

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

October 27, 2022

A meeting of the Land Development and Transportation Committee was held at 1:00 p.m. on Thursday, October 27, 2022 at the Old Jail Building, 514 West Liberty Street, Louisville, KY 40202 and via Webex Teleconferencing.

Committee Members present were:

Te'Andre Sistrunk, Chair
Jim Mims, Vice Chair
Rich Carlson
Jeff Brown

Committee Members absent were:

No one.

Staff Members present were:

Brian Davis, Assistant Director, Planning & Design Services
Julia Williams, Planning Supervisor
Joel Dock, Senior Planner
Jay Lockett, Planner II
Beth Stuber, Transportation Planning Supervisor
Laura Ferguson, Legal Counsel

Others Present:

The following matters were considered:

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Approval of Minutes

Approval of the minutes of the October 13, 2022 Land Development and Transportation Committee meeting.

00:04:12 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 **APPROVE** the minutes of its meeting conducted on October 13, 2022.

The vote was as follows:

YES: Commissioners Mims, Carlson, and Brown

ABSTAIN: Commissioner Sistrunk

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

October 27, 2022

OLD BUSINESS

Case No. 22-ZONE-0043

Request: Change in zoning from R-1, R-6, C-1 & C-2 to PDD with a Waiver
Project Name: One Park North
Location: 2297, 2301, 2313 & 2345 Lexington Road
Owner: MSD and JDG Triangle Partners LLC
Applicant: JDG Triangle Partners LLC
Representative: Bardenwerper, Talbott & Roberts; Mindel Scott & Associates
Jurisdiction: Louisville Metro
Council District: 9 – Bill Hollander
Case Manager: **Julia Williams, AICP, Planning Supervisor**

******This case and 22-STRCLOSURE-0017 were heard simultaneously******

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:

00:05:28 Julia Williams presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). This case was continued from the October 13, 2022 LD&T meeting.

The following spoke in favor of the request:

Kent Gootee, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

Diane Zimmerman, 12803 High Meadows Pike, Prospect, KY 40059

Summary of testimony of those in favor:

00:07:28 Kent Gootee spoke in support of the application (see video for Powerpoint presentation). Gootee explained the changes that were made to Lexington Road in order to satisfy the committee's requests from the previous meeting. Gootee also explained the proposed connection back to the trailhead, stating that Metro Parks had

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OLD BUSINESS

Case No. 22-ZONE-0043

said they preferred to have the existing trailhead that is at the intersection of Lexington and Grinstead remain the primary entrance since there is a traffic signal there.

00:14:15 Commissioner Mims asked if Etley was going to have a signal. Diane Zimmerman said Etley meets the warrants so there will be a signal at the Etley/Lexington intersection. This signal would be fully funded by the applicant.

00:17:20 Commissioner Brown said the applicant would be required to provide the new pole in for the signals since the utilities are going to be placed underground. Gootee said they would accommodate this as needed.

The following spoke in opposition to the request:

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

Summary of testimony of those in opposition:

00:18:55 Steve Porter spoke in opposition to the request. He would like to request extended time hearings for the item and potentially have it start no sooner than 4:00 pm.

Rebuttal:

00:21:18 Kent Gootee agreed to have the item be the last item on the docket when it goes to public hearing.

Deliberation:

00:21:38 Commissioners' deliberation. The committee decided the time limits for the public hearing will be 30 minutes for support, 45 minutes for opposition, and 15 minutes for rebuttal.

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 December 1, 2022 Planning Commission public hearing.

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OLD BUSINESS

Case No. 22-STRCLOSURE-0017

| | |
|-------------------|--|
| Request: | Closure of an Unimproved Portion of Beargrass Avenue |
| Project Name: | One Park North Street Closure |
| Location: | 2297, 2301, 2313 & 2345 Lexington Road |
| Owner: | MSD and JDG Triangle Partners LLC |
| Applicant: | JDG Triangle Partners LLC |
| Representative: | Bardenwerper, Talbott & Roberts; Mindel Scott & Associates |
| Jurisdiction: | Louisville Metro |
| Council District: | 9 – Bill Hollander |
| Case Manager: | Julia Williams, AICP, Planning Supervisor |

*****This case and 22-ZONE-0043 were heard simultaneously*****

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.)

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 December 1, 2022 Planning Commission public hearing.

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OLD BUSINESS

Case No. 21-ZONE-0125

Request: Change in Zoning from R-4, OR-3 & PEC to R-6, OR-3 & PEC with Detailed District Development Plan, Major Subdivision Plan, and Variances

Project Name: Commerce Crossings II

Location: 9710 Preston Highway, 9701 & 9900 Cooper Church Drive, and 5115, 5121, & 5141 Commerce Crossings Drive

Owner: Commerce Crossings, LLC; Alvin J Slack, Jr.

Applicant: Capstone Realty

Representative: Dinsmore & Shohl

Jurisdiction: Louisville Metro

Council District: 13 – Mark Fox; 24 – Madonna Flood

Case Manager: Joel P. 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:

00:24:35 Joel Dock presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The case originally appeared before the committee in April 2022 and was continued so the applicant could address various items. The development is a mixed-use development with multi-family, office and industrial uses proposed throughout the site.

The following spoke in favor of the request:

Cliff Ashburner, Dinsmore & Shohl, 101 S. 5th Street #2500, Louisville, KY 40202

Mark Madison, Milestone Design Group, 108 Daventry Lane #300, Louisville, KY 40223

Summary of testimony of those in favor:

00:34:24 Cliff Ashburner spoke on behalf of the applicant in support of the application (see video for PowerPoint presentation). This site is located in the Suburban Workplace Form District and is a northward expansion of Commerce

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OLD BUSINESS

Case No. 21-ZONE-0125

Crossings. Primary access into this proposed expansion will come from Commerce Crossings Drive. The ephemeral stream is being relocated per the request of Metropolitan Sewer District's comments. There is a new access point from Cooper Church Drive to the proposed apartments.

00:40:45 Diane Zimmerman spoke in support of the application. Zimmerman prepared the traffic impact study for the development. The plan was amended to give two different access points to the apartments, which helped to eliminate the F grade at the intersection of Preston Highway and Cooper Chapel Drive.

00:42:56 Cliff Ashburner resumed testimony. Ashburner reiterated the amount of work that has been done since April to address comments from the agencies and this committee. He believes the plan is now ready for a public hearing.

00:44:20 Commissioner Carlson said he is very happy to see the second access point to the apartment portion of the development.

The following spoke in opposition to the request:

None

Rebuttal:

None

Deliberation:

00:49:22 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 December 1, 2022 Planning Commission public hearing.

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NEW BUSINESS

Case No. 22-RSUB-0007

| | |
|----------------------|--|
| Request: | Revised Major Preliminary Subdivision Plan |
| Project Name: | Santa Fe Crossing |
| Location: | 6501 and 6423 Hackel Drive; 5700, 5701, 5702, 5704, 5706, 5708 and 5709 Santa Fe Trail; and 6421 Lower Hunters Trace |
| Owner: | Habitat for Humanity of Metro Louisville |
| Applicant: | Habitat for Humanity of Metro Louisville |
| Representative: | Sabak Wilson & Lingo |
| Jurisdiction: | Louisville Metro |
| Council District: | 1 – Angela Bowen |
| Case Manager: | Jay Luckett, 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:

00:50:40 Jay Luckett presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The previously approved plan expired recently, so the applicant is proposing a new plan with one fewer buildable lot (40 proposed lots with this application). The proposed tree canopy that will be preserved has been moved into an open space instead of being at the rear of buildable lots.

The following spoke in favor of the request:

Doug Schultz, 608 S. 3rd Street, Louisville, KY 40202

Summary of testimony of those in favor:

00:56:11 Doug Schultz spoke in support of the application.

The following spoke in opposition to the request:

None

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NEW BUSINESS

Case No. 22-RSUB-0007

Deliberation:

00:58:03 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.

MAJOR PRELIMINARY SUBDIVISION:

00:58:38 On a motion by Commissioner Carlson, seconded by Commissioner Mims, the following resolution based on the staff report and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the Revised Major Preliminary Subdivision, with the following **CONDITIONAL OF APPROVAL**:

1. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
2. The applicant shall submit a landscape plan for approval by Planning Commission staff showing plantings and/or other screening and buffering materials to comply with the Chapter 10 of the Land Development Code prior to recording the record plat. The applicant shall provide the landscape materials on the site as specified on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.
3. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
4. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
5. After release of the drainage bond, mosquito abatement on open space lots shall be the responsibility of the Homeowners Association. Accumulations of water in which mosquito larvae breed or have the potential to breed are required to be treated with a mosquito larvacide approved by the Louisville Metro Health Department. Larvacides shall be

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Case No. 22-RSUB-0007

administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.

6. The existing shrubs and vegetation along the eastside of lots 39 and 40 shall be cleared and a privacy fence installed.
7. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
8. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
 1. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
 2. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.
 3. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.
9. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.

The vote was as follows:

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

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NEW BUSINESS

Case No. 22-DDP-0057

| | |
|----------------------|---|
| Request: | Detailed District Development Plan with Waivers, Parking Waiver, and Amendments to the General Plan Binding Element |
| Project Name: | RacTrac |
| Location: | 7201 Greenwood Road; Tax Block 3766 Lots 7 & 8 |
| Owner: | L Smith Co LLC |
| Applicant: | L Smith Co LLC |
| Representative: | Dinsmore & Shohl; Gresham Smith |
| Jurisdiction: | Louisville Metro |
| Council District: | 12 – Rick Blackwell |
| Case Manager: | Julia Williams, AICP, Planning Supervisor |

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:

00:59:49 Julia Williams presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). Williams explained the parking waiver has been withdrawn. The applicant is requesting to revise the plan for the proposed gas station with a full access point along Greenbelt Highway (which has yet to be approved by the Kentucky Transportation Cabinet).

01:07:12 Commissioner Mims asked about the proposed binding elements and whether the applicant would move forward if the full access to Greenbelt was denied by KYTC.

01:11:33 Commissioner Brown asked if the proposed access on Greenbelt is considered “direct” access to the site. Williams stated it is her opinion that the proposal is direct access.

The following spoke in favor of the request:

Cliff Ashburner, Dinsmore & Shohl, 101 S. 5th Street #2500, Louisville, KY 40202

Charlie Goldman, RaceTrac, 200 Galleria Parkway, Suite 900, Atlanta, GA 30339

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NEW BUSINESS

Case No. 22-DDP-0057

Summary of testimony of those in favor:

01:15:05 Cliff Ashburner spoke on behalf of the applicant in support of the application (see video for PowerPoint presentation). Ashburner said the new private road off Greenbelt will be on an adjoining property to be retained by the developer and for the benefit of all tracts within the development, so it is his opinion this is not direct access to the proposed RaceTrac site. All of the landscaping will be provided, even though there is a waiver for the buffer width.

The following spoke as neutral:

Betty Jarboe, 7306 Rutledge Road, Louisville, KY 40258

Summary of testimony of those who are neutral:

01:27:04 Betty Jarboe asked if this proposed facility would be like the one in Elizabethtown.

01:27:44 Charlie Goldman with RaceTrac answer the question. Goldman stated the facility is smaller than the one in Elizabethtown.

01:28:27 Jarboe asked about the location of the truck fueling area. Goldman said they will install an oil/water separator on the site to help reduce potential runoff going towards the stream. Also, the tanks are located further away from the creek than the pumps.

The following spoke in opposition:

None.

Rebuttal:

None.

01:31:10 Ashburner clarified that the drive-thru feature shown on the renderings will not be there, so it will be a blank brick wall. Commissioner Sistrunk asked if the canopy could remain to provide some sense of a break on that wall. The applicant said it could potential interfere with the dumpster enclosure. The applicant showed where the dumpster would be located in relation to this wall.

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NEW BUSINESS

Case No. 22-DDP-0057

Deliberation:

01:37:00 Commissioners' deliberation. Commissioner Brown has concerns with eliminating binding element 23.

01:37:51 The commissioners came out of deliberation. Cliff Ashburner explained the language of the binding element and how the plan has been developed. He reiterated that their access is off of Green Mill Drive, not Greenwood 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.

Waivers:

01:44:36 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution based on the staff report and testimony heard today, was adopted:

WHEREAS, the Land Development & Transportation Committee finds The requested waiver will not adversely affect adjacent property owners since there will be landscaping in the VUA LBAs along the roadways to help screen the site and because the building is setback about 155' from Greenbelt Highway and 118' from Greenwood Road,

WHEREAS, community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. There will be landscaping in the VUA LBAs along the roadways to help screen the site and because the building is setback about 155' from Greenbelt Highway and 118' from Greenwood Road,

WHEREAS, the extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant since there will be landscaping in the VUA LBAs along the roadways to help screen the site and because the building is setback about 155' from Greenbelt Highway and 118' from Greenwood Road,

WHEREAS, 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 since there will be landscaping in the VUA LBAs along the roadways to help screen the site and because the building is setback about 155' from Greenbelt Highway and 118' from Greenwood Road,

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WHEREAS, the waiver will not adversely affect adjacent property owners since the plantings will still be able to be planted in the buffers.

WHEREAS, Community Form Goal 1, Policy 12 calls for the proposal to Design parking, loading and delivery areas located adjacent to residential areas to minimize adverse impacts from noise, lights, and other potential impacts. Ensure that parking, loading and delivery is adequate and convenient for motorists and does not negatively impact nearby residents or pedestrians. Parking and circulation areas adjacent to the street shall be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. The use of alleys for access to parking lots is encouraged, especially in Downtown Louisville, Urban Center Neighborhoods, Traditional Neighborhoods and Traditional Marketplace Corridors. Encourage elimination or reduction of parking minimums in areas readily accessible to transit routes. Community Form Goal 1, Policy 20 calls to mitigate adverse visual intrusions when there are impacts to residential areas, roadway corridors, and public spaces. Since the plantings will still be able to be planted in the buffers Plan 2040 is met,

WHEREAS, the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the plantings will still be able to be planted in the buffers, and

WHEREAS, 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 since the plantings will still be able to be planted in the buffers, therefore be it

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the waiver from 5.6.1.B.1.a & C (22-WAIVER-0075) and waiver from 10.2.4 (22-WAIVER-0076).

The vote was as follows:

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

Amendments to General Plan Binding Elements:

01:45:30 On a motion by Commissioner Carlson, seconded by Commissioner Carlson, the following resolution based on the staff report and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the amendment to General Plan Binding Element #2 only, so it shall read as follows:

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NEW BUSINESS

Case No. 22-DDP-0057

2. There shall be no direct vehicular access to ~~Greenbelt Highway or~~ relocated Greenwood Road

The vote was as follows:

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

Detailed District Development Plan:

01:46:01 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution based on the staff report and testimony heard today, was adopted:

WHEREAS, the Land Development & Transportation Committee finds There do not appear to be any disturbed environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site,

WHEREAS, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works and has approved the preliminary development plan,

WHEREAS, there are no open space requirements pertinent to the current proposal. Future multi-family development proposed on the subject site will be required to meet Land Development Code requirements,

WHEREAS, The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community,

WHEREAS, the overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks, and

WHEREAS, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code, therefore be it

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the Detailed District Development Plan, with the following **BINDING ELEMENTS**:

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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Case No. 22-DDP-0057

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A minor plat or legal instrument shall be recorded consolidating the property into two lots. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - e. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.

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Case No. 22-DDP-0057

- f. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - g. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the October 27, 2022 LD&T meeting. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
- 5. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
- 6. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
- 7. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
- 8. No overnight idling of trucks shall be permitted on-site.

The vote was as follows:

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

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NEW BUSINESS

Case No. 22-ZONE-0004

| | |
|-------------------|--|
| Request: | Change in Zoning from R-4 to R-6, Waiver, and Revised Detailed District Development Plan with Binding Elements |
| Project Name: | Echappe and Pirouette |
| Location: | 423 Echappe Lane & 9418 Pirouette Avenue |
| Owner: | Treeline LLC; Corcoran Home Building & Remodeling LLC |
| Applicant: | Corcoran Home Building & Remodeling LLC |
| Representative: | Bardenwerper, Talbott & Roberts; Land Design & Development |
| Jurisdiction: | Louisville Metro |
| Council District: | 13 – Mark Fox |
| Case Manager: | Julia Williams, AICP, Planning Supervisor |

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:

01:47:05 Julia Williams presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The applicant is requesting a change from R-4 to R-6 for a site that adjoins a previously rezoned parcel, to be included as part of this development (20-ZONE-0117).

The following spoke in favor of the request:

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

Summary of testimony of those in favor:

01:53:34 Nick Pregliasco spoke on behalf of the applicant in support of the application (see video for PowerPoint presentation). Pregliasco provided details about the proposed plan and how this parcel is a natural addition to incorporate into the previously approved plan.

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NEW BUSINESS

Case No. 22-ZONE-0004

The following spoke in opposition to the request:

None.

Deliberation:

02:02:50 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 November 17, 2022 Planning Commission public hearing.

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NEW BUSINESS

Case No. 22-ZONE-0083

| | |
|-------------------|--|
| Request: | Change in Zoning from R-4 to R-5 & R-6 with a Detailed District Development Plan with Binding Elements and Preliminary Subdivision |
| Project Name: | South Pope Lick Residential |
| Location: | 1704, 1806, 1808 R S Pope Lick Road |
| Owner: | Jeffery and Melissa Windhorst, LRH Family LLC & Morris Hockersmith |
| Applicant: | Ball Homes |
| Representative: | Bardenwerper, Talbott & Roberts; Mindel Scott & Associates |
| Jurisdiction: | Louisville Metro |
| Council District: | 11 – Kevin Kramer |
| Case Manager: | Julia Williams, AICP, Planning Supervisor |

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:

02:04:00 Julia Williams presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The applicant is proposing a mixed residential development with both single-family (148 units) and multi-family (388 units).

The following spoke in favor of the request:

John Talbott, Bardenwerper, Talbott & Roberts, 100 N. Hurstbourne Parkway, Louisville, KY 40222

Summary of testimony of those in favor:

02:10:20 John Talbott spoke on behalf of the applicant in support of the proposal (see video for PowerPoint presentation). The development has two points of access to South Pope Lick Road, as well as a future connection to Urton Lane.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

October 27, 2022

NEW BUSINESS

Case No. 22-ZONE-0083

02:16:50 Commissioner Brown asked about the intersection of Tucker Station Road and Bluegrass Parkway. He would like to see more information at the public hearing.

The following spoke in opposition to the request:

None.

Deliberation:

02:19:55 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 December 1, 2022 Planning Commission public hearing.

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The meeting adjourned at approximately 3:26 p.m.

Chairman

Division Director