

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**August 11, 2022**

A meeting of the Land Development and Transportation Committee was held at 1:00 p.m. on Thursday, August 11, 2022 at the Old Jail Building, 514 West Liberty Street, Louisville, KY 40202 and via Webex Teleconferencing.

**Committee Members present were:**

Te'Andre Sistrunk, Chair  
Jim Mims, Vice Chair  
Rich Carlson  
Jeff Brown  
Ruth Daniels

**Committee Members absent were:**

No one.

**Staff Members present were:**

Emily Liu, Director, Planning & Design Services  
Joe Reverman, Assistant Director, Planning & Design Services  
Brian Davis, Planning Manager  
Julia Williams, Planning Supervisor  
Dante St. Germain, Planner II  
Laura Ferguson, Legal Counsel

**Others Present:**

Beth Stuber, Transportation Planning

The following matters were considered:

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**Approval of Minutes**

**Approval of the minutes of the July 28, 2022 Land Development and Transportation Committee meeting.**

00:04:10      On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on July 28, 2022.

**The vote was as follows:**

**YES: Commissioners Mims, Carlson, and Brown.**

**ABSTAIN: Commissioners Daniels and Sistrunk.**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**NEW BUSINESS**

**Case No. 22-ZONE-0061**

Request:	Change in zoning from R-4 & C-N to OR-1 with Detailed District Development Plan, Conditional Use Permit, and Binding Elements
Project Name:	4922 Brownsboro Road Rezoning
Location:	4922 Brownsboro Road
Owner:	Artis Senior Living of Louisville LLC
Applicant:	Sina Companies LLC
Representative:	Bardenwerper, Talbott & Roberts
Jurisdiction:	Louisville Metro
Council District:	7 – Paula McCraney
Case Manager:	<b>Dante St. Germain, AICP, Planner II</b>

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

**Agency Testimony:**

00:05:02 Dante St. Germain presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The applicant is proposing to change the zoning from R-4 & C-N to OR-1 for two proposed office structures. The tract is currently vacant.

**The following spoke in favor of the request:**

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

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

**Summary of testimony of those in favor:**

0:08:38 Nick Pregliasco, the applicant's representative, presented the applicant's case and showed a PowerPoint presentation (see recording for detailed presentation). The site was previously approved for a senior living

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**NEW BUSINESS**

**Case No. 22-ZONE-0061**

facility and a bank, but neither were constructed. The new applicant is wanting to construct two two-story buildings that will house offices (predominantly medical) and an immediate/urgent care facility.

Commissioner Carlson asked which building would contain the immediate/urgent care facility, because he thinks there should be an emergency ambulance parking spot in front of that building. Pregliasco stated they would consider this.

Commissioner Brown asked about hours of operation. Pregliasco said they would have information on hours of operation at the public hearing.

00:21:17 Commissioner Mims asked if they knew the breakdown of regular office vs. medical office use on the site. Pregliasco said they do not have a breakdown of that as it will partially be controlled by demand. Ann Richard said the current parking regulations do not differentiate between regular office and medical office use.

**The following spoke in opposition to the request:**

No one spoke.

**Deliberation:**

00:24:24 Commissioners' deliberation.

**An audio/visual recording of the Land Development and 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 6, 2022 Planning Commission public hearing.**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**Case No. 22-RSUB-0005**

Request:	Revised Major Preliminary Subdivision Plan
Project Name:	Roseborough Lots
Location:	7203 E. Manslick Road
Owner:	RLM Properties Inc.
Applicant:	RLM Properties Inc.
Representative:	Land Design & Development, Inc.
Jurisdiction:	Louisville Metro
Council District:	23 – James Peden
<b>Case Manager:</b>	<b>Molly Clark, Planner I</b>

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

**Agency Testimony:**

00:25:45 Julia Williams presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The applicant is proposing a major subdivision with 11 buildable lots and one open space lot. The subdivision will connect to existing streets that stub into the property.

Commissioner Carlson asked about the amount of money to be given to the homeowners association. He believes this amount should be updated, not only for this proposal, but for all subdivisions in general.

Commissioner Brown asked about a potential connection to the residual tract. There is an intermittent stream between the residual tract and the development, so staff did not pursue a connection.

**The following spoke in support of the request:**

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

**Summary of testimony of those in support:**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**Case No. 22-RSUB-0005**

00:34:20      Derek Triplett presented the applicant's case and showed a PowerPoint presentation (see recording for detailed presentation). The proposal was designed to minimize disturbance of the stream. Also, all the tree preservation calculations are based on the development site, with trees being preserved on the site and not on the residual tract. Triplett pointed out there is a waiver request to allow the drainage easements to occupy more than 50 percent of the required rear yard, but it doesn't appear as though notice was given for this waiver.

Commissioner Mims asked about potential development on the residual tract. Triplett said the owner may explore other alternatives for residential development and didn't want to slow down the proposal for this portion of the tract.

**The following spoke as neutral/other:**

David Steff, 7812 Apple View Lane, Louisville, KY 40228

**Summary of testimony of those in opposition:**

00:45:25      David Steff asked if it would be possible to keep the stub to Rome Beauty Way closed until the subdivision construction is completed so construction traffic does not use it. Steff also has concerns about the impact to the adjoining stream. Steff stated Apple Valley HOA is not interested in picking up this development.

**Rebuttal:**

00:51:08      Derek Triplett provided answers to some of the questions asked by David Steff. Triplett pointed out all the runoff from this development will go into a basin that is included within the development. Trees that are hanging over the property line will not be touched, and the applicant will do what they can to save as many trees onsite as they can.

**Deliberation:**

00:56:33      Commissioners' deliberation. Commissioner Brown stated he would like to see the applicant explore a stub towards the residual tract and to look into the transition from a 60-foot road to a 50-foot road as proposed. Commissioner Carlson would like to see the waiver be noticed so it can be acted upon at the same time as the subdivision.

**An audio/visual recording of the Land Development and Transportation Committee meeting related to this case is available on the Planning &**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**Case No. 22-RSUB-0005**

**Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

01:03:29      On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** the preliminary major subdivision to the August 25, 2022 Land Development & Transportation Committee meeting.

**The vote was as follows:**

**YES: Commissioners Mims, Daniels, Carlson, Brown, and Sistrunk.**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**Case No. 21-ZONE-0161**

Request:	Change in Zoning from R-5 to C-M, with Detailed District Development Plan, Binding Element, and a Waiver
Project Name:	Southside Drive Rezoning
Location:	6101-6107 Southside Drive, 101-111 Steedly Drive
Owner:	Teresa Nguyen & Justin Dihn
Applicant:	Teresa Nguyen & Justin Dihn
Representative:	Wyatt, Tarrant & Combs
Jurisdiction:	Louisville Metro
Council District:	25 – Amy Holton Stewart
<b>Case Manager:</b>	<b>Dante St. Germain, AICP, Planner II</b>

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

**Agency Testimony:**

01:06:14 Dante St. Germain presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation). The applicant is requesting to rezone the property from R-5 to C-M for a proposed development consisting of mixed retail and contractor shops. The Metro Council representative submitted some proposed binding elements that they would like incorporated into the staff report.

Commissioner Carlson asked what “change in use” means in the Metro Council Representatives proposed binding element. Dante St. Germain said she was not sure and maybe the Metro Council Representative can expand upon this during her testimony.

Commissioner Brown requested clarification about the connection waiver.

**The following spoke in favor of the request:**

Jon Baker, Wyatt, Tarrant & Combs, 400 W. Jefferson Street, Suite 2000, Louisville, KY 40202



**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**Case No. 21-ZONE-0161**

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

**Summary of testimony of those in favor:**

01:16:10 Jon Baker, the applicant's representative, presented the applicant's case and showed a PowerPoint presentation (see recording for detailed presentation). The proposed plan has been designed to have retail near the adjoining residential uses and a more industrial use at the rear of the property near the adjoining industrial uses.

01:23:00 Ann Richard spoke in support of the application (see recording). Richard discussed the site layout and provided further explanation for the proposed waiver. The applicant is only proposing to not connect to one property, which is a secured property where a connection is not feasible.

01:29:00 Jon Baker resumed testimony. Baker believes the plan is ready for a public hearing.

Commissioner Mims asked if there would be outdoor storage in the contractor shop area. Baker said there is a note on the plan stating there will not be any outdoor storage.

**The following spoke as neutral/other:**

Amy Holton Stewart, Louisville Metro Council District 25, 601 W. Jefferson Street, Louisville, KY 40202

**Summary of testimony of those who spoke as neutral/other:**

01:40:40 Amy Holton Stewart discussed the proposal. She said this is binding element is being used frequently over at Metro Council. The binding element is intended to prevent significant changes in use from what is originally proposed to what may come back in the form of a revised plan.

**The following spoke in opposition to the request:**

Ann Ramser, 307 E. Kenwood Drive, Louisville, KY 40214

Maureen Welch, Louisville, KY 40214

Betsy Ruhe, 4902 Southern Parkway, Louisville, KY 40214

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**Case No. 21-ZONE-0161**

**Summary of testimony of those who spoke in opposition:**

01:47:05 Ann Ramser spoke in opposition to the proposal. Ramser believes C-M is too intense for this location and could be damaging to the neighborhood meeting. Ramser believes the documented technical difficulties warrant the need for another neighborhood meeting. There is concern about heavy trucks damaging the roads. Ramser does not believe this project is equitable.

01:56:40 Maureen Welch spoke in opposition to the proposal. Welch believes the existing R-5 zoning is more appropriate than the proposed C-M zoning. Welch thinks the plan does not meet the equity goals of Plan 2040 because the proposed use will have a negative impact on nearby residential uses.

02:04:38 Betsy Ruhe spoke in opposition to the proposal. There has been an increase in truck traffic in the area, and she has concerns about whether this development will add to that.

**Rebuttal:**

02:06:35 Jon Baker provided rebuttal. Baker believes the proposal provides a good transition between the Traditional Neighborhood and Suburban Workplace form districts that are in the area because of the proposed mix of uses and the scale of the development.

**Deliberation:**

02:11:25 Commissioners' deliberation.

**An audio/visual recording of the Land Development and 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 September 1, 2022 Planning Commission public hearing.**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**  
**August 11, 2022**

**The meeting adjourned at approximately 3:17 p.m.**

  
\_\_\_\_\_  
**Chairman**  
\_\_\_\_\_  
**Division Director**

