

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
August 27, 2020**

A meeting of the Land Development and Transportation Committee was held on, August 27, 2020 at 1:00 p.m. via Cisco Webex Video Teleconferencing. On the recommendation of the Louisville Metro Department of Health and Wellness regarding congregate events and social distancing, the Land Development & Transportation Committee meeting set for today was held online.

Committee Members present were:

Marilyn Lewis, Chair
Rob Peterson, Vice Chair
Richard Carlson
Jeffrey Brown
Ruth Daniels *arrived approx. 1:08 p.m.*

Committee Members absent were:

None

Staff Members present were:

Joe Reverman, Planning and Design Assistant Director
Brian Davis, Planning & Design Manager
Julia Williams, Planning Supervisor
Joel Dock, AICP Planner II
Travis Fiechter, Legal Counsel
Beth Stuber, Engineering Supervisor
Rachel Dooley, Planning and Design Management Assistant

Others present:

None

The following matters were considered:

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APPROVAL OF MINUTES

AUGUST 13, 2020 LD&T COMMITTEE MEETING MINUTES

00:04:33 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

RESOLVED, that the Land Development & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on August 13, 2020.

The vote was as follows:

YES: Commissioners Carlson, Daniels, Peterson, Brown, and Lewis.

NO: No one

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NEW BUSINESS

CASE NO. 20-ZONE-0064

Request: Change in Zoning from R-5 to C-2 and Change in form from Neighborhood to Suburban Marketplace Corridor
Project Name: Coats Auto
Location: 5210 Preston Highway
Owner: Coats Properties I, LLC & Coats Properties II, LLC
Applicant: Lockett & Farley
Representative: Dinsmore & Shohl, LLP
Jurisdiction: Louisville Metro
Council District: 21 – Nicole George

Case Manager: Joel P. Dock, AICP, 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.)

Discussion

00:05:48 Joel Dock presented the case via Power Point slide show (see staff report and recording for detailed presentation.) Mr. Dock noted this expansion will include a subdivision of residential lots on the rear portion of the property. Joel detailed the case summary, the existing facilities, the applicants renderings, and the proposed plan (see recording for detailed presentation.)

The following spoke in favor of this request:

Cliff Ashburner, 101 South Fifth Street, Suite 2500, Louisville, Kentucky, 40202

Emily Estes, 737 South Third Street, Louisville, Kentucky,

Summary of testimony of those in favor:

00:09:19 Cliff Ashburner, representing the applicant, presented a Power Point slide show (see recording for detailed presentation.) Mr. Ashburner detailed the history of the site, the proposed area of rezoning, accesses to the site, and the adjacent residential lots on Norton Ave. Cliff noted Emily Estes is available today to speak in support and answer questions.

00:13:16 Commissioner Carlson asked if there will be a security fence along the rear portion of the property. Emily Estes replied the site has used a chain link fence to secure the lot. Per the code this site will switch to an 8ft wooden screen fence for this

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expansion. Commissioner Carlson asked which side of the fence will be landscaping be located. Emily replied the proposed landscaping will be inside the fence line.

00:14:32 Commissioner Brown asked for the hours of operation for the site. Emily Estes replied the hours for this expansion will be the same as the existing business on the site, exact hours can be provided at the public hearing.

Commissioner Deliberation:

00:13:35 Commissioner Deliberation (see recording for detailed presentation.)

An audio/visual recording of the Land Development & 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 placed this case on the September 17, 2020 Planning Commission public hearing agenda.

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NEW BUSINESS

CASE NO. 20-ZONE-0055

Request: Change in Zoning from EZ-1 to C-2 and Conditional Use Permit for blood/plasma collection center with detailed plan
Project Name: Octapharma
Location: 2809 W. Broadway
Owner: Elda KY LV, LLC
Applicant: Octapharma Plasma, Inc.
Representative: Bardenwerper, Talbott, and Roberts, PLLC
Jurisdiction: Louisville Metro
Council District: 5 – Donna Purvis

Case Manager: Joel P. Dock, AICP, 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.)

Discussion

00:16:57 Joel Dock presented the case via Power Point slide show (see staff report and recording for detailed presentation.) Joel noted the blood/plasma collection center is proposed within an existing multi-tenant center. He stated while the existing zoning district allows for C-2 uses, it does not allow for a conditional use permit to be requested for this use within the EZ-1 district. The proposed site will need to be downzoned to allow for the CUP to be reviewed.

00:19:51 Commissioner Daniels asked if the applicant will be in the existing building with no new construction. Joel Dock replied there will be no site construction except for curb and sidewalk improvement along 29th Street.

00:20:19 Commissioner Brown asked if the applicant would need a conditional use permit for the portion of the parking that will serve this business. Joel Dock replied the applicant will not need a permit the parking lot is permitted by right use in C-1.

00:21:11 Commissioner Daniels asked if staff has received proposals from the existing businesses in the building. Joel Dock replied there were no public comments received for this project. He stated the applicant can elaborate on comments made at the neighborhood meetings.

The following spoke in favor of this request:

Paul Whitty, 1000 N. Hurstbourne Parkway, Suite 200, Louisville, Kentucky 40223.

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NEW BUSINESS

CASE NO. 20-ZONE-0055

Summary of testimony of those in favor:

00:21:54 Paul Whitty, representing the applicant, presented a Power Point slide show (see recording for detailed presentation.) Mr. Whitty detailed the site area, the multi-tenant building, and the curb cut reduction to 26 feet on 29th Street. Paul noted the relief from CUP requirement 4.2.10 which requires the plasma center to be located 1000 feet from any property zoned residential. He clarified Octapharma will only collect plasma on this site

00:36:15 Commissioner Daniels asked for the hours of operation for this site. Paul Whitty replied the hours of operation will be normal business hours, 9 a.m. to 5 p.m., the exact hours will be available at the public hearing.

00:36:33 Commissioner Carlson asked for clarification regarding the rezoning for this portion of the building. Joel Dock detailed the re-zoning will be C-2 to allow the conditional use permit and the rest of the building will remain EZ-1 (see recording for detailed presentation.) Commissioner Carlson and Joel Dock discussed the existing uses/zoning for the site (see recording for detailed presentation.)

00:39:05 Commissioner Peterson asked if this site would require a variance. Joel Dock replied this site will not require a variance.

00:40:15 Commissioner Carlson asked Joel Dock if residents within the 1000-foot CUP radius will be notified prior to the public hearing. Joel replied those residents would normally not be notified but can be notified upon request for the public hearing. Paul Whitty stated there were notices sent to residents and adjacent neighborhood groups for this zoning change. Mr. Whitty noted conversations with Council representative Donna Purvis to notify the community of this change in zoning (see recording for detailed presentation.)

00:42:59 Commissioner Daniels stated she is a resident of this neighborhood and has not received a notice of this zoning change from Donna Purvis or HOA's in this area. Commissioner Carlson asked that residents within the 1000-foot radius for the CUP to be notified. Paul Whitty replied the public hearing notice radius can be expanded to include those residential properties and he will provide those addresses to Planning and Design staff.

Commissioner Deliberation:

00:45:02 Commissioner Deliberation. Joel Dock detailed the notice process for public hearings via GovDelivery and mailed paper notices (see recording for detailed presentation.)

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The Committee by general consensus placed this case on the September 17, 2020 Planning Commission public hearing agenda.

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NEW BUSINESS

CASE NO. 20-ZONE-0058

Request: Change in Zoning from R-5 to R-6 for accessory apartment
Project Name: Rosewood Accessory Apartment
Location: 1616 Rosewood Avenue
Owner: Amanda Donaldson
Applicant: Concept Architects
Representative: Alex C. Davis, PSC
Jurisdiction: Louisville Metro
Council District: 8 – Brandon Coan

Case Manager: Joel P. Dock, AICP, 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.)

Discussion

00:48:24 Joel Dock presented the case via Power Point slide show (see staff report and recording for detailed presentation.) Mr. Dock detailed the change in zoning from R-5, single family to R-6, multi-family and the landscape waiver. He noted the accessory apartment proposed floor area ratio (FAR) is 0.74 and the maximum for the district is 0.75. A conditional use permit could not be approved and a zoning change to a district permitting the proposed FAR is needed. Joel detailed the applicant's proposed plan with elevations and the density calculation for this site (see recording for detailed presentation.)

00:54:15 Commissioner Brown asked if the existing house on the lot doesn't confirm to the R-5 FAR. Joel Dock stated the existing home does not conform to the current R-5 with the additional living space above the garage.

The following spoke in favor of this request:

Amanda "Mandy" Donaldson, 1616 Rosewood Avenue, Louisville, Kentucky, 40204

Rachel Harmon, 1621 Windsor Place, Louisville, Kentucky, 40204

Daniel Spitler 1621 Windsor Place, Louisville, Kentucky, 40204

Alex Davis, 1616 Rosewood Avenue, Louisville, Kentucky, 40204

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CASE NO. 20-ZONE-0058

Summary of testimony of those in favor:

00:55:21 Amanda Donaldson, applicant, gave a history of the site and renovations made over the past eight years. Ms. Donaldson stated they have taken in considerations and concerns from neighbors and agree with the proposed binding element to prevent the additional living space from becoming a short-term rental.

The following spoke in opposition to this request:

Robert Rodgers, 1637 Windsor Place, Louisville, Kentucky, 40204

Paula Head, 1625 Windsor Place, Louisville, Kentucky, 40204

Summary of testimony of those in opposition:

00:58:47 Robert Rodgers stated this house is surrounded by R-5 zoning and the change in zoning would set a precedent which over time would change the character of this neighborhood (see recording for detailed presentation.)

01:03:20 Paula Head stated concerns with setting a precedent with this change in zoning. Ms. Head stated the house addition does not fit in this area of the Highlands and noted concerns with garage apartments in the alleys ways that will take away the historical values of the home.

Rebuttal:

01:05:17 Daniel Spitler, architect for this project. voiced his support. Mr. Spitler referenced the Cornerstone 2040 principles for diverse housing (see recording for detailed presentation.) He noted the new addition to this property will raise the property value of this home and adjacent properties.

01:07:30 Amanda Donaldson stated there was support from adjacent property owners and this addition will help raise property values.

01:08:40 Alex Davis, co applicant, stated there are other R-6 properties sprinkled throughout the neighborhood including carriage house style housing. This proposed development would be in character of the neighborhood.

Commissioner Deliberation:

01:09:37 Commissioner Deliberation (see recording for detailed presentation.)

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The Committee by general consensus placed this case on the October 3, 2020 Planning Commission public hearing agenda.

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ADJOURNMENT

The meeting adjourned at approximately 2:14 p.m.

Chair

Planning Director