

Planning Commission

Staff Report

October 7, 2021



Case No:	21-DDP-0094
Project Name:	Tyler Town Center Major Amendment
Location:	Tyler Town Center Planned Development District
Owner(s):	Various
Applicant:	Louisville Metro Council
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- **Review of Text Amendment Proposals relating to permitted uses and hours of operations.**

CASE SUMMARY/BACKGROUND

On February 5, 2020 the Development Review Committee made a determination that Car Wash is an allowable use within the Limited Use 2 (LU2) Category. This determination was made in accordance with the Tyler Town Center Land Use Interpretation procedures found in section 5.A of that document.

On March 19, 2020 Louisville Metro Council passed Resolution 36, Series 2020 requesting a review of the Tyler Town Center Planned Development District use guidelines relating to Car Wash as an allowed use.

Specifically, the review requested that the Planning Commission consider the following items:

- Include 'car washes' as a permitted use within Limited Use Category 2 (LU2); and
- Specifically exclude 'car washes' from Limited Use Category 1 (LU1); and
- Eliminate Limited Use Category 2 (LU2) from Area IIC in relevant sections (Section 2 PD Use Map and Section 3.2 PD Use Table)

On May 6, 2021 the Planning Commission formally approved the previous determination by the Development Review Committee that Car Wash is an allowable use within the LU2 category. They declined to change the Planned Development District further, raising concerns that such changes would constitute a major amendment and require Louisville Metro Council approval.

On May 5, 2021, Louisville Metro Council passed Resolution 41, Series 2021 requesting a review and recommendations for a Major Amendment of the Tyler Town Center Planned Development District.

Specifically, Metro Council requests that Planning Commission review and make recommendations on the following items:

- Eliminate Limited Use Category 2 (LU2) from Area IIC in relevant sections (Section 2 PD Land Use Map and Section 3.2 PD Use Table); and
- Restrict the hours of operation for LU2 in Area IIC, such hours of operation to be reflected in relevant sections (Section 3.2 PD Use Table).

STAFF FINDING

The application for the land use review was made by Louisville Metro Council in accordance with the provisions of Land Development Code section 2.8.A.4. Per that section, major amendments to the PD-Development Plan must be approved by Louisville Metro Council upon recommendation of the Planning Commission. The Planning Commission must determine whether or not to recommend proposed changes to the Planned Development District.

TECHNICAL REVIEW

LU2 within the Tyler Town Center is described as:

Limited use Category 2 (LU2) - contains those uses directly related to the automobile (such as automobile service stations and gas stations). Automobile and truck sales and rental facilities prohibited. This limited use category is only permitted on lots adjacent to Taylorsville Road.

Car wash is not originally mentioned as a specific use either permitted or prohibited within the Tyler Town Center PDD in any use category but has been confirmed as included within the LU2 category by the Development Review committee and the Planning Commission.

INTERESTED PARTY COMMENTS

Staff has received communication from several citizens who support the removal of car wash as an allowed use in certain areas of the PD.

The owners and developer of a proposed car wash on property contained within Area IIC have expressed opposition to these changes.

REQUIRED ACTIONS:

- **RECOMMEND** that Louisville Metro Council **APPROVE** or **DENY** any proposed changes to the PD.

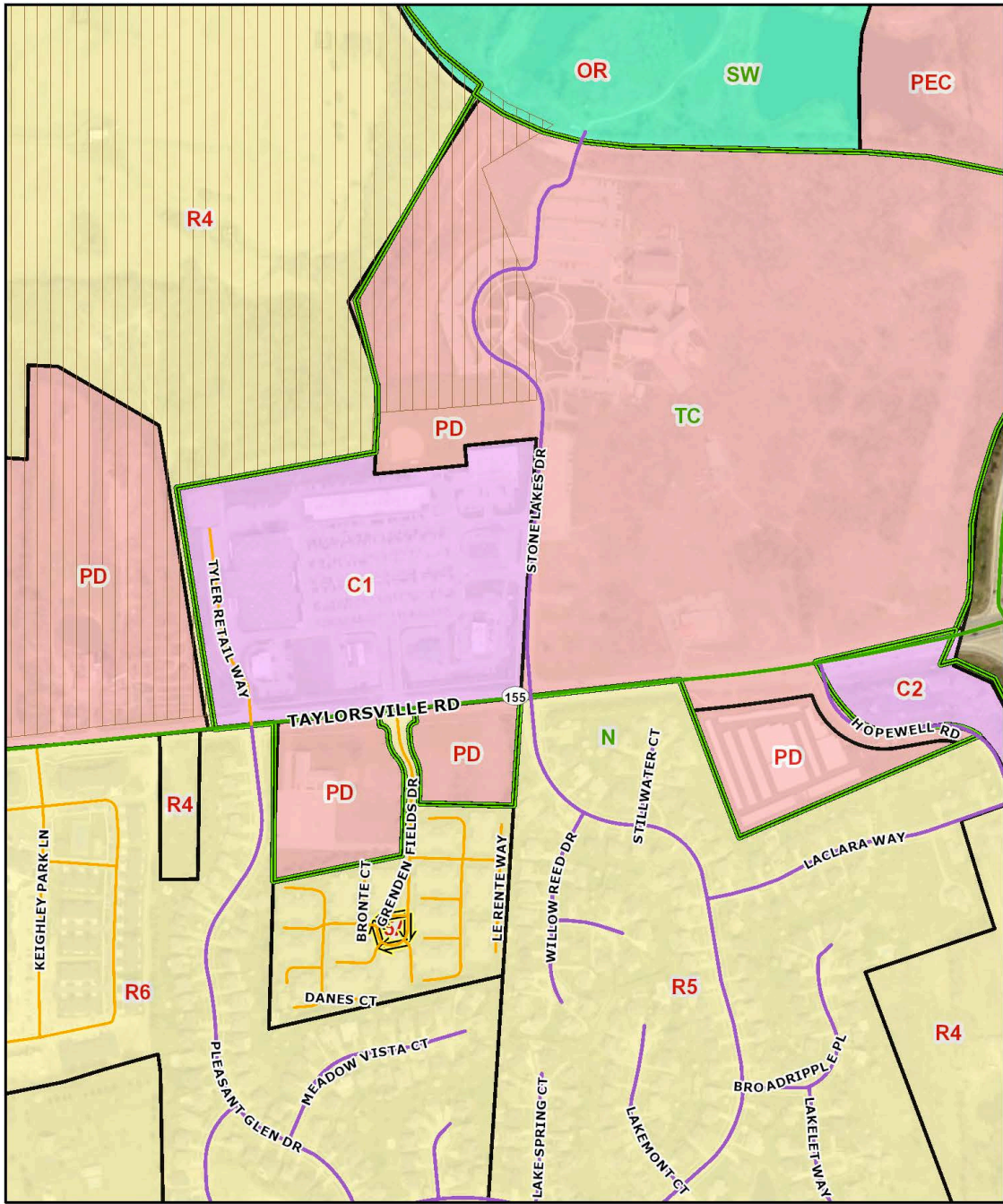
NOTIFICATION

Date	Purpose of Notice	Recipients
9-9-21	Hearing before PC	Owners of Property and residents within the PDD. First Tier Adjoining Property Owners and residents to the PDD Speakers at Planning Commission public hearings. Registered Neighborhood Groups in Council District 20

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Tyler Town Center Land Use Map
4. Proposed Text Changes

1. Zoning Map



20-interp-0001

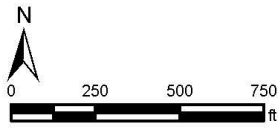
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2. Aerial Photograph



20-interp-0001

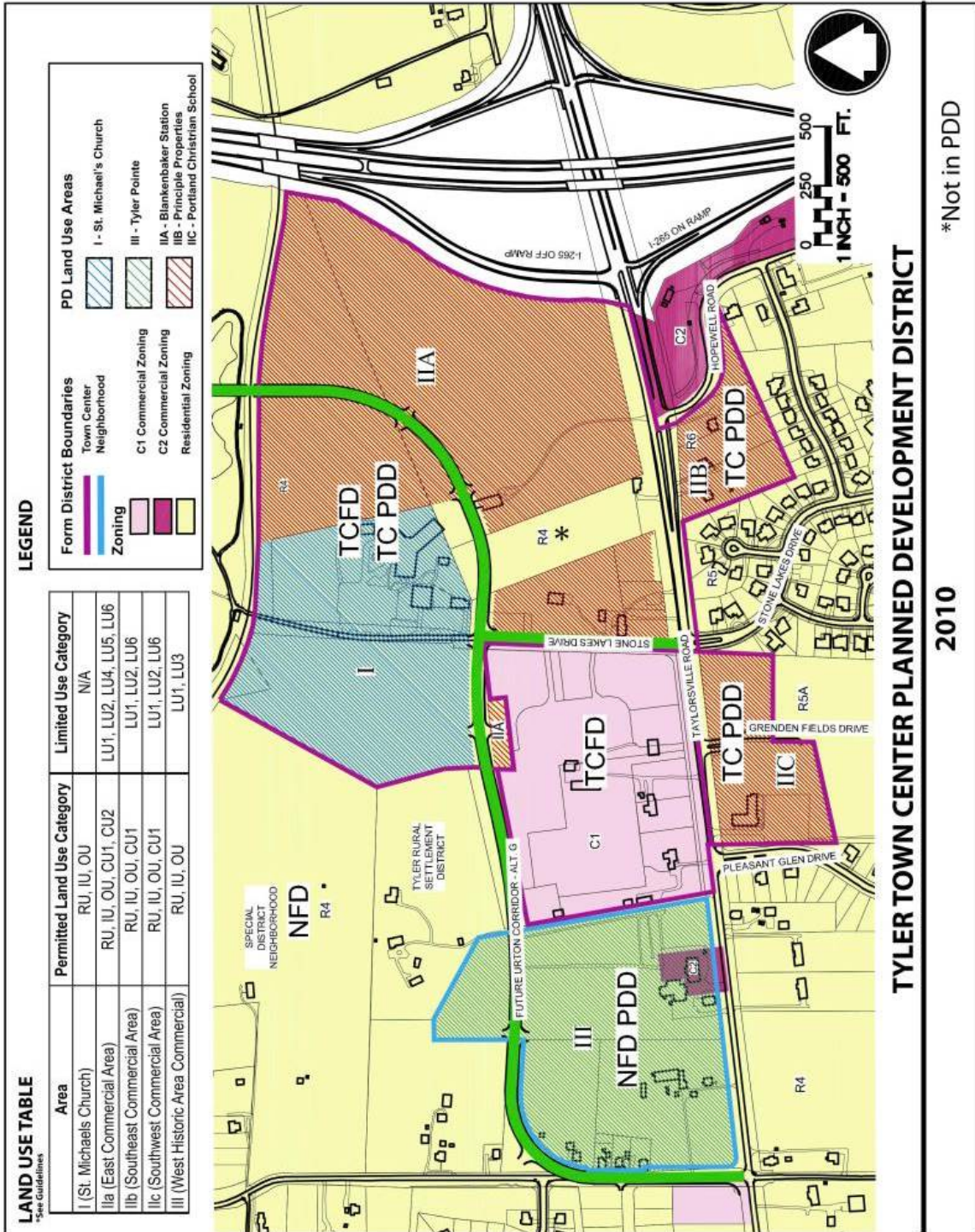
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3. Tyler Town Center Land Use Map



4. **Proposed Text Changes**

The following changes are proposed to PD section 3.1.2.B limited Use Categories and Standards:

B. Limited use Category 2 (LU2) - contains those uses directly related to the automobile (such as automobile service stations and gas stations). Automobile and truck sales and rental facilities prohibited. This limited use category is only permitted on lots adjacent to Taylorsville Road.

1. For LU2 uses in subarea Ilc, hours of operation shall be restricted to 7:00 AM to 9:00 PM.

The following changes are proposed to PD Section 3.2 PD Use Table:

Area	Permitted Use Category	Limited Use Category
Ilc (Southwest Commercial)	RU, IU, OU, CU1	LU1, LU2 , LU6