



Action Summary - Final Planning Commission

Thursday, January 5, 2023

1:00 PM

Old Jail Auditorium

Call To Order

- Present:** 8 - Commissioner Suzanne Cheek, Commissioner Richard Carlson, Commissioner Lula Howard, Commissioner Marilyn Lewis, Commissioner Michelle Pennix, Jeff Brown, Bill Fischer, and Jim Mims
- Absent:** 2 - Commissioner TeAndre Sistrunk, and Commissioner Patti Clare

Approval Of Minutes

1. [DRC Minutes 12.14.22](#)

Approval of the minutes of the December 14, 2022 Development Review Committee meeting.

A motion was made by Commissioner Carlson, seconded by Commissioner Brown, that the minutes of the December 14, 2022 Development Review Committee meeting be approved. The motion carried by the following vote:

Yes: 3 - Carlson, Pennix, and Brown

Absent: 4 - Sistrunk, Cheek, Clare, and Price

Abstain: 4 - Howard, Lewis, Fischer, and Mims

2. [PC Minutes 12.15.22](#)

Approval of the minutes of the December 15, 2022 Planning Commission public hearing.

A motion was made by Commissioner Howard, seconded by Commissioner Mims, that the minutes of the December 15, 2022 Planning Commission public hearing be approved. The motion carried by the following vote:

Yes: 5 - Carlson, Howard, Lewis, Brown, and Mims

Absent: 4 - Sistrunk, Cheek, Clare, and Price

Abstain: 2 - Pennix, and Fischer

Business Session

3. [New Commissioner Swearing-In](#)

New Commissioner Swearing-In - William Fischer

Items 4-10 are from the January 4, 2023 Development Review Committee, which did not have a quorum. Testimony was taken and Commissioners Carlson and Brown acted as hearing officers for these items.

4. [22-WAIVER-0230](#)

Request: Waiver to permit parking in front of a structure and to not provide access via the alley

Project Name: Gateway on Broadway

Location: 1404 Magazine St; 1401, 1403, 1405 and 1421 W Broadway

Owner: Housing Partnership Inc.

Applicant: Housing Partnership Inc.

Jurisdiction: Louisville Metro

Council District: 4 - Jecorey Arthur

Case Manager: Jay Lockett, AICP, Planner II

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Waiver of Land Development Code sections 5.9.2.C.4 and 5.5.1.A.3.a to permit parking and circulation in front of the structures on 1404 Magazine St.; and the requested Waiver of Land Development Code section 5.5.1.A.3.b to not provide access via the alley for 1404 Magazine St.Detailed District Development plan, be approved. The motion carried by the following vote:

Yes: 7 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, and Mims

Absent: 3 - Sistrunk, Clare, and Price

Abstain: 1 - Fischer

5. [22-WAIVER-0229](#)

Request: Waiver to Permit Changing Image Sign Within 300 feet of Residential Zone and Changing Image Sign Area Waiver

Project Name: Changing Image Sign Waiver

Location: 5101 US Highway 42

Owner: The Temple

Applicant: Golden Rule Signs

Jurisdiction: Louisville Metro

Council District: 16 - Scott Reed

Case Manager: Beth Jones, AICP, Planner II

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the case be continued to the January 18, 2023 DRC meeting. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

6. [22-CAT3-0004](#)

Request: Category 3 Plan with a building façade Waiver
 Project Name: W Muhammad Ali Commercial/Multi-Family Development
 Location: 720 W Muhammad Ali Blvd
 Owner: LDG Land Holdings, LLC.
 Applicant: Sabak Wilson & Lingo, INC
 Dinsmore & Shohl, LLP
 Jurisdiction: Louisville Metro
 Council District: 4 - Jecorey Arthur
 Case Manager: Molly Clark, Planner II

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Waiver from section 5.6.2.B to permit the structure to have less than 50% clear windows and doors at the street level for Downtown Form District lower façade requirements on 7th and 8th street facing facades. (22-WAIVER-0247), be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Category 3 Development Plan be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

7. [22-DDP-0055](#)

Request: A Revised Detailed District Development Plan with Amendment to Binding Elements
 Project Name: Warehouse Expansion
 Location: 2700 Chestnut Station Court
 Owner: Chestnut Station, LLC
 Applicant: Mindel Scott & Associates, INC
 Jurisdiction: Louisville Metro
 Council District: 11 - Kevin Kramer
 Case Manager: Molly Clark, Planner II

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Revised Detailed District Development plan with amendment to binding elements be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

8. [22-DDP-0099](#)

Request: Revised Detailed District Development Plan
Project Name: Scooter’s Coffee
Location: 10515 Taylorsville Road
Owner/Applicant: DVSJ Holdings, LLC
Jurisdiction: City of Jeffersontown
Council District: 20 - Stuart Benson
Case Manager: Clara Schweiger, Planner I

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, to recommend to the City of Jeffersontown that the requested Revised Detailed District Development plan be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

9. [22-DDP-0117](#)

Request: Revised Detailed District Development Plan
Project Name: Zoom Group
Location: 4545 Taylorsville Road
Owner/Applicant: Zoom Group, Inc
Jurisdiction: Louisville Metro
Council District: 11 - Kevin Kramer
Case Manager: Clara Schweiger, Planner I

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Revised Detailed District Development Plan be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

10. [22-DDP-0032](#)

Request: Revised Detailed District Development Plan with Waivers
Project Name: Speckman Retail Addition
Location: 719 & 721 Speckman Road
Owner/Applicant: Speckman Commercial LLC
Jurisdiction: City of Middletown
Council District: 19- Anthony Piagentini
Case Manager: Julia Williams, AICP, Planning Supervisor

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, to recommend to the City of Middletown that the requested Waiver from 10.2.9 to not provide the 10' VUA LBA or the screening and planting along Speckman Road (22-WAIVER-0043) be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, to recommend to the City of Middletown that the requested Waiver from 10.2.4 to not provide the 25'/35' LBA or the screening and planting along the northeast property line adjacent to the R-6 property be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, to recommend to the City of Middletown that the requested Revised Detailed District Development plan be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

Public Hearing

11. [22-DDP-0078](#)

Request: Revised Detailed District Development Plan with revisions to Binding Elements

Project Name: Thieneman E Orell

Location: 11905 Dixie Hwy

Owner: 11905 Dixie Hwy LLC

Applicant: 11905 Dixie Hwy LLC

Representative: Land Design and Development

Jurisdiction: Louisville Metro

Council District: 14 - Cindi Fowler

Case Manager: Jay Lockett, AICP, Planner II

A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the case be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:

Yes: 7 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, and Mims

Absent: 3 - Sistrunk, Clare, and Price

Abstain: 1 - Fischer

12. [21-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

A motion was made by Commissioner Mims, seconded by Commissioner Howard, to recommend to the Louisville Metro Council that the requested change in zoning from C-1 Commercial to C-2 Commercial be approved. The motion carried by the following vote:

Yes: 7 - Cheek, Howard, Lewis, Pennix, Brown, Fischer, and Mims

No: 1 - Carlson

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Mims, seconded by Commissioner Howard, that the requested Conditional Use Permit be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Mims, seconded by Commissioner Howard, that the requested Variance from Table 5.3.2 to permit structures and VUA to encroach into the required side and rear yard setbacks (non-loading) (east property line required 30', requested 4.5', variance of 25.5') (south property line required 30', requested 0', variance of 30') (21-VARIANCE-0118) be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Mims, seconded by Commissioner Howard, that the requested Waiver from 10.2.4.B.1 to permit encroachment into the required property perimeter Landscape Buffer Area (LBA) on the east and south property lines, and to allow a drive aisle to encroach into the required LBA on the west property line and waive plantings along the west property line where the encroachment occurs (21-WAIVER-0111) be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Mims, seconded by Commissioner Howard, that the requested Detailed District Development Plan with Binding Elements be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

13. [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

A motion was made by Commissioner Howard, seconded by Commissioner Cheek, to recommend to the Louisville Metro Council that the requested change in zoning from R-6 multifamily residential to C-1 Commercial be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Howard, seconded by Commissioner Cheek, that the requested Waiver of Land Development Code section 10.2.4 to omit the 15-foot Property Perimeter Landscape Buffer Area be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Howard, seconded by Commissioner Cheek, that the requested Detailed District Development plan be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

14. [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

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, to recommend to the Louisville Metro Council that the requested change in zoning from R-5 single family residential to OR-1 Office/Residential be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that the requested Waiver of Land Development Code section 10.2.4 to allow the existing structure to encroach into the 10-foot Property Perimeter Landscape Buffer Area along the side and the rear of the site be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that the requested Detailed District Development plan be approved. The motion carried by the following vote:

Yes: 8 - Cheek, Carlson, Howard, Lewis, Pennix, Brown, Fischer, and Mims

Absent: 3 - Sistrunk, Clare, and Price

Adjournment

The hearing adjourned at approximately 3:40 p.m.