

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION
Special Night Hearing
June 22, 2021**

A meeting of the Louisville Metro Planning Commission was held on June 22, 2021 at 6:00 p.m. via Cisco Webex Video Teleconferencing and in person at the Jeffersonian, 10617 Taylorsville Road, Louisville, KY 40299.

Commission members present:

Marilyn Lewis, Chair
Lula Howard
Jeff Brown
Pat Seitz
Jim Mims
Rob Peterson
Ruth Daniels
Patricia Clare

Commission members absent:

Te'Andre Sistrunk
Rich Carlson

Staff Members present:

Emily Liu, Planning and Design Director
Joe Reverman, Planning and Design Assistant Director
Brian Davis, Planning and Design Manager
Julia Williams, Planning Supervisor
Joel Dock, Planner II
Beth Stuber, Engineering Supervisor
Tony Kelly, MSD
Laura Ferguson, Legal Counsel

The following matters were considered:

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PUBLIC HEARING

CASE NO. 20-ZONE-0117

Request: Change in Zoning from PRD Planned Residential Development to R-6 Multi-Family Residential with Revised Detailed Plan and Waiver

Project Name: 9418 Pirouette Avenue

Location: 9418 Pirouette Avenue

Owner: Corcoran Home Building & Remodeling, LLC

Applicant: Corcoran Home Building & Remodeling, LLC

Representative: Bardenwerper, Talbott, & Roberts, PLLC - Nick Pregliasco

Jurisdiction: Louisville Metro

Council District: 13 - Mark Fox

Case Manager: Joel Dock, AICP, Planner II

Notice of this public hearing appeared in **The Courier Journal**, a 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 Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:04:15 Joel Dock presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.) He also reviewed previous hearings on this case, and noted that a previously-requested waiver request has been removed.

00:12:35 In response to a question from Commissioner Mims, Mr. Dock said that the Directors of Transportation Planning and Planning & Design Services found that the 30-foot private easement access width is acceptable.

00:13:14 In response to another question from Commissioner Mims, Mr. Dock discussed the differences between R-6 and PRD zoning categories (mostly regarding density; also, PRD allows for attached units and smaller lot sizes.)

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper Talbott & Roberts PLLC, 1000 North Hurstbourne Parkway, Louisville, KY 40223

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Kevin Young, Land Design & Development, 503 Washburn Avenue, Louisville, KY

Mickey Corcoran

Summary of testimony of those in favor:

00:14:39 Nick Pregliasco, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

00:29:31 Mr. Pregliasco showed and discussed binding elements in his Power Point presentation.

00:31:45 In response to a question from Commissioner Mims, Mr. Pregliasco discussed parking requirements.

00:33:42 Commissioner Mims and Mr. Pregliasco discussed traffic / trip generation and distribution on Pirouette. Commissioner Mims said it appears that almost all of the traffic will go out onto New Cut Road.

00:35:44 In response to a question from Commissioner Seitz, Mr. Pregliasco discussed the location of the trees. Commissioner Seitz asked if there was any fencing or landscaping going in around the perimeter, particularly on the side adjacent to the residential neighborhood. Using an aerial photo, Mr. Pregliasco discussed the proposed fencing and landscaping and noted that the applicant has proposed a binding element which states that there will be an 8-foot fence along the entire perimeter of the property (see recording for detailed discussion.)

00:39:23 Commissioner Brown asked about the language in proposed binding element 3E about the damaged bond. After some discussion, it was agreed to remove this portion from the binding elements because it was a private party agreement. See recording for detailed discussion.

00:43:23 In response to a question from Commissioner Clare, Mr. Pregliasco reviewed the proposed perimeter landscaping.

00:46:24 In response to a question from Commissioner Lewis, Mr. Pregliasco showed the building elevations and discussed the proposed building that will have windows but no balconies on the second floor.

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The following spoke in opposition to this request:

Debra and Harold Davis, 9319 Sissone Drive, Louisville, KY 40118

Summary of testimony of those in opposition:

00:50:04 Debra Davis said she is concerned about old-growth trees, and is particularly concerned about the clear-cutting of the site. She is also concerned about traffic coming out onto Pirouette Avenue, and safety issues. She discussed a future project nearby of proposed townhomes.

00:53:57 Harold Davis said there is going to be a neighborhood meeting tomorrow regarding a townhome project being added on the 1.7 acres behind this site. He discussed access to this site, which will affect his neighborhood. He said MSD told them that there would be no access through there because the pumping station would be blocking any access. He said any construction vehicles for the 1.7 acre site would have to access it through their neighborhood. He asked about the flood basin/retention basin be utilized for the new 1.7 acre property development.

00:59:09 In response to a question from Commissioner Mims, Mr. Dock discussed tree canopy preservation requirements and said the applicant is meeting the required minimum of 20% preservation of trees on the site and meeting compliance with the Tree Canopy regulations.

01:01:04 Commissioner Mims discussed Mr. Davis' concerns regarding future construction traffic access.

01:01:52 In response to questions from Commissioners Clare, Lewis, and Daniels, Mr. Dock reviewed Tree Canopy regulations regarding tree preservation, and requirements for residential sites. A landscape plan has not yet been provided.

Rebuttal:

01:03:50 Mr. Pregliasco delivered rebuttal (see recording for detailed presentation.)

01:09:46 Commissioner Clare asked about drainage from the 1.7 acre property. Mr. Pregliasco said that property would have separate detention from this subject site.

01:11:39 Julia Williams, Planning Supervisor with Planning & Design Services, said that the tree canopy calculations on the plan being presented today only show 10% of the trees being preserved, not 20%. She said the applicant needs to provide 20% of the 70% being shown. Commissioner Mims agreed and emphasized the need for

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compliance. Using the development plan, Ms. Williams described the calculation methods for tree canopy. Mr. Pregliasco said the applicant will commit to correcting that before the case goes to Metro Council. Kevin Young said he will correct that error.

01:18:19 Commissioner Howard asked how additional tree placement would affect the placement of the buildings. Mr. Pregliasco said the applicant would be willing to bring this case back to address this one issue.

Deliberation

01:23:15 Commissioners' deliberation.

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

01:36:21 On a motion by Commissioner Brown, seconded by Commissioner Seitz, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby **CONTINUE** this case to the regular meeting of the **July 1, 2021** Planning Commission public hearing to give the applicant the opportunity to update the plan and tree canopy calculations to comply with the Land Development Code requirements. The discussion will be limited to tree canopy issues and plan changes related to tree canopy compliance.

The vote was as follows:

YES: Commissioners Daniels, Seitz, Clare, Peterson, Mims, Brown, Howard, and Lewis.

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ADJOURNMENT

The meeting adjourned at approximately 7:42 p.m.

Chair

Planning Director