

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 11, 2018

CASE NO. 17ZONE1042

Request: CONTINUED from the 12/14/17 LD&T meeting – Change in zoning from R-4 Single-Family to C-1 Commercial, and Waivers and Variances

Project Name: Speedwash
Location: 9808, 9818, 9818R Hillock Drive and 8018 & 8102 Old Bardstown Road
Owner: Old Bardstown Road Investment Group, LLC
Applicant: Speedwash Car Wash
Representative: Wyatt, Tarrant & Combs, LLP
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel

Staff 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 public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:09:28 Laura Mattingly presented the case (see staff report and recording for detailed presentation. She reviewed issues that were discussed at the December 14, 2017 LD&T meeting, which included: the notice going out on time for the adjoining property owners, and new plans (submitted by the applicant).

The following spoke in favor of the request:

Jon Baker, Wyatt Tarrant & Combs, 500 West Jefferson Street Suite 2800, Louisville, KY 40202

Kent Gootee, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

Chris Harason, 181 Whirlaway Court, Bowling Green, KY 42104

Summary of testimony of those in favor:

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00:11:58 Jon Baker, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He asked Ms. Mattingly what was triggering the variance requirement.

00:16:10 In response to a question from Commissioner Brown, Mr. Baker discussed proposed screening and buffering along Hillock Drive.

00:16:40 Commissioner Lewis asked about pedestrian movement on the site. Chris Harason, the applicant, described when and where pedestrians might exit their vehicles and safety areas/crossings for them.

00:19:28 Mr. Baker addressed Commissioner Carlson's question about vehicular maneuvering in the pre-cleaning area.

The following spoke in opposition to the request:

Theodore Lavit, 224 North Spalding Avenue, Lebanon, KY 40033

Roger Setters, 10600 Parkhurst Court, Louisville, KY 40291

Rhonda Hatfield, Blue Halo Medspa, 8104 Old Bardstown Road, Louisville, KY 40291

Summary of testimony of those in opposition:

00:20:59 Theodore Lavit, attorney for the adjoining property owners on Hillock Drive, said Hillock Drive is already "overburdened" by traffic and it is already difficult to turn onto Bardstown Road. There are also commercial uses near this intersection that add to the turning problem. He discussed "overused" access easements, and the 160-student school in the neighborhood.

Roger Setters, an attorney representing the Board of Directors for the Woods of Glenmary Homeowner's Association, said it is recognized that this piece of property will inevitably turn to commercial use; however, there are three other car washes located within 1 mile of this site. Is this really needed? The biggest concern is traffic movement and safety at this intersection. Using aerial photos, Mr. Setters explained the traffic issues, particularly turning difficulties, and he said these traffic movement problems have not been addressed.

00:35:21 Rhonda Hatfield said she was not necessarily opposed, but did want to know if the roads can handle the traffic flow from the new car wash. Kent Gootee, an applicant's representative, briefly reviewed some of the traffic study results. He said Transportation Planning has already reviewed the request. He said it will be a

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congested intersection, but hopefully the planned improvements by the applicant will make it better. Mr. Baker added that the applicant agrees with Mr. Setters that this intersection needs to be fixed; he said the applicant is working with Metro Transportation Planning and Public Works as well as State agencies for funding and solutions.

00:38:19 Commissioners' Discussion

00:38:44 Commissioner Lindsey asked about private access easements. John Carroll, legal counsel for the Planning Commission, explained private access agreements and said it was not something the Planning Commission could really do anything about; it is a private legal matter.

00:39:37 Commissioner Lindsey asked Commissioner Brown if Public Works was okay with this. Commissioner Brown said the applicant has revised their street alignment on the new plan. Commissioner Lindsey asked about the possibility of installing a traffic light at this intersection. Commissioner Brown said that could be considered, but only after construction. There are certain warrants that have to be met.

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.

00:40:52 The Committee by general consensus scheduled this case to be heard at the February 1, 2018 Planning Commission public hearing.