

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
April 12, 2018**

A meeting of the Land Development and Transportation Committee was held on, April 12, 2018 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:

Marilyn Lewis, Chair
Richard Carlson
Jeff Brown
Ramona Lindsey

Committee Members absent were:

Rob Peterson, Vice-Chair

Staff Members present were:

Joseph Reverman, Assistant Director, Planning and Design Services
Brian Davis, Planning and Design Manager
Julia Williams, Planning Supervisor
Laura Mattingly, Planner II
Joel Dock, Planner II
Jay Lockett, Planner I
Tony Kelly, MSD
Travis Fiechter, Legal Counsel
Pamela M. Brashear, Management Assistant

The following matters were considered:

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APPROVAL OF MINUTES

MARCH 22, 2018 LD&T COMMITTEE MEETING MINUTES

On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted.

RESOLVED, that the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on March 22, 2018 with a correction on page 6 – change the word ‘cold’ to ‘could’.

The vote was as follows:

YES: Commissioners Carlson and Lewis

NOT PRESENT FOR THIS CASE: Commissioner Peterson

ABSTAINING: Commissioners Brown and Lindsey

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NEW BUSINESS

CASE NO. 18STREETS1010

Request:	Street Name Change Request
Project Name:	Eleena Drive Name Change
Location:	Eleena Drive at Dixie Beach Road
Owner:	Louisville Metro
Applicant:	Louisville Metro Public Works
Representative:	Jeff Brown
Jurisdiction:	Louisville Metro
Council District:	14 – Cindi Fowler
Case Manager:	Jay Lockett, Planner I

NOTE: Commissioner Brown recused himself from this case.

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:07:50 Mr. Lockett discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Jeff Brown, Louisville Metro Public Works, 444 South 5th Street, Louisville, Ky. 40202

Summary of testimony of those in favor:

00:09:20 Mr. Brown stated the railroad's inventory sheet already lists it as Dixie Beach Rd, so the request is just a formality.

Deliberation

00:09:49 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution was adopted.

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NEW BUSINESS

CASE NO. 18STREETS1010

RESOLVED, that the Louisville Metro Planning Commission does hereby place this case on the April 19, 2018 Planning Commission Business Session based on the staff report and information heard today.

The vote was as follows:

YES: Commissioners Lewis, Lindsey and Carlson

NOT PRESENT AND NOT VOTING: Commissioners Brown and Peterson

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NEW BUSINESS

CASE NO. 18SUBDIV1000

Request: Major Preliminary Subdivision with a Waiver
Project Name: Wetherly Springs Lake Forest
Location: 1698 North Beckley Station Road
Owner: Louisville Metro
Applicant: Wetherly Springs, LLC.
Representative: Sabak, Wilson & Lingo
Jurisdiction: Louisville Metro
Council District: 19 – Julie Denton
Case Manager: Jay Lockett, Planner I

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:11:41 Mr. Lockett discussed the case summary, standard of review and staff analysis from the staff report.

Commissioner Carlson stated the fire district listed in the staff report is incorrect. Mr. Lockett said it's a typographical error and will be corrected. Also, it seems as if the trucks will be stacking.

The following spoke in favor of this request:

Pat Dominik, Sabak, Wilson and Lingo, 608 South 3rd Street, Louisville, Ky. 40202

Summary of testimony of those in favor:

00:17:30 Mr. Dominik gave a power point presentation. Connectivity is a main concern but the property is too long and narrow making it impossible in this case. The detention area and existing lake will be handled per MSD requirements. A fee-in-lieu will be requested for sidewalk requirements along N. Beckley Station Rd. Also, the applicant/representative can meet with the fire chief (prior to construction) to address Commissioner Carlson's concerns.

The following spoke neither for nor against the request:

Robert Hughes, 2312 Arnold Palmer Boulevard, Louisville, Ky. 40245

Summary of testimony of those neither for nor against:

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00:30:50 Mr. Hughes, member of the Lake Forest Community Association Board, requests that the name 'Lake Forest' be removed from the project name.

Rebuttal:

00:31:45 Mr. Dominik stated he wants action taken today on Wetherly Spring Subdivision.

Mr. Dominik also asks to delete condition of approval number 16. The survey has been done.

Deliberation

00:33:26 Commissioner Carlson stated the applicant has done their best given the constraints of the lot configurations. The applicant/representatives have agreed to meet with the fire dept. for their comments prior to submitting construction drawings – add as condition of approval. Also, the applicant needs to correct note 3 on the plans.

00:34:21 Commissioner Brown stated the committee does not need to take action for the fee-in-lieu. The left turn lane needs to meet all the requirements and be added as a condition of the Subdivision Plan approval.

00:35:17 Commissioner Lindsey stated that with the shape and topography of the lot, the applicant has done everything possible for laying out the subdivision. The conditions of approval requested by Commissioner Carlson are appropriate and in order.

00:35:47 Chair Lewis agrees with the other commissioners.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Waiver from Land Development Code section 5.9.2.A.1.A.iii to allow a residential block face to exceed 1600' in length.

On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution was adopted.

WHEREAS, the waiver will not adversely affect adjacent property owners, as all required yards and screening will be provided on site; and

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CASE NO. 18SUBDIV1000

WHEREAS, Community Form/Land Use Guideline 3 policy 1 states the proposal is generally compatible within the scale and site design of nearby existing development and with the form district's pattern of development. Guideline 3 policy 6 states the proposal mitigates any adverse impacts of its associated traffic on nearby existing communities. The proposed waiver will not violate the comprehensive plan, in that the proposal is similar to existing development in the area. The applicant is proposing to provide traffic control improvements along N English Station Rd to mitigate traffic issues associated with this development; and

WHEREAS, the Louisville Metro Land Development & Transportation Committee finds, the extent of the waiver is the minimum necessary to afford relief to the applicant, as there is no viable alternative street network that can fit on the site due to the dimensions of the site, and the surrounding community is fully built out; and

WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as there would be a significant loss of lots and useable space in the rear of the site if the block was limited to the 1600' allowed by the LDC.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the waiver from the Land Development Code section 5.9.2.A.1.A.iii to allow a residential block face to exceed 1600 feet in length based on the testimony heard today and accept the applicant's waiver justification.

The vote was as follows:

YES: Commissioners Brown, Carlson, Lindsey and Lewis
NOT PRESENT AND NOT VOTING: Commissioner Peterson

Floyds Fork Overlay Review

On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Floyds Fork Development Review Overlay based on the testimony heard today and the staff's verbal report.

The vote was as follows:

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NEW BUSINESS

CASE NO. 18SUBDIV1000

YES: Commissioners Brown, Carlson, Lindsey and Lewis
NOT PRESENT AND NOT VOTING: Commissioner Peterson

Major Preliminary Subdivision

On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Major Preliminary Subdivision based on the staff report and evidence and testimony heard today, to include a condition that the left lane turn design complies with the AASHTO Design Requirements, note number 3 on the plan be corrected concerning fire districts, the fire department having jurisdiction be contacted for comments concerning the length and design of the cul-de-sac prior to submitting construction drawings and delete condition of approval number 16, **SUBJECT** to the following Conditions of Approval:

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission.
2. The applicant shall submit a plan for approval by Planning Commission staff showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by Planning Commission staff if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
 - a. Proposed site plan (showing buildings, edges of pavement, property/lot lines, easements, existing topography, and other significant site features (LOJIC topographic information is acceptable).
 - b. Preliminary drainage considerations (retention/detention, ditches/large swales, etc.).
 - c. Location of all existing trees/tree masses existing on the site as shown by aerial photo or LOJIC maps.
 - d. Location of construction fencing for each tree/tree mass designated to be preserved.
3. An original stamped copy of the approved Tree Preservation Plan shall be present on site during all clearing, grading, and construction activity and shall be made available to any DPDS inspector or enforcement officer upon request.

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4. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
5. All street signs shall be installed by the Developer, and shall conform with the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street, and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
6. The applicant shall install signs, approved by the Metro Public Works Dept., which indicate the future extension of the public right of way for all stub streets. Such signs shall be installed prior to release of bonds for the installation of the street infrastructure.
7. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
8. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
9. After release of the drainage bond, mosquito abatement on open space lots shall be the responsibility of the Homeowners Association. Accumulations of water in which mosquito larvae breed or have the potential to breed are required to be treated with a mosquito larvacide approved by the Louisville Metro Health Department. Larvacides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.
10. Trees will be preserved and/or provided on site and maintained thereafter as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the Preliminary Subdivision Plan. The applicant shall submit a landscape plan for approval by Planning Commission staff for any trees to be planted to meet the Tree Canopy requirements of Chapter 10, Part 1 of the Land Development Code. A tree preservation plan shall

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be submitted for review and approval for any trees to be preserved to meet the Tree Canopy requirements of Chapter 10.

11. 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 on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.
12. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
 1. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
 2. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.
 3. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.
13. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.
14. The signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.
15. When limits of disturbance are shown on the plan, a note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected at the edge of the limits of disturbance area, prior to any grading or construction activities. The fencing shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
16. The applicant/representatives have agreed to meet with the fire department for comments prior to submitting construction drawings.

The vote was as follows:

YES: Commissioners

NOT PRESENT AND NOT VOTING: Commissioners

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NEW BUSINESS

CASE NO. 17STREETS1011

Request: Alley Closures
Project Name: Payne Street Alley Closure
Location: 113 South Charlton Street/1801 Payne Street
Owner: Right-of-way
Applicant: Louisville Paving Company
Representative: Mindel, Scott, & Associates
Jurisdiction: Louisville Metro
Council District: 9 – Bill Hollander
Case Manager: Joel Dock, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:41:45 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

Mike O'Leary, Clifton Community Council, 1963 Payne Street, Louisville, Ky. 40206

Summary of testimony of those in favor:

00:43:05 Mr. Pregliasco gave a power point presentation. Neither alley was used or improved. The property will be redeveloped for another use in the future.

00:46:37 Mr. O'Leary supports the staff report as well as the alley closures.

Deliberation

00:47:41 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

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NEW BUSINESS

CASE NO. 17STREETS1011

The Committee by general consensus placed this case on the May 24, 2018 public hearing at the Old Jail Building.

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NEW BUSINESS

CASE NO. 18SUBDIV1001

Request:	Major Subdivision and Sidewalk Waiver
Project Name:	Hearthstone Meadows
Location:	4604 Curve Hill Road
Owner:	Gary and Ann Roggenkamp
Applicant:	Gary and Ann Roggenkamp
Representative:	Land Design and Development, Inc.
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	Joel Dock, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:49:05 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Derek Triplett, Land Design and Development, 503 Washburn Avenue, Suite 101, Louisville, Ky. 40222

Summary of testimony of those in favor:

00:51:26 Mr. Triplett gave a power point presentation. The stormwater will be routed to the existing pond and will meet MSD standards. The development will be developed in phases. There was a neighborhood meeting and this plan was presented to the homeowners association for Pine Valley Estates. They don't want the connection to Curve Hill Rd. or any construction within the right-of-way removing any existing trees. Curve Hill Rd. is substandard and serves as a driveway to 4 properties.

Commissioner Brown explained that right-of-way dedication is required along Curve Hill Rd. (30 feet from center).

Deliberation

00:58:24 Planning Commission deliberation.

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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NEW BUSINESS

CASE NO. 18SUBDIV1001

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

Waiver of Land Development Code, section 5.8.1.b to not provide sidewalk along Curve Hill Road.

On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution was adopted.

WHEREAS, the waiver will not adversely affect adjacent property owners as the conditions proposed by the applicant are consistent with the conditions of subdivision design abutting Curve Hill Road and in immediately abutting subdivisions; and

WHEREAS, the Louisville Metro Land Development & Transportation Committee finds, Guideline 9, Policy 1 states that new development should provide for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. The development has provided effective sidewalk connectivity within the subdivision, to an adjacent subdivision, and along the collector level roadway fronting the subject site to promote the safe movement of pedestrians in an area the lacks strong connectivity to activity centers; and

WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant as the conditions proposed by the applicant are consistent with the conditions of subdivision design abutting Curve Hill Road and in immediately abutting subdivisions, and an effective means to safely move pedestrians has been provided.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the waiver of the Land Development Code section 5.8.1.b to not provide sidewalks along Curve Hill Rd. based on the staff report and staff's analysis as justification.

The vote was as follows:

YES: Commissioners Brown, Carlson, Lindsey and Lewis
NOT PRESENT AND NOT VOTING: Commissioner Peterson

Major Preliminary Subdivision Plan for 36 single-family residential lots

On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution based on the evidence and testimony heard today was adopted.

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NEW BUSINESS

CASE NO. 18SUBDIV1001

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Major Preliminary Subdivision **ON CONDITION** that right-of-way dedication in the amount of 30' from centerline is shown on the plan and "Pine Valley Drive" be reflected correctly as "Valley Pine Drive" subject to the following conditions of approval:

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission.
2. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
3. All street signs shall be installed by the Developer, and shall conform to the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street, and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
4. The applicant shall install signs, approved by the Metro Public Works Dept., which indicate the future extension of the public rights of way as shown on the preliminary subdivision plan. Such signs shall be installed prior to release of bonds for the installation of the street infrastructure.
5. Open space/conservation lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
6. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
7. After release of the drainage bond, mosquito abatement on open space lots shall be the responsibility of the Homeowners Association. Accumulations of water in which mosquito larvae breed or have the potential to breed are required to be treated with a mosquito larvacide approved by the Louisville Metro Health

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CASE NO. 18SUBDIV1001

Department. Larvacides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.

8. Trees will be preserved and/or provided on site and maintained thereafter as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the Preliminary Subdivision Plan. The applicant shall submit a landscape plan for approval by Planning Commission staff for any trees to be planted to meet the Tree Canopy requirements of Chapter 10, Part 1 of the Land Development Code. A tree preservation plan shall be submitted for review and approval for any trees to be preserved to meet the Tree Canopy requirements of Chapter 10.
9. 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 on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.
10. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
 - a. Articles of Incorporation filed with the Secretary of State and recorded in the office of the Clerk of Jefferson County and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by Counsel to the Planning Commission addressing responsibilities for the maintenance of common areas and open space, maintenance of noise barriers, maintenance of WPAs, TPAs and other issues required by these binding elements / conditions of approval.
 - c. Bylaws of the Homeowner's Association in a form approved by the Counsel for the Planning Commission.
11. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.
12. Any signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.

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NEW BUSINESS

CASE NO. 18SUBDIV1001

13. When limits of disturbance are shown on the plan, a note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected at the edge of the limits of disturbance area, prior to any grading or construction activities. The fencing shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."

14. An Individual Historic Resource Survey Form shall be completed for historic resources on the subject site (existing structures – primary and accessory). The documentation must occur prior to the issuance of a demolition permit or ground disturbance at the site. The documentation shall be submitted to Urban Design/Historic Preservation Staff upon completion.

The vote was as follows:

YES: Commissioners Brown, Carlson, Lindsey and Lewis
NOT PRESENT AND NOT VOTING: Commissioner Peterson

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NEW BUSINESS

CASE NO. 17ZONE1054

Request: Change in zoning from R-2/R-4 to OR-3, setback and height variances, landscape waiver, and detailed district development plan

Project Name: Advanced ENT

Location: 2944 Breckenridge Lane

Owner: Advanced ENT Holdings of St. Matthews, LLC

Applicant: Advanced ENT Holdings of St. Matthews, LLC.

Representative: Frost Brown Todd, LLC

Jurisdiction: Louisville Metro

Council District: 26 – Brent Ackerson

Case Manager: Joel Dock, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

01:07:51 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Glenn Price, Frost, Brown and Todd, 400 West Market Street, Suite 3200, Louisville, Ky. 40202
Ann Richard, Land Design and Development, 503 Washburn Avenue, Louisville, Ky. 40222

Summary of testimony of those in favor:

01:09:55 Mr. Price gave a power point presentation. The smaller proposed building will be built at a later date.

01:15:36 Commissioner Brown stated the applicant/representatives need to work on pedestrian connectivity between tracts 1 and 2.

01:16:35 Ms. Richard stated injection wells are being used mainly in the western part of the state. "Surface runoff goes directly into the ground into the subsurface rock, taking it where it would have eventually perked. It's been reviewed and has received preliminary approval."

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NEW BUSINESS

CASE NO. 17ZONE1054

The following spoke neither for nor against the request:

Constance K. Wharton, 3018 Meadowview Circle, Louisville, Ky. 40220

Summary of testimony of those neither for nor against:

01:20:20 Ms. Wharton, Mayor of Meadow View Estates, stated she is happy to have ENT in the community, but the city of Meadow View is proposing 6 additional binding elements.

Rebuttal:

01:24:38 Mr. Price stated, "We're very respectful of our neighbors and will continue that. Some of the proposed binding elements by Meadow View may already be addressed by the regulations. We will meet with the mayor and city council and try to work out the wording before the public hearing."

Deliberation

01:25:17 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

The Committee by general consensus placed this case on the May 10, 2018 public hearing at the Old Jail Building.

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NEW BUSINESS

CASE NO. 17ZONE1077

Request: Change in zoning from R-4 to C-2, Conditional Use Permit for mini-warehouse, variance, and detailed district development plan

Project Name: Stor-all

Location: 12113 Shelbyville Road

Owner: Cathy Snodgrass; Susan Billie and Timothy A Mueller

Applicant: Stor-All – Aaron Eldridge

Representative: Bardenwerper, Talbott, & Roberts, PLLC

Jurisdiction: City of Middletown

Council District: 19 – Julie Denton

Case Manager: Joel Dock, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

01:26:59 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

Summary of testimony of those in favor:

01:29:25 Mr. Pregliasco gave a power point presentation. There are some issues related to access and some neighbors are concerned. A mini-warehouse will generate very little traffic. The main storage facility will be behind Brakeway. The proposal is in order and there are no requested variances or waivers.

Deliberation

01:35:50 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

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CASE NO. 17ZONE1077

The Committee by general consensus placed this case on the May 24, 2018 public hearing at the Old Jail Building.

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NEW BUSINESS

CASE NO. 18ZONE1011

Request: Rezoning from R-5A to PRD and Revised Detailed District
Development Plan
Project Name: Moss Creek
Location: 6110 Goalby Drive
Owner: Moss Creek Enterprises, LLC
Applicant: Moss Creek Enterprises, LLC
Representative: Dinsmore & Shohl, LLP
Jurisdiction: Louisville Metro
Council District: 12 – Rick Blackwell
Case Manager: Joel Dock, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

01:36:35 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Cliff Ashburner, Dismore and Shohl, 101 South 5th Street, Suite 2500, Louisville, Ky. 40202

Summary of testimony of those in favor:

01:38:20 Mr. Ashburner gave a power point presentation. The proposal is to reduce the number of units from 36 to 24. Individual units will now be placed on individual lots.

Deliberation

01:44:34 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

The Committee by general consensus placed this case on the May 10, 2018 public hearing at the Old Jail Building.

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NEW BUSINESS

CASE NO. 17ZONE1017

Request: Change in Zoning from R-4 and O-R to C-1 and Detailed District Development Plan with Variance
Project Name: Circle K
Location: 9201, 9205, and 9211 Preston Highway
Owner: Scott Whitaker
Applicant: Mac's Convenience Stores, LLC
Representative: Bardenwerper, Talbott & Roberts, PLLC
Jurisdiction: Louisville Metro
Council District: 24 - Madonna Flood
Case Manager: Laura Mattingly, AICP, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

01:46:07 Ms. Mattingly discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

John Talbott, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223
Diane Zimmerman, 12803 High Meadows Pike, Prospect, Ky. 40059

Summary of testimony of those in favor:

01:48:20 Mr. Talbott gave a power point presentation. This case will have the same conditions as the 2 previously approved developments. It will be south of E. Manslick Rd. as Metro Council has indicated.

02:04:56 Ms. Zimmerman stated Manslick Rd. is a state highway. The traffic analysis indicates a left turn lane is not warranted on Manslick Rd. and the intersection at Manslick and Preston doesn't warrant dual turn lanes.

Ms. Zimmerman said the Blue Lick Rd. widening should end before Circle K begins construction. Commissioner Carlson requests a binding element saying Circle K won't begin construction until Blue Lick widening is complete. Mr. Talbott agreed.

The following spoke in opposition to this request:

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
April 12, 2018

NEW BUSINESS

CASE NO. 17ZONE1017

Jerry Lee Rodgers, 4605 East Manslick Road, Louisville, Ky. 40219

Summary of testimony of those in opposition:

02:14:30 Mr. Rodgers stated he objects to this proposal for the following 6 reasons: sewer issues; traffic, not compatible, unsightly and trash from Thornton's every day (now more); increased noise; crime and destruction in area; devalue of houses, churches and parks; salaries will be minimum wage jobs. "The project doesn't benefit any resident in Okolona."

02:24:26 Mr. Talbott stated the concerns of Mr. Rodgers didn't address any technical issues. The gas station is needed. "If there's anything we can address within reason with the gentleman we'll reach out and try to do that."

Deliberation

02:25:38 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

The Committee by general consensus placed this case on the May 24, 2018 public hearing at the Old Jail Building.

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
April 12, 2018

NEW BUSINESS

CASE NO. 17ZONE1063

Request: Change in Zoning from R-4 to C-N and a Detailed District
Development Plan
Project Name: 9212 Mouser Property
Location: 9212 Preston Highway
Owner: Mouser Properties, LLC
Applicant: Kathryn Matheny, Cardinal Planning & Design, Inc
Representative: Kathryn Matheny, Cardinal Planning & Design, Inc
Jurisdiction: Louisville Metro
Council District: 24 – Madonna Flood
Case Manager: Laura Mattingly, AICP, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

02:26:56 Ms. Mattingly discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Kathy Linares, Mindel, Scott and Associates, 5151 Jefferson Boulevard, Suite 101, Louisville, Ky. 40219

Summary of testimony of those in favor:

02:28:28 Ms. Linares stated the existing home will be used as an office and the other home is used as commercial. The buffers will be provided and the only construction will be to widen the entrance. The proposal will be compatible with the zoning to the south.

Deliberation

02:31:29 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
April 12, 2018

NEW BUSINESS

CASE NO. 17ZONE1063

The Committee by general consensus placed this case on the May 24, 2018 public hearing at the Old Jail Building.

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
April 12, 2018

NEW BUSINESS

CASE NO. 17ZONE1071

Request: Change in Zoning from C-1 and R-4 to C-2 and a Detailed District Development Plan with Conditional Use Permit and Landscape Waiver

Project Name: Mini-Storage

Location: 12307-12313 Old LaGrange Road

Owner: Alibro Holdings, LLC

Applicant: CRP & Associates Inc

Representative: CRP & Associates Inc

Jurisdiction: Louisville Metro

Council District: 17- Glen Stuckel

Case Manager: Laura Mattingly, AICP, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

02:32:22 Ms. Mattingly discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Charles R. Podgursky, CRP and Associates, 7321 New LaGrange Road, Suite 111, Louisville, Ky. 40222

Summary of testimony of those in favor:

02:34:13 Mr. Podgursky represents the applicant and is here to answer questions. Commissioner Brown asked why all the parking is provided inside the gate and if it has 24 hour access? Mr. Podgursky said it's what the owner wants and the customers should have a pass/key. "We can move the gate." Commissioner Brown said there should be public parking outside the gate.

Deliberation

02:36:37 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
April 12, 2018

NEW BUSINESS

CASE NO. 17ZONE1071

The Committee by general consensus placed this case on the May 10, 2018 public hearing at the Old Jail Building.

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
April 12, 2018

NEW BUSINESS

CASE NO. 18ZONE1005

Request: Change in Zoning from U-N to C-R and Detailed District
Development Plan with Landscape Waiver
Project Name: 3200 Rudd Avenue
Location: 3200 Rudd Avenue
Owner: Bruce Coen
Applicant: Same
Representative: Same
Jurisdiction: Louisville Metro
Council District: 5 – Cheri Bryant Hamilton
Case Manager: Laura Mattingly, AICP, Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

02:37:39 Ms. Mattingly discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Bruce Coen, 619 Floral Terrace, Louisville, Ky. 40208

Summary of testimony of those in favor:

02:38:57 Mr. Coen stated the building was built in 1887 as a bar. It was in very poor condition but is a beautiful historic building. The expectation was that it would be zoned commercial.

Chair Lewis requests that Mr. Coen improve the vicinity map.

Deliberation

02:41:47 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
April 12, 2018

NEW BUSINESS

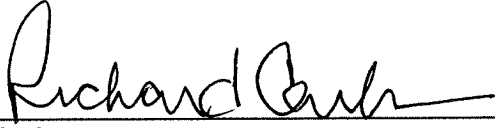
CASE NO. 18ZONE1005

The Committee by general consensus placed this case on the May 10, 2018 public hearing at the Old Jail Building.

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
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ADJOURNMENT

The meeting adjourned at approximately 3:55 p.m.



Chair

acting



Planning Director

