

Development Review Committee

Staff Report

January 17, 2018



Case No:	17DEVPLAN1218
Project Name:	8717 Westport Road
Location:	8717 Westport Road
Owner(s):	Frank Otte – Otte Family Limited Partnership
Applicant:	Mike Leonard – Hogan Real Estate
Representative(s):	Derek Triplett – Land Design and Development Inc.
Project Area/Size:	0.67150 acres
Jurisdiction:	Louisville Metro/City of Plantation
Council District:	7 – Angela Leet
Case Manager:	Ross Allen – Planner I

REQUEST(S)

WAIVER: A waiver from LDC Section 10.2.10, table 10.2.6 to not provide a 10 foot VUA LBA along Westport Road for an approximate length of 147 feet as associated with the Category 2B Development Plan.

CASE SUMMARY/BACKGROUND

The subject site is located on the northwest corner of Westport Road and Hermitage Way in the City of Plantation. Frank Otte Nursery and Garden Center currently occupies the space. Adjacent properties include the Kingdom Christian Church/Tanning Beds to the north, Brakeway to the West with Westport Mini Storage to the northwest, signage for the entrance of the City of Plantation along with Multi-family residential dwellings to the east, to the south is the Westport Teenage Parent Program and a small strip mall to the southwest of the subject site. The site is located on the northwestern corner of an intersection that is signalized for four directions, east – west along Westport Rd., and north-south crossing Westport Rd. to the south into the JCPS Westport Road TAPP School.

The applicant is proposing to demolish and replace with a 7,125 sf. O'Reilly's Auto Parts Store with entrances off of Westport Road and Hermitage Way and having a 15,334 sf. VUA to the front of the proposed structure along both Westport Road and Hermitage Way. The proposed structure will have an overhead door facing (east) Hermitage Way which is to be screened by a proposed dumpster and the required 10 ft. VUA LBA with the required plantings. The proposed structure will have a height of approximately 17.5 ft. with 33 parking spaces, including 2 ADA spaces, along with 2 short term and 2 long term bicycle parking spaces. The applicant is providing slightly more than the required 7.5% Interior landscape area requirements, totaling 1,156 sf. Furthermore, the applicant will still need to provide 20% of the total site area with plantings totaling 5,885 sf. of tree canopy as shown on the Category 2B Development plan.

STAFF FINDING / RECOMMENDATION

WAIVER: Staff finds the waiver justifiable from LDC Section 10.2.10, table 10.2.6 to not provide a 10 foot VUA LBA along Westport Road for an approximate length of 147 feet as associated with the Category 2B Development Plan.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Landscape Nursery	C-1	Neighborhood
Proposed	O'Reilly Auto Parts Store	C-1	Neighborhood
Surrounding Properties			
North	Commercial – Church/Tanning Bed Business	C-1	Neighborhood
South	JCPS Westport TAPP School/Strip Mall	R-4/C-1	Neighborhood
East	Multi-family Dwellings Units/City of Plantation Entrance Sign	R-6	Neighborhood
West	Commercial – Brakeway/Westport Mini-Storage	C-1/CM	Neighborhood

TECHNICAL REVIEW

None

INTERESTED PARTY COMMENTS

Staff has not received any comments from interested parties.

APPLICABLE PLANS AND POLICIES

Land Development Code (LDC August 2017a)
Comprehensive Plan (Cornerstone 2020)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR A WAIVER: from LDC Section 10.2.10, table 10.2.6 to provide a 10 foot VUA LBA along Westport Road for an approximate length of 147 feet.

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

STAFF: The waiver will not adversely affect adjacent property owners because the existing development does not provide the 10 foot VUA LBA adjacent to Westport Road. The proposal will be of similar uses as the Brakeway is to the West on the north side of Westport Rd., JCPS TAPP School to the south, and residential multifamily dwellings to the east facing Hermitage Way.

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

STAFF: The waiver will not violate Guideline 3, Compatibility, of Cornerstone 2020, which calls for the protection of roadway corridors and public areas from visual intrusions, for mitigation of parking areas so as not to negatively impact nearby residents and pedestrians, and for screening and buffering of parking areas adjacent to streets. The proposed development will be a continuation of the established character of this block of Westport Road. There will be approximately 15 feet of greenspace between the existing sidewalk along Westport Road and the proposed edge of pavement on the subject property. Measures will be taken to coordinate with the Kentucky Transportation Cabinet on the possibility of providing the landscaping within that greenspace.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: Yes, the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the applicant is improving the existing condition; there is still not enough room to provide landscaping on the subject property along Westport Road. Measures will be taken to coordinate with the Kentucky Transportation Cabinet on the possibility of providing landscaping within the Westport Road right of way.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) by providing a greater vehicular use area landscape buffer area along Hermitage Way right of way. A 10 foot VUA LBA is required and a 15 foot to 20 foot landscape buffer area is to be provided. The strict application of the regulation would create an unnecessary hardship due to the fact that the proposed use would be held to a more restrictive requirement than the existing use.

REQUIRED ACTIONS

Approve/Deny the WAIVER: from LDC Section 10.2.10, table 10.2.6 to not provide a 10 foot VUA LBA along Westport Road for an approximate length of 147 feet as associated with the Category 2B Development Plan.

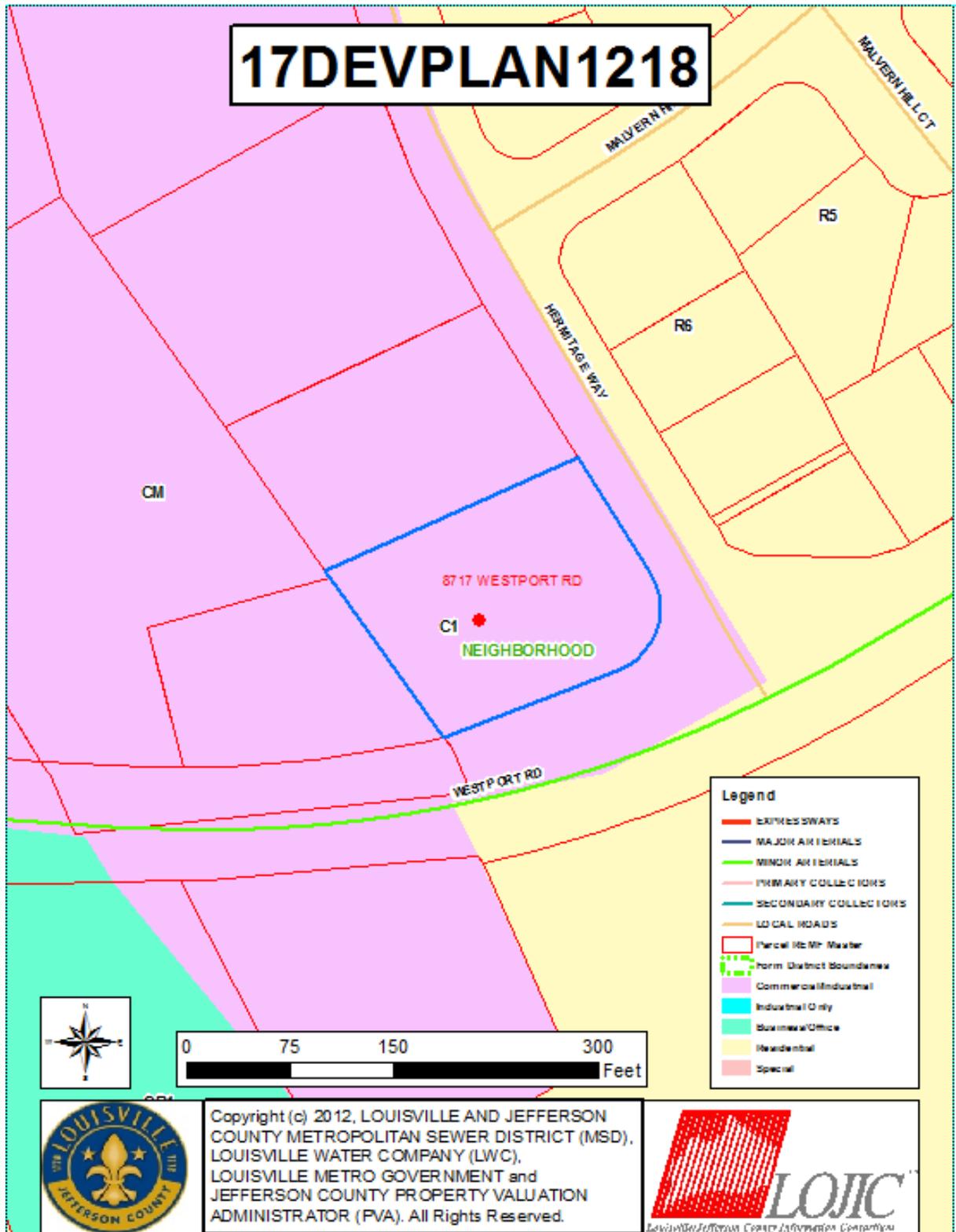
NOTIFICATION

Date	Purpose of Notice	Recipients
January 17, 2018	Hearing before DRC	1 st tier adjoining property owners notified Subscribers of Council District 7 Notification of Development Proposals

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

