

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
January 27, 2022

OLD BUSINESS

Case No. 21-ZONE-0070

Request:	Cont'd from January 13, 2022 LD&T meeting - Change in zoning from UN to C-1 with a waiver
Project Name:	Portland House
Location:	2430 Portland Ave
Owner:	McKree Properties LLC
Applicant:	McKree Properties LLC
Representative:	McKree Properties LLC
Jurisdiction:	Louisville Metro
Council District:	5- Donna Purvis
Case Manager:	Joel Dock, AICP, Planning Coordinator

Notices were sent by first-class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and 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:

0:05:07 Joel Dock reviewed the case and showed a Power Point presentation, mostly focusing on the driveway (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Tess Krebs, 11400 Seatonville Road, Louisville, KY 40291

Summary of testimony of those in favor:

00:07:23 Tess Krebs, the applicant, reviewed the site plan of the property (see recording.) She said it is imperative that this driveway stay with the property. She said that, without the driveway, the property would become "landlocked" – not accessible, no alley access, and only approachable from the sidewalk out front. She said the concrete drive is existing and the back has a large gravel area. There is a porch/deck area that is concrete. Rear parking may or may not be added and she explained how this could work. It would be especially valuable for deliveries.

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00:11:02 In response to questions from Commissioner Carlson, Ms. Krebs said the rear access could be used for handicapped access or for deliveries. The rear area would be a general short-term parking area. She referred to the plan and proposed a ramp up to the side entrance for wheelchair access. The proposed use for the building would be as an art gallery and office space. Commissioner Carlson pointed out that a gravel area would not be maneuverable for wheelchair users. See recording for detailed discussion.

00:15:15 In response to a question from Commissioner Carlson, Ms. Krebs discussed about how many people would be using this space per day. She said likely about 8-10 people total per workday (about 2 per office unit.) Commissioner Carlson also asked if a C-N zoning classification might not be better suited for this purpose. Mr. Dock said C-N would be more typical in a suburban neighborhood; C-R would be more typical in an urban/traditional neighborhood. See recording for detailed discussion.

The following spoke in opposition to the request:

No one spoke.

Deliberation

00:19:26 Commissioners' deliberation. Commissioner Brown said he is concerned that the driveway is still not wide enough for anything other than residential use. Commissioner Carlson agreed and said the parking will not be sufficient for a C-1 use. Commissioner Daniels said she agreed and expressed concern about handicapped accessibility. Commissioner Sistrunk said he felt this case should not be sent to a public hearing until the width of the driveway is addressed. Mr. Dock noted that, regarding parking demand and parking requirements, because this is an older building, there are no parking requirements. Whatever the use may be in the future, it will have no parking requirements.

00:24:19 Ms. Krebs discussed some concerns of hers. She stated that she has no plans to put in a restaurant, either now or in the future, and was not sure why restaurant parking was being discussed. She said that, because this is an older building, it does not have parking requirements. She said she had heard the Committee Members' concerns and asked if a C-N or C-R zoning would address some of those concerns.

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The Committee by general consensus scheduled this case to be heard at the **February 17, 2022** Planning Commission public hearing.

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Agency Testimony:

01:02:57 Joel Dock presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

01:08:02 In response to a question from Commissioner Mims, Mr. Dock said all of the parking is on-street; because the building is well over 50 years old, there is no minimum parking required per the revised Land Development Code.

01:08:40 In response to questions from Commissioner Brown, Mr. Dock confirmed that there is an existing driveway that could continue to serve the site, although no off-street parking is proposed. A rezoning could allow the Planning Commission to require the driveway to be removed and sidewalk improvements done.

01:09:32 In response to questions from Commissioner Mims, Mr. Dock confirmed that the sidewalks are concrete, not brick; Commissioner Brown said they appear to be granite curbs.

The following spoke in favor of the request:

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Tess Krebs, McKree Properties LLC, 11400 Seatonville Road, Louisville, KY 40291

Summary of testimony of those in favor:

01:11:30 Tess Krebs, the applicant's representative, presented the applicant's case (see recording for detailed presentation.) She noted that the sidewalk is concrete, is extra-wide, and is in very good condition.

01:12:51 In response to a question from Commissioner Brown, Ms. Krebs said the intended use of the existing driveway is mostly aesthetic. It may be useful for rear-of-house deliveries.

The following spoke in opposition to the request:

No one spoke.

Deliberation:

01:15:17 Commissioners' deliberation.

Commissioner Brown expressed concern about the driveway, and commercial access. Joe Reverman, Assistant Director of Planning & Design Services, asked if there was a way to keep the driveway but limit the driveway/access to employee parking only. Mr. Dock said the State had no comment; however, this is a Land Development Code issue. See recording for detailed discussion.

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01:29:43 On a motion by Commissioner Carlson, seconded by Commissioner Mims, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** this case to the **January 27, 2022 Land Development and Transportation Committee meeting** to allow the applicant time to consider options and courses of action.

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The vote was as follows:

YES: Commissioners Mims, Carlson, Brown, and Sistrunk.

ABSENT: Commissioner Daniels.