

**MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

**September 12, 2019**

A meeting of the Land Development and Transportation Committee was held on Thursday, September 12, 2019 at 1:00 PM in the Old Jail Building, located at 514 West Liberty Street, Louisville, Kentucky.

**Committee Members present were:**

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

**Committee Members absent were:**

No one.

**Staff Members present were:**

Emily Liu, Director, Planning & Design Services  
Joseph Reverman, Assistant Director, Planning & Design Services  
Brian Davis, Planning & Design Manager  
Julia Williams, Planning Supervisor  
Joel Dock, Planner II  
Dante St. Germain, Planner II  
Travis Fiechter, Legal Counsel  
Chris Cestaro, Management Assistant (minutes)

**Others Present:**

Beth Stuber, Transportation Planning  
Tony Kelly, MSD

The following matters were considered:

**MINUTES OF THE MEETING  
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**September 12, 2019**

**Approval of Minutes**

**Approval of the September 12, 2019 LD&T Committee Meeting Minutes**

00:05:32 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on August 22, 2019.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson, Daniels, Carlson, and Lewis.**

**MINUTES OF THE MEETING  
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**September 12, 2019**

**New Business**

**Case No. 18SUBDIV1019**

<b>Request:</b>	Major preliminary subdivision with waiver to allow frontage/access to an alley only
<b>Project Name:</b>	Indian Trail Subdivision
<b>Location:</b>	4804 East Indian Trail
<b>Owner:</b>	LAICC, Inc.
<b>Applicant:</b>	LAICC, Inc.
<b>Representative:</b>	Curtis Mucci - Mindel Scott & Associates
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	2 – Barbara Shanklin

**Case Manager:** **Joel P. Dock, AICP, Planner II**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:06:20 Joel Dock presented the case (see staff report and recording for detailed presentation.) He noted that staff failed to post notice of the second waiver request (Waiver of LDC, section 7.3.30.E to allow greater than 15% of a required rear yard to contain a drainage easement), therefore no action on this request can be taken today. The case will need to be continued to the September 26, 2019 LD&T to take action on both waivers and the subdivision plan. The staff report presented at the meeting will contain a standard of review for both waivers.

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

Curtis Mucci and Kent Gootee, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

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**New Business**

**Case No. 18SUBDIV1019**

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

00:10:45 Curtis Mucci, the applicant's representative, presented the applicant's case (see recording for detailed presentation.)

00:14:19 Commissioner Carlson asked if there would be parking issues on the 18-foot-wide alley. Mr. Mucci said residents would be able to pull off of the alley and park in the rear of their lots (either attached or detached garage.) This will be a public alley. Commissioner Carlson asked about placing "No Parking" signs – Mr. Mucci said this would be the responsibility of the HOA for the subdivision. Commissioner Carlson requested than a Condition of Approval be added to make sure the COA does this.

00:15:46 In response to a question from Commissioner Carlson, Mr. Mucci discussed an adjacent lot, shown on the site plan, which shows that the applicant has public right-of-way connecting to the subdivision. Mr. Dock discussed the parking in further detail.

00:17:48 In response to some questions from Commissioner Carlson, Mr. Mucci said there are no plans at this time to connect to East Indian Trail. Mr. Mucci said no.

00:18:31 In response to a question from Commissioner Brown, Mr. Mucci discussed how encroachments were going to be mitigated (especially regarding the MSD easement.) Tony Kelly, from MSD, said nothing permanent would be allowed by the easement (decks, fences, trees, etc.) He said if the homeowner was going to build/plant anything in this area, they would have to apply for a permit, which would be denied by MSD.

00:20:46 Commissioner Brown asked about the box culvert and a public sidewalk stub that should be extended into the site. Mr. Mucci said that could be done, via lots 9 & 10. Mr. Dock discussed sidewalk easement/s.

00:23:11 Kent Gootee, an applicant's representative, discussed some of the history of the site plan (see recording.)

**The following spoke neither for nor against the request ("Other")**

Aaron Horner, 601 West Jefferson Street, Louisville, KY 40202

Robert Taylor, 5319 Rookwood Avenue, Louisville, KY 40218

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**New Business**

**Case No. 18SUBDIV1019**

Rudy Jones, 4401 Bridgeman Court, Louisville, KY 40218

**Summary of testimony of those neither for nor against:**

00:24:48 Aaron Horner requested that there be another neighborhood meeting due to the number of changes to the proposal. He said seeking neighborhood input might ease some of the concerns. He discussed the stub streets (one on Indian Trail; and one going towards Metro properties, the library and the health clinic.) Would access be allowed from the public properties south on Indian Trail? He also asked about the parking (see recording for detailed presentation.)

00:30:11 Robert Taylor was called but declined to speak.

00:30:24 Rudy Jones, president of Petersburg Estates Homeowners Association, spoke as "Other". He also requested another neighborhood meeting. He is concerned about the alley with its limited parking, and asked that "No Parking" signs be put up by Metro, not the HOA. He is also concerned about adjacent diagonal parking.

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

Caroline Grundy, 5005 Red Oak Lane, Louisville, KY 40218

Dwan Turner, 4812 Red Fern Road, Louisville, KY 40218

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

00:33:18 Caroline Grundy said she is not opposed to the development of housing, but is opposed to the amount of space the applicant is trying to acquire for parking. This is already a congested area. She said there is already pooling of water in this area, which will cause drivers to have to find another place to park. This is one of the last areas in Louisville Metro to get bike paths and speed humps, and traffic control is already a problem. She asked that the integrity of the Library and Community Center be preserved. There is already no room for the Center to grow, and it is already very busy. Old Shepherdsville Road has a lot of industrial traffic (cars and tractor trailers.) She said there is no parking room for residents' guests. She also spoke for the wildlife that will be displaced.

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**New Business**

**Case No. 18SUBDIV1019**

She requested an additional neighborhood meeting to discuss the new changes to the plan.

00:42:48 Dwan Turner, a Newburg resident, said his first concern is the alleyway. How can drivers get in and out to park? He said widening the alleyway to regulation street size would make the yards smaller. He noted that the MSD box culvert is already being used as a sidewalk to reach the Community Center, school, parks, etc. He said the land is "hydrated soil" - is there any remediation (retention basin, water management) being planned? He did not see any on the new plan. He said the churches in the area are always in heavy use – this development will cause more traffic and parking problems. Mr. Turner asked about financing for the project – he said the applicant told the neighbors that the project will be financed via “pre-sale of homes”. His concern is that the developer will run out of money and be unable to finish the development, leaving unfinished sewers, streets, etc. He also asked for an additional neighborhood meeting to discuss the new changes to the plan.

**Rebuttal:**

00:49:33 Mr. Mucci said there have been several neighborhood meetings, and most of the changes/revisions to the plan came from suggestions made by neighbors at those meetings. He listed some of the plan revisions that have been made, and said the applicant is willing to agree to a binding element restricting parking in the alley. He said the applicant would prefer not to have another neighborhood meeting. The easement will remain, the sidewalk will remain. He said the majority of the Newburg area is on hydric soil so this will have to be mitigated.

00:51:58 In response to a question from Commissioner Carlson, Mr. Mucci pointed out the directions the houses will be facing. Commissioner Carlson asked if the applicant would put in sidewalks along Indian Trail. Mr. Mucci said the applicant could consider that, if it was permitted by Metro. Commissioner Carlson and Mr. Mucci discussed how other houses along Indian Trail are accessed, and why this subdivision couldn't do the same (see recording.)

**Discussion**

00:55:23 Commissioners' discussion (see recording for detailed discussion.)

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**New Business**

**Case No. 18SUBDIV1019**

**An audio/visual recording of the Land Development and 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.**

01:03:32 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby place this case on agenda for the October 17, 2019 Planning Commission public hearing.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson, Daniels, Carlson, and Lewis.**

**MINUTES OF THE MEETING  
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**September 12, 2019**

**New Business**

**Case No. 19-ZONE-0025  
(heard with Case No. 19-STRCLOSURE-0005)**

**NOTE: All notes and testimony for Case No. 19-STRCLOSURE-0005 will be noted under Case No. 19-ZONE-0025**

**Request:** Change in zoning from R-4 to C-1 with detailed and revised detailed district Development Plan and setback variance

**Project Name:** Anchorage Plaza

**Location:** 12903, 12910, & 12920 Factory Lane

**Owner:** Ghasem Properties, Inc. and Atlantic Development Group, LLC

**Applicant:** Ghasem Properties

**Representative:** William Bardenwerper - Bardenwerper, Talbott & Roberts, PLLC  
**Mark Madison -**

**Jurisdiction:** Louisville Metro

**Council District:** 19 – Anthony Piagentini

**Case Manager:** **Joel P. Dock, AICP, Planner II**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

01:04:21 Joel Dock presented the case (see staff report and recording for detailed presentation.)

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

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



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**New Business**

**Case No. 19-ZONE-0025  
(heard with Case No. 19-STRCLOSURE-0005)**

Mark Madison, Milestone Design Group, 108 Daventry Lane, Louisville, KY 40223 (signed in but did not speak.)

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

01:07:18 William Bardenwerper, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

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

No one spoke.

**An audio/visual recording of the Land Development and 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.**

01:11:52 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby place Case No. 19-STRCLOSURE-0005 on the **Consent Agenda for the October 17, 2019** Planning Commission public hearing and to place Case No. 19-ZONE-0025 on the **regular agenda for the October 17, 2019** Planning Commission public hearing.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson, Daniels, Carlson, and Lewis.**

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**New Business**

**Case No. 19-STRCLOSURE-0005  
(heard with Case No. 19-ZONE-0025)**

**NOTE: All notes and testimony for Case No. 19-STRCLOSURE-0005 will be noted under Case No. 19-ZONE-0025**

<b>Request:</b>	Street Closure for "Old Factory Lane"
<b>Project Name:</b>	Anchorage Plaza
<b>Location:</b>	12903, 12910 & 12920 Factory Lane
<b>Owner:</b>	Louisville Metro
<b>Applicant:</b>	Ghasem Properties
<b>Representative:</b>	Bardenwerper, Talbott & Roberts PLLC
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	19 – Anthony Piagentini

**Case Manager: Joel P. Dock, AICP, Planner II**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

See all notes and testimony under Case No. 19ZONE0025.

**An audio/visual recording of the Land Development and 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.**

01:11:52 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

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**New Business**

**Case No. 19-STRCLOSURE-0005  
(heard with Case No. 19-ZONE-0025)**

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby place Case No. 19-STRCLOSURE-0005 on the **Consent Agenda for the October 17, 2019** Planning Commission public hearing and to place Case No. 19-ZONE-0025 on the regular agenda for the October 17, 2019 Planning Commission public hearing.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson, Daniels, Carlson, and Lewis.**

**MINUTES OF THE MEETING  
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**September 12, 2019**

**New Business**

**Case No. 19-STRNAME-0001**

<b>Request:</b>	Street Name Change
<b>Project Name:</b>	Victoria Way
<b>Location:</b>	Victoria Way north of Moorhaven Drive
<b>Owner:</b>	Louisville Metro
<b>Applicant:</b>	H & T Realty, Inc.
<b>Representative:</b>	Milestone Design
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	23 – James Peden

**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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

01:12:45      Julia Williams presented the case on behalf of Jay Lockett (see staff report and recording for detailed presentation.)

01:13:56      In response to a question from Commissioner Carlson, Ms. Williams said the proposed name change would occur north of Moorhaven. The street south of Moorhaven would remain Victoria Way.

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

Mark Madison, Milestone Design Group, 108 Daventry Lane, Louisville, KY 40223 (signed in but did not speak)

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

No one spoke.

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**September 12, 2019**

**New Business**

**Case No. 19-STRNAME-0001**

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

No one spoke.

**An audio/visual recording of the Land Development and 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.**

01:15:03 On a motion by Commissioner Brown, seconded by Commissioner Peterson, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby place this case on the **Consent Agenda for the September 19, 2019** Planning Commission public hearing.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson, Daniels, Carlson, and Lewis.**

**MINUTES OF THE MEETING  
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**September 12, 2019**

**New Business**

**Case No. 19ZONE1001**

**Request:** Change in zoning from R-4 to R-5 with Major Preliminary Subdivision for 34 lots on 9.01 acres, and associated landscape waiver

**Project Name:** Shepherdsville Road Subdivision

**Location:** 8809 Shepherdsville Road

**Owner:** Linda Sue Goodwin Neubeck

**Applicant:** Superior Builders, Inc.

**Representative:** Nick Pregliasco - Bardenwerper, Talbott & Roberts PLLC

**Jurisdiction:** Louisville Metro

**Council District:** 23 – James Peden

**Case Manager:** **Dante St. Germain, AICP, Planner II**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

01:16:02 Dante St. Germain presented the case (see staff report and recording for detailed presentation.) She noted that there is an error in the staff report: Metro Transportation Planning has not approved the plan due to the left-turn lane. MDS has approved the plan. She said the applicant has stated that they are not willing to provide a left-turn lane from Shepherdsville Road; however, they have provided an exhibit showing how a left-turn lane would be provided, if it were absolutely required, and the way it would change the right-of-way and configuration of the road.

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

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

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**September 12, 2019**

**New Business**

**Case No. 19ZONE1001**

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

01:19:14 Nick Pregliasco, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He discussed the left-turn lane in more detail in his Power Point presentation.

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

No one spoke.

01:27:25 Commissioners' deliberation. Commissioner Carlson said he did not think this is ready for a public hearing due to the traffic issue, and specifically because no left-turn lane is being provided. Transportation has not approved this plan. See recording for detailed discussion.

**An audio/visual recording of the Land Development and 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.**

01:35:05 The Committee by general consensus scheduled this case to be heard at the **October 3, 2019** Planning Commission public hearing.

**MINUTES OF THE MEETING  
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**September 12, 2019**

**New Business**

**Case No. 19-ZONE-0029**

**Request:** Change in zoning from R-5 to OR with a Detailed District Development Plan and Binding Elements

**Project Name:** Kenney Office Building

**Location:** 3822 Taylorsville Road & 3004 Melbourne Avenue

**Owner:** Lonnie William Cowles

**Applicant:** Mike Kenney

**Representative:** Bissell Roberts - Bardenwerper Talbott & Roberts PLLC

**Jurisdiction:** Louisville Metro

**Council District:** 26 – Brent Ackerson

**Case Manager:** **Dante St. Germain, AICP, Planner II**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

01:35:17 Dante St. Germain presented the case (see staff report and recording for detailed presentation.) She noted that the applicant has not agreed to a binding element requested by TARC (see staff report, Technical Review, page 1.) The concrete pad is being provided; the issue is taking responsibility for cleaning the stop.

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

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



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**New Business**

**Case No. 19-ZONE-0029**

Sarah Beth Sammons, Land Design & Development, 503 Washburn Avenue,  
Louisville, KY 40212

Mike Kenney, 4304 Rudy Lane, Louisville, KY 40207

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

01:38:43 Bissell Roberts, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He said the applicant's objection is to the language in the binding element proposed by TARC – he suggested that this language could be modified at a Planning Commission public hearing.

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

No one spoke.

01:41:52 Commissioners' deliberation.

**An audio/visual recording of the Land Development and 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 scheduled this case to be heard at the **October 3, 2019** Planning Commission public hearing.

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**September 12, 2019**

**New Business**

**Case No. 19-ZONE-0016**

**Request:** Change in zoning from R-4 to R-5A, with a Detailed District Development Plan and Binding Elements

**Project Name:** Smith Watterson Trail Condos

**Location:** 4303-4305 Stony Brook Drive, 8601-8607 Watterson Trail

**Owner:** John & Mary Smith

**Applicant:** John & Mary Smith

**Representative:** Land Design & Development

**Jurisdiction:** City of Jeffersontown

**Council District:** 11 – Kevin Kramer

**Case Manager:** **Dante St. Germain, AICP, Planner II**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

01:42:16 Dante St. Germain presented the case (see staff report and recording for detailed presentation.) She noted that there is a typo in the staff report: the applicant is proposing to construct 21 units, not 22. She said a night hearing has been petitioned for November 4, 2019 at 6:30 p.m. at the South Central Library.

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

Kevin Young, Land Design & Development, 503 Washburn Avenue, Louisville, KY 40222

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**September 12, 2019**

**New Business**

**Case No. 19-ZONE-0016**

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

01:47:03 Kevin Young, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He said the concerns raised at the neighborhood meeting included wildlife, trees, drainage, and the design of the buildings (neighbors want more ranch-style homes.).

01:52:56 In response to a question from Commissioner Brown, Mr. Young said a barrier median within Stony Brook will prohibit right-in-right-out traffic, if that is required by Metro Public Works.

01:53:09 In response to some questions from Commissioner Daniels, Mr. Young discussed access areas. He said Metro Transportation Planning said the safest access is one access from Stony Brook Drive. He discussed how that access was selected as the primary access point.

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

Kathy Ludwig, 8512 Amerivan Drive, Louisville, KY 40299

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

01:55:35 Kathy Ludwig said she is concerned about the density of the proposal and the increase in traffic in general, school buses in particular.

**The following spoke neither for nor against the request ("Other"):**

Cathy Snyder, 8908 Collingwood, Louisville, KY 40299

**Summary of testimony of those neither for nor against:**

01:58:58 Cathy Snyder said she was not really opposed to the project - the applicant has made some adjustments that have resolved some of the neighbors' concerns, notably decrease in the zoning category (originally asked for R-6; now is asking for R-5A, which is more acceptable.) However, traffic is still a major concern. She said there have been many more accidents on Stony Brook than there have been on Watterson Trail between 2010-2018 at this intersection. She submitted pictures to the Commissioners of the area of Stony Brook she is referring to. See recording for her detailed presentation.

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**New Business**

**Case No. 19-ZONE-0016**

**Rebuttal**

02:06:41 Mr. Young said the neighbors made their concerns clear about the access point during the neighborhood meeting, and the applicant has tried to address those concerns. He said he/the applicant is willing to work with Beth Stuber with metro Transportation Planning to see if a different solution could be found. He discussed the design of and access to the proposed structures.

**An audio/visual recording of the Land Development and 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.**

02:09:09 Commissioners' discussion.

02:09:27 The Committee by general consensus scheduled this case for a Planning Commission night hearing on **November 4, 2019 at 6:30 p.m.** at the South Central Library at 7311 Jefferson Boulevard, Louisville, KY.

**MINUTES OF THE MEETING  
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**September 12, 2019**

**New Business**

**Case No. 18ZONE1008**

**Request:** Change in Zoning from R-4 to CTC-1  
**Project Name:** 10616 Watterson Trail Rezone  
**Location:** 10616 Watterson Trail  
**Owner:** Thomas Kruse and Rick Allison  
**Applicant:** Kruse Allison Construction, LLC  
**Representative:** Bill Schroll - Schroll Land Surveying LLC  
**Jurisdiction:** City of Jeffersontown  
**Council District:** 11 – Kevin Kramer

**Case Manager:** **Julia Williams, AICP, Planning Supervisor**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

02:10:18 Julia Williams presented the case (see staff report and recording for detailed presentation.) She explained that this case had accidentally been left off of today's agenda, and would therefore need to be **CONTINUED** to the September 26, 2019 LD&T Committee meeting and scheduled for the October 3, 2019 Planning Commission public hearing.

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

Bill Schroll, 5450 Southview Drive, Louisville, KY 40214 (signed in but did not speak)

Rick Allison, 10616 Watterson Trail, Louisville, KY 40299 (applicant; signed in but did not speak)

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**New Business**

**Case No. 18ZONE1008**

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

No one spoke.

**An audio/visual recording of the Land Development and 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.**

02:22:56 On a motion by Commissioner Carlson, seconded by Commissioner Brown, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** this case to the September 26, 2019 LD&T Committee meeting, and **schedule this case to be heard at the October 3, 2019** Planning Commission public hearing.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson, Daniels, Carlson, and Lewis.**

**NO: No one.**

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**September 12, 2019**

**New Business**

**Case No. 16ZONE1044**

**Request:** Change in zoning from C-2 to PDD  
**Project Name:** One Park  
**Location:** 2294, 2300, 2338, (TB 74A Lots 12 & 15), and  
2340 Lexington Road and 2501, 2503, 2509,  
2511, and 2515 Grinstead Drive  
**Owners:** JDG Triangle Partners LLC  
JDG Triangle Partners II L;  
JDG Triangle Partners III  
**Applicant:** JDG Triangle Partners, LLC  
**Representative:** William Bardenwerper - Bardenwerper Talbott  
& Roberts PLLC  
Mindel Scott & Associates  
**Jurisdiction:** Louisville Metro  
**Council District:** 8 – Branson Coan  
  
**Case Manager:** **Julia Williams, AICP, Planning Supervisor**

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

02:24:46 Julia Williams presented the case (see staff report and recording for detailed presentation.) She emphasized that the purpose of today's presentation is to focus on transportation/ traffic issues.

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

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

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Kent Gootee and David Mindel, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

Diane Zimmerman, 12803 High Meadows Pike, Louisville, KY 40059

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

02:26:29 William Bardenwerper, the applicant's representative, presented the applicant's transportation/traffic information and showed a Power Point presentation (see recording for detailed presentation.)

02:37:20 Commissioner Carlson asked about changes to the most recent pattern book (see recording.) Mr. Bardenwerper said that what is being presented today is the final striping plan that is part of the Transportation Plan. He said the information that will be presented to the Commissioners prior to the September 30, 2019 Planning Commission public hearing will be updated.

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

Sandra Wagner, 3215 Marion Court, Louisville, KY 40206

Lisa Santos, 1318 Hull Street, Louisville, KY 40204

Shawn Dikes, 128 North Birchwood Avenue, Louisville, KY 40206

Phil Samuel, 3 Angora Court, Louisville, KY 40206

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

02:41:56 Sandra Wagner explained her personal observations and experiences with traffic in this area.

02:44:14 Lisa Santos, representing the Irish Hill Neighborhood Association, said that a page of questions about transportation, submitted by the Association to the applicant in November, has still not yet been answered. She was pleased to know that this has been through Metro Transportation Planning, but wanted to know if this has been reviewed by KYTC. In response to a request from Commissioner Lewis, she submitted the list of questions to Ms. Williams to be distributed to the Commissioners (on file.)



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02:46:52      Shawn Dikes, a Crescent Hill resident, noted that the I-64 and Grinstead interchange is already functioning poorly. Grinstead Drive and Lexington Road is already at a “D” or “E” level. He does not feel that pedestrians and bicycles are taken into account in the traffic impact studies; he is also concerned about inadequate signage and road striping. He asked if Etley Avenue is going to be a right-in or a right-out. He said traffic impact study numbers change “dramatically” with each updated version of the studies.

02:50:01      Phil Samuel asked why internal trips are listed, since no one is going to get into this development and drive around to various uses. If pass-by trips are a subset that only apply to commercial/retail developments, then how can this be used for a development that includes housing? He asked several other questions regarding specifics about the traffic study (see recording for his detailed presentation.)

**Rebuttal:**

02:54:17      Mr. Bardenwerper and Diane Zimmerman (traffic engineer) discussed the traffic impact study to answer some of the questions asked (see recording for detailed presentation.) Ms. Zimmerman answered questions including, but not limited to: internal trips and how trip generation for all developments is determined; why all left-turning traffic from the garage has been assigned to Etley Avenue; the signage to I-64; and that a dual left-turn lane that had previously been shown will not be added and there will be no new pavement-width added on Lexington Road.

02:58:59      Commissioner Brown asked Ms. Zimmerman to address Ms. Santos’s questions. Ms. Zimmerman reviewed the modeling methods she used and reiterated that Metro Transportation Planning has had “ample” opportunity to review it the report (see recording.) She noted that, in March, significant changes were made to Grinstead Drive signal timing to prioritize clearing traffic from I-64.

03:03:04      Mr. Bardenwerper concluded the rebuttal.

03:05:31      Commissioner Brown suggested that some of the current delays being experienced on Lexington and Grinstead may be due to the Louisville Water Company closing some lanes to replace water mains.

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03:05:59      Commissioner Carlson asked about using Etlely to handle left-turns coming out of the proposed garage. How will motorists be directed to do this? Ms. Zimmerman said the applicant had discussed putting up lighted signage inside the garage stating “Right Turn Only Between 4-6 p.m.” She said that there will be no barriers, no way to “force” drivers to make a right-turn only. See recording for her complete testimony.

03:07:41      Commissioner Carlson asked if there will be any major traffic signal “reworking” at the intersection of Lexington and Grinstead. Ms. Zimmerman said only to the signal heads for the proposed dual left-turn lanes. Commissioner Carlson and Commissioner Brown discussed “Connection 21” grant which will work about 127 intersections – this is not one of the corridors included in that.

**An audio/visual recording of the Land Development and 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.**

03:09:34      The Committee by general consensus scheduled this case for a Planning Commission night hearing on **September 30, 2019 at 6:30 p.m.** at the Kentucky International Convention Center, located at 221 S 4th St, Louisville, KY 40202, Ballrooms D & E.

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**The meeting adjourned at approximately 04:26 p.m.**

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***Chairman***

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***Division Director***