

**MINUTES OF THE MEETING  
OF THE  
DEVELOPMENT REVIEW COMMITTEE  
March 4, 2015**

A meeting of the Development Review Committee was held on, March 4, 2015, 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

**Committee Members present were:**

Rob Peterson, Commissioner  
David Tomes, Chairman  
Jeff Brown, Commissioner

**Committee Members absent were:**

Chip White, Vice Chairman  
Robert Kirchdorfer, Commissioner

**Staff Members present were:**

Emily Liu, Planning Director  
Steve Hendrix, Planning Supervisor  
Brian Davis, Planning Supervisor  
Tammy Markert, Traffic Planning Coordinator  
John Carroll, Legal Counsel  
Pamela M. Brashear, Management Assistant

The following matters were considered:

**DEVELOPMENT REVIEW COMMITTEE  
March 4, 2015**

**APPROVAL OF MINUTES**

**FEBRUARY 4, 2015 CASE 14DEVPLAN ONLY AND FEBRUARY 18, 2015 DRC MEETING MINUTES**

On a motion by Commissioner Brown, seconded by Commissioner Peterson, the following resolution was adopted.

**RESOLVED**, that the Development Review Committee does hereby **APPROVE** the minutes of its meeting conducted on February 4, 2015 Case 14DEVPLAN1154 ONLY with a **CORRECTION** on page 7 – METCD should be MUTCD.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson and Tomes**  
**NOT PRESENT FOR THIS CASE: Commissioners Kirchdorfer and White**

On a motion by Commissioner Peterson, seconded by Commissioner Brown, the following resolution was adopted.

**RESOLVED**, that the Development Review Committee does hereby **APPROVE** the minutes of its meeting conducted on February 18, 2015.

**The vote was as follows:**

**YES: Commissioners Peterson and Tomes**  
**NOT PRESENT FOR THIS CASE: Commissioners Kirchdorfer and White**  
**ABSTAINING: Commissioner Brown**

**DEVELOPMENT REVIEW COMMITTEE**  
**March 4, 2015**

**NEW BUSINESS**

**CASE NO. 14DEVPLAN1125**

Project Name: Vactor Pit  
Location: 2601 Millers Lane  
Owner(s): Louisville Metropolitan Sewer District (MSD)  
Applicant: Josh Dickerson, MSD  
Representative(s): Casey DeYoung, Heritage Engineering  
Existing Zoning District: EZ-1  
Existing Form District: Traditional Workplace (TW)  
Jurisdiction: Louisville Metro  
Council District: 3 - Mary C. Woolridge  
**Case Manager: Steve Hendrix, Planning Supervisor**

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the DRC meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:08:26 Mr. Hendrix discussed the case summary, standard of review and staff analysis from the staff report.

**The following spoke in favor of this request:**

Brad Selch, Metropolitan Sewer District  
Josh Dickerson, Metropolitan Sewer District

**Summary of testimony of those in favor:**

00:13:08 Mr. Selch said there was a public meeting and the neighbors requested landscaping in front of the perimeter of the facility. It will be provided.

00:15:15 Mr. Dickerson stated, "We're replacing the vactor pit for maintenance reasons." Also, it will be placed farther from the neighborhood homes.

**The following spoke neither for nor against the request:**

Charlene Hampton Holloway, 2625 Wingfield Lane, Louisville, Ky. 40210

**Summary of testimony of those neither for nor against:**

00:16:11 Ms. Holloway wants to know if there will be any unpleasant odors in the neighborhood. Also, what types of materials will be dumped? Mr. Dickerson said there has only been 1 complaint about the odor in the last 5 years and it was something that

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**NEW BUSINESS**

**CASE NO. 14DEVPLAN1125**

wasn't supposed to be dumped there. Also, it will mainly be debris from catch basins, some water and mud to be collected.

**Deliberation**

00:20:47      Development Review Committee deliberation.

**An audio/visual recording of the Development Review 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.**

On a motion by Commissioner Peterson, seconded by Commissioner Brown, the following resolution was adopted.

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **FIND**, that after reviewing the CFR for Case No. 14DEVPLAN1125, the presentation by staff and MSD and the voiced concerns of a neighbor, everything is in order and complies with the Comprehensive Plan. The motion carries unanimously.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson and Tomes**

**NOT PRESENT AND NOT VOTING: Commissioners Kirchdorfer and White**

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**NEW BUSINESS**

**CASE NO. 15DEVPLAN1012**

Request: Revised Detailed District Development Plan with  
Binding Element Amendments  
Project Name: 8311 Shelbyville Road  
Location: 8311 Shelbyville Road  
Owner: Lynhursh Real Estate Investment Inc  
Applicant: Bill Bardenwerper  
Representative: Bill Bardenwerper  
Jurisdiction: Lyndon  
Council District: 18 – Marilyn Parker  
**Case Manager: Christopher Brown, Planner II**

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the DRC meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:23:44 Mr. Brown discussed the case summary, standard of review and staff analysis from the staff report.

**The following spoke in favor of this request:**

Bill Bardenwerper, 1000 North Hurstbourne, Louisville, Ky. 40223  
Kevin Young, Land Design and Development, 503 Washburn Avenue, Louisville, Ky. 40222

**Summary of testimony of those in favor:**

00:29:20 Mr. Bardenwerper said this was his office building for 20 years. There is now a buyer and she wants a minimum of 25 parking spaces.

Mr. Bardenwerper requests removing binding elements 4, 5 and 7b. Also, amend binding element 7c from: 32 feet from center line - to: 4 feet from the current right-of-way property line.

00:37:45 Mr. Young reduced some of the parking spaces to 8.5', which is permissible by the Land Development Code. This adds 27 feet of pavement to create 3 additional parking spaces and meet the needed number of parking spaces.

**Deliberation**

01:02:00 Development Review Committee deliberation.

**DEVELOPMENT REVIEW COMMITTEE**  
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**NEW BUSINESS**

**CASE NO. 15DEVPLAN1012**

**An audio/visual recording of the Development Review 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.**

On a motion by Commissioner Brown, seconded by Commissioner Peterson, the following resolution was adopted.

**WHEREAS**, There does not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site; and

**WHEREAS**, Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works and the Kentucky Transportation Cabinet have approved the preliminary development plan; and

**WHEREAS**, Sufficient open space is being provided with the current proposal; and

**WHEREAS**, The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provisions of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community; and

**WHEREAS**, the Louisville Metro Development Review Committee finds the overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent roadways. Parking lots will meet all required setbacks and the building will remain as existing; and

**WHEREAS**, the Louisville Metro Development Review Committee further finds the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the 2006 Land Development Code.

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **RECOMMEND**, to the City of Lyndon, **APPROVAL** of the binding element amendment shown on page 6 of the staff report, to eliminate number 4 - that the property shall be used as an office for one of the professional uses listed; also, remove binding element number 5 and 7b and change binding element 7c - A minor subdivision plat will be recorded dedicating additional right-of-way to Lyndon Ln. to provide a total of 32.5 feet from center line within 60 days of the request from Public Works at the expense of the property owner and the Revised Detailed District Development Plan as shown on the

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plan presented today based on the staff report and the testimony heard today and **SUBJECT** to the following Binding Elements:

1. The development shall be in accordance with the approved district development plan. Any changes/additions/alterations of any binding elements shall be referred by the Planning Commission to the City of Lyndon for approval, and any changes/additions/alterations not so referred shall not be valid.
2. No residential structure shall be removed and each structure shall retain its residential appearance. Exterior additions or alterations shall not be made without approval of the Planning Commission's Land Development and Transportation Committee and the City of Lyndon.
3. The development shall not exceed 3,926 square feet of gross floor area.
4. ~~The property shall be used as an office for one of the professions listed as permitted uses in the OR-1 Office/Residential District (Article 5, Section 5.2 of the Zoning District Regulations 1991) except for medical offices, barber shops or beauty shops.~~
5. ~~The access to US 60 shall remain until the access is open between Holley Avenue and Lyndon Lane.~~
6. The property owner shall grant, without compensation of any kind, to properties located on Shelbyville Road, between Holley Road and Lyndon Lane, which are used for non-residential purposes an easement of ingress and egress to, onto and through all portions of the applicant's access ways for the express purpose of ingress and egress to the applicable properties. The instrument shall be signed and submitted to the Planning Commission at the public hearing for recording prior to the granting of an occupancy permit.
7. Before a building or alteration permit and/or a certificate of occupancy is requested:
  - a) The development plan must be reapproved by the Jefferson County Department of Public Works and Transportation and the Metropolitan Sewer District.
  - b) ~~Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.~~
  - c) ~~A minor subdivision plat will be recorded dedicating additional right-of-way to Lyndon Lane to provide a total of 32.5 feet from the centerline. The deed book and page number of the recorded instrument shall be submitted to the Planning Commission.~~ **A minor subdivision plat will be recorded dedicating additional right-of-way to Lyndon Ln. to provide a total of 32.5 feet from center line within 60 days of the request from Public Works at the expense of the property owner.**

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d) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12. Additional landscaping requirements may be imposed by the Planning Commission's landscape architect in order to retain a residential appearance. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.

e) A minor plat or legal instrument will be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Planning Commission.

8. No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.

9. If a certificate of occupancy [building permit] is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.

10. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate.

11. The above binding elements may be amended as provided for in the Zoning District Regulations.

**The vote was as follows:**

**YES: Commissioners Brown, Peterson and Tomes**

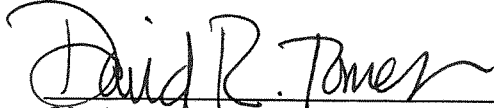
**NOT PRESENT AND NOT VOTING: Commissioners Kirchdorfer and White**



**DEVELOPMENT REVIEW COMMITTEE**  
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**ADJOURNMENT**

The meeting adjourned at approximately 2:12 p.m.

  
Chair

  
Planning Director

