

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

**October 23, 2014**

**New Cases**

**CASE NO. 14ZONE1027**

**Request:** Change in zoning from R-4 Single-Family Residential to C-1 Commercial, a Detailed District Development Plan and Binding Elements, and Waivers.

**Project Name:** Zaxby's  
**Location:** 8018-8102 Old Bardstown Road and 9816 & 9816-R Hillock Drive

**Owner:** Thomas Grove Management Co., LLC  
Mark & Linda Shircliff

**Applicant:** Zaxby's of Louisville  
**Representative:** Bardenwerper, Talbott & Roberts, PLLC  
Land Design & Development, Inc.

**Jurisdiction:** Louisville Metro  
**Council District:** 22 – Robin Engel

**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:**

00:38:02 David Wagner presented the case and showed a Power Point presentation (see staff report and audio-visual recording for detailed presentation.) He noted that there have been accidents at the intersection of Old Bardstown Road and Hillock Drive which are a concern to Metro Public Works, and precipitated discussions to dedicate ROW in this area and influenced the location of the access drive. The waiver request addresses this issue.

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

Bill Bardenwerper, Bardenwerper Talbott & Roberts PLLC, 1000North Hurstbourne Parkway 2<sup>nd</sup> Floor, Louisville, KY 40223

Ann Richard and Kevin Young, Land Design & Development Inc., 503 Washburn Avenue, Louisville, KY 40222

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Tim Hatfield, 4740 Dunbar Valley Road, Fisherville, KY 40023

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

00:47:37 William Bardenwerper, the applicant's representative, presented the applicant's case and showed a Power Point presentation. In addition to the site plan and traffic patterns, he described the proposed fencing and screening for an adjacent property.

00:54:41 Kevin Young, an applicant's representative, discussed the site design and traffic patterns, specifically the controlling of this intersection.

00:57:33 Tim Hatfield, an adjacent property owner, spoke about the right-of-way access, and concerns about traffic going through their parking lot to access other developments. His business is a daycare. He requested that one of the access points into the Zaxby's development not get built until Old Bardstown Road is reconfigured.

**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 November 20, 2014 Planning Commission public hearing.**