

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO PLANNING COMMISSION  
November 14, 2022**

A special meeting of the Louisville Metro Planning Commission was held on November 14, 2022 at 6:30 p.m. at Central Government Center, 7201 Outer Loop, Louisville, Kentucky.

**Commission members present:**

Marilyn Lewis, Chair  
Jeff Brown  
Rich Carlson  
Lula Howard  
Te'Andre Sistrunk  
Suzanne Cheek  
Jim Mims  
Glenn Price

**Commission members absent:**

Michelle Pennix  
Patti Clare

**Staff Members present:**

Brian Davis, Assistant Director  
Julia Williams, Planning Supervisor  
Dante St. Germain, Planner II  
Laura Ferguson, Assistant County Attorney

**Others Present:**

The following matters were considered:

**PLANNING COMMISSION MINUTES**  
**November 14, 2022**

**PUBLIC HEARING**

**CASE NO. 22-ZONE-0012**

Request: Change in Zoning from R-4 to R-7, Waivers, Alternative Plan for Connectivity, and Detailed District Development Plan with Binding Elements  
Project Name: 4700 S Hurstbourne Parkway Apartments  
Location: 4700 S Hurstbourne Parkway, Parcel ID 004405130000, 004404680000  
Owner: 4700 S Hurstbourne Parkway LLC  
Applicant: 4700 S Hurstbourne Parkway LLC  
Representative: Bardenwerper, Talbott & Roberts, Mindel Scott  
Jurisdiction: Louisville Metro  
Council District: 26 – Brent Ackerson  
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.)

***This case was heard at the same time at 22-ZONE-0076.***

**Agency Testimony:**

00:06:48 Dante St. Germain discussed the case summary, standard of review and staff analysis from the staff reports (see video of PowerPoint presentation). There are two cases, but they are adjoining, presented by the same applicant, and the applicant agreed to have them heard together. St. Germain stated there was one correction to the staff report for 22-ZONE-0076, as the application should be for a General Plan instead of a Detailed District Development Plan. 22-ZONE-0012 is proposing a multi-family residential development on the site. 22-ZONE-0076 has a commercial portion along the Bardstown Road frontage, as well as a multi-family residential development along the northern portion of the site that abuts the 22-ZONE-0012 site. The applicant is proposing a private road across the 22-ZONE-0076 site to connect Hurstbourne Parkway and Bardstown Road.

00:18:18 Laura Ferguson asked for additional explanation about the Alternative Plan for Connectivity. St. Germain stated the proposed connection to Laural Spring Drive is gated, therefore the request is needed. Commissioner Carlson asked for clarification about the requested variances.

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

Nick Pregliasco, Bardenwerper Talbott & Roberts, 1000 N. Hurstbourne Parkway, 2<sup>nd</sup> Floor, Louisville, KY 40223

Kent Gootee, 5151 Jefferson Boulevard, Louisville, KY 40219

Wes Hemp, 1200 Bell Lane, New Albany, IN 47122

Diane Zimmerman, 12803 High Meadows Pike, Prospect, KY 40059

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

00:23:18 Nick Pregliasco spoke in support of the applications and presented a PowerPoint presentation (see video). Pregliasco said these are two different cases that are related. Pregliasco stated the newest request is for 360 units for 22-ZONE-0012, with the change being because they eliminated a third story from a couple of proposed buildings. Pregliasco feels these sites are ideal for the proposed development because of their location along two arterial level roadways. A general plan is being proposed along the Bardstown Road frontage because they do not have any users lined up for the site but believe it is an ideal location for a commercial development. According to the traffic impact study, the proposed road connector helps with the performance of the southbound traffic turning right from Hurstbourne Parkway to Bardstown Road. Pregliasco also stated they are unsure if they can construct a public roadway along what is shown as the private connector on the plan, and the maintenance burden would be on the owner, not the public.

Pregliasco went over each of the proposals, starting with 22-ZONE-0012, which is the northernmost of the two proposals. Throughout the planning process, the applicant has made numerous changes, including moving buildings back off the adjoining property lines, reorienting buildings to minimize the impact on adjoining properties, lowering the height of some of the buildings along the property lines, and they are proposing additional plantings to help provide some screening from vehicles. The proposed connection to Laurel Spring Drive has been relocated as well.

01:03:10 Kent Gootee spoke in support of the application. Gootee provided details about the site plan, landscaping details, and detention basins.

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01:11:02 Nick Pregliasco resumed testimony. Pregliasco discussed the decision for including the gate on the connection to Laurel Spring Drive. This gate was included at the request of the neighbors. Pregliasco showed renderings of the proposed development and buildings. Pregliasco provided a summary of the karst study. Pregliasco presented five additional binding elements the applicant is willing to agree to for 22-ZONE-0012. There is one additional binding element for 22-ZONE-0076.

01:18:45 Commissioner Carlson asked about clarification for one of the boring locations in the study. Wes Hemp believes there may have been a pool in that location that could have been causing the void. Carlson asked if there would be any improvements to Laurel Springs since that is being counted as a connection for emergency access purposes. Pregliasco said no. Carlson asked about the 199 units on each development, and asked if the binding element adequately covers the rule.

01:34:25 Commissioner Brown asked about access if all access to the 4700 site was gated. Brown also asked for clarification about the projections for the use of the private road. Diane Zimmerman said the projections reflect a priority to use that private road instead of the delays associated with the Hurstbourne/Bardstown Road intersection.

01:36:15 Commissioner Mims asked why the private road can't be public. Kent Gootee said there is a compressed space and they are not sure if they can develop the street and dedicate the ROW and still be able to complete the development. Gootee said that putting public roads through private roads is a good design practice. Commissioner Brown said this road is more important than just being a private road since it is an opportunity to make a much needed alternative for one of the busiest roads in Louisville Metro.

01:42:00 Commission Sistrunk asked if a potential left turn from Bardstown onto the private road would work efficiently. Diane Zimmerman stated the analysis believes there is enough gaps in Bardstown Road that making the left would be able to be made.

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

Steve Porter, 2406 Tucker Station Road, Louisville, KY 40299

Madison Hicks, 4905 Walnut Hills Drive, Louisville, KY 40299

Evan Gunter, 4505 Mallick Drive, Louisville, KY 40299

Bob Gunter, 4903 Walnut Hills Drive, Louisville, KY 40299

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Steve Craig, 4811 Dreams End Drive, Louisville, KY 40291

David Beaven, 8205 Laurel Spring Drive, Louisville, KY 40299

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

01:44:54 Steve Porter spoke in opposition to the request. Porter represents residents who live next to the northern project who have concerns about the proposed developments. Porter expressed concerns about the number of units and overall design of the proposal. Porter outlined policies and goals from Plan 2040 that he believes are not being met by this development.

Porter believes the proposed sidewalk out to Laurel Spring Drive should be removed since there will not be a sidewalk constructed along the road.

02:02:35 Madison Hicks spoke in opposition to the request and presented a PowerPoint presentation (see video). The presentation spoke to the following topics:

Density & Transition – Hicks stated the proposals' densities are out of character with the surrounding area and the transitions to the adjoining residential uses are not adequate.

Style & Design – Hicks stated the proposed design does not meet some of the requirements of Plan 2040 and is not creative.

Geotechnical Impact – Hicks expressed concern about the development's impact on adjoining waterways, the karst features on the site, and air quality.

02:15:10 Evan Gunter spoke in opposition to the request and continued with the PowerPoint presentation (see video). Evan Gunter expressed concern about the proposed connection to Laurel Spring Drive. Evan Gunter also spoke about traffic related to the proposed development. Evan Gunter has concerns about the infrastructure in the area and its ability to handle this and other developments that have recently been approved in the immediate area. Evan Gunter would like to see the applicant to make more changes to the plan to make it more compatible with the surrounding area.

02:24:15 Bob Gunter spoke in opposition to the request. Bob Gunter has concerns about the potential air quality impacts caused by the proposed development. He would like to see the transitions from the development to the adjoining properties improved.

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Bob Gunter says this project will have a far-reaching impact on traffic, not just the Bardstown/Hurstbourne intersection.

02:30:00 Steve Craig spoke in opposition to the request. Craig thinks this proposal, and others that have been proposed, are adding too much density to the area.

02:31:28 David Beaven spoke in opposition to the request. Bevin has concerns about the design of the development.

**Rebuttal**

02:33:25 Nick Pregliasco provided rebuttal to the opposition. Laurel Spring Drive would be the only gated entrance to and from the development. Pregliasco explained that if the private road is made public there could possibly be a variance situation created by the required setback. Pregliasco believes they have addressed the transition concerns by reducing some of the buildings down to two stories and/or turning them to reduce the impact on the adjoining properties. Pregliasco also believes the transition is being created on the site by having commercial along Bardstown Road, with the multi-family providing the buffer to the existing single-family residential in the area.

02:45:50 Commissioner Carlson asked to clarify about the location of gates. Kent Gootee said the plan is mislabeled because a previous plan had a gate, which was subsequently removed. Carlson asked if additional design details could be incorporated. Gootee stated the applicant can commit to adding additional features on the buildings and changing up the color palette.

02:53:10 Kent Gootee stated Laurel Spring Drive is about 18 feet wide, so an emergency vehicle could make it down the road if the gate was open. Gootee also clarified the location of the private road, which they are now proposing to be public.

**Deliberation**

03:02:00 Planning Commission deliberation. Laura Ferguson recommended the Planning Commission continue the case to allow the applicant to make changes based on the conversion of the road to public road.

**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.**

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**CASE NO. 22-ZONE-0012**

03:15:45 On a motion by Commissioner Carlson, seconded by Commissioner Sistrunk, the following resolution was adopted:

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **CONTINUE** the case to the December 8, 2022 Land Development & Transportation Committee meeting to consider the major subdivision, any waivers and variances associated with that, any changes that are proposed for the plan, and the wording of the proposed binding elements, and LD&T shall schedule a night hearing to discuss only those items.

**The vote was as follows:**

**YES: Commissioners Price, Carlson, Cheek, Howard, Sistrunk, Mims, Brown, and Lewis**

**NO: No one.**

**NOT PRESENT AND NOT VOTING: Commissioners Clare and Pennix.**

**ABSTAINING: No one.**

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**PUBLIC HEARING**

**CASE NO. 22-ZONE-0076**

Request: Change in Zoning from R-4 & C-2 to R-6, C-1 and C-2,  
Waivers, Variance, and General Plan with Binding Elements  
Project Name: 4900 S Hurstbourne Parkway Apartments  
Location: 4900 S Hurstbourne Parkway, 5119 & 5201 Bardstown  
Road, Parcel ID 005002700000, 0050027100000  
Owner: 4700 S Hurstbourne Parkway LLC, Southeast Storage LLC,  
Roman Catholic Bishop of Louisville  
Applicant: 4700 S Hurstbourne Parkway LLC  
Representative: Bardenwerper, Talbott & Roberts, Mindel Scott  
Jurisdiction: Louisville Metro  
Council District: 26 – Brent Ackerson  
Case Manager: Dante St. Germain, AICP, Planner II

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**The vote was as follows:**

**YES: Commissioners Price, Carlson, Cheek, Howard, Sistrunk, Mims, Brown, and Lewis**

**NO: No one.**

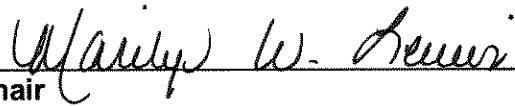
**NOT PRESENT AND NOT VOTING: Commissioners Clare and Pennix.**

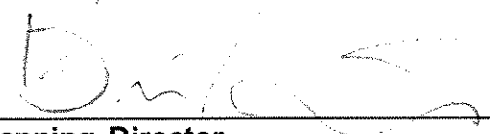
**ABSTAINING: No one.**

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**ADJOURNMENT**

The meeting adjourned at approximately 10:10 p.m.

  
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Chair

  
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Planning Director