

PLANNING COMMISSION MINUTES

March 20, 2025

PUBLIC HEARING

CASE NO. 24-ZONE-0108

Request: Change in zoning from R-4 to C-2, with Detailed District Development Plan and Binding Elements, and Waiver
Project Name: Tune Ups Plus
Location: 5004 Campground Road
Applicant: Michael Gaudio
Representative: Qk4
Jurisdiction: Louisville Metro
Council District: 1 – Tammy Hawkins
Case Manager: Dante St. Germain, AICP, Senior Planner

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 Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

01:01:50 Dante St. Germain provided an overview of the request and presented a PowerPoint presentation. St. Germain responded to questions from Commission Members (see recording for details).

The following spoke in favor of this request:

Ashley Bartley, Qk4, 9920 Corporate Campus Dr., Louisville, KY 40223

Shawn Spencer, 1905 Nelson Avenue, Louisville, KY 40214

Summary of testimony of those in favor:

01:11:00 Ashley Bartley provided an overview of the request and presented a PowerPoint presentation. Bartley responded to questions from Commission Members (see recording for details).

01:16:10 Shawn Spencer spoke in support of the proposal and stated that the proposal will add value and contribute positively to the community.

The following spoke in opposition of this request:

None

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Deliberation:

01:17:40 Planning Commission deliberation.

An audio/visual recording of the Planning Commission hearing related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Change in zoning from R-4 single-family residential to C-2 Commercial

01:18:15 On a motion by Commissioner Cheek, seconded by Commissioner Steff, the following resolution, based on the 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 site is located within an existing Suburban Workplace form. EZ-1 zoning is located adjacent to the site to the south-west and across Campground Road. The proposal would not constitute a non-residential expansion into an existing residential area. The proposal would permit higher density and intensity uses. The site is located adjacent to an existing employment center. The proposal would not permit hazardous uses. Uses with air, noise and light emissions must comply with LMCO and LDC restrictions. The proposal would not permit uses generating noxious odors, particulates and emissions. Access to the site is via Campground Road, a primary collector at this location. Access does not pass-through areas of lower intensity. Development on the site can be adequately screened in order to minimize adverse impacts from noise to the surrounding neighborhood, and

WHEREAS, the Planning Commission finds the proposal meets Community Form: Goal 2 because the site is located adjacent to an existing activity/employment center and would expand the center. The proposal would permit retail development as a corner use adjacent to existing residential. The proposal would permit a more compact pattern of development adjacent to an existing employment center. The proposed zoning district would permit a mixture of compatible land uses adjacent to an existing employment center. The proposed zoning district would permit residential uses. The existing structure is proposed to continue its current residential use. The proposal would permit re-use of existing structures for residential and commercial uses, and

WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 1 because the site is adjacent to an existing employment center, and

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WHEREAS, the Planning Commission finds the proposal meets Mobility: Goal 3 because the proposed zoning district would permit a mixture of compatible land uses. The site is easily accessible by car and bicycle. Accessibility by pedestrians and people with disabilities would be improved by the development. Transit may be attracted to the area by increased density and intensity of development. The site is not located near existing transit. Transit may be attracted to the area by increased density and intensity of development. Transportation Planning has approved the proposal, and

WHEREAS, the Planning Commission finds 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, and

WHEREAS, the Planning Commission finds the proposal meets Economic Development: Goal 1 because the proposed zoning district would permit land uses compatible with the existing and proposed Workplace form. The site is located adjacent to existing industry. The scale of the site is such that uses generating high volumes of traffic are unlikely to be located on the site. The site is located adjacent to an existing industrial subdivision and has appropriate connectivity, and

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 1 because the proposal would support aging in place by permitting smaller-scale commercial uses near existing residential, and

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 2 because the proposed zoning district would permit inter-generational mixed-income and mixed-use development. The site would permit smaller-scale commercial uses near existing residential, and

WHEREAS, the Planning Commission finds the proposal meets Housing: Goal 3 because no existing residents would be displaced by the proposal. The proposal 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 Single Family Residential to C-2 Commercial.

The vote was as follows:

YES: Commissioners Fischer, Steff, Lannert, Kern, Mims, Bond, Lohan, Benitez, Cheek, and Sistrunk

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CASE NO. 24-ZONE-0108

Waiver from Land Development Code section 10.2.4.B.1 to permit encroachment into a required property perimeter Landscape Buffer Area (LBA) by existing structures on the northern property line (required: 25', requested: 20', encroachment of 5') (24-WAIVER-0139)

01:19:00 On a motion by Commissioner Cheek, seconded by Commissioner Steff, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds the waiver will not adversely affect adjacent property owners as the affected property is owned by a co-owner of the business to be run on the site, and

WHEREAS, the Planning Commission finds the waiver will not violate specific guidelines of Plan 2040 as Plan 2040 encourages appropriate buffering and transitions between uses that are significantly different in density or intensity. The amount of encroachment is minimal, and plantings and screening can be provided, and

WHEREAS, the Planning Commission finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the encroachment is by a structure that already exists, and

WHEREAS, the Planning Commission finds 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 provision of the full required Landscape Buffer Area would necessitate removing a portion of the existing house; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the requested Waiver from Land Development Code section 10.2.4.B.1 to permit encroachment into a required property perimeter Landscape Buffer Area (LBA) by existing structures on the northern property line (required: 25', requested: 20', encroachment of 5') (24-WAIVER-0139)

The vote was as follows:

YES: Commissioners Fischer, Steff, Lannert, Kern, Mims, Bond, Lohan, Benitez, Cheek, and Sistrunk

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Detailed District Development Plan with Binding Elements

01:19:50 On a motion by Commissioner Cheek, seconded by Commissioner Steff, the following resolution, based on the staff report, applicant and staff testimony heard today and staff analysis, was adopted:

WHEREAS, the Planning Commission finds that no natural resources are evident on the site. Tree canopy will be provided, and

WHEREAS, the Planning Commission finds the 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, and

WHEREAS, the Planning Commission finds that no open space provisions are pertinent to the request, and

WHEREAS, the Planning Commission finds 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, and

WHEREAS, the Planning Commission finds the overall site design is in compliance with existing and planned future development in the area. The existing and new development on the site can be adequately screened and buffered from nearby residential development, and

WHEREAS, the Planning Commission finds the development plan conforms to applicable requirements of the Land Development Code and Plan 2040 with the exception of the requested waiver, which has been adequately justified and meets the standard of review. The site plan complies with the policies and guidelines of the Comprehensive Plan. The proposed site design buffers any adverse impacts from neighboring residential uses; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Detailed District Development Plan **SUBJECT** to 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

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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.
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 Campground Road 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.
 - d. A minor subdivision plat or legal instrument shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Office of Planning prior to obtaining a building permit.
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. No idling of trucks shall take place within 200 feet of off-site residential structures. No overnight idling of trucks shall be permitted on-site.
7. 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

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the Planning Commission.

8. 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.
9. No more than four inoperable vehicles shall be located on the site. No vehicles shall be stored outside except in designated non-resident parking spaces as shown on the preliminary plan. No parts shall be stored outside. No vehicles shall be parked on grass. No pavement or gravel shall be placed except as shown on the preliminary plan.

The vote was as follows:

YES: Commissioners Fischer, Steff, Lannert, Kern, Mims, Bond, Lohan, Benitez, Cheek, and Sistrunk

01:21:00 Commissioner Training