

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
December 8, 2022**

A meeting of the Land Development and Transportation Committee was held on, December 8, 2022 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:

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

Absent:

No one.

Staff Members present were:

Brian Davis, Assistant Director, Planning & Design Services
Julia Williams, Planning Supervisor
Dante St. Germain, Planner II
Jay Lockett, Planner II
Beth Stuber, Transportation Planning Supervisor
Laura Ferguson, Legal Counsel
Mary Willis, Management Assistant

The following matters were considered:

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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APPROVAL OF MINUTES

NOVEMBER 10, 2022 LD&T COMMITTEE MEETING MINUTES

The minutes from the November 10, 2022 meeting were not distributed so no vote was taken.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
December 8, 2022

NEW BUSINESS

CASE NO. 22-ZONE-0138

Request: Change in zoning from R-6, OR-2 & C-2 to PDD, with associated Pattern Book

Project Name: Paristown Pointe – Urban Government Center Redevelopment

Location: 768, 810 & 850 Barret Avenue, 1235 E Breckinridge Street

Owner: Jefferson County Kentucky Capital Projects Corp, Louisville Metro Housing Authority, Louisville/Jefferson County Metro Government

Applicant: Upper Paristown Preservation Trust

Representative: Wyatt Tarrant & Combs

Jurisdiction: Louisville Metro

Council District: 6 – David James

Case Manager: Dante St. Germain, AICP, Planner II

Notices were sent by first-class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. 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:

00:06:20 Commissioner Sistrunk stated the applicant has requested to continue this case to the January 12, 2023 LD&T meeting.

Deliberation

00:39:09 Land Development and Transportation deliberation.

An audio/visual recording of the Land Development & 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.

On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NO. 22-ZONE-0138

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** this case indefinitely to give the applicant an opportunity to work with staff, Metro Council and the residents to address the concerns raised at today's meeting.

The vote was as follows:

YES: Commissioners Brown, Carlson, Mims and Sistrunk

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NO. 21-ZONE-0136

Request: Change in zoning from R-4 to R-7, with associated Detailed District Development Plan with Binding Elements, and Waiver

Project Name: Mt. Washington Road Apartments

Location: 5604, 5606, 5612, 5614 & 5616 Mt. Washington Road

Owner: Gloria & Clinton Walker, Bobby Wilson

Applicant: Highgates Management

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 23 – James Peden

Case Manager: Dante St. Germain, AICP, Planner II

Notices were sent by first-class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:08:03 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for a public hearing (see video for presentation). The applicant is requesting a change in zoning to R-7 multi-family for a proposed multi-family residential development.

00:15:04 Commissioner Brown wanted to know if there were any warrants for the pedestrian crossings and would they be allowed.

00:15:30 Commissioner Mims is concerned about the traffic patterns. Wants to make sure that everything is put to rest with KYTC

The following spoke in favor of this request:

John Talbott, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

David Mindel, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

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NEW BUSINESS

CASE NO. 21-ZONE-0136

Brent Hackworth, 7301 Monsey Circle, Louisville, KY 40219

Johnathan Colbert, 10801 Faithful Way, Louisville, KY 40229

Summary of testimony of those in favor:

00:17:43 John Talbott gave a power point presentation discussing the following uses and zoning in the area; wanting to switch from a single family to a multi-family. He is also focusing on road improvements when it comes to Mt. Washington Rd. (see recording for detailed presentation).

00:26:37 Commissioner Carlson asked about Binding Element 7 which pertains to the 133 apartments being built. Talbott stated that is the number of units that would trigger the proposed intersection improvements, so the improvements would have to be completed prior to exceeding that number. Commissioner Carlson presumes that the road work would have to be bonded. John Talbott feels that they will be bonding the road work for sure. Commissioner Carlson wants to know when that bond will be put up.

00:29:58 David Mindel spoke in support of the application and responded to Commissioner Carlson's question. Mindel said that he will have the bond put up before construction to make sure the improvements were made. David Mindel mentioned part of the improvements is adding a second turn lane on Preston Highway and also adding a second lane of the southside.

00:34:36 Commissioner Carlson asked if these apartments are going to be market rate apartments. Also, when it comes to the apartments will there be any kind of design variation or will they have a military barrack feel to them.

00:36:22 Brent Hackworth spoke in support of the application. Hackworth stated there will be variation in design between the buildings throughout the development.

00:37:38 Commissioner Mims ask if the entire cost be bonded by the time the site construction approval is given and will all improvements be in by the 132 unit. John Talbott agreed that everything will be done before starting on the 133rd unit.

00:42:40 Commissioner Brown asked about the uncontrolled pedestrian crosswalks; asked if they were going to be removed or if they were going to be warranted. David Mindel stated they can be removed.

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NEW BUSINESS

CASE NO. 21-ZONE-0136

00:44:40 Commissioner Carlson is concerned about how residents would get from their apartment to Walmart or other locations. John Talbott we would have to have a right of way to do that; we would need to put in a sidewalk or fix the road. We do not have enough room for both.

00:50:20 John Talbott wants to know if he has to come back to a LD&T meeting before heading straight to Planning Commission. Commissioner Sistrunk informed him that it is all based on the discussion between the members.

00:51:41 Johnathan Colbert spoke in support of the plan. He feels that this is a great investment for the community and people around Mt. Washington Rd. Excited for the left turn lane that will be going on Mt. Washington Rd.

The following spoke as a neutral party to the request:

John Torsky, 601 W. Jefferson Street, Louisville, KY 40202

Summary of testimony of those as neutral:

01:01:34 John Torsky spoke as neutral to the plan (speaking on behalf of James Peden's Office). They feel that the area is too dense and that the traffic is bad in that area. Would like to see Mt. Washington Road designed to be 4 lanes (2 lanes in each direction, 1 in the center). They would like the lanes to travel all the way to Preston Hwy. Would like a clarification on where the actual 2nd entrance is located.

The following spoke in opposition to the request:

John Cox, 10607 Charleswood Road, Louisville, KY 40299

James Adkinson, 5500 Mt. Washington Road, Louisville, KY 40229

Summary of testimony of those in opposition:

01:04:40 John Cox was logged in and had signed up in opposition, but was unable to speak due to technical difficulties on his end.

01:05:16 James Adkinson spoke in opposition of the plan. He feels the road cannot handle any more traffic than what it already has; he also opposes due to the lack of infrastructures, sidewalks, sewage, and underground utilities. Says that the apartment

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NEW BUSINESS

CASE NO. 21-ZONE-0136

will bring more families with kids, where will those kids go to school when the schools are already overcrowded.

REBUTTAL

1:13:40 John Talbott agrees that the sidewalks are important. There was a traffic study done during school and done during regulation. When the improvements are done it will make the intersection better.

Deliberation

01:16:10 Land Development and Transportation Committee deliberation.

An audio/visual recording of the Land Development & 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.

01:24:32 On a motion by Commissioner Carlson, seconded by Commissioner Cheek, the following resolution based on the Standard of Review and Staff Analysis and the 100% consent from adjacent property owners was adopted.

RESOLVED, that the Land Development & Transportation Committee does hereby **PLACE** this case on the January 12th, 2023 Land Development & Transportation Committee Agenda.

The vote was as follows:

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

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NO. 22-CAT3-0016

Request:	Category 3 Development Plan with Review of Outdoor Amenity Area Design
Project Name:	Goodwill Opportunity Campus
Location:	2820 W Broadway
Owner:	Goodwill Industries of Louisville
Applicant:	Goodwill Industries of Louisville
Representative:	Land Design and Development
Jurisdiction:	Louisville Metro
Council District:	4 – Jecorey Arthur
Case Manager:	Jay Lockett, AICP, Planner II

Notices were sent by first-class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. 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:

01:25:26 Jay Lockett discussed the case summary from the staff report and indicated that the application was ready for a public hearing (see video for presentation). This is a revision to a previously approved Category 3 Plan, with minimal changes to the parking area and outdoor amenities.

The following spoke in favor of this request:

Ted Bernstein, Land Design & Development 503 Washburn Ave 101, Louisville, Ky. 40223

Summary of testimony of those in favor:

01:28:00 Ted Bernstein gave a power point presentation discussing the following: uses and zoning in the area; Redesign of the open space of the proposed building and with the redesign came up with more parking spaces plus green spaces (see recording for detailed presentation).

01:31:50 Commissioner Mims asked why this plan came to a LD&T meeting. Jay Lockett explained that there is no process to revise a CAT3 and no method so for it to be revised it has to come to a LD&T meeting.

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NEW BUSINESS

CASE NO. 22-CAT3-0016

Deliberation

01:31:30 Land Development and Transportation Committee deliberation.

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OUTDOOR AMENITY AREA

01:32:43 On a motion by Commissioner Carlson, seconded by Commissioner Mims, the following resolution based on the Standard of Review and Staff Analysis and testimony received at today's meeting.

RESOLVED, that the Land Development & Transportation Committee does hereby **APPROVE** the Outdoor Amenity Area design.

The vote was as follows:

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

CATEGORY 3 PLAN

01:33:12 On a motion by Commissioner Carlson, seconded by Commissioner Mims, the following resolution based on the Standard of Review and Staff Analysis and testimony received at today's meeting.

RESOLVED, that the Land Development & Transportation Committee does hereby **APPROVE** the Category 3 Plan.

The vote was as follows:

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

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NEW BUSINESS

CASE NO. 22-RSUB-0008

Request:	Revised Major Preliminary Subdivision with a Waiver
Project Name:	Bridle Run
Location:	1312 Flat Rock Rd
Owner:	Shawnee Development, Inc., Madeira Place, LLC
Applicant:	Madeira Place, LLC
Representative:	Land Design and Development
Jurisdiction:	Louisville Metro
Council District:	19 – Anthony Piagentini
Case Manager:	Jay Lockett, AICP, Planner II

Notices were sent by first-class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. 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:

01:33:50 Jay Lockett discussed the case summary from the staff report and indicated that the application was ready for a public hearing (see video for presentation). The revision adds additional building lots to the proposed subdivision.

01:38:05 Commissioner Carlson asked who owns the tower. Jay Lockett believes the current property owner or developer owns it but would find out more once he talks to the applicant.

01:38:09 Commissioner Brown asked if they took a look at the turn lane warrants for Flat Rock Rd.

The following spoke in favor of this request:

Ted Bernstein, Land Design and Development, 503 Washburn Avenue, Suite 101, Louisville, Ky. 40222

Eric Senn, Land Design and Development, 503 Washburn Avenue, Suite 101, Louisville, Ky. 40202

Summary of testimony of those in favor:

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NEW BUSINESS

CASE NO. 22-RSUB-0008

01:40:36 Ted Bernstein gave a power point presentation discussing the proposed changes and how they are putting over 37 percent of the area in a conservation easement. They are asking for a secondary entrance on Flat Rock Rd. The plan was previously approved for 204 lots but now they are requesting it to be 227 lots (see recording for detailed presentation).

01:45:43 Commissioner Carlson asked about the transmitter building and tower. Ted Bernstein explained that the owner does not own the tower but owns the land. There is an easement, they have charted off below the land. Bernstein will let Eric Senn explain the tower.

01:46:10 Eric Senn spoke in support and followed up on Bernstein's response to Commissioner Carlson. Senn explained there are no plans to tear down the building nor tower but if in the future if they decide to take it down, they will get the correct permits and go through the waiting period.

01:47:08 Commissioner Mims is there a fall zone related to the tower? Also ask why they wouldn't put sidewalks in the conservation area. Eric Senn there is an easement around the tower; not sure about the exact fall zone but there are underground grids in the area. They haven't considered the sidewalk in the conservation area. There are walkways in the conservation easements.

The following spoke in opposition of this request:

Darrell Messer, 2002 Ascender Court, Louisville, KY 40205

Summary of testimony of those in opposition:

01:50:00 Darrell Messer spoke in opposition of the Waiver due to the storm drainage. Feels there is less room for run off and will have soggy backyards along with damp basements. Feels he will be having conversations with his neighbors in the future about these issues. Would like the developer to place a 15ft easement behind the house to the North.

REBUTTAL

01:52:25 Ted Bernstein that is the reason for the Waiver.

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NEW BUSINESS

CASE NO. 22-RSUB-0008

Deliberation

01:53:30 Land Development and Transportation Committee deliberation.

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01:55:13 On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted.

RESOLVED, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the January 12, 2023 LD&T meeting to allow the applicant time to research the issues discussed today.

The vote was as follows:

YES: Commissioners Brown, Carlson, Cheek Mims and Sistrunk

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
December 8, 2022**

NEW BUSINESS

CASE NO. 22-ZONE-0012

Request: Change in zoning from R-4 to R-7, with Detailed District Development Plan and Binding Elements, and Waivers, and Alternative Plan for Connectivity
Project Name: 4700 S Hurstbourne Parkway Rezoning
Location: 4700 S Hurstbourne Parkway, Parcel ID 004405130000, 004404680000
Owner: 4700 S Hurstbourne Parkway LLC
Applicant: 4700 S Hurstbourne Parkway LLC
Representative: Bardenwerper, Talbott & Roberts
Jurisdiction: Louisville Metro
Council District: 26 – Brent Ackerson
Case Manager: Dante St. Germain, AICP, Planner II

This case was heard at the same time at 22-ZONE-0076.

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. 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:

01:57:20 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for a public hearing. Wanting to go from a Single Family to Multi-Family. She is proposing 360 units and is requesting that the state make a private street to a public right of way.

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper Talbott & Robert PLLC, 1000 N Hurstbourne Parkway, Suite 200, Louisville, Ky. 40223

Kent Gootee, Mindel Scott and Associates, 5151 Jefferson Blvd, Louisville, Ky. 40219

Summary of testimony of those in favor:

02:01:32 Nick Pregliasco spoke in support of the application and gave a power point presentation. They are requesting that make a private road into a public road.

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NEW BUSINESS

CASE NO. 22-ZONE-0012

Public road will start on Bardstown and end on Hurstbourne. They changed the plans by moving the trash compacter and removing the 17 parallel parking spaces.

02:07:02 Kent Gootee was charged by Mrs. Hicks to put up better screening behind her house when it came to the parking lot of the development. He is also going to put 3ft hedges around the parking lot.

02:09:30 Commissioner Carlson feels that Binding Element #7 could have better wording. He feels that the language is too vague.

The following spoke as neutral to the request:

Whitney Meadow 7719 Nalan Drive, Louisville, KY 40291.

Summary of testimony of those in neutral:

02:11:27 Whitney Meadow spoke as a neutral party. Meadow is concerned about the traffic in that area. She would like to see a report of how many accidents have happened in that area. She is concerned that with that much traffic will it impact the pavement on the highway because they will not get another chance until 2040.

The following spoke in opposition of this request:

Maddison Hicks 4905 Walnut Hills Drive, Louisville, KY 40299

Bob Gunter 4903 Walnut Hills Drive, Louisville, KY 40299.

Summary of testimony of those in opposition:

02:15:02 Maddison Hicks spoke in opposition to the request. She feels that the recent plans and current plans are the same the only thing different is the 17 parking spaces were removed. She thought it was strange that one person was singled out when it came to the berm.

02:16:33 Bob Gunter spoke in opposition to the request. He feels the proposal will make things worse in the area. Things need to be explored more and thinks it wrong to move forward.

REBUTTAL

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NEW BUSINESS

CASE NO. 22-ZONE-0012

02:18:00 Nick Pregliasco will go over some of the comments in the Planning Commission Meeting. Purposing a million dollars to connect to roadways.

02:19:30 Commissioner Carlson asked are you estimating one million dollars for the road. Kent Gootee that is our goal. Sidewalks will be included.

Deliberation

02:20:25 Land Development and Transportation Committee deliberation.

An audio/visual recording of the Land Development & 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 **January 17, 2023**, special Planning Commission public hearing to be conducted at the Central Government Center, 7201 Outer Loop, Louisville at 6:30 p.m.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NO. 22-ZONE-0076

Request: Change in Zoning from R-4 & C-2 to R-6, C-1 and C-2;
Detailed District Development Plan/Major Preliminary
Subdivision with Binding Elements, Variances and Waivers

Project Name: 4900 S Hurstbourne Parkway Apartments

Location: 4900 S Hurstbourne Parkway, 5119 & 5201 Bardstown
Road, Parcel ID 005002700000, 00502710000

Owner: 4700 S Hurstbourne Parkway LLC; Southeast Storage LLC,
Roman Catholic Bishop of Louisville

Applicant: 4700 S Hurstbourne Parkway LLC

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 26 – Brent Ackerson

Case Manager: Dante St. Germain, AICP, Planner II

This case was heard at the same time at 22-ZONE-0012. See above details.

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. 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 & 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 **January 17, 2023**, special Planning Commission public hearing to be conducted at the Central Government Center, 7201 Outer Loop, Louisville at 6:30 p.m.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NO. 22-ZONE-0150

Request: Change in Zoning from R-6 to C-1 with a District
Development Plan and a Waiver
Project Name: 1008 E Washington Rezoning
Location: 1008 E Washington St
Owner: James Bowling
Applicant: James Bowling
Representative: Bardenwarper, Talbott and Roberts
Jurisdiction: Louisville Metro
Council District: 4 – Jecorey Arthur
Case Manager: Jay Lockett, AICP, Planner II

The staff report prepared for this case was incorporated into the record. 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:

02:21:28 Jay Lockett discussed the case summary from the staff report and indicated that the application was ready for a public hearing. The applicant is proposing to change from a multi-family use to a commercial use with a waiver.

02:23:48 Commissioner Brown asked whether or not the building was encroaching into the alley right-of-way.

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper Talbott & Robert PLLC, 1000 N Hurstbourne Parkway, Suite 200, Louisville, Ky. 40223

Kent Gootee, Mindel Scott and Associates, 5151 Jefferson Blvd, Louisville, Ky. 40219

Summary of testimony of those in favor:

02:26:20 Nick Pregliasco spoke in support of the application. Pregliasco said they will address the building in the alley at the public hearing. Pregliasco feels that LOJIC is off and that the building is not over the right-of-way. The applicant is hoping to put up a bollard style bike rack.

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NEW BUSINESS

CASE NO. 22-ZONE-0150

02:30:33 Kent Gootee spoke in support of the application. Gootee proposes a bollard style bike racks in line with the power lines. The alley is 10ft wide from fence to fence.

02:33:26 Commissioner Brown would like them to consider putting the bike rack on the private property side if that was an option in case there is a need for a possible handicap ramp.

Deliberation

02:35:26 Land Development and Transportation Committee deliberation.

An audio/visual recording of the Land Development & 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 **January 5, 2023**, Planning Commission public hearing.

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NEW BUSINESS

CASE NO. 22-ZONE-0132

Request:	Change in Zoning from R-5 to OR-1 with a District Development Plan and a Waiver
Project Name:	Rutledge Rezoning
Location:	1325 Texas Ave
Owner:	Daniel and Gina Rutledge
Applicant:	Daniel and Gina Rutledge
Representative:	Blumquist Design Group LLC
Jurisdiction:	Louisville Metro
Council District:	15 – Kevin Triplett
Case Manager:	Jay Lockett, AICP, Planner II

The staff report prepared for this case was incorporated into the record. 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:

02:36:16 Jay Lockett discussed the case summary from the staff report and indicated that the application was ready for a public hearing (see video for presentation). The applicant is proposing to change the use from Single Family to Office/Residential to use it as a barber shop.

The following spoke in favor of this request:

Marv Blomquist, Blomquist Design Group LLC, 10529 Timberwood Circle #D, Louisville, KY 40223

Summary of testimony of those in favor:

02:38:45 Marv Blomquist spoke in support of the application. The owner thought he had non-conforming rights, which is not the case, so they are proposing to rezone the property to bring it into compliance. The issue with removing concrete is under the carport; the concrete in front of the garage is fine. Next issue is they need a license agreement for the sidewalk and the sign to be in the right-of-way.

Deliberation

02:40:28 Land Development and Transportation Committee deliberation.

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NEW BUSINESS

CASE NO. 22-ZONE-0132

An audio/visual recording of the Land Development & 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.

On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted.

The Committee by general consensus scheduled this case to be heard at the **January 5, 2023**, Planning Commission public hearing.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NO. 22-ZONE-0105

Request: Change in zoning from C-1 to C-2, with Conditional Use Permit for outdoor storage, Detailed District Development Plan with Binding Elements, Variances and Waivers

Project Name: Second Nature Lawn Care

Location: 7411 St. Andrews Church Road

Owner: LNB Properties LLC

Applicant: LNB Properties LLC

Representative: Frost Brown Todd

Jurisdiction: Louisville Metro

Council District: 25 – Amy Holton Stewart

Case Manager: Dante St. Germain, AICP, Planner II

The staff report prepared for this case was incorporated into the record. 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:

02:41:05 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for a public hearing (see video for presentation). The applicant is proposing to going from a C-1 Commercial to a C-2 Commercial with a conditional use permit for a contractor’s yard with outdoor storage.

02:44:33 Commissioner Mims asked what were staff’s concerns that made the delay or cause them to rethink their plan. Dante St. Germain said staff’s concerns were that the property was surrounded by residential use and there was not adequate buffering between the company and residential uses.

02:45:38 Commissioner Mims asked if the two access points were properly permitted. Dante St. Germain received confirmation from KYTC that an encroachment permit was properly obtained.

02:45:56 Commissioner Mims asked if the pole barn was permitted. Dante St. Germain the pole barn doesn’t encroach into the side yard setback. The applicant has stated that the pole barn was going to be used for storage.

The following spoke in favor of this request:

Tanner Nichols, Frost Brown Todd, 400 W Market St, Louisville, KY 40202

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NEW BUSINESS

CASE NO. 22-ZONE-0105

Summary of testimony of those in favor:

02:49:22 Tanner Nichols said the applicant owns both lots. Applicant originally built the pole barn to store antique cars, boats, etc. He then transferred his landscape business into the pole barn.

02:53:40 Commissioner Brown asked about hours of operation. Nichols stated they would be willing to include a binding element about hours of operation.

Deliberation:

02:55:07 Land Development and Transportation Committee deliberation.

An audio/visual recording of the Land Development & 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 **January 5, 2023**, Planning Commission public hearing.

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ADJOURNMENT

The meeting adjourned at approximately 4:06 p.m.

Chair

Planning Director