

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
April 27, 2023

NEW BUSINESS

23-ZONE-0002

Request:	Change in Zoning from C-1 to C-2 with Detailed District Development Plan and Binding Elements
Project Name:	Mellwood Tavern
Location:	1801 Brownsboro Road
Owner:	Mellwood Tavern, LLC
Applicant:	Patrick Gregory
Jurisdiction:	Louisville Metro
Council District:	4 – Jecorey Arthur
Case Manager:	Jay Lockett, 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 Land Development & Transportation Committee meeting. (The Staff Report is part of the case file maintained in Planning and Design Services offices, at 444 South 5th Street).

Agency Testimony:

00:16:12 Jay Lockett presented the applicant's proposed Revised Detailed District Development Plan. Lockett confirmed that the distance from the center line on Mellwood Avenue is 40 feet. He advocated for the removal and replacement of asphalt with a patio.

00:17:15 Commissioner Mims clarified if there is a franchise agreement. Jay Lockett confirmed that there is a license agreement.

00:18:02 Commissioner Carlson acknowledged that people could park on the patio. Commissioner Brown suggested the inclusion of a license agreement in Binding Element 3c. Jay Lockett agreed.

The Following Spoke in Support of This Request:

Rachel Harman, 1621 Windsor Place, Louisville, KY 40204

Summary of Testimony of Those in Support:

00:19:44 Rachel Harman established that she is here for questions.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services

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website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

00:20:13 The Land Development & Transportation Committee by general consensus scheduled case number 23-ZONE-0002 to be heard at the May 25, 2023 Planning Commission public hearing.

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Agency Testimony:

00:04:49 Jay Luckett presented the applicant's proposal to expand operations of Mellwood Tavern to the 2nd floor.

00:07:21 Commissioner Mims clarified if the sale of alcohol is necessitating the C-2 designation. Jay Luckett responded that the applicant's proposal requires a change from non-conforming to C-2.

00:08:08 Commissioner Brown acknowledged the frontage on Mellwood Avenue. Beth Stuber confirmed that the right-of-way is 40 feet from the center line.

00:08:44 Commissioner Brown clarified if Beth Stuber has an up-to-date development plan. Beth Stuber confirmed that the information came from Charles Podgursky.

00:09:04 Commissioner Brown established that there is asphalt in the right-of-way. Jay Luckett acknowledged that the applicant knows not to park there.

00:10:05 Commissioner Mims questioned the on-street parking. Jay Luckett acknowledged that there is parking on Mellwood Avenue. Luckett reminded the Land Development and Transportation Committee that there is no requirement.

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00:11:30 Commissioner Mims clarified if the fire escape is in the rear or on the side. Jay Luckett countered that there is no interaction.

The Following Spoke in Support of This Request:

Rachel Harman, 1623 Windsor Place, Louisville, KY 40204

Summary of Testimony of Those in Support:

00:12:15 Rachel Harman introduced herself as the architect. Harman confirmed that the right-of-way is 25 feet.

00:13:30 Commissioner Brown confirmed that there is conflicting information on the distance from the center line.

00:14:06 Commissioner Brown questioned the excavation. Rachel Harman responded that there is none planned.

00:17:27 Commissioner Brown cautioned that the amount of square feet is closer to 40. Commissioners Mims and Sistrunk agreed.

00:18:45 Rachel Harman continued to question the excavation. Commissioner Brown advocated for the removal of asphalt.

00:19:34 Rachel Harman clarified if Commissioner Brown suggests grass. Commissioner Brown agreed.

00:20:02 Commissioner Sistrunk confirmed that this is a discussion for the Planning Commission. Jay Luckett suggested a Binding Element.

00:22:10 Rachel Harman agreed to change the development plan. Commissioners Brown and Sistrunk advocated that she produces an accurate one.

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00:22:43 On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following was adopted:

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RESOLVED, the Land Development & Transportation Committee does hereby
CONTINUE case number 23-ZONE-0002 to the April 27, 2023 Land Development &
Transportation Committee meeting.