

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO LAND DEVELOPMENT & TRANSPORTATION COMMITTEE
MEETING
DECEMBER 14, 2017**

A meeting of the Louisville Metro Land Development & Transportation Committee was held on December 14, 2017, at 1:00 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, KY 40202.

Commission members present:

Marilyn Lewis, Vice Chair
Ramona Lindsey
Robert Peterson
Rich Carlson

Commission members absent:

Jeff Brown

Staff members present:

Joseph Reverman, Assistant Director, Planning and Design Services
Brian Davis, Planning and Design Manager
Julia Williams, Planning and Design Supervisor
Tony Kelly, MSD
John Carroll, Legal Counsel
Tammy Markert, Transportation Planning
Jay Lockett, Planner I
Joel Dock, Planner II
Laura Mattingly, Planner II
Kristen Padron, Management Assistant

The following matters were considered:

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
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APPROVAL OF MINUTES

NOVEMBER 30, 2017 LD&T REGULAR MEETING MINUTES

00:10:35 On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution was adopted:

RESOLVED, that the Land Development & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on November 30, 2017.

The vote was as follows:

Yes: Peterson, Lindsey, Carlson, and Lewis

Absent: Brown

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
DECEMBER 14, 2017**

NEW BUSINESS

CASE NUMBER 17STREETS1024

Project Name:	First Street Closure
Location:	First Street at Electron Dr
Owner(s):	Jeffersontown
Applicant:	Blue Cadillac, LLC
Jurisdiction:	Jeffersontown
Council District:	11 – Kevin Kramer
Case Manager:	Jay Lockett, Planner I

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 meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

Agency Testimony:

00:12:00 Jay Lockett discussed the case summary from the staff report.

The following spoke in favor of this request:

Raymond Bannon, 10803 Electron Dr., Suite 102, Louisville, KY 40299
Todd Lanning, 5151 Jefferson Blvd, Louisville, KY 40219

Summary of testimony of those in favor:

00:16:27 Raymond Bannon is the attorney for the developer. He stated that the applicant intends to consolidate all tracts except one small strip, and this cannot be completed until the road closure request is approved.

00:17:37 Todd Lanning stated he was available to answer questions.

The following spoke in opposition to this request:

No one spoke.

Summary of testimony of those in opposition:

No one spoke.

Deliberation:

Committee deliberation

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NEW BUSINESS

CASE NUMBER 17STREETS1024

An audio/visual recording of the Land Development and 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.

Closure of a Public Right-of-Way

00:18:40 On a motion by Commissioner Carlson, seconded by Commissioner Lindsey, the following resolution, based on testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Land Development & Transportation Committee does hereby **CONTINUE** case number 17STREETS1024 to the December 21, 2017 Planning Commission Consent Agenda.

The vote was as follows:

**Yes: Peterson, Lindsey, Carlson, and Lewis
Absent: Brown**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NUMBER 16ZONE1031

Project Name: Circle K
Location: 12411/12415 Taylorsville Road
Owner(s): Mac's Convenience Stores LLC
Applicant: Mac's Convenience Stores LLC
Jurisdiction: Louisville Metro
Council District: 11-Kevin Kramer
Case Manager: Julia Williams, RLA, AICP, Planning Supervisor

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 meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

Agency Testimony:

00:20:27 Julia Williams discussed the case summary, standard of review, and staff analysis from the staff report.

The following spoke in favor of this request:

Nick Pregliasco, 1000 N Hurstbourne Pkwy, Louisville, KY40223
Gregg Guy, 1709 Goldenleaf Way, Louisville, KY40245
Chris Crumpton, 3703 Taylorsville Rd, Suite 205, Louisville, KY40220

Summary of testimony of those in favor:

00:24:07 Nick Pregliasco spoke on behalf of the applicant and gave an overview of the project. The applicant is requesting a change in zoning from R-4 to C-1, a variance, a waiver, and a district development plan. They are still working with neighbors on minor changes.

00:31:15 Circle K Real Estate Director Gregg Guy provided some background information regarding the subject site. The existing building does not fit the current standards of Circle K.

00:34:48 Commissioner Carlson stated that he would like to see further justification for the waiver and asked how much of the building's back wall would be visible while driving south on Tucker Station Road.

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NEW BUSINESS

CASE NUMBER 16ZONE1031

00:36:22 Chris Crumpton discussed landscaping and stated that you would most likely not be able to see the back wall of the structure while driving south on Tucker Station Road. Additional screening is being added.

00:39:12 Mr. Pregliasco stated there is an existing privacy fence behind the current gas station located on the neighbor's property. The applicant has agreed to install a new fence.

The following spoke in opposition to this request:

Steve Porter, 2406 Tucker Street Rd, Louisville, KY 40299

Summary of testimony of those in opposition:

00:41:19 Steve Porter spoke on behalf of neighbors of Tyler Woods and the Tucker Station Neighbor Association. He discussed issues they have with the project, but stated they are still in negotiations with the applicant.

Deliberation:

Committee deliberation

00:50:35 By general consensus, the Committee scheduled case number 16ZONE1031 for the January 18, 2018 Planning Commission public hearing.

An audio/visual recording of the Land Development and 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
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NEW BUSINESS

CASE NUMBER 17ZONE1057

Request: R-4 to C-N
Project Name: Pharmacy/Retail Store
Location: 10515 Taylorsville Road
Owner: Kevin Carrico, James P. Landherr & Hanken Corp, Inc
Applicant: Ken Lurie
Representative: Bardenwerper, Talbott & Roberts, PLLC
Jurisdiction: Jeffersontown
Council District: 20 – Stuart Benson
Case Manager: Laura Mattingly, AICP, 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 meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

Agency Testimony:

00:51:17 Laura Mattingly discussed the case summary, standard of review, and staff analysis from the staff report.

The following spoke in favor of this request:

Nick Pregliasco, 1000 N Hurstbourne Pkwy, Louisville, KY40223
Kevin Young, 503 Washburn Ave, Louisville, KY40222

Summary of testimony of those in favor:

00:57:17 Nick Pregliasco spoke on behalf of the applicant and gave an overview of the project. The applicant is requesting a change in zoning from R-4 to C-N, a variance, a waiver, and a detailed district development plan. In response to Joe Reverman, Mr. Pregliasco stated that the neighbors were against access off Candlewood Way, and they did speak to KTC about this.

01:03:16 Kevin Young stated that the entrances were approved by KTC and the City of Jeffersontown. They did not request an access from Candlewood Way because of objections from the neighbors.

The following spoke in opposition to this request:

No one spoke.

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NEW BUSINESS

CASE NUMBER 17ZONE1057

Summary of testimony of those in opposition:

No one spoke.

The following spoke neither for nor against the request:

Rebecca Simmons, 3704 Candlewood Way, Jeffersontown, KY 40299

Summary of testimony of those neither for nor against:

01:04:12 Rebecca Simmons is a neighbor who has concerns with the project. She made requests for the following: solid evergreen screening outside of the fencing along Candlewood Way, a higher privacy fence, a closing time of 10:00 p.m., dark sky lighting that is turned off upon closing, trash cans along Taylorsville Rd, and relocation of the dumpster away from the residential area.

Rebuttal:

01:08:00 Mr. Pregliasco stated the applicant can work with the neighbors regarding these requests between now and the public hearing.

Deliberation:

Committee deliberation

01:09:00 By general consensus, the Committee scheduled case number 17ZONE1057 for the January 4, 2018 Planning Commission public hearing.

An audio/visual recording of the Land Development and 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
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NEW BUSINESS

CASE NUMBER 17ZONE1042

Request: R-4 to C-1
Project Name: Speedwash
Location: 9808, 9818, 9818R Hillock Drive &
8018 & 8102 Old Bardstown Rd
Owner: Old Bardstown Investment Group, LLC
Applicant: Speedwash Carwash
Representative: Wyatt, Tarrant & Combs, LLP
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel
Case Manager: Laura Mattingly, AICP, 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 meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

Agency Testimony:

01:09:50 Laura Mattingly discussed the case summary, standard of review, and staff analysis from the staff report. The applicant submitted an affidavit of notification stating that notices were sent on November 30, 2017. Ms. Mattingly received her notice on December 12, and it was post marked on December 11.

The following spoke in favor of this request:

Jon Baker, 500 W Jefferson St, Suite 2800, Louisville, KY 40202
Kent Gootee, 5151 Jefferson Blvd, Louisville, KY 40219
Chris Harrison, 855 Lovers Lane, Suite 112, Bowling Green, KY 42104

Summary of testimony of those in favor:

01:16:33 Jon Baker spoke on behalf of the applicant and gave an overview of the project. The applicant is requesting a change in zoning from R-4 to C-1, a variance, two waivers, and a detailed district development plan.

01:20:11 Kent Gootee spoke about the more technical details of the plan. Mr. Baker confirmed that notices were sent on November 30, 2017. They would be willing to provide additional notice and come back to LD&T if needed. He and Mr. Gootee responded to questions from the Commissioners.

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NEW BUSINESS

CASE NUMBER 17ZONE1042

01:30:40 Chris Harrison detailed the work flow of the site.

The following spoke neither for nor against the request:

Tim Hatfield, 4740 Dunbar Valley Rd, Fisherville, KY 40023

Summary of testimony of those neither for nor against:

01:36:16 Tim Hatfield owns the medical spa to the south of the subject site and used to own the daycare center behind the spa. He spoke about his concerns for the project, but is supportive overall.

The following spoke in opposition to this request:

Charlotte Nellis, 9803 Hillock Dr, Louisville, KY 40291
Kevin Bratcher, 10215 Landwood Dr, Louisville, KY 40291

Summary of testimony of those in opposition:

01:40:42 Charlotte Nellis is a resident of Hillock Drive. She spoke about an easement on Hillock Drive that her mother owns and stated that they did not give Zaxby's permission to use Hillock Drive. She has concerns for traffic safety.

01:44:47 Kevin Bratcher is a member of the Kentucky House of Representatives and also lives near the subject site. He stated that he has received multiple calls about this project. He and his constituents feel this is out of character for the neighborhood.

Rebuttal:

01:47:11 Mr. Baker spoke in rebuttal, and Mr. Gootee responded to questions from the Commissioners and Mr. Reverman.

01:51:09 Tony Kelly with MSD stated that he met with other representatives at MSD and decided that they are okay with an underground detention basin as long as it meets their requirements. MSD is okay with the fee-in-lieu as long as the applicant can obtain permitting from KTC.

01:53:13 Tammy Markert provided comments from the Transportation Planning department and spoke about the unresolved issues from Public Works.

Deliberation:

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NEW BUSINESS

CASE NUMBER 17ZONE1042

Committee deliberation

An audio/visual recording of the Land Development and 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.

01:57:27 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution, based on testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Land Development & Transportation Committee does hereby **CONTINUE** case number 17ZONE1042, with new notice, to the January 11, 2017 Land Development & Transportation Committee meeting.

The vote was as follows:

Yes: Peterson, Lindsey, Carlson, and Lewis
Absent: Brown

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NUMBER 16ZONE1052

Project Name: The Farms at Lovers lane
Location: 6015 Lovers Lane
Owner(s): Superior Builders, Inc.
Applicant: Superior Builders, Inc.
Representative(s): BlueStone Engineers, PLLC – Chris Crumpton
Project Area/Size: 9.77 acres
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel
Case Manager: Joel P. Dock, Planner I

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 meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

Agency Testimony:

01:59:07 Joel Dock discussed the case summary and standard of review from the staff report.

The following spoke in favor of this request:

Chris Crumpton, 3703 Taylorsville Rd, Suite 205, Louisville, KY40220

Summary of testimony of those in favor:

02:03:46 Chris Crumpton spoke on behalf of the applicant and gave an overview of the project. The applicant is requesting a change in zoning from R-4 to R-5 and a major preliminary subdivision/detailed district development plan.

The following spoke in opposition to this request:

Joel Warren, 6013 Lovers Ln, Louisville, KY 40291

Summary of testimony of those in opposition:

02:09:08 Joel Warren owns the property adjacent to the subject site and feels like this project does not fit with the character of the neighborhood. He is concerned with prospective pets, fencing, lighting, traffic, landscape buffering, and tree preservation.

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NEW BUSINESS

CASE NUMBER 16ZONE1052

Rebuttal:

02:12:25 Mr. Crumpton spoke in rebuttal and responded to questions from the Commissioners.

Deliberation:

Committee deliberation

02:15:50 By general consensus, the Committee scheduled case number 16ZONE1052 for the January 18, 2018 Planning Commission public hearing.

An audio/visual recording of the Land Development and 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
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NEW BUSINESS

CASE NUMBER 16ZONE1080

Project Name: Fort Locks Self-Storage
Location: 7650 Dixie Highway
Owner(s): Valley Station Towne Center
Applicant: Fort Locks Self-Storage, Inc.
Representative(s): Michael Tigue; Land Design & Development
Jurisdiction: Louisville Metro
Council District: 25 – David Yates
Case Manager: Joel P. Dock, 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 meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

02:16:33 Joel Dock discussed the case summary and standard of review from the staff report.

The following spoke in favor of this request:

Jon Baker, 500 W Jefferson St, Suite 2800, Louisville, KY 40202

Summary of testimony of those in favor:

02:21:17 Jon Baker spoke on behalf of the applicant and gave an overview of the project. The applicant is requesting a change in zoning from R-4 to C-2, a variance, a conditional use permit, and a detailed district development plan.

The following spoke in opposition to this request:

Ian Lowe, 1355 Bardstown Rd, #210, Louisville, KY 40204

Summary of testimony of those in opposition:

02:24:32 Ian Lowe with Home Advantage manages the apartment complex near the corner of Fury Way and Dixie Hwy. He is concerned with having a commercial development that extends between two residential areas and how it will negatively impact property values.

Rebuttal:

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NEW BUSINESS

CASE NUMBER 16ZONE1080

02:27:24 Mr. Baker spoke in rebuttal.

Deliberation:

Committee deliberation

02:28:37 By general consensus, the Committee scheduled case number 16ZONE1080 for the January 18, 2018 Planning Commission public hearing.

An audio/visual recording of the Land Development and 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
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NEW BUSINESS

CASE NUMBER 17ZONE1044

Project Name:	Nicklies – Old La Grange Rd
Location:	12413 Old La Grange Road
Owner(s):	Jeffersonville Commons, LLC; Ian, LLC
Applicant:	Jeffersonville Commons, LLC
Representative(s):	Nicklies Development; Land Design & Development
Project Area/Size:	7.1 acres
Jurisdiction:	Louisville Metro
Council District:	17 – Glen Stuckel
Case Manager:	Joel P. Dock, 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 meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

02:29:13 Joel Dock discussed the case summary and standard of review from the staff report.

The following spoke in favor of this request:

Jim Calvery, 6060 Dutchmans Ln, Suite 110, Louisville, KY 40205

Summary of testimony of those in favor:

02:35:21 Jim Calvery spoke on behalf of the applicant and gave an overview of the project. The applicant is requesting a change in zoning from R-4 to PEC and two waivers. He responded to questions from the Commissioners.

The following spoke in opposition to this request:

No one spoke.

Summary of testimony of those in opposition:

No one spoke.

Deliberation:

Committee deliberation

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NUMBER 17ZONE1044

02:46:31 By general consensus, the Committee scheduled case number 17ZONE1044 for the January 4, 2018 Planning Commission public hearing.

An audio/visual recording of the Land Development and 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
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NEW BUSINESS

CASE NUMBER 17ZONE1051

Project Name: Architype Gallery
Location: 1764 Frankfort Avenue
Owner(s): 1764 Frankfort, LLC - Brad Stengel
Applicant: 1764 Frankfort, LLC - Brad Stengel
Representative(s): 1764 Frankfort, LLC - Brad Stengel
Project Area/Size: 0.19 acres
Jurisdiction: Louisville Metro
Council District: 9 – Bill Hollander
Case Manager: Joel P. Dock, 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 meeting (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S 5th Street).

02:47:25 Joel Dock discussed the case summary and standard of review from the staff report.

The following spoke in favor of this request:

Brad Stengel, 4301 River Hill Ln, Louisville, KY 40207

Summary of testimony of those in favor:

02:52:37 Brad Stengel spoke on behalf of the applicant and gave an overview of the project. The applicant is requesting a change in zoning from C-1 to C-2 and a detailed district development plan.

The following spoke in opposition to this request:

No one spoke.

Summary of testimony of those in opposition:

No one spoke.

Deliberation:

Committee deliberation

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
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NEW BUSINESS

CASE NUMBER 17ZONE1051

02:54:22 By general consensus, the Committee scheduled case number 17ZONE1051 for the January 4, 2018 Planning Commission public hearing.

An audio/visual recording of the Land Development and 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
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ADJOURNMENT

The meeting adjourned at approximately 4:00 p.m.

Chairman

Division Director