

PLANNING COMMISSION MINUTES

July 16, 2026

PUBLIC HEARING

CASE NO. 26-DDP-0005

Request:	Revised Detailed District Development Plan with Amendments to Binding Elements
Project Name:	General Development Plan – Old Bardstown Road
Location:	8803, 8805, & 8807 Old Bardstown Road
Applicant:	Goodwill Industries of Kentucky Inc.
Representative:	Bardenwerper Talbott & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	22 – Kevin Bratcher
Case Manager:	Sydney Fawcett, AICP, Planner I

Notice of this public hearing was posted on the property and 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 (staff report is part of the case file maintained in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

02:07:45 Sydney Fawcett provided an overview of the request and presented a PowerPoint presentation. (see recording for details)

The following spoke in favor of the request:

John Talbott, Bardenwerper, Talbott, & Roberts, PLLC, 1000 North Hurstbourne Parkway
Louisville, KY 40223

Ana Nouri, 1119 Rostrevor Circle Louisville, KY 40205

Cheyenne Korte, 1136 South Park Drive Bowling Green, KY 42101

Summary of those in favor:

02:09:57 John Talbott spoke in favor of the request. Pregliasco presented a PowerPoint presentation. Talbott responded to questions from Commissioners. (see recording for details)

02:16:40 Ana Nouri spoke in favor of the request. Nouri responded to questions from Commissioners. (see recording for details)

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02:17:39 Cheyenne Korte spoke in favor of the request. Korte responded to questions from Commissioners. (see recording for details)

The following spoke in opposition to the request:
None

Deliberation:

02:19:19 Planning Commission deliberation

An audio/visual recording of the Planning Commission hearing related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Revised Detailed District Development Plan with Amendment to Binding Elements

02:19:46 On a motion by Commissioner Cheek, seconded by Commissioner Mims, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Planning Commission finds, there do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site, and

WHEREAS, the Planning Commission finds, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community have been provided. Metro Public Works has approved the preliminary development plan, and

WHEREAS, the Planning Commission finds, there are no open space requirements for the proposed development, and

WHEREAS, the Planning Commission finds, the Metropolitan Sewer District has preliminarily approved the development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community, and

WHEREAS, the Planning Commission finds, the overall site design and land uses are compatible with the existing and future development of the area. Appropriate screening will be provided to screen adjacent properties and roadways, and

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WHEREAS, the Planning Commission finds, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan. Community Form Goal 1 Policy 4 calls to ensure new development and redevelopment is compatible with the scale and site design of nearby existing development and with the desire pattern of development within the Form District. Community Form Goal 1 Policy 9 suggests implementing an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The surrounding area has a mix of single-family, multi-family, and commercial developments. The applicant is providing a 15- to 30- foot landscape buffer and plantings along each property line to screen the proposed development from the existing nearby uses and Bardstown Road. Community Form Goal 1 Policy 11 advocates for setbacks, lot dimensions, and building heights are compatible with those of nearby developments that meet Form District guidelines. The proposal demonstrates compatibility in terms of scale, height, and setbacks with adjacent developments. Mobility Goal 3 Policy 20 suggests promoting joint access and circulation systems for development sites comprised of more than one buildable lot. The applicant is proposing to create 3 buildable lots and provide vehicular and pedestrian connection between each lot. Two access points will be from Old Bardstown Road, and one access point will be from Fairmount Road, now, therefore be it;

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the requested Revised Detailed District Development Plan with Amendment to Binding Elements **SUBJECT** to the following Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.

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3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - c. A minor subdivision plat or legal instrument shall be recorded (creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - d. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - e. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.
 - f. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
5. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site).
6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees,

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contractors, subcontractors and other parties engaged in development of the site, shall be responsible for compliance with these' binding elements.

7. At such a time the property to the north redevelops for commercial use, a reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded.
8. The following uses shall be prohibited on site:
 1. Automobile rental agencies
 2. Automobile parking areas, public and private
 3. Automobile service stations with service bays for repair of no more than two vehicles
 4. Banks, credit unions, savings and loan, check cashing services and similar financial institutions that are primarily payday loan or check cashing operations, or that are only state-regulated are prohibited, but traditional banks and credit unions that are full service and federally regulated are permitted.
 5. Bowling alleys
 6. Car washes
 7. Charitable gaming facilities
 8. Convenience groceries
 9. Dry-cleaning, dyeing, pressing, and laundry; distributing stations or retail businesses where no cleaning, dyeing, pressing or laundry is done for other distributing station or cleaning establishments
 10. Dwelling, Multiple-family if the density exceeds 12.01 dwelling units per acre
 11. Extended stay lodging
 12. Hotels and motels
 13. Package liquor stores
 14. Pawn shops
 15. Rental business offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center
 16. Restaurants, tea rooms and cafes
 17. Tents, air structures and other temporary structures intended for occupancy by commercial activities including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that such structures may not be installed for a period (or periods totaling) more than ten (10) days during a calendar year
9. Any significant increases to the proposed structures (e.g. increase in building height, number of units, number of buildings), any increase in density on the

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property, any changes in use on the property which directly or indirectly require a public hearing before the Planning Commission or subcommittee thereof, and/or any amendments to the binding elements, other than (i) the addition of new binding elements, (ii) changes to the binding elements that merely update the public hearing date, or (iii) updating a previous version of this binding element to reflect the current language, shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

The vote was as follows:

YES: Commissioners Mims, Lannert, Cheek, Bond, Steff, Benitez, Lohan, Fischer, Stuber, and Sistrunk