

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

August 8, 2019

A meeting of the Land Development and Transportation Committee was held on Thursday, August 8, 2019 at 1:00 PM in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

Committee Members present were:

Richard Carlson – Acting Chair
Ruth Daniels
Lula Howard

Committee Members absent were:

Marilyn Lewis, Chair
Jeff Brown
Rob Peterson, Vice Chair

Staff Members present were:

Joseph Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Julia Williams, Planning Supervisor
Jay Lockett, Planner I
John Carroll, Legal Counsel
Chris Cestaro, Management Assistant (minutes)

Others Present:

Mark Dutrow, Transportation Planning
Joe Ashby, MSD

The following matters were considered:

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

August 8, 2019

Approval of Minutes

Approval of the July 25, 2019 LD&T Committee Meeting Minutes

00:11:42 On a motion by Commissioner Daniels, seconded by Commissioner Howard, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on July 25, 2019.

The vote was as follows:

YES: Commissioner Daniels.

ABSTAINING: Commissioners Howard and Carlson.

NOT PRESENT: Commissioners Lewis, Brown, and Peterson.

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

Request: Major Preliminary Subdivision and Revised Detailed District Development Plan
Project Name: Seatonville Subdivision
Location: 10501 Seatonville Road
Owner: Stevenson Family Wealth Trust
Applicant: Stevenson Family Wealth Trust
Representative: Derek Triplett - Land Design & Development
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel

Case Manager: Jay Lockett, 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:

00:12:42 Jay Lockett presented the case (see staff report and recording for detailed presentation.)

00:14:21 In response to a question from John Carroll, legal counsel for the Planning Commission, Mr. Lockett discussed why binding elements are included in the request, since subdivisions usually have Conditions of Approval (COA's) instead of binding elements. Mr. Lockett said this is a plan-certain site, so the binding elements are what is currently on the site.

The following spoke in favor of the request:

Dan Hempel and Michael Archer, 10350 Ormsby Park Place Suite 103, Louisville, KY 40223 (Pulte group)

Derek Triplett, Land Design & Development, 503 Washburn Avenue, Louisville, KY 40222

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

Summary of testimony of those in favor:

00:15:03 Derek Triplett, representing Pulte group, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

00:18:40 In response to a question from Commissioner Daniels, Mr. Triplett discussed street trees as noted on the plan.

00:18:51 In response to a question from Mr. Carroll, Mr. Triplett said the sidewalk fee-in-lieu is being requested due to topographical restraints and because there are no existing sidewalk connections between the site and Bardstown Road. That request would only apply to the frontage along Seatonville Road. Sidewalks will be provided within the subdivision.

The following spoke in opposition to the request:

Marianne Bryant, 10335 Venado Drive, Louisville, KY 40291

Tina Phillips, 10500 Venado Drive, Louisville, KY 40291

Ruth Linn, 10505 Seatonville Road, Louisville, KY 40291

Suzanne Johnson, 10803 Jefferson Trace Boulevard, Louisville, KY 40291

Ericka Azzarello, 7003 Hollow Oaks Drive, Louisville, KY 40291

Summary of testimony of those in opposition:

00:19:36 Ericka Azzarello is concerned about losing safety and privacy. There is already a lot of through-traffic that comes from Seatonville Road and El Rancho Road. She is also concerned about drainage. She asked what the construction timeframe is and if the construction traffic will affect her neighborhood. She asked if the average size, cost, etc. of the proposed homes are comparable to the homes in her neighborhood.

00:23:11 Suzanne Johnson said her main concerns are traffic, flooding, and wildlife. She said adding approximately 70 more cars will add to traffic concerns. The neighborhood already has a flooding problem - where is the water going to

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

go after the trees/greenspaces are gone? She said that, if the construction entrance is on Hollow Oak, her HOA will have to cover construction damage. She said it appears that her HOA will also be responsible for street maintenance, street light operation/maintenance, etc. for the new subdivision.

00:27:54 Ruth Linn said she has had long-standing drainage issues on her property (adjacent to the subject site.) She discussed the topography of the area and where the retention basin is actually going to end up. She explained the directions of drainage into the creek, and how each new development adds to the water on her property. She also expressed great concern about the loss of the forest on this site and the wildlife that lives there.

00:32:46 Tina Phillips reiterated the concerns about water issues/flooding, traffic, and said there is already cut-through traffic in her neighborhood . She said she is also concerned about her home's value, and also asked why there was no entrance planned off of Seatonville Road. She said everyone in the neighborhood should have been informed about this project, not just the adjoining property owners. Commissioner Carlson briefly described the neighborhood notification process.

00:38:08 Marianne Bryant said she already has safety concerns (speeders, cut-through traffic, etc.) Their HOA is paying for snow removal and street maintenance - why is the new subdivision not being required to contribute? She discussed drainage issues, and said traffic access to/from Billtown Road and Seatonville Road is already difficult. She is mostly concerned with neighborhood childrens' safety.

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

No one spoke.

Rebuttal:

00:42:05 Mr. Triplett noted that this property is zoned R-5A, which allows for multi-family use. He said the permissible density is much higher than what is being proposed, and a single-family subdivision would generate much less traffic. He discussed plans for drainage, and said that much of the water currently coming on to Ms. Linn's property is coming through the subject site into the stream. By capturing drainage and diverting it, there may be less runoff going on to her property. All drainage will have to comply with MSD's regulations.

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

00:43:58 He discussed the construction entrance/s in detail and explained that the goal is to try to get construction access from Seatonville Road from the existing driveway (see recording). Any access must be permitted and will be bonded. He discussed in detail why there is no access onto Seatonville Road.

00:49:11 In response to questions from Ms. Azzarello, Dan Hemphill, an applicant's representative, discussed the proposed timeline of construction (start in January or February 2020, and completed around June or July 2020.) Mike Archer, a representative of Pulte Group, discussed estimated home prices/values (see recording for detailed presentation.)

00:52:07 Joe Reverman, Assistant Director with Metro Planning & Design Services, discussed the stub streets shown on the plan. He also asked if the new subdivision will have a HOA. Mr. Hemphill said the new subdivision will definitely have a HOA if its own, or join the Grey Oaks HOA.

00:53:33 Mr. Carroll asked Mr. Luckett if the existing binding elements on pages 6, 7 and 8 of the staff report were proposed to be entirely eliminated and replaced with the new ones on pages 8 through 11. Mr. Luckett explained the proposed changes to binding elements.

00:54:52 Commissioner Howard asked, when the trees are gone, where does the wildlife go. Ms. Azzarello asked if environmental impact studies or wildlife studies had been done. Mr. Triplett said the developer will be contracting Redwing Ecological Services to do a "jurisdictional determination", which will identify streams and bat habitats.

00:57:41 In response to a question from Mr. Reverman, Mr. Triplett expanded upon flooding issues and what MSD requires as far as floodplain compensation and potential impacts on adjacent properties. Ms. Linn said there is no creek running along the bottom of the subject site; it runs on her land. Mr. Reverman, Mr. Triplett and Mr. Luckett explained how the floodplain and the creek are labeled on the plan. Tony Kelly, with MSD, said he reviewed the preliminary development plans for this proposal and briefly reviewed other conversations he and MSD representatives have had with Ms. Linn regarding her property. He and Ms. Linn discussed where the creek runs, and other various drainage issues.

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

01:02:14 Ms. Johnson asked why, if the applicant can get a permit for a construction entrance off of Seatonville Road, they can't make a permanent entrance into the subdivision from Seatonville Road. Commissioner Carlson explained that the applicant must connect to the stub road, which was designed a long time ago. Connecting to Seatonville Road might change the whole traffic pattern of the area, which residents might find more objectionable. Ms. Johnson also asked about drainage basins, and said the existing basins and ditches overflow after more than an inch of rain. Will the new construction do the same to Seatonville Road? Mr. Reverman said that is MSD's job to make sure that there is enough capacity to ensure the basin doesn't overflow.

01:06:48 In response to a question from Commissioner Daniels, Mr. Triplett discussed tree preservation.

Discussion

01:08:50 Commissioners' discussion.

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.

Revised Detailed District Development plan with amendments to binding elements

01:11:17 On a motion by Commissioner Howard, seconded by Commissioner Daniels, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

WHEREAS, the Louisville Metro Land Development and Transportation Committee finds that there is an intermittent blue-line stream on the subject site, and the applicant will provide the buffer to protect it per MSD requirements. Tree canopy requirements of the Land Development Code will be provided on the subject site; and

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

WHEREAS, the Committee further finds that provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works and the Kentucky Transportation Cabinet have approved the preliminary development plan; and

WHEREAS, the Committee further finds that there are no open space requirements pertinent to the current proposal. One open space lot is being proposed to handle storm water detention on the subject site; and

WHEREAS, the Committee further finds that the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community; and

WHEREAS, the Committee further finds that the overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Stub streets have been provided to serve future development; and

WHEREAS, the Committee further finds that the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code; now, therefore be it

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the requested **Revised Detailed District Development plan** with amendments to binding elements, and **SUBJECT** to the following binding elements:

1. The development shall be in accordance with the approved District Development Plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. No further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

2. The applicant shall submit a plan for approval by Planning Commission staff showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by planning commission staff if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
 - a. Proposed site plan (showing buildings, edges of pavement, property/lot lines, easements, existing topography, and other significant site features (LOJIC topographic information is acceptable)).
 - b. Preliminary drainage considerations (retention/detention, ditches large swales, etc.).
 - c. Location of all existing trees/tree masses existing on the site as shown by aerial photo or LOJIC maps.
 - d. Location of construction fencing for each tree/tree mass designated to be preserved.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses and the Metropolitan Sewer District.
 - b. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - c. A record plat shall be recorded creating the lots as shown.
 - d. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

4. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
5. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
6. An original stamped copy of the approved Tree Preservation Plan shall be present on site during all clearing, grading, and construction activity and shall be made available to any DPDS inspector or enforcement officer upon request.
7. All plans setting out Tree Canopy Protection Areas (TCPAs) must contain the following notes:
 - a. Tree Canopy Protection Areas (TCPAs) identified on this plan represent individual trees and/or portions of the site designated to meet the Tree Canopy requirements of Chapter 10 Part I of the Land Development Code and are to be permanently protected. All clearing, grading and fill activity in these areas must be in keeping with restrictions established at the time of plan approval. As trees within TCPAs are lost through natural causes, new trees shall be planted in order to maintain minimum tree canopy as specified on the approved development or preliminary subdivision plan.
 - b. Dimension lines have been used on this plan to establish the general location of TCPAs and represent minimum distances. The final boundary for each TCPA shall be established in the field by the applicant, developer, or property owner to include canopy area of all trees at or within the dimension line.

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

- c. Tree protection fencing shall be erected around all TCPAs prior to site disturbance to protect the existing tree stands and their root systems. The fencing shall be located at least 3 feet beyond the edge of the tree canopy and shall remain in place until all construction is completed. When trees must be removed, the fence shall be relocated to protect all remaining trees within that TCPA. I
 - d. No parking, material storage, or construction activities are permitted within the TCPAs beyond that allowed for preliminary site investigation work.
 - e. Clearing necessary to provide access for survey work, rock soundings or other usual and customary site investigations shall be permitted prior to Site Disturbance Approval. Preliminary site I investigations shall be carefully planned to minimize the amount of I clearing required. Clearing should follow proposed roadway centerlines and should not result in a clear access way of more than twenty (20) feet in width. Cleared access ways beyond proposed roadways to assess individual lots shall not exceed twelve (12) feet in width or encroach into any proposed open space - lots. No trees exceeding eight (8) inches in diameter measured at breast height (DBH) shall be removed without prior approval by DPDS.
8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
9. All street signs shall be installed by the Developer, and shall conform with the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street, and shall be in place at the time of any required bond release. The address number shall

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

be displayed on a structure prior to requesting a certificate of occupancy for that structure.

10. The applicant shall install signs, approved by the Metro Public Works Dept., which indicate the future extension of the public right of way for all stub streets. Such signs shall be installed prior to release of bonds for the installation of the street infrastructure.
11. The signature entrance plan shall be submitted to Planning Commission staff for review and approval prior to recording the record plat, if a signature entrance is proposed.
12. Trees will be preserved and/or provided on site as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the Detailed Development/Preliminary Subdivision Plan. The applicant shall submit a landscape plan for approval by Planning Commission staff for any trees to be planted to meet the Tree Canopy requirements of Chapter 10, Part 1 of the LDC. A tree preservation plan shall be submitted for review and approval for any trees to be preserved to meet the Tree Canopy requirements of Chapter 10.
13. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

The vote was as follows:

YES: Commissioners Daniels, Howard, and Carlson.

NOT PRESENT: Commissioners Lewis, Brown, and Peterson.

Major Preliminary Subdivision plan

01:12:40 On a motion by Commissioner Howard, seconded by Commissioner Daniels, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

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

August 8, 2019

New Business

Case No. 19-MSUB-0004

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the requested Major Preliminary Subdivision Plan.

The vote was as follows:

YES: Commissioners Daniels, Howard, and Carlson.

NOT PRESENT: Commissioners Lewis, Brown, and Peterson.

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

August 8, 2019

New Business

Case No. 19ZONE1013

Request: Change in zoning from R-4 to R-5 with a District Development/Revised Preliminary Subdivision Plan

Project Name: Cedar Brook Subdivision, Section 5

Location: 8101 Cooper Chapel Road

Owner: Select Homes LLC & Action Real Estate LLC

Applicant: David Greenberg

Representative: Cliff Ashburner - Dinsmore & Shohl, LLP
Mike Hill – Land Design & Development

Jurisdiction: Louisville Metro

Council District: 22 – Robin Engel
23 – James Peden

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:

01:13:17 Brian Davis presented the case on behalf of Joel Dock (see staff report and recording for detailed presentation.)

01:15:24 In response to a question from Joe Reverman, Assistant Director of Planning & Design Services, Mr. Davis pointed out the location of a strip of land (part of the site) that goes out towards the Cooper Chapel extension (ROW along the top of the property.)

The following spoke in favor of the request:

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

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

August 8, 2019

New Business

Case No. 19ZONE1013

Mike Hill, Land Design & Development, 503 Washburn Avenue, Louisville, KY 40222

Summary of testimony of those in favor:

01:16:10 Cliff Ashburner, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

The following spoke in opposition to the request:

Keith Recktenwald, 8109 Cooper Chapel Road, Louisville, KY 40229

David Durbin (sp), 9414 Cedar Creek Road, Louisville, KY

Summary of testimony of those in opposition:

01:22:28 Keith Recktenwald spoke in opposition on behalf of his mother, who is a nearby property owner. He said all of the surrounding properties are zoned R-4, not R-5.

01:24:28 David Durbin (sp) said he is concerned about fencing and security. He said he has cattle on his land, and does not want people, especially children, climbing over the fence or coming onto his property for safety and security reasons.

01:25:46 Mr. Davis and Mr. Reverman discussed landscape buffer requirements. Mr. Ashburner and Commissioner Howard discussed some landscape buffering which could be added / provided. He said this can be discussed in more detail at the public hearing. He added that the applicant plans on installing fencing between the site and Mr. Durbin's property, specifically because of Mr. Durbin's livestock.

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.

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

August 8, 2019

New Business

Case No. 19ZONE1013

The Committee by general consensus scheduled this case to be heard at the **August 29, 2019** Planning Commission public hearing.

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

August 8, 2019

New Business

Case No. 19-CAT-0012

Request:	Category 3 Development Plan
Project Name:	New Directions Senior Housing
Location:	226 North 17 th Street
Owner:	New Directions Housing Corporation
Applicant:	New Directions Housing Corporation
Representative:	New Directions Housing Corporation Ivy Clinton – Carman Landscape Architect
Jurisdiction:	Louisville Metro
Council District:	5 – Donna Purvis

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:

01:29:16 Brian Davis presented the case on behalf of Joel Dock (see staff report and recording for detailed presentation.) He handed out a letter from Portland Now regarding the proposal (on file).

The following spoke in favor of the request:

Ivy Clinton, Carman Landscape Architect, 400 East Market Street Suite 106, Louisville, KY 40202

Bridgette Johnson and Kathleen McKune, New Directions Housing Corporation, 1000 East Liberty Street, Louisville, KY

Summary of testimony of those in favor:

01:31:41 Ivy Clinton, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

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

August 8, 2019

New Business

Case No. 19-CAT-0012

01:35:03 In response to a question from Commissioner Carlson, Kathleen McKune, with New Directions, discussed the history of the property and the current structures on the site, as well as the proposal and HUD funding. It was the historic location of the Theodore Roosevelt Elementary School (see recording for her detailed presentation.) She said she talked with Gary Watrous today (who represents Portland Now) and tried to address his concerns. She read a brief response message from Mr. Watrous into the record.

01:38:18 Ms. Clinton discussed specific site features (parking lot screening and landscaping; greenspace; recreational space, surface drainage, etc.)

01:39:11 In response to a question from Commissioner Howard, Ms. McKune discussed bedroom size/s.

01:40:32 In response to a question from Commissioner Daniels, Ms. McKune discussed tree planting in the parking area and perimeter areas.

The following spoke in opposition to the request:

No one spoke.

01:42:14 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.

01:45:16 On a motion by Commissioner Howard, seconded by Commissioner Daniels, the following resolution, based on the Staff Finding and evidence and testimony heard today, was adopted:

WHEREAS, the Louisville Metro Land Development and Transportation Committee finds that the category 3 development plan meets or exceeds the requirements of the Land Development Code; now, therefore be it

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

August 8, 2019

New Business

Case No. 19-CAT-0012

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the requested Category 3 Development Plan.

The vote was as follows:

YES: Commissioners Daniels, Howard, and Carlson.

NOT PRESENT: Commissioners Lewis, Peterson, and Brown.

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

August 8, 2019

New Business

Case No. 19ZONE1030 & 19-DDP-0031

Request: Change in zoning from OR-3 to C-2 with a variance and a detailed plan; and Revised General District/Detailed District Development Plan (19-DDP-0031)

Project Name: Mallard Crossing

Location: 400 & 1000 Mallard Creek Road

Owner: LC Mallard Creek, LLC

Applicant: LC Mallard Creek, LLC

Representative: Frost Brown Todd, LLC

Jurisdiction: City of St. Matthews

Council District: 26 – Brent Ackerson

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:

01:46:13 Brian Davis presented the case on behalf of Joel Dock (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Tanner Nichols, Frost Brown Todd, 400 West Market Street Suite 3200, Louisville, KY 40202

Matt Wolff, 608 South Third Street, Louisville, KY 40202

Jode Ballard, 230 West Street, Columbus, OH 43215

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

August 8, 2019

New Business

Case No. 19ZONE1030 & 19-DDP-0031

Summary of testimony of those in favor:

01:48:51 Tanner Nichols, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for his detailed presentation.)

01:55:11 In response to a question from Commissioner Howard, Mr. Nichols discussed some vacant areas on the site In more detail.

The following spoke in opposition to the request:

No one spoke.

01:56:02 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 **August 29, 2019** Planning Commission public hearing.

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

August 8, 2019

The meeting adjourned at approximately 2:55 p.m.

Chairman

Division Director