

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
February 13, 2020

NEW BUSINESS

19-ZONE-0094

Request: Change in zoning from R-5 to C-1, with Detailed District Development Plan and Binding Elements, and associated landscape waiver
Project Name: Westport Road Retail
Location: 917 and 919 Fountain Avenue, 4700 Westport Road
Owner: Estate of Evelyn Kaelin
Applicant: 4700 Westport LLC
Representative: Dinsmore & Shohl LLC
Jurisdiction: Louisville Metro
Council District: 7 – Paula McCraney
Case Manager: Dante St. Germain, AICP, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:06:14 Ms. St. Germain discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Cliff Ashburner, Dinsmore and Shohl, LLC, 101 South 5th Street, Suite 2500, Louisville, Ky. 40202
Kent Gootee, Mindel, Scott and Associates, 5151 Jefferson Boulevard, Louisville, Ky. 40219

Summary of testimony of those in favor:

00:11:07 Mr. Ashburner gave a power point presentation. The required planting will be provided within the 20 ft. and the buffer area will be reduced from 35 ft. to 25 ft., which can be done under the code by providing 1.5 times the required plantings. The waiver is to reduce the 25 ft. to 20 ft. while also providing 1.5 times the normal buffering that would be in that area.

Mr. Ashburner gave the history of the property. The glazing question will be answered in more detail at the public hearing.

Mr. Ashburner said he hasn't seen the email from the opposition (received 1.5 hrs. ago). Also, more information regarding landscaping between the site and residents to the south will be provided at the public hearing.

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00:15:03 Commissioner Carlson asked the applicant/representative what they think about a zoning change to C-N as recommended by staff. Mr. Ashburner said it is restrictive and could be problematic.

00:18:05 Commissioner Brown asked Mr. Ashburner if he will be able to discuss hours of operation and lighting at the public hearing. Mr. Ashburner said he will be able to discuss lighting but will need to consult with his client regarding hours of operation.

Commissioner Brown asked about a direct pedestrian connection between the parking lot and the main access. Mr. Ashburner said the plan shows a proposed sidewalk on the south side of the building to the public side and around. There's a pedestrian access to the proposed 4 ft. walk just off the property up to the 5 ft. sidewalk along Westport.

00:19:39 Commissioner Brown stated for rezoning we can require right-of-way dedication on a local road without a curb and gutter that's typically 30 ft. from centerline. The plan shows 25 feet and a typical cross section (bottom left). Mr. Gootee said because there's no gutter or curb on Fountain Ave., we worked it out with MSD to put it on the adjacent property on lot 30 to receive water coming off south of the entrance on Fountain Ave. A ditch north of the entrance shouldn't be needed. Commissioner Brown said the problem is the fact that there is no recoverable shoulder – need 4 ft. between the edge of pavement. Mr. Gootee said it will be resolved with Transportation Planning.

Deliberation

00:22:56 Planning Commission deliberation.

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

The Committee by general consensus placed this case on the March 5, 2020 public hearing at the Old Jail Building.