

PLANNING COMMISSION MINUTES

June 4, 2026

PUBLIC HEARING

CASE NO. 26-ZONE-0035

Request: Change in Zoning from R-4 to R-5 with a Detailed District Development Plan / Major Preliminary Subdivision
Project Name: Mount Holly Road Subdivision
Location: 603 & 603R Mount Holly Road
Applicant: Habitat for Humanity of Metro Louisville
Representative: GAI Consultants, Inc.
Jurisdiction: Louisville Metro
Council District: 13 – Dan Seum, Jr.
Case Manager: Kaitlin Dever, AICP, Planner II

Notice of this public hearing 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 the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:15:28 Kaitlin Dever provided an overview of the request and presented a PowerPoint presentation. Dever responded to questions from Commissioners. (see recording for details)

The following spoke in favor of the request:

Doug Schultz, GAI Consultants, 2550 Eastpoint Parkway Suite 200 Louisville, KY 40223

Jon Baker, Bricker, Graydon, & Wyatt, 400 West Market Street Suite 2000 Louisville, KY 40202

Summary of those in favor:

00:21:08 Doug Schultz spoke in favor of the request. Schultz presented a PowerPoint presentation. Schultz went over details of the plan. Schultz responded to questions from Commissioners. (see recording for details)

00:23:24 Jon Baker spoke in favor of the request. Baker shared his history with Habitat for Humanity. Baker discussed the importance of housing, and that increased housing would benefit the area. Baker responded to questions from Commissioners. (see recording for details)

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The following spoke in opposition of the request:

John Nichols, 713 Mount Holly Road Louisville, KY 40118

Summary of those in opposition:

00:29:46 John Nichols spoke in opposition to the request. Nichols shared concerns about flooding and how the proposed development might worsen the existing issue. Nichols responded to questions from Commissioners. (see recording for details)

Rebuttal:

00:35:12 Doug Schultz spoke in rebuttal. Schultz addressed the concerns about the flooding and explained how stormwater improvements associated with the plan might help alleviate the flooding issue. Schultz responded to questions from Commissioners. (see recording for details)

Deliberation:

00:45:43 Planning Commission deliberation

An audio/visual recording of the Planning Commission hearing related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Change in Zoning from R-4 Single-Family Residential to R-5 Single-Family Residential zoning district

00:50:40 On a motion by Commissioner Mims, seconded by Commissioner Benitez, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Planning Commission finds, the proposal meets Plan 2040 Community Form: Goal 1 because it offers the provision of additional housing near an existing activity center and planned village center as well as sidewalk connectivity on existing and proposed public road frontages to increase access to supportive services and commercial uses. It permits residential uses of substantially similar scale, intensity, and density to those residential uses directly abutting the subject site, thereby eliminating the need for any form of transition or buffering between adjacent uses, and

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WHEREAS, the Planning Commission finds, the proposal meets Community Form: Goal 2 because it seeks to redevelop underutilized land for the provision of additional housing at a higher quality than the existing conditions on the subject site, and

WHEREAS, the Planning Commission finds, the proposal meets Community Form: Goal 3 because the subject site is not located within identified steep slopes, unstable soils, or the FEMA 100-year floodplain. Hydric soils that potentially indicated the presence of wetlands were identified on site. A professional wetland determination revealed the presence of three non-jurisdictional wetlands on-site, which shall be appropriately mitigated, and an intermittent stream that shall be protected by a 25' buffer from either side beginning at top of bank, and

WHEREAS, the Planning Commission finds, the proposal meets Community Form: Goal 4 because the subject site is not an identified historic site, nor is located within an overlay district, local preservation district, or National Register district. No known historic or cultural resources will be affected, and

WHEREAS, the Planning Commission finds, the proposal meets Mobility: Goal 1 because the subject site is located within a quarter-mile proximity of an activity center at the heart of the Fairdale village center. Mount Holly Road is a primary collector level street and predominantly residential in character with some pockets of low to medium intensity commercial uses at the roundabout of Mitchell Hill Road, Fairdale Road, and W. Manslick Road to the northwest, as well as a mile southeast of the subject site at its intersection with National Turnpike. The subject site is contextualized by various zoning districts in the surrounding area, including low intensity commercial and low to medium intensity residential, and

WHEREAS, the Planning Commission finds, the proposal meets Mobility: Goal 2 because it does not permit access to the subject site through areas of significantly lower intensity or density of development. It offers to extend the existing street network to serve the proposed lots and will provide the required pedestrian sidewalks and connectivity, and

WHEREAS, the Planning Commission finds, the proposal meets Mobility: Goal 3 because it is located within a quarter mile of the core of the planned village center and the sidewalk network will be extended. The Louisville Loop is anticipated to extend through the village center within walking distance of the subject site. Improvements to the public right of way proportional to the development shall be met as required by the applicable agencies, and

WHEREAS, the Planning Commission finds, the proposal meets Community Facilities: Goal 2 because it is located in an area that should be served by existing utilities or where it is capable to extend any necessary public or private utilities in coordination with all affected agencies, and

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WHEREAS, the Planning Commission finds, the proposal meets Livability: Goal 1 because the subject site does not contain any environmental constraints and is not located within the FEMA 100-year floodplain, local regulatory floodplain, or combined sewer flood-prone area, and

WHEREAS, the Planning Commission finds, the proposal meets Housing: Goal 1 because it offers additional single-family housing compared to existing conditions with the opportunity for an accessory dwelling unit permitted with special standards for homeowners in the future which may support affordable housing, aging in place, and density to foster a vibrant village center, and

WHEREAS, the Planning Commission finds, the proposal meets Housing: Goal 2 because it seeks to connect Callie Drive to Mount Holly Road and will provide additional residential units to support the planned village center. It will contribute to increased pedestrian accessibility with the provision of sidewalks on both frontages. While public transportation services are not available in this area, increased housing opportunities are critical in demonstrating the demand for public transportation in the future as the village center continues to grow, and

WHEREAS, the Planning Commission finds, the proposal meets Housing: Goal 3 because it does not propose the displacement of residents from their community, now, therefore be it;

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the requested Change in Zoning from R-4 Single-Family Residential to R-5 Single-Family Residential zoning district

The vote was as follows:

YES: Commissioners Mims, Cheek, Steff, Benitez, Lohan, Fischer, Stuber, and Sistrunk

NO: Commissioner Lannert

ABSENT: Commissioner Bond

Detailed District Development Plan / Major Preliminary Subdivision with proposed binding elements (26-MSUB-0001)

00:56:43 On a motion by Commissioner Mims, seconded by Commissioner Benitez, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

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WHEREAS, the Planning Commission finds, an intermittent stream runs through the southwestern portion of the property which will be protected by a 25' stream buffer on either side of the top of bank with existing tree canopy largely to remain. Otherwise, there do not appear to be any environmental constraints or historic resources on the subject site, and

WHEREAS, the Planning Commission finds, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan, and

WHEREAS, the Planning Commission finds, there are no open space requirements pertinent to the current proposal, and

WHEREAS, the Planning Commission finds, the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community, and

WHEREAS, the Planning Commission finds, the overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking areas will meet all required setbacks, and

WHEREAS, the Planning Commission finds, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. Plan 2040 Community Form Goal 1, Policy 3.1.4 characterizes the Village form district as predominantly residential uses where the pattern of development is distinguished by open space. The Village form shall have a small-scale village center with a mixture of uses such as offices, shops, restaurants, services, and a diversity of housing types that may be higher in density than the rest of the district. Low-density residential uses interspersed with open space may be encouraged at the edge of the Village. Village form should be designed to encourage pedestrian, bicycle, and transit use. Community Form Goal 1, Policy 4 calls to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the form district. Community Form Goal 1, Policy 5 seeks to allow a mixture of densities as long as their designs are compatible. Community Form Goal 1, Policy 7 advocates for higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned. Community Form Goal 1, Policy 11 promotes setbacks, lot dimensions, and building heights that are compatible with those of nearby

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developments that meet Form District guidelines. Community Form Goal 2, Policy 6 encourages a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment. Community Form Goal 2, Policy 8 also encourages residential land uses in designated centers. Community Form Goal 2, Policy 11 wants to ensure the appropriate placement, design, and scale of centers in the Village Form District to ensure compatibility with nearby residences. Community Form Goal 2, Policy 13 advocates for new neighborhoods, traditional neighborhoods, and villages to be organized around a center that may contain neighborhood-serving shops, restaurants, and services. Community Form Goal 2, Policy 16 encourages activity centers to be easily accessible by bicycle, car, transit, and for pedestrians and people with disabilities. The proposal offers additional single-family housing compared to existing conditions with the opportunity for an accessory dwelling unit permitted with special standards for homeowners in the future which may support affordable housing, aging in place, and density to foster a vibrant village center. The proposal permits residential uses of substantially similar scale, intensity, and density to those residential uses directly abutting the subject site, thereby eliminating the need for any form of transition or buffering between adjacent uses while also reinforcing the existing pattern of residential development in the surrounding area. Accessibility and connectivity will be expanded through the provision of sidewalks on Mount Holly Road and through the extension of Callie Drive. Public transportation services are not available in this area per the New TARC Network Plan (2026); nevertheless, increased housing opportunities are critical in demonstrating the demand for public transportation in the future as the village center continues to grow. Mobility Goal 1, Policy 1 states that to promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists, and transit users, where appropriate, by including sidewalks along the streets of all developments and walkways between residential areas and nearby neighborhoods, schools, public recreation facilities, parks, office/industrial, and retail/service uses. Mobility Goal 2, Policy 4 seeks to avoid access to development through areas of significantly lower intensity or density of development if such access would create significant nuisances. Mobility Goal 3, Policy 21 advocates for the prevention of safety hazards caused by direct residential access to high-speed roadways. Sidewalks will be provided on both Mount Holly Road and the Callie Drive extension. The development is not accessed from areas of significantly lower density or intensity, but rather provides the necessary connectivity for the village center to function. Direct access to the Mount Holly primary collector is prohibited. Access to lots facing Mount Holly Road shall be through a private access easement at the rear of said lots. Community Form Goal 3, Policy 7 promotes the integration of natural features within the prescribed pattern of development. Community Form Goal 3, Policy 8 calls to conserve, restore, and protect vital natural resource systems such as mature trees, steep slopes, streams, and wetlands. Open spaces should be integrated with other design decisions to shape the pattern of development. Community Form Goal 3, Policy 9 similarly encourages development that respects the natural features of the site through sensitive site design

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and minimizes environmental degradation resulting from disturbance of natural systems. Livability Goal 1, Policy 11 calls to protect solid blueline streams, defined by the current floodplain management ordinance, from channelization, stripping, relocation, or other alterations. Ensure a vegetative buffer on the banks of blueline streams to protect the functional integrity of the channel. The intermittent stream on site shall be protected by the MSD required 25' stream buffer from top of bank on either side and will benefit from the preservation of existing vegetation and tree canopy within the buffer area. A portion of this stream will be protected in a non-buildable open space lot. No modifications to the stream are proposed with the exception of a small crossing to provide access to lots 38-40, now, therefore be it;

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the requested Detailed District Development Plan/Major Preliminary Subdivision **SUBJECT** to the following Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, or site disturbance permit) is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.

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- c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - d. A major subdivision plat creating the lots and roadways as shown on the approved district development plan shall be recorded prior to issuance of any building permits.
 - e. Private access easement agreements in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded as shown on the approved preliminary subdivision plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - f. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
5. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission:
 - a. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.
 - c. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.
6. The applicant shall submit a Tree Preservation Plan for approval by Planning and Design staff showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). An original stamped copy of the approved Tree Preservation Plan shall be present on site during all clearing, grading, and construction activity and shall be made available to any DPDS inspector or enforcement officer upon request.
7. The applicant shall submit a landscape plan for approval by Planning Commission staff showing plantings and/or other screening and buffering materials to comply with the Chapter 10 of the Land Development Code prior to recording the record plat. The applicant shall provide the landscape materials on the site as specified on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.
8. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or

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construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."

9. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
10. The applicant shall provide language in the deeds of restriction describing the location of the Outer Buffer Zone along the intermittent blueline stream as shown on the approved preliminary subdivision plan. The language shall state that no permanent structures or impervious surface coverages of greater than 100 square feet are allowed in this zone as required in Chapter 4 of the Land Development Code. The form of such restrictions shall be approved by Planning Commission legal counsel.
11. All street signs shall be installed by the Developer and shall conform with the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
12. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
13. After release of the drainage bond, mosquito abatement on open space lots shall be the responsibility of the Homeowners Association. Accumulations of water in which mosquito larvae breed or have the potential to breed are required to be treated with a mosquito larvicide approved by the Louisville Metro Health Department. Larvicides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.
14. At the time the developer turns control of the homeowners' association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners' association account. The subdivision performance bond may be required by the Planning Commission to fulfill this funding requirement.

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15. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

16. The applicant shall research the feasibility in consultation with Public Works of extending the public sidewalk in the Right of Way in front of 513 and 601 Mount Holly Road and if such sidewalk is feasible, shall construct the public sidewalk in consultation with Public Works.

The vote was as follows:

YES: Commissioners Mims, Cheek, Benitez, Lohan, Steff, Fischer, Stuber, and Sistrunk

NO: Commissioner Lannert

ABSENT: Commissioner Bond