

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

July 8, 2021

New Business

Case No. 21-ZONE-0001

Request:	Change in Zoning from R-4 to PRD with Detailed District Development Plan/Preliminary Subdivision Plan
Project Name:	Aiken North Subdivision
Location:	16907, 16907R, 16909, & 17401 Aiken Road
Owner:	Katherine Kirzinger & John Curry, Richard & Anne Gillespie, & Robert Kirzinger
Applicant:	Perfection Builders
Representative:	Mindel Scott; Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	19 – Anthony Piagentini
Case Manager:	Joel Dock, 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. The Commissioners received this report in advance of the hearing, and 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:

01:08:55 Julia Williams presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Bill Bardenwerper, Bardenwerper Talbott & Roberts PLLC, 1000 North Hurstbourne Parkway, Louisville, KY 40223

David Mindel, 5151 Jefferson Blvd, Louisville, KY 40219

Summary of testimony of those in favor:

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01:17:04 Bill Bardenwerper, one of the applicant's representatives, presented the applicant's case and showed a PowerPoint presentation (see recording for detailed presentation.) He also discussed the traffic impact study.

David Mindel discussed the plan for the intersection and road improvements in detail.

In response to Commissioner Carlson's question about funding, Diane Zimmerman explained what traffic problems in the area needed funding. There was further discussion on the traffic developments and roadway improvements and how they will be funded.

The following spoke in neutral to the request:

Cheryl Harrington, 17423 Curry Branch Road, Louisville, KY 40245

Summary of testimony of those neutral:

02:02:01 Cheryl Harrington asked about the traffic light at Aiken and Johnson and if it was for sure included. She said she could see a lot of accidents happening there without the light.

The following spoke in opposition to the request:

Bruce Palmer-Ball, 2709 Flat Rock Road, Louisville, KY 40245

Bethany Williams, 2725 Flat Rock Road, Louisville, KY 40245

Summary of testimony of those in opposition:

02:04:18 Bruce Palmer-Ball said this subdivision was severely going to affect his subdivision, Hermitage Ridge. He is worried that Flat Rock Road is going to be opened as an entrance through into this neighborhood. This would significantly increase traffic in his neighborhood. He is also concerned about the fact that the lots in the proposed development back up directly into the homes in Hermitage Ridge. No privacy barriers have been proposed and there are concerns for that. Another concern is the construction traffic. He wants to make sure the dam is not affected by the traffic as well. There is also worry about the traffic on Aiken Road. He said the construction traffic on this road makes it very

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dangerous and the current construction traffic has already been detrimental to the roads.

Bethany Williams agreed with the points Bruce Palmer-Ball made. She said the development is right next to her property line. She said construction traffic has already affected her family and her children's safety. She feels there has been no concern for privacy and safety regarding this proposed development. She is also concerned about the condition of Flat Rock Road and Aiken Road with all the construction. She also said the roads are not wide enough for construction vehicles as well as the edges of the roads are breaking off, making it even worse.

Rebuttal

02:14:02 Bill Bardenwerper and David Mindel addressed the concerns of the residents. David Mindel discussed the buffer options between the two subdivisions. He said once a boundary survey is performed, they can meet with the owners of the properties as well. Bill Bardenwerper also discussed the fifteen-foot buffer. They both addressed the construction traffic.

02:22:30 **Commissioners' deliberation.**

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.

The Committee by general consensus scheduled this case to be heard at the **August 5, 2021** Planning Commission public hearing.