

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
September 9, 2021**

A meeting of the Land Development and Transportation Committee was held at 1:00 p.m. on Thursday, September 9, 2021 via Webex Teleconferencing.

Committee Members present were:

Rob Peterson, Chair
Te'Andre Sistrunk, Vice Chair
Jeff Brown
Richard Carlson
Ruth Daniels

Committee Members absent were:

None.

Staff Members present were:

Emily Liu, Planning and Design Director
Joe Reverman, Planning and Design Assistant Director
Brian Davis, Planning Manager
Julia Williams, Planning Supervisor
Joel Dock, Planning Coordinator
Dante St. Germain, Planner II
Jay Lockett, Planner I
Travis Fiechter, Legal Counsel
Madison Thomas, Management Assistant

Others present:

Tony Kelly, MSD

The following matters were considered:

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APPROVAL OF MINUTES

Approval of the minutes of the August 26, 2021 Land Development and Transportation Committee meeting.

00:03:52 On a motion by Commissioner Brown, seconded by Commissioner Sistrunk, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on August 26, 2021.

The vote was as follows:

YES: Commissioners Brown and Sistrunk

NO: No one.

ABSTAIN: Commissioners Peterson and Carlson

ABSENT: Commissioner Daniels

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NEW BUSINESS

20-MSUB-0009

Request:	Major Preliminary Subdivision (TO BE CONTINUED TO A DATE UNCERTAIN)
Project Name:	609 South Park Road Subdivision
Location:	609 South Park Road
Owner(s):	Edwin V. Bergstrom Jr. & Michael Burke
Applicant:	Edwin V. Bergstrom Jr. & Michael Burke
Representative:	Milestone Design Group
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox
Case Manager:	Jay Luckett, AICP, Planner I

Agency Testimony:

00:04:46 Jay Luckett explained why the case had to be continued to a Planning Commission meeting.

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 Brown, seconded by Commissioner Sistrunk, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** case number 20-MSUB-0009 to a date uncertain.

The vote was as follows:

YES: Commissioners Brown, Daniels, Sistrunk, and Peterson.

NO: No one.

ABSTAIN: Commissioner Carlson

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NEW BUSINESS

21-STRCLOSURE-0023

Request:	Closure of Public Right-of-Way
Project Name:	McDonald's W Broadway Alley
Location:	Alleys adjacent to 207 W Broadway, 650, 652, 654, 656, and 658 S 2 nd St and 659 S 3 rd St
Owner(s):	Louisville Metro
Applicant:	McDonalds Corporation
Representative:	Wyatt, Tarrant and Combs, LLP
Jurisdiction:	Louisville Metro
Council District:	4 – Jecorey Arthur
Case Manager:	Jay Lockett, AICP, 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. The Commissioners received this report in advance of the hearing, and 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:

00:08:08 Jay Lockett explained the owner of one of the adjacent properties has not signed off, so the case must go to a public hearing. The case is ready for a public hearing.

Commissioner Sistrunk asked why the owner had not signed off. Jay Lockett said he believed they attempted to but were unable to reach the owner.

The following spoke in favor of this request:

Jon Baker, 400 W Market Street Suite 2000, Louisville, KY 40202

Summary of testimony of those in favor:

00:09:20 Jon Baker, the applicant's representative, explained that they have attempted to contact this adjoining property owner but have not heard from them. The property does not have physical access to this alleyway. He also explained why the McDonalds wants to close this alley and their development plans.

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NEW BUSINESS

21-STRCLOSURE-0023

00:14:10 Commissioners' 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 scheduled this case to be heard at the **October 21, 2021** Planning Commission public hearing.

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NEW BUSINESS

18ZONE1047

Request:	Change in zoning from R-4 to C-2, with Detailed District Development Plan and Binding Elements, and CUP for Mini-Storage
Project Name:	3 rd Street Road Storage
Location:	8713 3 rd Street Road & TB 1049 Lot 0927
Owner(s):	Third Street Road Ventures LLC
Applicant:	Third Street Road Ventures LLC
Representative:	Bluestone Engineers
Jurisdiction:	Louisville Metro
Council District:	25 – Amy Holton Stewart
Case Manager:	Julia Williams, AICP, Planning Supervisor

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:14:50 Julia Williams explained that this case needed to be continued to the next Land Development and Transportation Committee meeting on September 23.

The following spoke in opposition of this request:

Mike Fleitz, 2906 Winter Forrest Drive, Louisville, KY 40272

Summary of testimony of those in opposition:

00:16:19 Mike Fleitz explained that it was his understanding that the land for this proposal was dedicated for a park and recreation area and was not to be sold for commercial use. He submitted this information to Planning & Design Services. The neighborhood is also concerned with an increase of traffic accidents from this proposal.

Joe Reverman explained that this is the reasoning for the case being continued so this issue could be investigated further with the country attorney's office.

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NEW BUSINESS

18ZONE1047

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

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** case number 18ZONE1047 to the September 23, 2021 Land Development and Transportation Committee meeting.

The vote was as follows:

YES: Commissioners Brown, Carlson, Daniels, Sistrunk, and Peterson.

NO: No one.

ABSTAIN: No one.

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NEW BUSINESS

21-ZONE-0090

Request:	Change in Zoning from R-6 to CR with detailed plan and waiver
Project Name:	1944 W. Jefferson Street
Location:	1944 W. Jefferson Street
Owner(s):	Ouidab, LLC – Brigitte Owens
Applicant:	Ouidab, LLC – Brigitte Owens
Representative:	Ouidab, LLC – Brigitte Owens
Jurisdiction:	Louisville Metro
District:	4 – Jecorey Arthur
Case Manager:	Joel Dock, AICP, Planning Coordinator

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:20:50 Joel Dock presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation.) Staff finds that the case is ready for a public hearing.

Commissioner Carlson asked if there would be a change in use on the first floor or any construction or additions to the building. Joel Dock explained that there would be interior renovations but there was no proposed use at this point; this is a rezoning back to a district to allow the structure to be used as intended.

Commissioner Daniels asked if it was intended to have the first floor for commercial use and the second floor for residential use. Joel Dock responded that was the intended use and how the building has been used in the past.

The following spoke in favor of this request:

Brigitte Owens, 9462 Brownsboro Road, Louisville, KY 40241

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NEW BUSINESS

21-ZONE-0090

Summary of testimony of those in favor:

00:29:00 Brigitte Owens explained why she purchased the property and how she wanted to invest in the neighborhood. She also discussed the ideas she had for the development.

00:30:50 Commissioners' deliberation.

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The Committee by general consensus scheduled this case to be heard at the **October 7, 2021** Planning Commission public hearing.

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NEW BUSINESS

21-ZONE-0091

Request:	Change in zoning from R-4 to R-5, with Detailed District Development Plan/Major Preliminary Subdivision and Binding Elements, and Waiver
Project Name:	W Indian Trail Subdivision
Location:	5661 Indian Trail & Parcel ID 104500730000
Owner(s):	CL CAT LLC
Applicant:	CL CAT LLC
Representative:	Wyatt, Tarrant, & Combs LLP
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox
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. The Commissioners received this report in advance of the hearing, and 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:

00:32:10 Dante St. Germain presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation.) Staff finds that the case is ready for a public hearing.

Commissioner Carlson asked if the revised plans addressed concerns from one of the neighbors about drainage issues. Dante St. Germain explained how the drainage plans had been modified to address those concerns and the issue with the detention basin and drainage had been corrected.

The following spoke in favor of this request:

Jon Baker, 400 W Market Street Suite 2000, Louisville, KY 40202

Derek Triplett, Land Design & Development, 503 Washburn Ave, Louisville, KY 40222

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NEW BUSINESS

21-ZONE-0091

Summary of testimony of those in favor:

00:38:02 Jon Baker, the applicant's representative, went into more detail on the proposal (see recording for detailed presentation.)

00:45:09 Derek Triplett went into detail on the renderings of the development (see recording for detailed presentation.) He explained that they would not be increasing any stormwater onto any adjacent properties.

00:48:33 Jon Baker continued the presentation and discussed what the homes would look like on the proposed site.

Commissioner Carlson asked how construction vehicles would access the site. Derek Triplett explained that the intention was to use West Indian Trail, if possible, but if that doesn't work, they will have to use Auburn Woods Road and use a damage bond to protect the roadway.

The following spoke as neutral to this request:

Michelle Houser, 514 Auburn Oaks Drive, Louisville, KY 40214

Summary of testimony of those as neutral:

00:54:08 Michelle Houser asked how the water retention basin will be maintained.

Rebuttal:

00:55:48 Jon Baker explained that the maintenance of that area will be the obligation of the homeowner's association and how that process would work. Derek Triplett also explained some of the options for upkeep.

00:59:20 Commissioners' deliberation

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NEW BUSINESS

21-ZONE-0091

The Committee by general consensus scheduled this case to be heard at the **October 21, 2021** Planning Commission public hearing.

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ADJOURNMENT

The meeting adjourned at approximately 2:02 p.m.

Chairman

Division Director