

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE
January 30, 2020**

A meeting of the Land Development and Transportation Committee was held on, January 30, 2020 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:

Marilyn Lewis, Chair
Rob Peterson, Vice Chair
Richard Carlson
Jeffrey Brown
Ruth Daniels

Staff Members present were:

Joe Reverman, Planning and Design Assistant Director
Brian Davis, Planning and Design Manager
Julia Williams, Planning and Design Supervisor
Joel Dock, Planner II
Dante St. Germain, Planner II
John Carroll, Legal Counsel
Beth Stuber, Engineering Supervisor
Pamela M. Brashear, Planning and Design Management Assistant

The following matters were considered:

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020**

APPROVAL OF MINUTES

JANUARY 16, 2020 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 & Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on January 16, 2020.

The vote was as follows:

YES: Commissioners Brown, Carlson and Daniels
ABSTAINING: Commissioners Peterson and Lewis

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

OLD BUSINESS

19-ZONE-1029

Request: Change in zoning from R-4 to R-6, with Detailed District Development Plan/Major Preliminary Subdivision and Binding Elements, and associated Waivers – CONTINUED FROM 1/16/20 LDT

Project Name: Hurstbourne Multi-Family

Location: 7000 Ridge Creek Road, 6601 Sunny Hill Road, 7191 South Hurstbourne Parkway

Owner: Hurstbourne Corporate Group, Bruce M. Plymale Revocable Trust

Applicant: Hurstbourne Corporate Group

Representative: Mindel Scott & Associates

Jurisdiction: Louisville Metro

Council District: 2 – Barbara Shanklin, 24 – Madonna Flood

Case Manager: Dante St. Germain, 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:

00:03:55 Ms. St. Germain discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Clay Barkley, 239 South Fifth Street, Louisville, Ky. 40202
Kent Goote, Mindel, Scott and Associates, 5151 Jefferson Boulevard, Louisville, Ky. 40219

Summary of testimony of those in favor:

00:09:46 Mr. Barkley gave a power point presentation.

Mr. Barkley discussed procedural history. The neighbors didn't want any connectivity. The site is a unique infill property that borders on Hurstbourne and Fern Creek.

Mr. Barkley discussed the issues with the site and why it's problematic to connect to Quail Ridge Rd. – topographic and parking along the private road. There will be a connection to Ridge Creek (relatively flat) and the fire department has no objections. Quail Ridge Rd. has a 25 foot drop-off.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

OLD BUSINESS

19-ZONE-1029

00:21:12 Mr. Gootee addressed the waivers, which are mainly because of the topography on the south side of Hurstbourne Ln. The applicant wants to capture as much of the buildable land as possible and not push further into the area of the streams. There's an existing curb cut on Hurstbourne Ln. and there will be no additional entrances created (to Hurstbourne Ln.). The intent is to have a separate builder and developer to address Ms. St. Germaine's concerns about having cross-connectivity between the 2 sites.

00:26:30 Commissioner Carlson asked for information on the street name – Quail Ridge or Private St. A. Which plan is the correct plan? Mr. Barkley stated the public road is the most recent plan which is extended to Ridge Creek.

00:27:15 Commissioner Peterson said there is a foot path for pedestrian connection from the end of Quail Ridge to the older Quail Ridge. What is the elevation change of the foot path? Mr. Gootee said about 22-24 feet.

00:27:45 Chair Lewis stated the plan that showed the foot path didn't show the parking. Mr. Gootee said the end of the road is essentially the same location. Mr. Barkley added, the foot path reflects how steep it is and that's why it's graded to go along the creek and gully.

00:28:27 Chair Lewis asked, are you proposing that the street is private and has parking on it even though it's not shown on the plan?

00:28:54 The commissioners want to know which plan is the correct plan. Mr. Gootee explained there should only be 1 plan today and the connection (pedestrian path) will be added to the plan later. Mr. Reverman said the pedestrian path on the plan is not a concern today.

00:33:00 Commissioner Carlson stated if there is a connection, then naming the street Quail Ridge Rd. is appropriate, but if the connection isn't made, naming it Quail Ridge Rd. would not be good for public emergency response purposes. Mr. Gootee agrees.

Commissioner Carlson recommends a gate. Mr. Gootee said he'd rather not have a gate. Mr. Barkley added, it's not feasible. The Ridge Creek connection, from a traffic perspective, is going to meet the needs of this neighborhood.

Deliberation

00:37:20 Planning Commission deliberation.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

OLD BUSINESS

19-ZONE-1029

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 March 5, 2020 public hearing at the Old Jail Building.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

NEW BUSINESS

19-ZONE-0087

Request: Change in zoning from R-4 to R-6, with Detailed District Development Plan/Major Preliminary Subdivision and Binding Elements
Project Name: Brentlinger Townhomes
Location: 9922 – 10000 Brentlinger Lane
Owner: Chris and Angela Wilkerson, Jane Franklin, Shelly Stoyell
Applicant: D&K Holdings LLC
Representative: Bardenwerper, Talbott & Roberts
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel
Case Manager: Dante St. Germain, 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:

00:38:19 Ms. St. Germain discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Bill Bardenwerper, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223
Kevin Young, Land Design and Development, 503 Washburn Avenue, Louisville, Ky. 40222

Summary of testimony of those in favor:

00:41:41 Mr. Bardenwerper gave a power point presentation. There's a lot of commercial in the area as it continues to grow. The commercial activity center is a good location for a multi-family community. Access has been aligned off Brentlinger Ln. There will be buffering and screening along Brentlinger Ln. as well. The proposal is for townhome-style apartment units.

00:48:36 Mr. Young stated there will be additional right-of-way dedication to help the neighbors that have septic issues. There are also revisions to the design so neighbors don't have to worry about the buildings backed up to them and looking down on them. The sides of the proposed buildings will be located so there's no direct view into the Fairways of Glenmary's condominiums and there will be garages to act as a brick wall. There will also be a screening plan that's acceptable to them. There will be

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

NEW BUSINESS

19-ZONE-0087

additional green space, a detailed landscape plan and a sanitary sewer will extend and connect to an existing manhole. MSD has requested a stub for the easement.

00:51:58 Mr. Bardenwerper stated a traffic analysis was performed and the results were mainly A's and B's.

00:53:47 Commissioner Carlson asked if Southpoint has already been constructed. Mr. Bardenwerper said yes. If there's an accident at Brentlinger and Bardstown, is there another way out? Commissioner Brown stated, you can't go from Leaders Ln. to Wingfield and back to Bardstown Rd. but you can go through Bates Elementary.

00:55:08 Commissioner Brown asked if the plan is to provide roadside grading to add a shoulder in conjunction with the sidewalk construction along the frontage. Mr. Young answered, there is an engineer estimate for the roadside, shoulder, sidewalk and clearing. The next step is to wait for direction on whether to make a contribution or do the work ourselves.

00:56:06 Mr. Reverman asked if there are sidewalks on Major Ln. that's already developed so it will connect to existing sidewalks. Mr. Bardenwerper said yes, up to the entrance. Mr. Young added, the sidewalks will continue to Major Ln. through Leaders Ln.

The following spoke in opposition to this request:

Rose Straub, 10009 Brentlinger Lane, Louisville, Ky. 40291
Betty Overstreet, 9919 Brentlinger Lane, Louisville, Ky. 40291

Summary of testimony of those in opposition:

00:57:58 Ms. Straub said her main concern is the traffic. There will be an additional 300 cars to Brentlinger Ln. added to an already heavy traffic area. Another concern is the runoff that will be caused by this proposal. The creeks can't handle it. Also, while the applicant is working with the people in Glenmary to buffer and screen, what about the people on Brentlinger Ln? Mr. Young has offered a berm. Noise and devaluation of the houses are also an issues. It would be better to put in residential homes or condos (not apartments).

01:00:52 Ms. Overstreet said she is concerned about the traffic. It's heaviest when people get out of school and off from work. The main concern of septic tanks has been addressed. Also, the South Point Center on Leaders Ln. has a lot of weeds and a big mess. Leaders Ln. has not been finished properly because they're waiting on a

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

NEW BUSINESS

19-ZONE-0087

development. The previous developers that built Leaders Ln. left debris, tore down a neighbor's fence and nothing was cleaned up.

01:03:43 Ms. Straub stated there is no way to go through Leaders Ln. through Bates to get back to Bardstown Rd. because Bates has it blocked off with trees and shrubs.

Rebuttal:

01:01:37 Mr. Bardenwerper stated some of the issues will be addressed at the public hearing. When the big development went in, they promised some significant changes, but the changes are coming very slowly. Traffic will be discussed in more detail at the public hearing.

01:06:46 Mr. Young said MSD is requiring an easement and will extend the sewer lines to make it optional for some of the homes.

Deliberation

01:07:43 Planning Commission 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 March 19, 2020 public hearing at the Old Jail Building.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

NEW BUSINESS

19-ZONE-0071

Request: Change in zoning from R-6 to C-1 with detailed plan and waiver
Project Name: Washington House
Location: 939 East Washington Street
Owner: Nichols Ventures, LLC
Applicant: Nichols Ventures, LLC
Representative: Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction: Louisville Metro
Council District: 4– Barbara Sexton Smith
Case Manager: Joel P. 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:

01:09:02 Mr. Dock discussed the case summary from the staff report.

The following spoke in favor of this request:

Nick Pregliasco, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

Summary of testimony of those in favor:

01:10:55 Mr. Pregliasco gave a power point presentation. The site is in the Butchertown Historic Preservation District and the owner lives in the area. Anything done to the exterior will have to go through a Certificate of Appropriateness. The site is on the end of the block across from a vacant lot and there's more parking available. Part of the fence will be removed to allow for parking (5 spaces) in the rear and more parking on the side. There's no parking waiver request with this application. An 8 foot wooden fence, evergreen and shrubs will be added to mitigate the requested landscape waiver.

01:16:40 Mr. Reverman asked Mr. Pregliasco if he's heard from the adjacent property owner regarding the waiver request. Mr. Pregliasco said no and if he was at the neighborhood meeting, he didn't express any concerns. Mr. Pregliasco said he will follow-up with the neighbor.

Deliberation

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

NEW BUSINESS

19-ZONE-0071

01:17:27 Planning Commission 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 February 20, 2020 public hearing at the Old Jail Building.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

NEW BUSINESS

19-ZONE-0088

Request: Change in zoning from R-4 and C-1 to C-2 with waiver and revised detailed district development plan
Project Name: 6517 Dixie Highway
Location: 6517 Dixie Highway
Owner: Ruby Real Estate Kentucky, LLC
Applicant: Ruby Real Estate Kentucky, LLC
Representative: Ruby Real Estate Kentucky, LLC
Jurisdiction: Louisville Metro
Council District: 12 – Rick Blackwell
Case Manager: Joel P. 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:

01:18:29 Mr. Dock discussed the case summary from the staff report.

01:21:30 Commissioner Brown said there have been some discussions about the Dixie Highway Access Management Plan and state permitting. Has the state reviewed and provided any comments? Mr. Dock said all plans are distributed to the State Highway Dept., but he hasn't heard from them yet. Beth Stuber provided comments on this site to acquire the necessary right-of-way. Commissioner Brown said the state should have started the process to create an access management zone so the Dixie Highway Corridor would have special permitting and access control requirements. Mr. Dock said he will check with the State Highway Dept. Commissioner Brown said he's concerned about the access point even though it's existing.

The following spoke in favor of this request:

Joel Jones, 3311 Gate Creek Road, Louisville, Ky. 40272

Summary of testimony of those in favor:

01:23:49 Mr. Jones said he's here to answer questions.

Deliberation

01:24:16 Planning Commission deliberation.

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020**

NEW BUSINESS

19-ZONE-0088

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 February 20, 2020 public hearing at the Old Jail Building.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

NEW BUSINESS

19-ZONE-0078

Request: Change in zoning from R-4 to R-6 with detailed plan
Project Name: Beulah Church Road Apartments
Location: 9108 Beulah Church Road
Owner: EMM3, LLC
Applicant: EMM3, LLC
Representative: Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction: Louisville Metro
Council District: 22 – Robin Engel
Case Manager: Joel P. 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:

01:25:12 Mr. Dock discussed the case summary from the staff report.

The following spoke in favor of this request:

Paul B. Whitty, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Suite 200, Louisville, Ky. 40223

Summary of testimony of those in favor:

01:26:50 Mr. Whitty gave a power point presentation. There is multi-family on 3 sides and residential across the street from the proposed site. The residual tract is for a distribution depot for the purpose of trucks getting sorted mail into trucks and sent out for delivery. It will not be accessible to the public and a fence will encompass the entire property (no access). Sidewalks will be provided as well as a walking trail that connects to the open space of the site.

01:31:31 Commissioner Daniels asked for the location of the rear entrance access. Mr. Whitty said there's only one entrance at Beulah Church Rd. It's designed in a way that if other residential uses are developed, a connection can be made (in the future).

01:32:14 Mr. Reverman requested that the applicant put something on the residual tract that indicates it's not part of this rezoning. Mr. Whitty said ok.

Deliberation

**LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020**

NEW BUSINESS

19-ZONE-0078

01:32:44 Planning Commission deliberation.

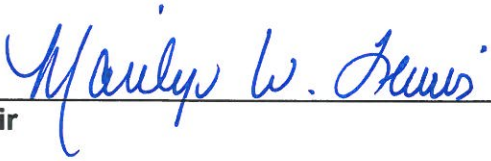
An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

The Committee by general consensus placed this case on the February 20, 2020 public hearing at the Old Jail Building.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 30, 2020

ADJOURNMENT

The meeting adjourned at approximately 2:35 p.m.



Chair



Planning Director