

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO PLANNING COMMISSION  
September 30, 2019**

A meeting of the Louisville Metro Planning Commission was held on September 30, 2019 at 6:30 p.m. at the Kentucky International Convention Center, 221 South Fourth Street, Ballroom D & E, Louisville, KY 40202

**Commission members present:**

Vince Jarboe, Chair  
Marilyn Lewis, Vice Chair  
Richard Carlson  
Jeff Brown  
David Tomes  
Ruth Daniels  
Lula Howard  
Rob Peterson

**Commission members absent:**

Emma Smith

**Staff Members present:**

Emily Liu, Planning and Design Director  
Joe Reverman, Planning and Design Assistant Director  
Brian Davis, Planning and Design Manager  
Julia Williams, Planning and Design Supervisor  
Travis Feichter, Legal Counsel  
Laura Ferguson, Legal Counsel  
Beth Stuber, Transportation Planning  
Tony Kelly, MSD

**Others Present:**

The following matters were considered:

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**CONSENT AGENDA**

Project Name: Appoint DDRO Hearing Officer  
Case Manager: Brian Davis, AICP, Planning & Design Manager

**Discussion**

00:03:34 Brian Davis the stated the Downtown Development Review Overlay, DDRO, will be conducting a joint hearing on October 2, 2019 for a Category 3 case. Mr. Davis requested that the Planning Commission appoint Richard Carlson to serve as Hearing Officer to report findings at the Development Review Committee meeting on October 2, 2019.

**An audio/visual recording of the Planning Commission hearing 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.**

00:04:12 On a motion by Commissioner Howard, seconded by Commissioner Tomes, the following resolution was adopted.

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **APPROVE** to appoint Commissioner Richard Carlson as Hearing Officer for the Downtown Development Review Overlay meeting on October 2, 2019.

**The vote was as follows:**

**YES: Commissioners Howard, Peterson, Lewis, Brown, Daniels, Carlson, Tomes, and Jarboe**

**NOT PRESENT AND NOT VOTING: Commissioner Smith**

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**PUBLIC HEARING**

**CASE NO. 16ZONE1044 & 18STREETS1021**

*This case was heard in conjunction with Case No. 18STREETS1021*

**Request:** Change in Zoning from C-2 to PDD  
**Project Name:** One Park  
**Location:** 2294, 2300, 2338, (TB 74A Lots 12 & 15), & 2340 Lexington Road & 2501, 2503, 2509, 2511, & 2515 Grinstead Drive  
**Owner:** JDG Triangle Partners LLC; JDG Triangle Partners II L; JDG Triangle Partners III  
**Applicant:** JDG Triangle Partners LLC  
**Representative:** Bardenwerper Talbott and Roberts PLLC; Mindel Scott & Assoc.  
**Jurisdiction:** Louisville Metro  
**Council District:** 8- Brandon Coan

**Case Manager:** **Julia Williams, AICP, Planning Supervisor**

Notice of this public hearing appeared in **The Courier Journal**, a notice was posted on the property, and 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 public hearing. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

**Agency Testimony:**

00:05:24 Julia Williams discussed the case summary via Power Point presentation (see recording for detailed presentation).

00:13:26 Commissioner Carlson asked for clarification for the purpose of the pattern book and the process for changes to this in the future. Julia Williams explained the process for different levels of changes to the pattern. Minor amendments such as reduction in density would be approved at staff level. Major amendments such as changes to land uses, height to buildings, adding density, etc. would require a charrette to the public followed by similar Planning and Design zoning processing. The Louisville Metro Council would have final decision on legislation.

00:15:44 Commissioner Carlson and Julia Williams discussed affordable housing for binding element, #10.

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

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Bill Bardenwerper, 1000 N. Hurstbourne Pkwy, Louisville, Kentucky, 40223  
Rob Donhoff, 716 E. Market St., Louisville Kentucky, 40202  
Tyler Chesser, 224 S. Keats Ave, Louisville, Kentucky, 40206  
Lawrence Williams, 2513 Glenmary Ave, Louisville, Kentucky, 40204  
Jill Foree, 1732 Spring Drive, Louisville, Kentucky, 40205  
Joe Doughery, 520 Fairfield Drive, Louisville, Kentucky, 40206  
Greg Pestinger 2134 Baringer Ave, Louisville, Kentucky, 40204  
Don Mucci, 1124 Red Fox Road, Louisville, Kentucky, 40205  
Earl Reed, 1667 Spring Drive, Louisville, Kentucky, 40205  
Doug Singler 190 Edgefield Drive, Cleves, Ohio, 45002  
Christopher Fenton, 3324 Wellingmore Ave, Louisville, Kentucky, 40205  
Chris Payne, 412 Cooper Street, Louisville, Kentucky, 40204  
Zack Watts, 2058 Eastern Parkway, Louisville, Kentucky, 40204  
Daniel Moore, 5203 Laconia Cove, Buckner, Kentucky, 40010  
Michael Ricketts, 10105 Westwego Place, Louisville, Kentucky, 40299  
Mat Miller, 9015 Stockton Court, Louisville, Kentucky, 40291  
Joe Mudd, 4320 Mt. Vernon Road, Louisville, Kentucky, 40220  
Andrew Lively, 4201 Timothy Way, Crestwood, Kentucky, 40014  
Wes Peggs, 1331 Lincoln Ave, New Albany, Indiana, 47150  
Kyle Kingery, 17814 Clapp Road, Otisco, Indiana, 47163  
Shane Missi, 7069 Plum Creek Drive, Sellersburg, Indiana, 47172  
Alex Hunn, 6076 Edgemonnd Way, Shelbyville, Kentucky, 40065  
Joey Summers, 3204 Bitterwood Court, Louisville, Kentucky, 40299  
Sean Thomas Nethery, 3321 Wellingmoor Ave, Louisville, Kentucky, 40218  
Parker McGuffery, 2105 Village Drive, Louisville, Kentucky, 40205  
Elizabeth Marquess, 3720 Greenwich Road, Louisville, Kentucky, 40218  
Will Fishback, 2305 Stannye Drive, Louisville, Kentucky, 40222  
Steve Stragand 5316 Manor Court, Crestwood, Kentucky, 40014  
Erin Rasinen, 1814 Kline Court, Louisville, Kentucky, 40205  
George McMinn, 517 Nickleby Way, Louisville, Kentucky, 40245  
George Sales, 2228 Bonnycastle Avenue, Louisville, Kentucky, 40205  
Nick Passafume, 10719 Jimson Street, Prospect, Kentucky, 40059  
Iris Wilbur, 1101 Windsong Way, Louisville, Kentucky, 40207  
Leo Fante, 2501 Grinstead Drive, Louisville, Kentucky, 40206  
Paul Faust, 415 Lotis Way, Louisville, Kentucky, 40207  
Greg Underwood, 1500 Lexington Road, Louisville, Kentucky, 40206  
Bart Olash, 2333 Brookside Drive, Louisville, Kentucky, 40205  
Stephen Fante, 1219 Hull Street, Louisville, Kentucky, 40204  
Greg Fante, 9910 Kenmont Lane, Louisville, Kentucky, 40241  
Jackie Cobb, 1320 Cherokee Road, Louisville, Kentucky, 40204  
Matt Cobb, 2308 Glenmary Avenue, Louisville, Kentucky, 40204



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Wes Cobb, 1320 Cherokee Road, Louisville, Kentucky, 40204  
Hunt Helm, 1286 Willow Ave, Louisville, Kentucky, 40204  
Doug Wood, 10199 Wiegley Ave, Louisville, Kentucky, 40223  
Gant Hill, 10300 Linn Station Road, Louisville, Kentucky, 40223  
Dianne Zimmerman, 12803 High Meadows Pike, Prospect, Kentucky 40059

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

00:17:36 Bill Bardenwerper presented on behalf of the applicant. Mr. Bardenwerper showed a presentation and detailed the overview of existing conditions of the site and surrounding properties. He spoke of the public review process involving 12 public meetings/charrettes over the course of three years. Each meeting modified the project based on the input received by individuals and associated groups. Prior to ending his presentation, Mr. Bardenwerper brought up the architect, Rob Donhoff, to talk about the architecture. Mr. Donhoff showed a video fly-through of the site and described the architecture. Mr. Bardenwerper finished his presentation by going through slides regarding the architecture, land uses, and views of the site from surrounding property. He spoke about the traffic study and traffic improvements outlined in the pattern book.

01:33:27 Tyler Chesser, citizen, stated this project is a no brainer and would like to see this area prosper to bring in more permanent younger residents to Louisville.

01:36:56 Lawrence Williams, citizen, stated he commends the work people have gone to make this project possible.

01:40:28 Joe Dougherty, citizen, stated this is a spectacular development and agrees that the community have a progressive mindset for this development. The current site is an eye sore and this is a terrific project to add to the community.

01:42:12 Greg Pestinger, citizen, stated he is in full support of this project. He previously lived in an area similar to this project and saw the property values increase dramatically and the streetscapes improve significantly.

01:43:40 Don Mucci, citizen, stated he is in support of this project and this development presented today is high quality.

01:44:15 Earl Reed, citizen, stated he is in support, stated the increase property tax this development will bring will help the city budget.

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01:45:10 Christopher Fenton, citizen, stated he supports the work of the local development group that cares about this area and this development will be a great addition to the community.

01:48:15 Chris Payne, citizen, agreed that this development will remove an existing eyesore and provide density the city needs.

01:49:15 Zack Watts, citizen, stated he is in full support of this project. This development will bring in development this area needs.

01:50:43 Sean Nethery, citizen, stated he believes this project will help Louisville compete with other cities.

01:51:16 Parker McGuffery, citizen, stated he approves of the project and is glad this is not another series of fast food chain restaurants or gas stations.

01:52:27 Erin Rasinen, citizen, stated this is a well thought out design and this will be a destination not a hodge podge of mixed uses.

01:53:02 George McMinn, citizen, stated he is in support of this project.

01:53:19 George Sales, citizen, stated he believes this will be a great entry point to the Highlands area and the city. He appreciates the local developers investing into the community and this development is being built for the next generation of Louisvillians.

01:56:30 Nick Passafume, citizen, stated that this development will attract other young professionals to the area because of the high density and intensity uses this project will bring. There are other cities using this type of development that are successful.

01:59:00 Iris Wilbur, vice president of Greater Louisville Inc., spoke of the positive economic impact this project will have to the city. She stated there is a growing demand for walkable mixed-use properties.

02:00:18 Leo Fante, coffee shop owner, stated as an entrepreneur he is in full support of this project.

02:01:39 Paul Faust, citizen, spoke in support of the project and this project will rejuvenate the area in the community

02:02:38 Bart Olash, citizen, spoke in support of the project.

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02:03:15 Steve Fante, citizen, stated the area is dilapidated and there have been efforts made previously to improve Irish Hill. Steve Fante spoke of the positive impact this development will have on the community.

02:05:43 Greg Fante, citizen, spoke in support of the project. He believes there have been great compromises made to the development plan by listening to the community. This project is a great investment for the community.

02:08:18 Jackie Cobb, citizen, spoke of the sustainability of this development promoting a walkable and bikeable community. This development is also a great example of where infrastructure expansion isn't needed and will save taxpayers money.

02:09:30 Matt Cobb, citizen, spoke of the positive environmental impact this project will have for the community to improve transportation.

02:10:13 Wes Cobb, citizen, spoke in support of the development and how this will have a great economic and walkability impact to the area.

02:11:14 Hunt Helm, citizen, stated the existing conditions is an eyesore and this proposal will be a no brainer to improve the area

02:12:14 Doug Wood, citizen, spoke in support of the project.

02:12:47 Gant Hill, citizen, stated he is support of the project and future business in this development are needed for community.

The following stated in support with no other comments:

Jill Foree  
Doug Singler  
Daniel Moore  
Michael Ricketts  
Mat Miller  
Joe Mudd  
Andrew Lively  
Wes Peggs  
Kyle Kingery  
Shane Missi  
Alex Hunn  
Joey Summers  
Elizabeth Marquess

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Will Fishback  
Steve Stragand  
Greg Underwood

02:13:48 Commissioner Carlson asked the applicant how the potential amount of parking spaces was calculated. Bill Bardenwerper replied that they studied the spaces of other businesses, retail, hotel, and housing in the area to calculate the amount of parking spaces needed for this development. Commissioner Carlson asked what type of park like amenities will be available to the Cherokee Park area. Bill Bardenwerper stated they have reached out to Metro Parks to help enliven this piece of the park. They have an ongoing open dialogue with Cave Hill Cemetery to protect the cemetery during the development of this project. Commissioner Carlson and Bill Bardenwerper discussed the comprehensive plan and affordable housing (see recording for detailed presentation).

**The hearing went into recess at approx. 9:03 p.m.**  
**The hearing resumed at approx. 9:15 p.m.**

02:31:20 Steve Porter, opposition, asked the applicant how many phases this development will have. Bill Bardenwerper stated this will be a one phase project and Diane Zimmerman will be able to answer regarding traffic studies. Diane Zimmerman replied that they utilized the "suburban" trip generation rates for a worst-case scenario of traffic use they project higher trips than urban.

**The following spoke neither for nor against the request:**  
Cathy Hinko, 1941 Payne Street, Louisville, Kentucky, 40206

**Summary of testimony of those neither for nor against:**  
02:33:57 Cathy Hinko stated she hopes affordable housing will be a mandatory component to the development. Ms. Hinko would like to see more compromises made to accommodate monetary value to the surrounding community.

**The following spoke in opposition to this request:**  
Barbara Sinai, 60 Eastover Court, Crescent Hill, Louisville, Kentucky, 40206  
Bob Stagg, 3212 Marion Court, Louisville, Kentucky, 40206  
Lisa Santos, 1318 Hull Street, Louisville, Kentucky, 40204  
Pete Kirven, 1277 Willow Ave, Louisville, Kentucky, 40204  
Jennifer Schultz, 1248 Bassett Ave, Louisville, Kentucky, 40204

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Steve Seims, 937 Cherokee Road, Louisville, Kentucky, 40204  
John Elgin, 1050 Everett Ave, Louisville, Kentucky, 40204  
Diane Bellafronto, 1699 Trevilian Way, Louisville, Kentucky, 40205  
Phil Samuel, 3 Angora Court, Louisville, Kentucky, 40206  
Mark Gaff, 222 South Bayly Ave, Louisville, Kentucky, 40206  
Cooper Buschmeyer, 511 Briar Hill Road, Louisville, Kentucky, 40206  
Artie Buschmeyer, 511 Briar Hill Road, Louisville, Kentucky, 40206  
Andy Almy, 1611 Rosewood, Louisville, Kentucky, 40204  
Sarah Almy, 1611 Rosewood, Louisville, Kentucky, 40204  
Dan Preston, 2201 Cross Hill Road, Louisville, Kentucky, 40206  
Laura Wasz, 2403 Ransdel Ave, Louisville, Kentucky, 40204  
Manny Carralero, 1313 Mossrose Ave, Louisville, Kentucky, 40204  
Ray Brundige, 1718 Edgeland Ave, Louisville, Kentucky, 40204  
Jan Calvert, 616 Wataga Drive, Louisville, Kentucky, 40206  
Lane Adams, 2975 Lexington Road, Louisville, Kentucky, 40206  
Garrett Adams, 2975 Lexington Road, Louisville, Kentucky, 40206  
Sandra Wagner, 3215 Marion Court, Louisville, Kentucky, 40206  
Steve Porter, 2406 Tucker Station Road, Louisville, Kentucky, 40299  
Diane Cooke, 3318 Lexington Road, Louisville, Kentucky, 40206  
Lindsay Gray, 1334 Cherokee Road, Louisville, Kentucky, 40204  
Clyde Foshee, 2425 Ransdell Ave., Louisville, Kentucky, 40204  
Todd Klingsmith, 1714 Tyler Parkway, Louisville, Kentucky, 40204  
Julie Purcell, 1714 Tyler Parkway, Louisville, Kentucky, 40204  
Keith Duncan, 1248 Basset Ave, Louisville, Kentucky, 40204  
Patricia W. Ballard, 210 S. Peterson Ave, Louisville, Kentucky, 40206  
Jon Cooke, 3318 Lexington Road, Louisville, Kentucky, 40206

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

02:41:18     Barbara Sinai, spoke in opposition, believes the project is too tall and does not fit in the surrounding R-5 zoned community. She stated her concerns with increased traffic.

02:43:36     Bob Stagg stated the proposed development is out of scale with the location. He noted Louisville is attractive because the city is more livable due to the parks and low-density neighborhoods. This is a good project for multi-use, but it needs to be scaled down.

02:48:29     Lisa Santos stated there should be density compatible with existing zoning and this development would be better suited for the downtown form districts or urban form districts.

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02:50:03 Pete Kirven stated he would like to see some overhead crossways constructed to help pedestrians to the park and commercial area opposite Lexington Road. He doesn't feel the plan proposes enough improvements to deal with the failing interchange at I-64.

02:54:39 Jennifer Shultz stated there is no transportation, fire, and emergency infrastructure present to support this type development.

02:57:15 Steve Seims stated he supports a development that is appropriate for the scale of the area. Mr. Seims noted the existing zoning could adequately support a denser project than what currently exists.

03:00:39 John Elgin stated this development is out of character with the surrounding area and will be an anomaly to what is accepted in the 2040 plan.

03:05:19 Diane Bellafronto presented a Power Point that outlined how the proposal was not compliant with the Comprehensive Plan. (see recording for detailed presentation).

03:15:34 Phil Samuel spoke in opposition to the size of the development and detailed the other comments made in opposition stated at previous meetings.

03:26:12 Mark Gaff stated the project is not "green" whereas other similar developments have transportation infrastructure already established.

03:30:37 Cooper Buschmeyer stated the development is too large and there is something else that can be done and be more acceptable.

03:33:11 Artie Buschmeyer stated she is against the magnitude of the development for this small area and is more appropriate for the Downtown area. She noted there would be an increase of existing traffic congestion on Lexington Road.

03:40:39 Andy Almy stated he is opposed.

03:40:45 Sarah Almy referencing to the Staff Report on page 9 she detailed the development may not agree with the comprehensive plan. Ms. Almy stated the parcel needs to remain C-2 and the PDD allows the project to circumvent the Land Development Code. She further detailed her concerns with the geotechnical survey.

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03:47:59 Dan Preston asked the applicant if he could explain how this case differs from innovative subdivisions that were approved in the past and thrown out by the courts. Mr. Bardenwerper explained that a PDD is a zoning classification and this development is a zoning change request, so the circumstances surrounding this proposal are different.

03:51:16 Laura Wasz stated the zoning should stay as is and this development does not represent the historical homes that are present throughout their neighborhoods.

03:53:20 Manny Carralero spoke in opposition.

00:00:00 Ray Brundige stated he is concerned with drainage from the site and impact to historic Cave Hill Cemetery.

04:04:06 Jan Calvert stated younger people who have moved to Louisville like the area for the historic, traditional neighborhoods.

04:07:35 Lane Adams detailed existing traffic conditions and how this development would impact pedestrian and bicycle traffic. She stated the density is out of character with the surrounding area.

04:09:23 Garrett Adams, representing the Beckham Bird Club, he detailed how this development will affect birds and their habitat. He gave examples on how this development can use bird safe design elements.

04:14:12 Sandra Wagner stated while she is not opposed to development, but she is opposed to the scale of this development.

04:15:49 Steve Porter, representing the Lexington Road Preservation Association, stated the existing structures need to be replaced but not with what is proposed at today's meeting. Mr. Porter stated the developer should make a commitment to maintaining Cherokee Park and provide a pedestrian overpass to the park. There should be affordable housing added to the development He detailed suggestions for lighting and signage.

04:24:37 Diane Cooke would like to see Olmsted's designs and intention of the natural landscapes in the area to be preserved.

04:27:37 Anita Steiter stated this development is out of scale and the traffic impact would be excessive for the area.



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04:27:34 Lindsay Gray stated developers have had plenty time to do traffic studies and would like to see them be more transparent with the public. The existing conditions of the site have deteriorated under the developers care. Ms. Gray noted the environmental impacts this development can have in the area.

04:30:53 Clyde Foshee stated this site has needed development for a long time. There are some serious issues such as traffic, scale, character, etc. that need to be addressed.

04:35:04 Todd Klinglesmith stated examples of the traffic impact given to Commissioners were misleading. He noted that Cherokee Park is not exclusive it is a place that everyone around the city goes to. Improvements can be made with the current zoning at this site.

04:37:50 Julie Purcell stated she is pro development and an additional traffic study should be done to analyze the travel times throughout the highlands.

04:41:56 Keith Duncan stated this type of development should not be located immediately on Cherokee Park. Mr. Duncan detailed traffic would be an issue. A development on a smaller scale would work better for the area.

04:46:20 Patricia Ballard stated her concerns with traffic.

04:51:17 Jon Cooke stated traffic congestion is already bad in this location.

04:52:50 Chairman Vince Jarboe and John Elgin discussed the number of units allowed by C-2 (see recording for detailed presentation).

00:00:00 Commissioner Marilyn Lewis and Phil Samuel discussed the number of charrettes Mr. Samuel attended.

**The hearing went into recess at approx. 11:42 p.m.**  
**The hearing resumed at approx. 11:50 p.m.**

**Rebuttal**

04:57:09 Bill Bardenwerper stated there will not be a parking issue due to the amount of spaces available after the development is completed. Mr. Bardenwerper



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proposed a binding element to address blasting construction for the site. He addressed the affordable housing statements presented by the opposition. Bill Bardenwerper detailed the traffic studies for the area and the proposed plan will function at "passing levels." He spoke of comments made concerning the height of the structures. Mr. Bardenwerper and Commissioners discussed the binding elements regarding pre-blast surveys at Cave Hill Cemetery.

05:19:44 Commissioners, Travis Fietcher, Bill Bardenwerper, Randy Strobo (attorney representing Cave Hill Cemetery), and Steve Porter discussed the binding elements for outdoor lighting color/temp and signs, blasting regulations, and affordable housing (see recording for detailed presentation). Mr. Bardenwerper agreed to Mr. Porter's proposed binding elements, changing the affordable housing binding element from 42 units to 5%, establishing a blasting binding element, and a binding element regarding making improvements to Cherokee Park at Willow Lake.

**An audio/visual recording of the Planning Commission hearing 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.**

05:46:53 On a motion by Commissioner Howard, seconded by Commissioner Peterson, the following resolution was adopted.

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **CONTINUE** 16ZONE1044 & 18STREETS1021 to the October 17, 2019 Planning Commission public hearing for business session.

**The vote was as follows:**

**YES: Commissioners Howard, Peterson, Lewis, Brown, Daniels, Carlson, and Jarboe**

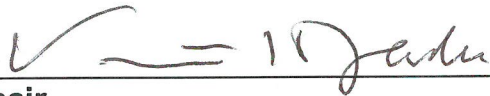
**No: Commissioner Tomes**


**NOT PRESENT AND NOT VOTING: Commissioner Smith**

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**ADJOURNMENT**

The meeting adjourned at approximately 12:41 p.m.

  
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**Chair**

  
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**Planning Director**