

PLANNING COMMISSION MINUTES
June 17, 2021

PUBLIC HEARING

CASE NO. 21-ZONE-0003

NOTE: This case was heard out of order. It was heard immediately following Case No. 21-ZONE-0014.

Request: Change in zoning from R-4 to R-6, with Detailed District Development Plan and Binding Elements
Project Name: Lodges at Prospect
Location: 7312 River Road
Owner: Eastwood Construction and Development
Applicant: AGS Development LLC
Representative: Dinsmore & Shohl – Cliff Ashburner
Jurisdiction: Louisville Metro
Council District: 1 6 - Scott Reed
Case Manager: Dante St. Germain, AICP, Planner II

Notice of this public hearing appeared in The Courier-Journal, a notice was posted on the property, and 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 public hearing. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:15:14 Dante St. Germain said the applicant has requested that this case be continued to the July 15, 2021 Planning Commission public hearing.

The following spoke in support of the request:

Cliff Ashburner, Dinsmore & Shohl, 101 S 5th St #2500, Louisville, KY 40202

Summary of testimony of those in support:

00:15:55 Cliff Ashburner, the applicant's representative, said the applicant has some issues with the plan that they would like to resolve before the case is heard by the Planning Commission.

00:16:32 Commissioner Lewis noted that this case was originally scheduled to start no later than 5:30 today. She said that, if this hearing adjourns before

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5:30 today, a staff member will remain online to communicate with any member of the public who logs in. There have been attempts made to notify any who were already expected.

The following spoke in opposition to the request:

No one spoke.

An audio/visual recording of the Planning Commission hearing 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.

00:17:12 Commissioner Carlson made a motion, seconded by Commissioner Clare, to schedule this case for the July 15, 2021 Planning Commission public hearing.

00:17:35 In response to a question from Commissioner Peterson and other Commission members, Ms. St. Germain said the reason why this case was originally placed at the end of the agenda (to not start prior to 5:30) is because staff received a petition for a night hearing with 200 signatures. Some of those signatures were disqualified as not being in Jefferson County or not being verifiable. Therefore, the petition dropped below the 200-signature threshold for a night hearing. However, as a courtesy to the people who had gone to the effort to make that petition, it was decided to place the case on the end of the agenda and a note not to start before 5:30 p.m. She said the night hearing petition is not valid; it does not have enough signatures.

00:19:01 Mr. Ashburner said the applicant had no objection to starting this case no earlier than 5:30 p.m. on July 15th.

00:19:22 The Commissioners discussed the time issue.

00:19:52 Commissioner Carlson amended his motion to include a note stating that the case shall not start before 5:30 p.m.

RESOLVED, the Louisville Metro Planning Commission does hereby **CONTINUE** this case to the **July 15, 2021** Planning Commission public hearing. This case will **NOT** start before 5:30 p.m. on that date.

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The vote was as follows:

YES: Commissioners Carlson, Mims, Peterson, Clare, Daniels, and Sistrunk.

NO: Commissioners Brown, Howard, Seitz, and Lewis.

00:21:28 Commissioner Howard asked if the Commissioners could be polled to make quorum for that meeting. Commissioner Lewis said that would occur at the end of today's hearing.