

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

February 8, 2018

A meeting of the Land Development and Transportation Committee was held on Thursday, February 8, 2018 at 1:00 PM in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

Committee Members present were:

Richard Carlson (Acting Chair)
Ramona Lindsey
Laura Ferguson

Committee Members absent were:

Marilyn Lewis, Chair
Rob Peterson, Vice-Chair
Jeff Brown

Staff Members present were:

Emily Liu, Director, Planning & Design Services
Joseph Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Joel Dock, Planner II
Laura Mattingly, Planner II
Paul Whitty, Legal Counsel
Travis Fiechter, Legal Counsel
Chris Cestaro, Management Assistant (minutes)

Others Present:

Beth Stuber, Transportation Planning
Tony Kelly, MSD

The following matters were considered:

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Approval of Minutes

Approval of the January 25, 2018 LD&T Committee Meeting Minutes

00:17:09 On a motion by Commissioner Lindsey, seconded by Commissioner Ferguson, the following resolution was adopted:

RESOLVED, the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on January 25, 2018.

The vote was as follows:

YES: Commissioners Lindsey and Carlson.

ABSTAINING: Commissioner Ferguson.

NOT PRESENT: Commissioners Peterson, Brown, and Lewis.

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New Business

Case No. 17ZONE1056

Request: Change in zoning from OR-3 Office Residential to C-1 Commercial
Project Name: Belle Monde Boutique
Location: 115 Fairfax Avenue
Owner: Cheryl Murrow
Applicant: Geoff Knight
Representative: Nick Pregliasco - Bardenwerper, Talbott & Roberts PLLC
Jurisdiction: City of St. Matthews
Council District: 9 – Bill Hollander

Case Manager: **Joel Dock, 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. 5th Street.)

Agency Testimony:

00:20:22 Joel Dock presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Nick Pregliasco, Bardenwerper Talbott & Roberts PLLC, 1000 North Hurstbourne Parkway, Louisville, KY 40223

Summary of testimony of those in favor:

00:22:12 Nick Pregliasco, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

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Case No. 17ZONE1056

The following spoke in opposition to the request:

No one spoke.

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 **March 1, 2018** Planning Commission public hearing.

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New Business

Case No. 17ZONE1045

Request: R-4 to C-2 with Conditional Use Permit
Project Name: Smyrna Village
Location: 8912 Smyrna Parkway
Owner: David M. Will
Applicant: David M. Will
Representative: John Addington – BTM Engineering Inc.
Jurisdiction: Louisville Metro
Council District: 23 – James Peden

Case Manager: **Laura Mattingly, 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. 5th Street.)

Agency Testimony:

00:27:07 Laura Mattingly presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

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

Kelly Will, 5810 Orion Road, Louisville, KY 40222

Summary of testimony of those in favor:

00:30:58 John Addington, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He handed out renderings of the proposed structures to the Committee members.

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Case No. 17ZONE1045

00:37:32 In response to a question from Commissioner Carlson, Mr. Addington showed areas that will have sidewalks, and also the area/s for which a sidewalk waiver is being requested. See recording for detailed explanation.

00:38:54 Kelly Will, the applicant, also discussed the justification for the requested sidewalk waiver, as well as the existing service road.

00:39:53 In response to a question from Paul Whitty, legal counsel for the Planning Commission, Mr. Addington confirmed that the applicant is asking for a higher sign with increased area.

00:41:10 Commissioner Carlson requested a west elevation to be presented at the Planning Commission public hearing.

00:41:51 Joseph Reverman, Assistant Director for Planning and Design Services, asked if a traffic-impact study had been submitted. Mr. Addington said there was, and said the recommendations were that the existing infrastructure was adequate, and that an extra lane along the frontage near the intersection should be added.

The following spoke in opposition to the request:

No one spoke.

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 **March 15, 2018** Planning Commission public hearing.

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New Business

Case No. 17ZONE1049

Request:	R-4 & C-1 to C-2 with Conditional Use Permit
Project Name:	Williams Self Storage
Location:	4627 Bardstown Road
Owners:	John & Shirley Maquire, Raymond & Florence Bischoff
Applicant:	John Fox – Williams Properties
Representative:	Clifford Ashburner – Dinsmore & Shohl, LLP
Jurisdiction:	Louisville Metro
Council District:	22 – Robin Engel

Case Manager: **Laura Mattingly, 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. 5th Street.)

Agency Testimony:

00:44:14 Laura Mattingly presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Clifford Ashburner, Dinsmore & Shohl, 1015 5th Street Suite 2500, Louisville, KY 40202

Summary of testimony of those in favor:

00:49:01 Cliff Ashburner, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He said it was his understanding that MSD's technical comments had been addressed. He also discussed Public Works' request for additional ROW on Watterson Trail – he said that, because there will be no access onto Watterson Trail, the applicant does not believe this request is

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justified and he will be discussing this issue with Public Works. He said he will also meet with KYTC to resolve the entrance issue.

00:56:36 In response to a question from Commissioner Lindsey, Mr. Ashburner pointed out three lots that are owned by the same owner but are not part of the development plan (see recording for details.)

00:58:08 In response to a question from Commissioner Carlson, Mr. Ashburner discussed the estimated number of trips generated. He said there will be about 460 storage units. Regarding buffering, Commissioner Carlson said that, while the applicant is proposing buildings that look residential, the actual zoning being applied for is C-2 Commercial, which could allow something other than residential-looking buildings in the future. Mr. Ashburner said the Planning Commission reviews development plans.

The following spoke in opposition to the request:

Doug Flaherty, 4508 Starlite Lane, Louisville, KY 40291

Summary of testimony of those in opposition:

01:02:48 Doug Flaherty, an adjoining property owner, said he is concerned that the heavily-wooded lot (mature trees) will be removed. He also has drainage concerns. He asked what landscaping and buffering will be provided. He wants to prevent pedestrian cut-throughs.

01:06:34 Tony Kelly, representing MSD, discussed sanitary sewers and drainage issues using an aerial photo (see recording for detailed presentation.)

01:08:40 Mr. Ashburner pointed out Mr. Flaherty's property in relation to the site plan, and also the location of trees proposed for preservation and the location of through-drainage. He said some trees will have to be removed to accommodate the drainage.

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.

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Case No. 17ZONE1049

01:14:35 On a motion by Commissioner Lindsey, seconded by Commissioner Ferguson, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** this case to the **February 22, 2018** Land Development and Transportation Committee meeting.

The vote was as follows:

YES: Commissioners Lindsey, Ferguson, and Carlson.

NOT PRESENT: Commissioners Peterson, Brown, and Lewis.

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New Business

Case No. 17ZONE1053

***NOTE: This case was heard out of order. It was heard first on the agenda.**

Request: Change in zoning from C-2 and R-5 to M-2 a Waiver, and a Detailed District Development Plan

Project Name: AHP Haulers, LLC

Location: 12909 Dixie Highway

Owner: Ariel Hernandez – AHP Haulers, LLC

Applicant: Ariel Hernandez – AHP Haulers, LLC

Representative: Ashley Bartley – Qk4

Jurisdiction: Louisville Metro

Council District: 14 – Cindi Fowler

Case Manager: **Laura Mattingly, 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. 5th Street.)

Agency Testimony:

00:08:41 Laura Mattingly presented the case (see staff report and recording for detailed presentation.)

00:11:17 Commissioner Carlson asked if a binding element had been added regarding the storage trailers. Ms. Mattingly said that Councilwoman Cindi Fowler was present today to address some proposed binding elements.

The following spoke in favor of the request:

Ashley Bartley, Qk4, 1046 East Chestnut Street, Louisville, KY 40204

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Case No. 17ZONE1053

Summary of testimony of those in favor:

00:12:00 Ashley Bartley, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) She noted that the applicant will only park empty trailers on the site. She said they had no issue adding a binding element to that effect.

00:15:27 In response to a question from Commissioner Carlson, Ms. Bartley said there are no current plans to place a gate across the one entrance that will remain open (see recording for her presentation.) Ms. Bartley said she didn't think so, since there will only be empty trailers on the site.

00:17:00 In response to a question from Commissioner Lindsey, Ms. Bartley discussed anticipated landscape/sidewalk improvements along the front portion of the property, pointing out the area on an aerial photo. She also pointed out the location of an unoccupied residential property to the rear. See recording for detailed discussion and locations.

**The following spoke in opposition to the request:
No one spoke.**

The following spoke neither for nor against the request:
Councilwoman Cindi Fowler, 601 West Jefferson Street, Louisville, KY 40202

Summary of testimony of those neither for nor against:

00:18:29 Councilwoman Cindi Fowler requested that a binding element be added stating that, if there is another use proposed for this site, that case has to come back before the Planning Commission and the Metro Council. She said she is glad to see this vacant property being used; however, she requested that the landscaping be extended to the other side of the driveway.

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Case No. 17ZONE1053

The Committee by general consensus scheduled this case to be heard at the **March 1, 2018** Planning Commission public hearing.

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The meeting adjourned at approximately 2:16 p.m.

Chairman

Division Director