

LAND DEVELOPMENT & TRANSPORTATION COMMITTEE MINUTES
July 23, 2015

NEW BUSINESS

CASE NO. 15ZONE1015

Request: Change in Zoning from RR (Rural Residential) to R-5A
(Multi-Family Residential), Detailed District Development
Plan, Binding Elements, Floyds Fork Overlay, and Waivers

Project Name: Brentwood Commons

Location: 10509 Bardstown Bluff Road

Owner: Gina and Darrel Nice

Applicant: Redwood Acquisitions, LLC

Representative: Bardenwerper, Talbott & Roberts, PLLC
Mindel, Scott & Associates, Inc.

Jurisdiction: Louisville Metro

Council District: 20 – Stuart Benson

Case Manager: David B. Wagner – Planner II

The staff report prepared for this case was incorporated into the record. 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:

00:37:53 Mr. Wagner discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Bill Bardenwerper, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40222
David Mindel, Mindel, Scott and Associates, 5151 Jefferson Boulevard, Louisville, Ky.

Summary of testimony of those in favor:

00:50:20 Mr. Bardenwerper said the vision was always to build on parks. The proposal is patio homes (to be rented). Also, there are some flooding issues.

00:59:31 Mr. Mindel discussed how the storm runoff would be treated. A lot of trees will be saved.

The following spoke in opposition to this request:

Jan Seabolt, 10503 Bardstown Bluff, Louisville, Ky.
Grace Bryan, 10505 Bardstown Bluff Road, Louisville, Ky.
David Miller, 10207 Bardstown Bluff Road, Louisville, Ky.
Billy Seabolt, 10503 Bardstown Bluff, Louisville, Ky.

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Frances Miller, 10207 Bardstown Bluff Road, Louisville, Ky.

Summary of testimony of those in opposition:

01:04:24 Mrs. Seabolt is concerned about traffic (horses in the area).

Mrs. Seabolt brought pictures showing flooding. Also, if the elderly rent from the applicant, they may experience health issues from mold.

01:07:07 Ms. Bryan said the area has a steep slope and there's no snow removal or grass mowing taking place, therefore the grass is growing into the street. There have been 3 floods this year (12-15 feet).

Ms. Bryan doesn't want the tree line destroyed. Also, flooding causes mosquito problems as well.

1:15:46 Mr. Miller stated the project is inconceivable. "They're going to put more concrete and more drainage into the same area and not expect a higher flood plain?"

1:18:45 Mr. Seabolt said he's lived there 8 years. The traffic from Thixton Ln. to Waterford Rd. has produced at least 10 fatalities. The road is deteriorating and it won't be able to handle the extra traffic.

1:25:14 Mrs. Milller asked if the average daily traffic count is 28,300 to 30,000 for the area on Bardstown. Acting Chairman Brown said yes.

Rebuttal:

1:25:44 Mr. Bardenwerper said they will update the elevations in time for the public hearing. The density is under 4 dwelling units per acre.

Mr. Mindel said he would like the construction hours to be revised from 5:30 p.m. to 7:00 p.m. Acting Chairman Brown requests a Traffic and Justification Study. Mr. Mindel agreed.

Additional Agency Testimony:

1:42:55 Mr. Barry, MSD, stated that the applicant will have to design a system so water won't back up onto the neighbors' property. The applicant has to meet the requirement. The applicant is doing Runoff Volume, Flood Plain Comp and Water Quality so the basins will have a lot of volume.

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Deliberation

01:47:32 Planning Commission deliberation.

An audio/visual recording of the Land Development & 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 on the August 20, 2015 public hearing at the Old Jail Building.