

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION
October 30, 2014**

A meeting of the Louisville Metro Planning Commission was held on October 30, 2014 at 1:00 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Commission members present:

Donnie Blake, Chair
Vince Jarboe
David Tomes
Lloyd "Chip" White
Robert Kirchdorfer
Clifford Turner
Carrie Butler

Commission members absent:

David Proffitt, Vice-Chair
Jeff Brown
Robert Peterson

Staff Members present:

Joseph Reverman, Planning Manager
Emily Liu, Planning Director
John Carroll, Legal Counsel
Julia Williams, Planner II
Sharonda Duerson, Management Assistant (minutes)

The following matters were considered:

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APPROVAL OF MINUTES

OCTOBER 16, 2014 PLANNING COMMISSION REGULAR MEETING MINUTES

On a motion by Commissioner White, seconded by Commissioner Turner, the following resolution was adopted.

RESOLVED, that the Planning Commission does hereby **APPROVE** the minutes of its meeting conducted on October 16, 2014 with corrections.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT FOR THIS CASE: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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PUBLIC HEARING

CASE NO. 13ZONE1031

Request: Change in zoning from R-4 to PEC, Waiver to reduce the 50' LBA along the north property and allow for encroachments into the 15' LBA, Waiver to permit encroachment of a proposed drive lane, Waiver to reduce the 50' LBA along the east property line and District Development Plan

Project Name: 3311 Collins Lane

Location: 3311 Collins Lane

Owner: Jerry and Martha Schade
1002 Round Table Court
Louisville, KY 40222

Applicant: Same as above

Representative: Land Design and Development, Inc.
503 Washburn Avenue, Suite 101
Louisville, KY 40222
Frost, Brown & Todd LLC
400 West Market Street, Suite 3200
Louisville, KY 40202

Jurisdiction: Louisville Metro

Council District: 17-Glen Stuckel

Staff Case Manager: Julia Williams, AICP, Planner II

A notice was posted on the property, and 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.)

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Agency Testimony:

00:05:06 Julia Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Glenn Price, 400 W. Market Street, Suite 3200, Louisville, KY 40202
Ann Richard, 503 Washburn Avenue, Suite 101, Louisville, KY 40222

Summary of testimony of those in favor:

00:13:38 Mr. Price presented a power point and report pertaining to the proposed use. He then explained to the Commissioners how the proposed use would be operated. Mr. Price also handed out maps to further explain the traffic flow on Collins Lane and stated that the request for Binding Element #10 was to make sure it stated no idling in the inside.

00:22:52 Ms. Richard explained the shaded area on the map of the proposed buildings and also the usage of the buildings. She also said they are proposing to provide the 50ft buffer area and will try their best to save some of the trees and will provide all landscape per the Land Development Code.

Deliberation

00:26:33 The Planning Commissioners didn't have any concerns with this case.

An audio/visual recording of the Planning Commission hearing 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.

Zoning Change from R-4 to PEC

On a motion by Commissioner White, seconded by Commissioner Butler, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, that the proposal conforms to KRS 100.213 because it is in agreement with the Comprehensive Plan for Jefferson County, Kentucky, as further detailed in these Findings; and

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WHEREAS, the Louisville Metro Planning Commission further finds that the site lies on the north side Collins Lane, and is bordered on the southeast by property owned by IAN, LLC which was approved for 78,400 square feet of office/warehouse use {see Nicklies Chamberlain Crossings Revised Development Plan, approved May 19, 2014, Case Nos. 14VAR1028 and 14DEVPLAN1043} and that except for this property and the property immediately north there are no properties along this segment of the east side of Collins Lane which remain zoned for residential purposes; and the abutting use to the rear of the site is the CSX railroad; and

WHEREAS, the Louisville Metro Planning Commission further finds that the proposal conforms to all applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan as further detailed in these Findings; and that the only applicable Goals, Objectives, Guidelines and Policies which are applicable to this request are found in these Findings of Fact; and

WHEREAS, the Louisville Metro Planning Commission further finds That the proposal conforms to Goals G1, G3, G4, and Objectives G4.1 and G4.2 and G4.3, Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy 1.B.10 because it lies within the Suburban Workplace Form District; because the Suburban Workplace Form District is “characterized by predominantly industrial and office uses where the buildings are set back from the street in a landscaped setting” which is a characterization met by the proposal; and because the site will be appropriately landscaped; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Centers Guideline 2 and all applicable Policies adopted thereunder, including Policy 2.2, because the development is consistent with the adjacent use proposed by IAN, LLC and conforms to the Suburban Workplace Form District which prevails in this geographic area; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policies 3.1, 3.2, 3.5, 3.6, 3.7, 3.8, 3.9, 3.11, 3.21, 3.22, 3.23, 3.24 and 3.28 because the proposed two-story building designed by Lichtefeld Incorporated is a 14,200 square foot structure, with space for a future addition behind the building and six (6) vehicle entry doors which will be situated at the side of the building for service entry; because building materials are proposed to be scored masonry, split faced masonry together with metal wall panels and translucent wall panels, which are appropriate for a high quality industrial building; because the proposed use is a low intensity use; because the proposal will not generate odor or excessive carbon monoxide pollution;

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because Tony's Wrecker's existing location is at 12203 Westport Road – at the intersection of Collins Lane and Westport Road – there will be no additional traffic on Collins Lane due to the approval of the use at this location; because there will be no adverse visual impacts due to the Lichtefeld Incorporated design of the building and building materials; because a 78,400 square foot office/warehouse building was recently approved on the immediately abutting parcel for IAN, LLC; because all on-site lighting will conform to Land Development Code (“LDC”) limitations, and outdoor lighting will be directed down and away from adjacent residential areas; because appropriate landscape buffers are proposed on either side of the property; and because one free-standing sign monument sign, 6-feet tall and 60 square feet in area, is proposed; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and all applicable Policies adopted thereunder, including Policies 5.1, 5.2, 5.3, and 5.6 because site topography will be observed; because there are no historic resources or distinctive cultural features located on site, and the soils on site are not wet or highly permeable; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 7.1, 7.2, 7.9 and 7.10 because the development plan shows a forty (40') foot dedication of frontage to right-of way; because a proposed 5-foot sidewalk is proposed along the Collins Lane frontage; and because adequate parking pursuant to Land Development Code requirements is proposed; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all applicable Policies adopted thereunder, including Policies 9.1 and 9.2 because bicycle parking facilities will be located within the building; because a 5-foot wide public sidewalk is proposed along the Collins Lane frontage of the site; because although no transit service serves Collins Lane (a secondary collector roadway), transit service is available on nearby La Grange Road to the south of the site; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Flood Control and Stormwater Management Goal B1 and Objective B1.1 and B1.8, Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 10.1, 10.3, 10.7, 10.10, and 10.11 because the Metropolitan Sewer District (“MSD”) approved the development plan; because MSD's approval indicates that the development will not have an adverse impact on the watershed as a whole, reflecting the development potential of the entire watershed; that the drainage design will accommodate on-site and upstream run-off water; that the

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drainage system will preserve the “through” drainage system, and that peak stormwater runoff rates after development will not exceed pre-development rates; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Air Goal C1, Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 12.1 and 12.8 because the Louisville Air Pollution Control District (“APCD”) has approved the development plan; because APCD’s approval indicates that activities at the site will not be a source of ambient air pollution due to the low intensity of the proposal; because traffic to and from the site will be minimal; because no additional traffic will occur on Collins Lane than that which presently exists because Tony’s existing location is at the intersection of Collins Lane and Westport Road and no additional traffic is anticipated; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 13.2, 13.4, 13.5, and 13.6 because proposed landscaping will be native plant species; because the development will conform to the requirements of Land Development Code Chapter 10 regarding landscaping and tree canopy except where waivers have been granted by the Planning Commission; because landscape buffers will be employed to protect the abutting single-family residence to the northeast; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 14.2, 14.3, 14.4, 14.6 and 14.7 because adequate utility service is located on Collins Lane to serve the proposed development; because the site is served by MSD sewage facilities; because an adequate supply of potable water and water for fire-fighting purposes is supplied by the Louisville Water Company; and because utilities will be located underground wherever possible and will be placed in easements as prescribed by the applicable utility; and

WHEREAS, The Louisville Metro Planning Commission further finds That the proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 15.9, because the site will be adequately served by the Worthington Fire Protection District; and

WHEREAS, The Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and the applicant’s justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; therefore be it

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RESOLVED, that the Louisville Metro Planning Commission, does hereby recommends to the legislative body of Louisville Metro Government that the requested Change in zoning from R-4 to PEC on property described in the attached legal description be **APPROVED**.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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Waivers #1 & #2

On a motion by Commissioner White, seconded by Commissioner Butler, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, The waiver request will only affect the CSX property because CSX is the only adjacent property owner. The CSX property is not occupied; therefore, the requested waiver will have no adverse effect on any adjacent property owners.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed waiver will not violate the Comprehensive Plan Specific Goals, Objectives, Guidelines and Policies of the Comprehensive Plan which support this statement are detailed below

Compatibility Guideline 3. The proposal conforms to Compatibility Guideline 3 and Policies 3.21 and 3.22. The CSX property – an active railroad line -- will continue to be a more intense use than the low-intensity PEC industrial use proposed by the Applicant on this site. The reduced landscaping proposed is an appropriate transition to the CSX site. Moreover, Policy 3.22 provides that buffers “should be variable in design.” This Policy should allow for a reduced buffer when a lower intensity industrial use is adjacent to a higher intensity (and unoccupied) railroad line. The reduced buffer will adequately accommodate the utility easement.

Landscape Character Guideline 13. The proposed waiver conforms to Landscape Character Guideline 13 and all Policies adopted thereunder, including Policies 13.2 and 13.6. Landscaping will be native species as required by the Land Development Code. Policy 13.6 recommends screening and buffering to mitigate adjacent incompatible uses. Because the adjacent use is a CSX railroad line, only minimal landscaping should be required.

WHEREAS, the Louisville Metro Planning Commission further finds, The requested waiver is the minimum necessary to afford relief to the Applicant because this waiver request, if granted, will only apply to the area of the site adjacent to CSX.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and the applicant’s justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now therefore be it,

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RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the proposed waivers from Chapter 10.2.4 to reduce the 50' LBA to 15' and to permit the encroachment of a proposed driving lane.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one

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Waiver #3

On a motion by Commissioner White, seconded by Commissioner Butler, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, The waiver will allow the construction of a sidewalk from the proposed building to the the Collins Lane sidewalk which connects the development to the greater pedestrian network. A sidewalk at this location will have no impact on any property owners in the vicinity, whether they are abutting or nearby neighbors.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed waiver will allow the construction of public sidewalks along the frontage of the site. This waiver request will not violate the Comprehensive Plan; it will promote applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan, as follows:

Bicycle, Pedestrian and Transit Guideline 9. The proposed waiver conforms to Site Design Standards for Alternative Transportation Modes Goals I1, I2, I3, I4, and I5, Objectives I2.1, I3.1, and I4.1, and Bicycle, Pedestrian and Transit Guideline 9 and all applicable Policies adopted thereunder, including Policy 9.1, which encourage development to provide sidewalks along the streets of the development where appropriate.

WHEREAS, the Louisville Metro Planning Commission further finds, The requested waiver is the minimum necessary to afford relief to the Applicant because the request would enable the sidewalk only as shown on the development plan. This is a minimal waiver request which will benefit all who walk this area of Collins Lane.

WHEREAS, the Louisville Metro Planning Commission further finds, The strict application of the provisions of the regulation would deprive the Applicant of the reasonable use of the land because both the Comprehensive Plan and the Land Development Code foster the provision of public sidewalks by development. The provision of this sidewalk is, therefore, a reasonable use of the land.

WHEREAS, The Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and the applicant's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the proposed waiver from Chapter 10.2.4 to reduce the 50' LBA to 15' along the east

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property line, reduce the tree equipment, and permit the overlap of an easement into the LBA by more than 50%.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one

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Development Plan and Binding Elements

On a motion by Commissioner White, seconded by Commissioner Butler, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, there are no evident natural features on the site.

WHEREAS, the Louisville Metro Planning Commission further finds, Sidewalks are being provided along the sites frontage as well as a pedestrian connection to the office portion of the building. Employee and visitor parking is located separate from the truck maneuvering portion of the site.

WHEREAS, the Louisville Metro Planning Commission further finds, Open space for the site is provided within the buffers and proposed detention basin.

WHEREAS, the Louisville Metro Planning Commission further finds, MSD has preliminarily approved the proposal.

WHEREAS, the Louisville Metro Planning Commission further finds, the site is compatible with the adjacent sites due to the projected future non-residential development of the lot to the north.

WHEREAS, the Louisville Metro Planning Commission further finds, the proposal is in compliance with the Comprehensive Plan guidelines and requirements of the LDC.

WHEREAS, The Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and the applicant's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **SUBJECT** to the following Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

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2. The development shall not exceed 14,200 square feet of gross floor area.
3. No pennants, balloons, or banners shall be permitted on the site.
4. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
5. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
6. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.
8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

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9. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the October 30, 2014 Planning Commission meeting.

10. No idling of trucks outside the building shall take place within 200 feet of single-family residences. No overnight idling of trucks outside the building shall be permitted on-site.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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CASE NO. 14ZONE1009

Request: Change in Zoning from R-4 to C-2 with a waiver and variance.

Project Name: Thompson Brothers Plumbing

Location: 436 Roberts Avenue

Owner: Larry Thompson and Jacob Thompson
436 Roberts Avenue
Louisville, KY 40214

Applicant: Same as above

Representative: John Miller
1387 S. Fourth Street
Louisville, KY 40208

Jurisdiction: Louisville Metro

Council District: 13-Vicki Aubrey Welch

Staff Case Manager: Julia Williams, AICP, Planner II

A notice was posted on the property, and 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.)

Agency Testimony:

00:37:07 Julia Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

John Miller, 1387 S. Fourth Street, Louisville, KY 40208

Summary of testimony of those in favor:

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00:46:24 Mr. Miller had a power point presentation and explained to the Commissioners what the proposed development would be used for. He stated there were two buildings, one is being utilized as an office and operates as a call center; the other building is being used to store equipment and they would like to add onto that building which is the reason for the variance request.

Deliberation

00:53:18 All Commissioners agreed with the proposed use of this development and had no concerns.

An audio/visual recording of the Planning Commission hearing 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.

Zoning Change from R-4 to C-2

On a motion by Commissioner White, seconded by Commissioner Butler, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, The Traditional Neighborhood Form District is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. The higher density uses are encouraged to be located in centers or near parks and open spaces having sufficient carrying capacity. There is usually a significant range of housing opportunities, including multi-family dwellings.

WHEREAS, the Louisville Metro Planning Commission further finds, Traditional neighborhoods often have and are encouraged to have a significant proportion of public open space such as parks or greenways, and may contain civic uses as well as appropriately located and integrated neighborhood centers with a mixture of mostly neighborhood-serving land uses such as offices, shops, restaurants and services. Although many existing traditional neighborhoods are fifty to one hundred twenty years old, it is hoped that the Traditional Neighborhood Form will be revitalized under the new Comprehensive Plan. Revitalization and reinforcement of the Traditional Neighborhood Form will require particular emphasis on (a) preservation and renovation of existing buildings in stable neighborhoods (if the building design is consistent with the

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predominant building design in those neighborhoods), (b) the preservation of the existing grid pattern of streets and alleys, (c) preservation of public open spaces.

WHEREAS, the Louisville Metro Planning Commission further finds, Staff finds that the proposal will not change the existing pattern of streets. The proposal is located in an area between moderate industrial and high intensity commercial with some residential throughout. Some of the residential is vacant. C-2 permits the C-1 neighborhood serving uses as well as the more regional oriented C-2 uses.

The proposal does not change the public open space. The proposal is not for residential although it is permitted within the proposal zoning district. The proposal preserves the existing buildings on the site. There is a mix of building design in the area. The proposal will not create a new center but will be a part of an existing mixed use corridor. The proposal is for the continued use of existing and proposed buildings for commercial. The proposal is located in a mixed use area with commercial, industrial and residential located along Roberts Avenue. Because the site is located adjacent to many different and more intense zoning types that indicates there is sufficient population to support the use. The proposal is located in an area between moderate industrial and high intensity commercial with some residential throughout. Some of the residential is vacant. Due to the location between an industrial center and commercial center the infrastructure is available to support the use. Due to the adjacent properties being residentially zoned no shared utilities are proposed.

The proposal supports access by all types of transportation. The building materials are consistent with the other building materials on the site and in the area. The proposal is a nonresidential expansion into an existing residential area that has non-residential uses at the entrance and terminus of Roberts Avenue. Many of the residential lots are vacant.

WHEREAS, the Louisville Metro Planning Commission further finds, The landscape buffers are being reduced but the screening and planting requirements will still be met. The setbacks are not consistent with the traditional form. The preservation of the existing home on the site is in keeping with the residential/industrial nature of Roberts Avenue. The character of the roadway is mixed setbacks or residential looking structures with metal buildings in the rear. The proposal fits the character. Parking is located on site and interior to the site where it will not impact the adjacent residential.

The parking areas will be screened from the adjacent residential.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposal is for one use. The proposal does not share facilities with the adjacent uses as they are residentially zoned. All parking is located on the site. The proposal is for high intensity

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zoning not located along a transit corridor but is located in between an industrial center and a commercial center.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative body of the Louisville Metro Government that the requested Change in zoning from R-4 to C-2 property described in the attached legal description be **APPROVED**.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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Variance

On a motion by Commissioner White, seconded by Commissioner Butler, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, The variance will not affect the public as the proposed building is located at the rear of the property and will be used as a shop.

WHEREAS, the Louisville Metro Planning Commission further finds, The building being located behind the residential looking structure will maintain the residential/industrial character of the area.

WHEREAS, the Louisville Metro Planning Commission further finds, The variance will not affect the public as the building is located behind the office structure in the front of the site.

WHEREAS, the Louisville Metro Planning Commission further finds, The variance is not unreasonable as the structure acts as an accessory structure even though it is larger than the main office structure in the front of the site.

WHEREAS, the Louisville Metro Planning Commission further finds, Metal storage structures are not generally located on residentially zoned lots and the proposal to build a new shop structure is only reflective of the existing storage structure.

WHEREAS, the Louisville Metro Planning Commission further finds, The strict application would deprive the applicant of reasonable use of the land because the area is changing with a mix of non-residential uses occupying lots along the roadway. Industrial uses are already located in the vicinity.

WHEREAS, the Louisville Metro Planning Commission further finds, The applicant has had the plumbing business on the site for some time but wishes to expand, causing the site to have to comply with the current zoning regulations.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Variance from 5.1.8.b to exceed the maximum setback.

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The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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Waiver

On a motion by Commissioner White, seconded by Commissioner Butler, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, The waivers will not affect adjacent property owners because the screening and buffering requirements will still be met in the buffers.

WHEREAS, the Louisville Metro Planning Commission further finds, The landscape buffers are being reduced but the screening and planting requirements will still be met making the site compatible with the surrounding properties.

WHEREAS, the Louisville Metro Planning Commission further finds, The waiver is the minimum to give relief to the applicant because much of the site is an existing condition due to the existing residential character of the lot but also with the existing contractors shop.

WHEREAS, the Louisville Metro Planning Commission further finds, The strict application would deprive the applicant of reasonable use of the land because the area is changing with a mix of non-residential uses occupying lots along the roadway. Industrial uses are already located in the vicinity.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Waiver from Chapter 10.2.4 to permit the encroachment of existing structures into the required 15' LBA.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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CASE NO. 14ZONE1009

Development Plan and Binding Elements

On a motion by Commissioner White, seconded by Commissioner Butler, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, There are no natural features evident on the site.

WHEREAS, the Louisville Metro Planning Commission further finds, Vehicles and pedestrians are provided for on the site. A sidewalk is being provided along the frontage with a sidewalk to the existing building.

WHEREAS, the Louisville Metro Planning Commission further finds, The open space provided on the site is in the form of the buffers provided as well as the front yard.

WHEREAS, the Louisville Metro Planning Commission further finds, MSD has preliminarily approved the proposal.

WHEREAS, the Louisville Metro Planning Commission further finds, The site design is compatible with the adjacent residential and mixed use character of the area.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposal complies with the guidelines of the Comprehensive Plan and requirements of the LDC.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **SUBJECT** to the following Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

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2. The residential character of the existing 1-story frame office structure shall be maintained. Changes to the following items shall not be made without prior approval of the Planning Commission's designee:

- a) roof line
- b) building material
- c) porch
- d) windows

3. The development shall not exceed 2,936 square feet of gross floor area.

4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.

5. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.

6. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:

a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.

b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.

7. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

8. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.

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9. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

10. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the October 30, 2014 Planning Commission meeting.

11. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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PUBLIC HEARING

CASE NO. 14ZONE1033

Request: Change in zoning from R-4 to OR-1

Project Name: MTC Office

Location: 4906 Outer Loop

Owner: Jerry Luhr and Norma Jenkins
4906 Outer Loop
Louisville, KY 40219

Applicant: MTC Holdings, LLC
11116 Radleigh Lane
Louisville, KY 40291

Representative: Cardinal Planning & Design, Inc.
9009 Preston Hwy, Suite 2
Louisville, KY 40219

Jurisdiction: Louisville Metro

Council District: 24-Madonna Flood

Staff Case Manager: Julia Williams, AICP, Planner II

Notice of this public hearing appeared in **The Courier Journal**, a notice was posted on the property, and 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.)

Agency Testimony:

00:58:22 Julia Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Kathy Matheny, 9009 Preston Highway, Louisville, KY 40219

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Summary of testimony of those in favor:

01:05:19 Ms. Matheny showed a power point presentation. She explained that the garage near the property would be removed. She also explained the sign which is conceptual so it would not be built, then showed slides of why they are requesting waivers.

01:09:03 Before going into business session, John Carroll asked Julia about the waivers and why the slide showed 4 waivers being requested and the staff report was only showing 3 waivers being requested.

Julia explained to Mr. Carroll that she combined the southside waivers because they met all requirements and there wasn't a need to ask for two.

Deliberation

01:09:38 The Planning Commissioners had no concerns with this development.

An audio/visual recording of the Planning Commission hearing 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.

Zoning Change from R-4 to OR-1

On a motion by Commissioner White, seconded by Commissioner Turner, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds,
The proposal requests a rezoning for an existing residence which is being converted to an office. This type of conversion of houses to office uses is customary along this section of Outer Loop, a major arterial road. The entire 8 block stretch from Preston Highway to Robbs Lane has undergone this type of transformation since the 1970's. Outer Loop has gone from a two lane road to a busy five lane corridor. On the south side of Outer Loop, homes have been either converted to offices or have been removed and had new offices or commercial uses constructed. The area is a mixture of office and commercial uses with a few residential uses. This is the last parcel zone R-4 in this area facing Outer Loop. The area would be classified as an activity center and had good transit access in compliance with Guideline 2. The area is developed with a new large retail site going in across the road. The alterations to the buildings are consistent with

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the area and as necessary to accommodate an office use including space, handicap access and parking. All existing utilities are present and no new infrastructure needs are required. Therefore, the site is appropriate for the use making the requested zoning designation appropriate under Guideline 2, Policies 2, 7, 9, 14, 15, & 16.

WHEREAS, the Louisville Metro Planning Commission further finds, This proposal complies with the intent and the policies of Guideline 3 for all the location reasons set forth above and below and because this is an existing home and a proposed business use which is compatible with the neighboring uses. The proposal uses an existing structure with minor modifications and an addition to the rear. A similar home has been converted to a business use next door. The other neighbor is a Speedway which is oriented with its rear facing this house. The only residences are to the rear. The access to the site is off Outer Loop adjacent to a Regional Center. The requested rezoning designation is compatible because this is an existing structure and the addition in rear is of appropriate size and shape for the area. The surrounding uses are of equal or higher intensity. No outdoor lighting or outside activities will occur on the site. The office will operated during normal business hours and not be a nuisance in the evenings.

Landscaping is proposed in the rear of the site. Landscape waivers are requested because existing conditions and space limitations which make total compliance impossible. The only residential use is to the rear and it is being buffered by a 20 foot LBA with 5 trees and a new 8 foot privacy fence. Waivers are requested to the west because despite being required by the LDC in Chapter 10.2.3, buffering of the rear brick wall of an existing Speedway with an existing 6 foot privacy fence is not needed. Further, there is a request for a **new** sewer and drainage easement to “legitimize” an **existing** 18 inch drainage pipe about 3 feet underground ground in this exact area. This pipe drains storm run-off from subdivision behind. It is not clear why the drainage pipe is not currently in an easement. However, it is the exact area of the required LBA and planting trees here is not ideal with this needed function. The proposed parking lot will connect into this pipe for its drainage needs.

The use is compatible with the area in size, scale and use. For these reasons, the proposal is consistent with Guideline 3, Policies 1, 2, 4, 6, 7, 8, 9, 20 and 23.

WHEREAS, the Louisville Metro Planning Commission further finds, The provided Open Space which is primary in the front yard is consistent with the area and with a small lot of this type.

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WHEREAS, the Louisville Metro Planning Commission further finds, This proposal complies with the intent and the policies of Guideline 5, Policy 2 because there are no historic features in the area. There are no other special districts or soil and slope issues facing this proposal.

WHEREAS, the Louisville Metro Planning Commission further finds, This proposal promotes and is consistent with the policies of Guideline 6, Policy 6 because the project is locating retail or in this case an office use in an area where traffic and other activities already occur.

WHEREAS, the Louisville Metro Planning Commission further finds, This proposal complies with the intent and the policies of Guideline 7, Policy 10 because its site plan provides adequate parking and connections. The site is also served by a TARC stop within 200 feet, thus encouraging the use of mass transit reducing vehicular miles traveled by residents. Sidewalks are available in this area.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposal complies with the intent and the policies of Guidelines 8 and 9 because the site's parking meets the LDC requirements. The proposal does not impact any environmentally sensitive areas, scenic corridors or streetscape issues.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposal complies with the intent and the policies of Guidelines 10 and 11 because it uses an existing structure so land disturbance is minimized. The only new construction is the addition of a 900 square foot addition and a parking area. Appropriate construction practices will be employed in constructing the building to protect water quality by the use of effective sediment and erosion practices in accordance with applicable regulations and best management practices. Further, no portion of the property to be developed is designated as floodplain or a blue line stream.

WHEREAS, the Louisville Metro Planning Commission further finds The proposal complies with the intent and the policies of Guideline 12 because this type of infill project will work to decrease vehicular miles traveled between home and trips to neighboring businesses.

WHEREAS, the Louisville Metro Planning Commission further finds, The intent of this guideline is to protect and enhance landscape character. The proposed plan maintains the existing residential look of the area, landscaping pattern in the area and is compatible with the pattern of the block.

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WHEREAS, the Louisville Metro Planning Commission further finds, The proposal complies with the intent and the policies of Guideline 14 because all necessary utilities are available nearby and will be connected via existing facilities.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative body of Louisville Metro Government that the requested Change in zoning from R-4 to OR-1 on property described in the attached legal description be **APPROVED**.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown, and Peterson.

ABSTAINING: No one.

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Waiver #1

On a motion by Commissioner White, seconded by Commissioner Turner, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, The waiver will not affect adjacent property owners because the planting and screening requirements will still be met.

WHEREAS, the Louisville Metro Planning Commission further finds, The waiver will not violate the Comprehensive Plan because the planting and buffering requirements will still be met.

WHEREAS, the Louisville Metro Planning Commission further finds, 5 Feet of the parking is encroaching into the buffer, the applicant would not be able to fully mee the parking requirements without the waiver.

WHEREAS, the Louisville Metro Planning Commission further finds, The strict application would deprive the applicant of use of the land because the applicant would not be able to meet the parking requirements with the waiver. The planting and screening requirements still being able to be met overcomes the 5' loss of buffer.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the proposed waiver from Chapter 10.2.4 to reduce the LBA along the south property line from 25' to 20'.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown, and Peterson.

ABSTAINING: No one.

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Waiver #2

On a motion by Commissioner White, seconded by Commissioner Turner, the following resolution was adopted

WHEREAS, the Louisville Metro Planning Commission finds, The waiver will not affect adjacent properties because the property line affected is shared with another non-residential use. The C-1 use should have provided the buffer already but that did not occur for reasons unknown.

WHEREAS, the Louisville Metro Planning Commission further finds, While buffers are required between office and commercial zones because office zones are also residential zones, non-residential uses located next to each other are no incompatible. Usually the higher intense use provides the buffer.

WHEREAS, the Louisville Metro Planning Commission further finds, The waiver is necessary so that the applicant can meet the parking but also because the site is located adjacent to another non-residential site.

WHEREAS, the Louisville Metro Planning Commission further finds, The strict application is an unnecessary hardship as the more intense use would typically provide the buffer and in this case a buffer between non-residential uses does not affect the sites compatibility with each other.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Waiver from Chapter 10.2.4 to eliminate the required buffer and planting/screening requirements along the west property line.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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Waiver #3

On a motion by Commissioner White, seconded by Commissioner Turner, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, Adjacent property owners will not be affected because the encroachment into the parkway buffer is an existing condition.

WHEREAS, the Louisville Metro Planning Commission further finds, The Comprehensive Plan will not be violated because the condition of the encroachment is existing and the planting requirements can still be met within the buffer.

WHEREAS, the Louisville Metro Planning Commission further finds, Removal of the existing structure to meet the requirement would be an unnecessary cost to the applicant.

WHEREAS, the Louisville Metro Planning Commission further finds, Removal of the existing structure to meet the requirement would be an unnecessary cost to the applicant.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Waiver from Chapter 10.4 to permit encroachments into the parkway buffer along Outer Loop.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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Development Plan and Binding Elements

On a motion by Commissioner White, seconded by Commissioner Turner, the following resolution was adopted.

WHEREAS, the Louisville Metro Planning Commission finds, Natural features are not evident on the site.

WHEREAS, the Louisville Metro Planning Commission further finds, There is one vehicle entrance off of Outer Loop and a sidewalk to address pedestrians and transit users.

WHEREAS, the Louisville Metro Planning Commission further finds, The open space for the site is mainly along the front of the site, which is similar to the other office uses and zoning in the area.

WHEREAS, the Louisville Metro Planning Commission further finds, MSD has preliminarily approved the proposal.

WHEREAS, the Louisville Metro Planning Commission further finds, The site design with parking located behind the structure is consistent with other office uses along the Outer Loop corridor.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposal meets the guidelines of the Comprehensive Plan and LDC.

WHEREAS, the Louisville Metro Planning Commission further finds that, based on the evidence and testimony presented, the staff report, and staff's justification and findings of fact that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **SUBJECT** to the following Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

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2. The development shall not exceed 2,025 square feet of gross floor area.
3. No small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
5. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to obtaining any permits. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
6. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system permitted on the site.
8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and

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other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

9. The property owner shall provide a cross over access easement if the adjacent properties to the ever develop for a nonresidential use or redevelop. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.

10. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the October 30, 2014 Planning Commission meeting.

The vote was as follows:

YES: Commissioners Blake, Kirchdorfer, Turner, Tomes, Butler, Jarboe and White.

NO: No one.

NOT PRESENT AND NOT VOTING: Commissioners Proffitt, Brown and Peterson.

ABSTAINING: No one.

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STANDING COMMITTEE REPORTS

Land Development and Transportation Committee

No report given.

Site Inspection Committee

No report given.

Planning Committee

No report given.

Development Review Committee

No report given.

Policy and Procedures Committee

No report given

CHAIRPERSON/DIRECTOR'S REPORT

No report given

ADJOURNMENT

The meeting adjourned at approximately 2:14 p.m.

Chair

Planning Director