

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO PLANNING COMMISSION  
Special Night Hearing  
May 17, 2021**

A meeting of the Louisville Metro Planning Commission was held on May 17, 2021 at 6:00 p.m. via Cisco Webex Video Teleconferencing and in person at the Valley Hope Center, 10803 Deering Rd, Louisville, KY 40272.

**Commission members present:**

Marilyn Lewis, Chair  
Jeff Brown  
Jim Mims  
Rich Carlson  
Rob Peterson  
Ruth Daniels  
Te'Andre Sistrunk

**Commission members absent:**

Pat Seitz  
Lula Howard  
Patricia Clare

**Staff Members present:**

Emily Liu, Planning and Design Director  
Joe Reverman, Planning and Design Assistant Director  
Brian Davis, Planning and Design Manager  
Julia Williams, Planning Supervisor  
Dante St. Germain, Planner II  
Beth Stuber, Engineering Supervisor  
Tony Kelly, MSD  
Laura Ferguson, Legal Counsel

The following matters were considered:

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**PUBLIC HEARING**

**CASE NO. 20-ZONE-0034**

Request: Change in form district from NFD to SMCDFD, change in zoning from R-4 to C-1, with Detailed District Development Plan and Binding Elements and Variance

Project Name: RaceTrac

Location: 11800 – 11908 E Orell Road, 11705 Dixie Highway

Owner: Herman & Karl Gohl, Catherine & Charles Grissett, Kathy Gibson

Applicant: RaceTrac Petroleum Inc.

Representative: Dinsmore & Shohl

Jurisdiction: Louisville Metro

Council District: 14 – Cindi Fowler

Case Manager: Dante St. Germain, AICP, Planner II

Notice of this public hearing appeared in **The Courier Journal**, a notice was posted on the property, and 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:**

00:04:24 Dante St. Germain presented the case and showed a Power Point presentation (See staff report and recording for detailed presentation.)

00:18:17 Regarding the signal detection on the corner of Dixie Highway and Flowervale, Commissioner Carlson said Commissioner Brown had explained the situation to him and that he was satisfied with the explanation. In response to another question from Commissioner Carlson, Ms. St. Germain said the elevations were reviewed and it was determined that they were in compliance (specifically, the wall of the building facing Flowervale.) Using the site plan, Ms. St. Germain pointed out a space on the site where trees could be planted.

00:21:50 In response to a question from Commissioner Lewis, Ms. St. Germain confirmed that the paved part of the development has not changed. The pavement and the building are still where they were. The amount of greenspace was discussed.

00:23:40 In response to a question from Commissioner Mims, Ms. St. Germain explained why the applicant is requesting a split zoning and a split form district to cut off a portion of the site from C-1 development (see recording for detailed discussion.)

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**\*NOTE: Before allowing the applicant's testimony, Commissioner Lewis reminded the Commissioners that there have already been two night hearings on this case; at the last hearing, public testimony had already been closed and the Commissioners were in deliberation when the applicant requested a continuation to make new changes to the plan. Therefore, testimony will be limited to these new changes.**

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

Cliff Ashburner, Dinsmore & Shohl, 101 S 5th St #2500, Louisville, KY 40202

Brendan Sexton, Race Trac Petroleum Inc, 200 Galleria Parkway East, Atlanta, GA 30339

Mitch Green, HMB Professional Engineers, 3 HMB Circle, Frankfort, KY 40601

Diane Zimmerman, 12803 High Meadows Pike, Louisville, KY 40059

Matt McClendon (did not speak)

Gordon Ritchie, 15415 Dixie Highway, Louisville, KY 40272

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

00:25:54 Cliff Ashburner, the applicant's representative, noted that he prepared some remarks to address Commissioners' comments from the last hearing, in addition to addressing the new changes. See recording for detailed presentation.

00:32:46 Brendan Sexton, an applicant's representative, addressed what the original plan represented at the time it was submitted. He said he wanted to "address the attempts to discredit" RaceTrac's efforts to make a more compatible plan.

00:36:43 Mr. Ashburner resumed the presentation.

00:41:27 Mitch Green explained and summarized the noise study and noise mitigation measures. The noise mitigation wall is about 10 feet off the diesel canopy.

00:57:36 In response to questions from Commissioner Mims, Mr. Green discussed the noise study, including whether there were any day/night level measurements or comparisons, and also if there were existing sound measurements (see recording for detailed discussion.) Commissioner Mims and Mr. Green discussed whether an 8-foot sound wall would be effective.

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01:04:36 Commissioner Carlson and Mr. Green discussed sound measuring procedures. He asked for information about a peak/maximum noise level that would be audible to the homes to the east. Mr. Ashburner and Commissioner Carlson agreed that this is not a truck stop, although there will be in-and-out truck traffic.

01:14:35 In response to a question from Commissioner Brown, Mr. Ashburner discussed whether RaceTrac had estimated about how many tractor trailers would be using this fueling center. Mr. Sexton said that, like all fuel centers, the company wants to be close to the most amount of traffic. He said their decision to locate here was based on Diane Zimmerman's traffic counts; eighteen trucks per hour is the maximum that can be accommodated.

01:17:24 Commissioner Sistrunk asked if RaceTrac had done a pro forma. Mr. Sexton said yes. What does your pro forma show as far as diesel usage. Mr. Sexton said it is unpredictable what the company can reasonably extrapolate, especially from a new market where they have never operated before. Mr. Ashburner said he was trying to distinguish between a facility that was designed for over-the-road truck traffic and one that isn't, in terms of business and maneuvering.

01:23:25 Commissioner Mims asked what had Diane Zimmerman predicted as far as the number of trucks turning into this facility, and how her estimates could influence Mr. Green's noise impacts.

01:27:05 In response to a question from Mr. Ashburner, Ms. Zimmerman said the single-unit trucks are the 7%; 2% combination trucks.

01:31:13 Gordon Ritchie said this will be a big increase in tax revenue. He said residents sit outside on Pendleton Road and Flowervale as traffic goes by with no buffer zones or noise mitigation. He said he feels that noise concerns are overrated.

**The following spoke neither for nor against the request ("Other"):**

Councilwoman Cindi Fowler, 14206 Pauleys Gap Road, Louisville, KY 40272

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

01:35:38 Councilwoman Cindi Fowler asked Mr. Ashburner how close is the closest truck stop that could accommodate a tractor trailer? Mr. Ashburner thought that Outer Loop or Fern Valley Road may be the closest locations.

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**The following spoke in opposition to this request:**

Steve Porter, 2406 Tucker Station Road, Louisville, KY 40299

James Jones, 6326 Winding Springs Drive, Louisville, KY 40272

Sally Smith, 11913 East Orell Road, Louisville, KY 40272

Andrew Fischer, 11909 East Orell Road, Louisville, KY 40272

Landon Thompson, 3805 Crestridge Drive, Louisville, KY 40272

Toby Colmes (sp), 6324 Winding Stream Drive, Louisville, KY 40272

**Summary of testimony of those in opposition:**

01:42:45 Steve Porter said any changes made after the last Planning Commission heard on this case do not relate to the diesel station. At the last hearing, Mr. Porter said the opposition gave a full list of other fueling stations which offer diesel.

01:49:47 James Jones said about two miles away is a designated diesel truck refueling station. He presented opposition's case and showed a Power Point presentation and a YouTube video (see recording for detailed presentation.)

02:02:43 Sally Smith said her home is about two driveways away from the diesel canopy. She discussed the adverse effects and showed a slideshow (see recording.) She is primarily concerned about loss of property value, and noted that these diesel truck fuel facilities are not in residential areas, never mind being located within 200 feet of homes. She is concerned about property value loss, noise pollution, air pollution, and traffic. She said Mr. Green acknowledged that the 8-foot wall does little to nothing to mitigate noise from the trucks.

02:11:13 Andrew Fischer also showed a Power Point presentation (See recording for detailed presentation and discussion.) He said that, during the last hearing, the applicant said that the diesel component was added to "enhance the member experience" because it provided a way to separate vehicles from navigating around 18-wheelers, not box trucks. He said his main concern is the diesel canopy component – it is not a neighborhood-serving use and it does not fit the character of the neighboring properties. He said the market strategy of this development plan is not to capture box trucks, but to cater to 18-wheelers and semis - the applicant has refused to develop this property without the diesel canopy.

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02:21:27 Mr. Porter requested that a YouTube video be played that demonstrated the noise from diesel engines (see recording NOTE: the video never played correctly and there was no sound.)

02:28:26 Landon Thompson spoke in opposition and specifically discussed truck noise and air pollution (see recording). He reiterated that this type of fuel station is inappropriate so near to residences. He noted that 18-wheelers and semis will be using this site, as well as garbage trucks and other municipal trucks.

02:36:35 Mr. Porter made closing remarks, emphasizing the noise of diesel truck engines and brakes; also fumes, exhaust and other air and oil/gas spills. He reviewed the oppositions Findings of Fact.

02:51:19 Toby Colmes said she is concerned about loss of wildlife habitat, particularly the large trees.

02:55:34 Commissioner Carlson asked Mr. Porter what he thought of a previously-discussed modification to a binding element that would add a peak noise value. Mr. Porter said he was very concerned about any type of “after-development analysis”. Commissioner Carlson asked Mr. Porter what he thought a “peak decibel value” should be. Mr. Porter suggested any decibel level no higher than 70.

02:58:47 In response to a question from Commissioner Carlson, Mr Porter discussed the height of the sound wall.

03:02:00 In response to a question from Commissioner Mims, Mr. Porter said he was not aware of a RaceTrac brand fuel station that did not have a truck canopy. In response to another question from Commissioner Mims, Mr. Porter said the applicant has objected to suggestions from residents about dark sky compliance.

03:04:56 Mr. Ashburner asked Mr. Fischer about a quote he had provided from John Jansen (sp) about a “neighborhood truck stop”. Mr. Fischer said the quote was regarding a facility in Elizabethtown, Kentucky; however, he said he recalled that the newspaper article referenced RaceTrac developments are marketed as “non-traditional truck stops”. See recording for detailed cross-examination.

03:08:47 Mr. Ashburner asked Mr. Porter if he hired a sound expert. Mr. Porter said he had not, because his clients could not afford that.

03:10:26 Mr. Ashburner asked Mr. Thompson to describe the variety of vehicles he has driven as a truck driver and discuss braking techniques (see recording.)

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**Rebuttal:**

03:16:36 Mr Ashburner presented the rebuttal (see recording for presentation.)

03:30:19 In response to a question from Commissioner Carlson, Mr. Ashburner said the applicant will put up signage stating no truck parking, trucks will be towed, etc. He said that RaceTrac will not be listing their facility as a truck stop on any app that **they** can control, that is used by truck drivers to find fuel. Commissioner Carlson also asked about the possibility of raising the height of the wall in the canopy area. They discussed the thickness and construction of the wall.

03:34:20 Commissioner Carlson also asked Mr. Ashburner if the applicant would be willing to consider a binding element addressing the peak sound measurement, perhaps limiting it to 70 decibels. See recording for detailed discussion.

03:44:55 Mr. Ashburner proposed the following binding element:

Noise attributable to the RaceTrac operation will not exceed the model by more than 10 db for a period of 10 consecutive minutes. More than 3 dba as an average or 10 dba as a peak which shall not exceed that level for 10 consecutive minutes or more.

This would be in addition to binding element #9 (see staff report).

**Deliberation**

03:49:16 Planning Commission deliberation.

04:09:00 Binding elements were discussed. Proposed binding elements were as follows:

The developer shall install, at its sole expense, signage visible from Dixie Highway and from Flowervale Lane to indicate that no truck parking is available on-site, and that parked trucks shall be towed.

The wall shown on the plan shall be ten feet in height from the southern property line to the trash enclosure and eight feet to the north beyond that point.

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**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.**

**Change in Form District from Neighborhood to Suburban Marketplace Corridor**

04:12:53 Commissioner Carlson made a motion to approve the requested change the form district from Neighborhood to Suburban Marketplace Corridor, based on the Standard of Review and Staff Analysis.

**The vote was as follows:**

**YES: Commissioners Carlson and Lewis.**

**NO: Commissioners Brown, Mims, Sistrunk, Peterson, and Daniels.**

**NOT PRESENT: Commissioners Seitz, Howard, and Clare.**

**The motion failed 5-2.**

**Change in Form District from Neighborhood to Suburban Marketplace Corridor**

04:15:21 On a motion by Commissioner Brown, seconded by Commissioner Sistrunk, the following resolution, based on the opposition's findings of fact and evidence and testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Planning Commission finds that the applicant proposes to re-zone the above properties from R-4 single-family residential to C-1 commercial, demolish the existing residential and other buildings and construct a convenience store and two fueling stations, one for diesel trucks and one for normal vehicles. For the reasons below, this proposal does not comply with the applicable Plan Elements of the Plan 2040 Comprehensive Plan. The existing zoning classification given to the property is appropriate. The proposed zoning classification is inappropriate and not in agreement with the 2040 Comprehensive Plan. There have been no major changes of an economic, physical or social nature which have altered the basic character of the area of the property; and

**WHEREAS**, the Commission further finds that the proposal does not comply with the intent and applicable policies of the **Community Form Plan** Elements of the 2040 Comprehensive Plan. The new development is not compatible with the scale and site design of nearby existing development, as evidenced by the many objections from the



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nearby public. The proposal constitutes a non-residential expansion into an existing residential area. It will have negative impacts such as displacement of residents, loss of affordable housing units, increased traffic on a local road, and increased lighting and noise in a residential area. There is no adequate buffer or transition between lower density residential and non-residential usage. While the site abuts Dixie Highway on one side, it abuts a local road on the other; and

**WHEREAS**, the Commission further finds that Plan 2040 defines an “activity center” as: “An area of concentrated, mixed-use activity that often has a residential component.” Plan 2040 also defines a “neighborhood center” as “Mixture of neighborhood- serving land uses such as offices, shops, restaurants and services ...” This single commercial building cannot be considered an activity center or a neighborhood center. It is merely an isolated commercial use, an example, if allowed, of spot zoning. It is not located in or near an activity center. It is not compatible with adjacent uses. There is no proposal for any residential on the site (even though C-1 zoning would permit that), thus the proposal is not a mixed-use proposal. The plan proposes to demolish the existing residential structures instead of any possible rehabilitation or continued use; and

**WHEREAS**, the Commission further finds that the proposal violates Goal 1, Policy 2.1 because it is incompatible with surrounding uses. It violates Goal 1, policy 3.1.8 because the depth of the new Suburban Marketplace Corridors form district invades a residential neighborhood and because the new form district boundary is not within an existing corridor and has great potential for disruption of an established residential neighborhood. Policy 3.1.8 states:

“Proposed new commercial uses are encouraged to locate within the boundaries of existing corridors. Reuse of locations within existing corridors is preferred over expansion of a corridor. Proposals to expand defined corridors represent significant policy decisions.”

The existing corridor boundaries were determined in order to protect the nearby neighborhood. An expansion of the boundary is not preferred and represents a significant policy decision. Changing the boundary just to allow another fuel station and convenience store is not necessary; and

**WHEREAS**, the Commission further finds that this proposal violates Goal 1, Policy 6 because it has adverse impacts relating to traffic, lighting, noise, odor, dangerous fumes, explosion, displacement of residents, and loss of affordable housing. It violates Goal 1, Policy 9 because it does not provide an appropriate transition between uses that are substantially different in scale and intensity. It violates Goal 1, Policy 10 because it does not provide an adequate buffer between uses substantially different in intensity. It violates Goal 1, Policy 12 because it does not minimize adverse impacts from noise,

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lights and other potential impacts. It violates Goal 1, Policy 16 because it does not protect human health from noxious odors, gases, particulates and emissions. It violates Goal 1, Policy 17 because it does not protect Flowervale Lane from heavy truck traffic. It violates Goal 1, Policy 18 because it does not provide a sufficient noise barrier, especially from the loud noises of large diesel trucks. It violates Goal 1, Policy 19 because it does not mitigate adverse impacts of lighting on nearby residences and on the night sky. It violates Goal 1 Policy 21 because it does not locate hazardous or flammable or explosive materials away from the residential area. It violates Goal 2, Policy 5 because it does not locate a retail development in an activity center and because the retail would merely duplicate other similar retail establishments in the neighborhood, resulting in an inadequate population to support it. This neighborhood just does not need another convenience store and fueling station, and it certainly does not need a separate diesel fueling station catering to non-neighborhood users with large, noisy vehicles. Small delivery trucks and autos with diesel can easily use the diesel sections of the regular section of the proposal; and

**WHEREAS**, the Commission further finds that the proposal does not comply with **Mobility Goal 1, Policy 1. (1.4)** because it does not provide sidewalks on E. Orell Road. It violates Goal 3, Policy 4.3 because its 24-hour operation would be disruptive of the nearby residential properties; and

**WHEREAS**, the Commission further finds that the proposal does not comply with the intent and applicable policies of the **Economic Development Plan** Elements of the 2040 Comprehensive Plan. It violates Goal 1, Policy 3 because the proposed commercial use is located partially on a major arterial street but also on a local road. It is at a location where nuisances and activities of the proposed use will adversely affect adjacent residential uses. It violates Goal 2, Objective b because it does not protect the economic value of neighborhoods; and

**WHEREAS**, the Commission further finds that the proposal does not comply with the intent and applicable policies of the **Livability Plan** Elements of the 2040 Comprehensive Plan. The proposal does not consider the impact of the proposed development on air quality, especially because of the noise, odors and dangerous fumes from the diesel trucks; and

**WHEREAS**, the Commission further finds that the proposal does not comply with the policies of the **Housing Plan** Elements described in Goal 2, Policy 1; Goal 2, Policy 2; and Goal 3, Policy 3.. While C-1 zoning does permit higher density housing options that would support aging in place, this proposal not only does not propose any such housing, it proposes to demolish the residential units currently on the site. The plan does not propose any housing which includes affordable housing. In fact, it proposes demolishing the affordable housing on the site currently and displacing the current

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residents. It does not encourage the use of vacant property for new housing; now, therefore be it

**RESOLVED**, the Louisville Metro Planning Commission does hereby recommend to the Louisville Metro Council that the proposed Change in Form District from Neighborhood to Suburban Marketplace Corridor be **DENIED**.

**The vote was as follows:**

**YES: Commissioners Mims, Sistrunk, Peterson, Daniels, and Brown.**

**NO: Commissioners Carlson and Lewis.**

**NOT PRESENT: Commissioners Seitz, Howard, and Clare.**

**Change in zoning from R-4 Single Family Residential to C-1 Commercial**

04:17:04 On a motion by Commissioner Brown, seconded by Commissioner Daniels, the following resolution, based on the opposition's findings of fact and evidence and testimony heard today, was adopted:

**WHEREAS**, the Louisville Metro Planning Commission finds that the applicant proposes to re-zone the above properties from R-4 single-family residential to C-1 commercial, demolish the existing residential and other buildings and construct a convenience store and two fueling stations, one for diesel trucks and one for normal vehicles. For the reasons below, this proposal does not comply with the applicable Plan Elements of the Plan 2040 Comprehensive Plan. The existing zoning classification given to the property is appropriate. The proposed zoning classification is inappropriate and not in agreement with the 2040 Comprehensive Plan. There have been no major changes of an economic, physical or social nature which have altered the basic character of the area of the property; and

**WHEREAS**, the Commission further finds that the proposal does not comply with the intent and applicable policies of the **Community Form Plan** Elements of the 2040 Comprehensive Plan. The new development is not compatible with the scale and site design of nearby existing development, as evidenced by the many objections from the nearby public. The proposal constitutes a non-residential expansion into an existing residential area. It will have negative impacts such as displacement of residents, loss of affordable housing units, increased traffic on a local road, and increased lighting and noise in a residential area. There is no adequate buffer or transition between lower density residential and non-residential usage. While the site abuts Dixie Highway on one side, it abuts a local road on the other; and

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**WHEREAS**, the Commission further finds that Plan 2040 defines an “activity center” as: “An area of concentrated, mixed-use activity that often has a residential component.” Plan 2040 also defines a “neighborhood center” as “Mixture of neighborhood- serving land uses such as offices, shops, restaurants and services ...” This single commercial building cannot be considered an activity center or a neighborhood center. It is merely an isolated commercial use, an example, if allowed, of spot zoning. It is not located in or near an activity center. It is not compatible with adjacent uses. There is no proposal for any residential on the site (even though C-1 zoning would permit that), thus the proposal is not a mixed-use proposal. The plan proposes to demolish the existing residential structures instead of any possible rehabilitation or continued use; and

**WHEREAS**, the Commission further finds that the proposal violates Goal 1, Policy 2.1 because it is incompatible with surrounding uses. It violates Goal 1, policy 3.1.8 because the depth of the new Suburban Marketplace Corridors form district invades a residential neighborhood and because the new form district boundary is not within an existing corridor and has great potential for disruption of an established residential neighborhood. Policy 3.1.8 states:

“Proposed new commercial uses are encouraged to locate within the boundaries of existing corridors. Reuse of locations within existing corridors is preferred over expansion of a corridor. Proposals to expand defined corridors represent significant policy decisions.”

The existing corridor boundaries were determined in order to protect the nearby neighborhood. An expansion of the boundary is not preferred and represents a significant policy decision. Changing the boundary just to allow another fuel station and convenience store is not necessary; and

**WHEREAS**, the Commission further finds that this proposal violates Goal 1, Policy 6 because it has adverse impacts relating to traffic, lighting, noise, odor, dangerous fumes, explosion, displacement of residents, and loss of affordable housing. It violates Goal 1, Policy 9 because it does not provide an appropriate transition between uses that are substantially different in scale and intensity. It violates Goal 1, Policy 10 because it does not provide an adequate buffer between uses substantially different in intensity. It violates Goal 1, Policy 12 because it does not minimize adverse impacts from noise, lights and other potential impacts. It violates Goal 1, Policy 16 because it does not protect human health from noxious odors, gases, particulates and emissions. It violates Goal 1, Policy 17 because it does not protect Flowervale Lane from heavy truck traffic. It violates Goal 1, Policy 18 because it does not provide a sufficient noise barrier, especially from the loud noises of large diesel trucks. It violates Goal 1, Policy 19 because it does not mitigate adverse impacts of lighting on nearby residences and on the night sky. It violates Goal 1 Policy 21 because it does not locate hazardous or

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flammable or explosive materials away from the residential area. It violates Goal 2, Policy 5 because it does not locate a retail development in an activity center and because the retail would merely duplicate other similar retail establishments in the neighborhood, resulting in an inadequate population to support it. This neighborhood just does not need another convenience store and fueling station, and it certainly does not need a separate diesel fueling station catering to non-neighborhood users with large, noisy vehicles. Small delivery trucks and autos with diesel can easily use the diesel sections of the regular section of the proposal; and

**WHEREAS**, the Commission further finds that the proposal does not comply with **Mobility Goal 1, Policy 1. (1.4)** because it does not provide sidewalks on E. Orell Road. It violates Goal 3, Policy 4.3 because its 24-hour operation would be disruptive of the nearby residential properties; and

**WHEREAS**, the Commission further finds that the proposal does not comply with the intent and applicable policies of the **Economic Development Plan** Elements of the 2040 Comprehensive Plan. It violates Goal 1, Policy 3 because the proposed commercial use is located partially on a major arterial street but also on a local road. It is at a location where nuisances and activities of the proposed use will adversely affect adjacent residential uses. It violates Goal 2, Objective b because it does not protect the economic value of neighborhoods; and

**WHEREAS**, the Commission further finds that the proposal does not comply with the intent and applicable policies of the **Livability Plan** Elements of the 2040 Comprehensive Plan. The proposal does not consider the impact of the proposed development on air quality, especially because of the noise, odors and dangerous fumes from the diesel trucks; and

**WHEREAS**, the Commission further finds that the proposal does not comply with the policies of the **Housing Plan** Elements described in Goal 2, Policy 1; Goal 2, Policy 2; and Goal 3, Policy 3.. While C-1 zoning does permit higher density housing options that would support aging in place, this proposal not only does not propose any such housing, it proposes to demolish the residential units currently on the site. The plan does not propose any housing which includes affordable housing. In fact, it proposes demolishing the affordable housing on the site currently and displacing the current residents. It does not encourage the use of vacant property for new housing; now, therefore be it

**RESOLVED**, the Louisville Metro Planning Commission does hereby recommend to the Louisville Metro Council that the proposed Change in Zoning from R-4 Single Family Residential to C-1 Commercial on property described in the attached legal description be **DENIED**.

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**The vote was as follows:**

**YES: Commissioners Mims, Sistrunk, Peterson, Daniels, and Brown.**

**NO: Commissioners Carlson and Lewis.**

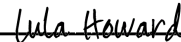
**NOT PRESENT: Commissioners Seitz, Howard and Clare.**

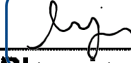
**ABSTAIN: Commissioner**

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**ADJOURNMENT**

The meeting adjourned at approximately 10:18 p.m.

DocuSigned by:  
  
**Chair**

DocuSigned by:  
  
**Planning Director**