

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

June 24, 2021

New Business

Case No. 21-ZONE-0016

Request:	Change in Zoning from R-4 to R-5A, with Detailed District Development Plan and Binding Elements and Variances
Project Name:	Old Heady Road Subdivision and Multi-Family
Location:	Parcels 004702920000, 004702930000, 004702940000
Owner:	Daniel & Todd Bridwell
Applicant:	Sunshine Builders LLC
Representative:	Bardenwerper, Talbott, & Roberts
Jurisdiction:	City of Lyndon
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. 5th Street.)

Agency Testimony:

01:41:30 Dante St. Germain presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation.)

In response to Commissioner Carlson's question about neighborhood objections, Dante St. Germain explained the concerns heard the most included the density of the development, the size of the lots, and the connection to Saddle Bend Way. The connection is required by the Land Development Code.

In response to Commissioner Peterson's question about the number of Single-Family lots and the number of Multi-Family units, Dante St. Germain answered there are 119 proposed lots with 25 proposed Multi-Family units. Commissioner Peterson also asked if there was road access from the subdivision to Old Heady

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Road, Chenoweth Run Road, and Saddle Bend Way. Dante St. Germain said that was correct and explained the road connectivity.

The following spoke in favor of the request:

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

Derek Triplett, Land Design & Development, 503 Washburn, Louisville, KY 40222

Summary of testimony of those in favor:

01:53:00 Nick Pregliasco, the applicant's representative, presented the case and showed a PowerPoint presentation to go into detail of the proposal and site plan (see recording for detailed presentation.)

Derek Triplett went into more detail on the design of the development, the landscaping, and the Urton Lane construction.

In response to Commissioner Carlson's about the town home area being the only area rezoned, Nick Pregliasco said that was correct, the patio homes would be rezoned to R-5A, but the rest of the development would remain R-4.

Commissioner Peterson asked where the construction traffic entrance was anticipated to be. Nick Pregliasco and Derek Triplett said it would be off where Old Heady Road meets Chenoweth Run Road. Derek Triplett also discussed the erosion control plan which dictates where the construction entrance takes place.

The following spoke as other to the request:

Harlan Toy, 4820 Saddle Bend Way, Louisville, KY 40299

Summary of testimony of those as other:

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02:31:25 Harlan Toy said his property was adjacent from the proposed development and he had some questions. He would like an explanation of the zoning requirements. Dante St. Germain explained the R-4 zoning requirements in respect to slope density transfer and being able to decrease the lot sizes. Toy also asked about the swale. Derek Triplett explained why they would have to put in a swale to direct offside drainage. Harlan Toy also asked about signage on Saddle Bend Way. Commissioner Brown explained the requirements and that it would be based on how people are using that intersection and traffic volume. Harlan Toy said there was also concern about the construction traffic and they would prefer Saddle Bend Way not be used for construction vehicles.

The following spoke in opposition to the request:

Josh Reynolds, 13300 Stepping Stone Way, Louisville, KY 40299

Jeff Schley, 40302 Clover Windy Way, Louisville, KY 40299

Michael Mitchell, 4806 Saddle Bend Way, Louisville, KY 40299

Dave Muncy, 4817 Saddle Bend Way, Louisville, KY 40299

Scott Maloy, 14003 Fancy Gap Drive, Louisville, KY 40299

Jonathan Hagemann, 14001 Fancy Gap Drive, Louisville KY 40299

Summary of testimony of those as opposition:

02:39:17 Josh Reynolds said he understood it was necessary to connect into Saddle Bend Way, but he hopes the elevation is taken into consideration when the new roadway is constructed because it could be dangerous. He also has concerns about the lot sizes. He doesn't know if these houses will match the other types being built in the community. There is also concern about the traffic this will bring to the area. He would like to keep the area secluded with seeing larger houses built and a less dense subdivision. Currently, Reynolds says he doesn't hear any traffic off the interstate and would like to keep that way and suggested planting more trees as a buffer along with the subdivision being less dense.

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Jeff Schley said he lives just north of the proposed development. He said he doesn't oppose the neighborhood being built, but he is against the density of it as well. He thinks this development should be comparable to the others built around it. Schley would also like to see a landscape buffer be taken into consideration between his subdivision, Stone Lake Estates and this development. He also thinks Old Heady Road would need to be widened and repaved.

Michael Mitchell also stated concerns with the density of the subdivision. He also believes the traffic of this subdivision would overwhelm Old Heady Road and Saddle Bend Way.

Dave Muncy said he would like to echo the comments of his neighbors. He expressed concerned of the funneling of the traffic onto Saddle Bend Way. He also said there are some drainage challenges off Saddle Bend Way, and he is concerned that additional runoff will cause issues for those that live on Saddle Bend Way.

Scott Maloy is concerned about the buffer between his neighborhood and the development. He also asked for a clear interpretation of the slope density transfer.

Jonathan Hagemann also has concerned with the density factor. He said it will increase traffic and will affect property value as well. He also wants to make sure that the buffer will be built between his neighborhood and the proposed development.

Rebuttal

02:57:00 Nick Pregliasco explained the reasoning behind the zoning and the lot sizes. He also addressed the construction traffic concern and said they can have a proposal ready for the Planning Commission. He also believes the subdivision would provide more of a buffer between the interstate and the neighbors.

Michael Mitchell asked if there was a traffic study done or anything that should be taken into consideration in respect to Old Heady Road. Nick Pregliasco said the

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development with the rezoning and the subdivision doesn't meet the traffic study threshold.

Jeff Schley asked if the density issue, the buffer zone, and the other issues would be addressed at the public hearing. Commissioner Peterson said that was correct and they would also be able to speak at the public hearing as well if they felt those issues weren't addressed. In response to Jeff Schley's concern about the buffer between his subdivision and this development, Nick Pregliasco said there was no buffer proposed because it would be unusual to have a buffer between two residential lots, but he could talk to the applicant. Dante St. Germain explained the exception to the buffer from the Land Development Code but said if the applicant wanted to provide one, they could.

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 July 15, 2021 Planning Commission public hearing.