

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

April 13, 2017

New Business

CASE NO. 16ZONE1087

Request: Change in zoning from R-7 to C-2 with
Variances on approximately 0.75 acres

Project Name: BMW of Louisville

Location: 100 & 102 Marshall Drive

Owner: TT of B Louisville Property LLC

Applicant: TT of B Louisville Property LLC

Representative: BTM Engineering
Bardenwerper Talbott & Roberts PLLC

Jurisdiction: Louisville Metro

Council District: 7 – Angela Leet

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 the Customer Service staff to view the recording or to obtain a copy.

Agency Testimony:

01:33:31 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.)

01:36:29 She added that she had received an e-mail from the Mayor of Beechwood Village, and handed out copies of the e-mail to the Commissioners.

The following spoke in favor of the request:

William Bardenwerper, Bardenwerper Talbott & Roberts PLLC, 1000 North Hurstborne Parkway, Louisville, KY 40223

John Addington, BTM Engineering, 3001 Taylor Springs Drive, Louisville, KY 40220

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Summary of testimony of those in favor:

01:37:05 William Bardenwerper, the applicant's representative, presented the applicant's case and showed a Power Point presentation (See recording for detailed presentation.) He added that some concerns had been expressed at neighborhood meetings regarding the test-driving of vehicles. Mr. Bardenwerper said an agreement/binding elements will be worked out with Beechwood Village.

01:43:54 John Addington, BTM Engineering, discussed the plans for landscaping and other elements of the site.

01:46:43 Mr. Bardenwerper discussed binding element/s for enhanced landscaping, use restrictions, and drainage issues. He said the final landscape plan will be similar to the landscape plan produced at the public hearing; discussions are still underway with Beechwood Village. He discussed drainage in more detail.

The following spoke neither for nor against:

Brandon Jagger, 4516 Cordova Road, Louisville, KY 40207

Kelly Carls, 206 Marshall Drive, Louisville, KY 40207

Summary of testimony of those neither for nor against ("Other"):

01:51:02 Brandon Jagers, the Mayor of Beechwood Village, showed a Power Point presentation (see recording for detailed presentation.) Issues included the detention basin, drainage and water runoff, traffic impact, noise, parking, the size of the existing site and how deeply it runs into a residential neighborhood, removal of mature shade trees and heat island impact, enforcement of binding elements, privacy (fencing and wall design), light pollution, and overall residential safety. He expressed concern about how many parking spots are already allotted on the site – why do they need more? He also asked if blasting will be used for the underground detention basin. He said there is concern about what could happen if the dealership closes, and what other uses could then go on that site. He requested environmental and traffic impact studies be performed.

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02:16:17 (NOTE: Persons in opposition spoke after Mr. Jagers and before Mr. Carls.) Kelly Carls, member of the Beechwood Village Council, expressed concerns about setting precedents, particularly along Shelbyville Road where commercial meets residential.

The following spoke in opposition to the request:

Phyllis Skonicki, 110 Marshall Drive, Louisville, KY 40207

Joan Hale, 315 Ring Road, Louisville, KY 40207

Summary of testimony of those in opposition:

02:08:53 Phyllis Skonicki lives adjacent to the site. Her concerns include: the destruction of shade trees, loss of greenspace, air and light pollution, lack of screening, and the impact of all of these directly on her home. She said the proposal does not maintain the integrity of Beechwood Village.

02:12:11 Joan Hale spoke in opposition. She said she is especially concerned about the tree canopy loss; density, traffic, and pedestrian safety. She said she has already lost two trees due to MSD's work in Beechwood Village.

Rebuttal

02:19:15 Mr. Bardenwerper said the applicant will continue working with Beechwood Village. He said the applicant has already spoken with residents regarding lighting, air quality, noise, and all of the other issues. He said a June 1, 2017 public hearing date would give the applicant more time to work with residents. In response to a question from Commissioner Lewis, Mr. Bardenwerper said the neighborhood meetings were well attended.

02:21:44 In response to a question from Commissioner Carlson, Mr. Bardenwerper said the applicant would provide more details about the privacy wall (a cross section of the wall, building materials, etc.) Commissioner Carlson also requested a detailed landscape plan. Mr. Bardenwerper further discussed the drainage issues.

02:23:29 Commissioner Carlson asked if Beechwood Village had a City engineer, and if any discussions had taken place between City engineer,

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landscape planner, and MSD. Mr. Jagers discussed the issue, particularly regarding the City's conversations with MSD. Mr. Bardenwerper said they could meet together with all parties. Mr. Jagers requested on-site meetings with staff and the applicant.

02:26:25 The Committee by general consensus scheduled this case to be heard at the June 1, 2017 Planning Commission public hearing. THE APPLICANT REQUESTED SOME EXTRA TIME AT THE HEARING FOR THIS CASE.