

PLANNING COMMISSION MINUTES
May 21, 2015

PUBLIC HEARING

CASE NO. 15AMEND1000

Project: LDC Text Amendment – Boarding and Lodging Houses
Case Manager: **Brian Mabry, AICP, Planning Coordinator**

NOTE: COMMISSIONER BROWN LEFT AND DID NOT VOTE ON THIS CASE

Notice of this public hearing appeared in The Courier Journal. 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. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

03:13:09 Mr. Mabry discussed the proposed text amendments related to boarding and lodging houses, applicable plans and policies, staff analysis and conclusion.

The following spoke as neither for nor against:

Paul Whitty, 8th floor Fiscal Court Building, Louisville, Ky. 40202

Summary of testimony of those neither for nor against:

3:50:22 Mr. Paul Whitty, remarked, "The intent was to require all the residentially zoned districts to have a CUP, previously R-7 and R-8A had been excluded."

Mr. Whitty said Cheri Bryant-Hamilton was at this meeting but had to leave. She submitted a written testimony.

The following spoke in favor of this request:

Jean Griffin, 4530 West Broadway, Louisville, Ky. 40211
Vanessa Lackey, 4630 Varble Avenue, Louisville, Ky. 40211
Martina Cunnehy, 2729 Portland Avenue, Louisville, Ky. 40211

Summary of testimony of those in favor:

4:04:15 Mr. Reverman read Councilwoman Cheri Bryant-Hamilton's written statement into the record. She is in support of the LDC text amendment regarding boarding and lodging houses.

4:07:03 Mrs. Griffin said she lives by several halfway houses (legal and illegal). All residentially zoned districts need to have a CUP and follow the law.

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Mrs. Griffin said the residents of the halfway houses sit on their porches drinking alcohol and don't really have a program to help them. They are just housed with very poor living conditions. There's also some drug activity.

4:08:59 Mr. Griffin agrees with his wife and said the commissioners wouldn't like it if it was their neighborhood.

4:11:07 Ms. Lackey said this issue is causing the property value to decrease dramatically in the west end.

Ms. Lackey also discussed the deplorable conditions some of the transitional people live in.

4:19:52 Ms. Cunnegy, President of Neighborhood Planning and Preservation, remarked, "This is a rare example of when neighborhoods drove the action, the councilwoman answered their call and they came up with a pretty good solution to a very difficult problem. Unfortunately, the only part you have to handle is the zoning issue today and I ask you to please stick to that."

The following spoke in opposition of this request:

Jerry Watson, 393 Goose Creek, Taylorsville, Ky. 40071

Summary of testimony of those in opposition:

4:21:14 Ms. Waston owns a boarding house in the west end (since 1997) and says she runs a safe and clean home. "If I can't live there, I won't allow anyone else to live there." The square footage, for qualification, needs to be adjusted.

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.

Deliberation:

On a motion by Commissioner Proffitt, seconded by Commissioner Peterson, the following resolution was adopted.

4:33:33 Commissioner Tomes said something needs to be done. Issues regarding Fair Housing have to be upheld as profiling is against the law. These issues are in every neighborhood, not just the west end.

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Commissioner Peterson remarked, "It's a very difficult issue and I'm sure the people that are in the neighborhoods where some of the illegal homes particularly are being operated are really suffering – quality of life is being affected and property values are being drastically affected."

Commissioner Jarboe said enforcement seems to be a problem but it's not within our purview.

Commissioner Proffitt stated, "We're not a regulatory authority but we can recommend the rules." Today the committee is considering the 6 items presented by staff.

Commissioner Kirchdorfer and White are in favor of the 6 items also.

Commissioner Turner is in favor and asks Mr. Whitty to contact the Ky. Real Estate Commission, Fair Housing Dept.

Chairman Blake said there are 5 items, the 6th item was deleted.

4:49:19

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** Case No. 15AMEND1000, LDC Text Amendment regarding Boarding and Lodging Houses to the next available Planning Commission meeting to allow staff and/or counsel time to rework specifically, page 1 on a document provided as legislation text to Metro Government as it relates to amending sections 4.2.11 of the Land Development Code (Boarding and Lodging). Paragraph H should be reviewed in its totality and items listed in the staff report, items 1-5 should be incorporated in the same document. Also, the committee will look at the parking.

The vote was as follows:

YES: Commissioners Blake, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes, Turner and White

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Brown and Butler

ABSTAINING: No one