

Williams, Julia

From: Cathy Hinko <cathyhinko@gmail.com>
Sent: Tuesday, October 18, 2022 1:08 PM
To: Williams, Julia
Cc: clifford.Ashburner@dinsmore.com
Subject: Case no 22-ZONE-0003 Prospect Cove
Attachments: Households by Race by Tenure by Income-1.xlsx

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1941 Payne Street, #1

Louisville, KY 40206

cathyhinko@gmail.com

18 October 2022

Sent by email to:

Case Manager: Julia Williams Julia.Williams@louisvilleky.gov

Louisville Metro Department of Planning and Design

Attorney: Cliff Ashburner Clifford.Ashburner@DINSMORE.COM

Re:22-ZONE-0002

Prospect Cove

LDG developer

Dear Planning Commission Members:

Using data, I will show that denial of the Prospect Cove plan in Case 22-ZONE-0002 will violate Fair Housing Laws. I also know that this housing is sorely needed and has been for years.

The record in every case before the Planning Commission should include Fair Housing Law data for decision making:

Percentage/ number of households/people in protected classes by class compared to overall population.

<https://www.census.gov/quickfacts/fact/table/louisvillejeffersoncountymetrogovernmentbalancekentucky/PST045221>

Maps of housing segregation by protected classes under the Fair Housing Laws. These laws apply to you specifically. They include race, ethnicity, female headed households, female headed households with children, households where the head of household is disabled. See pages 24 to 29 in the below document

https://metropolitanhousing.org/wp-content/uploads/2021/04/FINAL_MHC_2020-2021-SMHR_web.pdf

The data on who rents and who owns in Louisville broken out by the protected classes and by income strata. See Page 31 of above document and the attached chart of the Kentucky State Data Center of the University of Louisville.

The percentage of heads of household using a Section 8 Voucher who are in one or more classes of minority race and/or female and/or have children in the household and/or have a disability. I ran the Section 8 Voucher program for 15 years and my experience was that the percentage not in this category is extremely small. You should ban the use of "Section 8" when people say something negative as it is code for being in a protected class. I certainly hope you do not use this term in a derogatory manner and you should chastised out right racism.

You might want to find out about the elderly though they are not always a protected class. But you should do your jobs.

The map of segregation by income. See page 50 of below.

https://metropolitanhousing.org/wp-content/uploads/2022/06/2022-SMHR_FINAL.pdf

The map of home ownership by census tract and protected class (for instance, half of all Black homeowners live in 22 of 198 census tracts).

See page 9 of below.

https://metropolitanhousing.org/wp-content/uploads/2020/10/2019-State-of-Metropolitan-Housing-Report_LR.pdf

Maps of where rental units are coded by rent levels.

This is also data you need to fulfill the values of Plan 2040. But that guiding document also requires you to have in the record:

Map of poverty segregation.

Needs assessment for units affordable by different income levels.

<https://loustrustfund.org/portfolio/housing-market-area-profiles/>

<https://louisvilleky.gov/develop-louisville/document/draft2020analysisofimpedimentstofairhousingchoicepdf>

I have supplied this information as best I can as just a citizen. If this is not part of EVERY record before the Planning Commission, then you are not able to do your job correctly.

In addition, I believe that you should see how many of the members of the Planning Commission are renters for at least the last 2 years. Failure to include renters shows a bias that, as the data shows, is discrimination by race and ethnicity, familial status and gender.

The Planning Commission should also recognize the Jefferson County Public School student assignment plans as part of the record of every case before the Planning Commission. The new student assignment plan will encourage neighborhood schools which means your decisions of where Black households, female headed households with children and Hispanic households have housing opportunities will directly lead (as it has in the past) to segregated schools.

Fortunately, with the data I can provide, it is not “rocket surgery” to know that now only should Prospect Cove be approved, the development should be applauded for bringing family housing to a highly segregated community who deliberate attempts to exclude people in protected classes continue.

Over 70% of White households own, compared to 36% of Black households (these percentages vary by a few percent depending on when and how measured, but do not change the

underlying fact of exclusion of Black families from homeownership). This disparity is reiterated for Hispanic households, closely followed in disparity by female headed households with children. Any attempt to limit rental housing could be interpreted as violation of Fair Housing Laws.

However when you see that at incomes under \$40,000 per year, the disparity by race is 80% of Black households rent compared to 49% of White households. And the actual numbers of Black renter household renters with incomes below \$40,000 per year is 27,820 compared to the 33,420 White household renters at that income level. That means that over 45% of renters at that level are Black households compared to White households although Black people are only 24 % of the Louisville population. Let us add in Hispanic households who are 6% of the Louisville population. 77% of Hispanic households with incomes under \$40,000 per year rent. When all three categories (White Black and Hispanic households) are compared, the rate of White renters at that income level drops to just 51% of all renters.

What I do not have are specific numbers of White female headed households with children with an income under \$40,000 per year. But you add that protected class (and deduct it from all White households at that income level) and you have a vast majority of those with incomes under \$40,000 per year as being in a protected class.

With clear data showing who is being excluded when affordable family units are prohibited in very segregated areas, the possibility of action against lower income renters being a Fair Housing Law violation becomes a certainty with all the stench of bigotry attached to it.

That a city within Jefferson County has decided to create a new Iron Curtain around it with implicit requirements to gain access to the area is anathma to all decency as well as a denial of basic rights. It is a violation of 42 U.S.C. 1987 Civil Rights Act.

This housing is needed and fills many of the values of Plan 2040. It also furthers the new student assignment plan of Jefferson County Public Schools as it has changed to family units.

You need to approve Prospect Cove.

Sincerely

Cathy Hinko

Attachment

Household Income		White Households		Black Households		Hispanic Households	
Lower	Upper	Own	Rent	Own	Rent	Own	Rent
\$0	\$10,000	4,362 39.5%	6,670 60.5%	1,002 10.8%	8,268 89.2%	162 21.0%	608 79.0%
\$10,001	\$15,000	3,423 44.9%	4,202 55.1%	839 14.6%	4,897 85.4%	31 5.3%	552 94.7%
\$15,001	\$20,000	4,198 44.9%	5,147 55.1%	1,369 29.6%	3,254 70.4%	162 28.3%	411 71.7%
\$20,001	\$25,000	4,297 45.7%	5,110 54.3%	821 21.9%	2,925 78.1%	181 23.3%	595 76.7%
\$25,001	\$30,000	5,771 58.4%	4,108 41.6%	1,219 29.4%	2,933 70.6%	206 24.2%	646 75.8%
\$30,001	\$35,000	5,963 58.1%	4,305 41.9%	926 24.5%	2,849 75.5%	121 19.6%	495 80.4%
\$35,001	\$40,000	6,669 63.2%	3,878 36.8%	1,037 27.8%	2,694 72.2%	326 36.6%	564 63.4%
\$40,001	\$50,000	13,165 66.3%	6,691 33.7%	2,240 34.4%	4,263 65.6%	228 17.2%	1,095 82.8%
\$50,001	\$60,000	12,430 68.3%	5,761 31.7%	2,623 50.8%	2,542 49.2%	410 39.6%	625 60.4%
\$60,001	\$75,000	15,983 72.0%	6,208 28.0%	2,586 48.2%	2,784 51.8%	598 35.9%	1,067 64.1%
\$75,001	\$100,000	22,725 78.3%	6,294 21.7%	3,612 63.5%	2,076 36.5%	1,051 66.9%	520 33.1%
\$100,001	\$200,000+	58,334 89.7%	6,727 10.3%	5,249 69.5%	2,305 30.5%	1,235 60.4%	811 39.6%
Total		157,326 70.7%	65,106 29.3%	23,527 36.0%	41,797 64.0%	4,714 37.1%	7,997 62.9%

Notes: Number of households by race and by housing tenure per household income group, and percentage of housing tenure by race and household income group. Race is the race of the head of household. White and Black households are non-Hispanic -- Hispanic households are of any race. All other racial group excluded from the table. Totals may not replicate those from other sources due to **Source:** 2019 American Community Survey 5-year Estimates, Public-Use Microdata. Data processed by the Kentucky State Data Center at the University of Louisville.



QuickFacts

Louisville/Jefferson County metro government (balance), Kentucky

QuickFacts provides statistics for all states and counties, and for cities and towns with a population of 5,000 or more.

Table

All Topics	Louisville/Jefferson County metro government (balance), Kentucky
Population Estimates, July 1 2021, (V2021)	628,594
PEOPLE	
Population	
Population Estimates, July 1 2021, (V2021)	628,594
Population estimates base, April 1, 2020, (V2021)	632,689
Population, percent change - April 1, 2020 (estimates base) to July 1, 2021, (V2021)	-0.6%
Population, Census, April 1, 2020	386,884
Population, Census, April 1, 2010	597,337
Age and Sex	
Persons under 5 years, percent	6.4%
Persons under 18 years, percent	22.3%
Persons 65 years and over, percent	15.2%
Female persons, percent	51.6%
Race and Hispanic Origin	
White alone, percent	68.3%
Black or African American alone, percent (a)	24.0%
American Indian and Alaska Native alone, percent (a)	0.1%
Asian alone, percent (a)	2.7%
Native Hawaiian and Other Pacific Islander alone, percent (a)	0.1%
Two or More Races, percent	3.5%
Hispanic or Latino, percent (b)	6.1%
White alone, not Hispanic or Latino, percent	64.5%
Population Characteristics	
Veterans, 2016-2020	35,164
Foreign born persons, percent, 2016-2020	8.1%
Housing	
Housing units, July 1, 2021, (V2021)	X
Owner-occupied housing unit rate, 2016-2020	60.1%
Median value of owner-occupied housing units, 2016-2020	\$165,400
Median selected monthly owner costs -with a mortgage, 2016-2020	\$1,279
Median selected monthly owner costs -without a mortgage, 2016-2020	\$472
Median gross rent, 2016-2020	\$878
Building permits, 2021	X
Families & Living Arrangements	
Households, 2016-2020	251,741
Persons per household, 2016-2020	2.40
Living in same house 1 year ago, percent of persons age 1 year+, 2016-2020	84.2%
Language other than English spoken at home, percent of persons age 5 years+, 2016-2020	10.1%
Computer and Internet Use	
Households with a computer, percent, 2016-2020	90.9%
Households with a broadband Internet subscription, percent, 2016-2020	85.8%
Education	
High school graduate or higher, percent of persons age 25 years+, 2016-2020	89.7%
Bachelor's degree or higher, percent of persons age 25 years+, 2016-2020	30.4%
Health	
	11.3%

With a disability, under 15 years, percent, 2016-2020	
Persons without health insurance, under age 65 years, percent	△ 6.1%

Economy

In civilian labor force, total, percent of population age 16 years+, 2016-2020	65.6%
In civilian labor force, female, percent of population age 16 years+, 2016-2020	61.7%
Total accommodation and food services sales, 2017 (\$1,000) (c)	1,910,490
Total health care and social assistance receipts/revenue, 2017 (\$1,000) (c)	7,015,014
Total transportation and warehousing receipts/revenue, 2017 (\$1,000) (c)	4,927,635
Total retail sales, 2017 (\$1,000) (c)	9,077,939
Total retail sales per capita, 2017 (c)	\$14,638

Transportation

Mean travel time to work (minutes), workers age 16 years+, 2016-2020	23.0
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Income & Poverty

Median household income (in 2020 dollars), 2016-2020	\$54,929
Per capita income in past 12 months (in 2020 dollars), 2016-2020	\$32,187
Persons in poverty, percent	△ 15.2%

BUSINESSES**Businesses**

Total employer establishments, 2020	X
Total employment, 2020	X
Total annual payroll, 2020 (\$1,000)	X
Total employment, percent change, 2019-2020	X
Total nonemployer establishments, 2019	X
All employer firms, Reference year 2017	11,015
Men-owned employer firms, Reference year 2017	6,246
Women-owned employer firms, Reference year 2017	1,874
Minority-owned employer firms, Reference year 2017	1,009
Nonminority-owned employer firms, Reference year 2017	8,290
Veteran-owned employer firms, Reference year 2017	761
Nonveteran-owned employer firms, Reference year 2017	8,381

GEOGRAPHY**Geography**

Population per square mile, 2020	1,468.5
Population per square mile, 2010	1,836.6
Land area in square miles, 2020	263.46
Land area in square miles, 2010	325.25
FIPS Code	2148006

[About datasets used in this table](#)

Value Notes

⚠ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info ⓘ icon to the row in TABLE view to learn about sampling error.

The vintage year (e.g., V2021) refers to the final year of the series (2020 thru 2021). Different vintage years of estimates are not comparable.

Users should exercise caution when comparing 2016-2020 ACS 5-year estimates to other ACS estimates. For more information, please visit the [2020 5-year ACS Comparison Guidance](#) page.

Fact Notes

- (a) Includes persons reporting only one race
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data
- (b) Hispanics may be of any race, so also are included in applicable race categories

Value Flags

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper interquartile range of an open ended distribution.
- F Fewer than 25 firms
- D Suppressed to avoid disclosure of confidential information
- N Data for this geographic area cannot be displayed because the number of sample cases is too small.
- FN Footnote on this item in place of data
- X Not applicable
- S Suppressed; does not meet publication standards
- NA Not available
- Z Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

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Measuring America's People, Places, and Economy

STATE OF METROPOLITAN HOUSING MEASURES

Housing Segregation

Louisville/Jefferson County and the Louisville MSA remains segregated in residential housing by income, race and ethnicity, and household type. The spatial concentration of households by income, race and ethnicity, and household type described throughout this section is a result and reflection of structural barriers and intentional bias experienced by residents when they seek access to fair, safe, and affordable housing.

Poverty

In 2019, the U.S. Census reported 14.2 percent of Louisville/Jefferson County residents and 12.5 percent of Louisville MSA residents live below the federal poverty level, representing a slight but continuing decline from 16 percent and 14.1 percent respectively in 2016 and less than one percentage point from 2018 (14.8 percent and 13.1 percent respectively). The Louisville/Jefferson County rate remains higher than the U.S. rate of 13.4 percent while the Louisville MSA rate remains lower, similar to 2018. Furthermore, 11.2 percent of households in Louisville/Jefferson County and 10.2 percent of households in the Louisville MSA subsisted on an income of less than \$15,000 a year in 2019, not much of a change from 2018 (11.7 and

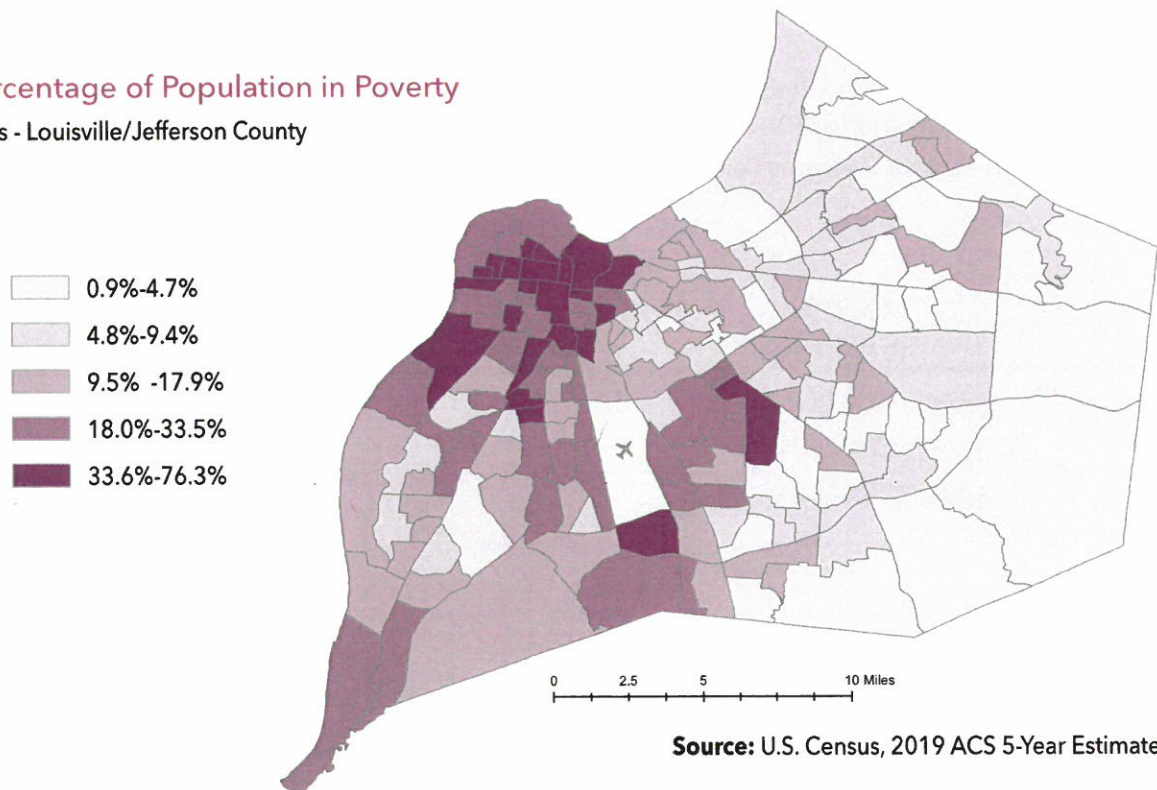
10.6 percent respectively) but a decrease of 2.4 percentage points from 13.6 percent in 2016 for Louisville/Jefferson County and a decrease of 2.1 percentage points from 12.3 percent in 2016 for Louisville MSA residents.

Poverty continues to be concentrated in Louisville's west and south-central areas (**Map 6**). Census tracts with the highest levels of poverty in Louisville/Jefferson County, those where one half to more than three-quarters of the population lives in poverty, are in Metro Council districts 4, 5, 6, and 15. The highest level of concentration of poverty by census tract declined from 87 percent to 76 percent from 2016 to 2019 in Census Tract 30. This drop is likely due to the Vision Russell Choice Neighborhood Initiative that includes the demolition and rebuilding of Beecher Terrace during which all residents relocated by October of 2019, many to areas outside of Census Tract 30 (LMHA 2019).

The poverty rates among Black/African American residents and Hispanics/Latino residents are more than double the current rate for White residents. The poverty rate for White non-Hispanic residents is 9.5 percent in Louisville/Jefferson County and 9.1 percent in the Louisville MSA, which is substantially less than for Black/African American residents, for whom it is 27.6 percent and 27.1% respectively. This is a slight decrease for Black/

MAP 6 Percentage of Population in Poverty

By Census Tracts - Louisville/Jefferson County



African American residents from 2018 of 1.1 percentage points at both the Louisville/Jefferson County and Louisville MSA levels. Hispanic/Latino residents in Louisville/Jefferson County and the Louisville MSA also have a high rate of poverty - 19.1 and 20.9 percent respectively. Compared to 2018, the rate of Hispanic/Latino residents in poverty has decreased by 1.9 percentage points at the Louisville/Jefferson County level and 1.3 percentage points at the Louisville MSA level.

The poverty rates for seniors (65 and over) decreased from 2018 to 2019 by 1.3 percentage points, while the poverty rate for persons with disabilities (18 and over) increased slightly from 2018 to 2019 by 0.3 of a percentage point in Louisville/Jefferson County and remained virtually the same in the MSA. In 2019, 8.4 percent of seniors in Louisville/Jefferson County and 8.0 percent of seniors in the Louisville MSA lived in poverty, which are both lower rates than the overall county and MSA levels. However, 22.3 percent and 20.0 percent of people with disabilities (18 and over) in Louisville/Jefferson County and the Louisville MSA respectively live in poverty. These rates are higher than the general poverty rate for both the county and the MSA. The census tracts with the highest rates of individuals with disabilities are located in Council Districts 1, 3, 4, 5, 6, and 15. See **Map 7**.



MHC RECOMMENDS

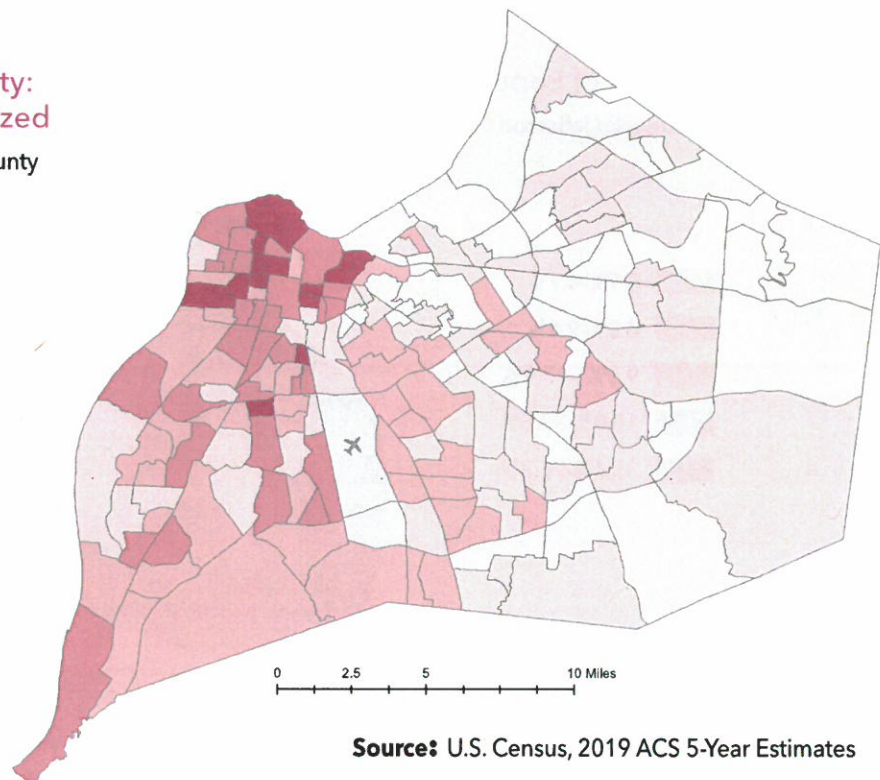
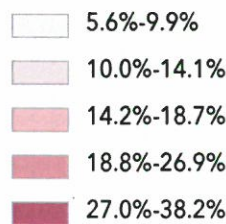
Support Zoning Reform that Allows for Higher Density Development and Incorporates Inclusionary Zoning Strategies

It is critical that zoning reform open up single family zones to more diverse forms of housing. Moreover, assuring that the benefits of increased density are equitably distributed requires explicit policies to incentivize or require this outcome. Louisville's Land Development Code should offer provisions that require the development of affordable housing as a condition to the development of market-rate housing.

Deliberate Inclusion of Fair Housing-Protected Classes in all City Boards and Committees

MHC recommends deliberate inclusion of people in fair housing-protected classes on all boards and committees, especially those making decisions affecting the built environment. MHC also recommends that seats on the various zoning boards and committees be reserved for residents who rent in Louisville.

MAP 7 Percent with a Disability: Total Civilian Non-institutionalized
By Census Tracts - Louisville/Jefferson County



Source: U.S. Census, 2019 ACS 5-Year Estimates



Josh Mauser / Kertis Creative

In Louisville/Jefferson County, 10.2 percent of families live in poverty compared to 9.0 percent of families in the Louisville MSA. 17.1 percent of families with children in Louisville/Jefferson County have earnings below the federal poverty line, while 13.0 percent of families with children live in poverty in the Louisville MSA. It is important to note that 40.5 percent of female-headed households with children in Louisville/Jefferson County are living in poverty, as are 37 percent of female-headed households in the Louisville MSA.

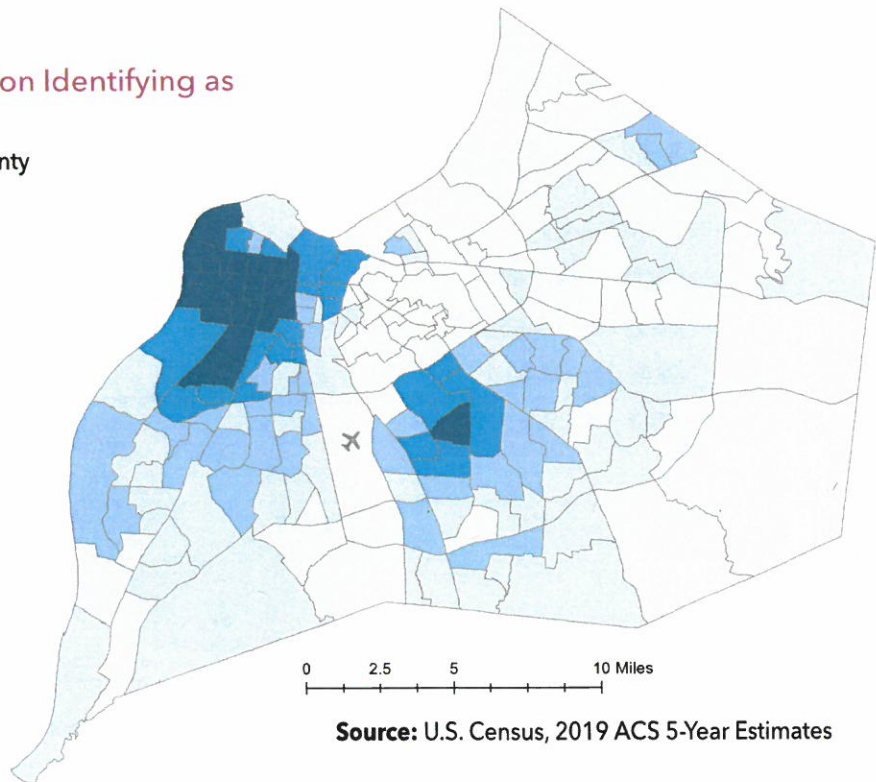
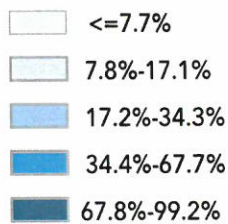
Race and Ethnicity

White, non-Hispanic remains the primary racial and ethnic demographic of residents in Louisville/Jefferson County (67.5 percent) and the Louisville MSA (75.7 percent), both of which are higher than the national level of 60.7 percent. Black/African American residents represent 21.7 percent of the population in Louisville/Jefferson County and 14.8 percent in the Louisville MSA compared to 12.7 percent nationwide. People identifying as Hispanic or Latino comprise 5.4 percent of the population of Louisville/Jefferson County and 4.9 percent in the Louisville MSA, which is well below the current national share of 18.0 percent in the U.S. as whole.

Louisville/Jefferson County is home to nearly half (46.5 percent) and just over one-quarter (25.6 percent) of the

MAP 8 Percentage of Population Identifying as Black or African American

By Census Tracts - Louisville/Jefferson County



Source: U.S. Census, 2019 ACS 5-Year Estimates

state's Black/African American and Hispanic/Latino populations, respectively. Louisville/Jefferson County continues to be highly segregated. Black/African American residents in Louisville/Jefferson County live predominately in west Louisville in census tracts represented by Council districts 1, 3, 4, 5, and 6 and east of the Airport in census tracts represented by Council districts 2 and 10. The majority of White residents in Louisville/Jefferson County continue to reside in eastern Louisville. The largest percentages of Hispanic/Latino people live in census tracts south of the Watterson Expressway. See **Maps 8 and 9**.

Household Type

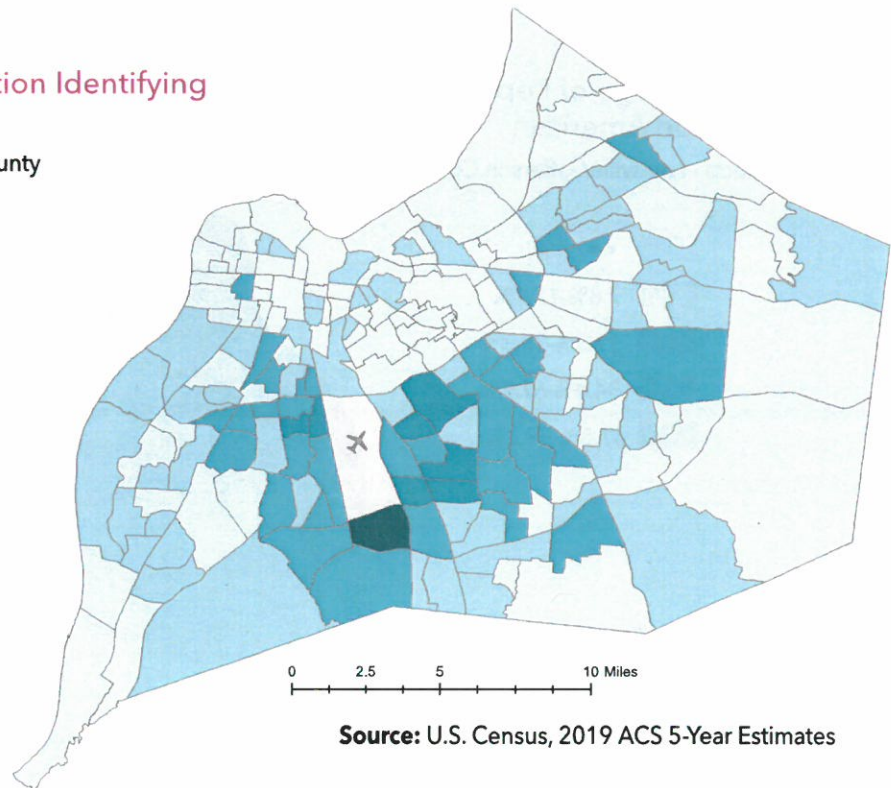
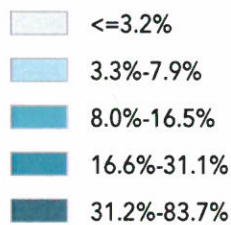
In Louisville/Jefferson County, 59.5 percent of households classify as family households, compared to 63.6 percent of households in the Louisville MSA. Of the 185,937 Louisville/Jefferson County family households, 68.5 percent are married-couple households, 23.4 percent are female-headed households (no husband present), and 8.0 percent are male-headed households (no wife present). In the Louisville MSA, 72.4 percent of the 312,529 family households are married-couple households, while 20.0 percent are female-headed households (no husband present), and 7.5 percent are male-headed households (no wife present).



Josh Mauser / Kertis Creative

MAP 9 Percentage of Population Identifying as Hispanic/Latino

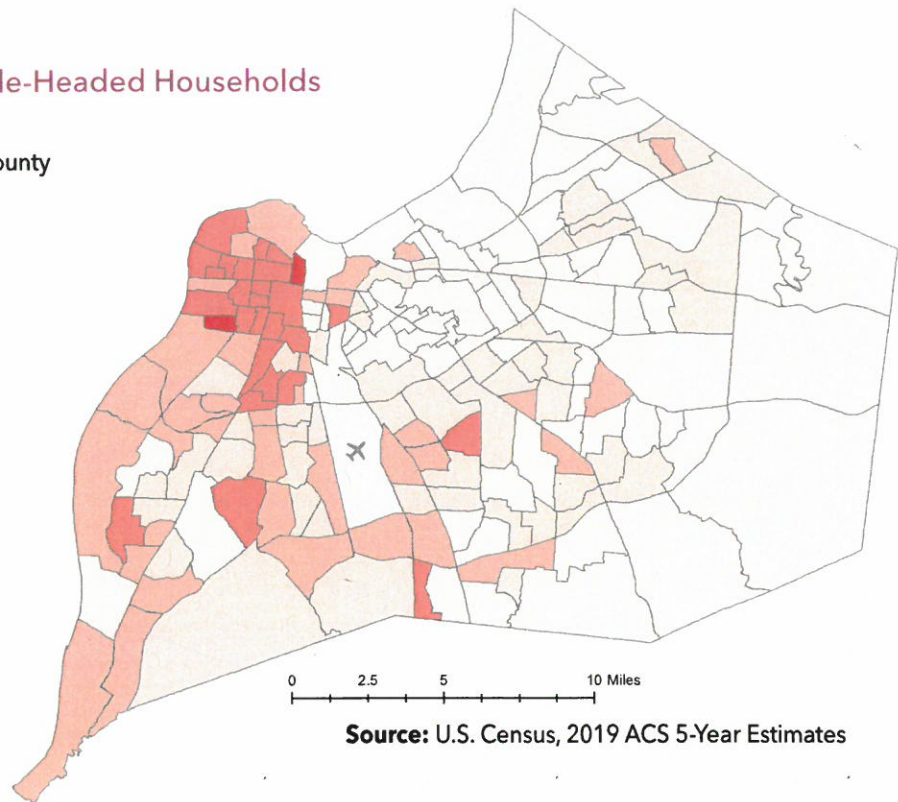
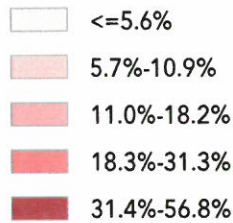
By Census Tracts - Louisville/Jefferson County



Source: U.S. Census, 2019 ACS 5-Year Estimates

MAP 10 Percentage of Female-Headed Households with Children < 18 Years Old

By Census Tracts – Louisville/Jefferson County



Source: U.S. Census, 2019 ACS 5-Year Estimates

Most of Louisville/Jefferson County's female-headed households (no husband present) with children under 18 are concentrated in western and central census tracts situated in Council districts 1 through 6. Tracts with the highest concentration of these households represent between 25.0 and 56.8 percent of the population in each of these tracts (**Map 10**).

Production, Rehabilitation, and Inventory of Affordable Housing

Public Housing Units

Public housing units are managed by roughly 3,300 local housing authorities (HUD n.d.a). Federal support for constructing new public housing ended in the mid-1990s and funding shifted to subsidized housing through Section 8 and Project-Based Vouchers for use in the private rental market. As federal housing policy funded the privatization of subsidized public housing, it neglected to adequately fund the renovation or repair of existing public housing units with some estimates as high as \$45 billion to meet needed repair costs (NHLP n.d.). Nationally, roughly 1.8 million households live in public housing. In 2020, HUD reported a 94 percent occupancy

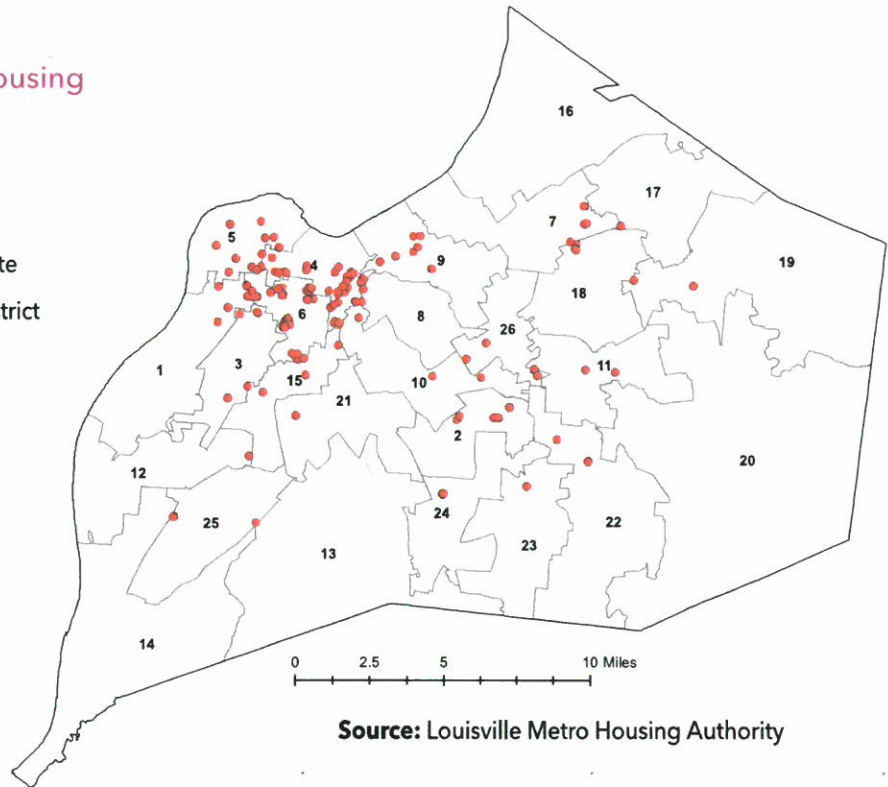
rate of 957,971 available public housing units. For comparison, in 2000, HUD reported 1,282,099 available public housing units (HUD 2007.)

As with other cities across the U.S., Louisville has been losing public housing units as the Louisville Metropolitan Housing Authority (LMHA) shifts more and more to a voucher system through the implementation of several HUD funded HOPE VI grants and the current Choice Neighborhoods (CN) grant, and due to lack of funding to keep up with needed repairs. LMHA is required to replace units lost as a result of demolition under the most recent HOPE VI and CN grants, thus it is not yet possible to determine a net loss from these projects. Louisville Metropolitan Housing Authority (LMHA) currently owns 2,602 public housing units; this is a decrease of 1,963 units from 2018 when LMHA reported 4,565 public housing units. A portion of this decrease reflects the demolition of Beecher Terrace (758 units) as part of the Choice Neighborhood Grant (LMHA 2020). The impact of lack of federal funding for maintenance and repair of public housing units is reflected in LMHA's FY 2021 Move to Work Plan in which 29 units are proposed for sale and disposition due to excessive needed repairs, an additional 10 units of scattered sites under an earlier HOPE VI program will be sold in 2021, and 21 of the Beecher Terrace units will be converted to HUD's Renter Assistance

MAP 11 Subsidized Public Housing

Louisville/Jefferson County - 2020

- Public Housing Site
- Metro Council District



Demonstration (RAD) program. RAD is intended help local housing authorities “preserve and improve public housing properties” (HUD n.d.b). LMHA will use this flexibility to finance building 21 new units within the new Beecher Terrace site that were vacant or non-residential units within the original Beecher Terrace portfolio. How and if LMHA will use the RAD conversion program as a method to address needed repairs and to prevent losing more public housing units remains to be seen. This could be a path for addressing the pending loss of Low-Income Housing Tax Credit (LIHTC) units as they age out of that program.

Of the 2,602 units LMHA owns, 750 are scattered site units, 635 are at Parkway Place, the others are for seniors and residents living with disabilities (LMHA 2021a). The greatest concentrations of public housing sites remain in Metro Council Districts 4 and 6, which combined account for about 75 percent of units (**Map 11**). As of February 2021, the overall vacancy rate for public housing units in Louisville is 9 percent compared to 18 percent in 2018 when LMHA was beginning to take units off-line in preparation for demolition of Beecher Terrace and relocation residents.



More in depth information about HUD’s Renter Assistance Demonstration (RAD) program can be found here: <https://www.hud.gov/RAD> and here: <https://www.localhousingsolutions.org/act/housing-policy-library/the-rental-assistance-demonstration-rad-program-overview/the-rental-assistance-demonstration-rad/>

White establishment actors and decision makers created and perpetuated the barriers that maintain housing segregation by wielding their wealth, privilege, and power. The solution, however, is not forced or predatory integration of Black and brown residents into White communities, nor is it incentives that encourage White residential migration into Black and brown neighborhoods eventually displacing existing residents (Taylor 2019). These







approaches assume that people who have experienced the negative impacts of racism and other forms of discrimination want to live with or near those who engage in and perpetuate any form of racialized discrimination. Rather, the solution is to remove the barriers that limit choice of neighborhoods based on racialized markets in combination with initiatives that support existing residents in their chosen neighborhoods.

Racialized housing markets and wealth/income disparities:

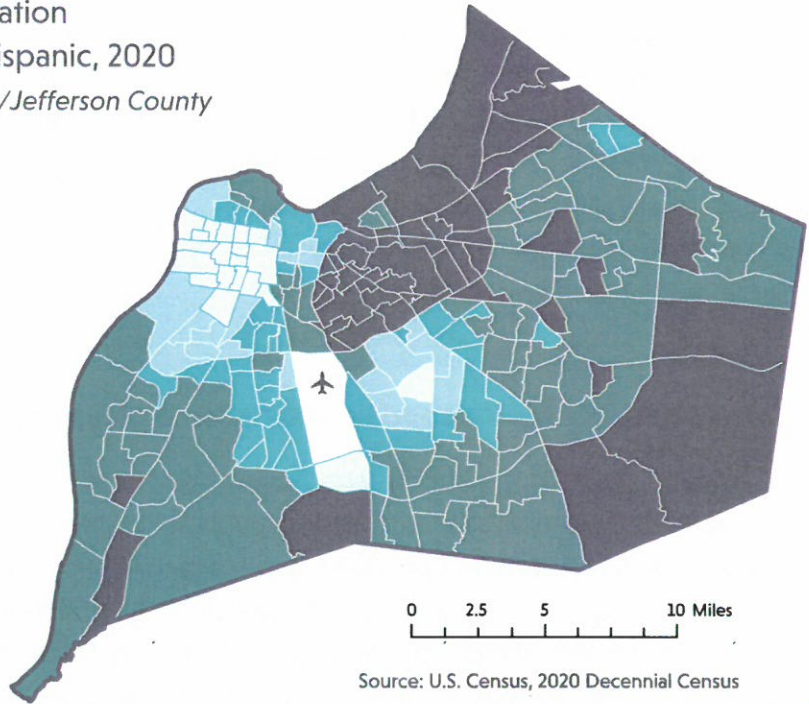
White residents experience fewer obstacles to owning a home and securing rental housing where they prefer than Black, Hispanic/Latino, and other minoritized residents. They also have access to more wealth and income than other racialized groups. White, non-Hispanic/Latino residents in Louisville/Jefferson County are the racial majority (greater than or equal to 50 percent of the population) in 157 census tracts, and in 49 census tracts they make up more than 80 percent of the population. In addition, census tracts with more than 80 percent White residents are predominantly on the east side of the city ([Map 5](#)).

Income segregation is also evident in [Map 6](#) where census tracts with the highest proportions of households that have incomes of at least \$100,000 (between 49.3 and 71.2 percent) are concentrated in the eastern part of Louisville/Jefferson County. The concentration of income and associated wealth in east Louisville further documents how assets are geographically concentrated.







Map 5: Percentage of Population Identifying as White, non-Hispanic, 2020
By Census Tract (2010) - Louisville/Jefferson County

-  <=19.9%
-  20% - 39.9%
-  40% - 59.9%
-  60% - 79.9%
-  80% - 100%
-  No Data

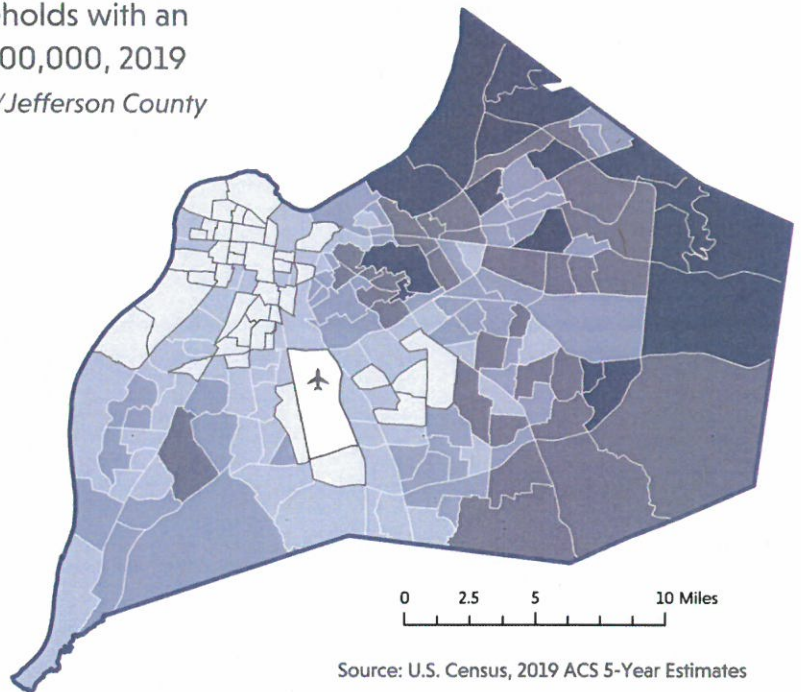
 Louisville Muhammad Ali International Airport



Map 6: Percentage of Households with an Annual Income of at Least \$100,000, 2019
By Census Tract (2020) - Louisville/Jefferson County

-  <=8.5%
-  8.6% - 18.2%
-  18.3% - 31.7%
-  31.8% - 49.2%
-  49.3% - 71.2%
-  No Data



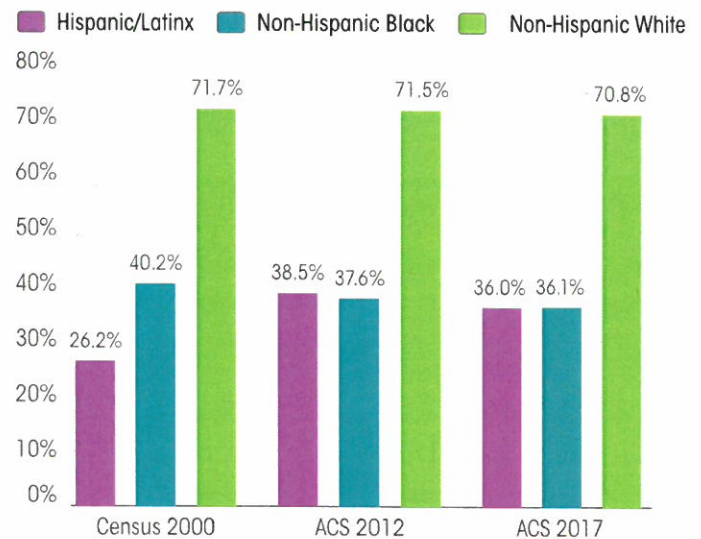


Homeownership by Race and Ethnicity

The ability to accrue wealth through homeownership is not evenly distributed by race or ethnicity in Louisville/Jefferson County. This is magnified for Black/African American households. Figure 3 shows the rates of homeownership by race/ethnicity in Louisville/Jefferson County in 2000, 2012, and 2017. Paralleling their overall growth, the rate of homeownership among Hispanic/Latinx households increased by nearly 10 percentage points from 2000-2017, although it declined slightly from a 2012 high of 38.5 percent. The total number of Hispanic/Latinx homeowners in Louisville/Jefferson County grew from 901 in 2000, to 4,145 in 2017, an increase of 360 percent, which outpaces the overall growth among Hispanic/Latinx households. In contrast, the rate of homeownership for Black/African American households decreased from 40.2 percent in 2000 to 36.1 percent in 2017. The rates for both of these groups remain well below rates for non-Hispanic White households, which declined slightly over this period from 71.7 percent (2000) to 70.8 percent (2017). As Figure 3 shows, homeownership rates among non-Hispanic White households had fully recovered to pre-Great Recession rates in 2012.

With fewer homeowners, Black/African American households have not benefitted from wealth-building opportunities that more White and increasingly Hispanic/Latinx households experienced through homeownership.

Figure 3: Homeownership Rates by Race/Ethnicity
Louisville/Jefferson County, 2000, 2012, 2017



SOURCE: Census 2000 Summary File 3; American Community Survey, 2008-2012 and 2013-2017 5-year estimates

As shown in Map 1, changes in home values exhibit wide variation across tracts. When comparing the changes in median home values to the location of Black/African American homeowners, the data indicate that Black/African American households likely have not shared equally in the overall home value gains from 2000-2017. Map 2 shows that Black/African American homeowners are highly concentrated in just a handful of census tracts.

Map 2: 22 Tracts Containing 50% of Total Black/African American Homeowners in Louisville/Jefferson County (2017)

- Number of Black/African American Homeowners
- Tracts with fewer than 330 Black/African American Homeowners

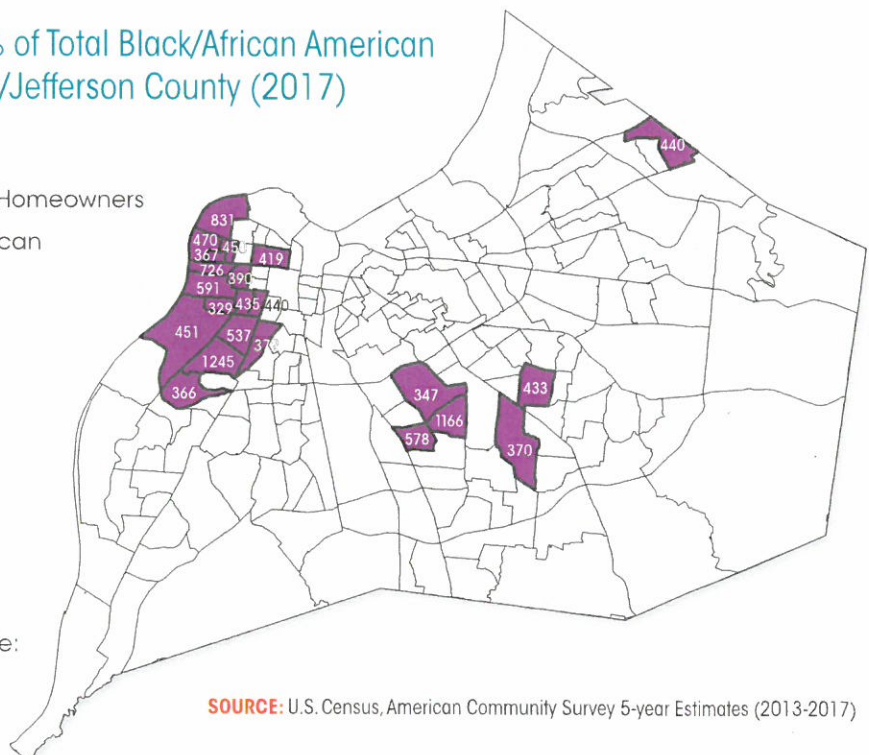
Louisville/Jefferson County Totals:

Non-Hispanic Black/African American Homeowners: 23,170

Non-Hispanic Black/African American Homeownership Rate: 36.1 per 100 Households

Total Non-Hispanic White Homeowners: 158,189

Non-Hispanic White Homeownership Rate: 70.8 per 100 Households



SOURCE: U.S. Census, American Community Survey 5-year Estimates (2013-2017)

Williams, Julia

From: Tony Curtis <tony@metropolitanhousing.org>
Sent: Tuesday, October 18, 2022 5:05 PM
To: Williams, Julia; Clifford.Ashburner@dinsmore.com
Subject: Written Comment: 22-ZONE-0002 (Prospect Cove)
Attachments: 22-ZONE-0002_Written Comments_Metropolitan Housing Coalition_10-18-2022.pdf



CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

October 18, 2022

Sent by email to:
Case Manager: Julia Williams Julia.Williams@louisvilleky.gov
Louisville Metro Department of Planning and Design

Attorney: Cliff Ashburner Clifford.Ashburner@DINSMORE.COM

Re:22-ZONE-0002
Prospect Cove
LDG developer

Dear Planning Commission Members:

Northeast Louisville/Jefferson County is an attainable housing desert—this is housing that is fair, accessible, and affordable and does not cost-burden households. If there is an area of Louisville/Jefferson County that low-income residents need access to housing opportunities and housing choice, this is a prime example. Approving the 178-unit Prospect Cove development zoning change is a step in the right direction for the economically underprivileged and various demographics (Black households, Hispanic household, female-headed households, etc.) that have faced outright historical oppression and bigotry because of race and class. We see this time and time again, and in this case at the familiar development site (and another development just down the road that thankfully does not need a zoning change). Why continue to create barriers and create more segregation to attainable housing opportunity and housing choice? We all know the true reasons.

According to the 2019 Housing Needs Assessment, [Northeast Metro Housing Market Area profile](#), the demographic and economic profile is as follows:

- A median household income of \$116,298, as compared to \$50,099 for Louisville;
- A race & ethnicity population breakdown of 89% White, 4% Black/African American, 3% Asian, 2% Latinx, and 1% various other races and ethnicities;
- The housing type is 84% single family detached, 9% single family attached, 6% multifamily, 1% duplexes, and a near 0% manufactured housing;
- 21% of residents are cost-burdened (spending more than 30% of their income on housing) and 9% are extremely cost-burdened (spending more than 50% of their income on housing), as compared to 29% and 13% for Louisville, respectively;
- The median home value is \$368,938, as compared to \$174,400 for Louisville; and
- The median gross rent is \$1,481, as compared to \$770 for Louisville.

There are no affordable assisted units/developments funded through the Low-Income Housing Tax Credit (LIHTC), project-based Section 8, Louisville Affordable Housing Trust Fund (LAHTF), or the Kentucky Housing Corporation (KHC), thus there are no subsidized income-restricted units expiring in 2023. There are also zero (0) homes with visible exterior issues and 7,655 residential parcels. There are very few opportunities for renters, especially low-income renters. So, this development does not create a situation that causes an area to be too densely populated, overburden infrastructure, lack of access to groceries, or all the other dog-whistles that opponents of attainable housing units repeat at each zoning change public hearing. Why do the opponents of this and other developments hate creating housing opportunities for people that are economically disadvantaged, historically disadvantaged, and family households in need of a subsidy?

In Louisville/Jefferson County, 70% of White households own homes, as opposed to 36% Black households. In Louisville/Jefferson County, 40% of households are renters. Renters make up 29% of White households, 63% of Black households, and 62% of Hispanic households. Additionally, 18% of Married Couples households, 44% of Male-headed households, and 57% of Female-headed households are renters. There are disparities with respect to homeownership versus rental rates across race, gender, and family structure in our community. Understanding that renters are an important part of the Louisville housing picture is a basic, yet key fact for all of us to internalize. This helps us to frame the need for attainable housing options for low-income families in Northeast Louisville/Jefferson County and neighboring on the boundaries of the city of Prospect.

This same development area, under a previously proposed plan, is still involved in litigation, in regards to a Fair Housing Case filed against the City of Louisville. Denying a zoning change again is setting the stage for another potential violation of the Fair Housing Laws and the possibility of another Fair Housing Case. However, it is not only the City of Louisville, but the City of Prospect that is mounting active campaigns against this development—and all attainable housing developments in the area. Louisville/Jefferson County needs 31,412 units at or below 30% area median income (AMI) and another 22,500 units are or below 50% area median income. The collective “we” cannot continue to deny zoning changes because a proposed development is targeted to create stable housing for low-income households with families. This is a Louisville issue, not a district-by-district issue, and we cannot let the economically privileged areas in East Louisville deny low-income households/renters the opportunity and choice to live in this geographic area and continue to create barriers for low-income families to housing that is safe, stable, and affordable. The bastions of exclusivity must open their gates to all Louisvillians, not continue to create barriers based on bigotry.

Thank you for taking a few moments to consider these thoughts on the Prospect Cove development. We urge Louisville Metro Planning & Design, and eventually the Louisville Metro Council Planning & Zoning Committee and the Louisville Metro Council, to approve this zoning change and turn the tide on the attainable housing crisis in Louisville.

Sincerely,



Anthony P. Curtis
Executive Director
Metropolitan Housing Coalition
tony@metropolitanhousing.org

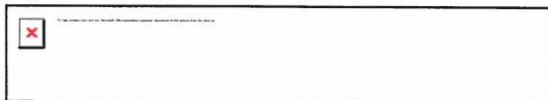
Important Links to Existing Reports:

[2022 State of Metropolitan Housing Report](#)

[2020-2021 State of Metropolitan Housing Report](#)

[2020 Analysis of Impediments of Fair Housing Choice in Louisville, Jefferson County](#)

[2019 Housing Needs Assessment & Market Area Profiles](#)



Anthony P. Curtis
Executive Director
502.384.6368 (office)
606.465.0536 (cell)
tony@metropolitanhousing.org



Metropolitan Housing Coalition
P.O. Box 4533
Louisville, KY 40204-4533
502.384.6368

October 18, 2022

Sent by email to:

Case Manager: Julia Williams Julia.Williams@louisvilleky.gov

Louisville Metro Department of Planning and Design

Attorney: Cliff Ashburner Clifford.Ashburner@DINSMORE.COM

Re:22-ZONE-0002

Prospect Cove

LDG developer

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Metropolitan Housing Coalition
P.O. Box 4533
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Thank you for taking a few moments to consider these thoughts on the Prospect Cove development. We urge Louisville Metro Planning & Design, and eventually the Louisville



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Metro Council Planning & Zoning Committee and the Louisville Metro Council, to approve this zoning change and turn the tide on the attainable housing crisis in Louisville.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Curtis", written in a cursive style.

Anthony P. Curtis
Executive Director
Metropolitan Housing Coalition
tony@metropolitanhousing.org

Important Links to Existing Reports:

[2022 State of Metropolitan Housing Report](#)

[2020-2021 State of Metropolitan Housing Report](#)

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[2019 Housing Needs Assessment & Market Area Profiles](#)

13 October 2022

RE:

Subject Property: **6500 FOREST COVE LANE & 7301 RIVER ROAD; TAX BLOCK 206
LOT 48**

Case Number: **22-ZONE-0002**

At the upcoming October 18 public hearing on the above-referenced case members of the Louisville Metro Planning Commission (“Commission”) will hear presentations by medical experts that will confirm what medical science has long known: that prolonged exposure to gasoline fumes can result in serious health problems and that dangerous exposure can occur at distances that laymen generally do not consider unsafe.

Similar medical evidence was presented to the Commission at a public hearing in 2017 when this project was first considered, and subsequent to the hearing several arguments were raised in an attempt to discredit (but not refute) the medical evidence presented. In anticipation that those arguments will be raised again, here is a response to them:

The concern about environmental hazards has been concocted by Prospect residents simply to oppose this LDG project (argument by a Courier-Journal editorial writer)– In fact, in 2011, **six years before** the first Commission hearing on this project, the Kroger Company asked the City of Prospect for approval to build a gasoline station inside the parking lot of the shopping center in which the

Prospect Kroger store is located. After a public meeting of the Prospect City Council at which it heard medical evidence similar to that which the Commission heard five years ago, and which it will hear updated and in greater detail at the October 18 hearing, the Prospect City Council decided not to permit a gasoline station in close proximity to the Kroger store entrance, where hundreds of Prospect residents gather each day. Although the Prospect City Council wanted to keep Kroger happy - and in Prospect – it was unwilling to risk the health of Prospect residents. As a result, the proposed gasoline station was built outside of Prospect, at the Forest Cove location where it stands now, directly across a street from the site of the proposed LDG project and with the vents that evacuate fumes from the underground tanks on the side of the station closest to the proposed project.

Far from being simply an ad hoc argument improvised to oppose the LGD project, the concern about prolonged exposure to gasoline fumes reflects a long-standing awareness on the part of the Prospect City Government and Prospect residents of the health risks involved.

If prolonged exposure to gasoline fumes is really a problem the Kentucky state government or the Metro government would have enacted laws or issued regulations addressing it – Communities around the world and within the United States have acted to prohibit gasoline stations from being within specified distances of residential areas. A recent and nearby example is Carmel, Indiana which in 2021 prohibited gas stations within five hundred feet of residential areas. Many more jurisdictions, including Montgomery County in Maryland (home to the National Institutes of Health and the National Institute of Standards

and Technology), the Borough of Bergenfield in New Jersey, and cities and counties in Alabama, California, Colorado, Florida, Georgia, and Missouri prohibit gas stations within at least three hundred feet and often up to five hundred feet of places of public assembly. Examples of places of public assembly usually cited are high-density residential areas, schools, churches, playgrounds, libraries, etc. A large housing project is an obvious example of a place of public assembly.

We can't know for sure why Kentucky state and local lawmakers and regulatory bodies have not acted, as other jurisdictions have, to require a distance buffer between gasoline stations and residential property but there is among public officials in many places, not just Kentucky, a long history of ignoring or dismissing science that is politically inconvenient. During the recent Covid pandemic Kentucky politicians, in response to popular sentiment, generally not only accepted but amplified popular resistance to mask mandates and vaccine promotion, with the result that on a per capita basis Kentucky had the twelfth highest Covid mortality rate among U.S. states. Kentucky is sometimes slow to reflect scientific and technical knowledge in its legal codes. However, this does not alter the fact that Kentucky residents are not biologically different from residents of other states or other countries and will, after prolonged exposure to gasoline fumes, suffer the same serious illnesses that are suffered by people elsewhere. It may be politically awkward for the Commission to disapprove the LDG application for a zoning change because of a clear health hazard but it is the right and responsible decision.

The Louisville Metro Air Pollution Control District has approved this project – At the hearing on this LDG project five years ago, when a member of the Commission

panel asked LDG's attorney to respond to the presentations that had just been made by an oncologist and a pulmonologist, he replied that the Metro Air Pollution Control District (APCD) had signed off on the project. This was a disingenuous response because the APCD had considered only the effects of the proposed project on the surrounding environment, not the effects of the surrounding environment on residents of the proposed project. Subsequent to the Commission hearing, I discussed this with two members of the APCD staff who had reviewed the LDG project. They stated emphatically that they had not considered the effects of prolonged exposure to gasoline fumes on residents of the LDG project.

The environmental hazard argument is just a smokescreen to conceal Prospect's opposition to affordable housing – Certainly, there are Prospect residents who are opposed to construction of any very large housing project – regardless of location - in a community of small single-family homes. This attitude is not unique to Prospect. Members of the Commission may recall the reaction of the residents of the Newburg neighborhood five years ago to a similar LDG proposal. But the fact that some residents of any neighborhood will always oppose affordable housing projects is not an effective rebuttal to the medical evidence that is specific to the LDG proposal for this location.

Commission members who are inclined to approve the zoning change should ask themselves two questions: (1) are they approving the change because they have reasons to dispute the medical evidence presented or doubt the seriousness of the risk, or because they feel politically pressured to approve the change

notwithstanding the medical evidence?; and (2) would they choose themselves to live in this location or want older relatives or children to live there?

Louisville needs more affordable housing and the Metro government deserves a gold star for its efforts to address the problem. But warehousing Louisville residents who need affordable housing in dangerous proximity to a source of known carcinogens, especially when there are other location options, is morally irresponsible and will not burnish Louisville's reputation.

John P. Simpson
8501 Harrods Bridge Way, Apt. 201
Prospect, Kentucky

Williams, Julia

From: Margaret Collier <MAC8KYX@msn.com>
Sent: Thursday, October 13, 2022 2:11 AM
To: Williams, Julia
Subject: 7301River Road

CAUTION: This email came from outside of Louisville Metro. Do not click links or open attachments unless you recognize the sender and know the content is safe

Ms. Williams,

I live at 7211 River Road and the adjacent property at 7301 River Road has a giant sinkhole. This sinkhole is encroaching on my side yard. It has caused erosive damage to the hillside, undermining of the substrate, felled trees and caused trees to lean with the potential of falling on to my home. I am deeply concerned about the property management of 7301 River Road.

These pictures show the size and depth of the sinkhole. This crater is wider and deeper than 7ft.



The sinkhole continues to sprawl every rain event precipitating erosion and undermining the substrate. Now it is on my property, so my son attempted to suppress the expansion with a skirt and gravels to prevent further damage. This incurred a cost to me.

I attempted to contact: the Property Owner; Real estate broker; MSD; and The Louisville Water Company; each entity enlisted the other as the responsible party. Yet nothing has been done.

I want the hole filled to prevent further erosion and undermining of the substrate. The dead trees culled to prevent roof damage to my home, and the brush cut away from the property line.

Regards,

Margaret Collier