

**MINUTES OF THE MEETING**  
**OF THE**  
**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**July 14, 2016**

A meeting of the Land Development and Transportation Committee was held on Thursday, July 14, 2016, at 1:00 PM in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

**Committee Members present:**

Marilyn Lewis, Vice Chair  
Jeff Brown  
Donnie Blake

**Committee Members absent:**

Vince Jarboe, Chair  
Clifford Turner

**Staff Members present:**

Emily Liu, Director  
Joe Reverman, Assistant Director  
John Carroll, Legal Counsel  
Julia Williams, Planner Supervisor  
Beth Jones, Planner II  
Joel Dock, Planner I  
Tammy Markert, Transportation Planning  
Kristen Loeser, Management Assistant

The following matters were considered:

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
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**APPROVAL OF MINUTES**

**Approval of the June 23, 2016 LD&T Committee Meeting Minutes**

**00:07:46** On a motion by Committee Member Brown, seconded by Committee Member Blake, the following resolution was adopted:

**RESOLVED**, that the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on June 23, 2016.

**The vote was as follows:**

**YES: Lewis and Brown**  
**ABSENT: Jarboe and Turner**  
**ABSTAIN: Blake**  
**NO: None**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NUMBER 16STREETS1006**

Request:	Street Closure
Project Name:	Donna/Sunwood
Location:	Donna Blvd and Sunwood Circle West of Air Commerce Drive
Owner:	Louisville Metro
Applicant:	United Parcel Service, LLC.
Representative:	Sabak, Wilson, & Lingo, INC. – Steven Burch
Jurisdiction:	Louisville Metro
Council District:	13 – Vicki Welch
Case Manager:	Joel P. Dock, Planner I

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.)

**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.**

**Agency Testimony:**

**00:08:30** Joel Dock presented the case and referred to the site plan (see staff report and recording for detailed presentation).

**The following spoke in favor of the request:**  
Patrick Dominik, 608 S 3<sup>rd</sup> Street, Louisville, KY 40202

**Summary of those in favor:**

**00:10:58** Patrick Dominik spoke on behalf of the applicant (see recording for detailed presentation).

**00:13:12** On a motion by Committee Member Blake, seconded by Committee Member Brown, the following resolution was adopted:

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NUMBER 16STREETS1006**

**RESOLVED**, that the Louisville Metro Land Development and Transportation Committee does hereby **SCHEDULE** case number 16STREETS1006 for the Planning Commission Consent Agenda on July 21, 2016.

**The vote was as follows:**

**YES: Brown, Lewis, and Blake**

**ABSENT: Jarboe and Turner**

**NO: None**

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NUMBER 15ZONE1065**

Request: Change in zoning from R-4 to C-1 on 2.5 acres  
Project Name: Crossroads IGA  
Location: 8001 Smyrna Parkway  
Owner: Highview Fire Protection District  
Applicant: Houchens Industries, Inc.  
Representative: Arnold Consulting Engineering Services, Inc.  
Jurisdiction: Louisville Metro  
Council District: 23 – James Peden  
Case Manager: Brian Davis, AICP, Planning Manager

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.)

**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.**

**Agency Testimony:**

**00:14:52** Julia Williams presented the case and referred to the site plan (see staff report and recording for detailed presentation).

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

Bill Bardenwerper, 1000 N Hurstbourne Pkwy, Louisville, KY 40223  
Brian Shirley, 1136 South Park Drive, Bowling Green, KY 42103  
Tim Rich, 700 Church Street, Bowling Green, KY 42102  
David Steff, 7812 Appleview Lane, Louisville, KY 40228

**Summary of those in favor:**

**00:18:10** Bill Bardenwerper spoke on behalf of the applicant and referred to a PowerPoint presentation. He stated that the Crossroads IGA will be a small, full service grocery store that will feature a hardware store and a small gas station. A traffic signal would be required to improve traffic in the area (see recording for detailed presentation).

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**NEW BUSINESS**

**CASE NUMBER 15ZONE1065**

**00:28:38** Brian Shirley is a landscape architect who spoke in favor of the request and explained how the retention area on the south end of the site would collect water drainage from the north.

**00:30:36** In response to concerns from the committee members regarding the location, Tim Rich explained that he feels the store would serve this community because of the convenience it will provide to local shoppers.

**00:32:57** David Steff, President of the Apple Valley Homeowners Association, is in support of this request because he feels that a gas station at this location would benefit the Highview area. He responded to questions from the Committee Members (see recording for detailed presentation).

**The following spoke neither for nor against the proposal:**  
Leslie Weller, 9110 Satinwood Court, Louisville, KY 40229

**Summary of those neither for nor against:**

**00:36:37** Local resident, Leslie Weller, spoke regarding her concerns with how traffic would be affected by the construction of a traffic signal.

**Rebuttal:**

**00:39:35** Brian Shirley addressed the traffic concerns raised by Ms. Weller (see recording for detailed presentation).

**00:40:58** Mr. Bardenwerper further discussed traffic issues with the Committee Members. He also confirmed that a Binding Element would be written up regarding future connection to abutting properties (see staff report and recording for detailed presentation).

**00:42:51** The Louisville Metro Land Development and Transportation Committee by general consensus **SCHEDULED** Case Number 15ZONE1065 to be heard at the August 4, 2016 Planning Commission Public Hearing.

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NUMBER 15ZONE1039**

Request: R-4 to OR and C-1  
Project Name: Osa Medical Office Park  
Location: 4524-4528 Cane Run Road  
Owner: Nustreams LLC  
Applicant: Nustreams LLC  
Representative: Milestone Design Group; Dinsmore and Shohl LLP  
Jurisdiction: Louisville Metro  
Council District: 1-Jessica Green  
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.)

**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**

**Agency Testimony:**

**00:45:00** Julia Williams presented the case and referred to the site plan (see staff report and recording for detailed presentation).

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

Clifford Ashburner, 101 S 5<sup>th</sup> Street, Suite 2500, Louisville, KY 40202

**Summary of those in favor:**

**00:48:21** Clifford Ashburner spoke on behalf of the applicant and referred to a PowerPoint presentation. He stated that the applicant believes this area is underserved by primary care physicians (see recording for detailed presentation).

**00:55:26** The Louisville Metro Land Development and Transportation Committee by general consensus **SCHEDULED** Case Number 15ZONE1039 to be heard at the September 15, 2016 Planning Commission Public Hearing.

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**NEW BUSINESS**

**CASE NUMBER 16ZONE1020**

Request: Change in zoning from R-4/R-5 to R-6  
Project Name: Taylorsville Road Apartments  
Location: 11404, 11312, and 11314 Taylorsville Road  
Owner: BBB Investments LLC; Mannoxx LLC  
Applicant: Teri Delsignore  
Representative: Mindel Scott and Assoc.; Bardenwerper Talbott and Roberts PLLC  
Jurisdiction: Louisville Metro  
Council District: 20-Stuart Benson  
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.)

**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**

**Agency Testimony:**

**00:56:32** Julia Williams presented the case and referred to the site plan (see staff report and recording for detailed presentation).

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

Bill Bardenwerper, 1000 N Hurstbourne Pkwy, Louisville, KY 40223  
David Mindel, 5151 Jefferson Blvd., Louisville, KY 40219

**Summary of those in favor:**

**00:59:14** Bill Bardenwerper spoke on behalf of the applicant and referred to a PowerPoint presentation (see recording for detailed presentation).

**01:07:25** David Mindel explained what will be done to meet MSD's requirements for drainage. He also detailed the improvements that would be done to Taylorsville Road to resolve any issues with entering and exiting the property (see recording for detailed presentation).



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**NEW BUSINESS**

**CASE NUMBER 16ZONE1020**

**01:12:24** Mr. Bardenwerper answered questions from the Committee Members about the proposed connection to the Sojourn Community Church property (see recording for detailed presentation).

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

Barry Albert, 4109 Chenoweth Run Road, Louisville, KY 40299  
Wayne Knewasser, 12506 Valley Pine Drive, Louisville, KY 40299  
Fred Fischer, 718 W Main Street, Louisville, KY 40202

**Summary of those in opposition:**

**01:18:03** Barry Albert explained his concern about the potential traffic increase in the area and that the traffic study might have been conducted when school was not in session. He is also concerned about storm water drainage.

**01:21:08** Wayne Knewasser is on the board of the Pine Valley Estates HOA. He was also concerned about an increase in traffic due to this project and he believes that the 3-story apartment buildings would be an eyesore and cause property values to decrease. He believes the roads surrounding this area are not designed to support the increase in traffic.

**01:26:39** Fred Fischer expressed concern about his property's flooding issues and that he believes this project will exacerbate those issues. He provided a picture to the Committee Members of flooding on his property. He is also concerned about traffic and about when the traffic study was conducted.

**The following spoke neither for nor against the proposal:**

Councilman Stuart Benson, Louisville Metro Council District 20

**Summary of those neither for nor against:**

**01:34:11** Councilman Stuart Benson spoke about road improvements generally needed in his Council District (see recording for detailed presentation).

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**CASE NUMBER 16ZONE1020**

**Rebuttal:**

**01:39:06** Bill Bardenwerper addressed the comments of those in opposition to this case and made the point that housing needs to be provided for employees of the neighboring business park. He also provided the results of the traffic study conducted on this property and stated that traffic studies were conducted in February and in April and that they are always conducted on Tuesdays, Wednesdays, and Thursdays (see recording for detailed presentation).

**01:47:05** The Louisville Metro Land Development and Transportation Committee by general consensus **SCHEDULED** Case Number 16ZONE1020 to be heard at the August 18, 2016 Planning Commission Public Hearing.

**01:47:05** The meeting was recessed.

**01:47:34** The meeting was reconvened.

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**NEW BUSINESS**

**CASE NUMBER 16ZONE1021**

Request: Change in zoning from EZ-1 to M-3 with a CUP for  
Outdoor Recycling  
Project Name: Rusty Rooster  
Location: 7310, 7400, & 7402 Grade Lane  
Owner: Leeann LLC  
Applicant: Rusty Rooster Recycling  
Representative: Miller Wihry; Bardenwerper Talbott and Roberts  
Jurisdiction: Louisville Metro  
Council District: 13-Vicki Aubrey Welch  
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.)

**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**

**Agency Testimony:**

**01:47:58** Julia Williams presented the case and responded to questions from the Committee Members (see staff report and recording for detailed presentation).

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

Bill Bardenwerper, 1000 N Hurstbourne Pkwy, Louisville, KY 40223  
Tom Brooks, 360 Glory Road, Shepherdsville, KY 40165

**Summary of those in favor:**

**01:54:21** Bill Bardenwerper spoke on behalf of the applicant and referred to a PowerPoint presentation (see recording for detailed presentation).

**01:59:44** Ms. Williams clarified for the Committee Members that the Condition of Approval Violation Notice was received by the applicant in June of 2015. They are going through the change in zoning to rectify the violation.

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**NEW BUSINESS**

**CASE NUMBER 16ZONE1021**

**The following spoke neither for nor against the request:**

Bill Gatti, 4568 Melton Ave., Louisville, KY 40213

Todd Phillips, 7100 Grade Lane, Louisville, KY 40213

**Summary of those neither for nor against:**

**02:03:41** Bill Gatti is a part owner of Grade A Auto Parts & Scrap Metal Recycling. He is not opposed to this project, but he believes the rules should be fair for everyone. He took the appropriate measures to correct violations within his organization and he expects the same of his neighbors and any other business in this industry. Also, Mr. Gatti does not feel that the rezoning should be granted until a third lane is added in front of the Rusty Rooster property to increase safety on Grade Lane.

**02:11:01** Todd Phillips is the Chief Financial Officer of ISA Recycling. His main concerns are safety and traffic along Grade Lane. He explained the difference between indoor and outdoor recycling and how traffic can be impacted from an outdoor recycling operation. His business was required to create a third lane in front of their property and he feels that Mr. Brooks should be required to do the same to increase road safety.

**02:14:16** In response to Committee Member Blake, Tammy Markert stated she does have some data from a traffic study, but the requirement of a third lane is usually based on the size of the property, among other factors.

**02:16:03** Committee Member Brown clarified the circumstances under which Grade A and ISA Recycling were required to provide a third lane in front of their properties. There was discussion between Ms. Markert, and the Committee Members about the site plan design and how it could minimize the stacking of large trucks onto Grade Lane (see recording for detailed presentation).

**02:18:04** The applicant, Tom Brooks, used the site plan to explain how trucks would be maneuvered through his property.

**02:21:37** Mr. Bardenwerper stated that a graphic would be provided to the Planning Commission to delineate that there will be two truck lanes in operation on the site.

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**NEW BUSINESS**

**CASE NUMBER 16ZONE1021**

**01:47:05** The Louisville Metro Land Development and Transportation Committee by general consensus **SCHEDULED** Case Number 16ZONE1021 to be heard at the August 18, 2016 Planning Commission Public Hearing.

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NUMBER 16ZONE1029**

Request:	Change in zoning from R-4 to OR with Waivers
Project Name:	5206 St. Gabriel Lane
Location:	5206 St. Gabriel Lane
Owner:	RLM Properties Inc.
Applicant:	RLM Properties Inc.
Representative:	Land Design and Development; Dinsmore and Shohl LLP
Jurisdiction:	Louisville Metro
Council District:	22-Robin Engel
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.)

**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**

**Agency Testimony:**

**02:26:11** Julia Williams presented the case (see staff report and recording for detailed presentation).

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

Clifford Ashburner, 101 S 5<sup>th</sup> Street, Suite 2500, Louisville, KY 40202

**Summary of those in favor:**

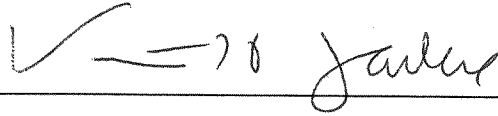
**02:28:57** Clifford Ashburner spoke on behalf of the applicant and referred to a PowerPoint presentation (see recording for detailed presentation).

**02:36:02** The Louisville Metro Land Development and Transportation Committee by general consensus **SCHEDULED** Case Number 16ZONE1029 to be heard at the August 4, 2016 Planning Commission Public Hearing.

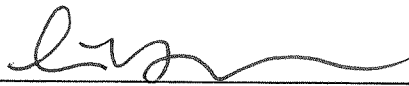
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**ADJOURNMENT**

The meeting adjourned at approximately 3:50 p.m.



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**Chair**



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**Planning Director**