

**MINUTES OF THE MEETING
OF THE
PLANNING COMMITTEE**

February 11, 2016

A meeting of the Planning Committee was held on, Thursday, February 11, 2016 at 11:00 a.m. at the Metro Development Center, located at 444 S. 5th Street, Louisville, Kentucky.

Committee Members present were:

Robert Kirchdorfer - Chair

Jeff Brown

Richard Carlson

Lula Howard

Barbara Kelly

Committee Members absent were:

Donnie Blake

Chuck Kavanaugh

David Tomes

Staff Members present were:

Jon Baker, Assistant County Attorney

Brian Davis, Planning Supervisor

Joe Haberman, Planning Manager

Brian Mabry, Planning Coordinator

Joe Reverman, Assistant Director, Planning & Design Services

Others present were:

Cary Kaplin

Sarah Lindgren

Gretchen Milliken, Director, Advanced Planning

The following matters were considered:

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September 10, 2015 Minutes

Committee Member Kelly requested a correction to the vote for the last item on Page 6 of the proposed minutes. On a motion by Committee Member Carlson and seconded by Committee Member Howard, the following resolution was adopted:

RESOLVED, that the Planning Committee does hereby **APPROVE** the minutes of its meeting conducted September 10, 2015 as corrected.

The vote was as follows:

YES: Committee Members Brown, Carlson, Howard, and Kirchdorfer.

NO: No one.

NOT PRESENT: Committee Members Blake, Kavanaugh and Tomes.

ABSTAINING: Committee Member Kelly.

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Case No. 16AMEND1000
Methadone Clinic LDC Text Amendment

Joe Haberman, Planning Manager, presented an overview of the ordinance passed by Metro Council late last year regarding proposed Land Development Code language regarding methadone clinics. Mr. Haberman explained staff has been working with the County Attorney's office on potential changes to what the Metro Council ordinance recommended. While they are working on two different alternatives for consideration, they are not ready to be reviewed by the committee at this time.

Jon Baker, Assistant County Attorney, said this is a sensitive issue and it is important to not discriminate against these type of clinics or their users; therefore, he feels the additional time to prepare draft regulations is warranted.

On a motion by Committee Member Carlson and seconded by Committee Member Kelly, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Committee does hereby **RECOMMEND** that Case No. 16AMEND1000, Methadone Clinic LDC Text Amendment, to proceed to the Louisville Metro Planning Commission on March 17, 2016 provided staff is able to complete a draft prior to said public hearing.

The vote was as follows:

YES: Committee Members Brown, Carlson, Howard, Kelly and Kirchdorfer.

NO: No one.

NOT PRESENT: Committee Members Blake, Kavanaugh and Tomes.

ABSTAINING: No one.

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Case No. 16AMEND1003
Outdoor Amenities/Focal Points

Brian Mabry, Planning Coordinator, presented an overview of the recent changes that were made to Section 5.12.2 of the Land Development Code. When Metro Council was reviewing proposed changes, they made two changes that had not been included in the recommendations from the Planning Commission, 1.) they changed the building footprint threshold for outdoor amenities to 60,000 square feet (from 100,000 square feet) and 2.) added industrial uses to the requirement (they had previously not been included).

Since implementation of these changes, there have been a number of waiver requests to reduce or eliminate the outdoor amenities requirements for industrial developments. The requirement appears to be excessive, so staff has supported these waiver requests and all have been approved. The majority of the reductions have required outdoor amenities to be equal to 10 percent of the office space, not the entire industrial/warehouse footprint. There are also problems with the way the fee-in-lieu is calculated.

Sarah Lindgren, Public Art Administrator, Louisville Forward, discussed the fee-in-lieu and how it is intended to be collected and administered. She believes the fee-in-lieu could be a viable option for industrial developments but the requirements as they are now do not work.

Mr. Mabry presented four options for calculating the amount of required outdoor amenity space:

1. Option A would be to reword the language of the Land Development Code to utilize the 10 percent of office area within an industrial building as the standard for calculating the amount of required outdoor amenity space.
2. Option B would be to split the requirements for the office area and industrial/warehouse area in a building and assign different outdoor amenity space requirements for them.
3. Option C would be to create a calculation based on the number of employees within the building.
4. Option D would be to completely eliminate industrial developments from the outdoor amenity requirements.

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Mr. Mabry also stated it might be a good idea to change the fee-in-lieu option, especially the way it is calculated, so it might be a more reasonable alternative to providing all the space or requesting a full waiver.

On a motion by Committee Member Carlson and seconded by Committee Member Kelly, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Committee does hereby RECOMMEND that Case No. 16AMEND1003, Outdoor Amenities/Focal Points, be forwarded to the Louisville Metro Planning Commission on March 17, 2016 with staff providing language for Option C (calculating required outdoor amenity space requirements based on number of employees) and different options of calculating the fee-in-lieu option.

RESOLVED, the Louisville Metro Planning Committee does hereby **RECOMMEND** that Case No. 15AREA1003, Dixie Highway Town Center/Lower Hunters Trace Planned Development District, be forwarded to the Louisville Metro Planning Commission at a date to be determined by staff for review and consideration.

The vote was as follows:

YES: Committee Members Brown, Carlson, Howard, Kelly and Kirchdorfer.

NO: No one.

NOT PRESENT: Committee Members Blake, Kavanaugh and Tomes.

ABSTAINING: No one.

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The meeting was adjourned at 12:22 p.m.

Chairman

Division Director