

**LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES**  
**June 25, 2020**

**NEW BUSINESS**

**CASE NO. 20-ZONE-0005**

Request: Change in zoning from R-4 to R-5, with District Development Plan/Preliminary Subdivision Plan and Binding Elements  
Project Name: Villages of Heritage Creek  
Location: 10001 Cedar Creek Road  
Owner: Virgil and Frankie Slaughter  
Applicant: Grand Communities LTD.  
Representative: Mindel Scott and Assoc.; Bardenwerper Talbott and Roberts PLLC.  
Jurisdiction: Louisville Metro  
Council District: 22- Robin Ebge  
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:**

02:42:11 Julia Williams presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

**The following spoke in favor of this request:**

John Talbott, Bardenwerper Talbott & Roberts PLLC, 1000 North Hurstbourne Parkway, Louisville, KY 40223

Hillary Laffin, Fischer Homes, 3940 Olympic Boulevard, Erlanger, Kentucky 41018

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

Larry Wheeler, Mayor of the City of Heritage Creek, 8700 Justice Way, Louisville, KY 40229

**Summary of testimony of those in favor:**

02:44:29 John Talbott, the applicant's representative, presented the case and showed a Power Point presentation (see recording for detailed presentation)

02:48:20 Nathan Wright, an applicant's representative, presented more details about the site plan using an aerial photo (see recording.) He noted that there is a proposed left-turn lane on Cedar Creek Road.

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02:50:42 Mr. Talbott resumed his presentation.

02:52:38 Larry Wheeler, Mayor of the City of Heritage Creek, said Heritage Creek is in support because there is an understanding that residents will be able to annex it.

02:53:30 Commissioner Carlson asked if the homes along Cedar Creek will face in to the subdivision, so that the back sides of the homes will face out onto Cedar Creek. Mr. Wright said yes; however, Cedar Creek Road is a Scenic Corridor, so landscaping will be installed per Scenic Corridor standards. Commissioner Carlson asked for more details about the screening and buffering along Cedar Creek Road. Mr. Wright added that, if annexation takes place, matching fencing will be installed to match the existing fencing in Heritage Creek

02:55:25 Commissioner Brown asked why the access was not aligned with Loyal Drive, on the west side of Cedar Creek. Mr. Wright said that, originally, the access was located there; however, the cost of moving existing utilities here made the applicant decide to move that access (see recording.) In response to a question from Commissioner Brown, Mr. Wright said no comments have yet been received from KYDOT. Commissioner Brown added that he wanted a definitive answer as to whether this site will be annexed into Heritage Creek or not. Mr. Talbott said there is an intent to do that.

**The following spoke in opposition to this request:**

Daryl Pope, 8817 Wisdom Lane, Louisville, KY 40229

Catherine Bohannon, 504 Splendid Point, Louisville, KY 40229

**Summary of testimony of those in opposition:**

03:00:18 Daryl Pope said property to the west has been / is currently being developed, and said Cedar Creek to the Snyder Freeway is underdeveloped, narrow, and already congested. Accidents occur. There is currently another development in progress on Cedar Creek, and he feels that Cedar Creek Road is already over its traffic capacity.

03:03:12 Catherine Bohannon said she and her husband are not opposed to the development as whole, but to the proposed apartments. The access road into Heritage Creek is paid for by homeowners through the HOA; how will the existing traffic affect how much homeowners are going to pay to maintain the roads? In response to a

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question from Ms. Bohannon, Commissioner Lewis said the case being heard today is only for a subdivision, not apartments.

03:04:42 Mr. Wright reiterated that the plan is to annex this development into Heritage Creek. When that happens, the homeowners here will also be paying Heritage Creek taxes for road maintenance.

03:05:13 Hillary Laffin, an applicant's representative, stated that there is no affiliation here with the apartments that are being built to the north of Heritage Creek.

03:05:39 Mr. Talbott said a traffic study has been performed for this plan and will be available prior to the Planning Commission hearing.

03:07:38 Commissioner Carlson, Commissioner Brown, Mr. Talbott and Ms. Williams discussed the traffic study. Ms. Williams said the traffic study was submitted on February 4, 2020. It was reviewed and approved by Mark Dutrow (Metro Transportation Planning staff.)

03:11:15 Commissioner Peterson asked about relocating the entrance to the other location. David Mindel, an applicant's representative, said that at first they had the entrance located across from the one at Heritage Creek. When they had to add the left turn lane, there was very little ROW on the left side. The existing Heritage Creek subdivision only goes a couple hundred feet. (see recording.)

**Deliberation**

03:12:47 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 August 6, 2020 Planning Commission public hearing.**