

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

**August 22, 2019**

**New Business**

**Case No. 19ZONE1041**

**Request:** Change in zoning from C-1 to C-2, with Conditional Use Permit and Revised Detailed District Development Plan with binding elements

**Project Name:** Lyneve Drive Storage Units  
**Location:** 9202 R Lyneve Drive  
**Owner:** Marshall Enterprises Inc.  
**Applicant:** Marshall Enterprises Inc.  
**Representative:** Dinsmore & Shohl  
**Jurisdiction:** Louisville Metro  
**Council District:** 25 – David Yates

**Case Manager:** Dante St. Germain, 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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

01:29:37 Dante St. Germain presented the case (see staff report and recording for detailed presentation.)

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

Cliff Ashburner, Dismore & Shohl, 101 South 5<sup>th</sup> Street Suite 2500, Louisville, KY 40202

Brandy Zackery, 1136 South Park Drive, Bowling Green, KY 42103 (available to answer questions)

John Fox, 1015 Cumberland Ridge Way, Bowling Green, KY 42103 (available to answer questions)



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

01:31:56 Cliff Ashburner, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

01:36:51 Commissioner Brown asked if the two-story building (shown on the right of the plan) might require relief from the height restrictions. Mr. Ashburner said yes, and he/the applicant will correct the application to make that request.

01:37:36 Commissioner Carlson asked about the north and east elevations. He said the north side wall looks "blank" – will there be any animating features? Mr. Ashburner said this will be addressed at the public hearing.

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

No one spoke.

**The following spoke neither for nor against the request (Other):**

Myles Stevenson, 9310 Dawn Wind Road, Louisville, KY 40272

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

01:39:19 Myles Stevenson said he owns the adjoining property to the north. He asked if existing binding element #10 should remain, instead of being stricken. The existing binding element reads as follows:

The property owner shall provide a cross over access easement if the property to the north is ever developed for a nonresidential use. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.

This would provide his property's access to Stonestreet Road in the event of an easement agreement.

01:40:26 Mr. Ashburner said the applicant has discussed the access issue with Mr. Stevenson. He said the previous binding element indicated that the access would be given if he ever developed his property commercially. To date, no application has been filed for such commercial development, and while the



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applicant is willing to continue that discussion, the applicant would still like that binding element be stricken. Mr. Ashburner said the applicant is willing to talk about it at the public hearing.

01:40:55      Commissioner Brown asked if there was a note on the plan that is comparable to the binding element. It talks about area for 30-foot access if there is non-residential development on the abutting property. Mr. Ashburner said the applicant would provide that 30-foot access at that location.

01:41:40      Commissioner Lewis said this issue will be addressed at the public hearing.

01:41:49      Commissioners' 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.**

The Committee by general consensus scheduled this case to be heard at the **September 19, 2019** Planning Commission public hearing.