

MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

June 23, 2016

A meeting of the Land Development and Transportation Committee was held on Thursday, June 23, 2016, at 1:00 PM in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

Committee Members present:

Vince Jarboe, Chair
Jeff Brown
Marilyn Lewis

Committee Members absent:

Donnie Blake, Vice Chair
Clifford Turner

Staff Members present:

Emily Liu, Director
Joe Reverman, Assistant Director
Brian Davis, Planning Manager
John Carroll, Legal Counsel
Jon Crumbie, Planning and Design Coordinator
Julia Williams, Planner II
Beth Jones, Planner II
Joel Dock, Planner I
Tammy Markert, Transportation Planning
Kristen Loeser, Management Assistant

The following matters were considered:

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APPROVAL OF MINUTES

Approval of the June 9, 2016 LD&T Committee Meeting Minutes

00:03:28 On a motion by Committee Member Lewis, seconded by Committee Member Lewis, the following resolution was adopted:

RESOLVED, that the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on June 09, 2016.

The vote was as follows:

YES: Brown, Lewis, and Jarboe

ABSENT: Blake and Turner

NO: None

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
June 23, 2016

NEW BUSINESS

CASE NUMBER 16DEVPLAN1089

Project Name:	Google Fiber
Location:	3000 Frankfort Avenue
Owners:	Louisville Water Company
Applicant:	BHC Rhodes
Representative(s):	Patrick Joyce
Project Area/Size:	0.03 Acres
Existing Zoning District:	R-5, Residential Single Family
Existing Form District:	C, Campus
Jurisdiction:	Louisville Metro
Council District:	9 – Bill Hollander
Case Manager:	Jon Crumbie, Planning & Design Coordinator

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:

00:04:10 Jon Crumbie presented the case and referred to a PowerPoint presentation (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Lewis Roberts Jr., 312 S 4th Street, Louisville, KY 40202
Patrick Joyce, 7101 College Blvd, Overland Park, KS 66210

Summary of those in favor:

00:08:03 Lewis Roberts spoke on behalf of the applicant and explained what the hut is and how it will work. Notification was sent out to all affected residents explaining to them what would take place on the site (see staff report and recording for detailed presentation).

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1089

00:10:42 Patrick Joyce also spoke on behalf of the applicant and stated that the shrubbery used for screening would reach the height of the building.

00:11:20 Mr. Roberts stated the 24 hour access is necessary for maintenance only (see staff report and recording for detailed presentation).

00:12:15 Committee Members' deliberation

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

RESOLVED, that the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** Case Number 16DEVPLAN1089 for Community Facility Review based on the staff report and testimony heard today.

The vote was as follows:

YES: Brown, Lewis, and Jarboe
ABSENT: Blake and Turner
NO: None

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
June 23, 2016

NEW BUSINESS

CASE NUMBER 16DEVPLAN1092

Project Name:	Google Fiber
Location:	1000 Amphitheater Road
Owners:	Louisville Metro Government
Applicant:	BHC Rhodes
Representative(s):	Patrick Joyce
Project Area/Size:	0.03 Acres
Existing Zoning District:	R-5, Residential Single Family
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	15 – Marianne Butler
Case Manager:	Jon Crumbie, Planning & Design Coordinator

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:

00:13:54 Jon Crumbie presented the case and referred to a PowerPoint presentation (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Patrick Joyce, 7101 College Blvd, Overland Park, KS 66210

Summary of those in favor:

00:16:50 Patrick Joyce spoke on behalf of the applicant and explained how the construction crew will access the site and what equipment would be used. He further explained additional details of construction (see staff report and recording for detailed presentation).

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1092

00:19:56 **Committee Members' deliberation**

00:20:35 On a motion by Committee Member Lewis, seconded by Committee Member Brown, the following resolution was adopted:

RESOLVED, that the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** Case Number 16DEVPLAN1092 for Community Facility Review based on the staff report and testimony heard today.

The vote was as follows:

YES: Brown, Lewis, and Jarboe

ABSENT: Blake and Turner

NO: None

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1093

Project Name:	Google Fiber
Location:	8703 Ferndale Road
Owners:	Louisville Metro Government
Applicant:	BHC Rhodes
Representative(s):	Patrick Joyce
Project Area/Size:	0.03 Acres
Existing Zoning District:	R-4, Residential Single Family
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	22 – Robin Engel
Case Manager:	Jon Crumbie, Planning & Design Coordinator

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:

00:21:22 Jon Crumbie presented the case and referred to a PowerPoint presentation (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Lewis Roberts Jr., 312 S 4th Street, Louisville, KY 40202
Patrick Joyce, 7101 College Blvd, Overland Park, KS 66210

Summary of those in favor:

00:23:44 Lewis Roberts spoke on behalf of the applicant and explained the details of the Google Fiber service. He stated that the service will be made available to 40,000 residents per hut and small businesses (see staff report and recording for detailed presentation).

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1093

00:26:18 Patrick Joyce also spoke on behalf of the applicant and stated the screening requirements are the same for this project as the others discussed today (see staff report and recording for detailed presentation).

00:27:08 Committee Members' deliberation

00:27:18 On a motion by Committee Member Lewis, seconded by Committee Member Brown, the following resolution was adopted:

RESOLVED, that the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** Case Number 16DEVPLAN1093 for Community Facility Review based on the staff report and testimony heard today.

The vote was as follows:

YES: Brown, Lewis, and Jarboe

ABSENT: Blake and Turner

NO: None

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1094

Project Name:	Google Fiber
Location:	8346 Dixie Highway
Owners:	Louisville Metro Government
Applicant:	BHC Rhodes
Representative(s):	Patrick Joyce
Project Area/Size:	0.03 Acres
Existing Zoning District:	R-4, Residential Single Family
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	14 – Cindi Fowler
Case Manager:	Jon Crumbie, Planning & Design Coordinator

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:

00:28 :03 Jon Crumbie presented the case and referred to a PowerPoint presentation (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Patrick Joyce, 7101 College Blvd, Overland Park, KS 66210

Summary of those in favor:

00:29:53 Patrick Joyce spoke on behalf of the applicant and provided the details of the screening that is planned for this project (see staff report and recording for detailed presentation).

00:30:28 **Committee Members' deliberation**

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1094

00:31:10 On a motion by Committee Member Lewis, seconded by Committee Member Brown, the following resolution was adopted:

RESOLVED, that the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** Case Number 16DEVPLAN1094 for Community Facility Review based on the staff report and testimony heard today.

The vote was as follows:

YES: Brown, Lewis, and Jarboe

ABSENT: Blake and Turner

NO: None

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NEW BUSINESS

CASE NUMBER 16SUBDIV1004

Project Name:	Brookfield, Section 8
Location:	501 Johnson Road
Owners:	Statewide Corporation
Applicant:	Pulte Homes of Ohio, LLC – Stephen Peck
Representative(s):	Sabak, Wilson, & Lingo, Inc. – Gayle Croghan
Project Area/Size:	7.6 Acres
Existing Zoning District:	R-4, Single-Family Residential
Existing Form District:	N, Neighborhood
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
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. 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:

00:34:02 Joel Dock presented the case and referred to the site plan. Joel presented an email to the Committee Members sent by concerned neighbor, Greg Nickels (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Kelli Jones, 608 S 3rd Street, Louisville, KY 40202

Summary of those in favor:

00:40:16 Kelli Jones spoke on behalf of the applicant and referred to a PowerPoint presentation (see staff report and recording for detailed presentation).

00:46:44 Mr. Dock addressed Chairman Jarboe's concerns regarding the letter received from Greg Nickels. He stated that the Eastwood Neighborhood

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NEW BUSINESS

CASE NUMBER 16SUBDIV1004

Plan simply “promotes careful building materials selection”, but does not mention vinyl specifically (see staff report and recording for detailed presentation).

00:48:45 Committee Members’ deliberation

00:49:43 On a motion by Committee Member Brown, seconded by Committee Member Lewis, the following resolution was adopted:

RESOLVED, that the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** Case Number 16SUBDIV1004 Major Preliminary Subdivision Plan based on the staff report and testimony heard today.

The vote was as follows:

YES: Brown, Lewis, and Jarboe

ABSENT: Blake and Turner

NO: None

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NEW BUSINESS

CASE NUMBER 16ZONE1014

Request:	Change in zoning from R-4 to CM
Project Name:	River Glen
Location:	500 N. English Station Road
Owner:	C & T Developers LLC
Applicant:	River Glen
Representative:	Land Design and Development; Michael Tigue
Jurisdiction:	City of Middletown
Council District:	19-Julie Denton
Case Manager:	Julia Williams, RLA, AICP, Planner II

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:

00:50:47 Julia Williams presented the case and referred to the site plan (see staff report and recording for detailed presentation).

00:52:50 Tammy Markert advised there is a note on the plan that the signal contribution should not exceed 12% of the cost, but she is unsure if this is stated in the Ordinance from the City of Middletown.

The following spoke in favor of the request:

Michael Tigue, PO Box 729, LaGrange, KY 40031

Summary of those in favor:

00:53:44 Michael Tigue spoke on behalf of the applicant and referred to a PowerPoint presentation. He responded to questions from the Committee

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NEW BUSINESS

CASE NUMBER 16ZONE1014

Members regarding the signal contribution and sidewalk fee-in-lieu (see staff report and recording for detailed presentation).

00:56:46 The Louisville Metro Land Development and Transportation Committee by general consensus **SCHEDULED** Case Number 16ZONE1014 to be heard at the July 21, 2016 Planning Commission Public Hearing.

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NEW BUSINESS

CASE NUMBER 14STREETS1014-1019

Request:	Street Closure
Project Name:	Wilson Quiet Zone
Location:	Wilson/Woodland Avenue Rail Corridor
Owner:	Louisville Metro
Applicant:	Department of Public Works & Assets
Representative:	Department of Public Works & Assets
Jurisdiction:	Louisville Metro
Council District:	1 – Jessica Green 3 – Mary Woolridge
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. 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:

00:57:58 Joel Dock presented the case and responded to questions from the Committee Members (see staff report and recording for detailed presentation).

01:02:42 Committee Member Brown provided further information regarding this case. There have been multiple neighbor meetings regarding this project, and everyone is eager for the project to begin (see staff report and recording for detailed presentation).

01:06:09 The Louisville Metro Land Development and Transportation Committee by general consensus **SCHEDULED** Case Number 14STREETS1014-1019 to be heard at the August 4, 2016 Planning Commission Public Hearing.

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NEW BUSINESS

CASE NUMBER 16SUBDIV1006

Request:	Revised Preliminary Subdivision for 72 lots on 50.91 acres
Project Name:	Dove Point Estates
Location:	3900, 3920, 3950 & 4000 Sweeney Lane
Owner:	Michael Thomas, Mona Thomas et al, and Elaine Henson
Applicant:	Dove Point Estates, LLC
Representative:	Sabak, Wilson & Lingo, Inc.
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
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. 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:

01:06:52 Brian Davis 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:

Kelli Jones, 608 S 3rd Street, Louisville, KY 40202

Summary of those in favor:

01:10:00 Kelli Jones spoke on behalf of the applicant and referred to a PowerPoint presentation (see staff report and recording for detailed presentation).

01:14:34 **Committee Members' deliberation**

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NEW BUSINESS

CASE NUMBER 16SUBDIV1006

01:15:04 On a motion by Committee Member Brown, seconded by Committee Member Lewis, the following resolution was adopted:

RESOLVED, that the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** Case Number 16SUBDIV1006 Revised Preliminary Subdivision Plan for 72 lots on 50.91 acres based on the staff report and testimony heard today.

The vote was as follows:

YES: Brown, Lewis, and Jarboe

ABSENT: Blake and Turner

NO: None

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NEW BUSINESS

CASE NUMBER 16MOD1003

Project Name:	Sutherland Pointe Condition of Approval Amendment
Location:	15905 Aiken Road
Owners:	Sonyjean, Inc. & Indianfields Farm, Inc.
Applicant:	Redwood Acquisitions, LLC
Representative:	Bardenwerper, Talbott & Roberts Mindel Scott & Associates
Jurisdiction:	Louisville Metro
Council District:	19 – Julie Denton
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. 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:

01:15:51 Brian Davis presented the case to the Committee Members (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

William Bardenwerper, 1000 N Hurstbourne Pkwy 2nd Floor, Louisville, KY 40223

Summary of those in favor:

01:18:29 William Bardenwerper spoke on behalf of the applicant and offered to answer any questions from the Committee Members (see staff report and recording for detailed presentation).

01:20:06 Committee Member Brown stated that road improvements will be made regardless of the project being completed (see staff report and recording for detailed presentation).

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NEW BUSINESS

CASE NUMBER 16MOD1003

01:22:51 **Committee Members' deliberation**

01:23:54 On a motion by Committee Member Brown, seconded by Committee Member Lewis, the following resolution was adopted:

WHEREAS, the Louisville Metro Land Development and Transportation Committee finds that changing this particular condition of approval will have no effect on natural resources on or adjacent to the site, and

WHEREAS, the Committee further finds that changing the timing of the improvements will have no bearing on the provisions for safe and efficient vehicular transportation within the development and the community, and

WHEREAS, the Committee further finds that the proposed amendment does not affect open space, and

WHEREAS, the Committee further finds that the proposed amendment does not affect drainage on the site, and

WHEREAS, the Committee further finds that the proposed amendment does not affect the character of the area or the site, and

WHEREAS, the Committee further finds that the proposed condition of approval amendment will not have any affect as to the development plan's conformance to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code; now, therefore be it

RESOLVED, that the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** Case Number 16MOD1003 Amendment to the Condition of Approval #17 to eliminate the last sentence, "Developer shall be limited to 120 building permits until the signalized intersection is operational," based on the staff report and testimony heard today.

The vote was as follows:

YES: Brown, Lewis, and Jarboe

ABSENT: Blake and Turner

NO: None

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1103

Project Name:	UPS Centennial Hub
Location:	8100 Air Commerce Drive
Owner:	United Parcel Service, Inc. & BTOH, LLC.
Representative:	Sabak, Wilson, & Lingo, Inc. – Pat Dominik
Project Area/Size:	128.1 acres
Existing Zoning District:	EZ-1, Enterprise Zoning district
Existing Form District:	SW, Suburban Workplace
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. 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:

01:25:26 Joel Dock presented the case and referred to the site plans (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Pat Dominik, 608 S 3rd Street, Louisville, KY 40202
Darrell Watson, 700 Administration Drive, Louisville, KY 40209
Jim Zimmer, 8100 Air Commerce Drive, Louisville, KY 40219
Tim Martin, 400 W Market Street, Suite 3200, Louisville, KY 40202

Summary of those in favor:

01:35:51 Pat Dominik spoke on behalf of the applicant and referred to a PowerPoint presentation (see staff report and recording for detailed presentation).

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1103

01:47:25 Darrell Watson spoke on behalf of the Louisville Renaissance Zone Corporation to express his support of the project and to reiterate their commitment to constructing the two turn lanes on the Outer Loop (see staff report and recording for detailed presentation).

01:48:43 Jim Zimmer spoke on behalf of the applicant and stated that the much needed initial phase of the building expansion would be about 500,000 square feet.

01:49:35 In response to a question regarding additional traffic concerns caused by the expansion, Mr. Dominik stated that there may be some signal timing issues once the road widening is complete, but he is unsure at this time what the full extent of the traffic impact will be. The dual left turns are supposed to be the remedy for the intersection of Air Commerce Drive and the Outer Loop. A dual right turn has already been constructed (see staff report and recording for detailed presentation).

02:02:21 Committee Members' deliberation

02:03:49 Tim Martin raised concerns about the proposed condition of approval to provide a project update to the Committee on October 13, 2016. John Carroll clarified that this condition simply requires them to report the status of the project as of that date. No additional approval will be needed at that time (see staff report and recording for detailed presentation).

02:06:28 On a motion by Committee Member Brown, seconded by Committee Member Lewis, the following resolution was adopted:

WHEREAS, the Louisville Metro Land Development and Transportation Committee finds that the waiver will not adversely affect adjacent property owners as all adjacent properties are industrial facilities, and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020 as Guideline 4, Policy 2 calls for the Conservation, restoration and protection of vital natural resource systems within a network of greenways and open space that shape the pattern of development by providing open space as a component of new development. The Business Park will provide for restoration and conservation of wetlands and forested

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1103

areas that provide scenic views to employees of industrial facilities through a connected network of sidewalks along public streets, and

WHEREAS, the Committee further finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the outdoor amenity would be restricted to employees only and the fee-in-lieu of providing an outdoor amenity will provide funds to the Louisville Public Space Art Fund, and

WHEREAS, the Committee further finds that the applicant has incorporated other measures that compensate for non-compliance with the requirements to be waived as a fee-in-lieu of providing an outdoor amenity will provide funds to the Louisville Public Space Art Fund and land has been dedicated for the restoration and conservation of natural resources within the Business Park; now, therefore be it

RESOLVED, that the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** (1) the Category 3 Development Plan with the condition that the applicant or representative provides an update on the Traffic Improvement Plan and Impact Study on October 13, 2016—such study and follow up shall not be grounds to withhold building permits from applicable agencies, (2) the alternative landscape plan, (3) the waiver of LDC 5.12.2 to reduce the outdoor amenity area, and (4) the fee-in-lieu of \$28,936.43 to be paid to the Commission on Public Art's Louisville Public Space Art Fund based on the testimony heard today, the staff report, and the applicant's updated waiver justification statement dated June 20, 2016.

The vote was as follows:

YES: Brown, Lewis, and Jarboe

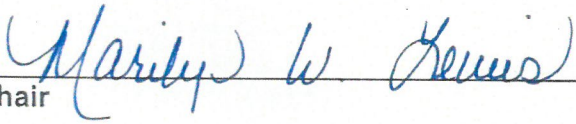
ABSENT: Blake and Turner


NO: None

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ADJOURNMENT

The meeting adjourned at approximately 3:15 p.m.


Chair


Planning Director