

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
March 23, 2023**

A meeting of the Land Development and Transportation Committee was held on, March 23, 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
Jeff Brown
Suzanne Cheek

Absent:

No one.

Staff Members present were:

Julia Williams, Planning Manager
Dante St. Germain, Planner II
Jay Lockett, Planner II
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

March 9, 2023

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

RESOLVED, that the Land Development & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on March 9, 2023.

The vote was as follows:

YES: Commissioner Cheek, Mims, Carlson, and Sistrunk

NO: None

ABSTAIN: Commissioner Brown

ABSENT: None

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

March 23, 2023

NEW BUSINESS

22-ZONE-0098

Request: Change in Zoning from R-4 to PEC, with Associated Detailed District Development Plan/Major Preliminary Subdivision and Binding Elements and Waivers

Project Name: Xebec Tucker Station

Location: 1525 – 1711 Tucker Station Road, 12850 & 1704 South Pope Lick Road, Parcel ID 367200070000

Owner: Mark & Sandra Holloway, William Gary Holloway, LRH Family, LLC, Lois R. Holloway Revocable Trust, Brian & Annette Whitcomb, HHOP Partners, LLC

Applicant: Xebec Pursuits, LLC

Representative: Sabak Wilson & Lingo Inc., Stites & Harbison, PLLC

Jurisdiction: Louisville Metro

Council District: 11 – Kevin Kramer

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.)

Agency Testimony:

00:05:20 Dante St. Germain discussed the case summary from the staff report and indicated the application was ready for a public hearing (see video for presentation).

00:08:54 Commissioner Mims asked what the outcome was to the signal contribution to Tucker Station Road and South Pope Lick Road. St. Germain stated that it was unclear as to what contribution Land Development and Planning Commission are going to need.

00:12:14 Commissioner Mims questioned the connection over Schutte Station Place. St. Germain verified that the applicant has reached out to an engineer to make sure that the connection can be made.

00:14:22 Commissioner Carlson asked if more signage language should be added to Binding Element Number 12 and questioned Binding Element 10. St. Germain stated she can add more language to Binding Element Number 12

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NEW BUSINESS

22-ZONE-0098

00:17:45 Commissioner Brown asked if the signal warrants were performed at both intersections. St. Germain mentioned that she hasn't received an updated traffic study.

The following spoke in favor of this request:

Kelli Jones, Sabak Wilson & Lingo, LLC, 608 S 3rd Street, Louisville, KY 40202

Adam Kirk, Stites & Harbison, 137 McClelland Springs Drive, Georgetown, KY 40324

Summary of testimony of those in favor:

00:18:28 Kellie Jones spoke in favor of the application and presented a PowerPoint presentation (see video). Jones reiterated that the site is in the suburban neighborhood and are contributing to more road frontage.

00:23:10 Commissioner Mims inquired about the traffic being pushed out onto Schutte Station Road. Jones elaborated on trying to push the truck traffic towards Schutte Station Road and recommend that the construction company put in their deed restrictions.

00:26:38 Commissioner Mims asked for clarification on the agreement between Jeff O'Brian and Xebec about the signal contribution. Jones mentioned that the amount in the Binding Element was given to them by Transportation Planning. Jones also mentioned that she does not know how they reached that amount but that was the amount given.

00:28:27 Commissioner Brown asked if a signal warrant analysis was prepared. Adam Kirk stated that a signal warrant analysis was completed at the intersection of Tucker Station Road and South Pope Lick Road along with the intersection of Blue Grass Parkway and Tucker Station Road.

00:45:45 Commissioner Cheek asked about the water and sewer easement along building 3. Jones stated that MSD requested that per their review.

The following spoke as a neutral party to the request:

Fred E. Fischer, Jeffersontown City Attorney, 10416 Watterson Trail, Jeffersontown, KY 40299

Summary of testimony of those as neutral:

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NEW BUSINESS

22-ZONE-0098

00:46:30 Fred E. Fischer spoke in neutral to the application. Fischer stated that even though the project is not directly in Jeffersontown, the traffic from this development will impact the city of Jeffersontown.

The following spoke in opposition to the request:

Nick Pregliasco, Bardenwerper, Talbott & Roberts, 1000 N. Hurstbourne Parkway, Louisville, KY 40223

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

Summary of testimony of those in opposition:

00:49:11 Nick Pregliasco spoke in opposition to the application. Pregliasco spoke on behalf of the Blankenbaker Station Community Association concerning the walking trail, which trees were going to be preserved, and the elevations of the property.

00:49:44 Steve Porter spoke in opposition to the application. Porter spoke on behalf of the Tucker Station Neighborhood Association. Porter stated that due to traffic a signal lights should be placed at both intersections.

REBUTTAL

00:53:27 Kelli Jones confirmed there isn't an estimated amount of truck data coming in due to the type of facility that is being developed.

Deliberation

00:54:54 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.

00:55:31 On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following was adopted.

RESOLVED, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the April 13, 2023, Land Development & Transportation Committee Meeting.

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NEW BUSINESS

22-ZONE-0098

The vote was as follows:

YES: Commissioners Cheek, Brown, Mims, Carlson and Sistrunk

NO: None

ABSTAIN: None

ABSENT: None

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
March 23, 2023

NEW BUSINESS

23-ZONE-0009

Request:	Change in Zoning from C-N to C-2, with Associated Detailed District Development Plan and Binding Elements, Variance and Waivers
Project Name:	Pickle + Social Louisville
Location:	8100 Lyndon Park Lane
Owner:	City of Lyndon
Applicant:	City of Lyndon
Representative:	Wyatt, Tarrant & Combs LLP
Jurisdiction:	City of Lyndon
Council District:	7 – Paula McCraney
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.)

Agency Testimony:

00:56:21 Dante St. Germain discussed the case summary from the staff report and indicated the application was ready for a public hearing (see video for presentation).

01:04:21 Commissioner Carlson questioned the landscape buffering between the residential properties and the pickle ball area. St Germain stated there is a requirement for screening which could be a fence or planting.

01:05:50 Commissioner Mims asked if the City of Lyndon would be selling the property. St. Germain stated that question would be for the applicant.

01:06:35 Commissioner Cheek asked if the City of Lyndon would operate the development. St. Germain stated that question would be for the applicant.

The following spoke in favor of this request:

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

Ann Richard, Land Design & Development, 503 Washburn Ave, Louisville, KY 40222

Summary of testimony of those in favor:

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NEW BUSINESS

23-ZONE-0009

01:07:16 Jon Baker spoke in favor of the application and presented a PowerPoint presentation (see video). Baker elaborated on placing a building with a restaurant and pickle ball facility at this location.

01:15:12 Ann Richards spoke in support of the application. Richards discussed the site plan in detail.

01:24:37 Jon Baker continued his presentation.

01:27:59 Commissioner Carlson questioned what the hours of operations were going to be for the facility and asked about the trees along the adjacent residential property. Baker stated the information about the operating hours would be presented at the Planning Commission meeting and the information pertaining to the trees Baker would get with Richards to figure out the best plan.

01:29:44 Commissioner Brown inquired about the existing sidewalks. Richard stated that the City of Lyndon constructed the sidewalks within conjunction to their street plan.

The following spoke as a neutral party to the request:

Michael Clancey, 308 Forest Lane, Louisville, KY 40222

Ray Holder, 7513 Canbridge Drive, Louisville, KY 40014

Summary of testimony of those a neutral:

01:33:09 Michael Clancey spoke in neutral to the application. Clancey stated the development will bring in more pedestrian traffic and the area is not equipped to handle that type of traffic.

The following spoke in opposition to the request:

None

Summary of testimony of those in opposition:

None

REBUTTAL

01:37:59 Jon Baker acknowledged Mr. Clancey's information and plans to share that with the development team.

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NEW BUSINESS

23-ZONE-0009

01:39:13 Dante St. Germain requested that Mr. Holder have the chance to speak on behalf of the application.

01:38:50 Ray Holder spoke in neutral to the application. Holder wanted to clarify that the trees would be removed from his property and that a privacy fence would be place if the development was approved.

01:43:06 Commissioner Cheek wanted to clarify with Mr. Holder, that he would like the development team to remove the trees and place a privacy fence on his property. Holder verified that it would be the trees behind his buildings.

01:45:50 Commissioner Mims stated that Commissioner Sistrunk left due to other engagements.

Deliberation

01:45:58 Land Development and Transportation Committee deliberation.

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01:48:47 The Committee by general consensus scheduled this case to be heard at the **April 20, 2023**, Planning Commission public hearing

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

March 23, 2023

NEW BUSINESS

21-ZONE-0155

Request:	Change in Zoning from R-6 to C-2, with Associated Detailed District Development Plan and Binding Elements and Waivers
Project Name:	Franklin Lofts
Location:	943 Franklin Street
Owner:	Franklin Lofts LLC
Applicant:	Franklin Lofts LLC
Representative:	Dinsmore & Shohl
Jurisdiction:	Louisville Metro
Council District:	4 – Jecorey Arthur
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.)

Agency Testimony:

01:50:16 Dante St. Germain discussed the case summary from the staff report and indicated the application was ready for a public hearing (see video for presentation).

01:56:38 Commissioner Mims asked if a CUP was issued and where the masonry wall was located. St. Germain stated that the CUP would not be required in a C2. St. Germain also stated that the wall should be placed between the structure and Franklin Street.

The following spoke in favor of this request:

Cliff Ashburner, Dinsmore & Shohl, 101 S. 5th Street Suite 2500, Louisville, KY 40202

Summary of testimony of those in favor:

01:58:03 Cliff Ashburner spoke in favor of the application and presented a PowerPoint presentation. Ashburner stated the property is being rezoned from residential to commercial so that it can be used entirely as residential units with three units being short term rentals.

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NEW BUSINESS

21-ZONE-0155

02:05:11 Commissioner Mims asked if the project was going through Butchertown Preservation. Ashburner responded yes.

The following spoke in opposition to the request:

None

Summary of testimony of those in opposition:

None

REBUTTAL

None

Deliberation

02:06:08 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.

02:06:22 The Committee by general consensus scheduled this case to be heard at the **April 20, 2023**, Planning Commission public hearing

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

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NEW BUSINESS

22-ZONE-0170

Request:	Change in Zoning from R-4 Single Family to C-2 Commercial with a Conditional Use Permit for Mini-Warehouse, Floyds Fork Development Review Overlay Review, a Variance and District Development Plan with Binding Elements
Project Name:	Shelbyville Road Self Storage
Location:	15900 and 15910 Shelbyville Road
Owner:	Chi Fien Wang, Monica Wang
Applicant:	Adams Property Group
Representative:	Nick Pregliasco – Bardenwerper, Talbott and Roberts
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer
Case Manager:	Jay Lockett, 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:

02:07:21 Jay Lockett discussed the case summary from the staff report and indicated the application was ready for a public hearing (see video for presentation).

02:12:13 Commissioner Brown asked if the height restriction was due to the zone or the conditional use permit. Lockett clarified that it was both.

02:12:51 Commissioner Mims asked if the plan was in the Eastwood area and if the storage building were mini or cubed. Lockett stated the plan was just outside the area plus the applicant would be able to give a definitive answer on the type of storage that will be provided.

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper, Talbott and Roberts, 1000 N Hurstbourne Parkway, Louisville, KY 40223

Chris Brown, Bowman Engineering, 3001 Taylor Springs Drive, Louisville, KY 40220

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NEW BUSINESS

22-ZONE-0170

Summary of testimony of those in favor:

02:14:00 Nick Pregliasco spoke in favor of the application and presented a PowerPoint presentation. Pregliasco mentioned a zone change from an R-4 to C-2 with a Conditional Use Permit and a Floyds Fork Development Review Overlay to allow a self-storage facility to be built.

02:26:34 Commissioner Cheek questioned the L shape section of the plan. Pregliasco mentioned that the L shape section was a non-climate-controlled area.

02:28:00 Commissioner Brown questioned the outdoor storage Binding Element and the hours of operation. Pregliasco stated the Binding Elements were requested by Eastwood Village Council and the hours of operation would be discussed at the public hearing.

02:28:58 Commissioner Mims asked if the sewer would be coming up Water Stone or would there be onsite septic. Pregliasco stated the sewer would be coming from Water Stone.

02:30:53 Chris Brown continued answering Commissioner Browns question.

The following spoke as a neutral party to the request:

Steve Rungworth, 15805 Waterstone Ct, Louisville, KY 40245

Summary of testimony of those as neutral:

02:33:58 Steve Rungworth spoke in neutral to the application. Rungworth wanted clarification on Binding Element #7.

The following spoke in opposition to the request:

None

Summary of testimony of those in opposition:

None

REBUTTAL

None

Deliberation

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

22-ZONE-0170

02:34:40 Land Development and Transportation Committee deliberation.

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02:34:51 The Committee by general consensus scheduled this case to be heard at the **May 11, 2023**, Planning Commission public hearing

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ADJOURNMENT

The meeting adjourned at approximately 3:43 p.m.

Chair

Planning Director