

DEVELOPMENT REVIEW COMMITTEE MINUTES
September 16, 2020

APPROVAL OF MINUTES

A meeting of the Development Review Committee was held on Wednesday, September 16, 2020 at 1:00 p.m. via Cisco Webex Video Teleconferencing.

Commissioners present:

Jeff Brown
Marilyn Lewis

Commissioners absent:

Rich Carlson, Chair
Jim Mims, Vice Chair
Pat Seitz

Staff members present:

Emily Liu, Director, Planning & Design Services
Joe Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Jay Lockett, Planner I
Zach Schwager, Planner I
Travis Fietcher, Legal Counsel
Beth Stuber, Transportation
Chris Cestaro, Management Assistant (minutes)

The following matters were considered

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NEW BUSINESS

CASE NUMBER 20-AMEND-0005

Request: Modification of Binding Element
Project Name: Signature Point
Location: 1111 Rose Hill Ln
Owner: Clayton Property Group Inc
Applicant: Elite Homes
Representative: Land Design and Development
Jurisdiction: Louisville Metro
Council District: 20 - Stuart Benson
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 public hearing. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:06:48 Jay Lockett presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.) Mr. Lockett detailed the proposed changes of the size and timeline of construction for the fence line, approved by the adjacent property owner.

00:08:23 Commissioner Brown asked for the type of fence is required in the code requirements for this site. Jay Lockett replied there are no fence requirement per code for this development site. Mr. Lockett noted screening code requirements are on the Christian Academy property side of the fence line.

00:09:23 Commissioner Lewis asked if the timing of construction for this fence line has been removed from the proposed binding element. Jay Lockett replied the applicant can answer this question. Commissioner Lewis asked what the purpose of the fence for this development. Jay Lockett replied it is for security purposes for the adjacent property, Christian Academy.

The following spoke in favor of this request:

Kevin Young, 503 Washburn, Louisville, Kentucky, 40222

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Summary of testimony of those in support of the proposal:

00:11:15 Kevin Young, representing the applicant, stated the original binding element was in response to the original application for a larger multifamily project. This development is now proposed to be lower impact single family housing. Kevin detailed discussions with Christian Academy to have a secure border between the properties to prevent trespassing (see recording for detailed presentation.)

00:14:32 Commissioner Lewis asked if this proposal includes a fence line from Lot 72 to the edge of the development on South English Station Road. Kevin Young replied this proposal does not include that portion of the development due to an existing fence along the property line.

00:15:53 Travis Fietcher asked who will maintain the fence line as it is not indicated in the new binding element. Kevin Young replied additional language to the binding element can be added regarding maintenance of the fence.

The following spoke in neither for nor against this request:

Stephen Seelbach 14201 Parkway Avenue Louisville, Kentucky, 40299

Summary of testimony of those in neither nor against this proposal:

00:48:56 Stephen Seelbach detailed the history of the site and proposed an alternative type of fencing that would fit the character of the neighborhood (see recording for detailed presentation.)

00:53:27 Kevin Young noted the original binding element proposed by Christian Academy to protect the border of the school. The 6-foot fence was agreed upon in the binding element.

00:54:00 Stephen Sellback, Kevin Young and Commissioner Lewis discussed fence types for the proposed 6-foot barrier, the maintenance, and location of the fence line (see recording for detailed presentation.)

Commissioner Deliberation

00:17:47 Commissioner Lewis and Brian Davis discussed hearing this case in the business session portion of the Planning Commission public hearing on September 17, 2020.

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An audio/visual recording of the Development Review 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.

00:19:07 On a motion by Commissioner Brown, seconded by Commissioner Lewis, the following resolution, based on the Standard of Review and Staff Analysis, and evidence and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Development Review Committee does hereby **RECOMMEND** to the Louisville Metro Planning Commission that binding element number 16 be **APPROVED**, on the condition the applicant provide the additional language to address the maintenance responsibility.

The vote was as follows:

YES: Commissioners Lewis and Brown.

NO: none.

ABSENT: Commissioners Seitz, Mims, and Carlson.

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CASE NUMBER 20-MPLAT-0128

Request: Amendment to Record Plat
Project Name: Barbour Manor Minor Plat
Location: 7909 Barbour Manor Drive
Owner: Barbour Manor, LLC
Applicant: Kendell Cogan
Representative: Chris Crumpton
Jurisdiction: Louisville Metro
Council District: 16 – Scott Reed
Case Manager: Zach Schwager, 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 public hearing. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:06:48 Zach Schwager asked, as recommended by staff, to be continued (see staff report and recording for detailed presentation.) Mr. Schwager stated this plat needs to be reviewed by Metro Sewer District and Louisville Metro Transportation.

00:20:57 Commissioner Lewis asked if MSD and Transpiration has not had a chance to review this plat. Zach Schwager replied the applicant is confident that comments received from these agencies will be addressed by the next Development Review Committee meeting.

00:23:16 Commissioner Brown asked the applicant is not proposing to add/delete property line, only to release easements. Zach Schwager replied the applicant is not proposing to create new lots other than to open space to become a buildable lot.

The following spoke in favor of this request:

Chris Crumpton, 3703 Taylorsville Road, Louisville, Kentucky, 40220

Summary of testimony of those in support of the proposal:

00:22:25 Chris Crumpton, representing the applicant, detailed the history of the site via the development plan (see recording for detailed presentation.) Mr. Crumpton noted the sections reserved for MSD as available treatment plat space. The lots have been

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reverted back to the subdivision as a non-dedicated buildable lot. There are no changes proposed to the access to the lot or property line.

00:26:17 Commissioner Lewis asked if the developer is proposing one house for the lot. Chris Crumpton replied yes and detailed the MSD easement lines for drainage dedication (see recording for detailed presentation.)

00:27:27 Commissioner Lewis asked if the adjacent lots have been developed. Chris Crumpton replied the adjacent lots have been developed.

The following spoke in opposition:
No one spoke

The following spoke in neither for nor against:
Mark Carter, 3907 Jenica Way, Louisville, Kentucky, 40201

Brian Dolack 7816 Cliffs Edge Court, Louisville Kentucky, 40241

Summary of testimony of those in neither for nor against:

00:28:13 Mark Carter detailed the original plan for this open space when he purchased the adjacent lot and expressed concern for the loss of trees on this property and erosion from development on this site (see recording for detailed presentation.)

Rebuttal:

00:36:01 Chris Crumpton detailed the site improvements of the driveway and the site disturbance permit approved by MSD with no more tree removal after cleaning up the access to the site (see recording for detailed presentation.)

00:37:57 Commissioner Lewis asked for clarification regarding the location of lot 111 drive. Chris Crumpton replied this lot abuts the rear property line of the proposed development.

00:38:54 Commissioner Brown asked if this site would need a variance or waiver to meet the setback requirements. Chris Crumpton replied he is working with staff to get this plat approved to then apply for a variance within 15 feet of the rear property line with sewer easement.

00:39:51 Chris Crumpton and Mark Carter discussed the proposed building site and its proximity to the adjacent properties (see recording for detailed presentation.) Chris

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Crumpton stated the variance plan can be added to the case file before the next public hearing.

00:41:53 Brian Dolack, adjacent property owner, expressed concerns with the removal of tree canopy, expansion of the access drive, and erosion from construction (see recording for detailed presentation.)

Commissioner Deliberation

00:45:13 Commissioner Deliberation (see recording for detailed presentation.)

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00:46:49 On a motion by Commissioner Brown, seconded by Commissioner Lewis, the following resolution, based on the Standard of Review and Staff Analysis, and evidence and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Development Review Committee does hereby **CONTINUE** to the October 14, 2020 Louisville Metro Planning Commission public hearing.

The vote was as follows:

YES: Commissioners Lewis and Brown.

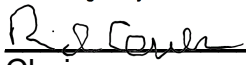
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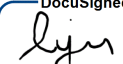
ABSENT: Commissioners Seitz, Mims, and Carlson.

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ADJOURNMENT

The meeting adjourned at approximately 1:15 p.m.

DocuSigned by:

Chairman

DocuSigned by:

Division Director