

**PLANNING COMMISSION MINUTES  
DECEMBER 1, 2016**

**PUBLIC HEARING**

**CASE NO. 16ZONE1054**

Request:	Change in zoning from C-1 to C-2
Project Name:	JATC Training Facility
Location:	1206 Durrett Lane
Owner:	Trustees for the Louisville Electricians Union
Applicant:	Steve Willinghurst, Trustee
Representative:	Ashley Bartley, Qk4
Jurisdiction:	Louisville Metro
Council District:	21 – Dan Johnson
Case Manager:	Beth Jones, 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:**

**01:32:33** Beth Jones presented the case and showed a Powerpoint presentation. Ms. Jones responded to questions from the Commissioners (see staff report and recording for detailed presentation).

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

Ashley Bartley, QK4, 1046 E. Chestnut Street, Louisville, KY 40204

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

**01:39:01** Ashley Bartley spoke on behalf of the applicant in favor of the request and referred to a Powerpoint presentation (see recording for detailed presentation).

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

No one spoke.

**PLANNING COMMISSION MINUTES  
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**CASE NO. 16ZONE1054**

**01:43:02**     **NOTE:** Brian Davis, Planning Manager, advised of the typical language used for an additional Binding Element regarding elevations (see recording for detailed presentation).

**01:43:23**     **Commissioners' deliberation**

**01:46:10**     On a motion by Commissioner Carlson, seconded by Commissioner Smith, the following resolution was adopted:

**Change in Zoning from C-1 to C-2**

**WHEREAS**, the Louisville Metro Planning Commission finds that all of the applicable Guidelines and Policies of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

**RESOLVED**, that the Louisville Metro Planning Commission in Case Number 16ZONE1054 does hereby **RECOMMEND APPROVAL** to Louisville Metro Council the Change in Zoning from C-1 to C-2, based on the Staff Report and the testimony heard today.

**The vote was as follows:**

**Yes: Commissioners Brown, Howard, Smith, Carlson, Gazaway, Peterson, Tomes, Vice Chair Lewis and Chair Jarboe**

**Not Present: Commissioner Kirchdorfer**

**01:47:18**     On a motion by Commissioner Carlson, seconded by Vice Chair Lewis, the following resolution was adopted:

**Detailed District Development Plan**

**WHEREAS**, the Louisville Metro Planning Commission finds that LOJIC shows no environmental constraints within the property; and

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**CASE NO. 16ZONE1054**

**WHEREAS**, the Commission further finds that the proposed development includes bike and pedestrian facilities, both connecting to existing and potential development to the east and west; and

**WHEREAS**, the Commission further finds that no scenic or recreational open space is required; and

**WHEREAS**, the Commission further finds that MSD has reviewed and approved the proposed development; and

**WHEREAS**, the Commission further finds that the development of the site is nearly identical to the site adjoining to the west, which is used for the same purposes by the same owner; and

**WHEREAS**, the Commission further finds that the proposal conforms to all applicable Comprehensive Plan and LDC requirements; now, therefore be it

**RESOLVED**, that the Louisville Metro Planning Commission in Case Number 16ZONE1054 does hereby **APPROVE** the Detailed District Development Plan, based on the Staff Report and testimony heard today, and **SUBJECT** to the following Binding Elements:

**Proposed Binding Elements**

1. All development on the site shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed-upon binding element(s) unless amended pursuant to the LDC. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small free-standing signs, pennants, balloons or banners shall be permitted on the site.
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.

**PLANNING COMMISSION MINUTES  
DECEMBER 1, 2016**

**PUBLIC HEARING**

**CASE NO. 16ZONE1054**

4. Before any permit is requested, including but not limited to building, parking lot, change of use and/or site disturbance:
  - a) the development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
  - b) the property owner(s)/developer(s) must obtain approval of a detailed plan for screening, buffering and landscaping as described in LDC Chapter 10. Such plan shall be implemented prior to occupancy of the site and continually maintained thereafter.
5. If a building permit, parking lot permit or site disturbance permit is not issued within two years of the date of approval of the plan, the proposed expansion shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
6. No live, piped, radio or amplified outdoor music, outdoor entertainment or outdoor PA system shall be permitted on the site.
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 their content. 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. 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.
8. **Elevations shall be submitted for Staff approval prior to obtaining construction permits.**

**The vote was as follows:**

**Yes: Commissioners Brown, Howard, Smith, Carlson, Gazaway, Peterson, Tomes, Vice Chair Lewis and Chair Jarboe**  
**Not Present: Commissioner Kirchdorfer**