

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION**

July 5, 2007

DOCKET 9018

Change in Zoning from R-5 Single-Family Residential to EZ-1 Enterprise Zone, as well as a Form District Change / Map Amendment for the remaining sector of the Neighborhood Form District to Suburban Workplace Form District on property bounded by I-65, Preston Highway, Norton Avenue, and Orange Drive. The approximate site area consists of 260 acres and being in Louisville Metro.

Project Name:	Edgewood Area Wide Rezoning
Owner(s):	Regional Airport Authority / Others
Existing Use:	Residential/Institutional/Commercial/Industrial
Proposed Use:	Enterprise Zone / Form District Uses
Zoning District:	R-5-Residential to EZ-1-Enterprise Zone
Form District:	Neighborhood to Suburban Workplace
Council District:	21 – Dan Johnson
Staff Case Manager:	Michael Wilcher, Planner II

Notice of this public hearing appeared in The Courier Journal a notice 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 Planning and Design Services offices, 444 S. 5th Street.)

AGENCY TESTIMONY:

Michael Wilcher presented the case providing a summary of the staff report, a copy of which is attached.

The following spoke in favor of this request:

Timothy Martin
Frost Brown Todd
400 West Market, Suite 3200
Louisville, KY 40202

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Burt J. Deutsch
200 S. 5th Street
Louisville, KY 40202

The following spoke in opposition:

William E. Muench Jr.
17016 Camberwell Ct
Louisville, KY 40245

The following spoke as interested parties (other):

Delores Campbell
1014 Larkspur Ave
Louisville, KY 40213-2725

SUMMARY OF TESTIMONY OF PROPONENTS:

Timothy Martin, applicant's representative presented the case using a PowerPoint presentation including site maps of the area and surrounding areas. A study of the area was submitted.

Burt J Deutsch with the Corradino Group presented his case using a PowerPoint presentation including the Preliminary Planning Study Report.

SUMMARY OF TESTIMONY OF OPPONENTS:

William E. Muench Jr, is concerned about drainage problems. He was assured by staff that he will have a chance to address these problems at DRC committee.

SUMMARY OF TESTIMONY OF INTERESTED PARTIES (Others)

Delores Campbell an area resident was concerned that she might loose her home. She was reassured by Mr. Martin that this was not the case.

REBUTTAL:

Mr Martin requests approval.

An audio/visual recording of the Planning Commission hearing related to this case is available in the Planning and Design Services offices. Please contact the Customer Service staff to view the recording or to obtain a

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copy. The recording of this hearing will be found on the cd of the July 5, 2007, proceedings.

BUSINESS SESSION:

In business session subsequent to the public hearing on this request, the Commission took the following action:

On motion by Commissioner Wells-Hatfield the following resolutions were adopted:

WHEREAS, the Planning Commission finds that the existing zoning classification of R-5 Single-Family Residential is inappropriate and the proposed zoning classification of EZ-1 Enterprise Zone is appropriate as further detailed in these findings; and

WHEREAS, the Planning Commission finds that there have been major changes of an economic, physical or social nature within the Edgewood Area which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of the Edgewood Area as further detailed in these findings; and

WHEREAS, the Planning Commission finds that as a result of the implementation in 1991 by the Louisville Regional Airport Authority ("LRAA") of the Voluntary Residential Relocation Program for the Edgewood Area, together with the relocation of 762 of the 817 residences located in the Edgewood Area, the existing single-family residential zoning classification is inappropriate; and

WHEREAS, the Planning Commission finds that as a result of the receipt by the LRAA of approximately 80% of the total \$84 Million in funding from the Federal Aviation Administration ("FAA") projected for the implementation of the Voluntary Residential Relocation Program for the Edgewood Area, the LRAA is under a mandate from the FAA to restrict the property acquired by the LRAA pursuant to the Voluntary Residential Relocation Program from future residential uses and any other uses not compatible with the nearby presence of the Louisville International Airport (the "Airport"), thereby making the existing single-family residential zoning classification inappropriate; and

WHEREAS, the acceptance by 93% of the former residents of the Edgewood Area of the offers made pursuant to the LRAA's Voluntary Residential Relocation

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Program overwhelmingly demonstrates that the Edgewood Area is no longer suitable for residential uses; and

WHEREAS, the construction by the Commonwealth of Kentucky Department of Transportation of a bridge over Interstate 65 from Grade Lane on the west to the Edgewood Area on the east, providing connectivity of the Edgewood Area to the Airport and related operations surrounding the Airport, has brought about a fundamental change in the Edgewood Area making the existing residential zoning classification inappropriate; and

WHEREAS, based on the Preliminary Planning Study (the "Study") dated June 2007 prepared by The Corradino Group pursuant to Louisville Metro Council Resolution No. 83, Series 2007, together with the findings and recommendations contained in the Study, the Planning Commission finds that the existing zoning classification and form district for the Edgewood Area is inappropriate; and

WHEREAS, based on the foregoing findings, the Planning Commission finds that pursuant to KRS 100.213 there have been major changes of an economic, physical, or social nature within the Edgewood Area which were not anticipated in Cornerstone 2020, which have substantially altered the basic character of the Edgewood Area; and

WHEREAS, based on the foregoing findings, the Planning Commission finds that pursuant to KRS 100.213 the existing zoning classification and form district are inappropriate and that the change in zoning classification and form district are appropriate; and

RESOLVED, that Louisville Metro Planning and Design Services does hereby **RECOMMEND** to Louisville / Jefferson County Metro Government that the change in zoning from R-5 Single Family Residential to EZ-1 Enterprise Zone be **APPROVED**; and

The vote was as follows:

YES: Commissioners Hamilton, Abstain, Storm, Ernst, Blake, Carlson, Wells-Hatfield and Howard.

NO: No one.

NOT PRESENT FOR THIS CASE: Commissioner Fleischaker.

ABSTAINING: Commissioner Queenan/

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On motion by Commissioner Wells-Hatfield the following resolutions were adopted:

RESOLVED, that Louisville Metro Planning and Design Services does hereby **RECOMMEND** to Louisville / Jefferson County Metro Government that the change in form district from Neighborhood to Suburban Workplace be **APPROVED**.

The vote was as follows:

YES: Commissioners Hamilton, Abstain, Storm, Ernst, Blake, Carlson, Wells-Hatfield and Howard.

NO: No one.

NOT PRESENT FOR THIS CASE: Commissioner Fleischaker.

ABSTAINING: Commissioner Queenan/