



# Louisville Metro Government

## Legislation Text

File #: O-095-15, Version: 2

Ordinance No. \_\_\_\_\_, Series 2015

**AN ORDINANCE CHANGING THE ZONING FROM R-7 MULTI-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 3901 WEST MARKET STREET CONTAINING 24,000.00 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1030)(AS AMENDED).**

**SPONSORED BY: COUNCILWOMAN MADONNA FLOOD**

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 14ZONE1030; and,

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 14ZONE1030 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records, and attaches 4 agreed upon binding elements as set forth in Section I below;

**Now therefore be it ordained by the Legislative Council of the Louisville/Jefferson County Metro Government as follows:**

**Section I:** That the zoning of the property located at 3901 West Market Street, containing 24,000.00 square feet and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 14ZONE1030, is hereby changed from R-7 Multi-Family Residential to C-1 Commercial; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 14ZONE1030, with the addition of the following binding elements:-

13. The exterior building elevations shall change from what was approved at the Planning Commission public hearing to those accompanying this ordinance, resulting in a substitution of 3

display cases to house historic Shawnee Neighborhood photographs (as selected in consultation with the Shawnee Neighborhood Association) for several previous Planning Commission-approved spandrel glass windows.

14. The outdoor space at the corner of 39<sup>th</sup> and Market Streets shall be finished with a ground surface determined by DPDS in consultation with the Metro Councilperson from District 5 and thereafter made available by Hutton/Family Dollar by deed or easement to Louisville Metro Government for use through a Metro-determined process to select or allow vendors to sell fresh fruits and vegetables.

15. A 6-foot high, double-sided, solid wood fence shall be installed along the rear property line in place of shrubbery as requested by the Metro Councilperson from District 5 in consultation with the DPDS case manager so as to assure no duplicative screening requirements in this area and with Metro Transportation Planning and Public Works so as to assure appropriate sight distances.

16. Damage, if any, to public infrastructure caused by the developer during the course of construction shall be repaired at developer's cost.

**Section II:** This Ordinance shall take effect upon its passage and approval.

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H. Stephen Ott Metro Council Clerk

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David W. Tandy President of the Council

\_\_\_\_\_ Approve

d: \_\_\_\_\_

Greg Fischer Mayor

Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

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