

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**June 8, 2017**

A meeting of the Land Development and Transportation Committee was held on Thursday, June 8, 2017 at 1:00 PM in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

**Committee Members present were:**

Marilyn Lewis, Chair  
Rob Peterson, Vice-Chair  
Richard Carlson

**Committee Members absent were:**

Jeff Brown

**Staff Members present were:**

Joe Reverman, Assistant Director, Planning & Design Services  
Brian Davis, Planning & Design Manager  
Laura Mattingly, Planner II  
Julia Williams, Planning Supervisor  
Beth Jones, Planner II  
Jay Lockett, Planner I  
Paul Whitty, Legal Counsel  
Chris Cestaro, Management Assistant (minutes)

**Others Present:**

Tammy Markert, Transportation Planning

The following matters were considered:

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**Approval of Minutes**

**Approval of the May 25, 2017 LD&T Committee Meeting Minutes**

00:02:01 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

**RESOLVED**, the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on May 25, 2017.

**The vote was as follows:**

**YES: Commissioner Carlson.**

**NO: No one.**

**NOT PRESENT: Commissioner Brown.**

**ABSTAINING: Commissioners Peterson and Lewis.**



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**New Business**

**Case No. 17MOD1004**

added that the new expansion would reconfigure the ambulance drop-offs, parking, etc. to reduce queuing problems.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

00:12:57 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

**WHEREAS**, the Louisville Metro Land Development and Transportation Committee finds that there do not appear to be any environmental constraints or historic resources on the subject site; and

**WHEREAS**, the Committee further finds that provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided; and

**WHEREAS**, the Committee further finds that provisions for open space are not a requirement of this request; and

**WHEREAS**, the Committee further finds that the Metropolitan Sewer District 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 Committee further finds that the site design and land use has been approved under previous cases. This request is for building material and architectural considerations only; and

**WHEREAS**, the Committee further finds that, based the staff report, the applicant's justification, and the evidence and testimony presented today, that all of the applicable Guidelines of Cornerstone 2020 and the Land Development Code are being met; now, therefore be it

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**New Business**

**Case No. 17MOD1004**

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the requested amendment to binding element #12, to read as follows:

*The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the **June 8, 2017** LD&T meeting.*

**The vote was as follows:**

**YES: Commissioners Carlson, Peterson, and Lewis.**

**NO: No one.**

**NOT PRESENT: Commissioner Brown.**

**ABSTAINING: No one.**

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**New Business**

**Case No. 17STREETS1008 (this case is associated with Case No. 17SUBDIV1009)**

**Request:** Street Name Change from Davenport Drive to Davenport Place  
**Project Name:** Davenport Drive  
**Location:** North/South Davenport Drive from Glen Lakes Drive to its current terminus north of Vista Lake Court  
**Owner:** Louisville Metro  
**Applicant:** Jim Obert – IH of KY, Inc.  
**Representative:** Kelli Jones – Sabak Wilson & Lingo, Inc.  
**Jurisdiction:** Louisville Metro  
**Council District:** 19 – Julie Denton

**Case Manager:** **Laura Mattingly, 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. 5<sup>th</sup> Street.)

**An audio/visual recording of the Land Development and 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.**

**Agency Testimony:**

00:32:01 Laura Mattingly presented the information for Case No. 17SUBDIV1009 and showed the site plan for the subdivision. The street name change is part of the preliminary subdivision plan (see staff report and recording for detailed presentation.) She handed out copies of two opposition e-mails from citizens (on file).

00:36:10 In response to a question from Commissioner Carlson, Ms. Mattingly said tis subdivision was initially approved in 2003.

00:36:47 Ms. Mattingly presented the information for Case No. 17STREETS1008 (the street re-naming portion).

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**Case No. 17STREETS1008 (this case is associated with Case No. 17SUBDIV1009)**

**The following spoke in favor of the request:**

Kelli Jones, Sabak Wilson & Lingo, 608 South 3<sup>rd</sup> Street, Louisville, KY 40202

Jim Obert, 4901 Hunt Road Suite 300, Cincinnati, OH 45242

**Summary of testimony of those in favor:**

00:38:53 Kelli Jones, the applicant's representative, said she was presenting BOTH cases together (combined both the street closure and the subdivision plan into her Power Point presentation.) She read two letters of support from EMS and the Eastwood Fire Department into the record [letters on file], and added that homeowners affected by the street name change will each be reimbursed \$1000 to cover expenses.

00:48:20 Commissioner Carlson asked about the stream that was already on the property before the subdivision was designed. Ms. Jones briefly described some of the history on the property, and added that Sabak Wilson & Lingo did not get involved in this development until this last portion of the development. Commissioner Carlson asked for further research from the applicant about what the original plans were for the blue-line stream.

00:50:03 Commissioner Carlson suggested a completely different street name, which would make directions more clear for emergency responders. He and Ms. Jones discussed that issue.

00:52:10 Commissioner Lewis asked if a permit was required for a street to cross a stream. Ms. Jones said an ACOE permit is required. See recording for detailed presentation. She also pointed out and discussed some ephemeral streams on the site.

00:54:20 Paul Whitty, attorney for the Planning Commission, asked Ms. Jones if she/the applicant had informed agencies that the applicant was proposing to create two dead-end streets. Ms. Jones said yes. Mr. Whitty and Ms. Jones discussed the two agency letters supporting the street name change/s and whether or not they also supported the street plan.

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**Case No. 17STREETS1008 (this case is associated with Case No. 17SUBDIV1009)**

00:56:10 In response to a question from Commissioner Carlson, Ms. Jones pointed out locations for garbage trucks/fire trucks/large vehicles to turn around without having a cul-de-sac, which could impact the stream.

00:58:13 Commissioner Lewis asked if there plans for connections for pedestrian and/or bicycle traffic. Ms. Jones said that had been considered. She added that there is a sidewalk which would enable pedestrians/bicyclists to make a connection by using the sidewalk.

00:59:35 Jim Obert, an applicant's representative, discussed various issues (mostly about crossing the stream with a road, preserving trees, and the importance of not impacting the stream.) He discussed the reasoning behind the street name change proposal/s.

01:06:38 Ms. Mattingly addressed Commissioner Carlson's concerns about notifications to, and approvals from, fire departments/emergency services regarding the street name changes.

**The following spoke in opposition to the request:**

Kathy Storm, 908 Davenport Drive, Louisville, KY 40245

Kenneth Long, 914 Davenport Drive, Louisville, KY 40245

**Summary of testimony of those in opposition:**

01:07:54 Kathy Storm was called to speak but ceded her time to Kenneth Long.

01:08:12 Kenneth Long spoke in opposition (see recording for detailed presentation.) He said that 25 of 47 residents abutting Davenport Drive had signed an agreement to rename Davenport Drive. He said that 10 of those 25 are builders. He presented a petition from the neighbors stating their opposition to the current proposed street design for Davenport Drive. His reasons for opposition include: this subdivision was originally proposed for a "loop-around" design road plan; the end of Davenport Drive will remain a stub street with only one way to exit; and his concern that emergency vehicles will have only one-way-



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**Case No. 17STREETS1008 (this case is associated with Case No. 17SUBDIV1009)**

in, one-way-out. He read a letter which was sent out to homeowners in April of this year regarding the promise of the issuance of \$1000 to each qualified homeowner, along with a follow-up (clarification) letter (on file).

01:19:47 Mr. Long said the “intermittent stream” is actually a drainage ditch for water runoff, not a stream.

**The following spoke neither for nor against:**

No one spoke.

**Rebuttal:**

01:21:39 Ms. Jones presented the applicant’s rebuttal (see recording for detailed presentation.) She discussed the classification of the stream as “intermittent”, and the length of cul-de-sacs as defined by the Land Development Code.

01:23:36 Mr. Long resumed the podium and expressed concern about potential delays in emergency response if the streets aren’t connected. He described his conversation with Lt. Commander Sutz (sp). He also requested that, if the street name has to change, make it something that differentiates it from “Davenport Drive” (not “Davenport Place”).

01:25:32 Commissioner Lewis outlined possible actions to be taken on these two cases by LD&T and/or the Planning Commission.

01:26:31 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby schedule Case No. 17STREETS1008 to be heard at the **June 29, 2017** Planning Commission public hearing.

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**New Business**

**Case No. 17STREETS1008 (this case is associated with Case No. 17SUBDIV1009)**

**The vote was as follows:**

**YES: Commissioners Carlson, Peterson, and Lewis.**

**NO: No one.**

**NOT PRESENT: Commissioner Brown.**

**ABSTAINING: No one.**

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**June 8, 2017**

**New Business**

**Case No. 17SUBDIV1009 (this case is associated with Case No. 17STREETS1008)**

**Request:** Revised Preliminary Subdivision Plan  
**Project Name:** Glen Lakes Section 4  
**Location:** 408 Flat Rock Road  
**Owner:** IH of KY, Inc.  
**Applicant:** Jim Obert – IH of KY, Inc.  
**Representative:** Kelli Jones – Sabak Wilson & Lingo, Inc.  
**Jurisdiction:** Louisville Metro  
**Council District:** 19 – Julie Denton

**Case Manager:** **Laura Mattingly, 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. 5<sup>th</sup> Street.)

**An audio/visual recording of the Land Development and 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.**

**\*NOTE: All testimony for Case No. 17STREETS1008 also apply to this case.**

01:27:44 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** Case No. 17SUBDIV1009 to the **June 29, 2017** Planning Commission public hearing.

**The vote was as follows:**

**YES: Commissioners Carlson, Peterson, and Lewis.**

**NO: No one.**

**NOT PRESENT: Commissioner Brown.**

**ABSTAINING: No one.**

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**New Business**

**Case No. 17DEVPLAN1060**

**Request:** Revised Detailed District Development Plan  
and encroachment waivers

**Project Name:** Four-Story Hotel

**Location:** 810 Phillips Lane

**Owner:** Emerald Hospitality / Garnet Hospitality /  
Diamond Hospitality

**Applicant:** Emerald Hospitality / Garnet Hospitality /  
Diamond Hospitality

**Representative:** BTM Engineering Inc.

**Jurisdiction:** Louisville Metro

**Council District:** 21 – Dan Johnson

**Case Manager:** **Beth Jones, 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. 5<sup>th</sup> Street.)

**An audio/visual recording of the Land Development and 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.**

**Agency Testimony:**

01:29:06 Beth Jones presented the case and showed the site plan (see staff report and recording for detailed presentation.) She explained about the shared parking agreement for this and the surrounding sites.

01:35:30 Paul Whitty, legal counsel for the Planning Commission, asked about the crossover access agreement/s. She explained that she had retrieved the shared parking agreement information from the previous case for this property (Case No. 09-075-94.) She pointed out a shared access point on the plan.

**The following spoke in favor of the request:**

Chris Brown, BTM Engineering, 3001 Taylor Springs Drive, Louisville, KY 40220

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**New Business**

**Case No. 17DEVPLAN1060**

Phil Morris, 2400 Ridgeway Road, Dayton, OH 45419

Phil Richardson, 1430 W. Astor, Chicago, IL 60610

**Summary of testimony of those in favor:**

01:37:19 Chris Brown, an applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

01:42:40 Mr. Whitty asked Mr. Brown about the cross-access parking agreement/s. Mr. Brown said yes, and that this is required per the notes on the development plan. He said there will be a new shared parking agreement.

01:44:11 Commissioner Carlson asked if there was a binding element with specific square footage. Joseph Reverman, Assistant Director with Planning and Design Services, explained that the square footage of any given development/structure is covered under a standard binding element that states that the site shall be developed in accordance with the development plan as presented.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

**Waiver 1 - To permit encroachment into the required LBA (LDC10.2.4)**

**Waiver 2 - To permit encroachment of parking into the required VUA LBA (LDC 10.2.10)**

01:45:32 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

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**WHEREAS**, the Louisville Metro Land Development and Transportation Committee finds the LBA requirements associated with the waiver requests are intended to mitigate negative impacts of parking areas on adjacent residential areas. Although adjoining properties to the north are zoned for residential use, they are currently developed as parking areas and, considering the general character of the area, are unlikely to be used for residential purposes in the future; and

**WHEREAS**, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020. Cornerstone 2020 Compatibility Guidelines 3 and 13 call for screening and buffering of parking, loading and delivery areas, with the intent to create suitable transitions between varying forms of development and minimize negative impacts on lower-intensity uses. Due to the existing use of the adjoining properties, these transitions are not now necessary or expected to be so in the future; and

**WHEREAS**, the Committee further finds that the waivers are made necessary due to the shape of the parcel, which limits the applicant's ability to meet building and parking requirements for the site while meeting the buffering requirements; and

**WHEREAS**, the Committee further finds that the applicant is providing the required landscaping along the internal access drive and at the entrance to the new hotel structure; and

**WHEREAS**, the Committee further finds that, based the applicant's justification and the evidence and testimony presented today, that all of the applicable Guidelines of Cornerstone 2020 and the Land Development Code are being met; now, therefore be it

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the requested Waiver of Section 10.2.4 of the Land Development Code to permit encroachment into the required LBA (LDC10.2.4); and Waiver of Section 10.2.10 to permit encroachment of parking into the required VUA LBA .

**The vote was as follows:**

**YES: Commissioners Carlson, Peterson, and Lewis.**

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**New Business**

**Case No. 17DEVPLAN1060**

**NO: No one.**

**NOT PRESENT: Commissioner Brown.**

**ABSTAINING: No one.**

**Revised Detailed District Development Plan and Binding Elements**

01:46:35 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

**WHEREAS**, the Louisville Metro Land Development and Transportation Committee finds that there are no natural resources on the property proposed for development which require preservation; and

**WHEREAS**, the Committee further finds that provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community have been provided, including connection to public roads and sidewalks; and

**WHEREAS**, the Committee further finds that 10% of the total square footage of the site will be preserved as open space. Proposal exceeds VUA landscape and tree canopy requirements; and

**WHEREAS**, the Committee further finds that the proposal has been reviewed by and received preliminary approval from the Metropolitan Sewer District; and

**WHEREAS**, the Committee further finds that overall site design and land uses are compatible with the existing and future development of the area. The proposed structure and use expands and complements existing surroundings; and

**WHEREAS**, the Committee further finds that the development plan conforms to applicable guidelines and policies of the Comprehensive Plan. Waivers are requested for specific LDC requirements regarding landscaping and buffering due to specific site conditions; and

**WHEREAS**, the Committee further finds that, based the applicant's justification and the evidence and testimony presented today, that all of the applicable

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**Case No. 17DEVPLAN1060**

Guidelines of Cornerstone 2020 and the Land Development Code are being met; now, therefore be it

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the requested Revised Detailed District Development Plan, **SUBJECT** to the following binding elements:

1. The site shall be maintained in accordance with all applicable sections of the Land Development Code (LDC) and agreed-upon binding elements unless amended pursuant to the LDC. Amendment of any binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any amendments not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons or banners shall be permitted.
3. All lighting shall comply with the requirements of LDC 4.1.3.
4. Before any permit is requested, including but not limited to permits for building, parking lot, change of use, site disturbance, alteration or demolition:
  - a. The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District,
  - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet, and c. The property owner/developer must obtain approval of a detailed plan for screening/buffering/landscaping as described in LDC Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
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.



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**Case No. 17DEVPLAN1060**

6. The applicant, developer or property owner shall provide a copy of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development and/or use of this site and shall advise all parties of their content. 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. These binding elements shall run with the land and the owner(s) and occupant(s) of the property shall at all times be responsible for compliance with them.

**The vote was as follows:**

**YES: Commissioners Carlson, Peterson, and Lewis.**

**NO: No one.**

**NOT PRESENT: Commissioner Brown.**

**ABSTAINING: No one.**

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**New Business**

**Case No. 16ZONE1060**

<b>Request:</b>	Change in zoning from R-4 to C-2 with waivers and variances on approximately 0.93 acres
<b>Project Name:</b>	Vega Auto Repair
<b>Location:</b>	4933 Poplar Level Road
<b>Owner:</b>	Luis Vega
<b>Applicant:</b>	Luis Vega
<b>Representative:</b>	Concepts21
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	2 – Barbara Shanklin

**Case Manager:** **Beth Jones, 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. 5<sup>th</sup> Street.)

**An audio/visual recording of the Land Development and 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.**

**Agency Testimony:**

01:49:11 Beth Jones presented the case and showed the site plan (see staff report and recording for detailed presentation.)

**The following spoke in favor of the request:**

No one spoke.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

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**New Business**

**Case No. 16ZONE1060**

**01:53:45** The Committee by general consensus scheduled this case to be heard at the July 6, 2017 Planning Commission public hearing.

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**June 8, 2017**

**New Business**

**Case No. 14ZONE1058**

**Request:** Change in zoning from R-4 to OR-1 with a Waiver on approximately 0.97 acres  
**Project Name:** EK Offices  
**Location:** 4011 Fern Valley Road  
**Owner:** Esther Baldeon and Krlos Hidalgo  
**Applicant:** Esther Baldeon and Krlos Hidalgo  
**Representative:** Kathy Matheny – Cardinal Planning and Design, Inc.  
**Jurisdiction:** Louisville Metro  
**Council District:** 2 – Barbara Shanklin

**Case Manager:** **Julia Williams, RLA, AICP, Planning Supervisor**

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. 5<sup>th</sup> Street.)

**An audio/visual recording of the Land Development and 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.**

**Agency Testimony:**

01:55:04 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.)

01:56:37 Ms. Williams discussed the Fern Valley Road entrance in response to a question from Commissioner Carlson.

**The following spoke in favor of the request:**

Kathy Matheny, Cardinal Planning & Design Inc., 9009 Preston, Louisville, KY 40219

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**New Business**

**Case No. 14ZONE1058**

**Summary of testimony of those in favor:**

01:58:14 Kathy Matheny, the applicant's representative, also discussed the Fern Valley Road entrance. She noted that this is a State road, and will not be a high-volume use. She added that the State requested the applicant to close one of the existing entrances on the property, leaving only one entrance.

02:00:53 Tammy Markert, with Louisville Metro Transportation Planning, said the site would be a right in-right out. She added that this a low-traffic-generating use.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

**02:01:49 The Committee by general consensus scheduled this case to be heard at the July 20, 2017 Planning Commission public hearing.**

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**New Business**

**Case No. 16ZONE1073**

**Request:** Change in zoning from R-4 to R-6 with a variance on approximately 1.806 acres  
**Project Name:** Silver Creek Place Apartments  
**Location:** 9607 Old Six Mile Lane  
**Owner:** Billy & James Kirchhofer  
**Applicant:** Billy & James Kirchhofer  
**Representative:** Kathy Matheny – Cardinal Planning and Design, Inc.  
**Jurisdiction:** City of Jeffersontown  
**Council District:** 11 – Kevin Kramer

**Case Manager:** **Julia Williams, RLA, AICP, Planning Supervisor**

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. 5<sup>th</sup> Street.)

**An audio/visual recording of the Land Development and 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.**

**Agency Testimony:**

02:02:07 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.) The open space issue does need to be labeled on the plan.

**The following spoke in favor of the request:**

Kathy Matheny, Cardinal Planning & Design Inc., 9009 Preston, Louisville, KY 40219

**Summary of testimony of those in favor:**

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**New Business**

**Case No. 16ZONE1073**

02:06:30 Kathy Matheny, the applicant's representative, presented the applicant's case (see recording for detailed presentation.) She discussed the open space and parking issues.

02:08:08 Commissioner Carlson asked if the owner of the single-family home next to the property had been notified. Ms. Matheny said multiple attempts had been made to reach the property owner.

02:09:38 Paul Whitty, legal counsel for the Planning Commission, asked Ms. Williams if there was still a 200-foot setback requirement between residential and railroad properties. Ms. Williams said there is a buffer requirement, but not a setback requirement.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

**02:10:51 The Committee by general consensus scheduled this case to be heard at the July 6, 2017 Planning Commission public hearing.**

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**New Business**

**Case No. 16ZONE1084**

**Request:** Change in zoning from R-6 to R-7 with a Variance on approximately 0.17 acres  
**Project Name:** 1073 Mary Street Condos  
**Location:** 1073 Mary Street  
**Owner:** Alma and Milenko Simic  
**Applicant:** Alma and Milenko Simic  
**Representative:** Accurus Engineering  
**Jurisdiction:** Louisville Metro  
**Council District:** 4 – Barbara Sexton-Smith

**Case Manager:** **Julia Williams, RLA, AICP, Planning Supervisor**

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. 5<sup>th</sup> Street.)

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**Agency Testimony:**

02:11:18 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.) She added that she had received an e-mail from an adjoining property owner who opposed the rezoning request. His comment is included in the staff report.

**The following spoke in favor of the request:**

Jennifer Caummisar-Kern, Accurus Engineering, 2780 Jefferson Center Way Suite 204, Jeffersonville, IN 47130

Alma Simic, 9915 Constantine Circle, Prospect, KY 40059



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**New Business**

**Case No. 16ZONE1084**

**Summary of testimony of those in favor:**

02:15:06 Jennifer Caummisar-Kern, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) She presented to the Commissioners a copy of a letter from another neighbor next door to this property.

02:19:48 In response to a question from Commissioner Carlson, Ms. Caummisar described and pointed out the pedestrian access to each unit. Commissioner Lewis asked if all five units would share the same street address. Ms. Caummisar said that would be up to Metro E-911 (address assigning.) Alma Simic, one of the owner/applicant's, said that all of the units would have one street address, with the units being designated as Unit A, Unit B, etc.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

**02:22:16 The Committee by general consensus scheduled this case to be heard at the July 6, 2017 Planning Commission public hearing.**

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**June 8, 2017**

**New Business**

**Case No. 17ZONE1011**

**Request:** Change in zoning from R-5 to C-1 on approximately 1.40 acres

**Project Name:** Juneau Drive

**Location:** 111-113 & 155 Juneau Drive TB 297 Lots 6-7, 17-18, and 31-32

**Owner:** Real Properties KKT, LLC

**Applicant:** Real Properties KKT, LLC – Kenneth Towery

**Representative:** Clifford Ashburner – Dinsmore & Shohl, LLP  
Land Design & Development

**Jurisdiction:** City of Middletown

**Council District:** 19 – Julie Denton

**Case Manager:** **Julia Williams, RLA, AICP, Planning Supervisor**

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. 5<sup>th</sup> Street.)

**An audio/visual recording of the Land Development and 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.**

**Agency Testimony:**

02:23:26 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.)

**The following spoke in favor of the request:**

Clifford Ashburner, Dinsmore-Shohl, 101 South 5<sup>th</sup> Street Suite 2500, Louisville, KY 40202

Kris Towery, 3227 Trail Ridge Road, Louisville, KY 40241

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**June 8, 2017**

**New Business**

**Case No. 17ZONE1011**

**Summary of testimony of those in favor:**

02:25:36 Clifford Ashburner, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He noted that this site is designed to be right-out only; it is accessible in from both left and right. He said this was done to alleviate residents' concerns about adding southbound traffic onto Juneau Drive.

02:31:35 Commissioner Peterson discussed advantages of having a left-out onto Juneau.

02:32:08 Kris Towery, the applicant, discussed the access/egress. He said the site was designed this way at the request of the Mayor of the City of Middletown, although there was concern from Land Design & Development consultants that the Kentucky Department of Transportation will likely not approve this. Commissioner Lewis agreed, and said there might be some difficulties with the drive-through.

02:34:00 In response to a question from Commissioner Peterson, Mr. Ashburner discussed a crossover agreement with the adjoining property to the east.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

**02:34:41 The Committee by general consensus scheduled this case to be heard at the June 29, 2017 Planning Commission public hearing.**

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**June 8, 2017**

**New Business**

**Case No. 17ZONE1011**

**\*NOTE: This case was heard out of order. It was heard 2nd on the agenda, after Case No. 17MOD1004.**

**Request:** Change in zoning from R-4 to R-6, a Preliminary Subdivision Plan, and a Variance on approximately 11.81 acres

**Project Name:** Storypoint

**Location:** 12923 & 13309 Urton Lane

**Owner:** Ochsner Family LLC

**Applicant:** CSIG Development Company, LLC

**Representative:** Clifford Ashburner – Dinsmore & Shohl  
Milestone Design Group

**Jurisdiction:** City of Middletown

**Council District:** 19 – Julie Denton

**Case Manager:** **Julia Williams, RLA, AICP, Planning Supervisor**

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. 5<sup>th</sup> Street.)

**An audio/visual recording of the Land Development and 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.**

**Agency Testimony:**

00:14:15 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.)

00:17:03 In response to a question from Commissioner Peterson, Ms. Williams described building heights and uses on surrounding properties.

**The following spoke in favor of the request:**

Clifford Ashburner, Dinsmore Shohl, 101 South 5<sup>th</sup> Street Suite 2500, Louisville, KY 40202

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**June 8, 2017**

**New Business**

**Case No. 17ZONE1011**

Michael Simko, Storypoint Co, 2200 Genoa Business Park, Brighton, MI 48114

**Summary of testimony of those in favor:**

00:18:09 Clifford Ashburner, the applicant's representative, introduced the case (see recording for detailed presentation.)

00:19:02 Mike Simko, an applicant's representative, showed a Power Point presentation about the company and photos of some of their other projects, showing what the new project will look like (see recording for detailed presentation.)

00:23:40 Mr. Ashburner showed a Power Point presentation and discussed the specific project (see recording.) He explained that the 51-foot height calculation included the peak of the roof, and may need to be recalculated before the public hearing. He said that, although the proposed project three stories, the ceilings in the units are a little higher than usual. The buildings will "step down" as the site approaches other residential areas. Traffic and parking demand were also addressed.

00:29:27 Commissioner Carlson asked if the street address will be on Urton Lane or Meridian Hills. Mr. Ashburner said the address given today is a working address; the actual building address will be different.

**The following spoke in opposition to the request:**

No one spoke.

**The following spoke neither for nor against:**

No one spoke.

**00:30:57 The Committee by general consensus scheduled this case to be heard at the June 29, 2017 Planning Commission public hearing.**

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**June 8, 2017**

**The meeting adjourned at approximately 3:50 p.m.**

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***Chairman***

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***Division Director***