

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**April 24, 2014**

**New Cases**

**CASE NO. 14ZONE1001**

<b>Project Name:</b>	1373 Lexington Road
<b>Location:</b>	1373 Lexington Road
<b>Owner:</b>	6202 Six Mile Lane LLC
<b>Applicant:</b>	Cityscape Residential
<b>Representative:</b>	Land Design & Development Wyatt Tarrant & Combs
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	9 – Tina Ward Pugh
<b>Case Manager:</b>	<b>Julia Williams, AICP, Planner II</b>

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. 5<sup>th</sup> Street.)

**Request:**

A change in zoning from M-3 Industrial to R-8A Multi-Family Residential; a Revised District Development Plan, a building height Variance, Landscape Waivers, and a Waiver to permit parking in front of the principle structure are being requested.

**The following spoke on behalf of Case No. 14ZONE1001:**

Deborah Bilitski, Wyatt Tarrant & Combs, 500 West Jefferson Street Suite 2800, Louisville, KY 40202

Kelli Lawrence, Cityscape Residential, 8335 Keystone Crossing, Suite 106, Indianapolis, IN 46240

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

Councilwoman Tina Ward-Pugh, 600 West Jefferson Street, Louisville, KY 40202

Lisa Santos, 1318 Hull Street, Louisville, KY 40204

Ray Schumann (sp), 200 Storey Commons Suite 200, Louisville, KY 40206

John Grantz, 1386 Lexington Road, Louisville, KY 40206

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**DISCUSSION:**

Julia Williams presented the case (see staff report for detailed presentation.) She said the Irish Hill Neighborhood Plan is applicable to the site. No specific recommendation for the site was included in that plan; however, it is a goal to encourage the downsizing of industrial activities and corresponding re-development of industrial districts to uses more compatible with the neighborhood's residential core.

She discussed remediation of brownfields sites along Lexington Road.

In response to a question from Commissioner Blake, Ms. Williams said there was a proposal awhile back for storage on an adjacent site, not on this site.

Ms. Williams said she had not received any comments from interested parties at the time the staff report came out; however, yesterday she received an e-mail from the Irish Hill Neighborhood Association expressing some of their concerns. She handed out copies of the e-mail to the Committee members.

Regarding the "Technical Review" section of the staff report, she said the waiver justification has been submitted. Both the existing binding elements (which refer to the previous industrial use on the site) and the proposed binding elements are included in the staff report.

Deborah Bilitski, the applicant's representative, gave a brief history of the site. It was the old Progress Rail site; the site to the west is the old River Metals site. The building on the property will be removed and replaced with multi-family housing.

Kelli Lawrence, an applicant's representative, briefly described the company and some of the amenities planned for this project.

Ms. Bilitski said there has been much neighborhood outreach. She said that Beargrass Creek binds the site and the applicant is trying to stay away from the creek. This means that some building are pushing into other areas of the site. She said it is very important to the neighborhood and the applicant to preserve the creek and keep a large buffer between it and the construction. She said

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there will be parking underneath the structures. She said the landscape waiver will be updated and fully presented at the public hearing.

Kevin Young, an applicant's representative, discussed some of the features of the design and the site. He reiterated that this property is in a flood zone; one of the driving forces of this development is to get entirely out of the environmentally sensitive area. No portion of the development is in the setback area – this is per the Land Development Code and also MSD. He said one of the waiver requests would combine the interior landscape areas to provide green infrastructure, mostly due to the project's proximity to Beargrass Creek. The interior landscape areas would be used to filter stormwater.

Mr. Young said Volksdoctor is an industrial use; therefore the applicant would like to place trees and a fence to protect their future residents from that use.

Using the elevations, Ms. Bilitski and Ms. Lawrence discussed streetscape and sidewalk improvements.

Councilwoman Tina Ward-Pugh said this is the kind of development that is needed in an urban services district for infill. She discussed the streetscape along Lexington Road and the importance of attracting development along this corridor.

Lisa Santos, representing the Irish Hill Neighborhood Association, said Cityscape had met with them in advance of filing to discuss the proposed project. She said the Association supports the rezoning, and has no issue with the request for the increase of building height or parking near the street as long as it is properly screened. However, the Association does object to the proposed encroachment into the LBA. They would prefer that the applicant reduce the building size to require fewer parking spaces or apply for a parking waiver. They also object to the waiver to permit greater distance between ILAs – they would suggest planting large trees in the middle of the parking lot to provide more shade and reduce heat.

Ms. Santos asked if the applicant was increasing the required 25-foot buffer from the stream, or just maintaining it. Ms. Bilitski said the buffer is actually larger in some areas. Ms. Santos also asked if the applicant was exceeding the tree canopy requirements. Mr. Young said the applicant is not asking to reduce it, and that he would show Ms. Santos his calculations for tree canopy. Ms. Bilitski

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said the whole area along the creek is going to be preserved as tree canopy, which will probably mean that the applicant will end up increasing the tree canopy.

Ms. Santos said Irish Hill is the recipient of a very large underground storage basin adjacent to the creek, and encourages all new development to manage their own water on their own property. She said the Association wants the development to retain 100% of all stormwater runoff.

The Association wants MSD and/or staff to review the outfalls from the bio-swales. This is especially important in this neighborhood, since they have about two miles of creek within the neighborhood boundaries. Erosion is also an issue.

The Association requested that only native species be used for the landscaping.

Ms. Santos said no comment from Metro Public Works was found on file regarding the location of this project on a major thoroughfare and its proximity to an intersection. She said the Association is interested in any infrastructure improvements that can be made on or around the site in conjunction with Metro Public Works. Slowing speeders on Lexington Road and handling parking are primary concerns.

Regarding the tree canopy, Ms. Williams said that, due to the density, this particular site does not require a tree canopy. Therefore, any tree that gets put on the site would be "exceeding" a tree canopy requirement. Mr. Young said he would still provide Ms. Santos with that information.

Ray Schumann (sp), a resident across the street, said he strongly approves of the proposal.

John Grantz, a nearby business owner across the street, said he supports the development.

**The Committee by general consensus scheduled Case No. 14ZONE1001 for the May 29, 2014 Planning Commission public hearing.**