

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

June 9, 2022

A meeting of the Land Development and Transportation Committee was held at 1:00 p.m. on Thursday, March 11, 2021 at the Old Jail Courtroom, 514 West Liberty Street, Louisville, KY 40202 and via Webex Teleconferencing.

Committee Members present were:

Te'Andre Sistrunk, Chair
Jim Mims, Vice Chair (arrived at 1:07 p.m.)
Rich Carlson
Ruth Daniels
Jeff Brown

Committee Members absent were:

No one

Staff Members present were:

Joseph Reverman, Assistant Director, Planning & Design Services
Joe Haberman, Planning Manager
Julia Williams, Planning Supervisor
Jay Lockett, Planner II
Dante St. Germain, Planner II
Joel Dock, Planning Coordinator
Laura Ferguson, Legal Counsel
Chris Cestaro, Management Assistant (minutes)

Others Present:

Beth Stuber, Transportation Planning
Tony Kelly, MSD

The following matters were considered:

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Approval of Minutes

Approval of the minutes of the May 19, 2022 Land Development and Transportation Committee meeting.

00:04:36 On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on May 19, 2022.

The vote was as follows:

YES: Commissioners Carlson, Daniels, and Sistrunk.

ABSTAIN: Commissioner Brown.

ABSENT: Commissioner Mims.

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OLD BUSINESS

Case No. 21-STRCLOSURE-0032

Request:	CONTINUED from the 04/28/22 LD&T - A
Project Name:	proposed closure of public right-of-way
Location:	S 5th at W Chestnut St Alley
Owner:	Alley East of S 5th St Parallel to W Chestnut St
Applicant:	Louisville Metro
Representative:	Joseph Impellizzeri
Jurisdiction:	Charles Cash
Council District:	Louisville Metro
Case Manager:	4 - Jecorey Arthur
	Jay Lockett, AICP, Planner II

Agency Testimony:

00:05:19 Jay Lockett explained why the applicant is requesting a continuance (see staff report and recording for detailed presentation.)

00:07:08 In response to a question from Commissioner Mims, Mr. Lockett said there are no firm plans for development on this block. Commissioner Mims expressed concern about closing an alley on a block when there is no known project being planned here.

The following spoke in favor of the request:

No one spoke.

The following spoke in opposition to the request:

No one spoke.

An audio/visual recording of the Land Development and 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.

00:07:57 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** this case to the **June 23, 2022** Land Development and Transportation Committee meeting.

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June 9, 2022

OLD BUSINESS

Case No. 21-STRCLOSURE-0032

The vote was as follows:

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

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

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NEW BUSINESS

Case No. 22-MSUB-0006

Request:	Major Preliminary Subdivision with associated Waiver
Project Name:	13715 Reamers Road Subdivision
Location:	13715 Reamers Road
Owner:	Momman Lee & Speck Sha McCay
Applicant:	Pantheon Homes
Representative:	Sabak Wilson & Lingo Inc.
Jurisdiction:	Louisville Metro
Council District:	19 - Anthony Piagentini
Case Manager:	Dante St. Germain, AICP, Planner II

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:

00:08:33 Dante St. Germain presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

00:12:14 In response to a question from Commissioner Mims, Ms. St. Germain said that the street is ending in a cul-de-sac, instead of being “stubbed in” to the adjoining R-6 property, because that adjoining property is a senior living facility. See recording for detailed explanation.

The following spoke in support of the request:

Doug Shultz, Sabak Wilson & Lingo, 608 South 3rd Street, Louisville, KY 40202

Summary of testimony of those in support:

00:13:58 Doug Schultz, the applicant’s representative, presented the applicant’s case (see recording for detailed presentation.)

00:17:36 Mr. Shultz discussed making a stub street connection to the property to the west (see recording.)

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NEW BUSINESS

Case No. 22-MSUB-0006

00:18:36 – In response to questions from Commissioners Brown and Mims, the ROW location was discussed in detail, and its relation to the property (see recording.)

The following spoke in opposition to the request:

No one spoke.

Deliberation:

00:23:36 Commissioners' deliberation.

00:23:51 Commissioner Brown said he would like to know what conditions were placed on the frontage road for Forest Springs to see if it was intended to serve future developments as they came in, if not for just the cross-connectivity to eliminate driveways or access points on our County through-road.

An audio/visual recording of the Land Development and 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.

00:26:32 On a motion by Commissioner Carlson, seconded by Commissioner Daniels, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** this case to the **June 23, 2022** Land Development and Transportation meeting.

The vote was as follows:

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

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NEW BUSINESS

Case No. 21-ZONE-0095

Request:	Change in zoning from RR to C-2 with detailed district development plan in Floyds Fork Review Overlay and variance and waivers
Project Name:	2nds in Building Materials
Location:	2612 S. English Station Road
Owner:	2nds in Building Materials
Applicant:	2nds in Building Materials
Representative:	Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	20 - Stuart Benson
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:

00:27:09 Joel Dock presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

00:33:25 In response to questions from Commissioners Carlson and Mims, Mr. Dock said the existing building was constructed sometime around 2008 for an agricultural use. It is about 49,000 square feet. Commissioner Carlson asked about converting an agricultural building to a commercial use (see recording for detailed discussion.)

00:35:36 In response to a question from Commissioner Mims, Mr. Dock said the applicant can answer questions about whether they will continue to use the on-site sewer/septic system. He said MSD preliminary plan approval has been received.

00:35:55 Commissioner Mims asked about sprinkler system/s and availability of fire hydrants. Mr. Dock said there is a fire hydrant at the intersection of Echo Trail and South English Station Road.

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NEW BUSINESS

Case No. 21-ZONE-0095

The following spoke in favor of the request:

Nick Pregliasco, Bardenwerper Talbott & Roberts, 1000 North Hurstbourne Parkway, Louisville, KY 40223

Paul Baggett, 5959 Shallowford Road Suite 519, Chattanooga, TN 37421
(signed in but did not speak)

Scott Leroy, 6052 Lee Highway, Chattanooga, TN 37421 (signed in but did not speak)

Summary of testimony of those in favor:

00:36:52 Nick Pregliasco, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

00:50:51 In response to a question from Commissioner Carlson, Mr. Pregliasco discussed how the applicant has determined how to bring the former stable up to Code compliance for mercantile occupancy (see recording for detailed presentation.)

00:51:58 In response to questions from Commissioner Carlson, Mr. Pregliasco discussed the industrial area adjacent to the property (see recording.)

00:52:56 Commissioner Brown and Mr. Pregliasco briefly discussed proposed hours operation.

00:53:26 In response to questions from Commissioner Mims, Mr. Pregliasco said the development is currently, and would remain, on a septic system (see recording for detailed discussion.)

00:54:29 In response to a question from Commissioner Mims, Mr. Pregliasco discussed outdoor storage (see recording.)

00:55:03 In response to additional questions from Commissioner Mims, he and Mr. Dock discussed the South Floyds Fork study; the septic/sanitary sewer issues; and outdoor storage (see recording.) Mr. Pregliasco said the applicant is willing to propose a binding element which prohibits other C-2 uses.

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NEW BUSINESS

Case No. 21-ZONE-0095

The following spoke in opposition to the request:

Steve Porter, 2406 Tucker Station Road, Louisville, KY 40299

Randy Strobo (on behalf of Friends of Floyds Fork), 730 West Main Street Suite 202, Louisville, KY 40202

Harrell Hurst, 16200 Taylorsville Road, Louisville, KY 40223

Summary of testimony of those in opposition:

00:56:58 Steve Porter, representing the Fisherville Neighborhood Association and residents of that area, spoke in opposition (see recording for detailed presentation.)

01:01:20 Harrell Hurst, representing the Fisherville Neighborhood Association, spoke in opposition. His primary concern is the “jump” from R-R zoning classification to C-2; incompatibility with the rest of the area and the Louisville Loop; traffic; and environmental concerns.

01:04:49 Randy Strobo said the Friends of Floyds Fork agrees with everything Mr. Porter said. He said the sanitary sewers, and the sewage and pollutants that are coming out of the MSD Floyds Fork Wastewater Treatment Plant and the MSD Cedar Creek Wastewater Treatment Plant, are already harming the stream and the environment around it. This proposal will significantly increase impervious surface and runoff. He said there has not been adequate environmental study of this proposal to determine if it meets the DRO guidelines.

Rebuttal:

01:08:15 Mr. Pregliasco presented rebuttal (see recording for detailed presentation.)

Deliberation:

01:09:21 Commissioners’ deliberation.

An audio/visual recording of the Land Development and Transportation Committee meeting related to this case is available on the Planning &

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NEW BUSINESS

Case No. 21-ZONE-0095

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 scheduled this case to be heard at the **July 7, 2022** Planning Commission public hearing.

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NEW BUSINESS

Case No. 22-ZONE-0018

Request:	Change in Zoning from R-4 and C-1 to PEC with a District Development Plan with Binding Elements and Waivers
Project Name:	UAW Chamberlain Ln
Location:	2702 Chamberlain Ln, 3120 and 3200 Collins Ln
Owner:	Local Union 862 United Auto Workers
Applicant:	Local Union 862 United Auto Workers
Representative:	Bowman/BTM Engineering
Jurisdiction:	Louisville Metro
Council District:	17 - Markus Winkler
Case Manager:	Jay Lockett, AICP, Planner II

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:

01:10:58 Jay Lockett presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

01:15:05 In response to a question from Commissioner Mims, Mr. Lockett said the applicant is proposing to construct sidewalks along the frontages of both Chamberlain Lane and Collins Lane.

The following spoke in favor of the request:

Chris Brown, Bowman/BTM Engineering, 3001 Taylor Springs Drive, Louisville, KY 40220

Laura Van Vector, Alter Development Group, 2401 Stanley Gault Parkway, Louisville, KY 40223 (signed in but did not speak)

Barry Ford, representing UAW, 2702 Chamberlain Lane, Louisville, KY (signed in but did not speak)

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NEW BUSINESS

Case No. 22-ZONE-0018

Summary of testimony of those in favor:

01:15:38 Chris Brown, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

01:22:51 In response to a question from Commissioner Carlson, Mr. Brown said this proposal does not require a Conditional Use Permit in the PEC zoning district.

01:23:22 In response to a question from Commissioner Brown, Mr. Brown said the existing four-board horse fence will be shifted out of the ROW, into the property itself. Commissioner Brown said that Collins and Chamberlain Lanes are a signalized intersection; therefore a marked crosswalk would be required to be added at Chamberlain. Mr. Brown said this will be added to the plan prior to the public hearing.

The following spoke in opposition to the request:

No one spoke.

Deliberation:

01:24:15 Commissioners' deliberation.

An audio/visual recording of the Land Development and 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 scheduled this case to be heard at the **July 7, 2022** Planning Commission public hearing.

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NEW BUSINESS

Case No. 22-ZONE-0022

Request:	Change in Zoning from R-4 to R-5A with a District Development Plan with Binding Elements and a Waiver
Project Name:	4490 and 4492 Brownsboro Rd
Location:	4490 and 4492 Brownsboro Rd
Owner:	4490 Brownsboro Rd, LLC
Applicant:	4490 Brownsboro Rd, LLC
Representative:	Frost, Brown Todd
Jurisdiction:	Louisville Metro
Council District:	7 - Paula McCraney
Case Manager:	Jay Lockett, AICP, Planner II

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:

01:24:33 Jay Lockett presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

01:27:42 Commissioner Brown, Mr. Lockett, and Beth Stuber (Louisville Metro Transportation Planning), discussed Units #14 and #9 (see recording, which shows the units on the site plan.)

The following spoke in favor of the request:

Tanner Nichols, Frost Brown Todd, 400 West Market Street Suite 3200
Louisville, KY 40202-3363

Chris Brown, Bowman/BTM Engineering, 3001 Taylor Springs Drive, Louisville,
KY 40220

Summary of testimony of those in favor:

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01:29:44 Tanner Nichols, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

01:36:48 In response to a question from Commissioner Daniels, Mr. Nichols said there will be 14 separate townhomes.

The following spoke in opposition to the request:

Randy Strobo (on behalf of the City of Windy Hills), 730 West Main Street Suite 202, Louisville, KY 40202

Helen Davis, City of Windy Hills, 732 Wicklow Road, Louisville, KY 40207

Stephen Miller, 5800 Creighton Hill Road, Louisville, KY

Summary of testimony of those in opposition:

01:37:35 Randy Strobo spoke in opposition (see recording for detailed presentation.) He said the City of Windy Hills has made requests of the developer, which he says were all denied. He said these are not "affordable housing" units. He said the height of these (3 stories) and the density are both uncharacteristic of the area.

01:41:12 Helen Davis, Mayor of the City of Windy Hills, discussed their opposition, including: the density is too high; the City would prefer R-5 zoning; the concern that the rezoning would set a precedent for their city; the three-story design being placed on a property with a higher-elevation site; and drainage and runoff affecting the Coachgate residents.

01:43:51 Stephen Miller, a board member of Coachgate condominium residents, spoke in opposition (see recording for detailed presentation.) Concerns include: a higher elevation of the subject site; building height; and particularly water drainage and runoff. He said the seven-member board of Coachgate voted unanimously to oppose this project.

Rebuttal:

01:47:40 Mr. Nichols presented rebuttal (see recording for detailed presentation.)

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Case No. 22-ZONE-0022

01:49:12 Chris Brown, an applicant's representative, discussed drainage (see recording.)

01:50:54 Mr. Nichols added that the developer did reach out to the residents of Coachgate and Windy Hills, and briefly described what the discussions entailed.

Deliberation:

01:52:40 Commissioners' deliberation.

An audio/visual recording of the Land Development and 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 scheduled this case to be heard at the **July 7, 2022** Planning Commission public hearing.

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The meeting adjourned at approximately 2:55 p.m.

Chairman

Division Director