

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
February 9, 2023

OLD BUSINESS

22-ZONE-0136

Request:	Change in zoning from R-4 to R-7, with associated Detailed District Development Plan/Major Preliminary Subdivision with Binding Elements, and Waiver
Project Name:	Mt. Washington Road Apartments
Location:	5604, 5606, 5612, 5614 & 5616 Mt. Washington Road
Owner:	Gloria & Clinton Walker, Bobby Wilson
Applicant:	Highgates Management
Representative:	Bardenwerper, Talbott & Roberts
Jurisdiction:	Louisville Metro
Council District:	23 – Jeff Hudson
Case Manager:	Dante St. Germain, 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. 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:

00:06:05 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for a public hearing (see video for presentation). St. Germain stated that the applicant is proposing to change the zoning from a R-4 single family residential to a R-7 multi-residential.

00:09:47 Commissioner Brown asked if KYTC reviewed the striping plan for the turn lane and if they made the pedestrian crossing connection. St. Germain stated the applicant can answer that question when they speak.

00:10:21 Commissioner Mims asked about the un-platted subdivision to the south's connectivity and if it is never built. St. Germain stated whomever develops on the property to the south will have to connect to the stub.

The following spoke in favor of this request:

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OLD BUSINESS

22-ZONE-0136

John Talbott, Bardenwerper, Talbott, & Roberts, 1000 N Hurstbourne Pwky, Louisville, KY 40223

David Mindel, Mindel Scott, 5151 Jefferson Blvd, Louisville, KY 40219

Summary of testimony of those in favor:

00:12:45 John Talbott spoke in favor of the application and presented a PowerPoint presentation (see video). Talbott stated they have provided sidewalk connections offsite and onsite of the development. Talbott also stated the new road improvements would consist of two entrance lanes, a left and right turn lane along with a middle lane at the intersection of Mt. Washington Road and Preston Highway. They also included sidewalks along Mt. Washington Road.

00:20:06 Commissioner Brown asked if the state approved the schematics for the roadway and sidewalks. Talbott stated they had approved them.

00:20:41 Commissioner Mims asked about the sidewalk and curb that is located on the south side of the development. David Mindel stated they were originally going to add a curb with a sidewalk located beside of it; however, a problem they were facing was blocking access into adding another entrance on Mt. Washington Road.

The following spoke in opposition to the request:

James Atkinson, 5500 Mt. Washington Road, Louisville, KY 40229

Summary of testimony of those in opposition:

00:25:27 James Atkinson spoke in opposition to the application. Atkinson asked if the traffic study was completed and received. Atkinson is concerned about the number of cars that the apartment will bring to the area.

REBUTTAL

00:29:51 John Talbott stated that traffic study was completed in time under the regulations and during school hours.

Deliberation

00:30:23 Land Development and Transportation Committee deliberation.

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OLD BUSINESS

22-ZONE-0136

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00:30:46 The Committee by general consensus scheduled this case to be heard at the March 16, 2023, Planning Commission public hearing.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 12, 2023

NEW BUSINESS

21-ZONE-0136

Request:	Change in zoning from R-4 to R-7, with associated Detailed District Development Plan with Binding Elements, and Waiver – APPLICANT REQUESTS CONTINUANCE TO JANUARY 26
Project Name:	Mt. Washington Road Apartments
Location:	5604, 5606, 5612, 5614 & 5616 Mt. Washington Road
Owner:	Gloria & Clinton Walker, Bobby Wilson
Applicant:	Highgates Management
Representative:	Bardenwerper, Talbott & Roberts
Jurisdiction:	Louisville Metro
Council District:	23 – Jeff Hudson
Case Manager:	Dante St. Germain, 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. 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:

00:05:05 Commissioner Sistrunk stated the applicant has requested to continue this case to the January 26th, 2023, LD&T meeting.

00:05:19 Dante St. Germain mentioned that the applicant would like to reschedule due to two key members of the applicant's team would not be available.

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.

00:05:42 On a motion by Commissioner Carlson, seconded by Commissioner Mims, the following was adopted.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
January 12, 2023

NEW BUSINESS

21-ZONE-0136

RESOLVED, that the Land Development & Transportation Committee does hereby **CONTINUE** this case to the January 26th, 2023, Land Development & Transportation Committee Agenda.

The vote was as follows:

YES: Commissioners Brown, Mims, Cheek, Carlson and Sistrunk

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
December 8, 2022

NEW BUSINESS

CASE NO. 21-ZONE-0136

Request: Change in zoning from R-4 to R-7, with associated Detailed District Development Plan with Binding Elements, and Waiver

Project Name: Mt. Washington Road Apartments

Location: 5604, 5606, 5612, 5614 & 5616 Mt. Washington Road

Owner: Gloria & Clinton Walker, Bobby Wilson

Applicant: Highgates Management

Representative: Bardenwerper, Talbott & Roberts

Jurisdiction: Louisville Metro

Council District: 23 – James Peden

Case Manager: Dante St. Germain, 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. 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:

00:08:03 Dante St. Germain discussed the case summary from the staff report and indicated that the application was ready for a public hearing (see video for presentation). The applicant is requesting a change in zoning to R-7 multi-family for a proposed multi-family residential development.

00:15:04 Commissioner Brown wanted to know if there were any warrants for the pedestrian crossings and would they be allowed.

00:15:30 Commissioner Mims is concerned about the traffic patterns. Wants to make sure that everything is put to rest with KYTC

The following spoke in favor of this request:

John Talbott, Bardenwerper, Talbott and Roberts, 1000 North Hurstbourne Parkway, Louisville, Ky. 40223

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

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
December 8, 2022

NEW BUSINESS

CASE NO. 21-ZONE-0136

Brent Hackworth, 7301 Monsey Circle, Louisville, KY 40219

Johnathan Colbert, 10801 Faithful Way, Louisville, KY 40229

Summary of testimony of those in favor:

00:17:43 John Talbott gave a power point presentation discussing the following uses and zoning in the area; wanting to switch from a single family to a multi-family. He is also focusing on road improvements when it comes to Mt. Washington Rd. (see recording for detailed presentation).

00:26:37 Commissioner Carlson asked about Binding Element 7 which pertains to the 133 apartments being built. Talbott stated that is the number of units that would trigger the proposed intersection improvements, so the improvements would have to be completed prior to exceeding that number. Commissioner Carlson presumes that the road work would have to be bonded. John Talbott feels that they will be bonding the road work for sure. Commissioner Carlson wants to know when that bond will be put up.

00:29:58 David Mindel spoke in support of the application and responded to Commissioner Carlson's question. Mindel said that he will have the bond put up before construction to make sure the improvements were made. David Mindel mentioned part of the improvements is adding a second turn lane on Preston Highway and also adding a second lane of the southside.

00:34:36 Commissioner Carlson asked if these apartments are going to be market rate apartments. Also, when it comes to the apartments will there be any kind of design variation or will they have a military barrack feel to them.

00:36:22 Brent Hackworth spoke in support of the application. Hackworth stated there will be variation in design between the buildings throughout the development.

00:37:38 Commissioner Mims ask if the entire cost be bonded by the time the site construction approval is given and will all improvements be in by the 132 unit. John Talbott agreed that everything will be done before starting on the 133rd unit.

00:42:40 Commissioner Brown asked about the uncontrolled pedestrian crosswalks; asked if they were going to be removed or if they were going to be warranted. David Mindel stated they can be removed.

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December 8, 2022

NEW BUSINESS

CASE NO. 21-ZONE-0136

00:44:40 Commissioner Carlson is concerned about how residents would get from their apartment to Walmart or other locations. John Talbott we would have to have a right of way to do that; we would need to put in a sidewalk or fix the road. We do not have enough room for both.

00:50:20 John Talbott wants to know if he has to come back to a LD&T meeting before heading straight to Planning Commission. Commissioner Sistrunk informed him that it is all based on the discussion between the members.

00:51:41 Johnathan Colbert spoke in support of the plan. He feels that this is a great investment for the community and people around Mt. Washington Rd. Excited for the left turn lane that will be going on Mt. Washington Rd.

The following spoke as a neutral party to the request:

John Torsky, 601 W. Jefferson Street, Louisville, KY 40202

Summary of testimony of those as neutral:

01:01:34 John Torsky spoke as neutral to the plan (speaking on behalf of James Peden's Office). They feel that the area is too dense and that the traffic is bad in that area. Would like to see Mt. Washington Road designed to be 4 lanes (2 lanes in each direction, 1 in the center). They would like the lanes to travel all the way to Preston Hwy. Would like a clarification on where the actual 2nd entrance is located.

The following spoke in opposition to the request:

John Cox, 10607 Charleswood Road, Louisville, KY 40299

James Adkinson, 5500 Mt. Washington Road, Louisville, KY 40229

Summary of testimony of those in opposition:

01:04:40 John Cox was logged in and had signed up in opposition, but was unable to speak due to technical difficulties on his end.

01:05:16 James Adkinson spoke in opposition of the plan. He feels the road cannot handle any more traffic than what it already has; he also opposes due to the lack of infrastructures, sidewalks, sewage, and underground utilities. Says that the apartment

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
December 8, 2022

NEW BUSINESS

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will bring more families with kids, where will those kids go to school when the schools are already overcrowded.

REBUTTAL

1:13:40 John Talbott agrees that the sidewalks are important. There was a traffic study done during school and done during regulation. When the improvements are done it will make the intersection better.

Deliberation

01:16:10 Land Development and Transportation Committee deliberation.

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01:24:32 On a motion by Commissioner Carlson, seconded by Commissioner Cheek, the following resolution based on the Standard of Review and Staff Analysis and the 100% consent from adjacent property owners was adopted.

RESOLVED, that the Land Development & Transportation Committee does hereby **PLACE** this case on the January 12th, 2023 Land Development & Transportation Committee Agenda.

The vote was as follows:

YES: Commissioners Brown, Carlson, Cheek, Mims and Sistrunk

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RESOLVED, that the Land Development & Transportation Committee does hereby **PLACE** this case on the January 12th, 2023 Land Development & Transportation Committee Agenda.

The vote was as follows:

YES: Commissioners Brown, Carlson, Cheek, Mims and Sistrunk