adequately separate units to be reasonably private.
7. Pedestrian and bicycle traffic in terms of safety, separation, convenience, access points of destination and attractiveness	Compliant	The PUD provides pedestrian amenities, creates pedestrian scale development in Downtown and adds bicycle parking.
8. Building types in terms of appropriateness to density, site relationship and bulk	Compliant	The application is compatible with surrounding development and appropriate for Downtown and meets Design Handbook policy for density, height and massing. The project has a Floor Area Ratio (FAR) of 1.0, while an FAR of 2.0 is allowed in the Core Area.
9. Building design in terms of orientation, spacing, materials, color, texture, storage, signs and lighting	Compliant	The PUD complies with the architectural design and site planning requirements in the Design Handbook.
10. Landscaping of total site in terms of purpose, such as screening, ornamental types used, and materials used, if any; and maintenance, suitability and effect on the neighborhood	Compliant	The PUD complies with landscape requirements in the Design Handbook.
11. Compliance with all applicable development design standards and guidelines and all applicable regulations pertaining to matters of state interest, as specified in <u>chapter 17.32</u>	Compliant	The PUD complies with all applicable development design standards and guidelines.
12. None of the standards for annexation specified in <u>chapter 16.32</u> have been violated	Not applicable	The property was previously annexed.
13. Services including utilities, fire and police protection, and other such services are available or can be made available to adequately serve the development specified in the final development plan	Compliant	The Public Works Department and Louisville Fire District reviewed the PUD and meets their requirements.

Criteria 17.28.120 (B)	Finding	Narrative
1. Development shall be in accordance with the adopted elements of the comprehensive development plan of the city, and in accordance with any adopted development design standards and guidelines.	Compliant	The PUD complies with the adopted elements of the comprehensive plan, and the adopted development design standards and guidelines.
2. No structures in a planned unit development shall encroach upon the floodplain. Existing bodies of water and existing stream courses shall not be channelized or altered in a planned unit development plan.	Compliant	The property is not located in a floodplain, nor are there any existing bodies of water in the area.
3. No occupied structure shall be located on ground showing severe subsidence potential without adequate design and study approved specifically by the city.	Compliant	There is no known subsidence on the property.
4. The proposal should utilize and preserve existing vegetation, land forms, waterways, and historical or archeological sites in the best manner possible. Steep slopes and important natural drainage systems shall not be disrupted. How the proposal meets this provision, including an inventory of how existing vegetation is included in the proposal, shall be set forth on the landscape plan submitted to the city.	Compliant	The PUD is appropriate for the context of the existing conditions of the property and downtown.
5. Visual relief and variety of visual sitings shall be located within a development in the overall site plan. Such relief shall be accomplished by building placements, shortened or interrupted street vistas, visual access to open space and other methods of design.	Compliant	The PUD complies with site planning requirements in the Design Handbook, ensuring proper building placement and orientation.

6. Open space within the project shall be located in such a manner as to facilitate pedestrian use and to create an area that is usable and accessible to residents of surrounding developments.	Compliant	The proposal includes pedestrian access and an accessible area for use by the occupants of the site.
7. Street design should minimize through traffic passing residential units. Suggested standards with respect to paving widths, housing setbacks and landscaping are set forth in public works standards of the city and applicable development design standards and guidelines. The system of streets, including parking lots, shall aid the order and aesthetic quality of the development.	Compliant	The PUD complies with requirements in the Design Handbook, ensuring properly designed orientation to the adjacent street network.
8. There shall exist an internal pedestrian circulation system separate from the vehicular system such that allows access to adjacent parcels as well as to parks, open space or recreation facilities within the development. Pedestrian links to trail systems of the city shall be provided.	Compliant	The PUD complies with bicycle and pedestrian requirements in the Design Handbook and municipal code, ensuring adequate pedestrian and bicycle access.
9. The project and development should attempt to incorporate features which reduce the demand for water usage.	Compliant	The PUD proposes appropriate use of water, with minimal landscaping and no turf included in the proposal.
10. Landscape plans shall attempt to reduce heating and cooling demands of buildings through the selection and placement of landscape materials, paving, vegetation, earth forms, walls, fences, or other materials.	Compliant	The proposal includes added two new street trees and new trees in the parking lot to aid in shading and cooling paved areas and pedestrian ways.
11. Proposed developments shall be buffered from collector and arterial streets. Such buffering may be accomplished by earthen berms, landscaping, leafing patterns, and other materials.	Not applicable	The PUD complies with the requirements of the Design Handbook, which does not require buffering from adjacent streets.

Entrance islands defining traffic patterns along with landscaping shall be incorporated into entrances to developments.		
12. There shall be encouraged the siting of lot arrangement, building orientation and roof orientation in developments so as to obtain the maximum use of solar energy for heating.	Compliant	The PUD provides unshaded roof structures so that solar energy may be utilized in the future.
13. The overall PUD shall provide a variety of housing types.	Not applicable	The proposal increases housing variety in the City and in Downtown.
14. Neighborhoods within a PUD shall provide a range of housing size.	Not applicable	The proposal is not for a neighborhood scale PUD.
15. Architectural design of buildings shall be compatible in design with the contours of the site, compatible with surrounding designs and neighborhoods, shall promote harmonious transitions and scale in character in areas of different planned uses, and shall contribute to a mix of styles within the city.	Compliant	The PUD proposes architecture that is compatible in design with the contours of the site, with surrounding designs and neighborhoods.

**RESOLUTION NO. 51
SERIES 2024**

**A RESOLUTION APPROVING A PLANNED UNIT DEVELOPMENT AMENDMENT
AND SPECIAL REVIEW USE TO ALLOW CONSTRUCTION OF A 728 SF ADDITION
TO AN EXISTING BUILDING TO ESTABLISH OUTDOOR DINING AND OUTDOOR
COMMERCIAL AMUSEMENT USES WITH A BAR AND RESTAURANT LOCATED
AT 947 PINE STREET.**

WHEREAS, there has been submitted to the City of Louisville an application for a final planned unit development amendment to allow construction of a 728 sf addition located at 947 Pine Street; ELY 95 FT LOTS 5 & 6 & ELY 95 FT OF SLY 13 FT LOT 4 LESS MIN BLK 3; and

WHEREAS, there has been submitted to the City of Louisville an application to approve a Special Review Use to allow outdoor dining and outdoor commercial amusement at 947 Pine Street; ELY 95 FT LOTS 5 & 6 & ELY 95 FT OF SLY 13 FT LOT 4 LESS MIN BLK 3; and

WHEREAS, City staff have reviewed the information submitted and found that, with the two requested waivers, the application complies with the Louisville zoning regulations and other applicable sections of the Louisville Municipal Code; and

WHEREAS, the Planning Commission considered the application at a duly noticed public hearing on September 12, 2024, where evidence and testimony were entered into the record and the Planning Commission voted unanimously in favor of recommending approval; and

WHEREAS, the City Council have considered the application at a duly noticed public hearing on November 4, 2024, where evidence and testimony were entered into the record, including the findings in the Louisville City Council staff report dated November 4, 2024.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Louisville, Colorado does hereby recommend approval of a Planned Unit Development Amendment and Special Review Use to allow construction of a 728 square-foot addition to an existing building to establish outdoor dining and outdoor commercial amusement uses with a bar and restaurant located at 947 Pine Street.

PASSED AND ADOPTED this ____ day of _____, 2024.

By: _____
Christopher M. Leh, Mayor

Attest: _____
Genny Kline, Interim City Clerk

**RESOLUTION NO. 9
SERIES 2024**

**A RESOLUTION RECOMMENDING APPROVAL OF A PLANNED UNIT
DEVELOPMENT AMENDMENT AND SPECIAL REVIEW USE TO ALLOW
CONSTRUCTION OF A 728 SF ADDITION TO AN EXISTING BUILDING TO
ESTABLISH OUTDOOR DINING AND OUTDOOR COMMERCIAL AMUSEMENT
USES WITH A BAR AND RESTAURANT LOCATED AT 947 PINE STREET.**

WHEREAS, there has been submitted to the Louisville Planning Commission an application for a final planned unit development amendment to allow construction of a 728 sf addition located at 947 Pine Street; ELY 95 FT LOTS 5 & 6 & ELY 95 FT OF SLY 13 FT LOT 4 LESS MIN BLK 3; and

WHEREAS, there has been submitted to the Louisville Planning Commission an application to approve a Special Review Use to allow and and outdoor dining use and outdoor commercial amusement use at 947 Pine Street; ELY 95 FT LOTS 5 & 6 & ELY 95 FT OF SLY 13 FT LOT 4 LESS MIN BLK 3; and

WHEREAS, City staff has reviewed the information submitted and found that, with the two requested waivers, the application complies with the Louisville zoning regulations and other applicable sections of the Louisville Municipal Code; and

WHEREAS, the Planning Commission has considered the application at a duly noticed public hearing on September 12, 2024, where evidence and testimony where entered into the record.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of a Planned unit development amendment and Special Review Use to allow construction of a 728 square feet addition to an existing building to establish outdoor dining and outdoor commercial amusement uses with a bar and restaurant located at 947 Pine Street

PASSED AND ADOPTED this 12th day of September, 2024.

By: _____
Steve Brauneis, Chair
Planning Commission

Attest: _____
Debra Baskett, Secretary
Planning Commission

ELECTRONIC LAND USE HEARING REQUEST

CASE NO. _____

APPLICANT INFORMATION

Firm: Construction Concepts Inc.
Contact: Joel C. Hardy
Address: 14125 Mead Street
Longmont, CO 80504
Mailing Address: 14125 Mead Street
Longmont, CO 80504
Telephone: (970) 535-0600
Fax: (970) 535-0299
Email: joel@constructionconceptsinc.com

OWNER INFORMATION

Firm: 947 Pine St., LLC
Contact: Danny Gryzmala
Address: 2645 E. 74th Ave.
Denver, CO 80229
Mailing Address: 2645 E. 74th Ave
Denver, CO 80229
Telephone: (303) 464-9267
Fax: _____
Email: dgryzmala@a-1chipseal.com

REPRESENTATIVE INFORMATION

Firm: Construction Concepts Inc.
Contact: Joel C. Hardy
Address: 14125 Mead Street
Longmont, CO 80504
Mailing Address: 14125 Mead Street
Longmont, CO 80504
Telephone: (970) 535-0600
Fax: _____
Email: joel@constructionconceptsinc.com

PROPERTY INFORMATION

Common Address: 947 Pine Street, Louisville, CO
Legal Description: Lot Parts of 4, 5 and 6 Blk 3
Subdivision _____
Area: 9836 Sq. Ft.

TYPE (S) OF APPLICATION

- ☐ Annexation
- ☐ Zoning
- ☐ Preliminary Subdivision Plat
- ☐ Final Subdivision Plat
- ☐ Minor Subdivision Plat
- ☐ Preliminary Planned Unit Development (PUD)
- ☐ Final PUD
- ☒ Amended PUD
- ☐ Administrative PUD Amendment
- ☐ Special Review Use (SRU)
- ☐ SRU Amendment
- ☐ SRU Administrative Review
- ☐ Temporary Use Permit: _____
- ☐ CMRS Facility: _____
- ☐ Other: (easement / right-of-way; floodplain; variance; vested right; 1041 permit; oil / gas production permit)

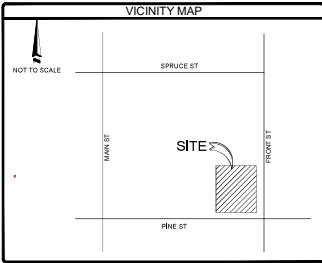
I hereby request the public hearing(s) on this application be scheduled to be conducted by Electronic Participation in accordance with the attached Resolution No. 30, Series 2020, as adopted by the City Council on April 7, 2020, and in accordance with Resolution No. 38, Series 2020, as adopted by City Council on June 2, 2020 if such hearing(s) can be scheduled during a time period when in-person meetings are not being held due to a health epidemic or pandemic. I acknowledge that holding a quasi-judicial hearing by Electronic Participation may present certain legal risks and involves an area of legal uncertainty, and that having this application heard at a meeting held by Electronic Participation is optional and undertaken at my own risk. I also understand that in-person meetings are preferred for quasi-judicial hearings, and that even if electronic hearing(s) are scheduled, this application will be heard at an in-person meeting if in person meetings have resumed by the scheduled hearing date(s). I further agree to defend and indemnify the City of Louisville in any action that may arise out of, or in connection with, conducting the hearing by Electronic Participation.

SIGNATURES & DATE

Applicant: Joel C Hardy
Print: Joel C. Hardy
Owner: [Signature] Manager
Print: Daniel S. Gryzmala
Representative: Joel C Hardy
Print: Joel C Hardy

CITY STAFF USE ONLY

- ☐ Electronic Hearing Approved: _____
- ☐ Date(s) of Hearing(s): _____



BASIS OF BEARING

The bearings are based on the westerly line of Block 3, Town of Louisville, Boulder County, State of Colorado, said line bearing S00°04'00"E and being measured as shown herein.

BENCHMARK

Boulder County Bench Mark LL 180
247' Brass Cap
NW corner of steam plant at SW corner of Main Street and Spruce Street.
ELEV. = 5338.18 (NAVD83)

OBSERVED SIGNIFICANT OBSERVATIONS

- CURB EXTENDS INTO RIGHT-OF-WAY BY VARYING DISTANCES.
- BUILDING EXTENDS INTO SETBACK BY 41'1.5"

ZONING INFORMATION		
ITEM	REQUIRED	CONTACT: PARTNER ENGINEERING AND SCIENCE, INC. 855-454-0273
ZONING DESIGNATION	CC (COMMERCIAL COMMUNITY)	REPORT DATE: SEPTEMBER 12, 2023
MINIMUM LOT AREA (SQ. FT.)	7,000 SQ. FT.	REPORT #: 23-1898R.2
MINIMUM FRONTAGE	NONE STATED	
MINIMUM LOT WIDTH	50 FEET	PARKING REQUIREMENTS:
MAXIMUM LOT COVERAGE	40%	MINIMUM FOR RETAIL USE
MAXIMUM FLOOR AREA (FAR)	2.1	1 SPACE PER 300 SQUARE FEET OF GFA
MAX BUILDING HEIGHT	35 FEET	1 X (1,899 / 300) = 6.5
MINIMUM SETBACKS		TOTAL REQUIRED PARKING SPACES = 7 SPACES
FRONT	25 FEET	
STREET	20 FEET	
INTERIOR SIDE	10 FEET IF PROVIDED	
REAR	20 FEET	
NOTES: THE ZONING REPORT WAS PREPARED BY PARTNER ENGINEERING AND SCIENCE, INC. THE ABOVE INFORMATION IS PRELIMINARY INFO. A FINAL APPROVED ZONING REPORT IS PROVIDED.		

FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 88032828X (MAP NO. 05828), WHICH BEARS AN EFFECTIVE DATE OF 8/10/2015, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

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- NOTES CORRESPONDING TO SCHEDULE "B" ITEMS
1. - 6. NOT SURVEY ITEMS.
 7. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER. **(AMBIGUOUS; NOT PLOTTABLE)**
 8. NOT A SURVEY ITEM.
 9. RESERVATION OF ALL COAL, OIL, GAS, OR MINERAL RIGHTS AND SUCH SURFACE RIGHTS AS MAY BE NECESSARY TO MINE AND REMOVE THE SAME. IN INSTRUMENT RECORDED JULY 4, 1967 UNDER RECEPTION NO. 851321. **(BLANKET IN NATURE OVER THE SURVEYED PROPERTY)**
 10. EASEMENT FOR THE PURPOSE OF MAINTAINING A ROOF OVERHANG AND STRUCTURE AS GRANTED IN INSTRUMENT RECORDED JANUARY 19, 1979 UNDER RECEPTION NO. 316545. **(PLOTTED)**
 11. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION NO. 13, SERIES OF 2018, APPROVING AN ECONOMIC ZONING DESIGNATION FOR THE FORMER STANDARD OIL SIGN LOCATED AT 947 PINE STREET RECORDED AUGUST 09, 2016 UNDER RECEPTION NO. 03535802. **(BLANKET IN NATURE OVER THE SURVEYED PROPERTY)**

BUILDING AREA

BUILDING 1: 1,949 SQ. FT.

BUILDING HEIGHT

BUILDING 1: 17.0'±

LAND AREA

TOTAL AREA: 8,951 SQ. FT., #0.228 ACRES

PARKING

REGULAR: 12
HANDICAP: 0
TOTAL PARKING: 12

UTILITY NOTE

THE SURVEY SHOWS THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE COLLECTED PURSUANT TO ALTA SECTION 1 & 6, TOGETHER WITH EVIDENCE PROVIDED BY THE CLIENT AND MARKINGS REQUESTED BY THE CLIENT PURSUANT TO A #911 UTILITY LOCATE OR SIMILAR REQUEST.

TITLE DESCRIPTION

THE EASTERLY 95.00 FEET OF LOTS 5 AND 6, AND THE EASTERLY 95.00 FEET OF THE SOUTH 1/2 OF LOT 4, EXCEPT THE NORTHERLY 12.00 FEET OF SAID EASTERLY 95.00 FEET OF THE SOUTH 1/2 OF LOT 4, BLOCK 3, TOWN OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO.

THE SURVEYED PROPERTY IS THE SAME PROPERTY AS SHOWN ON CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. ABZ70816490 HAVING AN EFFECTIVE DATE OF JULY 27, 2023 AT 5:00 PM.

TITLE COMMITMENT INFORMATION

The Title Description and Schedule "B" items are the same as shown on the title commitment provided by Chicago Title Insurance Company, Commitment No. ABZ70816490, issued July 27, 2023 with an effective date of July 27, 2023.

SURVEYOR'S CERTIFICATE

TO WHOM IT MAY CONCERN, I, GREGORY A. CLARK, A COLORADO LIMITED LIABILITY COMPANY, LAND TITLE GUARANTEE CO., PUEBLO BANK & TRUST, CHICAGO, ILLINOIS, DO HEREBY CERTIFY THAT THE MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA SURVEY AND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON DECEMBER 26, 2023.

DATE OF PLAT OR MAP: JANUARY 5, 2024.

SURVEYOR: GREGORY A. CLARK
REGISTRATION NUMBER: 12030
STATE OF REGISTRATION: COLORADO

PRELIMINARY

SHEET 1
OF 3

- SURVEYOR'S NOTES
1. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, EASEMENTS, SERVITUDES, FOUNDATIONS AND POSSIBLE ENCROACHMENTS ARE BASED SOLELY ON ABOVE-GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
 2. SUBJECT TRACT HAS DIRECT PHYSICAL ACCESS TO PINE STREET AND FRONT STREET, BOTH DESIGNATED PUBLIC RIGHTS-OF-WAY.
 3. THE DIMENSIONS AND AREA OF THE BUILDINGS SHOWN ARE BASED ON THE BUILDING'S EXTERIOR FOOTPRINT AT GROUND LEVEL.
 4. THE POINT OF HEIGHT MEASUREMENT IS IDENTIFIED ON THE SURVEY AND WAS TAKEN FROM THE NEAREST ADJACENT GRADE AT GROUND POINT. THIS POINT REPRESENTS THE HEIGHT OF THE STRUCTURE AS OBSERVED FROM GROUND LEVEL.
 5. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, OR BUILDING CONSTRUCTION ON THE SURVEYED PROPERTY.
 6. THERE ARE NO OBSERVABLE EVIDENCE OF ANY CHANGES IN STREET RIGHT-OF-WAYS OR RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIR.
 7. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES ON THE SURVEYED PROPERTY.
 8. ALL RECIPROCAL EASEMENT AGREEMENTS ("EAS") THAT HAVE BEEN REPORTED BY THE TITLE REPORT PROVIDED HAVE BEEN DENOTED ON THE SURVEY AND ARE SHOWN HEREON. THE LIMITS OF ANY OFF-PLAT APPURTENANT EASEMENTS THAT HAVE BEEN REPORTED BY THE TITLE REPORT PROVIDED HAVE BEEN DENOTED ON THE SURVEY AND ARE SHOWN HEREON.
 9. THIS SURVEY DOES NOT PROVIDE A DETERMINATION OR OPINION CONCERNING THE LOCATION OR EXISTENCE OF WETLANDS, FAULT LINES, TOXIC OR HAZARDOUS WASTE AREAS, SUBSURFACE, SUBSURFACE AND ENVIRONMENTAL CONDITIONS OR GEOLOGICAL ISSUES. NO STATEMENT IS MADE CONCERNING THE SUITABILITY OF THE SUBJECT TRACT FOR ANY INTENDED USE, PURPOSE OR DEVELOPMENT.
 10. UNLESS SHOWN OTHERWISE, THE SURVEYED BOUNDARY SHOWN HEREON ARE CONTIGUOUS WITH ADJOINING PROPERTIES AND/OR RIGHTS OF WAY WITHOUT ANY GAPS, GORES OR OVERLAYS.
 11. UNLESS SHOWN OTHERWISE, NO VISIBLE EVIDENCE OF SUBSTANTIAL AREAS OF REFUSE WERE OBSERVED AT THE TIME THE FIELDWORK WAS PERFORMED.
 12. LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET.
 13. NOTICES: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.
 14. ANY BURIED UTILITY OR PIPE LINES ARE AS SHOWN PER SURFACE EVIDENCE AND MARKINGS AS A RESULT OF A PRIVATE UTILITY LOCATED PERFORMED BY OPSI ON DECEMBER 18, 2023. BOUNDARY BOYS, LLC HAS NOT SUPPLIED AS-BUILT DRAWINGS OF THE CONSTRUCTED UTILITY LINES. IF ANY UNDERGROUND UTILITY LOCATIONS ARE NEEDED EXACTLY THEY WILL HAVE TO BE VERIFIED BY FIELD PHOTOGRAPHING THE EXISTING UTILITIES. BOUNDARY BOYS, LLC, AND THE SURVEYOR OF RECORD SHALL NOT BE LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES.

2021 ALTA/NSPS LAND TITLE SURVEY

947 PINE STREET

SITE ADDRESS

947 PINE STREET
LOUISVILLE, COLORADO 80027
COUNTY OF BOULDER

PARTNER PROJECT NUMBER: 23-1898R.2

COORDINATED BY

PARTNER

CORPORATE OFFICE
2154 Torrance Boulevard
Torrance, CA 90501
Phone: 888-512-4179
ALTA@partneres.com
www.partneres.com

DATE	REVISIONS	DRAWN BY: TU	DRAWING SCALE: 1" = 10'
01/08/2024	REVISION #1	CHECKED BY: GAC	JOB NO.: 1PE03048
01/18/2024	REVISION #2	FILE NAME: 1PE03048-947 PINE ST LOUISVILLE, CO.DWG	

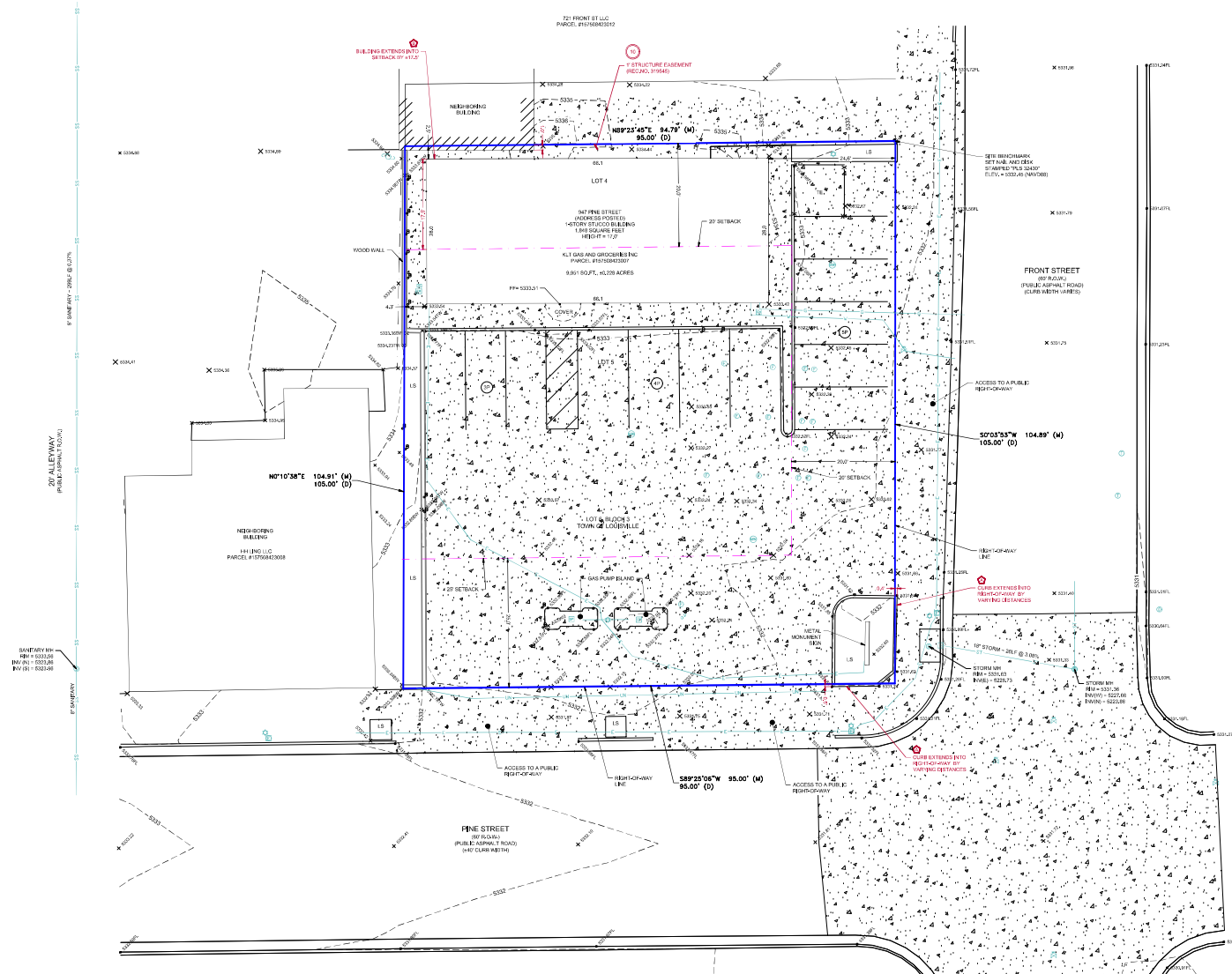
SURVEYED BY

Boundary Boys, LLC
P.O. Box 2441
Harker Heights, TX 76548
Phone: 303-705-7859
boundaryboys@regagan.com

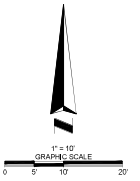
THIS SURVEY WAS COORDINATED, NOT PERFORMED, BY PARTNER. SURVEY OBTAINED FROM AND CERTIFIED TO BY A PROFESSIONAL SURVEYOR LICENSED TO PRACTICE IN THE SAME STATE THE SUBJECT PROPERTY IS LOCATED.

A.L.T.A./N.S.P.S. LAND TITLE SURVEY

A PARCEL OF LAND SITUATED IN THE SE $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,
COUNTY OF BOULDER, STATE OF COLORADO



LEGEND	
(M) MEASURED	LOCATION OF HEIGHT MEASUREMENT
(D) DEEDED	HAIRCAP PARKING
(P) PLATTED	FUEL MANHOLE
(C) CALCULATED	GAS METER
LS LANDSCAPE AREA	GAS PUMP
TE TRASH ENCLOSURE	CLEANOUT
B BOLLARD	MONITOR WELL
BN BENCHMARK	SEWERY MANHOLE
SRN SURVEY	STORM GRATE
AP AIR PUMP	STORM MANHOLE
LB LIGHT	TELEPHONE PEDESTAL
ES ELECTRICAL BOX	FIRE HYDRANT
EM ELECTRIC METER	WATER MANHOLE
EP ELECTRIC POWER	WATER METER
EPV ELECTRIC POLE	WATER VALVE
EA ELECTRIC ANCHOR	VENT PIPE
EV ELECTRIC VAULT	MANHOLE (UNKNOWN TYPE)



2021 ALTA/NSPS LAND TITLE SURVEY

947 PINE STREET

SITE ADDRESS

947 PINE STREET

LOUISVILLE, COLORADO 80027

COUNTY OF BOULDER

PARTNER PROJECT NUMBER: 73418898.3

COORDINATED BY

PARTNER

CORPORATE OFFICE
2144 Torrance Boulevard
Torrance, CA 90501
Phone: 888-312-4773
ALTA@partner.com
www.partner.com

DATE	REVISIONS	DRAWN BY: TU	DRAWING SCALE: 1" = 10'
01/18/2024	REVISION #1	CHECKED BY: GAC	JOB NO. 1PE0048
01/18/2024	REVISION #2	FILENAME: 1PE0048-947 PINE ST LOUISVILLE	
		CONT'D: DWG	

SURVEYED BY

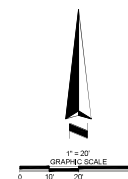
Boundary Boys, LLC
P.O. Box 2441
Harker Heights, TX 76548
Phone: 303-702-7892
boundaryboys@regan.com

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THIS SURVEY WAS COORDINATED, NOT PERFORMED, BY PARTNER. SURVEY OBTAINED FROM AND CERTIFIED TO BY A PROFESSIONAL SURVEYOR LICENSED TO PRACTICE IN THE SAME STATE THE SUBJECT PROPERTY IS LOCATED.

SHEET 2
OF 3

A PARCEL OF LAND SITUATED IN THE SE $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,
COUNTY OF BOULDER, STATE OF COLORADO

[illegible]

2021 ALTA/NSPS LAND TITLE SURVEY	
947 PINE STREET	
SITE ADDRESS	
947 PINE STREET	
LOUISVILLE, COLORADO 80027	
COUNTY OF BOULDER	
PARTNER PROJECT NUMBER: 254139983	
COORDINATED BY	
PARTNER	
CORPORATE OFFICE 2154 Terrace Boulevard Toronto, CA M6H 1S1 Phone 888-214-2479 ALTA@partner.com www.partneres.com	

DATE	REVISIONS	DRAWN BY: TJ	DRAWING SCALE: 1" = 20'
01/08/2024	REVISION #1	CHECKED BY: GAC	JOB NO.: 1PES0548
01/18/2024	REVISION #2	FILENAME: 1PES0548-17 FINE ST-LOUISVILLE, CO-TOPO.DWG	

SURVEYED BY



Boundary Boys, LLC
P.O. Box 2441
Harker Heights, TX 76548
Phone: 303-709-7899
boundaryboys@reagan.com

GEORGE OIL PUD AND SPECIAL REVIEW USE 1ST AMENDMENT

PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO

LEGAL DESCRIPTION

THE EASTERLY 95.00 FEET OF LOTS 5 AND 6, AND THE EASTERLY 95.00 FEET OF THE SOUTH 1/2 OF LOT 4, EXCEPT THE NORTHERLY 12.00 FEET OF SAID EASTERLY 95.00 FEET OF THE SOUTH 1/2 OF LOT 4, BLOCK 3, TOWN OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO.

BASIS OF BEARING

THE BEARINGS ARE BASED ON THE WESTERLY LINE OF BLOCK 3, TOWN OF LOUISVILLE, BOULDER COUNTY, STATE OF COLORADO, SAID LINE BEARING S00°04'09"E AND BEING MONUMENTED AS SHOWN HEREON.

BENCHMARK

BOULDER COUNTY BENCH MARK LL 18D 3.4" BRASS CAP NW CORNER OF STORM INLET AT SW CORNER OF MAIN STREET AND SPRUCE STREET, ELEV. = 5336.19 (NAVD83)

GENERAL NOTES

THE CITY OF LOUISVILLE IS NOT RESPONSIBLE FOR DAMAGE TO OR REPAIR OF MONUMENT SIGNS, PAVEMENT SURFACES, OR LANDSCAPING CAUSED DURING REPAIR OR MAINTENANCE OF UTILITIES LOCATED WITHIN PUBLIC UTILITY EASEMENTS.

PROJECT DESCRIPTION

RENOVATE AND EXPAND EXISTING BUILDING TO ACCOMMODATE A NEW INDOOR VIRTUAL GOLF FACILITY WITH BAR AND LIGHT FOOD SERVICE; REMOVE EXISTING OUTDOOR GAS PUMPS AND CONSTRUCT NEW MINATURE GOLF FACILITY.

PROJECT HISTORY

PREVIOUSLY APPROVED AS A GAS STATION UNDER GEORGE OIL CO SITE PLAN APPROVED OCTOBER 21, 1996.

NOTES

ALL LIGHTING ASSOCIATED WITH THE OUTDOOR EATING AND DRINKING USE SHALL BE DOWNCAST, SHIELDED, OR OF A BRIGHTNESS AND TEMPERATURE THAT DOES NOT CREATE A NUISANCE TO SURROUNDING PROPERTIES AND RIGHTS-OF-WAY.
• THE PROPOSED STRING LIGHTS AT 7'W AND 25'W WILL MEET THE STANDARDS.

AMPLIFIED MUSIC SHALL NOT BE USED BETWEEN THE HOURS OF 10:00PM AND 8:00AM



VICINITY MAP

SCALE: 1" = 500'

SITE DATA TABLE

SITE ZONING		
COMMERCIAL COMMUNITY (C-C) GEORGE OIL SPECIAL REVIEW USE DOWNTOWN DESIGN STANDARDS AND GUIDELINES (DDSG)		
SITE AREA	AREA	PERCENT
GROSS SITE AREA	0.951 SF / 0.2284 AC	100.0%
BLDG. COVERAGE	2,608 SF	26.2%
SIDEWALKS AND PAVEMENT	5,354 SF	53.8%
LANDSCAPING	1,989 SF	20.0%
BUILDING STANDARDS		
	STANDARD	PROPOSED
BUILDING HEIGHT (MAX)	45'	24'
BUILDING COVERAGE F.A.R. (MAX)	N/A	0.250
FRONT BUILDING - SOUTH	N/A	48.5'
REAR BUILDING - NORTH	N/A	2.5'
SIDE BUILDING - EAST	N/A	16.3'
SIDE BUILDING - WEST	N/A	4.2'
PARKING		
	REQUIRED	PROVIDED
	EXISTING BUILDING 1,848 SF 1 SPACE PER 100 SF ADDITIONAL AREA EXEMPT	
	1,848 SF / 100 = 4 REQUIRED	FEE IN LIEU OF SPACES
	N/A	2 BIKE RACKS

OWNERSHIP SIGNATURE BLOCK

BY SIGNING THIS PUD, THE OWNER ACKNOWLEDGES AND ACCEPTS ALL THE REQUIREMENTS AND INTENT SET FORTH IN THIS PUD.
WITNESS MY (OUR HAND(S) SEALS) THIS _____ DAY OF _____, 20 _____

OWNER NAME AND SIGNATURE _____

NOTARY NAME _____

SEAL _____

NOTARY SIGNATURE _____

MY COMMISSION EXPIRES _____

PLANNING COMMISSION CERTIFICATE

RECOMMENDED FOR APPROVAL _____

BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE, COLORADO.

RESOLUTION NO. _____

CITY COUNCIL CERTIFICATE

APPROVED THIS _____ DAY OF _____, 20 _____ BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO.

BY _____
MAYOR

BY _____
CITY CLERK

ORDINANCE FROM RESOLUTION NO. _____, SERIES _____

SHEET INDEX

COVER SHEET	1
SITE PLAN	2
UTILITY PLAN	3
GRADING PLAN	4
LANDSCAPE PLAN	5
EXTERIOR ELEVATIONS	6
PHOTOMETRIC PLAN	7
PHOTOMETRIC CUT SHEETS	8
FLOOR PLAN	9
EXTERIOR MATERIALS	10

ENGINEER

PERCEPTION DESIGN GROUP, INC.
6801 SOUTH PIERCE STREET, SUITE 315
LITTLETON, CO 80128
(303) 234-0808
CONTACT: JERRY W. DAVIDSON, P.E.
JDAVIDSON@PERCEPTIONDESIGNGROUP.COM

LANDSCAPE ARCHITECT

SEVEN 20 DESIGN
5800 S. LOWELL BLVD. UNIT 322 #200
LITTLETON, CO 80123
(303) 385-5078
CONTACT: CHRIS MARCH
CMARCH@SEVEN20DESIGN.COM

LIGHTING ENGINEER

BRIAN'S ELECTRIC LLC
1410 WESTERLY AVENUE
FORT COLLINS, CO 80524
(970) 445-5170
CONTACT: TERRY ENKE
TERRYBRIANSELECTRIC@GMAIL.COM

OWNER

947 PINE ST LLC
270 SAINT PAUL ST STE 200
DENVER, CO 80206-5133
726-454-6270
CONTACT: DANNY GRYZMALA
DGRYZMALA@A-CHIPSEAL.COM

ARCHITECT

STUDIO DH ARCHITECTURE
1300 JACKSON STREET, SUITE 200
GOLDEN, CO 80401
303-458-8664
CONTACT: ROB DAVIS
ROB@STUDIODH.US

SURVEYOR

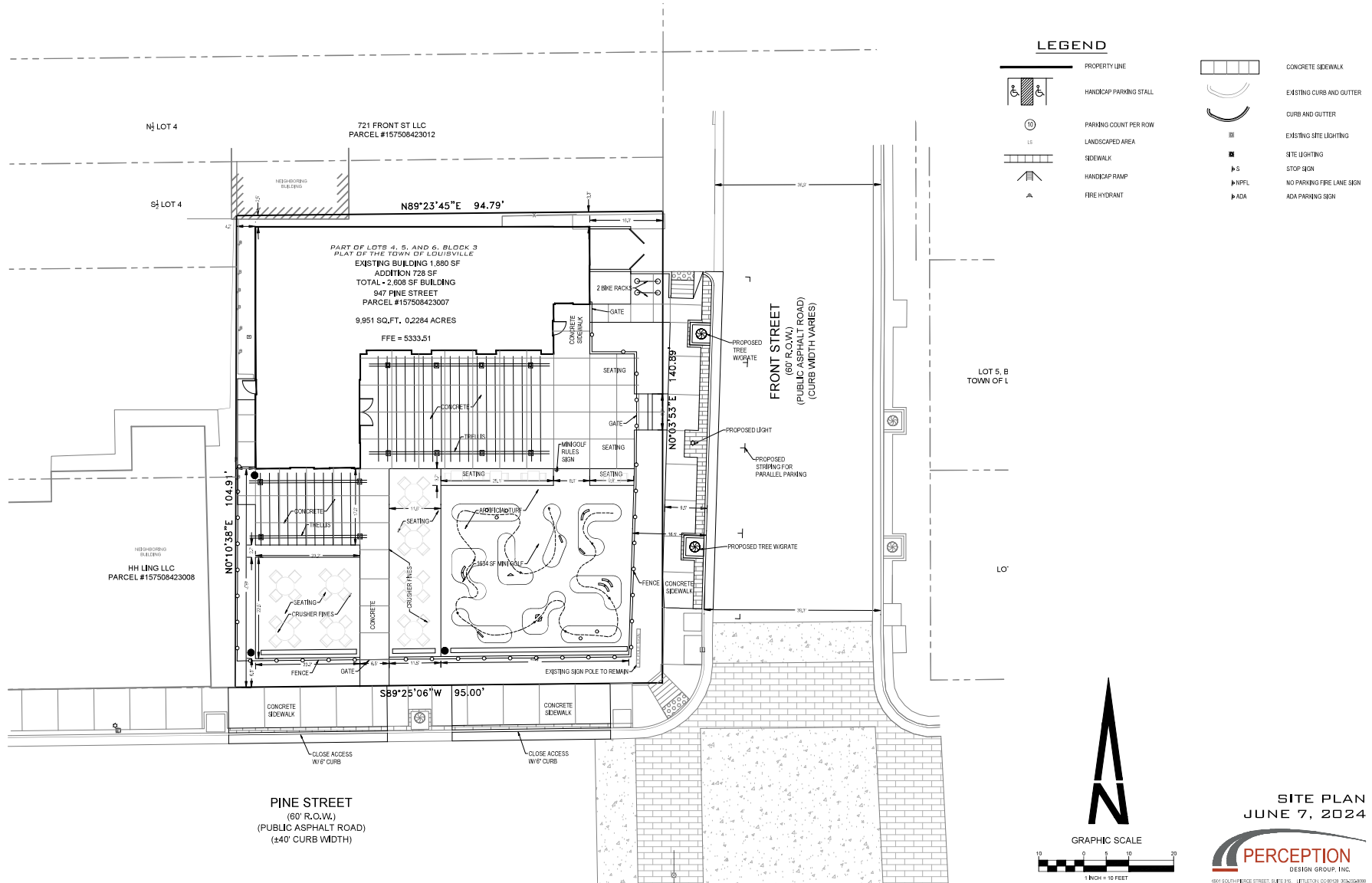
BOUNDARY BOYS LLC
P.O. BOX 2441
HARKER HEIGHTS, TX 75448
PHONE: 360-765-7895
BOUNDARYBOYS@REAGAN.COM

COVER SHEET
MARCH 1, 2024

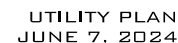


GEORGE OIL PUD AND SPECIAL REVIEW USE 1ST AMENDMENT

PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO

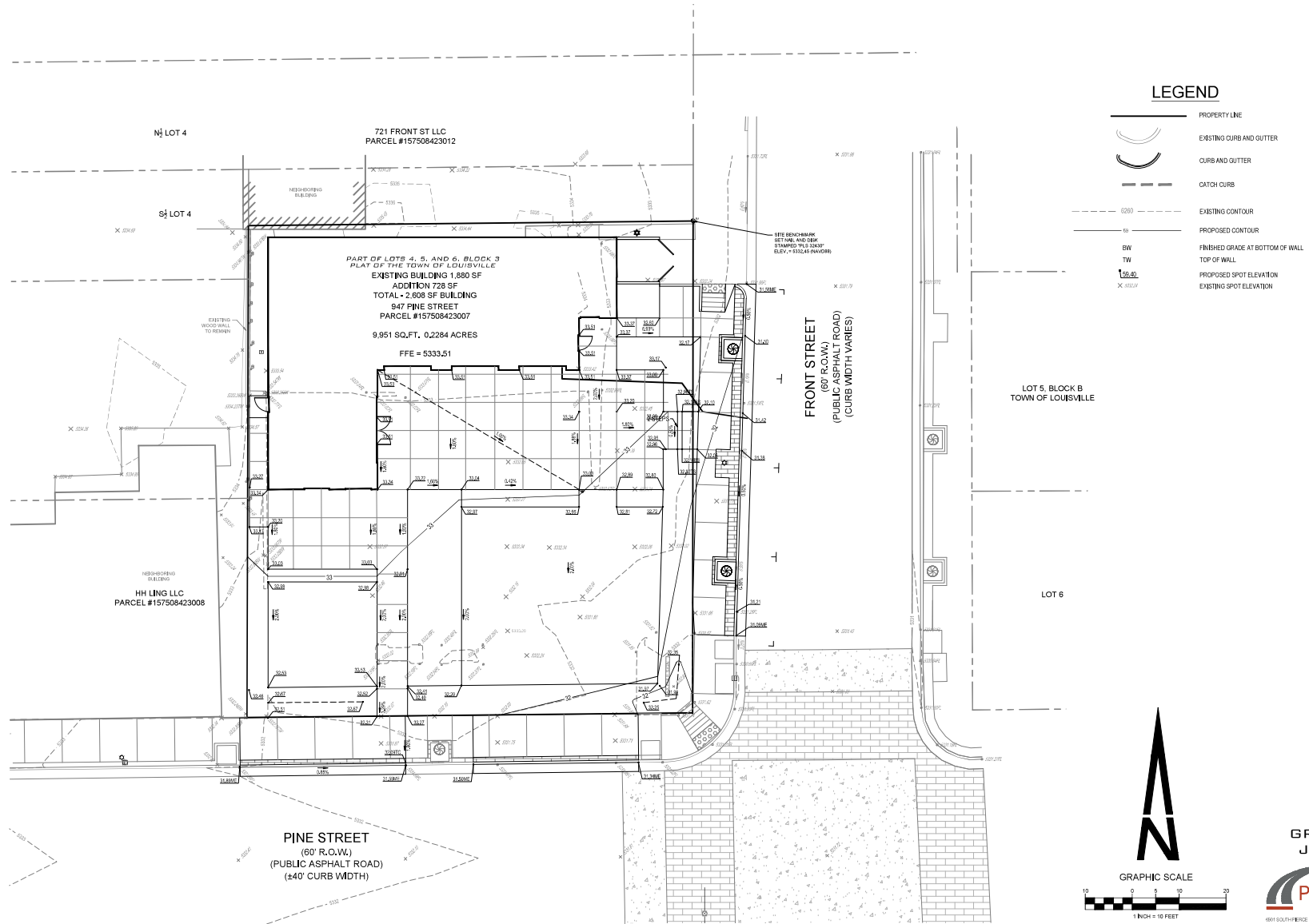


PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO



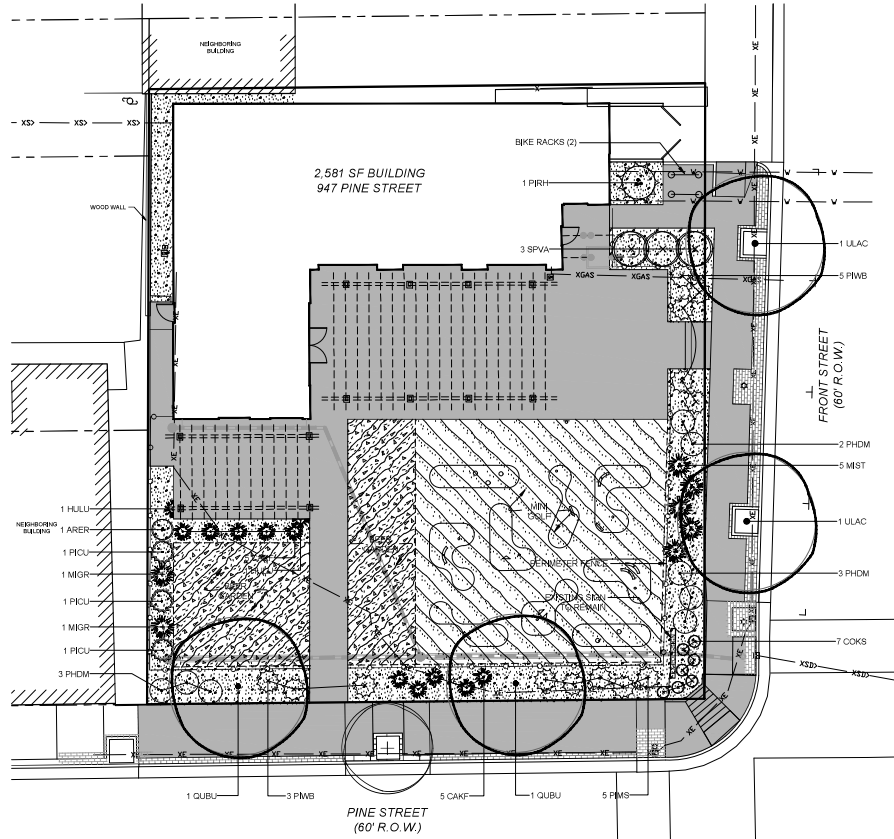
GEORGE OIL PUD AND SPECIAL REVIEW USE 1ST AMENDMENT

PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO



GEORGE OIL PUD AND SPECIAL REVIEW USE 1ST AMENDMENT

PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO



LANDSCAPE PLAN

LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	EXISTING DECIDUOUS TREE (TO REMAIN)		ORNAMENTAL GRASS		CONCRETE PAVING
	DECIDUOUS SHADE TREE		DECIDUOUS SHRUBS		ROCK MULCH
	EVERGREEN TREE		EVERGREEN SHRUBS		CRUSHER FINES
			VINES		SYNTHETIC TURF
					PERIMETER FENCE

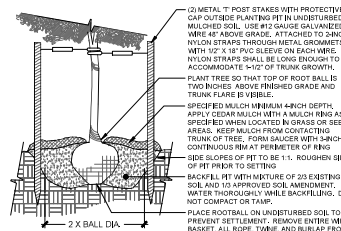
NOTES

ANY CHANGES TO FENCE STYLE TO MEET ZONING CODE UNDER SEPARATE PERMIT

PLANT SCHEDULE

CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
DECIDUOUS TREES						
QUBU	2	QUERCUS BUCKLEYI	TEXAS RED OAK	B & B	2" CAL	
ULAC	2	ULMUS X 'ACCOLADE'	ACCOLADE ELM	B & B	2" CAL	
EVERGREEN TREES						
PCU	3	PICEA ABIES 'CUPRESSINA'	FASTIGIATE NORWAY SPRUCE	20 GAL		5'-6'
DECIDUOUS SHRUBS						
ARER	1	ARONIA ARBUTIFOLIA 'ERECTA'	UPRIGHT RED CHOKEBERRY	5 GAL		
COKS	7	CORNUS SERICEA 'KELSEY'	KELSEY'S DWARF RED TWIG DOGWOOD	5 GAL		
PHDM	8	PHYSCARPUS OPULIFOLIUS 'DORINA MAY'	LITTLE DEVIL NINEBARK	5 GAL		
SPVA	3	SPIRAEA X 'VANHOUTTEI'	SHIREA VANHOUTTEI	5 GAL		
EVERGREEN SHRUBS						
PRCH	1	PICEA PUNGENS 'RH MONTGOMERY'	RH MONTGOMERY SPRUCE	5 GAL		
PMBS	5	PNUS MUGO 'SLOWMOUND'	SLOWMOUND MUGO PINE	5 GAL		
PMBS	5	PNUS MUGO 'WHITEJUD'	WHITEJUD MUGO PINE	5 GAL		
ORNAMENTAL GRASS						
CAKF	10	CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	5 GAL		
MIGR	2	MISCANTHUS SINENSIS 'GRACILLIMUS'	MADEN GRASS	5 GAL		
MIST	5	MISCANTHUS SINENSIS 'STRICTUS'	ZEBRA GRASS	5 GAL		
VINES						
HULU	2	HUMULUS LUPULUS	COMMON HOP	5 GAL		

SIZE NOTE: ALL PLANT MATERIAL SHALL MEET OR EXCEED CURRENT AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1 AND THE COLORADO NURSERY ACT AND ACCOMPANYING RULES AND REGULATIONS.

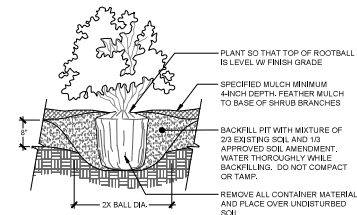


- NOTES:
- SET TRUNK PLUMB. DO NOT CUT LEADER. PRUNE ALL DAMAGED OR DEAD WOOD AFTER PLANTING. STAKING & MULCHING. KEEP CROWN SHAPE TYPICAL OF SPECIES.
 - REMOVE ALL PLANTING LABELS AFTER FINAL ACCEPTANCE BY LANDSCAPE ARCHITECT.
 - REFER TO PLANTING NOTES/SPECIFICATIONS FOR FULL DESCRIPTION OF INSTALLATION PROCEDURES TO BE FOLLOWED.

1 DECIDUOUS TREE PLANTING

NTS

329300-02

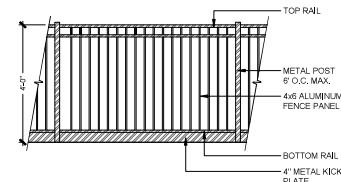


- NOTES:
- SET SHRUB PLUMB. DO NOT CUT LEADER. PRUNE ALL DAMAGED OR DEAD WOOD AFTER PLANTING. STAKING & MULCHING. KEEP CROWN SHAPE TYPICAL OF SPECIES.
 - SET SHRUBS 10" MATURE WIDTH FROM EDGE OF WALK, CURB OR EDDING.
 - ENTIRE SHRUB BED AREA SHALL RECEIVE AMENDED SOIL.
 - REMOVE ALL PLANTING LABELS AFTER FINAL ACCEPTANCE.
 - REFER TO PLANTING NOTES/SPECIFICATIONS FOR FULL DESCRIPTION OF INSTALLATION PROCEDURES TO BE FOLLOWED.

2 SHRUB / ORNAMENTAL GRASS PLANTING

NTS

329300-05



- NOTES:
- ALL METAL TO BE POWDER COATED BLACK MATTE FINISH

3 PERIMETER FENCE

1/2" = 1'-0"

P-24006-01



LANDSCAPE PLAN
JUNE 7, 2024

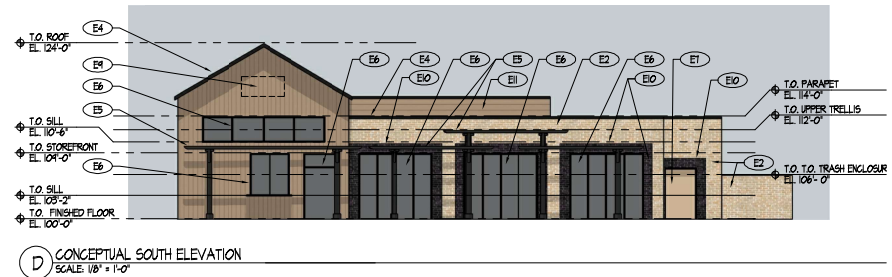
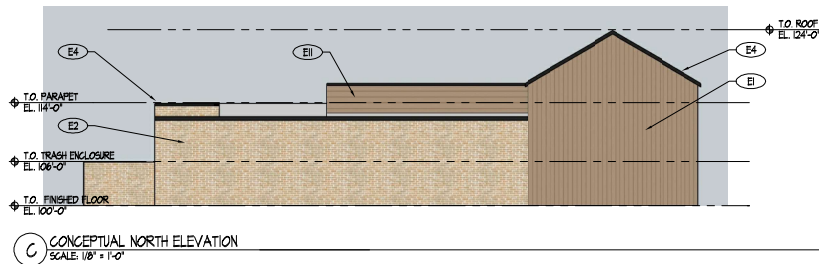
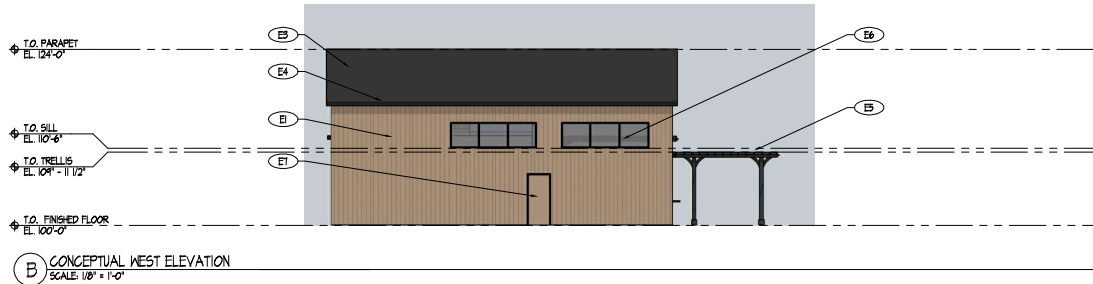
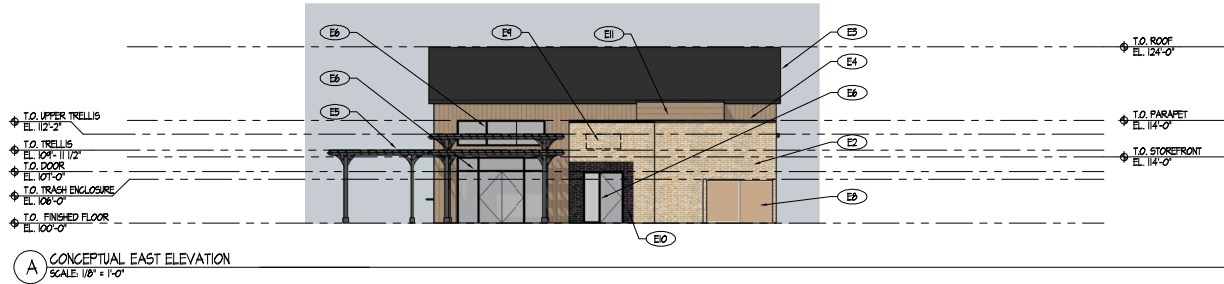


GEORGE OIL PUD & SPECIAL REVIEW USE 1ST AMENDMENT

PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO
CASE # PUXXXX-2024

MATERIAL LEGEND

- (E1) VERTICAL WOOD SIDING w/ 6" EXPOSURE - PAINT SH 2827 COLONIAL REVIVAL STONE
- (E2) BRICK VENEER - SUMMIT XXXXX TO APPROXIMATE SH 2824 CLASSICAL WHITE
- (E3) STANDING SEAM ROOF - BERRIDGE BLACK
- (E4) PREFINISHED METAL FLASHING - BLACK TO MATCH ROOFING
- (E5) WOOD FRAMED TRELLIS PAINT - BLACK PAINTED
- (E6) ALUMINUM STOREFRONT BLACK w/ LOW-E GLASS
- (E7) EXTERIOR HOLLOW METAL DOOR COLOR - MATCH ADJ. MATL.
- (E8) CORRUGATED METAL INFILL PANEL ON STEEL FRAME COLOR - MATCH ADJ. MATL.
- (E9) SIGNAGE BY SEPARATE BUILDING PERMIT - NOT A PART OF THE PUD APPROVAL
- (E10) BRICK VENEER - SUMMIT XXXXX TO APPROXIMATE SH 6250 TRIGON BLACK
- (E11) HORIZONTAL WOOD SIDING w/ 6" EXPOSURE - PAINT SH 2827 COLONIAL REVIVAL STONE



EXTERIOR ELEVATIONS
JUNE 12, 2024

STUDIO DH
ARCHITECTURE

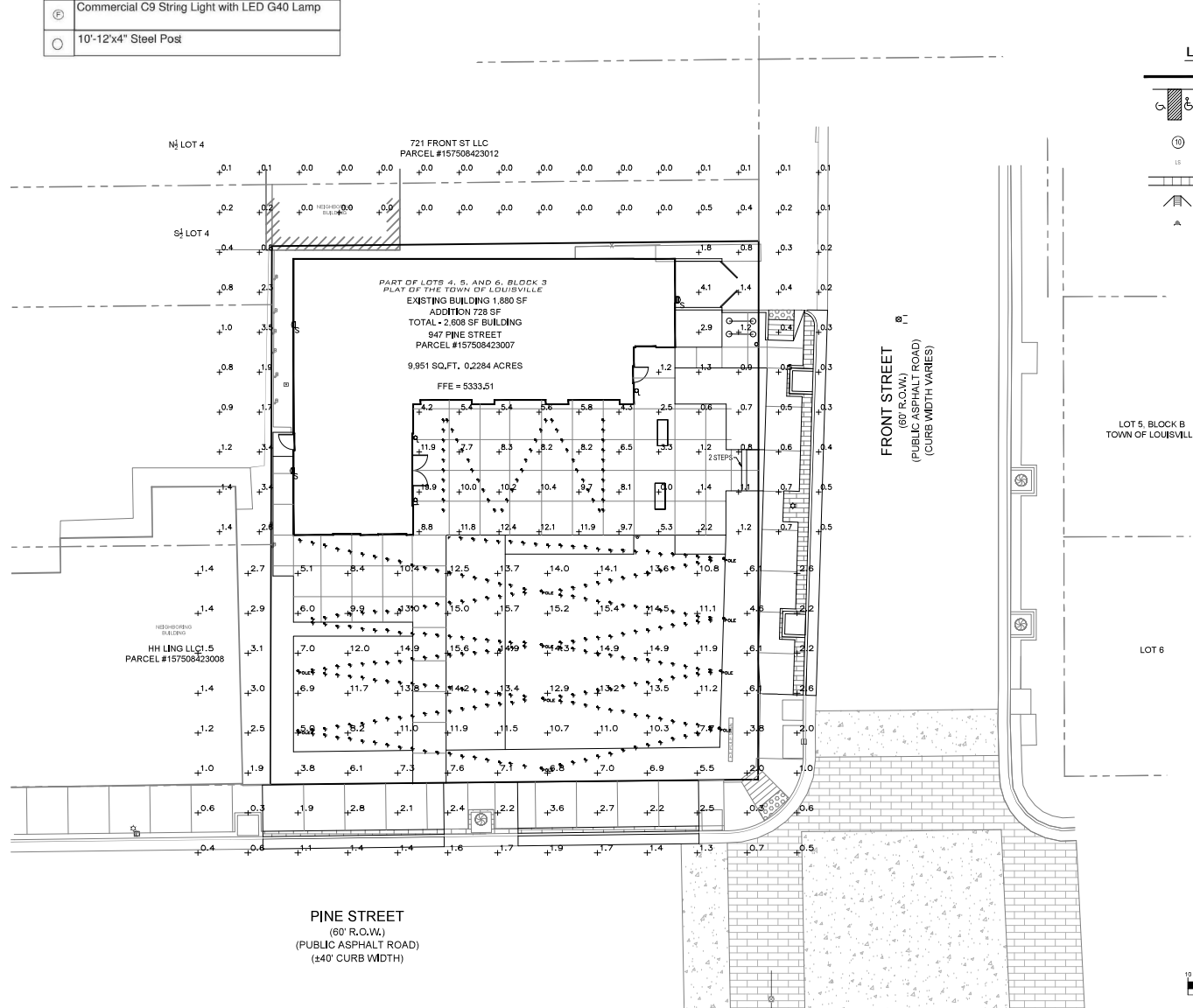
1380 JACKSON STREET, SUITE 200, GOLDEN, CO 80401 303-448-8885
WWW.STUDIODHUS.COM

SHEET 6 OF 10

GEORGE OIL PUD AND SPECIAL REVIEW USE 1ST AMENDMENT

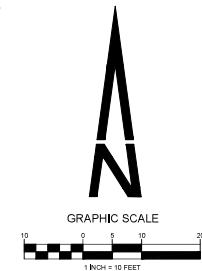
PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO

①	Henry Dark Sky Friendly Outdoor Wall Sconce
⑤	Natural LED Cut Off Wall Pack
⑥	Commercial C9 String Light with LED G40 Lamp
○	10'-12"x4" Steel Post



LEGEND

	PROPERTY LINE		CONCRETE SIDEWALK
	HANDICAP PARKING STALL		EXISTING CURB AND GUTTER
	PARKING COUNT PER ROW		CURB AND GUTTER
	LANDSCAPED AREA		EXISTING SITE LIGHTING
	SIDEWALK		SITE LIGHTING
	HANDICAP RAMP		STOP SIGN
	FIRE HYDRANT		NO PARKING FIRE LANE SIGN
			ADA PARKING SIGN



PHOTOMETRIC PLAN
JUNE 7, 2024



PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO



TOTAL LENGTH 330 feet
 SOCKET SIZE: C9/E17 / intermediate base
 NUMBER OF SOCKETS: 264 sockets
 SOCKET SPACING: 16 inches
 GAUGE: 16AWG & SPT-2 wire
 CONNECTION: No plug or terminated end
 MAXIMUM RUN: 1300 yards (can use extra reel with these bulbs)
 MAX WATTAGE PER SOCKET: Up to 10 watt bulbs
 RATINGS: RoHS compliant / IP64 Rating
 Bulb Specs
 TYPE: LED G40 premium bulb 5 LEDs per bulb
 QUANTITY: 275 (220 pre-drilled for full reel + 11 feet spare bulb)
 SIZE: 1.9" diameter (2.25" high with base) with C9/E17 intermediate base
 WATTAGE: 6.0 watts each (use 25W for installation calculation purposes)
 DIMMABLE: No
 COLOR TEMPERATURE: 2500K (warm white is similar to regular incandescent bulbs)
 AVERAGE LIFE: 15,000 hours
 BRIGHTNESS: Equivalent to a 7W incandescent bulb

SOCKET SIZE: C9/E17 / intermediate E17
 CORD GRADE: Commercial
 SOCKET TYPE: Inline
 CORD COLOR: Black
 CORD LENGTH: 330 foot bulb reel
 SOCKET SPACING: 15 inches
 CITY OF LIGHT SOCKETS: 264
 BULB TYPE: LED
 BULB SHAPE: G40
 BULB COLOR: Warm White
 DIMMABLE: No
 BULB MATERIAL: Glass
 BULB STYLE: No plug
 CORD RATINGS: RoHS compliant / IP64 Rating
 WIRE GAUGE: 16 AWG SPT-2 wire
 MAX WATTAGE PER SOCKET: 10W
 MAX RUN: 1300W
 LED WATTAGE: 3.0W
 LED COLOR TEMPERATURE: 2500K

PHOTOMETRIC CUT SHEETS
JUNE 7, 2024

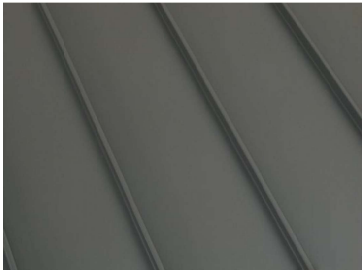
PERCEPTION
DESIGN GROUP, INC.
4601 SOUTH PERCE STREET, SUITE 310, LITTLETON, CO 80120 303-233-8008
WWW.PERCCEPTIONGROUP.COM

GEORGE OIL PUD & SPECIAL REVIEW USE 1ST AMENDMENT

*PART OF LOTS 4, 5, AND 6, BLOCK 3
PLAT OF THE TOWN OF LOUISVILLE
COUNTY OF BOULDER, STATE OF COLORADO
CASE # PUXXXX-2024*



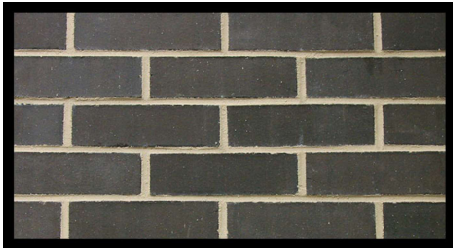
FIELD BRICK
SUMMIT - FOSSIL GRAY



ROOFING
BLACK STANDING SEAM



WOOD SIDING - SMOOTH,
6" EXPOSURE, SW2827
COLONIAL REVIVAL STONE



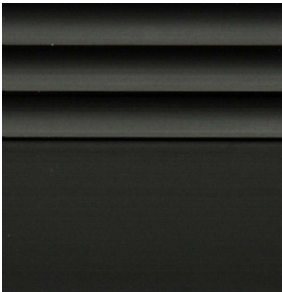
ACCENT BRICK
SUMMIT - ONYX



FLASHING/COPING
BLACK TO
MATCH ROOFING



GLASS
CLEAR LOW-E



ALUMINUM STOREFRONT
BLACK ANNOIDIZED

EXTERIOR MATERIALS
JUNE 12, 2024

STUDIO DH
architecture
1300 JACKSON STREET, SUITE 200, GOLDEN, CO 80401 303-440-8800
WWW.STUDIO-DH.COM

August 23, 2024

Carolynne C. White
Attorney at Law
303.223.1197 direct
cwhite@bhfs.com

VIA EMAIL

City of Louisville Planning Division
Attn: Robert Zuccaro
749 Main Street
Louisville, CO 80027
rzuccaro@louisvilleco.gov

RE: The Birdie Bar – Application for a Special Review Use

Dear Mr. Zuccaro:

We represent The Birdie Bar, LLC (the “**Applicant**”), the owner and developer of the real property with an associated address of 947 Pine Street (the “**Property**”) in the city of Louisville (the “**City**”), county of Boulder (the “**County**”), state of Colorado (the “**State**”). The Applicant is proposing to redevelop the Property into a modern neighborhood tavern with outdoor miniature golf and indoor virtual state-of-the-art golf simulators (the “**Project**”). To allow for the development of the Project, the Applicant is seeking a special review use (“**SRU**”) for outdoor dining and serving and outdoor miniature golf (the “**Proposed Use**”) in the Commercial Community (“**CC**”) zone district, and an associated amendment to the Property’s existing site plan, the “George Oil PUD”. This letter is intended to supplement the Project application and set forth how the Projects meets the City’s applicable approval criteria for an SRU.

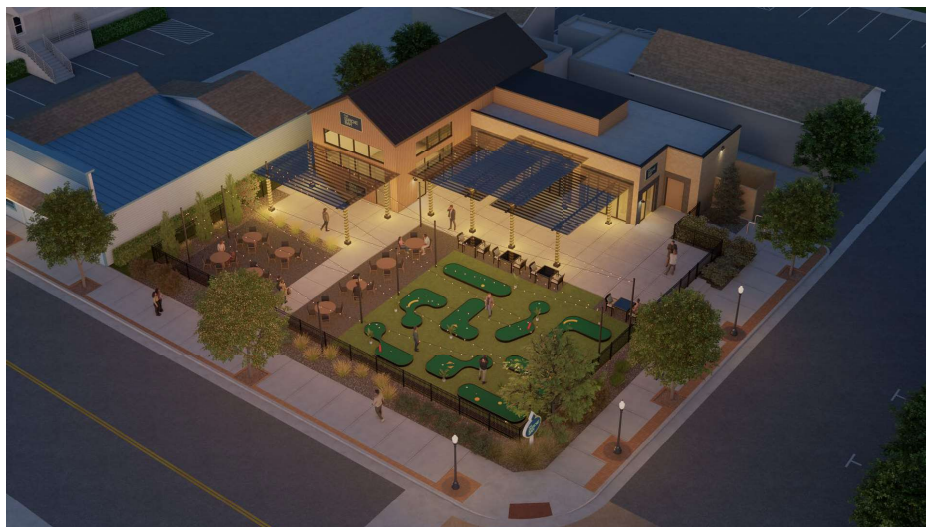
I. BACKGROUND

The Property is located in the heart of the City’s downtown and was once used as a gas station. The original site plan for the Property, the George Oil PUD, was approved in 1986 to allow for the gas station use. However, the character of the downtown area has changed significantly since the 1980’s and a gas station is no longer a desirable use for the Property or aligns with the other surrounding uses in the City’s historic downtown area. The Applicant therefore proposes a redevelopment of the site to reactivate the space and provide for a more suitable use for the downtown area. The Applicant is proposing to reimagine the existing building and obsolete surface parking area into a vibrant new space.

The Project will include the following features and uses:

- A restaurant and bar with outdoor dining and curated food and bar menus
- Outdoor miniature golf
- Indoor state-of-the-art virtual golf simulators for players of all skills, with membership options
- Tailored events providing an engaging and bespoke experience

The Project will function as a modern family-friendly neighborhood gathering place, with lighter fare, craft cocktails, premium beer and wine, and fun activities for everyone to enjoy. A draft concept plan (**“Concept Plan”**) is included in the application and shown herein below:





In addition to the aforementioned uses, the Project also proposes to integrate with the existing streetscape enhancing the aesthetic continuity and contributing to the urban canopy. Drought-tolerant plants will be used throughout the site to promote water conservation and sustainability. The Project will incorporate familiar rectangular, gable and parapet form architecture that conforms to the City's Downtown Development Standards and Guidelines (the "**Design Standards**"). The existing building will be reimagined with a natural brick veneer retrofit, and the new building addition will feature a smooth wood siding with opaque painting and a traditional 6-inch exposure. The Project also proposes low output light fixtures that minimize glare and festoon lighting for the outdoor patio space. The proposed design of the overall site will be elevated yet approachable, organic but updated.

The site plan included in the application shows the layout of the Project, which incorporates an “L” shaped design, and was carefully designed to provide visual interest and enhance the customer experience with building elevations that provide a clear presentation to the street, leading the customer to the primary entrance, and development of the ground floor level to relate to the pedestrian scale by incorporating varied setbacks from the street and stepped-down, pedestrian-scale, pergola structures. To-scale-to-site and floor plans with the locations of all the proposed uses are included in the application.

The planned general hours of operation for the Project are:

Mondays: Closed

Tuesdays – Saturdays: 10am – 9:30pm

Sundays: 10am – 9pm

Closed: major holidays, private buyouts, special events

Hours of operation may be adjusted to account for customer demand and business conditions.

The Applicant proposes to preserve the existing landmark sign at the northwest corner of Front Street and Pine Street by updating the signage with The Birdie Bar logo as conceptualized below:



As mentioned, in conjunction with the request for an SRU for outdoor dining and serving and outdoor miniature golf uses, the Applicant is also seeking an amendment to the existing George Oil PUD in accordance with the procedures set forth in Section 17.72.170.

II. SPECIAL REVIEW USE

According to the City's official zoning map, the Property is zoned CC zone district. However, the outdoor dining and serving and outdoor miniature golf uses proposed by the Project require an SRU pursuant to Chapter 40 of the Code the City's Zoning Code (the "Code"). *Code, § 17.12.030.*

Pursuant to Section 17.14.050 of the Code, outdoor eating and serving areas are allowed as an accessory use to a principal eating and drinking establishment subject to compliance with the following conditions:

- The outdoor seating and food service area shall not obstruct the movement of pedestrians along adjoining public sidewalks, through plazas, or through other areas intended for public usage.
- If food service is provided outdoors, only employees of the principal eating and drinking establishment shall provide the food service.
- In approving outdoor seating or food service areas, the City may impose conditions relating to the location, configuration, and operational aspects (such as lighting, noise and hours of operation) of such outdoor areas to ensure that such outdoor areas will be compatible with surrounding uses, will be maintained in an attractive manner, and will comply with applicable building, fire, and liquor licensing codes.

As discussed herein, the Applicant will comply with all of the above conditions and shall remain compliant with such conditions applicable to the Project operations once the Project is operational.

An SRU must also meet the criteria of approval set forth in Section 17.40.100 of the Code. As discussed herein below, the Project meets all of the criteria of approval for an SRU.

- A. *The Proposed Use is consistent with the Comprehensive Plan and would not be contrary to the general welfare and economic prosperity of the City or the immediate neighborhood.*

The Proposes Use furthers the vision of the City's Comprehensive Plan (the "Comp Plan") by enhancing the quality of life for the those who live, work and spend time within the City. The Project also furthers many of the Comp Plan goals and policies, including but not limited to, the following core community values:

- A sense of community – where residents, property owners, business owners, and visitors feel a connection to Louisville and to each other.
- A healthy, vibrant and sustainable economy – where the City understands and appreciates the trust of the residents, property owners and business owners, and the City is committed to a strong and supportive business climate.

- Unique commercial areas – where the City is committed to recognizing the diversity of Louisville’s commercial areas and neighborhoods by establishing customized policies and tools that each maintains its individual character and economic vitality.

Comp Plan, p. 18.

The Project furthers these core values by creating a vibrant indoor/outdoor unique space for the community to gather in the downtown area. By offering miniature golf and golf simulators, in addition to food and beverage, the Project creates unique recreational opportunities within the City as well as promoting physical activity and social engagement while also contributing to the economic vitality of the downtown area.

Additionally, the Project is designated as within the “urban pattern” portion of the City, where the vitality of the downtown is promoted and business diversity with new private investment and business development is encouraged. *Comp Plan, p. 26.* The Project seeks to bring a new indoor/outdoor restaurant concept and experience that currently does not exist within the City or in the downtown area.

The Project as a whole also adheres to the format and framework of the Comp Plan, including building architecture, site design, building form and design. *Comp Plan, p. 24.* Additionally, the Project is located along a “retail primary street” that is best positioned for retail success. *Comp Plan, p. 29.*

The Project also complies with the economic development goals of the Comp Plan, including but not limited to:

- *Principle ED-1.1* – The City should work to maintain a business-friendly environment, where services to new and existing businesses are delivered in a timely and efficient manner.
- *Principle ED-1.3* – The City should focus on primary job creation that provides job diversity, employment opportunities and increased revenue for Louisville.
- *Principle ED-2* – The City should direct growth in an economically responsible way in order to maintain high quality amenities and high service levels for residents.
- *Principle ED-5.2* – The City should support and promote the revitalization of existing structures that maintain the character of downtown, while providing a diverse business base.

- *Principle ED-5.3* – The City should support a mix of uses which bring new revenues to the downtown area.

The Project furthers the above-mentioned economic goals and principles of the Comp Plan by generating new sales tax revenue in the downtown area of the City with food and beverage sales, in addition to the tax imposed on the golf activities. The Project proposes a new service – indoor golf simulation and outdoor miniature golf coupled with a dining experience – that currently does not exist within the City. Indoor golf simulation is a growing attraction in today's market, and the Project will attract a new customer base to the City.

The Project therefore enhances the general welfare and economic prosperity of the City in the immediate neighborhood. Accordingly, this criterion is met.

B. The Proposed Use will lend economic stability to the City and is compatible with the surrounding established areas.

As described above, the Project will generate new sales tax revenue for the City and attract a new customer base to enhance the City's economic stability. The proposed membership options for use of the Project's golf simulators will also draw a reoccurring and consistent customer base for the City.

The Project is also compatible with the existing downtown area and surrounding uses. The Project is located near other restaurants but provides a different dining experience than those that currently exist in the immediate area, thereby contributing variety and diversity of the downtown culture. Henry's Bar & Grill is located next door to the Property, Sweet Cow is located across the street, Moxie Bread Co., the Huckleberry, Tilt Pinball, Verde Mexican and Azul Fuego Mexican Restaurant are located one block away, and various other retail, restaurant and commercial uses are located throughout the immediate area. With its unique and new offerings, the Project enhances the downtown area and revitalizes a vacant and obsolete property.

As such, this criterion is met.

C. Adequate facilities and utilities exist to serve the Property and ensure internal efficiency of the Proposed Use.

The Project considers the functions of the residents, recreation, public access, safety and such other factors including circulation, storm drainage, sewage and water facilities, grades, and dust control related to public health and conveniences as required by this criterion.

The site connects to the existing downtown pedestrian circulation system and encourages pedestrian access and bicycling activity. Bicycle racks will be provided. Improvements to the right-of-way will be made to align with the current streetscape design.

The Project proposes on-street parking with the Applicant proposing to pay a fee-in-lieu for the required parking stalls. The existing on-site parking does not conform to the current City standards and a new off-street parking lot would be impractical for the Project and hinder pedestrian activities that the city seeks to protect.

The Project incorporates low flow plumbing fixtures to reduce water consumption. The existing sewer service will be maintained to serve the Project. A new water service is proposed to meet the Project demands pursuant to the Code requirements. Existing concrete/asphalt is proposed to be replaced with gravel, mulch, shrubs and plantings to reduce heating and cooling demands of buildings.

This criterion is therefore met.

D. External effects of the proposal are controlled to ensure public health, welfare, safety and convenience.

The Project ensures that any potential external effects are controlled. The Project utilizes adequate site lighting in accordance with the Design Standards. The Project also meets the Code's requirement pursuant to Section 17.72.090 for commercial and office uses that noise shall be confined to the site and will not exceed noise levels established by applicable noise ordinances.

A lighting design for the Project is included in the application. The design features traditional, simple and low-output fixtures to minimize glare and light pollution. The design will also incorporate aesthetically pleasing string lights to enhance the ambiance of the outdoor space. The proposed lighting is intended to encourage pedestrian activity and exterior seating at night, in alignment with the Design Standards.

The existing building will largely stay intact throughout the renovation process (keeping debris out of the landfill). From a safety standpoint, the renovation will include fire sparklers and fire alarms to the structure (previous uses of the Property did not have a fire protection system). Lastly, the site drainage will be routed to existing facilities, thereby reducing any potential impacts to traffic operations. The Applicant aims to provide a minimally disruptive renovation to the existing building to redevelop the site into a fun and safe environment providing dining, socializing, community gathering and golf.

This criterion is met.

E. The Project proposes adequate pedestrian walks and landscape spaces.

The landscape design aims to create an inviting, sustainable, and visually appealing environment that integrates seamlessly with the existing streetscape. The outdoor patio will feature comfortable seating, shaded areas, and landscaping to create a welcoming space for visitors. The mini-golf course will be designed with creative and engaging features, surrounded by landscaping to enhance the overall experience. The perimeter of the outdoor area will be secured by an ornamental fence which will include a 4 inch tall kickplate to prevent errant golf balls from escaping the Property.

A landscape plan is included in the application and proposes an aesthetic and functional design with the following key design elements:

Street Trees

- *Integration with the Existing Streetscape:* New street trees will be planted to align with the current streetscape design, enhancing the aesthetic continuity and contributing to the urban canopy.
- *Species Selection:* Trees will be chosen based on the compatibility with the local climate, soil conditions, and ability to provide shade and seasonal interest.

Outdoor Patio and Mini-Golf Course

- *Patio Area:* The patio will feature comfortable seating, shaded areas and landscape to create a welcoming space for visitors.
- *Mini-Golf Course:* The mini-golf course will be designed with creative and engaging features, surrounded by landscaping to enhance the overall experience.

Plant Selection

- *Low Water Plants:* Drought-tolerant plants will be used throughout the site to promote water conservation and sustainability. These plants will be selected for their hardiness and low maintenance requirements.
- *Winter Interest:* The landscape design will include plants that provide visual interest during the winter months, such as evergreen, ornamental grasses and shrubs with attractive bark and flowers.

Sustainability Features

- *Water Management:* The landscape design will incorporate efficient irrigation systems and system features where possible to minimize water use.
- *Soil Health:* Soil preparation and amendments will be used to ensure healthy plant growth and reduce the need for chemical fertilizers.
- *Exterior ground surfaces:* The Project proposes to take out all the existing concrete and asphalt on the site and replace it with gravel, mulch, shrubs and plantings to reduce heating and cooling demands of buildings.

Aesthetic and Functional Design

- *Walkways and Lighting:* Well-designed pathways will provide easy access to different areas of the site, and strategically placed lighting will enhance safety and ambiance.
- *Seating and Gathering Spaces:* Various seating options and gathering areas will be incorporated to encourage social interaction and relaxation.

Benefits to the Community

- *Enhanced Urban Environment:* The project will transform a disused site into a vibrant recreational area, improving the visual appeal of the neighborhood.
- *Sustainable Landscaping:* The use of low water plants and sustainable practices will contribute to environmental conservation and resilience.
- *Recreational Opportunities:* The new facility will offer unique recreational opportunities for residents and visitors, promoting physical activity and social engagement.

This landscape design is crafted to ensure a harmonious blend of functionality, sustainability, and aesthetic appeal, creating a valuable addition to the community.

Accordingly, this criterion is met.

III. CONCLUSION

As described herein, the Project meets all of the criteria of approval for an SRU for the outdoor dining and serving and outdoor miniature golf uses. We therefore request your approval of a SRU for an outdoor eating and serving area the Project. The Birdie Bar will enhance the downtown area by revitalizing the former gas station property into a new dining and golf experience for all to enjoy.

Sincerely,



Carolynne C. White

cc: Matt Post, Senior Planner
Jeff Hirt, Planning Manager
Kathleen Kelly, City Attorney