



# Louisville Metro Government

Old Jail Auditorium  
514 West Liberty Street  
Louisville, KY 40202

## Action Summary - Final Planning Commission

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Thursday, February 16, 2023

1:00 PM

Old Jail Auditorium

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### Call To Order

- Present:** 6 - Commissioner TeAndre Sistrunk, Commissioner Suzanne Cheek, Commissioner Richard Carlson, Commissioner Michelle Pennix, Commissioner Jeff Brown, and Commissioner Marilyn Lewis
- Absent:** 4 - Commissioner Patti Clare, Commissioner Lula Howard, Commissioner Bill Fischer, and Commissioner Jim Mims

### Approval Of Minutes

1. [PC Minutes 02.02.23](#)

Regular Meeting - Approval of the minutes of the February 2, 2023 Planning Commission public hearing held at 1:00 p.m..

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the minutes of the February 2, 2023 regular meeting of the Planning Commission be approved. The motion carried by the following vote:**

**Yes:** 5 - Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**Abstain:** 1 - Sistrunk

2. [PC NH Minutes 02.07.23](#)

Night Hearing - Approval of the minutes of the February 7, 2023 Planning Commission public night hearing held at 6:30 p.m.

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the minutes of the February 7, 2023 special meeting of the Planning Commission (night hearing) be approved. The motion carried by the following vote:**

**Yes:** 5 - Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**Abstain:** 1 - Sistrunk

### Business Session

3. [23-RESOLUTION-0001](#)

Project Name: Planning Commission Resolution No. 2023-01  
 Request: 5-year Review of Plan 2040  
 Jurisdiction: Louisville Metro  
 Council District: All Council Districts  
 Case Manager: Chris French, AICP, Planning Supervisor

**A motion was made by Commissioner Carlson, seconded by Commissioner Brown, that the requested Planning Commission Resolution No. 2023-01 be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

4. [BE Final Order 8300 Nash Rd](#)

Request: Binding Element Citation Final Order - 8300 Nash Road  
 Case Manager: Laura Ferguson, Jefferson County Attorney’s Office

**A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Binding Element Citation Final Order for property located at 8300 Nash Road be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**Public Hearing**

5. [22-ZONE-0145](#)

Request: Change in zoning from R-4 to C-2, with associated Detailed District Development Plan with Binding Elements, and Waivers - THIS CASE IS BEING CONTINUED TO MARCH 2, 2023 PLANNING COMMISSION

Project Name: 8006 National Turnpike Rezoning  
 Location: 8006 National Turnpike  
 Owner: Robert & Jennifer Johnson  
 Applicant: Robert Johnson  
 Representative: CRP & Associates  
 Jurisdiction: Louisville Metro  
 Council District: 13 - Dan Seum Jr.  
 Case Manager: Dante St. Germain, AICP, Planner II

**A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the case be continued to the March 2, 2023 Planning Commission public hearing. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

6. [21-MSUB-0023](#)

Request: A Major Preliminary Subdivision Plan to create 19 buildable lots and 3-non-buildable lots with Variances and a Waiver.  
Project Name: Flowervale Lane Subdivision  
Location: 11523 Flowervale Lane  
Owner: DP Reality, LLC  
Applicant: Land Design and Development, INC  
Representative: Land Design and Development, INC  
Jurisdiction: Louisville Metro  
Council District: 14 - Cindi Fowler  
Case Manager: Molly Clark, Planner II

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Variance from section 5.3.1.C.4 of the Land Development Code to reduce the 20 ft railroad supplemental setback to 0 ft. (Variance #1) AND the requested Variance from section 5.3.1 of the Land Development Code to reduce the 15 street side yard setback from 15 ft to 0 ft. (Variance #2) be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Waiver from section 10.2.7 of the Land Development Code to reduce the Railroad landscape buffer area from 35 ft to 25 ft. be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Major Preliminary Subdivision plan with proposed Conditions of Approval be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

7. [22-ZONE-0128](#)

Request: Change in zoning from R-6 multi-family and C-1 commercial to C-1 commercial with a District Development Plan with Binding Elements, a variance and a waiver

Project Name: Payne Street Bakehouse and Guesthouse

Location: 223 and 225 S Spring St

Owner: Shelby Market Properties, LLC

Applicant: Shelby Market Properties, LLC

Representative: Architectural Artisans

Jurisdiction: Louisville Metro

Council District: 9 - Andrew Owen

Case Manager: Jay Lockett, AICP, Planner II

**A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested change in zoning from R-6 multifamily and C-1 commercial to C-1 commercial be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Waiver of Land Development Code section 10.2.4 to permit existing and proposed structures to encroach into the required 15-foot property perimeter landscape buffer area as shown on the proposed development plan and eliminate the planting requirements be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Variance from Land Development Code section 5.2.2 to permit encroachments into the required 5-foot side setback as shown on the proposed development plan be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Detailed District Development Plan with binding elements be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

8. [22-ZONE-0079](#)

Request: Change in zoning from R-4 to R-6, with Detailed District Development Plan with Binding Elements

Project Name: Mud Lane Apartments

Location: 3902 Mud Ln

Owner: Hubert L Hester Living Trust

Applicant: Hubert L Hester Living Trust

Representative: Wyatt, Tarrant and Combs

Jurisdiction: Louisville Metro

Council District: 13 - Dan Seum, Jr.

Case Manager: Jay Lockett, AICP, Planner II

**A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the case be continued to the March 2, 2023 Planning Commission public hearing. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

9. [22-ZONE-0013](#)

Request: Change in form district from SWFD to NFD, change in zoning from EZ-1 to R-6 & R-7, with associated General District Development Plan with Binding Elements, Detailed District Development Plan with Binding Elements, Major Preliminary Subdivision and Variances

Project Name: 3500 Lees Lane Rezoning

Location: 3500 Lees Lane

Owner: LDG Land Holdings LLC

Applicant: LDG

Representative: Dinsmore & Shohl

Jurisdiction: Louisville Metro

Council District: 1 - Tammy Hawkins

Case Manager: Dante St. Germain, AICP, Planner II

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Change in form district from Suburban Workplace Form District to Neighborhood Form District be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Change in zoning from EZ-1 Enterprise Zone to R-6 Multi-Family Residential & R-7 Multi-Family Residential be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Variance from Table 5.3.1 to permit structures to exceed the maximum allowed building height of 35' (required: 35', requested: 38', variance of 3') (22-VARIANCE-0171); AND the requested Variance from 4.8.5 to permit encroachment into required 25' wetlands buffers (22-VARIANCE- 0172) be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested Major Preliminary Subdivision plan be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

**A motion was made by Commissioner Brown, seconded by Commissioner Carlson, that the requested General District Development Plan with Binding Elements be approved. The motion carried by the following vote:**

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

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

**Yes:** 6 - Sistrunk, Cheek, Carlson, Pennix, Brown, and Lewis

**Absent:** 4 - Clare, Howard, Fischer, and Mims

## **Adjournment**

**The hearing adjourned at approximately 3:11 p.m.**