

PLANNING COMMISSION MINUTES
April 21, 2022

PUBLIC HEARING

CASE NO. 22-DDP-0001

Request: Detailed District Development Plan with an alternate plan for connectivity
Project Name: Shepherd Springs
Location: 8016 Shepherdsville Road
Owner: Utica Investments LLC
Applicant: Denton Floyd Real Estate Group
Representative: Wyatt Tarrant and Combs PLLC; Heritage Engineering
Jurisdiction: Louisville Metro
Council District: 24- Madonna Flood
Case Manager: Julia Williams, AICP, Planning Supervisor

NOTE: Commissioner Seitz left at ~3:45 and did not vote on this case.

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:

00:48:30 Julia Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Jon Baker, Wyatt, Tarrant and Combs, PLLC, 400 West Market Street, Suite 2000, Louisville, Ky. 40202

Clayton Pace, Denton Floyd Real Estate Group, 509 Spring Street, Jeffersonville, IN 47130

John Campbell, Heritage Engineering, 642 South 4th Street, Suite 100, Louisville, Ky. 40202

Summary of testimony of those in favor:

Jon Baker gave a power point presentation. There will be upgrades to the apartment buildings and there will be binding elements related to the sidewalk construction on Robs Ln. (see recording for detailed presentation).

Clayton Pace spoke about Denton Floyd Real Estate Group and some of their projects (see recording for detailed presentation).

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Regarding the Park N' Ride shown on the previous plan, Jon Baker said there is no TARC route in the area and it will be left as green space (see recording for detailed presentation).

John Campbell discussed the plan and amenities (see recording for detailed presentation).

The following spoke in opposition to this request:

Rita Bernauer, 8206 Red Cedar Way, Louisville, Ky. 40219

Summary of testimony of those in opposition:

Rita Bernauer said she wasn't notified about the extension. There was an agreement in 2018 regarding the following: parking spaces, the building line setback, height of the building, materials, a privacy fence, no pedestrian or vehicular access on Red Cedar Way and Cedar Brook Dr. (see recording for detailed presentation).

The following spoke neither for nor against the request:

John Torsky, 601 West Jefferson Street, Louisville, Ky. 40202

Summary of testimony of those neither for nor against:

John Torsky stated the Highview Neighborhood Plan calls for a variation of designs for multi-family (see recording for detailed presentation).

Rebuttal

Jon Baker said the agreement made in 2018 is currently in place. The applicant wants to provide sidewalks along Robbs Ln. but some residents don't want the connectivity. A fee-in-lieu may be provided but the applicant/applicant representatives will work with Public Works (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.

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Alternate Plan for access from the existing stub streets (Cedar Brook Drive & Red Cedar Way)

On a motion by Commissioner Brown, seconded by Commissioner Mims, the following resolution based on the Standard of Review and Staff Analysis and testimony heard today was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **DENY** the Alternate Plan for access from the existing stub streets (Cedar Brook Drive & Red Cedar Way).

The vote was as follows:

YES: Commissioners Brown, Carlson, Daniels, Mims, Price, Sistrunk, Howard and Sistrunk

NOT PRESENT AND NOT VOTING: Commissioners Clare and Seitz

District Development Plan and Binding Elements

On a motion by Commissioner Brown, seconded by Commissioner Mims, the following resolution based on the Standard of Review and Staff Analysis and testimony heard today was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the District Development Plan and Binding Elements.

NO VOTE - MOTION WITHDRAWN

On a motion by Commissioner Mims, seconded by Commissioner Brown, the following resolution based on the testimony heard today and the previous motion to deny the Alternate Plan for access from the existing stub streets (Cedar Brook Drive & Red Cedar Way) the was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **DENY** the District Development and Binding Elements.

The vote was as follows:

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**YES: Commissioners Brown, Carlson, Daniels, Mims, Price, Sistrunk, Howard
and Lewis**

NOT PRESENT AND NOT VOTING: Commissioners Clare and Seitz