

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

January 12, 2017

New Business

CASE NO. 16ZONE1008

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| Request: | R-4 and R-5B to R-6 with Variances and Waivers |
| Project Name: | Conti Apartments |
| Location: | 2019 R Frankfort Ave, 133 R N. Bellaire Ave, 124/126 Vernon Ave, TB 69E Lots 84, 85, & 15 |
| Owner: | Brown Conti Co LLC |
| Applicant: | Brown Conti Co LLC |
| Representative: | Milestone Design Group; Dinsmore & Shohl LLP |
| Jurisdiction: | Louisville Metro |
| Council District: | 9-Bill Hollander |
| Case Manager: | Julia Williams, AICP, Planning Supervisor |

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

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:

01:35:47 Julia Williams presented the case and showed a Powerpoint presentation (see staff report and recording for detailed presentation).

The following spoke in favor of the request:

Cliff Ashburner, 101 S. 5th Street, Suite 2500, Louisville, KY 40202

Summary of testimony of those in favor:

01:39:14 Cliff Ashburner spoke on behalf of the applicant in favor of the request and referred to a Powerpoint presentation. Mr. Ashburner responded to questions from the Commissioners (see recording for detailed presentation).

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The following spoke neither for nor against the request:

Marybeth Orton, 135 N. Bellaire Ave., Louisville, KY 40206

Summary of testimony of those neither for nor against:

01:50:40 Marybeth Orton spoke neither for nor against the request. Ms. Orton stated her main concern is the drainage issues (see recording for detailed presentation).

The following spoke in rebuttal:

Cliff Ashburner, 101 S. 5th Street, Suite 2500, Louisville, KY 40202
Tony Kelly, Louisville MSD, 700 West Liberty, Louisville, KY
Mark Madison, 108 Daventry Lane, Suite 300, Louisville, KY 40223

Summary of Rebuttal testimony:

01:52:49 Cliff Ashburner spoke in rebuttal. Mr. Ashburner explained how the drainage issues will be handled (see recording for detailed presentation).

01:53:36 Ms. Orton asked when the storm basin gets full, where does the water go?

01:53:49 Tony Kelly (MSD) stated they'll have to analyze the downstream system and at a minimum meet the predeveloped flow rate, and if the downstream system is not adequate they'll have to over-detain to ensure that that system will be able to handle the water going to it. Mr. Kelly explained how that process would work (see recording for detailed presentation).

01:55:08 Mr. Ashburner spoke in regard to the drainage issues (see recording for detailed presentation).

01:55:55 Tony Kelly responded to questions from the Commissioners (see recording for detailed presentation).

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01:57:25 Ms. Orton stated she is just apprehensive because of the Clifton Lofts, they suffered a lot of flooding with that (see recording for detailed presentation).

01:57:54 Mark Madison spoke in regard to the drainage issues (see recording for detailed presentation).

NOTE: At this time, the Committee allowed the following testimony in opposition:

The following spoke in opposition to the request:
Phil Samuel, 3 Angora Court, Louisville, KY 40206

Summary of testimony of those in opposition:

02:00:01 Phil Samuel spoke in opposition to the request. Mr. Samuel stated his fear is the zoning will go through, the public hearing will go through, the zoning would be approved and at a later time the Clifton ARC would not approve the plan. Mr. Samuel stated he fears the zoning will be changed to R-6 and then they would be presented with a different plan than what was intended for this site. Mr. Samuel stated at a minimum he feels the zoning should not be approved until the Clifton ARC has ruled on the plan. Mr. Samuel also spoke in regard to concerns with the drainage issues (see recording for detailed presentation).

REBUTTAL:

02:08:12 Mark Madison responded to a question by Commissioner Gazaway regarding drainage (see recording for detailed presentation).

02:10:47 Ms. Orton spoke in regard to drainage (see recording for detailed presentation).

02:11:12 Mark Madison responded to a question by Commissioner Brown in regard to screening (see recording for detailed presentation).

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02:12:05 Mr. Ashburner spoke in regard to access for emergency vehicles (see recording for detailed presentation).

02:15:55 The Louisville Metro Land Development and Transportation Committee by general consensus **SCHEDULED** Case Number 16ZONE1008 to be heard at the **February 2, 2017** Planning Commission Public Hearing.