

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

August 22, 2019

A meeting of the Land Development and Transportation Committee was held on Thursday, August 22, 2019 at 1:00 PM in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

Committee Members present were:

Marilyn Lewis, Chair
Rob Peterson, Vice Chair
Jeff Brown
Richard Carlson
Ruth Daniels

Committee Members absent were:

No one.

Staff Members present were:

Emily Liu, Director, Planning & Design Services
Joseph Reverman, Assistant Director, Planning & Design Services
Julia Williams, Planning Supervisor
Lacey Gabbard, Planner I
Dante St. Germain, Planner II
John Carroll, Legal Counsel
Chris Cestaro, Management Assistant (minutes)

Others Present:

Beth Stuber, Transportation Planning
Tony Kelly, MSD
David Mulloy, MSD

The following matters were considered:

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

August 22, 2019

Approval of Minutes

Approval of the August 8, 2019 LD&T Committee Meeting Minutes

00:05:18 On a motion by Commissioner Carlson, seconded by Commissioner Daniels, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on August 8, 2019.

The vote was as follows:

YES: Commissioner Daniels and Carlson.

ABSTAINING: Commissioners Brown, Peterson, and Lewis.

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

August 22, 2019

New Business

Case No. 19STREETS1002

Request: Closure of Public Right-of-Way
Project Name: Churchill Downs S. 4th Street
Location: 4th Street at Oakdale Avenue
Owner: William E. Mudd, AQ Properties LLC
Applicant: Ryan Jordan, Churchill Downs LLC
Representative: Jon Baker - Wyatt Tarrant & Combs
Neil Crawford - Qk4
Jurisdiction: Louisville Metro
Council District: 15 – Kevin Triplett

Case Manager: **Lacey Gabbard, AICP, Planner I**

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:

00:06:28 Lacey Gabbard presented the case (see staff report and recording for detailed presentation.) She handed out some additional materials from opposition, which she did not receive until today.

The following spoke in favor of the request:

Jon Baker, Wyatt Tarrant & Combs, 2800 West Jefferson Street, Louisville, KY 40202

Ryan Jordan, Churchill Downs, 700 Central Avenue, Louisville, KY 40208

Neal Crawford, Qk4, 1046 East Chestnut Street, Louisville, KY 40204

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

August 22, 2019

New Business

Case No. 19STREETS1002

Summary of testimony of those in favor:

08:22:00 Jon Baker, the applicant's representative, introduced the applicant's case and representatives (see recording for detailed presentation.) He noted that there is 100% consent for the request.

00:10:55 Ryan Jordan, general manager of Churchill Downs, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He noted the importance of dealing with rainfall and some major flooding events that have occurred on the site. Churchill Downs has worked with MSD to resolve this; also, the current proposal will install another oversized detention basin to capture more stormwater towards the east side of the property.

00:17:42 Neal Crawford, an applicant's representative, noted that the 60-foot ROW corridor is a utility corridor and no major changes are planned for the ROW itself. He showed a brief Power Point presentation and reviewed the traffic patterns and the traffic study in detail.

00:33:50 Mr. Crawford said that feedback received at public meetings expressed dissatisfaction with an unimproved alley located at the southern end of the project and a desire for changes/improvements. He described three possible alternatives for changes/improvements. He said the applicant would like to propose maintaining the vehicular use portion of the alley with two-way traffic and add a pedestrian sidewalk connector to Fourth Street and extend the sidewalk parallel to the alley. A portion at one end of the alley could be converted to bicycle/pedestrian use only.

00:38:04 Mr. Crawford listed benefits to the surrounding adjoining community, notably regarding improved drainage, diversion of stormwater, and improved water quality. David Mulloy, representing MDS, commented on the project and parking lot/basin improvements.

00:42:47 Mr. Baker concluded the presentation.

00:43:51 Commissioner Carlson asked about a proposed traffic light at Winn Avenue and Southern Parkway. Mr. Crawford discussed the applicant's intersection analysis. In response to a question from Commissioner Carlson, Mr. Crawford said this is based on proposed/anticipated traffic that the applicant's study based on the Fourth Street closure. He said he could not commit to providing a traffic signal there because that is up to the applicant. In response to

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

August 22, 2019

New Business

Case No. 19STREETS1002

a question from Commissioner Carlson, Mr. Crawford said residents along Southern Parkway would likely have to make a U-turn to go northbound. Commissioner Carlson asked that more information about turning radiuses be provided by the applicant at the public hearing.

The following spoke in opposition to the request:

Lyn Hobbs, 820 Longfield, Louisville, KY 40215

Jennifer Nunn, 1011 Carlisle Avenue, Louisville, KY 40215

Leah Hughes, 3915 Southern Parkway, Louisville, KY 40214

Jessica Scott, 533 Denmark Street, Louisville, KY 40215

Toni Banks, 1600 Phyllis, Louisville, KY 40215

Kathleen Helm, 4036 South 5th Street, Louisville, KY 40215

Summary of testimony of those in opposition:

00:50:29 Lyn Hobbs said there is already much truck traffic coming and going from Churchill Downs. He said the truck traffic would be moved from Fourth Street to Oakdale.

00:51:19 Jennifer Nunn said the Oakdale/Wyandotte neighborhood would be "heavily impacted" by the street closure, and she is speaking in opposition today representing the coalition, "We Love Taylor Boulevard". She said the coalition believes Fourth Street should remain open and that issues regarding connectedness, safety, walkability and bikeability should be addressed. She presented a petition that has over 150 signatures opposing the street closure.

00:52:57 Leah Hughes said the main concern many have in this area is the "conflicting data" regarding road use, and pedestrian safety. She said Winn Avenue and the two alleys will absorb a "substantial amount" of traffic from this road closure, and those roads are not designed for high-traffic volumes. She feels this could endanger pedestrians and bicyclists. She said Winn Avenue needs sidewalks, striping, and a traffic signal to release traffic onto Southern Parkway. Also, the alley between Fourth Street and Oakdale needs to be re-routed to one-way, directing traffic to Oakdale to Fourth Street only.

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

August 22, 2019

New Business

Case No. 19STREETS1002

00:55:30 Jessica Scott said the current plan does nothing to increase walkability, bikeability, or safety and does not meet standards of the Oakdale Neighborhood Plan. She requested: 1) new streetscape design for Longfield Avenue, including new sidewalks, bike signage and bike lanes, lighting, landscaping, and drainage; 2) a three-way stop and crosswalks at the intersection of Longfield Avenue, south Fourth Street and south Fifth Street; and 3) an established gateway with "Welcome to the Oakdale Neighborhood" messaging, as established in the Oakdale Neighborhood Plan.

00:58:35 Toni Banks said Churchill Downs representative/s attended every meeting that was held to create the Oakdale Neighborhood Plan, and even held a seat on the advisory committee. Churchill Downs made commitments to the community through that planning process, but has not followed through. Ms. Banks said the current proposal would make the existing neighborhood concerns "even worse". She said Churchill Downs locks people out of the area for about a week during Derby, with no compensation for residents. She said that, from 2016-2018, Churchill Downs spent about 37 million in upgrades and expansion in their north section alone.

01:01:23 Kathleen Helm asked that the public hearing not be waived, and asked why Churchill Downs should be given a publicly-utilized thoroughfare because it is adjacent to its newest enterprise. She said the number of pedestrians and vehicles using Fourth Street "vastly outnumber" the amount of intermittent crossings of horses. Closing Fourth Street, as well as the recently-announced hotel at Churchill, will have a daily impact on the neighborhood.

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

David Mulloy, MSD, 700 West Liberty Street, Louisville, KY 40203

Rebuttal:

01:07:42 Mr. Baker said the installation of a traffic light at Winn Avenue and Oakdale will ultimately be KYTC's decision. Commissioner Carlson asked if Churchill Downs will pay for it, as opposed to Metro having to pay for it. Commissioner Brown asked Mr. Baker if he would bring to the public hearing the distance from the existing signalized intersection at Third Street and Oakdale.

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

August 22, 2019

New Business

Case No. 19STREETS1002

Discussion

01:09:02 Commissioner Brown said the opposition letter states that there are discrepancies between the applicant's traffic volume numbers and actual traffic counts. He asked if anyone who testified in opposition today if they have any traffic counts at any of the affected intersections. Ms. Hughes said they are in the process of having the Churchill Downs as well as the KIPDA report looked at, but that was not completed in time for this meeting. Commissioner Brown said he thought the KIPDA traffic count was taken at the Fourth and Central Avenue intersection, not Fourth and Oakdale.

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 **October 3, 2019** Planning Commission public hearing.

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

August 22, 2019

New Business

Case No. 19ZONE1028

Request: Change in zoning from R-4 to PRD, Planned Residential District with design waiver and District Development Plan

Project Name: Pirouette Avenue

Location: 9418 Pirouette Avenue

Owner: Corcoran Home Building & Remodeling

Applicant: Corcoran Home Building & Remodeling

Representative: Nick Pregliasco - Bardenwerper, Talbott & Roberts PLLC
Ann Richard – Land Design & Development

Jurisdiction: Louisville Metro

Council District: 13 – Mark Fox

Case Manager: **Joel P. 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:

01:12:08 Joel Dock presented the case (see staff report and recording for detailed presentation.)

01:15:18 Commissioner Brown asked about the 15-foot setbacks and the length of the driveway.

The following spoke in favor of the request:

Nick Pregliasco, Bardenwerper Talbott & Roberts PLLC, 1000 Hurstbourne Parkway, Louisville, KY 40207

Ann Richard, Land Design & Development, 503 Washburn Avenue, Louisville, KY 40222

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

August 22, 2019

New Business

Case No. 19ZONE1028

Matthew Corcoran, 14103 Lake Forest Lane, Louisville, KY 40245 (signed in but did not speak)

Summary of testimony of those in favor:

01:16:56 Nick Pregliasco, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

01:21:38 Commissioner Brown asked about a lot which was not part of the application.

The following spoke in opposition to the request:

No one spoke.

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 **September 19, 2019** Planning Commission public hearing.

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

August 22, 2019

New Business

Case No. 19ZONE0013

Request: Change in zoning from R-5 to OR, with Detailed District Development Plan with binding elements and associated landscape waivers

Project Name: VisionFirst Rezoning

Location: 1692 Mercer Avenue

Owner: Pin Realty LLC

Applicant: VisionFirst

Representative: Jason Hall - Prism Engineering & Design Group LLC

Jurisdiction: Louisville Metro

Council District: 10 – Pat Mulvihill

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. 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:

01:23:37 Dante St. Germain presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Jason Hall, Prism Engineering, 2309 Watterson Trail, Louisville, KY 40299

Summary of testimony of those in favor:

01:25:58 Jason Hall, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He noted that about 7-8 people will be working in the building for billing only; no patients will be seen there. There will be no exterior changes, the

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

August 22, 2019

New Business

Case No. 19ZONE0013

building will be used as-is. The employees are current employees of VisionFirst and are already parking on the site.

01:28:25 Joe Reverman, Assistant Director of Planning & Design Services, asked if there was enough parking without the requested Conditional Use Permit (CUP)? Mr. Hall said the plan shows the parking calculations are satisfied with the CUP. Mr. Reverman asked if the CUP has already been approved - Mr. Hall said it has.

The following spoke in opposition to the request:

No one spoke.

01:29:02 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 **September 19, 2019** Planning Commission public hearing.

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

August 22, 2019

New Business

Case No. 19ZONE1041

Request: Change in zoning from C-1 to C-2, with Conditional Use Permit and Revised Detailed District Development Plan with binding elements

Project Name: Lyneve Drive Storage Units

Location: 9202 R Lyneve Drive

Owner: Marshall Enterprises Inc.

Applicant: Marshall Enterprises Inc.

Representative: Dinsmore & Shohl

Jurisdiction: Louisville Metro

Council District: 25 – David Yates

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. 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:

01:29:37 Dante St. Germain presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Cliff Ashburner, Dismore & Shohl, 101 South 5th Street Suite 2500, Louisville, KY 40202

Brandy Zackery, 1136 South Park Drive, Bowling Green, KY 42103 (available to answer questions)

John Fox, 1015 Cumberland Ridge Way, Bowling Green, KY 42103 (available to answer questions)

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

August 22, 2019

New Business

Case No. 19ZONE1041

Summary of testimony of those in favor:

01:31:56 Cliff Ashburner, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

01:36:51 Commissioner Brown asked if the two-story building (shown on the right of the plan) might require relief from the height restrictions. Mr. Ashburner said yes, and he/the applicant will correct the application to make that request.

01:37:36 Commissioner Carlson asked about the north and east elevations. He said the north side wall looks "blank" – will there be any animating features? Mr. Ashburner said this will be addressed at the public hearing.

The following spoke in opposition to the request:

No one spoke.

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

Myles Stevenson, 9310 Dawn Wind Road, Louisville, KY 40272

Summary of testimony of those neither for nor against:

01:39:19 Myles Stevenson said he owns the adjoining property to the north. He asked if existing binding element #10 should remain, instead of being stricken. The existing binding element reads as follows:

The property owner shall provide a cross over access easement if the property to the north is ever developed for a nonresidential use. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.

This would provide his property's access to Stonestreet Road in the event of an easement agreement.

01:40:26 Mr. Ashburner said the applicant has discussed the access issue with Mr. Stevenson. He said the previous binding element indicated that the access would be given if he ever developed his property commercially. To date, no application has been filed for such commercial development, and while the

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

August 22, 2019

New Business

Case No. 19ZONE1041

applicant is willing to continue that discussion, the applicant would still like that binding element be stricken. Mr. Ashburner said the applicant is willing to talk about it at the public hearing.

01:40:55 Commissioner Brown asked if there was a note on the plan that is comparable to the binding element. It talks about area for 30-foot access if there is non-residential development on the abutting property. Mr. Ashburner said the applicant would provide that 30-foot access at that location.

01:41:40 Commissioner Lewis said this issue will be addressed at the public hearing.

01:41:49 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 **September 19, 2019** Planning Commission public hearing.

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

August 22, 2019

New Business

Case No. 16ZONE1047

Request: Change in zoning from UN to C-2 with a Landscape Waiver, Parking Waiver and a Detailed District Development Plan

Project Name: 17th & Bank Street

Location: 500, 502, 506, & 508 North 17th Street

Owner: Artist Row Portland LLC

Applicant: Putney Architecture

Representative: Mark Madison - Milestone Design Group

Jurisdiction: Louisville Metro

Council District: 5 – Donna Purvis

Case Manager: **Julia Williams, AICP, Planning Supervisor**

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:

01:42:55 Julia Williams presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Mark Madison, Milestone Design Group, 108 Daventry Lane Suite 300, Louisville, KY 40223

Summary of testimony of those in favor:

01:45:28 Mark Madison, the applicant's representative, presented the applicant's case (see recording for detailed presentation.) He said a parking study has been done per staff's request, and he gave brief details of the results.

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

August 22, 2019

New Business

Case No. 16ZONE1047

The following spoke in opposition to the request:

No one spoke.

01:47:52 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 **September 19, 2019** Planning Commission public hearing.

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

August 22, 2019

New Business

Case No. 18STREETS1021

NOTE: This case was heard together with 16ZONE1044. Testimony for these two cases will appear under Case No. 16ZONE1044:.

Request:	Alley Closure for unnamed alley off of Etlely Avenue
Project Name:	One Park
Location:	2294, 2300, 2338, (TB 74A Lots 12 & 15), & 2340 Lexington Road and 2501, 2503, 2509, 2511, & 2515 Grinstead Drive
Owner:	JDG Triangle Partners LLC; JDG Triangle Partners II; JDG Triangle Partners III
Applicant:	JDG Triangle Partners LLC
Representative:	William Bardenwerper - Bardenwerper Talbott & Roberts PLLC Mindel Scott & Associates
Jurisdiction:	Louisville Metro
Council District:	8 – Brandon Coan
Case Manager:	Julia Williams, AICP, Planning Supervisor

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.)

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

August 22, 2019

New Business

Case No. 16ZONE1044

NOTE: This case was heard together with 18STREETS1021. Testimony for these two cases will appear under Case No. 16ZONE1044:.

Request: Change in zoning from C-2 to PDD
Project Name: One Park
Location: 2294, 2300, 2338, (TB 74A Lots 12 & 15), & 2340 Lexington Road and 2501, 2503, 2509, 2511, & 2515 Grinstead Drive
Owner: JDG Triangle Partners LLC; JDG Triangle Partners II; JDG Triangle Partners III
Applicant: JDG Triangle Partners LLC
Representative: Bardenwerper Talbott & Roberts PLLC
Mindel Scott & Associates
Jurisdiction: Louisville Metro
Council District: 8 – Brandon Coan

Case Manager: **Julia Williams, AICP, Planning Supervisor**

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:

01:48:20 Julia Williams presented the case (see staff report and recording for detailed presentation.) She noted that the tallest portion of the building will be 18 stories.

01:51:53 Ms. Williams said she received citizen comments after the staff report had been published. She handed those out to the Committee members. She added that the applicant has committed to a night hearing for the proposal.

01:52:57 Ms. Williams briefly described the street closure request and its relation to the larger rezoning request (see staff report and recording.)

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

August 22, 2019

New Business

Case No. 16ZONE1044

The following spoke in favor of the request:

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

Kent Gootee and David Mindel, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

Rob Donhoff (architect), 716 East Market Street, Louisville, KY 40202

Robert E. Osborne, 1270 Bassett Avenue, Louisville, KY 40204

Diane Zimmerman (traffic), 12803 High Meadows Pike, Louisville, KY 40059

Iris Wilbur, Greater Louisville Inc., 614 West Main Street, Louisville, KY 40202

Greg Pestinger, 2134 Baringer Avenue, Louisville, KY 40205

Larry Williams, 2513 Glenmary Avenue Apt 3, Louisville, KY 40204

Summary of testimony of those in favor:

01:53:42 William Bardenwerper, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

02:21:31 Commissioner Brown said he was concerned about the bike lane on Lexington, and how that would be affected by the added ride-share/pickup/dropoff area. It appears that the extended curb will extend into the bike lane (south side of Lexington, next to the parking area just west of the driveway.) See page 11 of the applicant's pattern book. Kent Gootee, an applicant's representative, said the applicant was not planning on extending the curb and will look into this before the Planning Commission hearing to clarify. He said the bike lane should be continuous.

02:25:35 Commissioner Brown and Mr. Bardenwerper also discussed signalization, no dedicated turning lanes, and the possibility of having to widen the road (see recording for this technical discussion.)

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

August 22, 2019

New Business

Case No. 16ZONE1044

02:28:15 Commissioner Carlson asked if the 1200+ parking spaces were above-grade, below-grade, etc. Mr. Bardenwerper said the current proposal has nothing below-grade, with six levels of parking structure. Mr. Bardenwerper discussed specifics of the proposed parking structure. Commissioner Carlson asked about how much excavating, etc. will be needed to construct this project. Rob Donhoff, the project's architect, discussed geotechnical issues and said he did not anticipate issues with rock and blasting in this area. Any blasting has procedures that must be followed prior to this work being done (pre-blast surveys, etc.) He explained the organization of the parking garage and how it will work. Commissioner Carlson requested a binding element requiring a pre-blast survey.

02:35:29 Commissioner Carlson discussed how best to make sure that what is being shown today is what would actually be built. Ms. Williams talked about Planned Development Districts (PDD) and how amendments, if any, are made (see recording.)

02:43:39 Robert Osborne, a Cherokee Triangle resident, spoke in support.

02:48:18 Iris Wilbur, representing Greater Louisville Inc., spoke in support. She said this project will bring more jobs, more housing, and tax revenue. She said Louisville has had a large hotel-demand increase. Also, there is a growing demand for walkable, mixed-use projects.

02:50:50 Greg Pestinger, a Cherokee Triangle resident, spoke in support. He supports walkability and hopes the development will allow increased park usage.

02:53:44 Larry Williams, a Glenmary Avenue resident, spoke in support. He said this is an opportunity to put something significant in what is a "neighborhood gateway" property.

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

Randy Strobo (on behalf of Cave Hill Cemetery), 239 South Fifth Street Suite 917, Louisville, KY 40202

Diane Bellafrontu, 1699 Trevilian Way, Louisville, KY 40205

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

August 22, 2019

New Business

Case No. 16ZONE1044

Summary of testimony of those neither for nor against:

02:55:16 Randy Strobo, representing Cave Hill Cemetery, said the Cemetery has three main concerns: first, the Cemetery has recently received an encroachment permit for Etley Avenue, which they don't want impacted. Second, Cave Hill has some traffic concerns - funeral processions, services and accesses to their property must be taken into consideration. There is concern about signaling at Lexington and Etley and Grinstead and Etley. Third, there are concerns about blasting and excavation.

03:00:43 Diane Bellafrontu asked about the traffic study. She said the project as it is being presented today has changed much over the last presentation. Is the hotel traffic included in the traffic study? She expressed concern because there is no provision for left-turn lanes.

03:02:30 Mr. Bardenwerper said the applicant evaluated traffic on a peak-hour, "worst-case scenario" basis. He said if the hotel traffic had been factored in, the traffic wouldn't have been as bad. He said there are opportunities for left-turns into the development but he believes most people will make right-turns in because it is safer.

03:04:10 Commissioner Lewis asked if the residents of the apartments, condos, etc. be using the same parking garage as shoppers, retail customers, etc.? Mr. Bardenwerper said yes. He said upper levels may be restricted to the residents only.

The following spoke in opposition to the request:

Artie Buschmeyer, 511 Briar Hill Road, Louisville, KY 40206

Phil Samuel, 3 Angora Court, Louisville, KY 40206

Jan Calvert, 616 Wataga Drive, Louisville, KY 40206

Sandra Wagner, 3215 Marion Court, Louisville, KY 40206

Diane Cooke, Lexington Road Preservation Association, 3318 Lexington Road, Louisville, KY 40206

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

August 22, 2019

New Business

Case No. 16ZONE1044

Pete Kirven, 1277 Willow Avenue, Louisville, KY 40204

Lisa Santos, Irish Hill Neighborhood Association, 1318 Hull Street, Louisville, KY 40204

Mark Gaff, Crescent Hill Community Association, 222 South Bayly Avenue, Louisville, KY 40206

Barbara Sinai, 60 Eastover Court, Louisville, KY 40206

Steve Porter (on behalf of the Lexington Road Preservation Association), 2406 Tucker Station Road, Louisville, KY 40299

Ray Brundige, 1718 Edgeland Avenue, Louisville, KY 40204

John Elgin, Cherokee Triangle Association, 1050 Everett, Louisville, KY 40204

Cynthia Parrish, 2514 Top Hill Road, Louisville, KY 40206

Summary of testimony of those in opposition:

03:05:08 Ms. Artie Buschmeyer said the size and scale of the development is inappropriate for the neighborhood. She also had concerns about the traffic study; she felt the extent of the study was not wide enough to look at traffic that will be impacted by this development. She said the hotel design is in no way compatible with the rest of the development or the surrounding neighborhood.

03:08:30 Phil Samuel asked that any decision regarding the alley closure be deferred until a decision is made on the zoning portion. He asked for bigger, sturdier trees. He pointed out that "market rate" housing is not "affordable housing" and no affordable housing is being offered here. He said this development is not pedestrian or bike friendly, and the design is too tall. He expressed concern about audible noise/music from the restaurants and air quality due to fumes from the garage.

03:12:17 In response to a question from Commissioner Lewis, Ms. Williams addressed height restrictions under C-2 zoning (see recording.) Commissioner Lewis added that there is a binding element restricting outdoor music.

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

August 22, 2019

New Business

Case No. 16ZONE1044

03:13:03 Jan Calvert said she opposes the project because of the “enormous size”, safety issues at an already-congested intersection, and proposed materials, specifically the glass and steel for the tower. She said an 18-story building is more appropriate for downtown, not a historic residential neighborhood. She said she would like to see more greenspaces and plantings around the exterior of the development, rather than six stories up for the enjoyment of the residents.

03:16:27 Sandra Wagner is concerned that a zoning change will “open the floodgates” for more high-rise development in the neighborhood. She also questioned why it has to have “everything” – hotel, residential, office, retail, etc.

03:18:12 Diane Cooke, representing the Lexington Road Preservation Association, opposes the rezoning because PDD is not consistent with a Traditional Neighborhood. She objects to the size, height, and scale of the structures and said this intersection is already congested.

03:19:19 Pete Kirven said traffic at I-64 and Grinstead is already dangerous. He also said he believes the height reduction to the project came about only because of FAA regulations, not in response to neighbors’ concerns. He said pedestrians and cyclists are already having problems crossing this intersection. He is also concerned about setting a precedent with a zone change.

03:24:06 Lisa Santos, representing the Irish Hill Neighborhood Association, said the density is incompatible with the Lexington Road Safety Plan, the Grinstead Drive transportation improvements, Complete Streets, or the neighborhood plan. She said the neighbors in the charrette process “overwhelmingly supported” a density-compatible with the existing zoning, and that the project is not consistent with the form district. She asked that the public hearing not be scheduled until there is a final transportation plan and the neighborhood associations have had time to review it. She said this is the first time the Association has submitted questions to a developer regarding transportation and had no response.

03:27:59 Mark Gaff, representing the Crescent Hill Community Council, said development would be welcomed at that site but there are still concerns about traffic, especially signalization. The State has denied the need for signalization at Lexington and Etley and Grinstead and Etley. Traffic was the biggest concern

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

August 22, 2019

New Business

Case No. 16ZONE1044

at all of the 12 meetings held at this project, and he said the traffic study is not done. Pedestrian safety is a concern because more lanes are going to be added. He said there have been 12 meetings but not one charrette – the purpose of a charrette is to create consensus between the neighborhood and the builder. He said the neighbors' concerns about height were never addressed until the FAA got involved in the height restrictions.

03:32:37 Barbara Sinai was called but declined to speak.

03:32:40 Steve Porter, representing the Lexington Road Preservation Association, said this project is at the confluence of four neighborhood associations, not just Irish Hill. He said the main concern is traffic, and wants no public hearing date set until traffic issues have been resolved, and that any meetings with governmental agencies concerning traffic include invitations to the four neighborhood groups to be a part of those meetings.

03:36:48 Ray Brundige is mostly concerned about increased traffic; danger at Cochran Hill Tunnel, and traffic backups on I-64 and Grinstead Drive. He is concerned about the height of the structures, both for the Bowman Field flight paths and area incompatibility. He said the traffic studies do not go far enough, because traffic will be impacted up to Bardstown Road, Payne Street, Willow Avenue, etc.

03:42:59 John Elgin, representing the Cherokee Triangle Association, supported the statements from the Irish Hill Neighborhood Association. He supports maintaining a C-2 instead of a PDD category.

03:43:45 Cindy Allbright Parrish said it is already unsafe to cross Lexington Road to get to Cherokee Park. She said the size and scale of the project are inappropriate.

03:46:07 (unidentified speaker) Requested that the Tyler Park, Deer Park and other neighborhood associations be included in charrettes.

Rebuttal (see recording for detailed rebuttal)

03:46:33 Mr. Bardenwerper discussed the FAA has done a study and has determined there is no hazard to air navigation (determination was issued on 11/27/18.) He also discussed traffic and said there have been 3 or 4 traffic

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

August 22, 2019

New Business

Case No. 16ZONE1044

studies have been submitted. Mr. Bardenwerper suggested having a public hearing at the Kentucky International Convention Center (the cost would be borne by the applicant.)

03:52:30 Commissioner Carlson asked about the possibility of an elevated pedway between this site and the park. He also requested that any information (for example, a final traffic study) be submitted in a timely manner, well before the public hearing, so that the Commissioners and the public can review all information. Ms. Williams said that, if someone is going to submit another study, that must be submitted 14 days before the public hearing date. She said it was her understanding that an updated traffic study will be submitted next week.

03:56:36 Commissioner Daniels asked for additional information about the blasting. Mr. Donhoff said the applicant does not anticipate blasting at this time (prior to a geotechnical report) and will probably use drilled piers instead. He discussed blasting vs. drilled piers and said all regulations will be followed (see recording.)

03:58:31 Commissioners' deliberation. Commissioner Brown asked that both cases be brought back to one more LD&T meeting in order for the Committee and the State to review the updated traffic study, and give the applicant time to update the proposed plan. He said he wanted to discuss traffic-related information only at the next LD&T meeting. Ms. Williams discussed dates/times and scheduling for a second LD&T Committee meeting and also for a public hearing.

04:04:57 Mr. Bardenwerper talked about possible hearing dates and locations.

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.

04:09:39 On a motion by Commissioner Carlson, seconded by Commissioner Daniels, the following resolution was adopted:

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

August 22, 2019

New Business

Case No. 16ZONE1044

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** Case No. 18STREETS1021 AND Case No. 16ZONE1044 to the **September 12, 2019** Land Development and Transportation Committee meeting to discuss traffic-related issues only; and set the public hearing date to **September 30, 2019 at 6:30 p.m.** in the Kentucky International Convention Center; and that any submissions for review shall be submitted by Thursday, August 29, 2019.

The vote was as follows:

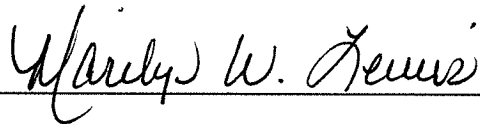
YES: Commissioners Brown, Peterson, Daniels, Carlson, and Lewis.

NO: No one.

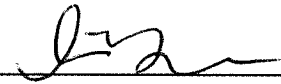
MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

August 22, 2019

The meeting adjourned at approximately 04:14:16 p.m.



Chairman



Division Director

