

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION
May 7, 2015**

A meeting of the Louisville Metro Planning Commission was held on May 7, 2015 at 1:00 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Commission members present:

David Proffitt, Vice Chair
Jeff Brown
Vince Jarboe
Robert Kirchdorfer
Robert Peterson
Clifford Turner
David Tomes

Commission members absent:

Donnie Blake, Chair
Carrie Butler
Chip White

Staff Members present:

Joseph Reverman, Planning Manager
Brian Mabry, Planning Coordinator
Brian Davis, Planning Supervisor
Julia Williams, Planner II
Christopher Brown, Planner II
John G. Carroll, Legal Counsel
Jonathan Baker, Legal Counsel
Tammy Markert, Transportation Planning
Sue Reid, Management Assistant
Pamela M. Brashear, Management Assistant
Chris Cestaro, Management Assistant (minutes)

The following matters were considered:

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APPROVAL OF MINUTES

APRIL 16, 2015 PLANNING COMMISSION REGULAR MEETING MINUTES

On a motion by Commissioner Tomes, seconded by Commissioner Jarboe, the following resolution was adopted.

RESOLVED, that the Planning Commission does hereby **APPROVE** the minutes of its meeting conducted on April 16, 2015.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Peterson, Tomes and Turner

NO: No one

NOT PRESENT FOR THIS CASE: Commissioners Blake, Butler and White

ABSTAINING: Commissioners Kirchdorfer and Proffitt

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CONSENT AGENDA

CASE NO. 13STREETS1005

Request: Closure of the easternmost portion of the 20' wide alley parallel to and between Dumesnil Street and West Ormsby Avenue and intersecting the west line of another 30' wide alley (A.K.A. Nashville Avenue)

Project Name: Pettit Environmental Alley Closure

Location: 901 West Ormsby Avenue and 900 Dumesnil Street

Owner: Louisville Metro

Applicant: Pettit Environmental, Inc.
340 Byrne Avenue
Louisville, Ky. 40217

Representative: Lockett & Farley
737 South 3rd Street
Louisville, Ky. 40202

Cardinal Surveying Services
9009 Preston Highway
Louisville, Ky. 40219

Jurisdiction: Louisville Metro

Council District: 6 – David James

Case Manager: David B. Wagner – 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.)

An audio/visual recording of the Planning Commission hearing 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.

Discussion

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00:09:35 Brian Davis, presenting the case on behalf of David Wagner, said the case is in order. The unimproved alley will be consolidated with the tracts to the north and south.

CASE NO. 15STREETS1001

Request: Closure of the 10' wide alley bounded by Garvin Place, West Oak Street, South 4th Street, and a 20' wide alley
Project Name: Unnamed Alley Closure
Location: 1200-1212 South 4th St. and 412 West Oak Street
Owner: Louisville Metro

Applicant: Joseph Impellizzeri

Representative: Willett & Associates Land Surveying
4134 South 5th Street
Louisville, Ky. 40214

Jurisdiction: Louisville Metro
Council District: 6 – David James
Case Manager: David B. Wagner – 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.)

An audio/visual recording of the Planning Commission hearing 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.

Discussion

00:10:40 Mr. Davis said the alley has improvements so instead of being split, the property will be distributed to the 2 properties to the east.

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On a motion by Commissioner Tomes, seconded by Commissioner Jarboe, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Consent Agenda items.

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes and Turner

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

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PUBLIC HEARING

CASE NO. 14ZONE1007

Request: Change in Zoning from R-5A to R-6
Project Name: 2160 Sherwood Avenue
Location: 2160 Sherwood Avenue

Applicant/Owner: Eric Hansen
2027 Bonnycastle
Louisville, Ky. 40205

Representative: Eric Hansen
2027 Bonnycastle
Louisville, Ky. 40205

Jurisdiction: Louisville Metro
Council District: 8 – Tom Owen
Staff Case Manager: Julia Williams, AICP, 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.)

An audio/visual recording of the Planning Commission hearing 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.

Agency Testimony:

00:11:47 Mrs. Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Eric Hansen, 2027 Bonnycastle, Louisville, Ky. 40205

Summary of testimony of those in favor:

00:22:06 Mr. Hansen said he was counseled for requesting R-6 and having done so will give more flexibility for design change or additions.

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Mr. Hansen remarked, "Any project will have an impact on parking and traffic, but the character and spirit of the Highlands don't come out of the fact that it's got smooth traffic flow and plenty of parking. It comes from being a walkable neighborhood with safe quiet streets and Sherwood is a very good example of that."

Deliberation

00:31:15 The commissioners agree that the plan is appropriate and the design is thoughtful and fits with the space available.

Zoning Change from R-5A to R-6

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

WHEREAS, The Traditional Neighborhood Form District is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings; and

WHEREAS, Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces; and

WHEREAS, the Louisville Metro Planning Commission finds that the proposal will preserve the existing street pattern, sidewalks and alley. The lot pattern will not be affected.

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The public realm is maintained. Parking is located both on street and within a garage along an existing alley. The proposal can be accessed by all forms of transportation except transit which is not directly available along this local level road. The proposal follows the setbacks of the two closest adjacent residential structures. Carriage houses are not typically found in the general vicinity but are consistent with the form districts pattern of development; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, the staff report, and applicant's findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative body of Louisville Metro Government that the requested change in zoning from R-5A to R-6 on property described in the attached legal description be **APPROVED**.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes and Turner

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

Development Plan and Binding Elements

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

WHEREAS, There are no natural features evident on the site. Trees will be provided; and

WHEREAS, Vehicles and pedestrians are provided for with existing infrastructure; and

WHEREAS, Open space is provided in the form of the proposed public realm and private yard area; and

WHEREAS, MSD has preliminarily approved the proposal; and

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WHEREAS, the Louisville Metro Planning Commission finds, the structure's location meets the setbacks of the infill standards in the traditional form district; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, the staff report, and applicant's findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan and binding elements as found on page 13 of the staff report for Case No. 14ZONE1007 based on the staff report and testimony heard today and **SUBJECT** to the following Binding Elements:

Proposed Binding Elements

1. The development shall be in accordance with the approved district development 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. The development shall not exceed 2,932 square feet of gross floor area.
3. 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.
4. 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 Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for tree canopy compliance as described in Chapter 10 prior to obtaining a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

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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 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. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the May 7, 2015 Planning Commission meeting.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes and Turner

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

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CASE NO. 14ZONE1046

Request: Change in Zoning from R-4 to M-2 with a Landscape Waiver
Project Name: Premier Packaging
Location: 3900 Produce Road
Applicant/Owner: Prempack Properties
Representative: Gresham Smith and Partners
101 South 5th Street, Suite 1400
Louisville, Ky. 40202
Valenti Hanley and Robinson, PLLC
401 West Main Street, Suite 1950
Louisville, Ky. 40202
Jurisdiction: Louisville Metro
Council District: 10 – Steve Magre
Staff Case Manager: Julia Williams, AICP, 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.)

An audio/visual recording of the Planning Commission hearing 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.

Agency Testimony:

00:37:51 Mrs. Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Kyle Galloway, 401 West Main Street, Louisville, Ky. 40202

Summary of testimony of those in favor:

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00:43:15 Kyle Galloway, the applicant's representative, presented the applicant's case and showed a Power Point presentation.

The following spoke in opposition to the proposal:

No one spoke.

The following spoke neither for nor against the proposal:

No one spoke.

Deliberation

00:47:52 Commissioners' deliberation. The Commissioners all agreed that the proposal is an appropriate use.

Zoning Change from R-4 to M-2

On a motion by Commissioner Jarboe, seconded by Commissioner Turner, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds that a Suburban Workplace is a form characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. Suburban workplaces often contain a single large-scale use or a cluster of uses within a master planned development. New larger proposed industrial uses are encouraged to apply for a planned development district; and

WHEREAS, the Commission further finds that the proposed use is consistent with the community form because the area of the proposed rezoning conforms to the Suburban Workplace Form District which is characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting; and

WHEREAS, the Commission further finds that the current and any future uses will continue to be used by a single large scale user consistent with other uses located nearby and within the Suburban Workplace Form District; and

WHEREAS, the Commission further finds that, In order to provide adequate transportation access in suburban workplaces connected roads, public transportation and pedestrian facilities should be encouraged. Walkways to workplace-serving uses are encouraged for workplace employees. Development within suburban workplace form districts may need significant buffering from abutting uses; and

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WHEREAS, the Commission further finds that there is already adequate access for workers to the current portion of the site that is already zoned M-2 and upon which the building is located; and

WHEREAS, the Commission further finds that the proposed use is consistent with current activity centers because there is an existing activity center along Produce Road and Poplar Level Road where the property is located; the property is on the corner of the two roads and the portion to be rezoned has the majority of its frontage along Poplar Level Road; there is sufficient population to support this use; and this use is consistent with uses in the area along Poplar Level Road and Produce Road and will help any future business expansion be consistent with the current business activity in the area, in addition, the additional landscaping resulting from the new use will increase the attractiveness of the site and the area; and

WHEREAS, the Commission further finds that the proposed use is compatible with the surrounding area and uses because the property (which is a strip of land fronting Poplar Level Road) will be re-zoned to a more appropriate zoning district which is more compatible with the current uses in the neighborhood as there is very little residential use in this particular section of Poplar Level Road and Produce Road and a majority of the properties surrounding the property in question are already zoned M-2; and

WHEREAS, the Commission further finds that the proposed zoning for the property is appropriate because it is located along a transit corridor and within an existing activity center that supports the proposed use; and

WHEREAS, the Commission further finds that the proposal integrates into the mixed pattern of development along Poplar Level Road. Buildings are typically setback from the street but not in a consistent landscaped setting. The proposal is part of an established industrial area north of Poplar Level Road. A variety of uses are within the existing industrial area. The proposal will not affect existing roads and will also not propose new roads. Access to transit is provided and pedestrians are also provided for. No new building is proposed. The setbacks in the area are mixed and the trailer area would not be a significant change in the Poplar Level view shed. The loading and storage areas located adjacent to the existing residential zone will not have any adverse impacts because the adjacent R-4 site is not residentially used nor it is an established residential area. The 15' required LBA along Poplar Level and Produce is being provided. The proposal is for the high intensity M-2 zoning and is located along a transit corridor as well as within an existing mixed use activity center; and

WHEREAS, the Commission further finds that the proposed use promotes economic growth and stability as it allows for the additional access and truck storage which will

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supplement the economic capabilities of an existing business in an older but active neighborhood. The potential for any future proposed uses will be consistent with the form district pattern; and

WHEREAS, he Commission further finds that adequate parking is located on the property and along the right of way and will be as shown on the approved development plan; and

WHEREAS, the Commission further finds that the area proposed to be rezoned is a narrow strip of R-4 zoning (approximately 110'x660') between an existing M2 development site and Poplar Level Road that is impractical and unsuitable for residential development; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, the staff report, and applicant's findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative body of Louisville Metro Government that the requested change in zoning from R-4 to M-2 on property described in the attached legal description be **APPROVED**.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes and Turner

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

Waiver from 10.2.12 to provide more than 120' between ILA's

00:50:08 On a motion by Commissioner Jarboe, seconded by Commissioner Turner, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds that the waiver will not adversely affect adjacent property owners since the adjacent properties are all industrial and the parking is existing; and

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WHEREAS, the Commission further finds that the waiver will not violate guideline 3, Compatibility, of Cornerstone 2020, which calls for the protection of roadway corridors and public areas from visual intrusions, for mitigation of parking areas so as not to negatively impact nearby residents and pedestrians, and for parking areas adjacent to streets to be screened and buffered. The waiver will not violate guideline 13, Landscape Character, which calls for the protection of parkways through standards for buffers, landscape treatment, lighting and signs. The purpose of vehicle use area landscape buffer areas is to improve the appearance of vehicular use areas and property abutting public rights-of way. ILAs are used to break up large areas of pavement. The parking is existing and the total ILA requirements are being met; and

WHEREAS, the Commission further finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the parking is existing and there are no proposed changes to the building or employees; and

WHEREAS, the Commission further finds that the strict application would deprive the applicant of use of the land because the parking is existing and the only expansion is for trailer storage. The trailer storage is on another part of the site and would not affect the existing parking lot; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, the staff report, and applicant's findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested Waiver from 10.2.12 to provide more than 120' between ILA's.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes and Turner

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

Development Plan and Binding Elements

00:51:02 On a motion by Commissioner Jarboe, seconded by Commissioner Turner, the following resolution was adopted.

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WHEREAS, The Louisville Metro Planning Commission finds that there are no environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site; and

WHEREAS, the Commission further finds that provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works and the Kentucky Transportation Cabinet have approved the preliminary development plan; and

WHEREAS, the Commission further finds that there are no open space requirements with the current proposal. Open space is provided in the form of LBAs and the large open area at the corner of Produce and Poplar Level; and

WHEREAS, the Commission further finds that the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provisions 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 Commission further finds that the overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented, the staff report, and applicant's findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **APPROVE** the requested District Development Plan, **SUBJECT** to the following binding elements:

1. The development shall be in accordance with the approved district development 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. The development shall not exceed 240,000 square feet of gross floor area.

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3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. 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.
5. 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 Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - 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. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
6. A permit must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All 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.
7. 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.

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8. The Owner/Developer shall install a 12 foot wide concrete boarding area from sidewalk to the curb/edge of pavement.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes and Turner

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

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CASE NO. 14AMEND1003_trans

NOTE: This case was CONTINUED from the April 2, 2015 Planning Commission public hearing.

Case Number: 14AMEND1003
Project Name: Transportation Sub-committee Final Report
Case Manager: Christopher Brown, Planner II

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.)

An audio/visual recording of the Planning Commission hearing 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.

Agency Testimony:

00:52:48 Christopher Brown discussed the case summary, standard of review and staff analysis from the staff report. He also showed a Power Point presentation (questions of Mr. Brown, and Commissioners' discussion/deliberation, immediately followed Mr. Brown's presentation.)

The following spoke in favor of this request:

No one spoke.

The following spoke in opposition to this request:

No one spoke.

The following spoke neither for nor against the request:

No one spoke.

Deliberation:

01:01:18 Questions from Commissioners, and Commissioners' discussion/deliberation. Main points included the width of the rights-of-way; sidewalk requirements for parcels over five acres; and ADA requirements.

01:11:19 Mr. Brown reviewed the specific items that the Commissioners had requested further information about, or wanted to see possible revisions.

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01:17:53 – Commissioner Proffitt read the Official Recommendations on page 1 of the staff report into the record.

Attachment #8

01:19:40 On a motion by Commissioner Tomes, seconded by Commissioner Jarboe, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that Items 1, 3, 4 through 6, 8, 10 through 17, 19 through 25, 28, and 31 through 41, as listed in the staff report be **APPROVED**.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes and Turner

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

Attachment #8 – Staff report Summary of the LDC Main Committee’s recommendations

01:24:00 On a motion by Commissioner Tomes, seconded by Commissioner Brown, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that Item 18 be **APPROVED**.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, Tomes and Turner

NO: No one

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

01:27:00 Item 20A – Discussion

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CASE NO. 14AMEND1003_trans

01:31:21 On a motion by Commissioner Brown, seconded by Commissioner Jarboe, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that Item 20A (Attachment A from the staff report) that would change the language in Chapter 6 of the Land Development Code so that sidewalks would be required on one, not both, sides of lots that are five acres or more, be **APPROVED**.

The vote was as follows:

YES: Commissioners Brown, Jarboe, Kirchdorfer, Peterson, Proffitt, and Turner

NO: Commissioner Tomes

NOT PRESENT AND NOT VOTING: Commissioners Blake, Butler and White

ABSTAINING: No one

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STANDING COMMITTEE REPORTS

Land Development and Transportation Committee

No report given.

Site Inspection Committee

No report given.

Planning Committee

No report given.

Development Review Committee

No report given.

Policy and Procedures Committee

No report given.

CHAIRPERSON/DIRECTOR'S REPORT

No report given

ADJOURNMENT

The meeting adjourned at approximately 2:30 p.m.



Chair



Planning Director