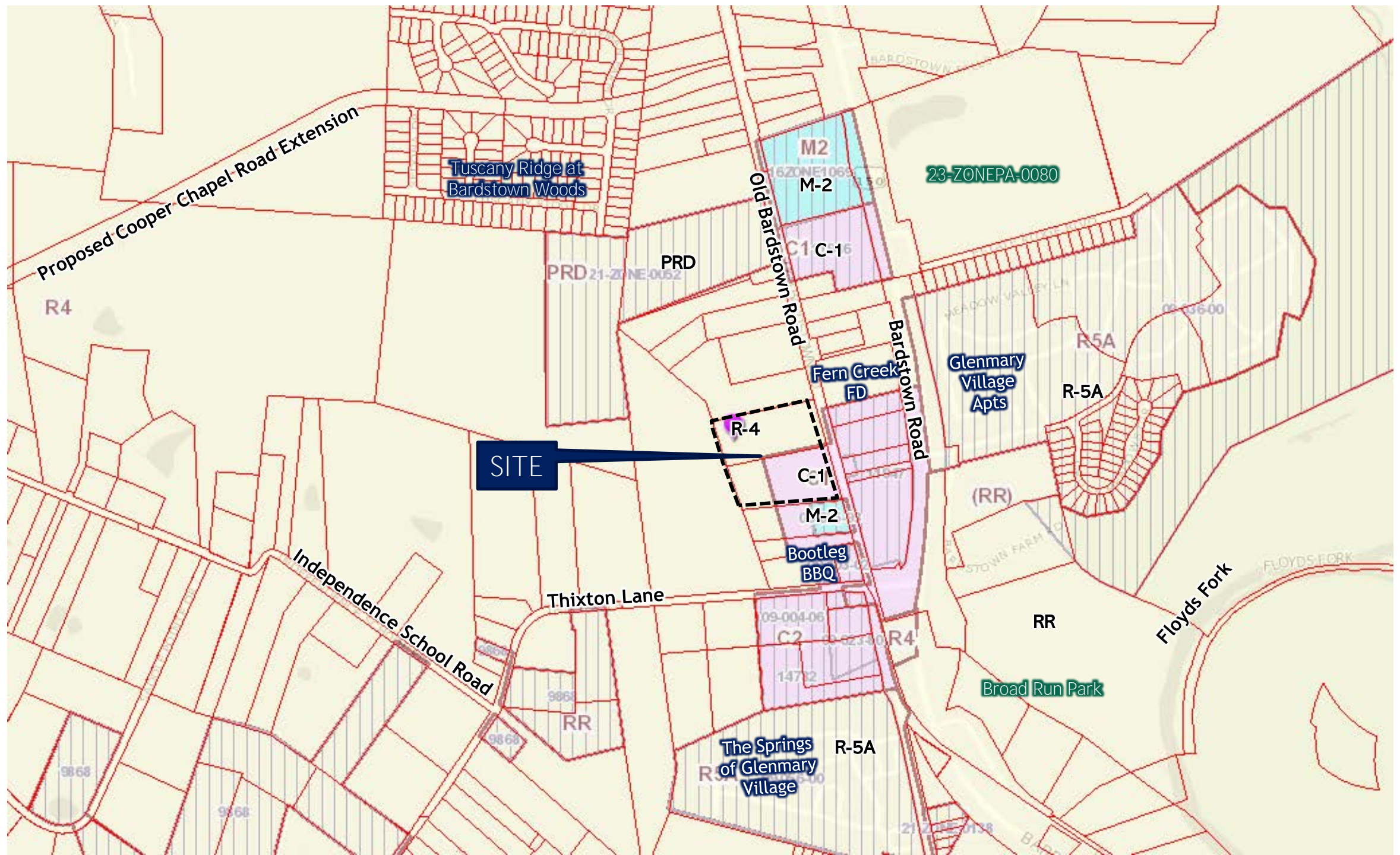


Louisville Metro Planning Commission Public Hearing - October 5, 2023
Louisville Metro Land Development & Transportation Committee - August 24, 2023
Louisville Metro Land Development & Transportation Committee - August 10, 2023
Louisville Metro Planning Commission Public Hearing - March 2, 2023 (deferred)
Louisville Metro Land Development & Transportation Committee - January 26, 2023 and February 9, 2023
Neighborhood Meeting - July 14, 2022

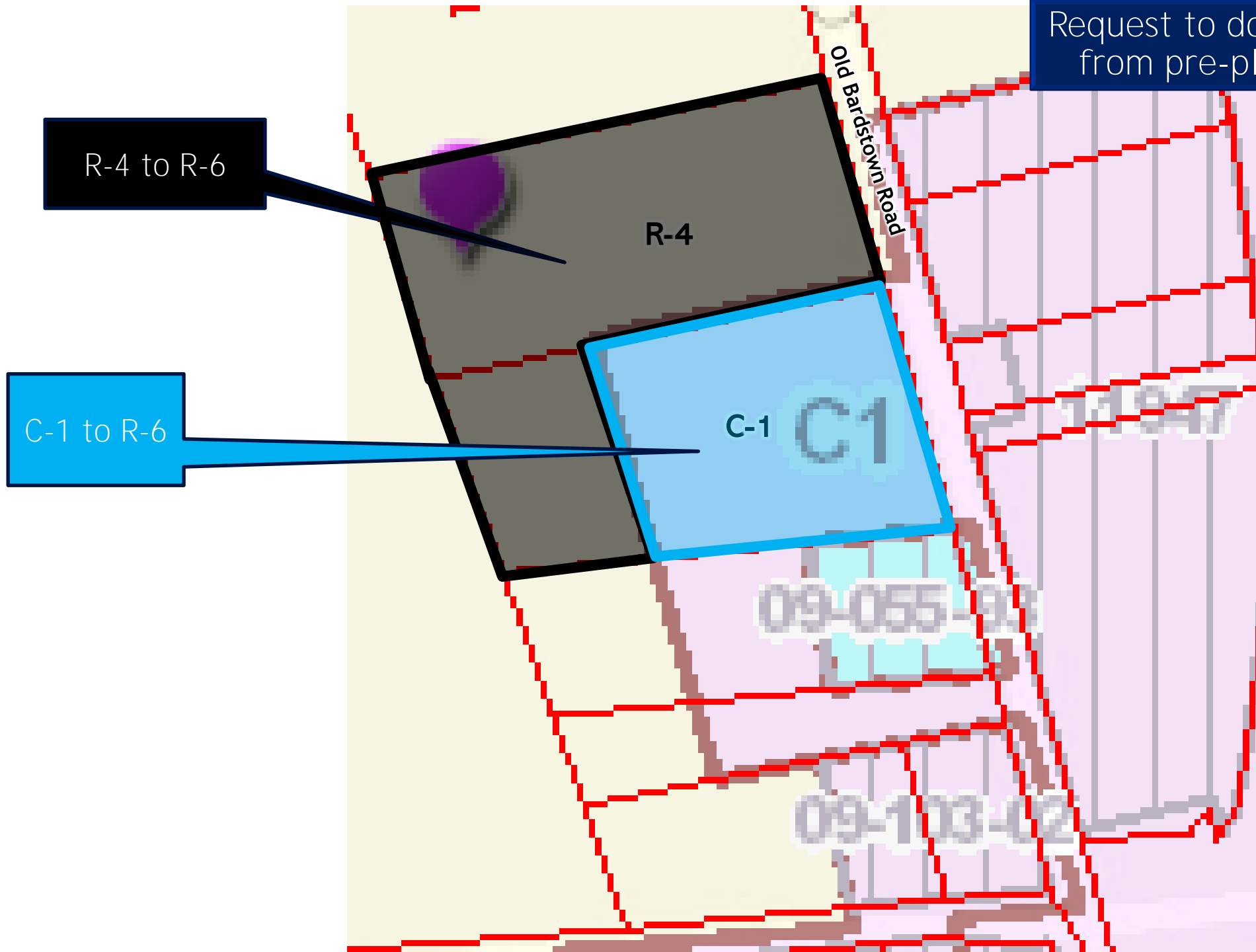
Docket No. 22-ZONE-0105

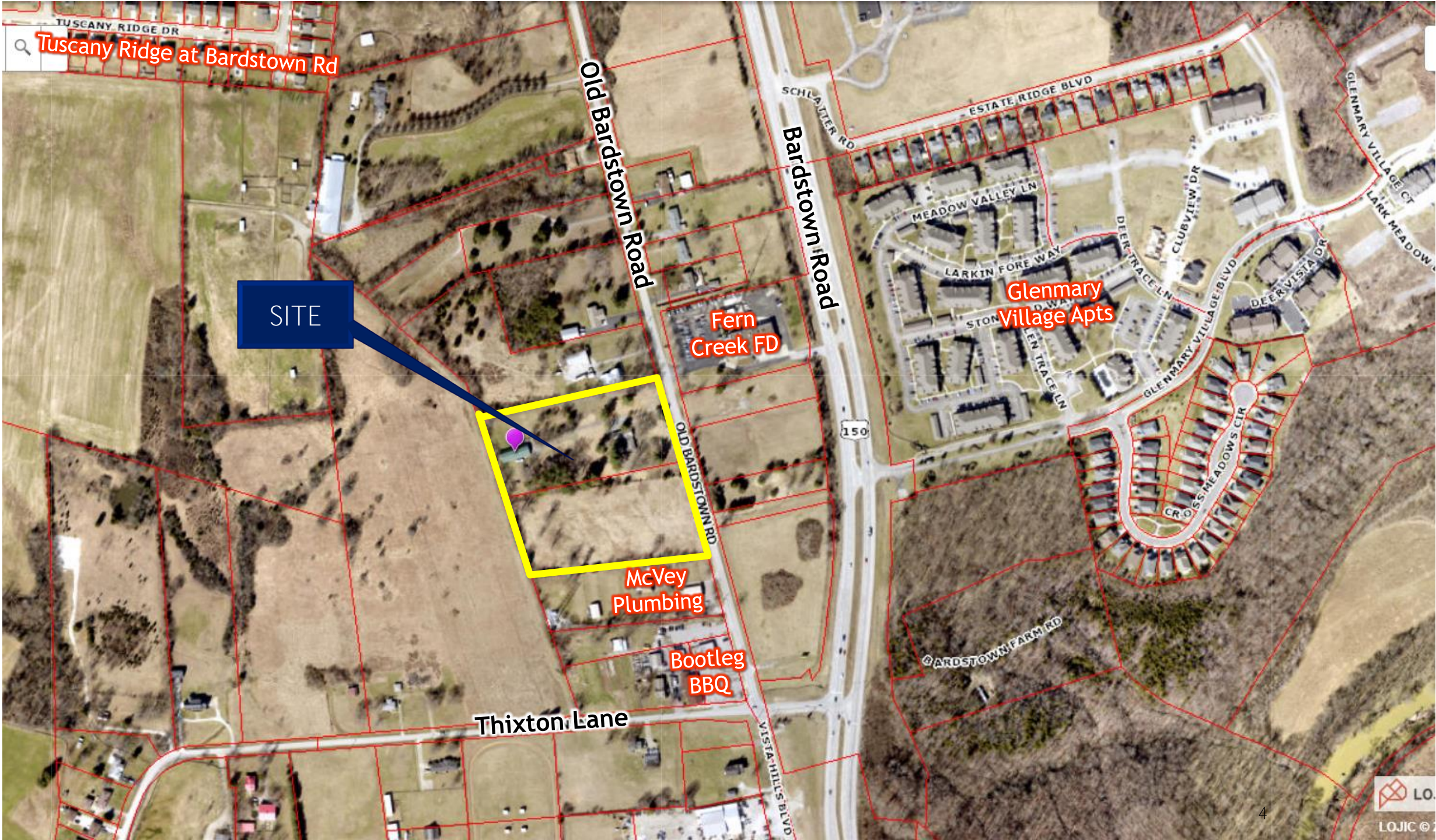
Zone change from R-4 and C-1 to R-6 to allow a 152-unit multi-family development on property located at 9408 & 9500 Old Bardstown Road





Request to downzone portion of site
from pre-plan certain C-1 to R-6





9406 & 9500 OLD BARDSTOWN RD

Write a description for your map.

Legend

-  9500 Old Bardstown Rd
-  Bootleg Bar-B-Q
-  Fern Creek Fire Department Station #2
-  US Post Office Box



EQUIPMENT SHARE 9812 VISTA HILLS BLVD

Write a description for your map.

Legend

-  Bootleg Bar-B-Q
-  EquipmentShare



BOOTLEG BBQ

Write a description for your map.

Legend

📍 9500 Old Bardstown Rd

Google Earth

© 2023 Google

2.77 ft

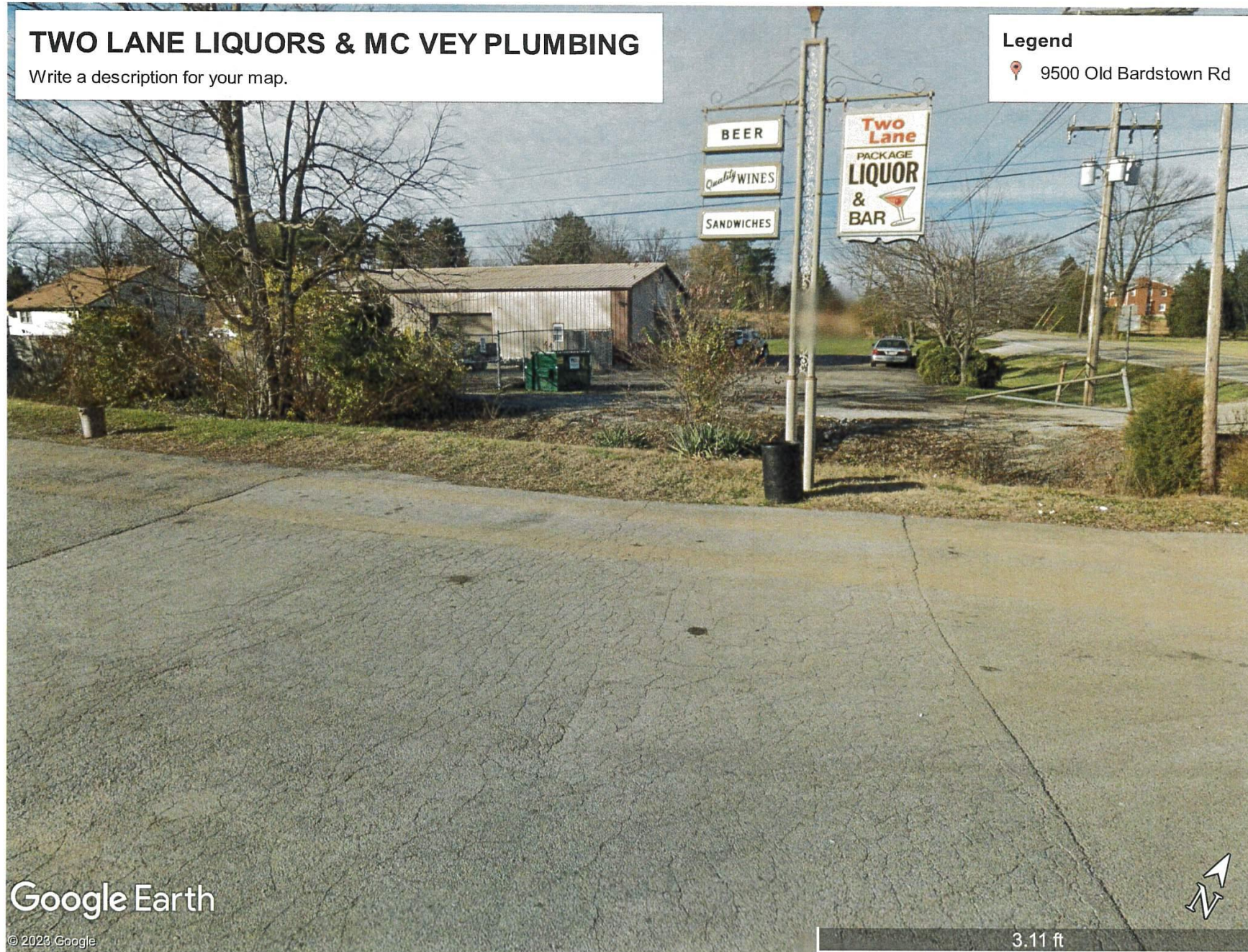


TWO LANE LIQUORS & MC VEY PLUMBING

Write a description for your map.

Legend

📍 9500 Old Bardstown Rd





North-Bound Left Turn Center Lane Addition

9605 Old Bardstown Rd
Louisville, Kentucky
Google
Street View - Jul 2021



Looking north on Old Bardstown Road from the southern most point of site.

Applicant to construct
left turn center lane along
frontage



View of site looking west from Old Bardstown Road



View of Thixton Lane looking east towards Old Bardstown Road and Bardstown Road



Applicant to contribute
\$29,500 to new right
turn lane on Thixton Ln.
at Bardstown Road

View of Old Bardstown Road looking south towards Thixton Lane

Development plan shown at
the 3/2/23 PC hearing
(110 townhome units)



Previous Waiver of LDC
5.9.2.A.1 requested to not
provide a stub connection to
the west

Fern Creek
Fire Department

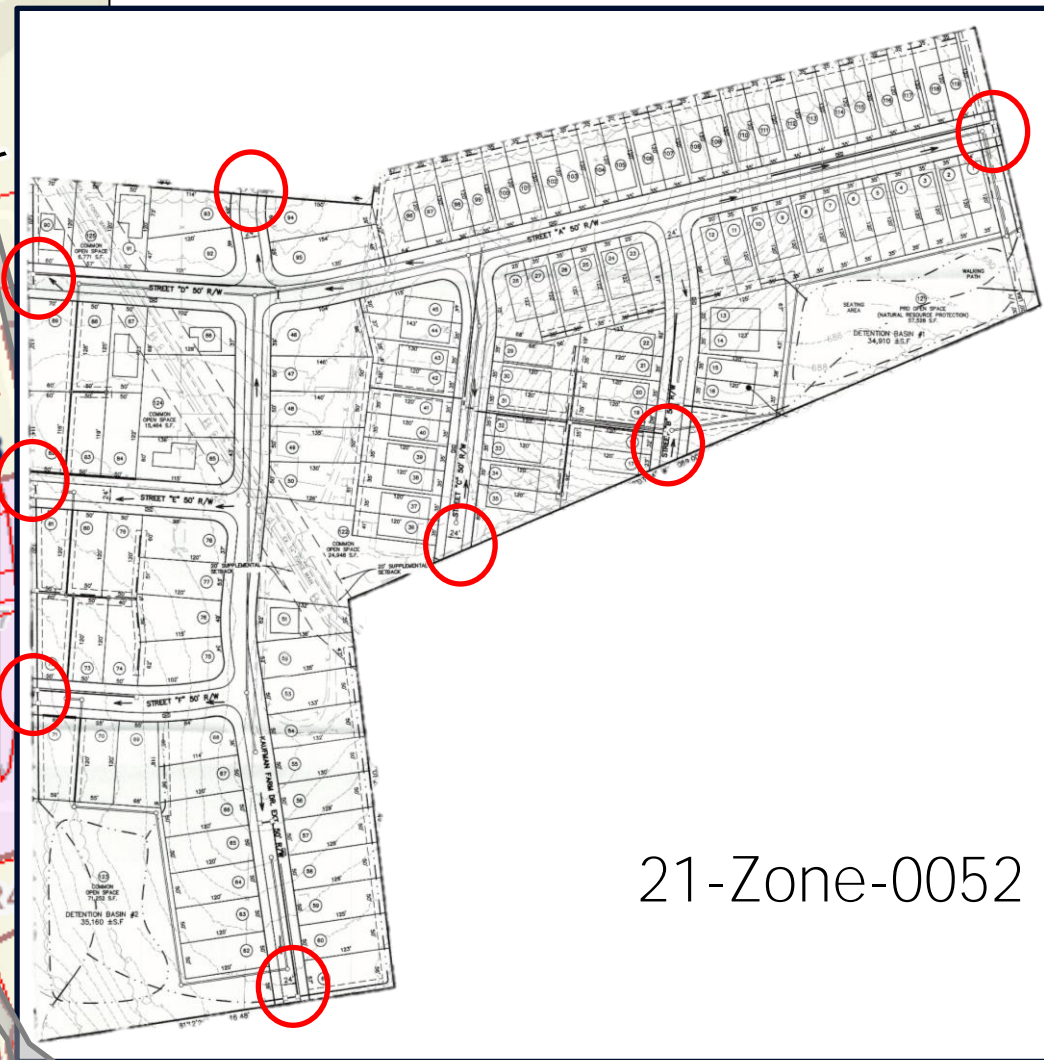
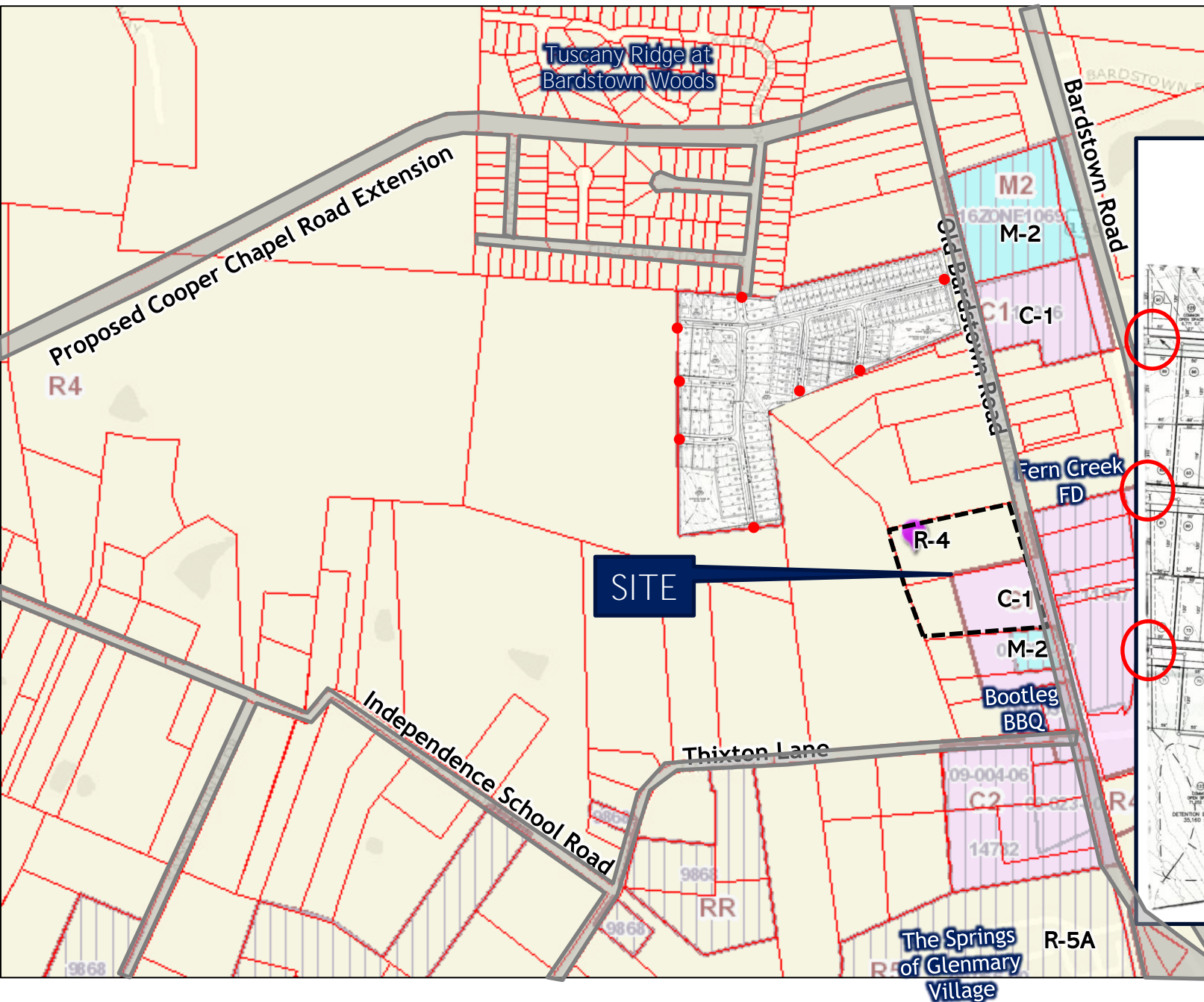
Glenmary
Village
Apartments

BARDSTOWN RD

OLD BARDSTOWN RD

McVey
Plumbing

Bootleg
BBQ



Restrictive Aerial Easement Agreement for properties to the west

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

RESTRICTIVE AERIAL EASEMENT AGREEMENT

Lease No: DTFAEN- 17- L - 00030

Geographical Location: Louisville, Kentucky

Facility: VORTAC/CZ

THIS RESTRICTIVE AERIAL EASEMENT AGREEMENT is made by and between Leroy Williams (hereinafter referred to as the "Grantor(s)") whose address is 10313 Thixton Lane, Louisville, Kentucky, 40291 and the Federal Aviation Administration, an agency of the United States of America (hereinafter referred to as "the Government").

WITNESSETH:

The Parties hereto, and for the consideration hereinafter mentioned, agree as follows:

Grantor owns a certain 19.004 acre tract of land located at 10313 Thixton Lane, in the City of Louisville, County of Jefferson, and State of Kentucky ("Grantor's Property").

Grantor desires to grant to the Government a restrictive aerial Easement over a portion of Grantor's Property, that being a certain 19.004 acre tract more particularly described below.

Grantor and the Government acknowledge that the proposed aerial Easement will benefit the Grantor while helping to advance the Government's mission.

1. Easement Property: A 19.004 acre tract of land located at 10313 Thixton Lane Louisville, Jefferson County, Kentucky, and being more particularly shown on the attached drawing identified as "Exhibit A" and further described as follows:

Beginning at a point, said point being a common corner with Harold and Zelda Yancey of Record in Deed Book 5004, Page 336 and James and Anna Brotzege of record in Deed Book 3527, Page 285 in the office of the Jefferson County, Kentucky Court Clerk; thence; leaving the common corner with said Brotzege and following the common line with said Yancey, N 01°30'45" E, 951.48 feet to a point in the 1000-foot radius of the VORTAC antenna site across the lands of Leroy Williams of Record in Deed Book 5687, Page 602; thence; continuing with said 1000-foot radius with a curve turning to the right having an arc length of 1698.29 feet, with a radius of 1000.00 feet, and a chord bearing of S 39°57'02" E, having a chord of length of 1501.43 feet, to a point being a common corner with Victor and Cynthia Huff of Record in Deed Book 7175, Page 610; thence leaving said corner of Huff and the 1000-foot radius and following the common line of said Brotzege, N 79°02'34" W, 1007.29 feet to the POINT OF BEGINNING, having as area of 827789.23 square feet or 19.003 acres. The property is further illustrated on Plat Survey by Westerman & Associates, dated September 25, 2007, attached and hereby made a part of this agreement.

1.3.16 Restrictive Aerial Easement Template

Revised July 2012

OMB Control No. 2120-0595

Pg. 1

2. Easement Purpose: An aerial Easement to restrict Grantor's use of the Easement Property for the purpose of the continued operation of the Government's facility.

3. Grant of Easement: Grantor hereby confirms, establishes, grants, and conveys to the Government and its successors and assigns an exclusive aerial Easement in, on, over, and across the Easement Property. The Easement includes the right to prohibit all obstructions above ground surface and the right to trim, cut, fell, and remove trees, underbrush, obstructions and other obstacles (e.g., vegetation structures) or obstacles that abridge the rights hereby granted. The Easement herein granted does not convey any right or interest in the Easement Property, except as stated herein, nor prevent Grantor from the use of the Easement Property provided such use does not interfere with the operation of the Government's facility and with prior concurrence by the Government.

4. Term: To have and to hold, for the term commencing on 10/01/2017 and continuing through 09/30/2027 inclusive, PROVIDED that adequate appropriations are available from year to year for the payment of consideration herein.

5. Consideration: The Government shall pay the Grantor for use of the premises the amount of TWENTY NINE THOUSAND AND NO/100 DOLLARS (\$29,000.00) per annum. Payments of (\$2,416.67) shall be made in arrears at the end of each month without the submission of invoices or vouchers. The payments shall be made to: Leroy Williams and sent to: 10313 Thixton LN, Louisville, KY 40291 or directly deposited by electronic fund transfer. Payments shall be considered paid when an electronic funds transfer is made.

5. Legal Authority: This agreement is entered into under the authority of 49 U.S.C. § 106(l) and (n), which authorizes the Administrator of the FAA to enter into and perform such acquisitions of interests in real property, agreements, and other transactions on such terms and conditions as the Administrator determines necessary.

6. Scope of Easement: The Easements, covenants, and restrictions contained herein are appurtenant to, run with, and inure to the benefit of all or any portion of the Grantor's Property, whether or not the Easement is referenced or described in any conveyance of all or such portion of Grantor's Property. This Easement is exclusive to the Government.

7. Binding Effect: The provisions of this Easement shall run with the land, and be binding upon, and for the benefit of, the parties and their successors and assigns. In the event of any sale or transfer of ownership of the Easement Property or any portion thereof, the Government will be deemed to have attorned to any purchaser, successor, assign, or transferee. The succeeding owner will be deemed to have assumed all rights and obligations of the Grantor under this agreement establishing direct privity of estate and contract between the Government and said succeeding owner, with the same force, effect, and relative priority in time and right as if the agreement had initially been entered into between such succeeding owner and the Government.

1.3.16 Restrictive Aerial Easement Template

Revised July 2012

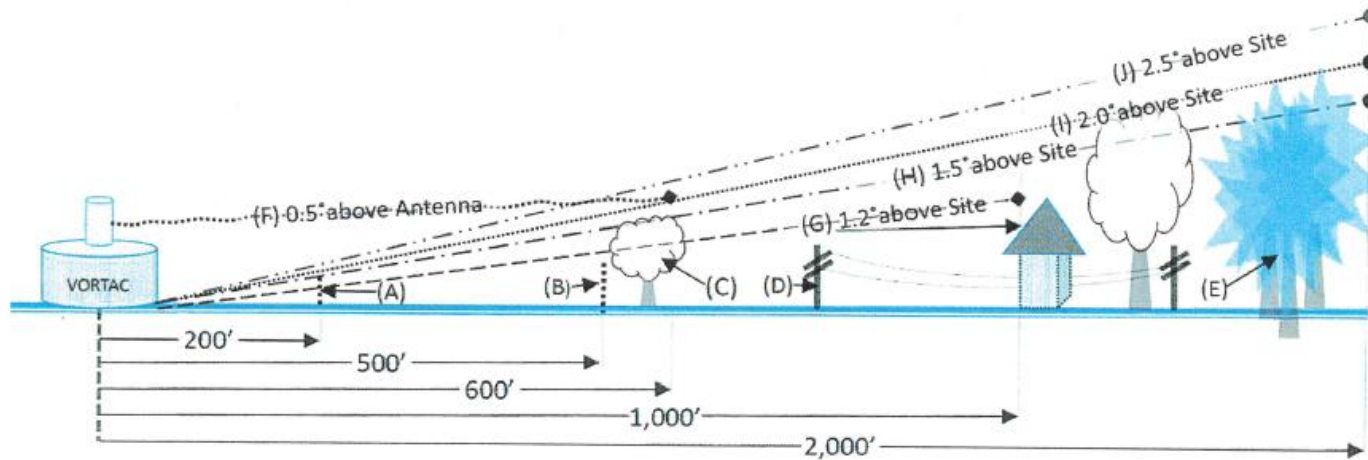
OMB Control No. 2120-0595

Pg. 2

Restrictive Aerial Easement Agreement for properties to the west

VOR AERIAL EASEMENT/ CLEAR-ZONE CRITERIA

All aerial clear zones are 1,000 linear feet from the center of the VORTAC unless otherwise stated in the lease.



A. Within 200 feet, no farm-type wire fences 4 feet or more in height.

B. Within 500 feet, no chain type fence 6 feet or more in height.

"A" and "B" restrictions may be relaxed for fences essentially on a ray (a/k/a radial) to the antenna.

C. No trees allowed within 500 feet. Single trees of moderate height (up to 30 feet) may be tolerated beyond 500 feet.

D. All overhead power and control lines should be essentially radial to the antenna for a minimum distance of 1,200 feet.

E. No group of trees within 1,000 feet of the site.

F. No fence, power lines or telephone lines should extend more than 0.5 degrees above the antenna.

G. All structures that are partly or entirely metallic shall subtend vertical angles of less than 1.2 degrees above the surface.

H. No other lines or supporting structures should subtend a vertical angle of more than 1.5 degrees above the site.

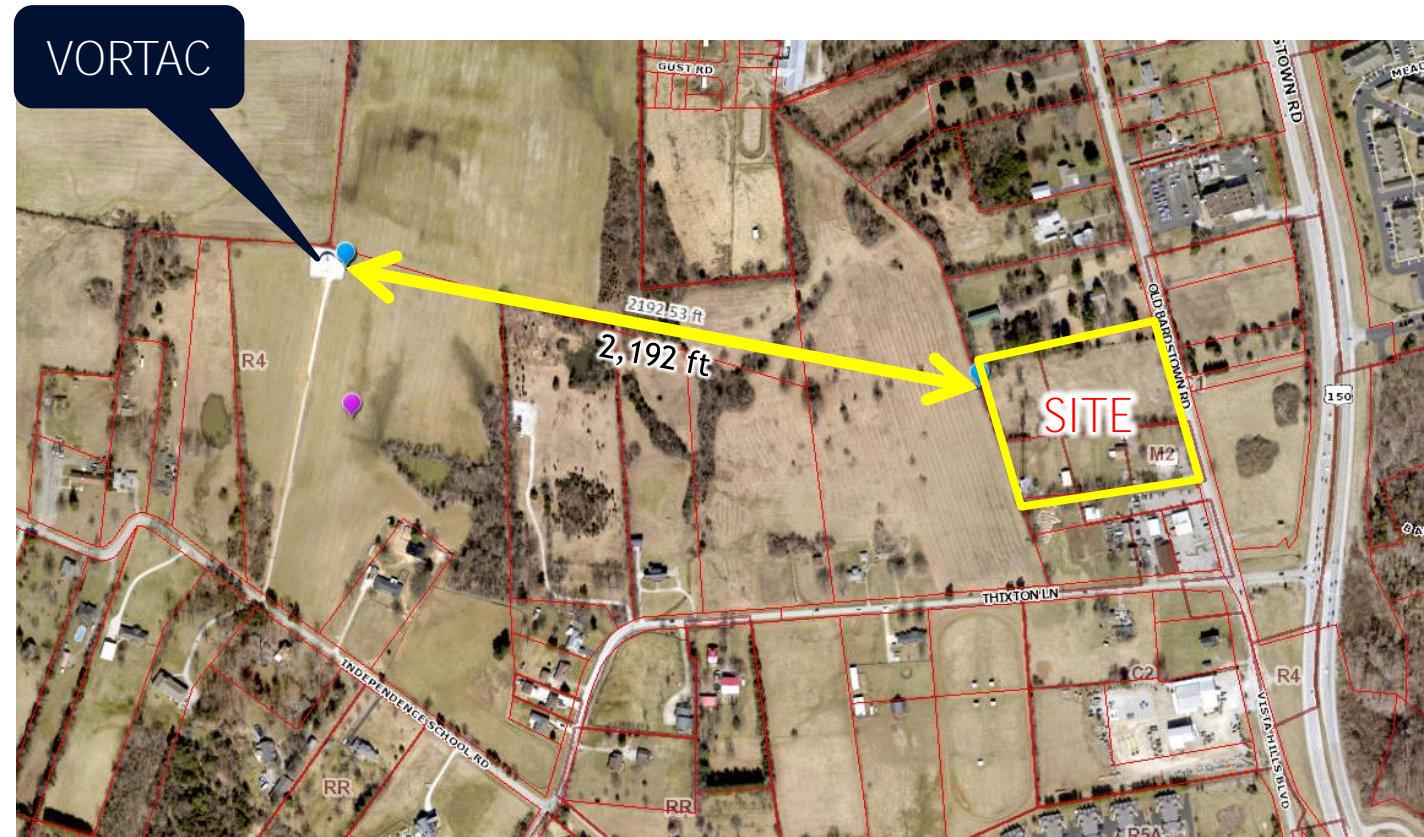
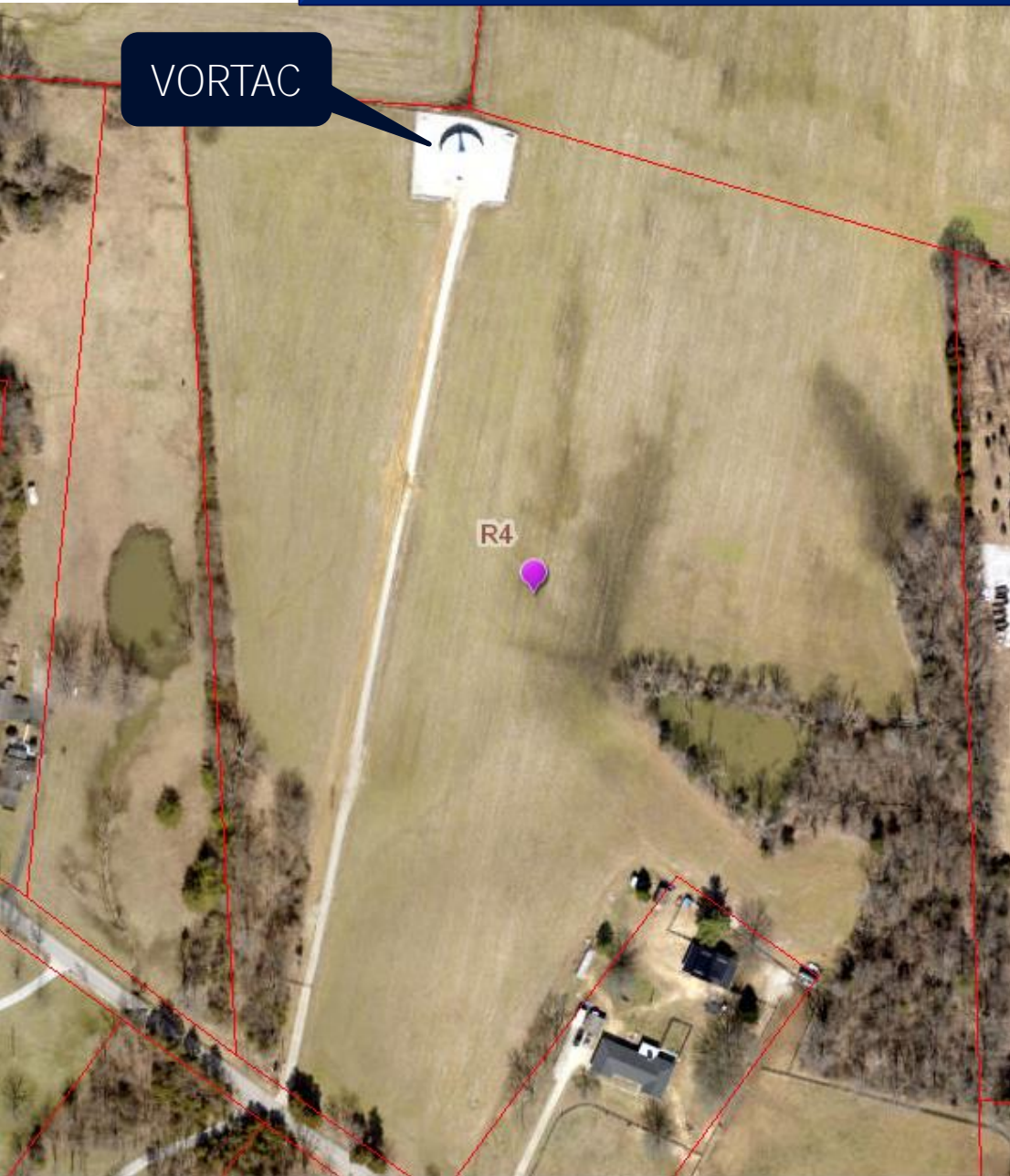
I. No trees should subtend a vertical angle of more than 2.0 degrees above the site.

J. Wooden structures with negligible metallic content may be tolerated below 2.5 degrees.

- No obstructions within the designated easement area. Operations of crop raising and grazing are allowed with exception of a mountaintop facility where the antennas are only 4 feet above grade.
- Farming equipment is tolerated while in use within the easement area, however, no parked or stationary vehicles, farm implements or other mobile objects are allowed within the easement area.
- Any planned construction within 2,000 feet of the facility must be evaluated through the Obstruction Evaluation website at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

EXHIBIT "A"

Location of VORTAC for Restrictive Aerial Easement Agreement



Current Development Plan

Stub connection provided -
Waiver of LDC 5.9.2.A.1
eliminated

Fern Creek
Fire Department

Glenmary
Village
Apartments

BARDSTOWN RD

OLD BARDSTOWN RD

Per LD&T comments, the
pavement constructed to
property line for future
potential connection and
landscape Waiver requested

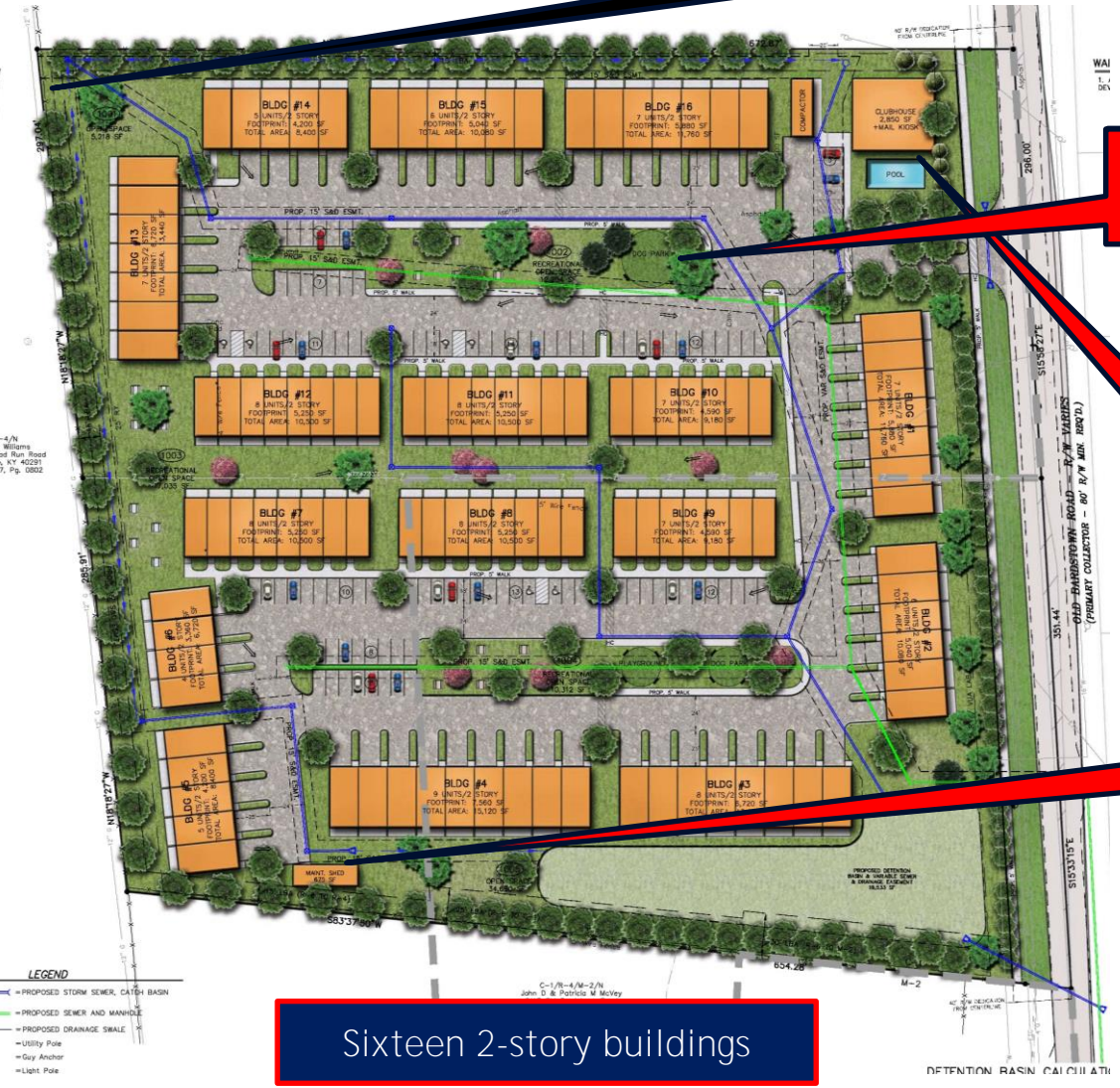
Current Development Plan



3/2/23 Development Plan

Stub Connection added

Current Development Plan



Sixteen 2-story buildings



Six 3-story buildings

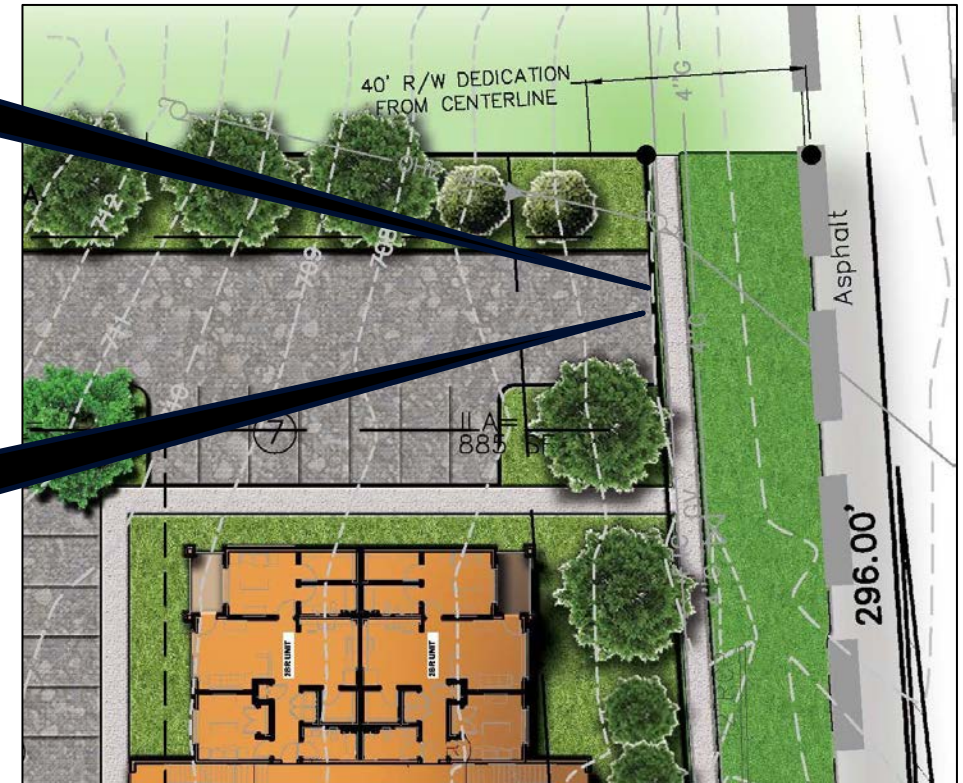
8/24/23 Development Plan



Pavement constructed to property line

Traffic improvement concession triggers a technical waiver

Current Development Plan



WAIVER REQUESTED

1. A Landscape Waiver is requested from section 10.2.10 of the Louisville Metro Land Development Code to allow a vehicular use area to encroach into the required 15' Vehicular Use Area Landscape Buffer along Old Bardstown Road..

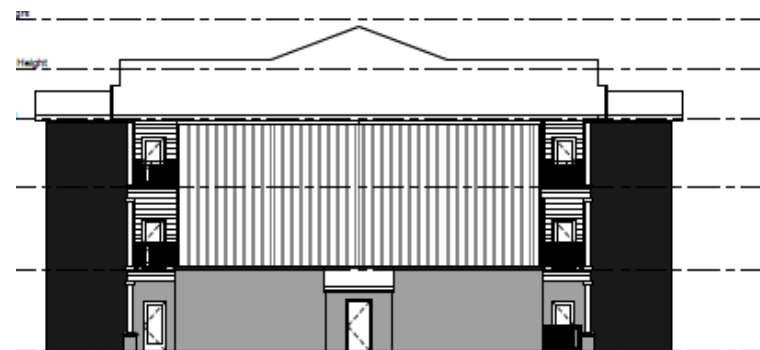


Elevation-Type A - Front

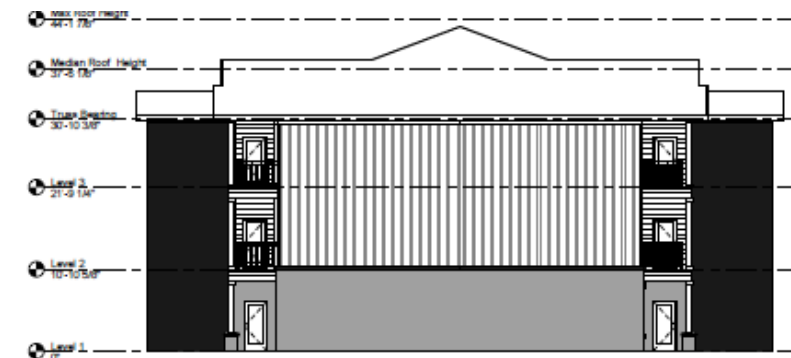


Elevation-Type A -Rear

Elevations



Elevation-Type A - Left



Elevation-Type A - Right

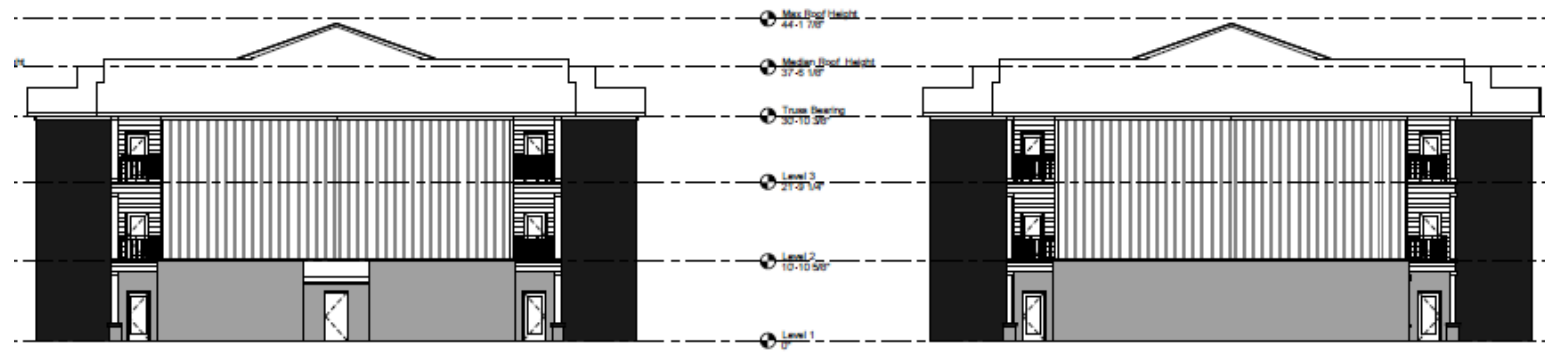


Elevation-Type B - Front



Elevation-Type B - Rear

Elevations



Elevation-Type B - Left

Elevation-Type B - Right



Elevation-Type C - Front



Elevation-Type C - Rear



n - Type C - Left

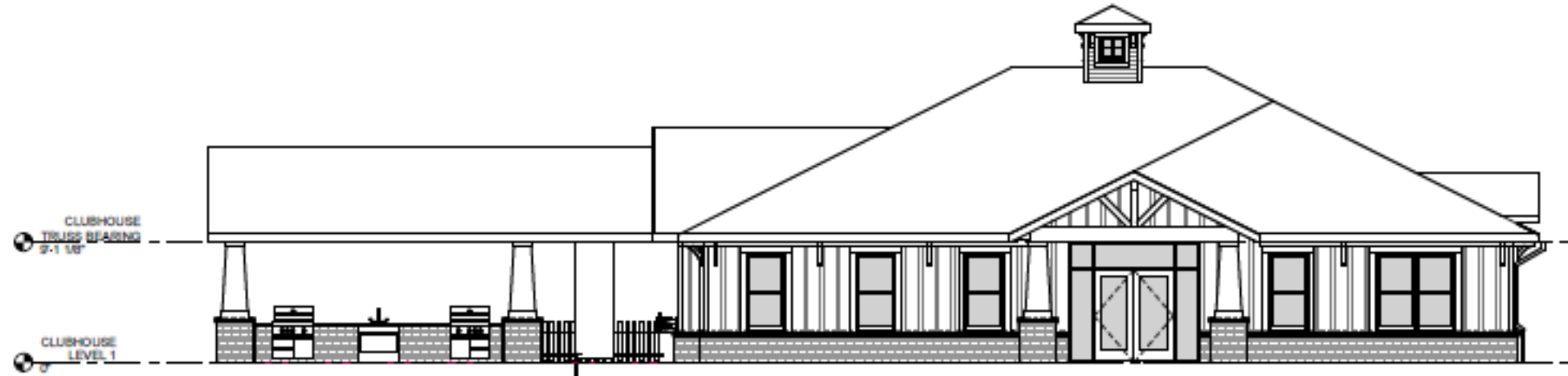
Elevation-Type C - Left



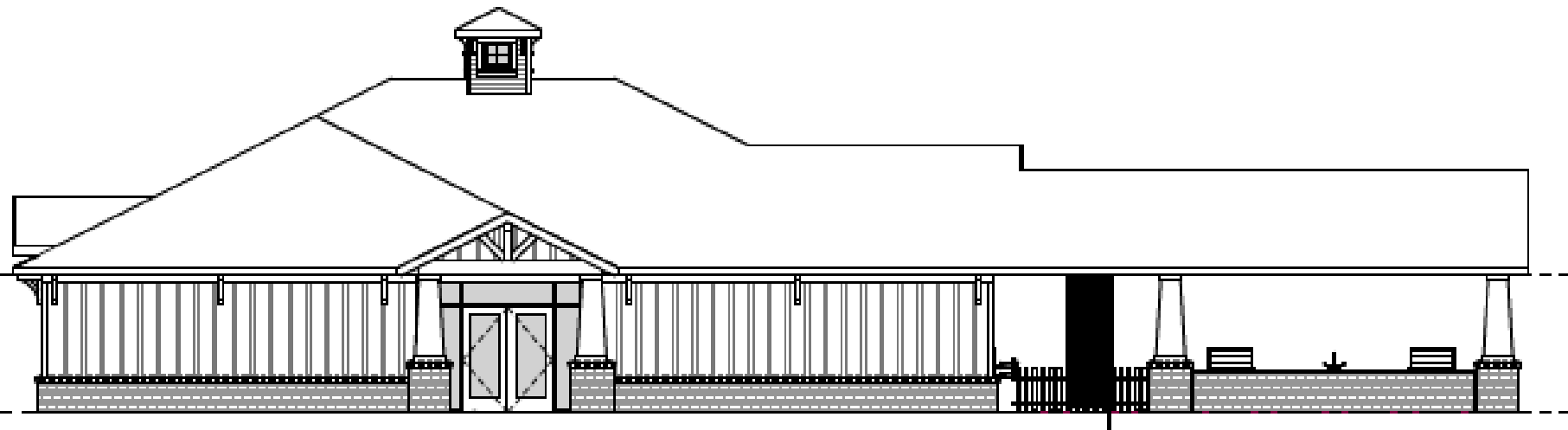
4 Elevation - Type C - Right
A203 1/8" = 1'-0"

Elevation-Type C - Right

Elevations



Clubhouse - Front



Clubhouse - Rear

Elevations



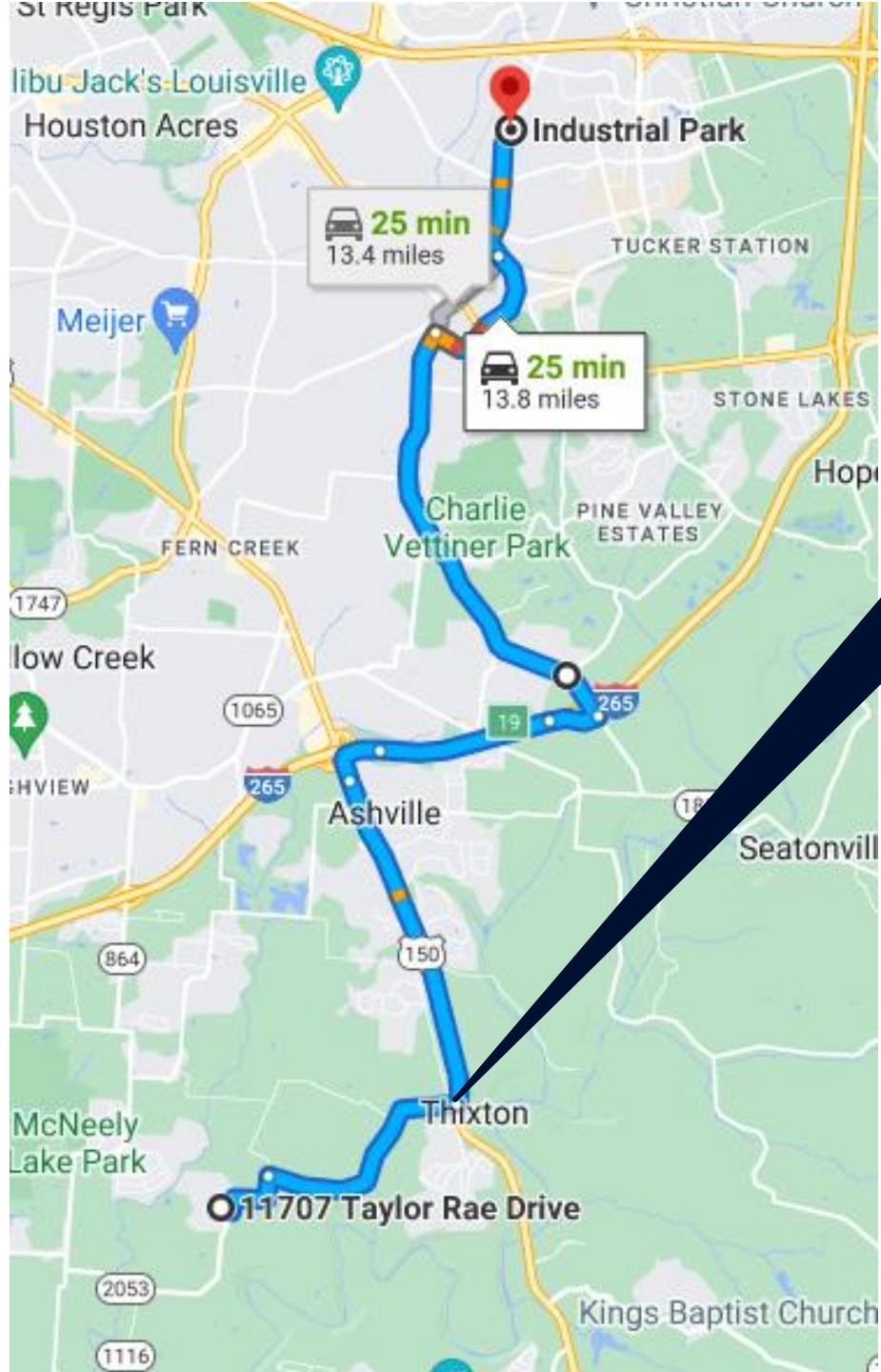
Clubhouse - Left

Applicant's Exhibits

- Staff Report
- PowerPoint Presentation
- Agreed Binding Elements
- Proposed Findings of Fact Re: 2040 Comprehensive Plan

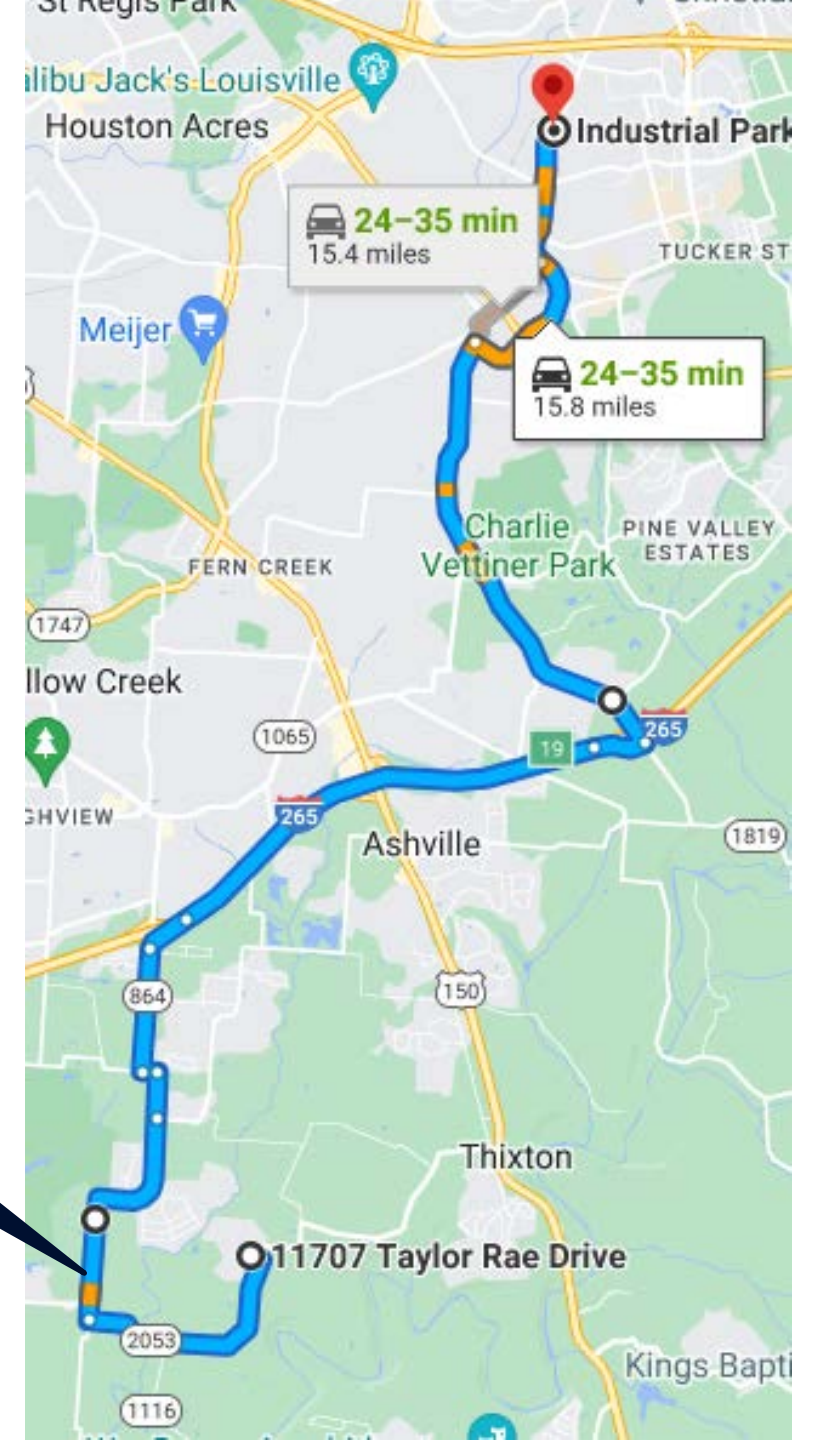
Current Development Plan



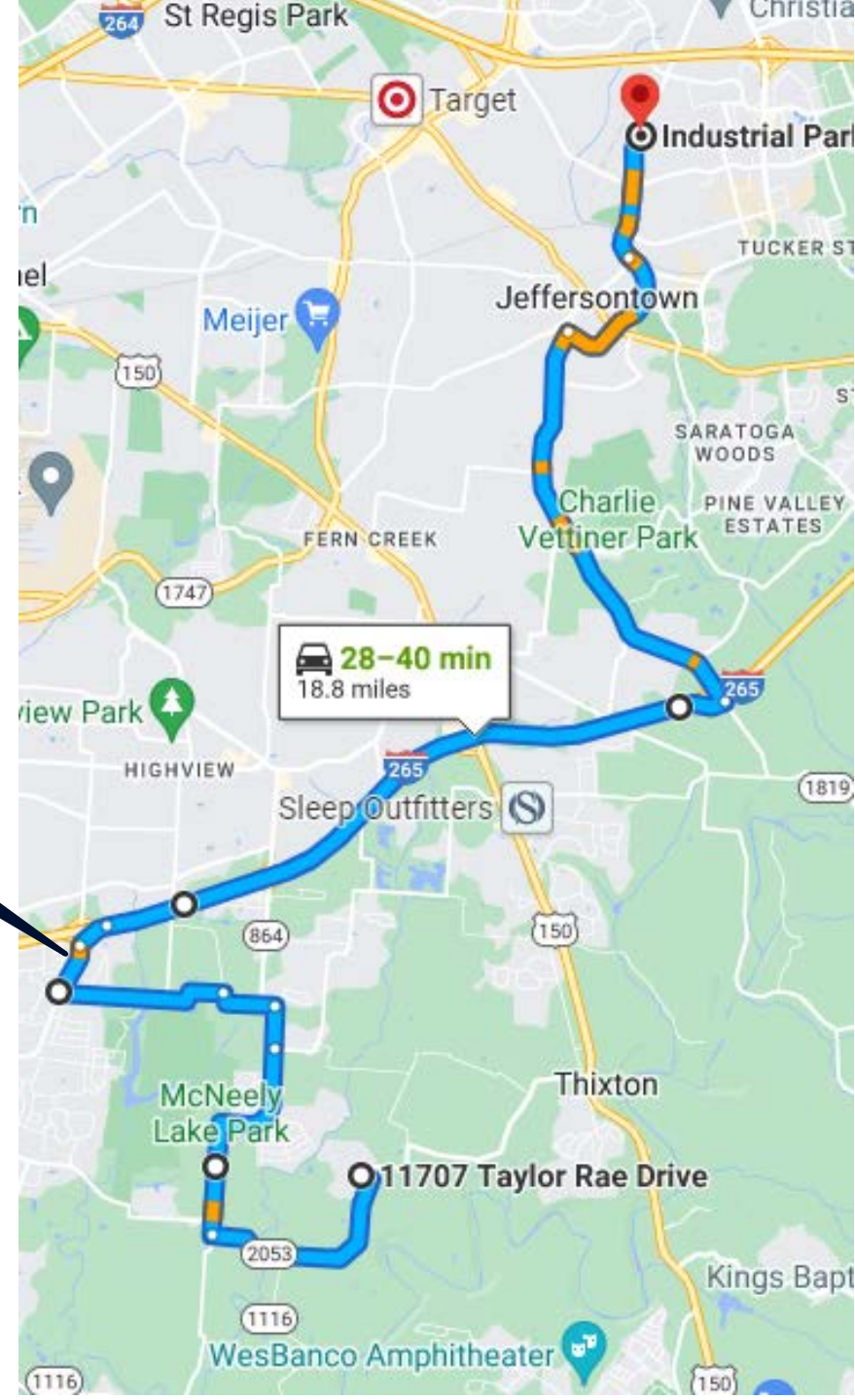


Trip from 11707 Rae Dr
via Thixton Ln &
Bardstown Road to
Bluegrass Industrial Park
is 13.8 miles and
approx. 25 mins

Trip from 11707 Rae Dr
via Cedar Creek Rd to
Bluegrass Industrial Park
is 15.8 miles and
approx. 24-35 mins



Trip from 11707 Rae Dr
via Cedar Creek Rd and
Cooper Chapel Road to
Bluegrass Industrial Park
is 18.8 miles and
approx. 28-40 mins





TIS from Docket No. 21-ZONE-0059
263-lot subdivision at
10212 & 10302 Oak Grove Road
12/16/21

final report

September 16, 2021
Revised November 11, 2021

Traffic Impact Study

Oak Grove Subdivision
10212 Oak Grove Road
Louisville, KY

Prepared for

Louisville Metro Planning Commission



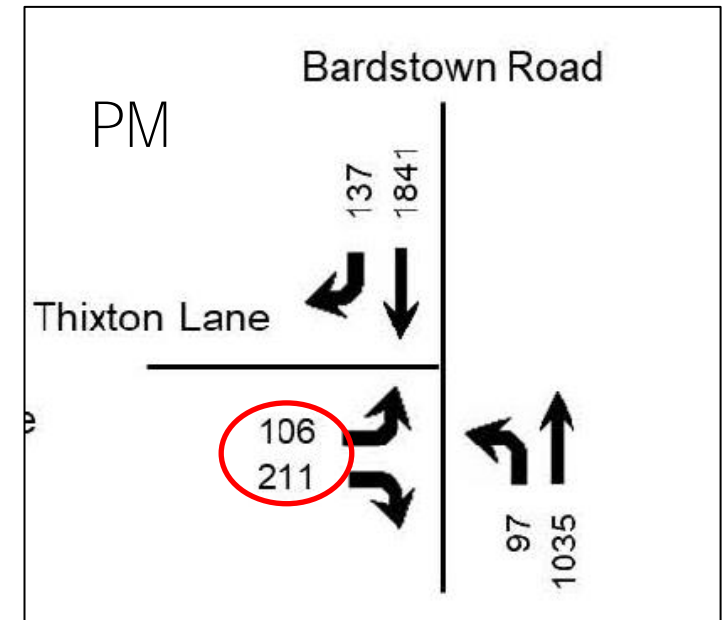
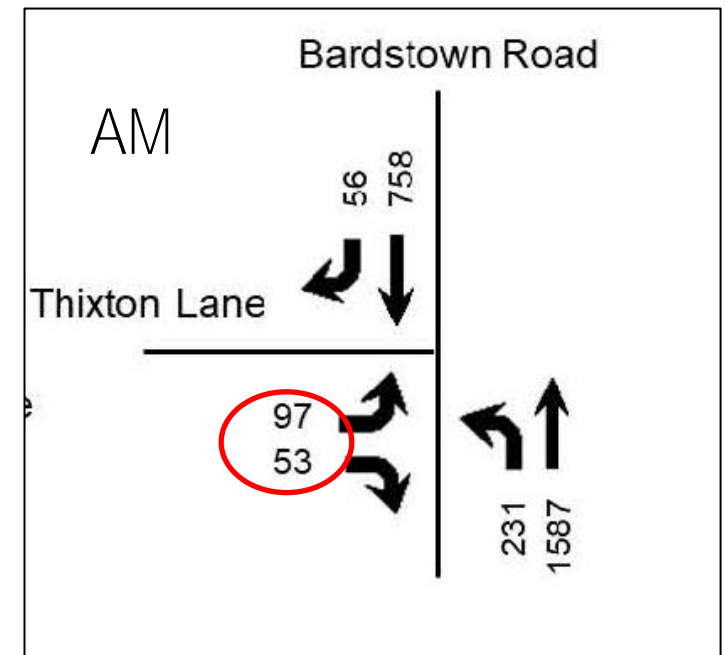
CONCLUSIONS

Based upon the volume of traffic generated by the development and the amount of traffic forecasted for the year 2027, there will be a slight impact to the existing highway network. No improvements are required.

TIS from Docket No. 21-ZONE-0059
263-lot subdivision at
10212 & 10302 Oak Grove Road
12/16/21

2021

Figure 2. Existing Peak Hour Volumes



TIS from Docket No. 21-ZONE-0059 263-lot subdivision at 10212 & 10302 Oak Grove Road 12/16/21

TRIP GENERATION

The Institute of Transportation Engineers Trip Generation Manual, 10th Edition contains trip generation rates for a wide range of developments. The land use of “Single-Family Detached (210)” was reviewed and determined to be the best match. The trip generation results are listed in **Table 1**. The trips were assigned to the highway network with the percentages shown in **Figure 4**. **Figure 5** shows the trips generated by this development and distributed throughout the road network during the peak hours. **Figure 6** displays the individual turning movements for the peak hours when the development is completed. The entrance is shown in the diagram with a north/south orientation for simplicity on the figures. At the entrance Oak Grove Road is the southbound approach and the westbound approach and the entrance is the northbound approach.

Table 1. Peak Hour Trips Generated by Site

Land Use	A.M. Peak Hour			P.M. Peak Hour		
	Trips	In	Out	Trips	In	Out
Single-Family (263 units)	192	48	144	257	162	95

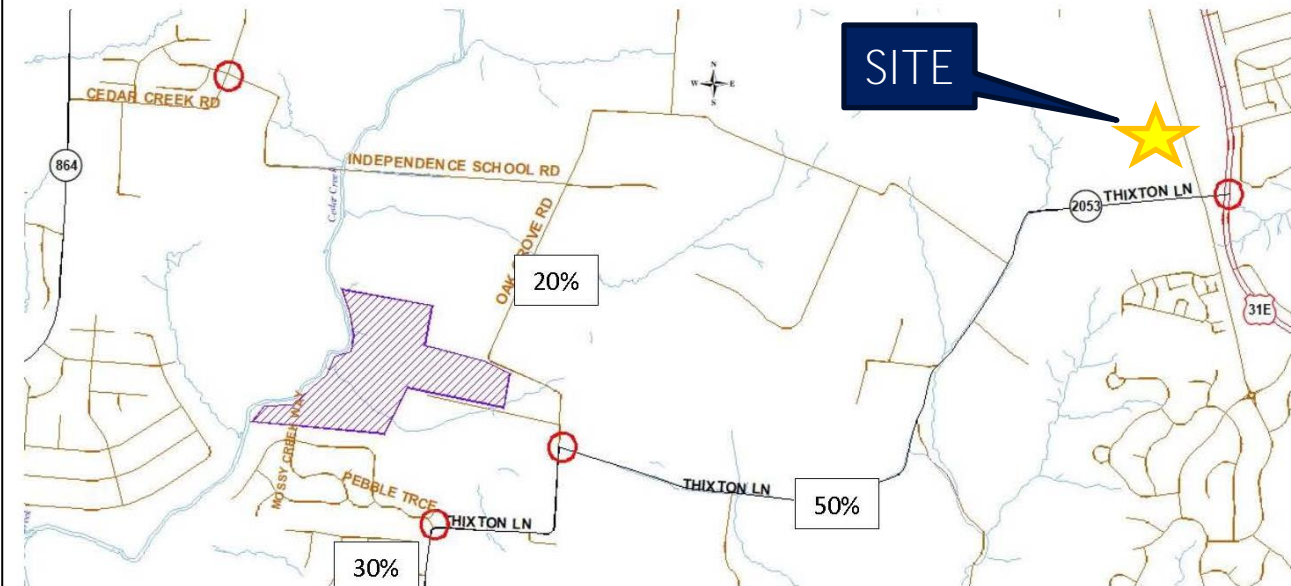
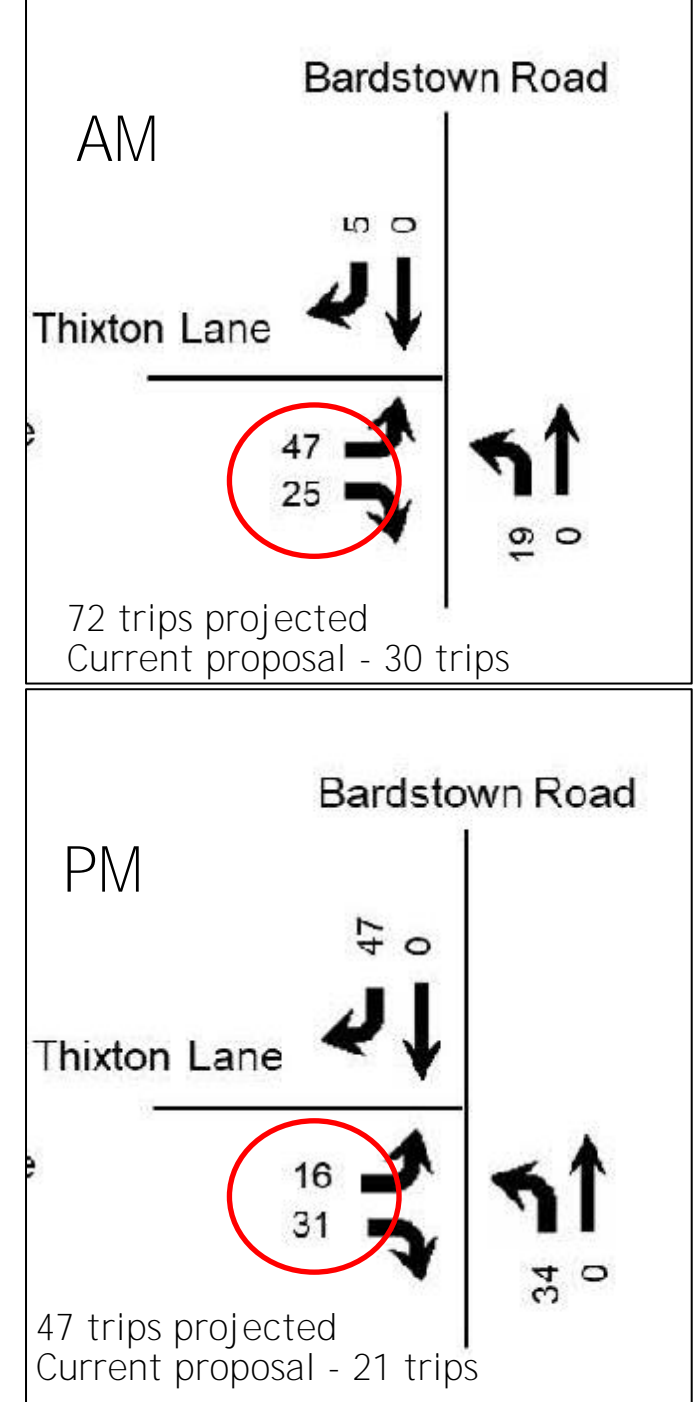


Figure 4. Trip Distribution Percentages

TIS from Docket No. 21-ZONE-0059
263-lot subdivision at
10212 & 10302 Oak Grove Road
12/16/21

2021

Figure 5. Peak Hour Trips Generated by Site



TIS from Docket No. 21-ZONE-0059
 263-lot subdivision at
 10212 & 10302 Oak Grove Road
 12/16/21

Table 2. Peak Hour Level of Service

	A.M.			P.M.		
Approach	2021 Existing	2027 No Build	2027 Build	2021 Existing	2027 No Build	2027 Build
Bardstown Road at Thixton Lane	B 14.9	B 16.0	B 16.7	C 29.3	C 32.4	D 48.3
Thixton Lane Eastbound	D 43.3	D 44.4	E 72.2	E 64.8	E 69.1	E 66.6

Subject property trip generation/distribution numbers

Thixton Lane/Bardstown Road trips generated = 40-44% of that proposed in #21-ZONE-0059

9500 Old Bardstown Road - Friess
Thixton Ln and Bardstown Rd

Current

AM (8/24/2021)				
Bardstown Northbound				
Left Turn	Thru	Total	% Left	% Thru
231	1587	1818	12.7%	87.3%
Bardstown Southbound				
Thru	Right Turn	Total	% Thru	% Right
758	56	814	93.1%	6.9%
Thixton				
Left Turn	Right Turn	Total	% Left	% Right
97	53	150	64.7%	35.3%

PM (8/24/2021)				
Bardstown Northbound				
Left Turn	Thru	Total	% Left	% Thru
98	1083	1181	8.3%	91.7%
Bardstown Southbound				
Thru	Right Turn	Total	% Thru	% Right
1637	158	1795	91.2%	8.8%
Thixton				
Left Turn	Right Turn	Total	% Left	% Right
103	214	317	32.5%	67.5%

Proposed

				Vehicles		Vehicles	
Proposed Units	152		% Entering	Entering	% Exiting	Exiting	
AM Peak Hour Trips/Unit	0.56	AM Additional Trips	85	28%	24	72%	61
PM Peak Hour Trips/Unit	0.67	PM Additional Trips	102	59%	60	41%	42

AM (8/24/2021 + Proposed)				
Bardstown Northbound				
Left Turn	Thru	Total	% Left	% Thru
231	1587	1818	12.7%	87.3%
Bardstown Southbound				
Thru	Right Turn	Total	% Thru	% Right
758	56	814	93.1%	6.9%
Thixton (Proposed-Assumes 50% of traffic goes to Bardstown Rd/Thixton intersection)				
Left Turn	Right Turn	Total	% Left	% Right
117	64	181	64.7%	35.3%

PM (8/24/2021 + Proposed)				
Bardstown Northbound				
Left Turn	Thru	Total	% Left	% Thru
98	1083	1181	8.3%	91.7%
Bardstown Southbound				
Thru	Right Turn	Total	% Thru	% Right
1637	158	1795	91.2%	8.8%
Thixton (Proposed-Assumes 50% of traffic goes to Bardstown Rd/Thixton intersection)				
Left Turn	Right Turn	Total	% Left	% Right
110	228	338	32.5%	67.5%