Louisville Metro Government

Old Jail Auditorium
514 W. Liberty Street
Louisville, KY 40202

Agenda - Final

Planning Commission

Thursday, May 7, 2026 | **1:00 PM** | **Old Jail Auditorium**

The Planning Commission meeting will be conducted in-person at the Old Jail Building Auditorium, 514 West Liberty Street, Louisville, KY 40202.

Anyone wishing to join the meeting virtually using a computer, laptop, or mobile device, as well as anyone wishing to sign up to speak in support, in opposition, or as other for any case, should visit the following link:

https://louisvilleky.gov/government/upcoming-public-meetings

You can access case materials (staff reports, proposed plans, etc.) by clicking on the link below and selecting this meeting in the Calendar tab:

https://louisville.legistar.com/Calendar.aspx

If you have any questions, please contact the case manager, or call the Office of Planning at 502-574-6230.

Call To Order

Approval Of Minutes

4.23.2026 PC Minutes

3.19.26 PC for 24-ZONE-0098

Public Hearing

26-CELL-0002

Request:	New Cellular Tower
Project Name:	LV Medora Wireless Communications Facility
Location:	6406 Moorman Rd
Applicant:	Douglas Anderson
Representative:	Pike Legal Group, PLLC
Jurisdiction:	Louisville Metro
Council District:	14 - Crystal Bast
Case Manager:	Tyler Pobiedzinski, Planner I

26-ZONE-0019

Request:	Change in Zoning from U-N Urban Neighborhood and C-1 Commercial to R-8A Multi-Family Residential and a Detailed District Development plan with an associated waiver, variance, and binding elements.
Project Name:	Grace Hope Senior Apartments
Location:	820 S Clay St
Applicant:	Rebound Inc.
Representative:	Sabak, Wilson, & Lingo
Jurisdiction:	Louisville Metro
Council District:	4 - Ken Herndon
Case Manager:	Mark Pinto, Planner II

25-ZONE-0097

Request:	Change in Zoning from M-2 Industrial to C-2 Commercial and a Detailed District Development plan with and binding elements.
Project Name:	Hull St. Brew Pub
Location:	524 Baxter Ave.
Applicant:	Auckland Land Trust
Representative:	Scot Heath
Jurisdiction:	Louisville Metro
Council District:	4 - Ken Herndon
Case Manager:	Jude Mattingly, Planner II

Adjournment

Louisville Metro Government

Text File

File Number: 4.23.2026 PC Minutes

Agenda Date: 5/7/2026 **Version:** 1 **Status:** Minutes to be Approved

In Control: Planning Commission **File Type:** Minutes

MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION
APRIL 23, 2026

A meeting of the Louisville Metro Planning Commission was held on Thursday, April 23, 2026, at 1:00 p.m. at the Old Jail Auditorium, 514 W. Liberty Street, Louisville, KY 40202.

Commission Members Present:
Te'Andre Sistrunk
Bill Fischer, Vice Chair
Jim Mims
David Steff (left at 3:05)
Steve Lannert
Sharon Bond
Suzanne Cheek (left at 2:38)
Mark Benitez
Beth Stuber

Commission Members Not Present
Russ Lohan

Staff Members Present:
Brian Davis, Director
Julia Williams, Assistant Director
Laura Ferguson, Assistant County Attorney
Joe Haberman, Planning Manager
Jay Luckett, Planning Supervisor
Mark Pinto, Planner II
Jude Mattingly, Planner II
Zach Jones, Planner II
Mary Willis, Management Assistant

The following matters were considered:

APPROVAL OF MINUTES

APRIL 2, 2026, PLANNING COMMISSION MEETING MINUTES

00:03:33 On a motion by Commissioner Steff, seconded by Commissioner Mims, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Minutes of its meeting conducted on April 2, 2026.

The vote was as follows:

YES: Commissioners Steff, Lannert, Mims, Fischer, Bond, Benitez, and Stuber
ABSTAIN: Commissioners Cheek and Sistrunk
ABSENT: Commissioner Lohan

PUBLIC HEARING

CASE NO. 26-ZONE-0030

Request:	Change in Zoning from M-2 Industrial to C-M Manufacturing
Project Name:	1901 R Payne Street Areawide
Location:	1901 R Payne Street
Applicant:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	9 – Andrew Owen
Case Manager:	Brian Davis, AICP, Director

Notice of this public hearing notice 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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

00:4:17 Brian Davis provided an overview of the request and presented a PowerPoint presentation. Davis responded to questions from Commissioners (see recording for details).

00:14:11 Laura Ferguson responded to questions from Commissioners (see recording for details).

The following spoke in favor of this request:

Pam Vetter, 313 Crescent Spring Dr, Louisville, KY 40206

Mike O'Leary, 1963 Payne St, Louisville, KY 40206

Summary of testimony of those in support of the request:

00:24:54 Pam Vetter spoke in support of the proposal. Vetter noted that changing the zoning from M-2 to CM would be a more appropriate use of the property and would be better for residents. Vetter stated that the zoning change would present a strong opportunity for neighborhood growth, with a less intensive land use that would be more compatible with the Traditional Neighborhood Form District (see recording for details).

00:27:20 Mike Oleary spoke in support of the proposal. O'Leary noted that changing the zoning from M-2 to CM would increase the number of viable uses and attract more potential buyers. O'Leary mentioned that production reuse under CM zoning would

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CASE NO. 26-ZONE-0030

generate increased economic activity and tax revenue. He also stated that changing the zoning would benefit not only the surrounding neighborhood, but the city as a whole. O'Leary responded to questions from Commissioners (see recording for details).

00:32:18 Brian Davis responded to additional questions from Commissioners (see recording for details).

The following spoke in opposition of this request:
None

Deliberation:

00:34:03 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 M-2 Industrial to C-M Commercial Manufacturing

00:40:22 On a motion by Commissioner Mims, seconded by Commissioner Fischer, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the proposed zoning advances Community Form Goal 1, Objectives b., c., and f. of Plan 2040 because the proposed zoning district is compatible with existing characteristics of the neighborhood. The areas surrounding the subject property are located in Traditional Form districts characterized by residential lots and neighborhood serving commercial uses. Future growth and development patterns shall foster health and prosperity for all neighborhoods. The current zoning district permits heavy industrial uses that could adversely affect the health and prosperity of residences who have been disproportionately impacted by industrial expansion. The proposed changes in zoning would promote infill development, revitalization, and adaptive reuse of existing structures and vacant land.

WHEREAS, the Planning Commission finds the proposing zoning advances Community Form Goal 1, Policies 15 and 16 of Plan 2040, which implores considering the impacts of heavy industry such as potentially nuisance uses and uses with air, noise, and light emissions have on human health, quality of life, and the environment including prevailing meteorological conditions and the potential to transport noxious odors, particulates, and emissions. Special attention should be paid to air and water quality when residences,

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schools, parks, or vulnerable populations may be impacted and disadvantaged populations shall not be disproportionately impacted.

WHEREAS, the Planning Commission finds the proposed zoning advances Livability Goal 2 of Plan 2040, which ensures equitable health and safety outcomes for all. The proposed zoning district would remove the potential for more intense industrial redevelopment on properties enveloped by residences. With the change new development would be encouraged that supports compatible uses that do not adversely affect the health and safety outcomes of nearby residences.

WHEREAS, the Planning Commission finds the proposed zoning advances Housing Goals 1 and 2 of Plan 2040, which call for the promotion of housing options and environments that support aging in place and locating housing within proximity to multi-modal transportation corridors and supportive goods and services. The proposed change in zoning would promote development and redevelopment the property for housing within a zoning district that is more compatible with residential used based on surrounding land uses.

WHEREAS, the Planning Commission finds the proposed zoning meets Housing Goal 3, Policy 2 of Plan 2040, which discourages displacement of existing residences from their communities. The proposal would help to ensure the property is not redeveloped for potentially noxious industrial uses that result in adverse impacts to existing residences in the community. The proposed zoning change could promote new residential housing that encourages residences to remain in their communities without the potential expansion of higher intensity land uses that could result in displacement; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council to **APPROVE** the change in zoning from M-2 Industrial to C-M Commercial Manufacturing.

The vote was as follows:

YES: Commissioners Steff, Mims, Fischer, Bond, Benitez, Stuber, Cheek, and Sistrunk
NO: Commissioner Lannert
ABSENT: Commissioner Lohan

PUBLIC HEARING

CASE NO. 18PM23355

Request:	Appeal of Binding Element Citation
Location:	6405 Chism Rd
Applicant:	DJN, LLC
Representative:	Barbara Aguirre
Jurisdiction:	Louisville Metro
Council District:	14 – Crystal Bast
Case Manager:	Laura Ferguson, Assistant County Attorney

Notice of this public hearing notice 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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

00:42:25 Laura Ferguson provided an overview of the request and presented a PowerPoint presentation. Ferguson mentioned that the case had been continued from February to assess progress on filing a development plan and noted that the property is currently being used as an auto repair shop. Ferguson responded to questions from Commissioners (see recording for details).

The following spoke in favor of this request:

Barbara Aquirre, 11002 Cedar Hill Court, Louisville, KY 40229

Summary of testimony of those in support of the request:

00:43:57 Barbara Aquirre spoke in support of the proposal. Aquirre stated that back at the February meeting she was in the process of purchasing the property but had not finalized the purchase until March. Aguirre noted that she spoke with the Office of Planning about bringing the property into compliance and reached out to the original surveyor to conduct a survey of the property. Aquirre responded to questions from Commissioners (see recording for details).

00:51:43 Jay Luckett and Joe Haberman responded to questions from Commissioners (see recording for details).

The following spoke in opposition of this request:
None

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CASE NO. 18PM23355

Deliberation:

00:59:55 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.

00:59:58 On a motion by Commissioner Mims, seconded by Commissioner Fischer, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

RESOLVED, that the Louisville Metro Planning Commission does hereby **UPHOLD** the Zoning Enforcement citation and **CONTINUE** this case to the June 4, 2026, Planning Commission public hearing for a decision on the amount of the fine, if any.

The vote was as follows:

YES: Commissioners Steff, Mims, Fischer, Bond, Benitez, Stuber, Cheek, Lannert, and Sistrunk
ABSENT: Commissioner Lohan

PUBLIC HEARING

CASE NO. ENF-ZON-25-001693

Request:	Appeal of Binding Element Citation
Project Name:	February 27, 2026, Binding Element Citation
Location:	5323 New Cut Rd
Applicant:	Dreamworth Homes LLC
Representative:	Joe Worth
Jurisdiction:	Louisville Metro
Council District:	21 – Betsy Ruhe
Case Manager:	Laura Ferguson, Assistant County Attorney

Notice of this public hearing notice 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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

01:03:34 Laura Ferguson provided an overview of the request and presented a PowerPoint presentation. Ferguson noted that the case was brought before Planning Commission back in July of 2023 for a zone change from R-4 Family to R-6 Multi Family and that the property was in violation of the development plan as well as binding elements 1 and 3.b. Ferguson mentioned that the parking lot had not been constructed as shown along with the northern entrance drive improvements and that the southern entrance has yet to be removed. Ferguson noted that the curb, verge, and sidewalk has not been reestablished in the right of way. Ferguson responded to questions from Commissioners (see recording for details).

The following spoke in favor of this request:

Joe Worth, 1208 E Breckinridge St, Louisville, KY 40204

Summary of testimony of those in support of the request:

01:08:58 Joe Worth spoke in support of the proposal. Worth stated that he purchased the property off-market in March 2024 and, after receiving the notice of violation, spoke with someone from the Office of Planning. Worth noted that he is working closely with the Office of Planning to establish a revised development plan. Worth responded to questions from Commissioners (see recording for details).

PUBLIC HEARING

CASE NO. ENF-ZON-25-001693

01:11:25 Joe Haberman responded to questions from Commissioners (see recording for details).

The following spoke in opposition of this request:

Ann Ramser, P.O. Box 14243, Louisville, KY 40214

Summary of testimony of those in opposition of the request:

01:14:47 Ann Ramser spoke in opposition to the proposal and presented a PowerPoint presentation. Ramser elaborated on the zone enforcement cases pertaining to the subject property (see recording for details).

Rebuttal:

01:19:38 Joe Worth spoke in rebuttal and reiterated about receiving a letter of violation (see recording for details).

Deliberation:

01:20:12 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.

01:25:44 On a motion by Commissioner Mims, seconded by Commissioner Cheek, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

RESOLVED, that the Louisville Metro Planning Commission does hereby **UPHOLD** the Zoning Enforcement citation and **CONTINUE** this case to the June 4, 2026, Planning Commission public hearing for a decision on the amount of the fine, if any.

The vote was as follows:

YES: Commissioners Steff, Mims, Fischer, Bond, Benitez, Stuber, Cheek, Lannert, and Sistrunk
ABSENT: Commissioner Lohan

PUBLIC HEARING

CASE NO. ENF-ZON-25-001616

Request:	Appeal of Binding Element Citation
Project Name:	February 18, 2026, Binding Element Citation
Location:	4826 Preston Hwy
Applicant:	Rawand Najm
Representative:	Rawand Najm
Jurisdiction:	Louisville Metro
Council District:	21 – Betsy Ruhe
Case Manager:	Laura Ferguson, Assistant County Attorney

Notice of this public hearing notice 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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

01:26:34 Laura Ferguson provided an overview of the request and presented a PowerPoint presentation. Ferguson noted that the case was brought before Planning Commission back in August of 2004 for a zone change from C-1 Commercial to C-2 Commercial and that the property was in violation of the development plan, the landscape plan, and binding elements #1. Ferguson noted that a revised development plan and a revised landscape plan must be approved before the owner can make any changes or improvements to the property. Ferguson responded to questions from Commissioners. (See recording for details).

01:30:01 Jay Luckett responded to questions from Commissioners (see recording for details).

The following spoke in favor of this request:

Rawand Najm, 307 Gablewood Circle, Louisville, KY 40245

Summary of testimony of those in support of the request:

01:31:22 Rawand Najm spoke in support of the proposal and elaborated on the changes that have been made to the property. Najm responded to questions from Commissioners (see recording for details).

The following spoke in opposition of this request:

PUBLIC HEARING

CASE NO. ENF-ZON-25-001616

None

Deliberation:

01:32:57 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.

01:36:01 On a motion by Commissioner Mims, seconded by Commissioner Cheek, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

RESOLVED, that the Louisville Metro Planning Commission does hereby **UPHOLD** the Zoning Enforcement citation and **CONTINUE** this case to the June 4, 2026, Planning Commission public hearing for a decision on the amount of the fine, if any.

The vote was as follows:

YES: Commissioners Steff, Mims, Fischer, Bond, Benitez, Stuber, Cheek, Lannert, and Sistrunk
ABSENT: Commissioner Lohan

PUBLIC HEARING

CASE NO. 26-ZONE-0025

Request:	Change in Zoning from R-5 Residential to R-6 Residential and a Detailed District Development Plan with associated wavier and binding elements.
Project Name:	Poplar Tri-plex
Location:	3827 Poplar Level Rd
Applicant:	ZNB Properties LLC
Representative:	Mike & Nadine Brewer
Jurisdiction:	Louisville Metro
Council District:	10 – Josie Raymond
Case Manager:	Jude Mattingly, Planner II

Notice of this public hearing notice 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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

01:48:58 Jude Mattingly provided an overview of the request and presented a PowerPoint presentation. Mattingly responded to questions from Commissioners (see recording for details).

01:55:19 Jay Luckett responded to questions from Commissioners (see recording for details).

The following spoke in favor of this request:

Mike Brewer, 11604 E Osage Rd, Louisville, KY 40223

Summary of testimony of those in support of the request:

01:56:38 Mike Brewer spoke in support of the proposal. Brewer mentioned that when the property was purchased the gravel was already located on the property from the previous owner. Brewer noted that an existing four car carport was established before taking ownership of the property and would like to add an additional dwelling unit. Brewer responded to questions from Commissioners (see recording for details).

The following spoke in opposition of this request:
None

PUBLIC HEARING

CASE NO. 26-ZONE-0025

Deliberation:

01:58:57 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-5 Residential to R-6 Residential

01:59:36 On a motion by Commissioner Steff, seconded by Commissioner Bond, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the proposal would not constitute a significantly higher density or intensity than what currently exists in the area. The immediate area contains a variety Multi-Family Residential, Office Residential, and Commercial zoning classifications and uses. The subject site is located in an area where there is a developed network of sidewalks, public transit options, and fronts a major arterial roadway.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 2 because appropriate access and connectivity exist to allow the zoning change within the context of the neighborhood form district.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 3 because no substantial changes to the topography, potential environmental degradation, or disturbance to any natural features has been observed.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 4 because while not in a recognized historic preservation district, overlay district, or national register district, the existing structure will be preserved, habilitated, and renovated.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 1 because the subject site is located in an area where there is a developed network of sidewalks, public transit options, and fronts a major arterial roadway.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 2 because the there is no access through areas of significantly lower intensity.

PUBLIC HEARING

CASE NO. 26-ZONE-0025

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 3 because the proposed zoning would allow for additional dwelling unit that encourage utilization of the existing network of sidewalks and public transit options.

WHEREAS, the Planning Commission finds the proposal meets Community Facilities: Goal 2 because the subject site is served by existing utilities and located in an area where additional resources could be extended.

WHEREAS, the Planning Commission finds the proposal meets Economic Development: Goal 1 because the subject site is located in an area where there is a developed network of sidewalks, public transit options, and major arterial roadway that provides opportunities for residents.

WHEREAS, the Planning Commission finds the proposal meets Livability: Goal 1 because no issues with the site being susceptible to severe erosion, impacts on groundwater resources, flow patterns, existing surface drainage, or the floodplain have been observed and MSD has given preliminary approval.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 1 because the proposed zoning would allow for housing options that support aging in place with access to transit routes.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 2 because the proposed zoning would allow for housing options with access to multi-modal transportation corridors within proximity of amenities providing neighborhood good and services.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 3 because no current residents are identified to be displaced by this request; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the change in zoning from R-5 Residential to R-6 Residential.

The vote was as follows:

YES: Commissioners Steff, Fischer, Bond, Benitez, Stuber, Lannert, and Sistrunk
NO: Commissioner Mims
ABSENT: Commissioner Lohan and Cheek

PUBLIC HEARING

CASE NO. 26-ZONE-0025

Waiver from 10.2.4 to omit the property perimeter landscape buffer required along the northwestern and southeastern property line.

02:00:14 On a motion by Commissioner Steff, seconded by Commissioner Bond, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the waiver is unlikely to adversely affect adjacent property owners. There is no proposed construction with this request. The existing structure and site conditions are compatible with other properties on the same block face, and

WHEREAS, the Planning Commission finds the Community Form Goal 1, Policy 4 calls for a proposal 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. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects, and

WHEREAS, the Planning Commission finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as implementing the provision in full would require partial demolition of both existing structures on site, and

WHEREAS, the Planning Commission finds the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant. Implementing the provision in full would require partial demolition of both existing structures on site. The property owner has installed plantings and fencing to create some buffer against the remaining R-5 zoned properties; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Waiver from 10.2.4 to omit the property perimeter landscape buffer required along the northwestern and southeastern property line.

The vote was as follows:

YES: Commissioners Steff, Fischer, Bond, Benitez, Stuber, Lannert, and Sistrunk
NO: Commissioner Mims
ABSENT: Commissioner Lohan and Cheek

Detailed District Development Plan with proposed binding elements.

PUBLIC HEARING

CASE NO. 26-ZONE-0025

02:00:47 On a motion by Commissioner Steff, seconded by Commissioner Bond, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds there do not appear to be any significant environmental constraints or natural resources on the subject site. While not formally recognized as being in a Historic Preservation district or National Register district the single-family structure on site was originally constructed in the mid-1920s according to Jefferson County PVA records. This proposal retains that structure while renovating it for the proposed duplex use, and

WHEREAS, the Planning Commission finds the provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and the Department of Transportation and the KYTC have reviewed and approved the preliminary development plan, and

WHEREAS, the Planning Commission finds there are no open space requirements pertinent to the current proposal. If the property were redeveloped in the future the subject site will be required to meet Land Development Code requirements, and

WHEREAS, the Planning Commission finds that MSD has reviewed and 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, 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 except for where the waiver is requested; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **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.

PUBLIC HEARING

CASE NO. 26-ZONE-0025

2. 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.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:

    a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works, and the Metropolitan Sewer District.

4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

5. 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.

The vote was as follows:

YES: Commissioners Steff, Fischer, Bond, Benitez, Stuber, Lannert, and Sistrunk
NO: Commissioner Mims
ABSENT: Commissioner Lohan and Cheek

PUBLIC HEARING

CASE NO. 25-ZONE-0149

Request:	Change in Zoning from R-4 Single-Family Residential to C-2 Commercial, Change in Form District from Neighborhood to Suburban Marketplace Corridor, a Detailed District Development plan with associated waivers, variance(s), and binding elements
Project Name:	Preston Highway Retail
Location:	5004, 5100, 5104, 5106, 5108, 5112, 5114 Maple Spring Drive; 10609 & 10613 Preston Hwy
Applicant:	Stern Development
Representative:	Bardenwerper, Talbott, & Roberts PLLC
Jurisdiction:	Louisville Metro
Council District:	23 – Jeff Hudson
Case Manager:	Mark Pinto, Planner II

Notice of this public hearing notice 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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

02:01:47 Mark Pinto provided an overview of the request and presented a PowerPoint presentation. Pinto responded to questions from Commissioners. (See recording for details).

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper, Talbott, Roberts, 1000 N Hurstbourne Pkwy, Louisville, KY 40223

Kent Gootee, Mindel Scott, 5151 Jefferson Blvd, Louisville, KY 40219

Brad Smith, 8910 Two Notch Rd, Ste 500, Columbia, SC 29223

Summary of testimony of those in support of the request:

02:16:06 Brad Smith spoke in support of the proposal and provided a brief history of projects that have been completed by Stern Development group (see recording for details).

PUBLIC HEARING

CASE NO. 25-ZONE-0149

02:18:22 Nick Pregliasco spoke in support of the proposal and presented a PowerPoint presentation. Pregliasco elaborated on the proposed development plan and the surrounding businesses within the area. Pregliasco noted that the development would have a total of five entrances and that Maple Spring Drive would be widened to 24ft. Pregliasco mentioned that, based on the volume of traffic expected to be generated by the development over the next ten years, there would be an impact on the existing highway network, which would warrant the installation of a traffic signal at the intersection of Preston Highway and Maple Springs Drive. Pregliasco responded to questions from Commissioners (see recording for details).

02:32:24 Kent Gootee responded to questions from the Commissioners regarding the access points for the retail space and the location of semi-truck deliveries (see recording for details).

The following spoke in opposition of this request:
None

Deliberation:

02:42:01 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 C-2 Commercial.

02:43:23 On a motion by Commissioner Stuber, seconded by Commissioner Benitez, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the proposal would not represent an expansion of nonresidential uses into a residential area as the proposal is an extension of the existing activity center along Preston Highway. A portion of the site is currently zoned C-2 Commercial, which includes properties along Maple Spring Drive. Lower intensity, single-family residential zoning is adjacent to the site along Maple Spring Drive and across the street. Landscaping and screening requirements per Chapter 10 shall be provided. Improvements to Maple Spring Drive and Preston Highway have been proposed and justified to mitigate potential adverse impacts.

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WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 2 because appropriate access and connectivity exist to allow the proposal within the context of the Neighborhood and Suburban Marketplace Corridor form districts. The site is located along Preston Highway, a major arterial roadway with connectivity to the Gene Snyder, nearby roadways, and supportive services in the area. The proposal includes an internal pedestrian sidewalk network that will connect the proposal to adjacent commercial developments and sidewalks along Preston Highway and Maple Spring Drive.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 3 because the subject site contains mature tree canopy. The proposal shall meet tree canopy and landscaping requirements, including preservation and new plantings in accordance with Chapter 10.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 4 because the site is not located within a historic preservation or overlay district. There are several homes on the subject properties along Maple Spring Drive that are proposed to be removed. The existing homes on-site are over 50 years old and potentially eligible for the National Register of Historic Places as determined by the Historic Preservation and Urban Design team. This site is subject to the requirements of the Wrecking Ordinance Subsection 150.110. The required 30-day joint notice was sent in accordance with LMCO 150.110 which commences the required 30-day hold on the properties.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 1 because the proposal is located along a major arterial roadway near employment centers, parks, and similar services and amenities as permitted in the requested district. Necessary infrastructure exists to support transit-oriented development. However, public transit is not available to and from the subject site at this time. Public transit could be extended to the area in the future.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 2 because the proposal does not include access through areas of significantly lower intensity. The site is accessed via existing public roadways and would not create access through areas of lower intensity. Maple Spring Drive currently serves lower intensity, residential uses. Required roadway improvements shall be made to mitigate potential adverse impacts.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 3 because the proposed district allows for complementary neighborhood serving businesses and uses to encourage short trips easily made by walking or bicycling. Access for pedestrian will be made to all public roadways (existing/proposed) to connect to adjacent and nearby development.

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WHEREAS, the Planning Commission finds the proposal meets Community Facilities: Goal 2 because the subject site is served by existing utilities and located in an area where additional resources can be extended. Utility services shall be coordinated with the appropriate agencies. Sanitary sewage and drainage shall be made available to serve the development.

WHEREAS, the Planning Commission finds the proposal meets Economic Development: Goal 1 because the site is located along Preston Highway, a major arterial roadway that serves a variety of land uses, varying in intensities, in the immediate area. The proposal has connectivity to arterial and collector level roadways, as well as the Gene Snyder Expressway. Roadway improvements specified in the traffic impact study shall be required to help mitigate potential adverse impacts.

WHEREAS, the Planning Commission finds the proposal meets Livability: Goal 1 because MSD has reviewed the proposal and given preliminary approval. Sanitary sewage and drainage infrastructure shall made available to the proposal.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 1 because the proposed zoning district would permit a variety of housing types and services that support aging in place. The site is located near employment centers, parks, and similar services and amenities as permitted in the zoning districts. Public transit is not available to the site currently. Transit routes could be extended to the area in the future.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 2 because the proposed zoning district would permit a variety of housing development that supports intergenerational and mixed-income housing, including mixed-use development. The proposal is located along a transit corridor and provides connectivity to employment centers and amenities along the corridor and throughout Louisville metro. Access for pedestrian will be made to all public roadways (existing/proposed) to connect to adjacent and nearby development.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 3 because the proposed districts allow for mixed uses and a variety of housing options that promotes the provisioning of fair and affordable housing; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the change in zoning from R-4 Single-Family Residential to C-2 Commercial

The vote was as follows:

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YES: Commissioners Fischer, Mims, Bond, Benitez, Stuber, Lannert, and Sistrunk
ABSENT: Commissioner Lohan, Steff, and Cheek

Change in Form District from Neighborhood to Suburban Marketplace Corridor (SMC).

02:44:06 On a motion by Commissioner Stuber, seconded by Commissioner Benitez, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the proposal would not represent an expansion of nonresidential uses into a residential area as the proposal is an extension of the existing activity center along Preston Highway. A portion of the site is currently zoned C-2 Commercial, which includes properties along Maple Spring Drive. Lower intensity, single-family residential zoning is adjacent to the site along Maple Spring Drive and across the street. Landscaping and screening requirements per Chapter 10 shall be provided. Improvements to Maple Spring Drive and Preston Highway have been proposed and justified to mitigate potential adverse impacts.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 2 because appropriate access and connectivity exist to allow the proposal within the context of the Neighborhood and Suburban Marketplace Corridor form districts. The site is located along Preston Highway, a major arterial roadway with connectivity to the Gene Snyder, nearby roadways, and supportive services in the area. The proposal includes an internal pedestrian sidewalk network that will connect the proposal to adjacent commercial developments and sidewalks along Preston Highway and Maple Spring Drive.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 3 because the subject site contains mature tree canopy. The proposal shall meet tree canopy and landscaping requirements, including preservation and new plantings in accordance with Chapter 10.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 4 because the site is not located within a historic preservation or overlay district. There are several homes on the subject properties along Maple Spring Drive that are proposed to be removed. The existing homes on-site are over 50 years old and potentially eligible for the National Register of Historic Places as determined by the Historic Preservation and Urban Design team. This site is subject to the requirements of the Wrecking

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Ordinance Subsection 150.110. The required 30-day joint notice was sent in accordance with LMCO 150.110 which commences the required 30-day hold on the properties.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 1 because the proposal is located along a major arterial roadway near employment centers, parks, and similar services and amenities as permitted in the requested district. Necessary infrastructure exists to support transit-oriented development. However, public transit is not available to and from the subject site at this time. Public transit could be extended to the area in the future.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 2 because the proposal does not include access through areas of significantly lower intensity. The site is accessed via existing public roadways and would not create access through areas of lower intensity. Maple Spring Drive currently serves lower intensity, residential uses. Required roadway improvements shall be made to mitigate potential adverse impacts.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 3 because the proposed district allows for complementary neighborhood serving businesses and uses to encourage short trips easily made by walking or bicycling. Access for pedestrian will be made to all public roadways (existing/proposed) to connect to adjacent and nearby development.

WHEREAS, the Planning Commission finds the proposal meets Community Facilities: Goal 2 because the subject site is served by existing utilities and located in an area where additional resources can be extended. Utility services shall be coordinated with the appropriate agencies. Sanitary sewage and drainage shall be made available to serve the development.

WHEREAS, the Planning Commission finds the proposal meets Economic Development: Goal 1 because the site is located along Preston Highway, a major arterial roadway that serves a variety of land uses, varying in intensities, in the immediate area. The proposal has connectivity to arterial and collector level roadways, as well as the Gene Snyder Expressway. Roadway improvements specified in the traffic impact study shall be required to help mitigate potential adverse impacts.

WHEREAS, the Planning Commission finds the proposal meets Livability: Goal 1 because MSD has reviewed the proposal and given preliminary approval. Sanitary sewage and drainage infrastructure shall made available to the proposal.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 1 because the proposed zoning district would permit a variety of housing types and services that support aging in place. The site is located near employment centers, parks, and similar

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services and amenities as permitted in the zoning districts. Public transit is not available to the site currently. Transit routes could be extended to the area in the future.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 2 because the proposed zoning district would permit a variety of housing development that supports intergenerational and mixed-income housing, including mixed-use development. The proposal is located along a transit corridor and provides connectivity to employment centers and amenities along the corridor and throughout Louisville metro. Access for pedestrian will be made to all public roadways (existing/proposed) to connect to adjacent and nearby development.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 3 because the proposed districts allow for mixed uses and a variety of housing options that promotes the provisioning of fair and affordable housing; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the change in form district from Neighborhood to Suburban Marketplace Corridor (SMC).

The vote was as follows:

YES: Commissioners Fischer, Mims, Bond, Benitez, Stuber, Lannert, and Sistrunk
ABSENT: Commissioner Lohan, Steff, and Cheek

Variance from Land Development Code (LDC) 4.8.3.C to allow impervious area to encroach into the middle and outer zones of the protected waterway buffer by 36 ft. (26-VARIANCE-0018).

02:44:41 On a motion by Commissioner Stuber, seconded by Commissioner Benitez, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the requested variance will not adversely affect the public health, safety, or welfare, because the proposed buildings are required by MSD to connect to sewers and have no impact on public health or adjoining properties. MSD has reviewed the proposal and given preliminary approval, and

WHEREAS, the Planning Commission finds the requested variance will not alter the essential character of the general vicinity as there are a collection of single-family homes within neighboring subdivisions that encroach into the protected waterway buffer, and

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WHEREAS, the Planning Commission finds the requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as there are adjacent properties and properties within the area that are encumbered by the protected waterway buffer, and

WHEREAS, the Planning Commission finds the strict application of the provision of the regulation would create an unnecessary hardship on the applicant as the vehicular access drive that encroaches would need to be redesigned which could cause significant changes to the current site design. Public Works and Transportation Planning have reviewed the proposal and given preliminary approval, including the proposed access and vehicular circulation patterns throughout the site, and

WHEREAS, the Planning Commission finds the circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as work has not begun on the proposed development for which the variance is being requested, and

WHEREAS, the Planning Commission finds the variance is not entirely necessary because the requirements of this section do not represent an extreme hardship such that minimal or no reasonable economic use of the land is available without reducing the width of the required buffer area. The site is not entirely contained by the buffer, and only a minor encroachment is requested. The site could be redesigned to comply with the protected waterway buffer requirements, and

WHEREAS, the Planning Commission finds the size, shape, or topography of the property is not such that it is not possible to construct a single-family detached dwelling without encroaching into the required protected waterway buffer. A single-family home, or other development, could occur on the site without encroaching into the protected waterway buffer, and

WHEREAS, the Planning Commission finds the encroachment is the minimum necessary for the proposed development because only a portion of the vehicular use areas encroach into the buffer. The proposed buildings and off-street parking areas are located outside of the waterway buffer, and

WHEREAS, the Planning Commission finds the applicant will commit to the satisfaction of the County or as requested by the Planning Commission, to mitigation measures that substantially offset any potential adverse impacts of the proposed encroachment during site preparation and installment. The proposal will be required to receive all applicable building permits that includes construction approval from MSD, and

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WHEREAS, the Planning Commission finds the approval of the variance will not result in a reduction in water quality. MSD has reviewed the proposal and given preliminary approval. There will be no net loss in area of the required protected waterway buffer, additional water quality devices and infrastructure is planned.; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** Variance from Land Development Code (LDC) 4.8.3.C to allow impervious area to encroach into the middle and outer zones of the protected waterway buffer by 36 ft. (26-VARIANCE-0018).

The vote was as follows:

YES: Commissioners Fischer, Mims, Bond, Benitez, Stuber, Lannert, and Sistrunk
ABSENT: Commissioner Lohan, Steff, and Cheek

Waiver of LDC 10.2.10 to allow parking spaces and impervious area to encroach into the required 15 ft. vehicular use area landscape buffer area (VUA LBA; 26-WAIVER-0016).

Waiver of LDC 5.5.2.A.1 to not provide clear glazing, windows, and an entrance along the retail building façade adjacent to Maple Spring Drive (26-WAIVER-0040).

Waiver of LDC 5.6.1.B, C, & D to allow less than 60% animating features along the retail building façade, less than 50% clear windows and doors, and to not provide roofline variation for the retail building that exceeds 100 ft in length (26-WAIVER-0040).

02:45:25 On a motion by Commissioner Stuber, seconded by Commissioner Benitez, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

(WAVIER 1) WHEREAS, the Planning Commission finds the waiver will not adversely affect adjacent property owners since a majority of the landscape buffer area is being provided to screen the off-street parking spaces from Maple Spring Drive. The Detailed District Development plan shows a 10 ft. VUA LBA along Maple Spring Drive, and

WHEREAS, the Planning Commission finds the wavier will not violate specific guidelines of Plan 2040. Community Form Goal 1, Policy 9 calls to ensure an appropriate transition between uses that are substantially different in scale and intensity or density of

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development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The required plantings and screening are being provided on site. The proposal is meeting all required tree canopy, interior landscape areas, and property perimeter landscape buffer areas per Chapter 10 of the LDC. Although there is a reduction of the required 15 ft. VUA LBA, 10 ft. of the required buffer is being provided along Maple Spring Drive, and

WHEREAS, the Planning Commission finds the extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant. The off-street parking lot area could be reduced in the area where the buffer is required to fully comply with the 15 ft. VUA LBA requirement, and

WHEREAS, the Planning Commission finds the applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived. The site plan shows an increase in interior landscape areas (ILAs) provided on the lot where the VUA LBA waiver is being requested. The total square footage of required ILAs is roughly 15,656 sq ft. The total ILAs provided on Lot #1 is 23,507 sq ft, and

(WAIVER 2&3) WHEREAS, the Planning Commission finds the waivers will not adversely affect adjacent property owners. Landscaping and screening are being provided along Maple Spring Drive to soften the view of the proposed retail building. Also, the proposed building will be required to comply with all applicable building and fire code regulations, and

WHEREAS, the Planning Commission finds the waivers will not violate specific guidelines of Plan 2040. Community Form Goal 1, Policy 9 calls to ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The proposed retail building located along Maple Spring Drive is meeting all building setbacks, including from adjacent residential properties and the roadway. The building does not exceed the maximum permitted height and is one-story. Adequate landscaping and screening is being provided along Maple Spring Drive, street trees will also be required to be planted in the right-of-way, and

WHEREAS, the Planning Commission finds the extent of the waiver of the regulation is not the minimum necessary to afford relief to the applicant. The building could be redesigned to include animating features, an entrance, and clear windows and doors along the Maple Spring Drive frontage. The roofline could be altered to provide variation and accommodate the requirements of the regulation, and

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WHEREAS, the Planning Commission finds the applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived. The site plan shows an increase in interior landscape areas (ILAs) provided on the lot where the VUA LBA waiver is being requested. The total square footage of required ILAs is roughly 15,656 sq ft. The total ILAs provided on Lot #1 is 23,507 sq ft. The primary building façade that faces the interior of the development consists of clear windows and doors, variation in materials, and colors to provide architectural interest; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the **(1)** Waiver of LDC 10.2.10 to allow parking spaces and impervious area to encroach into the required 15 ft. vehicular use area landscape buffer area (VUA LBA; 26-WAIVER-0016), **(2)** Waiver of LDC 5.5.2.A.1 to not provide clear glazing, windows, and an entrance along the retail building façade adjacent to Maple Spring Drive (26-WAIVER-0040) and **(3)** Waiver of LDC 5.6.1.B, C, & D to allow less than 60% animating features along the retail building façade, less than 50% clear windows and doors, and to not provide roofline variation for the retail building that exceeds 100 ft in length (26-WAIVER-0040).

The vote was as follows:

YES: Commissioners Fischer, Mims, Bond, Benitez, Stuber, Lannert, and Sistrunk
ABSENT: Commissioner Lohan, Steff, and Cheek

Detailed District Development Plan with binding elements.

02:48:16 On a motion by Commissioner Stuber, seconded by Commissioner Benitez, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the conservation of natural resources on the site proposed for development include tree canopy preservation, new landscape buffers, and interior plantings that meet or exceed the requirements of LDC Chapter 10. There is no development on steep slopes, within floodplains, or on soils that present environmental constraints. A portion of vehicular access is encroaching into the protected waterway buffer. However, there is no net loss in area of the protected waterway buffer and additional water quality devices are being installed, and

WHEREAS, the Planning Commission finds the Provisions for safe and efficient vehicular and pedestrian transportation within, and Public Works have approved the preliminary

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development plan. A traffic impact study was performed that concluded the volume warrant was satisfied to install a traffic signal at the intersection of Maple Spring Drive and Preston Highway. Also, the southbound left turn lane on Preston Highway at Maple Spring Drive will need to be extended to support additional vehicle storage, and

WHEREAS, the Planning Commission finds the provision of sufficient open space to meet the needs of the proposed development is being provided. The proposal is meeting all requirements for outdoor amenities which are shown and detailed on the plan as outdoor seating, eating, and picnic areas, 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 existing and projected future development in the area. The Preston Highway corridor has been subject to recent development and rezonings to permit similar commercial development. Adjacent to the site along Preston Highway are several commercial outlot developments. Commercial activity is also present across Preston Highway and at the intersection of Preston Highway and Cooper Chapel Road. Adequate population and infrastructure exist in the area to support the proposal. The proposed buildings are meeting all required building setbacks and height requirements to ensure compatibility with nearby residential uses. All landscaping and screening requirements, including tree preservation and new plantings, are meeting Chapter 10 requirements except where relief has been requested, and

WHEREAS, the Planning Commission finds the plan is in conformance with the requirements of the Land Development Code, except where relief has been requested, and the Comprehensive Plan. Community Form Goal 1, Policy 9 calls to ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. All proposed buildings are meeting required setbacks and height restrictions to promote compatibility with surrounding development. Tree canopy, preservation, landscape plantings, and screening requirements of Chapter 10 are being met or exceeded to ensure an appropriate transition between commercial and residential land uses. The proposal has incorporated outdoor amenities and a network of pedestrian sidewalks that connect adjacent commercial development and sidewalks along the roadways to provide accessible and safe access; now, therefore be it.

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RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **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. Prior to development (includes clearing and grading) of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed district development plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements.

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, site disturbance, alteration permit or demolition 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 for any work in the Preston Highway right-of-way.
    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 minor subdivision plat or legal instrument creating the lots as shown on the approved district development plan shall be recorded prior to issuance of any building permits. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
    e. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.

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5. Public Works and Transportation Planning shall not review or approve construction plans until written approval from the Kentucky Transportation Cabinet (KYTC) is submitted.

6. All required improvements to Preston Highway and Maple Spring Drive as detailed in the Traffic Impact Study submitted on January 16, 2026, and shown on the approved Detailed District Development plan shall be completed per KYTC and Public Works standards prior to requesting a certificate of occupancy for the site. This includes the traffic signal at Maple Spring Drive and Preston Highway, widening Maple Spring Drive to at least 24 ft, and lengthening the southbound left turn lane on Preston Highway and Maple Spring Drive to allow additional vehicle storage.

7. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

8. 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.

9. Any significant increases to the proposed structures (e.g. increases in building height, number of units, number of buildings), any increases in density on the property, any changes in use on the property which directly or indirectly require a public hearing before the Planning Commission or subcommittee thereof, and/or any amendments to the binding elements, other than (i) the addition of new binding elements, (ii) changes to the binding elements that merely update the public hearing date, or (iii) updating a previous version of the binding element to reflect the current language, shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

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The vote was as follows:

YES: Commissioners Fischer, Mims, Bond, Benitez, Stuber, Lannert, and Sistrunk
ABSENT: Commissioner Lohan, Steff, and Cheek

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CASE NO. 26-ZONE-0018

Request:	Change in Zoning from EZ-1 Enterprise Zone to M-3 Industrial, Conditional Use Permit to allow a Scrap Metal Processing Facility, and a Detailed District Development Plan with binding elements.
Project Name:	Eiler Ave Scrap Metal Facility
Location:	258 Eiler Avenue
Applicant:	Hanna Investment Holdings LLC
Representative:	Jon Baker, Attorney.
Jurisdiction:	Louisville Metro
Council District:	25 – Khalil Batshon
Case Manager:	Zack Jones, Planner II

Notice of this public hearing notice 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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

02:49:28 Zack Jones provided an overview of the request and presented a PowerPoint presentation. Jones responded to questions from Commissioners (see recording for details).

The following spoke in favor of this request:

Jon Baker, Bricker Graydon & Wyatt, 400 W Market St, Louisville, KY 40202

John Campbell, Heritage Engineering, 642 S 4th Street, Louisville, KY 40202

Brian Donaghy, 8201 Sutherland Farm Rd, Louisville, KY 40059

Summary of testimony of those in support of the request:

02:59:04 Jon Baker spoke in support of the proposal and presented a PowerPoint presentation. Baker noted that the applicant is requesting a change in zoning from EZ-1 Enterprise Zone to M-3 Industrial to allow a scrap metal processing facility. Baker noted that the large building on the site will remain and will receive a new reflective roof as well as new paint. Baker mentioned that the screening requirement would consist of an opaque fence extending to the front of the property, measuring between 8 and 12 feet in

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height, and would comply with both the Land Development Code and the Louisville Metro Code of Ordinances. Baker responded to questions from Commissioners (see recording for details).

03:03:58 John Campbell spoke in support of the proposal. Campbell mentioned that the applicant is proposing a customer and employee parking lot to the right of the entrance off Eiler Avenue, along with an inbound lane to the scale and a separate outbound lane to improve traffic flow. Campbell mentioned that the property would be lined with adequate landscaping and a fence that would fully enclose the recycling operations.

03:15:54 Brian Donaghy responded to questions from the Commissioners regarding the type of machinery that would be on site and how the payment system would operate once the site is fully operational (see recording for details).

The following spoke in opposition of this request:
None

Deliberation:

03:21:26 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 EZ-1 Enterprise Zone District to M-3 Industrial District

03:22:56 On a motion by Commissioner Benitez, seconded by Commissioner Stuber, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because it does not constitute a non-residential expansion into an existing residential area. While the M-3 zone does permit uses that may constitute a nuisance, the general area of the proposed rezoning is compatible with the surrounding area, which also allows a majority of the same uses.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 2 because it the proposed industrial zoning district will be located adjacent to other commercial/industrial uses. There is existing infrastructure to serve the development. The proposed use and zone are complementary with the existing form district.

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WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 3 because there are no notable sensitive natural features indicated on the subject site. There is no proposed expansion of the existing uses.

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 4 because no known historic or cultural resources will be affected by the site alterations or outdoor storage. There is no significant new construction and therefore no compatibility concern with height, massing, scale, or architectural style.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 1 because the proposed rezoning will locate higher intensity industrial zoning next to other industrial uses. The subject site appears to be supported by adequate infrastructure at this location.

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 3 because sidewalk improvements were not triggered as part of this proposal, and there is not presently a sidewalk network on Eiler Avenue. Mixed-use development would not be possible with the proposed zoning nor compatible with the surrounding area.

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.

WHEREAS, the Planning Commission finds the proposal meets Economic Development: Goal 1 because proposed rezoning will locate industrial uses adjacent to existing industry and will be adequately served by existing infrastructure.

WHEREAS, the Planning Commission finds the proposal meets Livability: Goal 1 because the subject site is not located within the floodplain. The development plan has obtained preliminary approval from MSD.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 1 because the proposed zoning district does not allow for residential uses.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 2 because the proposed zoning district does not allow for residential uses.

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 3 because there will not be any displacement of existing residents from their community; now, therefore be it.

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RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the change in zoning from EZ-1 Enterprise Zone District to M-3 Industrial District.

The vote was as follows:

YES: Commissioners Fischer, Mims, Bond, Benitez, Stuber, Lannert, and Sistrunk
ABSENT: Commissioner Lohan, Steff, and Cheek

Conditional Use Permit to allow a Scrap Metal Processing Facility (LDC 4.2.47)

03:23:35 On a motion by Commissioner Benitez, seconded by Commissioner Stuber, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the proposed zone change is adequately justified and approval is recommended, the proposed use could then be deemed consistent with the land use and development policies of Plan 2040. The proposed use would locate existing and proposed industrial facilities in an area of other like facilities and where infrastructure appears adequate to support such development., and

WHEREAS, the Planning Commission finds the proposed zone change is adequately justified and approval is recommended, the proposed use could then be deemed compatible with the surrounding land uses and the general character of the area. The proposal does not appear to adversely impact the general character of the area in relation to scale, intensity, traffic, appearance, and other essential criteria, and

WHEREAS, the Planning Commission finds all necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation should be provided for the proposed development. Utilities and transportation preliminarily approved the proposal for compliance with these criteria, and

WHEREAS, the Planning Commission finds the proposal have been preliminarily approved by MSD, meaning groundwater will not be at risk with the proposed use the proposal has adequately proposed protection of surface and groundwater sources, meaning compliance with standards ‘A’ and ‘B.’ Screening, buffering, security, and operating standards should comply with LMCO, and no relief has been requested from these standards for standard ‘D.’ A condition regarding decommissioning of the facility has been added to help ensure compliance with standard ‘C;’ now, therefore be it.

PUBLIC HEARING

CASE NO. 26-ZONE-0018

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Conditional Use Permit to allow a Scrap Metal Processing Facility (LDC 4.2.47) **SUBJECT** to the following Conditions of Approval:

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.

2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the site shall not be used for a Scrap Metal Processing Facility until further review and approval by the Board.

3. This Conditional Use Permit cannot be exercised unless a zoning map amendment is approved changing the zoning of the site to M-3 Industrial.

4. This approval is for a Scrap Metal Processing Facility as defined by the Land Development Code (LDC) and the Louisville Metro Code of Ordinances (LMCO). No Junkyard or automotive recycling dealer as defined by the LDC or LMCO shall be permitted on site unless first approved by the Board of Zoning Adjustment and other applicable governing administrative bodies with jurisdiction, except that the scrap metal processing facility licensee for the Property may receive automobiles, vehicles, machines, appliances and other similar scrap or salvage materials, scrap copper, brass, batteries, iron, steel or other scrap or ferrous or non-ferrous material on the property. These items shall not be sold by the licensee on the property. Processing of any automobile, vehicle, machine, appliance or other similar scrap or salvage materials received on the Property shall be limited to handling, drainage of fluids and loading for shipment to an off-site location. No more than ten (10) automobiles intended for scrap metal processing may be stored on the Property at any one time and all automobiles stored on the property must be screened from view. Any one automobile, vehicle, machine, appliance, or other similar item intended for scrap metal processing shall be temporarily stored on the property no longer in duration than ten (10) consecutive days.

5. No shredding or crushing of scrap material is permitted on site. This condition does not prohibit the use of powered cutting tools to assist in separating, sorting, and preparing scrap material for shipment.

6. Hours of Operation for the use on the subject site shall be limited to 7am to 8pm, with hours of operation for scrap metal processing from 7:30am to 6pm.

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7. If the site ceases to operate as a Scrap Metal Processing Facility, all scrap material, equipment, and temporary structures related to the use shall be removed within 6 months of the closure of the facility.

The vote was as follows:

YES: Commissioners Fischer, Mims, Bond, Benitez, Stuber, Lannert, and Sistrunk
ABSENT: Commissioner Lohan, Steff, and Cheek

Detailed District Development Plan with binding elements.

03:24:25 On a motion by Commissioner Benitez, seconded by Commissioner Stuber, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds there are limited natural resources on the property as the site is currently developed with a gravel parking/storage area and nonresidential structures. The proposal involves the demolition of one structure on the site and indicates the removal of trees on the property. However, the applicants are proposing compliance with tree canopy preservation guidelines as well as “green roof technology” to offset those standards. Steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites should not be affected by this proposal, and

WHEREAS, the Planning Commission finds the provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community have been provided, and Transportation Planning has approved the preliminary development plan. The property has a single access point that is proposed to be reconstructed with access directly to Eiler Avenue. No additional improvements were requested by KYTC/Public Works as part of this request. Sidewalks were not triggered with this level of development and there is not presently an existing sidewalk network on Eiler Avenue, and

WHEREAS, the Planning Commission finds the proposed development does not have open space requirements according to the Land Development Code, 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. No new construction of impervious area is proposed beyond the truck scale added to the site, and

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CASE NO. 26-ZONE-0018

WHEREAS, the Planning Commission finds there is no new construction, and the only change to the site is the demolition of the structure on the southeastern end of the property. Therefore, there should not be a reduction in compatibility with the existing site design of the area and land uses with the existing and projected future development of the area. The surrounding immediate area is predominantly industrial uses, though staff does note the presence of an existing neighborhood roughly 800 feet to the southwest of the subject site. The site meets the compatibility standards described in the LDC, and

WHEREAS, the Planning Commission finds the plan is in conformance with the requirements of the Land Development Code and the Comprehensive Plan. There is no significant new construction proposed and one building is proposed to be demolished while the other existing building is to remain on site. Access improvements were not requested by KYTC/Public Works and therefore pedestrian and vehicular transportation for the area is deemed suitable. Community Form Goal 1, Policy 4 calls to ensure that 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. While the proposal includes demolition of one existing building and clearing of some trees on site, no development is proposed which could reduce compatibility with the scale and site design in the area; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **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. 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.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:

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a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works, and the Metropolitan Sewer District.

b. 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.

4. 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.

ADJOURNMENT

The meeting adjourned at approximately 04:25 p.m.

_____
Chair

_____
Planning Director

Louisville Metro Government

Text File

File Number: 3.19.26 PC for 24-ZONE-0098

Agenda Date: 5/7/2026 **Version:** 1 **Status:** Minutes to be Approved

In Control: Planning Commission **File Type:** Minutes

PUBLIC HEARING

CASE NO. 24-ZONE-0098

Request:	Change in Zoning from R-4 Single-Family Residential to O-R Office Residential and C-N Commercial Neighborhood, a Detailed District Development Plan, and a General Detailed District Plan with associated variances and binding elements.
Project Name:	John Knox Presbyterian Church Rezoning
Location:	9104 Westport Road
Applicant:	John Knox Presbyterian Church
Representative:	Bardenwerper, Talbott, & Roberts PLLC
Jurisdiction:	Louisville Metro
Council District:	7 – Paula McCraney
Case Manager:	Mark Pinto, Planner II

Notice of this public hearing notice 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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

00:57:38 Mark Pinto provided an overview of the request and presented a PowerPoint presentation. Pinto responded to questions from Commissioners. (See recording for details).

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper, Talbott, Roberts, 1000 N Hurstbourne Pkwy, Louisville, KY 40223

Mike Hill, Land Design & Development, 503 Washburn Ave, Louisville, KY 40222

Summary of testimony of those in support of the request:

01:07:35 Nick Pregliasco, representing the property owner, spoke in support of the proposal and presented a PowerPoint presentation. Pregliasco noted that the applicant is requesting a zone change from R-4 Single Family Residential to O-R Office and C-N Commercial Neighborhood and to allow development of lots surrounding the church. Pregliasco mentioned that the church is proposing six residential units for members who

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travel abroad for mission trips and return to the United States after being away for several years. Pregliasco responded to questions from Commissioners (see recording for details).

01:16:20 Mike Hill spoke in support of the proposal and responded to questions from Commissioners (see recording for details).

The following spoke in opposition of this request:
None

Deliberation:

01:17:06 Planning Commission deliberation.

01:19:05 Public Hearing Reopened

01:19:12 Following discussion between the applicant and the Commissioners, it was determined that the variances are withdrawn, as they pertained only to structures shown on the general plan (see recording for details).

01:19:38 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 O-R Office Residential and C-N Commercial Neighborhood.

01:20:11 On a motion by Commissioner Cheek, seconded by Commissioner Mims, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the proposal would not constitute a non-residential expansion into an existing residential area. Westport Road is a minor arterial roadway that serves a variety of commercial, residential, and institutional uses in the area and near the proposal. The subject site is adjacent to existing R-5 Residential Single-Family properties to the south, east, and north across Westport Road. The proposal shall meet the provisions of LDC Chapter 10 for plantings and screening to provide a transition from lower intensity residential to the subject site, and

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WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 2 because appropriate access and connectivity exist to allow the zoning change within the context of the neighborhood form district. The site is located along Westport Road and has connectivity to N Hurstbourne Parkway, the I-265 Expressway, and other areas throughout Louisville Metro. Established activity and employment centers, amenities, and similar supportive services exist in the immediate area along Westport Road, and

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 3 because there are no known wet or highly permeable soils, sever, steep, or unstable slopes present on site. Sanitary sewers and drainage will be provided as required by MSD, and

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 4 because the existing church building is to remain and be preserved, and

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 1 because the proposed districts are located along Westport Road, a minor arterial street with connectivity to N Hurstbourne Parkway, the I-265 Expressway, and near established activity and employment centers. An existing sidewalk network exists along the frontage of the site and throughout the area to support pedestrian travel. Public transportation is available along Westport Road, including directly in front of and across the street from the site, and

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 2 because the proposed districts do not constitute access through areas of significantly lower intensity. The site is located along Westport Road, a minor arterial street that serves a variety of commercial, residential, and institutional uses in the area, and

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 3 because the proposed zoning would permit a variety of neighborhood serving uses and residential development. The districts could facilitate uses that encourage alternative modes of travel, such as walking and biking. There is an established sidewalk and public transit network along Westport Road, and

WHEREAS, the Planning Commission finds the proposal meets Community Facilities: Goal 2 because the subject site may be served by existing utilities and located in an area where additional resources can be extended as needed. Utility services shall be coordinated with appropriate agencies. Sanitary sewage and drainage shall be made available to serve the development, as required by MSD, and

WHEREAS, the Planning Commission finds the proposal meets Economic Development: Goal 1 because the proposed districts would not permit regional serving commercial uses

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that have the potential to generate high volumes of additional traffic. The proposal is located along Westport Road, a minor arterial roadway that serves a variety of commercial activity centers and residential densities in the area. Westport Road has connectivity to N Hurstbourne Parkway, a major arterial street, and the I-265 Expressway, and

WHEREAS, the Planning Commission finds the proposal meets Livability: Goal 1 because MSD has reviewed the proposal and given preliminary approval. Sanitary sewage and drainage infrastructure shall be made to the development as required by MSD, and

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 1 because the proposed zoning district would permit a variety of housing types and services that encourage aging in place. The site is located near employment centers, parks, and similar services and amenities as permitted in the requested district. Public transit is available, and

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 2 because the proposed zoning district would permit a variety of housing development that supports intergenerational and mixed-income housing, including mixed-use development. The proposal is located along a transit corridor and provides connectivity to employment centers and amenities along the corridor and throughout Louisville Metro. Access for pedestrian will be made to all public roadways (existing/proposed) to connect to adjacent and nearby development, and

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 3 because the proposed zoning allows for mixed uses and a variety of housing options that promotes the provisioning of fair and affordable housing; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the change in zoning from R-4 Single-Family Residential to O-R Office Residential and C-N Commercial Neighborhood.

The vote was as follows:

YES: Commissioners Steff, Lannert, Mims, Fischer, Bond, Benitez, Lohan, Cheek, and Sistrunk
ABSENT: Commissioner Stuber

Detailed District Development Plan with binding elements.

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CASE NO. 24-ZONE-0098

01:20:47 On a motion by Commissioner Cheek, seconded by Commissioner Mims, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds there are no steep slopes, water courses, floodplains, or known soil concerns. The existing church building is to remain and be preserved. There is not significant tree canopy on site that meet the requirement for tree preservation. The existing trees on the southwest portion of the site are to be removed to install a detention basin for stormwater and runoff, as required by MSD. New tree plantings, landscaping, and screening shall be provided in accordance with LDC Chapter 10, and

WHEREAS, the Planning Commission finds the Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Transportation Planning has approved the preliminary development plan, and

WHEREAS, the Planning Commission finds the proposed development does not have open space requirements according to the Land Development Code, 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 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 generally compatible with existing and projected future development in the area. The existing church building is to be preserved. The proposal is compatible with the scale and design requirements of the neighborhood form district. There are activity and employment centers, amenities, and similar services in the area and along Westport Road., and

WHEREAS, the Planning Commission finds the plan is in conformance with the requirements of the Land Development Code, except where relief has been requested, and the Comprehensive Plan. Community Form Goal 1, Policy 9 calls to ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The proposal is meeting all required landscaping, tree canopy, and buffering as required by LDC Chapter 10. Adequate landscape buffers shall be provided as shown on the plan to provide a transition between the subject site and adjacent lower intensity residential uses. The proposed buildings are meeting all required setback requirements from adjacent single-family residential

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properties. Community Form Goal 2 Policy 4 states to allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity. Appropriate access and connectivity exist to allow the zoning change within the context of the neighborhood form district. The site is located along Westport Road and has connectivity to N Hurstbourne Parkway, the I-265 Expressway, and other areas throughout Louisville Metro. Established activity and employment centers, amenities, and similar supportive services exist in the immediate area along Westport Road; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **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 the binding element(s) shall be submitted to the Planning Commission of the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

2. 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.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition 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.
    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 minor subdivision plat or legal instrument creating the lots as shown on the approved district development plan shall be recorded prior to issuance of any building permits.

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e. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Office of Planning.

4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

5. 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.

The vote was as follows:

YES: Commissioners Steff, Lannert, Mims, Fischer, Bond, Benitez, Lohan, Cheek, and Sistrunk
ABSENT: Commissioner Stuber

General District Development Plan with binding elements.

01:21:11 On a motion by Commissioner Cheek, seconded by Commissioner Mims, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds there are no steep slopes, water courses, floodplains, or known soil concerns. The existing church building is to remain and be preserved. There is not significant tree canopy on site that meet the requirement for tree preservation. The existing trees on the southwest portion of the site are to be removed to install a detention basin for stormwater and runoff, as required by MSD. New tree plantings, landscaping, and screening shall be provided in accordance with LDC Chapter 10, and

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WHEREAS, the Planning Commission finds the Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Transportation Planning has approved the preliminary development plan, and

WHEREAS, the Planning Commission finds the proposed development does not have open space requirements according to the Land Development Code, 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 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 generally compatible with existing and projected future development in the area. The existing church building is to be preserved. The proposal is compatible with the scale and design requirements of the neighborhood form district. There are activity and employment centers, amenities, and similar services in the area and along Westport Road, and

WHEREAS, the Planning Commission finds the plan is in conformance with the requirements of the Land Development Code, except where relief has been or will subsequently be requested, and the Comprehensive Plan. Community Form Goal 1, Policy 9 calls to ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The proposal is meeting all required landscaping, tree canopy, and buffering as required by LDC Chapter 10. Adequate landscape buffers shall be provided as shown on the plan to provide a transition between the subject site and adjacent lower intensity residential uses. The proposed buildings are meeting all required setback requirements from adjacent single-family residential properties. Community Form Goal 2 Policy 4 states to allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity. Appropriate access and connectivity exist to allow the zoning change within the context of the neighborhood form district. The site is located along Westport Road and has connectivity to N Hurstbourne Parkway, the I-265 Expressway, and other areas throughout Louisville Metro. Established activity and employment centers, amenities, and similar supportive services exist in the immediate area along Westport Road; now, therefore be it.

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RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the General Detailed District Development Plan **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. Prior to development (includes clearing and grading) of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed district development plan in accordance with Chapter 11, Part 6. Each plan shall be in adequate detail and subject to additional binding elements.

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, site disturbance, alteration permit or demolition 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.
    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 minor subdivision plat or legal instrument creating the lots as shown on the approved district development plan shall be recorded prior to issuance of any building permits.
    e. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Office of Planning.

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5. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

6. 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.

The vote was as follows:

YES: Commissioners Steff, Lannert, Mims, Fischer, Bond, Benitez, Lohan, Cheek, and Sistrunk
ABSENT: Commissioner Stuber

Louisville Metro Government

Text File

File Number: 26-CELL-0002

Agenda Date: 5/7/2026 **Version:** 1 **Status:** Public Hearing

In Control: Planning Commission **File Type:** Planning Case

Planning Commission
Staff Report
May 7, 2026

Case No:	26-CELL-0002
Project Name:	LV Medora Wireless Communications Facility
Location:	6406 Moorman Rd
Applicant:	Douglas Anderson
Representative:	Pike Legal Group, PLLC
Jurisdiction:	Louisville Metro
Council District:	14 – Crystal Bast
Case Manager:	Tyler Pobiedzinski, Planner I

REQUEST

- **New Cellular Tower** (Land Development Code 4.4.2)

CASE SUMMARY

The subject site is zoned R-4 Single Family Residential within the Neighborhood Form District and encompasses approximately 8.9 acres. The proposed development will utilize a limited portion of the property, specifically a 100-foot by 100-foot area (10,000 square feet), for the installation of a 185-foot monopole telecommunications tower. The tower will be topped with a 5-foot lightning rod, resulting in a total height of 190 feet.

Proposed site improvements include the construction of an approximately 500-square-foot concrete pad to support ground-mounted equipment, as well as a utility service rack. The facility will be secured with an 8-foot vinyl fence and will incorporate all required landscaping elements, including a 35-foot buffer with compliant plantings, to ensure adequate screening and compatibility with the surrounding area.

STAFF FINDING

A completed uniform application for a new cell tower has been provided. The Planning Commission or an authorized committee shall make a final determination to approve or disapprove the uniform application. The proposed cell tower meets the requirements of the Land Development Code.

TECHNICAL REVIEW

- Transportation Planning has preliminarily approved the proposal.

- Procedure- The Planning Commission or an authorized committee shall:

    1) Review the uniform application in light of its agreement with the Comprehensive Plan and the Land Development Code
    2) Make its final decision to approve or disapprove the uniform application.
    3) Advise the applicant in writing of its final decision within sixty (60) days commencing from the date that the completed uniform application is submitted to the Planning Commission or within a date certain specified in a written agreement between the Planning Commission and the applicant.

- Additional Considerations:

    1) If the Planning Commission disapproves of the proposed construction, it shall state the reasons for disapproval in its written decision and may make suggestions which, in its opinion, better accomplish the Goals, Objectives, and Policies of the Comprehensive Plan and the Land Development Code.
    2) The Planning Commission may require the applicant to make a reasonable attempt to co-locate additional transmitting or related equipment.
    3) The Planning Commission may deny a uniform application to construct a cellular antenna tower based on an applicant's unwillingness to attempt to co-locate additional transmitting or related equipment on any new or existing towers or other structures.

- State law precludes the Planning Commission from denying a cellular tower application based upon concerns about electromagnetic field issues so long as the provider adheres to the standards adopted by the FCC.

- In addition, the Federal Telecommunications Act of 1996 prohibits a citing decision for a cellular tower based upon the existence of other cellular service in the area.

STAFF ANALYSIS FOR NEW CELL TOWER

The new cell tower application meets the goals and objectives of the Comprehensive Plan and all requirements of the Land Development Code. No waivers or variances have been requested and the requirements of Land Development Code, Section 4.4.2 have been satisfied.

Community Facilities Goal 3, Policy 19 calls for cellular towers to be designed to minimize impact on the character of the general area concerned; be sited (in order from most preferred to least preferred): 1. highway rights-of-way except designated parkways; 2. existing utility towers; 3. commercial centers; 4. government buildings; 5. high-rise office structures; 6. high-rise residential structures; Minimize the likely effects of the installation on nearby land uses and values; Be designed to address compatibility issues such as co-location, mass, scale, siting, abandonment and removal of antenna tower structure; Avoid environmentally sensitive lands, historic landmarks, and scenic byways, unless the applicant proves that no other reasonable site is available and the tower is designed to minimize impact.

The tower is located approximately 100 feet from the nearest residential property line, exceeding the 50-foot minimum setback and complying with all applicable yard requirements. The development is confined to a 10,000 square-foot lease area within the larger 8.9 acre site. An 8-foot fence and a 35-foot landscaped buffer are proposed to provide effective screening and ensure compatibility with the surrounding neighborhood, while avoiding adverse impacts to natural or historic resources, parkways, scenic byways, and nearby residential uses.

The applicant has demonstrated that the area is underserved in terms of wireless coverage and capacity, supporting the need for the proposed facility. The tower is designed to accommodate future co-location, thereby reducing the potential need for additional towers in the vicinity. The monopole design, combined with compliance with all buffering and screening requirements, minimizes visual and land use impacts while providing essential telecommunications infrastructure.

INTERESTED PARTY COMMENTS

Staff has received one interested party comment submitted via email, which has been provided to the Commissioners.

REQUIRED ACTION:

- **APPROVE** or **DENY** the New Cellular Tower

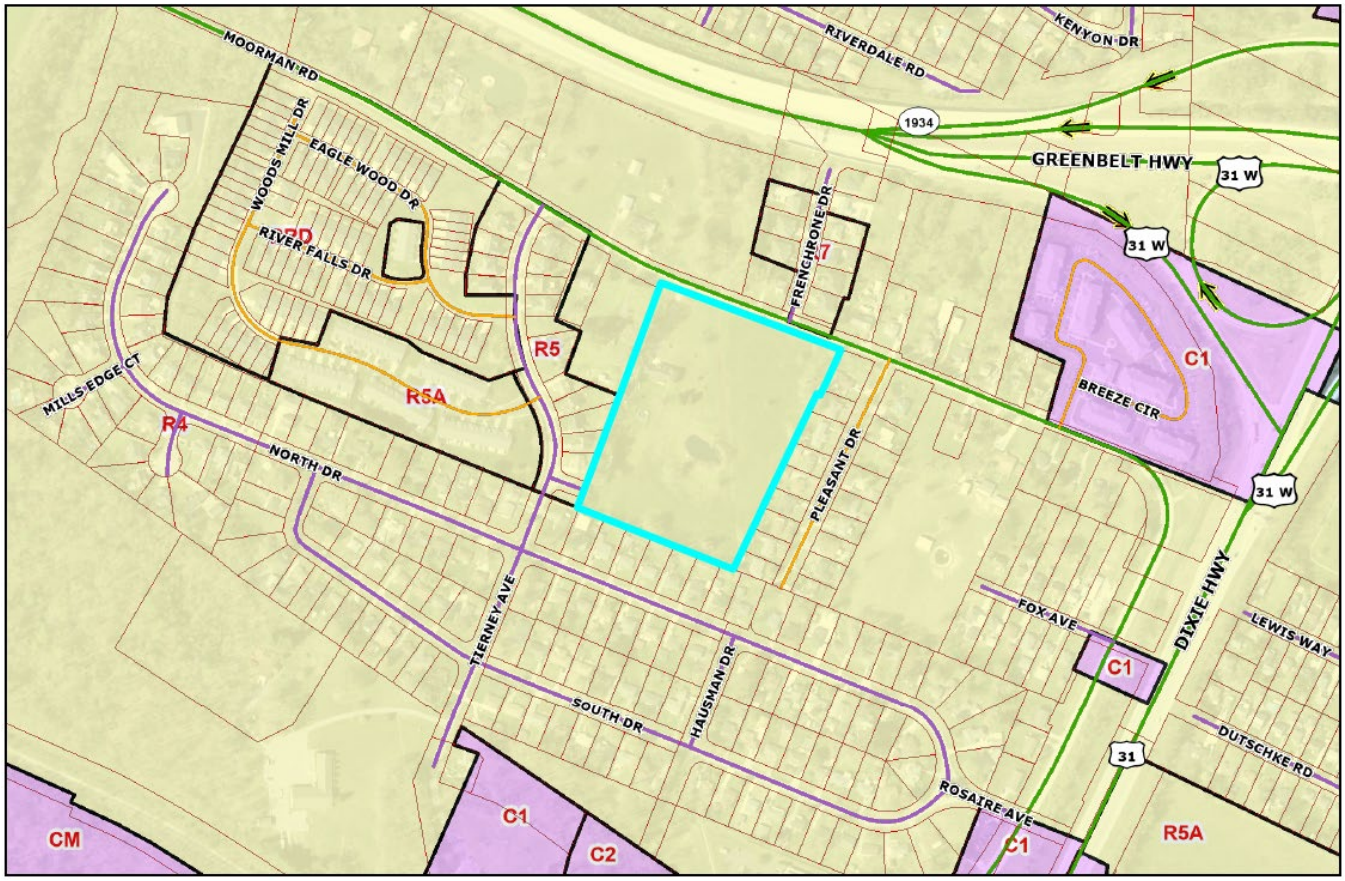
NOTIFICATION

Date	Purpose of Notice	Recipients
5/7/2026	Hearing before PC	1st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 14

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map


MOORMAN RD
RIVERDALE RD
KENYON DR
1934
GREENBELT HWY
31 W
WOODS MILL DR
EAGLE WOOD DR
RIVER FALLS DR
FRENCHRONE DR
R5
R5A
C1
BREEZE CIR
MILLS EDGE CT
R4
NORTH DR
PLEASANT DR
TIERNEY AVE
FOX AVE
DIXIE HWY
LEWIS WAY
HAUSMAN DR
SOUTH DR
DUTSCHKE RD
31
ROSAIRE AVE
CM
C2
R5A

2. Aerial Photograph



LV MEDORA

KY-4057

6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY
TENANT: CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS
"LV MEDORA"

APC Towers

8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615

NEW 185' MONOPOLE TOWER
w/ 5' LIGHTNING ROD
TOTAL TOWER HEIGHT 190'

PROJECT SUMMARY

TOWER OWNER SITE
LV MEDORA
SITE #: 5000969470

VERIZON WIRELESS SITE
LV MEDORA
PROJECT#: 17422548
MARKET ID: MIK
MDG#: 5000969470

SITE ADDRESS
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY
E911 ADDRESS: TBD WOODSBEND LANE

TOWER OWNER
APC TOWERS
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
CONTACT: JONATHAN GREENE
PHONE: 919-948-4788
E-MAIL: jgreene@apctowers.com

PROPERTY OWNER
DOUG & INEZ ANDERSON
6406 MOORMAN RD,
LOUISVILLE, KY 40272
CONTACT: DOUG ANDERSON
PHONE: 502-550-0845

POLICE
LOUISVILLE METRO POLICE DEPARTMENT
7219 DIXIE HWY,
LOUISVILLE, KY 40258
PHONE: 502-574-7111

FIRE
PLEASURE RIDGE PARK FIRE DEPARTMENT
13210 DIXIE HWY,
LOUISVILLE, KY 40272
PHONE: 502-574-7111

GENERAL INFORMATION
LATITUDE – 38° 05' 24.75" N
LONGITUDE – 85° 53' 00.94" W
1983 (NAD83)

ELEVATION – 437.1 AMSL
1988 (NAVD88)

TOWER OWNER LEASE AREA
100' X 100'
(3,600 SF)

VERIZON WIRELESS EQUIPMENT AREA
16'-8"x30'-0"

PROJECT TOTAL DISTURBED AREA
COMPOUND: (2,500 SF)=(0.06 ACRE)
ACCESS DRIVE: (2,989 SF)=(0.07 ACRE)
GROSS AREA: (5,469 SF)=(0.13 ACRE)

ALL CONSTRUCTION ITEMS ARE TO BE COMPLETED BY THE TOWER OWNER GENERAL CONTRACTOR UNLESS NOTED AS (VZW GC) WHICH SHALL BE COMPLETED BY THE VERIZON WIRELESS GENERAL CONTRACTOR

PROJECT DESCRIPTION

PROJECT DESCRIPTION:
NOTE: ALL ITEMS WITHIN THESE CONSTRUCTION DOCUMENTS ARE BY TOWER OWNER'S GENERAL CONTRACTOR AND THEIR SUB-CONTRACTORS UNLESS NOTED AS (VZW GC) WHICH SHALL INCLUDE VERIZON WIRELESS GENERAL CONTRACTOR AND THEIR SUB-CONTRACTORS. GENERALLY DESCRIBED BELOW:

BTS COMPANY SCOPE:
- INSTALL A NEW 185' MONOPOLE TOWER w/CABLE SUPPORT AND FOUNDATION
- PURCHASE AND DELIVERY TO SITE OF VZW ANTENNA MOUNTING FRAME ASSEMBLY
- INSTALL A NEW FENCED GRAVEL COMPOUND AND ALL GENERAL SITE CONSTRUCTION ITEMS
- INSTALL A NEW ELECTRICAL SERVICE RUN TO NEW UTILITY H-FRAME
- INSTALL A NEW GRAVEL ACCESS DRIVE
- INSTALL NEW TOWER & SITE GROUNDING SYSTEM
- INSTALL NEW VZW SUBSURFACE GROUNDING SYSTEM
- INSTALL NEW VZW CONCRETE EQUIPMENT PAD
- INSTALL VZW ICE BRIDGE AND FOUNDATIONS
- INSTALL VZW EQUIPMENT H-FRAME AND FOUNDATIONS
- INSTALL ELECTRICAL SERVICE CONDUIT WITH PULL TAPES FROM ILC ENCLOSURE STUB-UP TO UTILITY H-FRAME
- INSTALL (2) 1-1/4" SMOOTHWALL SDR-11 HDPE FIBER OPTIC CONDUITS w/PULL TAPES AND TRACER WIRE FROM "VERIZON WIRELESS ONLY" HAND HOLE OUTSIDE COMPOUND TO VW EQUIPMENT PAD.
- INSTALL (3) NEW "VERIZON WIRELESS ONLY" 1-1/4" SMOOTHWALL SDR-11 HDPE FIBER OPTIC CONDUITS WITH PULL TAPES AND TRACER WIRE FROM NEW "VERIZON WIRELESS ONLY" 24"X36" HAND HOLE OUTSIDE COMPOUND TO NEW "VERIZON WIRELESS ONLY" 24"X36" HAND HOLE AT R.O.W.
- PERMANENT ELECTRIC POWER MUST BE AVAILABLE FOR VERIZON WIRELESS AT THE METER BASE PRIOR TO THE SITE BEING RELEASED AS TENANT READY

VERIZON WIRELESS SCOPE (VZW GC):
- INSTALL VZW PREFABRICATED CANOPY AND FOUNDATIONS
- INSTALL VZW ANTENNA MOUNTING SUPPORT STRUCTURE ON TOWER
- INSTALL VZW ANTENNAS, LINES, COAX, GPS ANTENNA AND RADIO EQUIPMENT
- INSTALL EXISTING SUBSURFACE GROUND LEADS TO VZW EQUIPMENT & FACILITIES
- INSTALL VZW ELECTRIC SERVICE CONDUCTORS FROM UTILITY H-FRAME TO VZW ILC ENCLOSURE
- INSTALL NEW CONDUITS WITH PULL TAPES FROM RF CABINET TO OVP H-FRAME LIT FIBER LOCATION
- INSTALL NEW CONDUITS AND CIRCUITS FROM VZW ILC ENCLOSURE TO EQUIPMENT ENCLOSURES AT VZW EQUIPMENT PAD
- INSTALL NEW OUTDOOR OVPs AND CABLING ON VERIZON EQUIPMENT H-FRAME

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

BUILDING CODE	2018 KENTUCKY BUILDING CODE (IBC 2015)
STRUCTURAL CODE	TIA/EIA-222 – REVISION H
MECHANICAL CODE	2015 INTERNATIONAL MECHANICAL CODE (IMC 2015)
PLUMBING CODE	KENTUCKY STATE PLUMBING CODE (815 KAR CHAP. 20)
ELECTRICAL CODE	2017 NATIONAL ELECTRICAL CODE (NEC) – NFPA 70
FIRE/LIFE SAFETY CODE	2015 INTERNATIONAL FIRE CODE (2015 IFC)
ENERGY CODE	2012 INTERNATIONAL ENERGY CODE (COMMERCIAL)
GAS CODE	2012 NATIONAL FUEL GAS CODE (NFPA 54)

ACCESSIBILITY REQUIREMENTS:
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS REQUIREMENTS ARE NOT REQUIRED IN ACCORDANCE WITH THE 2015 IBC BUILDING CODE.

APPLICABLE CODES

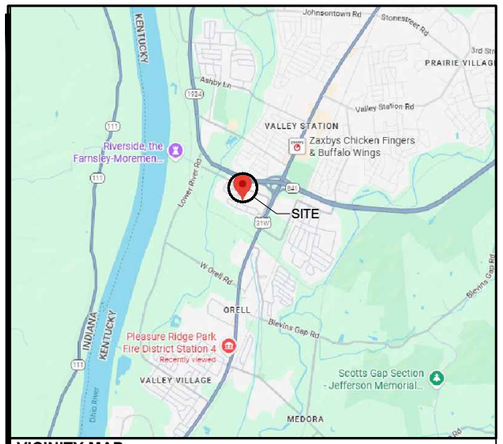
CONSULTANT TEAM

SURVEYOR
POINT TO POINT
100 GOVENORS TRACE, STE. 103
PEACHTREE CITY, GA 30269
PHONE: 678-565-4440
EMAIL: P2PLS.COM

ARCHITECTURAL
KIMLEY-HORN AND ASSOCIATES
500 EAST 96TH STREET
INDIANAPOLIS, IN 46240
CONTACT: JASON RIGGS
PHONE: 317-505-0681
EMAIL: Jason.riggs@kimley-horn.com

ELECTRICAL
LOUISVILLE GAS & ELECTRIC CO.
P.O. BOX 7231
ST. LOUIS, MO 63177
CONTACT:
PHONE: 502-589-1444
EMAIL:

ELECTRICAL UTILITY COORDINATION IS NOT FINALIZED, DO NOT PROCEED WITH CONSTRUCTION.



VICINITY MAP



LOCATION MAP



AERIAL

SCAN QR CODE FOR DIRECTIONS TO SITE

DIRECTIONS

SHEET NUMBER	DESCRIPTION
T-1	PROJECT INFORMATION, SITE MAPS, SHEET INDEX
	SURVEY PLAN (3 PAGES)
CIVIL	
C-0	AERIAL SITE MAP
C-0 (2)	AERIAL SITE PLAN LAND OWNERS
C-0 (3)	AERIAL SITE PLAN MULTI-UNIT COMPLEX
C-1	OVERALL SITE PLAN
C-2	GRADING AND E&S CONTROL PLAN
C-3	DETAILED SITE PLAN
C-4	DIMENSIONED SITE PLAN
SITE DETAILS	
D-1	FENCE DETAILS AND NOTES
D-2	SITE DETAILS
D-3	EQUIPMENT PAD & CANOPY ELEVATIONS
D-4	VERIZON WIRELESS SIGNAGE (REFERENCE ONLY)
TOWER ELEVATION	
TE-1	TOWER ELEVATION

WM#13035

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
PHONE (919) 984-7644

PLANS PREPARED BY:

Kimley»Horn
3875 EMBASSY PARKWAY
SUITE 280
AKRON, OH 44333

REV:	DATE:	DESCRIPTION:	BY:
C	04/29/26	ISSUED FOR ZONING	BK
B	02/9/26	ISSUED FOR ZONING	JH
A	11/19/25	ISSUED FOR ZONING	GT

DRAWN BY: GT | CHECKED BY: GP

KHA PROJECT NUMBER: KHCLE-82758

ENGINEER SEAL:

STATE OF KENTUCKY
KEVIN J. CLEMENTS
32211
LICENSED PROFESSIONAL ENGINEER
04/29/2026
Exp: 6/30/27

PROJECT INFORMATION:
KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T-1



VICINITY MAP

NOT TO SCALE

GENERAL NOTES

* THIS SPECIFIC PURPOSE SURVEY IS FOR THE LEASED PREMISES AND EASEMENTS ONLY. THIS SPECIFIC PURPOSE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF APC TOWERS IV, LLC AND EXCLUSIVELY FOR THE TRANSFERRAL OF THE LEASED PREMISES AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS AN EXHIBIT OR EVIDENCE IN THE FEE SIMPLE TRANSFERRAL OF THE PARENT PARCEL NOR ANY PORTION OR PORTIONS THEREOF. BOUNDARY INFORMATION SHOWN HEREON HAS BEEN COMPILED FROM TAX MAPS AND DEED DESCRIPTIONS ONLY. NO BOUNDARY SURVEY OF THE PARENT PARCEL WAS PERFORMED.

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.

THE FIELD DATA UPON WHICH THIS SPECIFIC PURPOSE SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET AND AN ANGULAR ERROR OF 5.0" PER ANGLE POINT AND WAS NOT ADJUSTED FOR CLOSURE.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: GEOMAX ZOOM ROBOTIC AND CARLSON BRx7 BASE AND ROVER [DATE OF LAST FIELD VISIT: 08/18/2025]. SEE GNSS NOTES FOR GNSS EQUIPMENT.

THE 1' CONTOURS AND SPOT ELEVATIONS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE ADJUSTED TO NAVD 88 DATUM (COMPUTED USING GEOID18) AND HAVE A VERTICAL ACCURACY OF ± 0.5'. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

BEARINGS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON KENTUCKY GRID NORTH (NAD 83) SINGLE ZONE.

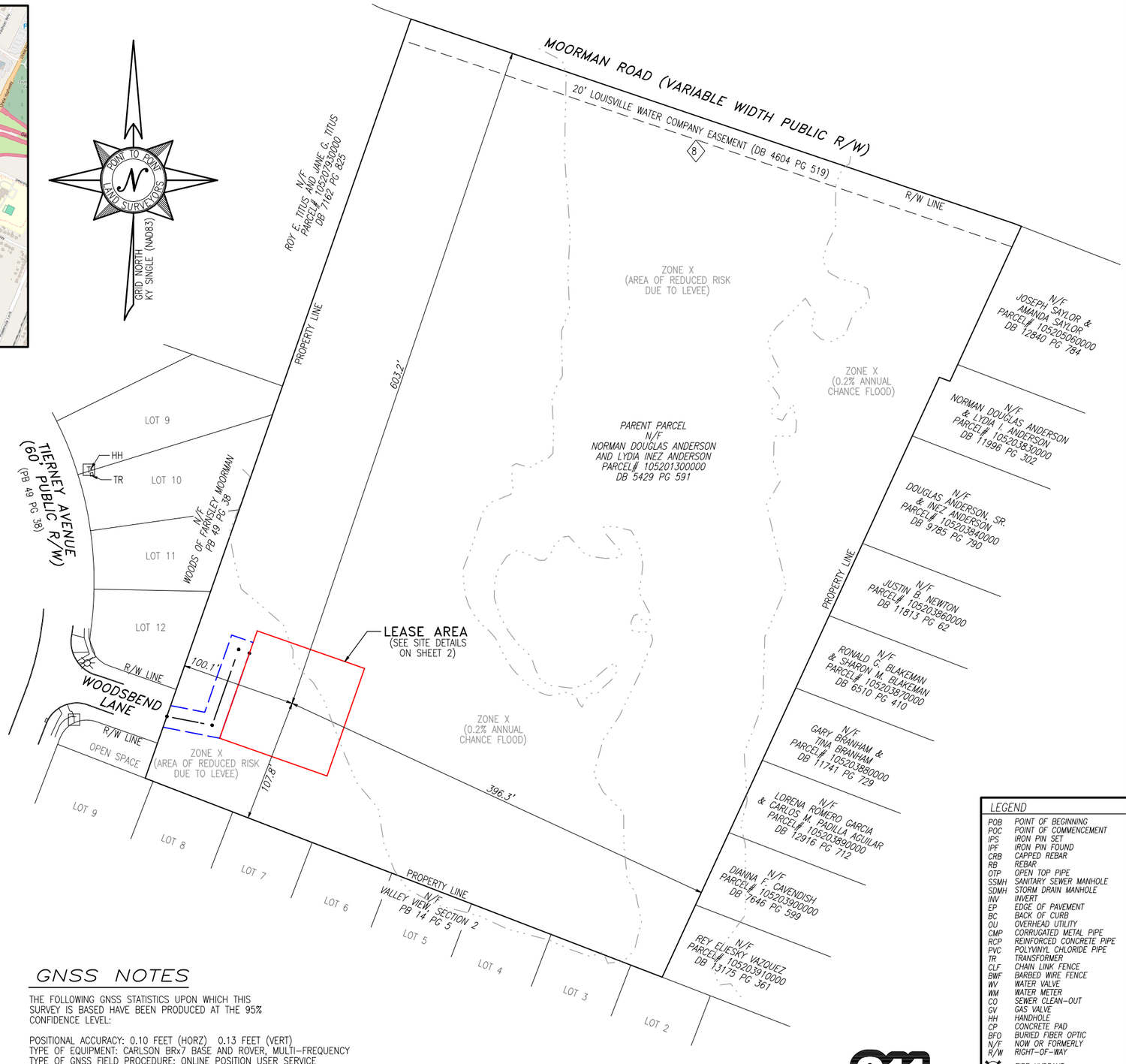
PER THE FEMA FLOODPLAIN MAPS, THE SITE IS LOCATED IN AN AREA DESIGNATED AS ZONE X (AREA OF REDUCED RISK DUE TO LEVEE) AND ZONE X (0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE). COMMUNITY PANEL NO.: 21111C0121F DATED: FEBRUARY 26, 2021.

NO WETLAND AREAS HAVE BEEN INVESTIGATED BY THIS SPECIFIC PURPOSE SURVEY.

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS.

ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT ANY UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES.

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THIS MAP IS ONLY INTENDED FOR THE PARTIES AND PURPOSES SHOWN. THIS MAP IS NOT FOR RECORDATION.



GNSS NOTES

THE FOLLOWING GNSS STATISTICS UPON WHICH THIS SURVEY IS BASED HAVE BEEN PRODUCED AT THE 95% CONFIDENCE LEVEL:

POSITIONAL ACCURACY: 0.10 FEET (HORZ) 0.13 FEET (VERT)
TYPE OF EQUIPMENT: CARLSON BRx7 BASE AND ROVER, MULTI-FREQUENCY
TYPE OF GNSS FIELD PROCEDURE: ONLINE POSITION USER SERVICE
DATE OF SURVEY: 08/18/2025
DATUM / EPOCH: NAD_83(2011)(EPOCH:2010.0000)
PUBLISHED / FIXED CONTROL USE: N/A
GEOID MODEL: 18
COMBINED GRID FACTOR(S): 0.99989617
CENTERED ON THE BASE POINT AS SHOWN HEREON.
CONVERGENCE ANGLE: -0.08241667°
BENCHMARKS USED: DM4656, DH7217, DN2113, DK3324, DK7559, DM3497, DM4648

811 CALL BEFORE YOU DIG

LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CRB	CAPPED REBAR
RB	REBAR
OTP	OPEN TOP PIPE
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
INV	INVERT
EP	EDGE OF PAVEMENT
BC	BACK OF CURB
OU	OVERHEAD UTILITY
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
TR	TRANSFORMER
CLF	CHAIN LINK FENCE
BWF	BARBED WIRE FENCE
WV	WATER VALVE
WM	WATER METER
CO	SEWER CLEAN-OUT
GV	GAS VALVE
HH	HANDHOLE
CP	CONCRETE PAD
BFO	BURIED FIBER OPTIC
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY
	FIRE HYDRANT
	CONCRETE MONUMENT FOUND
T	TELCO PEDESTAL
	UTILITY POLE
	GUY WIRE ANCHOR
	LIGHT POLE
	BENCHMARK

STATE of KENTUCKY
JUSTIN KYLE LAWRENCE
4721
LICENSED PROFESSIONAL LAND SURVEYOR

I, JUSTIN KYLE LAWRENCE, A KENTUCKY PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THE INFORMATION SHOWN HEREON WAS COMPILED USING DATA FROM AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECT SUPERVISION BY METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE EXCEEDED 1:10,000 AND WAS NOT ADJUSTED FOR CLOSURE. THIS SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR AN URBAN SURVEY AS ESTABLISHED BY THE STATE OF KENTUCKY, PER 201 KAR 18:150 AND IN EFFECT ON THE DATE OF THIS SURVEY.

JUSTIN KYLE LAWRENCE, PLS 4721 — 08/20/2025 DATE

* SPECIFIC PURPOSE SURVEY PREPARED BY:

POINT TO POINT P2P LAND SURVEYORS
Firm No. 775
100 Governors Trace, Ste. 103,
Peachtree City, GA 30269
(p) 678.565.4440 (f) 678.565.4497 (w) p2pls.com

SPECIFIC PURPOSE SURVEY PREPARED FOR:

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615

LV MEDORA
KY-4057

JEFFERSON COUNTY, KENTUCKY

PARENT PARCEL

OWNER: NORMAN DOUGLAS ANDERSON AND LYDIA INEZ ANDRERSON

SITE ADDRESS: 6406 MOORMAN ROAD, LOUISVILLE, KY 40272

PARCEL ID: 105201300000

AREA: 8.8932 ACRES (PER COUNTY PVA)

ZONED: R4 (RESIDENTIAL SINGLE FAMILY)

REFERENCE: DEED BOOK 5429 PAGE 591

50 0 100 200
GRAPHIC SCALE IN FEET
SCALE: 1" = 100' (11x17)

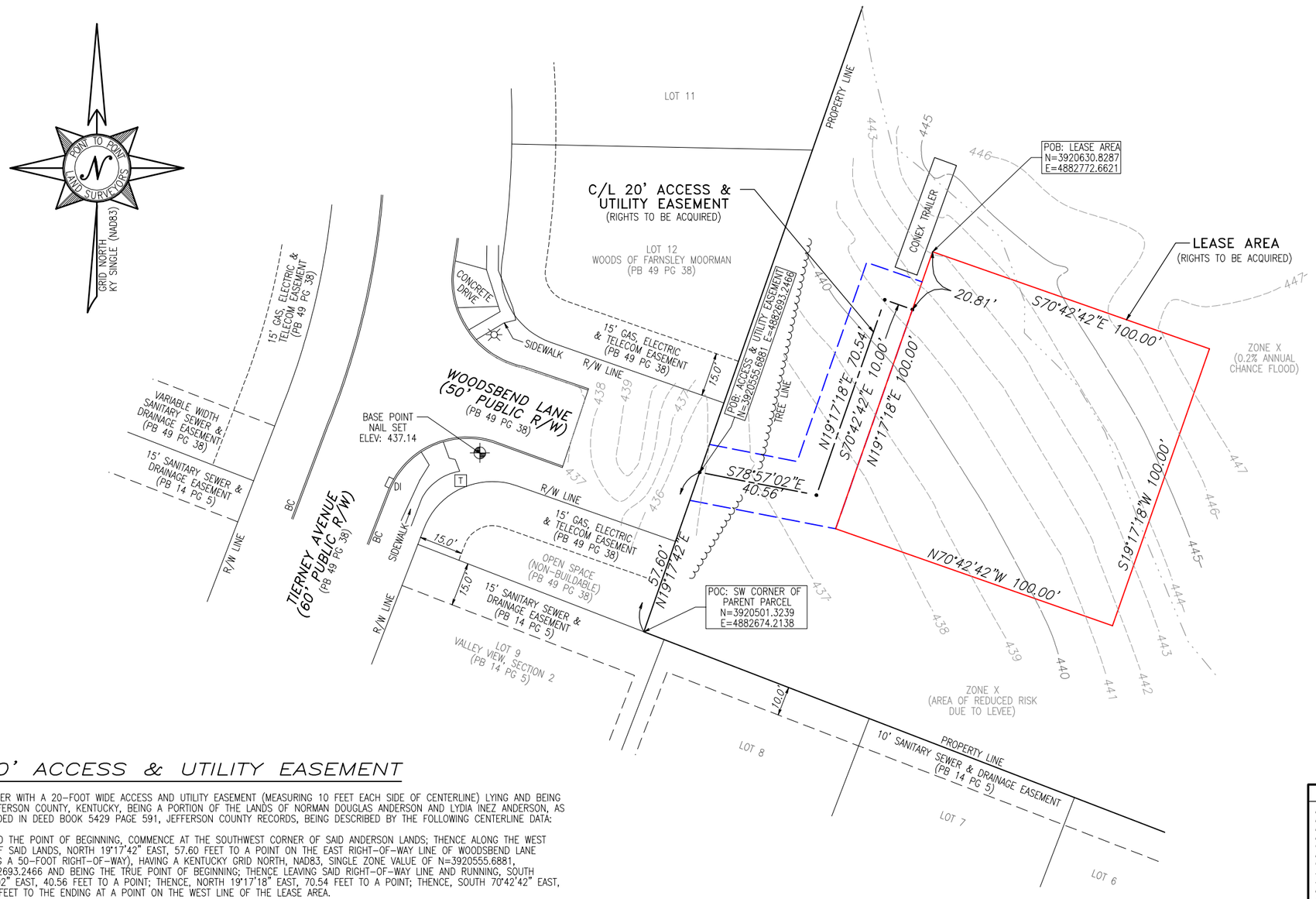
NO.	DATE	REVISION

DRAWN BY: NRW
CHECKED BY: JKL
APPROVED: D. MILLER
DATE: AUGUST 20, 2025
P2P JOB #: 251100KY

SHEET: 1 OF 3

E:\Point To Point Dropbox\P2P Current Jobs\2025\251100KY-LV Medora\251100KY.pro

SURVEY NOT VALID WITHOUT ALL SHEETS



20' ACCESS & UTILITY EASEMENT

TOGETHER WITH A 20-FOOT WIDE ACCESS AND UTILITY EASEMENT (MEASURING 10 FEET EACH SIDE OF CENTERLINE) LYING AND BEING IN JEFFERSON COUNTY, KENTUCKY, BEING A PORTION OF THE LANDS OF NORMAN DOUGLAS ANDERSON AND LYDIA INEZ ANDERSON, AS RECORDED IN DEED BOOK 5429 PAGE 591, JEFFERSON COUNTY RECORDS, BEING DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF SAID ANDERSON LANDS; THENCE ALONG THE WEST LINE OF SAID LANDS, NORTH 19°17'42" EAST, 57.60 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF WOODSBEND LANE (HAVING A 50-FOOT RIGHT-OF-WAY), HAVING A KENTUCKY GRID NORTH, NAD83, SINGLE ZONE VALUE OF N=3920555.6881, E=4882693.2466 AND BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, SOUTH 78°57'02" EAST, 40.56 FEET TO A POINT; THENCE, NORTH 19°17'18" EAST, 70.54 FEET TO A POINT; THENCE, SOUTH 70°42'42" EAST, 10.00 FEET TO THE ENDING AT A POINT ON THE WEST LINE OF THE LEASE AREA.

BEARING BASED ON KENTUCKY GRID NORTH, NAD83, SINGLE ZONE

LEASE AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN JEFFERSON COUNTY, KENTUCKY, BEING A PORTION OF THE LANDS OF NORMAN DOUGLAS ANDERSON AND LYDIA INEZ ANDERSON, AS RECORDED IN DEED BOOK 5429 PAGE 591, JEFFERSON COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF SAID ANDERSON LANDS; THENCE ALONG THE WEST LINE OF SAID LANDS, NORTH 19°17'42" EAST, 57.60 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF WOODSBEND LANE (HAVING A 50-FOOT RIGHT-OF-WAY), HAVING A KENTUCKY GRID NORTH, NAD83, SINGLE ZONE VALUE OF N=3920555.6881, E=4882693.2466; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, SOUTH 78°57'02" EAST, 40.56 FEET TO A POINT; THENCE, NORTH 19°17'18" EAST, 70.54 FEET TO A POINT; THENCE, SOUTH 70°42'42" EAST, 10.00 FEET A POINT ON THE WEST LINE OF THE LEASE AREA; THENCE ALONG SAID LEASE AREA, NORTH 19°17'18" EAST, 20.81 FEET TO A POINT HAVING A KENTUCKY GRID NORTH, NAD83, SINGLE ZONE VALUE OF N=3920630.8287, E=4882772.6621 AND BEING THE TRUE POINT OF BEGINNING; THENCE RUNNING, SOUTH 70°42'42" EAST, 100.00 FEET TO A POINT; THENCE, SOUTH 19°17'18" WEST, 100.00 FEET TO A POINT; THENCE, NORTH 70°42'42" WEST, 100.00 FEET TO A POINT; THENCE, NORTH 19°17'18" EAST, 100.00 FEET TO A POINT AND THE POINT OF BEGINNING.

BEARING BASED ON KENTUCKY GRID NORTH, NAD83, SINGLE ZONE.

SAID TRACT CONTAINS 0.2296 ACRES (10,000 SQUARE FEET), MORE OR LESS.

LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CRB	CAPPED REBAR
RB	REBAR
OTP	OPEN TOP PIPE
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
INV	INVERT
EP	EDGE OF PAVEMENT
BC	BACK OF CURB
OU	OVERHEAD UTILITY
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
TR	TRANSFORMER
CLF	CHAIN LINK FENCE
BWF	BARBED WIRE FENCE
WV	WATER VALVE
WM	WATER METER
CO	SEWER CLEAN-OUT
GV	GAS VALVE
HH	HANDHOLE
CP	CONCRETE PAD
BFO	BURIED FIBER OPTIC
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY
	FIRE HYDRANT
	CONCRETE MONUMENT FOUND
T	TELCO PEDESTAL
	UTILITY POLE
	GUY WIRE ANCHOR
	LIGHT POLE
	BENCHMARK

STATE of KENTUCKY
JUSTIN KYLE LAWRENCE
4721
LICENSED PROFESSIONAL LAND SURVEYOR

I, JUSTIN KYLE LAWRENCE, A KENTUCKY PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THE INFORMATION SHOWN HEREON WAS COMPILED USING DATA FROM AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECT SUPERVISION BY METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE EXCEEDED 1:10,000 AND WAS NOT ADJUSTED FOR CLOSURE. THIS SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR AN URBAN SURVEY AS ESTABLISHED BY THE STATE OF KENTUCKY, PER 201 KAR 18:150 AND IN EFFECT ON THE DATE OF THIS SURVEY.

08/20/2025
JUSTIN KYLE LAWRENCE, PLS 4721 — DATE

* SPECIFIC PURPOSE SURVEY PREPARED BY:

POINT TO POINT LAND SURVEYORS P2P
Firm No. 775
100 Governors Trace, Ste. 103,
Peachtree City, GA 30269
(p) 678.565.4440 (f) 678.565.4497 (w) p2pls.com

SPECIFIC PURPOSE SURVEY PREPARED FOR:

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615

LV MEDORA
KY-4057
JEFFERSON COUNTY, KENTUCKY

SITE INFORMATION

LEASE AREA = 10,000 SQUARE FEET (0.2296 ACRES)

AT CENTER OF LEASE AREA:
LATITUDE: 38°05'24.75" (NAD 83) (38.090208°)
LONGITUDE: -85°53'00.94" (NAD 83) (-85.883594°)
ELEVATION = 437.1' A.M.S.L.

VERTICAL DATUM: NAVD 1988 (COMPUTED USING GEOID18)
HORIZONTAL DATUM: NAD83

BEARINGS ARE BASED ON KENTUCKY GRID NORTH (SINGLE ZONE)

20 0 40 80
GRAPHIC SCALE IN FEET
SCALE: 1" = 40' (11x17)

NO.	DATE	REVISION

DRAWN BY: NRW
CHECKED BY: JKL
APPROVED: D. MILLER
DATE: AUGUST 20, 2025
P2P JOB #: 251100KY

SHEET: 2 OF 3

E:\Point to Point Dropbox\P2P Current Jobs\2025\251100KY-LV Medora\251100KY.pro

SURVEY NOT VALID WITHOUT ALL SHEETS

TITLE EXCEPTIONS

THIS SURVEY WAS COMPLETED WITH THE AID OF TITLE WORK PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT DATE OF 06/04/2025 AT 7:00 A.M., BEING COMMITMENT NO. 01-25031615-01T, FOR THE PARENT PARCEL, TO DETERMINE THE IMPACTS OF EXISTING TITLE EXCEPTIONS.

7. DEED FOR ROADWAY PURPOSES, IN FAVOR OF THE COMMONWEALTH OF KENTUCKY, RECORDED 01/26/1952 AS BOOK 2571, PAGE 278 OF THE JEFFERSON COUNTY RECORDS.

[DOCUMENT IS ILLEGIBLE].

8. EASEMENT IN FAVOR OF CITY OF LOUISVILLE A MUNICIPAL CORPORATION AND THE LOUISVILLE WATER COMPANY, RECORDED 03/15/1973 AS BOOK 4604, PAGE 219 OF JEFFERSON COUNTY RECORDS.

[THIS ITEM IS APPLICABLE TO THE PARENT PARCEL, BUT NOT THE LEASE AREA OR THE ACCESS & UTILITY EASEMENT. THIS ITEM IS PLOTTED HEREON].

9. SUBJECT TO THE CONVEYANCE OF RIGHT OF WAY IN FAVOR OF LOUISVILLE GAS AND ELECTRIC COMPANY, A KENTUCKY CORPORATION, RECORDED 10/07/1998 AS BOOK 7119, PAGE 32 OF JEFFERSON COUNTY RECORDS.

[THIS ITEM IS APPLICABLE TO THE PARENT PARCEL; HOWEVER, THE DESCRIPTION IS TOO VAGUE TOO PLOT].

10. NOTICE OF JUDGMENT LIEN ON REAL ESTATE IN FAVOR OF PORTFOLIO RECOVERY ASSOCIATES, LLC, AGAINST NORMIE ANDERSON, RECORDED 12/31/2014 AS LIEN BOOK 1544, PAGE 614 IN THE JACKSON COUNTY RECORDS IN THE AMOUNT OF 1,010.62 PLUS COSTS.

[THIS IS NOT A SURVEY RELATED ITEM; HOWEVER, IT IS APPLICABLE TO THE PARENT PARCEL].

11. NOTICE OF JUDGMENT LIEN ON REAL ESTATE IN FAVOR OF MIDLAND FUNDING LLC, AGAINST NORMIE ANDERSON, RECORDED 01/14/2016 AS LIEN BOOK 1635, PAGE 646 IN THE JACKSON COUNTY RECORDS IN THE AMOUNT OF $585.71, PLUS COSTS.

[THIS IS NOT A SURVEY RELATED ITEM; HOWEVER, IT IS APPLICABLE TO THE PARENT PARCEL].

12. A MORTGAGE TO SECURE AN INDEBTEDNESS IN THE AMOUNT OF $137,800.00, FROM NORMAN DOUGLAS ANDERSON AND LYDIA INEZ ANDERSON, MORTGAGOR AND THIRD FEDERAL SAVINGS AND LOAN ASSOCIATION OF CLEVELAND, LENDER, DATED 10/07/2019, RECORDED 10/825/2019 AS MORTGAGE BOOK 16206, PAGE 41 OF THE JEFFERSON COUNTY RECORDS NOTE: BY VIRTUE OF INSTRUMENT RECORDED 09/15/2021 AS BOOK 12136, PAGE 905 OF JEFFERSON COUNTY RECORDS, THE PRIORITY OF THE ABOVE INSTRUMENT WAS SUBORDINATED IN FAVOR OF THE INSTRUMENT RECORDED 09/01/2021 AS MORTGAGE BOOK 17648, PAGE 278 OF JEFFERSON COUNTY RECORDS.

[THIS ITEM IS APPLICABLE TO THE PARENT PARCEL AND IS BLANKET IN NATURE].

13. A MORTGAGE TO SECURE AN INDEBTEDNESS IN THE AMOUNT OF $120,000.00, FROM NORMAN DOUGLAS ANDERSON AND LYDIA INEZ ANDERSON, MORTGAGOR AND THIRD FEDERAL SAVINGS AND LOAN ASSOCIATION OF CLEVELAND, LENDER, DATED 09/01/2021, RECORDED 09/01/2021 AS MORTGAGE BOOK 17648, PAGE 278 OF THE JEFFERSON COUNTY RECORDS.

[THIS ITEM IS APPLICABLE TO THE PARENT PARCEL AND IS BLANKET IN NATURE].

PARENT PARCEL

AS PROVIDED IN COMMITMENT NO. 01-25031615-01T

SITUATED IN THE COUNTY OF JEFFERSON AND STATE OF KENTUCKY AND DESCRIBED AS FOLLOWS:

BEGINNING IN THE SOUTHWESTERLY LINE OF MOORMAN ROAD AS WIDENED BY DEED TO COMMONWEALTH OF KENTUCKY DATED NOVEMBER 23, 1949, OF RECORD IN DEED BOOK 2571, PAGE 278, IN THE OFFICE OF THE CLERK OF THE COUNTY COURT OF JEFFERSON COUNTY, KENTUCKY; AT THE NORTHWESTERLY CORNER OF THE TRACT CONVEYED TO MALCOLM C. PREWITT AND OTHERS BY DEED DATED FEBRUARY 18, 1953, OF RECORD IN DEED BOOK 2980, PAGE 296, IN THE OFFICE OF THE CLERK AFORESAID; THENCE WITH LINES OF SAID TRACT SOUTH 24 DEGREES WEST, 150 FEET TO A PIPE NORTH 69 DEGREES 55 MINUTES WEST, 10 FEET TO A PIPE, AND SOUTH 24 DEGREES WEST 580.6 FEET TO A PIPE CORNER OF SAID TRACT AND IN THE SOUTHWESTERLY LINE OF THE TRACT CONVEYED TO RICHARD POOL BY DEED OF RECORD IN DEED BOOK 2632, PAGE 73, IN THE OFFICE AFORESAID; THENCE WITH THE SOUTHWEST LINE OF SAID LAST MENTIONED TRACT, NORTH 69 DEGREES 45 MINUTES WEST 487 FEET TO A POST AT GATE; THENCE WITH THE NORTHWESTERLY LINE OF SAID POOL TRACT NORTH 18 DEGREES 30 MINUTES EAST 710 FEET TO A STONE AT LIGHT POLE IN THE SOUTHWEST LINE OF MOORMAN ROAD AS WIDENED; THENCE WITH SAID LINE OF MOORMAN ROAD, SOUTH 71 DEGREES 20 MINUTES EAST, 561 FEET TO A SLIGHT BEND IN SAID ROAD; THENCE CONTINUING WITH SAID LINE OF MOORMAN ROAD, AS WIDENED, SOUTH 69 DEGREES 55 MINUTES EAST 8 FEET TO THE POINT OF BEGINNING.

TAX ID: 25105201300000

BEING THE SAME PROPERTY CONVEY ED TO NORMAN DOUGLAS ANDERSON AND LYDIA INEZ ANDERSON, FOR THEIR JOINT LIVES, REMAINDER TO THE SURVIVOR OF THEM, GRANTEE, FROM HENRY C. ANDERSON AND HELEN B. ANDERSON, HIS WIFE, GRANTOR, BY DEED RECORDED 06/11/1984, AS BOOK 5429, PAGE 591 OF THE JEFFERSON COUNTY RECORDS.

STATE of KENTUCKY
JUSTIN KYLE LAWRENCE
4721
LICENSED PROFESSIONAL LAND SURVEYOR

I, JUSTIN KYLE LAWRENCE, A KENTUCKY PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THE INFORMATION SHOWN HEREON WAS COMPILED USING DATA FROM AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECT SUPERVISION BY METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE EXCEEDED 1:10,000 AND WAS NOT ADJUSTED FOR CLOSURE. THIS SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR AN URBAN SURVEY AS ESTABLISHED BY THE STATE OF KENTUCKY, PER 201 KAR 18:150 AND IN EFFECT ON THE DATE OF THIS SURVEY.

08/20/2025
JUSTIN KYLE LAWRENCE, PLS 4721 *DATE*

* SPECIFIC PURPOSE SURVEY PREPARED BY:

POINT TO POINT LAND SURVEYORS P2P

Firm No. 775
100 Governors Trace, Ste. 103,
Peachtree City, GA 30269
(p) 678.565.4440 (f) 678.565.4497 (w) p2pls.com

SPECIFIC PURPOSE SURVEY PREPARED FOR:

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615

LV MEDORA
KY-4057
JEFFERSON COUNTY, KENTUCKY

LEGAL DESCRIPTION & TITLE REVIEW SHEET

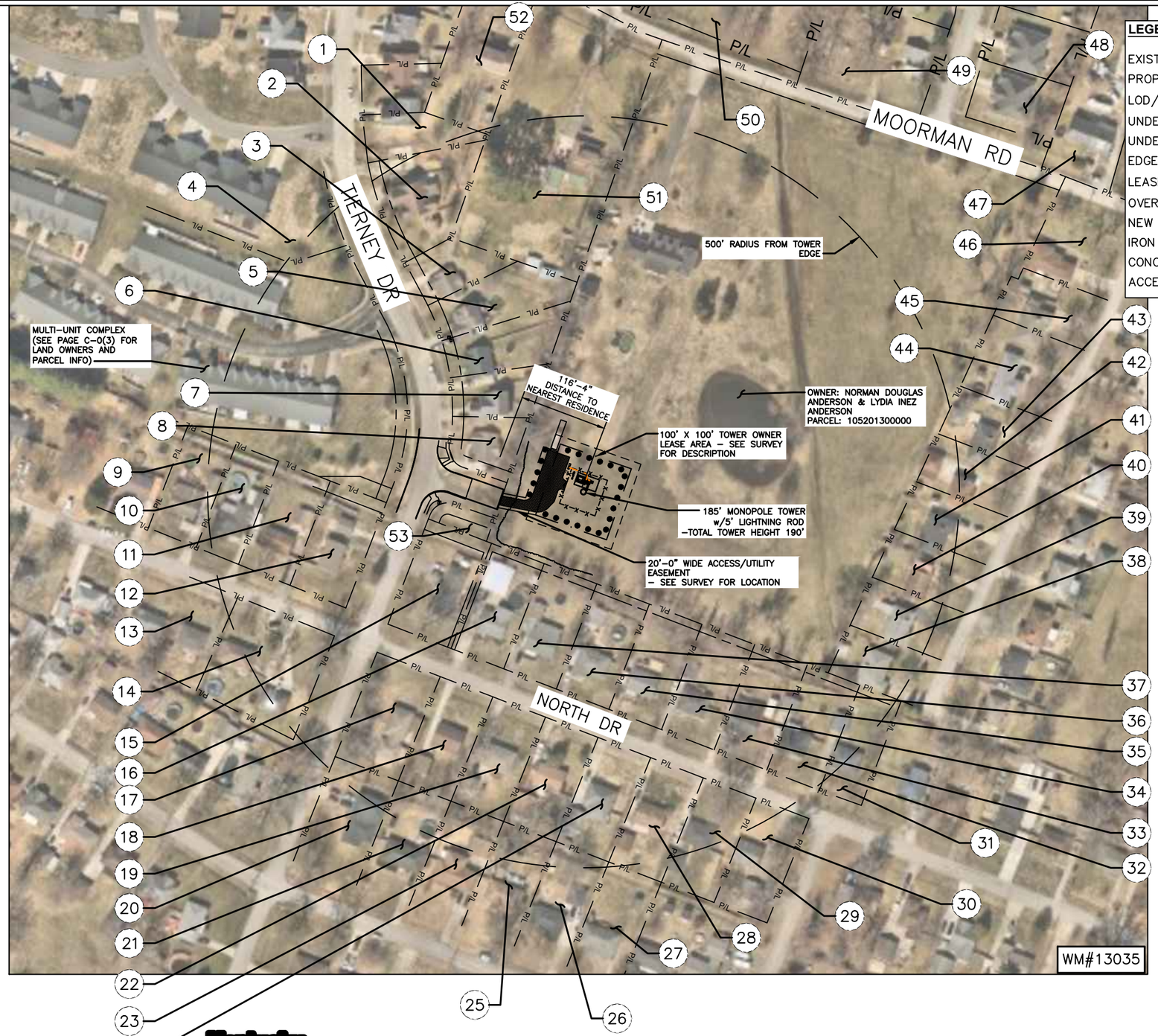
NO.	DATE	REVISION

DRAWN BY: NRW
CHECKED BY: JKL
APPROVED: D. MILLER
DATE: AUGUST 20, 2025
P2P JOB #: 251100KY

SHEET: 3 OF 3

E:\Point To Point Dropbox\P2P Current Jobs\2025\251100KY-LV Medora\251100KY.pro

SURVEY NOT VALID WITHOUT ALL SHEETS



LEGEND:

EXISTING CONTOUR	XXX
PROPOSED CONTOUR	XXX
LOD/SILT FENCE	LOD
UNDERGROUND TELEPHONE CONDUIT	
UNDERGROUND ELECTRICAL CONDUIT	
EDGE OF NEW DRIVE	
LEASE AREA/EASEMENT	
OVERHEAD UTILITY LINE	OE
NEW FENCE LINE	X
IRON PIN	
CONCRETE	
ACCESS DRIVE	

NUMBERS AND LEADERS POINTING TO PARCELS CORRESPOND TO TABLE SHOWN ON PAGE C-0(2)

MULTI-UNIT COMPLEX CORRESPONDS TO TABLE SHOWN ON PAGE C-0(3)

APWA UTILITY COLOR CODES

	PROPOSED CONSTRUCTION
	TEMPORARY SURVEY MARKINGS
	ELECTRIC POWER LINES, CABLES, CONDUIT, AND LIGHTING CABLES
	GAS, OIL STEAM PETROLEUM OR GASEOUS MATERIALS
	COMMUNICATION, ALARM OR SIGNAL LINES, CABLES OR CONDUIT
	POTABLE WATER
	RECLAIMED WATER, IRRIGATION AND SLURRY LINES
	SEWERS AND DRAIN LINES

WM#13035

GRAPHIC SCALE
150 0 75 150 300

Know what's below. Call before you dig.
Call Monday thru Friday - 7 am. to 6 pm.
1-800-752-6007
PER KENTUCKY STATE LAW, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

AERIAL SITE PLAN
SCALE: 1" = 150'

NORTH

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
PHONE (919) 984-7644

PLANS PREPARED BY:
Kimley»Horn
3875 EMBASSY PARKWAY
SUITE 280
AKRON, OH 44333

REV:	DATE:	DESCRIPTION:	BY:
C	04/29/26	ISSUED FOR ZONING	BK
B	02/9/26	ISSUED FOR ZONING	JH
A	11/19/25	ISSUED FOR ZONING	GT

DRAWN BY: GT | CHECKED BY: GP

KHA PROJECT NUMBER: KHCLE-82758

ENGINEER SEAL:

STATE OF KENTUCKY
KEVIN J. CLEMENTS
32211
LICENSED PROFESSIONAL ENGINEER
04/29/2026
Exp: 6/30/27

PROJECT INFORMATION:
KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE:
AERIAL SITE PLAN

SHEET NUMBER:
C-0

Overall Site Plan Land Owners

Numb	Land Owner	Parcel Number	Mailing Adress
1	KOPPEL BUILDING & CONSTRUCTION	357900050000	PO BOX 161836, LOUISVILLE, KY 40256
2	HARDESTY JAMES E & HARDESTY JULIA A	357900060000	11411 TIERNEY AVE, LOUISVILLE, KY 40272
3	WILSON LORI REBECCA	357900080000	11415 TIERNEY AVE, LOUISVILLE, KY 40272
4	CORCORAN HOME BUILDING & REMODELING	357901000000	14103 LAKE FOREST LN, LOUISVILLE, KY 40245
5	JAMISON CHRISTOPHER JAMISON KELLY	357900090000	11417 TIERNEY AVE, LOUISVILLE, KY 40272
6	WOLFE JARED & WOLFE MICHELLE	357900100000	11419 TIERNEY AVE, LOUISVILLE, KY 40272
7	TORTUGA II PROPCO LLC	357900110000	2200 FORESTHILL RD, ALEXANDRIA, VA 22307
8	JTJ PROPERTIES LLC	357900120000	4107 BENT RIDGE CT, CRESTWOOD, KY 40014
9	DEANGELO JUDY M & DEANGELO WILLIAM B	116300930013	6607 NORTH DR, LOUISVILLE, KY 40272
10	ROBERTS CHRISTY L	116300920012	8812 BLUE LICK RD, LOUISVILLE, KY 40219
11	TURNER JAMES D TURNER LINDA J	116300900011	6603 NORTH DR, LOUISVILLE, KY 40272
12	EMMANUELS PROPERTIES LLC	116300910010	PO BOX 161602, LOUISVILLE, KY 40256
13	BROWN CHARLES EVERETT	116301050031	6604 NORTH DR, LOUISVILLE, KY 40272
14	ROBERSON SZHANTRAYLE ROBERSON SAVANNAH	116300600029	6602 NORTH DR, LOUISVILLE, KY 40272
15	LOCKHART ABIGAIL	116300820009	6517 NORTH DR, LOUISVILLE, KY 40272
16	SCHNITZER MARK	116300570008	6515 NORTH DR, LOUISVILLE, KY 40272
17	GREEN KASEY L WHITE JOHN DAVID THEODOR	116300870000	6514 NORTH DR, LOUISVILLE, KY 40272
18	PINO MARIA TERESA	116300880000	11712 REALITY TRL, LOUISVILLE, KY 40229
19	NEWTON DONALD H NEWTON DIANA L	116300890026	5312 VANDEMERE DR, MIDLAND, MI 48642
20	NEIGHBORS PROPERTIES LLC	116300290000	121 CHRISTINE CT, BARDSTOWN, KY 40004
21	REPP MARC FRANKLIN REPP PAMELA	116300300000	1405 SHELTON AVE, NASHVILLE, TN 37216
22	VAZQUEZ NAYIRIS MATEO	116300590025	6508 NORTH DR, LOUISVILLE, KY 40272
23	COX CAMESHA EVETTE DAVIS DESHAWN MONTEZ	116300310000	6511 SOUTH DR, LOUISVILLE, KY 40272
24	SCHULTE WANDA	116300830024	6506 NORTH DR, LOUISVILLE, KY 40272
25	CORNELIUS TAMMY L	116300320000	6509 SOUTH DR, LOUISVILLE, KY 40272
26	BARKER LONNIE WESLEY	116300210000	6507 SOUTH DR, LOUISVILLE, KY 40272
27	NIPPER PATRICIA	116300330000	6505 SOUTH DR, LOUISVILLE, KY 40272
28	MCCANDLESS DONNA J MCCANDLESS RONALD W	116300780023	6504 NORTH DR, LOUISVILLE, KY 40272
29	IZQUIERDO ELIANNI OBREGON	116300770022	6502 NORTH DR, LOUISVILLE, KY 40272
30	PINEDA MARIA LOA	116300790021	6500 NORTH DR, LOUISVILLE, KY 40272
31	HOPEWELL MAYNARD H JR. HOPEWELL MARGARETTE A	116300720001	6501 NORTH DR, LOUISVILLE, KY 40272
32	HOOVER AMY	116300730002	6503 NORTH DR, LOUISVILLE, KY 40272
33	COLEMAN ERIC	116300740003	6505 NORTH DR, LOUISVILLE, KY 40272
34	MELCHER DERRICK JOSEPH	116300760004	6507 NORTH DR, LOUISVILLE, KY 40272
35	BRUCE M MITCHELL	116300750005	6509 NORTH DR, LOUISVILLE, KY 40272
36	ROY MEACIE	116300800006	6511 NORTH DR, LOUISVILLE, KY 40272
37	ROGERS MARK ANTHONY	116300850007	6513 NORTH DR, LOUISVILLE, KY 40272
38	REY ELIESKY VAZQUEZ	105203910000	11416 PLEASANT DR, LOUISVILLE, KY 40272
39	CAVENDISH DIANNA F	105203900000	11414 PLEASANT DR, LOUISVILLE, KY 40272
40	GARCIA LORENA ROMERO AQUILAR CARLOS M PADILLA	105203890000	11412 PLEASANT DR, LOUISVILLE, KY 40272
41	BRANHAM GARY BRANHAM TINA	105203880000	11410 PLEASANT DR, LOUISVILLE, KY 40272
42	BLAKEMAN RONALD G BLAKEMAN SHARON M	105203870000	11408 PLEASANT DR, LOUISVILLE, KY 40272
43	NEWTON JUSTIN B	105203860000	11406 PLEASANT DR, LOUISVILLE, KY 40272
44	ANDERSON DOUGLAS Sr ANDERSON INEZ	105203840000	6406 MOORMAN RD, LOUISVILLE, KY 40272
45	ANDERSON NORMAN DOUGLAS ANDERSON LYDIA L	105203830000	6406 MOORMAN RD, LOUISVILLE, KY 40272
46	SAYLOR JOSEPH SAYLOR AMANDA	105205060000	6400 MOORMAN RD, LOUISVILLE, KY 40272
47	MACKEY JAMES RONAL Sr MACKEY KIMBERLY M	105206290000	6403 MOORMAN RD, LOUISVILLE, KY 40272
48	FRENCH JAMES A	146600010000	207 DORSEY WAY, LOUISVILLE, KY 40223
49	FULLER JACKIE	105202790000	6411 MOORMAN RD, LOUISVILLE, KY 40272
50	BARNES SHARON	105207910000	6501 MOORMAN RD, LOUISVILLE, KY 40272
51	TITUS ROY E TITUS JANE G	105207930000	6500 MOORMAN RD, LOUISVILLE, KY 40272
52	MCKEEHAN MATTHEW	105205510000	6504 MOORMAN RD, LOUISVILLE, KY 40272
53	WOODS OF FARNSLEY MOORMAN LLC	357910000000	4901 FERN VALLEY RD, LOUISVILLE, KY 40219

LEGEND:

EXISTING CONTOUR — XXX —
PROPOSED CONTOUR — XXX —
LOD/SILT FENCE — LOD —
UNDERGROUND TELEPHONE CONDUIT
UNDERGROUND ELECTRICAL CONDUIT
EDGE OF NEW DRIVE
LEASE AREA/EASEMENT
OVERHEAD UTILITY LINE — OE — OE —
NEW FENCE LINE — X — X — X — X —
IRON PIN
CONCRETE
ACCESS DRIVE

APWA UTILITY COLOR CODES

- PROPOSED CONSTRUCTION
- TEMPORARY SURVEY MARKINGS
- ELECTRIC POWER LINES, CABLES, CONDUIT, AND LIGHTING CABLES
- GAS, OIL STEAM PETROLEUM OR GASEOUS MATERIALS
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- POTABLE WATER
- RECLAIMED WATER, IRRIGATION AND SLURRY LINES
- SEWERS AND DRAIN LINES

WM#13035

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
PHONE (919) 984-7644

PLANS PREPARED BY:
Kimley»Horn
3875 EMBASSY PARKWAY
SUITE 280
AKRON, OH 44333

REV:	DATE:	DESCRIPTION:	BY:
C	04/29/26	ISSUED FOR ZONING	BK
B	02/9/26	ISSUED FOR ZONING	JH
A	11/19/25	ISSUED FOR ZONING	GT

DRAWN BY: GT | CHECKED BY: GP

KHA PROJECT NUMBER: KHCLE-82758

ENGINEER SEAL:

STATE OF KENTUCKY · KEVIN J. CLEMENTS · 32211 · LICENSED PROFESSIONAL ENGINEER

04/29/2026
Exp: 6/30/27

PROJECT INFORMATION:

KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE:

AERIAL SITE PLAN

SHEET NUMBER:

C-0 (2)

Multi-Unit Complex Land Owners

Number	Land Owner	Parcel Number	Mailing Adress
1	CORCORAN, HOME BUILDING & REMODEL	357900170000	14103 LAKE FOREST LN, LOUISVILLE, KY 40245
2	CHARLOTTE, J BUTLER REVOCABLE TRUST	363600016600	6600 WOODS MILL DR, LOUISVILLE, KY 40272
3	BERRY, BETTY ANN	363600016602	6602 WOODS MILL DR, LOUISVILLE, KY 40272
4	WHITE, SANDRA M	363600016604	6604 WOODS MILL DR, LOUISVILLE, KY 40272
5	CASEY, NEAL & BUCK	363600016606	6606 WOODS MILL DR, LOUISVILLE, KY 40272
6	ORT, LISA KAYE	363600016608	6608 WOODS MILL DR, LOUISVILLE, KY 40272
7	HARROD, DEBRA KAY	363600016610	6610 WOODS MILL DR, LOUISVILLE, KY 40272
8	BEASON, JOHNETTA JOHNSON	363600216605	6605 WOODS MILL DR, LOUISVILLE, KY 40272
9	MITCHELL, ADRIANE L & MITCHELL, TERRY N	363600216607	6607 WOODS MILL DR, LOUISVILLE, KY 40272
10	LEON, ERIN	363600216609	6609 WOODS MILL DR, LOUISVILLE, KY 40272
11	SMITH, MARIAN L	363600216611	6611 WOODS MILL DR, LOUISVILLE, KY 40272
12	ALBINUS, GEORGANNA WALKER ESTA	363600216613	439 STONEYRIDGE WYNDE, SHEPHERDSVILLE, KY 40165
13	WHEATLEY, DENNIS STUART & WHEATLEY, PAMELA KAY	363600216615	6615 WOODS MILL DR, LOUISVILLE, KY 40272
14	HAMILTON, REBECCA & MICHAEL	363600026612	6612 WOODS MILL DR, LOUISVILLE, KY 40272
15	DOROTHY, SUE MORGAN FAMILY TRUST	363600026614	9501 STONELANDING PL, LOUISVILLE, KY 40272
16	JONES, DAVID LEE Sr	363600026616	15510 BREWER RD, OTISCO, IN 47163
17	SANDAGE, ROBERT E	363600026618	6618 WOODS MILL DR, LOUISVILLE, KY 40272
18	ESTES, STELLA KAY	363600026620	6620 WOODS MILL DR, LOUISVILLE, KY 40272
19	MILLER, CYNTHIA D	363600026622	6622 WOODS MILL DR, LOUISVILLE, KY 40272
20	CARMAN, JOEY	363600206621	6621 WOODS MILL DR, LOUISVILLE, KY 40272
21	NELSON, JEFFREY S & NELSON, TRACY	363600206623	6623 WOODS MILL DR, LOUISVILLE, KY 40272
22	MILLER, CHARLES B Jr & MILLER, MINNIE	363600206625	6625 WOODS MILL DR, LOUISVILLE, KY 40272
23	VIRGINIA, M WACO TRUST THE	363600206627	17935 CAMINITO PINERO UNIT 173, SAN DIEGO, CA 92128
24	PRUNTY, SANDRA SUE	363600206629	6629 WOODS MILL DR, LOUISVILLE, KY 40272
25	BRUMLEVE, MARTHA J	363600206631	6631 WOODS MILL DR, LOUISVILLE, KY 40272
26	WOOSLEY, DONALD & PHYLLIS	363600036626	6626 WOODS MILL DR, LOUISVILLE, KY 40272
27	SETTLE, ROGER & KAREN	363600036628	6628 WOODS MILL DR, LOUISVILLE, KY 40272
28	BROWNING, LINDA C	363600036630	6630 WOODS MILL DR, LOUISVILLE, KY 40272
29	MILLER, LEANN M	363600036632	6632 WOODS MILL DR, LOUISVILLE, KY 40272
30	KENDALL, JERRY L & KENDALL, DONNA S	363600036634	6634 WOODS MILL DR, LOUISVILLE, KY 40272
31	HOPPER, BILLY E & HOPPER, LORETTA	363600036636	6636 WOODS MILL DR, LOUISVILLE, KY 40272
32	GORDON, VICKY L	363600116700	6700 EAGLE WOOD DR, LOUISVILLE, KY 40272
33	HORNBACK, KENNETH NEAL	363600116702	6702 EAGLE WOOD DR, LOUISVILLE, KY 40272
34	CARBY, MAYLYN	363600116704	6704 EAGLE WOOD DR, LOUISVILLE, KY 40272
35	LINDA, JOYCE HORNBACK LIVING	363600116706	6706 EAGLE WOOD DR, LOUISVILLE, KY 40272

LEGEND:

- EXISTING CONTOUR — XXX —
- PROPOSED CONTOUR — XXX —
- LOD/SILT FENCE — LOD —
- UNDERGROUND TELEPHONE CONDUIT
- UNDERGROUND ELECTRICAL CONDUIT
- EDGE OF NEW DRIVE
- LEASE AREA/EASEMENT
- OVERHEAD UTILITY LINE — OE — OE —
- NEW FENCE LINE — X — X — X — X —
- IRON PIN
- CONCRETE
- ACCESS DRIVE

APWA UTILITY COLOR CODES

- PROPOSED CONSTRUCTION
- TEMPORARY SURVEY MARKINGS
- ELECTRIC POWER LINES, CABLES, CONDUIT, AND LIGHTING CABLES
- GAS, OIL STEAM PETROLEUM OR GASEOUS MATERIALS
- COMMUNICATION, ALARM OR SIGNAL LINES, CABLES OR CONDUIT
- POTABLE WATER
- RECLAIMED WATER, IRRIGATION AND SLURRY LINES
- SEWERS AND DRAIN LINES

WM#13035

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
PHONE (919) 984-7644

PLANS PREPARED BY:
Kimley»Horn
3875 EMBASSY PARKWAY
SUITE 280
AKRON, OH 44333

REV: | DATE: | DESCRIPTION: | BY:

C	04/29/26	ISSUED FOR ZONING	BK
B	02/9/26	ISSUED FOR ZONING	JH
A	11/19/25	ISSUED FOR ZONING	GT

DRAWN BY: GT | CHECKED BY: GP

KHA PROJECT NUMBER: KHCLE-82758

ENGINEER SEAL:

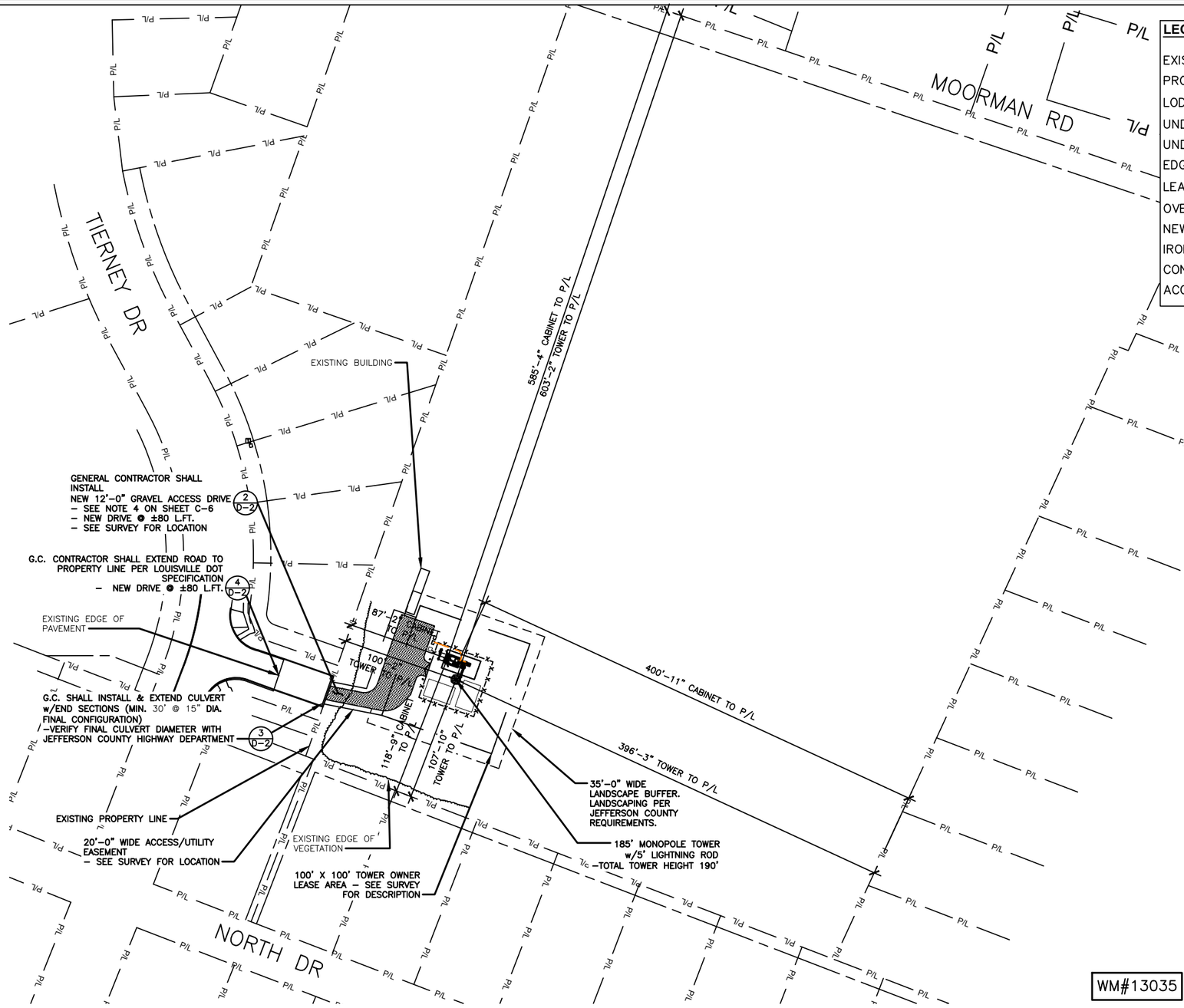
STATE OF KENTUCKY
KEVIN J. CLEMENTS
32211
LICENSED PROFESSIONAL ENGINEER
04/29/2026
Exp: 6/30/27

PROJECT INFORMATION:

KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE:
AERIAL SITE PLAN

SHEET NUMBER:
C-0 (3)



LEGEND:

EXISTING CONTOUR	XXX
PROPOSED CONTOUR	XXX
LOD/SILT FENCE	LOD
UNDERGROUND TELEPHONE CONDUIT	
UNDERGROUND ELECTRICAL CONDUIT	
EDGE OF NEW DRIVE	
LEASE AREA/EASEMENT	
OVERHEAD UTILITY LINE	OE
NEW FENCE LINE	X
IRON PIN	
CONCRETE	
ACCESS DRIVE	

WM#13035

APWA UTILITY COLOR CODES

- PROPOSED CONSTRUCTION
- TEMPORARY SURVEY MARKINGS
- ELECTRIC POWER LINES, CABLES, CONDUIT, AND LIGHTING CABLES
- GAS, OIL STEAM PETROLEUM OR GASEOUS MATERIALS
- COMMUNICATION, ALARM OR SIGNAL LINES, CABLES OR CONDUIT
- POTABLE WATER
- RECLAIMED WATER, IRRIGATION AND SLURRY LINES
- SEWERS AND DRAIN LINES

Know what's below. Call before you dig.
Call Monday thru Friday – 7 am. to 6 pm.
1-800-752-6007
PER KENTUCKY STATE LAW, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

GRAPHIC SCALE
100 0 50 100 200

OVERALL SITE PLAN
SCALE: 1" = 100'

NORTH

WM#13035

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
PHONE (919) 984-7644

PLANS PREPARED BY:
Kimley»Horn
3875 EMBASSY PARKWAY
SUITE 280
AKRON, OH 44333

REV:	DATE:	DESCRIPTION:	BY:
C	04/29/26	ISSUED FOR ZONING	BK
B	02/9/26	ISSUED FOR ZONING	JH
A	11/19/25	ISSUED FOR ZONING	GT

DRAWN BY: GT | CHECKED BY: GP

KHA PROJECT NUMBER: KHCLE-82758

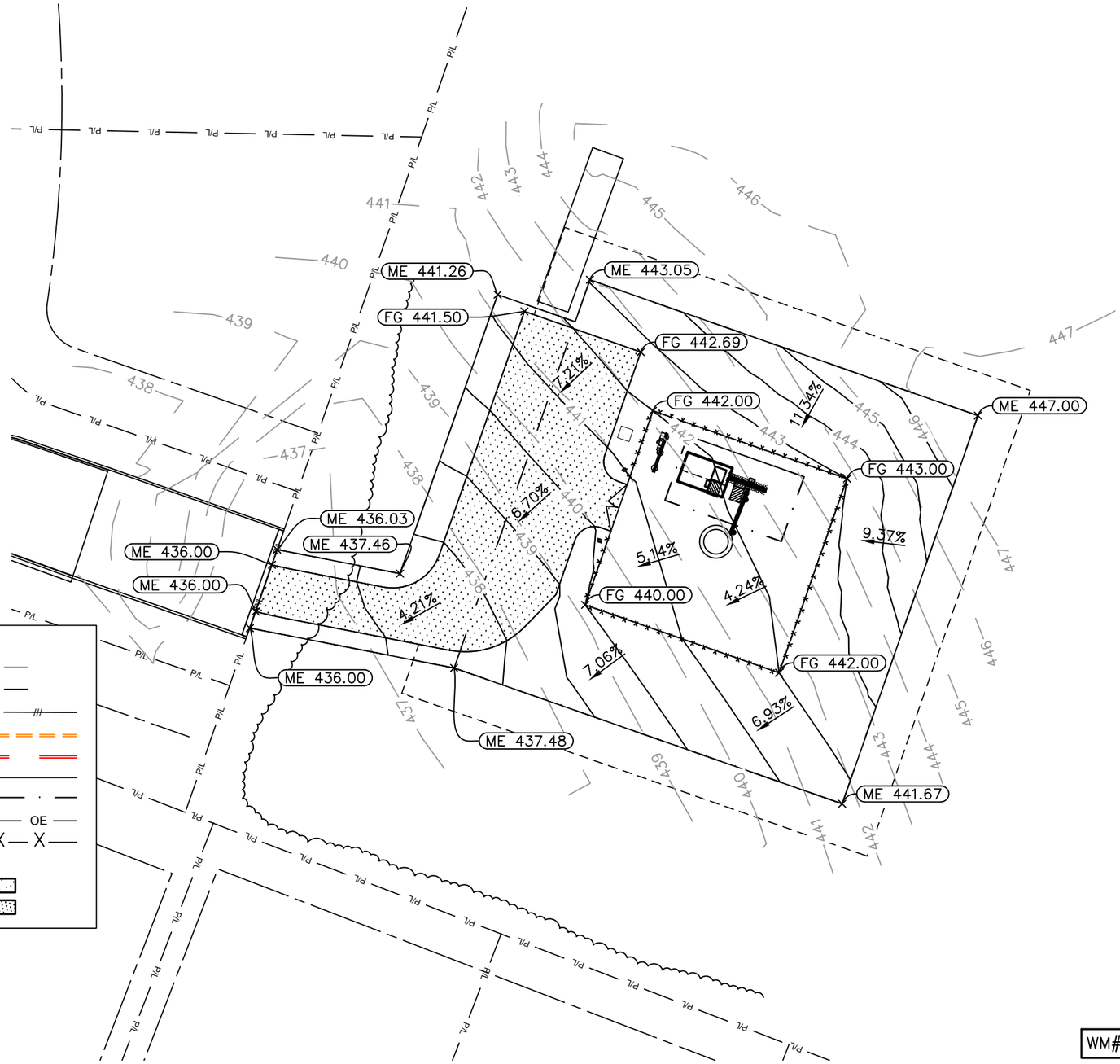
ENGINEER SEAL:

STATE OF KENTUCKY
KEVIN J. CLEMENTS
32211
LICENSED PROFESSIONAL ENGINEER
04/29/2026
Exp: 6/30/27

PROJECT INFORMATION:
KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER:
C-1



LEGEND:

EXISTING CONTOUR	XXX
PROPOSED CONTOUR	XXX
LOD/SILT FENCE	LOD
UNDERGROUND TELEPHONE CONDUIT	
UNDERGROUND ELECTRICAL CONDUIT	
EDGE OF NEW DRIVE	
LEASE AREA/EASEMENT	
OVERHEAD UTILITY LINE	OE
NEW FENCE LINE	X
IRON PIN	
CONCRETE	
ACCESS DRIVE	

GRADING AND E&S CONTROL PLAN

SCALE: 1" = 30'

NORTH

GRAPHIC SCALE
30 0 15 30 60

811 Know what's below. Call before you dig.

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN MICHIGAN, CALL MISS DIG
TOLL FREE: 1-800-482-7171 OR
www.missdig.org
MICHIGAN STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

WM#13035

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STATE OF KENTUCKY
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32211
LICENSED PROFESSIONAL ENGINEER
04/29/2026
Exp: 6/30/27

PROJECT INFORMATION:

KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

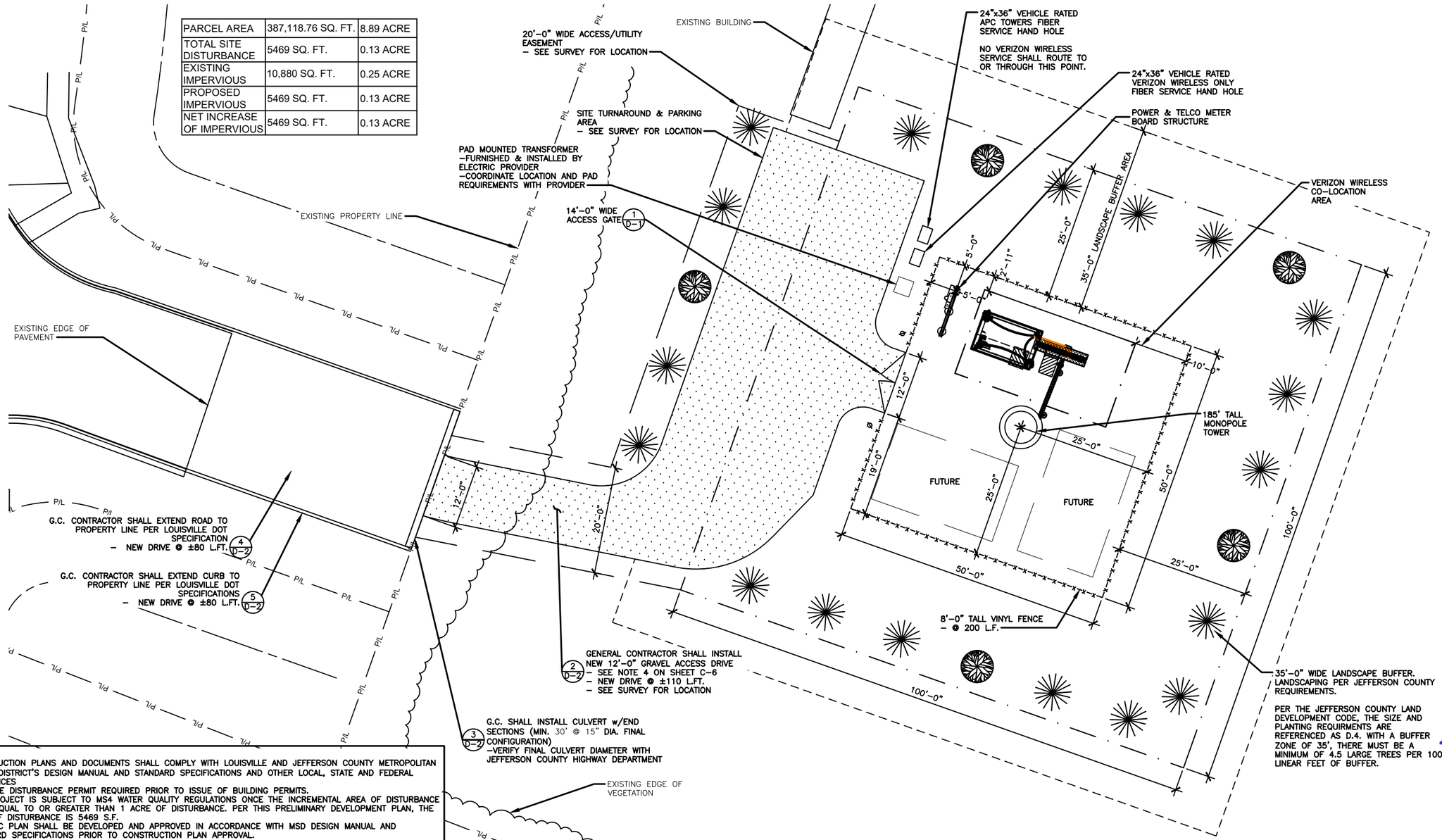
SHEET TITLE:

GRADING PLAN

SHEET NUMBER:

C-2

PARCEL AREA	387,118.76 SQ. FT.	8.89 ACRE
TOTAL SITE DISTURBANCE	5469 SQ. FT.	0.13 ACRE
EXISTING IMPERVIOUS	10,880 SQ. FT.	0.25 ACRE
PROPOSED IMPERVIOUS	5469 SQ. FT.	0.13 ACRE
NET INCREASE OF IMPERVIOUS	5469 SQ. FT.	0.13 ACRE



NOTES:
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES
- MSD SITE DISTURBANCE PERMIT REQUIRED PRIOR TO ISSUE OF BUILDING PERMITS.
- THIS PROJECT IS SUBJECT TO MS4 WATER QUALITY REGULATIONS ONCE THE INCREMENTAL AREA OF DISTURBANCE SUMS EQUAL TO OR GREATER THAN 1 ACRE OF DISTURBANCE. PER THIS PRELIMINARY DEVELOPMENT PLAN, THE AREA OF DISTURBANCE IS 5469 S.F.
- AN EPSC PLAN SHALL BE DEVELOPED AND APPROVED IN ACCORDANCE WITH MSD DESIGN MANUAL AND STANDARD SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL.
- SITE IS SUBJECT TO MSD'S STORM WATER REGIONAL FACILITY FEE'S. VERIFICATION OF THE DOWNSTREAM SYSTEM THROUGH NORTH DR IS REQUIRED PRIOR TO ISSUE OF PERMITS. ANY ADDITIONAL DEVELOPMENT OF THIS LOT MAY RESULT IN ADDITIONAL REQUIRED STORM WATER MITIGATION. SITE SHALL REMAIN A SHEET FLOW CONDITION.

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1-800-752-6007
PER KENTUCKY STATE LAW, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

*NOTE:
GENERAL CONTRACTOR IS TO ENSURE THERE IS NO DISTURBANCE OF PROPERTY, SOIL, ETC. OUTSIDE OF THE STAKED LEASE AREA WITHOUT APPROVAL FROM VERIZON WIRELESS CONSTRUCTION MANAGER

DETAILED SITE PLAN
SCALE: 1" = 20'

SYMBOL	QUANTITY	PLANT NAME	BOTANICAL NAME	COMMENTS/SPECIFICATIONS
	18	NORWAY SPRUCE EVERGREEN TREE	PICEA ABIES	6 FEET HEIGHT MINIMUM (BALLED & BURLAPPED)
	5	EASTERN RED CEDAR EVERGREEN TREE	JUNIPERUS VIRGINIANA	6 FEET HEIGHT MINIMUM (BALLED & BURLAPPED)

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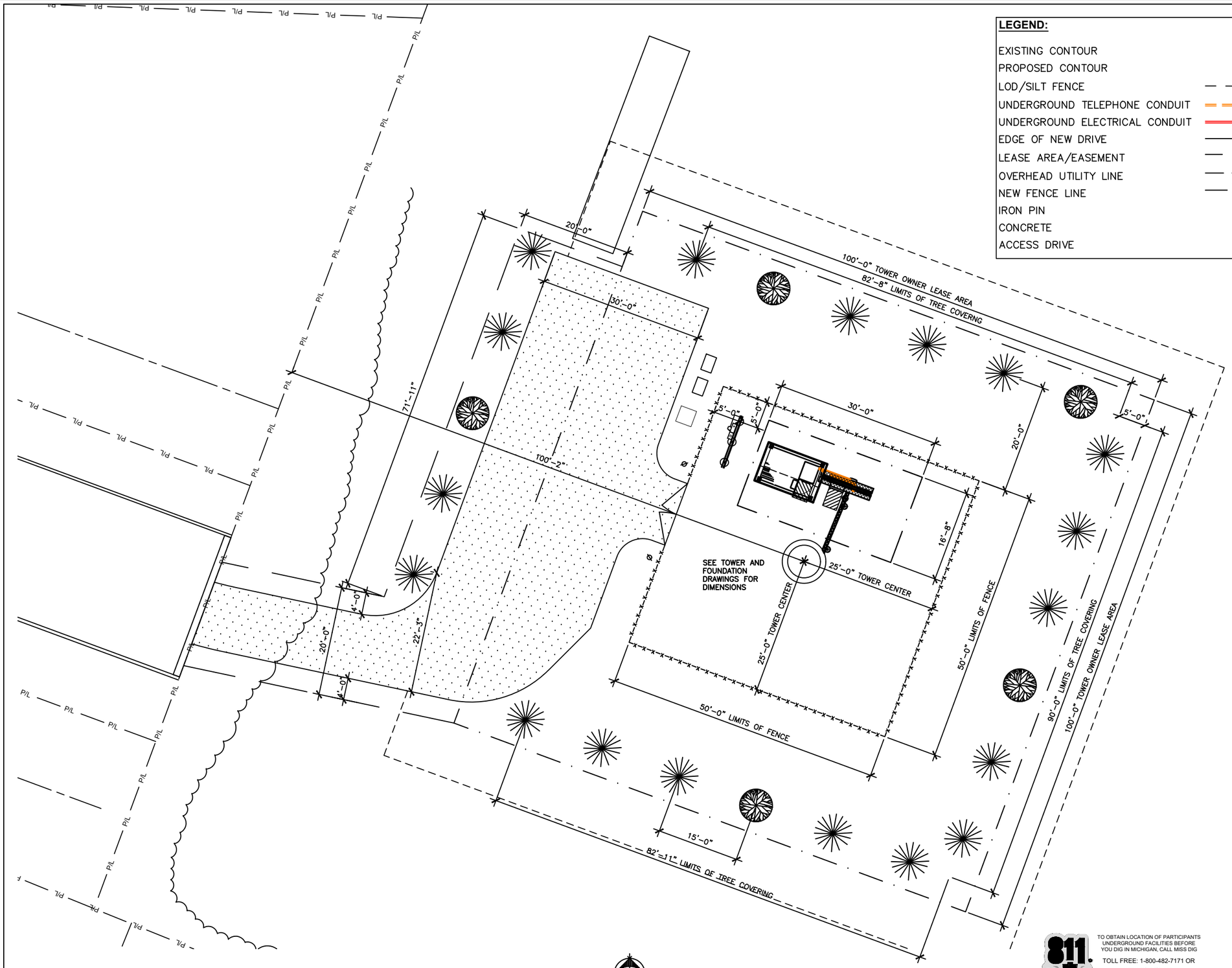
KHA PROJECT NUMBER: KHCLE-82758

ENGINEER SEAL:
STATE OF KENTUCKY
KEVIN J. CLEMENTS
32211
LICENSED PROFESSIONAL ENGINEER
04/29/2026
Exp: 6/30/27

PROJECT INFORMATION:
KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE: DETAILED SITE PLAN

SHEET NUMBER: C-3



DIMENSIONED SITE PLAN

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MICHIGAN STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

***NOTE:**
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LICENSED PROFESSIONAL ENGINEER

04/29/2026
Exp: 6/30/27

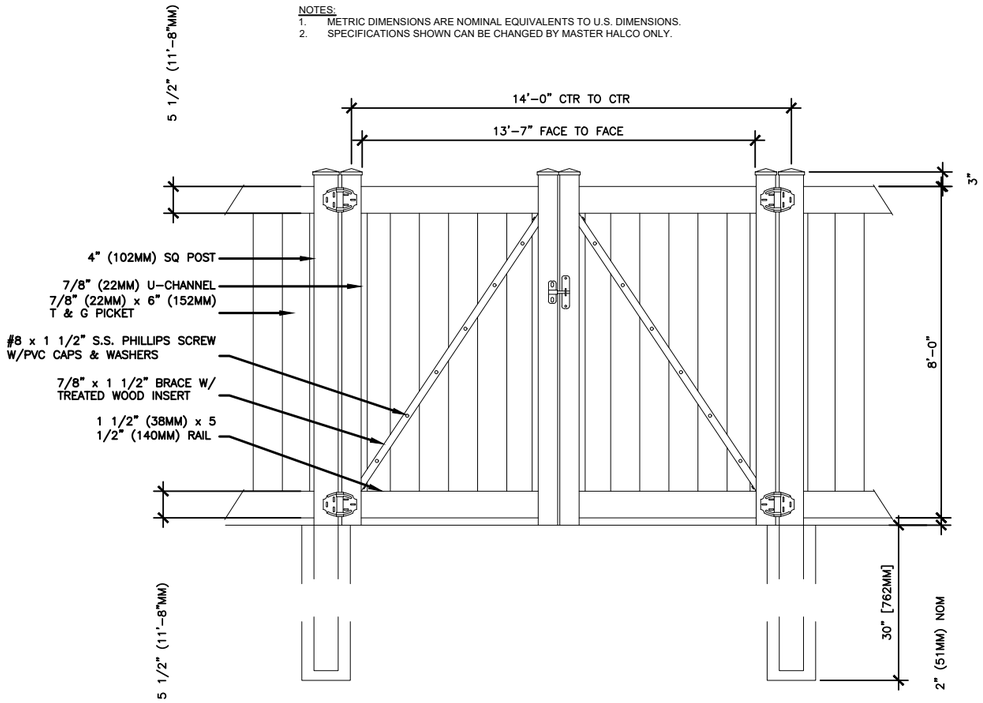
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5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

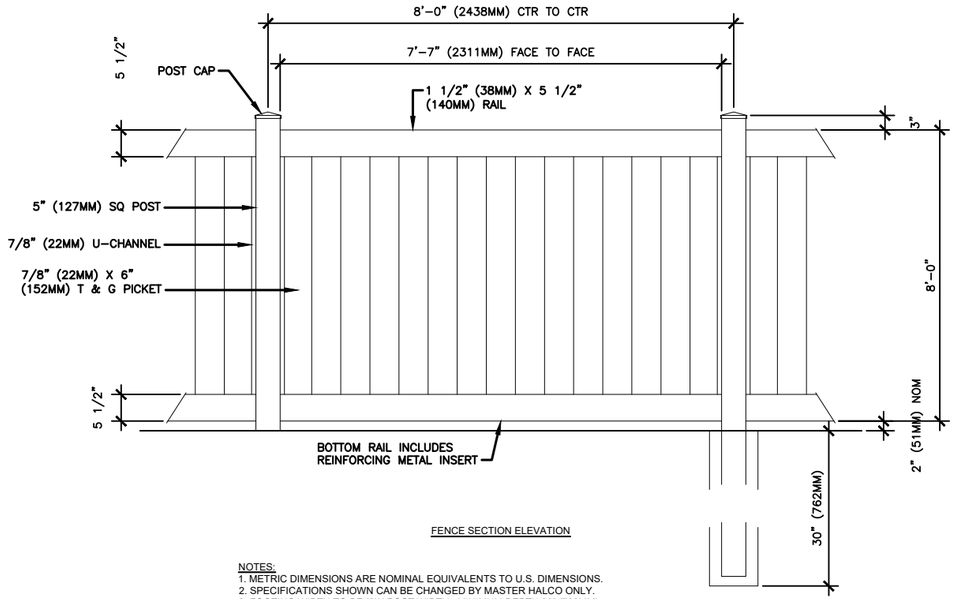
SHEET TITLE:
DIMENSIONED SITE PLAN

SHEET NUMBER:
C-4

NOTES:
1. METRIC DIMENSIONS ARE NOMINAL EQUIVALENTS TO U.S. DIMENSIONS.
2. SPECIFICATIONS SHOWN CAN BE CHANGED BY MASTER HALCO ONLY.



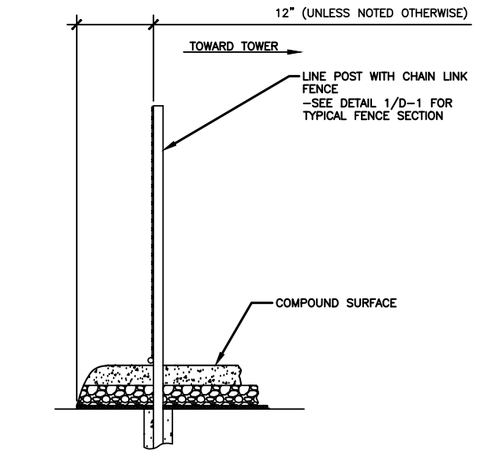
VINYL GATE DETAIL — 1 / D-1
SCALE: N.T.S.



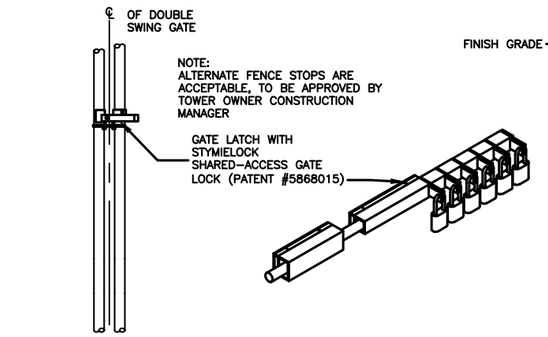
FENCE SECTION ELEVATION

NOTES:
1. METRIC DIMENSIONS ARE NOMINAL EQUIVALENTS TO U.S. DIMENSIONS.
2. SPECIFICATIONS SHOWN CAN BE CHANGED BY MASTER HALCO ONLY.
3. FOOTING WIDTH TO BE (2)X POST WIDTH. MINIMUM DEPTH 30" (762MM).

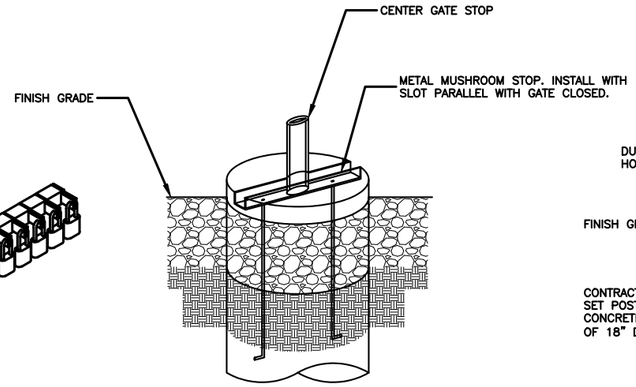
VINYL FENCE DETAIL — 2 / D-1
SCALE: N.T.S.



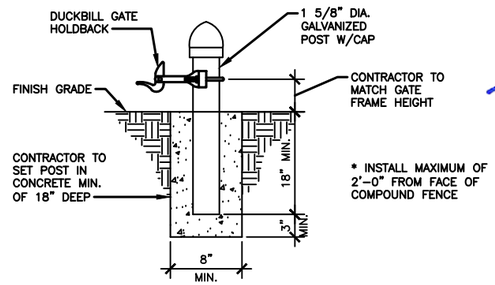
SITE AREA SURFACING — 3 / D-1
SCALE: N.T.S. SCALE: N.T.S.



GATE LATCH DETAIL — 4 / D-1
SCALE: N.T.S.



MUSHROOM STOP DETAIL — 5 / D-1
SCALE: N.T.S.



GATE KEEPER DETAIL — 6 / D-1
SCALE: N.T.S.

WM#13035

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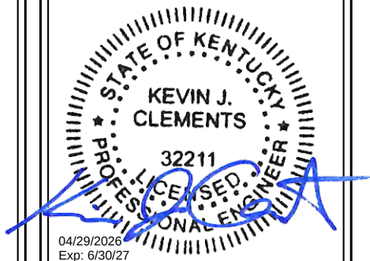
PLANS PREPARED BY:
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SUITE 280
AKRON, OH 44333

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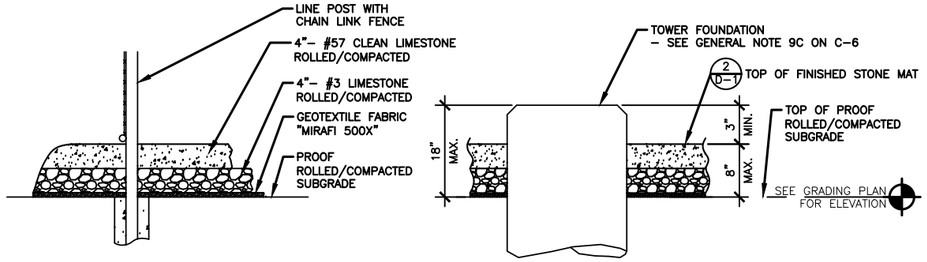
ENGINEER SEAL:



PROJECT INFORMATION:
KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

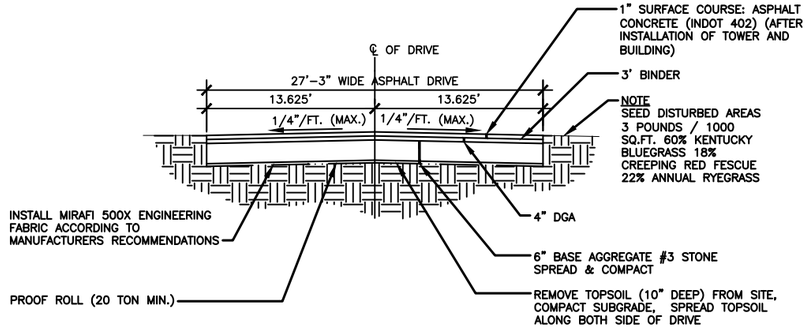
SHEET TITLE: FENCE DETAILS AND NOTES

SHEET NUMBER: D-1



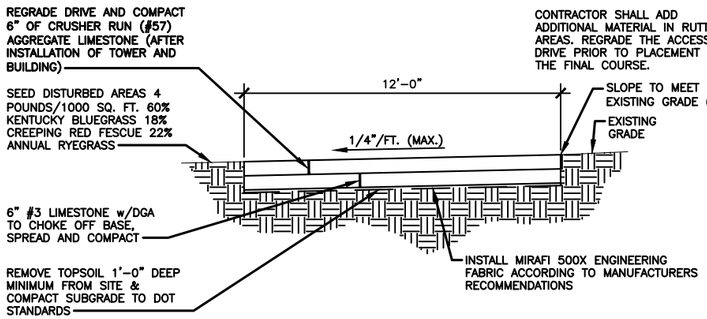
PARTIAL COMPOUND SECTION 1 D–2

SCALE: N.T.S.



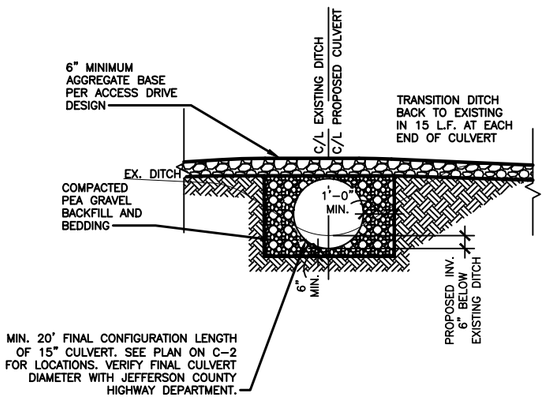
ASPHALT SECTION DETAIL & NOTES 4 D–2

SCALE: N.T.S.



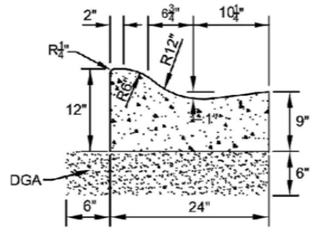
ACCESS DRIVE TYPICAL SECTION 2 D–2

SCALE: N.T.S.



CULVERT DETAIL 3 D–2

SCALE: N.T.S.



STANDARD ROLL CURB

LOUISVILLE METRO PUBIC WORKS CURB DETAIL 5 D–2

SCALE: N.T.S.

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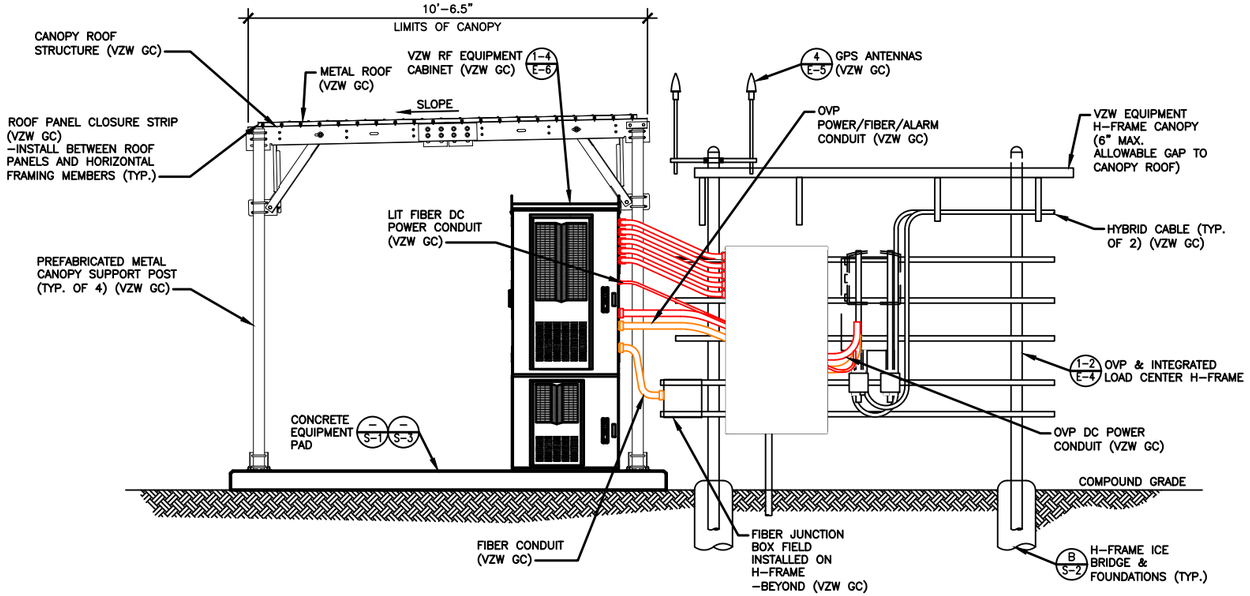
STATE OF KENTUCKY
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32211
LICENSED PROFESSIONAL ENGINEER
04/29/2026
Exp: 6/30/27

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KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE: SITE DETAILS

SHEET NUMBER: D-2



FRONT ELEVATION

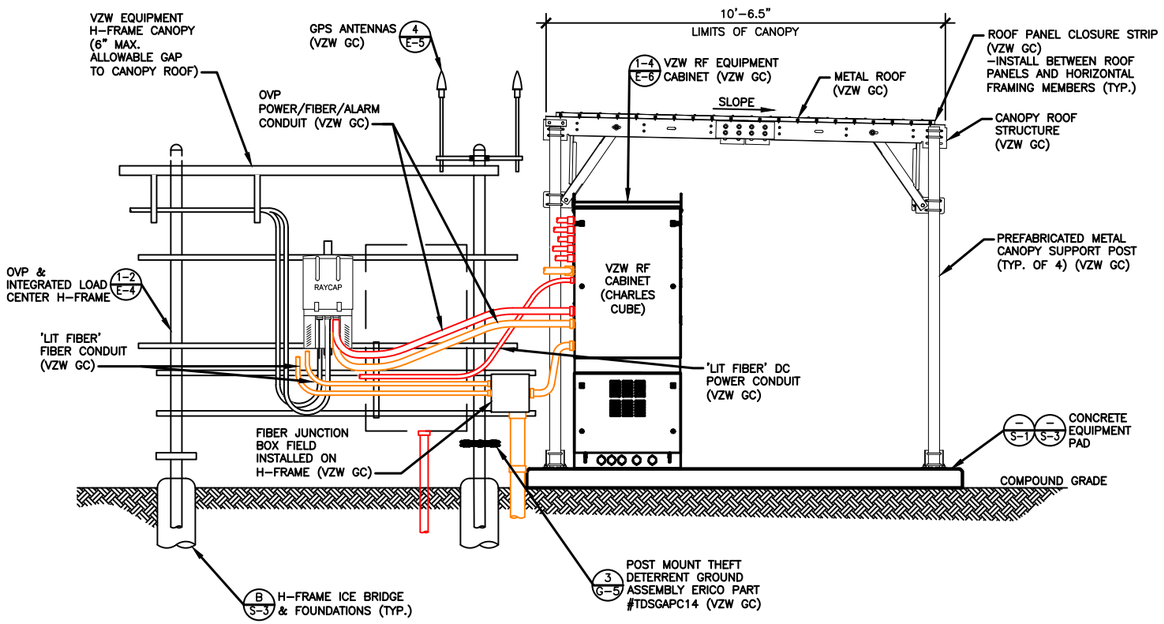
SCALE: 1/4" = 1'-0"

NOTE:

CANOPY ROOF PANELS PROFILE R/PBR. PROVIDE 1.7lb DENSITY POLYETHYLENE FOAM PANEL CLOSURE STRIPS TO MATCH PROFILE. AS MANUFACTURED BY: SEALTITE BUILDING FASTENERS "ST CLOSURE" STRIPS OR EQUAL (VERIFY PROFILE WITH ROOF PANELS SUPPLIED WITH CANOPY)

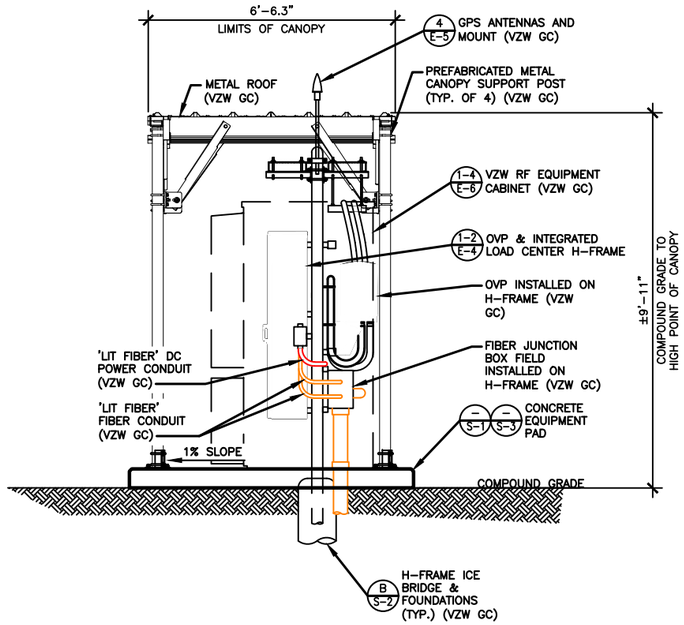
NOTE:

VERIZON WIRELESS 6'-6"x10'-6" RADIO EQUIPMENT CANOPY (CANOPY DWGS. SUPPLIED BY MANUFACTURER) (VZW GC) -COMMSCOPE P/N 860676982-001



REAR ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

WM#13035

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ENGINEER SEAL:



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KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE:

EQUIPMENT PAD & CANOPY ELEVATIONS

SHEET NUMBER:

D-3

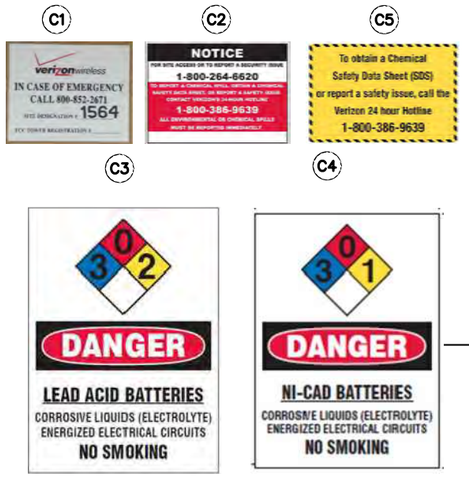
STANDARD SITE SIGNAGE:

	REQUIRED SIGNS:	LOCATIONS:
C1	• N.O.C. "IN CASE OF EMERGENCY"	FRONT ACCESS DOOR OF CABINET (SEE FIGURE 1)
C2	• NOTICE (CONTACT INFO)	
C3	• COMBINATION WARNING (SEE NOTE 2)	FRONT ACCESS DOOR OF EACH CABINET WITH BATTERIES (SEE FIGURE 1)
C4	• COMBINATION WARNING (SEE NOTE 2)	
C5	• S.D.S.	INSIDE FRONT ACCESS DOOR OF EACH CABINET WITH BATTERIES

–N.O.C. STANDS FOR "NETWORK OPERATIONS CENTER"
–S.D.S. STANDS FOR "SAFETY DATA SHEET"

NOTES:

1. CONTRACTOR SHALL INSTALL ALL SIGNS ON THE FRONT OF EACH CABINET. ALL SIGNS CAN BE PLACED ON ONLY THE UPPER DOOR, IF SPACE IS AVAILABLE.
2. CONTRACTOR SHALL INSTALL SIGN C3 OR C4 BASED ON THE TYPE OF BATTERY THAT IS BEING INSTALLED.





FRONT REAR

FIGURE 1 – EQUIPMENT CABINET SIGNAGE

SIGNAGE FOR SITES OWNED BY APC TOWERS:

	REQUIRED SIGNS:	LOCATIONS:
S1	• N.O.C. "IN CASE OF EMERGENCY"	INSTALL ON COMPOUND FENCE
A1	• TEMPORARY/PERMANENT A.S.R.	INSTALL AT DRIVEWAY
A1	• PERMANENT A.S.R.	INSTALL AT TOWER
A1	• PERMANENT A.S.R.	INSTALL AT FENCE
A1	• PERMANENT A.S.R.	INSTALL AT GATE/POST

–A.S.R. STANDS FOR "ANTENNA STRUCTURE REGISTRATION"
–N.O.C. STANDS FOR "NETWORK OPERATIONS CENTER"

NOTES:

1. CONTRACTOR SHALL VERIFY IF A.S.R. SIGNAGE IS REQUIRED WITH THE APC CONSTRUCTION MANAGER PRIOR TO SIGNAGE INSTALLATION.
2. A.S.R. SIGNAGE TO BE INSTALLED AT A MINIMUM OF TWO LOCATIONS AS FOLLOWS:
   (1) ALWAYS ON THE TOWER
   (1) ALWAYS ON THE FENCE
   (1) ON THE DRIVEWAY ENTRANCE GATE OR STANDALONE POST IF THE A.S.R. SIGN ON THE COMPOUND FENCE CANNOT BE READ FROM THE ROAD.
3. IF NO ENTRANCE GATE IS PROPOSED, A.S.R. SIGN SHALL BE INSTALLED ON 4" DIAMETER STEEL POST AT 42" ABOVE EX. GRADE.



FIGURE 2 – SITE COMPOUND FENCE SIGNAGE



12" X 18" SIGN

FIGURE 3 – APC SITE SIGN DETAIL



FIGURE 4 – DRIVEWAY A.S.R. SIGN

E.M.E. SIGNAGE NOTES:

VZW GC SHALL VERIFY WITH THE VERIZON CONSTRUCTION MANAGER IF ANY E.M.E. SIGNAGE (SEE FIGURE 9) IF REQUIRED. ANY REQUIRED E.M.E. SIGNAGE WILL BE INSTALLED IN ACCORDANCE WITH THE SITE SPECIFIC PRE-E.M.E. REPORT AND MOUNT AS APPROPRIATE FOR THE SIGN LOCATION.

MAX SIGN SIZE: 12" X 18" (TYP.)

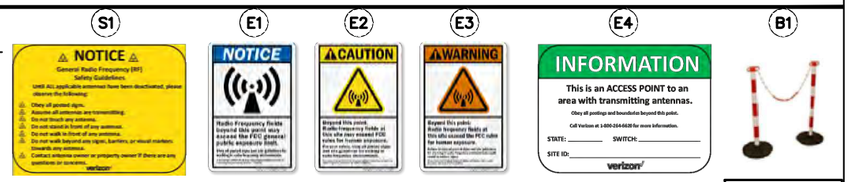


FIGURE 9 – TYPICAL E.M.E. SIGNAGE

WM#13035

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ENGINEER SEAL:

FOR REFERENCE ONLY

PROJECT INFORMATION:

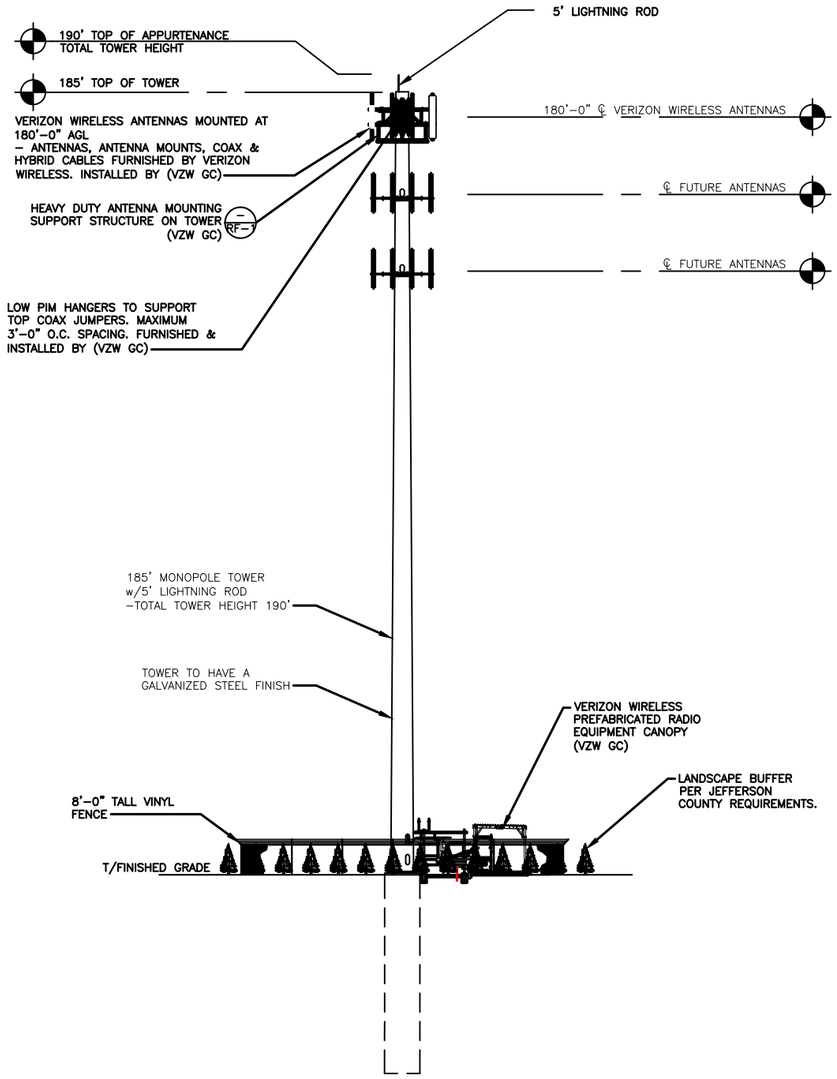
KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE: SITE SIGNAGE

SHEET NUMBER: D-4

NOTE:

1. IT IS THE INSTALLING CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL ANTENNA INFORMATION AGAINST FINAL RADIO ENGINEERING PLAN PROVIDED BY CELLCO PARTNERSHIP. d/b/a VERIZON WIRELESS (VZW GC)



TOWER ELEVATION 1 / TE-1

SCALE: N.T.S.

WM#13035

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
PHONE (919) 984-7644

PLANS PREPARED BY:

Kimley»Horn
3875 EMBASSY PARKWAY
SUITE 280
AKRON, OH 44333

REV:	DATE:	DESCRIPTION:	BY:
C	04/29/26	ISSUED FOR ZONING	BK
B	02/9/26	ISSUED FOR ZONING	JH
A	11/19/25	ISSUED FOR ZONING	GT

DRAWN BY:	CHECKED BY:
GT	GP

KHA PROJECT NUMBER: KHCLE-82758

ENGINEER SEAL:

STATE OF KENTUCKY
KEVIN J. CLEMENTS
32211
LICENSED PROFESSIONAL ENGINEER

04/29/2026
Exp: 6/30/27

PROJECT INFORMATION:

KY-4057
5000969470
6406 MOORMAN RD
LOUISVILLE, KY 40272
JEFFERSON COUNTY

SHEET TITLE: TOWER ELEVATION

SHEET NUMBER: TE-1

From: John Sullivan
To: Pobiedzinski, Tyler
Subject: 26-cell-0002
Date: Wednesday, April 22, 2026 8:41:49 AM

This is the first time you received an email from this sender (jsullivan4107@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

CAUTION: This email came from outside of Louisville Metro. Do not click links, open attachments, or give away private information unless you recognize the sender's email address and know the content is safe.

Tyler,

I am finally getting a chance to email you in regards to our discussion about the Verizon cell tower proposed off Tierney Ave. As the owner of 11423 Tierney Ave., this tower will be directly behind my house. My goal in your upcoming meeting is to better understand:

- The noise level generated from the equipment
- Additional traffic behind the house maintaining the equipment
- What trees will be removed and what additional landscaping will be added
- Does the equipment need to be right at the corner or can it be set-back further

If you could keep me in the loop with regards to date, time, and location of the upcoming meeting, I would greatly appreciate it. My mailing address has recently changed and communication has been going to my old address.

Respectfully,

John Sullivan
Jsullivan4107@gmail.com
502-640-0786

PIKE LEGAL GROUP PLLC
1578 Highway 44 East, Unit 6
PO Box 369
Shepherdsville, KY 40165-0369
Phone: 502-955-4400
Fax: 502-543-4410

VIA E-MAIL & PRIORITY MAIL

April 30, 2026

Louisville Metro Planning Commission
c/o Planning and Design Services
444 S. 5th Street
Louisville, KY 40202

RE:	Supplements to Application to Construct a Wireless Communications Facility
Location:	6406 Moorman Road, Louisville, KY 40272
Applicants:	Cellco Partnership d/b/a Verizon Wireless and APC Towers IV, LLC
Site Name:	LV Medora
Docket Number:	26-CELL-0002

Dear Commission Members:

The following enclosed documents are provided as supplements to the filed Uniform Application in connection with the above-referenced case:

1. A legal memorandum prepared by the Pike Legal Group detailing the prohibition of reliance on radio frequency emissions evidence in public hearings.

2. A report prepared by Glen Katz and Kristin Mueller, real estate appraisers with combined experience of over 50 years. Mr. Katz and Mr. Mueller find that the proposed facility will not substantially diminish or impair property values within the neighborhood. Copies of the appraisers' resumes are also attached as a part of their report.

3. A revised version of the Site Development Plan. The C-3 drawing of the revised Site Development Plan includes revisions requested by Planning Reviewers and Metropolitan Sewer District ("MSD") during the Agency Review process. The revised Site Development Plan also reflects that Verizon Wireless no longer proposes to install a generator at this site.

4. Revised directions from the County Seat to the site location as requested by Planning Reviewers during the Agency Review process.

5. A list of each individual directly responsible for the design and construction of the proposed tower as requested by Planning Reviewers during the Agency Review process.

The following enclosed documents are provided as confirmation of Applicants' fulfillment of notice requirements in connection with the subject case:

1. Photographs of notice signs posted on and near the site parcel on March 19, 2026.

2. An affidavit confirming publication of a notice of construction advertisement placed in The Courier Journal on March 24, 2026.

3. Copies of mailing receipts for notice of construction letters mailed to adjoining landowners, landowners within a 500' radius of the proposed tower, residents as required by Louisville Metro policy, and applicable local officials on March 19, 2026.

4. An affidavit of notification confirming that the Applicants mailed notice of public hearing postcards on April 23, 2026 .

Please file this correspondence and attachments in the administrative case file for the application. Thank you for your assistance with this matter.

Sincerely,



F. Keith Brown
Attorney for Applicants

Enclosures

PIKE LEGAL GROUP PLLC
1578 Highway 44 East, Unit 6
PO Box 369
Shepherdsville, KY 40165-0369
Phone: 502-955-4400
Fax: 502-543-4410

April 30, 2026

Louisville Metro Planning Commission
c/o Planning and Design Services
444 S. 5th Street
Louisville, KY 40202

RE:	RF Exclusion Memorandum
Location:	6406 Moorman Road, Louisville, KY 40272
Applicants:	Cellco Partnership d/b/a Verizon Wireless and APC Towers IV, LLC
Site Name:	LV Medora
Docket Number:	26-CELL-0002

Dear Commissioners:

As counsel for Applicants, we are providing this correspondence for inclusion in the administrative record of the above proceeding. The purpose of this correspondence is to address a potential issue that the Planning Commission ("Commission") may face in the course of consideration of the above-referenced matter and to request for appropriate measures to be taken by the Commission and/or staff or legal counsel to exclude receipt of testimony and other evidence regarding the environmental effects of radio frequency emissions in connection with any public hearing held to review the Uniform Application for construction of a cellular tower.

Local regulation of wireless communications facility siting based upon radio frequency emissions effects issues is prohibited specifically by the Telecommunications Act of 1996 and generally as a result of the FCC's pervasive jurisdiction over this area of regulatory concern. The Telecommunications Act of 1996 flatly prohibits local regulation of wireless communications facilities on the basis of the environmental effects of radio frequency emissions. This prohibition is codified at 47 USC Section 332(c)(7), as follows:

> "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communication] Commission's regulations concerning such emissions." (emphasis added). Id. at 47 U.S.C. Section 332(c)(7).

A copy of the relevant FCC license granted to T-Mobile for the area to be served by the proposed wireless telecommunications facility has been filed into the record for this site. As an FCC licensee, T-Mobile is subject to the FCC regulation referenced at 47 U.S.C. Section 332(7)(B)(iv), and courts have recognized that the Telecommunications Act prohibits state and local governments from regulating wireless telecommunications facilities on the basis of radio frequency interference issues.

Even though federal law makes Kentucky planning commissions subject to the aforementioned statutory prohibition regardless of any companion state statute, the Kentucky Legislature has used almost identical language in adopting the same statutory prohibition in KRS 100.986(1).

For further reference, I have attached a memorandum discussing case law authority on these issues.

In light of federal and state statutory prohibitions, it is clear that an inquiry into alleged radio frequency issues by the Commission as part of this review would put the Commission directly at odds with the Federal Communications Act, the Telecommunications Act of 1996, FCC policy, and Kentucky law. Consequently, the introduction of any radio frequency interference or health effects evidence during the public hearing would likely be improperly and unfairly prejudicial to the Applicants and outside the Commission's proper scope of review.

Applicants request that the Commission implement affirmative measures to prevent introduction and consideration of testimony and other evidence on radio frequency issues at the public hearing and from its deliberations on the subject application.

Please file this correspondence and enclosures in the administrative case file for the Application and we ask that staff not hesitate to contact us should you have any questions or comments concerning this information.

Sincerely,



F. Keith Brown
Attorney for Applicants

MEMORANDUM

FEDERAL PROHIBITION ON LOCAL REGULATION OF WIRELESS COMMUNICATIONS FACILITIES ON THE BASIS OF THE ENVIRONMENTAL EFFECTS OF RADIO FREQUENCY EMISSIONS

Radio frequency considerations have been preempted specifically by the Telecommunications Act of 1996 and generally as a result of the Federal Communications Commission's ("FCC's") pervasive jurisdiction over this area of regulatory concern. Because of this preemption, local zoning bodies should take care to avoid the introduction of improper radio frequency evidence in proceedings on an application requesting approval for a wireless communications facility so that the focus remains on the land use planning issues that are the proper subject for review and decision.

The Federal Telecommunications Act of 1996, as codified at 47 U.S.C. Section 332(7)(B)(iv) (the "Act"), provides: "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communication] Commission's regulations concerning such emissions." Accordingly, federal and state courts have recognized that the Telecommunications Act prohibits state and local governments from regulating wireless telecommunications facilities on the basis of radio frequency interference issues.

Case precedent supports the Federal statutory prohibition in reference to applications of the type now pending. The U.S. Supreme Court's 2015 Opinion in T-Mobile South, LLC v. City of Roswell Georgia, 135 S.Ct. 808, 190 L.Ed.2d 679 (U.S. 2015) explains: "The Act provides that localities ... may not regulate the construction of personal wireless service facilities "on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communications Commission's] regulations concerning such emissions." §§332(c)(7)(B)(i)(I), (iv)." Id. at 688-689.

As far back as 2000, the U.S. Court of Appeals for the Sixth Circuit[1] recognized the statutory exclusion of radio frequency emissions issues in wireless site permitting cases in its Opinion in Telespectrum, Inc. v. PSC, 227 F.3d 414 (6th Cir. 2000).[2] The U.S. Court of Appeals explained:

> "... [W]e recognize that concerns of health risks due to the emissions may not constitute substantial evidence in support of denial by statutory rule, as no state or local government or instrumentality thereof may regulate the

[1] Kentucky, Tennessee, Ohio, and Michigan are in the jurisdiction of the Sixth Circuit.

> construction of personal wireless facilities "on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." 47 U.S.C. § 332(c)(7)(B)(iv)." Id. at 424.

Of course, in any judicial review of a denial of the Uniform Application by the Commission, a District Court would apply the law of the Sixth Circuit. Fortunately, the Sixth Circuit's direction is unambiguous. In 2012, the U.S. Court of Appeals for the Sixth Circuit in its T-Mobile Central, LLC v. Charter Township of West Bloomfield, 691 F.3d 794, 800 (6th Cir. 2012) Opinion was very clear regarding the express application of the Telecommunications Act's limitations on local governments authority to consider RF emissions evidence. In reviewing a local government denial of a wireless facility application, the Sixth Circuit explained:

> "... There was no evidence whatsoever that the wireless facility would have any impact on the conifers, beyond Mr. Grondin's accusation. Further, concerns that RF emissions could potentially impact trees or children at the daycare were prohibited by statute as grounds to deny a wireless permit. "No state or local government or instrumentality thereof may regulate the construction of personal wireless facilities on the basis of environmental effects of RF emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions. 47 U.S.C. Section 332(c)(7)(B)(iv)...." (Emphasis added) Id. at 800.

Thus, the U.S. District Courts and local governments in the Sixth Circuit have unequivocal guidance from the relevant U.S. Court of Appeals on the continuing validity of the prohibition on regulation of the permitting of wireless facilities on the basis of purported environmental effects of radio frequency emissions.

The Sixth Circuit reemphasized the federal statutory prohibition of consideration of radio frequency emissions effects in its 2017 Opinion styled Robbins v. New Cingular Wireless PSC, LLC, 854 F.3d 315 (6th Cir. 2017):

> "Congress passed the TCA to foster industry competition in local markets, encourage the development of telecommunications technology, and provide consumers with affordable access to telecommunications services. *Telecommunications Act of 1996*, Preamble, *Pub. L. No. 104-104, 110 Stat. 56 (1996)*. The TCA furthers those goals by preventing local governments from impeding the siting and construction of cell towers that conform to the FCC's RF-emissions standards. *See 47 U.S.C. § 332(c)(7)(B)(iv)*. By delegating the task of setting RF-emissions levels to the FCC, Congress authorized the federal government—and not local governments—to strike the proper balance between protecting the public from RF-emissions exposure and promoting a robust telecommunications infrastructure. *See id.; In the Matter of Procedures for Reviewing Requests for Relief from State & Local Regulations Pursuant to Section*

332(c)(7)(b)(v) of the Commc'ns Act of 1934 in the Matter of Guidelines for Evaluating the Envtl. Effects of Radiofrequency Radiation, 12 F.C.C. Rcd. 13494, 13505 (1997)." Id. at 319-320.

In short, the U.S. Court of Appeals for the Sixth Circuit, in multiple published opinions from 2000 to 2017 has upheld and enforced the federal Telecommunications Act of 1996 prohibition on regulation of proposed cellular towers based on environmental effects of radio frequency emissions.

KENTUCKY STATUTORY PROHIBITION ON LOCAL REGULATION OF WIRELESS COMMUNICATIONS FACILITIES ON THE BASIS OF THE ENVIRONMENTAL EFFECTS OF RADIO FREQUENCY EMISSIONS

The Kentucky Legislature has effectively incorporated the federal statutory prohibition into KRS100.986(1):

> "In regulating the placement of cellular antenna towers, a planning commission shall not:
>
> > (1) Regulate the placement of a cellular antenna tower on the basis of the environmental effects of radio frequency emissions to the extent that these facilities comply with the regulations of the Federal Communications Commission concerning radio frequency emissions; ...." (Emphasis added). Id. at KRS 100.986(1).

KRS 446.010(39) provides "As used in the statute laws of this state, unless the context requires otherwise: ... (39) "shall" is mandatory; ...." Thus, a planning commission has no discretion to fail to comply with KRS 100.986(1). The statutory prohibition against consideration of environmental effects of radio frequency emissions is mandatory.

CONCLUSION

In summary, the statutory prohibition of basing a wireless permitting decision on the effects of radio frequency emissions is unquestionably binding on local governments in Kentucky. 47 U.S.C. § 332(c)(7)(B)(iv) has been recognized by the U.S. Supreme Court, the federal courts in the Sixth Circuit, and the federal courts of other circuits since shortly after adoption of the Act in 1996. The Kentucky Legislature has adopted the same prohibition at KRS 100.986(1).

Applicants request the Commission make its decision on the Application consistent with such federal and state statutes and precedent in order to avoid violation of the Applicant's clear rights in connection with the consideration of the Application pursuant to all applicable law.

Real Estate Value Impact Study

For

Proposed Wireless Communications Facility
Cellco Partnership d/b/a Verizon Wireless &
APC Towers IV, LLC
Site Name: LV Medora
Project #: KY-4057
Assessor Parcel Number: 1052-0130-0000
6406 Moorman Road
Louisville, Jefferson County
Kentucky 40272

Date of Report:

April 3, 2026

Prepared For:

Louisville Metro Planning Commission
Metro Development Center
444 S. 5th Street, Suite 300
Louisville, Kentucky 40202

Prepared By:

Glen D. Katz, MAI, SRA, AI-GRS, AI-RRS
Kristin J. Mueller, MAI, SRA, CCIM
Realty Solutions Co., Inc.
3815 Stonyrun Circle
Louisville, KY 40220

April 3, 2026

Realty Solutions Co., Inc.
Finding Answers to Real Estate Questions

Louisville Metro Planning Commission
Metro Development Center
444 S. 5th Street, Suite 300
Louisville, Kentucky 40202

Subject: Real Estate Value Impact Study, Proposed Wireless Communications Facility
Cellco Partnership d/b/a Verizon Wireless & APC Towers IV, LLC
Site Name: LV Medora
6406 Moorman Road
Louisville, Jefferson County, Kentucky 40272

Commissioners:

We have completed an impact study regarding potential influence of wireless communications tower facilities on market value of surrounding properties. The study consists of analyzing sale activity and value trends of properties located in proximity to tower structures and tower systems, as compared to properties which are not in proximity but are otherwise competitive as replacements in the market.

Public utilities provide a platform for economic sustainability, community growth, and safety. These factors in turn influence value and demand for real estate. Based on the actions of buyers, occupants, and sellers of real estate, it is clear that communications towers are part of this platform. Consistently, measured market activity shows this type of facility has not, and does not, negatively impact surrounding property; instead, providing significant positive impact on value and demand for real estate. There are no indications for value diminution of properties with suburban residential characteristics similar to the project neighborhood, or neighborhoods in general.

This report is intended solely for use by Applicant, and the identified governmental review panel for the project, Louisville Metro Planning Commission. The intended use of the reported opinions and conclusions is to assist Applicant, and the governmental review panel in making permitting decisions regarding the subject project. The undersigned, Glen D. Katz, MAI, SRA, AI-GRS, AI-RRS, recognizes this report will be submitted as part of the public record.

The attached report is a summary of the research and analysis performed. Thank you for the opportunity to present this information. Please contact me if you have questions or comments.

Respectfully,

Glen D. Katz, MAI, SRA, AI-GRS, AI-RRS
Realty Solutions Co., Inc.
3815 Stonyrun Circle
Louisville, Kentucky 40220

Kristin J. Mueller, MAI, SRA, CCIM

Office: (502) 396-6664 Email: gkatz@usa.net

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Scope of Work

Project identification

The project is identified by site and neighborhood analysis. Construction plans, aerial maps, and government census data are reviewed. Neighborhood and market characteristics are identified to understand the four forces that affect value:

- social forces;
- economic forces;
- governmental forces, and;
- environmental forces

Facility Description

The facility will be in a residential area. Construction will be comprised of a 185' monopole structure with 5' lightning arrestor, totaling a height of 190 feet. Base elevation will be ~437.1 feet AMSL. The construction will be located on an approximately 100' x 100' leased site with a 50' x 50' fenced compound. There will be supporting storage cabinets, treed buffering, and gravel ground cover. There is designed space for co-location of other wireless service providers in the facility. The facility will be accessed by an easement drive extending from the east side of Woodsbend Lane. These characteristics comprise the most common features of wireless communications facilities in similar areas of the United States.

Data researched

Existing tower facilities, wireless communications, high voltage electric overhead transmission, or water tower storage tanks, are identified for analysis based on residential and commercial exposures. In some cases, there are multiple towers involved in a public utility system, such as high voltage electric overhead transmission lines.

Value Definition

The research analysis is based on '*market value'* of real estate. The federal definition via the FDIC is one of the most widely accepted components of market value.

> *Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:*
>
> *(1) Buyer and seller are typically motivated;*
> *(2) Both parties are well informed or well advised, and acting in what they consider their own best interests;*
> *(3) A reasonable time is allowed for exposure in the open market;*
> *(4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
> *(5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

Analysis Applied

This analysis and report is solely focused on determining if there is a negative impact of cell tower structures on surrounding property values. While the predominant knowledge is that public utilities, including cellular phone service, provide positive value impacts, the negative impact question remains.

Sales of residential properties are tracked to establish rates of change in value due to external exposures, market conditions, and determine potential influence from proximity to tower facilities. Comparison is made between value trends of properties in proximity, and without proximity to tower facilities. Three methods of data extraction are discussed:

- Analysis of "before and after" sale data. This method tracks value trends before and after installation of a tower facility. Property sale data before a facility is installed is compared to sale data occurring after a facility is installed. This method will have limitations when a facility installation occurred in the distant past. Older sales occurring before the installation frequently experience significant changes before they are resold: physical changes such as renovation, updating, addition, and/or economic changes (i.e., 2007-2009 recession, Covid-19 pandemic, changes in highest and best use, etc.) In these cases, value change over a long time period may be attributed to multiple overriding sources, and allocating value change solely to tower influence can be misleading.

- Comparison of "unit-value" of properties that are functionally identical in all aspects except proximity. The unit value will typically be price per-square-foot of gross living area (sale price / above-grade living area). The information will reveal any differences between proximity categories. While providing excellent evidence, this method has limitations due to the variety of property differences and related difficulty in matching properties that are adequately similar with the exception of proximity.

- One of the most common analysis methods is "market conditions" value trend analysis. This compares value trends of properties located with proximity to existing tower facilities, to value trends of properties located without proximity. Rates of value change due to market conditions are compared between the two property types to extract any differences due to proximity to a tower facility.

The case study is based on analysis of residential properties. Because those kinds of properties sell more often and tend to be more homogeneous than commercial or agricultural properties, there is a better opportunity of finding comparable sales that meet the criteria of being similar enough with respect to the value-determining variables.

In all cases, the methodologies allow controlling physical and locational attributes of the two sets of properties. Price and value effects or differences due to other characteristics of the properties are held constant, and any effect due to proximity is isolated. For this study, because of the data available, the "before and after" and "market conditions" methods are utilized.

Data Summary

History of Proximity Impact

Proximity impact is a frequent question in real estate. In the course of studying value impact due to proximity of private or public utility facilities to residential, commercial, and agricultural properties, we have analyzed wireless communications tower facilities, high-voltage overhead transmission lines (HVOT), storage towers, oil pipelines, agricultural facilities, and federal interstates. For this report, the analysis consists of analyzing value trends of properties in proximity to public utility tower facilities.

Residential and commercial properties, whether urban, suburban or rural, and agricultural properties, follow similar demand patterns. In an article published in *The Appraisal Journal*, (no. 1 (Winter 2012): 30-45), James A. Chalmers identifies three general characteristic that drive property sensitivity to price effects:

- use;
- size; and
- uniqueness.

In this study, urban/suburban residential properties are researched because of their high sale volume, and because they would be the first to show sensitivity. Residential properties experience high rates of occupancy, site sizes are generally smaller, and there are continuous alternative options for buyers. Of all property types, if there is an impact from an external source, urban and suburban residential properties will be the most sensitive. Respectively, rural residential, agricultural, recreational, and commercial properties are superior in the sensitivity categories of use, site size and uniqueness/scarcity. In summary, they are more resilient than residential categories. As illustrated, these properties and their values are not adversely sensitive to, and are not negatively impacted by, wireless communications tower facilities

Questions on Property Ownership

Concepts regarding property rights, property insurability, and mortgages, are frequent topics on value influence for discussion from property owners. The following information is provided for insight.

Property Rights: Property owners near cell tower facilities retain all rights normally associated with ownership. There are no additional easements or use restrictions on surrounding properties.

Insurability: There are no insurability risk changes to physical property, ownership, or insurance availability or cost change. Interviews with property owners, insurance professionals, lenders, and title companies, confirms there are no conflicts on availability or premiums for physical property, or title insurance, for properties located near cell towers.

Mortgage Terms: The following national programs influencing mortgages are researched to determine status of cell towers in relation to residential mortgage financing. In all cases, there is no influence on mortgage availability or terms.

FHA: Federal Housing Administration (FHA) through the Dept. of Housing and Urban Development (HUD), is the largest insurer of mortgage in the world and provides mortgage insurance on loans made by FHA-approved lenders throughout the U.S. FHA has minimum property standards contained in *HUD Handbook 4000.1*. In particular, there is a section on "Externalities"

and requirements for property compliance. Externalities are off-site conditions that have an adverse influence on a property, such as heavy traffic, special airport hazards, proximity to high pressure gas lines, high voltage electric overhead transmission lines and local distribution lines, smoke, fumes, and other offensive or noxious odors, and stationary storage tanks.

Cell towers are not identified as a specific hazard for surrounding properties, and are not a specific criterion for hazard analysis in obtaining FHA/HUD funding insurance for mortgage lenders.

VA: Veterans Administration (VA) helps Servicemembers, Veterans, and eligible surviving spouses become homeowners. VA provides home loan guaranty benefits and other housing-related programs to help buy, build, repair, retain, or adapt homes for occupancy. VA Home Loans are provided by private lenders such as banks and mortgage companies. VA guarantees a portion of the loan and lowers risk as a result, enabling lenders to provide borrowers with more favorable terms.

VA guidelines (Chapters 10 and 12) identifies *HUD Handbook 4000.1* as the resource for minimum property requirements. In addition, in reiterating hazard issues in the VA guidelines, cell towers are not identified or mentioned as a specific hazard for surrounding properties. Cell towers are not a criterion for hazard analysis in obtaining VA loans.

USDA: United States Department of Agriculture (USDA), through its Rural Development program (RD), makes direct loans as well as assisting approved lenders in providing low- and moderate-income households the opportunity to own adequate, modest, decent, safe, and sanitary dwellings as their primary residence in eligible rural areas. The program provides loan guarantees to approved lenders in order to reduce the risk of extending 100% loans to eligible rural homebuyers. USDA publishes *Handbook 3550 (HB 3550)* containing minimum property requirements for USDA loan programs. Cell Towers are not included for consideration, and are not a specific criterion in hazard analysis for obtaining loans under USDA programs.

FNMA: Federal National Mortgage Association (FNMA, aka Fannie Mae) is a government-sponsored enterprise (GSE). Fannie Mae purchases and guarantees mortgages made to borrowers via the secondary mortgage market. The mortgages it purchases and guarantees must meet strict criteria. Its "*Selling Guide*" publication is a primary information guide for secondary mortgage market lending. The *Selling Guide* does not include cell towers for specific analysis in the publication. Cell towers are not a hazard criterion in analysis for obtaining mortgage loans that will be purchased by Fannie Mae.

FHLMC: The Federal Home Loan Mortgage Corporation, (FHLMC, aka Freddie Mac) is a government-sponsored enterprise (GSE). Freddie Mac purchases and guarantees mortgages made to borrowers via the secondary mortgage market. The mortgages it purchases and guarantees must meet strict criteria. Its "*Seller/Servicer Guide*" publication is a primary information guide for secondary mortgage market lending. The *Seller/Servicer Guide* does not include cell towers for any specific analysis in the publication. Cell towers are not a hazard criterion in analysis for obtaining mortgage loans that will be purchased by Freddie Mac.

In addition, national, regional, local, and private sources of mortgage financing for commercial, industrial, agricultural, and residential property, have similar guidelines. In summary, cellular tower structures are not identified as a hazard criterion in making mortgage loan decisions.

Impact Study Methodology

This impact study consists of studying real estate value trends at existing tower locations. The methodology is comprised of;

- paired sales and sale/resale analyses, focusing on measurement of value change due to market conditions, and;
- direct comparison of properties with, and without, physical or view proximity exposure.

Specifically, the following steps form the analysis:

- Identify existing tower locations with surrounding developed land uses.
- Examine the neighborhood and market area to determine if there are compatible and competing properties with adequate sale volume to provide reliable and valid results.
- Categorize sales by proximity characteristics for measurement of influence: A distance of 500' to 750' is the threshold of measure for the close-proximity category, depending on the topography and direction of development characteristics. At further distances, the category changes to non-proximity, as tower views become blurred or obscured by topography, trees, roofs, tanks, power lines, or other towers.
- Track value change over time for the two proximity categories and compare the results to determine if there is a difference due to tower facility exposure, or;
- Track value change of properties before and after a tower facility is constructed. Then compare results to determine if there is a difference between the categories attributed to tower facility exposure.

Based on the data and analysis for tower projects; values and rates of value change for proximity and non-proximity properties are similar. There is no compelling evidence that either the anticipation of, or the existence of, tower facilities negatively impacts surrounding property values. This is not unexpected. Market forces that drive real estate value also create complimentary demand for public utility projects. These market forces are discussed as follows:

- **Social Forces:** Social forces are influenced by; population, education, and lifestyles. There has been an exponential increase in digital data, and the public demands satisfying that need as part of the core supply of public services. In particular, cellular service is essential infrastructure and has become a predominant function in businesses, schools, and social services. Regarding U.S. households, over 76% adults live in homes served solely by cellular phone service, and over 86% of children live in homes with only cellular service. Regarding emergency services, over 70% of emergency calls are made with cellular phones. As a result, anything less than consistent in-building service is detrimental to value and demand for real estate.

- **Economic Forces:** Economic forces are influenced by; employment, wages, business, schools, and regional community development. Communications facilities are required for education and efficient and competitive diversification of work forces. Cellular service has a direct connection to economic development. Cellular signal capacity creates a significant number of positive impacts for its users and their communities.

- **Governmental Forces:** Government responds to community needs for, laws and policies, public services, zoning, and building codes. Many jurisdictions have comprehensive plans requiring government agencies to expand public utilities and services. The regulations enabling public

utilities are a direct reaction to public needs, particularly for education, economic purposes, and health and safety services. Another major impact of governmental influence in expansion of public services is developing wider choices of service providers, which translates to competition in service quality and costs for consumers. This helps erase the digital divide problem, which is the economic gap between those who have adequate access to services and those who do not. This gap is influenced by income, location, and level of education among other factors, and can affect further development in areas where the divide exists.

- **Environmental Forces:** Environmental forces are the final determining factor. They deal with climate, topography/soil, natural barriers, transportation systems and linkages, and the nature and desirability of the neighborhood surrounding a property. These forces shape population location, growth, and where supporting infrastructure will be most effective and valuable as a resource.

Study Conclusions

As illustrated by measured market response, both in this report and in nationally published studies, the forces of value are consistent. Public utilities and related services are essential to meeting current and future requirements for progressive standards of living. Public utilities and related services, by nature, expand to meet demands of expanding population and community growth. The benefits of communication facilities for economic and community development are clear. Without adequate services, there will be a tendency for decreasing demand and property values in a community. Where services already exist, coverage and data capacity may need to be adjusted due to population changes. As a result of meeting population needs, telecommunications facilities have become a part of the landscape in the same way that power, telephone, and other utilities have. Like all utilities, there is requirement for telecommunications facilities in strategic locations in any community.

Property owners near tower facilities, highly visible utility structures, associated easements, etc., are not penalized on value. There are no changes to ownership rights. Insurability is not affected. Mortgage terms to buyers and owners are not influenced. Consistently, communications tower structures, like overhead electric distribution lines, water towers, and buried utility easements, are beneficial and necessary infrastructure. As a result of expanding utilities and increased services, neighborhoods and properties experience positive influences. Because of the deployment of cellular facilities over the past several decades, owners and buyers of real estate expect excellent cell phone reception, and that connectivity requires adequate infrastructure. Cell towers satisfy demand and are visibly absorbed by the landscape of a neighborhood and lifestyles of the population. Cell towers are much like other modern infrastructure. Although cell towers may be noticed initially, they quickly fade into the background and have no negative effect on value – just as streets, easements, telephone poles, utility lines, streetlights, and the other visible infrastructure components of modern life do not generally have negative influences on real estate values.

Therefore, based on the actions of market participants buying, occupying, investing, and selling real estate properties, consistent market evidence shows this type of tower facility has not, and does not, negatively impact surrounding property, and supports the positive influences on value and demand for real estate due to expansion of public utilities, which includes wireless telecommunications tower infrastructure.

Addendum

Professional Disclosure

We certify that:

- The statements of fact contained in this report are true and correct to the best of my knowledge and belief.
- The reported analyses, opinions and conclusions are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the project that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the project that is the subject of this report or to the parties involved with this assignment.
- My engagement and compensation for completing this assignment is not contingent upon the development or reporting of a predetermined opinion that favors the cause of the client, the magnitude of the opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this report.
- This report complies with applicable sections of the Uniform Standards of Professional Appraisal Practice for Valuation Services and Appraisal Practice: Preamble, Definitions, Ethics Rule, Jurisdictional Exception Rule, Competency Rule.



Glen D. Katz, MAI, SRA, AI-GRS, AI-RRS



Kristin J. Mueller, MAI, SRA, CCIM

Professional Qualifications

Glen Katz has been in the field of real estate analysis for over 30 years. Beginning in both the commercial and residential arenas, he has transitioned to roles as consultant, reviewer, subject matter expert witness, and appraisal practice instructor. As principal of Realty Solutions Co. Inc., relationships have been developed with user-clients, peer appraisers, and appraisal firms. Resulting projects have been performed individually and as coordinating peer groups.

In appraisal practice, Mr. Katz has achieved the Appraisal Institute MAI (general/commercial) designation, and SRA (residential) designation. In specialized appraisal practice, Mr. Katz has achieved the Appraisal Institute appraisal review designations of AI-GRS (general/commercial) and AI-RRS (residential), as well as completing the following Appraisal Institute Professional Development Programs:

- Litigation
- Valuation of the Components of a Business Enterprise
- Valuation of Conservation Easements
- Valuation of Sustainable Buildings: Residential
- Valuation of Sustainable Buildings: Commercial

As a reviewer of appraisals, Mr. Katz serves clients in both the litigation and lending fields. Appraisal review reports are commonly performed under Uniform Standards of Professional Appraisal Practice (USPAP), Uniform Appraisal Standards for Federal Land Acquisitions (Yellowbook), and local jurisdictional guidelines.

As a subject matter expert witness, Mr. Katz has participated in cases regarding land and building damage, proximity influence, insurance claims, property tax assessment, construction defects, divorce settlements, boundary disputes, zoning noncompliance, bankruptcy, and alleged fraud.

As an appraisal practice instructor, Katz is qualified to teach the following Appraisal Institute residential, commercial, and specialized appraisal practice courses and seminars.

- Appraisal of Manufactured Homes Featuring Next Generation Manufactured Homes
- Basic Appraisal Principles (Associate instructor)
- Basic Appraisal Procedures (Associate instructor)
- Desktop Appraisals (Bifurcated, Hybrid) and Evaluations
- FHA Appraising for Valuation Professionals: FHA Single Family Housing Appraisal Requirements
- General Appraiser Sales Comparison Approach (Associate instructor)
- General Appraiser Site Valuation and Cost Approach (Associate instructor)
- Ignorance Isn't Bliss: Understanding an Investigation by a State Appraiser Regulatory Board or Agency
- Inconsistency: It's hiding in Plain Sight in Your Residential Appraisal – Next Level Analysis
- Litigation Assignments for Residential Appraisers: Doing Expert Work on Atypical Cases
- Residential Applications: Using Technology to Measure and Support Assignment Results
- Residential Market Analysis and Highest and Best Use (Associate instructor)
- Residential Sales Comparison and Income Approaches (Associate instructor)
- Residential Site Valuation and Cost Approach (Associate instructor)
- Rural Area Appraisals: Freddie Mac Guidelines and Property Eligibility Requirements
- The Cost Approach; Unncessary or Vital to a Healthy Practice:
- Valuation Overview of Accessory Dwelling Units

Areas of appraisal expertise include:

- Commercial, industrial, complex residential, agricultural, special purpose properties
- Appraisal review, commercial and residential
- Proximity impact
- Eminent domain
- Expert witness/litigation support
- Property damages
- Insurance claims and reconstruction cost analysis
- Tax Appeal
- Estate valuation
- Green/high performance residential and commercial construction (sustainable/energy efficient)

Education

- Bachelor of Science in Business Administration, Marketing, University of Louisville
- Study focusing on real estate economics, Eastern Kentucky University
- Ongoing real estate economics education has been obtained through the Appraisal Institute, and other professional groups serving specific real estate related fields.

Professional Qualifications and Memberships

- Certified General Real Property Appraiser, Kentucky License #1533
- MAI designated Member, Appraisal Institute
  *(MAI designation is held by professionals who can provide services relating to all types of real property, such as value opinions, evaluations, review, consulting, and advice regarding investment decisions, among others. Property types may include commercial, industrial, agricultural, residential, vacant land and others.)
- SRA designated Member, Appraisal Institute
  *(SRA designation is held by professionals who can provide services relating to residential properties, including opinions of value, evaluations, review, consulting, and advice regarding investment decisions, among others)
- AI-GRS designated Member, Appraisal Institute
  *(AI-GRS designation is held by professionals who can provide reviews of appraisals, including commercial, industrial, agricultural, residential, vacant land and others.
- AI-RRS designated Member, Appraisal Institute
  *(AI-RRS designation is held by professionals who have the tools to provide reviews and address the related issues unique to residential real property appraisals.
- Professional Development Programs – Appraisal Institute
  - Litigation
  - Valuation of the Components of a Business Enterprise
  - Valuation of Conservation Easements
  - Valuation of Sustainable Buildings: Commercial
  - Valuation of Sustainable Buildings: Residential

Appraisal Institute Service

- 2008 to 2017, 2020 to present – Education Chair, Bluegrass Chapter, Appraisal Institute
- 2018-2021 – Appraisal Institute National Education Committee Liaison, Region V (Indiana, Kentucky, North Carolina, Ohio, Virginia, West Virginia)
- 2018 – President, Bluegrass Chapter, Appraisal Institute
- 2016 and 2017 – Government Relations Committee, Bluegrass Chapter, Appraisal Institute
- 2016 and 2017 – Regional Representative, Bluegrass Chapter, Appraisal Institute
- 2013, 2014 and 2016 – Leadership Development & Advisory Council, Appraisal Institute
- Candidate Advisor - MAI, SRA, AI-GRS, and AI-RRS, Appraisal Institute

ADVANCED STUDY CURRICULUM

Provider	Title/Content
Appraisal Institute Professional Development Programs	Valuation of Sustainable Buildings: Commercial - Registry Valuation of Sustainable Buildings: Residential - Registry Valuation of the Components of A Business Enterprise - Registry Litigation Professional Development Program - Registry Valuation of Conservation Easements - Registry General Demonstration Report - Capstone Program Instructor Qualifying Conference Leadership Development & Advisory Council - Washington D.C.
Appraisal Institute Courses	Uniform Appraisal Standards for Federal Land Acquisitions (Yellowbook) Appraisal of Manufactured Homes Featuring Next-Generation Manufactured Homes Application & Interpretation of Simple Linear Regression Quantitative Analysis Practical Applications in Appraising Green Commercial Properties Residential & Commercial Valuation of Solar Case Studies in Appraising Green Residential Buildings Review Theory - General Review Theory - Residential Fundamentals of Separating Real Property, Personal Property, and Intangible Business The Appraiser as an Expert Witness: Preparation and Testimony Litigation Appraising: Specialized Topics and Applications Condemnation Appraising: Principles and Applications Valuation of Conservation Easements Advanced Sales Comparison & Cost Approaches Advanced Residential Report Writing, Part II Advanced Residential Applications & Case Studies, Part 1
Appraisal Institute and Related Seminars	Practical Application of Fundamental Analysis Complex Valuation Inconsistency: it's Hiding in Plain Sight in Your (Residential) Appraisal Inconsistency: it's Hiding in Plain Sight in Your (General) Appraisal Avoiding Bias: Building a Bias Defense Appraising in Floodplains Litigation Assignments for Residential Appraisers: Doing Expert Work on Atypical Cases Valuation Overview of Accessory Dwelling Units The Cost Approach: Unnecessary or Vital to a Healthy Practice? Artificial Intelligence, AVMs, and Blockchain: Implications for Valuation Rural Area Appraisals: Freddie Mac Guidelines and Property Eligibility Requirements Advanced Spreadsheet Modeling for Valuation Applications Income Approach for Residential Appraisers Marketability Studies: Advanced Considerations & Applications Appraising Distressed Commercial Real Estate: Here We Go again REO Appraisal: Appraisal of Residential Property Foreclosure Evaluating Residential Construction Evaluating Commercial Construction Regression Analysis in Appraisal Practice: Concepts & Applications Self Storage Economics and Appraisal Subdivision Valuation: A Comprehensive Guide Appraising Convenience Stores Appraisal of Nonconforming Uses Appraisal of Special-Purpose Properties Dynamics of Office Building Valuation Environmental Risk and the Appraisal Process

(Continued Next Page)

Provider	Title/Content
International Right of Way Association	Course 105 - The Uniform Act - Executive Summary
Marshall Valuation Service	Commercial Cost Approach Certification Program
American Bankers Association	Federal Appraisal Policies: Hotlines, Complaint Forms and Revised Policy Statements
CCIM Institute	Course CI-101, Financial Analysis for Commercial Investment Real Estate Course CI-103, User Decision Analysis for Commercial Investment Real Estate Course CI-104, Investment Analysis for Commercial Investment Real Estate Course 411, Gap Analysis and Real Estate Market Dynamics Course 412, Economics of Commercial Leases, and 1031 Exchanges
HUD/FHA	HUD/FHA Appraiser Test and Certification The Model Energy Code, U.S. Department Of Energy Appraising FHA Properties
Home Builders Association of Louisville	Site Planning Basics of Building; Blueprint Reading, Building Codes, Siting
CLE International	Eminent Domain, the Law of Condemnation and Land Use
Eastern Kentucky University	Real Estate Finance, RST 330 Advanced Appraisal Application / Income Property Valuation, RST 410 Appraisal of Residential Property, RST 340
University of Louisville	Bachelor of Science in Business Administration - Marketing

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Experience

Mueller Appraisal Inc, Owner, 1997 to Present
PNC Mortgage Corp., Staff Appraiser, 1996 to 1997
Galloway Appraisal, Staff Appraiser, 1993 to 1996

Education

University of Kentucky, Lexington, KY
Bachelor of Business Administration
Major: Finance

Advanced Real Estate Study

- **Appraisal Institute:**
  - Practical Application of Fundamental Analysis
  - Complex Valuation
  - Appraisal of Medical Office Buildings
  - Analyzing Operating Expenses
  - Real Estate Finance Statistics and Valuation Modeling
  - Principle Applications in Appraising Green Commercial Properties
  - Residential & Commercial Valuation of Solar
  - Case Studies in Appraising Green Residential Buildings
  - FHA Appraising for Valuation Professionals
  - The Discounted Cash Flow Model: Concepts, Issues and Apps
  - Introduction to Green Buildings: Principles & Concepts
  - Property Obsolescence & Marketability Analysis
  - Litigation Appraising: The Appraiser as an Expert Witness
  - Litigation Appraising: Specialized Topics and Applications
  - Appraising Distressed Commercial Real Estate
  - Condemnation Appraising: Applications
  - Advanced Appraisal Applications
  - Advanced Sales Comparison and Cost Approach
  - General Market Analysis and Highest and Best Use
  - Residential Market Analysis and Highest and Best Use
  - General Market Analysis and Highest and Best Use
  - Uniform Appraisal Standards for Federal Land Acquisitions
  - Advanced Residential Applications and Case Study / Part 1
  - Advanced Residential Report Writing / Part 2
  - Appraising Manufactured Homes
  - Advanced Income Capitalization

- **CCIM Institute:**
  #101 Financial Analysis for Commercial Real Estate
  #102 Market Analysis for Commercial Real Estate
  #103 User Decision Analysis
  #104 Investment Analysis
  Core Concepts Review Course

Professional Affiliations

Member of the Appraisal Institute #374886
CCIM Member #25209
Kentucky General Real Property Appraiser #003551
Indiana General Real Property Appraiser #CG41001339
Kentucky Real Estate Sales Associate #008040
Member Louisville Board of Realtors #15109
HUD Lender Selection Roster of Appraisers
VA Roster of Appraisers
Bluegrass Chapter of Appraisal Institute, Board of Directors 2014-2015, 2020 to 2024
President of the Bluegrass Chapter of the Appraisal Institute, 2025

Case Studies

The case studies are developed through researching market activity of residential properties in neighborhoods adjacent to tower facilities. After identification of a tower facility, whether wireless communications, high voltage electric overhead transmission, or water storage tower, sale activity of homes are analyzed. The following methods of data extraction are discussed.

Market Conditions Value Trend Analysis

For projects that have been in place for a long period, market conditions analysis is very applicable. The steps of analysis consist of:

- Research properties with tower proximity that have sold repeatedly in the identified period.
- Determine the periodic rate of market value change, appreciation or depreciation, for properties in the proximity category.
- Research properties in the same neighborhood, without tower proximity, with repeat or back-to-back sales.
- Determine the periodic rate of market value change, appreciation or depreciation for properties in the non-proximity category.
- Compare value change trends between the two groups of properties to extract any value change differences related to proximity influence.

Before and After Method

For projects recently constructed, the before and after method steps of analysis consist of:

- Research residential properties with tower proximity that sold prior to the tower installation, and then sold again after the tower installation.
- Determine the periodic rate of market value change, appreciation or depreciation, for properties in the proximity category.
- Research properties in the same neighborhood without tower proximity that sold prior to the tower installation, and then sold again after the tower installation.
- Determine the periodic rate of market value change, appreciation or depreciation, for properties in the non-proximity category.
- Compare value change trends between the two groups of properties to extract any value change differences related to proximity influence.

Methodology Summary

The time range for sale data is from 2011 and onward, not including sales and resales spanning the Covid 19 pandemic impact. This minimizes potential influence from significant imbalance between supply and demand resulting from the Covid 19 pandemic. To track rates of value change during the period, repeat or back-to-back sales of individual residential properties inside and outside a proximity distance range of 500' to 750' from a facility are researched.

To focus on the influence market conditions and proximity on appreciation or depreciation, emphasis is placed on properties with stable physical characteristics, and without unusual sale conditions or buyer/seller motivation influences. Specifically, sales involving properties with the following characteristics are discounted from analysis:

- Properties with substantial physical changes that influence value between the initial and subsequent transfers, such as renovation, construction addition, or suffering from deferred maintenance or neglect resulting in unusual physical deterioration and market response.
- Properties with distress socioeconomic characteristics, such as foreclosure, short-sales, auctions, and sales of bank-owned homes.
- Properties with unusual buyer or seller motivations, such as family transactions, estate liquidation, or investor activity in a predominantly owner-occupied market.
- Properties close to interstates and limited access roads are avoided to ensure home sales were not affected by highway access or traffic noise variables.
- In the study, sale price is adjusted by deducting seller-paid concessions if they occur.

If the above types of transfer activity are prevalent in a neighborhood, the facility and neighborhood is removed from consideration. The focus is to measure market activity that is not influenced by unusual property-specific or market-specific characteristics.

The following case studies illustrate analysis for two categories of tower facilities; wireless communications tower facilities and high voltage electric overhead transmission lines (HVOT). Two of the case studies compare rates of value change between proximity and non-proximity properties at existing facilities, and one case study additionally compares values of proximity and non-proximity properties before and after installation of a tower facility. In the case of the HVOT study, there are multiple towers involved in the utility system.

Case Study Introduction

Case Study 1 – This study involves a high voltage electric overhead transmission power line corridor with 100' height lattice construction towers. The corridor traverses a residential single-family and condominium neighborhood. The tower structures and overhead electric lines in this location are in easements amidst residential subdivision development, crossing a public street in a long diagonal direction, and continuing through residential subdivision development. The tower structures are generally spaced approximately 1,000' apart.

The project was installed pre-1993. The value evidence represents sales and resales of properties within 500' proximity to the facility, and outside 500' proximity to the facility. Rates of value change for each of the categories measured, and the results of the two categories of proximity are compared to analyze any potential impact.

Case Study 2 – This study involves a wireless communications facility adjacent to a residential single-family and condominium neighborhood. The tower structure is 219' height, self-support construction.

Installation of the project occurred in 2002. The value evidence represents sales and resales of properties within 500' proximity to the facility, and outside 500' proximity to the facility. Rates of value change of each of the categories are measured, and the two categories are compared to analyze any potential impact.

Case Study 3 – This study involves a wireless communications facility adjacent to a residential single-family detached neighborhood. The structure is 140' height, monopole construction.

Installation of the project occurred in 2016. The value evidence represents sales and resales of properties within 750' proximity to the facility, and outside 750' proximity to the facility. Rates of value change in each of the categories are measured, and the two categories are compared to analyze any potential impact.

For Case Study 3, it is important to note there are repeat sales of individual properties in each category, before and after installation, that illustrate consistent values and rates of value change.

Case Study 1 – Group 1 (Proximity Sales)

- Facility: High voltage electric overhead transmission power lines and lattice construction towers, residential single-family detached and condominium subdivision location.
- Address: Gutenberg Road, Louisville, Jefferson County, Kentucky
- FCC Identification: N/A
- Year of installation: Pre-1993
- Information source: Maps and individual research
- Neighborhood location: Jeffersontown
- Property Group Identification: Within 600' proximity to facility installation
- Reconciliation: The data represents sale activity beginning 01/01/2020. Each property transferred two or more times in the period. The price difference between transfers of each property is value change due to market conditions. The range of annual value change is 5.00% to 15.57%. The average rate of annual appreciation is 9.66%, and the median or middle point of the range is 8.54%. The average sale price per square foot of above grade living area is $182.

Address	Sold Date	Sale Price	% Change	Months	% Change /Year
4603 Scott Ct	4/30/2024	$305,000	17.31%	32	6.49%
4603 Scott Ct	8/31/2021	$260,000			
4615 Haeringdon Dr	9/9/2022	$286,500	15.06%	24	7.48%
4615 Haeringdon Dr	9/4/2020	$249,000			
4808 Redmon Ct	11/2/2022	$272,000	6.67%	10	7.68%
4808 Redmon Ct	12/20/2021	$255,000			
4810 Hat Ct	7/24/2024	$280,000	20.69%	38	6.50%
4810 Hat Ct	5/19/2021	$232,000			
4901 Bova Way	4/24/2023	$290,500	27.13%	30	10.85%
4901 Bova Way	10/23/2020	$228,500			
8906 Hatlerhall Dr	12/11/2023	$242,800	15.67%	38	5.00%
8906 Hatlerhall Dr	10/23/2020	$209,900			
9403 Gutenberg Rd	6/28/2022	$250,100	29.38%	24	14.63%
9403 Gutenberg Rd	6/25/2020	$193,300			
9405 Gutenberg Rd	12/30/2021	$225,000	12.95%	17	9.40%
9405 Gutenberg Rd	8/14/2020	$199,200			
10506 Vintage Creek Dr	5/17/2023	$365,000	41.47%	38	13.05%
10506 Vintage Creek Dr	3/13/2020	$258,000			
10700 Vintage Creek Dr	6/30/2022	$400,000	31.15%	24	15.57%
10700 Vintage Creek Dr	6/30/2020	$305,000			

Case Study 1 – Group 2 (Non-Proximity Sales)

- Facility: High voltage electric overhead power lines and lattice construction towers, residential single-family detached and condominium subdivision location.
- Address: Gutenberg Road, Louisville, Jefferson County, Kentucky
- FCC Identification: N/A
- Year of installation: Pre-1993
- Information source: Maps and research
- Neighborhood location: Jeffersontown
- Property Group Identification: Outside 600' proximity to facility installation
- Reconciliation: The data represents sale activity beginning 01/01/2020. Each property transferred two or more times in the period. The price difference between transfers of each property is value change due to market conditions. The range of annual value change is 2.48% to 19.20%. The average rate of annual appreciation is 8.91%, and the median or middle point of the appreciation range is 8.58%. The average sale price per square foot of above grade living area is $184.

Address	Sold Date	Sale Price	% Change	Months	% Change /Year
4102 Willowview Blvd	3/7/2022	$242,500	19.46%	23	9.95%
4102 Willowview Blvd	3/23/2020	$203,000			
4208 Willowview Blvd	8/4/2023	$290,000	10.27%	24	5.12%
4208 Willowview Blvd	8/2/2021	$263,000			
4220 Willowview Blvd	5/16/2022	$286,700	26.08%	20	15.28%
4220 Willowview Blvd	8/31/2020	$227,400			
4407 Renaissance Dr	3/21/2024	$445,000	14.10%	19	8.97%
4407 Renaissance Dr	8/25/2022	$390,000			
4520 Stony Brook Dr	6/17/2024	$326,000	18.55%	32	6.86%
4520 Stony Brook Dr	10/4/2021	$275,000			
4614 Stony Brook Dr	9/13/2021	$280,000	4.67%	6	9.58%
4614 Stony Brook Dr	3/19/2021	$267,500			
4702 Nottinghamshire Dr	5/2/2024	$257,500	5.32%	17	3.69%
4702 Nottinghamshire Dr	11/23/2022	$244,500			
4804 Clarmar Rd	4/27/2021	$270,000	10.66%	9	13.55%
4804 Clarmar Rd	7/14/2020	$244,000			
4808 Chenwood Ln	12/1/2021	$389,000	34.14%	21	19.20%
4808 Chenwood Ln	2/21/2020	$290,000			
4823 Napa Ridge Way	2/17/2023	$395,000	9.72%	11	10.29%
4823 Napa Ridge Way	3/9/2022	$360,000			
5003 Stony Brook Dr	7/12/2024	$237,700	24.45%	40	7.36%
5003 Stony Brook Dr	3/18/2021	$191,000			
5006 Flora Springs Cir	4/10/2024	$359,600	30.76%	43	8.49%
5006 Flora Springs Cir	8/27/2020	$275,000			
5007 Stony Brook Dr	9/22/2021	$255,000	13.84%	13	12.92%
5007 Stony Brook Dr	8/27/2020	$224,000			
5101 Jonar Ct	7/6/2023	$300,500	21.66%	24	10.97%
5101 Jonar Ct	7/15/2021	$247,000			
5112 Fairwood Ln	4/11/2024	$215,000	30.30%	50	7.28%
5112 Fairwood Ln	2/12/2020	$165,000			
5113 Stony Brook Dr	8/31/2023	$295,000	10.07%	23	5.34%
5113 Stony Brook Dr	10/12/2021	$268,000			
5120 Stony Brook Dr	4/7/2023	$275,000	30.33%	33	11.02%
5120 Stony Brook Dr	7/6/2020	$211,000			
5306 Idlewood Ln	11/22/2023	$261,000	3.16%	4	9.78%
5306 Idlewood Ln	7/27/2023	$253,000			

Address	Sold Date	Sale Price	% Change	Months	% Change /Year
8412 Michael Edward Dr	7/11/2022	$315,000	25.95%	21	14.76%
8412 Michael Edward Dr	10/7/2020	$250,090			
8503 Image Way	8/1/2022	$294,900	16.10%	23	8.58%
8503 Image Way	9/15/2020	$254,000			
8600 Ivinell Ave	7/24/2023	$275,750	30.38%	35	10.43%
8600 Ivinell Ave	8/25/2020	$211,500			
8601 Chipstone Ct	7/24/2024	$285,000	18.75%	46	4.90%
8601 Chipstone Ct	9/25/2020	$240,000			
8605 Chipstone Ct	8/28/2023	$294,400	15.00%	25	7.19%
8605 Chipstone Ct	7/28/2021	$256,000			
8704 Waltlee Rd	8/29/2022	$273,000	10.98%	20	6.50%
8704 Waltlee Rd	12/21/2020	$246,000			
8909 Michael Edward Dr	3/23/2022	$252,000	5.00%	8	7.45%
8909 Michael Edward Dr	7/21/2021	$240,000			
9208 Morgan Jaymes Ct	12/13/2021	$310,000	25.00%	23	13.24%
9208 Morgan Jaymes Ct	1/24/2020	$248,000			
9308 Justine Ct	7/5/2023	$276,000	33.27%	37	10.84%
9308 Justine Ct	6/10/2020	$207,100			
10117 John Ashley Ct	7/1/2022	$307,500	3.54%	2	17.44%
10117 John Ashley Ct	4/18/2022	$297,000			
10203 Westwego Pl	3/17/2023	$275,000	14.58%	21	8.27%
10203 Westwego Pl	6/11/2021	$240,000			
10205 Westwego Pl	1/5/2024	$285,000	35.71%	47	9.13%
10205 Westwego Pl	2/7/2020	$210,000			
10502 Monticello Forest Cir	9/13/2023	$293,000	7.96%	12	7.94%
10502 Monticello Forest Cir	9/12/2022	$271,400			
10511 Bayport Rd	8/15/2023	$266,500	2.90%	14	2.48%
10511 Bayport Rd	6/15/2022	$259,000			
10514 Firview Ct	4/21/2023	$240,000	6.71%	17	4.76%
10514 Firview Ct	11/22/2021	$224,900			
10727 Vine Hill Dr	2/9/2024	$355,000	2.54%	27	1.12%
10727 Vine Hill Dr	11/5/2021	$346,200			
10907 Conti Ln	5/20/2024	$243,100	33.13%	36	10.93%
10907 Conti Ln	5/10/2021	$182,600			
11601 Locust View Ct	1/8/2024	$272,000	7.09%	31	2.74%
11601 Locust View Ct	6/9/2021	$254,000			
11612 Chinook Ct	10/27/2023	$334,000	17.19%	38	5.47%
11612 Chinook Ct	9/4/2020	$285,000			

Case Study 1 Reconciliation

The sale evidence represents sales and resales of residential properties in a neighborhood containing a high voltage electric overhead transmission power lines with lattice construction towers. The tower facility existed prior to construction of homes in the neighborhood. There is volume sale evidence for analysis between 2020 and 2024. The proximity sales show a slightly higher average rate of appreciation, and a similar median rate. The price per square foot of living area is also similar.

The difference between all indications is negligible and not statistically significant. Comparing proximity sales to non-proximity sales in the neighborhood, both categories show a consistent trend of value change, and price based on dwelling size per square foot. In summary, there is no negative value impact from the tower facility.

Case Study 2 – Group 1 (Proximity Sales)

- Facility: Wireless Communications Facility, self-support construction, 219' height, residential single-family detached and condominium subdivision location
- Address: 8400 Bardstown Road, Louisville, Jefferson County, Kentucky
- FCC Registration: 1232839
- Year of installation: 03/7/2002
- Information source: FCC recordings, maps, and individual research
- Neighborhood location: Fern Creek
- Property Group Identification: Inside 500' proximity to facility installation
- Reconciliation: The data represents sale activity beginning 01/01/2014. Each property transferred two or more times in the period. The price difference between transfers of each property is value change due to market conditions. The range of annual value change is 0.64% to 3.29%. The average annual appreciation is 2.25%, and the median or middle point of the range is 2.67%.

Address	Sold Date	Sale Price	% Change	Months	% Change /Month	% Change /Year
8503 Missionary Ct	9/27/2018 8/12/2014	$302,000 $268,500	12.48%	50	0.25%	3.02%
8505 Missionary Ct	8/25/2017 4/28/2015	$239,000 $225,000	6.22%	28	0.22%	2.67%
8931 Gentlewind Way	5/15/2018 7/13/2015	$280,000 $275,000	1.82%	34	0.05%	0.64%
8937 Gentlewind Way	3/15/2019 1/8/2016	$282,000 $268,000	5.22%	38	0.14%	1.64%
10619 Glenmary Springs Dr	11/14/2016 11/24/2014	$244,900 $229,950	6.50%	24	0.27%	3.29%
			Average		0.19%	2.25%
			Median		0.22%	2.67%

Case Study 2 – Group 2 (Non-Proximity Sales)

- Facility: Wireless Communications Facility, self-support construction, 219' height, residential single-family detached and condominium subdivision location
- Address: 8400 Bardstown Road, Louisville, Jefferson County, Kentucky
- FCC Registration: 1232839
- Year of installation: 03/7/2002
- Information source: FCC recordings, maps, and individual research
- Neighborhood location: Fern Creek
- Property Group Identification: Outside 500' proximity to facility installation
- Reconciliation: The data represents sale activity beginning 01/01/2014. Each property transferred two or more times in the period. The price difference between transfers of each property is value change due to market conditions. The range of annual value change is -0.25% to 3.60%. The average annual appreciation is 2.26%, and the median or middle point of the range is 2.22%.

Address	Sold Date	Sale Price	% Change	Months	% Change /Month	% Change /Year
8607 Sanctuary Ln	3/30/2016 7/25/2014	$245,000 $231,000	6.06%	20	0.30%	3.60%
8622 Sanctuary Ln	12/21/2017 7/13/2015	$265,000 $257,500	2.91%	29	0.10%	1.19%
8627 Sanctuary Ln	10/31/2018 8/5/2016	$279,300 $280,900	-0.57%	27	-0.02%	-0.25%
8728 Broadwood Ct	6/11/2019 2/16/2016	$204,000 $166,000	22.89%	40	0.57%	6.90%
8737 Broadwood Ct	4/29/2019 6/6/2014	$188,900 $162,500	16.25%	59	0.28%	3.31%
8819 Gentlewind Way	5/18/2018 5/22/2015	$255,000 $243,000	4.94%	36	0.14%	1.65%
8903 Gentlewind Way	9/30/2016 8/1/2014	$307,500 $290,000	6.03%	26	0.23%	2.78%
10105 Cedar Garden Dr	11/1/2019 5/30/2018	$299,900 $286,130	4.81%	17	0.28%	3.38%
10500 Parkhurst Ct	8/27/2018 7/14/2017	$220,000 $219,500	0.23%	13	0.02%	0.20%
10502 Gentlewind Ct	2/29/2016 2/19/2014	$270,000 $267,500	0.93%	24	0.04%	0.46%
10504 Providence Dr	10/19/2017 7/3/2014	$254,000 $248,700	2.13%	40	0.05%	0.65%
10614 Providence Dr	9/20/2019 2/18/2014	$290,000 $245,000	18.37%	67	0.27%	3.28%
			Average		0.19%	2.26%
			Median		0.18%	2.22%

Case Study 2 Reconciliation

The evidence represents sales and resales of residential properties in a neighborhood containing a wireless communications tower facility. The tower existed prior to construction of homes in the project. There is volume sale evidence for analysis between 2014 and 2020. The rates of value change between the two categories are consistent. The non-proximity sales show a slightly higher average rate of appreciation, and the proximity sales show a slightly higher median rate.

Additionally, the average sale price per square foot of gross living area and total living area for each proximity category is illustrated in the following table.

Category	In Proximity	Outside Proximity
Price Per Square Foot Gross Living Area	$111	$116
Price Per Sq. Foot Total Finished Area	$99	$108

The difference between all indications is negligible and not statistically significant. Comparing proximity sales to non-proximity sales in the neighborhood, both categories show a consistent trend of value change, and price based on dwelling size per square foot. In summary, there is no negative value impact from the tower facility.

Case Study 3 – Group 1 (Proximity Sales)

- Facility: Wireless Communications Facility, monopole construction, 140' height, residential single-family detached location
- Address: 7200 Woodhaven Road, Louisville, Jefferson County, Kentucky
- FCC Registration: 1298049
- Year/Date of installation: 05/13/2016
- Information source: FCC recordings, maps, and individual research
- Neighborhood location: Woodhaven
- Property Group Identification: Inside 750' proximity to facility installation
- Reconciliation: The data represents sale activity beginning 01/01/2011. Each property transferred two or more times in the period. The price difference between transfers of each property is value change due to market conditions. The range of annual value change is 2.79% to 9.47%. The average appreciation is 5.73%, and the median or middle point of the range is 5.58%. Note that sales of 5900 Woodhaven Ridge Court, 5921 Woodhaven Ridge Court, and 6005 Hurstview Road occur before and after the facility installation, and the sales of 5914 Woodhaven Ridge occurred prior to the installation. The rates of value change are consistent.

Street #	Street	St	Sale Date	Adj Sale Price	Percent Change	Months	% Annual Change
5900	Woodhaven Ridge	Ct	8/22/2011	$180,000			
5900	Woodhaven Ridge	Ct	10/19/2017	$211,000	17.22%	74	2.79%
5914	Woodhaven Ridge	Ct	12/14/2012	$155,000			
5914	Woodhaven Ridge	Ct	8/1/2014	$172,675	11.40%	20	7.00%
5921	Woodhaven Ridge	Ct	12/20/2011	$125,000			
5921	Woodhaven Ridge	Ct	1/24/2013	$138,000	10.40%	13	9.47%
5921	Woodhaven Ridge	Ct	10/22/2014	$148,000	7.25%	21	4.16%
5921	Woodhaven Ridge	Ct	7/25/2018	$187,400	26.62%	45	7.08%
6005	Hurstview	Rd	7/30/2013	$124,900			
6005	Hurstview	Rd	4/20/2018	$148,000	18.49%	57	3.91%
					Annual Average		5.73%
					Annual Median		5.58%

Case Study 3 – Group 2 (Non-Proximity Sales)

- Facility: Wireless Communications Facility, monopole construction, 140' height, residential single-family detached and condominium subdivision location
- Address: 7200 Woodhaven Road, Louisville, Jefferson County, Kentucky
- FCC Registration: 1298049
- Year/Date of installation: 05/13/2016
- Information source: FCC recordings, maps, and individual research
- Neighborhood location: Woodhaven
- Property Group Identification: Outside 750' proximity to facility installation
- Reconciliation: The data represents sale activity beginning 01/01/2011. Each property transferred two or more times in the period. The price difference between transfers of each property is value change due to market conditions. The range of annual value change is 2.31% to 7.99%. The average appreciation is 4.97%, and the median or middle point of the range is 5.21%. Note that sales of 7118 Ridge Creek Road, 7102 Ridge Creek Road, and 7403 Covey Place occurred before and after the tower facility installation. The rates of value change are consistent.

Street #	Street	St	Sale Date	Adj Sale Price	Percent Change	Months	% Annual Change
5904	Bluffington	Ct	7/28/2011	$124,000			
5904	Bluffington	Ct	11/21/2012	$130,685	5.39%	16	4.08%
7102	Ridge Creek	Rd	10/3/2011	$135,500			
7102	Ridge Creek	Rd	5/6/2016	$149,900	10.63%	55	2.31%
7118	Ridge Creek	Rd	3/28/2011	$119,000			
7118	Ridge Creek	Rd	3/25/2016	$150,000	26.05%	60	5.21%
7215	Chestnut Tree	Ln	6/10/2011	$131,000			
7215	Chestnut Tree	Ln	11/1/2013	$140,000	6.87%	29	2.87%
7403	Covey	Pl	2/26/2014	$135,500			
7403	Covey	Pl	10/31/2016	$156,000	15.13%	32	5.65%
7404	Covey	Pl	2/8/2013	$109,000			
7404	Covey	Pl	12/30/2015	$130,000	19.27%	35	6.67%
7405	Stone Bluff	Ct	3/28/2017	$190,000			
7405	Stone Bluff	Ct	8/27/2018	$211,500	11.32%	17	7.99%
					Annual Average		4.97%
					Annual Median		5.21%

Case Study 3 Reconciliation

The evidence represents sales and resales of residential properties in a neighborhood containing a wireless communications tower facility. Tower installation occurred after homes were constructed in the neighborhood. There is volume sale evidence for analysis between 2011 and 2020. The non-proximity sales show a slightly higher median rate of appreciation, and the proximity sales show a slightly higher average rate. As noted, properties with sales both before and after the installation date illustrate consistent values trends.

Additionally, the average sale price per square foot of gross living area and total living area for each proximity category is illustrated in the following table.

Category	In Proximity	Outside Proximity
Price Per Square Foot Gross Living Area	$116	$115
Price Per Sq. Foot Total Finished Area	$93	$88

The difference between all indications is negligible and not statistically significant. Comparing proximity sales to non-proximity sales in the neighborhood, both categories show a consistent trend of value change, and price based on dwelling size per square foot. In summary, there is no negative value impact from the tower facility.

Louisville Metro Government

Text File

File Number: 26-ZONE-0019

Agenda Date: 5/7/2026 **Version:** 1 **Status:** Public Hearing

In Control: Planning Commission **File Type:** Planning Case

Planning Commission
Staff Report
May 7, 2026

Case No:	25-ZONEPA-0133
Project Name:	Grace Hope Senior Apartments
Location:	820 S Clay Street
Applicant:	Rebound Inc.
Representative:	Sabak, Wilson, & Lingo
Jurisdiction:	Louisville Metro
Council District:	4 – Ken Herndon
Case Manager:	Mark Pinto, Planner II

REQUEST(S)

- **Change in zoning from U-N Urban Neighborhood and C-1 Commercial to R-8A Multi-Family Residential**
- **Variance** from LDC 5.1.12.A.2.e.ii to allow the proposed building to exceed the maximum permitted infill building height. Maximum height permitted: two-story, proposed: three-story for a total of 42 ft (26-VARIANCE-0032).

Location	Required or Max.	Proposed	Variance
Building Height – Infill	2-story (30 ft)	3-story (42 ft.	12 ft.

- **Waiver** of LDC 5.9.2.C.4 to allow vehicular circulation in front of the building between the building façade and street (26-WAIVER-0032).
- **Detailed District Development plan** with binding elements.

CASE SUMMARY

The subject property is located at the corner of S Clay and E Breckinridge Streets, south of Broadway, and within the Traditional Neighborhood form district. The site is roughly 0.60 acres and developed with a one-story nonresidential building and split zoned U-N Urban Neighborhood and C-1 Commercial. The applicant has proposed to rezone the subject property to R-8A multi-family residential to allow a three-story, 22-unit senior-living apartment building.

STAFF FINDING

The proposal generally conforms to the land use guidelines and development policies of Plan 2040. The Detailed Development Plan complies with the Comprehensive Plan and Land Development Code, expect where relief has specifically been requested. The waiver and variance are adequately justified for approval.

TECHNICAL REVIEW

Land Development Code (LDC); Comprehensive Plan 2040.

Transportation Planning and MSD have preliminarily approved the proposal

The subject property is located within the boundaries of the Smoketown/Shelby Park Neighborhood Plan (2002). The Neighborhood Plan highlights the Traditional Neighborhood form district being characterized by a range of residential densities and a variety of housing types. The form district is developed with street patterns which include alley ways, on-street parking, occasional office uses on predominately residential blocks, and proximity to parks and open spaces and to marketplace corridors. The Conceptual Master Plan identifies the corner of Breckenridge and Clay Street as a potential node for neighborhood serving uses and retail.

For land use recommendations, the plan encourages allowing infill development that is consistent with surrounding land uses. While the plan recommends keeping the existing zoning C-1 for the corner properties at S Clay and Breckinridge Street, the proposal only rezones a portion the subject property to allow for greater density in residential housing types. The other properties across S Clay and Breckinridge Street are currently zoned C-1 Commercial and could allow for redevelopment to support neighborhood serving retail uses, as the Plan recommends. There is a mix of commercial zoning districts in neighborhood, particularly at the corners of neighborhood streets, that could also permit additional neighborhood serving commercial uses.

INTERESTED PARTY COMMENTS

All interested party comments staff receives shall be incorporated into the record.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040, **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING / FORM DISTRICT

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

STAFF ANALYSIS FOR CHANGE IN ZONING

Following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Traditional Neighborhood Form District

Traditional Neighborhood: This form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments.

Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Plan 2040.

The proposal is appropriately located and compatible with surrounding land uses. There is a mix of neighborhood serving commercial uses and residential densities in the area. The proposal is not substantially different in scale and intensity than current development in the area, as there is a variety of zoning districts and land uses throughout the neighborhood. The proposed zoning district would permit additional residential density in an area that is connected to an existing transportation network, supportive services, employment opportunities, and amenities throughout Louisville Metro.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The City Council has zoning authority over the property in question.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

1. The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.

   STAFF: The variance will not adversely affect the public health, safety, or welfare, and will not cause a hazard or nuisance to the public. The proposed building will be required to meet all applicable building and fire code regulations prior to receiving a certificate of occupancy. The proposed building would not permit uses that could potentially cause a hazard or nuisance to the public, as the proposed zoning district does not permit potentially hazardous, or nuisance uses.

2. The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

STAFF: The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations. The Traditional Neighborhood form district is characterized by residential and nonresidential buildings that vary in height. Two- and three-story buildings are commonly found throughout Traditional Neighborhoods, specifically on corner lots. There are comparable two and three-story buildings in the area. The proposed building is located at the corner of two streets, which is an appropriate location for additional massing and height, especially when considering the additional story provides additional residential density in a neighborhood that can support the proposal.

3. The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.

   STAFF: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the property is similar in size and shape to other lots in the Traditional Neighborhood form district.

4. The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

   STAFF: The strict application of the provisions of the regulations would create an unnecessary hardship on the applicant since the number of dwelling units would need to be decreased due to the reduction of stories. The Traditional Neighborhood form district permits a max height of 45 ft or three stories.

5. The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

   STAFF: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought. The applicant has not begun construction on the structure for which this variance is being requested.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

(a) The waiver will not adversely affect adjacent property owners; and

   STAFF: The waiver will not adversely affect adjacent property owners since the proposed pickup and drop off area that is in front of the proposed building will not encroach on any adjacent properties. The proposed building and paved areas are not encroaching into any required setbacks from adjacent properties.

(b) The waiver will not violate specific guidelines of Plan 2040; and

   STAFF: The waiver will not violate specific guidelines of the Comprehensive Plan. Housing Goal 1, Policy 2 calls to promote housing options and environments that support aging in place. The proposal is for senior living apartments, the vehicular area that is in front of the building is a pickup and drop off area for residents. The proposal is a housing option with an area for pickup and drop off that supports aging in place.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation the minimum necessary to afford relief to the applicant since the current plan would not have the opportunity to provide a safe and efficient pickup and drop off area without the waiver.

(d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); **OR**
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The applicant has incorporated other design measures that exceed the minimums and compensate for noncompliance with the requirements to be waived. The applicant is providing additional open and recreational space than what is required, with the incorporation of an outdoor private yard area and outdoor patios and balconies for the residents.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR (R)DDDP and/or AMENDMENT TO BINDING ELEMENTS

(a) The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There are no natural resources on the property that could be conserved. There is no mature tree canopy, soil concerns, floodplains, water courses, or steep slopes. The proposal will be required to meet landscaping requirements for new plantings per LDC Chapter 10.

(b) The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Transportation Planning has approved the preliminary development plan.

(c) The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: The provision of sufficient open space to meet the needs of the proposed development are shown on the Detailed District Development plan. The proposal includes outdoor recreational open space through the incorporation of a private yard area, walking paths, patios, and balconies for the residents.

(d) 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;

STAFF: 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.

(e) The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The design of the proposal is compatible with the existing and projected future development of the area. There is a variety of land uses and densities in the neighborhood surrounding the proposed development. The subject site is located within the Traditional Neighborhood form district, which encourages a variety of housing types, densities, and neighborhood serving uses. Supportive services, amenities, and alternative transportation options exist in the area to support the proposal.

(f) Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The plan is in conformance with the requirements of the Land Development Code, except where relief is specifically requested and the Comprehensive Plan. Community Form Goal 1, Policy 7 calls to locate 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. The proposal is located within the Traditional Neighborhood form district, which contains an established network of historic roadway networks and pedestrian sidewalks that support multi-modal transportation options. The development does not necessitate additional roadway improvements, as the current conditions can support additional residential density. The site is near a mix of employment opportunities, supportive services, and amenities.

REQUIRED ACTIONS:

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **Change in Zoning from U-N Urban Neighborhood** and **C-1 Commercial** to **R-8A Multi-Family Residential.**
- **APPROVE** or **DENY** the **Variance** from LDC 5.1.12.A.2.e.ii to allow the proposed building to exceed the maximum permitted infill building height. Maximum height permitted: two-story, proposed: three-story for a total of 42 ft (26-VARIANCE-0032).
- **APPROVE** or **DENY Waiver** the of LDC 5.9.2.C.4 to allow vehicular circulation in front of the building between the building façade and street (26-WAIVER-0032).
- **APPROVE** or **DENY** the **Detailed District Development plan** with binding elements.

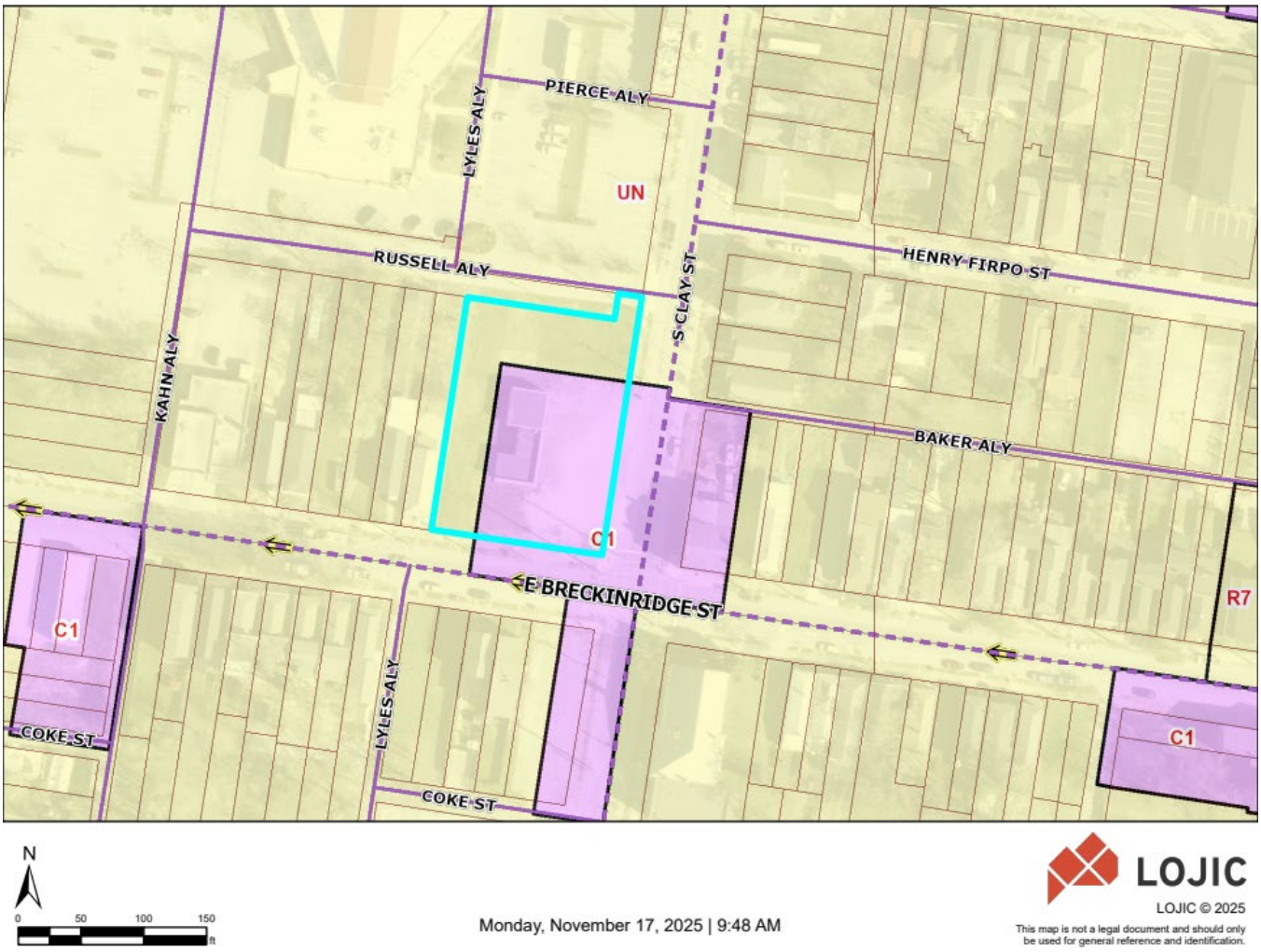
NOTIFICATION

Date	Purpose of Notice	Recipients
4/21/2026 4/16/2026	Hearing before PC	1st and 2nd tier adjoining property owners and current residents. Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 4
4/20/2026	Hearing before PC	Sign Posting on property
4/24/2026	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Staff Plan 2040 Checklist
4. Proposed Binding Elements

1. Zoning Map


PIERCE ALY
LYLES ALY
UN
RUSSELL ALY
S CLAY ST
HENRY FIRPO ST
KAHN ALY
BAKER ALY
C1
E BRECKINRIDGE ST
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LOJIC
LOJIC © 2025
This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



3. Staff Plan 2040 Checklist

+	Exceeds Guideline
✓	Meets Guideline
-	Does Not Meet Guideline
+/-	More Information Needed
NA	Not Applicable

Traditional Neighborhood: Residential

Plan 2040 Plan Elements/Staff Analysis	
1	***Community Form: Goal 1, Policy 7.*** *Locate 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.*
✓	**Staff Analysis: The proposal is in an area that is readily served by an established transportation network with a variety of land uses and supportive services nearby. Public transportation is available to the site.**
2	***Community Form: Goal 1, Policy 9.*** *Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.*
✓	**Staff Analysis: The proposal is appropriately located and compatible with surrounding land uses. There is a mix of neighborhood serving commercial uses and residential densities in the area. The proposal is not substantially different in scale and intensity, as there is a variety of zoning districts and land uses within the Traditional Neighborhood form district. The proposal shall meet landscaping and screening requirements of LDC Chapter 10.**
3	***Community Form: Goal 2, Policy 9.*** *Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.*
✓	**Staff Analysis: The proposed zoning district would permit new residential development that creates additional density.**
4	***Community Form: Goal 3, Policy 10.*** *Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.*
✓	**Staff Analysis: There are no known environmental constraints on site in relation to highly permeable soils, slopes, or erosion problems. The subject property is a flat, traditional form lot.**
5	***Community Form: Goal 4, Policy 2.*** *Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.*
✓	**Staff Analysis: There are no known significant cultural features on site. The property is developed with a one-story, nonresidential building that appears to have been an auto-related use.**
6	***Community Form: Goal 4, Policy 3.*** *Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies*.
✓	**Staff Analysis: The subject site is not a historic site or eligible for the National Register of Historic Places, as Historic Preservation reviewed the proposal and found no historical or cultural significance.**
7	***Mobility: Goal 1, Policy 4.*** *Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.*
✓	**Staff Analysis: The subject property is in an area that is readily served by an established transportation network. Public transportation is available.**
8	***Mobility: Goal 2, Policy 4.*** *Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.*
✓	**Staff Analysis: The proposal does not include access through areas of significantly lower intensity or density. The connecting streets serve a variety of land uses in the area and would not create significant nuisances for existing residential development in the area.**
9	***Mobility: Goal 3, Policy 2.*** *To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.*
✓	**Staff Analysis: The proposed zoning district would allow for a mixture of compatible residential land uses that encourage alternative means of travel including walking, biking, and public transit. The site is located in an area readily served by existing transportation networks that connect to various employment opportunities, amenities, and supportive services throughout Louisville Metro.**
10	***Mobility: Goal 3, Policy 5.*** *Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.*
✓	**Staff Analysis: The proposed development and zoning change is unlikely to cause an adverse impact on the transportation network that nearby residential and nonresidential uses also utilize currently. The existing**

Plan 2040 Plan Elements/Staff Analysis	
	transportation network can support additional residential densities. Transportation Planning and Public Works reviewed the proposal and all outstanding agency comments have been addressed.
11	***Mobility: Goal 3, Policy 6.*** *Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.*
✓	**Staff Analysis: Transportation Planning and Public Works reviewed the proposal and found there to be no additional roadway improvements needed because of the development. The plan includes improvements and replacement of sidewalks along S Clay and Breckinridge Streets.**
12	***Mobility: Goal 3, Policy 9.*** *When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.*
✓	**Staff Analysis: Transportation Planning and Public Works reviewed the proposal and found there to be no additional roadway improvements needed because of the development. The plan includes improvements and replacement of sidewalks along S Clay and Breckinridge Streets.**
13	***Mobility: Goal 3, Policy 10.*** *Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.*
✓	**Staff Analysis: Transportation Planning and Public Works reviewed the proposal and found there to be no additional roadway improvements needed because of the development. The plan includes improvements and replacement of sidewalks along S Clay and Breckinridge Streets.**
14	***Mobility: Goal 3, Policy 21.*** *Prevent safety hazards caused by direct residential access to high-speed roadways.*
✓	**Staff Analysis: Transportation Planning/Public Works are reviewing the proposal. The proposal would not include access to a high-speed roadway. The abutting streets serve a variety of residential uses in the area.**
15	***Community Facilities: Goal 2, Policy 1.*** *Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.*
✓	**Staff Analysis: The subject property is in an area that should be served by existing utilities or where it is capable to extend any necessary public or private utilities.**
16	***Community Facilities: Goal 2, Policy 2.*** *Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.*
✓	**Staff Analysis: Coordination with utilities shall be required. An adequate supply of potable water and water for fire-fighting purposes will be available.**
17	***Community Facilities: Goal 2, Policy 3.*** *Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).*
✓	**Staff Analysis: MSD has reviewed the proposal and given preliminary approval. Sanitary sewage and drainage shall be made available to serve the development.**
18	***Livability: Goal 1, Policy 5.*** *Encourage development that recognizes and incorporates the unique characteristics of identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.*
✓	**Staff Analysis: No existing unique characteristics on the site regarding landscape types and native plant communities are known currently. The proposal shall meet landscaping and screening requirements of LDC Chapter 10.**
19	***Livability: Goal 1, Policy 17.*** *Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.*
✓	**Staff Analysis: MSD has reviewed the proposal and given preliminary approval. Sanitary sewage and drainage infrastructure shall be made to the development.**
20	***Livability: Goal 1, Policy 21.*** *Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.*
✓	**Staff Analysis: The property is not within the floodplain. MSD has reviewed the proposal and given preliminary approval.**

Plan 2040 Plan Elements/Staff Analysis	
21	***Housing: Goal 1, Policy 1.*** *Encourage a variety of housing types including, but not limited to, detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing. Allow for accessory residential structures and apartments. Housing types should reflect the Form District pattern.*
✓	**Staff Analysis: The proposed zoning district would permit a variety of housing types that are compatible with the existing pattern of the Traditional Neighborhood form district.**
22	***Housing: Goal 1, Policy 2.*** *Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.*
✓	**Staff Analysis: The proposed zoning district would permit a variety of housing types and services that encourage aging in place. The site is located near employment centers, parks, and similar services and amenities as permitted in the requested district. Public transit is readily available to the site.**
23	***Housing: Goal 2, Policy 1.*** *Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.*
✓	**Staff Analysis: The proposed zoning district would permit a variety of housing development that supports intergenerational and mixed-income housing, including mixed-use development. The proposal is located along a transit corridor and provides connectivity to employment centers and amenities along the corridor and throughout Louisville metro. Access for pedestrians will be made to all public roadways (existing/proposed) to connect to adjacent and nearby development.**
24	***Housing: Goal 2, Policy 2.*** *Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.*
✓	**Staff Analysis: Existing activity centers, employment opportunities, and transit-oriented services exist within the immediate area to serve the development.**
25	***Housing: Goal 3, Policy 1.*** *Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro.*
✓	**Staff Analysis: The proposed zoning district would permit additional residential density and housing choices.**
26	***Housing: Goal 3, Policy 2.*** *As neighborhoods evolve, discourage displacement of existing residents from their community.*
✓	**Staff Analysis: There would be no displacement of existing residents from their communities. The subject site is not in active use and the proposal would provide additional residential units.**
27	***Housing: Goal 3, Policy 3.*** *Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.*
✓	**Staff Analysis: The proposed zoning district would encourage innovative, alternative housing types that advance efforts for affordable housing.**

4. Proposed 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. 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.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition 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. 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.

4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

5. 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.

GENERAL NOTES

1) ALL HANDICAP SITE FEATURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH ACCEPTABLE "A.D.A." REQUIREMENTS FOR HANDICAP ACCESSIBILITY.

2) CONSTRUCTION PLANS, BOND & PERMIT REQUIRED FOR ALL WORK DONE WITHIN THE RIGHT-OF-WAY.

3) MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.

4) THE DEVELOPMENT LIES IN THE LOUISVILLE #2 FIRE DISTRICT.

5) ALL SERVICE STRUCTURES SHALL BE SCREENED IN ACCORDANCE WITH CHAPTER 10 OF THE LAND DEVELOPMENT CODE. SERVICE STRUCTURES INCLUDE BUT ARE NOT LIMITED TO: PROPANE TANKS, DUMPSTERS, HVAC UNITS, ELECTRIC TRANSFORMERS AND TELECOM BOXES.

6) ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH & WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.

7) COMPATIBLE UTILITY LINES (ELECTRIC, PHONE, CABLE) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.

8) SITE LIGHTING SHOULD NOT SHINE IN THE EYES OF DRIVERS. IF IT DOES, IT SHOULD BE RE-AIMED, SHIELDED OR TURNED OFF.

9) ALL NEW AND EXISTING SIDEWALKS SHALL BE EITHER BROUGHT UP TO OR BUILT TO ADA CURRENT STANDARDS.

10) STREET TREES TO BE PROVIDED ALONG ALL RIGHT OF WAYS AS REQUIRED.

MSD NOTES

1) A PORTION OF THIS SITE IS LOCATED WITHIN THE COMBINED SEWER OVERFLOW FLOODPLAIN. LOWEST FINISHED FLOOR OR MACHINERY SHALL BE LOCATED AT OR ABOVE 456.70'

2) SITE DISCHARGES INTO THE COMBINED SANITARY SEWER SYSTEM AND SHALL LIMIT THE 100-YEAR POST DEVELOPED DISCHARGE TO THE 10-YEAR PRE-DEVELOPED DISCHARGE PER SECTION 10.3.1.2 OF THE MSD DESIGN MANUAL.

3) CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE AND FEDERAL ORDINANCES.

4) EROSION & SILT CONTROL, A SOIL AND SEDIMENTATION CONTROL PLAN SHALL BE DEVELOPED AND APPROVED IN A ACCORDANCE WITH MSD DESIGN MANUAL STANDARDS SPECIFICATIONS PRIOR TO CONSTRUCTION PLAN APPROVAL.

5) THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA. (FEMA MAP 21111C0074F, FEBRUAR 26, 2021)

6) SANITARY SEWER SERVICE PROVIDED BY EXISTING PSC, SUBJECT TO FEES AND ANY APPLICABLE CHARGES.

7) MSD FLOODPLAIN PERMIT MAY BE REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.

8) ANY REQUIRED FILL IN THE COMBINED SEWER OVER FLOW FLOODPLAIN SHALL BE MITIGATED ON SITE AT 1.5 TO 1.

9) A STORM WATER CONNECTION DETAIL TO BE PROVIDED BY THE ENGINEER AND APPROVED BY MSD PRIOR TO CONSTRUCTION PLAN APPROVAL

10) MSD DRAINAGE BOND REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.

EPSC NOTES

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY M.S.D.'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMPs SHALL BE INSTALLED PER THE PLAN AND M.S.D. STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDED AND STABILIZED.

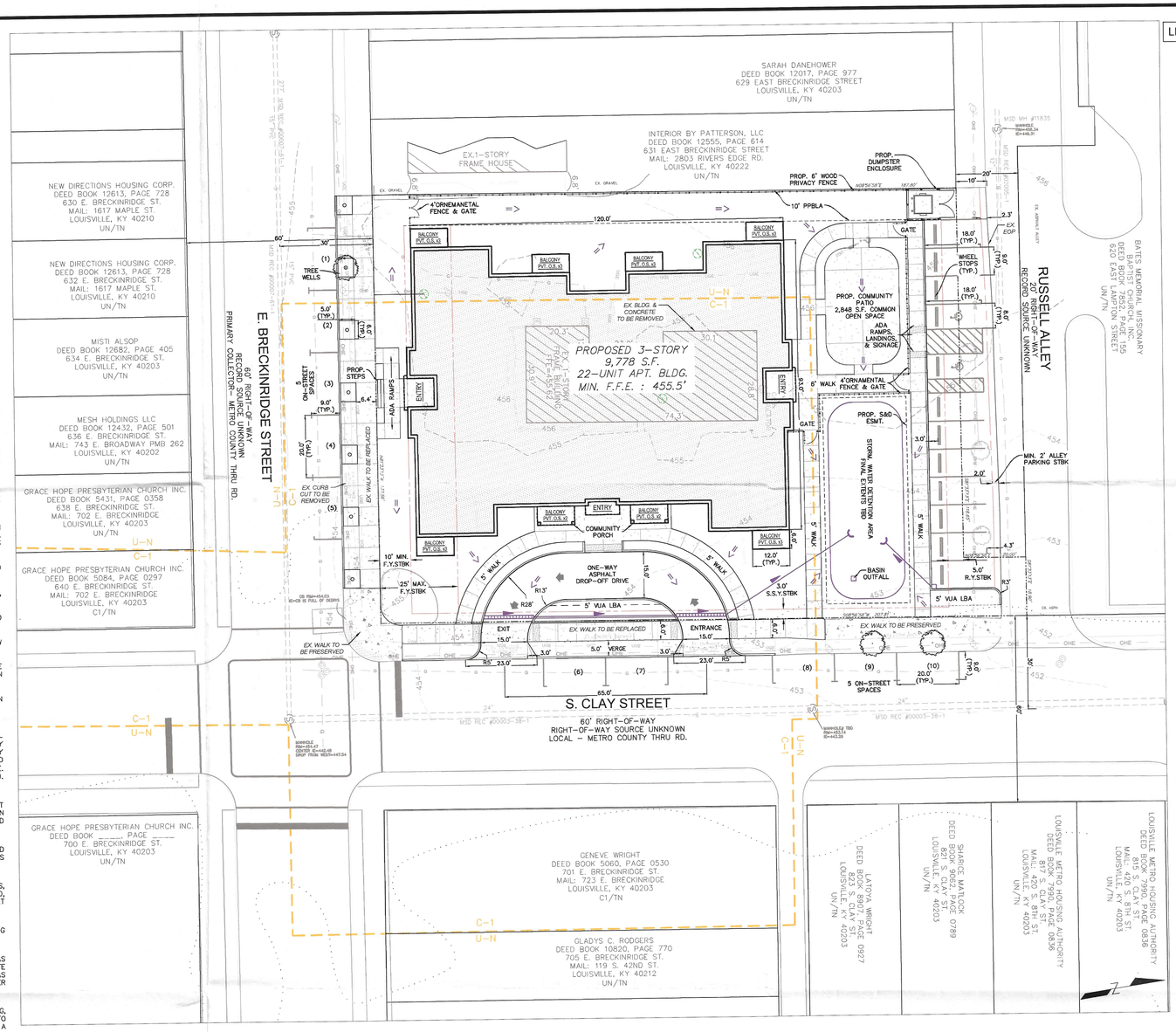
ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOILS TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCING.

ALL STREAM CROSSINGS MUST UTILIZE LOW-WATER CROSSING STRUCTURES PER M.S.D. STANDARD DRAWING ER-02.

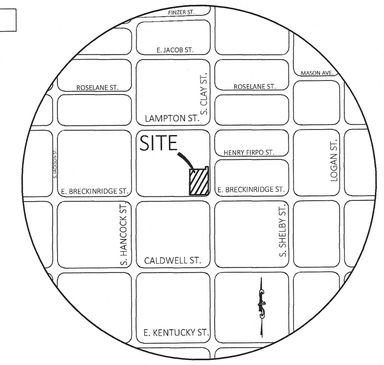
WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NOT LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.

SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING, OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SWALE, OR CATCH BASIN.



LEGEND

- EX. SANITARY SEWER MANHOLE
- EX. SANITARY SEWER LINE
- EX. CONTOUR
- EX. OHU
- EX. OHU POLE
- EX. DOWN GUY
- EX. WATER METER
- EX. WATER LINE
- EX. GAS LINE
- EX. GAS VALVE
- EX. FENCE
- EX. CONCRETE TO BE PRESERVED
- EX. BLDG
- CSO FLOODPLAIN EXTENTS
- EX. SANITARY PSC CONNECTION
- PROPOSED BUILDING
- PROP. BALCONY/PATIO COVERED EXTERIOR
- PROPOSED CONCRETE
- PROP. WOOD PRIVACY FENCE
- PROP. SECURITY FENCE
- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO BE PRESERVED
- PROP. DRNG. FLOW ARROWS
- SCHEMATIC STM. DRAINAGE
- EX. ZONING (U-N / C-1)



LOCATION MAP
NO SCALE

SITE DATA

SITE AREA:	0.60 ACRES (26,210.58 SF)
EXISTING ZONING:	UN/C1
PROPOSED ZONING:	R-8A
FORM DISTRICT:	TRADITIONAL NEIGHBORHOOD
EXISTING USE:	VACANT
PROPOSED USE:	MF-RESIDENTIAL (SR. LIVING APTS)
EX. FOOTPRINT (TO BE DEMO'D):	1,930 SF
PROP. FOOTPRINT:	9,778 SF
ALLOWABLE MAX DENSITY:	(R-8A): 58.08 DU/AC (35 UNITS)
PROPOSED DENSITY:	22 DU/0.6AC = 13.20 DU/AC
MAX. F.A.R.:	N/A
MAX. ALLOWABLE BLDG. HT.(INFILL):	25'+25%=31'
PROP. BLDG. HT.	*42'(3-STORIES)
*VARIANCE REQUIRED	

BLDG. SETBACKS:

MIN. FRONT YARD (E. BRECKINRIDGE ST.):	10'
MAX.:	25'
MIN. STREET SIDE YARD (S. CLAY ST.)	3'
MIN. REAR YARD (RUSSELL ALY.):	5'
MIN. SIDE YARD:	N/A*

*10' PROPERTY PERIMETER BUFFER REQUIRED
*PPBLA PER REZONED CONDITION U-N ADJ. R-8A.

PARKING REQUIRED:

MIN. (N/A TN FORM DISTRICT):	0 SPACES
MAX. (2 SPACE/UNIT):	48 SPACES

PARKING PROVIDED:

OFF-STREET:	12 SPACES (2 ADA)
ON-STREET:	10 SPACES

ILA CALCULATIONS:

EXISTING VUA (TO BE REMOVED):	12,490 SF (48% SITE)
PROPOSED VUA:	2,677 SF (10% SITE)
-OFF-STREET PARKING:	1,521 SF (6% SITE)
-DROP-OFF DRIVE:	1,156 SF (4% SITE)
ILA REQUIRED:	N/A (VUA < 6,000 SF)

IMPERVIOUS AREA CALCULATION:

SITE AREA:	0.60 ACRES (26,210.58 SF)
DISTURBANCE AREA*:	0.60 ACRES (100%)
*PRELIMINARY ESTIMATE (DOES NOT INCLUDE WORK IN R.O.W.)	
EX. IMPERVIOUS AREA:	15,585 SF (59%)
PROP. IMPERVIOUS AREA:	16,561 SF (63%)
INCREASE IN IMPERVIOUS SURFACE:	+976 SF (4%)

OPEN SPACE REQUIREMENTS:

REQUIRED: (15% NET LOT AREA) =	3,932 SF.
PROP.:	4,432 SF
-COMMON*:	2,848 SF
-PRIVATE**:	1,584 SF

*RECREATIONAL OPEN SPACE NOT REQUIRED WITHIN 1,000' OF PUBLIC PARK (BALLARD PARK) COMMON OPEN SPACE MET VIA COMMUNITY PATIO AREA AND SURROUNDING AREA.
**22 OF THE 24 BALCONIES (6'X12' @ 72 SF EA.) APPLIED AS PVT. OPEN SPACE.

TREE CANOPY REQUIREMENTS:

SITE AREA:	0.60 ACRES (26,210.58 SF)
EX. TREE CANOPY:	0 SF
PRESERVED TREE CANOPY:	0 SF

TREE CANOPY REQUIRED: N/A PER LDC 10.1.2-B.3
(INCREASE IN IMPERVIOUS LESS THAN 20%)

LANDSCAPE REQUIREMENTS:
BUFFERING:
5' VUA LBA APPLIED TO OFF STREET PARKING
(TREE REQUIREMENT DEFERRED PER EX. ADJ. ST. TREES)

5' VUA LBA APPLIED TO DROP-OFF DRIVE
(TREE REQUIREMENT DEFERRED PER PROP. ADJ.ST. TREES)

10' PPBLA APPLIED TO WEST PL PER PROP. ZONE CHANGE (R-8A/UN=TYPE A.2 W/ 1.5 DENSITY MULTIPLIER:
6 TREES + 6' WOOD SCREENING FENCE)

STREET TREES: (ALL TYPE C DUE TO OHU LINES)
S.CLAY ST: 10 TYPE C TREES PLANTED IN VERGE (INCLUDES 2 EX. TO BE PRESERVED)
E.BRECKINRIDGE ST: 7 TYPE C TREES IN PROP. 5'x6' TREE WELLS (INCLUDES 1 EX. TO BE PRESERVED)

ADDITIONAL REQUESTS

1. VARIANCE FROM LDC 5.1.12.A.2.E.ii (INFILL CORNER LOT BLDG. HT. REQUIREMENTS) TO ALLOW FOR A 3-STORY BUILDING WITH A HEIGHT OF 42'.
2. WAIVER OF LDC 5.9.2.C.4 TO ALLOW FOR VEHICULAR CIRCULATION IN FRONT OF THE BUILDING BETWEEN THE ENTRANCE AND S. CLAY ST.

OWNER:
GRACE HOPE PRESBYTERIAN CHURCH
700 E. BRECKINRIDGE ST
LOUISVILLE, KY 40203

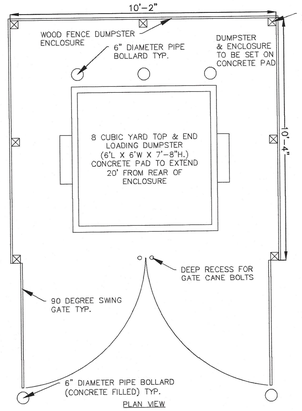
DEVELOPER:
REBOUND INC.
1628 W. MARKET ST.
LOUISVILLE, KY 40203

CASE #26-ZONE-0019
RELATED CASE #25-ZONEPA-0133

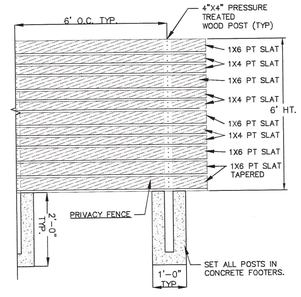
RECEIVED
APR 08 2026
PLANNING & DESIGN SERVICES

SITE ADDRESS
820 S. CLAY ST.
LOUISVILLE, KY 40203

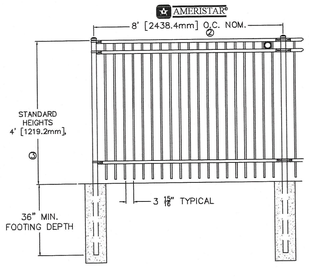
TAX BLOCK: 21G LOT 58
D.B.: 6410 PG.: 0599
WM#12980



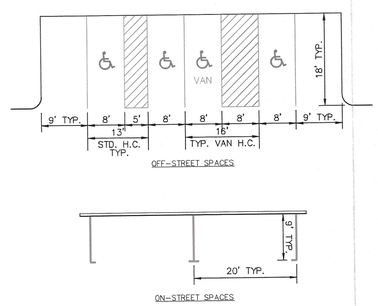
1 CAT3 **DUMPSTER ENCLOSURE** NTS



2 CAT3 **WOOD PRIVACY FENCE** NTS



3 CAT3 **ORNAMENTAL FENCE & GATE** NTS



4 CAT3 **TYP. PARKING SPACES** NTS

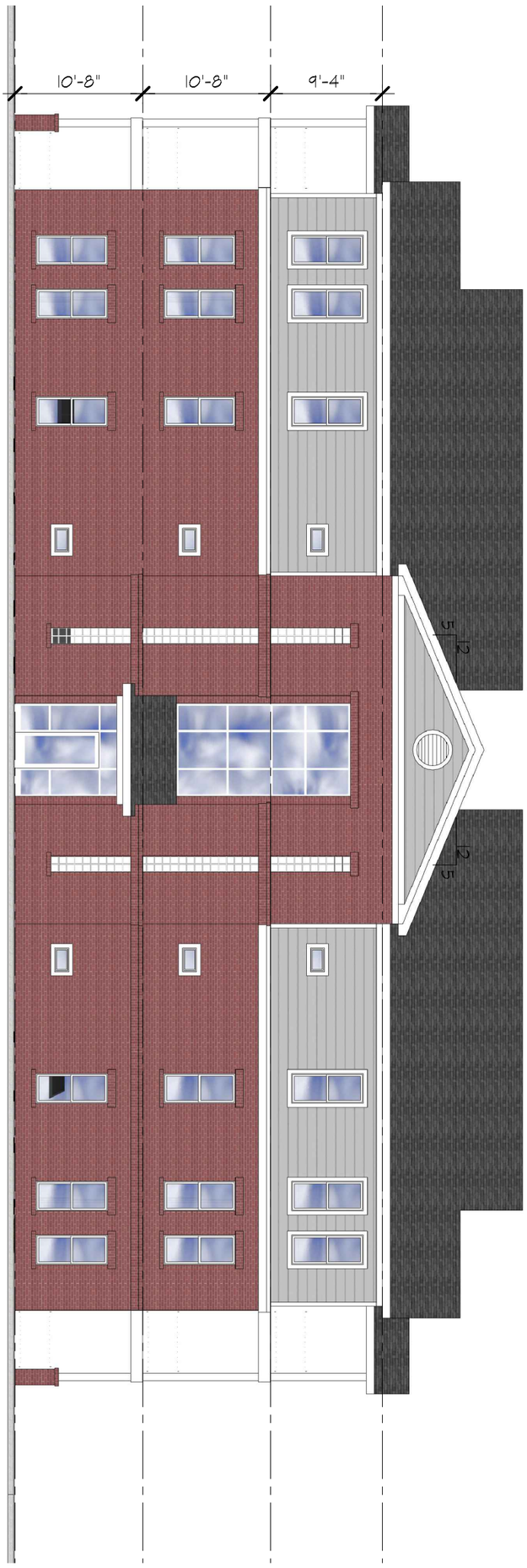
SABAK, WILSON & LINGO, INC
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
608 S. THIRD STREET, LOUISVILLE, KENTUCKY 40202 (502) 584 - 6271
THE HENRY CLAY

NO.	REVISION	DATE
1.	AGENCY REVIEW COMMENTS	11/17/25
2.	AGENCY REVIEW COMMENTS	03/04/26
3.	AGENCY REVIEW COMMENTS	03/25/26

SHEET TITLE: DEVELOPMENT PLAN
PROJECT TITLE: GRACE HOPE - SR. APARTMENTS
820 S. CLAY ST.
LOUISVILLE, KY 40203
OWNER: GRACE HOPE PRESBYTERIAN CHURCH
700 E. BRECKINRIDGE ST.
LOUISVILLE, KY 40203

JOB NO. 3569
SCALE: 1"=20'
DATE: 10/20/25
DRAWING NO: CAT3
SHEET 1 OF 1

26-ZONE-0019



EAST BRECKENRIDGE ST.

SCALE: 3/32" = 1'-0"

GRACE HOPE PRESBYTERIAN CHURCH
PC(USA)

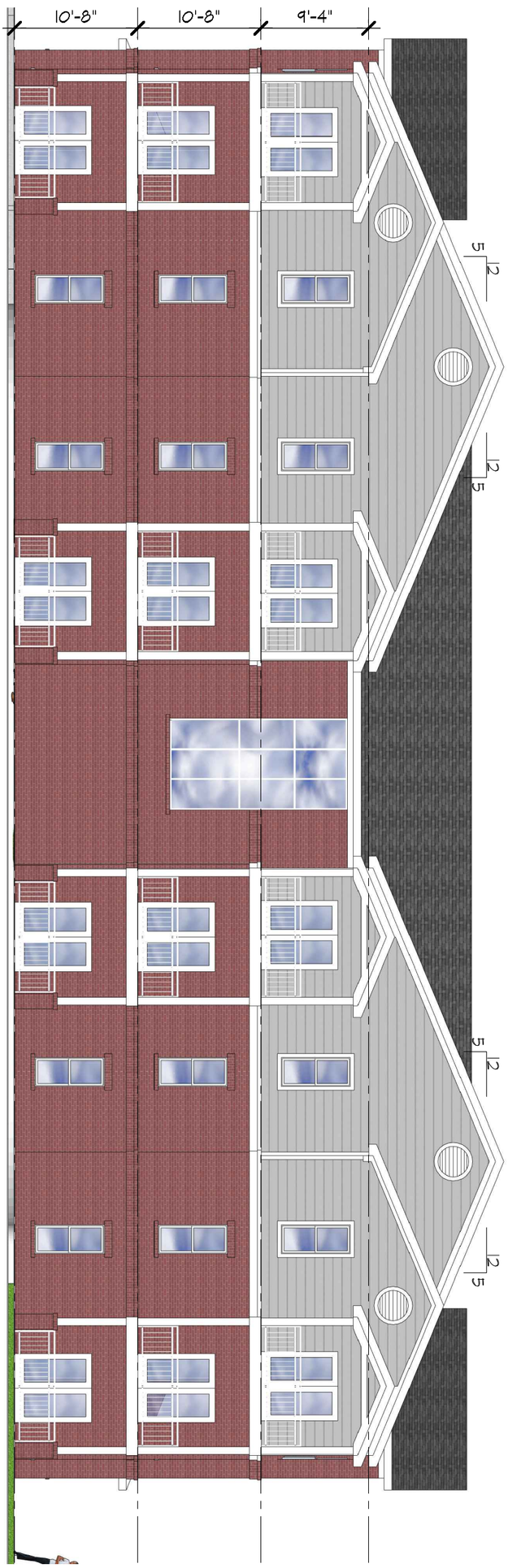
GRACE HOPE SENIOR HOUSING

820 SOUTH CLAY STREET
LOUISVILLE, KENTUCKY 40203

25-3389 09-30-25

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0. 502.426.8020 - f. 502.426.0527 - box1@bayusdesign.com



REAR ELEVATION

SCALE: 3/32" = 1'-0"

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PC(USA)

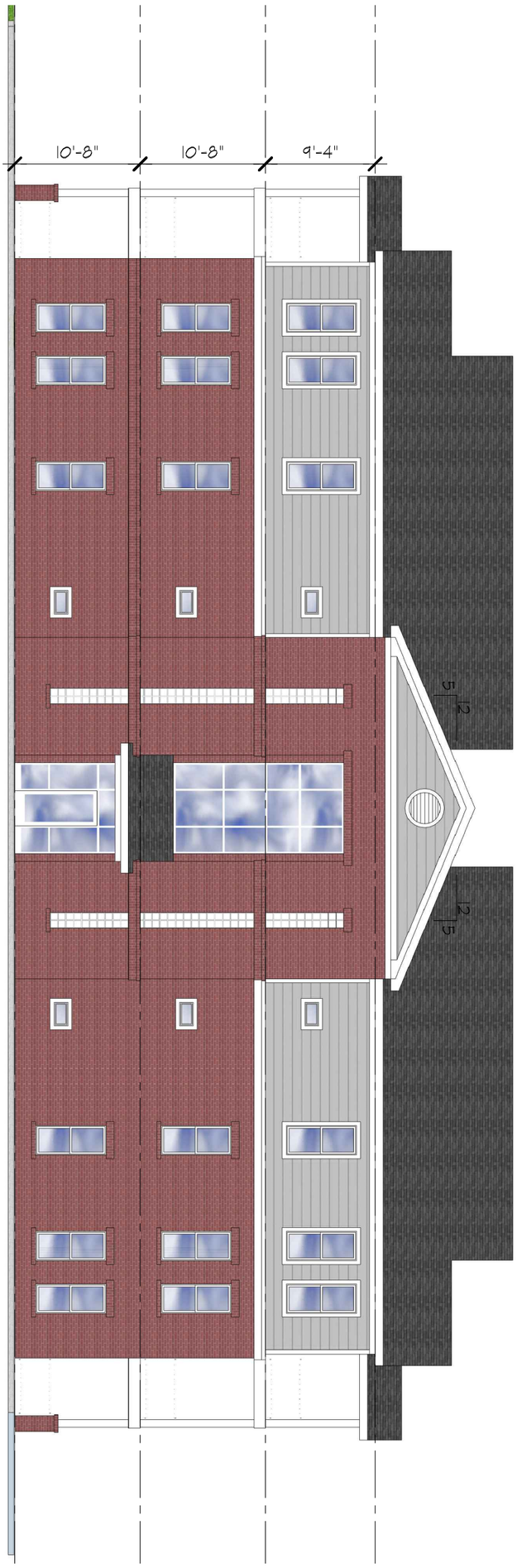
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RUSSELL ALLEY

SCALE: 3/32" = 1'-0"

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SOUTH CLAY ST.

SCALE: 3/32" = 1'-0"

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PC(USA)

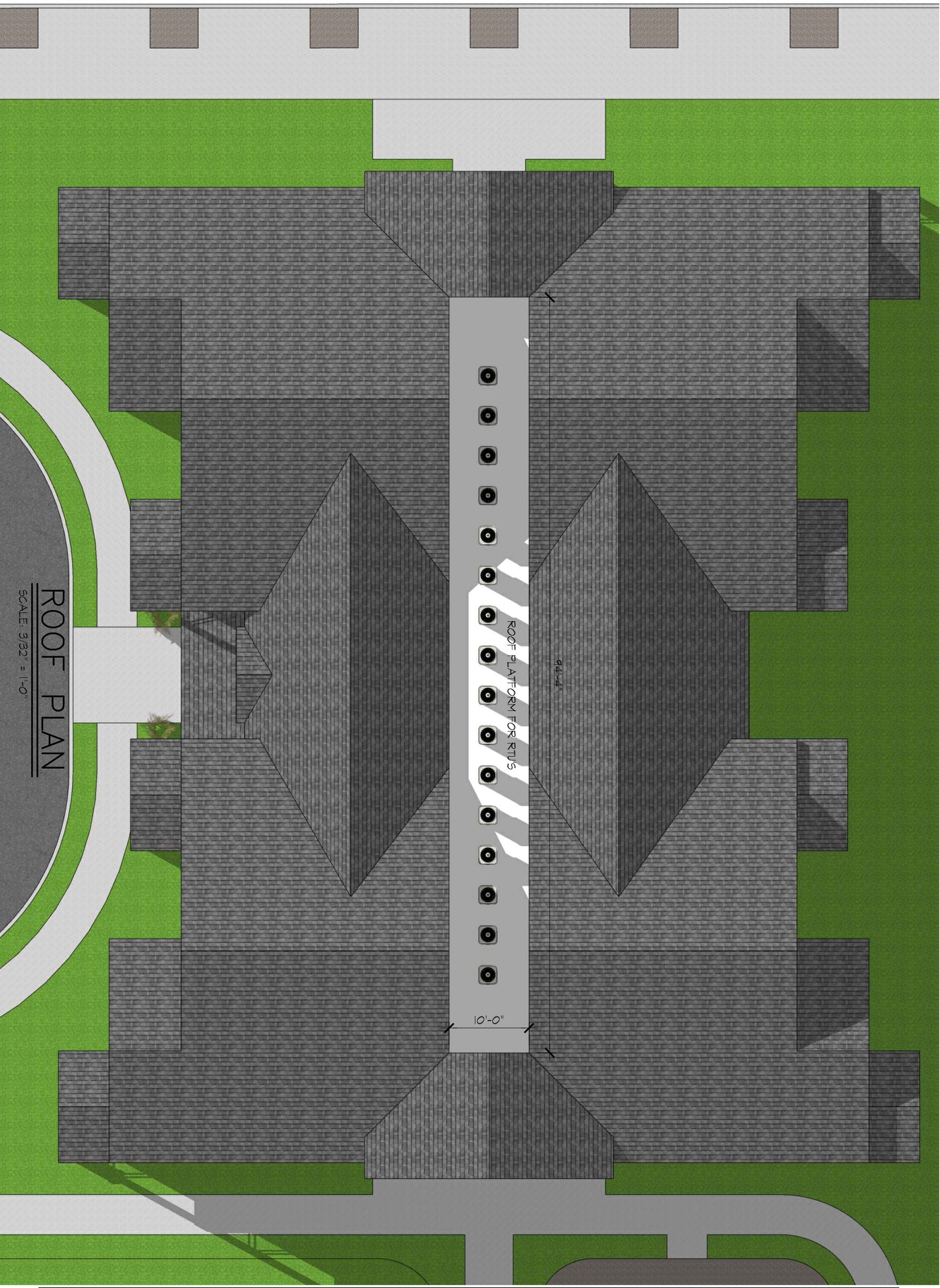
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CHANGE IN ZONING JUSTIFICATION – UN/C-1 TO R-8A
820 S. CLAY STREET

December 29, 2025

STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE "PLAN 2040" COMPREHENSIVE PLAN

Applicant:	Grace Hope Presbyterian Church Inc.
Project Name/Location:	Grace Hope Senior Apartments 820 S. Clay St. Louisville, KY 40203
Proposed Use:	Multi-Family Residential Apartment building
Request:	Zone change from Un & C-1 to R-8A
Engineers, Land Planners, Landscape Architects:	Sabak, Wilson & Lingo, Inc.

INTRODUCTION

The subject site is located in the heart of the Smoketown neighborhood and is owned by Grace Hope Presbyterian Church (the applicant) which is located caddy-corner to the site on E. Breckinridge St. The church and the organizations from which it was formed have deep roots in the Smoketown Community dating back to its early years in the late1800's. The church and its associated organizations have long served the Smoketown community. Led by Reverend Dr. Angela Johnson, Grace Hope Church is seeking to rezone the subject property in order to efficiently develop their underutilized property to provide a 22-unit affordable senior apartment community. The proposed development is infeasible under the current zoning consisting of two different zoning districts which significantly constrain the sites development potential. With regard to the specific justification, this application conforms to the guidelines of Plan 2040 as follows:

PLAN ELEMENT 4.1: COMMUNITY FORM

This proposal complies with Plan Element 4.1, its 5 Goals and their Objectives plus the following Policies.

As to Goal 1, Policies 7 & 9, it complies as follows:

The subject site is located at the corner of S. Clay St., which is a local thru road, and E. Breckinridge St., which is a primary collector which has multiple established TARC routes and stops (as close as 1 block away) and multiple bikeways within the vicinity.

The applicant will be providing a 10-foot landscape buffer with a 6-foot wood privacy fence to screen the proposed multi-family from the adjacent single family along with 5-foor landscape buffers

consisting of trees and evergreen screening along VUA's. The increase in density with the proposed zoning district is unlikely to negatively affect the neighborhood and will provide more housing for the area. The 22 proposed unit building is compatible with the varying densities, buildings, and uses in the area.

As to Goal 2, Policy 9, it complies as follows, in addition to the other ways set forth above:

The proposed zoning will allow a mostly vacant and underutilized lot to be redeveloped for a higher density of residential units, most suitable for efficient and sustainable use of the land.

As to Goal 3, Policy 10, it complies as follows, in addition to the other ways set forth above:

There are no environmental constraints on the subject site.

As to Goal 4, Policies 2 & 3, it complies as follows, in addition to the other ways set forth above:

There are no distinctive cultural features such as landscape, natural elements, or built features to preserve on the site. Historic Preservation/Urban Design have reviewed the proposal and confirmed no known conflicts with the proposal regarding these policies.

There are no historical structures or features to be preserved on the site which is currently vacant and does not meet threshold requirements for LMCO 150.110.

PLAN ELEMENT 4.2: MOBILITY

This proposal complies with Plan Element 4.2, its 3 Goals and their Objectives plus the following Policies.

As to Goal 1, Policy 4, it complies as follows, in addition to the other ways set forth above:

The subject site is located at the corner of S. Clay St., which is a local thru road, and E. Breckinridge St., which is a primary collector which has multiple established TARC routes and stops (as close as 1 block away) and multiple bikeways within the vicinity.

As to Goal 2, Policy 4, it complies as follows, in addition to the other ways set forth above:

The subject site is located at the corner of S. Clay St., which is a local thru road, and E. Breckinridge St., which is a primary collector roadway. Access to the development will not be going through lower intensity uses. The connecting streets serve a variety of land uses such as large churches, commercial businesses, community centers, and multi-family developments.

As to Goal 3, Policies 2, 5, 6, 9, 10, 21, it complies as follows, in addition to the other ways set forth above:

The subject site is located along a bikeway and within a block of a TARC bus line and bus stop at the corner of E. Breckinridge St. & S. Shelby St. with lines that runs North and South within a few blocks of the E. Broadway bus line. The neighborhood that the subject site is located in also has complete sidewalk networks. E. Breckinridge St. also has designated bike lanes. The subject site is located at the corner of S. Clay St., which is a local thru road, and E. Breckinridge St., which is a primary collector roadway.

The applicant will be replacing the majority of sidewalk along S. Clay St. and replacing all of the sidewalk along E. Breckinridge St. (excluding the corner) which will improve the existing sidewalk network drastically. The proposed drop-off lane utilizes existing curb cuts which will be significantly reduced and eliminated in some areas (increasing street parking) while improving the pedestrian connection through and around it. The proposed rezoning and proposed 22-unit multi-plex are unlikely to negatively impact the surrounding road network. Proposed on-site parking will minimize congestion caused by street parking while the drop-off lane and proposed resident demographic will minimize parking and traffic concerns typical to a non-senior specific development.

No direct residential access to high-speed roadways is being proposed. All access points to the site will be secure, ADA accessible, and well organized.

PLAN ELEMENT 4.3: COMMUNITY FACILITIES

This proposal complies with Plan Element 4.3, its 3 Goals and their Objectives plus the following Policies.

As to Goal 2, Policies 1, 2 and 3, it complies as follows, in addition to the other ways set forth above:

Necessary community facilities, including fire stations, are located nearby (there is a fire station within 150 feet of the site). Sanitary sewer is available by existing PSC & lateral extension, and all necessary utilities are available and adequate to serve the proposed development.

PLAN ELEMENT 4.4: ECONOMIC DEVELOPMENT

As to these Goals, Objectives and Policies generally, while they do not specifically address this development, this proposed development nevertheless complies in that it will bring additional housing opportunities to the area which will stimulate and incentivize business in the area.

PLAN ELEMENT 4.5: LIVABILITY

This proposal complies with Plan Element 4.5, its 4 Goals and their Objectives plus the following Policies.

As to Goal 1, Policies 5, 17, and 21; it complies as follows, in addition to the other ways set forth above:

The proposal will provide 3,603 square feet of open space and landscaping along the alley parking and street frontages. The proposed plantings will improve the site, which is currently a primarily vacant concrete lot with minimal street trees. Outdoor amenity areas will be provided along with supplemental landscaping and street trees.

There are no environmental constraints on the subject site and the proposal is unlikely to negatively impact the groundwater. Additionally, the site is not located in the floodplain. The proposed rezoning

allows for a more efficient use of the land with the best ratio of preserved open space to units and parking.

PLAN ELEMENT 4.6: HOUSING

As to Goal 1, Policies 1 and 2; it complies as follows, in addition to the other ways set forth above:

The proposed rezoning will allow for a higher density multi-family structure with 22 proposed affordable units. This will bring a 22-unit multiplex into a neighborhood with a variety of housing options from single family to multi-unit complexes. The proposed rezoning will allow for the most efficient use of the site as it relates to housing needs in the area.

The proposed 22-unit multiplex will have an elevator that will access all three floors, making the proposed multiplex ADA accessible. This rezoning will allow more ADA accessible units than what was previously allowed with the existing zoning district and generally unavailable in the area. Additionally, the drop-off loading lane and building layout are specifically tailored to senior living and promote aging in place. The additional units will not increase the building footprint nor the building height from what it would be with a C-1 zoning.

As to Goal 2, Policies 1 and 2; it complies as follows, in addition to the other ways set forth above:

The proposed rezoning and proposed 22-unit multi-plex will allow for add to the variety of affordable housing options in an area with adequate transit, bike lane network and sidewalk network. It will also allow for intergenerational development with higher density by providing a dedicated option for the senior community which is not currently available in the area.

The proposed rezoning to R-8A will increase the allowed density and eliminate floor area constraints which will allow the property owner to construct 1 more unit and maximize vital community spaces in the building that wouldn't be feasible with the existing zoning or a C-1 zoning.

As to Goal 3, Policies 1, 2 and 3; it complies as follows, in addition to the other ways set forth above:

The proposed 22-unit building will consist of all affordable units in a location with adequate transit lines, bike lanes, and sidewalk networks.

No residents will be displaced by this proposed rezoning or proposed apartment building which will provide opportunity to prevent displacement of senior community members by providing a specific option for senior living to age in place.

The proposed rezoning will allow for 22 units in a multi-plex that will be ADA accessible and in a manner that encourages innovative, alternative housing that advances affordable housing efforts.

Variance Justification: Case#26-ZONE-0019

Project Address: 820 S. Clay St. Louisville, Ky. 40203

Project Title: Grace Hope Sr. Apartments

Variance from Land Development Code Section: 5.1.12.A.2.e.ii - To allow for a 3-story building.

"ii. Building Height "

"1. The building height for proposed structures on all comer infill lots shall fall within the range of building heights of existing structures within each block face the property is located within."

The proposed development site is subject to infill requirements which limit the building height to one-story. The applicant is seeking a variance from LDC 5.1.12.A.2.e.ii to allow for a 3-story building to make the most efficient use of the site by providing 22 affordable apartments serving senior citizens.

1. **Explain how variance will not adversely affect public health, safety, or welfare.**

The proposed building ht. would be permitted in the existing and proposed zoning of the site and adjacent properties if they were not subject to infill regulations. With this in mind, the physical building itself and the general vicinity of the site will be and are equipped with all the necessary safety infrastructure. The proposed setbacks, building footprint, and corner-lot nature of the site as they relate to the proposed building ht. ensure that there is adequate light, air, vision clearance, and circulation in and around the site. Adverse effects that are generally associated with increased density afforded by the variance are more or less negated by nature of the proposed resident demographic and function; Traffic & pedestrian safety concerns are mitigated by the minimal new on-site parking spaces, reduction of existing curb cuts, new and improved sidewalks and access points, and increased street parking spaces. The proposed units will all be one-bedroom with restrictions prohibiting non-senior residents which will help mitigate safety and security concerns typically associated with multi-family development. Furthermore, the proposed 3-story development improves the environmental conditions across the board. Impervious surface will be minimally increased but pavement will be drastically reduced, stormwater collected on site and all new pavement significantly improving pedestrian and vehicular safety. Additionally, tree canopy will be significantly increased on and around the site via street and buffer trees which will positively affect public/environmental health. The increased street trees and building height will also help to mitigate urban heat island effect caused by proposed and adjacent pavement. The proposed 3-story condition is an objective improvement from the existing and better option over an alternative development of lower density and ht. with the same footprint.

2. **Explain how variance will not alter the essential character of the general vicinity.**

The vicinity of the subject site consists of 1-story, 2-story, and 3-story buildings of varying use. Multi-family buildings within the vicinity are all 2 and 3-story buildings.

3. **Explain how variance will not cause a hazard or nuisance to the public.**

As mentioned in the prompts above, the intent of the variance is to allow for a more appropriate design solution for this unique site that is more in line with the comprehensive plan which improves safety of the site users and adjacent community members. The proposed building height is comparable to adjacent buildings, does not impede sight lines, and does not create any hazardous conditions or nuisances such as added noise, smell, crowded circulation, unsightly views, or potential tripping/falling hazards. Both the building design and setbacks ensure no hazards or nuisances are created.

4. **Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.**

The variance request is a result of infill development regulations. If the site were not in-fill, the proposed building height would be permitted, therefore it is not an unreasonable circumvention. Additionally, the proposed height of the building respects all other zoning regulations and does not exceed non-infill requirements.

5. **Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).**

As mentioned above, the site is subject to infill regulations and in an area of varying land uses. The in-fill constraints are set by primarily single-family homes within the block-face that are not corner lots. The variance would not be necessary for infill development in lots of similar sizes and use in the area but due to the nature of the corner-lot and its size, there is a special circumstance given the context of the area and proposed use.

6. **Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.**

The applicant would likely be unable to develop the subject site without the variance as the infill regulations would significantly reduce the unit count to a number that would prevent financially viable and efficient use of the land.

7. **Are the circumstances the result of actions of the applicant taken after the adoption of the regulation from which relief is sought?**

No, they are not. The circumstances are a result of infill regulations that would have applied when the land was purchased. No action has been taken by the applicant to create or alter the circumstances relevant to the variance.

Waiver Justification: Case#26-ZONE-0019

Project Address: 820 S. Clay St. Louisville, Ky. 40203

Project Title: Grace Hope Sr. Apartments

Waiver of Land Development Code Section: 5.9.2.C.4 - To allow for vehicular circulation in front of the building between the entrance & S. Clay St.

"C. Additional standards for Traditional Form Districts (excluding Downtown Form District."

"4. There shall be no traffic circulation or parking in front of principal buildings. Sites with multiple buildings shall have unified/joint access."

The proposed development will be serving senior citizens, a demographic for which a drop-off/loading drive is essential. Due to the proposed building layout, dumpster area, required detention area, and necessary parking (for staff, caretakers, & visitors), a drop-off/loading drive to the rear of the building is infeasible. Due to the necessity of the drive and lack of space in the rear, the proposed drive must be located in an area which does not comply with the requirements of LDC 5.9.2.C.4.

1. **Explain how the waiver will not adversely affect adjacent property owners (APO's)**

In this case, the waiver is being applied to allow for a similar use to what was previously permitted on the site as exemplified by the existing curb cuts, drive aprons, and concrete drive/parking areas. For this reason, it could be argued that the proposed drop-off drive will positively affect adjacent property owners compared to the previous condition via the drastic improvements. The proposed layout will not eliminate any existing street parking used by APO's, it prevents a condition in which vehicle headlights (idling or moving) are shining into APO's windows, it prevents delivery & transport vehicles from holding up traffic and minimizes the chances of traffic conflicts at nearby intersections. With the understanding that the drop-off drive is essential to this development, it is important to consider the implications of the possible alternatives which would do the opposite of the aforementioned.

2. **Explain how the waiver will not violate the comprehensive plan.**

This waiver is a design response to a unique scenario where a code requirement applied to a unique infill site is perceived to have greater adverse effects on both the applicant, future residents, the site itself, and the surrounding community. In applying both scenarios to the comprehensive plan as laid out in prompt #1. It is our informed perspective that a waiver is more in line with the overall goals, objectives, and policies laid out in the comprehensive plan. The waiver is allowing for an alternative design solution which utilizes existing curb cuts, promotes safety and circulation, and provides a more equitable and efficient solution.

3. **Explain how the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant.**

As mentioned in the prompts above, the intent of the waiver is to allow for a more appropriate design solution for this unique site that is more in line with the comprehensive plan. There is one variable in regard to extents of the regulation which is being waived and that is location. Existing curb cuts along the E. Breckinridge frontage and S. Clay St. frontage offer multiple options of greater extents for the drop-off drive compared to the applicant's proposed location and extents. The applicant is proposing the drop-off drive in the closest feasible location to the rear of the building (the street side yard rather than the front yard) and in a layout which is the minimum to meet use and design requirements.

4. **A. Explain how the applicant has incorporated other design measures that exceeds the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect)**

Due to the nature of the requirement being waived with consideration for the responses in the previous prompts, the applicant believes the relocation and layout of the proposed drop-off drive in itself is a net beneficial effect. Great consideration has been taken to avoid potential adverse effects, improve pedestrian and vehicle safety, and improve the general aesthetics of the area.

Louisville Metro Government

Text File

File Number: 25-ZONE-0097

Agenda Date: 5/7/2026 **Version:** 1 **Status:** Public Hearing

In Control: Planning Commission **File Type:** Planning Case

Agenda Number:

Planning Commission
Staff Report
May 7, 2026

Case No:	25-ZONE-0097
Project Name:	Hull St. Brew Pub
Location:	524 Baxter Avenue
Applicant:	Auckland Land Trust
Representative:	Scot Heath
Jurisdiction:	Louisville Metro
Council District:	4 – Ken Herndon
Case Manager:	Jude Mattingly, Planner II

REQUEST(S)

- **Change in zoning** from M-2 Industrial & C-1 Commercial to C-2 Commercial
- **Detailed District Development Plan** with proposed binding elements

CASE SUMMARY

The applicant is requesting a change in zoning from M-2 industrial and C-1 commercial to C-2 commercial to allow for a mixed residential and commercial use. The request includes property known as 524 & 528 Baxter Ave which is currently zoned M-2 and 530 & 532 Baxter Ave which is currently zoned C-1. The total requested change in zoning area is 0.36 acres. Currently developed with a non-residential structure that was last occupied by “Alliance Machine Tool Co, Inc.” the applicant is proposing to revitalize and repurpose this structure with no new construction identified at this time. The site is located on the SE corner of Baxter Ave and Hull St with industrial, commercial, office residential, and residential zoning and land uses in close proximity. The subject site is located within a Traditional Neighborhood form district and there is no proposed form district change associated with this request. No variances and/or waivers are requested at this time.

STAFF FINDING

The change in zoning does not violate the goals and/or objectives of the Comprehensive Plan based on staff’s analysis. The Detailed District Development Plan is compliant with the Land Development Code.

TECHNICAL REVIEW

Plan 2040

Land Development Code (2025) Louisville Metro

The Department of Transportation and MSD have preliminarily approved the proposal.

INTERESTED PARTY COMMENTS

All comments received have been placed in the record and made available to the Commission in advance of the public hearing.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING / FORM DISTRICT

The following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Traditional Neighborhood Form District

Traditional Neighborhood: This form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings.

Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are 50 to 120 years old, the Traditional Neighborhood Form may be used when establishing new developments and redevelopments.

Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) in the case of new developments or redevelopments using traditional building scales and site layouts, (c) the preservation of the existing or establishing a new grid pattern of streets and alleys, and (d) preservation of or creation of new public open spaces.

STAFF: The change in zoning from M-2 and C-1 to C-2 is compliant with the guidelines and policies of Plan 2040 in the context of the Traditional Neighborhood form district. The site fronts Baxter Ave which is classified as a Major Arterial roadway and the immediate area is developed with an advanced network of sidewalks and roadways allowing for safe and efficient multi-modal travel. The change in zoning from M-2 and C-1 to C-2 will allow for an appropriately integrated higher density residential use and commercial use less intense and more compatible with the

surrounding area. The proposal revitalizes and repurposes a structure that the PVA indicates was constructed in the 1930s into new uses in an area with adequate infrastructure to support it.

A checklist is attached to the end of this staff report with a more detailed analysis. The Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP and PROPOSED BINDING ELEMENTS

a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: The proposal retains any natural resources present on the subject site. No issues negatively impacting living vegetation, steep slopes, water courses, flood plains, soils, air quality, or scenic views has been observed or are anticipated. While not in a Historic Preservation District or Overlay District, the subject site is located within the "Highlands" National Register District. The proposal revitalized and repurposes the existing structure that the PVA records as having been constructed in the 1930s.

b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and the Department of Transportation and the KYTC have reviewed and approved the preliminary development plan.

c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: There are no open space requirements pertinent to the current proposal. If the property were redeveloped in the future the subject site will be required to meet Land Development Code requirements.

d. 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;

STAFF: MSD has reviewed and 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.

e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area.

f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code except for where the waiver is requested.

REQUIRED ACTIONS:

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **Change in Zoning** from M-2 Industrial & C-1 Commercial to C-2 Commercial
- **APPROVE** or **DENY** the **Detailed District Development Plan** with proposed binding elements

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

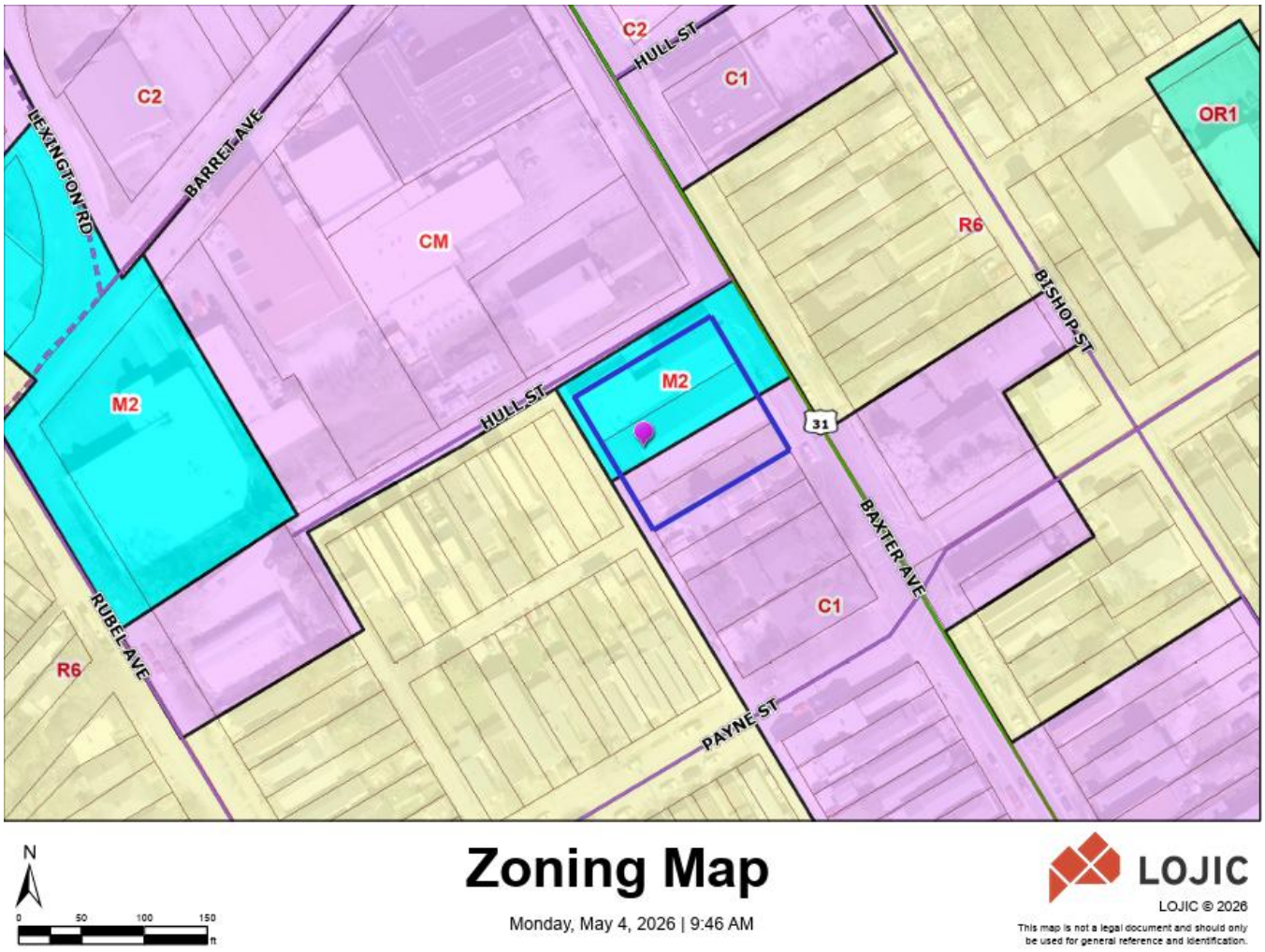
NOTIFICATION

Date	Purpose of Notice	Recipients
04-21-26 **04-22-26**	Hearing before PC	1st and 2nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 4
04-20-26	Hearing before PC	Sign Posting on property
04-30-26	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Staff Plan 2040 Checklist
4. Proposed Binding Elements

1. Zoning Map


C2
HULL ST
C1
OR1
LEXINGTON RD
BARRET AVE
CM
R6
BISHOP ST
M2
M2
HULL ST
31
BAXTER AVE
C1
RUBEL AVE
R6
PAYNE ST
N
0
50
100
150
ft
Zoning Map
Monday, May 4, 2026 | 9:46 AM
LOJIC
LOJIC © 2026
This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



3. Staff Plan 2040 Checklist

+	Exceeds Guideline
✓	Meets Guideline
-	Does Not Meet Guideline
+/-	More Information Needed
NA	Not Applicable

Traditional Neighborhood: Non-Residential

	Plan 2040 Plan Elements/Staff Analysis
1	***Community Form: Goal 1, Policy 6.*** *Discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. Evaluation of impacts may include, but not be limited to, displacement of residents, loss of affordable housing units, traffic, parking, signs, lighting, noise, odor, and stormwater. Appropriate transitions from non-residential to residential uses should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential.* ✓ **Staff Analysis:** The proposal would replace M-2 zoning that currently would not permit residential uses with C-2 which would allow for higher density housing options in an area developed to support it. C-2 zoning is more compatible with the adjacent commercial zoning and land uses in the immediate area than the existing M-2 zoning.
2	***Community Form: Goal 1, Policy 7.*** *Locate 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.* ✓ **Staff Analysis:** C-2 zoning would constitute a lower intensity than the existing M-2 zoning. The site fronts a Major Arterial roadway and is located in an activity center with a variety of employment and recreational opportunities and an infrastructure to support it.
3 **NA**	***Community Form: Goal 1, Policy 8.*** *Encourage industries to locate in workplace Form Districts or in areas readily served by infrastructure and transportation facilities, including transit, rather than isolated industrial sites.* **Staff Analysis:** The proposal is not for industrial zoning.
4	***Community Form: Goal 1, Policy 15.*** *When reviewing proposals for siting hazardous uses and uses with air, noise and light emissions, ensure disadvantaged populations are not disproportionally impacted.* ✓ **Staff Analysis:** The proposal is compatible with the immediate area and as a result should not present any concerns for disadvantaged populations. C-2 zoning would not permit as intense of land uses as M-2 zoning which are less compatible with the immediate area**.**
5	***Community Form: Goal 1, Policy 16.*** *Consider impacts on human health, quality of life and the environment including prevailing meteorological conditions and the potential to transport noxious odors, particulates and emissions when reviewing new developments and redevelopments. Special attention should be paid to air and water quality when residences, schools, parks or vulnerable populations will be impacted. Mitigate impacts to areas that are disproportionally affected.* ✓ **Staff Analysis:** The proposal is more compatible with the immediate area than the existing M-2 zoning and as a result should not present any negative impacts to human health, quality of life or the environment. C-2 zoning would not permit as intense of land uses as M-2 zoning which are less compatible with the immediate area**.**
6	***Community Form: Goal 1, Policy 17.*** *Mitigate adverse impacts of traffic from proposed development on nearby existing communities.* ✓ **Staff Analysis:** The proposal is in an area that is already a major activity and employment center. It is unlikely that any significant or adverse impacts to traffic for nearby communities would result from the change in zoning. The department of Transportation and KYTC have both reviewed and provided preliminary approval.
7	***Community Form: Goal 1, Policy 18.*** *Mitigate adverse impacts of noise from proposed development on existing communities.* ✓ **Staff Analysis:** The proposal will not be exempt from any Metro Ordinance regulating noise. A binding element has been included that would not permit amplified outdoor music or an outdoor PA system which will further help mitigate any potential adverse impact on the existing community.

Plan 2040 Plan Elements/Staff Analysis	
8	***Community Form: Goal 1, Policy 21.*** *Require that industries which handle hazardous or flammable materials or are potentially offensive such as junkyards, landfills and quarries are sited to protect public health, safety and welfare and are located away from residential areas and population centers.*
NA	**Staff Analysis:** The proposed change in zoning would not allow for industrial land uses. The current M-2 zoning could allow for potentially offensive uses near residential areas.
9	***Community Form: Goal 2, Policy 1.*** *Locate activity centers in appropriate areas in all Form Districts. Design and density should be compatible with desired form, adjacent uses, and existing and planned infrastructure.*
✓	**Staff Analysis:** The proposed change in zoning to C-2 is in an area with compatible zoning, land uses, density, and an infrastructure capable to support it.
10	***Community Form: Goal 2, Policy 4.*** *Allow non-residential development within the Neighborhood, Traditional Neighborhood and Village Form Districts to occur only at locations with appropriate access and connectivity.*
✓	**Staff Analysis:** C-2 zoning allows for residential development in addition to commercial uses. The location has appropriate access and is compatible with the surrounding area.
11	***Community Form: Goal 2, Policy 5.*** *Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it.*
✓	**Staff Analysis:** The proposed change in zoning to C-2 is in an area with compatible zoning, land uses, density, and features a developed infrastructure that can accommodate the use. A sufficient population exists and/or is anticipated to support a commercial use in the activity center**.**
12	***Community Form: Goal 2, Policy 6.*** *Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.*
✓	**Staff Analysis:** The proposal would allow for efficient land uses and cost-effective infrastructure investment and is compatible with the surrounding area.
13	***Community Form: Goal 2, Policy 7.*** *Encourage activity centers to include a mixture of compatible land uses in order to reduce traffic congestion by requiring fewer trips, support and enhance alternative modes of travel, and encourage vitality and a sense of place.*
✓	**Staff Analysis:** The proposed change in zoning to C-2 is in an area with compatible zoning, land uses, density, and features a developed infrastructure that can accommodate the use.
14	***Community Form: Goal 2, Policy 8.*** *Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multi-story retail buildings.*
✓	**Staff Analysis:** C-2 zoning would allow for a variety of residential, office, and commercial land uses. The area is developed with the infrastructure to support the change in zoning.
15	***Community Form: Goal 2, Policy 9.*** *Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.*
✓	**Staff Analysis:** The proposal revitalizes and repurposes a structure that the PVA indicates was originally constructed in the 1930s and would allow for mixed commercial and residential uses.
16	***Community Form: Goal 2, Policy 10.*** *Encourage outlot development in underutilized parking lots of existing development to promote utilization of existing infrastructure provided specific criteria for elements such as location, scale, signs, parking, lighting, and landscaping are met. Outlot development shall encourage street-level retail with residential units above.*
NA	**Staff Analysis:** The proposal does not include outlot development.

Plan 2040 Plan Elements/Staff Analysis	
17	***Community Form: Goal 2, Policy 11.*** *Ensure appropriate placement, design and scale of centers in Traditional Neighborhood, Neighborhood and Village Form Districts to ensure compatibility with nearby residences.*
✓	**Staff Analysis:** C-2 zoning at the site is more appropriate in placement, design, and scale than the existing M-2 zoning.
18	***Community Form: Goal 3, Policy 9.*** *Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems.*
+/-	**Staff Analysis:** The proposal revitalizes and repurposes a structure that the PVA indicates was originally constructed in the 1930s and would allow mixed commercial and residential uses and as a result no issues with changes to topography and/or environmental degradation resulting from the disturbance of a natural system has been observed. Future redevelopment of the site would be subject to Office of Planning review, should additions or new construction be proposed.
19	***Community Form: Goal 3, Policy 10.*** *Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.*
✓	**Staff Analysis:** The proposal revitalizes and repurposes an existing structure and as a result no concerns with highly permeable soils, severe steep or unstable slopes, and/or severe erosion problems have been observed. All developments must receive full approval from MSD and the Department of Construction Review.
20	***Community Form: Goal 3, Policy 11.*** *Encourage land uses within the Ohio River Corridor that are appropriate for and related to river corridor activities and that are consistent with the goals and objectives of the Ohio River Corridor Master Plan. Reserve appropriate riverfront sites such as the Upper River Road industrial area for river-related development. Allow development of commercial leisure businesses related to the river, such as boating services and restaurants in appropriate locations. Encourage new development in the Ohio River corridor and along key greenway and street connections to provide for public access in new riverfront development and to maintain views of the river from public rights-of-way.*
NA	**Staff Analysis:** The subject site is not within the Ohio River Corridor.
21	***Community Form: Goal 3, Policy 12.*** *When reviewing proposed developments consider changes to flood-prone areas and other features vulnerable to natural disasters such as sinkholes and landslides. Ensure appropriate measures to protect health, safety and welfare of future users of the development.*
✓	**Staff Analysis:** The subject site is not located within the floodplain and does not have any indication of being inherently flood-prone or containing any features vulnerable to natural disasters.
22	***Community Form: Goal 4, Policy 1.*** *Preserve buildings, sites, districts and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, architecture style and placement when located within the impact area of such resources.*
✓	**Staff Analysis:** The proposal revitalizes and repurposes a structure that the PVA indicates was originally constructed in the 1930s and would allow mixed commercial and residential uses. C-2 land uses are more compatible in scale and intensity than the existing M-2 zoning would allow.
23	***Community Form: Goal 4, Policy 2.*** *Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.*
✓	**Staff Analysis:** The proposal revitalizes and repurposes a structure that the PVA indicates was originally constructed in the 1930s and would allow mixed commercial and residential uses.
24	***Mobility: Goal 1, Policy 4.*** *Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.*
✓	**Staff Analysis**: C-2 zoning would permit less intense uses than the current M-2 zoning. The site is located in an existing employment and activity center and is developed with the infrastructure that is capable of supporting it.

Plan 2040 Plan Elements/Staff Analysis	
25	***Mobility: Goal 2, Policy 4.*** *Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.*
✓	**Staff Analysis:** There is no proposed access through areas of significantly lower intensity or density that would create significant nuisances.
26	***Mobility: Goal 3, Policy 1.*** *Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling.*
✓	**Staff Analysis:** C-2 zoning would allow for commercial and residential uses more compatible with the surrounding area than the existing M-2 zoning. The site is developed with an advanced network of sidewalks and roadways that will allow and encourage for multi-modal travel.
27	***Mobility: Goal 3, Policy 2.*** *To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.*
✓	**Staff Analysis:** C-2 zoning would allow for commercial and residential uses more compatible with the surrounding area than the existing M-2 zoning. The site is developed with an advanced network of sidewalks and roadways that will allow and encourage multi-modal travel. There are several established public transit options and the site is in a location that is accessible and easily navigable by individuals.
28	***Mobility: Goal 3, Policy 3.*** *Evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices.*
✓	**Staff Analysis:** The development will promote public transit and pedestrian use of an advanced network of sidewalks and roadways which would reduce the need for multiple automobile trips and as a result will benefit air quality standards.
29	***Mobility: Goal 3, Policy 4.*** *Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following:* ***4.1.*** *nodal connections identified by Move Louisville;* ***4.2.*** *impact on freight routes;* ***4.3.*** *time of operation of facilities;* ***4.4.*** *safety;* ***4.5.*** *appropriate linkages between neighborhoods and employment; and* ***4.6.*** *the potential for reducing travel times and vehicle miles traveled.*
✓	**Staff Analysis:** The development will promote public transit and pedestrian use of an advanced network of sidewalks and roadways which allow for safe and efficient multi-modal travel options in an employment and activity center with similar land uses.
30	***Mobility: Goal 3, Policy 5.*** *Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.*
✓	**Staff Analysis:** The Department of Transportation and KYTC have reviewed and provided preliminary approval. No significant negative impacts on the transportation network have been observed or are anticipated.
31	***Mobility: Goal 3, Policy 6.*** *Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.*
✓	**Staff Analysis:** The Department of Transportation and KYTC have reviewed and provided preliminary approval.
32	***Mobility: Goal 3, Policy 9.*** *When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.*
✓	**Staff Analysis:** The Department of Transportation and KYTC have reviewed and provided preliminary approval.
33	***Mobility: Goal 3, Policy 10.*** *Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.*
✓	**Staff Analysis:** The Department of Transportation and KYTC have reviewed and provided preliminary approval.

Plan 2040 Plan Elements/Staff Analysis	
34	***Community Facilities: Goal 2, Policy 1.*** *Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.*
✓	**Staff Analysis:** The site is served by existing utilities. No issues or concerns have been observed or are anticipated.
35	***Community Facilities: Goal 2, Policy 2.*** *Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.*
✓	**Staff Analysis:** No issues with the supply of water for firefighting purposes have been observed.
36	***Community Facilities: Goal 2, Policy 3.*** *Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).*
✓	**Staff Analysis:** MSD has reviewed and provided preliminary approval.
37	***Economic Development: Goal 1, Policy 2.*** *Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.*
NA	**Staff Analysis:** The proposed change in zoning to C-2 would not allow for industrial land uses.
38	***Economic Development: Goal 1, Policy 3.*** *Locate commercial uses generating high volumes of traffic on a major arterial street, at the intersection of two minor arterials, or at a location with adequate access to a major arterial and at locations where nuisances and activities of the proposed use will not adversely affect adjacent areas.*
✓	**Staff Analysis:** C-2 zoning would allow for commercial and residential uses more compatible with the surrounding area than the existing M-2 zoning. The site fronts Baxter Ave which is classified as a Major Arterial roadway and the adjacent area should not be negatively impacted.
39	***Economic Development: Goal 1, Policy 4.*** *Utilize industrial sites near the airport and the Ohio River to support the growth and development of uses whose infrastructure and production needs require such a location or for land uses that support airport-oriented or river-oriented industrial uses.*
NA	**Staff Analysis:** The subject site is not near the Airport or Ohio River nor is the proposal for industrial zoning.
40	***Economic Development: Goal 1, Policy 5.*** *Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.*
NA	**Staff Analysis:** The proposal is not for industrial zoning.
41	***Livability: Goal 1, Policy 17.*** *Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.*
✓	**Staff Analysis:** No issues with highly permeable soils, severe steep or unstable slopes, and/or severe erosion problems have been observed. All developments must receive full approval from MSD and the Department of Construction Review. Future redevelopment that could include new construction would also require Office of Planning review.
42	***Livability: Goal 1, Policy 21.*** *Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.*
NA	**Staff Analysis:** The subject site is not located within the floodplain and does not have any indication of being inherently flood-prone.

Plan 2040 Plan Elements/Staff Analysis	
43	***Livability: Goal 1, Policy 24.*** *Ensure, to the extent feasible, that critical facilities and those that store or use hazardous wastes are located outside the regulatory floodplain. Where essential community facilities must be located within a floodplain (e.g., pumping stations), ensure that these facilities are designed, located and operated in a manner that minimizes loss of services during flood events as well as limits, to the extent possible, floodplain disturbance.*
NA	**Staff Analysis:** The subject site is not located within the regulatory floodplain nor would the proposed change in zoning to C-2 allow for the storage of hazardous wastes.
44	***Housing: Goal 1, Policy 2.*** *Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.*
✓	**Staff Analysis:** The proposed change in zoning would allow for a variety of housing options in an area that is developed to support it.
45	***Housing: Goal 2, Policy 1.*** *Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.*
✓	**Staff Analysis:** The proposal could encourage inter-generational, mixed-income, and mixed-use development that is more compatible than the existing M-2 zoning would allow for.
46	***Housing: Goal 2, Policy 2.*** *Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.*
+	**Staff Analysis:** C-2 zoning would allow for commercial and residential uses more compatible with the surrounding area than the existing M-2 zoning. The site is developed with an advanced network of sidewalks and roadways that will allow and encourage multi-modal travel.
47	***Housing: Goal 3, Policy 2.*** *As neighborhoods evolve, discourage displacement of existing residents from their community.*
+	**Staff Analysis:** C-2 zoning would allow for residential uses whereas the existing M-2 zoning does not**.**
47	***Housing: Goal 3, Policy 3.*** *Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.*
✓	**Staff Analysis:** C-2 zoning would allow for a variety of housing options in an area that is developed to support it.

4. Proposed 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. 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.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:

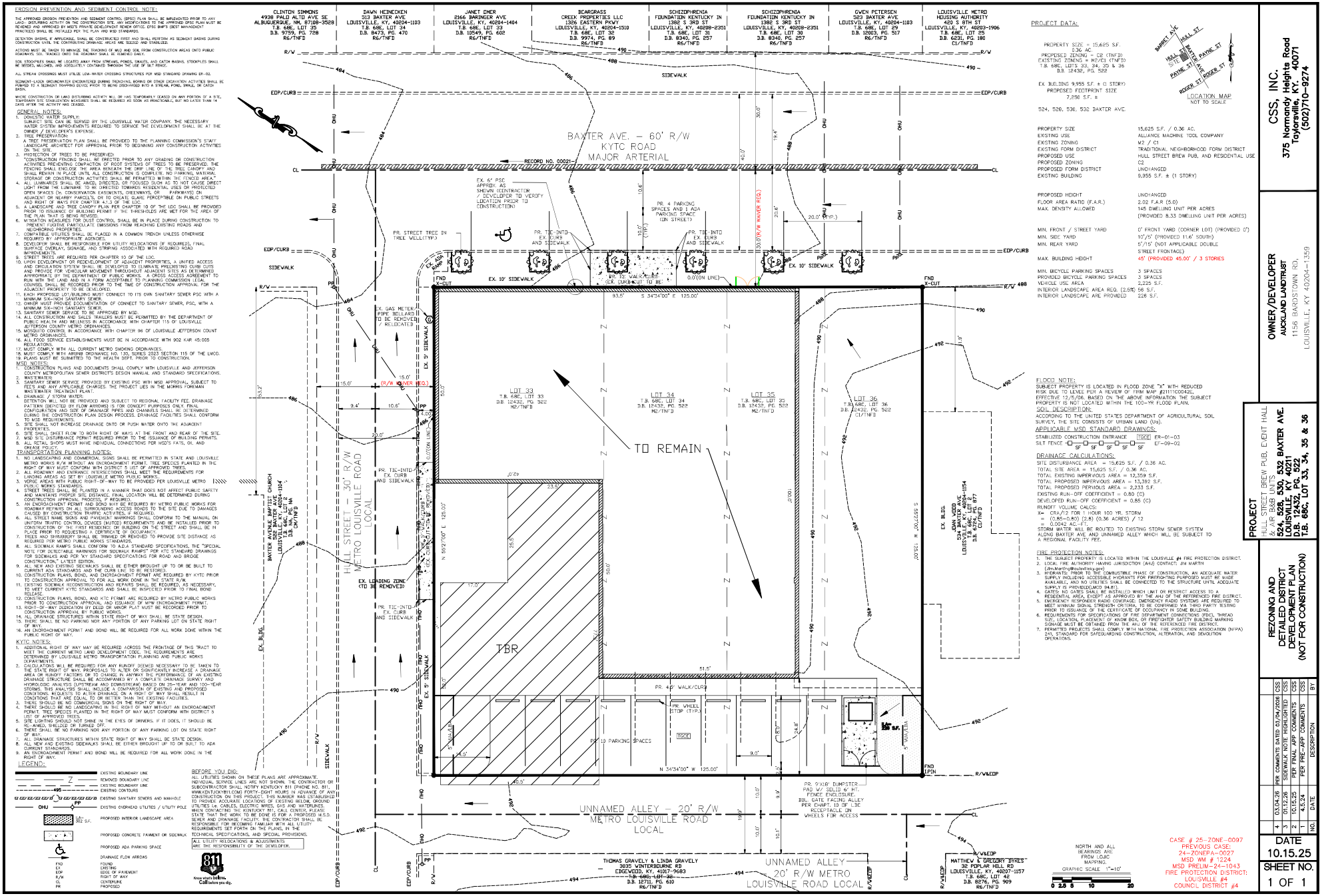
    a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.

4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

5. Prior to requesting a certificate of occupancy for any use of the subject site, the curb cuts along Baxter Ave and Hull Street shall be closed, the asphalt tapers removed, and curbing restored as necessary. All sidewalks adjacent to the site shall repaired per ADA, KYTC and Louisville Metro Department of Transportation requirements.

6. There shall be no outdoor music (live, piped, radio or amplified) or outdoor PA system permitted on the site.

7. 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.


EROSION PREVENTION AND SEDIMENT CONTROL NOTE:
GENERAL NOTES:
MSD NOTES:
TRANSPORTATION PLANNING NOTES:
KYTC NOTES:
LEGEND:
CLINTON SIMMONS
4938 PALO ALTO AVE SE
ALBUQUERQUE, NM, 87108-3528
T.B. 68E, LOT 25
D.B. 9759, PG. 798
R6/TNFD
DAWN HEINECKEN
513 BAXTER AVE
LOUISVILLE, KY, 40204-1103
T.B. 68E, LOT 34
D.B. 8473, PG. 470
R6/TNFD
JANET DHER
2166 BARKINGER AVE
LOUISVILLE, KY, 40204-1404
T.B. 68E, LOT 33
D.B. 10549, PG. 602
R6/TNFD
BEARGRASS
CREEK PROPERTIES LLC
1306 EASTERN PKWY
LOUISVILLE, KY, 40204-1510
T.B. 68E, LOT 32
D.B. 9974, PG. 89
R6/TNFD
SCHIZOPHRENIA
FOUNDATION KENTUCKY IN
1388 S 3RD ST
LOUISVILLE, KY, 40208-2351
T.B. 68E, LOT 31
D.B. 9340, PG. 257
R6/TNFD
SCHIZOPHRENIA
FOUNDATION KENTUCKY IN
1388 S 3RD ST
LOUISVILLE, KY, 40208-2351
T.B. 68E, LOT 30
D.B. 9340, PG. 257
R6/TNFD
GWEN PETERSEN
523 BAXTER AVE
LOUISVILLE, KY, 40204-1103
T.B. 68E, LOT 29
D.B. 12803, PG. 517
R6/TNFD
LOUISVILLE METRO
HOUSING AUTHORITY
420 S 8TH ST
LOUISVILLE, KY, 40203-1906
T.B. 68E, LOT 25
D.B. 6231, PG. 180
C1/TNFD
BAXTER AVE. – 60' R/W
KYTC ROAD
MAJOR ARTERIAL
HULL STREET – 30' R/W
METRO LOUISVILLE ROAD
LOCAL
UNNAMED ALLEY – 20' R/W
METRO LOUISVILLE ROAD
LOCAL
UNNAMED ALLEY
20' R/W METRO
LOUISVILLE ROAD LOCAL
TO REMAIN
TBR
LOT 33
T.B. 68C, LOT 33
D.B. 12432, PG. 522
M2/TNFD
LOT 34
T.B. 68C, LOT 34
D.B. 12432, PG. 522
M2/TNFD
LOT 35
T.B. 68C, LOT 35
D.B. 12432, PG. 522
M2/TNFD
LOT 36
T.B. 68C, LOT 36
D.B. 12432, PG. 522
C1/TNFD
PROJECT DATA:
PROPERTY SIZE = 15,625 S.F.
0.36 AC.
PROPOSED ZONING = C2 (TNFD)
EXISTING ZONING = M2/C1 (TNFD)
T.B. 68C, LOTS 33, 34, 35 & 36
D.B. 12432, PG. 522
EX. BUILDING 9,955 S.F. ± (1 STORY)
PROPOSED FOOTPRINT SIZE
7,256 S.F. ±
524, 526, 530, 532 BAXTER AVE.
PROPERTY SIZE — 15,625 S.F. / 0.36 AC.
EXISTING USE — ALLIANCE MACHINE TOOL COMPANY
EXISTING ZONING — M2 / C1
EXISTING FORM DISTRICT — TRADITIONAL NEIGHBORHOOD FORM DISTRICT
PROPOSED USE — HULL STREET BREW PUB, AND RESIDENTIAL USE
PROPOSED ZONING — C2
PROPOSED FORM DISTRICT — UNCHANGED
EXISTING BUILDING — 9,955 S.F. ± (1 STORY)
PROPOSED HEIGHT — UNCHANGED
FLOOR AREA RATIO (F.A.R.) — 2.02 F.A.R (5.0)
MAX. DENSITY ALLOWED — 145 DWELLING UNIT PER ACRES (PROVIDED 8.33 DWELLING UNIT PER ACRES)
MIN. FRONT / STREET YARD — 0' FRONT YARD (CORNER LOT) (PROVIDED 0')
MIN. SIDE YARD — 10'/5' (PROVIDED 11.6' SOUTH)
MIN. REAR YARD — 5'/15' (NOT APPLICABLE DOUBLE STREET FRONTAGE)
MAX. BUILDING HEIGHT — 45' (PROVIDED 45.00' / 3 STORIES
MIN. BICYCLE PARKING SPACES — 3 SPACES
PROVIDED BICYCLE PARKING SPACES — 3 SPACES
VEHICLE USE AREA — 2,225 S.F.
INTERIOR LANDSCAPE AREA REQ. (2.5%) — 56 S.F.
INTERIOR LANDSCAPE AREA PROVIDED — 226 S.F.
LOCATION MAP
NOT TO SCALE
FLOOD NOTE:
SOIL DESCRIPTION:
APPLICABLE MSD STANDARD DRAWINGS:
DRAINAGE CALCULATIONS:
FIRE PROTECTION NOTES:
BEFORE YOU DIG:
ALL UTILITY RELOCATIONS & ADJUSTMENTS ARE THE RESPONSIBILITY OF THE DEVELOPER.
NORTH AND ALL BEARINGS ARE FROM LOJIC MAPPING.
GRAPHIC SCALE 1"=10'
CSS, INC.
375 Normandy Heights Road
Taylorsville, KY. 40071
(502)710-9274
OWNER/DEVELOPER
AUCKLAND LANDTRUST
1156 BARDSTOWN RD.
LOUISVILLE, KY. 40204-1359
PROJECT
HULL STREET BREW PUB, EVENT HALL & AIR BNB
524, 526, 530, 532 BAXTER AVE.
LOUISVILLE, KY. 40211
D.B. 12432, PG. 522
T.B. 68C, LOT 33, 34, 35 & 36
REZONING AND
DETAILED DISTRICT
DEVELOPMENT PLAN
(NOT FOR CONSTRUCTION)
NO. | DATE | DESCRIPTION | BY
1 | 4.5.24 | PER PRE-APP COMMENTS | CSS
2 | 10.15.25 | PER FINAL APP COMMENTS | CSS
3 | 01.12.26 | SIDEWALK NOTE HIGHLIGHTED | CSS
4 | 03.04.26 | PER COMMENTS DATED 03/04/2026 | CSS
DATE
10.15.25
SHEET NO.
1 OF 1
CASE # 25-ZONE-0097
PREVIOUS CASE:
24-ZONEPA-0027
MSD WM # 1224
MSD PRELIM-24-1043
FIRE PROTECTION DISTRICT:
LOUISVILLE #4
COUNCIL DISTRICT #4

Zoning Justification Statement

Request for Zone Change from Industrial to C-2 Commercial
Applicant: Auckland Land Trust
Property: 524 Baxter Avenue, Louisville, KY 40204

THE PROPOSAL

The applicant is requesting a change in zoning from Industrial to C-2 Commercial for the property located at 524 Baxter Avenue, situated at the corner of Baxter Avenue and Hull Street. The subject site is approximately 10,000 square feet and is currently an underutilized and deteriorating structure, sitting vacant in an otherwise vibrant, high-activity commercial corridor.

The applicant proposes a mixed-use redevelopment that includes retail and commercial space on the first two floors and residential units on the third floor. Commercial uses are envisioned to include a restaurant, microbrewery, and event space, bringing new energy and economic vitality to this prominent intersection.

This strategic redevelopment will activate a long-vacant site, align with surrounding land uses, and support goals of Plan 2040 by promoting sustainable, connected, and equitable development in an already thriving area.

Plan Element 1 – Community Form

524 Baxter Avenue is located in a high-density urban corridor along Baxter Avenue, an established commercial spine marked by restaurants, breweries, and entertainment venues. Surrounding properties include Gravely Brewing, Baxter Jacks, Agave & Rye, Prohibition Distillery, and the Baxter Avenue Morgue—all of which contribute to a dynamic, mixed-use environment. Residential neighborhoods are located primarily on adjacent side streets, providing a built-in customer and workforce base.

Rezoning to C-2 allows for the mixed-use development proposed, which is more compatible with the prevailing pattern of land use than the current Industrial designation. The project promotes walkable, mixed-use development, improves an underutilized site, and complements surrounding uses without encroaching on residential fabric. It contributes positively to the corridor by strengthening the commercial node while offering new housing options.

The property is currently vacant, lacking any landscaping, pedestrian activation, or functional use. Redevelopment will introduce new landscaping, lighting, and improved building aesthetics, eliminating current blight and improving neighborhood character.

Plan Element 2 – Mobility

The property is well-served by existing transportation infrastructure. Located on a major bus route, and with sidewalks along both Baxter Avenue and Hull Street, the site supports multi-modal access for pedestrians, cyclists, and transit users. The project's parking will include on-site spaces, street parking, and potential for leased off-site parking, as well as a one-way traffic flow plan to reduce vehicular conflicts.

By promoting a live/work/play environment in an already walkable corridor, the development reduces dependency on vehicle trips and aligns with Plan 2040's goal of sustainable, low-impact urban mobility.

Plan Element 3 – Community Facilities

The site is served by all necessary urban infrastructure, including water, sewer, electricity, and emergency services. No unusual service demands or infrastructure expansions are anticipated. Utility connections will be efficiently planned, and all site lighting will be directed downward to prevent light pollution.

Plan Element 4 – Economic Development

The proposal represents a significant private investment in Louisville's core urban area. Redeveloping this long-vacant industrial parcel into a vibrant, mixed-use destination will enhance the local economy through new employment opportunities, attract entrepreneurial tenants, and provide event and dining options for locals and visitors alike.

The inclusion of residential units further supports neighborhood stability and economic resilience by increasing housing supply and creating a built-in customer base for nearby and on-site businesses.

Plan Element 5 – Livability

This proposal contributes to public safety and neighborhood well-being by activating a deteriorated structure, which currently invites loitering, vandalism, and potential dumping. New lighting, landscaping, and regular daily activity from residents, staff, and patrons will increase safety and vibrancy. The adaptive reuse of this infill site promotes environmental stewardship and aligns with urban sustainability goals.

Plan Element 6 – Housing

Though not a large-scale residential development, the inclusion of upper-story housing helps diversify the housing mix in this corridor and supports Plan 2040's goal to promote mixed-use neighborhoods with physically accessible, quality housing options. The zoning change to C-2 allows this vertical integration of retail and residential uses, increasing neighborhood livability and connectivity.

NO ADVERSE EFFECTS ON ADJACENT PROPERTIES

The proposed zoning change is consistent with surrounding land uses and will not negatively impact adjacent properties. To the contrary, this redevelopment will improve neighborhood character, enhance safety, and eliminate a source of blight. The design incorporates appropriate buffering, lighting control, and traffic circulation, ensuring that public health, safety, and welfare are preserved and enhanced.

COMMUNITY SUPPORT AND OUTREACH

A neighborhood meeting was held in advance of this application. Attendees expressed interest and general support for the proposal, recognizing the value of replacing a long-vacant site with a vibrant commercial and residential use.

COMPLIANCE WITH KRS 100.213

For the reasons stated above, the proposed zone change from Industrial to C-2 is in agreement with the Comprehensive Plan (Plan 2040) and furthers its goals for Community Form, Mobility, Community Facilities, Economic Development, Livability, and Housing.

There is no evidence that the existing zoning is appropriate given the current and future conditions of the area, and rezoning to C-2 is the most logical and beneficial use of the property. The proposal is compatible with adjacent land uses and will not have a negative impact on public health, safety, or welfare.

Neighborhood Meeting – 524 Baxter Ave.

September 18, 2025

6PM meeting called to order

Introduction of meeting purpose of zoning change from Industrial to C2

6:05pm Opened up to questions.

Q - Will there be Airbnb

A - Top level is proposed residential condo units that could be used for Long or Short term rental depending on owner preference

Q - What is the plan for parking?

A - Proposed 11 spots in rear with additional parking proposed along side of building in the current vacant lot

Q - What is the plan for the exterior materials?

A – Current plan is for masonry and metal. Discussion was held briefly regarding colors.

Q – Discussion was held regarding the atmosphere and fitting in with the area.

A – The attendees liked and discussed the neighborhood feel and Highlands area vibe.

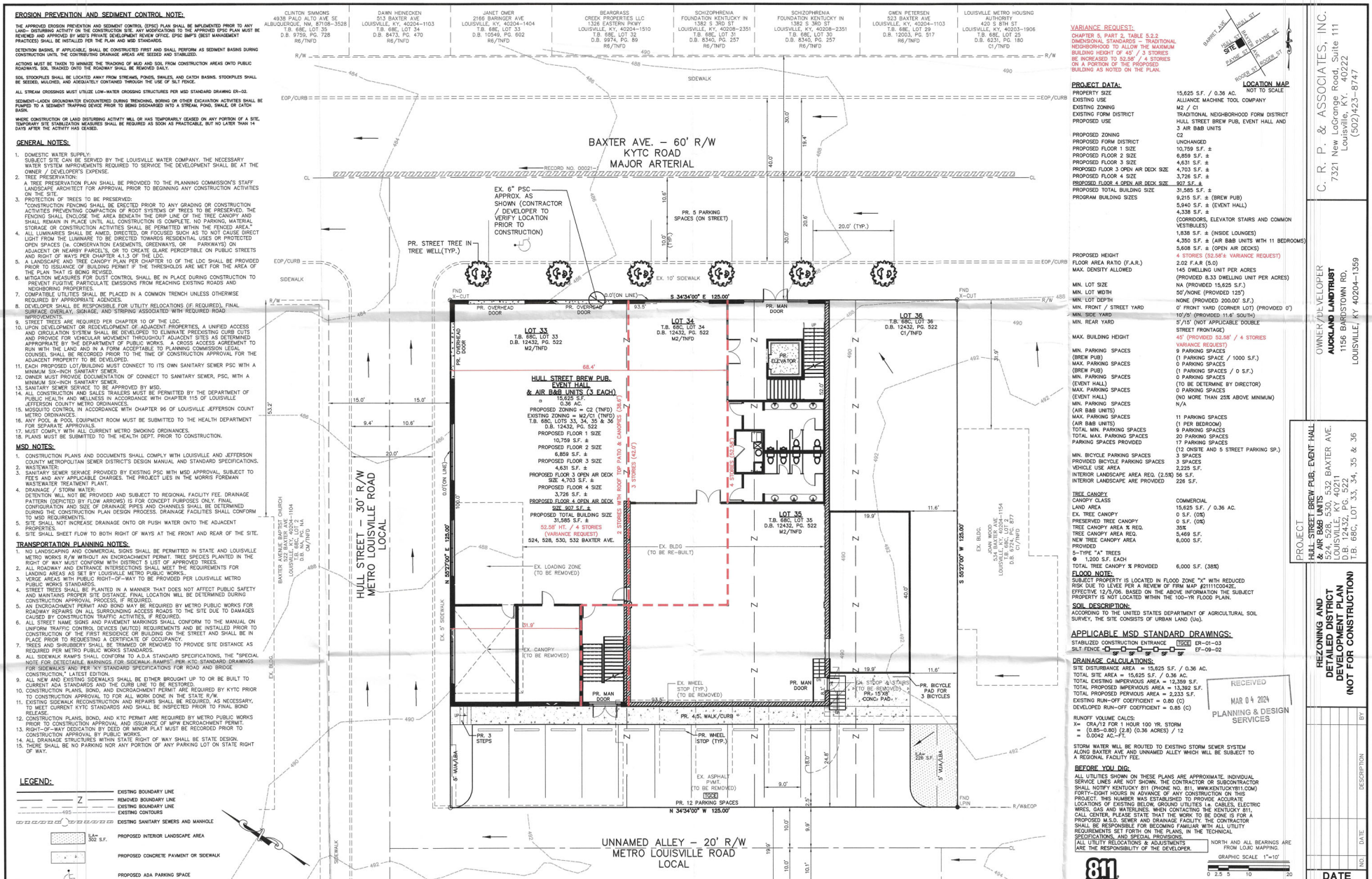
Q - What is the timing for construction?

A - Goal is to first get the property rezoned to C2 before we can move forward

6:40pm Meeting Adjourned

Auckland Land Trust meeting Sept 18, 2025 6pm

Name	Street Address	Zip	Phone	Email
Dalton Goble	523 Baker Avenue	40204	6067915878	daltongoble07@gmail.com
MICHAEL DODD	523 BAKER AVE	40204	864-567-9419	MPDODD7@GMAIL.com
JENSEN GODFREY	1010 HULL ST	40204	502-295-7573	jensengodfrey.jrg@gmail.com



EROSION PREVENTION AND SEDIMENT CONTROL NOTE:

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND– DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S (BEST MANAGEMENT PRACTICES) SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDED AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEEDED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.

ALL STREAM CROSSINGS MUST UTILIZE LOW–WATER CROSSING STRUCTURES PER MSD STANDARD DRAWING ER–02.

SEDIMENT–LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SWALE, OR CATCH BASIN.

WHERE CONSTRUCTION OR LAND DISTURBING ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 DAYS AFTER THE ACTIVITY HAS CEASED.

GENERAL NOTES:

1. DOMESTIC WATER SUPPLY:
   SUBJECT SITE CAN BE SERVED BY THE LOUISVILLE WATER COMPANY. THE NECESSARY WATER SYSTEM IMPROVEMENTS REQUIRED TO SERVICE THE DEVELOPMENT SHALL BE AT THE OWNER / DEVELOPER'S EXPENSE.
2. TREE PRESERVATION:
   A TREE PRESERVATION PLAN SHALL BE PROVIDED TO THE PLANNING COMMISSION'S STAFF LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ON THE SITE.
3. PROTECTION OF TREES TO BE PRESERVED:
   "CONSTRUCTION FENCING SHALL BE ERECTED PRIOR TO ANY GRADING OR CONSTRUCTION ACTIVITIES PREVENTING COMPACTION OF ROOT SYSTEMS OF TREES TO BE PRESERVED. THE FENCING SHALL ENCLOSE THE AREA BENEATH THE DRIP LINE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETE. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA."
4. ALL LUMINARIES SHALL BE AIMED, DIRECTED, OR FOCUSED SUCH AS TO NOT CAUSE DIRECT LIGHT FROM THE LUMINAIRE TO BE DIRECTED TOWARDS RESIDENTIAL USES OR PROTECTED OPEN SPACES (ie. CONSERVATION EASEMENTS, GREENWAYS, OR PARKWAYS) ON ADJACENT OR NEARBY PARCEL'S, OR TO CREATE GLARE PERCEPTIBLE ON PUBLIC STREETS AND RIGHT OF WAYS PER CHAPTER 4.1.3 OF THE LDC.
5. A LANDSCAPE AND TREE CANOPY PLAN PER CHAPTER 10 OF THE LDC SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT IF THE THRESHOLDS ARE MET FOR THE AREA OF THE PLAN THAT IS BEING REVISED.
6. MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
7. COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
8. DEVELOPER SHALL BE RESPONSIBLE FOR UTILITY RELOCATIONS (IF REQUIRED), FINAL SURFACE OVERLAY, SIGNAGE, AND STRIPING ASSOCIATED WITH REQUIRED ROAD IMPROVEMENTS.
9. STREET TREES ARE REQUIRED PER CHAPTER 10 OF THE LDC.
10. UPON DEVELOPMENT OR REDEVELOPMENT OF ADJACENT PROPERTIES, A UNIFIED ACCESS AND CIRCULATION SYSTEM SHALL BE DEVELOPED TO ELIMINATE PREEXISTING CURB CUTS AND PROVIDE FOR VEHICULAR MOVEMENT THROUGHOUT ADJACENT SITES AS DETERMINED APPROPRIATE BY THE DEPARTMENT OF PUBLIC WORKS. A CROSS ACCESS AGREEMENT TO RUN WITH THE LAND AND IN A FORM ACCEPTABLE TO PLANNING COMMISSION LEGAL COUNSEL SHALL BE RECORDED PRIOR TO THE TIME OF CONSTRUCTION APPROVAL FOR THE ADJACENT PROPERTY TO BE DEVELOPED.
11. EACH PROPOSED LOT/BUILDING MUST CONNECT TO ITS OWN SANITARY SEWER PSC WITH A MINIMUM SIX–INCH SANITARY SEWER.
12. OWNER MUST PROVIDE DOCUMENTATION OF CONNECT TO SANITARY SEWER, PSC, WITH A MINIMUM SIX–INCH SANITARY SEWER.
13. SANITARY SEWER SERVICE TO BE APPROVED BY MSD.
14. ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE JEFFERSON COUNTY METRO ORDINANCES.
15. MOSQUITO CONTROL IN ACCORDANCE WITH CHAPTER 96 OF LOUISVILLE JEFFERSON COUNT METRO ORDINANCES.
16. ANY POOL & POOL EQUIPMENT ROOM MUST BE SUBMITTED TO THE HEALTH DEPARTMENT FOR SEPARATE APPROVALS.
17. MUST COMPLY WITH ALL CURRENT METRO SMOKING ORDINANCES.
18. PLANS MUST BE SUBMITTED TO THE HEALTH DEPT. PRIOR TO CONSTRUCTION.

MSD NOTES:

1. CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS.
2. WASTEWATER:
3. SANITARY SEWER SERVICE PROVIDED BY EXISTING PSC WITH MSD APPROVAL, SUBJECT TO FEES AND ANY APPLICABLE CHARGES. THE PROJECT LIES IN THE MORRIS FOREMAN WASTEWATER TREATMENT PLANT.
4. DRAINAGE / STORM WATER:
   DETENTION WILL NOT BE PROVIDED AND SUBJECT TO REGIONAL FACILITY FEE. DRAINAGE PATTERN (DEPICTED BY FLOW ARROWS) IS FOR CONCEPT PURPOSES ONLY. FINAL CONFIGURATION AND SIZE OF DRAINAGE PIPES AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PROCESS. DRAINAGE FACILITIES SHALL CONFORM TO MSD REQUIREMENTS.
5. SITE SHALL NOT INCREASE DRAINAGE ONTO OR PUSH WATER ONTO THE ADJACENT PROPERTIES.
6. SITE SHALL SHEET FLOW TO BOTH RIGHT OF WAYS AT THE FRONT AND REAR OF THE SITE.

TRANSPORTATION PLANNING NOTES:

1. NO LANDSCAPING AND COMMERCIAL SIGNS SHALL BE PERMITTED IN STATE AND LOUISVILLE METRO WORKS R/W WITHOUT AN ENCROACHMENT PERMIT. TREE SPECIES PLANTED IN THE RIGHT OF WAY MUST CONFORM WITH DISTRICT'S LIST OF APPROVED TREES.
2. ALL ROADWAY AND ENTRANCE INTERSECTIONS SHALL MEET THE REQUIREMENTS FOR LANDING AREAS AS SET BY LOUISVILLE METRO PUBLIC WORKS.
3. VERGE AREAS WITH PUBLIC RIGHT–OF–WAY TO BE PROVIDED PER LOUISVILLE METRO PUBLIC WORKS STANDARDS.
4. STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SITE DISTANCE. FINAL LOCATION WILL BE DETERMINED DURING CONSTRUCTION APPROVAL PROCESS, IF REQUIRED.
5. AN ENCROACHMENT PERMIT AND BOND MAY BE REQUIRED BY METRO PUBLIC WORKS FOR ROADWAY REPAIRS ON ALL SURROUNDING ACCESS ROADS TO THE SITE DUE TO DAMAGES CAUSED BY CONSTRUCTION TRAFFIC ACTIVITIES, IF REQUIRED.
6. ALL STREET NAME SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REQUIREMENTS AND BE INSTALLED PRIOR TO CONSTRUCTION OF THE FIRST RESIDENCE OR BUILDING ON THE STREET AND SHALL BE IN PLACE PRIOR TO REQUESTING A CERTIFICATE OF OCCUPANCY.
7. TREES AND SHRUBBERY SHALL BE TRIMMED OR REMOVED TO PROVIDE SITE DISTANCE AS REQUIRED PER METRO PUBLIC WORKS STANDARDS.
8. ALL SIDEWALK RAMPS SHALL CONFORM TO A.D.A STANDARD SPECIFICATIONS, THE "SPECIAL NOTE FOR DETECTABLE WARNINGS FOR SIDEWALK–RAMPS" PER KTC STANDARD DRAWINGS FOR SIDEWALKS AND PER "KY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," LATEST EDITION.
9. ALL NEW AND EXISTING SIDEWALKS SHALL BE EITHER BROUGHT UP TO OR BE BUILT TO CURRENT ADA STANDARDS AND THE CURB LINE TO BE RESTORED.
10. CONSTRUCTION PLANS, BOND, AND ENCROACHMENT PERMIT ARE REQUIRED BY KYTC PRIOR TO CONSTRUCTION APPROVAL TO FOR ALL WORK DONE IN THE STATE R/W.
11. EXISTING SIDEWALK RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT KYTC STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE.
12. CONSTRUCTION PLANS, BOND, AND KTC PERMIT ARE REQUIRED BY METRO PUBLIC WORKS PRIOR TO CONSTRUCTION APPROVAL AND ISSUANCE OF MPW ENCROACHMENT PERMIT.
13. RIGHT–OF–WAY DEDICATION BY DEED OR MINOR PLAT MUST BE RECORDED PRIOR TO CONSTRUCTION APPROVAL BY PUBLIC WORKS.
14. ALL DRAINAGE STRUCTURES WITHIN STATE RIGHT OF WAY SHALL BE STATE DESIGN.
15. THERE SHALL BE NO PARKING NOR ANY PORTION OF ANY PARKING LOT ON STATE RIGHT OF WAY.

VARIANCE REQUEST:

CHAPTER 5, PART 2, TABLE 5.2.2
DIMENSIONAL STANDARDS – TRADITIONAL NEIGHBORHOOD TO ALLOW THE MAXIMUM BUILDING HEIGHT OF 45' / 3 STORIES BE INCREASED TO 52.58' / 4 STORIES ON A PORTION OF THE PROPOSED BUILDING AS NOTED ON THE PLAN.

LOCATION MAP
NOT TO SCALE

PROJECT DATA:

PROPERTY SIZE	15,625 S.F. / 0.36 AC.
EXISTING USE	ALLIANCE MACHINE TOOL COMPANY
EXISTING ZONING	M2 / C1
EXISTING FORM DISTRICT	TRADITIONAL NEIGHBORHOOD FORM DISTRICT
PROPOSED USE	HULL STREET BREW PUB, EVENT HALL AND 3 AIR B&B UNITS
PROPOSED ZONING	C2
PROPOSED FORM DISTRICT	UNCHANGED
PROPOSED FLOOR 1 SIZE	10,759 S.F. ±
PROPOSED FLOOR 2 SIZE	6,859 S.F. ±
PROPOSED FLOOR 3 SIZE	4,631 S.F. ±
PROPOSED FLOOR 3 OPEN AIR DECK SIZE	4,703 S.F. ±
PROPOSED FLOOR 4 SIZE	3,726 S.F. ±
PROPOSED FLOOR 4 OPEN AIR DECK SIZE	907 S.F. ±
PROPOSED TOTAL BUILDING SIZE	31,585 S.F. ±
PROGRAM BUILDING SIZES	9,215 S.F. ± (BREW PUB) 5,940 S.F. ± (EVENT HALL) 4,338 S.F. ± (CORRIDORS, ELEVATOR STAIRS AND COMMON VESTIBULES) 1,838 S.F. ± (INSIDE LOUNGES) 4,350 S.F. ± (AIR B&B UNITS WITH 11 BEDROOMS) 5,608 S.F. ± (OPEN AIR DECKS)
PROPOSED HEIGHT	4 STORIES (52.58'± VARIANCE REQUEST)
FLOOR AREA RATIO (F.A.R.)	2.02 F.A.R (5.0)
MAX. DENSITY ALLOWED	145 DWELLING UNIT PER ACRES (PROVIDED 8.33 DWELLING UNIT PER ACRES)
MIN. LOT SIZE	NA (PROVIDED 15,625 S.F.)
MIN. LOT WIDTH	50'/NONE (PROVIDED 125')
MIN. LOT DEPTH	NONE (PROVIDED 200.00' S.F.)
MIN. FRONT / STREET YARD	0' FRONT YARD (CORNER LOT) (PROVIDED 0')
MIN. SIDE YARD	10'/5' (PROVIDED 11.6' SOUTH)
MIN. REAR YARD	5'/15' (NOT APPLICABLE DOUBLE STREET FRONTAGE)
MAX. BUILDING HEIGHT	45' (PROVIDED 52.58' / 4 STORIES VARIANCE REQUEST)
MIN. PARKING SPACES (BREW PUB)	9 PARKING SPACES (1 PARKING SPACE / 1000 S.F.)
MAX. PARKING SPACES (BREW PUB)	0 PARKING SPACES (1 PARKING SPACES / 0 S.F.)
MIN. PARKING SPACES (EVENT HALL)	0 PARKING SPACES (TO BE DETERMINE BY DIRECTOR)
MAX. PARKING SPACES (EVENT HALL)	0 PARKING SPACES (NO MORE THAN 25% ABOVE MINIMUM)
MIN. PARKING SPACES (AIR B&B UNITS)	N/A
MAX. PARKING SPACES	11 PARKING SPACES
TOTAL MIN. PARKING SPACES	(1 PER BEDROOM) 9 PARKING SPACES
TOTAL MAX. PARKING SPACES	20 PARKING SPACES
PARKING SPACES PROVIDED	17 PARKING SPACES (12 ONSITE AND 5 STREET PARKING SP.)
MIN. BICYCLE PARKING SPACES	3 SPACES
PROVIDED BICYCLE PARKING SPACES	3 SPACES
VEHICLE USE AREA	2,225 S.F.
INTERIOR LANDSCAPE AREA REQ. (2.5%)	56 S.F.
INTERIOR LANDSCAPE ARE PROVIDED	226 S.F.

TREE CANOPY

CANOPY CLASS	COMMERCIAL
LAND AREA	15,625 S.F. / 0.36 AC.
EX. TREE CANOPY	0 S.F. (0%)
PRESERVED TREE CANOPY	0 S.F. (0%)
TREE CANOPY AREA % REQ.	35%
TREE CANOPY AREA REQ.	5,469 S.F.
NEW TREE CANOPY AREA PROVIDED	6,000 S.F.
5–TYPE "A" TREES @ 1,200 S.F. EACH	
TOTAL TREE CANOPY % PROVIDED	6,000 S.F. (38%)

FLOOD NOTE:

SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE "X" WITH REDUCED RISK DUE TO LEVEE PER A REVIEW OF FIRM MAP #21111C0042E, EFFECTIVE 12/5/06. BASED ON THE ONLINE INFORMATION THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE 100–YR FLOOD PLAIN.

SOIL DESCRIPTION:

ACCORDING TO THE UNITED STATES DEPARTMENT OF AGRICULTURAL SOIL SURVEY, THE SITE CONSISTS OF URBAN LAND (Ue).

APPLICABLE MSD STANDARD DRAWINGS:

STABILIZED CONSTRUCTION ENTRANCE — TRACK — ER–01–03
SILT FENCE — EF–09–02

DRAINAGE CALCULATIONS:

SITE DISTURBANCE AREA = 15,625 S.F. / 0.36 AC.
TOTAL SITE AREA = 15,625 S.F. / 0.36 AC.
TOTAL EXISTING IMPERVIOUS AREA = 12,359 S.F.
TOTAL PROPOSED IMPERVIOUS AREA = 13,982 S.F.
TOTAL PROPOSED PERVIOUS AREA = 2,233 S.F.
EXISTING RUN–OFF COEFFICIENT = 0.80 (C)
DEVELOPED RUN–OFF COEFFICIENT = 0.85 (C)

RUNOFF VOLUME CALCS:
X= CRA/12 FOR 1 HOUR 100 YR. STORM
= (0.85–0.80) (2.8) (0.36 ACRES) / 12
= 0.0042 AC.–FT.

STORM WATER WILL BE ROUTED TO EXISTING STORM SEWER SYSTEM ALONG BAXTER AVE AND UNNAMED ALLEY WHICH WILL BE SUBJECT TO A REGIONAL FACILITY FEE.

BEFORE YOU DIG:

ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY KENTUCKY 811 (PHONE NO. 811, WWW.KENTUCKY811.COM) FORTY–EIGHT HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATIONS OF EXISTING BELOW, GROUND UTILITIES i.e. CABLES, ELECTRIC WIRES, GAS AND WATERLINES. WHEN CONTACTING THE KENTUCKY 811, CALL CENTER, PLEASE STATE THAT THE WORK TO BE DONE IS FOR A PROPOSED M.S.D. SEWER AND DRAINAGE FACILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS, IN THE TECHNICAL SPECIFICATIONS, AND SPECIAL PROVISIONS.

ALL UTILITY RELOCATIONS & ADJUSTMENTS ARE THE RESPONSIBILITY OF THE DEVELOPER.

811 Know what's below. Call before you dig.

NORTH AND ALL BEARINGS ARE FROM LOJIC MAPPING.

GRAPHIC SCALE 1"=10'
0 2.5 5 10 20

CASE # 23–ZPA–____
PREVIOUS CASE: N/A
MSD WM # _____
FIRE PROTECTION DISTRICT: LOUISVILLE #4
COUNCIL DISTRICT #4

RECEIVED
MAR 04 2024
PLANNING & DESIGN SERVICES

C. R. P. & ASSOCIATES, INC.
7321 New LaGrange Road, Suite 111
Louisville, KY. 40222
(502)423–8747

OWNER/DEVELOPER
AUCKLAND LANDTRUST
1156 BARDSTOWN RD.
LOUISVILLE, KY 40204–1359

PROJECT
HULL STREET BREW PUB, EVENT HALL & AIR B&B UNITS
524, 528, 530, 532 BAXTER AVE.
LOUISVILLE, KY 40211
D.B. 12432, PG. 522
T.B. 68C, LOT 33, 34, 35 & 36

REZONING AND DETAILED DISTRICT DEVELOPMENT PLAN (NOT FOR CONSTRUCTION)

NO.	DATE	DESCRIPTION	BY

DATE
2.29.24

SHEET NO.
1 OF 1

24 - ZONEPA - 0027

Docusign Envelope ID: E4A4BE76-C9BC-4FC3-BA47-4E7F800CB31F

Docusign Envelope ID: E4A4BE76-C9BC-4FC3-BA47-4E7F800CB31F

Right-of-Way Waiver Dedication Form

Department of Transportation

Date: 10/16/2025 Staff Intake: SAM GRABER

All requirements must be submitted in person to the person to the Customer Service Counter

In accordance with Section 6.2.1 of the Land Development Code, the undersigned hereby waive the dedication of right-of-way as specified in Table 6.2.1, for the following described property:

Address: 524 Baxter Avenue

OR Tax Block: _____ Lot #: _____ Sub Lot #: _____

Related Case Number(s): 25-ZONE-0097

Requested to reduce or waive the required 65 feet of minimum right of way on:
(Width of ROW)

Baxter Avenue to provide 30 feet of right-of-way.
(Street Name) *(Width)*

PUBLIC WORKS

Signed by: William Bell
B08C5B540944475...
Signature (Director or Designee)

Date: 10/16/2025

OFFICE OF PLANNING

Signed by: Brian Davis
C385896672D04D6...
Signature (Director or Designee)

Date: 10/16/2025

Comments:

- **The existing sidewalk is located within the public right-of-way. The existing property lines match the neighboring property lines. This site is in a built-out urban area. Baxter Avenue Road widening is unlikely in the foreseeable future. According to the KYTC Active Highway Plan Map, KYTC has no current or upcoming road improvement projects that would require additional right-of-way.**

Docusign Envelope ID: E4A4BE76-C9BC-4FC3-BA47-4E7F800CB31F

Right-of-Way Waiver Dedication Form

Department of Transportation

Date: 10/16/2025 Staff Intake: SAM GRABER

All requirements must be submitted in person to the person to the Customer Service Counter

In accordance with Section 6.2.1 of the Land Development Code, the undersigned hereby waive the dedication of right-of-way as specified in Table 6.2.1, for the following described property:

Address: 524 Baxter Avenue

OR Tax Block: _____ Lot #: _____ Sub Lot #: _____

Related Case Number(s): 25-ZONE-0097

Requested to reduce or waive the required 25 feet of minimum right of way on:
(Width of ROW)

Hull Street to provide 15 feet of right-of-way.
(Street Name) *(Width)*

PUBLIC WORKS

Signed by: William Bell
B08C5B540944475...
Signature (Director or Designee)

Date: 10/16/2025

OFFICE OF PLANNING

Signed by: Brian Davis
C385896672D04D6...
Signature (Director or Designee)

Date: 10/16/2025

Comments:

The existing sidewalk is located within the public right-of-way. The existing property lines match the neighboring property lines. This site is in a built-out urban area. Hull Street Road widening is unlikely in the foreseeable future.

Mattingly, Jude

From: Sophia <sophmazzy@gmail.com>
Sent: Monday, May 4, 2026 10:07 AM
To: Mattingly, Jude
Subject: 25-ZONE-0097 Hull St. Brew Pub

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email came from outside of Louisville Metro. Do not click links, open attachments, or give away private information unless you recognize the sender's email address and know the content is safe.

Dear Jude,

As a homeowner within 1 block of the proposed rezoning, I am writing to express my support for the proposed rezoning to allow a brewpub at 524 Baxter Avenue in the Irish Hill neighborhood. I believe this use is consistent with the broader pattern of reinvestment along the Baxter/Bardstown corridor and can contribute positively to the area's vitality and walkability.

In offering this support, I respectfully request that the Planning Commission consider **binding elements** related to hours of operation and outdoor activity, consistent with the intent and applicable review criteria of the Louisville Metro Land Development Code.

The LDC and Comprehensive Plan emphasize compatibility with adjacent uses, mitigation of impacts on nearby residential properties, and the protection of public health, safety, and general welfare. Given the site's immediate proximity to residential uses, operational characteristics—particularly during late-night hours—are directly relevant to these standards.

A review of nearby establishments within immediate walking distance supports a context-sensitive approach to hours:

- Agave & Rye Louisville generally closes by 11:00 PM Sunday–Thursday and midnight on Friday and Saturday
- Ciao Ristorante generally closes by 9:00–10:00 PM depending on the day
- When Gravely was open just across Hull Street, they closed by midnight on Fridays and Saturdays. This appears to be a similar use to what is being proposed here.

These businesses reflect a pattern of neighborhood-oriented uses that taper activity before late-night bar hours.

This distinction is especially important in light of documented late-night activity along the Bardstown Road corridor just north of the site. Recent reported incidents including late-night crowd disturbances, street takeover activity, and violent crime occurring after 2:00–3:00 a.m. demonstrate that the most significant external impacts occur during post-midnight hours associated with bar closings.

In consideration of the Land Development Code's emphasis on compatibility and impact mitigation, I respectfully request the following conditions be incorporated as binding elements:

1. **Hours of Operation**
    - Sunday–Thursday: closing by 11:00 PM
    - Friday–Saturday: closing by 12:00 AM (midnight)

    These hours align with nearby restaurant uses and help ensure the proposal functions as a neighborhood-serving establishment rather than a late-night entertainment venue.

2. **Outdoor Music and Entertainment**
   While outdoor entertainment may be permitted within the C-2 district, I request a BE limiting **outdoor amplified sound, live music, and entertainment to no later than 10:00 PM**. This is consistent with the Land Development Code's intent to prevent nuisance impacts (particularly noise) on adjacent residential properties.
3. **General Compatibility Consideration**
   These conditions would help ensure the development meets the applicable review criteria related to minimizing adverse impacts, maintaining compatibility with nearby residential uses, and supporting an appropriate transition between commercial intensity and neighborhood context.

These requests are not intended to limit the viability of the proposed brewpub, but rather to ensure it integrates successfully into the surrounding neighborhood and aligns with the standards and intent of the Land Development Code.

Thank you for your time and consideration. I appreciate the Commission's careful evaluation of this case and your continued work to balance economic development with neighborhood livability.

Please incorporate this comments into the record for this hearing. Thank you.

Sincerely,

Sophia Mazzocco

521 Bishop Street

Staff Findings of Fact
Case # 25-ZONE-0097

ZONING FINDINGS

WHEREAS, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the proposal would not constitute a non-residential expansion into an existing residential area. The immediate area contains a variety of commercial, industrial, and residential zoning classifications and uses. The subject site is located in an area where there is a developed network of sidewalks, public transit options, and fronts a Major Arterial roadway.

WHEREAS, the proposal meets Community Form: Goal 2 because appropriate access and connectivity exist to allow the zoning change within the context of the Traditional Neighborhood form district.

WHEREAS, the proposal meets Community Form: Goal 3 because no substantial changes to the topography, potential environmental degradation, or disturbance to any natural features has been observed.

WHEREAS, the proposal meets Community Form: Goal 4 because while not in a historic preservation district, or overlay district, the subject site is located within a national register district and the existing structure will be preserved, habilitated, and renovated.

WHEREAS, the proposal meets Mobility: Goal 1 because The subject site is located in an area where there is a developed network of sidewalks, public transit options, and fronts a Major Arterial roadway.

WHEREAS, the proposal meets Mobility: Goal 2 because the there is no access through areas of significantly lower intensity.

WHEREAS, the proposal meets Mobility: Goal 3 because the proposed zoning would allow for a mix of possible neighborhood serving uses that encourage utilization of the existing network of sidewalks and public transit options.

WHEREAS, the proposal meets Community Facilities: Goal 2 because the subject site is served by existing utilities and located in an area where additional resources could be extended.

WHEREAS, the proposal meets Economic Development: Goal 1 because The subject site is located in an area where there is a developed network of sidewalks, public transit options, and fronts a Major Arterial roadway.

WHEREAS, the proposal meets Livability: Goal 1 because no issues with the site being susceptible to severe erosion, impacts on groundwater resources, flow patterns, existing surface drainage, or the floodplain have been observed and MSD has given preliminary approval

WHEREAS, the proposal meets Housing: Goal 1 because the proposed zoning would allow for housing options that could support aging in place with access to transit routes.

WHEREAS, the proposal meets Housing: Goal 2 because the proposed zoning would allow for housing options with access to multi-modal transportation corridors within proximity of amenities providing neighborhood good and services.

WHEREAS, the proposal meets Housing: Goal 3 because no current residents are identified to be displaced by this request.