

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

November 29, 2018

New Business

Case No. 18ZONE1068

Request: Change in Zoning from R-4 & OR-2 to PRD & OR-2 with Variances, a Waiver, and a Detailed District Development Plan

Project Name: 4229 Taylorsville Road

Location: 4229 Taylorsville Road

Owner: 4229 SMS LLC

Applicant: 4229 SMS LLC

Representative: Mindel Scott & Assoc.; Bardenwerper Talbott and Roberts PLLC

Jurisdiction: Louisville Metro

Council District: 18- Marilyn Parker

Case Manager: **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. 5th Street.)

Agency Testimony:

01:09:34 Julia Williams presented the case. (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

John Talbott, Bardenwerper, Talbott & Roberts PLLC, 1000 West Hurstbourne Parkway, Louisville, KY, 40223

Steve Scott, 5151 Jefferson Blvd, Louisville, KY, 40219

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Summary of testimony of those in favor:

01:13:08 John Talbott presented paper Power Point. Stated this property was rezoned years before and a small portion of OR-2 zoning down the center, from a previous owners business on the property, with R-4 on either side. They want to reserve the OR-2 zoning at the front of the property for the relocation and office use of historical building currently on the site.

01:23:48 Commissioner Carlson inquired about parking per OR-2 requirements such as number of spaces and handicap accessible. Mr. Talbott referred to Steve Scott to answer parking requirements.

01:24:31 Steve Scott noted with the additional OR-2 zone at the front of property it would not affect the rest of the development being R-4. The amount of handicap spaces required for OR-2 is how many parking spaces available on site, regardless of zoning category. They will be able to meet the requirement.

01:26:56 In response to a question from Commissioner Peterson, Mr. Talbott explained they are not able to preserve the curved covered walkway currently on site connecting house and garage.

The following spoke in opposition to the request:

Scott Floore, 1816 Ashfield Lane, Louisville, KY 40220

Steve Porter, 2406 Tucker Station Rd., Louisville, KY, 40299

Patrick D. Murphy 4303 Taylorsville Road, Louisville, KY, 40220

Summary of testimony of those in opposition:

01:28:20 Scott Floore said there are elements such as density of the development which does not keep with the conducive with the surrounding properties. His second concern is drainage and buffer or lack of buffer to the rear of the property. Mr. Floore presented photos from various angles facing the property to help explain his concerns.

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01:37:09 Steve Porter, representing the HOA, closeness of the properties to the Windemere Place subdivision is their main concern. He is willing to talk to the developer before next public hearing.

01:39:07 Patrick D. Murphy stated his main concern is the setbacks and the buffers for the property. In addition, he want try to mitigate the density of the development and lack of green space.

01:42:48 Mr. Porter stated a concern for this development lack of open space should be presented in detail since the homes on this site would be single family homes rather than condominiums.

The following spoke neither for nor against the proposal:
No one spoke.

Rebuttal:

01:44:05 Mr. Talbott addressed and answered the concern of the character of the homes, density of lots, and landscaping the development. He referred to slides from his Power Point slideshow (see recording for detailed presentation.)

01:48:40 Commissioner Carlson commented he would like to see a more detailed landscaping concept plan between the Windemere Place subdivision.

01:49:40 Chair Commissioner Lewis questioned the 0% preservation of tree canopy while the requirement is 20%. Mr. Talbott would be ready to address it at the public hearing.

01:50:16 Commissioner Peterson proposed to leave the current buildings where they are on the development which in turn leave more open space towards the back of the property.

01:52:10 In a response to a question from Chair Commissioner Lewis, Mr. Talbott explained there is more than 25 feet off of the back line of the development but they will have exact dimensions available for the Planning Commission hearing.

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01:53:08 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 **December 20, 2018** Planning Commission public hearing.