

PLANNING COMMISSION MINUTES
May 21, 2020

PUBLIC HEARING

CASE NO. 19-ZONE-0087

Request: **This case will be continued to the June 18, 2020 Planning Commission meeting** - Change in zoning from R-4 to R-6, with Detailed District Development Plan/Major Preliminary Subdivision and Binding Elements

Project Name: Brentlinger Townhomes
Location: 9922 – 10000 Brentlinger Lane
Owner: Chris & Angela Wilkerson, Jane Franklin, Shelly Stoyell
Applicant: D&K Holdings LLC
Representative: Bardenwerper, Talbott & Roberts
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel
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. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

No one spoke.

The following spoke in support of this request:

No one spoke.

The following spoke in opposition to this request:

No one spoke.

Commissioner Deliberation:

Commissioners' deliberation (see recording for detailed presentation.)

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.

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01:32:51 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution, based on the Standard of Review and Staff Analysis, and testimony heard today was adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby **CONTINUE** this case to the Planning Commission Meeting on **June 18, 2020.**

The vote was as follows:

YES: Commissioners Lewis, Brown, Mims, Howard, Seitz, Carlson, Peterson, Daniels, and Jarboe.

No: None

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NEW BUSINESS

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Agency Testimony:

00:38:19 Ms. St. Germain discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Bill Bardenwerper, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223
Kevin Young, Land Design and Development, 503 Washburn Avenue, Louisville, Ky. 40222

Summary of testimony of those in favor:

00:41:41 Mr. Bardenwerper gave a power point presentation. There's a lot of commercial in the area as it continues to grow. The commercial activity center is a good location for a multi-family community. Access has been aligned off Brentlinger Ln. There will be buffering and screening along Brentlinger Ln. as well. The proposal is for townhome-style apartment units.

00:48:36 Mr. Young stated there will be additional right-of-way dedication to help the neighbors that have septic issues. There are also revisions to the design so neighbors don't have to worry about the buildings backed up to them and looking down on them. The sides of the proposed buildings will be located so there's no direct view into the Fairways of Glenmary's condominiums and there will be garages to act as a brick wall. There will also be a screening plan that's acceptable to them. There will be

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additional green space, a detailed landscape plan and a sanitary sewer will extend and connect to an existing manhole. MSD has requested a stub for the easement.

00:51:58 Mr. Bardenwerper stated a traffic analysis was performed and the results were mainly A's and B's.

00:53:47 Commissioner Carlson asked if Southpoint has already been constructed. Mr. Bardenwerper said yes. If there's an accident at Brentlinger and Bardstown, is there another way out? Commissioner Brown stated, you can't go from Leaders Ln. to Wingfield and back to Bardstown Rd. but you can go through Bates Elementary.

00:55:08 Commissioner Brown asked if the plan is to provide roadside grading to add a shoulder in conjunction with the sidewalk construction along the frontage. Mr. Young answered, there is an engineer estimate for the roadside, shoulder, sidewalk and clearing. The next step is to wait for direction on whether to make a contribution or do the work ourselves.

00:56:06 Mr. Reverman asked if there are sidewalks on Major Ln. that's already developed so it will connect to existing sidewalks. Mr. Bardenwerper said yes, up to the entrance. Mr. Young added, the sidewalks will continue to Major Ln. through Leaders Ln.

The following spoke in opposition to this request:

Rose Straub, 10009 Brentlinger Lane, Louisville, Ky. 40291
Betty Overstreet, 9919 Brentlinger Lane, Louisville, Ky. 40291

Summary of testimony of those in opposition:

00:57:58 Ms. Straub said her main concern is the traffic. There will be an additional 300 cars to Brentlinger Ln. added to an already heavy traffic area. Another concern is the runoff that will be caused by this proposal. The creeks can't handle it. Also, while the applicant is working with the people in Glenmary to buffer and screen, what about the people on Brentlinger Ln? Mr. Young has offered a berm. Noise and devaluation of the houses are also an issues. It would be better to put in residential homes or condos (not apartments).

01:00:52 Ms. Overstreet said she is concerned about the traffic. It's heaviest when people get out of school and off from work. The main concern of septic tanks has been addressed. Also, the South Point Center on Leaders Ln. has a lot of weeds and a big mess. Leaders Ln. has not been finished properly because they're waiting on a

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development. The previous developers that built Leaders Ln. left debris, tore down a neighbor's fence and nothing was cleaned up.

01:03:43 Ms. Straub stated there is no way to go through Leaders Ln. through Bates to get back to Bardstown Rd. because Bates has it blocked off with trees and shrubs.

Rebuttal:

01:01:37 Mr. Bardenwerper stated some of the issues will be addressed at the public hearing. When the big development went in, they promised some significant changes, but the changes are coming very slowly. Traffic will be discussed in more detail at the public hearing.

01:06:46 Mr. Young said MSD is requiring an easement and will extend the sewer lines to make it optional for some of the homes.

Deliberation

01:07:43 Planning Commission 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.

The Committee by general consensus placed this case on the March 19, 2020 public hearing at the Old Jail Building.