

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
SEPTEMBER 11, 2014**

A meeting of the Land Development and Transportation Committee was held on, September 11, 2014 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:

Donnie Blake, Chair
Vince Jarboe, Vice-Chair
Carrie Butler
Jeffrey Brown
Clifford Turner

Committee Members absent were:

No one

Staff Members present were:

Joseph Reverman, Planning Manager
Matthew Doyle, Planner I
David Wagner, Planner II
John Carroll, Legal Counsel
Sharonda Duerson, Management Assistant (minutes)

The following matters were considered:

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APPROVAL OF MINUTES

AUGUST 28, 2014 LD&T COMMITTEE MEETING MINUTES

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

RESOLVED, that the Land Development & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on August 28, 2014.

The vote was as follows:

YES: Commissioners Blake, Brown, Butler, Jarboe & Turner

NO: No one

NOT PRESENT FOR THIS CASE: No one

ABSTAINING: No one

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NEW BUSINESS

CASE NO. 14SUBDIV1006

Request: Preliminary Major Conservation Subdivision Plan

Project Name: Primrose Meadows, Section 2
Location: 8812 Wooden Horse Drive
11403-11405 English Garden Way

Owner: Ball Homes, LLC
2527 Nelson Miller Pkwy, Suite 207

Applicant: Ball Homes, LLC
Same as above

Representative: Mindel, Scott & Associates, Inc.
5151 Jefferson Blvd, Suite 101

Jurisdiction: Louisville Metro
Council District: 22-Robin Engel
Staff Case Manager: David B. Wagner, Planner II

The staff report prepared for this case was incorporated into the record. 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:

00:03:12 David Wagner discussed the case summary, standard of review and staff analysis from the staff report.

Following David's presentation Commissioners Jarboe, Blake and Brown asked some questions regarding the power point that was shown.

The following spoke in favor of this request:

Leonard Becht, 8910 Wooden Horse Drive, Louisville, KY 40229
Bill Bardenwerper, 1000 N. Hurstbourne Pkwy, Suite 200, Louisville, KY 40222
Kathy Linares, 5151 Jefferson Blvd, Suite 101, Louisville, KY 40219
David Mindel, 5151 Jefferson Blvd, Suite 101, Louisville, KY 40219
Rocco A. Pigneri, 2527 Nelson Miller Pkwy, Suite 207, Louisville, KY 40223

Summary of testimony of those in favor:

00:18:45 Bill Bardenwerper presented a power point in regards to the conservation subdivision and the buffer areas.

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00:28:20 David Mindel spoke to the Committee regarding the connectivity of the roads in the subdivision. He also spoke about how far the lots could be shifted in the redesigning of the street.

The following spoke in opposition to this request:

No one spoke in opposition of this planning case.

The following spoke neither for nor against this request:

00:31:35 Leonard Beck had concerns about traffic flow, with 91 lots being proposed he wanted to know if there was any plan for speed bumps going through the new section of the subdivision. He also had a concern about the middle section of the subdivision, he thought it was going to be reduced or added somewhere else to have more space added.

Deliberation

00:39:01 Planning Commission deliberation. The Commissioners discussed open space and conservation.

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.

Conservation Subdivision Plan

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

WHEREAS, the Louisville Metro Land Development & Transportation Committee finds that, based on the evidence and testimony presented, the staff report, and the applicant's justification and findings of fact, now, therefore be it,

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

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The vote was as follows:

YES: Commissioners Blake, Brown, Butler, Jarboe & Turner

NO: No one.

NOT PRESENT AND NOT VOTING: No one

ABSTAINING: No one

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NEW BUSINESS

CASE NO. 14SUBDIV1007

Request: Revised Preliminary Subdivision Plan

Project Name: Altawood Development
Location: 3910 Altawood Court
Owner: Altawood Development, LLC
Same as above
Applicant: JAS Companies
1807 Turpin Drive
Representative: Jason Sams
Same as above
Jurisdiction: Louisville Metro
Council District: 17-Glen Stuckel
Staff Case Manager: Matthew R. Doyle, Planner I

The staff report prepared for this case was incorporated into the record. 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:

00:51:58 Matthew Doyle discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Jason Sams, 1807 Turpin Drive, Clarksville, IN, 47129

Summary of testimony of those in favor:

00:59:35 Jason Sams handed out exhibits to the Committee and talked about the original plan that was 18 lots but now the applicant is requesting 4 lots, two lots in the front are 2 acres and the two in the rear are about 1 acre. There was also an opposition letter sent in which talked about concerns of the increased vehicular traffic with the additional four houses, Mr. Sams addressed the concerns of that letter.

The following spoke neither for nor against the request:

Ann Bearden, 3914 Altawood Court, Louisville, KY 40245

Summary of testimony of those neither for nor against:

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01:07:45 Ms. Bearden's property is on the east side of the proposed development and she had concerns about the zoning and tree canopy.

Deliberation

01:15:53 Planning Commission deliberation. The Commission expressed no concerns about this case.

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.

Preliminary Subdivision Plan

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

WHEREAS, the Louisville Metro Land Development & Transportation Committee finds, The proposed changes to the conditions of approval do not appear to affect the conservation of natural resources on the property.

WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds Provisions for safe and efficient vehicular and pedestrian transportation within and around the subdivision and the community are being provided.

WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds, The proposed changes to the conditions of approval do not affect open space requirements.

WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds, The proposed changes to the conditions of approval do not affect compliance with the regulations of the Metropolitan Sewer District who has approved the preliminary development plan and will ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds, The proposed changes to the conditions of approval do not affect the compatibility of the overall site design and land use with the existing and future development of the area.

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WHEREAS, the Louisville Metro Land Development & Transportation Committee further finds, The proposed changes to the conditions of approval do not affect conformance of the development plan to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the Preliminary Subdivision Plan **SUBJECT** to the following amendments to the conditions of approval:

1. The development shall be in accordance with the approved **residential development for Altawood Estates to create 4 single family lots per the revised preliminary subdivision plan.**
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. ~~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.~~
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. ~~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~~

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~~address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.~~

~~6. The applicant shall install signs, approved by the Metro Public Works Dept., which indicate the future extension of the public right of way for Street B. Such signs shall be installed prior to release of bonds for the installation of the street infrastructure.~~

~~7. Trees will be preserved and/or provided on site and maintained thereafter as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the 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 Land Development Code. 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.~~

~~8. 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 1 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.~~

~~9. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.~~

~~a. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.~~

~~b. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.~~

~~c. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.~~

~~10. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.~~

~~11. The signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.~~

~~12. A geotechnical report shall be conducted for the site and the results shall be submitted to Public Works and MSD for review prior to construction plan approval.~~

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~~Construction methods and precautions recommended in the report shall be applied to construction within the development.~~

~~13. The applicant shall obtain approval of a detailed landscape plan for the 20-foot Landscape Buffer Area along Rollington Road. The landscape buffer area shall include a berm, hedge, fence or wall adequate to form an effective visual screen at least six feet in height. The landscape buffer area shall be maintained by the property owners association. The landscape plan shall be submitted for review and approval by DPDS staff prior to record plat approval.~~

14. All construction traffic shall be limited to entering the property from Rollington Road. No construction traffic shall use Altwood Court.

~~15. A signature entrance shall be constructed at the intersection of Street A and Altwood Court and shall be designed in a manner similar to the existing stone pillars located at the westernmost entrance to Altwood Court. The signature entrance plan shall be submitted to Urban Design Division and Planning Commission staff for review and approval of the design of the signature entrance prior to recording the record plat.~~

The vote was as follows:

YES: Commissioners Blake, Brown, Butler, Jarboe & Turner

NO: No one.

NOT PRESENT AND NOT VOTING: No one

ABSTAINING: No one

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ADJOURNMENT

The meeting adjourned at approximately 2:21 p.m.

Chair

Planning Director