

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
September 28, 2017**

A meeting of the Land Development and Transportation Committee was held on, September 28, 2017 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:

Marilyn Lewis, Chair
Rob Peterson, Vice-Chair – Arrived at 1:30 p.m.
Jeff Brown
Richard Carlson
Ramona Lindsey

Staff Members present were:

Brian Davis, Planning and Design Manager
Julia Williams, Planning Supervisor
Laura Mattingly, Planner II
Joel Dock, Planner II
Jay Lockett, Planner I
Paul Whitty, Legal Counsel
Tony Kelly, MSD
Jeremeih Shaw, Transportation Planning
Tammy Markert, Transportation Planning
Pamela M. Brashear, Management Assistant

The following matters were considered:

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
September 28, 2017**

APPROVAL OF MINUTES

SEPTEMBER 14, 2017 LD&T COMMITTEE MEETING MINUTES

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

RESOLVED, that the Land Development & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on September 14, 2017.

The vote was as follows:

YES: Commissioners Brown, Carlson and Lewis

NOT PRESENT FOR THIS CASE: Commissioner Peterson

ABSTAINING: Commissioner Lindsey

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NEW BUSINESS

CASE NO. 17AREA1002

Case No: 17AREA1002
Request: Areawide Rezoning from R-5, C-N, C-1 and C-2 to CTC-2
Project Name: Jeffersontown Gaslight Square Areawide Rezoning
Location: Multiple Properties
Owner: Multiple Owners
Applicant: City of Jeffersontown
Representative: Stephen Rusie, AICP, City of Jeffersontown
Jurisdiction: Jeffersontown
Council District: 11 – Kevin Kramer
Case Manager: Brian Davis, 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:

00:08:38 Mr. Davis discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Stephen Rusie, 10416 Watterson Trail, Jeffersontown, Ky. 40299

Summary of testimony of those in favor:

00:10:15 Mr. Rusie stated Jeffersontown held 2 meetings with the property and business owners and everyone seemed in favor of the request. For most, it will be an up-zoning.

Deliberation

00:12:02 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.

The Committee by general consensus placed this case on the October 5, 2017 public hearing at the Old Jail Building.

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OLD BUSINESS

CASE NO. 17SUBDIV1007

Case No: 17SUBDIV1007
Project Name: Washington Green
Location: 6307 Mount Washington Road
Owner(s): Wright Construction & Development
Applicant: JS Acquisitions
Jurisdiction: Louisville Metro
Council District: 23 – James Peden
Case Manager: Jay Lockett – Planner I

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:

00:12:59 Mr. Lockett discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Kathy Linares, 5151 Jefferson Boulevard, Louisville, Ky. 40219

Summary of testimony of those in favor:

00:20:15 Ms. Linares gave a power point presentation. Regarding binding element 18 – “We agree to change the wording if you prefer. Instead of saying find, it will be allow and locate an appropriate route for a path across the open space lot adjacent to the park.” The plan has been revised to reflect Washington Green Rd. extensions forming a circle/loop eliminating address and road name confusion once constructed. A sidewalk will be provided along the site’s Mt. Washington Rd. frontage. Also, there will be coordination with Metro Parks and the developer agrees to a revised binding element regarding future connection to the McNeely Lake Park through the open space lot.

The following spoke in opposition to this request:

Kenneth Harris, 11738 Washington Green Road, Louisville, Ky. 40229

Summary of testimony of those in opposition:

00:27:19 Mr. Harris stated the lots in section 2 are 33% smaller than section 1. “There would be an obvious difference between section 1 and 2 as far as the way the neighborhood looks.”

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OLD BUSINESS

CASE NO. 17SUBDIV1007

Mr. Harris is the president of the Homeowners Association and says they request going back and looking at the original plan.

The following spoke neither for nor against the request:

John Torsky, 601 W. Jefferson Street, Louisville, Ky. 40202

David Mindel, Mindel, Scott and Associates, 5151 Jefferson Boulevard, Louisville, Ky. 440219

Jason T. Canuel, Metro Parks, 1297 Trevilian Way, Louisville, Ky.

Summary of testimony of those neither for nor against:

00:30:45 Mr. Torsky stated, "Councilman Peden feels strongly that there should be a connection on the plan somewhere showing it connecting to the park."

33:08 Mr. Canuel, Assistant Director with Metro Parks remarked, "We're not opposed to the plan at all. I know everybody wants us to pinpoint exactly where a path would be, however we're not currently in the position to identify that. We don't have the funding for design or construction. We've got lines on a paper, master plans and general locations. The general vicinity of lot 75 is the majority of open space in the south and makes the most logical sense of where a path would connect to the park."

Rebuttal

39:12 Mr. Mindel stated the average square footage for each lot varies from 5280 to 1100. The houses will still be one-story and 1300 square feet. "We are meeting the regulations."

41:45 Mr. Canuel remarked, "We will have the ability to put a path in from the park in the open space lot 75 and go in between lots 50 and 51 and/or somewhere between lots 24, 25 and 26, whichever makes the most sense as far as elevation. That gives us plenty of opportunities to connect."

Deliberation

00:45:04 Commissioner Brown said the plan is more in keeping with the original design with the looped road. The applicant/representatives mitigated the issue of having confusion from the 2 roads that didn't intersect.

Commissioner Carlson stated the applicant has made significant improvements.

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Commissioner Lindsey stated the revisions to binding element 18, regarding park access, addresses the request made by Councilman Peden.

Chairperson Lewis remarked, "There seems to be plenty of opportunity for the public to connect to the open space and over to the park when the trails are ultimately developed."

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.

Conservation Subdivision and Conditions of Approval

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

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** Case No. 17SUBDIV1007, a Conservation Subdivision for 72 buildable lots and the Conditions of Approval on pages 7-9 of the staff report with changes to the following Condition of Approval No. 14 to include lot number 51; a revision to Condition of Approval No. 18 as follows: At such a time that Metro Parks is ready to construct the proposed pedestrian connection as shown on the McNeely Lake Park master plan, the developer, its successors or assigns shall work with Metro Parks to allow for and locate an appropriate route across the open space lot adjacent to the park. The developer shall provide a free and clear access to the proposed McNeely Lake Park path; also, **ON CONDITION** that the plan is updated to show the proposed sidewalks along Mt. Washington Rd. and to show potential connection for park access around lots 24, 25 or 26 based on the staff report and testimony heard today, **SUBJECT** to the following Conditions of Approval:

Conditions of Approval (Applicable to this section of the subdivision only.)

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission.
2. The applicant shall submit a plan for approval by the Planning Commission staff's landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Adjustments to the tree preservation plan which are requested by the applicant

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CASE NO. 17SUBDIV1007

may be approved by the Planning Commission staff's landscape architect if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:

- a. Proposed site plan (showing buildings, edges of pavement, property/lot lines, easements, existing topography, and other significant site features (LOJIC topographic information is acceptable).
 - b. Preliminary drainage considerations (retention/detention, ditches/large swales, etc.).
 - c. Location of all existing trees/tree masses existing on the site as shown by aerial photo or LOJIC maps.
 - d. Location of construction fencing for each tree/tree mass designated to be preserved.
3. An original stamped copy of the approved Tree Preservation Plan shall be present on site during all clearing, grading, and construction activity and shall be made available to any DPDS inspector or enforcement officer upon request.
 4. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
 5. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
 - a. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.
 - c. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.
 6. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.

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7. When limits of disturbance are shown on the plan. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected at the edge of the limits of disturbance area, prior to any grading or construction activities. The fencing shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
8. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
9. Potential buyers of lots 49, 50 and 51 shall be notified of the location of the Texas Gas Easement on the rear of these lots, and language describing the location of the easement through these lots will be provided in the deeds.
10. The existing vegetation along the north right-of-way of Mt. Washington Road shall be maintained unless it is required to be removed for Mt. Washington Road widening, future utilities or at the request of any governmental agencies.
11. At such a time that Metro Parks is ready to construct the proposed pedestrian connection as shown on the McNeely Lake Park master plan, the developer, its successors or assigns shall work with Metro Parks to allow for and locate an appropriate route across the open space lot adjacent to the park. The developer shall provide a free and clear access to the proposed McNeely Lake Park path.
12. A Conservation Area Management Plan shall be submitted in conjunction with Staff's review of the Record Subdivision Plat. The Management Plan shall be in compliance with the approved Conservation Subdivision Plan and Land Development Code, Section 7.11.8. Legal restrictions, ownership, and the Conservation Area Management Plan shall be subject to review and approval by the Planning Commission Legal Counsel.
13. The plan will be updated to show the proposed sidewalks along Mt. Washington Rd. and to show potential connection for park access around lots 24, 25 or 26

The vote was as follows:

YES: Commissioners Brown, Carlson, Lindsey and Lewis

ABSTAINING: Commissioner Peterson

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OLD BUSINESS

CASE NO. 17SUBDIV1011

Case No: 17SUBDIV1011
Project Name: Johnson Road Conservation Subdivision
Location: 1313 Johnson Road
Owner(s): The Margaret Kleinert trust
Applicant: Inverness Homes
Jurisdiction: Louisville Metro
Council District: 19 – Julie Denton
Case Manager: Jay Lockett – Planner I

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:

00:52:58 Mr. Lockett discussed the case summary, standard of review and staff analysis from the staff report.

The applicant is requesting another continuance to the October 12, 2017 LD&T meeting to allow the State Highway Dept. time to evaluate the traffic impact study.

Deliberation

00:00:00 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 Carlson, seconded by Commissioner Peterson, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** Case No. 17SUBDIV1011 to the October 12, 2017 LD&T meeting to allow additional time for the traffic study to be evaluated.

The vote was as follows:

YES: Commissioners Brown, Carlson, Lindsey, Peterson and Lewis

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NEW BUSINESS

CASE NO. 17WAIVER1029

Case No: 17WAIVER1029
Project Name: Starbucks Middletown
Location: 12620 Shelbyville Road
Owner(s): Thomas and Joyce Engle
Applicant: State Permits
Jurisdiction: Middletown
Council District: 19 – Julie Denton
Case Manager: Jay Lockett, Planner I

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:

00:55:30 Mr. Lockett discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Katie Gorin Slonski, 1 South 700 Taylor Road, Glen Elwin, Illinois 60137

Summary of testimony of those in favor:

00:57:19 Ms. Slonski gave a power point presentation. The proposal is a unique triangular shaped site. The landscaping will be above and beyond the requirements. The entire building will be utilized and there will be an outdoor patio.

Additional Agency Testimony:

01:03:17 Ms. Markert stated she has reviewed this plan and it's in order.

Deliberation

01:03:37 Commissioner Lindsey stated the applicant is mitigating the loss of vegetation by adding landscaping. It's in compliance with the 2020 guidelines.

Chairperson Lewis said the proposal is a nice enhancement for the area.

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

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NEW BUSINESS

CASE NO. 17WAIVER1029

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

Waiver of Land Development Code section 10.3.6 (Middletown) to allow an existing building and proposed Vehicle Use Areas to encroach into scenic corridor landscape buffer areas and setback standards

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

WHEREAS, the waiver will not adversely affect adjacent property owners since landscape requirements will still be met elsewhere on site and adequate screening will be provided for adjacent properties; and

WHEREAS, Guideline 3, Policy 9 of Cornerstone 2020 calls for the protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigate when appropriate. Guideline 3, Policies 21 and 22 calls for appropriate transitions between uses that are substantially different in scale and intensity or density, and to mitigate the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize the impacts from noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. Guideline 13, Policy 7 calls for protection of the character of parkways and scenic byways and corridors through standards for buffers, landscape treatment, lighting and signs. The intent of parkway development standards is to protect existing scenic and aesthetic qualities, to ensure a quality visual experience on developing corridors and to protect and improve the visual experience on established corridors. The proposed development will be an improvement of the visual experience of the corridor, as the gas station canopy will be removed, and significant additional plantings will be installed throughout the site; and

WHEREAS, the Louisville Metro Land Development & Transportation Committee finds, The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

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NEW BUSINESS

CASE NO. 17WAIVER1029

WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land due to the presence of dual scenic corridors, which make most of the site unbuildable without granting this relief.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND**, to the city of Middletown, **APPROVAL** of Case No. 17WAIVER1029, a waiver of Land Development Code section 10.3.6 (Middletown) to allow an existing building and proposed Vehicle Use Areas to encroach into scenic corridor landscape buffer areas and setback standards based on the staff report and testimony heard today.

The vote was as follows:

YES: Commissioners Brown, Carlson, Lindsey, Peterson and Lewis

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NEW BUSINESS

CASE NO. 17STREETS1010

Case No: 17STREETS1010
Project Name: Derby Avenue Closure
Location: Between 315 and 317 Granvil Avenue
Owner(s): Louisville Metro
Applicant: Norfolk Southern Railway Company
Jurisdiction: Louisville Metro
Council District: 10 – Pat Mulvahill
Case Manager: Jay Lockett, Planner I

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:

01:06:07 Mr. Lockett discussed the case summary, standard of review and staff analysis from the staff report.

Deliberation

01:07:38 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 Carlson, seconded by Commissioner Peterson, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby place Case No. 17STREETS1010 on the Consent Agenda for the October 5, 2017 Planning Commission meeting based on the staff report and information heard today.

The vote was as follows:

YES: Commissioners Brown, Carlson, Lindsey, Peterson and Lewis

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NEW BUSINESS

CASE NO. 17DEVPLAN1145

Case No: 17DEVPLAN1145
Project Name: Bluegrass Manor
Location: 4902 Shelbyville Road
Owner(s): Timothy and Robert Boden
Applicant: P&P Real Estate LLC
Representative(s): Land Design & Development
Project Area/Size: 11.2 acres
Jurisdiction: City of St. Matthews
Council District: 26 – Brent Ackerson
Case Manager: Joel P. Dock, 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:

01:09:10 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Kevin Young, Land Design and Development, 503 Washburn Avenue, Louisville, Ky. 40222

Summary of testimony of those in favor:

01:10:30 Mr. Young gave a power point presentation. The plan was approved in 2012 and the applicant is requesting renewal of that approval.

Deliberation

01:12:20 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.

Revised Detailed District Development Plan and Binding Elements

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NEW BUSINESS

CASE NO. 17DEVPLAN1145

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

WHEREAS, there does not appear to be any environmental constraints or historic resources on the subject site. Landscaping required per Article 12 is indicated on the plan; and

WHEREAS, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community have been provided as access and parking facilities are being shared throughout the shopping center. Pedestrian connections to public ways and accommodations have been provided on proposed Tract 2; and

WHEREAS, open space is not required for the subject site; and

WHEREAS, the Metropolitan Sewer District has approved the preliminary development plan and will 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 as the area contains a variety of scales and intensities of non-residential uses. Landscape buffering will be provided along the adjacent roadways as required by Article 12 of the Development Code; 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. 17DEVPLAN1145, a Revised Detailed District Development Plan (for proposed retail out-lot) based on the staff report and testimony heard today, **SUBJECT** to the following Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) as adopted by the City of St. Matthews and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the

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NEW BUSINESS

CASE NO. 17DEVPLAN1145

Planning Commission's designee and to the City St. Matthews for review and approval; any changes/additions/alterations not so referred shall not be valid.

2. There will be no outside storage of building materials.
3. There shall be no additions to the existing buildings unless it can be demonstrated to the satisfaction of the City of St. Matthews that adequate off-street parking exists.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Codes and Regulations Construction Permits and Transportation Planning Review and the Metropolitan Sewer District.
 - b. The size and location of any proposed signs must be approved by 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 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter
5. No certificate of occupancy shall be issued more than one year from the date of approval of the plan or rezoning whichever is later or the property shall not be used for any new use.
6. 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.
7. The above binding elements may be amended as provided for in the Zoning District Regulations upon approval by the Louisville Metro Planning Commission and City of St. Matthews.

The vote was as follows:

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NEW BUSINESS

CASE NO. 17DEVPLAN1145

YES: Commissioners Brown, Carlson, Lindsey, Peterson and Lewis

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NEW BUSINESS

CASE NO. 17AREA1001

Case No: 17AREA1001
Project Name: Irish Hill Area-Wide Change in Zoning
Location: Multiple Properties in the Irish Hill Neighborhood
Owner(s): Multiple Owners
Applicant: Louisville Metro
Jurisdiction: Louisville Metro
Council District: 4- Barbara Sexton Smith
9-Bill Hollander
Case Manager: Julia Williams, RLA, 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. 5th Street.)

Agency Testimony:

01:15:26 Ms. Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Lisa Dettlinger, 1305 Lexington Road, Louisville, Ky. 40204
Lisa Santos, 1318 Hull Street, Louisville, Ky. 40204

Summary of testimony of those in favor:

01:23:32 Ms. Dettlinger stated, "The area wide rezoning aligns with our original Irish Hill Neighborhood Plan as well as the amendment that was passed by Metro Council last month. I welcome the fact that we will be able to go forward with the PDD so the compatible uses are provided in the future and do not distract or lessen the quality of life for the residents that have invested so long in that area, especially on the Lexington Rd. corridor."

01:25:03 Ms. Santos said she's here on behalf of the Irish Hill Neighborhood Association. "The Irish Hill Neighborhood Association does support the recommendations of the staff and the Irish Hill Neighborhood Plan to create a mixed use PDD and initiate the area wide rezoning."

The following spoke in opposition to this request:

Gregg Underwood, 1500 Lexington Road, Louisville, Ky. 40206

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NEW BUSINESS

CASE NO. 17AREA1001

Glenn Price, Frost, Brown, Todd, 32nd floor, 400 West Market Street, Louisville, Ky. 40202

Dan Shaffery, 1329 Hull Street, Louisville, Ky. 40204

Summary of testimony of those in opposition:

01:27:17 Mr. Underwood stated he wants M-2 to be exempt because if it goes to PDD it will restrict businesses from having outdoor storage.

01:30:38 Mr. Price represents River Metals Recycling. "We're still in opposition and will present our case at the public hearing."

01:31:54 Mr. Shaffery stated he's opposed to the rezoning to allow for the cement plant. The dust will be overwhelming. The fuel they will be using may be highly combustible.

The following spoke neither for nor against the request:

Cliff Ashburner, 101 South 5th Street, Suite 2500, Louisville, Ky. 40202

Summary of testimony of those neither for nor against:

01:34:47 Mr. Ashburner stated he would like to work out some modifications with Planning and Design staff in order to satisfy his client. The PDD accommodates most uses with the following exceptions: hours of operation and making drive-thrus a conditional use. "Removing property rights that currently exist may make good policy sense if there is some other relief granted."

Deliberation

01:39:43 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 this case on the October 5, 2017 public hearing at the Old Jail Building.

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NEW BUSINESS

CASE NO. 17ZONE1004

Case No: 17ZONE1004
Request: R-6 to C-R
Project Name: Kylene's Photography
Location: 960 Ellison Avenue
Owner: Terry White, Jr.
Applicant: Terry White, Jr.
Representative: Terry White, Jr.
Jurisdiction: Louisville Metro
Council District: 10-Pat Mulvihill
Case Manager: Laura Mattingly, 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:

01:41:05 Ms. Mattingly discussed the case summary, standard of review and staff analysis from the staff report.

Deliberation

01:42:45 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 this case on the October 19, 2017 public hearing at the Old Jail Building.

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NEW BUSINESS

CASE NO. 17ZONE1029

Case No: 17ZONE1029
Project Name: Wissing Office
Location: 704 and 710 Breckenridge Lane
Owner(s): Patrick Wissing
Applicant: Patrick Wissing
Representative(s): Frost Brown Todd, LLC
Project Area/Size: 0.97 acres
Jurisdiction: City of St. Matthews
Council District: 26 – Brent Ackerson
Case Manager: Joel P. Dock, 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:

01:43:47 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Glenn Price, Frost, Brown, Todd, 400 West Market Street, Suite 3200, Louisville, Ky. 40202

Summary of testimony of those in favor:

01:44:40 Mr. Price gave a power point presentation. There are no issues and the applicant agrees to the proposed binding elements.

Deliberation

01:47:47 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 this case on the October 19, 2017 public hearing at the Old Jail Building.


LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
September 28, 2017

ADJOURNMENT

The meeting adjourned at approximately 2:46 p.m.



Chair



Planning Director