

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE  
June 14, 2018**

A meeting of the Land Development and Transportation Committee was held on, June 14, 2018 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

**Committee Members present were:**

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

**Staff Members present were:**

Emily Liu, Planning and Design Director  
Joe Reverman, Planning and Design Assistant Director  
Brian Davis, Planning and Design Manager  
Julia Williams, Planning Supervisor  
Joel Dock, Planner II  
Travis Fiechter, Legal Counsel  
Beth Stuber, Transportation Supervisor  
Pamela M. Brashear, Management Assistant

The following matters were considered:

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**APPROVAL OF MINUTES**

**MAY 31, 2018 LD&T COMMITTEE MEETING MINUTES**

On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted.

**RESOLVED**, that the Land Development & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on May 31, 2018.

**The vote was as follows:**

**YES: Commissioners Brown and Carlson**

**ABSTAINING: Commissioners Peterson and Lewis**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 17ZONE1017**

Request: Schedule Night Hearing  
Project Name: Circle K  
Location: 9201, 9205 and 9211 Preston Highway  
Owner: Scott Whitaker  
Applicant: Mac's Convenience Stores, LLC  
Representative: Bardenwerper, Talbott & Roberts, PLLC  
Jurisdiction: Louisville Metro  
Council District: 24 - Madonna Flood  
**Case Manager: Julia Williams, AICP, RLA, 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.)

**Discussion**

00:02:46 Ms. Williams stated this case was originally scheduled for a July 16, 2018 night hearing but the applicant is not available. A new date of July 30, 2018, Central Government Center at 6:00 p.m. has been agreed upon.

**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 July 30, 2018 Planning Commission public hearing at the Central Government Center, 6:00 p.m.**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 17STREETS1018**

Request: Street/Alley Closure  
Project Name: Reamers Road  
Location: 12911 Reamers Road  
Owner: Louisville Metro  
Applicant: HP HQ, LLC  
Representative: Bardenwerper, Talbott & Roberts, PLLC  
Jurisdiction: Louisville Metro  
Council District: 17 - Glen Stuckel  
**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:**

00:04:57 Joel Dock presented the case (see staff report and recording for detailed presentation).

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

Nick Pregliasco, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

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

00:06:05 Mr. Pregliasco gave a power point presentation. It needs to go to Planning Commission Public Hearing because there's not 100% consent.

00:07:46 Commissioner Brown asked if the closure will impact the Water Co. maintenance access from Reamers Rd. Mr. Pregliasco said they will amend the closure or provide an easement. Chair Lewis said it looks like the access point is out of this closure. Mr. Dock added, "We do have a letter from the Louisville Water Co. and they didn't indicate a need for any additional access to that site so they have consented to the closure."

**Deliberation**

00:10:00 Commissioners deliberation.

**An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES  
June 14, 2018**

**NEW BUSINESS**

**CASE NO. 17STREETS1018**

**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 July 19, 2018 public hearing at the Old Jail Building.**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 16ZONE1027**

Request: Change in zoning from R-4 and C-1 to R-6 and C-1, CUP for a daycare, Variance to permit encroachments into setbacks, Waiver to eliminate a LBA, Alternate plan for access, and a District Development Plan with binding elements

Project Name: Unity Place Apartments  
Location: 8016 Shepherdsville Road  
Owner: University of Louisville Foundation  
Applicant: Barrister Commercial Group  
Representative: Heritage Engineering; Wyatt Tarrant and Combs PLLC.  
Jurisdiction: Louisville Metro  
Council District: 24 - Madonna Flood  
**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.)

**Agency Testimony:**

00:11:31 Ms. Williams presented the case (see staff report and recording for detailed presentation).

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

Jon Baker, Wyatt, Tarrant and Combs, PLLC, 500 West Jefferson Street, Suite 2800, Louisville, Ky. 40202

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

00:16:51 Mr. Baker gave a power point presentation. The new development plan shows some improvements to the site in response to some of the committee members' questions from the May 31, 2018 LD&T. There will be turn lanes to all the entrances to the site. There will be a more direct pedestrian access to Outer Loop and Robs Ln. The traffic analysis was updated regarding Famous Way.

00:22:52 Commissioner Brown asked what percentage of trips are traveling south on Shepherdsville Rd. and would go past the Famous Way intersection. Mr. Baker said their trip generation is not going to have an effect on the existing infrastructure and Famous Way will not be utilized much. Commissioner Brown said he thinks it is 45% and is curious to what the traffic volumes are on Famous Way. Mr. Baker said it was not a part of the traffic analysis.

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 16ZONE1027**

00:28:45 Chair Lewis asked if the renderings are a true representation of how the buildings will look. Mr. Baker said it's general and they will add more detail to present at the public hearing.

00:29:44 Commissioner Carlson asked where the clientele would be coming from for the daycare. Mr. Baker said primarily from the tenants of the apartments.

00:31:05 Commissioner Carlson requests a detailed landscape plan for the west side (for the public hearing). Also, why not continue the 3 lanes off Applegate? Mr. Baker said the cost is the main reason.

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

Rita L. Bernauer, 8206 Red Cedar Way, Louisville, Ky. 40219  
Gerry Boone, 8013 White Cedar Drive, Louisville, Ky. 40219  
Steve Porter, 2406 Tucker Station Road, Louisville, Ky. 40299  
Kenneth Tanner, 8107 Shepherdsville Road, Louisville, Ky. 40219

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

00:34:34 Ms. Bernauer, local attorney, stated most of the residents in Cedar Village are elderly and won't be using the daycare services. The additional turning lanes on Shepherdsville Rd. will not help the current traffic issues. Also, I don't want the walkways leading to our private subdivision or the gates to be opened. The proposal doesn't fit the characteristic of the neighborhood.

00:47:33 Ms. Boone submitted pictures regarding traffic into the record. Similar apartments in the area are on Jefferson Blvd. and Fern Valley Rd. and the roads are 4, 6 and 8 lanes which can handle the additional traffic.

Ms. Boone said the apartments are incompatible with the neighborhood.

00:51:19 Mr. Porter said he represents Ms. Boone, Ms. Bernauer, others in Cedar Village and Shepherdsville Rd. The plan has changed a lot over time. The stubs that were put in on the 2 properties were meant to be connected to R-4. The failure of the traffic study to include Famous Way means it's not ready for a public hearing. The case has been confusing and hard to deal with.

00:56:55 Mr. Tanner said the narrow bridge could cause an issue/hazard for pedestrians.

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 16ZONE1027**

00:58:06 Chair Lewis asked staff if Transportation Planning has preliminary approved the proposal. Ms. Williams said no they haven't.

**Rebuttal:**

00:59:15 Mr. Baker stated the finances required to add a lane and guard rail would exceed what the proposal warrants. Regarding Mr. Porter's clients being upset over changes to the plans, most of the changes to the plan were in response to residents. There will be screening and buffering. We agree with the residents regarding no pedestrian connections.

01:02:40 Commissioner Peterson stated there are a lot of concerns about the traffic study. Mr. Baker said he will revisit the scoping.

**Deliberation**

01:03:27 Planning Commission deliberation. Commissioner Brown stated he's concerned with the traffic study and additional data needs to be provided. Regarding the access, they are not meeting the minimum spacing requirements in the access management guidelines of the Land Development Code. It's not ready for a public hearing.

01:04:37 Commissioner Carlson stated the issues with Public Works need to be addressed before moving forward with a public hearing.

01:05:01 Commissioner Peterson said he agrees. The traffic analysis and other data needs to be reviewed.

01:05:35 Chair Lewis said she agrees as well. Technical issues need to be addressed before setting a public hearing.

**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.**

On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted.

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **CONTINUE** this case to the July 12, 2018 LD&T meeting to address the issues noted today.



**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 16ZONE1027**

**The vote was as follows:**

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

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 18ZONE1010**

Request: Change in zoning from C-1 to C-2 and a District Development Plan with binding elements  
Project Name: Jeff Wyler Auto  
Location: 5244 Dixie Highway  
Owner: DWSB Louisville, LLC  
Applicant: DWSB Louisville, LLC  
Representative: Bardenwerper, Talbot & Roberts, PLLC  
Jurisdiction: Louisville Metro  
Council District: 12- Rick Blackwell  
**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. 5th Street.)

**Agency Testimony:**

01:13:56 Ms. Williams presented the case (see staff report and recording for detailed presentation).

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

Nick Pregliasco, Bardenwerper, Talbott and Roberts, PLLC, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

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

01:17:22 Mr. Pregliasco gave a power point presentation. Proposed binding element 4c referencing the minor plat will be recorded to dedicate the additional right-of-way. It would need a renovation permit. There's also a proposed binding element to read as follows: The remainder of the building identified as "lease space" shall be limited to only C-1 uses.

**Deliberation**

01:26:08 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.**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 18ZONE1010**

**The Committee by general consensus placed this case on the July 5, 2018 public hearing at the Old Jail Building.**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**NEW BUSINESS**

**CASE NO. 18ZONE1012**

Request: Change in zoning from R-4 to R-5 and a District Development Plan/Preliminary Subdivision Plan with binding elements

Project Name: Smyrna Parkway Subdivision

Location: 7905 Smyrna Parkway

Owner: The Believers Church Incorporated

Applicant: Welch Developers, LLC

Representative: Mindel, Scott Assoc. Inc., Bardenwerper, Talbot & Roberts, PLLC

Jurisdiction: Louisville Metro

Council District: 23 – James Peden

**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. 5th Street.)

**Agency Testimony:**

01:27:24 Ms. Williams presented the case (see staff report and recording for detailed presentation).

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

Nick Pregliasco, Bardenwerper, Talbott and Roberts, PLLC, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

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

01:28:59 Mr. Pregliasco gave a power point presentation. The existing church sold a portion of their property (in rear) for development of a subdivision. There was a concern for it fitting in the neighborhood. There will be 2 open space lots.

**Deliberation**

01:34:30 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.**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES  
June 14, 2018**

**NEW BUSINESS**

**CASE NO. 18ZONE1012**

**The Committee by general consensus placed this case on the July 5, 2018 public hearing at the Old Jail Building.**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 14, 2018**

**ADJOURNMENT**

The meeting adjourned at approximately 2:38 p.m.



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**Chair**



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**Planning Director**