

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
March 23, 2023

NEW BUSINESS

22-ZONE-0098

Request:	Change in Zoning from R-4 to PEC, with Associated Detailed District Development Plan/Major Preliminary Subdivision and Binding Elements and Waivers
Project Name:	Xebec Tucker Station
Location:	1525 – 1711 Tucker Station Road, 12850 & 1704 South Pope Lick Road, Parcel ID 367200070000
Owner:	Mark & Sandra Holloway, William Gary Holloway, LRH Family, LLC, Lois R. Holloway Revocable Trust, Brian & Annette Whitcomb, HHOP Partners, LLC
Applicant:	Xebec Pursuits, LLC
Representative:	Sabak Wilson & Lingo Inc., Stites & Harbison, PLLC
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer
Case Manager:	Dante St. Germain, AICP, Planner II

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. 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:

00:05:20 Dante St. Germain discussed the case summary from the staff report and indicated the application was ready for a public hearing (see video for presentation).

00:08:54 Commissioner Mims asked what the outcome was to the signal contribution to Tucker Station Road and South Pope Lick Road. St. Germain stated that it was unclear as to what contribution Land Development and Planning Commission are going to need.

00:12:14 Commissioner Mims questioned the connection over Schutte Station Place. St. Germain verified that the applicant has reached out to an engineer to make sure that the connection can be made.

00:14:22 Commissioner Carlson asked if more signage language should be added to Binding Element Number 12 and questioned Binding Element 10. St. Germain stated she can add more language to Binding Element Number 12

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
March 23, 2023

NEW BUSINESS

22-ZONE-0098

00:17:45 Commissioner Brown asked if the signal warrants were performed at both intersections. St. Germain mentioned that she hasn't received an updated traffic study.

The following spoke in favor of this request:

Kelli Jones, Sabak Wilson & Lingo, LLC, 608 S 3rd Street, Louisville, KY 40202

Adam Kirk, Stites & Harbison, 137 McClelland Springs Drive, Georgetown, KY 40324

Summary of testimony of those in favor:

00:18:28 Kellie Jones spoke in favor of the application and presented a PowerPoint presentation (see video). Jones reiterated that the site is in the suburban neighborhood and are contributing to more road frontage.

00:23:10 Commissioner Mims inquired about the traffic being pushed out onto Schutte Station Road. Jones elaborated on trying to push the truck traffic towards Schutte Station Road and recommend that the construction company put in their deed restrictions.

00:26:38 Commissioner Mims asked for clarification on the agreement between Jeff O'Brian and Xebec about the signal contribution. Jones mentioned that the amount in the Binding Element was given to them by Transportation Planning. Jones also mentioned that she does not know how they reached that amount but that was the amount given.

00:28:27 Commissioner Brown asked if a signal warrant analysis was prepared. Adam Kirk stated that a signal warrant analysis was completed at the intersection of Tucker Station Road and South Pope Lick Road along with the intersection of Blue Grass Parkway and Tucker Station Road.

00:45:45 Commissioner Cheek asked about the water and sewer easement along building 3. Jones stated that MSD requested that per their review.

The following spoke as a neutral party to the request:

Fred E. Fischer, Jeffersontown City Attorney, 10416 Watterson Trail, Jeffersontown, KY 40299

Summary of testimony of those as neutral:

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
March 23, 2023

NEW BUSINESS

22-ZONE-0098

00:46:30 Fred E. Fischer spoke in neutral to the application. Fischer stated that even though the project is not directly in Jeffersontown, the traffic from this development will impact the city of Jeffersontown.

The following spoke in opposition to the request:

Nick Pregliasco, Bardenwerper, Talbott & Roberts, 1000 N. Hurstbourne Parkway,
Louisville, KY 40223

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

Summary of testimony of those in opposition:

00:49:11 Nick Pregliasco spoke in opposition to the application. Pregliasco spoke on behalf of the Blankenbaker Station Community Association concerning the walking trail, which trees were going to be preserved, and the elevations of the property.

00:49:44 Steve Porter spoke in opposition to the application. Porter spoke on behalf of the Tucker Station Neighborhood Association. Porter stated that due to traffic a signal lights should be placed at both intersections.

REBUTTAL

00:53:27 Kelli Jones confirmed there isn't an estimated amount of truck data coming in due to the type of facility that is being developed.

Deliberation

00:54:54 Land Development and Transportation Committee 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.

00:55:31 On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following was adopted.

RESOLVED, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the April 13, 2023, Land Development & Transportation Committee Meeting.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
March 23, 2023

NEW BUSINESS

22-ZONE-0098

The vote was as follows:

YES: Commissioners Cheek, Brown, Mims, Carlson and Sistrunk

NO: None

ABSTAIN: None

ABSENT: None

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
February 23, 2023

NEW BUSINESS

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Request: Change in Zoning from R-4 to PEC, with Associated Detailed District Development Plan/Major Preliminary Subdivision and Binding Elements, and Waivers

Project Name: Xebec Tucker Station

Location: 1525 – 1711 Tucker Station Road, 12850 & 1704 South Pope Lick Road, Parcel ID 367200070000

Owner: Mark & Sandra Holloway, William Gary Holloway, LRH Family LLC, Lois R. Holloway Revocable Trust, Brian & Annette Whitcomb, HHOP Partners LLC

Applicant: Xebec Pursuits LLC

Representative: Sabak Wilson & Lingo Inc., Stites & Harbison PLLC

Jurisdiction: Louisville Metro

Council District: 11 – Kevin Kramer

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

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. 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:

00:26:29 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for a public hearing (see video for presentation). The applicant is requesting a zone change from R-4 single family residential to PEC Planned Employment Center. St. Germain stated that it might be beneficial to continue the case due to not receiving the Traffic Impact Statement in enough time.

00:30:33 Commissioner Sistrunk asked if the main reason the case should be continued was due to the traffic impact study. St. Germain stated yes due to the signal contribution and the Schutte Station Place connection.

00:31:11 Commissioner Brown asked is Schutte Station Place was being proposed. St. Germain mentioned they are proposing to connect half of a road, however part of the road is Schutte Station, but the other half is owned by Hollenback Oakley.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
February 23, 2023

NEW BUSINESS

22-ZONE-0098

00:32:13 Commissioner Carlson asked if the traffic light contribution amount would decrease in price. Beth Stuber stated the price would not go lower then \$75,000.

The following spoke in favor of this request:

Kelli Jones, Sabak Wilson & Lingo, LLC, 608 South 3rd Street, Louisville, KY 40202

Adam Kirk, Stites & Harbison, 137 McClelland Springs Drive, Georgetown, KY 40324

Summary of testimony of those in favor:

00:34:00 Kelli Jones spoke in favor of the application and presented a PowerPoint presentation (see video). Jones stated two entrances were removed. One entrance off Tucker Station Road and one off S. Pope Lick Road. Jones stated that Schutte Station Place is still being proposed as a right-of-way and are needing the approval from the adjacent property to complete the road.

00:48:42 Commissioner Cheek asked if Schutte Station Place will be a public right-of-way. Jones stated that it will be a public right-of-way.

00:49:11 Commissioner Carlson asked what the timeline would look like when it came to the connection on Schutte Station Place. Jones specified she assumed the commissioners would tell her where and when to start. Jones mentioned either connecting the road first or completing one or two building then connect the road.

00:52:05 Commissioner Carlson asked if there was signalization at the intersection of Tucker Station Road and Bluegrass Parkway or if it needed it. Jones stated they were going to contribute to a specific amount to signalization of an intersection and that funding would be applied to either one of those locations

00:54:01 Commissioner Carlson asked if there was a plan to discourage truck traffic from pulling out onto S Pope Lick Road and onto Schutte Station. Jones stated that she would put up some signage to help keep truck traffic down.

00:57:15 Adam Kirk presented in support of the application. Kirk reviewed the traffic study information. Commissioner Brown asked if there was a signal warrant analysis preformed for Tucker Station Road and S Pope Lick. Adam Kirk mentioned that a signal warrant analysis was not performed by his team however he believes that was done by staff and that it did meet warrant.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
February 23, 2023

NEW BUSINESS

22-ZONE-0098

The following spoke in opposition to the request:

Nick Pregliasco, Bardenwerper, Talbott & Roberts, 1000 North Hurstbourne Parkway, Louisville, KY 40223

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

Roy Lillpop, 12611 South Pope Lick Road, Louisville, KY 40299

Summary of testimony of those in opposition:

01:03:39 Nick Pregliasco spoke in opposition to the application on behalf of the Blankenbaker Station Community Association. Pregliasco stated the association wants to know if buffering will be provided south of the development. The association wants to know what the elevations would look like from the southside where the lake is located.

01:07:12 Steve Porter spoke in opposition to the application on behalf of the Tucker Station Neighborhood Association. Porter stated that traffic is a major issue in that area and removing an entrance from Tucker Station Road and an entrance from S Pope Lick Road will not change the amount of traffic flowing through that area.

01:18:31 Roy Lillpop spoke in opposition to the application. Lillpop stated that if the development is built the noise would be too much for the area. Lillpop also mentioned that putting semi-trucks on a two lane rural road will cause major issues.

01:26:04 Commissioner Cheek asked what would be needed to extend Plantside Drive to Tucker Station Road. Porter stated that a development similar to this would have to go on a property between Rehl Road and Taylorville Road to justify building the road.

REBUTTAL

01:28:46 Kelli Jones stated that the property is in the suburban work place form district and the type of development that they are proposing is exactly the type of development that belongs in the area. Jones stated that the planting treatment on the south side will be similar to the north side and the elevation difference will not be as significant across the pond than across the street.

Deliberation

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
February 23, 2023

NEW BUSINESS

22-ZONE-0098

01:33:36 Land Development and Transportation Committee deliberation.

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01:37:21 On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following was adopted.

RESOLVED, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the March 23rd, 2023 Land Development & Transportation Committee Meeting.

The vote was as follows:

YES: Commissioners Cheek, Brown, Carlson and Sistrunk

NO: None

ABSTAIN: None

ABSENT: Commissioner Mims