

PLANNING COMMISSION MINUTES
March 20, 2025

PUBLIC HEARING

CASE NO. 25-DDP-0007

Request:	Detailed District Development Plan with binding elements
Project Name:	Beulah Crossings Townhomes
Location:	6803 Beulah Church Road
Applicant:	Beulah Church Road LLC
Representative:	Land Design & Development
Jurisdiction:	Louisville Metro
Council District:	23 – Jeff Hudson
Case Manager:	Ethan Lett, 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 public hearing. (Staff report is part of the case file maintained in Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

00:37:40 Rachel Casey presented the case. Casey provided an overview of the request and presented a PowerPoint presentation. Casey responded to questions from Commission Members (see recording for details).

The following spoke in favor of this request:

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

Kevin Young, 503 Washburn Avenue, Louisville, KY 40222

Summary of testimony of those in favor:

00:43:00 Nick Pregliasco provided an overview of the request and presented a PowerPoint presentation. Pregliasco outlined the development plan, elevations, tree canopy, and landscaping. Pregliasco responded to questions from Commission Members (see recording for details).

The following spoke in opposition of this request:

Edward Devine, 8403 Damascus Road, Louisville, KY 40228

Summary of testimony of those in opposition:

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00:51:30 Edward Devine spoke in opposition to the proposal. Devine raised concerns about tree preservation and the canopy along the Damascus Road. Devine responded to questions from Commission Members (see recording for details).

Rebuttal:

00:54:20 Kevin Young spoke in rebuttal and stated that after reconsidering the placement of detention basin they decided to adjust the easement to allow for planting evergreen trees to allow screening both new residents and existing plants. Young stated that preserving the current tree canopy could result in long-term damage due to construction work. Young stated that planting new vegetation may be a better solution to protect the area. Devine responded to questions from Commission Members (see recording for details).

00:56:00 Nick Pregliasco spoke in rebuttal and stated that to address the concerns from neighborhood, applicant agreed removed homes on the side of the Damascus Road and tree canopy will be maintained in that area. Pregliasco responded to questions from Commission Members (see recording for details).

00:56:40 Kevin Young stated that they will plant evergreen trees around the detention basin to protect and screen it. Young stated that 6-foot-long evergreen trees will be planted in Phase 2 of the development. Devine responded to questions from Commission Members (see recording for details).

Deliberation:

00:59:30 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.

Detailed District Development Plan with Binding Elements

01:00:30 On a motion by Commissioner Cheek, seconded by Commissioner Steff, the following resolution, based on the staff report, staff analysis, and evidence and testimony heard today, was adopted:

WHEREAS, the Planning Commission finds that while this project involves the removal of over 14 acres of mature, existing tree canopy, undergrowth, and the potential degradation of wildlife habitats, the proposal will preserve the minimum amount of tree

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canopy necessary to meet tree preservation requirements, and new tree saplings will be provided to meet total tree canopy requirements. Additionally, there are both jurisdictional and non-jurisdictional wetlands present on the site and an ephemeral stream. The site is also located in a known habitat zone for the federally endangered Indiana bat and federally threatened northern long-eared bat. The applicant is aware that potential disruptions with jurisdictional wetlands and threatened/endangered species' habitats will require consultation and permitting through state and federal agencies, and

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

WHEREAS, the Planning Commission finds the open space will be provided to meet Land Development Code requirements, and

WHEREAS, the Planning Commission finds the Metropolitan Sewer District has approved the preliminary 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. While predominantly single-family residential, the general vicinity includes a mix of residential uses of various densities. The site layout has been designed so that views of the parking lots from the roadway are minimized. Preserved tree canopy areas and new landscaping will provide appropriate buffering and screening between the site and adjacent residences, and

WHEREAS, the Planning Commission finds the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. Housing Goal 1, Policy 1 calls for encouraging a variety of housing types including, but not limited to, detached and attached single-family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing. The townhome-style units provide a housing choice option that is distinct but compatible with the single-family or garden-style apartment options that are most prevalent in areas within the neighborhood form district; now, therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the Detailed District Development Plan with the following binding elements:

1. The development shall be in accordance with the approved district development

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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.
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. 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 Office of Planning prior to obtaining a building permit.
 - c. 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.
 - d. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the March 20, 2025, Planning Commission public hearing. A copy of the approved rendering is available in the case file on record in the offices of the Louisville Metro Planning Commission.
4. The site shall be developed in accordance with environmental permitting requirements noted in the Water/Wetland Delineation Summary Report dated September 1, 2022.
5. 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

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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.

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, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
7. A minimum of four evergreen trees and additional shrubs shall be provided adjacent to the detention basin as shown on the exhibit presented at the March 20, 2025, Planning Commission public hearing, final location, and type of plantings to be shown on the approved landscape plan.

The vote was as follows:

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