

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO LAND DEVELOPMENT AND TRANSPORTATION
COMMITTEE
June 27, 2024**

A meeting of the Louisville Metro Land Development and Transportation Committee was held on June 27, 2024 at 1:00 p.m. at the Old Jail Auditorium, located on 514 West Liberty Street, Louisville, Kentucky.

Committee Members Present:

Te'Andre Sistrunk, Chair
Jim Mims, Vice Chair
Richard Carlson
Suzanne Cheek
Jennifer Kern
Russ Lohan

Staff Members Present:

Brian Davis, Interim Director
Julia Williams, Planning and Design Manager
Jay Lockett, Planning and Design Supervisor
Beth Stuber, Engineering Supervisor
Laura Ferugson, Assistant County Attorney
Ethan Lett, Planner I
Clare Stuber, Management Assistant

The following matters were considered:

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

MINUTES

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APPROVAL OF MINUTES

**JUNE 13, 2024 LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
MEETING MINUTES**

00:04:24 On a motion by Commissioner Mims, seconded by Commissioner Cheek,
the following resolution was adopted:

RESOLVED, that the Louisville Metro Land Development and Transportation Committee
does hereby **APPROVE** the Minutes of its meeting conducted on June 13, 2024

The vote was as follows:

YES: Commissioner Cheek, Mims, Kern

ABSTAIN Commissioner Carlson, Lohan, Sistrunk

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

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NEW BUSINESS

CASE NO. 24-WAIVER-0090

Request: Waiver from LDC Section 5.4.1.C to allow parking in the principal structure area where alley access is available
Project Name: 1624 Bonnycastle Terrace
Location: 1624 Bonnycastle Terrace
Owner: W. Earl Reed III
Applicant: W. Earl Reed III
Representative: Charlie Williams Design, Inc.
Jurisdiction: Louisville Metro
Council District: 8 – Ben Reno-Weber
Case Manager: Ethan Lett, 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 Committee Members received this report in advance of the meeting, and this report was available to any interested party prior to the public meeting. (Staff report is part of the case file maintained in the Office of Planning, 444 S. 5th Street.)

Agency Testimony:

00:05:19 Ethan Lett provided an overview of the request and presented a PowerPoint presentation. Lett responded to questions from Committee Members (see recording for details)

The following spoke in favor of the request:
None

The following spoke in opposition:
None

An audio/visual recording of the Land Development & Transportation Committee meeting 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.

Waiver from Land Development Code (LDC), Section 5.4.1.C. to allow parking in the principal structure area where alley access is available.

00:09:35 On a motion by Commissioner Mims, seconded by Commissioner Carlson, the following resolution, based on the standard of review contained in the staff report and evidence and testimony heard today, was adopted:

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CASE NO. 24-WAIVER-0090

WHEREAS, the Land Development and Transportation Committee finds the waiver will not adversely affect adjacent property owners since the adjacent properties also face similar design constraints as independent lots with detached garages and parking access from the primary street, and

WHEREAS, the Land Development and Transportation Committee finds Community Form Goal 1, Policy 4 calls for ensuring new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. The proposed site layout will match that of existing adjacent structures and maintains the character of carriage house access and design that is typically observed in traditional neighborhoods, and

WHEREAS, the Land Development and Transportation Committee finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the required setbacks and yard area will still be provided, and

WHEREAS, the Land Development and Transportation Committee finds the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant as the subject site is unique in that it features a detached garage on its own independent lot. There is a significant change in grade between the site and the rear alley which precludes access from the alley, and compliance with the regulation in question would necessitate a request for relief from other applicable site design standards, now, therefore be it;

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the Waiver from LDC Section 5.4.1.C to allow parking in the principal structure area where alley access is available

The vote was as follows:

YES: Commissioners Carlson, Cheek, Kern, Lohan, Mims, Sistrunk

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

MINUTES

June 27, 2024

NEW BUSINESS

CASE NO. 24-STRCLOSURE-0002

Request: Closure of Public Right-of-Way **To be heard with 24-MSUB-0005**
Project Name: Garland Avenue Relocation
Location: 945 S 15th Street
Owner: Epsilon Realty Company
Applicant: BJK Enterprises
Representative: Dinsmore and Shohl
Jurisdiction: Louisville Metro
Council District: 4 – Jecorey Arthur
Case Manager: Jay Lockett, 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 Committee Members received this report in advance of the meeting, and this report was available to any interested party prior to the public meeting. (Staff report is part of the case file maintained in the Office of Planning, 444 S. 5th Street.)

Agency Testimony:

00:11:06 Jay Lockett provided an overview of the request and presented a PowerPoint presentation. Lockett responded to questions from Committee Members (see recording for details)

The following spoke in favor of the request:

Cliff Ashburner, Dinsmore & Shohl, 101 South 5th Street Suite 2500 Louisville, KY 40202

Rich Sobol, BJK Enterprises, 945 South 15th Street Louisville, KY 40210

Summary of those in favor:

00:28:46 Cliff Ashburner spoke in favor of the request. Ashburner explained the purpose of the applicant's company. Ashburner presented a PowerPoint presentation. Ashburner answered questions from Committee Members. (see recording for details)

00:38:55 Rich Sobol spoke in favor of the request. Sobol answered questions from Committee Members (see recording for details)

The following spoke as neutral to the request:

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NEW BUSINESS

CASE NO. 24-STRCLOSURE-0002

Carroll Mackin, 901 South 15th Street Louisville, KY 40210

Summary of those in neutral:

00:41:57 Carroll Mackin spoke as neutral of the request. Mackin stated that he is pleased with the development of West Louisville and believes that the applicant is a good neighbor. Mackin explained that the neighbors should outline some expectations for the applicant due to the impact of the development on the neighborhood. Mackin worries about the changes in parking. Mackin answered questions from Committee Members (see recording for details)

The following spoke in opposition:

None

Rebuttal:

00:50:51 Cliff Ashburner spoke in rebuttal. Ashburner addressed the concerns of the neutral speaker. Ashburner pointed out the parts of the plan that address the vehicular access. Ashburner answered questions from Committee Members (see recording for details)

Deliberation:

01:08:55 Committee deliberation

An audio/visual recording of the Land Development & Transportation Committee meeting 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.

01:11:13 On a motion by Commissioner Mims, seconded by Commissioner Cheek, the following resolution, based on the standard of review contained in the staff report and evidence and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Land Development & Transportation Committee does hereby **PLACE** case number 24-STRCLOSURE-0002 onto the Consent Agenda of the July 11, 2024 Planning Commission meeting **ON CONDITION** that staff and the applicant provide an update in Business Session regarding connectivity between the new Garland Avenue and the parking lot at 901 South 15th Street with the following Conditions of Approval:

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CASE NO. 24-STRCLOSURE-0002

1. Prior to recording the final plat, the applicant must receive written confirmation from all affected utility agencies that easement agreements are in place. Any required easements shall be recorded immediately following the recording of the closure plat and final ordinance.
2. Prior to recording the final closure plat, the new Garland Avenue roadway shall be substantially constructed and ready for public use, with all encroachment permits and bonding necessary in place for work in the old Garland right-of-way.
3. Prior to recording the final closure plat, a temporary easement for public access to the new Garland Avenue roadway shall be recorded unless the major subdivision record plat has been recorded creating the new right-of-way as shown on the preliminary subdivision per 24-MSUB-0005

The vote was as follows:

YES: Commissioners Carlson, Cheek, Kern, Lohan, Mims, Sistrunk

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

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June 27, 2024

NEW BUSINESS

CASE NO. 24-MSUB-0005

Request: Major Preliminary Subdivision
Project Name: Garland Avenue Relocation
Location: 945 S 15th Street
Owner: Epsilon Realty Company
Applicant: BJK Enterprises
Representative: Dinsmore and Shohl
Jurisdiction: Louisville Metro
Council District: 4 – Jecorey Arthur
Case Manager: Jay Lockett, 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. This report was available to any interested party prior to the Land Development & Transportation Committee meeting. (the staff report is part of the case file maintained in the Office of Planning, at 444 S. 5th Street.)

Agency Testimony:

00:11:06 Jay Lockett provided an overview of the request and presented a PowerPoint presentation. Lockett responded to questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

Cliff Ashburner, Dinsmore & Shohl, 101 South 5th Street Suite 2500 Louisville, KY 40202

Rich Sobol, BKJ Enterprises, 945 South 15th Street Louisville, KY 40210

Summary of those in favor:

00:28:46 Cliff Ashburner spoke in favor of the request. Ashburner explained the propose of the applicant company. Ashburner presented a PowerPoint presentation. Ashburner answered questions from Committee Members. (see recording for details)

00:38:55 Rich Sobol spoke in favor of the request. Sobol answered questions from Committee Members (see recording for details)

The following spoke in neutral to the request:

Carroll Mackin, 901 South 15th Street Louisville, KY 40210

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NEW BUSINESS

CASE NO. 24-MSUB-0005

Summary of those in neutral:

00:41:57 Carroll Mackin spoke in neutral of the request. Mackin stated that while he is pleased with the development of West Louisville and believes that the applicant is a good neighbor. Mackin explained that he wants the applicant to have some outlines of expectations from the neighbors due to their impact. Mackin worries about the changes in parking. Mackin answered questions from Committee Members (see recording for details)

The following spoke in opposition:

None

Rebuttal:

00:50:51 Cliff Ashburner spoke in rebuttal. Ashburner addressed the concerns of the neutral speaker. Ashburner pointed out the parts of the plan that address the vehicular access. Ashburner answered questions from Committee Members (see recording for details)

An audio/visual recording of the Land Development & Transportation Committee meeting 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.

Major Preliminary Subdivision

01:13:36 On a motion by Commissioner Mims, seconded by Commissioner Cheek, the following resolution, based on the standard of review contained in the staff report and evidence and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the Major Preliminary Subdivision **SUBJECT** to the following Conditions of Approval:

1. The development shall be in accordance with the approved Preliminary Subdivision Plan. No further subdivision of the land into a greater number of lots than originally approved shall occur without approval of the Planning Commission.
2. The applicant shall submit a landscape plan for approval by Planning Commission staff showing plantings and/or other screening and buffering materials to comply with the Chapter 10 of the Land Development Code prior to recording the record plat. The applicant shall provide the landscape materials on the site as specified

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NEW BUSINESS

CASE NO. 24-MSUB-0005

on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.

3. Prior to recording the record plat, the street closure for the portion of Garland Avenue to be relocated shall be recorded, or otherwise be approved and bonded by Public Works and ready for public use.

The vote was as follows:

YES: Commissioner Carlson, Cheek, Kern, Lohan, Mims, Sistrunk

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NEW BUSINESS

CASE NO. 24-ZONE-0038

Request: Change in Zoning from R-5 to R-7 with Detailed District Development Plan with Binding Elements
Project Name: Six Mile Lane Multifamily
Location: 6400 Six Mile Lane
Owner: Rafiq Juneja
Applicant: Gulfstream Commercial Services, LLC
Representative: Bardenwarper, Talbott and Roberts
Jurisdiction: Louisville Metro
Council District: 10 – Pat Mulvihill
Case Manager: Jay Lockett, 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 Committee Members received this report in advance of the meeting. (Staff report is part of the case file maintained in the Office of Planning, 444 S. 5th Street.)

Agency Testimony:

01:15:18 Jay Lockett provided an overview of the request and presented a PowerPoint presentation. Lockett responded to questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

John Talbott, Bardenwarper, Talbott, and Roberts 1000 North Hurstbourne Parkway
Louisville, KY 40223

Kathy Linares, Mindell Scott, 5151 Jefferson Boulevard Louisville, KY 40219

Summary of those in favor:

01:18:48 John Talbott spoke in favor of the request. Talbott presented a PowerPoint presentation on the subject property. Talbott answered questions from Committee Members (see recording for details)

01:21:21 Kathy Linares spoke in favor of the request. Linares answered questions from Committee Members (see recording for details)

The following spoke in opposition of the request:

None

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NEW BUSINESS

CASE NO. 24-ZONE-0038

An audio/visual recording of the Land Development & Transportation Committee meeting 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 obtain a copy.

RESOLVED, that the Louisville Metro Land Development and Transportation Committee by general consensus scheduled case number 24-ZONE-0038 to be heard at the August 1, 2024 Planning Commission public hearing.

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ADJOURNMENT

The meeting adjourned at approximately 2:30 p.m.

Chair

Planning Director