

PLANNING COMMISSION

March 2, 2023

PUBLIC HEARING

CASE NO. 22-ZONE-0145

***NOTE: Commissioner Cheek left the hearing at approximately 3:17 p.m. and did not hear or vote on this or the remaining cases.)**

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

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 public hearing. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

02:14:49 Dante St. Germain presented the case, showed a Power Point presentation, and responded to questions from the Commissioners (see staff report and recording for detailed presentation.) She noted that, at the Land Development and Transportation Committee meeting, there were questions about where the vehicles would be displayed. Binding element #11 was added to address the concerns (see staff report.)

The following spoke in support of the request:

Charles Podgursky, 7321 New La Grange Road, Louisville, KY 40222

Summary of testimony of those in support:

02:20:50 Charles Podgursky, the applicant's representative, used the site plan to specify how the cars for sale will be displayed (see recording for detailed presentation.)

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02:23:00 In response to questions from Commissioner Clare, Mr. Podgursky discussed the diagonal parking spaces on the plan and the internal pedestrian circulation. Work will be done inside the garages. Commissioner Clare requested some type of marking or walkway striping to guide pedestrian traffic. Commissioner Mims said that Construction Review should look at accessible routes to all functions on the site.

02:25:52 In response to questions from Commissioner Carlson, Mr. Podgursky said the elevations being presented today were incorrect; that overhead door entrances to the garages were from the front **only**, not the front **and** rear. Ms. St. Germain discussed building design/articulation per the Land Development Code; and also changing binding element #4D (see recording.) She read a revision to that binding element into the record, as follows:

4D. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the March 2, 2023 Planning Commission meeting. *The renderings shall be submitted to, and approved by, staff.* A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.

The following spoke in opposition to the request:

No one spoke.

Deliberations:

02:29:30 Commissioners' deliberation.

02:29:50 The proposed waivers and the CUP were discussed (see recording for detailed discussion.)

02:33:48 The Commission came out of Business Session to ask the applicant's representative questions about why Waiver #1 was needed (see recording for detailed discussion.)

02:38:31 Commissioner Mims and Mr. Podgursky discussed the waiver. Mr. Podgursky said the applicant was trying to get a 24-foot driveway in this area. This might be reduced to 20 feet. Julia Williams, Planning & Design Manager, said that if it's a 25-foot buffer, then no waiver is required as long as they do the plantings and the screening (see recording for detailed discussion.)

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An audio/visual recording of the Planning Commission hearing 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.

02:43:15 On a motion by Commissioner Carlson, seconded by Commissioner Mims, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby **CONTINUE** this case to the **March 16, 2023** Planning Commission public hearing to allow staff and the applicant to work together regarding the landscape area on the north side.

The vote was as follows:

YES: Commissioners Fischer, Howard, Pennix, Clare, Mims, Carlson, and Lewis.

ABSTAIN: Commissioner Sistrunk.

ABSENT: Commissioner Brown.

PLANNING COMMISSION

February 16, 2023

PUBLIC HEARING

CASE NO. 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 and 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

The Staff Report prepared for this case was incorporated into the record. This report was available to any interested party prior to the Planning Commission meeting. (The Staff Report is part of the case file maintained in Planning and Design Services offices, 444 South 5th Street.)

Agency Testimony:

00:11:36 Dante St. Germain requested a continuance of the case.

An audio/visual recording of the Planning Commission 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.

00:12:02 On a motion by Commissioner Carlson, seconded by Commissioner Sistrunk, the following resolution, based on the Staff Analysis and Standard of Review and evidence and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby **CONTINUE** the requested Change in Zoning from R-4 to C-2 with Associated Detailed District Development Plan with Binding Elements and Waivers to the March 2nd, 2023 Public Hearing.

The Vote Was as Follows:

YES: Commissioner Brown, Carlson, Cheek, Pennix, Sistrunk, and Lewis
ABSENT: Commissioners Clare, Fischer, Howard, and Mims

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 26, 2023

NEW BUSINESS

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

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:

02:31:55 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for public hearing (see video for presentation). Applicant is requesting a zone change from a R-4 Single Family residential to a C-2 Commercial. St. Germain stated that this property was originally used for residential purposes.

02:36:01 Commissioner Carlson asked if the whole property is being rezoned or just a certain portion. Carlson asked for more detail when it came to Binding Element 10. St. Germain replied saying that the whole property would be rezoned; it would go from a R-4 to a C-2. Pertaining to Binding Element 10, if the site stores 5 or more cars it becomes a junk yard; the binding element reminds whoever is running the property that they cannot have no more the four inoperable cars on the property at one time.

02:37:44 Commissioner Mims asked if the front of the building would remain a daycare. Dante replied saying that it would become an office to run auto sales and auto repair.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 26, 2023

NEW BUSINESS

22-ZONE-0145

The following spoke in favor of this request:

Charles Podgursky, 7321 New Lagrange Rd Suite 111, Louisville, KY 40222

Summary of testimony of those in favor:

02:38:27 Charles Podgursky spoke in support of the plan. Podgursky stated that he has someone who wants to put an auto repair shop at this property. Podgursky said that he worked with the highway department to make a bigger curb cut for traffic flow.

02:41:10 Commissioner Carlson asked what the display area is like when it comes to selling vehicles and if there was going to be a fence around the property. Podgursky told Carlson that it would be based on the applicant when it comes to the display and that there would a fence along the north and back side of the site.

02:44:15 Commissioner Cheek asked how will the applicant distinguished the difference between the cars being sold and the cars being repaired. Podgursky stated that the cars that are being repaired would be towards the back of the building and the cars being sold are mainly going to be a word of mouth.

02:46:02 Commissioner Mims asked who the applicant had been working with at the KYTC about the entrance of the property. Beth Stuber stated that Podgursky spoke with Jason Richardson about changing the entrance from 25ft to 35ft.

The following spoke in opposition to the request:

None.

Summary of testimony of those in opposition:

None.

Rebuttal

None.

Deliberation

02:47:45 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.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 26, 2023

NEW BUSINESS

22-ZONE-0145

02:47:57 The Committee by general consensus scheduled this case to be heard at the **February 16, 2023**, Planning Commission public hearing.