

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE  
July 13, 2023**

A meeting of the Land Development and Transportation Committee was held on, July 13, 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

Jennifer Kern – Left at approximately 3:15

**Staff Members present were:**

Joe Haberman, Planning and Design Manager

Joel Dock, Planning Supervisor

Dante St. Germain, Planner II

Jay Lockett, Planner II

Travis Fiechter, Assistant County Attorney

Beth Stuber, Engineer Supervisor

Pamela M. Brashear, Management Assistant

The following matters were considered:

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**July 13, 2023**

**APPROVAL OF MINUTES**

**(JUNE 22, 2023) LD&T COMMITTEE MEETING MINUTES**

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 June 22, 2023.

**The vote was as follows:**

**YES: Commissioners Carlson, Cheek, Kern, Mims and Sistrunk**

## LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

### OLD BUSINESS

#### CASE NO. 22-ZONE-0164

Request: Re-schedule Public Hearing from 8/3 to 8/17 - Change in zoning from C-1 to C-2 with Revised General and Detailed District Development Plan with Binding Elements, a Conditional Use Permit, a Modified Conditional Use Permit and waiver(s)

Project Name: The Storage Project

Location: 4901 and 4905R Cooper Chapel Rd; 5001 Cooper Crossings Dr; 9801 Preston Crossings Blvd

Owner: TSP Cooper Chapel, LLC.

Applicant: TSP Cooper Chapel, LLC

Jurisdiction: Louisville Metro

Council District: 24 – Madonna Flood

Case Manager: Jay Lockett, AICP, Planner II

#### **THIS CASE WAS HEARD 3<sup>RD</sup> ON THE DOCKET**

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. 5<sup>th</sup> Street.)

#### **Agency Testimony:**

00:11:25 Jay Lockett stated the applicant's attorney had a conflict with the August 3, 2023 public hearing and needs to be continued to the August 17, 2023 public hearing (see recording for detailed presentation).

#### **Deliberation**

00:11:51 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.**

On a motion by Commissioner Carlson, seconded by Commissioner Mims, the following resolution based on the applicant's request was adopted.

**RESOLVED**, that the Land Development & Transportation Committee does hereby **RESCHEDULE** this case from the August 3, 2023 Planning Commission meeting to the August 17, 2023 Planning Commission meeting.

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**July 13, 2023**

**OLD BUSINESS**

**CASE NO. 22-ZONE-0164**

**The vote was as follows:**

**YES: Commissioners Carlson, Cheek, Kern, Mims and Sistrunk**

# LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

## NEW BUSINESS

### CASE NO. 23-STRCLOSURE-0013

Request: Closure of Public right-of-way  
Project Name: Doerhoefer Alley Closure  
Location: Doerhoefer Ave adjacent to 734 and 800 Cecil Ave  
Owner: Louisville Metro  
Applicant: Donald Thomas  
Jurisdiction: Louisville Metro  
Council District: 5 – Donna Purvis  
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. 5<sup>th</sup> Street.)

### Agency Testimony:

00:12:52 Jay Lockett discussed the case summary from the staff report and indicated that the application was ready for a public hearing.

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

Donald Thomas, 800 Cecil Avenue, Louisville, Ky. 40211

### Summary of testimony of those in favor:

00:14:30 Donald Thomas said he's here to answer questions. The purpose for the request is to provide safety to his family. Litter is also a concern (see recording for detailed presentation).

### Deliberation

00:16:00 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.**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**July 13, 2023**

**NEW BUSINESS**

**CASE NO. 23-STRCLOSURE-0013**

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

**RESOLVED**, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the July 20, 2023 Planning Commission Consent Agenda.

**The vote was as follows:**

**YES: Commissioners Carlson, Cheek, Kern, Mims and Sistrunk**

# LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

## NEW BUSINESS

### CASE NO. 23-STRCLOSURE-0017

Request: Closure of Public right-of-way  
Project Name: 5905 Fegenbush Ln Closure  
Location: Portion of Fegenbush Ln right-of-way adjacent to 5905 Fegenbush Ln  
Owner: Louisville Metro  
Applicant: Hull Street Condominium Developers, Inc.  
Jurisdiction: Louisville Metro  
Council District: 2 – Barbara Shanklin  
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. 5<sup>th</sup> Street.)

### Agency Testimony:

00:17:15 Jay Lockett explained that this case has been denied twice by the Planning Commission and Metro Council (see recording for detailed presentation).

00:18:59 Travis Fiechter, Legal Counsel, added this case was recommended for approval by the Planning and Zoning Committee. When the case went to Metro Council, most of the discussion and concern centered around the size of the parcel, the value of the land and right-of-way dedication and was denied (see recording for detailed presentation).

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

John Talbott, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

### Summary of testimony of those in favor:

00:27:15 John Talbott gave a power point presentation and explained why the case was denied. The adjoining property owner is the rightful owner, not the city (see recording for detailed presentation).

00:39:15 John Talbott stated the Land Development Code has provisions to waive a hearing when the adjacent property owners and related governmental units are in favor (they are in this case) (see recording for detailed presentation).

# LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

## NEW BUSINESS

### CASE NO. 23-STRCLOSURE-0017

#### Deliberation

00:41:39 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.**

On a motion by Commissioner Mims, seconded by Commissioner Cheek, the following resolution was adopted.

**RESOLVED**, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the July 20, 2023 Planning Commission Consent Agenda.

**The vote was as follows:**

**YES: Commissioners Cheek, Kern, Mims and Sistrunk**

**ABSTAIN: Commissioner Carlson**



# LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

## NEW BUSINESS

### CASE NO. 23-ZONE-0026

Request: Change in Zoning from R-4 single family to C-2 Commercial with a Detailed District Development Plan with Binding Elements and waiver(s).  
Project Name: MK Flooring  
Location: 3902 Fern Valley Rd  
Owner: Ibrahima Ndiaye  
Applicant: Ibrahima Ndiaye  
Jurisdiction: Louisville Metro  
Council District: 21 – Betsy Ruhe  
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. 5<sup>th</sup> Street.)

### Agency Testimony:

00:45:12 Jay Lockett discussed the case summary from the staff report and indicated that the application was ready for a public hearing.

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

Nick Pregliasco, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

### Summary of testimony of those in favor:

00:48:34 Nick Pregliasco gave a power point presentation. The applicant will commit to providing trees in front of the property. The development plan will be revised before the public hearing (see recording for detailed presentation).

00:54:42 Commissioner Carlson requests photographs of the adjacent buildings be provided at the Planning Commission meeting (see recording for detailed presentation).

### Deliberation

00:55:03 Planning Commission deliberation.

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**July 13, 2023**

**NEW BUSINESS**

**CASE NO. 23-ZONE-0026**

**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 17, 2023 public hearing at the Old Jail Building.**

## LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

### NEW BUSINESS

#### CASE NO. 22-ZONE-0096

Request: Change in Zoning from R-4, C-1 & C-M to C-M with Revised Detailed District Development Plan and Binding Elements, and Waivers  
Project Name: Mini Warehouses  
Location: 6212 & 6220 Shepherdsville Rd, 5700 Janies Way, Parcel ID 063402420000  
Owner: AL CAT LLC  
Applicant: AL CAT LLC  
Representative: Wyatt Tarrant & Combs  
Jurisdiction: Louisville Metro  
Council District: 2 – Barbara Shanklin  
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. 5<sup>th</sup> Street.)

#### Agency Testimony:

00:57:01 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for a public hearing.

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

Jon Baker, Wyatt, Tarrant and Combs, 400 West Market Street, Suite 2000, Louisville, Ky. 40202  
Mike Hill, Land Design and Development, 503 Washburn Avenue, Louisville, Ky. 40222

#### Summary of testimony of those in favor:

01:05:36 Jon Baker gave a power point presentation explaining the request for a climate controlled self-storage facility. The screening and car turn around issues have been resolved (see recording for detailed presentation).

01:13:01 Mike Hill stated the current site plan includes two 3-story buildings with climate-controlled storage with a center drive isle in between.

Mike Hill discussed the following: access; access easements; existing building on lot; turn around; dumpster; detention basin; drainage; parking; MSD easement; additional

## LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

### NEW BUSINESS

#### CASE NO. 22-ZONE-0096

screening; connectivity; and fire department correspondence (see recording for detailed presentation).

01:18:34 Commissioner Carlson requests a binding element regarding accommodating the fire department's request. Jon Baker agreed (see recording for detailed presentation).

Commissioner Kern mentioned the access easement not matching up with the curb-cut and Janies Way being mostly gravel (needs improvement). Jon Baker said they will look into it and request extra time to work on a solution (see recording for detailed presentation).

### Deliberation

01:28:21 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.**

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

**RESOLVED**, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the July 27, 2023 LD&T meeting.

**The vote was as follows:**

**YES: Commissioners Carlson, Cheek, Kern, Mims and Sistrunk**

## LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

### NEW BUSINESS

#### CASE NO. 23-ZONE-0029

Request: Change in Zoning from R-4 to C-2, with Detailed District Development Plan and Binding Elements, and Waiver  
Project Name: Conversion to Venue  
Location: 9718 Dixie Highway  
Owner: Sarah Downey & Damir Puhovac  
Applicant: Sarah Downey  
Representative: Qk4  
Jurisdiction: Louisville Metro  
Council District: 14 – Cindi Fowler  
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. 5<sup>th</sup> Street.)

#### Agency Testimony:

01:37:57 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for a public hearing.

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

Ashley Bartley, QK4, 9920 Corporate Campus Drive, Suite 1200, Louisville, Ky. 40223

#### Summary of testimony of those in favor:

01:42:45 Ashley Bartley said there are no established hours of operation, but the latest closing time would be around 10 or 11.

Ashley gave a power point presentation explaining the proposal (see recording for detailed presentation).

01:51:05 Commissioner Carlson asked if the applicant would agree to restricting the outdoor activities to a certain time so as not to be a nuisance to the residential neighbors (see recording for detailed presentation).

#### The following spoke neither for nor against the request:

Jack Wood, 2000 Floradora Drive, Louisville, Ky. 40272

## **LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**

**July 13, 2023**

### **NEW BUSINESS**

#### **CASE NO. 23-ZONE-0029**

#### **Summary of testimony of those neither for nor against:**

01:58:14 Jack Wood said it's difficult to access the properties he owns (see recording for detailed presentation). Commissioner Mims said KYTC would be the entity for making any changes on the state road (see recording for detailed presentation).

#### **Rebuttal:**

02:03:49 Ashley Bartlett said it doesn't make sense to bring public traffic from a public right-of-way into a private property on a one-way street but will check with KYTC (see recording for detailed presentation).

#### **Deliberation**

02:04:33 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 17, 2023 public hearing at the Old Jail Building.**

## LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

### NEW BUSINESS

#### CASE NO. 23-ZONE-0051

Request: Change in Zoning from M-2 industrial to C-2 Commercial with a Detailed District Development Plan with Binding Elements  
Project Name: 7791 Dixie Hwy  
Location: 7791 Dixie Hwy  
Owner: BHPH Properties, LLC  
Applicant: BHPH Properties, LLC  
Jurisdiction: Louisville Metro  
Council District: 12 – Rick Blackwell  
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. 5<sup>th</sup> Street.)

#### Agency Testimony:

02:05:57 Jay Lockett discussed the case summary from the staff report and indicated that the application was ready for a public hearing.

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

John Addington, Bowman Consulting Group, 3001 Taylor Springs Drive, Louisville, Ky. 40220

#### Summary of testimony of those in favor:

02:08:09 John Addington discussed the following: no new construction proposed other than streetscape improvements; frontage; no trucks unloading; compatible with uses in area (see recording for detailed presentation).

#### Deliberation

02:12:33 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**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**July 13, 2023**

**NEW BUSINESS**

**CASE NO. 23-ZONE-0051**

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 31, 2023 public hearing at the Old Jail Building.



# LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

## NEW BUSINESS

### CASE NO. 22-ZONE-0041

Request: Change in Zoning from R-4 single family and M-2 industrial to PEC Planned Employment Center with a Detailed District Development Plan with Binding Elements and Waiver(s)  
Project Name: 13110 Old Henry Rd  
Location: 13110 Old Henry Rd  
Owner: WSA Realty Properties, LLC.  
Applicant: WSA Realty Properties, LLC.  
Jurisdiction: Louisville Metro  
Council District: 17 – Markus Winkler  
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. 5<sup>th</sup> Street.)

### Agency Testimony:

02:13:27 Jay Lockett discussed the case summary from the staff report and indicated that the application was ready for a public hearing.

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

Jon Baker, Wyatt, Tarrant and Combs, 400 West Market Street, Suite 2000, Louisville, Ky. 40202

Alex Rosenberg, 13000 Middletown Industrial Boulevard, Suite A, Louisville, Ky. 40223

### Summary of testimony of those in favor:

02:19:53 Jon Baker gave a power point presentation discussing the proposal. The property is situated to accommodate truck parking. There will be no construction or buildings on the site (see recording for detailed presentation).

02:29:42 Alex Rosenberg discussed buffering, grading, tree preservation, drainage and access to the south (see recording for detailed presentation).

### Deliberation

02:36:00 Planning Commission deliberation.

## **LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**

**July 13, 2023**

### **NEW BUSINESS**

#### **CASE NO. 22-ZONE-0041**

**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 31, 2023 public hearing at the Old Jail Building.**

## LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

### NEW BUSINESS

#### CASE NO. 22-ZONE-0142

Request: Change in Zoning from C-2 commercial and M-2 industrial to PEC  
Planned Employment Center with a Revised Detailed District  
Development Plan for a truck parking lot with Binding Elements.

Project Name: 13300 Old Henry Rd

Location: 13300 Old Henry Rd

Owner: Fetter Properties, LLC.

Applicant: Fetter Properties, LLC.

Jurisdiction: Louisville Metro

Council District: 17 – Markus Winkler

Case Manager: Jay Lockett, AICP, Planner II

#### **NOTE: THIS CASE WAS HEARD 2<sup>ND</sup> ON THE DOCKET**

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. 5<sup>th</sup> Street.)

#### **Agency Testimony:**

00:10:21 Jay Lockett said the applicant is withdrawing this case (see recording for detailed presentation).

**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.**

#### **WITHDRAWN – NO ACTION**

# LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES

July 13, 2023

## NEW BUSINESS

### CASE NO. 22-ZONE-0090

Request: Change in Form District from NFD to SWFD, Change in Zoning from R-4 & M-2 to R-4, C-M & M-2, with Detailed District Development Plan and Binding Elements, and Waivers

Project Name: Holloway and Son Construction

Location: 13698 Aiken Road

Owner: Holloway and Son Construction LLC, GCH Inc.

Applicant: Holloway and Son Construction LLC

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 19 – Anthony Piagentini

Case Manager: Dante St. Germain, AICP, Planner II

### NOTE: THIS CASE WAS HEARD 1<sup>ST</sup> ON THE DOCKET

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. 5<sup>th</sup> Street.)

### Agency Testimony:

00:05:17 Dante St. Germain stated the applicant is requesting a continuance to the next LD&T meeting, July 27, 2023, in order to address comments from Transportation Planning (see recording for detailed presentation).

00:06:08 Commissioner Kern asked when the applicant will submit the information, so staff has adequate time to review it (see recording for detailed presentation).

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

Nick Pregliasco, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

### Summary of testimony of those in favor:

00:07:54 Nick Pregliasco said they will have the information in a couple of days (see recording for detailed presentation).

### Deliberation

00:09:09 Planning Commission deliberation.

## **LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**

**July 13, 2023**

### **NEW BUSINESS**

#### **CASE NO. 22-ZONE-0090**

**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.**

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

**RESOLVED**, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the July 27, 2023 LD&T meeting.

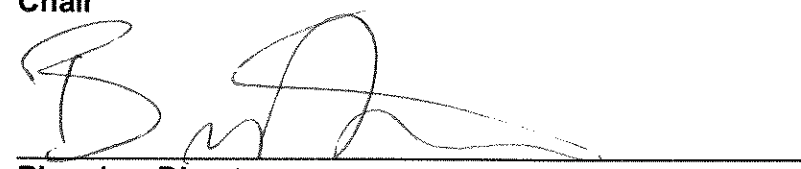
**The vote was as follows:**

**YES: Commissioners Carlson, Cheek, Kern, Mims and Sistrunk**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**July 13, 2023**

**ADJOURNMENT**

The meeting adjourned at approximately 3:37 p.m.

  
\_\_\_\_\_  
**Chair**  
\_\_\_\_\_  
**Planning Director**