

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

March 12, 2015

A meeting of the Land Development and Transportation Committee was held on Thursday, March 12, 2015, at 1:00 PM in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

Committee Members present were:

Donnie Blake, Chair
Jeff Brown
Clifford Turner

Committee Members absent were:

Carrie Butler
Vince Jarboe, Vice-Chair

Staff Members present were:

John Carroll, Legal Counsel
Emily Liu, Director, Planning and Design Services
Brian Davis, Planning & Design Supervisor
John G. Carroll, Legal Counsel
Christopher Brown, Planner II
Julia Williams, AICP, Planner II
David Wagner, Planner II
Chris Cestaro, Management Assistant (minutes)

The following matters were considered:

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Approval of Minutes

Approval of the February 26, 2105 LD&T Committee Meeting Minutes

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

RESOLVED, the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted Thursday, February 26, 2015.

The vote was as follows:

YES: Commissioners Blake, Brown, and Turner.

NO: No one.

NOT PRESENT: Commissioners Butler and Jarboe.

ABSTAINING: No one.

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New Cases

Case No. 15STREETS1002

Request: Closure of the remaining portion of Glenwood Circle at its intersection with Export Drive

Project Name: Glenwood Circle Street Closure

Location: 8725 Glenwood Circle

Owner: Louisville Metro

Applicant: Air Commerce, LLC

Representative: Sabak, Wilson & Lingo, Inc.

Jurisdiction: Louisville Metro

Council District: 13 – Vicki Aubrey Welch

Case Manager: **David B. Wagner, 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 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.

Agency Testimony:

00:02:44 David Wagner presented the case and showed a Power Point presentation (see recording and staff report for detailed presentation.)

The following spoke in favor of the request:

Kelli Jones, Sabak Wilson & Lingo, 608 South Third Street, Louisville, KY 40202 (signed in but did not speak)

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

No one spoke.

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New Cases

Case No. 15STREETS1002

On a motion by Commissioner Turner, seconded by Commission Brown, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby place this case on the Consent Agenda for the **March 19, 2015** Planning Commission public hearing.

The vote was as follows:

YES: Commissioners Blake, Brown, and Turner.

NO: No one.

NOT PRESENT: Commissioners Butler and Jarboe.

ABSTAINING: No one.

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New Cases

CASE NO. 14ZONE1030

Request: Change in zoning from R-7 to C-1, District Development Plan and Binding Elements, Variances, and Waivers

Project Name: Family Dollar
Location: 3901 West Market Street
Owner: Leslie and Michael Johnson
Chalonda Johnson
Philip Marby – Marby Property Maintenance LLC

Applicant: Edward Allen – The Hutton Company
Representative: William Bardenwerper – Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro
Council District: 5 – Cheri Bryant Hamilton

Case Manager: **Christopher Brown, 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 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.

Agency Testimony:

00:05:58 Christopher Brown presented the case and showed a Power Point presentation (see recording and staff report for detailed presentation.) Mr. Brown discussed “interested parties” comments (a letter, e-mails and phone calls) that were received.

The following spoke in favor of the request:

William Bardenwerper, Bardenwerper Talbott & Roberts, 10000 North Hurstbourne Parkway, Louisville, KY 40223

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CASE NO. 14ZONE1030

Summary of testimony of those in favor:

00:15:04 William Bardenwerper presented the applicant's case and showed a Power Point presentation (on file).

00:23:30 Commissioner Brown asked about having a binding element limiting loading and unloading times. Mr. Bardenwerper said that, before the public hearing, this would be determined.

00:24:01 Commissioner Blake asked about Waiver #2 regarding animating features.

00:27:06 Mr. Bardenwerper discussed the opposition's concerns. He said the main concerns seemed to be about having a dollar store, rather than specific issues about this particular project. Cleaning and exterior maintenance were also raised.

The following spoke in opposition to the request:

00:37:02 Bonnie Cole was not present at the meeting, but a letter from her was entered into the record. Bonnie Cole, 3512 Del Park Terrace, Louisville, KY 40211

The following spoke neither for nor against:

No one spoke.

The Committee by general consensus scheduled this case to be heard at the April 2, 2015 Planning Commission public hearing.

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New Cases

CASE NO. 14ZONE1055

Request: Change in zoning from C-1 to C-2, Detailed District Development Plan and Binding Elements, and Waivers.

Project Name: Berry Auto Sales
Location: 1504 – 1506 Berry Boulevard
Owner: Abdallah Badouan
Applicant: J. L. McCoy & Co., LLC
Representative: J. L. McCoy & Co., LLC
Jurisdiction: Louisville Metro
Council District: 15 – Marianne Butler

Case Manager: **David B. Wagner, 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 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.

Agency Testimony:

00:38:03 David Wagner presented the case and showed a Power Point presentation (see recording and staff report for detailed presentation.) The Commissioners were notified that this plan involves the North Iroquois Plan.

00:44:35 Commissioner Brown asked if any consideration had been given to closing the Berry Boulevard access.

The following spoke in favor of the request:

Emily Harris, 239 South 5th Street Suite 1800, Louisville, KY 40202

Jon McCoy, 426 Watt Street Suite B., Jeffersonville, IN 47130

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CASE NO. 14ZONE1055

Summary of testimony of those in favor:

00:47:01 Emily Harris and Jon McCoy spoke on behalf of the applicant.

00:47:41 Mr. McCoy discussed the Berry Boulevard access and why the owner would prefer to keep that open. Commissioner Brown said he was concerned that this is too close to the Wheeler Avenue access.

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

No one spoke.

00:49:40 The Committee by general consensus scheduled this case to be heard at the April 2, 2015 Planning Commission public hearing.

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New Cases

CASE NO. 14ZONE1056

Request: Change in zoning from M-1 to EZ-1, District Development Plan and Binding Elements, Variances, and Waivers

Project Name: The Edison Center
Location: 1228 South 7th Street
Owner: The Edison Center, LLC
Applicant: The Edison Center, LLC (
Representative: Bill Weyland, representing The Edison Center, LLC

Kelli Jones
Sabak, Wilson & Lingo, Inc.

Jurisdiction: Louisville Metro
Council District: 6 – David James

Case Manager: **Julia Williams, 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.)

Agency Testimony:

00:49:54 Julia Williams presented the case and showed a Power Point presentation (see recording and staff report for detailed presentation.) She added that she received one phone call from an adjoining property owner who said they were “100% in favor” of the proposal.

The following spoke in favor of the request:

Kelli Jones, Sabak Wilson & Lingo Inc., 608 South Third Street, Louisville, KY 40202

Summary of testimony of those in favor:

00:56:50 Kelli Jones, an applicant’s representative, presented the applicant’s case and showed a Power Point presentation. She noted that the site is

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CASE NO. 14ZONE1056

currently 100% paved. Because this is a brownfield site, there is an existing site management plan in place, as well as some deed restrictions.

00:59:47 Ms. Jones discussed why no ILA's are being proposed.

01:03:20 In response to a question from Commissioner Turner, Ms. Jones said that the applicant has secured a "historic designation" status for the building.

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

No one spoke.

The Committee by general consensus scheduled this case to be heard at the March 19, 2015 Planning Commission public hearing.

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The meeting adjourned at approximately 2:10 p.m.

Chairman

Division Director