

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

**November 14, 2013**

**New Cases**

**CASE NO. 13ZONE1002**

**\*NOTE: Commissioner Donnie Blake left the meeting at 5:28 p.m.**

<b>Project Name:</b>	Jefferson Boulevard Apartments
<b>Location:</b>	1253-1259 McCawley Road and 7489 Egypt Lane
<b>Owners:</b>	Coxco Realty, LLC
<b>Applicant:</b>	Lee Hasken – Faulkner Real Estate
<b>Representative:</b>	William Bardenwerper – Bardenwerper, Talbott & Roberts PLLC
<b>Engineer/Designer:</b>	Kent Gootee – Mindel, Scott & Associates
<b>Project Area/Size:</b>	53.77 acres
<b>Existing Zoning District:</b>	EZ-1, R-7 and R-4
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	24 – Madonna Flood
<b>Case Manager:</b>	<b>David B. Wagner, Planner II</b>

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. 5<sup>th</sup> Street.)

**Request:**

Change in zoning from EZ-1, R-7 and R-4 to R-6 Multi-Family Residential; Variances, Waivers, and a Detailed District Development Plan.

**The following spoke on behalf of Case No. 13ZONE1002:**

William Bardenwerper, Bardenwerper Talbott & Roberts PLLC, 1000North Hurstbourne Parkway Suite 200, Louisville, KY 40223

Kent Gootee, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

David Mindel, Mindel Scott & Associates, 5151 Jefferson Boulevard, Louisville, KY 40219

Scott Kremer, Studio Kremer Architects, 3258 Ruckreigel Parkway, Louisville, KY 40299

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Lee Hasken, Faulkner Real Estate, 9625 Ormsby Station Road, Louisville, KY

**DISCUSSION:**

05:28:57 David Wagner presented the case (see staff report for detailed presentation.) He discussed an e-mail he received yesterday from a citizen regarding her concerns about the amount of tree canopy that would be coming down to build this development.

05:34:26 William Bardenwerper, the applicant's representative, introduced other applicant's representatives who have been working on the project. He briefly reviewed the applicant's booklet, which was submitted at the meeting today. He said this area is largely an industrial area, and was formerly used by the Army Corps of Engineers. There is a wetland mitigation plan on the property, and he showed that area on the plan and in the booklet.

05:38:03 Kent Gootee, an applicant's representative, discussed some of the design issues and zoning on the site. He discussed the access drive, which will be used for the apartment community, and may later be used for retail on the site as well. He explained that the access drive needed to be put in along the property line, to allow more space for the development; this put the access drive into the required yard. He said there is still a 32-foot LBA at the garage locations. He said this will not impact the plantings. The road will be more associated with the commercial development and away from the apartment community. He discussed the roundabouts and the gates for the community, which have been designed in consultation with the Fire Department. A left-turn lane will be installed on the McCawley Road side of the property. He briefly discussed the agreement with the Corps of Engineers regarding the wetland mitigation agreement.

05:41:18 Mr. Gootee discussed the sanitary sewer connection on Egypt Lane.

05:42:08 Mr. Gootee discussed a proposed revision to binding element #8, to be worked out with staff before the Planning Commission public hearing. A gravel driveway will also be added as an access for two neighboring properties.

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05:43:16 Mr. Bardenwerper pointed out two retention basins shown on the plan. Mr. Gootee briefly discussed some flood/drainage mitigation that will be done on this low-lying property.

05:44:32 Scott Kremer, an architect for the project, said this plan was presented at a neighborhood meeting in June. He said the density of the proposal was preserved by building up, and the wetlands area will be preserved by using less land.

05:45:48 Commissioner Brown asked about traffic data. David Mindel, of Mindel Scott & Associates, said traffic counts were done at the proposed entrance on McCawley and submitted to Transportation Planning. He said Transportation Planning determined that a left-turn lane was needed there, so the applicant has agreed to do that.

05:45:55 Commissioner Brown also asked if access to the open space would be needed for maintenance purposes. Lee Hasken there would and pointed out the location of the access on the site plan. The gravel access road mentioned previously would also be used for that maintenance. The applicant would be maintaining the open space for ten years. Commissioner Brown asked if that road would be granted as an access easement to the two property owners who would also be using it to access their garages. Mr. Faulkner said it would. Commissioner Brown said there might be requirements put on that for creating a new access easement. Mr. Bardenwerper noted that this would be an incidental access for those property owners; their primary access is from McCawley Road.

05:47:37 Mr. Hasken and Mr. Gootee discussed the placement of sidewalks along the rear access drive. Mr. Gootee said that the gates would be for vehicular access only, not pedestrian access, and he pointed out the location of the gates on the site plan.

05:49:34 Commissioner Brown and Mr. Bardenwerper discussed if the cross-access agreement should be limited to any specific type of use (non-residential or residential?)

05:51:19 Commissioner Turner asked if the proposed apartments had garages – he said some appeared to have garages, and some did not. Mr.

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Bardenwerper said that garage space is rented separately. They are free-standing garages, but are available at an added cost.

05:52:22 In response to a question from Commissioner Turner, Mr. Gootee discussed a proposed new binding element, stating that the property owner shall provide an access easement for the flag pole lot between the properties addressed 1251 and 1257 McCawley Road as shown on the development plan.

**The Committee by general consensus placed Case No. 13ZONE1002 on the agenda for the December 5, 2013 Planning Commission public hearing.**