OLD BUSINESS

Case No. 21-ZONE-0125

Request:	Change in Zoning from R-4, OR-3 & PEC to R-6, OR-3 & PEC with Detailed District Development Plan, Major Subdivision Plan, and Variances
Project Name:	Commerce Crossings II
Location:	9710 Preston Highway, 9701 & 9900 Cooper Church Drive, and 5115, 5121, & 5141 Commerce Crossings Drive
Owner:	Commerce Crossings, LLC; Alvin J Slack, Jr.
Applicant:	Capstone Realty
Representative:	Dinsmore & Shohl
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox; 24 – Madonna Flood
Case Manager:	**Joel P. Dock, AICP, Planning Coordinator**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:
00:24:35 Joel Dock presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The case originally appeared before the committee in April 2022 and was continued so the applicant could address various items. The development is a mixed-use development with multi-family, office and industrial uses proposed throughout the site.

The following spoke in favor of the request:
Cliff Ashburner, Dinsmore & Shohl, 101 S. 5th Street #2500, Louisville, KY 40202

Mark Madison, Milestone Design Group, 108 Daventry Lane #300, Louisville, KY 40223

Summary of testimony of those in favor:
00:34:24 Cliff Ashburner spoke on behalf of the applicant in support of the application (see video for PowerPoint presentation). This site is located in the Suburban Workplace Form District and is a northward expansion of Commerce

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Crossings. Primary access into this proposed expansion will come from Commerce Crossings Drive. The ephemeral stream is being relocated per the request of Metropolitan Sewer District's comments. There is a new access point from Cooper Church Drive to the proposed apartments.

00:40:45 Diane Zimmerman spoke in support of the application. Zimmerman prepared the traffic impact study for the development. The plan was amended to give two different access points to the apartments, which helped to eliminate the F grade at the intersection of Preston Highway and Cooper Chapel Drive.

00:42:56 Cliff Ashburner resumed testimony. Ashburner reiterated the amount of work that has been done since April to address comments from the agencies and this committee. He believes the plan is now ready for a public hearing.

00:44:20 Commissioner Carlson said he is very happy to see the second access point to the apartment portion of the development.

The following spoke in opposition to the request:
None

Rebuttal:
None

Deliberation:
00:49:22 Commissioners' deliberation.

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

The Committee by general consensus scheduled this case to be heard at the December 1, 2022 Planning Commission public hearing.

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Location:	9710 Preston Highway; 9900 Cooper Church Dr; 5115, 5121, & 5141 Commerce Crossings Dr; 9701 Cooper Church Drive
Owner:	Commerce Crossings, LLC; Alvin J Slack, Jr.;
Applicant:	Capstone Realty
Representative:	Dinsmore – Cliff Ashburner
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox; 24 – Madonna Flood
Case Manager:	Joel P. Dock, AICP, Planning Coordinator

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:07:37 Joel Dock stated staff is requesting a continuance for this case to a date uncertain until all matters of the development plan can be resolved and preliminary approval from MSD is received (see recording for detailed presentation).

The following spoke in favor of this request:

Cliff Ashburner, Dinsmore and Shohl, 101 South 5th Street, Louisville, Ky. 40202

Summary of testimony of those in favor:

Cliff Ashburner agrees with a continuance but not to a date uncertain (see recording for detailed presentation).

Deliberation

The commissioners are in agreement that this case should be continued to a date uncertain (see recording for detailed presentation).

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Council District:	13 – Mark Fox; 24 – Madonna Flood
Case Manager:	**Joel Dock, AICP, Planning Coordinator**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:
01:35:03 Joel Dock presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation.) Staff finds that the case is not ready for a public hearing. The applicant is requesting a change in zoning from multiple districts to R-6, OR-3 and PEC (Planned Employment Center), along with some variances. The proposal includes multi-family, office and industrial development.

The following spoke in favor of the request:
Cliff Ashburner, Dinsmore & Shohl, 101 S 5th St #2500, Louisville, KY 40202

Mark Madison, Milestone Design Group, 108 Daventry Lane, Louisville, KY 40223

Summary of testimony of those in favor:
01:48:20 Cliff Ashburner, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for

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detailed presentation). This area is one of the last opportunities to expand this business park. Fishpool Creek separates the residential and non-residential portions of the development. The traffic impact study indicates the only movement for which there is a problem is the Cooper Church southbound movement, which is an issue in both the AM and PM peak hours.

The following spoke in opposition to the request:
No one spoke.

02:23:00 Commissioners' deliberation.

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

On a motion by Commissioner Carlson, seconded by Commissioner Daniels, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Design & Development Committee does hereby **CONTINUE** 21-ZONE-0125 to the May 19, 2022 Land Development & Transportation Committee meeting.

The vote was as follows:

YES: Commissioners Brown, Carlson, Daniels, Mims, and Sistrunk
NO: None
ABSTAIN: None
ABSENT: None