

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

July 8, 2021

A meeting of the Land Development and Transportation Committee was held at 1:00 PM on Thursday, July 8, 2021 via Webex Teleconferencing.

Committee Members present were:

Te'Andre Sistrunk, Vice Chair
Richard Carlson
Ruth Daniels
Jeff Brown

Committee Members absent were:

Rob Peterson, Chair

Staff Members present were:

Joseph Reverman, Assistant Director, Planning & Design Services
Joe Haberman, Planning Manager
Julia Williams, Planning Supervisor
Molly Clark, Planner I
Joel Dock, Planner II
Dante St. Germain, Planner II
Laura Ferguson, Legal Counsel
Madison Thomas, Management Assistant

Others Present:

Beth Stuber, Transportation Planning
Tony Kelly, MSD

The following matters were considered:

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

July 8, 2021

Approval of Minutes

Approval of the minutes of the June 24, 2021 Land Development and Transportation Committee meeting.

00:02:45 On a motion by Commissioner Brown, seconded by Commissioner Daniels, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the minutes of its meeting conducted on June 24, 2021.

The vote was as follows:

YES: Commissioners Brown, Carlson, and Daniels

NO: No one.

ABSENT: Commissioners Peterson and Sistrunk.

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

July 8, 2021

New Business

Case No. 21-CAT3-0005

Request:	CONTINUED FROM THE JUNE 30, 2021 DRC MEETING - Category 3 Development Plan
Project Name:	Proposed Warehouse
Location:	8201 National Turnpike
Owner:	Big Box National Turnpike, LLC
Applicant:	Gregg Bennet, Kleingers Group
Representative:	Gregg Bennet, Kleingers Group
Jurisdiction:	Louisville Metro
Council District:	13 – Mark Fox
Case Manager:	Molly Clark, Planner I

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:

00:05:00 Molly Clark presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

The following spoke in support of the request:

Gregg Bennett, Kleingers Group, 1100 Envoy Circle, Louisville, KY 40299

Summary of testimony of those in support:

00:11:15 Greg Bennett addressed Commissioner Carlson's question about if a ramp would be required to the building.

Commissioner Daniels asked if there would be an updated rendering. Gregg Bennett responded that the steps will be eliminated but everything else will be the same.

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

July 8, 2021

New Business

Case No. 21-CAT3-0005

The following spoke in opposition to the request:

No one spoke.

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.

00:13:00 On a motion by Commissioner Brown, seconded by Commissioner Daniels, the following resolution was adopted:

RESOLVED, the Louisville Metro Land Development and Transportation Committee does hereby **APPROVE** the Category 3 Development Plan for case 21-CAT3-0005 based on the staff report and the testimony heard today.

The vote was as follows:

YES: Commissioners Brown, Daniels, and Carlson.

NO: None.

ABSENT: Commissioner Peterson.

ABSTAIN: Commissioner Sistrunk.

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

July 8, 2021

New Business

Case No. 21-ZONE-0023

Request:	Change in zoning from R-4 to R-5, with Detailed District Development Plan/Major Preliminary Subdivision and Binding Elements, and Waivers and Variance
Project Name:	Parkside Subdivision
Location:	7507 ½ & 7509 Mt. Washington Road, Parcel ID 008601810000
Owner:	Joe & Doris Keith, Atlas Metal Investment Corp, John Andrew Keith Living Trust
Applicant:	Ball Homes
Representative:	Bardenwerper, Talbott & Roberts
Jurisdiction:	Louisville Metro
Council District:	23 – James Peden
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:

00:14:26 Dante St. Germain presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

Commissioner Carlson asked how emergency vehicles could get to the subdivision. Dante St. Germain explained they would have to go through the Parkside Vista Lane entrance. There was discussion about the road connectivity and street network in the area.

The following spoke in support of the request:

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

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

July 8, 2021

New Business

Case No. 21-ZONE-0023

Diane Zimmerman, 12803 High Meadows Pike, Prospect, KY 40059

Summary of testimony of those in support:

00:27:45 Bill Bardenwerper, the applicant's representative, presented the applicant's case and showed a PowerPoint presentation (see recording for detailed presentation.) He also discussed some of the road connectivity and traffic issues as well.

Diane Zimmerman discussed the traffic impact study in detail including the left turn lane at Parkside Vista Lane.

Bill Bardenwerper continued his presentation to show the style and designs of the homes proposed for the subdivision.

The following spoke as neutral to the request:

John Torsky, Legislative Assistant for Councilman James Peden, 601 W Jefferson Street, Louisville, KY 40202

Summary of testimony of those neutral:

00:46:00 John Torsky asked as the area gets developed, if there will be future sewer connections. He also wanted to know if the residents will be forced to hook up to the sewers.

Tony Kelly, MSD, explained the process for bringing in the sewers. He also explained the Health Department's role in this process and how that will affect residents.

The following spoke in opposition to the request:

No one spoke.

Commissioner Brown requested a Binding Element to include the left turn lane.

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

July 8, 2021

New Business

Case No. 21-ZONE-0023

00:56:00 **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 **August 5, 2021** Planning Commission public hearing.

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

July 8, 2021

New Business

Case No. 21-ZONE-0046

Request:	Change in Zoning from R-6 to C-2, with Detailed District Development Plan and Binding Elements, and Waivers
Project Name:	Vine Street Rezoning
Location:	749 & 751 Vine Street
Owner:	CJ & Friends LLC
Applicant:	CJ & Friends LLC
Representative:	Dinsmore & Shohl
Jurisdiction:	Louisville Metro
Council District:	4 – Jecorey Arthur
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:

00:57:28 Dante St. Germain presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation.)

In response to Commissioner Brown's question about the canopy in the public right-of-way, Dante St. Germain explained there was no request to remove it and that it was the reason they were asking for a waiver to omit two of four street trees normally required. There was also discussion about concern for ADA compliance.

The following spoke in favor of the request:

Cliff Ashburner, Dinsmore & Shohl, 101 S 5th St #2500, Louisville, KY 40202

Cliff Hayden, 6517 Missionary Ridge, Pewee Valley, KY 40056

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

July 8, 2021

New Business

Case No. 21-ZONE-0046

Summary of testimony of those in favor:

01:05:21 Cliff Hayden responded to Commissioner Brown's question about the canopy and a license agreement, explaining they were planning to ask for a license.

This case was continued to the end of the agenda.

02:26:32 Cliff Ashburner, the applicant's representative, presented the applicant's case and showed a PowerPoint presentation (see recording for detailed presentation.)

In response to Commissioner Daniels' question about the proposed amount of short-term dwelling units, Cliff Ashburner responded there were going to be eight units total on the second and third floor.

There was discussion on the parking study.

The following spoke in opposition to the request:

No one spoke.

02:42:23 **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 **August 19, 2021** Planning Commission public hearing.

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

July 8, 2021

New Business

Case No. 21-ZONE-0001

Request:	Change in Zoning from R-4 to PRD with Detailed District Development Plan/Preliminary Subdivision Plan
Project Name:	Aiken North Subdivision
Location:	16907, 16907R, 16909, & 17401 Aiken Road
Owner:	Katherine Kirzinger & John Curry, Richard & Anne Gillespie, & Robert Kirzinger
Applicant:	Perfection Builders
Representative:	Mindel Scott; Bardenwerper, Talbott, & Roberts, PLLC
Jurisdiction:	Louisville Metro
Council District:	19 – Anthony Piagentini
Case Manager:	Joel 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. 5th Street.)

Agency Testimony:

01:08:55 Julia Williams presented the case and showed a PowerPoint presentation (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

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

David Mindel, 5151 Jefferson Blvd, Louisville, KY 40219

Summary of testimony of those in favor:

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

July 8, 2021

New Business

Case No. 21-ZONE-0001

01:17:04 Bill Bardenwerper, one of the applicant's representatives, presented the applicant's case and showed a PowerPoint presentation (see recording for detailed presentation.) He also discussed the traffic impact study.

David Mindel discussed the plan for the intersection and road improvements in detail.

In response to Commissioner Carlson's question about funding, Diane Zimmerman explained what traffic problems in the area needed funding. There was further discussion on the traffic developments and roadway improvements and how they will be funded.

The following spoke in neutral to the request:

Cheryl Harrington, 17423 Curry Branch Road, Louisville, KY 40245

Summary of testimony of those neutral:

02:02:01 Cheryl Harrington asked about the traffic light at Aiken and Johnson and if it was for sure included. She said she could see a lot of accidents happening there without the light.

The following spoke in opposition to the request:

Bruce Palmer-Ball, 2709 Flat Rock Road, Louisville, KY 40245

Bethany Williams, 2725 Flat Rock Road, Louisville, KY 40245

Summary of testimony of those in opposition:

02:04:18 Bruce Palmer-Ball said this subdivision was severely going to affect his subdivision, Hermitage Ridge. He is worried that Flat Rock Road is going to be opened as an entrance through into this neighborhood. This would significantly increase traffic in his neighborhood. He is also concerned about the fact that the lots in the proposed development back up directly into the homes in Hermitage Ridge. No privacy barriers have been proposed and there are concerns for that. Another concern is the construction traffic. He wants to make sure the dam is not affected by the traffic as well. There is also worry about the traffic on Aiken Road. He said the construction traffic on this road makes it very

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

July 8, 2021

New Business

Case No. 21-ZONE-0001

dangerous and the current construction traffic has already been detrimental to the roads.

Bethany Williams agreed with the points Bruce Palmer-Ball made. She said the development is right next to her property line. She said construction traffic has already affected her family and her children's safety. She feels there has been no concern for privacy and safety regarding this proposed development. She is also concerned about the condition of Flat Rock Road and Aiken Road with all the construction. She also said the roads are not wide enough for construction vehicles as well as the edges of the roads are breaking off, making it even worse.

Rebuttal

02:14:02 Bill Bardenwerper and David Mindel addressed the concerns of the residents. David Mindel discussed the buffer options between the two subdivisions. He said once a boundary survey is performed, they can meet with the owners of the properties as well. Bill Bardenwerper also discussed the fifteen-foot buffer. They both addressed the construction traffic.

02:22:30 **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 **August 5, 2021** Planning Commission public hearing.

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

July 8, 2021

The meeting adjourned at approximately 3:46 p.m.

Chairman

Division Director