

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

April 13, 2017

A meeting of the Land Development and Transportation Committee was held on Thursday, April 13, 2017 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 (left the meeting at approximately 3:30 p.m.)
Jeff Brown
Richard Carlson

Committee Members absent were:

Marshall Gazaway

Staff Members present were:

Joseph Reverman, Assistant Director, Planning & Design Services
Julia Williams, Planning Supervisor
Brian Davis, Planning & Design Manager
Laura Mattingly, Planner II
Joel Dock, Planner II
John Carroll, Legal Counsel
Chris Cestaro, Management Assistant (minutes)

Others Present:

Tammy Markert, Transportation Planning
Tony Kelly, MSD

The following matters were considered:

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Approval of Minutes

Approval of the March 23, 2017 LD&T Committee Meeting Minutes

00:07:31 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

RESOLVED, the Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on March 23, 2017.

The vote was as follows:

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

NO: No one.

NOT PRESENT: Commissioner Gazaway.

ABSTAINING: No one.

**MINUTES OF THE MEETING
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New Business

17WAIVER1005

Request:	Sidewalk Waiver
Project Name:	Blue Iguana
Location:	9500 Dixie Highway
Owner:	GESJ, Inc.
Applicant:	GESJ, Inc.
Representative:	Bardenwerper, Talbott & Roberts PLLC
Jurisdiction:	Louisville Metro
Council District:	17 – Cindi Fowler

Case Manager: **Joel Dock, 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.)

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.

Agency Testimony:

00:08:19 Joel Dock presented the case and showed the site plan (see staff report and recording for detailed presentation.)

00:12:48 Mr. Dock presented a copy of the applicant's justification to the Commissioners.

00:13:47 A nearby TARC stop and boarding area were discussed.

The following spoke in favor of the request:

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

David Frey, Land Development and Design, 503 Washburn Avenue, Louisville, KY 40222

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New Business

17WAIVER1005

Summary of testimony of those in favor:

00:14:05 William Bardenwerper, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

00:18:13 In response to a question from Commissioner Carlson, Mr. Bardenwerper discussed the status of the Dixie Highway Project. Mr. Bardenwerper said the project had been approved up to the north of this site. Commissioner Brown said that the design and construction has been approved and funded only up to Greenwood Road; there are no funds for design or construction further south.

00:19:18 Commissioner Carlson asked about the Applicant's Justification statement (on file) regarding sidewalks. Mr. Bardenwerper said that this sidewalk would require curbing, guttering, and piping of the drainage ditch, which are too expensive. Also, the Dixie project might tear those up during the course of construction.

00:22:16 David Frey, Land Design & Development, discussed the sidewalk plans and the State's plans for the Dixie Project. He listed all of the utilities and infrastructure which are in this easement area, and which would be disturbed if the applicant tried to put in sidewalks.

00:26:04 In response to a question from Commissioner Lewis, Mr. Frey clarified the proposed location for the sidewalk. He discussed drainage, and the location of the utilities/infrastructure.

00:30:23 Commissioner Carlson and Mr. Frey discussed the location of a double-wide area of pavement (by the exit of the car wash, an LBA.) Commissioner Carlson asked about narrowing that to a single lane, and building the sidewalk in an area that is not in the right-of-way. Mr. Bardenwerper added that this would necessitate redoing the construction plans, would be very complicated, and also very expensive. Mr. Frey added that the construction plans have already been approved.

00:33:50 Commissioner Lewis asked, if the sidewalk were built in the LBA, how that would affect the connectivity to the TARC stop. Commissioner Brown discussed the issues with the ROW and connectivity.

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00:38:06 Water drainage and gradient change/s were discussed.

00:41:15 Mr. Bardenwerper asked about the possibility of putting the sidewalk within the 10-foot LBA. This would require an LBA waiver.

00:44:18 In response to a question from Commissioner Brown, Mr. Frey described the issues he has experienced trying to get answers from the State.

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

Councilwoman Cindi Fowler

Summary of testimony of those neither for nor against:

Councilwoman Cindi Fowler expressed concern about pedestrian safety along Dixie Highway. Spoke in favor of installing sidewalks. (Activated at 00:50:35)

00:54:10 Commissioners' Discussion

00:57:42 In response to a question from Commissioner Lewis, Mr. Dock said that the sidewalk waiver could be deferred indefinitely or to a date uncertain. He said the record should show that the LD&T Committee finds it appropriate to provide the sidewalk within the property in an easement understanding that it may require an LBA waiver, and that screening would be provided.

00:58:50 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 **DEFER** this case to a date uncertain.

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New Business

17WAIVER1005

The vote was as follows:

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

NO: No one.

NOT PRESENT: Commissioner Gazaway.

ABSTAINING: No one.

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New Business

CASE NO. 16ZONE1091

Request: Change in zoning from R-4 Single Family Residential to M-2 Industrial
Project Name: Mason Dixon Business Park
Location: 4520 Mason Dixon Lane
Owner: Mason Dixon Properties, LLC
Applicant: Mason Dixon Properties, LLC
Representative: Mindel Scott & Associates, Inc.
Jurisdiction: Louisville Metro
Council District: 10 – Pat Mulvihill

Case Manager: **Joel Dock, 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.)

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.

Agency Testimony:

00:59:41 Joel Dock presented the case and showed the site plan (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Kathy Linares, Mindel Scott & Associates, 5151 Jefferson Boulevard Suite 101, Louisville, KY 40219

Raymond Bannon, The Flynn Group, 2237 Saratoga Drive Suite 102, Louisville, KY 40299

Summary of testimony of those in favor:

01:02:34 Raymond Bannon, the applicant's representative, presented the applicant's case (see recording for detailed presentation.)

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New Business

CASE NO. 16ZONE1091

01:04:31 In response to a question from Commissioner Brown, Kathy Linares discussed pedestrian connectivity from Poplar Level Road.

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

No one spoke.

01:05:45 Commissioner's deliberation

01:05:48 Commissioner Brown asked about a standard binding element regarding truck idling within a certain distance of residential areas. Kathy Linares addressed the issue. Commissioner Lewis said a binding element could be discussed, and added if necessary, at the public hearing.

01:06:38 The Committee by general consensus scheduled this case to be heard at the April 20, 2017 Planning Commission public hearing.

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New Business

CASE NO. 17ZONE1000

Request: Change in zoning from R-4 to C-M, Conditional Use Permit, Variance, and Waiver
Project Name: Marilla Warehouse
Location: 4819 Poplar Level Road
Owner: M & C Rentals
Applicant: M & C Rentals
Representative: Land Design & Development, Inc.
Vincent, Cox & Townsend, PLLC
Jurisdiction: Louisville Metro
Council District: 10 – Pat Mulvihill

Case Manager: **Joel Dock, 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.)

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Agency Testimony:

01:06:46 Joel Dock presented the case and showed the site plan (see staff report and recording for detailed presentation.) He noted that staff will work with the applicant to bring the elevations into compliance with the LDC; also, a binding element has been included requiring staff approval of the elevations prior to transmittal of the plans for permitting.

The following spoke in favor of the request:

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

Jamie Cox, Vince Cox & Townsend, 2303 River Road #301, Louisville, KY 40206

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CASE NO. 17ZONE1000

Summary of testimony of those in support:

01:11:17 Jamie Cox, 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.

The following spoke neither for nor against:

Lynn Rogers, 4823 Poplar Level Road, Louisville, KY 40213

Summary of testimony of those neither for nor against:

01:15:15 Lynn Rogers, who owns the adjacent storage business, asked if a fence would be installed. Kevin Young answered Ms. Rodgers questions regarding the fence. He added that there will be three proposed buildings, not four, and that this will be explained in detail at the public hearing.

01:18:17 In response to a question from Commissioner Brown, Mr. Young pointed out the location of the proposed fence on an aerial photo.

01:18:57 The Committee by general consensus scheduled this case to be heard at the April 20, 2017 Planning Commission public hearing.

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New Business

CASE NO. 17WAIVER1001 & 1004

Request:	Waiver to allow new single family access on a collector level road
Project Name:	Access Waiver 8800 and 8820 Thixton Lane
Location:	8800 and 8820 Thixton Lane
Owner:	David & Cleda Thompson / Jerry Kurtz
Applicant:	Ritchie Riggs
Representative:	Ritchie Riggs Goldmark Realtors
Jurisdiction:	Louisville Metro
Council District:	22 – Robin Engel

Case Manager: Laura Mattingly, 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.)

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.

Agency Testimony:

01:19:17 Laura Mattingly presented the case and showed the site plan (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Ritchie Riggs, 228 Demoree Drive, Bardstown, KY 40004

Summary of testimony of those in support:

01:22:45 Ritchie Riggs, the applicant, presented the case (see recording for detailed presentation.) Commissioner Brown discussed the requirements the State puts on permits (there are certain locations where the driveways have to be placed.) Mr. Riggs said he understood.

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New Business

CASE NO. 17WAIVER1001 & 1004

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

No one spoke.

01:25:40 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

WHEREAS, the Louisville Metro Land Development and Transportation Committee finds that the waiver will not adversely affect adjacent property owners as site distance does not appear to be an issue and the new access will not have a significant impact on surrounding homes; and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020. Guideline 7, Circulation, which calls for the proposal's transportation facilities to be compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. This guideline is not violated with the waivers as the private access is compatible with surrounding uses and has little impact on adjacent homes; and

WHEREAS, the Committee further finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as all other aspect of the development are in conformance with the Land Development Code; and

WHEREAS, the Committee further finds that the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of land or create an unnecessary hardship as the owner has had issues selling both of the properties with the shared access; and

WHEREAS, the Committee further finds that, based the staff report, the applicant's justification, and the evidence and testimony presented today, that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

RESOLVED, the Louisville Metro Land Development and Transportation

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New Business

CASE NO. 17WAIVER1001 & 1004

Committee does hereby **APPROVE** the requested Waiver of Section 6.1.3 to allow new single family access for two tracts on a collector level road.

The vote was as follows:

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

NO: No one.

NOT PRESENT: Commissioner Gazaway.

ABSTAINING: No one.

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New Business

CASE NO. 16ZONE1081

Request:	Change in zoning from R-4 to R-7
Project Name:	Six Mile Lane Apartments
Location:	6710 Six Mile Lane
Owner:	J.G. Homer Burgin
Applicant:	EMM3, LLC
Representative:	Bardenwerper, Talbott & Roberts PLLC
Jurisdiction:	Louisville Metro
Council District:	26 – Brent Ackerson

Case Manager: **Laura Mattingly, 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.)

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.

Agency Testimony:

01:26:00 Laura Mattingly presented the case and showed the site plan (see staff report and recording for detailed presentation.)

01:27:53 She noted that the applicant has submitted new elevations today, but they still did not meet the requirements for multi-family building design standards. Due to this, she proposed an additional binding element, to read as follows:

Prior to building permit issuance, the applicant must submit elevations in compliance with Land Development Code Section 5.6.3 to Planning and Design staff for approval.

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. 16ZONE1081

Kathy Linares, Mindel Scott & Associates, 5151 Jefferson Boulevard Suite 101,
Louisville, KY 40219

Summary of testimony of those in favor:

01:29:33 William Bardenwerper, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) He stated that, at the public hearing, the applicant will submit construction details (building materials, colors, etc.) and will also address design issues. He said this should eliminate the need for staff's proposed binding element.

01:32:34 Kathy Linares was introduced to answer technical questions about the site.

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

No one spoke.

01:18:57 The Committee by general consensus scheduled this case to be heard at the May 11, 2017 Planning Commission public hearing.

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April 13, 2017

New Business

CASE NO. 16ZONE1087

Request:	Change in zoning from R-7 to C-2 with Variances on approximately 0.75 acres
Project Name:	BMW of Louisville
Location:	100 & 102 Marshall Drive
Owner:	TT of B Louisville Property LLC
Applicant:	TT of B Louisville Property LLC
Representative:	BTM Engineering Bardenwerper Talbott & Roberts PLLC
Jurisdiction:	Louisville Metro
Council District:	7 – Angela Leet
Case Manager:	Julia Williams, RLA, 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.)

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.

Agency Testimony:

01:33:31 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.)

01:36:29 She added that she had received an e-mail from the Mayor of Beechwood Village, and handed out copies of the e-mail to the Commissioners.

The following spoke in favor of the request:

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

John Addington, BTM Engineering, 3001 Taylor Springs Drive, Louisville, KY 40220

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New Business

CASE NO. 16ZONE1087

Summary of testimony of those in favor:

01:37:05 William Bardenwerper, the applicant's representative, presented the applicant's case and showed a Power Point presentation (See recording for detailed presentation.) He added that some concerns had been expressed at neighborhood meetings regarding the test-driving of vehicles. Mr. Bardenwerper said an agreement/binding elements will be worked out with Beechwood Village.

01:43:54 John Addington, BTM Engineering, discussed the plans for landscaping and other elements of the site.

01:46:43 Mr. Bardenwerper discussed binding element/s for enhanced landscaping, use restrictions, and drainage issues. He said the final landscape plan will be similar to the landscape plan produced at the public hearing; discussions are still underway with Beechwood Village. He discussed drainage in more detail.

The following spoke neither for nor against:

Brandon Jagger, 4516 Cordova Road, Louisville, KY 40207

Kelly Carls, 206 Marshall Drive, Louisville, KY 40207

Summary of testimony of those neither for nor against ("Other"):

01:51:02 Brandon Jagggers, the Mayor of Beechwood Village, showed a Power Point presentation (see recording for detailed presentation.) Issues included the detention basin, drainage and water runoff, traffic impact, noise, parking, the size of the existing site and how deeply it runs into a residential neighborhood, removal of mature shade trees and heat island impact, enforcement of binding elements, privacy (fencing and wall design), light pollution, and overall residential safety. He expressed concern about how many parking spots are already allotted on the site – why do they need more? He also asked if blasting will be used for the underground detention basin. He said there is concern about what could happen if the dealership closes, and what other uses could then go on that site. He requested environmental and traffic impact studies be performed.

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New Business

CASE NO. 16ZONE1087

02:16:17 (NOTE: Persons in opposition spoke after Mr. Jagers and before Mr. Carls.) Kelly Carls, member of the Beechwood Village Council, expressed concerns about setting precedents, particularly along Shelbyville Road where commercial meets residential.

The following spoke in opposition to the request:

Phyllis Skonicki, 110 Marshall Drive, Louisville, KY 40207

Joan Hale, 315 Ring Road, Louisville, KY 40207

Summary of testimony of those in opposition:

02:08:53 Phyllis Skonicki lives adjacent to the site. Her concerns include: the destruction of shade trees, loss of greenspace, air and light pollution, lack of screening, and the impact of all of these directly on her home. She said the proposal does not maintain the integrity of Beechwood Village.

02:12:11 Joan Hale spoke in opposition. She said she is especially concerned about the tree canopy loss; density, traffic, and pedestrian safety. She said she has already lost two trees due to MSD's work in Beechwood Village.

Rebuttal

02:19:15 Mr. Bardenwerper said the applicant will continue working with Beechwood Village. He said the applicant has already spoken with residents regarding lighting, air quality, noise, and all of the other issues. He said a June 1, 2017 public hearing date would give the applicant more time to work with residents. In response to a question from Commissioner Lewis, Mr. Bardenwerper said the neighborhood meetings were well attended.

02:21:44 In response to a question from Commissioner Carlson, Mr. Bardenwerper said the applicant would provide more details about the privacy wall (a cross section of the wall, building materials, etc.) Commissioner Carlson also requested a detailed landscape plan. Mr. Bardenwerper further discussed the drainage issues.

02:23:29 Commissioner Carlson asked if Beechwood Village had a City engineer, and if any discussions had taken place between City engineer,

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New Business

CASE NO. 16ZONE1087

landscape planner, and MSD. Mr. Jagers discussed the issue, particularly regarding the City's conversations with MSD. Mr. Bardenwerper said they could meet together with all parties. Mr. Jagers requested on-site meetings with staff and the applicant.

02:26:25 The Committee by general consensus scheduled this case to be heard at the June 1, 2017 Planning Commission public hearing. THE APPLICANT REQUESTED SOME EXTRA TIME AT THE HEARING FOR THIS CASE.

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New Business

CASE NO. 16ZONE1090

NOTE: Commissioner Peterson left the meeting at approximately 3:30 p.m. and did not hear this or the remaining cases.

Request: Change in zoning from R-4 to PEC on approximately 14.93 acres
Project Name: Blankenbaker Land Acquisition
Location: Tucker Station Road TB 3672 Lot 1 (Southeast and approximately 1,000 feet from the intersection of Tucker Station Road and Lakefront Place, rear of lot only.)
Owner: LRH Family, LLC
Applicant: Hollenbach Oakley, LLC
Representative: Bardenwerper, Talbott & Roberts PLLC
Mindel Scott & Associates
Jurisdiction: Louisville Metro
Council District: 20 – Stuart Benson

Case Manager: **Julia Williams, RLA, 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.)

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.

Agency Testimony:

02:28:10 Julia Williams presented the case and showed the site plan (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. 16ZONE1090

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

Greg Oakley (applicant), P.O. Box 7368, Louisville, KY 40257

Summary of testimony of those in favor:

02:31:13 William Bardenwerper, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) In response to a question from Commissioner Brown, Mr. Bardenwerper said the lake is being rezoned because it could reduce setback requirements for anything built on the land surrounding it. He said there is no intention of draining the lake. There is also a possibility in the future that additional land to the north could be acquired; then the zoning would be consistent. He added that this is a protected water body, protected by the Land Development Code.

02:34:38 Commissioner Brown asked about maintenance access. Greg Oakley used the zoning map to explain how the various tracts will be consolidated. Commissioner Brown said he would like to see what the resultant lots would look like after they are consolidated. Mr. Bardenwerper said that information would be presented at the public hearing.

02:36:31 John Carroll, legal counsel for the Planning Commission, asked Mr. Bardenwerper if there was any intention of filling in any of the pond. Mr. Bardenwerper said no.

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

No one spoke.

02:36:44 The Committee by general consensus scheduled this case to be heard at the May 11, 2017 Planning Commission public hearing.

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April 13, 2017

New Business

CASE NO. 16ZONE1016

Request: Change in zoning from R-4 to C-1 with a variance and waivers on approximately 1.27 acres

Project Name: Curtis Center

Location: 4500 and 4506 Bardstown Road

Owner: Michael and Rebecca Curtis

Applicant: Michael and Rebecca Curtis

Representative: Milestone Design Group
Dinsmore & Shohl LLP

Jurisdiction: Louisville Metro

Council District: 2 – Barbara Shanklin

Case Manager: **Julia Williams, RLA, 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.)

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Agency Testimony:

02:36:52 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Clifford Ashburner, Dinsmore Shohl, 101 South Fifth Street Suite 2500,
Louisville, KY 40202

Mark Madison, Milestone Design Group, 108 Daventry Lane Suite 300,
Louisville, KY 40241

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CASE NO. 16ZONE1016

Summary of testimony of those in favor:

02:41:07 Clifford Ashburner, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

02:48:41 Commissioner Carlson asked if Haven View was a hard-surfaced road. Mr. Ashburner said it is, but it is in some disrepair. It is a private road. He said the applicant has offered to widen and improve Haven View. Commissioner Lewis said there was a note on the plan indicating Haven View was an existing private gravel road. Mr. Ashburner said parts of it are gravel, parts are paved.

02:50:12 John Carroll, legal counsel for the Planning Commission, asked if demolition permits had been acquired yet for the two historic buildings. Mr. Ashburner said no. He said neither of the structures were local landmarks; they are "National-Register-eligible" because of their age, but they are not listed on the National Register.

The following spoke in opposition to the request:

No one spoke.

The following spoke neither for nor against:

No one spoke.

02:51:10 The Committee by general consensus scheduled this case to be heard at the May 11, 2017 Planning Commission public hearing.

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New Business

CASE NO. 16ZONE1082

Request: Change in zoning from R-4 to R-6 on approximately 8.32 acres
Project Name: Ormsby Lane Senior Housing
Location: 911 – 913 Ormsby Lane
Owner: Henry and Tami Goodbub
Applicant: Clover Construction Management West
Representative: McBride Dale Clarion
Blomquist Design Group
Jurisdiction: City of Lyndon
Council District: 18 – Marilyn Parker

Case Manager: Julia Williams, RLA, 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.)

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Agency Testimony:

02:51:49 Julia Williams presented the case and showed the site plan (see staff report and recording for detailed presentation.)

02:54:56 In response to a question from Commissioner Brown, Ms. Williams said the applicant will request that the legislative body (the City of Lyndon) will either approve or deny the alternate connectivity.

The following spoke in favor of the request:

Marv Blomquist, 10529 Timberwood Circle Suite D, Louisville, KY 40223

Rob Sweet, McBride Dale Clarion, 5721 Dragon Way #300, Cincinnati, OH 45227

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

April 13, 2017

New Business

CASE NO. 16ZONE1082

Mark Branaman, 348 Harris Hill Road, Williamsville, NY 14221

Summary of testimony of those in favor:

02:56:13 Rob Sweet, the applicant's representative, presented the applicant's case (see recording for detailed presentation.) He emphasized that, during neighborhood meetings, neighbors stated that they do not want a connection with the development.

03:01:05 In response to a question from Commissioner Brown, Mr. Sweet said he believed that there were sidewalks in the Holly Springs subdivision; also, the applicant will build a sidewalk along the Ormsby Lane and doing ROW dedications. Commissioner Brown said he wanted at least a pedestrian connection there.

03:02:24 Commissioner Carlson asked about the building construction. Mr. Sweet said it is all-wood frame, 47,500 square foot footprint, with three levels.

The following spoke in opposition to the request:

Thomas Bemiss, 9002 Lyndon Lakes Place, Louisville, KY 40242

Summary of testimony of those in opposition:

03:03:50 Thomas Bemiss expressed concerns about traffic (vehicular and pedestrian) and water runoff/flooding.

The following spoke neither for nor against:

No one spoke.

Discussion:

03:07:20 Commissioner Brown said he would like to see some kind of alternative connection.

The Committee by general consensus scheduled this case for public hearing at the May 11, 2017 Planning Commission public hearing.

MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

April 13, 2017

The meeting adjourned at approximately 4:15 p.m.

A handwritten signature in cursive script, reading "Marilyn W. Jones", positioned above a horizontal line.

Chairman

A handwritten signature in cursive script, positioned above a horizontal line.

Division Director