

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

March 22, 2018

New Business

Case No. 17ZONE1079 & 17STREETS1027

Request:	Change in zoning from R-4 & C-1 to R-6 & C-2 and street closure of a portion of Old 18 th Street and Old Dixie Highway
Project Name:	River Pointe Apartments
Location:	12503 Dixie Highway
Owner:	RWD Properties
Applicant:	RWD Properties
Representative:	Daniel Senn
Jurisdiction:	Louisville Metro
Council District:	14 – Cindi Fowler

Case Manager: Laura Mattingly, 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:

00:15:58 Laura Mattingly presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Daniel Senn, 2244 Taylorsville Rd, Louisville, KY 40205

Alex Rosenberg, 13000 Middletown Industrial Boulevard Suite A, Louisville, KY 40223

David Richardson, 6807 West Pages, Louisville, KY 40258 (signed in but did not speak)

Councilwoman Cindi Fowler, 601 West Jefferson Street, Louisville, KY 40202

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Summary of testimony of those in favor:

00:20:03 Daniel Senn, the applicant's representative, presented the applicant's case (see recording for detailed presentation.)

00:24:22 In response to a question from Commissioner Carlson, Mr. Senn explained why the project cannot move forward without the related proposed street closure.

00:26:44 Alex Rosenberg, the engineer for the project, answered questions about the traffic study and the street closure (see recording for detailed discussion.) Commissioner Carlson explained that an "interrupted street" (gate across it; a closed portion, etc.) can be a problem for emergency services. Mr. Senn said the closed portions of the streets will have their pavement/s removed; the ROW will also be closed.

00:35:47 Commissioner Carlson and the applicant's representatives had a detailed discussion about the closure of the Old Dixie Highway portion. Commissioner Brown said he had some of the same concerns, and did not want a 100-foot residual ROW to remain after a road closure. He discussed the street closure.

00:38:01 - 00:45:16 There was detailed discussion about the closure of the Old Dixie Highway portion, including the emergency gates (see recording.) Issues included adjoining properties with frontage/s and/or accesses on Old Dixie and Dixie Highway and emergency responder access, among others.

00:46:08 In response to a question from Commissioner Lewis, Tony Kelly, representing MSD, discussed sewer easement issue/s and MSD comments about detention basin calculations.

00:48:00 Councilwoman Cindi Fowler spoke in support. She said adjoining property owners usually use the Orell Road entrance to access their properties, not the portion of Old Dixie Highway proposed for closure.

00:49:35 In response to a question from Commissioner Brown, Councilwoman Fowler said there were no C-2 uses that she would request "binding out" for the site but would prefer retail uses.

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The following spoke in opposition to the request:

No one spoke.

Deliberation:

00:51:42 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.

00:54:02 The Committee by general consensus **initially** scheduled this case to be heard at the May 10, 2018 Planning Commission public hearing.

***NOTE: the applicant came back at the end of today's hearing to request an earlier public hearing date.**

02:30:39 Mr. Senn came back to ask for a reconsideration of the public hearing date. He said that he has contacted two property owners who would be affected by the street closure and both have agreed that they do want to close the ROW and they will sign documents to that effect. Mr. Senn said

02:31:44 The Committee by general consensus **re-scheduled** this case to be heard at the **April 19, 2018** Planning Commission public hearing.