

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
May 16, 2019

OLD BUSINESS
CASE NO. 19ZONE1011

Request: Change in zoning from C-1 to C-2, with associated Detailed District Development Plan with Binding Elements and removal of General Plan Binding Elements

Project Name: Townfair Center Rezoning

Location: 1915 and 1917 South Hurstbourne Parkway

Owner: Hurstbourne Townfair Station LLC

Applicant: Hurstbourne Townfair Station LLC

Representative: Bardenwerper Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 18 – Marilyn Parker

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:

00:31:51 Ms. St. Germain discussed the case summary, standard of review and staff analysis from the staff report.

The applicant has submitted a new plan and it's different than the plan received in the commissioners' packets. The request for a zoning change of C-1 to C-2 is only for 1 lot.

The following spoke in favor of this request:

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

Summary of testimony of those in favor:

00:35:17 Mr. Pregliasco gave a power point presentation. A traffic study is not being requested by Ky. Transportation because no changes are being proposed. This issue has been remedied and this case can move forward to be heard by the Planning Commission. The request for rezoning is for the Walmart building and the parking lot.

The following spoke in opposition to this request:

Jim Lynch, 1903 Hurstbourne Circle, Louisville, Ky. 40220

Summary of testimony of those in opposition:

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00:38:37 Mr. Lynch stated he's glad the applicant decreased the request but there's still a problem. There's a historic home (1855) that provides weddings, parties, etc. and it may be negatively impacted.

Mr. Lynch said he proposed binding elements to the applicant/representatives but they haven't responded. The following are not wanted: a bus depot; boat storage; outside dining; outside music and dancing.

00:43:23 Commissioner Carlson suggests that Mr. Lynch provide a list to staff before the public hearing.

Rebuttal:

00:45:00 Mr. Pregliasco said they can eliminate the bus depot and agree to a use binding element. Some C-2 uses are lower traffic generators than C-1. Commissioner Brown asked if automobile storage and sales are allowed in C-1 and C-2. Mr. Pregliasco said auto sales would be allowed in C-2. Ms. Williams said auto storage would not be allowed in C-1 but is permitted in C-2.

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 placed this case on the June 6, 2019 public hearing at the Old Jail Building.

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
April 25, 2019

NEW BUSINESS

CASE NO. 19ZONE1011

Request:	Change in zoning from C-1 to C-2, with associated Detailed District Development Plan with Binding Elements and removal of General Plan Binding Elements
Project Name:	Townfair Center Rezoning
Location:	1915 and 1917 South Hurstbourne Parkway
Owner:	Hurstbourne Townfair Station LLC
Applicant:	Hurstbourne Townfair Station LLC
Representative:	Bardenwerper Talbott & Roberts
Jurisdiction:	Louisville Metro
Council District:	18 – Marilyn Parker
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:

00:54:04 Ms. St. Germain discussed the case summary, standard of review and staff analysis from the staff report.

Ms. St. Germain requests that the case be continued due to the KYTC traffic study request.

The following spoke in favor of this request:

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

Summary of testimony of those in favor:

00:56:54 Mr. Pregliasco gave a power point presentation. Kentucky Transportation Cabinet, KYTC, has requested a traffic study. The potential tenant won't sign the lease until the correct zoning is in place. The flexibility is needed. A new sign is being proposed. A Trip Generation will be shown to KYTC to prove there will be less trips generated than the old tenant (Walmart). Commissioner Carlson asked if the entire site will be rezoned to C-2. Mr. Pregliasco said yes. Also, how can you do a traffic study if you don't know what the different uses will be? Mr. Pregliasco said they will ask that of KYTC as well. The most significant change with the traffic would be the large Walmart building. It will be proposed as an event venue, which is not a peak hour generator. Commissioner Daniels asked how many nearby stores are vacant. Mr. Pregliasco said 3.

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NEW BUSINESS

CASE NO. 19ZONE1011

The following spoke in opposition to this request:

Jim Lynch, 1903 Hurstbourne Circle, Louisville, Ky. 40220

Summary of testimony of those in opposition:

01:08:45 Mr. Lynch stated C-1 allows many uses and there's a lot of traffic. There are 7 lanes with traffic bumper to bumper from 7 a.m. to 7 p.m. Other neighbors will be negatively impacted with C-2, including a historic home (built in 1855). Noise, pollution and visual impacts are concerns as well.

Mr. Lynch requests postponing any decision for this case until the traffic study is completed. Chair Lewis asked Mr. Lynch if there are specific uses he would want to eliminate through binding elements. Mr. Lynch said yes.

Deliberation

01:14:58 Planning Commission deliberation.

01:15:42 Mr. Reverman asked why the entire property needs to be rezoned to C-2 and not just the Walmart building. Mr. Pregliasco said for flexibility purposes regarding replacing the anchor tenant (Walmart) and to keep the center usable and viable. The objectionable uses can be eliminated.

01:18:47 Chair Lewis stated the 2 properties are under 1 zoning request.

01:19:19 Commissioner Carlson stated he's concerned about setting a precedent. Shouldn't the request include a form district change as well? Mr. Pregliasco will discuss it with Planning and Design staff.

01:21:26 Chair Lewis asked if this case needs to be continued to a date certain or uncertain. Mr. Reverman said leave it to the discretion of the applicant. Mr. Pregliasco requests a date certain.

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

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** this case to the May 16, 2019 LD&T meeting.

The vote was as follows:

YES: Commissioners Carlson, Daniels, Peterson and Lewis
NOT PRESENT AND NOT VOTING: Commissioner Brown