

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
August 11, 2022

Case No. 21-ZONE-0161

Request:	Change in Zoning from R-5 to C-M, with Detailed District Development Plan, Binding Element, and a Waiver
Project Name:	Southside Drive Rezoning
Location:	6101-6107 Southside Drive, 101-111 Steedly Drive
Owner:	Teresa Nguyen & Justin Dihn
Applicant:	Teresa Nguyen & Justin Dihn
Representative:	Wyatt, Tarrant & Combs
Jurisdiction:	Louisville Metro
Council District:	25 – Amy Holton Stewart
Case Manager:	Dante St. Germain, 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. 5th Street.)

Agency Testimony:

01:06:14 Dante St. Germain presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The applicant is requesting to rezone the property from R-5 to C-M for a proposed development consisting of mixed retail and contractor shops. The Metro Council representative submitted some proposed binding elements that they would like incorporated into the staff report.

Commissioner Carlson asked what “change in use” means in the Metro Council Representatives proposed binding element. Dante St. Germain said she was not sure and maybe the Metro Council Representative can expand upon this during her testimony.

Commissioner Brown requested clarification about the connection waiver.

The following spoke in favor of the request:

Jon Baker, Wyatt, Tarrant & Combs, 400 W. Jefferson Street, Suite 2000, Louisville, KY 40202

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Ann Richard, Land Design & Development, 503 Washburn Avenue, Louisville, KY 40222

Summary of testimony of those in favor:

01:16:10 Jon Baker, the applicant's representative, presented the applicant's case and showed a PowerPoint presentation (see recording for detailed presentation). The proposed plan has been designed to have retail near the adjoining residential uses and a more industrial use at the rear of the property near the adjoining industrial uses.

01:23:00 Ann Richard spoke in support of the application (see recording). Richard discussed the site layout and provided further explanation for the proposed waiver. The applicant is only proposing to not connect to one property, which is a secured property where a connection is not feasible.

01:29:00 Jon Baker resumed testimony. Baker believes the plan is ready for a public hearing.

Commissioner Mims asked if there would be outdoor storage in the contractor shop area. Baker said there is a note on the plan stating there will not be any outdoor storage.

The following spoke as neutral/other:

Amy Holton Stewart, Louisville Metro Council District 25, 601 W. Jefferson Street, Louisville, KY 40202

Summary of testimony of those who spoke as neutral/other:

01:40:40 Amy Holton Stewart discussed the proposal. She said this is binding element is being used frequently over at Metro Council. The binding element is intended to prevent significant changes in use from what is originally proposed to what may come back in the form of a revised plan.

The following spoke in opposition to the request:

Ann Ramser, 307 E. Kenwood Drive, Louisville, KY 40214

Maureen Welch, 7101 Venetian Way, Louisville, KY 40214

Betsy Ruhe, 4902 Southern Parkway, Louisville, KY 40214

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Summary of testimony of those who spoke in opposition:

01:47:05 Ann Ramser spoke in opposition to the proposal. Ramser believes C-M is too intense for this location and could be damaging to the neighborhood meeting. Ramser believes the documented technical difficulties warrant the need for another neighborhood meeting. There is concern about heavy trucks damaging the roads. Ramser does not believe this project is equitable.

01:56:40 Maureen Welch spoke in opposition to the proposal. Welch believes the existing R-5 zoning is more appropriate than the proposed C-M zoning. Welch thinks the plan does not meet the equity goals of Plan 2040 because the proposed use will have a negative impact on nearby residential uses.

02:04:38 Betsy Ruhe spoke in opposition to the proposal. There has been an increase in truck traffic in the area, and she has concerns about whether this development will add to that.

Rebuttal:

02:06:35 Jon Baker provided rebuttal. Baker believes the proposal provides a good transition between the Traditional Neighborhood and Suburban Workplace form districts that are in the area because of the proposed mix of uses and the scale of the development.

Deliberation:

02:11:25 Commissioners' deliberation.

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 1, 2022 Planning Commission public hearing.