

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

**August 8, 2019**

**New Business**

**Case No. 19ZONE1013**

<b>Request:</b>	Change in zoning from R-4 to R-5 with a District Development/Revised Preliminary Subdivision Plan
<b>Project Name:</b>	Cedar Brook Subdivision, Section 5
<b>Location:</b>	8101 Cooper Chapel Road
<b>Owner:</b>	Select Homes LLC & Action Real Estate LLC
<b>Applicant:</b>	David Greenberg
<b>Representative:</b>	Cliff Ashburner - Dinsmore & Shohl, LLP Mike Hill – Land Design & Development
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	22 – Robin Engel 23 – James Peden

**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:**

01:13:17 Brian Davis presented the case on behalf of Joel Dock (see staff report and recording for detailed presentation.)

01:15:24 In response to a question from Joe Reverman, Assistant Director of Planning & Design Services, Mr. Davis pointed out the location of a strip of land (part of the site) that goes out towards the Cooper Chapel extension (ROW along the top of the property.)

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

Cliff Ashburner, Dinsmore & Shohl, 101 South 5<sup>th</sup> Street Suite 2500, Louisville, KY 40202

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Mike Hill, Land Design & Development, 503 Washburn Avenue, Louisville, KY  
40222

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

01:16:10 Cliff Ashburner, 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:**

Keith Recktenwald, 8109 Cooper Chapel Road, Louisville, KY 40229

David Durbin (sp), 9414 Cedar Creek Road, Louisville, KY

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

01:22:28 Keith Recktenwald spoke in opposition on behalf of his mother, who is a nearby property owner. He said all of the surrounding properties are zoned R-4, not R-5.

01:24:28 David Durbin (sp) said he is concerned about fencing and security. He said he has cattle on his land, and does not want people, especially children, climbing over the fence or coming onto his property for safety and security reasons.

01:25:46 Mr. Davis and Mr. Reverman discussed landscape buffer requirements. Mr. Ashburner and Commissioner Howard discussed some landscape buffering which could be added / provided. He said this can be discussed in more detail at the public hearing. He added that the applicant plans on installing fencing between the site and Mr. Durbin's property, specifically because of Mr. Durbin's livestock.

**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.**

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The Committee by general consensus scheduled this case to be heard at the August 29, 2019 Planning Commission public hearing.