



## Action Summary - Final Planning Commission

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Thursday, March 16, 2023

1:00 PM

Old Jail Auditorium

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### 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:	<b>NOTE: THIS CASE HAS BEEN CONTINUED TO THE APRIL 20, 2023 PLANNING COMMISSION HEARING</b> - 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.**