

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

December 10, 2015

New Cases

CASE NO. 15ZONE1026

Request: Change in zoning from R-6 to C-1 on 0.106 acres with a Parking Waiver, Land Development Code Waiver and Detailed District Development Plan

Project Name: Ciao Italian Restaurant

Location: 1201 Payne Street

Owner: Jesse Francis Jr. & Fred Pizzonia

Applicant: Jesse Francis Jr. & Fred Pizzonia

Representative: Cardinal Planning & Design Inc.

Jurisdiction: Louisville Metro

Council District: 4 – David Tandy

Case Manager: Christopher Brown, Planner II

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. 5th Street.)

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.

Agency Testimony:

01:11:54 Christopher Brown presented the case and showed the site plan (see staff report and recording for detailed presentation.) He added that interested party comments have been received in opposition from the Irish Hill Neighborhood Association, who had concerns about the change in zoning and parking issues.

The following spoke in favor of the request:

Kathy Matheny, Cardinal Surveying, 9009 Preston Highway, Louisville, KY 40219

Kim Spetz, 1230 Payne Street, Louisville, KY 40204

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Summary of testimony of those in favor:

01:15:10 Kathy Matheny, the applicant's representative, presented the applicant's case (see recording for detailed presentation.) She explained that the property was used as a restaurant for many years but was never properly zoned for that use. She said the current owners want to use it as a restaurant. There are no real changes being proposed to the structure. She explained why the applicant is requesting the landscape waiver along one side of the property.

01:17:59 Ms. Matheny discussed the parking waiver request, and also the neighborhood parking situation and the study that has been done for this case.

01:20:11 Ms. Matheny discussed some of the neighborhood association's concerns that were brought up at the neighborhood informational meeting.

01:21:49 Kim Spetz, a resident and co-chair of the Irish Hill Neighborhood Association, discussed binding elements that are important to neighbors. These include hours of operations, seating capacity, employee parking outside of the residential area, no outdoor advertising, no outdoor entertainment/ P.A. system, no idling of trucks, dumpster pickup hours, dumpster location, outside lighting, adequate landscaping for the Cooper Street easement (full binding element request letter is on file.)

01:26:08 Ms. Matheny said these binding element requests have been discussed between the applicant and the neighbors. She said the applicant has agreed to most of them but there were a couple that still needed to be worked out.

01:26:55 Commissioner Brown asked about the landscaping on the Cooper Street easement. Ms. Matheny said there are two new street trees being proposed in addition to the three already there.

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

Chris Durning, 1200 Payne Street, Louisville, KY 40204 (was called but did not speak)

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01:27:34 The Committee by general consensus scheduled this case to be heard at the February 4, 2016 Planning Commission public hearing.