MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
March 9, 2023

A meeting of the Land Development and Transportation Committee was held on, March 9, 2023 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:
Te'Andre Sistrunk, Chair
Jim Mims, Vice Chair
Rich Carlson
Suzanne Cheek

Absent:
No one.

Staff Members present were:
Julia Williams, Planning Manager
Dante St. Germain, Planner II
Jay Luckett, Planner II
Beth Stuber, Transportation Planning Supervisor
John Michael Lawler, Planner I
Laura Ferguson, Legal Counsel
Mary Willis, Management Assistant

The following matters were considered:

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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APPROVAL OF MINUTES

FEBRUARY 23, 2023

On a motion by Commissioner Carlson, seconded by Commissioner Cheek, the following resolution was adopted:

RESOLVED, that the Land Development & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on February 23, 2023.

The vote was as follows:

YES: Commissioner Cheek, Carlson, and Sistrunk
NO: None
ABSTAIN: Commissioner Mims
ABSENT: None

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

22-ZONE-0140

Request:	Change in Zoning from R-4 to C-2, with Associated Detailed District Development Plan with Binding Elements, and Waivers and Parking Waiver
Project Name:	7 Brew
Location:	5000, 5004 & 5010 Maple Spring Drive, Parcel ID 008500960000
Owner:	291 Harbison LLC, Barbara Johnston, Ernest & M. Louise Browning
Applicant:	Stern Development
Representative:	Bardenwerper, Talbott & Roberts
Jurisdiction:	Louisville Metro
Council District:	23 – Jeff Hudson
Case Manager:	Dante St. Germain, AICP, Planner II

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. 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.)

00:05:07 Commissioner Cheek recused herself from this case.

Agency Testimony:

00:05:21 Dante St. Germain discussed the case summary from the staff report and indicated the application was ready for consent agenda (see video for presentation).

00:10:20 Commissioner Carlson questioned the connectivity going south. St. Germain stated there is an easement stubbing into the properties.

00:11:22 Commissioner Mims asked if there were any thoughts of a form district change. St. Germain stated that staff did not recommend a change.

The following spoke in favor of this request:

John Talbott, Bardenwerper, Talbott & Roberts, 1000 N. Hurstbourne Parkway 2nd Floor, Louisville, KY 40223

Brad Smith, 1471 Hawthorne Ave NW, Atlanta, GA 30309

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

22-ZONE-0140

Summary of testimony of those in favor:

00:13:09 John Talbott spoke in favor of the application. Talbott mentioned the applicants are wanting to develop a 7 brew coffee shop to finish out the connection with Thorntons and a car wash.

00:20:54 Commissioner Carlson asked if there were still homes located on the property and what the difference is between ON premises sign and OFF premises sign. Talbott stated there were a few houses still in the area. Talbott verified the signs for the company can display it on their own property but cannot place their sign on any other property.

00:25:00 Commissioner Mims asked if there was a contract with the Transportation Cabinet with the property to the south. Talbott clarified that it isn't a contract but more of a process that must be followed.

00:26:58 Brad Smith spoke in favor of the application. Smith continued to answer Commissioner Mims question about the Transportation Cabinet.

00:29:09 Commissioner Mims questioned the clearing and grading of the property. Talbott mentioned the clearing and grading can't move forward until a District Development Plan has been created.

00:29:45 Commissioner Sistrunk questioned the wording of Binding Element #2. St. Germain stated the people outside of Louisville Metro will not be the ones enforcing this Binding Element.

00:33:40 Commissioner Sistrunk questioned what would be demolished at the site. Smith clarified there are trees that hang over the homes.

00:36:28 Julia Williams interjected stating the outdoor advertising sign comes from the Sign Ordinance not the Land Development Code. The Committee and applicant discussed what is meant by "outdoor adverting signs".

00:38:35 Commissioner Sistrunk asked if signage had it own permitting process. Williams responded saying it does have a process of its own.

The following spoke in opposition to the request:
None

Summary of testimony of those in opposition:

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NEW BUSINESS

22-ZONE-0140

None

REBUTTAL
None

Deliberation

00:40:25 Land Development and Transportation Committee 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.

00:40:55 The Committee by general consensus scheduled this case to be heard at the **March 30, 2023,** Planning Commission public hearing

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

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

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. 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:

00:41:45 John Michael Lawler discussed the case summary from the staff report and indicated the application was ready for a public hearing (see video for presentation).

The following spoke in favor of this request:

Charles Podgursky, 7321 New LaGrange Rd #111, Louisville, KY 40222

Summary of testimony of those in favor:

00:44:49 Charles Podgursky spoke in favor of the application. Podgursky stated that his client is using the ally to maneuver cars that are being repaired.

The following spoke in opposition to the request:
None

Summary of testimony of those in opposition:
None

REBUTTAL

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

23-STRCLOSURE-0005

None

Deliberation

00:46:05 Land Development and Transportation Committee 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.

00:46:18 On a motion by Commissioner Carlson, seconded by Commissioner Cheek, the following resolution based on the Standard of Review and Staff Analysis and was adopted

RESOLVED, that the Land Development & Transportation Committee does hereby **PLACE** this case on the Consent Agenda for the March 16, 2023, Planning Commission meeting.

The vote was as follows:

YES: Commissioners Cheek, Mims, Carlson and Sistrunk

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

23-ZONE-0003

Request:	Change in Zoning from R-4, C-2 and M-2 to M-2, with Detailed District Development Plan with Binding Elements
Project Name:	Watterson Business Park
Location:	4660 Poplar Level Road
Owner:	Gault Development, LLC
Applicant:	Gault Development, LLC
Representative:	Kyle Galloway – DGG Law
Jurisdiction:	Louisville Metro
Council District:	2 – Barbara Shanklin
Case Manager:	Jay Luckett, AICP, Planner II

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. 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:

00:47:32 Jay Luckett discussed the case summary from the staff report and indicated the application was ready for a public hearing (see video for presentation).

The following spoke in favor of this request:

Kyle Galloway, Duncan Galloway Green, 9625 Ormsby Station Court, Louisville, KY 40223

Summary of testimony of those in favor:

00:50:12 Kyle Galloway spoke in favor of the application. Galloway elaborated on the changes from R-4 and C-2 to an M-2 and Suburban Workplace form district (see presentation).

00:52:42 Commissioner Mims asked if the applicant is rezoning the property with no plan. Galloway stated that would be correct.

The following spoke in opposition to the request:
None

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

23-ZONE-0003

Summary of testimony of those in opposition:
None

REBUTTAL
None

Deliberation

00:53:56 Land Development and Transportation Committee 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.

00:54:18 The Committee by general consensus scheduled this case to be heard at the **March 30, 2023,** Planning Commission public hearing

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

22-ZONE-0131

Request:	Change in Zoning from R-R Rural Residential to R-4 Single-Family Residential, with Detailed District Development Plan with Binding Elements
Project Name:	Echo Trail Residential
Location:	2405 Echo Trail
Owner:	Long Run Creek Properties
Applicant:	Long Run Creek Properties
Representative:	Nick Pregliasco – Bardenwarper, Talbott & Roberts
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer
Case Manager:	Jay Luckett, AICP, Planner II

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. 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:

00:54:48 Jay Luckett discussed the case summary from the staff report and indicated the application was ready for a public hearing (see video for presentation).

00:57:47 Commissioner Mims asked if the roadways meet minimum standards as required by the subdivision regulation. Luckett clarified that Echo Trial was up to standards.

00:59:07 Commissioner Carlson asked if the development required a traffic study. Luckett mentioned the traffic study performed on the large development was used along with the numbers from the middle school as well as the new development were combined together.

00:59:46 Commissioner Mims inquired about Beckley Creek Park. Luckett clarified the park is across Echo Trial.

01:00:03 Commissioner Cheek asked if there is a sidewalk being proposed along the road to the adjacent school property. Luckett mentioned there is a proposed sidewalk along Echo Trial and assumes the school is proposing a sidewalk as well.

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NEW BUSINESS

22-ZONE-0131

The following spoke in favor of this request:

Nick Pregliasco, Bardenwarper, Talbott & Roberts, 1000 N. Hurstbourne Parkway 2nd Floor, Louisville, KY 40223

David Mindel, Mindel Scott, 5151 Jefferson Blvd, Louisville, KY 40223

Summary of testimony of those in favor:

01:00:46 Nick Pregliasco spoke in favor of the application. Pregliasco stated this is a proposed zone change from a zone R-R to R-4 to allow a 103-lot subdivision with development potential transfer. Pregliasco also mentioned a left turn lane will be provided for the project.

01:12:19 David Mindel spoke in favor of the application. Mindel verified the entrance coming in off Echo Trial is in the same exact spot as the other primary location that was approved years ago. Mindel also provided details about the roads being placed on the ridge tops to help eliminate as many tree as possible and dirt being moved on site.

01:17:12 Commissioner Cheek questioned the water quality. Mindel clarified that the requirement is 6 inches over the area and have agreed to double that to .12 inches.

01:18:13 Commissioner Mims followed up to Commissioner Cheeks questions and asked if the same development group had an agreement to utilize the water basin. Pregliasco confirmed that it is all own by the development group.

The following spoke in opposition to the request:

Randy Strobo, Strobo Barkley, 730 W. Main Street Suite 202, Louisville, KY 40202

Jeff Frank, 16509 Bradbe Rd, Fisherville, KY 40023

Summary of testimony of those in opposition:

01:21:18 Randy Strobo spoke in opposition to the application. Strobo believes that it doesn't follow the spirit or the intent of the DRO. Strobo also stated that it doesn't comply with pending regulations.

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NEW BUSINESS

22-ZONE-0131

01:24:58 Jeff Frank spoke in opposition to the application. Frank stated the development is not recommended for the environment or the water ways. Frank and Commissioner Mims further discussed the Floyds Fork Regulation.

REBUTTAL

01:41:15 Nick Pregliasco acknowledged the comments from others and will commit to working with Jeff Frank as well as others.

01:41:42 Commissioner Carlson questioned the 20-minute response time and asked for a delay in time so the road improvements could be completed. Pregliasco stated that he would look more into that information.

01:43:18 Commissioner Mims asked if the fire district had any concerns with the roadway situation. Pregliasco stated that he would look more into the information.

Deliberation

01:44:47 Land Development and Transportation Committee 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.

01:46:21 The Committee by general consensus scheduled this case to be heard at the **April 20, 2023,** Planning Commission public hearing

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ADJOURNMENT

The meeting adjourned at approximately 2:48 p.m.

DocuSigned by:
Ti'Andre Sistrunk
Chair F0F96C419...

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Planning Director