

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION
APRIL 24, 2014**

A meeting of the Louisville Metro Planning Commission was held on Thursday, April 24, 2014 at 3:23 p.m. at the Metro Development Center, located at 444 S. 5th Street, Louisville, Kentucky.

Commission members present:

Donnie Blake, Chair
David Tomes
Jeff Brown
Robert Kirchdorfer
Robert Peterson
Vince Jarboe

Commission members absent:

David Proffitt
Clifford Turner
Chip White

Staff Members present:

Joseph Reverman, Planning Supervisor
John Carroll, Legal Counsel
Latondra Yates, Planner II
Jessica Wethington, Public Information Specialist
Rebecca Simmons, Management Assistant (minutes)

The following matters were considered:

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Approval of Minutes

April 17, 2014 – 1:00 p.m. Planning Commission Regular Meeting

On a motion by Commissioner Tomes, the following resolution was adopted:

RESOLVED, that the Planning Commission does hereby **APPROVE** the minutes of its meeting conducted April 17, 2014.

The vote was as follows:

YES: Commissioners Blake, Tomes, Brown, Kirchdorfer, Peterson, and Jarboe

NO: None

NOT PRESENT FOR THIS CASE: Commissioners Proffitt, Turner, and White

ABSTAINING: None

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Public Hearing

CASE NO. 13DEVPLAN1125

Project Name: Fairmount Road Pump Station
10715 Fairmount Rd.

Owner: MSD
700 W Liberty St
Louisville, KY 40203

Applicant: Same
Representative: Same
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel

Staff Case Manager: **Latondra Yates, Planner II**

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.)

Request:

Community Facility Review

Agency Testimony:

Latondra Yates showed a PowerPoint presentation and reviewed the requests and case summary/background from the staff report. She showed a zoning map and an aerial photo and reviewed the zoning and land uses in the area. She then showed the development plan and photos of the elevation. Ms. Yates then reviewed the applicable plans and policies, technical review, and staff analysis from the staff report.

The following spoke in favor of this request:

Greg Powell, Metropolitan Sewer District, 700 W Liberty St, Louisville, KY 40203

Christian Wolff Miller, Metropolitan Sewer District, 700 W Liberty St, Louisville, KY 40203

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Summary of testimony of those in favor:

Greg Powell, MSD, spoke about the pump station being needed for the improvement of water quality in the area and the existing pump station being replaced. He also spoke about the neighborhood involvement with the plan.

The following spoke in opposition to this request:

No one.

The following spoke neither for nor against the request:

Teena Halbig, Floyds Fork Environmental Association, 6505 Echo Trail,
Louisville, KY 40299

Shannon Thornton, 11403 Fairmount Road, Louisville, KY 40291

Testimony of those who spoke neither for nor against:

Teena Halbig began by explaining the purpose of the Floyds Fork Environmental Association and showed photos of overflow in the area, the existing pump station, and the pump station on Seatonville Road. She then thanked MSD and the Planning Commission for the public involvement. Ms. Halbig discussed ideas to make pump stations blend in to residential areas. She encouraged adequate buffering as well. She then spoke about meeting with MSD and said she would prefer a larger setback but understood that MSD is doing what they can. Ms. Halbig said she was glad that 65% of the trees will be kept and mentioned an ancient cedar tree on the property that MSD is considering keeping. She addressed the concern for the bat habitat area and recognized MSD's desire to stay out of that area and recommended looking into a conservation easement. Ms. Halbig then asked about mitigation plans from the Air Pollution Control Board.

Christian Wolff Miller explained that APCD requested to add a note on the plan requiring mitigation measures for dust control during construction.

Ms. Halbig continued and pointed out that neighbors in the area are requesting a green roof for the pump station and want the building to be screened well by trees. She asked that any future signage be discussed with neighbors. She then expressed appreciation for the neighborhood meeting held and asked for continued transparency and public involvement. Ms. Halbig raised concern

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about appropriate notification for public meetings and summarized her concerns and suggestions for the proposal by referring to the Comprehensive Plan checklist in the staff report. She also stated that a geotechnical report is necessary.

Shannon Thornton stated that she is not opposed to the plan and requested that any trees removed be replaced by one or more trees. She addressed the concern with the setbacks and said she would like them to be more than 100 feet. She expressed concern with the proximity to the 100 year floodplain. Ms. Thornton also expressed concern with residents along Fairmount Road being notified and said she would like to see more transparency with pump station plans. She suggested that brick veneer be added to blend well with surrounding residential and that the drive should be gravel.

Rebuttal

Mr. Powell spoke about buffers and green infrastructure requirements. He said that MSD is sensitive to the bat habitat, but they will look into the bat conservancy. He explained the need to have an asphalt drive and stated that adequate screening will be provided. He addressed the comments about the ancient tree on the site and said it was not surveyed but MSD will conserve it if they can.

Commissioner Jarboe asked about notification. Mr. Powell responded that the public meetings are advertised on MSD's website and citizens can sign up for notification. Mr. Miller also explained the notification of the neighborhood meeting and this Planning Commission hearing.

Commissioner Blake asked Mr. Powell if he would agree to a green roof, Mr. Powell confirmed.

Mr. Powell also stated that he will note that a brick veneer was requested.

Ms. Thornton discussed her difficulty getting information about the plans for this pump station and asked for more transparency moving forward. She discussed a meeting that was held at her request.

An audio/visual recording of the Planning Commission hearing related to this case is available in the Planning & Design Services offices. Please contact the Customer Service staff to view the recording or to obtain a

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copy. The recording of this hearing will be found on the CD of the April 24, 2014 public hearing proceedings.

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

RESOLVED, that the Louisville Metro Planning Commission does hereby **ADOPT** a resolution that the Community Facility Review for Case 13DEVPLAN1125 meets the Guidelines of the Comprehensive Plan with the following considerations: adding a green roof and conserving the ancient cedar.

The vote was as follows:

YES: Commissioners Blake, Tomes, Brown, Kirchdorfer, Peterson, and Jarboe

NO: No one.

NOT PRESENT FOR THIS CASE: Commissioners Proffitt, Turner, and White

ABSTAINING: No one.

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STANDING COMMITTEE REPORTS

Land Development and Transportation Committee

No report given.

Legal Review Committee

No report given.

Planning Committee

No report given.

Policy and Procedures Committee

No report given

Site Inspection Committee

No report given.

ADJOURNMENT

The meeting adjourned at approximately 4:10 p.m.

Chairman

Division Director