



**Action Summary  
Planning Commission**

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Thursday, May 12, 2022

1:00 PM

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**THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE**

**Call To Order**

The following commissioners were present: Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard

The following commissioners were absent: Brown and Lewis

**Approval Of Minutes**

1. [April 21, 2022 PC Mins](#)

Commissioner Carlson had the following addition to the April 21, 2022 PC minutes: Add to the top of page 29 and note - Due to the lack of a quorum, the meeting proceeded with the remainder of the agenda using the Hearing Officer format.

A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the April 21, 2022 Planning Commission minutes be approved. The vote was as follows:

**YES:** Commissioners Carlson, Daniels, Mims and Howard

**ABSTAIN:** Commissioners Clare, Price and Sistrunk

**ABSENT:** Commissioners Brown and Lewis

**Business Session**

2. [21-ZONE-0102](#)

Request: Change in zoning from R-4 to R-7 and C-2 with a landscape waivers and a variance  
 Project Name: Freys Hill Multi-Family  
 Location: 3323 & 3325 Freys Hill Road  
 Owner: Deerfield Co. Inc.  
 Applicant: LDG Multi-family LLC  
 Representative: Dinsmore and Shohl PLLC. & Sabak Wilson and Lingo  
 Jurisdiction: Louisville Metro  
 Council District: 17- Markus Winkler  
 Case Manager: Julia Williams, AICP, Planning Supervisor

**A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the change in zoning from R-4 to R-7 and C-2 be recommended to Metro Council for approval. The vote was as follows:**

**YES: Commissioners Carlson, Clare, Daniels, Mims, Sistrunk and Howard  
 ABSTAIN: Commissioner Price  
 ABSENT: Commissioners Brown and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Variance from 5.3.1 to permit a shared access road to encroach into the 3' side yard setback (21-VARIANCE-0142) be approved. The vote was as follows:**

**YES: Commissioners Carlson, Clare, Daniels, Mims, Sistrunk and Howard  
 ABSTAIN: Commissioner Price  
 ABSENT: Commissioners Brown and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Waivers:**  
 1. Waiver from 10.2.4 to allow an easement to overlap an LBA by more than 50% along the north and east property lines as shown on the development plan (21-WAIVER-0130)  
 2. Waiver from 10.2.4 to permit a shared access road to encroach into the 25' LBA as shown on the development plan (21-WAIVER-0130) be approved. The vote was as follows:

**YES: Commissioners Carlson, Clare, Daniels, Mims, Sistrunk and Howard  
 ABSTAIN: Commissioner Price  
 ABSENT: Commissioners Brown and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Detailed District Development plan with binding elements be approved ON CONDITION that the only dumpster shown on the plan (encroaching in the buffer area) be relocated outside the buffer area. The vote was as follows:**

**YES: Commissioners Carlson, Clare, Daniels, Mims, Sistrunk and Howard  
 ABSTAIN: Commissioner Price  
 ABSENT: Commissioners Brown and Lewis**

3. [21-MSUB-0024](#)

Request: Major Preliminary Subdivision (Mixed Residential Development Incentive) with a Waiver  
 Project Name: 8300 Cooper Chapel Rd  
 Location: 8300 Cooper Chapel Rd  
 Owner/Applicant: GVPT Cooper, LLC/LDG Development  
 Jurisdiction: Louisville Metro  
 Council District: 23 - James Peden  
 Case Manager: Jay Lockett, AICP, Planner II

**A motion was made by Commissioner Mims, seconded by Commissioner Sistrunk that the Waiver of Land Development Code section 7.3.30.E to allow greater than 15% overlap of required rear yards and drainage easements for lots 1-22, 66-92, 125-129, 133-140 and 144-148 be approved. The vote was as follows:**

**YES: Commissioners Clare, Daniels, Mims, Sistrunk and Howard  
 NO: Commissioner Carlson  
 ABSTAIN: Commissioner Price  
 ABSENT: Commissioners Brown and Lewis**

**A motion was made by Commissioner Mims, seconded by Commissioner Sistrunk that the Major Preliminary Subdivision (Mixed Residential Development Incentive) with review of land disturbing activity on slopes greater than 20% and Conditions of Approval be approved. The vote was as follows:**

**YES: Commissioners Clare, Daniels, Mims, Sistrunk and Howard  
 NO: Commissioner Carlson  
 ABSTAIN: Commissioner Price  
 ABSENT: Commissioners Brown and Lewis**

4. [LDC Reform Public Engagement](#)

Request: Land Development Code Reform - Update to Planning Commission  
<https://louisvilleky.gov/ldcreform>  
 Case Manager: Joel Dock, AICP, Planning Coordinator

**No Vote**

**Public Hearing**

5. [Policy Update - April 2022](#)

Request: Bylaws & Policy Amendments Regarding Return to In-Person Meetings  
 Case Manager: Joe Reverman, AICP, Assistant Director

A motion was made by Commissioner Mims, seconded by Commissioner Price that the Update to Planning Commission Policies & Procedures for return to in-person meetings be approved and to include that the applicant/representative be present in-person for the hearing, Article 6.6.B.5. Commissioner Carlson moved for an amendment to item B1 - The Chairman may allow a commissioner to attend virtually if the member's attendance is necessary to achieve a quorum at a committee or Planning Commission meeting. It was accepted by Commissioners Mims and Price. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard  
**ABSTAIN:** Commissioners Brown and Lewis

6. [22-DDP-0009](#)

Request: Revised Detailed District Development Plan  
 Project Name: Orell Mini Warehouse  
 Location: 11905 Dixie Hwy  
 Owner/Applicant: 11905 Dixie LLC  
 Jurisdiction: Louisville Metro  
 Council District: 14 - Cindi Fowler  
 Case Manager: Jay Lockett, AICP, Planner II

A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Revised Detailed District Development plan be recommended to Metro Council for approval with an addition to binding element number 9 to incorporate today's date. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard  
**ABSENT:** Commissioners Brown and Lewis

7. [21-DDP-0115](#)

Request: A Revised Detailed District Development Plan with Proposed Binding Elements  
 Project Name: Dream Hotel  
 Location: 811 - 823 W Main Street  
 Owner: C & P Real Estate, LLC  
 Applicant: Land Design and Development, INC  
 Representative: Land Design and Development, INC  
 Jurisdiction: Louisville Metro  
 Council District: 4 - Jecorey Arthur  
 Case Manager: Molly Clark, Planner I

**A motion was made by Commissioner Mims, seconded by Commissioner Carlson that the Revised Detailed District Development plan with amendment to binding elements be approved. The vote was as follows:**

**YES: Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard**

**ABSENT: Commissioners Brown and Lewis**

8. [21-ZONE-0135](#)

Request: Change in zoning from R-4 to CM with detailed plan and parking waiver  
Project Name: 3106 Chenoweth Run Storage  
Location: 3106 Chenoweth Run Road  
Owner: James R. Conti  
Applicant: One Fourteen, LLC  
Representative: Land Design and Development  
Jurisdiction: Louisville Metro  
Council District: 11 - Kevin Kramer  
Case Manager: Joel Dock, AICP, Planning Coordinator

A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Change-in-Zoning from R-4, residential single-family to CM, commercial manufacturing be recommended to Metro Council for approval. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard  
**ABSENT:** Commissioners Brown and Lewis

A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Parking Waiver to reduce the required spaces from 26 to 10 be recommended to Metro Council for approval. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard  
**ABSENT:** Commissioners Brown and Lewis

A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Detailed District Development Plan be approved. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard  
**ABSENT:** Commissioners Brown and Lewis

9. [21-ZONE-0162](#)

Request: Change in form district from NFD to SWFD, change in zoning from R-4 to PEC, with Revised Detailed District Development Plan with Binding Elements, and Variance and Waiver

Project Name: Logistic Air Park II

Location: 3200 & 3201 Dupin Drive, 5400 Minor Lane

Owner: Kentuckiana Development LLC, Logistics Air Park II LLC

Applicant: Nicklies Development

Representative: Heritage Engineering

Jurisdiction: Louisville Metro

Council District: 13 - Mark Fox

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

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that the Change in form district from Neighborhood to Suburban Workplace be recommended to Metro Council for approval. The vote was as follows:**

**YES: Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard**  
**ABSENT: Commissioners Brown and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that the Change in zoning from R-4 Single Family Residential to PEC Planned Employment Center be recommended to Metro Council for approval. The vote was as follows:**

**YES: Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard**  
**ABSENT: Commissioners Brown and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that the Variance from Table 4.8.1 to permit encroachment into the required Type B buffer area around an existing lake (required 100' buffer, requested 0' buffer, variance of 100') (22-VARIANCE0016) be approved. The vote was as follows:**

**YES: Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard**  
**ABSENT: Commissioners Brown and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that the Waiver from 10.2.4.B.8 to permit elimination of the required PEC 15' Landscape Buffer Area along the southern property line and elimination of the required plantings (22-WAIVER-0053) be approved. The vote was as follows:**

**YES: Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard**  
**ABSENT: Commissioners Brown and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner**

Clare that the Revised Detailed District Development Plan with Binding Elements be approved with a substitute for BE#9 as follows: Landscaped berms shall be provided as shown in the applicant's exhibit as presented at the Planning Commission meeting on May 12, 2022 and shall be provided along the boundaries with the R-4 zoned properties with Dupin Dr. and Minor Ln. as shown on the development plan and applicant's exhibit. The berms shall be provided for all R-4 zoned properties abutting the site including the ones that front Bowie Dr. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price, Sistrunk and Howard

**ABSENT:** Commissioners Brown and Lewis

10. [22-ZONE-0009](#)

Request: Change in zoning from M-2 to C-2, with Detailed District Development Plan with Binding Elements, and Waiver

Project Name: 905 E Oak Street Rezoning

Location: 905 E Oak Street

Owner: Joe W Burnett Jr.

Applicant: Joe W Burnett Jr.

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 6 - David James

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

A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Change in zoning from M-2 Industrial to C-2 Commercial be recommended to Metro Council for approval. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price and Howard

**ABSENT:** Commissioners Brown, Sistrunk and Lewis

A motion was made by Commissioner Carlson, seconded by Commissioner Mims that the Waiver from 10.2.4 to allow structures to encroach into to the required property perimeter Landscape Buffer Area and waive required plantings (22-WAIVER-0031) be approved. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price and Howard

**ABSENT:** Commissioners Brown, Sistrunk and Lewis

A motion was made by Commissioner Carlson, seconded by Commissioner Daniels that the Detailed District Development Plan with Binding Elements be approved. The vote was as follows:

**YES:** Commissioners Carlson, Clare, Daniels, Mims, Price and Howard

**ABSENT:** Commissioners Brown, Sistrunk and Lewis



11. [21-ZONE-0152](#)

Request: Change in zoning from CTC-2 to PRD, with Major Preliminary Subdivision, Detailed District Development Plan with Binding Elements, and Variance and Waivers

Project Name: College Drive Subdivision

Location: 3608 College Drive

Owner: Jeffersontown Economic Development

Applicant: Jeffersontown Economic Development

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: City of Jeffersontown

Council District: 20 - Stuart Benson

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

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that the Change in zoning from CTC-2 Commercial Town Center to PRD Planned Residential Development be recommended to the city of Jeffersontown for approval. The vote was as follows:**

**YES: Carlson, Clare, Daniels, Price and Howard**  
**ABSENT: Commissioners Brown, Mims, Sistrunk and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that a Variance from 5.1.12.A.2.a to permit a proposed structure to exceed the allowed infill front yard setback (required 7.5', requested 35', variance of 27.5') (22-VARIANCE-0017) be approved. The vote was as follows:**

**YES: Carlson, Clare, Daniels, Price and Howard**  
**ABSENT: Commissioners Brown, Mims, Sistrunk and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that the Waivers: #1: from 7.3.30.E to permit a drainage easement to overlap rear yards by more than 15% (22-WAIVER-0020) and #2: from 5.3.1.D.1.b.vi to permit more than 4 contiguous attached units in the PRD zoning district (22-WAIVER-0019) be recommended to the city of Jeffersontown for approval. The vote was as follows:**

**YES: Carlson, Clare, Daniels, Price and Howard**  
**ABSENT: Commissioners Brown, Mims, Sistrunk and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that the Major Preliminary Subdivision (21-MSUB-0025) be recommended to the city of Jeffersontown for approval. The vote was as follows:**

**YES: Carlson, Clare, Daniels, Price and Howard**  
**ABSENT: Commissioners Brown, Mims, Sistrunk and Lewis**

**A motion was made by Commissioner Carlson, seconded by Commissioner Clare that the Detailed District Development Plan with Binding Elements be recommended to the city of Jeffersontown for approval with a recommendation to consider a requirement for pedestrian connectivity to Billtown Rd. or the adjacent activity commercial center. The vote was as follows:**

YES: Carlson, Clare, Daniels, Price and Howard  
ABSENT: Commissioners Brown, Sistrunk and Lewis  
ABSTAIN: Commissioner Mims - Technical Issues

**Standing Committee Reports**

**CHAIRMAN OR COMMISSION DIRECTOR'S REPORT**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**DEVELOPMENT REVIEW COMMITTEE**

**PLANNING COMMITTEE**

**POLICY AND PROCEDURES COMMITTEE**

**SITE INSPECTION COMMITTEE**

**Adjournment**