

MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

August 25, 2016

A meeting of the Land Development and Transportation Committee was held on Thursday, August 25, 2016, at 1:00 p.m. in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

Committee Members present:

Vince Jarboe, Chair
Marilyn Lewis, Vice Chair
Jeff Brown
Clifford Turner

Committee Members absent:

Donnie Blake

Staff Members present:

Joe Reverman, Assistant Director
Brian Davis, Planning Manager
Julia Williams, Planner Supervisor
Brian Mabry, Planning Supervisor
Beth Jones, Planner II
John Carroll, Legal Counsel
Tammy Markert, Transportation Planning
Kristen Loeser, Management Assistant

The following matters were considered:

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APPROVAL OF MINUTES

Approval of the August 11, 2016 LD&T Committee Meeting Minutes

On a motion by Committee Member Brown, seconded by Chair Jarboe, the following resolution was adopted:

RESOLVED, that the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on August 11, 2016.

The vote was as follows:

YES: Brown and Jarboe
ABSENT: Turner and Blake
ABSTAIN: Lewis
NO: None

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1144

Case No:	16DEVPLAN1144
Request:	Revision of Detailed District Development Plan
Project Name:	Eastpoint Business Center Lot 230A
Location:	13410 Eastpoint Centre Drive
Owner:	Michael K. Schroering
Applicant:	Michael K. Schroering
Representative:	Kathy M. Linares, Mindell Scott & Associates
Jurisdiction:	Louisville
Council District:	19 – Julie Denton
Case Manager:	Beth Jones

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).

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.

Agency Testimony:

00:04:40 Beth Jones presented the case (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Todd Lanning, 5151 Jefferson Blvd., Louisville, KY 40219

Summary of testimony of those in favor:

00:08:30 Todd Lanning appeared on behalf of the applicant and offered to answer questions from the Committee. There were none.

00:08:55 Committee Members' deliberation

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1144

00:09:07 On a motion by Committee Member Brown, seconded by Vice Chair Lewis, the following resolution was adopted:

WHEREAS, the Louisville Metro Land Development and Transportation Committee finds that the proposed development is surrounded by existing development of a similar nature and does not appear to add substantial negative impact on the existing natural resources, and

WHEREAS, the Committee further finds that provisions for safe and efficient vehicular and pedestrian transportation within the development and the community have been made. Transportation Planning has approved the preliminary development plan, and

WHEREAS, the Committee further finds that site development includes an outdoor amenity area with a stairway connection to an existing walking path on the adjacent open space parcel, and

WHEREAS, the Committee further finds that the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provisions of adequate drainage facilities on the subject site, and

WHEREAS, the Committee further finds that the overall site design and land uses are compatible with existing and future development of the area. Adjoining properties within the Eastpoint Business Center are developed with a mixture of office, warehouse and commercial uses. The plan includes landscape buffers along the frontages, sufficient parking and sidewalks for pedestrian mobility, and

WHEREAS, the Committee further finds that the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code (LDC); now, therefore be it

RESOLVED, that the Louisville Metro Land Development and Transportation Committee, in Case Number 16DEVPLAN1144, does hereby **APPROVE** the Revision of Detailed District Development Plan to construct new building for use as call center, medical offices or other PEC-approved use, based on the Staff Report and testimony heard today.

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The vote was as follows:

YES: Brown, Lewis and Jarboe

ABSENT: Turner and Blake

ABSTAIN: None

NO: None

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NEW BUSINESS

CASE NUMBER 16DEVPLAN1153

Case No:	16DEVPLAN1153
Request:	Revision of Detailed District Development Plan
Project Name:	Hi-Float
Location:	13025 Middletown Industrial Blvd.
Owner:	M & D Enterprises
Applicant:	Phillip Kash, PhD
Representative:	Jason Lange
Jurisdiction:	Middletown
Council District:	19 – Julie Denton
Case Manager:	Beth Jones, 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).

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.

NOTE: Committee Member Turner arrived at approximately 1:10 p.m.

Agency Testimony:

00:09:37 Beth Jones presented the case (see staff report and recording for detailed presentation).

00:15:32 Committee Members' deliberation

00:16:09 On a motion by Committee Member Brown, seconded by Vice Chair Lewis, the following resolution was adopted:

WHEREAS, the Louisville Metro Land Development and Transportation Committee finds that the proposed development is surrounded by existing commercial and

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industrial development and does not appear to add substantial negative impact on existing natural resources, and

WHEREAS, the Committee further finds that there are no transportation improvements associated with this proposed development. Sidewalks do not currently exist and are not required. Transportation Planning has approved the preliminary development plan, and

WHEREAS, the Committee further finds that there are no open space requirements associated with the proposed development, and

WHEREAS, the Committee further finds that the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site, and

WHEREAS, the Committee further finds that overall site design and land use is compatible with existing development on adjacent parcels, and

WHEREAS, the Committee further finds that the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code; now, therefore be it

RESOLVED, that the Louisville Metro Land Development and Transportation Committee, in Case Number 16DEVPLAN1153, does hereby **RECOMMEND** to the City of Middletown that the Revision of Development Plan and Binding Elements to accommodate expansion of existing warehouse/office building be **APPROVED** based on the Staff Report and testimony heard today, and **SUBJECT** to the following binding elements:

Binding Elements

1. The development will be in accordance with the approved district development plan. No further development will occur.
2. The development shall not exceed ~~4,800~~ **12,000** square feet of gross floor area.
3. Before a building permit is issued:
 - a) The development plan must be reapproved by the Jefferson County Department of Public Works and Transportation and MSD.
 - b) The size and location of any proposed signs must be approved by the

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City of Middletown. The City of Middletown may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.

c) The property owner/developer must obtain approval of a detailed landscape plan as described in Article 12. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.

4. 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.
5. 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.
6. The above binding elements may be amended as provided for in the Zoning District Regulations.

The vote was as follows:

YES: Turner, Brown, Lewis and Jarboe

ABSENT: Blake

ABSTAIN: None

NO: None

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NEW BUSINESS

CASE NUMBER 16ZONE1038

Case No:	16ZONE1038
Request:	Text amendment of the SoBro PDD regarding allowing student housing as a Conditional Use within the Broadway subarea
Project Name:	200 & 212 W. Broadway
Location:	SoBro PDD Broadway Subarea
Owner:	Multiple
Applicant:	Luckett & Farley Development, LLC
Representative:	Luckett & Farley Development, LLC
Jurisdiction:	Louisville Metro
Council District:	4 – David Tandy
Case Manager:	Brian Mabry, Planning & Design 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).

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.

Agency Testimony:

00:16:47 Brian Mabry presented the case (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Kelly Parker, 737 S 3rd Street, Louisville, KY 40202

Summary of testimony of those in favor:

00:23:51 Kelly Parker spoke on behalf of the applicant and showed a presentation. They are requesting a text amendment to allow RU2 housing to be permitted as a conditional use for the entire Broadway sub-area.

00:30:58 Committee Members' deliberation

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NEW BUSINESS

CASE NUMBER 16ZONE1038

By general consensus, the Land Development and Transportation Committee
SCHEDULED Case Number 16ZONE1038 to be heard at the September 15, 2016
Planning Commission public hearing.

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NEW BUSINESS

CASE NUMBER 15ZONE1045

Case No:	15ZONE1045
Request:	Change in zoning from R-4 to C-1 on approximately 0.99 acres with a variance and waiver
Project Name:	Outer Loop Restaurant/Retail
Location:	5103 Outer Loop
Owner:	DFWM Outer Loop LLC
Applicant:	DFWM Outer Loop LLC
Representative:	Blomquist Design Group LLC
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
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).

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.

Agency Testimony:

00:31:21 Julia Williams presented the case (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Marv Blomquist, 10529 Timberwood Cir., Louisville, KY 40223

Summary of testimony of those in favor:

00:35:49 Marv Blomquist spoke on behalf of the applicant and explained why the variance and waiver were being requested. He stated his clients are willing to construct the necessary screening, and the dumpster on site will be near the drive through window so that it isn't near the residents. He provided details about the plan's revision to the median along Outer Loop and stated that a raised median will prevent people from turning left into Outer Loop from the site. Revisions also were made to the plan to make the Buena Vista entrance/exit safer due to concerns from neighbors during the

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neighborhood meeting. Mr. Blomquist confirmed he will determine hours of operation for the site and also speak to KTC prior to the next public hearing date.

The following spoke in opposition to the request:

Summer Stambaugh, 7624 Buena Vista Ct., Louisville, KY 40219

Summary of testimony of those in opposition:

00:45:07 Summer Stambaugh stated that she has over 50 signatures of residents who are opposed to this request as well as a letter from the school principal in the area who is also opposed. One of her concerns is the number of traffic accidents that already occur in this area and how she feels this will increase with the new development. She is also worried about how bringing another business to this area will affect safety in her neighborhood, particularly if a Conditional Use Permit is granted for outdoor liquor use.

Rebuttal:

00:53:04 Mr. Blomquist reiterated the changes that were made to the plan after the neighborhood meeting to increase safety for drivers entering and exiting the property. He also said they are no longer asking for a Conditional Use Permit for *outdoor* alcohol use, but for indoor use only.

The following spoke neither for nor against the request:

Diane Zimmerman, 5420 Bunsen Pkwy., Suite 225, Louisville, KY 40220

Summary of testimony of those neither for nor against:

00:56:31 Diane Zimmerman stated did not conduct a signal warrant analysis because the left turn volume was lower than the amount required for this type of study. She confirmed that a change to a non-mountable median on Outer Loop would have to be approved by the state.

00:58:09 Mr. Blomquist stated he sent the neighborhood meeting notifications to properties within a 500 ft. radius of the site and he did not receive returned mail.

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CASE NUMBER 15ZONE1045

01:00:14 Ms. Stambaugh spoke again in opposition to the case. She said that most of her neighbors who provided signatures in opposition claim they did not receive notification of the neighborhood meeting and that some of them might have mistaken the notices for junk mail.

01:02:25 Committee Members' deliberation

By general consensus, the Land Development and Transportation Committee **SCHEDULED** Case Number 15ZONE1045 to be heard at the September 29, 2016 Planning Commission public hearing.

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NEW BUSINESS

CASE NUMBER 16ZONE1035

Case No:	16zone1035
Request:	Change in zoning from C-1 to M-1 on 1.6 acres with a variance
Project Name:	Warwick Storage
Location:	8050 & 8054 Warwick Avenue
Owner:	Dreisbach Development Company
Applicant:	Dreisbach Development Company
Representative:	Land Design and Development; Bardenwerper Talbott and Roberts PLLC.
Jurisdiction:	City of Lyndon
Council District:	7-Angela Leet
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).

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.

Agency Testimony:

01:04:16 Julia Williams presented the case (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Bill Bardenwerper, 1000 N Hurstbourne Pkwy., 2nd Floor, Louisville, KY 40223
Ann Richard, 503 Washburn Ave., Suite 101, Louisville, KY 40222
Aaron Eldridge, Stor-All, 301 E Gaulbert Ave, Louisville, KY 40208

Summary of testimony of those in favor:

01:07:41 Bill Bardenwerper spoke on behalf of the applicant and showed a presentation (see recording for detailed presentation).

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01:15:15 Ann Richard with Land Design and Development spoke about drainage on the site. She also stated the first floor windows are clear and can be seen through. The landscape waiver is being requested because of an electrical easement on the site. There is no landscaping required along Lyndon, but they are volunteering to provide landscaping.

01:18:15 Aaron Eldridge with Stor-All advised that there will be approximately 100 square feet per storage unit, and each level will be approximately 12 feet in height.

01:18:59 Committee Members' deliberation

By general consensus, the Land Development and Transportation Committee **SCHEDULED** Case Number 16ZONE1035 to be heard at the September 15, 2016 Planning Commission public hearing.

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ADJOURNMENT

The meeting adjourned at approximately 2:20 p.m.

Chair

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Planning Director

A handwritten signature in black ink, consisting of a stylized 'D' followed by a long horizontal stroke.