

Captioning Transcript of Planning and Zoning Committee Meeting - January 24, 2023

"Chair Flood"

On that piece of legislation did everybody hear that? Or did it just come on my.

The 1st item is an ordinance related to the zoning of properties located at 22,972,312,313 at 2345, Lexington road containing approximately 4.2 acres and being a little loyal metro case number 22 zone. 0. 0 4 3. point two acres and being a little loyal metro case number twenty two zone zero zero four three

Secondary properly made by Committee Member Engel and 2nd, by Vice Chair Reed and we're ready for discussion.

"Brian Davis"

Alright, good afternoon. Brian Davis, assistant, director of Louisville Metro planning and design happy New Year to everybody.

Uh, this is planning commission docket number 22,043 it's for 1 partner. As previously stated, the properties are located 3,972,301,232,313 200,340, licensing road and the project is located in mental capital district.

This is an outline of the area for the proposal. Um.

Let people know it a former site, and also, uh, currently being used as the majority of is currently being used as a prep site for the project. For the CSO diversion project that's going on to the North there.

This is the existing zoning on the site of the zoning districts are 1 or 6.

That's okay in the traditional neighborhood form district, proposing a development district for this area similar to the 1 that's located on the South Side of of Lexington here with the 1 part. What's now known as 1? So, again, the request is a change is only from to to.

Uh, there's also a company, um, street closure case, which I'm sure we'll talk about after this 1.

So so the request is for a plan development district, this will be a mixed use.

Um, there on the site, uh, composed of 2 buildings with multiple stories. Access coming from licensing road for 1 of the buildings. The maximum is 17 stories for the other other proposed structure. There are proposing a maximum by the end stories.

And then there's the, uh, the, the PD pattern book, which was sent over, uh, with the information that is part of the staff report. Basically, that pattern book becomes the, uh, the de facto land development code for that site.

So, the, the developer has worked to put together a list of uses and design criteria and things like that are included in that pattern book that will guide any future development on that site.

The site was previously part of the neighborhood plan was approved in 2002, but they didn't have any recommended recommendations for this area. Um, these are some of the photos of the site. Um, so looking from Lexington road to the north into the side, you can see the existing conditions again.

This is the eastern part of it is the, uh, the prep area for the project and then you have some somewhat, they can structures and parcels located on the West side.

Is there some of the photos of the surrounding area, if you've been to the air, you're familiar with the, the commercial that is located to the south on the 1 part stuff.

Uh, site, and then also the personal development is located a little further to the, to the west.

This is the app is development plan.

Uh, so again you have to post structures, uh, within the boundaries of parcel.

Uh, and I'm just going to go on the next slide. So basically, this is 1 of the renderings that was provided by the applicant.

To show their vision for these 2 buildings would look like.

In both buildings would have would be mixed, use buildings with both commercial office and residential components as well as parking available with instructors that are incorporated into the buildings.

And so, with this rendering, this is looking from the North towards Lexington row, which you can see kind of here. So you have the 2 buildings in the foreground are the 2 buildings that are being proposed with the 1 part North project.

Uh, and then, uh, the buildings that are a little further on or what they, um.

I had received approval for for the other 1 part project.

As far as a comparison between the 2 projects, the maximum maximum height being proposal 1 partner shorter than that.

But both of those again are mixed uses with the number of dwelling units, being incorporated into the designs for the mixed use buildings and parking, being provided within parking structures that also incorporated within that.

This is just a glimpse of the street closure, which will get into more detail later, but basically paragraphs Avenue currently unimproved right away that cuts through the site is proposing to close that right away.

There are a number of neighborhood meetings that were conducted for this site as you see back in September of 2021 there were a series of.

Meetings conducted at the international convention center. There was a follow up here neighborhood meeting October, 12 2021.

And then 1 more March, 16th of 2022.

Uh, the land development transportation committee held 2 different meetings on the subject.

Uh, both on October, 13th and October, 27, 2022.

And then the planning commission public hearing was held on December 1st, 2022, or people spoke in opposition to the request.

And then the motion from the planning commission was to recommend approval the change in zoning from our to, by a vote of 8 to 0.

that's all that I have you have any questions for me, we are joined online today by Julia Williams, who has been the case manager for both of the 1 part projects. So she'll be helping me answer any questions that you all may have.

"Chair Flood"

Thank you Brian. Um.

This is an councilman Owen when did you want to laid off with questions or comments before we go any further?

"Council Member Owen"

Um, this is a very, uh.

Big project within the 9th district, and in a very prominent location. And I feel like I'm a little bit late to the party. Because we're kind of near the end of the process, and I'm very familiar with the project from the outside, but. I have access to documents and staff now that I didn't have before. I was on counsel and so I'm kind of just starting to get up to speed here. I did want to there was 1 place in the package where there was a binding element discussed for the light at Lee and I just wanted to make sure that that is that is still being considered as a binding element or that has been proposed or where does that stand at this point?

"Brian Davis"

Yeah, let me pull up the money elements real fast here in a minute. Um. So, now there was a lot of discussion about. When that potential light would be warranted. And what would trigger the installation of that so we find that money on it.

"Julia Williams"

This is Julia Williams planning and design services. 404, South 5th street. Planning a design staff, so, Brian, that is binding element number 13, which reads at the applicants expense. So that the applicants expense, the roadway improvements will be constructed prior to the 1st, CEO and the signal installed within 6 months of issuance of the 1st.

"Chair Flood"

Julia, can I ask a quick question on that? Because there are. Temporary certificates of occupancy and then they go to the permanent certificate of occupancy. Is that still in effect? So, they only get a temporary certificate of occupancy if they request that. Um, so it may not be requested. Uh, they may just go for their certificate of occupancy.

"Julia Williams"

A temporary is usually if, if they're waiting on something minor to get that full. Um, maybe it's out of season for landscaping. There's I'm sure there's some other issues that would bring that up.

"Chair Flood"

I'm just concerned about this being done in temporary, being given and no one's seeking a permanent wait down the road. So, I don't know if we need to distinguish that it includes temporary ceo's also not just the permanent CEOs.

"Julia Williams"

I believe that language could be clarified to add that the signal will be installed before any temporary would be issued.

"Chair Flood"

Travis, did you have any comment on that?

"Travis Fiechter"

Sure. Uh, Travis Fiechter county attorney I know that at some point in the past, there were an issue or some issues with these kind of binding elements I don't know if we've had any recently.

Madonna, you may be personally sorry that's Councilwoman Flood. You may be personally where.

Of some, but none have been raised to my attention. So I think these are being interpreted in a way that that has not been a major issue, but it's also something we can clarify without.

Creating any harm either. So if counts would like to add that language, I don't think it would be a problem and I don't think it changes the sort of intent or impact here.

But, if the intent is to hang on to this for a little bit, anyway, then I could check in with the applicant. In the meantime, just to make sure they don't have any issues.

"Chair Flood"

Okay, yeah, I'd like you to discuss that. If you don't mind if Councilman Owen doesn't mind me.

Adding that to, by an element number 13, if he has no objections.

"Council Member Owen"

I have no objections.

"Chair Flood"

Okay. So if you'll find that out for service that's good. And I'll turn it back over to Councilman Owen

"Council Member Owen"

Can you guys speak a little bit to the traffic impact study? The thing that I think is difficult in this case is.

At this point, I don't think we know how the project will be built and whether the 2 pieces North and South are going to be built simultaneously or not.

And so, it seems like we have to assume from the traffic study that we're taking into account both pieces of the development.

And I think that that's probably a very difficult thing for a traffic engineer to do to basically take the impact of South. And then.

Say once kind of, because you're basically putting numbers numbers in and that.

And that creates numbers that come out. So, can you guys speak a little bit to the traffic study? And how how how you think it addresses both of the 2 pieces and how that might affect traffic going forward.

"Julia Williams"

So this is Julia Williams again, Brian, you can jump in anytime.

So, the, the traffic impact study did take into account the potential traffic that would be generated by 1 park South.

And the road improvements that would be required with that development.

Um, I'm not well versed in interpreting a traffic study.

Um, but I, I do believe that all the recommendations from both studies will be implemented as far as the roadway improvements on both sides. I don't know if you have anything else to add Brian.

"Brian Davis"

Well, I mean, I think you said it when, when the 2nd study for well, this 1 for 1 partner, or it's all the.

All the traffic, uh, from the from a fully built out.

Uh, 1 park sample is incorporated into that, so when we were looking at the additional improvements that may be needed to accommodate this northern development.

They would they would be incorporated and required prior to building. Now of course what that means, though, is that if.

Say the 1 part,

nor does come in before the word park South and then the overall traffic improvements will be looked at kind of as a combination because I think some of the improvements that they're proposing for the North can't be completed unless all the improvements are done for the South and so that would be something that we would look at

prior to issue any kind of construction approval on the structures.

"Council Member Owen"

Has there been any discussion that you guys are aware of, as to how this is going to be phased? Or if it's not going to be phased at all if it's all going to be done at once? Do we know that at this point?

"Julia Williams"

No, we have not received any information from the applicant, or the applicant's attorney on which building would go. 1st if it would be South, then the North we don't have that information.

"Chair Flood"

Would they be required to discuss that Travis, Brian or Julia?

"Travis Fiechter"

I can't think of anything. This is Travis Fiechter I can't think of anything that would require them to other than, you know, once they pull sort of permits, we can kind of make inferences.

Um, but occasionally, we'll have developments, we have some, for example, in the, uh.

Is it the section? No, I'm sorry I'm missing, but anyway, we have a couple of sections of the code that do require a sort of.

You have to do X number of single family housing, and then multi family, but that's a very specific subsection. Other than that. I can't think of anything that requires a specific sort of.

Order of development, particularly here where we have 2 sites that.

Well, have a similar owner, you know, geographically and by case number everything else disconnected.

"Council Member Owen"

So, for me, I would I would like to request that we, that we table this until our next meeting.

So I can have a better opportunity to get myself up to speed on all the nuances of this project again.

I'm kind of just getting able to sync my teeth into the package and be able to talk to staff and other people in government. So that would be my request. So I move to table this until the next Committee meeting.

"Committee Member Armstrong"

2nd Armstrong

"Chair Flood"

properly moved and seconded

"Vote Taken"

all those in favor of tabling signify by saying, aye aye. Aye. Those opposed by, like, sign hearing none, the motion passes, um, since the.

"Chair Flood"

Item number 5 is the companion to that, which is the roadway closure. Um, so, um.

Do you want to just have us hold that in here next time? Or do you want to hear it and ask questions about it now?

"Council Member Owen"

Let's go ahead. And here it here it and ask questions about it and then. We'll see where we are.

"Chair Flood"

Okay. All right then I'm going to call up item number 5, which is an ordinance relating to the closure of paragraph Avenue, containing approximately 0.25 acres and being in a local metro case number of 22 street closure.

twenty two street closure zero zero one hundred and seven

"Vice Chair Reed"

Motion Reed

"Committee Member Engel"

2nd Engel

"Chair Flood"

properly moved by Councilman Reed and seconded by Councilman Engel we're ready for discussion.

"Brian Davis"

Okay this is a 22 street closure. 0107forparagraph Avenue. Uh.

We just talked about this property located, uh, in the metro Council district and yeah.

It is a closure of a public right of way. So, the request is to close a portion of paragraph every right away, which is unimproved.

Another portion of paragraph avenue was previously closed under a case number 18 streets, 102, 7. and then, as we just discussed this project, this street closer is related to the 22,043 project.

Uh, so this is an aerial photo of the site, and you can see the right of way as it currently exists.

Um, so it is, uh, unimproved.

And basically, just kind of leads from licensing road back to a large open space. Where is doing the, um, uh, the, um.

The major project, uh, so this is the, uh, the previous plan where.

Um, a portion of paragraphs avenue was closed, uh, as you can see from the, from the termination point that we saw on the aerial map.

Back to the query and then there was an accompanying, uh, Allie closure with. So that was approved a couple of years ago. Uh, so now the app is requesting it to close the remainder of that, uh, right away.

So going all the way from the, uh, the previous terminus down to Lexington road.

Here's the, here's the development phase for the right of way is located. Somewhere where it's like, right the, about the location between the 2 buildings.

Is where the right way is, uh, is located in relation to the, uh, development plan. So, the street closure with for the land development transportation committee on October 27th.

Uh, and then the planning commission get out to the public hearing on December. 1st no. 1 spoke opposition to the request.

And in the motion to recommend approval that close your past 5 dollars 8. 0.

That's all.

I have any questions for me,

"Chair Flood"

I feel to say we've been joined by councilman Dan Seum Jr that And that Cindy Fowler was here but she left, so.

"Council Member Owen"

I don't really have any additional questions, but I would like to also, um, move that. We, we table this ordinance, uh, until the next committee meeting as well. I'd like to to have both the number 1 and number 5 tabled.

So, we can bring them up together at the next committee meeting.

"Committee Member Armstrong"

2nd

"Chair Flood"

properly moved in 2nd

"Vote Taken"

all in favor of table and signify by saying I.

Aye, aye, those opposed by, like, sign hearing none the motion passes.

Thank you. Councilman Owen

"Chair Flood"

Moving on to item number 2. it's an ordinance relating to the zoning of properties located at 10,704 10,806 and 1. 888.

Our South, our South public road, containing approximately 86.15 acres, and being in a local metro case number 22 zones. 0. 0, 8 3.

"Vice Chair Reed"

Motion Reed

"Committee Member Engel"

2nd Engel

"Chair Flood"

Properly moved by Councilman Reed seconded by Councilman Engel we're ready for discussion.

"Brian Davis"

This is planning commission docket number 2283, South road, residential. The properties in question or 704,806 and then 808 R, it's 1 of those rare address slots.

All on the road located metric, cancel district 11.

So, the property, it's currently a big.

Uh, or agricultural use that you can see that an old single family structure is located on the site. Uh, they are proposing residential development on the side.

Uh, so this is the zoning map, the, um.

Properties currently zoned are 4 located in neighborhood form district. They're proposing to change the selling to our our 6.

So the request before you change zoning again from our 4 or 5 and 6.

There are 3 existing lots that make up this proposed development with, about 86.15 acres.

I was proposing to re, zone about 60 acres to our 5. that would include 148 billable. Lots.

And then there are 6 portions, approximately 2006.7 acres and that would include 38 multi family units.

Uh, within 14 structures, uh, on on that portion of the site.

Hopefully Craig is located to the west of the site, and there is a street stone that comes out of the development towards the creek to meet up with the proposed corridor,

which you'll see on the on the development plan here in just a moment.

So these are some photos of the subject sites sitting looking from staff, public road into the site.

This is the development plan area that's in circle by red. That is there are 6 portions. So that is where the multi family units would be a proposed public road comes here.

Uh, and then just kind of like search the eastern side of the of the development before it crosses the site or freeway. So you have the Snyder freeway, uh, right away, which is located along that Southeast portion of the development.

Uh, the rest of the site that would be a reason to for a single-family development.

Uh, here's the stuff that I was talking about, that goes away from.

Uh, the, uh, proposed approach to the proposed, certainly in corridor.

Uh, so if and when that project is constructed, it would be, uh, access point, uh, there as well.

And then you can see the stream located on the West side of the property, and the open space that surrounds that.

This was a photograph that included with their presentation to show what the proposed multi family's portion would look like.

So that's the 2 neighborhood meetings. 1st, on March 29th. The 2nd, 1 on May 16th, 2022 blend development transportation committee had their meeting of October, 27, 2022.

And then the planning commission, public hearings on December 1st, 2022 no 1 spoken opposition to this request.

And then the, the motion by the planning commission was a recommended approval to change in zoning.

From our 4 to 5 or 6 a vote of 7 to 1 to 1.

Uh, and that's all the analysts have any questions for me.

"Chair Flood"

Thank you, Brian.

Councilman Kramer's office has sent me an email says that.

He's unable to because of his teaching job, he's unable to attend this special planning and zoning committee meeting, nor will he be able to make the.

The following committee, meaning his main concern remains whether the surrounding infrastructure can support additional traffic. I think Travis, did you have something to add on behalf of councilman Kramer's office?

"Travis Fiechter"

Thank you Madam chair, Travis Fiechter, county attorney not much to add only that to reiterate. Unfortunately, the, the councilman is not able to make.

These meetings, because of his teaching job, but he intended to he has been looking at the case and intends to.

Present his his thoughts in such at full counsel the coming week.

"Chair Flood"

Yes, and he said he knew that we would be likely voting this.

Uh, out of committee today, on the email from, uh, his legislative aid, there's no 1 in the queue that I can see. Does anyone have any questions or comments on the case? Oh, I see. Councilman that Shawn. You have a question.

"Committee Member Batshon"

Yes, thank you. Thanks for taking that just. It's, uh, probably already. I didn't look at it and see all the way through on the plan.

But is that an entry way and exit only for the residentials and a separate entry and exit for the multi family units? Or are they going to be

"Brian Davis"

Sure um, let me pull back up. So the, um.

So, the, uh, there are 2 entrances from the proposed development out to South public road. Uh, the, uh, um, the multi family development actually comes off of 1 of the proposed rows. So, um.

You know, multi family, if you were driving into the multi family portion of that, you would turn off of South public road on the southern of the 2 entrances and then you would turn south.

Uh, onto the access flow that goes back into the multi family development part. Uh, there was another, this, you can see this back here that also goes into the multi family parts. So you do have, um.

Another way to, and from the multi family through the single family, but, yeah, you you have just the 2 entrances on the South.

Uh, located right here to kind of the northeast part of part of the, uh, proposed development.

"Committee Member Batshon"

So, just so I'm clear so that called the sac there.

Is that, can you go into the multi family units or? No, or is it just called this app? Just in and out of the neighborhood itself.

"Brian Davis"

Yeah, so you can see so this is this is like an extension of an access road that goes to the.

Um, I do not recall that that was going to be just like gate, like, maybe like a gate there.

Um, but, you know, the access point does extend from the into.

Uh, kind of like the drive area in the parking area for the multi family structure. So it is, it is connected. But I, I do not know whether it was gated or not. I don't remember.

That being a conversation point during the hearing.

"Committee Member Batshon"

Okay Thank you.

"Chair Flood"

Yeah, Brian, I didn't recall seeing anything in the record about that too, but it's been a while since I looked at some of these cases. So.

Ah, could be something that I didn't remember.

"Committee Member Engel"

I've got a question.

"Chair Flood"

Go ahead.

"Committee Member Engel"

Sorry I didn't register in it. Brian. Could you put that map up again? For me? Please.

So, I'm looking at, and if you could point out where the connectivity is to Burton lane again, I think it was up in the North.

"Brian Davis"

Yeah, let me zoom in here. Yes. Yeah. Pretty much. Yeah. Yeah. So, uh, so propose street see, here, that's the that is the southern most of the 2 entry points for South Bay, public road.

So here you can see the stuff that would go over.

Uh, from street C over to the landlord, or whenever it's constructed.

"Committee Member Engel"

Okay, and my question is then where does the urban lane cord or does does.

As you go down, is there was there ever another proposed stub to the. Corridor or or is there is there not that.

Actually, I'm just trying to look and see where the earning quarter runs there after after that stuff.

"Brian Davis"

Right. So, after the stub it, the way it's delineated now in all the plans is that it would cross the creek.

And there are no other proposed creek crossings from the subdivision towards art and lane. Uh, if you remember on the zoning map, when you go over to the to the West, you get into the Blankenbaker station development. And so, um.

Between the industrial zoning that is over to the West, and then the creek, we didn't request any other any other like stub or connection going that way.

"Committee Member Engel"

Okay okay. Very much. Very good. Thank you. Very much. I wanted to kind of get another visual. Thank you, man. I'm sure. Mm. Hmm.

"Chair Flood"

But, yes, um, Council Woman

Betsy Ruhe, I'm saying that wrong with you. I'm sorry.

"Committee Member Ruhe"

Hi, this is Council Woman Betsy Ruhe

So, yeah, I've got some questions regarding pedestrian access through that area.

I know I was reading through the documents there, and people were asking about the public Greenway and having access to green space along there and that there's, it was drawn right now. I believe there's no sidewalk along.

Along the main road and is there any sidewalks set up in the subdivision itself to allow people to feel comfortable walking through it?

"Brian Davis"

Yeah, sorry sorry. Yeah, there are sidewalks proposed upon all the interior streets.

And then there's also a, a sidewalk proposed along the South public road frontage along the along the along the development site. Now, I'm not sure about pedestrian facilities, uh, off of that.

But there are internal, pedestrian facilities that are included. Um.

"Committee Member Ruhe"

As part of the of the development. Okay. Is there any way to ensure that there is some Greenway access along public? Because I know that was spoken of as a linear park eventually.

And that area is being developed very quickly. And if we don't get on that, now they're not going to be able to do anything.

"Brian Davis"

Let me zoom in see what was included.

I mean, I don't I don't see anything else on this particular plan. Um, and I don't remember.

Um, the local loop folks have any conversations about the, or, you know, say anything to us about that.

During the review process.

"Committee Member Ruhe"

Okay, so I'm new at this. What W, what do we need to do to be added as a binding element?

Or where do we go to make sure this gets tied in.

"Travis Fiechter"

Uh, Travis Fiechter county attorney and I apologize. I'm trying to look at the maps on my phone here to figure out.

Exactly, how close or how far we are. Um.

From the nearest connection, Brian, Julia, either 1, you know about how far we are from.

"Brian Davis"

I don't know, um, I mean, you know, they, they have opens, there's a large bit of open space and let me share the development plan map here. So, there is a lot of open space along the, uh, the in, in the western part of the of the development site because of the location of the creek. Uh, again, you've got, um.

Yeah, yeah, the certainly proposed link connection here. Uh, there's an open space connection here that would go over to public. Um.

Creek, uh, looks like there's nothing else, like, along down through street C.

Uh, but then, like, the multi family portion, you have, uh, close proximity to the creek when the creek ben's back there. So, but I, I, you know, I, I do not know about any, um.

Um, like, proposed facilities along Co, Pope Creek, public creek.

Uh, and, you know, we didn't inquire about any additional connections um. As part of the of the development.

"Travis Fiechter"

Thanks, Brian. So a Councilwoman we can discuss after the meeting if you'd like, and I can reach out to the applicant and see if you have a specific sort of route.

Planned or some sort of specific connection that might be provided. I just don't know.

Sort of in the abstract, what might be hypothetically doable and what the costs might be and what the outcome might agree to. So that is the kind of thing we might be able to inquire about but, you know.

It will depend on if it's a couple, 100 feet to sidewalk, or if it's, you know, a massive stretch to the nearest connection.

"Committee Member Ruhe"

Understood it looks like that's a fair amount of green space that should be protected for the community.

And I'd like to know what their plans are for it. Thank you.

"Chair Flood"

Okay.

Is there any other questions or comments? I don't see anybody in the in the queue.

Going once twice during then, um.

I believe we're ready to vote.

"Vote Taken"

"Sonya Harward"

Council Member Armstrong.

"Committee Member Armstrong"

yes

"Sonya Harward"

Vice Chair Reed

"Vice Chair Reed"

Yes

"Sonya Harward"

Council Member Engel

"Committee Member Engel"

Yes

"Sonya Harward"

Council Member Batshon

"Committee Member Batshon"

Yes

"Sonya Harward"

Chair Flood

"Chair Flood"

Yes

"Sonya Harward"

1 moment ma'am.

"Chair Flood"

That's fine. Was that was there a, not the 1 no vote

"Sonya Harward"

No, ma'am. Hold on 1. SEC. I'm just trying to find all the I can barely see that. Yeah, no worries. We had someone that we should have had on there for voting for this 1. so we have.

5, yes votes and 2 no votes ma'am.

"Chair Flood"

Okay, 5 yes votes and 2 no votes. It'll go to old business.

At our next council meeting, thank you see.

"Chair Flood"

That moves us back to item number 3 is an ordinance related to the zoning of properties located at 917 Preston highway 97,099,900 Cooper church, drive and 15. excuse me? 511,551,215,141 commerce crossings drives containing approximately 82.8 acres and being a local metro case number 21 zone. 0.

one hundred and twenty one fifty one hundred and forty one commerce crossings drives containing approximately eighty two point eight acres and being a local metro case number twenty one zone zero properly moved by Councilman Reed 2nd by Councilman Engel probably move. We're ready for discussion.

"Brian Davis"

1 zone 0125 or commerce crossings 2.

Uh, the, um, this, this project that actually splits 2 different districts, the northern part was in metro Council district, 24, Southern District, 13 properties in question, or 117, Princeton highway 970,109,900, Cooper church drive and then 105 502, 1 and 541 commerce crossings.

hundred cooper church drive and then one hundred and five five hundred and two one and five hundred and forty one commerce crossings

So the properties are currently vacant.

And then the evidence proposing a mixed use development, uh, on the site.

Uh, so the existing zoning is our and.

I was located in the urban workplace form district.

They are opposing to a change the zoning to our and, um, so we just talked about the zoning changes there. The preliminary development plan.

So, this site is approximately 20 or 82 acres in size.

As the proposal is multi family, office and industrial development.

Go along with the, uh, zoning districts in which they are requesting.

The industrial commonly access from commerce process via private roadway, which we'll see on the development plan.

The multi family associate office are accessible via Cooper, church and commerce crossings drive.

The area of the proposal's fully contained within the suburban workplace form districts. There was no form district change needed for this and then the current business park spans the length of commerce cars, crossings, drive, and includes interchange drive as well.

So, here are some, um.

Pictures of the site, um, we have several here.

This was looking east towards Preston highway along commerce. This is Cooper church, drive, looking north.

As he turned on to it, uh, and then another 1 is you go a little further to the North.

So this is the proposed development plan as you can see, it's a large area. The multi family acreage is over to the eastern side along the Cooper church.

Road frontage and then you have both office uses, and then the proposed, the warehouse uses here along the, uh, at the rear.

There is a portion that is to remain our for this area. Portion of the area is listed on the National Register of Historic places. And so some of the historic resources.

And then, on the site are being preserved on this portion, which is identified as track saving on development plan. Um.

There are provisions being made for the post, a little loop trail to come through the sites. So, the green area that you see here is, uh, is a facilities that will be, um.

Incorporated as part of the development for the loop.

There are a couple of, um.

Change well, this was 1 of the changes that was made from to the development to the planning commission, in which they added an additional, um, um.

Access point from the harvest, going down, directly to commerce, crossing a, giving them multiple multiple points of Ingress and egress for the, uh, both departments.

Uh, there are several variances that we're asked for as part of the development plan commission did approve all of those various requests. The plan also involves the relocation of an intermittent stream that comes off of the mainstream that goes through the site, which you can see here, uh, that will work with and army corps of engineers for the, uh, appropriate relocation of that proposed stream.

There are a couple stream crossings for the larger stream that runs through the site. This is a string crossing number 1, which is in the vicinity of the 2 larger industrial buildings that you see on the development plan.

And then there's a smaller crossing for the, uh, the access point that comes from the apartments towards commerce commerce, crossing a number of elevations to show you all these are some of the elevations from the proposed multifamily portion of the development. That's the office clubhouse for the multi family portion.

Elevations of office buildings.

Proposed elevations of the post industrial billings, which are being located on this.

I think that's in their neighborhood meeting on August 30th, 2021, the land development transportation committee. 1st had their 1st meeting back in May 19th of 2022.

Uh, there were some proposed changes that the committee felt needed to be made for could move on to a public hearing. Uh, so definitely came back to 1t and T on October 27th in the planning commission conducted their public hearing on December. 1st, 2022 no. 1 spoken opposition to the request.

one spoken opposition to the request

And the blank missions motion was to recommend approval to change the zoning from and to and by vote of 8 to 1.

That's all that. I have any questions for me. I.

"Chair Flood"

This is, they said, crosses mud district and councilman Dan Seum Jr district.

And I have some binding elements to add on onto onto this, but I would like to see if councilman Sam had anything before I start him up with my tie rate of several binding elements on the property.

"Council Member Seum"

I have nothing cancel woman. Okay. Um.

"Committee Member Batshon"

Cancel cancel and bet. Mr. Councilman Batshon Go ahead.

It's in reference to track 7, will that be developed into single family units?

Um, in that historic area, or is that just going to be used for just.

Historic Preservation, and to be somewhat of a park or some sorts or just out of curiosity, you know.

Um, I guess see why we we have that, you know.
Complaint that everybody's wanting more single family units and single family dwellings.
And we have an influx of multi family, which is good. Um, you know, in certain areas that are that are needed. But if there's an opportunity there for single family dwellings, will that be.

"Brian Davis"

Put into play, uh, for this development plan is proposed basically, it'd be an open space because you have the, uh, the historic resources there and then you also have the, uh, the creek that runs along the, um, the eastern border of that track 7. uh, and so it's just going to remain as, is, uh, with the, uh, with the development that's going on around it. So, no single family units were being proposed at this time.

"Chair Flood"

So, right now we're the cemeteries located.

"Brian Davis"

Right, yeah, and and and I'll let me pull up the, uh, um.
The development plan here, these giant development plans today. Uh, let's see if that will move.
Right, so you do have, um.
Again, you have the creek that runs along the boundary of of track 7 here, but then you also do have the, uh, the cemetery area, uh, right here in the middle of that area. So really not in any area too.
Develop for extensive number of single family units, so that's partly why it's being. It's remaining our for not being developed.

"Committee Member Batshon"

Council Woman Flood, if you don't mind me asking, is that an active cemetery or is it just an old historic cemetery? That's just been there for a long time.

"Chair Flood"

It's a historic cemetery. This is actually the record shelf. What I was told a couple of days ago was this is a part of a.
Large, very, very large plantation, but back in the day, it was called heritage plantation and that house is still existing on that property today.
And, um, the slacks actually live in that.

"Committee Member Batshon"

That house, and then I'm going to ask 1 more question if that's okay. You know, in in this plan, you know, with the developer or would the property owner be interested in if not necessarily at this moment?
But in a future type of binding element, as I'm getting new to this as well, maybe be interested in putting some type of.
Green space park type area that preserves that historic home as well as just that that area for the residents of that and for other community members to come and visit and kind of just.
Cherish in that that area there, is that even something that I'm allowed to, you know, just maybe recommend or suggest.

"Travis Fiechter"

I can chime in on that a little bit Travis county attorney. So there are some binding elements to deal with the cemetery and preservation of that as well as.

Maintaining public access to that it doesn't necessarily apply to the larger lot. The home, I assume would be.

Assuming that it is, in fact, that old, it would be potentially eligible for.

Landmark under the landmarks ordinance as far as I'm concerned as far as I'm aware, there's nothing filed on that, but there's also been a proposal to tear it down at this point either.

As far as maintaining the entire lot as open space, there is this sort of stream buffer to the North West there as well as the stream steep slopes. I, it would be a difficult lot to develop much. You might build a section off portions of it, but that's certainly not being proposed at the moment.

If we want to talk about sort of total permanent preservation, this lot would certainly need to talk to the developer about that. But I think there are very limited opportunities, even without any sort of.

Formalized protection because of the geography and the, uh.

And the cemetery in the historic home as well,

"Chair Flood"

it's, it's a highly Karst area, uh, in that area too, because if you notice on some of the binding elements, it deals with the blasting. Um, it's actually, I just got text.

It's the actually it's the oldest home in Jefferson County. The current house is built around a historic log cabin.

On this property,

"Committee Member Batshon"

thank you for that information.

"Chair Flood"

If the client does mine, I have several binding elements to add and if you've noticed, um.

Council Woman Chambers Armstrong had to leave she had another, um.

I bet she had to get to so I wanted to add binding element number 18 and.

Travis is an easier if we can we vote on them all at once or do we need to vote on them individually?

"Travis Fiechter"

All at once, it's fine.

"Chair Flood"

Okay. Binding element. Number 18, no, semi truck island on the sides of the building to join in the neighborhood from 10 0 PM to 7 a M, binding them.

And number 19, no dumpster service on the sides of the building to join in the neighborhood from 10 0 PM to 7 am buying them a number 20 no.

Outside parking lot cleaning that requires the use of gasoline or electric powered engines on the sides of the buildings to join in the neighborhood from 10 P. M. to 7. am.

Number 21, an 8 foot wooden fence shall be installed and maintain along the private roadway adjoining the neighborhood binding element.

Number 22, any significant increases to the proposed structures increases in building, highest number of units number of buildings any increase in density on the property.

Any changes in the use on the property, which directly or indirectly requires a public hearing before the planning commission, or subcommittee thereof and, or any amendments to the binding elements other than the. than the

Of a new binding element changes to buying elements that merely update the public hearing, or updating a previous version of the binding element to reflect the current language.

Shelby Shelby reviewed before the planning commission with final action, to be determined by the metro Council, and then move those amendments.

"Committee Member Engel"

2nd, Engel

"Chair Flood"

"Vote Taken"

all those in favor of the amendments of binding elements please signify by saying, aye.

Aye, those opposed by lifestyle hearing none the motion passes.

Hold on 3rd yes. Go ahead. All right.

"Committee Member Batshon"

Sorry. I'm always full of questions. Right? So, my apologies, um, in regards to you mentioned the trash dumpsters and whatnot, and not being on the roads. roads

For the multi family units, Travis, if you don't mind me asking, are they going to I'm just kind of been studying some other multi family developments and things,

and how they are doing some of the trash service almost like a concierge service where the, the property management comes and picks the trash up every day and brings it to a a contractor versus having multiple.

Dumpster facility like dumpster gated areas is that something that's in those plans and how they're going to to address that issue?

So that you don't have possibly, you know.

Just random people coming in and dropping things off at people's dumpsters. So it just goes to a contained area. So.

It as a resident, you just drop your stuff in a certain bin every day when you come, when you're on your way to work or what not and then your property management facilities, people can pick it up, take it to a contractor.

So, it saves on the efficiencies of of having multiple dumpsters and expense and building that. And then possibly, um.

Preventing, you know, just random drops,

"Travis Fiechter"

so a couple of pieces here 1, I don't think we have any sort of regulations regarding this sort of style that pickup or the formal management beyond that, you know,

there needs to be the dumpster and there there are some some regulations regarding these sort of protection and screening of those as far as I'm

aware there was nothing in the sort of application packet or in the public hearing discussion regarding, you know, what management company they might be using, or what methodology that might be using regarding pickup. The binding element regarding jump to service is talking about the ones that are adjacent to the, uh, joining neighborhood. It's really more meant to apply to those, um, industrial buildings. Um, but, you know, the, the multi family here, um. Is adjacent to Cooper church road. And so I don't think they would be negatively impacted by the binding element language. If that was 1 of your concerns. But as far as sort of, you know, what service they'll be using and what. Pick up options they haven't said none of that's been discussed to my knowledge, Brian, unless or Julia, unless, you know something else.

"Brian Davis"

Um, but I don't remember any of that information. I don't either. I mean, I, I see dumpster locations on within the multi family part so it doesn't look like they have 1 consolidated. The compactor area um, yeah, so that's, that's all I see on the development plan.

"Committee Member Batshon"

Is that something that we could possibly maybe have that conversation about? So it could it would serve multiple facets? I think for the fact of just the development, it would keep it a little cleaner as far as not having so many different dumpster units and a dumpster going in. And. Dumping 3 or 4 different areas and you have it's just kind of a little more consistent and streamlined. Um. Maybe, and and I think it would possibly even save the developers some money in regards to having to build additional units and then have it preventing the opportunity for, for. Anybody to come and just drop whatever trash they have.

"Travis Fiechter"

It's certainly a discussion we can have. It may be something that if if this is something you want to sort of pursue as a, as an ongoing thing, moving forward, maybe more appropriate for. Some kind of land development code change, then a side by side at this point that would require some amendments to the plan because they have multiple. You know, obviously designated dumpster sites that are already being shown and so that's a little bit more involved than just a single binding element. Addition. And obviously there are, you know, some, some drawbacks with contractors regarding noise and such, but they may be some technology that deals with that in an efficient way as well. Like I said, I think it may be a slightly larger conversation than this specific project, but we can certainly have a chat between now and counsel and see if there's anything that can be done. And if not, we can look at sort of a larger metro wide. Initiative if there are any opportunities there understood. Yeah,

"Committee Member Batshon"

no problem. I don't want to stir up the pot there. I just wanted to. To ask that question, thank you.

"Chair Flood"

Um, there is 1 apartment community that comes to mind off of a Preston highway. They uses something what you're what you're talking about.

Um, but what it is is they offer, um.

I guess, sort of speak door to door, pick up your trash. You set it out on your porch and they pick it up, but they carry it to the dumpster.

That's already there. It's not, uh.

Anything that, that negates them having to empty dumpsters but there is 1 property does that and I think it's, it's a higher level of service that the residents pay more for, as part of their lease agreement.

Uh, in the area, and I think I have, um, 1 more person in the queue. Is that right? Marissa?

"Marissa Brown"

Yes, ma'am.

"Chair Flood"

Council woman

I'm sorry council woman

"Committee Member Ruhe"

Ruhe

"Chair Flood"

Ruhe. I'm sorry I'm slaughter on your name.

Really try to do really well,

"Committee Member Ruhe"

I can hear you go you got it.

"Chair Flood"

Go ahead.

"Committee Member Ruhe"

Okay, thank you. I'm looking at lot 1 and this is a warehouse of 450,000 square feet.

1st of all, I can't even imagine a building that big, but it brings to mind it's on top of an intermittent stream, which is going to be relocated and there's wetlands under there.

And it makes me wonder what is being done to accommodate all the water. That is no longer allowed to soak in the ground on large.

Uh, footprints like this yeah. Okay. So, um.

"Brian Davis"

I think this and I could be wrong, but I do know that any, any run off that, that that they are causing, they have to capture and hold.

I can't remember if this is 1 of the areas where they have to do the 1 and a half.

Times, uh, what they have run a whole, but they do have, um.

Uh, the tension, well, they're supposed to have the tension order or the basins.
Half the day, look for that, I'm not the basins aren't jumping out at me. It's where they are, but I know that they would have had to account for that before they would have got approval to proceed forward with the zoning.
Uh, let me look at the notes here on the plan real fast.

"Julia Williams"

This is Julia Williams planning a design services staff 445th street. So they do have to accommodate 1 and a half times.
The run off compensation.
If that's the number you were looking for Brian.

"Brian Davis"

Yeah, yeah, there it is. So, yeah, they, they are having to provide. Looks like 9 acre feet for a lot too. And then 6 acre feet for, um. A lot more of the things that that's reading, so yeah, so they, they did have to do the 1 and a half.
Compensation, and then plus they were doing because of the stream relocation, they, they were having to do some additional work there in order to help facilitate that. So.
Um, it will be captured on site, um.
As part of the plan,

"Chair Flood"

I was trying to find it I remembered it being 1 and a half, but I couldn't remember exactly where at, in the, in the record that I saw it to give someone a page number on that.
But I do remember that this property backs up to my subdivision in full disclosure of.
And I had a concern about runoff, and I think that I talked to Travis and I think that he, um.
What his explanation of things actually gave me a better level of comfort.
On that,

"Brian Davis"

and the base is located between lots 1 and 2 and then there's, there's also a, um.
A regional detention, based on the north side of the Snyder that will be used to help.
With the storm water in the area. So that's that's why we don't see anything on the cause. It's off site.

"Committee Member Ruhe"

Okay, thank you very much. As I zoom in here I can see proposed flood, plain compensation areas and some other things in here. So yeah, I do see them in here. I'll be curious to see what this does come out to look like.
Thank you very much.

"Chair Flood"

So any other questions or comments on this case.

Before we call for a vote and counseling Dan time junior. You do have a vote on this on this since it's partially in your district. Did you have any questions.

"Council Member Seum"

No, thank you. I'm ready to vote. Okay. Um.

"Chair Flood"

Marissa, we're ready to vote

"Vote Taken"

"Sonya Harward"

it's Sonya ma'am I'm so sorry Council Member Chambers Armstrong

"Sonya Harward"

Council Member Reed

"Vice Chair Reed"

yes

"Sonya Harward"

Council Member Engel

"Committee Member Engel"

yes

"Sonya Harward"

Council Member Batshon

"Committee Member Batshon"

Yes

"Sonya Harward"

Council Member Seum

"Council Member Seum"

yes

"Sonya Harward"

Chair Flood

"Chair Flood"

Yes

"Sonya Harward"

Chair Flood you have 7 yes.

"Committee Member Engel"

MaDonna, you're muted.

"Chair Flood"

Sorry Thank you. Canceling. Go for keeping me straight.

Um, that's all we have in front of us, other than item number 4, which will be held and I'm holding this, um, to give all the new, um, Council, uh, folks that are on the committee time to look at it.

And if they have any questions, please call my office text, me, whatever you need to do to get a hold of me.

Um, and what this does is the reason for this were for delinquent taxes are valid lanes against developers property so that they can't go out.

And develop another piece of property without becoming square with the city to have any, any past due lanes in the past due taxes need to be paid before they can access and develop another development.

So that's the proposal for that. So, if you have any questions, please don't hesitate to call me.

And see, no other, nothing else on our agenda today. So therefore, this committee without objection will be concluding. No objection we are concluded. And thank you all.