

PLANNING COMMISSION MINUTES
April 21, 2022

PUBLIC HEARING

CASE NO. 21-ZONE-0102

Request:	Change in zoning from R-4 to R-7 and C-2 with landscape waivers and a variance
Project Name:	Freys Hill Multi-Family
Location:	3323 & 3325 Freys Hill Road
Owner:	Deerfield Co. Inc.
Applicant:	LDG Multi-family LLC
Representative:	Dinsmore and Shohl PLLC. & Sabak Wilson and Lingo
Jurisdiction:	Louisville Metro
Council District:	17- Markus Winkler
Case Manager:	Julia Williams, AICP, Planning Supervisor

NOTE: Commissioners Price and Sistrunk left at ~5:00 p.m. and did not vote on this case.

Notice of this public hearing appeared in The Courier Journal, a notice was posted on the property, and 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 public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

04:12:44 Julia Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Cliff Ashburner, Dinsmore and Shohl, PLLC, 101 South 5th Street, Louisville, Ky. 40202
Kelli Jones, 608 South 3rd Street, Louisville, Ky. 40202
Diane Zimmerman, 12803 High Meadows Pike, Prospect, Ky. 40059

Summary of testimony of those in favor:

Cliff Ashburner gave a power point presentation describing the area (see recording for detailed presentation).

Kelli Jones discussed the following: # of units 312; detention; access; main entrance; dumpster locations; maintenance building; and buffering (see recording for detailed presentation).

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Diane Zimmerman stated that the traffic impact study was reviewed by and prepared in consultation with Transportation Planning (see recording for detailed presentation).

Laura Ferguson read the binding element regarding blasting: All property owners within 500 feet of a proposed blasting location shall be notified 30 days before any blasting operations occur and be offered pre-blast surveys. Any home owners who opt to have a pre-blast survey conducted shall be provided copies of all materials resulting from that survey including any photos and/or videos. Any blast surveys shall be done in a manner consistent with Kentucky Blasting Regulations.

The following spoke in opposition to this request:

Leon Duke, 10417 Wemberly Hill Boulevard, Louisville, Ky. 40241
Stephen Sedita, 2609 Evergreen Wind, Louisville, Ky. 40223
Leslie Gaither, 10501 Sawyer Place, Louisville, Ky. 40241
David Hickerson, 10519 Sawyer Place, Louisville, Ky. 40241
Paul Hinson, 10507 Wemberly Hill Boulevard, Louisville, Ky. 40241
James Rowe, 10508 Wemberly Hill Boulevard, Louisville, Ky. 40241
Larry Sidebottom, 10517 Sawyer Place, Louisville, Ky. 40241

Summary of testimony of those in opposition:

Leon Duke said he is not in favor of the dumpster location (on the fence line) – he will have to contend with the smell, insects, racoons and skunks (see recording for detailed presentation).

Stephen Sedita stated his main concern is the traffic (see recording for detailed presentation).

Leslie Gaither said she is concerned about the traffic and where the school buses will stop. The sidewalk doesn't reach all the way to the park (see recording for detailed presentation).

David Hickerson said access into the proposed site is minimal. Also, traffic is backed up every day (see recording for detailed presentation).

Paul Hinson stated he has the following concerns: too massive; lighting; dumpsters; and traffic (see recording for detailed presentation).

James Rowe spoke of a recent traffic jam (see recording for detailed presentation).

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Larry Sidebottom said there is a huge sinkhole near the proposed property (see recording for detailed presentation).

Rebuttal

Cliff Ashburner stated regarding the traffic study, Diane Zimmerman worked with Transportation Planning according to accepted methodology. The sidewalk does lead to Tom Sawyer park. The dumpsters have been moved further away from Wemberly Hills and the screening will be 8-feet tall (typically 5.5 feet tall) (see recording for detailed presentation).

Deliberation

Planning Commission deliberation.

An audio/visual recording of the Planning Commission hearing 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.

By general consensus the Hearing Officers have continued this case to the May 12, 2022 Business Session of the Planning Commission meeting. There will be no testimony from the applicant or the public.