

**PLANNING COMMISSION MINUTES**  
**October 1, 2020**

**PUBLIC HEARING**

**19ZONE1017**

Request: Change in zoning from R-4 to R-5A, with Detailed District Development Plan and Binding Elements  
Project Name: Langdon Place 6-Plex  
Location: 9121 Blossom Lane  
Owner: Leigh Ann Properties LLC  
Applicant: Leigh Ann Properties LLC  
Representative: Bardenwerper Talbott & Roberts  
Jurisdiction: Louisville Metro  
Council District: 17 – Markus Winkler  
Case Manager: Dante St. Germain, AICP, Planner II

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

**Agency Testimony:**

00:29:00 Ms. St. Germain stated this case was to be heard today, however in the interim staff has received a petition for a night hearing. More than 200 signatures have been verified. This case and 19ZONE1016 need to be heard together. A night hearing needs to be set today.

**The following spoke in favor of this request:**

Nick Pregliasco, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

**Summary of testimony of those in favor:**

00:30:07 Mr. Pregliasco stated the petition did not have 300 signatures, which is necessary to change the location. The 200 signatures warrant a night hearing at the downtown location. The case could have been heard today at the end of this hearing. Mr. Davis explained that, due to the situation downtown (barriers, protesters and safety issues) it would not be appropriate to have the night hearing downtown. The city of St. Matthews has agreed to allow the night hearing to be held at the St. Matthews Community Center at 310 Ten Pen Ln. (behind Chic-Filet and the bowling alley on Shelbyville Rd.). The new by-laws will be followed at this night hearing. Mr. Pregliasco

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objects to changing the venue. The developer is on a tight timeline and needs to move forward. Mr. Davis said it's only an 11 day delay and the venue will not be an added cost.

Mr. Davis said a 7-day notice will need to be sent as well as updating the posted signs.

00:36:01 Commissioner Mims asked if there's a projection of how many people will attend the night hearing at the community center and is there enough space to accommodate everyone. Mr. Davis said the COVID limit is 75 persons.

**Deliberation**

00:37:38 Planning Commission deliberation.

Commissioner Carlson asked if the night hearing could be started at 6:00 p.m. instead of 6:30 p.m.

00:38:48 Commissioner Peterson said he would not be able to make it at 6:00 or 6:30 - 7:00 p.m. would be better.

00:40:26 Commissioner Lewis said she would not be available for that date at all.

00:41:13 Commissioner Daniels said the date is fine at 6:00 p.m.

**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.**

On a motion by Commissioner Carlson, seconded by Commissioner Daniels, the following resolution was adopted.

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **CONTINUE** this case to a night hearing on October 12, 2020, 6:00 p.m. at an in-person meeting set for those who do not have technology access to be located at the St. Matthews Community Center, 310 Ten Pen Lane.

**The vote was as follows:**

**YES: Commissioners Brown, Carlson, Daniels, Howard, Lewis, Mims, Peterson, Seitz and Jarboe**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**September 10, 2020**

**NEW BUSINESS**

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**Case Manager: Dante St. Germain, 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. 5<sup>th</sup> Street.)

**Discussion**

01:24:10 Dante St. Germain presented the case via Power Point slide show (see staff report and recording for detailed presentation.) Ms. St. Germain detailed the applicant's development plan, the tree canopy area, and elevations. Dante noted the submitted letters of opposition stating concerns of traffic and that this development will become section 8 housing (see recording for detailed presentation.)

01:26:43 Commissioner Peterson and Dante St. Germain discussed presenting details of the tree canopy at the public hearing (see recording for detailed presentation.)

**The following spoke in favor of this request:**

Nick Pregliasco, Bardenwerper Talbott & Roberts PLLC, 1000 North Hurstbourne Parkway 2nd Floor, Louisville, KY 40223

**Summary of testimony of those in favor:**

01:27:45 Nick Pregliasco, representing the applicant, presented a Power Point slide show (see recording for detailed presentation.) Mr. Pregliasco detailed the request in zoning change, the history of the site, the development plan, and elevation renderings. Nick noted concerns regarding the driveway encroachment of on this development and the bus stop on Blossom Lane (see recording for detailed presentation.)

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01:40:26 Commissioner Peterson asked for clarification regarding the entrances to the buildings and more detail for the elevations. Nick Pregliasco replied the entrances and elevations will have more detail when presented at the public hearing.

01:41:13 Commissioner Lewis asked if the site will be providing 11 parking spaces or 10. Nick Pregliasco replied there will be 10 spaces with an additional ADA parking space. The detailed district development plan will be updated to show this before the public hearing.

**The following spoke in opposition to this request:**

Jon Baker Wyatt Tarrant & Combs, 400 West Market Street, Louisville, KY 40202

**Summary of testimony of those in opposition:**

01:10:42 Jon Baker, representing on behalf of Todd and Katherine Culver, expressed concerns with the parking area ILA, the fence line presented on the development plan, construction of a 6-plex within a flood plain, landscape screening, the dumpster area, and the design of the building. (see recording for detailed presentation.) Mr. Baker asked during construction that trucks do not block adjacent properties driveways and leave curb cuts free.

**Rebuttal:**

01:51:43 Nick Pregliasco detailed the adverse possession claim of the fence line in the buffer area (see recording for detailed presentation.) Mr. Pregliasco stated there will be no construction in the flood plain on this property. He noted the development plan will be updated with more detail for the public hearing.

01:53:59 Jon Baker and Nick Pregliasco discussed the size of the setback for the property (see recording for detailed presentation.)

**Commissioner Deliberation:**

01:54:40 Commissioners and Laura Ferguson, legal counsel, discussed the legal issues with the property line and forwarding this case to Planning Commission public hearing.

01:56:11 Commissioners, Staff, Kathleen Snyder, and Aaron Hardy discussed the petition of a night hearing for this case and Planning and Design process of setting public hearings (see recording for detailed presentation.)

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**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 October 1, 2020 Planning Commission public hearing agenda.**