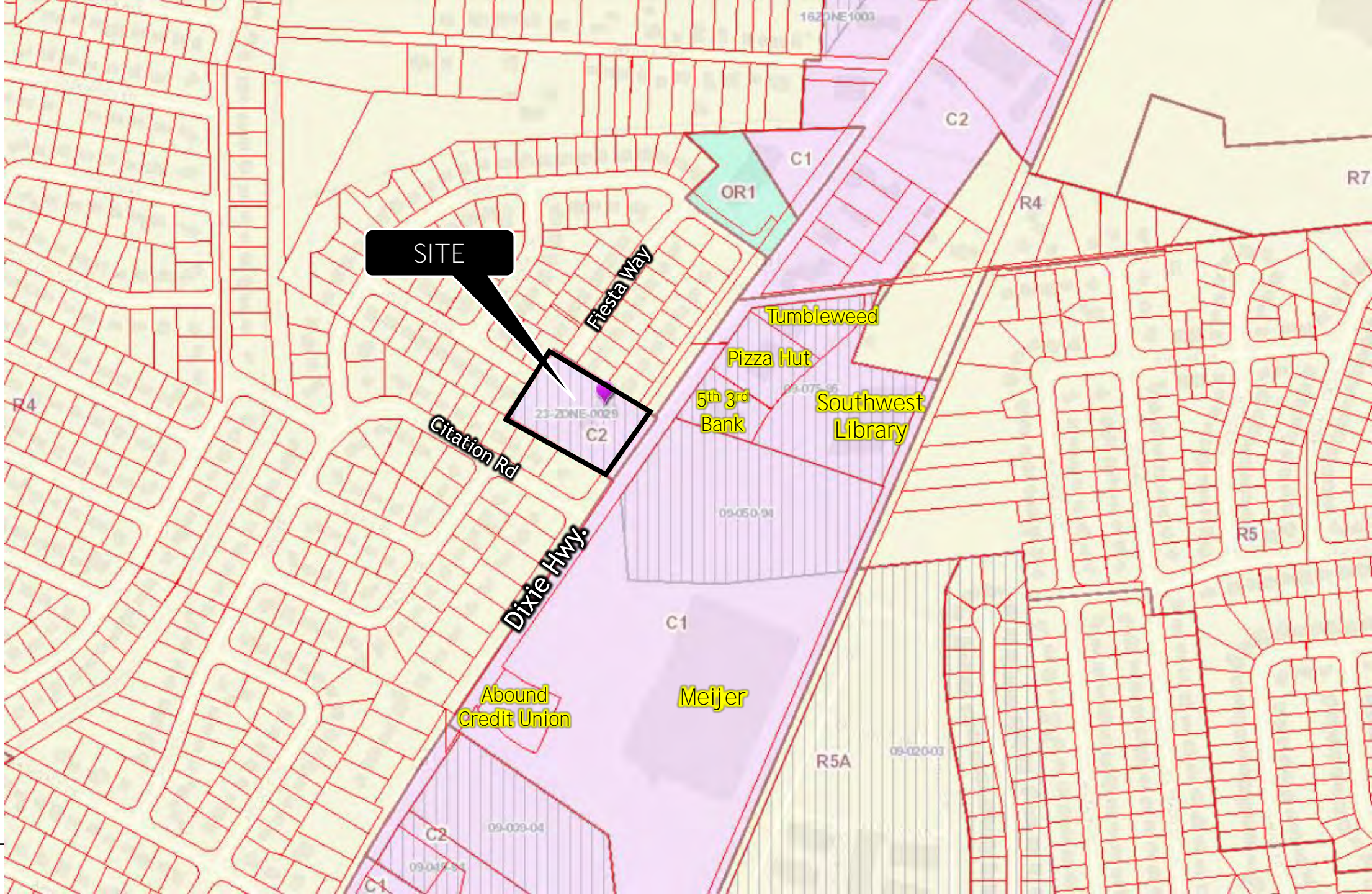


Docket No. 25-DDP-0085

Proposed Revised Detailed District Development
Plan to allow a Chick-fil-A restaurant with a drive
thru on property located at 9718 Dixie Hwy.



SITE

Fiesta Way

Tumbleweed

Pizza Hut

5th 3rd Bank

Southwest Library

Citation Rd

Dixie Hwy

Abound Credit Union

Meijer

21-ZONE-0029

09-075-26

09-050-31

C1

R5A

09-020-03

C2

09-009-04

09-047-25

C1

C2

C1

OR1

R4

R7

R4

R5

162-ZONE-1003



Proposed ROW dedication

SITE

Tumbleweed

Pizza Hut

5th 3rd Bank

Southwest Library

Abound Credit Union

Meijer

CATALINA AVE

SPEEDWAY AVE

ARGREEN RD

ZEV WAY

PONDER LN

VERDE VISTA DR

HACIENDA DR

Fiesta Way

MILLERS CT

KENDALL RD

DIXIE HWY

DONERATE WAY

Citation Rd

CITATION RD

Dixie Hwy.

APPOLLO LN

DALTON DR

ODIN CIR

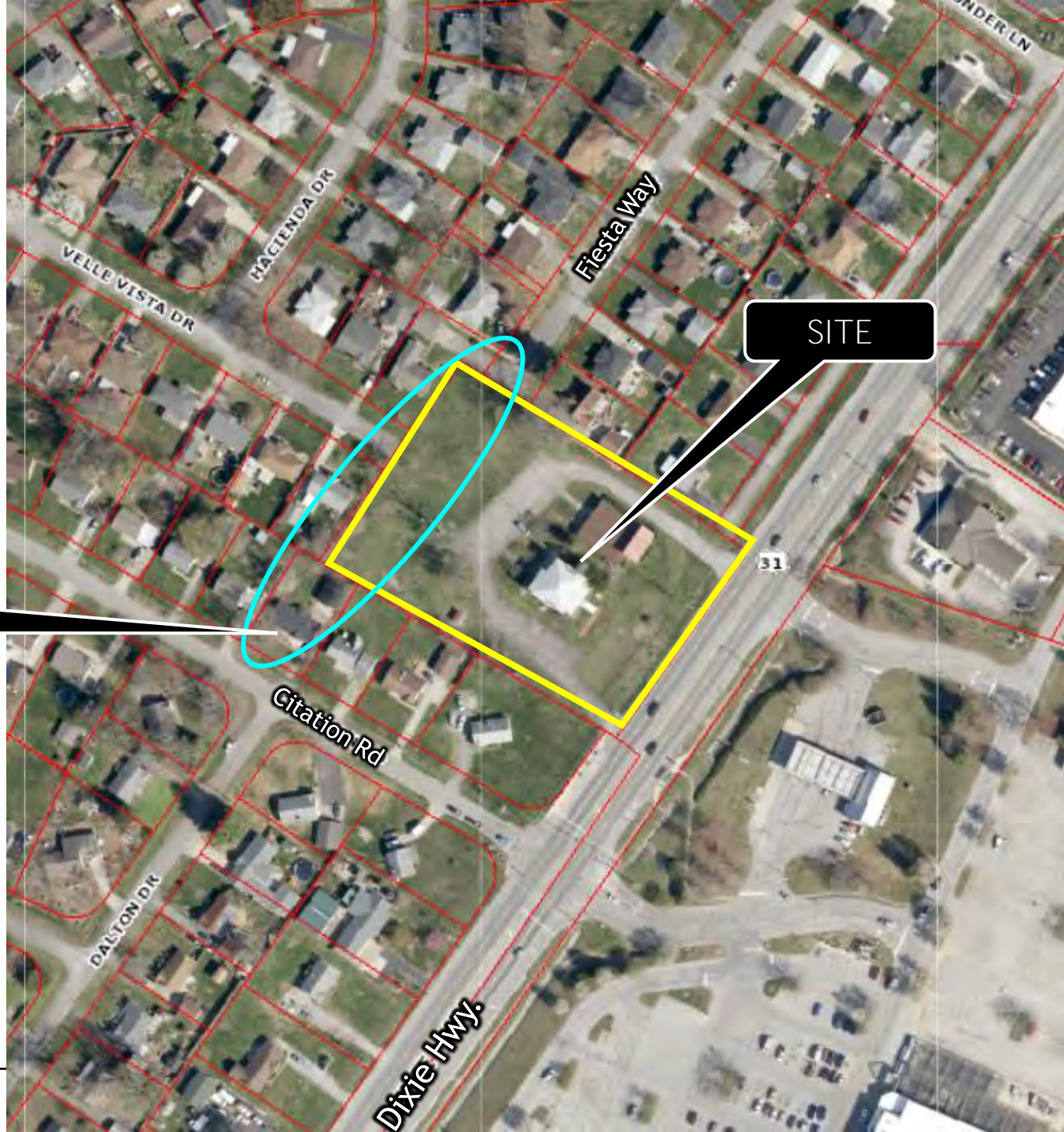
ERINWOOD WAY

ERIKSSON LN

VALLEY FARMS BLVD

ANITA BLVD

Proposed ROW
dedication



SITE

Citation Rd

Dixie Hwy

Fiesta Way

Velle Vista Dr

Hacienda Dr

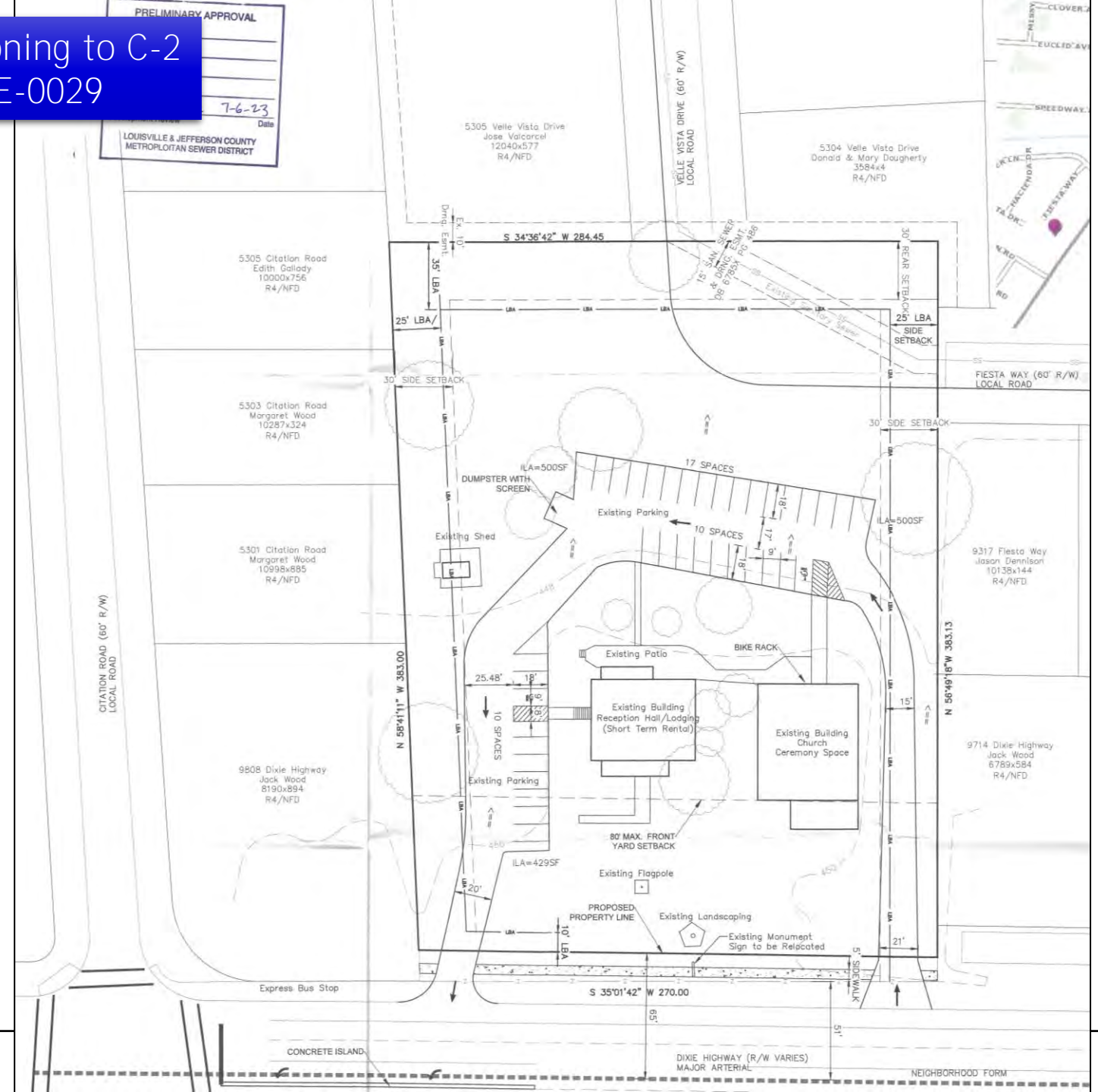
Dalston Dr

...NDER LN

31

Prior Approved Development Plan from rezoning to C-2
for an Event Center - Case No. 23-ZONE-0029

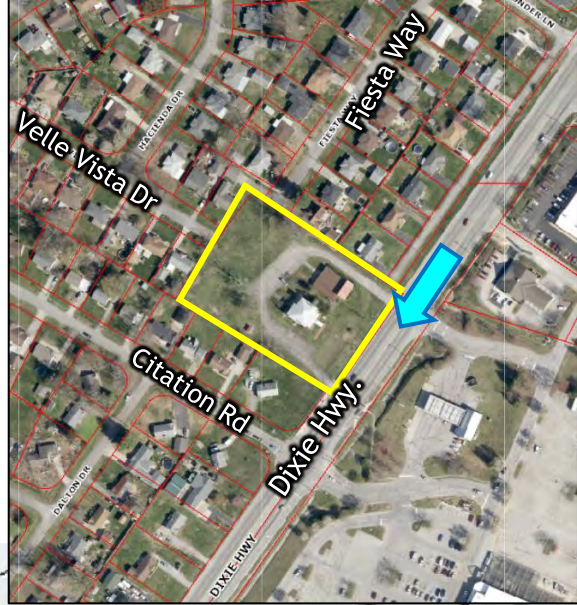
PRELIMINARY APPROVAL
 Date 7-6-23
 LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT



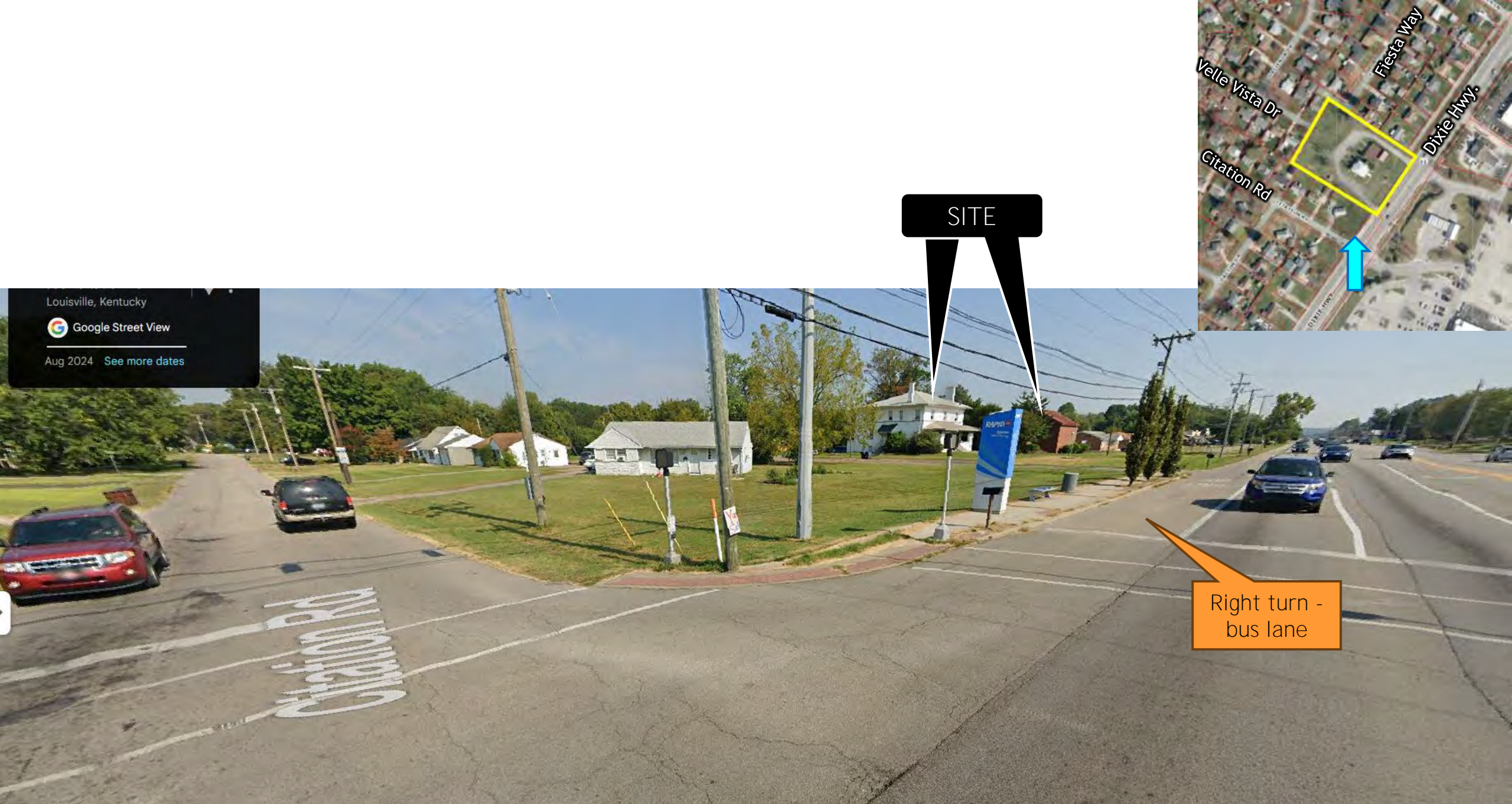
9716 Dixie Hwy
Louisville, Kentucky

Google Street View

Dec 2024 See more dates



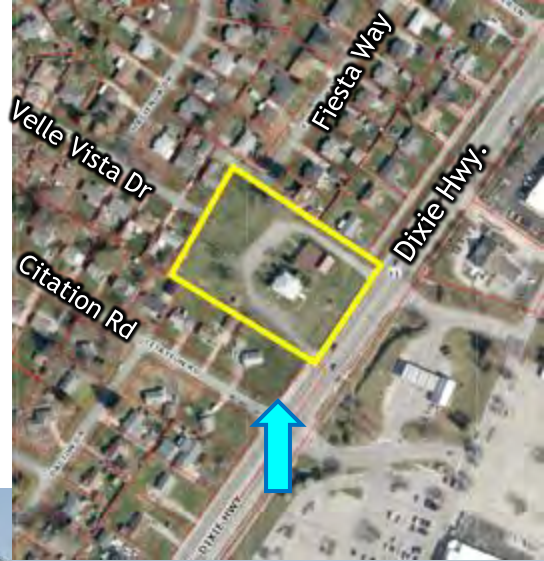
Looking southwest on Dixie Hwy. Site is to the right.



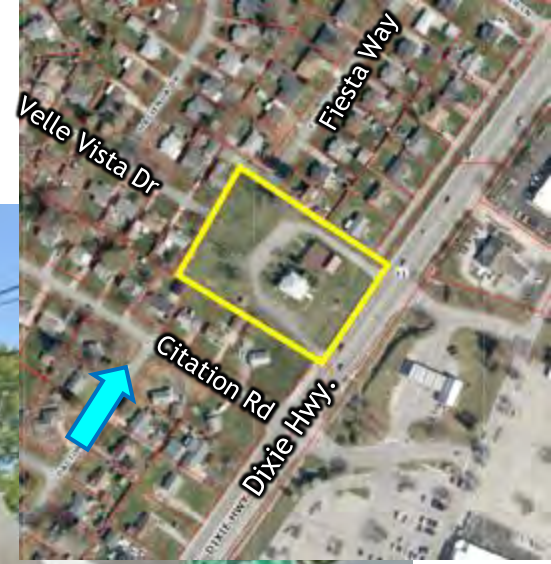
Louisville, Kentucky
Google Street View
Aug 2024 See more dates

SITE

Right turn -
bus lane



Looking north from intersection of Citation Rd. and Dixie Hwy.



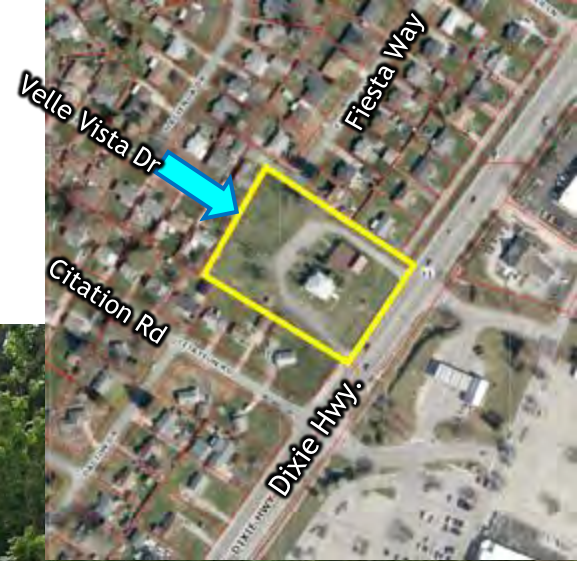
View of proposed ROW entrance at Citation Rd and Dalton Dr.

5306 Velle Vista Dr

Louisville, Kentucky

Google Street View

May 2019 See more dates



ROW Dedication Area

SITE



View of rear of site from Velle Vista Dr.



9314 Fiesta Way

Louisville, Kentucky

Google Street View

Aug 2024 See more dates

SITE

ROW Dedication Area

Fiesta Way

View of rear of site from Fiesta Way

Proposed Revised Development Plan



Proposed Revised Development Plan



VELLE VIS

HACIENDA DRIVE

ALTON DRIVE

CITATION ROAD

FIESTA WAY

DENADA GATES

DIXIE HIGHWAY - 31W

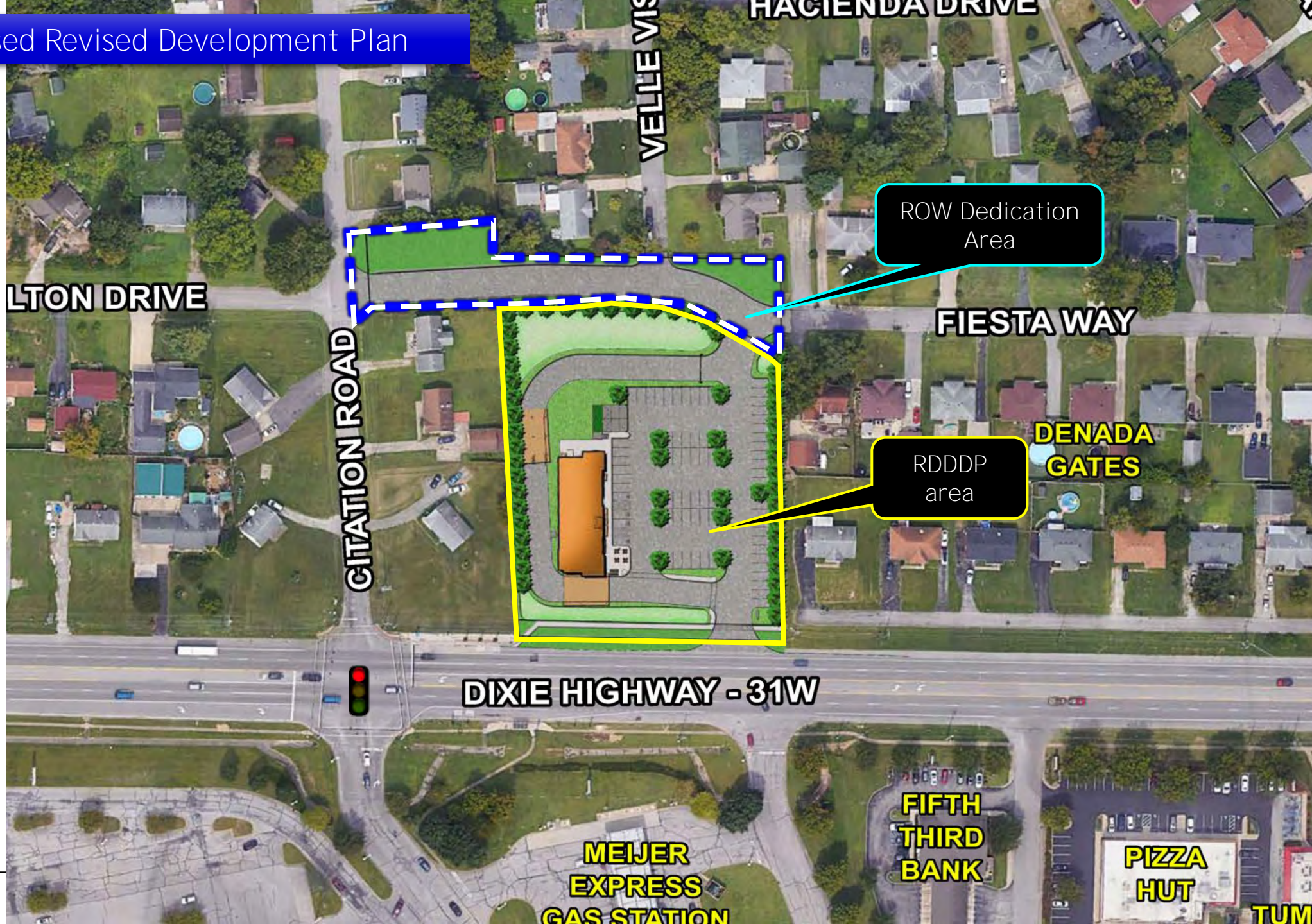
MEIJER EXPRESS GAS STATION

FIFTH THIRD BANK

PIZZA HUT

TUM

Proposed Revised Development Plan

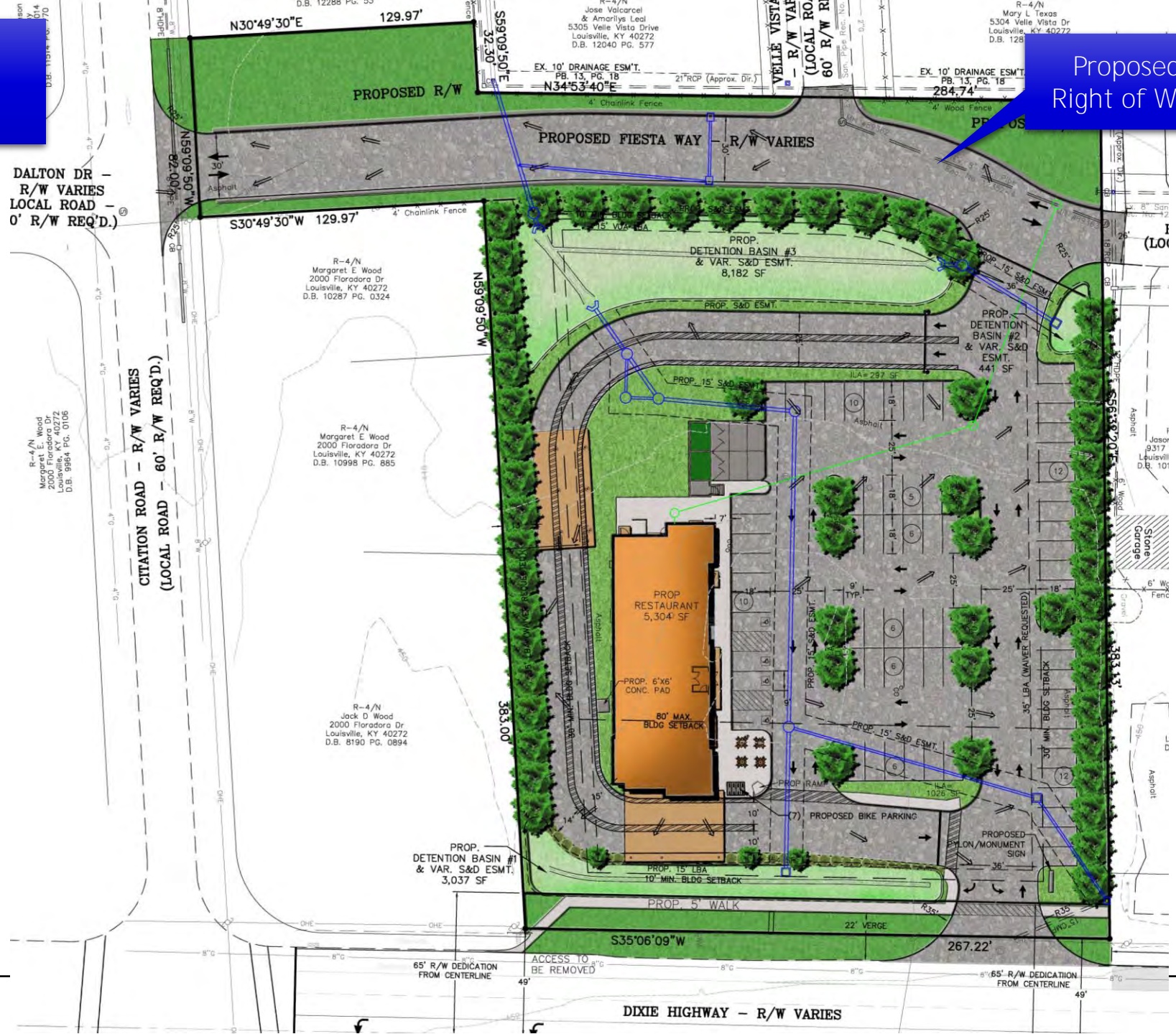


ROW Dedication Area

RDDD area

Proposed Chick-fil-A RDDDP

Proposed
Right of Way



Deceleration Lane

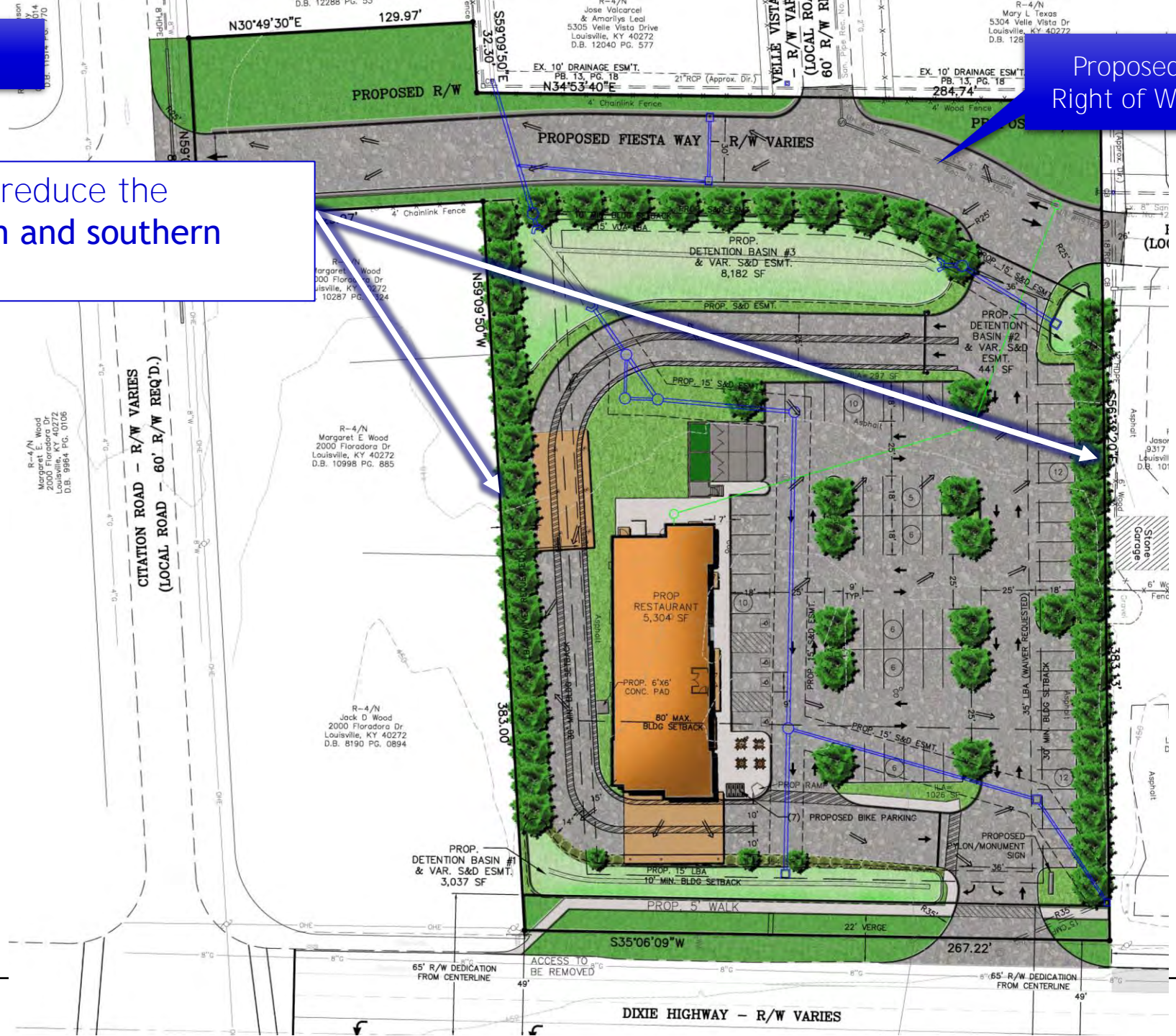


1. MSD drainage done required prior to
2. All retail shops must have individual
3. Construction plans and documents to Standard Specifications and other local
4. Sanitary sewer service will be provided submitted to MSD.
5. No portion of the site is within the
6. Drainage pattern depicted by arrows
7. If the site has thru drainage an easement
8. On-site detention will be provided. I storms or to the capacity of the di
9. All drainage, EPSC and Water Quality be determined prior to construction
10. The final design of this project must phase due to proper sizing of Greer

Proposed Waivers

Proposed Right of Way

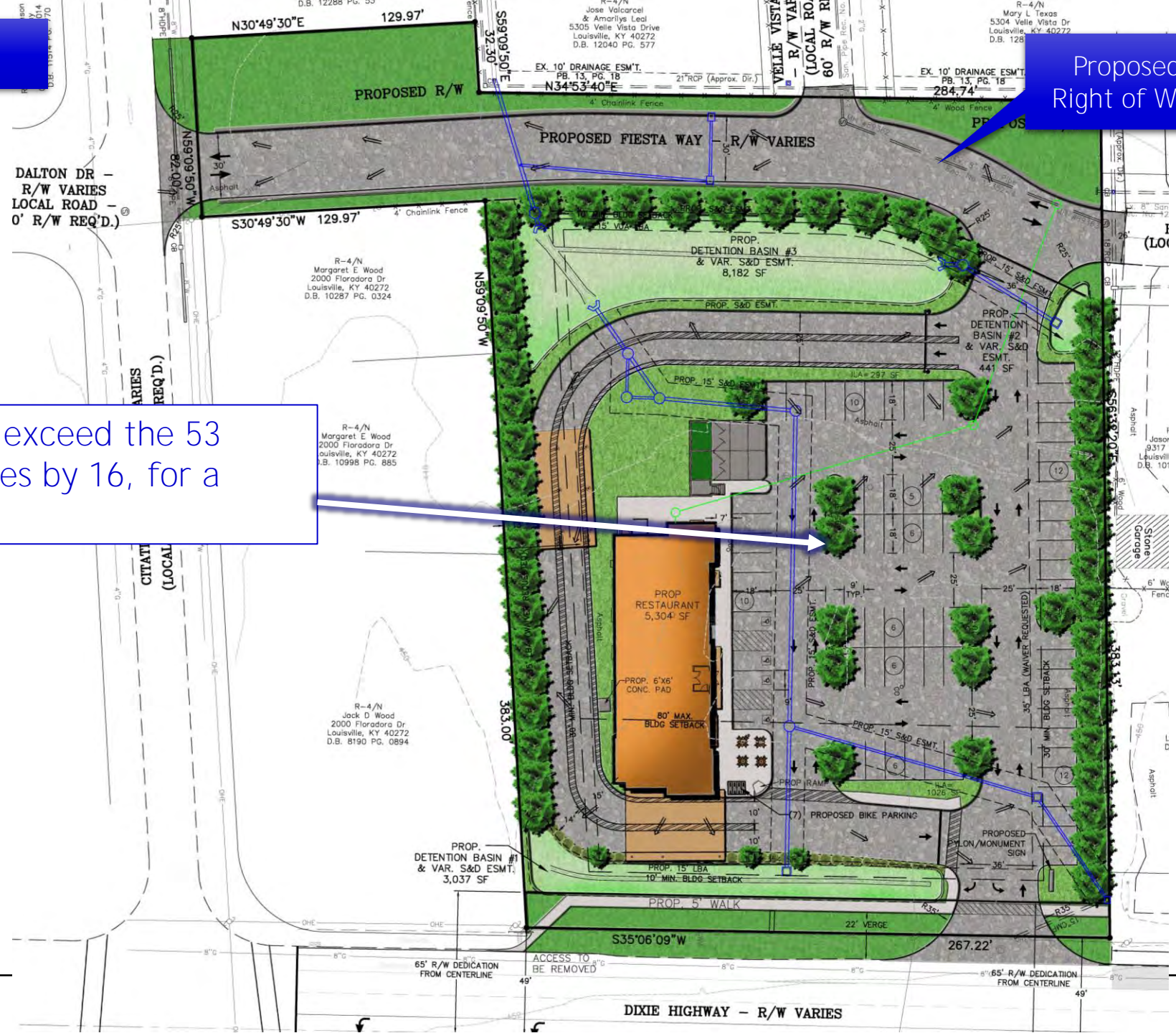
Waiver of LDC Section 10.2.1 to reduce the required 35' LBA on the northern and southern property lines



Proposed Waivers

Proposed Right of Way

Parking Waiver of LDC 9.1.16 to exceed the 53 maximum required parking spaces by 16, for a total of 69 parking spaces



Parking Study

Date:	February 18, 2026	
	Time	CFA Preston Hwy
9:00	9:02	48
10:00	10:02	41
11:00	11:10	39
12:00	12:10	64
1:00	1:11	54
2:00	2:15	41
3:00	3:15	37
4:00	4:05	28
5:00	5:15	49
6:00	6:16	60
7:00	7:08	38
Average		45.10
	Chick Fil A - Okolona	
	10501 Preston Hwy	
	Louisville, KY 40207	



PERSPECTIVE VIEW



PERSPECTIVE VIEW

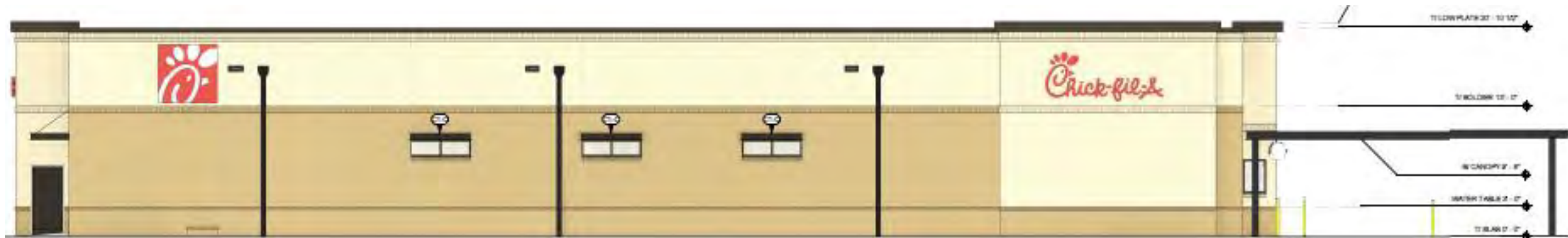


PERSPECTIVE VIEW



PERSPECTIVE VIEW





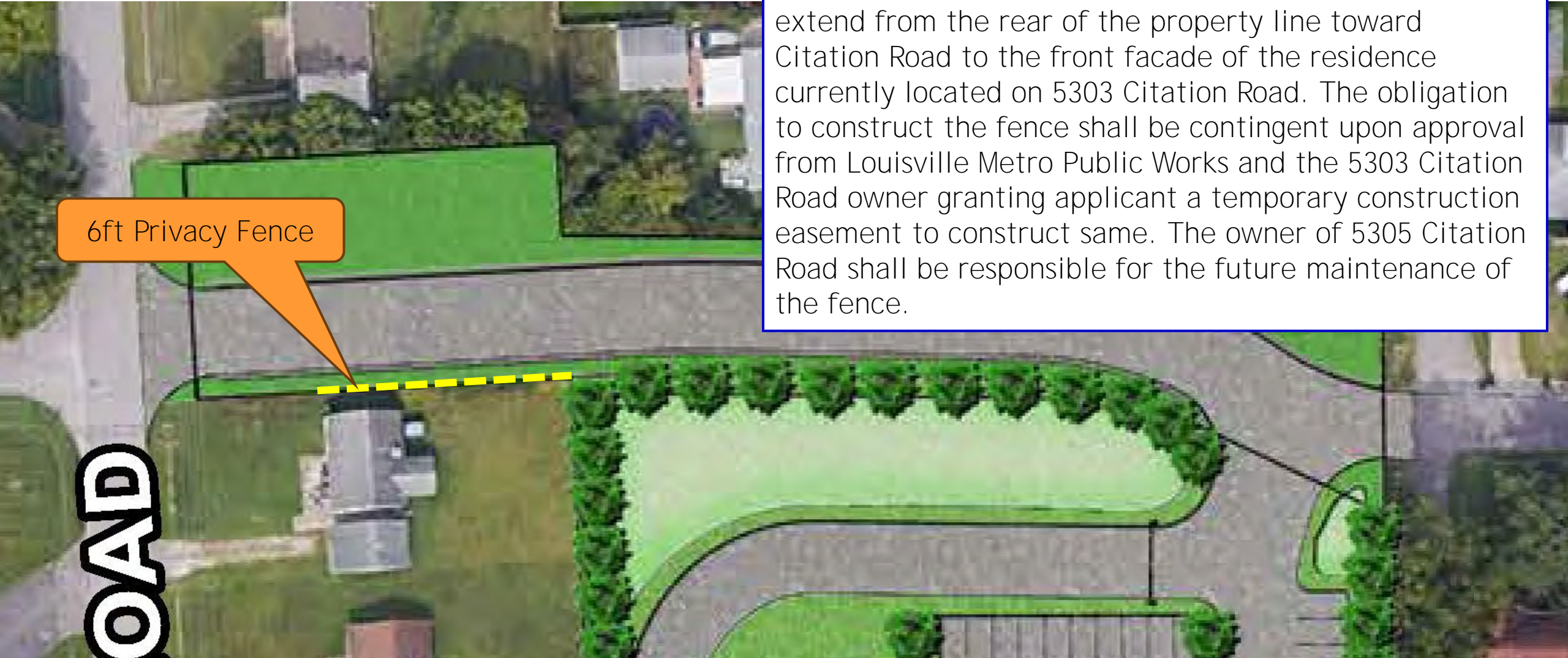
Proposed Additional Binding Element

7. Applicant shall construct a 6-foot privacy fence on the west property line of 5303 Citation Road prior to acceptance of Fiesta Way as a dedicated road by Louisville Metro Public Works. The 6-foot privacy fence shall be located on the 5303 Citation Road and shall extend from the rear of the property line toward Citation Road to the front facade of the residence currently located on 5303 Citation Road. The obligation to construct the fence shall be contingent upon approval from Louisville Metro Public Works and the 5303 Citation Road owner granting applicant a temporary construction easement to construct same. The owner of 5305 Citation Road shall be responsible for the future maintenance of the fence.



Proposed location of fence

7. Applicant shall construct a 6-foot privacy fence on the west property line of 5303 Citation Road prior to acceptance of Fiesta Way as a dedicated road by Louisville Metro Public Works. The 6-foot privacy fence shall be located on the 5303 Citation Road and shall extend from the rear of the property line toward Citation Road to the front facade of the residence currently located on 5303 Citation Road. The obligation to construct the fence shall be contingent upon approval from Louisville Metro Public Works and the 5303 Citation Road owner granting applicant a temporary construction easement to construct same. The owner of 5305 Citation Road shall be responsible for the future maintenance of the fence.



AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 9718 DIXIE HIGHWAY CONTAINING APPROXIMATELY 2.55 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 23ZONE0029). (AS AMENDED)

SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the "Planning Commission") and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 23ZONE0029; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 23ZONE0029 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records, with the addition of a binding element.

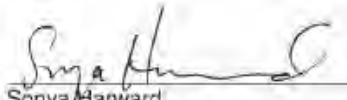
NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

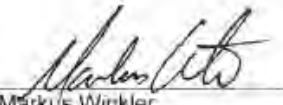
SECTION I: That the zoning of the property located at 9718 Dixie Highway containing approximately 2.55 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 23ZONE0029, is hereby changed from R-4 Single Family Residential to C-2 Commercial; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 23ZONE0029, with the following additional binding element:

10. Any significant increases to the proposed structures (e.g. increases in building height, number of units, number of

buildings), any increase in density on the property, any changes in use on the property which directly or indirectly require a public hearing before the Planning Commission or subcommittee thereof, and/or any amendments to the binding elements, other than (i) the addition of new binding elements, (ii) changes to binding elements that merely update the public hearing date, or (iii) updating a previous version of this binding element to reflect the current language, shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

SECTION II: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.


Sonya Harward
Metro Council Clerk


Markus Winkler
President of the Council

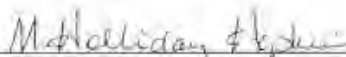

Craig Greenberg
Mayor

October 3, 2023
Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

LOUISVILLE METRO COUNCIL
READ AND PASSED
September 28, 2023

By: 

PLANNING COMMISSION MINUTES
August 17, 2023

PUBLIC HEARING

CASE NO. 23-ZONE-0029

Request: Change in Zoning from R-4 to C-2 with Detailed District Development Plan and Binding Elements and Waiver
Project Name: Conversion to Venue
Location: 9718 Dixie Highway
Owner: Sarah Downey & Damir Puhovac
Applicant: Sarah Downey
Representative: Qk4
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:

03:08:08 Dante St. Germain discussed the case summary, standard of review and staff analysis from the staff report (see video for PowerPoint presentation). The applicant is proposing to convert the existing structures to an event venue. The applicant proposed two binding elements.

The following spoke in favor of this request:

Ashley Bartley, Qk4, 9920 Corporate Campus Drive, Suite 1200, Louisville, KY 40223

Summary of testimony of those in favor:

03:14:55 Ashley Bartley spoke in support of the application and presented a PowerPoint presentation (see video for details). The proposal is reusing the existing structures and there will not be any physical improvements to the site.

Commissioner Carlson asked about emergency vehicle maneuverability on the site. Bartley said that should not be an issue. Bartley also stated off-pavement parking should not be an issue and that parking lot lighting is currently on all night. Bartley stated the binding elements were offered as an opportunity to address outdoor noise.

PLANNING COMMISSION MINUTES
August 17, 2023

PUBLIC HEARING

CASE NO. 23-ZONE-0029

Commissioner Mims suggested their be signage to help guide traffic flow on the site to prevent people from traveling the wrong way.

The following spoke neither in opposition or support:

Cindi Fowler, 501 W. Jefferson Street, Louisville, KY 40202

Jack Wood, 2000 Floradora Drive, Louisville, KY 40272

Summary of testimony of those speaking as other:

03:28:56 Cindi Fowler is happy to see the property will be used since there have been some maintenance concerns in the past.

03:29:50 Jack Wood provided testimony. He has requested an access from this property's entrance to some adjoining properties that he owns because there are frequently issues that causes his properties' driveways to be blocked.

Rebuttal

03:39:33 Ashley Bartley provided rebuttal to the opposition's testimony. Bartley said she has recommended a survey of the boundary to make sure they place the trees in the correct location.

Deliberation

03:40:46 Planning Commission deliberation.

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.

Zoning Change from R-4 to C-2

03:43:04 On a motion by Commissioner Carlson, seconded by Commissioner Howard, the following resolution based staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the proposal meets Plan 2040 Community Form: Goal 1 because the proposal would constitute non-residential expansion into an

PUBLIC HEARING

CASE NO. 23-ZONE-0029

existing residential area. Any adverse impacts can be mitigated because of the size and shape of the site. The proposal would permit higher density and intensity uses. The site is located on Dixie Highway, a major transportation and transit corridor. The site is located across Dixie Highway from a major activity center. The proposed zoning would not permit hazardous uses. Uses with air, noise and light emissions must comply with LMCO and LDC restrictions. The proposed zoning district would not permit uses with noxious odors, particulates and emissions. Access to the site is via Dixie Highway, a major arterial level roadway. Noise impacts can be mitigated with buffering because of the size and shape of the site,

WHEREAS, the proposal meets Community Form: Goal 2 because the site is located across Dixie Highway from an existing activity center. The site has appropriate access and connectivity. Access to the site is via Dixie Highway, a major arterial at this location. The proposal would permit retail commercial uses. The site is located across Dixie Highway from an existing activity center. The proposed zoning district would permit a more compact pattern of development. The proposal would permit uses which would increase the mixture of compatible land uses in the vicinity. The proposed zoning district would permit residential uses above retail and other mixed-use multi-story retail buildings. The proposal would re-use existing structures to provide commercial uses. No underutilized parking lots are evident on the site. The design and scale of the proposal is compatible with nearby residences. The proposal would re-use existing structures,

WHEREAS, the proposal meets Community Form: Goal 3 because no natural features are evident on the subject site. No wet or highly permeable soils, or severe, steep, or unstable slopes are evident on the site,

WHEREAS, the proposal meets Community Form: Goal 4 because no distinctive cultural features are evident on the site. No historic assets are evident on the site,

WHEREAS, the proposal meets Mobility: Goal 1 because the proposed zoning would permit higher density and intensity uses. The site is located adjacent to an existing marketplace corridor and existing activity center, across Dixie Highway,

WHEREAS, the proposal meets Mobility: Goal 2 because access to the site via Dixie Highway, a major arterial at this location,

WHEREAS, the proposal meets Mobility: Goal 3 because the proposed zoning district would permit a complementary mix of neighborhood serving businesses and services. The site is easily accessible by bicycle, car and transit. Pedestrians and people with disabilities would find it more difficult to access the site. However, redevelopment of the site will improve the sidewalk network. The proposal would promote public transit and

PUBLIC HEARING

CASE NO. 23-ZONE-0029

pedestrian use by increasing the variety of services in an existing activity center. Transportation Planning has approved the proposal,

WHEREAS, the proposal meets Community Facilities: Goal 2 because the relevant utilities have approved the proposal. Louisville Water Company has approved the proposal. MSD has approved the proposal.

WHEREAS, the proposal meets Economic Development: Goal 1 because the site is located on Dixie Highway, a major arterial at this location,

WHEREAS, the proposal meets Housing: Goal 1 because the proposal would support aging in place by increasing the variety of neighborhood-serving amenities in proximity to housing. Housing would also be permitted by the proposed zoning district,

WHEREAS, the proposal meets Housing: Goal 2 because the proposal would encourage inter-generational mixed-income and mixed-use development by permitting commercial development close to housing. The proposed zoning district would permit housing in proximity to a multi-modal transportation corridor and an activity center providing neighborhood goods and services, and

WHEREAS, the proposal meets; Housing: Goal 3 because no existing residents will be displaced by the proposal. The proposed zoning district would permit innovative methods of housing; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council **APPROVE** the change in zoning from R-4 to C-2 on property described in the attached legal description.

The vote was as follows:

YES: Commissioners Pennix, Fischer, Mims, Howard, Kern, Sistrunk, Carlson and Lewis

NOT PRESENT FOR THIS CASE: Commissioners Clare and Cheek

Waiver of LDC Section 10.2.4.B.1

03:44:00 On a motion by Commissioner Carlson, seconded by Commissioner Howard, the following resolution based on the staff report, applicant's testimony today, and Staff Analysis, was adopted:

PUBLIC HEARING

CASE NO. 23-ZONE-0029

WHEREAS, the waiver will not adversely affect adjacent property owners, as landscape buffer areas will be provided between the non-residential use on the site and the residential uses on adjacent sites,

WHEREAS, the waiver will not violate the Comprehensive Plan as the Comprehensive Plan encourages mitigation of impacts using buffers. Buffers can consist of screening, and should 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. A reduced buffer is proposed to protect adjoining properties. The required plantings can be provided,

WHEREAS, the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant,

WHEREAS, the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant. The existing drive aisle encroaches into the required buffer, and moving the drive aisle would necessitate the complete reworking of the site circulation, which may prove infeasible, and

WHEREAS, the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant because the drive aisle already exists and the required plantings can be provided; therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the waiver.

The vote was as follows:

YES: Commissioners Pennix, Fischer, Mims, Howard, Kern, Sistrunk, Carlson and Lewis

NOT PRESENT FOR THIS CASE: Commissioners Clare and Cheek

Detailed District Development Plan

03:44:52 On a motion by Commissioner Carlson, seconded by Commissioner Howard, the following resolution based on the staff report and applicant's testimony heard today, was adopted:

WHEREAS, no natural resources appear to exist on the site. Required tree canopy will be provided,

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CASE NO. 23-ZONE-0029

WHEREAS, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan. Should new construction be proposed in the future, the stubs of Fiesta Way and Velle Vista Drive will need to be connected,

WHEREAS, no open space requirements are pertinent to the request,

WHEREAS, the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community,

WHEREAS, the overall site design is in compliance with existing and planned future development in the area. The proposal would permit a venue and event space within existing structures on the site, and

WHEREAS, the development plan conforms to applicable requirements of the Land Development Code and Plan 2040; therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **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) 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 Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.

PUBLIC HEARING

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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 Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet for any work in the Dixie Highway right-of-way.
 - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
5. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
6. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
7. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
8. The hours permitted for events of more than ten guests shall be restricted between 10:00 am and 10:00 pm Sunday through Thursday, and 11:00 am to 12:00 am on Friday and Saturday.
9. Outdoor gatherings of guests that are not utilizing the rental property must end by 9:00 pm Sunday through Thursday, and 11:00 pm on Friday and Saturday.

The vote was as follows:

PUBLIC HEARING

CASE NO. 23-ZONE-0029

YES: Commissioners Pennix, Fischer, Mims, Howard, Kern, Sistrunk, Carlson and Lewis
NOT PRESENT FOR THIS CASE: Commissioners Clare and Cheek