

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

**December 12, 2019**

A meeting of the Land Development and Transportation Committee was held on Thursday, December 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 (arrived approx. 1:05 p.m.)

**Committee Members absent were:**

None

**Staff Members present were:**

Joseph Reverman, Assistant Director, Planning & Design Services  
Brian Davis, Planning & Design Manager  
Julia Williams, Planning Supervisor  
Dante St. Germain, Planner II  
Laura Ferguson, Legal Counsel  
Rachel Dooley, Management Assistant (minutes)

**Others Present:**

Beth Stuber, Transportation Planning  
Tony Kelly, MSD

The following matters were considered:

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**Approval of Minutes**

**Approval of the November 14, 2019 LD&T Committee Meeting Minutes**

00:02:06 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on November 14, 2019.

**The vote was as follows:**

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

**ABSENT: Commissioner Daniels**

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**December 12, 2019**

**Old Business**

**Case No. 19ZONE1029**

**Request:** Change in zoning from R-4 to R-6, with Detailed District Development Plan and Binding Elements, and associated Waivers

**Project Name:** Hurstbourne Multi-Family

**Location:** 7000 Ridge Creek Road, 6601 Sunny Hill Road, 7191 S 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**

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:**

00:03:06 Dante St. Germain presented the case via proposed development plan PDF (see staff report and recording for detailed presentation). Ms. St. Germain noted this case was continued from November 14, 2019 to review road connectivity. The plan presented today proposes Ridge Creek Road, as a private road, to be connected to the development not Quail Ridge Road.

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

Randy Strobo, 239 South Fifth Street, Suite 917, Louisville, Kentucky, 40202  
Kent Gootee, 5151 Jefferson Boulevard, Louisville, Kentucky, 40204  
David Mindel, 5151 Jefferson Boulevard, Louisville, Kentucky, 40204

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**Old Business**

**Case No. 19ZONE1029**

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

00:05:26 Randy Strobo, representing the applicant, presented a Power Point slide show (see recording for detailed presentation). Mr. Strobo noted the connectivity elevations of Ridge Creek Road and Quail Ridge Road. He concluded Ridge Creek Road would be a better connection to the development. He referenced the Hurstbourne Parkway Preliminary Line and Grade Design Report from December 1994 (see recording for detailed presentation). Randy Strobo referenced the three criteria for road connectivity from the 5.9.2.A.1.a.1 Connections LDC (see recording for detailed presentation).

00:23:00 Commissioner Brown and Joe Reverman discussed how to implement the interpretation of the Comprehensive Plan (see recording for detailed presentation).

00:24:51 Commissioner Brown asked the applicant for the total right of way width for Quail Ridge Road and Ridge Creek Road. Kent Gootee replied Quail Ridge Road is 100 feet and Ridge Creek Road is 60 feet.

00:25:29 Commissioner Brown, Kent Gootee, and Randy Strobo discussed properties directly served by both roads for eligibility for road connections, re-classification of proposed connections, and the potential Stone Bluff Road stub connection to Hurstbourne Parkway (see recording for detailed presentation).

00:28:10 Commissioner Brown, Randy Strobo, Kent Gootee, and David Mandel detailed the road cross section layout exhibit (see recording for detailed presentation).

00:32:23 Commissioner Carlson asked to see the road connections to Hurstbourne Parkway from Hickory Tree Road. Randy Strobo noted the road is a private driveway.

00:34:00 Laura Ferguson, legal counsel, asked Dante St. Germain if the proposed compromise plan from today been reviewed. Dante St. Germain replied staff would like to revise the recommendation and go through planning review.

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

Joseph Whalen, 7107 Ridge Creek Road, Louisville, Kentucky, 40291  
Barbara Whalen, 7107 Ridge Creek Road, Louisville, Kentucky, 40291

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**Old Business**

**Case No. 19ZONE1029**

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

00:36:18 Joseph Whalen stated Quail Ridge Road has less density while Ridge Creek Road has more homes. He noted Quail Ridge Road has the ability to expand to accommodate higher levels of traffic whereas Ridge Creek Road is not built for through traffic.

00:40:53 Barbara Whalen stated opening Ridge Creek Road would not be a good idea since the road is close to Hurstbourne Parkway and would increase traffic through the neighborhood.

**Discussion**

00:41:50 Commissioners' discussion (see recording for detailed discussion). Commissioners and Joe Reverman discussed continuing this case to the next LDT meeting to give staff an opportunity to review the proposed plan and the interpretation of the Comprehensive Plan.

**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.**

00:52:19 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **CONTINUE** this case to the January 16, 2020 Land Development and Transportation Committee meeting to allow agency to review the most recent submitted plan.

**The vote was as follows:**

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

**NO: No one.**

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**December 12, 2019**

**New Business**

**Case No. 19-MSUB-0012**

**Request:** Major Preliminary Subdivision for 116 lots on approximately 70.7 acres in the R-4 zoning district with development potential transfer

**Project Name:** Fischer Farm

**Location:** Hidden Creek Road (Parcel 000400370000)

**Owner:** Meadowlake Farms Inc.

**Applicant:** Elite Built Homes

**Representative:** Bardenwerper, Talbott & Roberts

**Jurisdiction:** Louisville Metro

**Council District:** 16 – Scott Reed

**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:**

00:53:50 Dante St. Germain presented the case via proposed development plan PDF (see staff report and recording for detailed presentation). Ms. St. Germain stated there is no connectivity on the Jefferson County side of the proposed subdivision. She noted an email discussion with Commissioner Carlson regarding a Condition of Approval, it is not present in the staff report.

00:57:21 Commissioner Brown ask about the timing of approval to gain legal access to the site from the Oldham County portion of the development. Dante St. Germain stated the applicant will be able to detail the plan if Oldham County happens to deny the proposal. Julia Williams noted if the plan is approved today it can be approved on the condition that Oldham County approves the subdivision or to continue the case to the next Planning Commission till Oldham County hears the case.

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**New Business**

**Case No. 19-MSUB-0012**

00:58:38 Commissioner Carlson stated the additional Conditional Approval regarding emergency services communication between Jefferson County and Oldham County (see recording for detailed presentation).

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

John Talbott, 1000 N. Hurstbourne Parkway, Louisville, Kentucky, 40223  
Kevin Young, 503 Washburn Avenue, Louisville, Kentucky, 40222  
Glenn Price, 400 W. Market, Louisville, Kentucky, 40202

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

01:01:06 John Talbott, representing the applicant, presented a Power Point slide show detailing the case (see recording for detailed presentation). Mr. Talbott spoke with the applicant and asked if the decision to approve the subdivision be tabled until the approval from Oldham County approval. They would like to decide today the right of access to the subdivision instead. John Talbott detailed the pond north of the site to be improved and used as a retention basin. He stated Kevin Young will detail the plan.

01:08:42 Kevin Young detailed the proposed shared pump station, repair and use of the pond on Old Pond Place, expansion of Schuler Lane, and emergency service access (see recording for detailed presentation).

01:13:05 John Talbott detailed the subdivision plans in Jefferson County and Oldham County. Mr. Talbott referenced the Land Development Code 4.7.7 for the density transfer allowed (see recording for detailed presentation). He detailed the proposed agreement for improvement with Old Pond Place and Conservation Easement.

01:22:10 Glenn Price, representing Old Pond Place, detailed the conservation easement to preserve the character and appearance of the property. (see recording for detailed presentation). Mr. Price noted the sediment basin in the proposed plan will help prevent larvicides from getting into the repaired pond on Old Pond Place.

**The following spoke in opposition:**

No one spoke.

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**Case No. 19-MSUB-0012**

**The following spoke as neither for nor against to the request:**

Jon Baker, 500 W. Jefferson Street, Suite 2800, Louisville, Kentucky, 40202

Steve Porter, 2406 Tucker Station Road, Louisville, Kentucky, 40299

Meme Runyon, 1205 Story Avenue, Suite 215, Louisville, Kentucky, 40206

John Pusteri, 16218 Shelbyville Road, Louisville, Kentucky, 40245

**Summary of testimony neither for nor against to the request:**

01:25:41 Jon Baker, representing Norton Commons, stated the interest of Norton Common is traffic. Mr. Baker stated the curb cut on Highway 1694 and Feather Bell should be included in the Elite Fischer traffic studies. Along with the full buildout of the Norton Commons should be reflected in future impact studies.

01:33:33 Commissioner Brown asked for the date of the traffic study. Jon Baker replied November 25<sup>th</sup>.

01:35:10 Steve Porter, representing Hidden Creek subdivision, detailed discussions with Jon Talbott and Elite Homes for this development. He noted approval for the requested compliant/friendly lighting and binding elements.

01:37:25 Meme Runyon, president and CEO of River Fields, detailed the conservation easement. Ms. Runyon noted concerns with drainage handled on the site of the development and drainage into the pond as a retention basin.

01:44:33 Joe Pusteri stated zoning approved with Oldham County will dictate the number of units allowed on the site. He noted the cost of repair of the pond on the adjacent property, the conservation easement, and the traffic studies with Oldham County.

**Rebuttal:**

01:49:09 John Talbott noted discussions with Public Works regarding traffic studies, Old Pond place, and they agree with conditions presented.

01:51:35 Commissioner Carlson and John Talbott discussed the Conditions of Approval (see recording for detailed presentation).

01:56:05 Commissioner Brown and John Talbott discussed the expansion of Schuler Lane to Oldham County standards (see recording for detailed presentation).



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01:58:30 Dante St. Germain noted the letter from Counselman Scott Reed discussing traffic impact studies. Ms. St. Germain clarified from John Talbott the proposed comments today for Binding Elements are Conditions of Approval.

**Commissioner Discussion:**

02:02:00 Commissioners' discussion (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.**

02:02:39 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

**RESOLVED**, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** Revised Major Subdivision Plan **ON THE CONDITION** of the Oldham County approval of the remaining portion of the property within Oldham County

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission.
2. The applicant shall submit a plan for approval by Planning Commission staff showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by Planning Commission staff if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
  - a. Proposed site plan (showing buildings, edges of pavement, property/lot lines, easements, existing topography, and other

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- significant site features (LOJIC topographic information is acceptable).
  - b. Preliminary drainage considerations (retention/detention, ditches/large swales, etc.).
  - c. Location of all existing trees/tree masses existing on the site as shown by aerial photo or LOJIC maps.
  - d. Location of construction fencing for each tree/tree mass designated to be preserved.
3. An original stamped copy of the approved Tree Preservation Plan shall be present on site during all clearing, grading, and construction activity and shall be made available to any DPDS inspector or enforcement officer upon request.
  4. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
  5. All street signs shall be installed by the Developer, and shall conform to the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Street signs shall be installed prior to the recording of the subdivision record plat or occupancy of the first residence on the street, and shall be in place at the time of any required bond release. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
  6. The applicant shall install signs, approved by the Metro Public Works Dept., which indicate the future extension of the public rights of way as shown on the preliminary subdivision plan. Such signs shall be installed prior to release of bonds for the installation of the street infrastructure.
  7. Open space/conservation lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.

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8. The developer shall be responsible for maintenance of all drainage facilities and undeveloped lots ensuring prevention of mosquito breeding, until such time as the drainage bond is released.
9. After release of the drainage bond, mosquito abatement on open space lots shall be the responsibility of the Homeowners Association. Accumulations of water in which mosquito larvae breed or have the potential to breed are required to be treated with a mosquito larvicide approved by the Louisville Metro Health Department. Larvicides shall be administered in accordance with the product's labeling. This language shall appear in the deed of restrictions for the subdivision.
10. Trees will be preserved and/or provided on site and maintained thereafter as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the Preliminary Subdivision Plan. The applicant shall submit a landscape plan for approval by Planning Commission staff for any trees to be planted to meet the Tree Canopy requirements of Chapter 10, Part 1 of the Land Development Code. A tree preservation plan shall be submitted for review and approval for any trees to be preserved to meet the Tree Canopy requirements of Chapter 10.
11. The applicant shall submit a landscape plan for approval by Planning Commission staff showing plantings and/or other screening and buffering materials to comply with the Chapter 10 of the Land Development Code prior to recording the record plat. The applicant shall provide the landscape materials on the site as specified on the approved Landscape Plan prior to issuance of Certificates of Occupancy for the site.
12. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
  - a. Articles of Incorporation filed with the Secretary of State and recorded in the office of the Clerk of Jefferson County and the Certificate of Incorporation of the Homeowners Association.
  - b. A deed of restriction in a form approved by Counsel to the Planning Commission addressing responsibilities for the maintenance of common areas and open space, maintenance of noise barriers,

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- maintenance of WPAs, TPAs and other issues required by these binding elements / conditions of approval.
- c. Bylaws of the Homeowner's Association in a form approved by the Counsel for the Planning Commission.
13. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.
14. Any signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.
15. When limits of disturbance are shown on the plan, a note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected at the edge of the limits of disturbance area, prior to any grading or construction activities. The fencing shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
16. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested the developer shall work with Louisville Metro Emergency Services and Oldham County Emergency Management to resolve any issues regarding emergency services dispatch and response (including Computer Aided Dispatch). The developer shall obtain verification from Louisville Metro Emergency Services that any such issues have been resolved. Verification shall be provided to Planning and Design Services staff and maintained in the case file.

**The vote was as follows:**

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

**NO: None.**

**ABSENT: None.**

**\*Committee recessed for 5 minutes\***

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**December 12, 2019**

**New Business**

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

**Request:** Change in zoning from R-4 to R-5A, with 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:**

02:05:25 Dante St. Germain presented the case (see staff report and recording for detailed presentation). Dante noted this case will be heard at the South Central Library Night hearing for January 6, 2019.

02:07:44 Commissioner Brown asked if Watterson Trail and Stony Brook are both Metro maintained. Dante St. Germain stated it is and Jeffersontown does not have jurisdiction. Ms. St. Germain noted the entrances to the site off of Watterson Trail and Stony Brook Drive.

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

Kevin Young, 503 Washburn Avenue, Louisville, Kentucky, 40222

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**New Business**

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

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

02:08:35 Kevin Young, representing the applicant, presented a Power Point slide show (see recording for detailed presentation). Mr. Young detailed the entrances to/from the site to address the concerns made by adjacent neighborhoods.

02:12:11 Commissioner Brown and Kevin Young discussed modifying the barrier median on Watterson Trail (see recording for detailed for presentation).

02:13:12 Commissioner Lewis, Commissioner Daniels and Kevin Young discussed the route for entering and exiting the development for residents (see recording for detailed presentation). The right in and right out portions of the development will help minimize the cut through traffic on Collingwood Road.

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

No one spoke.

**Discussion**

02:15:41 Commissioners' discussion (see recording for detailed presentation).

**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 placed this case for the **January 6, 2020** Planning Commission Special Night public hearing at the South Central Library.

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**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0026**

**Request:** Change in zoning from R-4 to PRD, with Detailed District Development Plan/Preliminary Major Subdivision and Binding Elements, and associated rear yard Waiver

**Project Name:** Cedar Heights Subdivision

**Location:** 8700 Smith Lane

**Owner:** Smith Lane Property LLC

**Applicant:** Smith Lane Property LLC

**Representative:** Bardenwerper, Talbott & Roberts

**Jurisdiction:** Louisville Metro

**Council District:** 22 – Robin Engel

**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:**

02:18:42 Dante St. Germain presented the case via the proposed plan PDF and staff report (see staff report and recording for detailed presentation).

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

John Talbott, 1000 N. Hurstbourne Parkway, Louisville, Kentucky, 40223  
Curtis Mucci, 5151 Jefferson Boulevard, Louisville, Kentucky, 40219

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

02:21:45 John Talbott, representing the applicant, presented a Power Point slide show (see recording for detailed presentation). Mr. Talbott stated the site will have affordable modular housing, sound barriers along interstate 265, and an entrance on Smith Lane.

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**New Business**

**Case No. 19-ZONE-0026**

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

Lenora Rogers, 7711 Cedar Creek Road, Louisville, Kentucky, 40291

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

02:28:20 Lenora Rogers, adjacent property owner, stated her concerns with the notification process, the address of the location, overgrown vegetation, traffic congestion, and drainage from the site (see recording for detailed presentation). Ms. Rodgers asked for clarification for the change in case numbers. Dante St. Germain detailed the process for case numbers in the Planning and Design computer system.

**Rebuttal**

02:36:51 John Talbott stated there may be confusion from the opposition, there are two separate cases from the applicant, one on Cedar Creek and one on Smith Lane. The opposition may be commenting for the Cedar Creek property.

02:38:19 Commissioner Brown asked if the noise barrier could be closer to the origin on the noise, interstate 265, rather than on the property line. John Talbott referred to Curtis Mucci for the location of the noise barriers. Curtis Mucci stated the location of the noise barriers is based on the recommendations from the engineer gathered from the noise report.

**Commissioner Discussion:**

02:40:18 Commissioners' discussion (see recording for detailed presentation).

**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 placed this case for the **January 9, 2020** Planning Commission public hearing at the Old Jail Building.



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**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0073**

**Request:** Change in zoning from R-4, OR-1 & C-1 to R-4 & C-1, with Detailed District Development Plan and Binding Elements, and associated landscape Waiver

**Project Name:** Jefferson Animal Hospital Expansion

**Location:** 4504 – 4512 Outer Loop

**Owner:** Capital Security Corp

**Applicant:** Capital Security Corp

**Representative:** Wyatt, Tarrant & Combs

**Jurisdiction:** Louisville Metro

**Council District:** 24 – Madonna Flood

**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:**

02:42:29 Dante St. Germain presented the case via the proposed plan PDF (see staff report and recording for detailed presentation). Ms. St. Germain noted the modifications to the binding elements and the retention of Conditions of Approval for a separate part of the development.

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

Jon Baker, 500 W. Jefferson Street, Louisville, Kentucky, 40202

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

02:47:58 Jon Baker, representing the applicant, presented a Power Point slide show (see recording for detailed presentation). He detailed the consolidation of two adjacent lots and the landscaping waiver for screening.

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**New Business**

**Case No. 19-ZONE-0073**

02:52:35 Commissioner Carlson asked for details of landscape buffering and the landscape waiver. Mr. Baker replied there are plantings on site that will remain and improved upon to meet the width requirement.

**Discussion**

02:53:47 Commissioners' discussion (see recording for detailed presentation). Commissioner Daniels asked if there will be removal of existing trees. Jon Baker replied all unhealthy trees will be replaced with new ones.

**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 placed this case for the **January 23, 2020** Planning Commission public hearing at the Old Jail Building.

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**New Business**

**Case No. 19-ZONE-0044**

**Request:** Change in zoning from R-4 to PEC, with Detailed District Development Plan and Binding Elements, and associated landscape Waiver

**Project Name:** Powerscreen Crushing and Screening

**Location:** 13207 Rehl Road

**Owner:** Thomas & Rebecca Garrity

**Applicant:** Powerscreen Crushing and Screening

**Representative:** Dinsmore & Shohl LLC

**Jurisdiction:** Louisville Metro

**Council District:** 20 – Stuart Benson

**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:**

02:55:24 Dante St. Germain presented the case (see staff report and recording for detailed presentation). Dante noted there was an error in the staff report concerning the associated landscape Waiver. Land Development Code, 10.2.16.b should be 5.5.4.b.1. There is a required 50 foot landscape buffer area in the suburban work place form district when the property abuts residentially zoned or residentially used property. The applicant proposes to reduce the required 50 feet to 35 feet with a planting density of 1.5. Ms. St. Germain noted the locations of Plantside Drive and Rehl Road, the site will be connected to Rehl Road in the future. The business on site is for the repair and maintenance of machinery that is used off site. The development is adjacent to Blankenbaker Station 2. Transportation Planning has requested an addition to the Binding Elements which is on page 5 of the Staff Report, numbers 6 and 7.

02:58:10 Commissioner Carlson asked if there will be only storage and maintenance on site. Dante St. Germain replied in PEC they are allowed to do

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**New Business**

**Case No. 19-ZONE-0044**

more and as of right now there is no binding element restricting the use of the site.

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

Cliff Ashburner 101 S. 5<sup>th</sup> Street, Suite 2500, Louisville, Kentucky, 40202  
Alan Coalter, 11901 Westport Road, Louisville, Kentucky, 40245

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

02:59:00 Cliff Ashburner, representing the applicant, presented a Power Point slide show (see recording for detailed presentation). Ms. Ashburner stated they agree with the proposed binding element number 7. Whereas, they like to see an alternative for binding element number 6 regarding access. He detailed Blakenbaker Station area and the subject property. Mr. Ashburner noted the development rezoned to PEC is appropriate within the Suburban Workplace Form District. He detailed the subject property and the access to Rehl Road. There is no access/connection to the proposed development from Plantside Drive. If there is an access easement to Plantside Drive, they would forgo the access point from Rehl Road. Mr. Ashburner detailed the Minor Plat along the Garrity Property showing the strip of land between Plantside Drive and the development. He noted the proposed elevations will be similar to the other industrial buildings in the area. Mr. Ashburner stated Alan Coalter is available to describe the type of work that will be done on the site.

03:05:51 Alan Coalter, owner of Powerscreen Crushing & Screening, stated their Powerscreen machines are manufactured in Ireland and are distributed as rentals around the United States in quarries or coal mines to crush rock/coal. The proposed facility will be for the repair and maintenance of these machines. The semi traffic is about once a week to their existing site. There will be no crushing and screening onsite just repair.

03:08:36 Cliff Ashburner stated Mark Madison is present for questions. Joe Reverman and Cliff Ashburner discussed the strip of land between Plantside Drive and the development (see recording for detailed presentation). Joe Reverman noted the Record Plat shows the private access easement is in the public right of way has not been dedicated yet. Cliff Ashburner noted they would like to have access to this site without relying on the possibility of gaining access via Plantside Drive and to use the legal access of Rehl Road instead.

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

**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0044**

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

No one spoke.

**The following spoke as neither for nor against to the request:**

Steve Porter, 2406 Tucker Station Road, Louisville, Kentucky, 40299

David Kaelin, 2421 Tucker Station Road, Louisville, Kentucky, 40299

John Talbott, 1000 N. Hurstbourne Parkway, Louisville, Kentucky, 40223

**Summary of testimony neither for nor against to the request:**

03:11:40 Steve Porter, representing the Tucker Station Neighborhood Association, stated he does not oppose the rezoning of the site. He opposes the industrial traffic on Rehl Road and would like to set a precedent for future developments to avoid the use of Rehl Road for industrial traffic use. There should be an access to Plantside Drive from the development. He agrees to the change in Binding Element number 6 and would like to see a change to number 11.

03:16:23 David Kaelin, president of the Tucker Station Neighborhood Association, stated the lot north of the site is industrial zoned have cross access to Plantside Drive and neighbors in the area are against industrial traffic. He asked why an access easement that serves industrial use can't come in from a cross access to serve the parcel of land for public safety

03:19:46 John Talbott, representing Hollenbach and Oakley, wanted to state on the record they do have property rights to the strip of land between the development and Plantside Drive. They are not waiving any rights or claims to their property and agreed with Cliff Ashburner that they may come to an agreement in the future regarding cross access.

**Rebuttal**

03:21:20 Cliff Ashburner noted the Planning Commission has approved the connection of Plantside Drive and Rehl Road. This approval has already set a precedent for industrial traffic to be on Rehl Road in the future. Mr. Ashburner proposed a Binding Element stating while a legal access to Rehl Road is allowed but it will be changed should the access to Plantside drive should become available.

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

**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0044**

**Discussion**

03:22:56 Commissioners' discussion (see recording for detailed presentation). Commissioner Brown, Peterson, Daniels, and Lewis stated this case ready to be moved to the public hearing on January 23, 2020.

**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 placed this case for the January 23, 2020 Planning Commission public hearing at the Old Jail Building.

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

**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0054**

**Request:** Change in zoning from C-1 to C-2, commercial with conditional use permit for mini-warehouse, waiver, and detailed development plan

**Project Name:** U-Haul at Preston Hwy

**Location:** 4626 Preston Highway

**Owner:** PELCO Associates, Inc.

**Applicant:** AMERCO Real Estate Company

**Representative:** AMERCO Real Estate Company

**Jurisdiction:** Louisville Metro

**Council District:** 21 – Nicole George

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

**Presented By:** **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:**

03:24:24 Julia Williams presented the case via the proposed plan PDF (see staff report and recording for detailed presentation). Ms. Williams stated the applicant is requesting relief from section B of the conditional use permit requirement. Julia presented a paper rendering of the site to Commissioners.

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

Greg Ripple, 250 E. 96th Street, Suite 580, Indianapolis, Indiana, 46204

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

03:27:00 Greg Ripple noted the vacant site will become a U-Haul self-storage facility. Mr. Ripple stated he is available for questions.

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

**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0054**

**Discussion**

03:28:31 Commissioners' discussion (see recording for detailed presentation).

**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 placed this case for the **January 9, 2020** Planning Commission public hearing at the Old Jail Building.



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

**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0069**

**Request:** Change in zoning from C-1 to C-2 with conditional use permit and detailed district development plan  
**Project Name:** Talecris Plasma Resources  
**Location:** 1219 Gilmore Lane  
**Owner:** Lyncen, LLC  
**Applicant:** Talecris Plasma Resources  
**Representative:** Talecris Plasma Resources  
**Jurisdiction:** Louisville Metro  
**Council District:** 21 – Nicole George

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

03:29:47 Julia Williams presented the case via the proposed plan PDF (see staff report and recording for detailed presentation). Ms. Williams noted the Talecris Plasma Resources is currently located in the shopping center in an existing retail space. The applicant can address the square footage of the plan, the existing retail space is 23,350 square feet and the proposed CUP area is 16,600 square feet.

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

Chris Brown, 3001 Taylor Springs Drive, Louisville, Kentucky, 40220

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

03:31:30 Chris Brown, representing the owner and the applicant, presented a Power Point slide show (see recording for detailed presentation). Mr. Brown

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

**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0069**

noted the area of the adjacent tenant space of the retail center. He detailed the street views from Gilmore Lane and the intersection of Preston Highway and Gilmore Lane.

03:34:50 Commissioner Lewis and Chris Brown discussed the location and expansion into of the adjacent tenant space (see recording for detailed presentai0n). Chris Brown stated building 4 on the plan is the total area of 23,350 square feet and the C-1 to C-2 portion of the site is 16,600 square feet.

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

No one spoke.

**Discussion**

03:36:08 Commissioners' discussion (see recording for detailed presentation).

**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 placed this case for the January 9, 2020 Planning Commission public hearing at the Old Jail Building.

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

**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0048**

**Request:** Change in zoning from R-6 to C-2 with detailed plan and waivers  
**Project Name:** Hinterof Micro-Rosteri  
**Location:** 1008 E. Oak Street  
**Owner:** John Webb  
**Applicant:** John Webb  
**Representative:** Frost Brown Todd, LLC  
**Jurisdiction:** Louisville Metro  
**Council District:** 10 – Pat Mulvihill

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

03:37:08 Julia Williams presented the case via the proposed plan PDF (see staff report and recording for detailed presentation). Ms. Williams stated the applicant can explain the request for C-2 instead of C-1 for this site.

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

Glenn Price, 400 W. Market Street, Suite 3200, Louisville, Kentucky, 40202

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

03:39:40 Glenn Price, representing the applicant, presented a Power Point slide show (see recording for detailed presentation). He stated this is a barber shop that would like to allow the sale of alcohol on site. Mr. Price noted the C-1 can be used at this location or C-2.

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

**December 12, 2019**

**New Business**

**Case No. 19-ZONE-0048**

03:42:07 Commissioner Brown and Glenn Price discussed acquiring a license to have bike rack in the public right of way. Commissioners, Joe Reverman, Laura Ferguson, and Glenn Price discussed the difference between C-1 and C-2 zoning request for the site (see recording for detailed presentation).

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

No one spoke.

**Discussion**

03:46:05 Commissioners' discussion (see recording for detailed presentation).

**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 placed this case for the January 9, 2020 Planning Commission public hearing at the Old Jail Building.

MINUTES OF THE MEETING  
OF THE  
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE

October 10, 2019

The meeting adjourned at approximately 2:30 p.m.

Richard Carl 11/16/20

*ACTWB* Chairman

*[Signature]*

Division Director

