

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**April 11, 2019**

**NEW BUSINESS**

**CASE NO. 18ZONE1087**

Request:	Change in zoning from C-1, commercial to M-2, industrial with revised plan and landscape waivers
Project Name:	1332 Tile Factory Lane
Location:	1330 and 1332 Tile Factory Lane
Owner:	Roark Realty LLC
Applicant:	Roark Realty LLC
Representative:	Frost Brown Todd, LLC
Jurisdiction:	Louisville Metro
Council District:	21 – Nicole George
Case Manager:	Joel Dock, 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.)

**Agency Testimony:**

01:40:07 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

01:43:00 Commissioner Carlson asked if the binding element violations have been corrected. Commissioner Brown asked, with the elimination of binding element number 1, what type of screening will be provided? Mr. Dock replied, with the elimination of binding element number 1 and submittal of a plan, the applicant is subject to landscaping requirements from chapter 10 of the Land Development Code. They are asking to waive those requirements.

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

Tanner Nichols, Frost Brown Todd, LLC, 400 West Market Street, Suite 3200, Louisville, Ky. 40202

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

01:44:04 Mr. Nichols gave a power point presentation and stated the purpose for being here is to correct the zoning for a longstanding use. There's always been heavy equipment parked on the property. The current binding elements will be removed and replaced with new binding elements. The new binding elements require landscaping, buffering and screening, however a waiver is being requested. Commissioner Carlson asked what the binding element violations were. Mr. Nichols answered as follows: no screening to protect adjacent residents; drainage improvements were required by water management; and outside storage and materials were not permitted on a particular

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**April 11, 2019**

**NEW BUSINESS**

**CASE NO. 18ZONE1087**

portion of the property. Commissioner Carlson said he wants to know more about the trucks parking. Will there be empty or have hazardous materials inside? This is important because it's next door to residential. There are some M-2 uses that don't need to be close to residential. Mr. Nichols said the trucks don't have hazardous materials. Mr. Dock stated M-2 doesn't allow hazardous or nuisance uses so adding a binding element would be redundant. Commissioner Carlson said there are different penalties for violating the Land Development Code and violating a binding element. Commissioner Brown said the proposed crosswalk doesn't add a lot of value. Chapter 9 would recommend against marking a crosswalk as shown on the plan and giving pedestrians a false sense of security. It doesn't connect to a public sidewalk.

**Deliberation**

01:15:21 Planning Commission deliberation.

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

**The Committee by general consensus placed this case on the May 23, 2019 public hearing at the Old Jail Building.**