

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE  
January 22, 2015**

A meeting of the Land Development and Transportation Committee was held on, January 22, 2015 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

**Committee Members present were:**

Vince Jarboe, Vice-Chair  
Jeff Brown  
Clifford Turner

**Committee Members absent were:**

Donnie Blake, Chair  
Carrie Butler

**Staff Members present were:**

Emily Liu, Planning Director  
Joe Reverman, Planning Manager  
Brian Davis, Planning Supervisor  
Latondra Yates, Planner II  
David Wagner, Planner II  
John Carroll, Legal Counsel  
Pat Barry, MSD  
Tammy Markert, Transportation Planning  
Pamela M. Brashear, Management Assistant

The following matters were considered:

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES**  
**January 22, 2014**

**APPROVAL OF MINUTES**

**DECEMBER 11, 2014 LD&T COMMITTEE MEETING MINUTES**

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

**RESOLVED**, that the Land Development & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on January 8, 2015.

**The vote was as follows:**

**YES: Commissioners Brown and Jarboe**

**NO: No one**

**NOT PRESENT FOR THIS CASE: Commissioners Blake and Butler**

**ABSTAINING: Commissioner Turner**



**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**January 22, 2015**

**NEW BUSINESS**

**CASE NO. 14STREETS1011**

**Request:** Closure of Avoca Road at its intersection with Ridge Road and the CSX Railroad  
**Project Name:** Avoca Road Street Closure  
**Location:** 12510 Ridge Road  
**Owner:** Louisville Metro  
**Applicant:** Louisville Metro  
**Representative:** Louisville Metro  
**Jurisdiction:** Louisville Metro  
**Council District:** 17 – Glen Stuckel  
19 – Julie Denton  
**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. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:06:57 Mr. Wagner discussed the case summary, standard of review and staff analysis from the staff report.

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

Tammy Markert, Transportation Planning, 444 South 5<sup>th</sup> Street, Louisville, Ky. 40202

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

00:14:17 Ms. Markert said there's not a lot of right-of-way or space in general to work with. If there's a way to provide a turnaround, it will be provided.

**Deliberation**

00:17:15 Planning Commission deliberation.

**An audio/visual recording of the Land Development & 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, placed Case No. 14STREETS1011 on the February 19, 2015 public hearing, to be held at the Old Jail Building, 1:00 p.m.**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**January 22, 2015**

**NEW BUSINESS**

**CASE NO. 14MOD1016**

Case No: 14MOD1016  
Project Name: Springs Medical Office Building  
Location: 6400-6420 Dutchmans Parkway  
Owners: HCP Springs MOB Louisville, LLC  
Applicant: HCP Springs MOB Louisville, LLC  
Representative: Wyatt, Tarrant & Combs  
Project Area/Size: 10.33 acres  
Existing Zoning District: OTF, Office/Tourist Facility  
Existing Form District: RC, Regional Center  
Jurisdiction: City of St. Matthews  
Council District: 26 – Brent Ackerson  
**Case Manager: Matthew R. Doyle, Planner I**  
**Presented by: Brian Davis, 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. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:18:20 Mr. Davis discussed the case summary, standard of review and staff analysis from the staff report.

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

Deborah Bilitski, 500 West Jefferson Street, Suite 2800, Louisville, Ky. 40202

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

00:21:12 Ms. Bilitski remarked, "This has come up in the past cases where binding elements were added to limit medical square footage. The only reason being that parking on the site wouldn't accommodate more but since the parking rights have changed, we can eliminate that. This will have to go to St. Matthews for final approval."

**Deliberation**

00:21:57 Planning Commission deliberation.

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**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**January 22, 2015**

**NEW BUSINESS**

**CASE NO. 14MOD1016**

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

**WHEREAS**, There does not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will continue to be provided on the subject site; and

**WHEREAS**, Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community will continue to be provided; and

**WHEREAS**, Provisions of sufficient open space will continue to be provided; and

**WHEREAS**, The Metropolitan Sewer District will continue to ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community; and

**WHEREAS**, the Louisville Metro Land Development & Transportation Committee finds, the overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will continue to be provided to screen adjacent properties and roadways; and

**WHEREAS**, the Louisville Metro Land Development & Transportation Committee further finds the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **RECOMMEND**, to the City of St. Matthews, **APPROVAL** of Case No. 14MOD1016 to amend binding element number 3 and eliminate binding element 6 based on the staff report, testimony heard today and the applicant's justification.

**Existing Binding Elements**

1. The binding elements originally attached to the approved general district development plan as contained in Paragraph (2) and Paragraphs (4) through (9) shall still apply, Paragraph (3) being modified hereby.
2. The development shall be in accordance with the approved district development plan, the land use permitted in the requested zone unless specifically prohibited herein and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission, and the City of St Matthews.

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 14MOD1016**

3. Existing Building "M" shall not exceed 108,570 square feet of gross floor area, with a maximum of 74,400 square feet of medical office. Proposed Building "M" shall not exceed 99,200 square feet of gross floor area, with a maximum of 78,000 square feet of medical office.
4. Before a building or alteration permit and/or a certificate of occupancy is requested:
  - a) The development plan must be re-approved by the Jefferson County Department of Public Works and Transportation and the Metropolitan Sewer District.
  - b) A minor plat shall be recorded creating the lots shown on the approved district development plan. A copy of the recorded instrument shall be submitted to the Planning Commission and the City of St. Matthews.
  - c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
  - d) The appropriate variances shall be obtained from the Board of zoning Adjustment to allow the development as shown on the approved district development.
5. The only permitted freestanding sign shall be located as shown on the approved district development plan. The size of the sign shall be no more than 30 square feet in area and 10 feet in height.
6. Upon request by the City or a zoning enforcement officer, owner, or its successors, shall furnish the City with a breakdown of the number of square feet in the building devoted to general office space and the number of square feet devoted to medical office space to insure compliance with this Municipal Order.
7. If a building permit is not issued within one year of the date of approval of the plan, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission and the City of St. Matthews.
8. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission and the City of St. Matthews.



**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 14MOD1016**

9. The above binding elements may be amended as provided for in the Zoning District Regulations upon approval of the City Council of the City of St. Matthews.

**Proposed Changes to Binding Elements**

3. The existing Building "M" shall not exceed 108,570 square feet of gross floor area, ~~with a maximum of 74,400 square feet of medical office.~~ Proposed Building "M" shall not exceed 99,200 square feet of gross floor area, ~~with a maximum of 78,000 square feet of medical office.~~
6. ~~Upon request by the City or a zoning enforcement officer, owner, or its successors, shall furnish the City with a breakdown of the number of square feet in the building devoted to general office space and the number of square feet devoted to medical office space to insure compliance with this Municipal Order.~~

**The vote was as follows:**

**YES: Commissioners Brown, Jarboe and Turner**

**NO: No one**

**NOT PRESENT AND NOT VOTING: Commissioners Blake and Butler**

**ABSTAINING: No one**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**January 22, 2015**

**NEW BUSINESS**

**CASE NO. 14DEVPLAN1150**

Case No: 14DEVPLAN11150  
Request: Detailed District Development Plan; Land Development Code waivers  
Project Name: Panda Express  
Location: 13311 Shelbyville Road  
Owner: Middletown Investment Partners, LLC  
Applicant: Panda Restaurant Group  
Representative: Grimail Crawford, Inc.  
Jurisdiction: Middletown  
Council District: 19 – Julie Denton  
**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. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:24:04 Mr. Brown discussed the case summary, standard of review and staff analysis from the staff report.

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

Matt Sistrunk, GCI Inc., 3650 Mamsell Road, Alphanetta, Ga.

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

00:31:25 Mr. Sistrunk said he will work with Mr. Brown regarding (Waiver 3) the berm and landscape options. Regarding Waiver 4, providing trees when there is a slope has the potential to negatively affect the retaining wall. "We meet the overall canopy coverage for the entire site." Commissioner Brown said pursuing trees in the right-of-way may be a reasonable alternative.

**Deliberation**

00:43:13 Planning Commission deliberation.

**An audio/visual recording of the Land Development & 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.**



**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**January 22, 2015**

**NEW BUSINESS**

**CASE NO. 14DEVPLAN1150**

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

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **CONTINUE** Case No. 14DEVPLAN1150 to the February 12, 2015 LD&T Committee meeting.

**The vote was as follows:**

**YES: Commissioners Brown, Jarboe and Turner**

**NO: No one**

**NOT PRESENT AND NOT VOTING: Commissioners Blake and Butler**

**ABSTAINING: No one**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 14DEVPLAN1172**

Case Number(s): 14Devplan1172  
Project Name: Main & Clay  
Location: 617, 621, 623 635 and 637 E. Main St., 614 and 618 E. Washington St., 106, 116, and 188 N. Clay St.  
Owner(s): Trompeter Realty Group, LLC  
Applicant: Bristol Development Group  
Representative: Jeffrey McKenzie, Bingham Greehbaum Doll, LLP.  
Jurisdiction: Louisville Metro  
Council District: 4 – David Tandy  
**Case Manager: Latondra Yates, 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. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:44:15 Mrs. Yates discussed the case summary, standard of review and staff analysis from the staff report.

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

Jeff McKenzie, 3500 National City Tower, Louisville, Ky. 40202  
Pat Dominik, Sabak, Wilson and Lingo, 608 South 3<sup>rd</sup> Street, Louisville, Ky. 40202  
Fleming Smith, 209 10<sup>th</sup> Avenue South, Suite, 425, Nashville, Tn. 37203

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

00:51:25 Mr. McKenzie stated that he agrees with the staff report. The appeal will go before the Landmarks Commission, but shouldn't hold up the progress from this committee.

Mr. McKenzie has spoken with Steve Porter and will meet with him next week.

00:53:59 Mr. Dominik remarked, "This site is located in the Downtown Form District so the scale, mass and height of what we're doing is perfectly consistent with form district." Also, the site is zoned EZ-1 and does support this type of both multi-family and retail.

00:58:39 Mr. Smith remarked, "The exterior is a mixture of brick, glass and metal/hardy panel that is a painted surface. We are utilizing, repurposing and matching historic color schemes on the first 2 floors of the building to create that urban



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**NEW BUSINESS**

**CASE NO. 14DEVPLAN1172**

streetscape and we treat Main St. as Main St. wants to be treated with storefront glass. The units will be built as flexible space so if a market is there for retail all of Main St. could potentially be retail use.”

**The following spoke neither for nor against the request:**

Jim Calvary, Nicklies Development, 6060 Dutchmans Lane, Suite 110, Louisville, Ky.

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

01:03:51 Mr. Calvary is representing Blue Fin Seafood who occupies most of the block on Washington St. He read statements into the record regarding the following: it's E-Z zoned and noisy; Blue Fin operates 24/7; loading/unloading trucks are at non-conventional hours; and no street parking on Washington today.

**Deliberation**

01:09:02 Planning Commission deliberation.

**An audio/visual recording of the Land Development & 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.**

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

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **APPROVE** the Category 3 Plan based on the staff report and testimony heard today.

**The vote was as follows:**

**YES: Commissioners Brown, Jarboe and Turner**

**NO: No one**

**NOT PRESENT AND NOT VOTING: Commissioners Blake and Butler**

**ABSTAINING: No one**

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**January 22, 2015**

**NEW BUSINESS**

**CASE NO. 14ZONE1040**

Case No: 14zone1040  
Request: R-4 to R-5 and Preliminary Subdivision  
Project Name: Wesleyan Farms  
Location: 7009 S. Watterson Trail and 7909 Glaser Lane  
Owner: Wesleyan Camp Meetings Assoc.  
Applicant: Pulte Homes  
Representative: Sabak Wilson and Lingo; Wyatt Tarrant and Combs LLP  
  
Jurisdiction: Louisville Metro  
Council District: 23 - James Peden  
**Case Manager: Julia Williams, AICP, Planner II**  
**Presented by: Brian Davis, 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. 5<sup>th</sup> Street.)

**Agency Testimony:**

01:11:27 Mr. Davis discussed the case summary, standard of review and staff analysis from the staff report.

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

Deborah Bilitski, 500 West Jefferson Street, Suite 2800, Louisville, Ky. 40202  
Kelli Jones, 608 South Third Street, Louisville, Ky.  
Jarrod Vowels, 10035 Forest Green Boulevard, Louisville, Ky. 40223

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

01:16:11 Ms. Bilitski said she will address the issue of the sidewalks on the plan as needed. The variance is to keep from increasing the 30 foot rear yard to 40 feet. There's a 20 foot open space strip being provided and that would create a 50 foot setback. The homes will be consistent with what's in the area.

01:18 Ms. Jones said the site has been assessed and there are no soil issues.

01:19 Mr. Vowels stated the homes will be 1,500 – 2,400 square feet, some with basements matching the majority of homes from 10 years ago.

**An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services**



**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES  
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**NEW BUSINESS**

**CASE NO. 14ZONE1040**

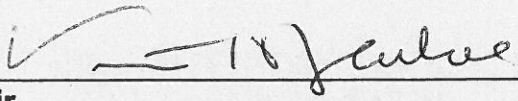
**website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**The Committee by general consensus placed Case No. 14ZONE1040 on the February 19, 2015 Planning Commission meeting to be held at the Old Jail Building.**

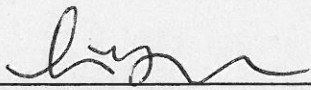
**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
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**ADJOURNMENT**

The meeting adjourned at approximately 1:20 p.m.

  
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**Chair**

  
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**Planning Director**