

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

**August 23, 2018**

**New Business**

**Case No. 18ZONE1039**

**Request:** Change in zoning from R-7 to C-1 with a Detailed District Development Plan, Conditional Use Permit for off-street parking in a residential zoning district, and a landscape waiver.

**Project Name:** 1860 Frankfort Avenue  
**Locations:** 1860 Frankfort Avenue  
**Owner:** Ally Properties  
**Applicant:** Alexa Properties  
**Representative:** Cliff Ashburner – Dinsmore & Shohl, LLP  
**Jurisdiction:** Louisville Metro  
**Council District:** 9 – Bill Hollander

**Case Manager:** Joel Dock, AICP, Planner II

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

**Agency Testimony:**

00:26:50 Joel Dock presented the case (see staff report and recording for detailed presentation.) He noted that there is a small error on the plan – “R-6” is stated, but should have been “R-7”. This error will be corrected before the public hearing. He also said he has received some public comments between the publishing of the staff report and today’s meeting – he handed out copies of those comments to the Commissioners.

**The following spoke in favor of the request:**

Cliff Ashburner, Dinsmore & Shohl, 101 South Fifth Street Suite 2500, Louisville, KY 40202

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Chris Crumpton, Bluestone Engineers (signed in to answer questions but did not speak.)

Mike O'Leary, 1963 Payne Street, Louisville, KY

**Summary of testimony of those in favor:**

00:29:28 Cliff Ashburner, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

00:38:13 Mike O'Leary, president of the Clifton Community Council, read a letter from the Board of Directors into the record (on file.) He said the Board has voted to support the proposed change in zoning and the Conditional Use Permit for the parking lot. However, the vote was not unanimous. Issues of concern include commercial zoning in this residential block; noise; parking; alcohol sales; and unruly patrons.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

Councilman Bill Hollander, 202 S. Peterson Avenue, Louisville, KY 40206

**Summary of testimony of those neither for nor against:**

00:42:19 Councilman Bill Hollander said he has received calls from nearby residents, especially those in the adjoining properties, who are concerned that no intended use has been stated. He said there is significant opposition along the street against additional bars or restaurants. He said it has been his position on Metro Council to not approve rezonings on Frankfort Avenue unless the intended use is stated, and unless binding elements are in place stating that, if the use changes, an additional hearing would be required.

**Rebuttal:**

00:44:00 Mr. Ashburner said the applicant is aware of the neighbors' concerns about not knowing the use proposed for this site. He said that, between now and the public hearing, the applicant will prepare a list of "boundary

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conditions” - a list of uses that are objectionable, or not objectionable, and will work with residents.

00:45:02 Commissioner Brown suggested relocating the bike parking areas to the front of the building instead of the rear. Also, he asked about the “event space in the basement” – is that accounted for in the square footage? Mr. Dock explained about uses (see recording for detailed discussion.) The “event center” notations on the plans should be removed. Commissioner Brown asked about parking calculations.

00:46:48 John Carroll, legal counsel for the Planning Commission, asked Mr. Ashburner when they would have the intended uses submitted. Mr. Ashburner said the list would be submitted far enough in advance that it would be included in the staff report.

**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 **September 20, 2018** Planning Commission public hearing.