



Action Summary - Final Planning Commission

Thursday, March 16, 2023

1:00 PM

Old Jail Auditorium

Call To Order

Present: 7 - Commissioner TeAndre Sistrunk, Commissioner Suzanne Cheek, Commissioner Richard Carlson, Commissioner Lula Howard, Commissioner Michelle Pennix, Commissioner Jim Mims, and Commissioner Marilyn Lewis

Absent: 2 - Commissioner Patti Clare, and Commissioner Bill Fischer

Approval Of Minutes

2. [PC Minutes 03.02.23](#)

Approval of the minutes of the March 2, 2023 Planning Commission public hearing.

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that the minutes of the March 2, 2023 regular meeting of the Planning Commission be approved. The motion carried by the following vote:

Yes: 6 - Sistrunk, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

Abstain: 1 - Cheek

Consent Agenda

3. [23-STRCLOSURE-0005](#)

Request: Closure of a 129.52' Long Unnamed Alley Totaling 0.06 Acres
Project Name: Payne Street Alley Closure
Location: 1411 Payne Street
Owner: David George
Applicant: David George
Representative: Charles Podgursky, CRP
Jurisdiction: Louisville Metro
Council District: 9 - Andrew Owen
Case Manager: John Michael Lawler, Planner I

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that the case be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

Business Session

4. [LDC Reform Update 03.16.23](#)

Project Name: LDC Reform Update
Case Manager: Joel P. Dock, AICP, Planning Coordinator

Joel Dock presented the updates. No action was taken.

Public Hearing

5. [22-ZONE-0145](#)

Request: Change in Zoning from R-4 to C-2, with Associated Detailed District Development Plan with Binding Elements, and Waivers
Project Name: 8006 National Turnpike Rezoning
Location: 8006 National Turnpike
Owner: Robert & Jennifer Johnson
Applicant: Robert Johnson
Representative: CRP & Associates
Jurisdiction: Louisville Metro
Council District: 13 - Dan Seum Jr.
Case Manager: Dante St. Germain, AICP, Planner II

A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested change in zoning from R-4 Single Family Residential to C-2 Commercial be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Waivers, as modified during the hearing, be approved. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Detailed District Development Plan with Binding Elements be approved. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

6. [22-CAT2-0049](#)

Request: Amend the 200-foot setback adjacent to residential properties not zoned EZ-1, with a Category 2B plan and waivers

Project Name: The Bernheim

Location: 1600 Bernheim Ln

Owner: Bernheim Partners, LLC

Applicant: Bernheim Partners, LLC

Representative: Kathy Linares

Jurisdiction: Louisville Metro

Council District: 3 - Kumar Rashad

Case Manager: John Michael Lawler, Planner I

A motion was made by Commissioner Mims, seconded by Commissioner Pennix, that the requested amendment to the 200-foot setback adjacent to residential properties not zoned EZ-1 be approved. The motion carried by the following vote:

Yes: 6 - Sistrunk, Cheek, Howard, Pennix, Mims, and Lewis

No: 1 - Carlson

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Mims, seconded by Commissioner Pennix, that the requested Waiver #1 of Section 5.5.1.A.3 of the Shively Code to allow parking in-front of the principal structure (22-WAIVER-0214); AND the requested Waiver #2 of Section 10.2.4.A of the Shively Code to allow an existing structure to encroach into the 50' LBA by 30' (23-WAIVER-0015); AND the requested Waiver #3 of Section 10.2.11 of the Shively Code to exceed the maximum distance of 120' between interior landscape areas (23-WAIVER-0016) be recommended to the City of Shively for approval. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

7. [22-ZONE-0075](#)

Request: **NOTE: EXTRA TIME HAS BEEN REQUESTED AND GRANTED FOR HEARING THIS CASE** - Change in zoning from R-5 single family and R-7 multifamily to R-7 multifamily with a District Development Plan with Binding Elements and Waiver(s)

Project Name: Renaissance on Broadway

Location: 4422 W Broadway

Owner: Christ Temple Apostolic Church

Applicant: Christ Temple Apostolic Church

Representative: Jon Baker - Wyatt, Tarrant and Combs

Jurisdiction: Louisville Metro

Council District: 5 - Donna Purvis

Case Manager: Jay Lockett, AICP, Planner II

A motion was made by Commissioner Howard, seconded by Commissioner Cheek, that the requested change in zoning from R-5 and R-7 to R-7 be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:

Yes: 6 - Sistrunk, Cheek, Carlson, Howard, Mims, and Lewis

No: 1 - Pennix

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Howard, seconded by Commissioner Cheek, that the requested Waiver #1 from the Land Development Code section 5.4.1 to permit residential development that does not conform to the 4 basic components of traditional site design be approved. The motion failed by the following vote:

Yes: 3 - Cheek, Howard, and Lewis

No: 4 - Sistrunk, Carlson, Pennix, and Mims

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Howard, seconded by Commissioner Cheek, that the requested Waiver #2 from the Land Development Code section 10.2.10 to not provide the required 5-foot Vehicle Use Area Landscape Buffer Area adjacent to the Roman Catholic Bishop of Louisville property be approved. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Howard, seconded by Commissioner Cheek, that the requested Development Plan be revised and CONTINUED to be heard at the March 30, 2023 Planning Commission public hearing, where the revised plan will be presented. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

8. [22-ZONE-0147](#)

Request: Change in zoning from R-4 to C-1, with associated Detailed District Development Plan with Binding Elements, and Waivers and Parking Waiver

Project Name: 7 Brew

Location: 7609 Bardstown Road

Owner: Estate of William C Ridge Jr.

Applicant: Hogan Real Estate

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 22 - Robin Engel

Case Manager: Dante St. Germain, AICP, Planner II

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that the requested change in zoning from R-4 Single Family Residential to C-1 Commercial be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that the requested Waiver #1 from 10.2.4.B.1 to permit encroachment into the required property perimeter Landscape Buffer Area (LBA) on the east property line (22-WAIVER-0194); AND the requested Waiver #2 from 5.5.2.B.1.a to not provide required vehicular and pedestrian connections between abutting non-residential uses (22-WAIVER-0195); AND the requested Waiver #3 from 8.3.3.A.1 to permit more than three signs on one façade of a non-residential building (23-WAIVER-0006), be approved. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that the requested Parking Waiver to exceed the maximum allowable parking (22-PARKWAIVER-0008) be approved. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that the requested Detailed District Development Plan be approved. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

9. [22-ZONE-0148](#)

Request: **NOTE: THIS CASE WILL BE CONTINUED TO THE MARCH 30, 2023 PLANNING COMMISSION HEARING** - Change in zoning from R-5 to C-1, with associated Detailed District Development Plan with Binding Elements, and Waivers, Variances and Parking Waiver

Project Name: 7 Brew

Location: 7700 - 7706 Laurel Ridge Road

Owner: Estate of William C Ridge Jr.

Applicant: Hogan Real Estate

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 24 - Madonna Flood

Case Manager: Dante St. Germain, AICP, Planner II

A motion was made by Commissioner Carlson, seconded by Commissioner Howard, that this case be continued to the March 30, 2023 Planning Commission public hearing. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

10. [21-ZONE-0136](#)

Request: Change in zoning from R-4 to R-7, with associated Detailed District Development Plan/Major Preliminary Subdivision with Binding Elements, and Waiver

Project Name: Mt. Washington Road Apartments

Location: 5604, 5606, 5612, 5614 & 5616 Mt. Washington Road

Owner: Gloria & Clinton Walker, Bobby Wilson

Applicant: Highgates Management

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 23 - Jeff Hudson

Case Manager: Dante St. Germain, AICP, Planner II

A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Change in zoning from R-4 Single Family Residential to R-7 Multi-Family Residential be recommended to the Louisville Metro Council for approval. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Waiver from 10.2.4.B.3 to permit a utility easement to overlap required Landscape Buffer Areas by more than 50% (22-WAIVER-0088) be approved. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

A motion was made by Commissioner Carlson, seconded by Commissioner Sistrunk, that the requested Detailed District Development Plan/Major Preliminary Subdivision Plan be approved. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

11. [22-MSUB-0004](#)

Request:	NOTE: THIS CASE HAS BEEN CONTINUED TO THE APRIL 20, 2023 PLANNING COMMISSION HEARING - Major Preliminary Subdivision utilizing MRDI provisions, Floyds Fork DRO Review, and Waiver
Project Name:	1614 Johnson Road Subdivision
Location:	1614 Johnson Road
Owner:	Jean Rueff
Applicant:	Highgates Management
Representative:	Bardenwerper, Talbott & Roberts
Jurisdiction:	Louisville Metro
Council District:	19 - Anthony Piagentini
Case Manager:	Dante St. Germain, AICP, Planner II

A motion was made by Commissioner Howard, seconded by Commissioner Carlson, that this case be continued to the April 20, 2023 Planning Commission public hearing. The motion carried by the following vote:

Yes: 7 - Sistrunk, Cheek, Carlson, Howard, Pennix, Mims, and Lewis

Absent: 2 - Clare, and Fischer

Adjournment

The meeting adjourned at approximately 9:20 p.m.