

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
October 25, 2018**

A meeting of the Land Development and Transportation Committee was held on, October 25, 2018 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:

Rob Peterson, Vice-Chair
Ruth Daniels
Richard Carlson
Jeff Brown

Committee Members absent were:

Marilyn Lewis

Staff Members present were:

Joe Reverman, Planning and Design Assistant Director
Brian Davis, Planning Manager
Julia Williams, Planning Supervisor
Joel Dock, Planner II
Jay Lockett, Planner I
Rachel Dooley, Management Assistant

Others present:

Beth Stuber, Transportation Planning
Tony Kelly, Metropolitan Sewer District

The following matters were considered:

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APPROVAL OF MINUTES

OCTOBER 11, 2018 LD&T COMMITTEE MEETING MINUTES

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

RESOLVED, that the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on October 11, 2018.

The vote was as follows:

YES: Commissioners Brown, Carlson, Peterson, and Daniels

NOT PRESENT FOR THIS CASE: Commissioner Lewis

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NEW BUSINESS
CASE NO. 18ZONE1020

Request: Street Closure
Project Name: Thompson Ave Closure
Location: 3434 and 3500 Grandview Ave
Owner: St Matthews
Applicant: Jason Sams
Representative: Jason Sams
Jurisdiction: St Matthews
Council District: 9 – Bill Hollander
Case Manager: Jay Lockett, 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:

00:13:38 Mr. Lockett 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, Indiana, 47129

Summary of testimony of those in favor:

00:15:24 Mr. Sams gave a power point presentation and states each residence wants to construct a driveway for personal use.

Deliberation

00:16:44 Commissioners' 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 December 6, 2018 public hearing at the Old Jail Building.

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NEW BUSINESS

CASE NO. 18ZONE1045

Request: Change in zoning from R-4 to OR-3 with detailed district development plan, setback variances, height variance, and sidewalk waiver

Project Name: L&N Federal Credit Union

Location: 9101 & 9104R Lantana Drive

Owner: L&N Federal Credit Union

Applicant: L&N Federal Credit Union

Representative: Bardenwerper, Talbott, & Roberts, PLLC

Jurisdiction: Louisville Metro

Council District: 23 – James Peden

Case Manager: Joel Dock, AICP, 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:

00:13:38 Mr. Dock discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

John Talbott, 100 North Hurstborne Parkway, 2nd Floor, Louisville, Kentucky, 40223
Chris Brown, 3001 Taylor Springs Drive, Louisville, Kentucky, 40220
Jeff Klump, K4 Architecture & Design, 555 Gest St. Cincinnati, Ohio, 45203

Summary of testimony of those in favor:

00:19:41 Mr. Talbott was invited to speak on behalf of L&N for the expansion of the campus which would allow for more office space. Mr. Talbot spoke about the surrounding area and the need for multiple variances and waivers due to the unusual shape of the lot. The proposed area would be best used for business rather than residential. The applicant plans on providing a 50 foot buffer of tree/brush between the building and current residential areas. Also there will be changes to a generator on the current developed lot to reduce the noise.

The following spoke in neither for nor against to this request:

Leslie Weller, 9110 Satinwood Court, Louisville, Kentucky, 40229

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Summary of testimony of those neither for nor against:

00:32:44 Leslie Weller spoke with L&N about buffer between properties, and agreed with previously stated 50ft buffer of natural tree/brush but has concerns over height of fence. Additionally she stated a generator runs weekly for over an hour a day at current L&N location. Ms. Weller had concerns regarding the development affecting surrounding wildlife.

The following spoke in opposition to this request:

David Miller, Lantana 9104 Drive, Louisville, Kentucky, 40229

Summary of testimony of those in opposition:

00:38:36 Mr. Miller had the following concerns: rezoning of area, water drainage by his residence, maintenance of buffer area, and the exit/entrance of new facility.

Rebuttal:

00:46:32 John Talbott stated that the buffer is 50 feet and the generator will be replaced with a newer quieter model. In regards to the water drainage, MSD has given approval of the plan and has referred to Chris Brown for any details that may be needed.

00:48:10 Commissioner Brown asked who would be clearing and maintaining the buffer area. Mr. Talbott is willing to work with the neighborhood and to have a fence at the property line. The fence will be 8 feet. L&N had indicated if brush is cleared they will maintain the area.

00:49:14 Commissioner Brown asked for clarification on when the generator is ran, once a month or once a week. Mr. Talbott replied he will have verification before the Planning Commission hearing; including the decibel levels of the generator as well.

00:50:00 Commissioner Carlson requested a binding element for generator testing duration; maybe include the minimum time and frequency necessary to comply with manufacture recommendation or applicable codes. Mr. Talbott agreed.

00:50:51 Commissioner Robert Peterson asked about water retention plans for site.

00:51:08 Chris Brown stated there is an area for water retention on the plans, refers to power point slide. There is a proposed underground retention with a water quality

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unit, it will be caught and treated per MSD requirements, and existing condition of drainage ditch will be improved.

00:53:54 Commissioner Carlson asked about tree coverage for buffer area. Chris Brown states they will be pine, fully grown and possibly taller than intended.

00:55:18 Mrs. Weller was concerned about the height of the trees when they are planted and when the fence line will be closed between the two properties.

00:56:31 Mr. Talbott will find out about height of the trees before next meeting and shows on the plan where fence line will be connected and closed.

Deliberation

00:56:50 Commissioners' deliberation.

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The Committee by general consensus placed this case on the November 15, 2018 public hearing at the Old Jail Building.

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NEW BUSINESS

CASE NO. 18ZONE1062

Request: Change in Zoning from R-6 to UN with a Variance and a District Development Plan/Preliminary Subdivision Plan
Project Name: Urban Government Center Phase I
Location: 814 Vine Street
Owner: Louisville Metro Government
Applicant: The Marian Group
Representative: Carman; Dinsmore and Shohl PLLC
Jurisdiction: Louisville Metro
Council District: 4- Barbara Sexton Smith
Case Manager: Julia Williams, AICP, Planning Supervisor

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:

00:58:30 Julia Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Cliff Ashburner, Marian, 101 S 5th St, Suite 2500, Louisville, Kentucky, 40202

Summary of testimony of those in favor:

01:01:39 Mr Ashburner gave a power point presentation. He detailed the layout of new structures, surrounding area, and described features of houses as 21st Century Shot Gun.

The following spoke in neither for nor against to this request:

John Mahorney, 810 Vine Street, Louisville, Kentucky, 40204
Amanda Fuller, 800 Goullon Court, Louisville, Kentucky, 40204
Joann Robinson, 854 Vine Street, Louisville, Kentucky, 40204
Nicholas Mellen, 1125 East Breckinridge Street, Louisville, Kentucky, 40204
Martina Kunnecke, Neighborhood Planning Preservation. NPP, 31 Northwestern Parkway, Louisville, Kentucky, 40212
Braden Robbins, 856 Vine Street, Louisville, Kentucky, 40204

Summary of testimony of those neither for nor against:

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01:09:23 John Mahorney is excited for the idea of the project, having new neighbors and more people in the neighborhood association. However, his main concern is the density of 22 houses instead of 12 for the development. The 22 homes would cause the loss of greenspace and the increase of traffic. In addition, Mr. Mahorney inquired about a variance to reduce private yard areas, and for the loss of yard space due to an expansion of the alley way.

01:15:00 Amanda Fuller requested to see the language in the agreement state that Louisville Metro will retain the community garden property. Also in the development agreements she is concerned about labor requirements. She would like to see the language that the 45% Urban Canopy Cover goal to be met for the greenspace in the area.

01:19:26 Joann Robinson presented photos showing trees that may be affected by development of property. She requested that a portion of the property be used to expand the community garden.

01:26:40 Nicholas Mellen was concerned about the process of development that was laid out, the change of layout, and traffic of current and future residents surrounding the area.

01:32:29 Martina Kunnecke was invited to look at the plans and asked to appear at today's meeting. She expressed her initial concern that people were not notified in a timely manner for this meeting. She requested the next meeting to be in the neighborhood. She was asked to mention a concern of a neighbor regarding the binding elements listed in the staff report not being specific to the agreement that outlines the community benefits for the Vine Street site. In addition, would like to see the preservation of the ambiance of the area as well.

01:35:44 Braden Robbins stated that greenspace is not large enough for the amount of homes.

Rebuttal:

01:36:57 Commissioner Jeff Brown asked Case Manager Julia Williams about the community garden. Does the signature meet the intent that original design for this development. Ms. Williams replied the question is best suited for the person who signed the application. Commissioner Brown asked if information can be acquired before the next Planning Commission meeting. Julia agreed try to get the information before the next meeting.

01:39:08 Cliff Ashburner stated the private yard variances is to shrink the area between the principle structure and the accessory structure. They have received

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approval from Louisville fire department regarding the current plan to access properties on main streets not through the alley ways. Regarding to the green space concerns, this proposal would add to the green space with grass and trees. Mr. Ashburner clarified the process of the Marian Group development plan of this location that Louisville Metro created.

01:45:10 Vice Chair Peterson asked if the alley could be widened. Mr. Ashburner replied that if need be it would be within existing right of way. Commissioner Carlson asked how wide the alley pavement will be; Mr. Ashburner replied 10-14 ft.

01:52:53 Amanda Fuller asked why it would be necessary to remove already established trees; trees on Vine Street and unnamed alley way. Furthermore, who would maintain green space in new development and what species of plants would be on site? John Mahorney stated the difficulty of people accessing the homes and how the alley way will facilitate the access, and suggested the idea of adding a different entrance into the new development. Cliff Ashburner said binding elements state that HOA will be created and be part of larger development association for the maintenance of the common areas on this property and property across the street. As far as the trees, it will be type A hardwood, not sure on the species yet. The trees on Vine Street are on right of way not on current property and no plans on affecting them, if need be they will be replaced if affected.

Deliberation

01:59:45 Commissioners' deliberation.

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ADJOURNMENT

The meeting adjourned at approximately 2:45 p.m.

Chair

Planning Director