

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION
August 2, 2018**

A meeting of the Louisville Metro Planning Commission was held on August 2, 2018 at 6:30 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Commission members present:

David Tomes – Acting Chair
Jeff Brown
Lula Howard
Donald Robinson
Emma Smith

Commission members absent:

Vince Jarboe, Chair
Marilyn Lewis, Vice Chair
Rich Carlson
Robert Peterson

Staff Members present:

Emily Liu, Director, Planning and Design Director
Joe Reverman, Planning and Design Assistant Director
Brian Davis, Planning and Design Manager
Will Ford, Communications Specialist
Beth Stuber, Transportation Planning
Travis Fiechter, Legal Counsel
Pamela M. Brashear, Management Assistant

Others present:

Tony Kelly, Metropolitan Sewer District
Brian Bingham, Metropolitan Sewer District

The following matters were considered:

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PUBLIC HEARING

CASE NO. 17SUBDIV1022

Request: Conservation Subdivision Creating 633 Buildable Lots on
237.16 acres
Project Name: Covington by the Park
Location: 4501 Taylorsville Lake Road, 15400 Taylorsville Road, and
4200, 4201 and 4111 Yellow Brick Road
Owner: Long Run Creek Property Development, Inc.
Applicant: Long Run Creek Property Development, Inc.
Representative: Bardenwerper, Talbott & Roberts, PLLC
Mindel Scott & Associates
Jurisdiction: Louisville Metro
Council District: 20 – Stuart Benson
Case Manager: Brian Davis, AICP, Planning and Design Manager

Notice of this public hearing was 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 Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

Mr. Davis discussed the case summary, standard of review and staff analysis from the staff report.

Commissioner Brown asked about the maximum road section length of 1,000 feet. Staff will check into it. It appears Street A and Street F violate this in some portions, primarily due to elimination of some lots/roads with plan changes.

The following spoke in favor of this request:

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

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

Diane Zimmerman, 12803 High Meadows Pike, Prospect, KY 40059

Summary of testimony of those in favor:

07:02 Mr. Bardenwerper presented on behalf of the applicant. He gave an overview of the history of the site as follows: evolution of the design; explained conservation

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subdivision; explained the current design; and showed slides of potential character of areas, trails and homes.

Mr. Mindel described the two sewer plans that are being explored to serve the proposed subdivision.

Ms. Zimmerman continued the power point presentation discussing the traffic analysis results, which included multi-family and commercial parts of development.

Mr. Bardenwerper summarized the proposal.

Commissioner Smith asked about the square footage of the homes. Mr. Bardenwerper said it hasn't been determined at this time.

Commissioner Brown asked some traffic questions. Routt Rd. will meet the traffic signal warrant if the retail is added. The second access point has substantial morning delay.

The following spoke in opposition to this request:

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

Harrell Hurst, 16200 Taylorsville Road, Fisherville, KY 40023

Bertram J. Stocker, Jr., 16313 Crooked Lane, Fisherville, KY 40023

Mike Farmer 15100 Old Taylorsville Road, Fisherville, KY 40023

Jeff Frank, Friends of Floyds Fork, 16509 Bradbe Road, Fisherville, KY 40023

Randall Arendt, 6 Sparwell Lane, Brunswick, Maine 04011

Teena Halbig, 6505 Echo Trail, Louisville, KY 40299

Summary of testimony of those in opposition:

08:23 Mr. Porter began by talking about the environmental importance of Floyds Fork and submitted recent articles about nutrient and oxygen issues in water. The opposition believes the zoning and neighborhood should be heard together and be heard as one development, like Oakland Hills.

8:36 Mr. Hurst spoke about citizens' concerns regarding the development. The issues are as follows: pollution in Floyds Fork; increased traffic; disregard for the South Floyds Fork plan; high density housing in a rural area; urban sprawl related to sewer expansion; and lack of conservation design.

8:43 Mr. Stocker spoke about traffic, provided information about accidents along Highway 155 from January 2006 to July 2018. He also gave an overview of highway projects scheduled in the six year plan and provided tree removal information.

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8:50 Mr. Farmer discussed the South Floyds Fork Vision Study and doesn't feel the plan is in keeping with the draft goals in the plan.

8:58 Mr. Frank spoke about water quality and habitat impacts. He also gave information about Floyds Fork and its being an effluent dominated stream. Mr. Frank stated he believes the conservation subdivision application should be combined with the zoning change application for one hearing before the Planning Commission.

9:23 Mr. Arendt discussed why the subdivision does not comply with the Land Development Code, is not consistent with Cornerstone 2020 and is an incomplete application. He expressed the importance of site visits and the importance of starting with open space, then design the development and not "just the trimmings".

Mr. Arendt discussed his concept for designing the site to preserve more trees and environmental features. The Planning Commission should postpone its decision until the application is complete, including but not limited to the applicant submitting a water quality analysis as can be required by the Land Development Code section 7.11.5.B.

9:53 Mr. Porter submitted his written comments and summarized them.

9:55 Ms. Halbig discussed Floyds Fork Environmental Association and their concerns about the plan.

Rebuttal

10:03 Mr. Bardenwerper stated the Floyds Fork Water Treatment Plan is capable of handling the sewer and is operating very well. This is a conservation subdivision and the applicant will provide adequate open space and preserve as much as possible as long as it's economically feasible.

Mr. Mindel showed some areas of environmental concern where they intentionally avoided, in an effort to preserve things. They will also do additional field work to make sure the preliminary approval is correct. Some modifications may need to be made.

Commissioner Howard asked about plantings along Taylorsville Lake Rd. Mr. Mindel said they will work with staff's landscape architect to improve that plan.

Commissioner Howard asked about the width of the access points and got clarification about the width requirement. Acting Chair Tomes said he is not concerned about the proposed width.

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10:40 Brian Bingham, MSD, addressed the commission. The Floyds Fork Water Treatment Plant is the most efficiently operating plant in the state. He gave information about the nitrogen and phosphorus levels being released in effluent water at the plant. He also discussed different methods and systems for treating sewage.

Deliberation

10:57 Commissioner Brown stated the subdivision lacks clustering, the open spaces aren't connected, a handful of streets are "too long" and he has concerns about the road capacity within the area.

Commissioner Robinson is concerned about traffic in the area.

Commissioner Howard stated she doesn't think the design of the plan is conservation. The connections are not adequate and there are not enough environmental features being preserved.

Acting Chair Tomes spoke about the conservation regulations and his thoughts of the design. It would be best to give the applicant some time to consider some of the ideas presented here tonight and give them a chance to make improvements.

A potential condition of approval: The applicant shall work with the staff landscape architect regarding screening along Taylorsville Lake Road to screen lots 14-30 (as identified on the plan reviewed at the August 2, 2018 public hearing), particularly to include additional large shrubs to provide additional ground level screening between the rear facing lots and Taylorsville Lake Road.

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.

On a motion by Commissioner Brown, seconded by Commissioner Howard, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** this case to another night hearing to be held on September 27, 2018 at 6:30 p.m.

The vote was as follows:

YES: Commissioners Brown, Howard, Robinson, Smith and Tomes

NOT PRESENT AND NOT VOTING: Commissioners Carlson, Peterson, Lewis and Jarboe

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STANDING COMMITTEE REPORTS

Land Development and Transportation Committee

No report given.

Site Inspection Committee

No report given.

Planning Committee

No report given.

Development Review Committee

No report given.

Policy and Procedures Committee

No report given.

CHAIRPERSON/DIRECTOR'S REPORT

No report given.

ADJOURNMENT

The meeting adjourned at approximately 11:34 p.m.



Chair



Planning Director