

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
June 27, 2019

NEW BUSINESS

CASE NO. 18ZONE1071

Request: Change in zoning from R-4, single family to R-6, multi-family residential and CN, commercial neighborhood
Project Name: 6875 South Hurstbourne Parkway
Location: 6875 South Hurstbourne Parkway
Owner: Cayman Investments, LLC
Applicant: Cayman Investments, LLC
Representative: QK4
Jurisdiction: Louisville Metro
Council District: 23 – James Peden
24 – Madonna Flood
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.)

Agency Testimony:

00:15:35 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

00:17:34 Commissioner Brown asked if the applicant is fulfilling the 2 connection point requirement. Mr. Dock said yes, they are providing access points to Hurstbourne Pkwy. and through the adjacent condominiums. Commissioner Brown asked if that requires them to go through the private parking lot for the commercial development. Mr. Dock said there's an access easement. Commissioner Brown said it's not shown on the plan. It's a cross over agreement.

00:19:17 Commissioner Carlson asked if there's a time limit for the connection to be made. Mr. Dock said it's required and part of the proposed development plan, not a future connection but a proposed connection to the adjacent development. If there's a concern about the number of dwelling units being built before this connection the following binding element could be added: Prior to the 200th or 199th building permit being requested, 2 access points shall be made available or connection to Downs Farm Way shall be provided.

The following spoke in favor of this request:

Ashley Bartley, QK4, 1046 East Chestnut Street, Louisville, Ky. 40204

Summary of testimony of those in favor:

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00:21:15 Ms. Bartley described the proposal and said the people at the neighborhood meeting want commercial instead of more residential. It's an underserved area for grocery stores. MSD has given preliminary approval of the plan. Commissioner Carlson wants the fire dept. to see this plan regarding a tight turn. Commissioner Brown asked if the access easements were wide enough. Also, do you need the thru lane or will you build it as if it were there but stripe it? Ms. Bartley answered, it can probably be a straight left and they're all 12 ft. lanes. Commissioner Brown requests updating the plan to reflect the correct dimensions and the easement will need to be widened. Chair Lewis asked, is a sidewalk on one side only reasonable given that the sidewalk will run out if you're walking to the commercial businesses and you'd have to cross the parking lot at some point? Ms. Bartley agrees they will need a crosswalk.

The following spoke in opposition to this request:

David A. Dries, 5930 South Watterson Trail, Louisville, Ky. 40291

Summary of testimony of those in opposition:

00:32:39 Mr. Dries stated he's concerned about the sanitary sewers. The location is in the ridge, but should be in a natural valley. The proposal will damage properties and the watershed.

Rebuttal:

00:36:40 Mr. Gootee said maybe running the easement closer to the road will help. Mr. Dries said no, that's not good enough. Placing it in the valley will serve all the properties.

00:39:31 Mr. Ashby, MSD, said he spoke with the applicant about moving the easement. Chair Lewis asked how deep the sewer will be. Mr. Ashby said it can be at minimum depth and follow the contour to 35 ft. off the stream. A 25 ft. buffer has to be maintained plus another 10 ft. to put the sewer in.

00:41:14 Ms. Bartley stated she can turn the stub easement to lower it slightly. Mr. Dries said it's a very big slope and still feels it should be in the valley. Ms. Bartley added, if the sewer is located in the natural valley, we would have to provide a 15 ft. sewer drainage access easement outside the stream buffer; therefore, pushing everything 15 ft. and causing the loss of a building.

Deliberation

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00:45:20 Planning Commission deliberation.

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 August 1, 2019 public hearing at the Old Jail Building.

PLANNING COMMISSION MINUTES
August 1, 2019

PUBLIC HEARING

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Case Manager: Joel P. Dock, AICP, Planner II
Presenting Case: Brian Davis, Planning & Design Manager

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:

02:36:50 Brian Davis presented the case via Power Point slide show (see staff report and recording for detailed presentation). Mr. Davis noted MSD have comments and will speak after the applicant.

The following spoke in favor of this request:

Ashley Bartley, 1046 East Chestnut Street, Louisville, Kentucky, 40204

Summary of testimony of those in favor:

02:40:45 Ashley Bartley, applicant, presented areal views of the development site via Power Point slide show (see recording for detailed presentation). Ms. Bartley noted the voiced opinions from the neighborhood meeting stating the approval for commercial development. She detailed the changes made to the site for fire access and pedestrian access. (see recording for detailed presentation). 1-2 sentences summarizing the main

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PUBLIC HEARING

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points discussed. More than 2 sentences may be necessary in exceptional circumstances.

02:49:45 Joey Ashby, Louisville MSD, noted discussions for the sewer and building adjustments, easements, and the site plans to help mitigate sewer costs in the future (see recording for detailed presentation).

02:53:27 Commissioner Brown and Joey Ashby discussed sewer connections and sewer easements plans (see recording for detailed presentation).

02:54:40 Commissioner Smith asked for the type of housing for this development. Ashley Bartley replied there will be apartments with commercial buildings towards the front of the development.

Deliberation

02:55:49 Commissioners discussed connectivity issues from apartment complexes to and from the main road (see recording for detailed presentation). Commissioners and Ashley Bartley discussed concerns with traffic through commercial parking lots from the apartment complexes and to continue this case to solve those issues.

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.

03:09:30 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution, based on the evidence and testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** this case to the August 15, 2019 Planning Commission Meeting.

The vote was as follows:

YES: Commissioners Daniels, Smith, Brown, Lewis, Carlson, and Jarboe

NOT PRESENT AND NOT VOTING: Commissioners Tomes, Robinson, Peterson, and Howard