

**MINUTES OF THE MEETING
OF THE
DEVELOPMENT REVIEW COMMITTEE
December 20, 2017**

***NOTE:** Due to a lack of quorum, the cases on today's agenda were heard but not voted on. The Commissioners present acted as Hearing Examiners. Cases were **recommended** to the full Planning Commission, held on December 21, 2017, for a final vote.

A meeting of the Development Review Committee was held on December 20, 2017 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:

Rich Carlson, Vice Chair
Jeffrey Brown

Committee Members absent were:

David Tomes, Chairman
Laura Ferguson
Emma Smith

Staff Members present were:

Joseph Reverman, Assistant Director, Planning & Design Services
Brian Davis, AICP, Planning Manager
Jay Lockett, Planner I
Ross Allen, Planner I
John Carroll, Legal Counsel
Travis Fiechter, Legal Counsel
Tammy Markert, Transportation Planning
Chris Cestaro, Management Assistant (minutes)

The following matters were considered:

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

APPROVAL OF MINUTES

Approval of the minutes of the December 6, 2017 Development Review Committee meeting

01:57:27 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted.

RESOLVED, that the Development Review Committee does hereby **RECOMMEND** that the full Louisville Metro Planning Commission **APPROVE** the minutes from the December 6, 2017 DRC meeting.

The vote was as follows:

YES: Commissioners Brown and Carlson.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1221

Request: Sidewalk Waiver
Project Name: Hopewell Road Sidewalk Waiver
Location: 4912 Hopewell Road
Owner: Scott Dudek
Applicant: Scott Dudek
Representative: Scott Dudek
Jurisdiction: Louisville Metro
Council District: 20 – Stuart Benson

Case Manager: Brian Davis, AICP, Planning Manager

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. 5th Street.)

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.

Agency Testimony:

00:20:16 Brian Davis presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

No applicant or applicant's representative was present.

The following spoke in opposition to the request:

No one spoke.

Discussion:

00:24:00 Commissioners' deliberation.

Waiver of Section 5.8.1.B to not provide sidewalks along Hopewell Road

00:24:42 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution based on the staff report and evidence and testimony heard today, was adopted:

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1221

WHEREAS, the Louisville Metro Development Review Committee finds that the waiver will not adversely affect adjacent property owners since there are currently no existing sidewalks along Hopewell Road, and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020. Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. Guideline 9, Policy 1 states that new development should provide for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. Granting this waiver would not violate the comprehensive plan as there are no other pedestrian facilities in the area and there are no local mass transit stops; and

WHEREAS, the Committee further finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since they are reconstructing a single family structure on the lot and not doing significant development beyond that; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the Louisville Metro Planning Commission **APPROVE** the requested Waiver of Section 5..8.1.B to not provide sidewalks along Hopewell Road.

The vote was as follows:

YES: Commissioners Brown and Carlson.

ABSENT: Commissioners Smith, Ferguson, and Tomes.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17MOD1011

Request: Binding Element Modification
Project Name: Mango's Event Space
Location: 4600 Hendrick Drive
Owner: Hendrick Properties, LLC
Applicant: Spink General Contracting
Representative: Spink General Contracting
Jurisdiction: Louisville Metro
Council District: 11 – Kevin Kramer

Case Manager: Jay Luckett, Planner I

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. 5th Street.)

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.

Agency Testimony:

00:25:52 Jay Luckett presented the case (see staff report and recording for detailed presentation.)

00:27:55 In response to a question from Commissioner Brown, Mr. Luckett said that he would have to do further research as to whether this changed use would change the parking requirements.

00:29:48 In response to a question from Commissioner Carlson, Mr. Luckett said he was unable to ascertain the square footage of the relevant portion of the structure. Joseph Reverman, Assistant Director of Planning and Design Services, asked to see the Detailed Plan.

The following spoke in favor of the request:

No one spoke.

The following spoke in opposition to the request:

No one spoke.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17MOD1011

00:32:47 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted:

RESOLVED, the Louisville Metro Development Review Committee does hereby **RECOMMEND** to the Louisville Metro Planning Commission that this case be scheduled for a Continuance to the **January 3, 2018** Development Review Committee meeting.

The vote was as follows:

YES: Commissioners Brown and Carlson.

NOT PRESENT: Commissioners Smith, Ferguson and Tomes.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1200

Request: Revised Detailed District Development Plan for a storage facility with landscape waivers
Project Name: Louisville Self Storage
Location: 3913 Accomack Drive
Owner: Fireside Investment Pool, LLC
Applicant: Fireside Investment Pool, LLC
Representative: Kevin Young – Land Design & Development, Inc.
Jurisdiction: Louisville Metro
Council District: 17 – Glen Stuckel

Case Manager: Jay Lockett, Planner I

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. 5th Street.)

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.

Agency Testimony:

00:34:09 Jay Lockett presented the case (see staff report and recording for detailed presentation.)

00:36:33 In response to a question from Commissioner Brown, Mr. Lockett discussed the height of the buildings on the original approved plan (single story). Commissioner Brown said these buildings are taller than those that were originally approved.

00:37:10 In response to a question from Commissioner Brown, Mr. Lockett and Joseph Reverman (Assistant Director of Planning and Design Services) discussed whether the Suburban Workplace form district required vehicular connections to non-residential properties (not required.)

The following spoke in favor of the request:

Kevin Young , Land Design & Development, 503 Washburn Ave # 101, Louisville, KY 40222

Michael Bailey, Fireside Financial, 90 Edwardsville Professional Park, Edwardsville, IL 62025 (signed in but did not speak)

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1200

Summary of testimony of those in support:

00:38:15 Kevin Young, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.)

00:45:21 In response to a question from Commissioner Brown, Mr. Young discussed previous screening and building proposals/plans. Commissioner Brown said the berm could be useful to buffer a three-story building. Proposed landscaping and drainage issues were discussed. There is no fencing proposed, only evergreen screening.

00:56:34 Mr. Young said a six-foot berm can be added, with evergreen plantings on top.

00:58:00 Maintaining the plantings on top of the berm, as well as irrigation and drainage, were discussed (see recording for detailed discussion.)

The following spoke in opposition to the request:

No one spoke.

- **Waiver# 1** of Land Development Code section 10.2.4.B to allow greater than 50% overlap of a utility easement and a required landscape buffer area.
- **Waiver # 2** of Land Development Code section 5.5.4.B.1 to reduce a 50' property perimeter landscape buffer area to 25'.
- **Revised District Development Plan**

01:01:30 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution, based on the staff report and the evidence and testimony presented today, was adopted:

(Waiver #1) WHEREAS, the Louisville Metro Development Review Committee finds that the waiver will not affect adjacent properties because the landscape requirements will still be met within the provided buffers; and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020. Guideline 3, Policy 9 calls for protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate. Guideline 3, Policies 21 and 22 call for appropriate transitions between uses that are substantially different in scale and intensity or density, and to mitigate the impact caused when incompatible developments

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1200

occur adjacent to one another through the use of landscaped buffer yards vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. The Comprehensive Plan will not be violated because all the buffering and screening materials will be provided within the buffer; and

WHEREAS, the Committee further finds that the waiver is necessary to provide relief to the applicant so that additional land isn't unnecessarily used to provide an extended buffer for which all the landscape materials will still be provided within a buffer that is shared within an easement; and

WHEREAS, the Committee further finds that the strict application is unreasonable when the applicant can sufficiently provide the landscape materials within the shared buffer and easement; and

(Waiver # 2) WHEREAS, the Committee further finds that the waiver will not affect adjacent property owners as the screening and landscape materials will still be provided within a proposed 25' LBA; and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020. Guideline 3, Policy 9 calls for protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate. Guideline 3, Policies 21 and 22 call for appropriate transitions between uses that are substantially different in scale and intensity or density, and to mitigate the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. The Comprehensive Plan will not be violated because all the buffering and screening materials will be provided within the buffer; and

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1200

WHEREAS, the Committee further finds that the waiver is the minimum necessary for relief to the applicant as the planting requirements can still be met within a smaller buffer. The reduced buffer allows for further use of the site that is geared toward providing a service to the adjacent multi-family that is located in the area; and

WHEREAS, the Committee further finds that the planting and screening requirements can still be met within the reduced buffer, providing the entire 50' buffer, for a use that compliments the surrounding multi-family would create an unnecessary hardship; and

(RDDDP) WHEREAS, the Committee further finds that the applicant is not preserving any existing trees on the site but is replanting trees around the perimeter to coordinate with the adjacent properties landscaping and open space, and

WHEREAS, the Committee further finds that a sidewalk is proposed along the frontage with a connection to the development. Vehicular connectivity is not being provided to adjacent sites, as the adjacent automobile factory and hotel are unlikely to have the need for cross access to a storage facility; and

WHEREAS, the Committee further finds that open space is not required for this development, although landscape buffers and the detention basin provided on site could serve as such; and

WHEREAS, the Committee further finds that MSD has preliminarily approved the proposal; and

WHEREAS, the Committee further finds that the proposed use is complimentary to the adjacent multi-family developments. The building and site design are in conformance with the Land Development Code with the exception of the requested waivers; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the full Louisville Metro Planning Commission **APPROVE** the requested **Waiver** of Land Development Code section 10.2.4.B to allow greater than 50% overlap of a utility easement and a required landscape buffer area; and the requested **Waiver** of Land Development Code section 5.5.4.B.1 to reduce a 50' property perimeter landscape buffer area to 25' on condition that the 6' berm is provided; and the requested Revised District Development Plan, and **SUBJECT** to the following binding elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1200

(LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

2. No pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
5. Prior to any site disturbance permit being issued and prior to any clearing, grading or issuance of a site disturbance permit, a site inspection shall be conducted by PDS staff to ensure proper placement of required tree protection fencing in accordance with the approved Tree Preservation Plan.
6. A certificate of occupancy must be received from the appropriate code enforcement department 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 of occupancy, unless specifically waived by the Planning Commission.
7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1200

8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

The vote was as follows:

YES: Commissioners Brown and Carlson.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17WAIVER1040

Request: Waiver to allow an LED to exceed maximum area of a sign and be closer than 300 feet to residences
Project Name: St. John Paul II Parish
Location: 3042 Hikes Lane
Owner: Roman Catholic Bishop of Louisville
Applicant: Smart LED Signs and Lighting
Representative: Smart LED Signs and Lighting
Jurisdiction: Louisville Metro
Council District: 26 – Brent Ackerson

Case Manager: Jay Luckett, Planner I

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. 5th Street.)

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.

Agency Testimony:

01:04:53 Jay Luckett presented the case (see staff report and recording for detailed presentation.) He explained an error in the staff report – the area listed should be 48.5% of the area, not 31% of the area.

01:08:15 John Carroll, legal counsel for the Planning Commission, asked for clarification on the sign square footage, and what is permitted on the arterial-class roadway.

01:08:51 Commissioner Carlson asked if there was a traffic light at the driveway.

The following spoke in favor of the request:

Karla Hill, Smart LED, 11441 Blankenbaker Access Drive, Louisville, KY 40299

Summary of testimony of those in support:

01:10:10 Karla Hill, the applicant's representative, addressed Commissioner Carlson's question (the photo is of a pedestrian crossing, not a road. See recording for detailed discussion.) She discussed the sign-dimming capabilities.

01:14:02 Commissioner Carlson expressed some safety concerns about having a multi-colored lighted sign near a traffic light. Ms. Hill discussed a study done by the

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17WAIVER1040

Kentucky Transportation Cabinet addressing this issue. Also, she said the sign is six feet tall; the traffic light is much higher up.

The following spoke in opposition to the request:

No one spoke.

01:18:51 Commissioners' deliberation

REQUEST(S)

- **Waiver #1** of Land Development Code section 8.2.1.D.4.a to allow a changing image sign area to exceed 30% of the total area of a freestanding sign within the Neighborhood form district.
- **Waiver #2** of Land Development Code section 8.2.1.D.6 to allow a changing image sign within 300 feet of a residentially zoned and residentially used property.

01:19:09 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution, based on the staff report and the evidence and testimony presented today, was adopted:

(Waiver #1) WHEREAS, the Louisville Metro Development Review Committee finds that the waiver will not adversely affect adjacent property owners, as the applicant could install a significantly larger sign without the need for a waiver; and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020. The waiver will not violate specific guidelines of Cornerstone 2020 as Guideline 3, Policy 9 calls for the protection of the character of residential areas, roadways, and public spaces from visual intrusions and to mitigate where appropriate. Guideline 3, Policy 28 recommends signage that is compatible with the form district pattern and contributes to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot developments, minimize the number of signs by including signage for each establishment on the same support

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17WAIVER1040

structure and encourage consistent design (size, style, and materials). The signage is compatible with similar signs that are common to institutional and religious uses in the area. The applicant could install a larger sign with a larger changing image area on the site and not need the requested waiver under current LDC standards; and

WHEREAS, the Committee further finds that the extent of the waiver is the minimum necessary to afford relief to the applicant, as the overall size of the sign is less than could be installed on the site without a waiver; and

WHEREAS, the Committee further finds that the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as the applicant would have to install a larger sign than they wish in order to make the messages adequately readable; and

(Waiver #2) WHEREAS, the Committee further finds that the waiver will not adversely affect adjacent property owners, as the affected properties are on the opposite side of a minor arterial level roadway, and the sign will not face any of them directly; and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020 as Guideline 3, Policy 9 calls for the protection of the character of residential areas, roadways, and public spaces from visual intrusions and to mitigate where appropriate. Guideline 3, Policy 28 recommends signage that is compatible with the form district pattern and contributes to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot developments, minimize the number of signs by including signage for each establishment on the same support structure and encourage consistent design (size, style, and materials). The road class would allow for a much larger illuminated sign without a changing image portion. The proposed sign is smaller in size to reduce impact on neighboring properties; and

WHEREAS, the Committee further finds that the extent of the waiver is the minimum necessary to afford relief to the applicant, as the sign is significantly smaller than the maximum allowable under the LDC; and

WHEREAS, the Committee further finds that the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as their proximity

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17WAIVER1040

to homes would not allow them to install a standard modern display sign common to similar uses in the area; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the full Louisville Metro Planning Commission **APPROVE** the requested **Waiver** of Land Development Code section 8.2.1.D.4.a to allow a changing image sign area to exceed 30% of the total area of a freestanding sign within the Neighborhood form district, and the requested **Waiver** of Land Development Code section 8.2.1.D.6 to allow a changing image sign within 300 feet of a residentially zoned and residentially used property.

The vote was as follows:

YES: Commissioners Brown and Carlson.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17WAIVER1039

Request: Waiver to allow an LED to exceed maximum area of a sign
Project Name: John Paul II Academy
Location: 3525 Goldsmith Lane
Owner: Roman Catholic Bishop of Louisville
Applicant: Smart LED Signs and Lighting
Representative: Smart LED Signs and Lighting
Jurisdiction: Louisville Metro
Council District: 26 – Brent Ackerson

Case Manager: Jay Luckett, Planner I

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. 5th Street.)

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.

Agency Testimony:

01:20:41 Jay Luckett presented the case (see staff report and recording for detailed presentation.) He explained an error in the staff report – the area listed should be 48.5% of the area, not 31% of the area.

The following spoke in favor of the request:

Karla Hill, Smart LED, 11441 Blankenbaker Access Drive, Louisville, KY 40299

Summary of testimony of those in support:

01:24:54 Karla Hill, the applicant's representative, discussed the maximum available square footage.

The following spoke in opposition to the request:

No one spoke.

01:25:28 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution, based on the staff report and the evidence and testimony presented today, was adopted:

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17WAIVER1039

WHEREAS, the Louisville Metro Development Review Committee finds that the waiver will not adversely affect adjacent property owners, as the applicant could install a significantly larger sign without the need for a waiver; and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020 as Guideline 3, Policy 9 calls for the protection of the character of residential areas, roadways, and public spaces from visual intrusions and to mitigate where appropriate. Guideline 3, Policy 28 recommends signage that is compatible with the form district pattern and contributes to the visual quality of their surroundings. Promote signs of a size and height adequate for effective communication and conducive to motor vehicle safety. Encourage signs that are integrated with or attached to structures wherever feasible; limit freestanding signs to monument style signs unless such design would unreasonably compromise sign effectiveness. Give careful attention to signs in historic districts, parkways, scenic corridors, design review districts and other areas of special concern. For freestanding signs in multi-lot developments, minimize the number of signs by including signage for each establishment on the same support structure and encourage consistent design (size, style, and materials). The signage is compatible with similar signs that are common to institutional and religious uses in the area. The applicant could install a larger sign with a larger changing image area on the site and not need the requested waiver under current LDC standards; and

WHEREAS, the Committee further finds that the extent of the waiver is the minimum necessary to afford relief to the applicant, as the overall size of the sign is less than could be installed on the site without a waiver; and

WHEREAS, the Committee further finds that the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as the applicant would have to install a larger sign than they wish in order to make the messages adequately readable; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the full Louisville Metro Planning Commission **APPROVE** the requested Waiver of Land Development Code section 8.2.1.D.4.a to allow a changing image sign area to exceed 30% of the total area of a freestanding sign within the Neighborhood form district.

The vote was as follows:

YES: Commissioners Brown and Carlson.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1144

Request: A Category 3 Review of an existing 1,764 square foot building expansion on a corner lot on a C-1 zoned parcel within the Portland Neighborhood.

Project Name: 3416 Bank Street
Location: 3416 Bank Street
Owner: Tim Leister
Applicant: Renaissance Design Build
Representative: Bill Fischer – Classic Buildings
Jurisdiction: Louisville Metro
Council District: 5 – Cheri Bryant Hamilton

Case Manager: Ross Allen, Planner I

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. 5th Street.)

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.

Agency Testimony:

01:26:24 Ross Allen presented the case (see staff report and recording for detailed presentation.)

01:30:20 Commissioner Brown asked about the 2016 building permit (see recording for detailed discussion.) Joseph Reverman, Assistant Director for Planning & Design Services, and others discussed the Category 3 designation for this review.

The following spoke in favor of the request:

Bill Fischer, Classic Buildings, 2709 Blackiston Mill Road, Clarksville, IN 47130

Summary of testimony of those in support:

01:32:53 Bill Fischer, the applicant's representative, presented the applicant's case and gave a history of the project and the permits (see recording for detailed presentation.)

01:36:27 Commissioner Brown asked about the IARC comments mentioned in the Technical Review portion of the staff report. Mr. Allen handed out a copy of those comments to the Commissioners. Brian Davis, Planning Manager for Planning &

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1144

Design Services, added that the Portland exemption is for accessory structures for single-family homes only (non-commercial structures.) This is a commercial property. Joseph Reverman, Assistant Director for Planning & Design Services, also discussed Category 3 review standards (see recording for detailed discussion.)

01:40:42 In response to some questions from the Commissioners, Mr. Allen showed photos of the site and structure/s.

The following spoke in opposition to the request:

No one spoke.

01:45:13 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution, based on the staff report and the evidence and testimony presented today, was adopted:

RESOLVED, the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the full Louisville Metro Planning Commission **APPROVE** the requested Category 3 Review for an existing 1,764 sf. building expansion (Cat 2A by threshold standards for the Traditional Workplace Form District) as found on a C-1 zoned parcel within a Traditional Workplace from District in the Portland Neighborhood per Louisville Metro Ordinance 21-2008 as found in the Title XV: Land Usage Chapter 153 Planning General Provisions 153.04, **ON CONDITION** that the applicant will work with MSD, Transportation Planning and Planning & Design staff to resolve the final technical comments as part of the construction plan approval prior to the issuance of the full Certificate of Occupancy.

The vote was as follows:

YES: Commissioners Smith, Brown, Ferguson, Carlson, and Tomes.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1204

Request: Review of a Category 2B Development Plan for a proposed 70,425 square foot warehouse addition with an associated Sidewalk Waiver
Project Name: Ford LAP Building Addition
Location: 2000 Fern Valley Road
Owner: Michael McSweeney – Ford Motor Company
Applicant: Brooks Benton – Lockett & Farley
Representative: Brooks Benton – Lockett & Farley
Jurisdiction: Louisville Metro
Council District: 13 – Vicki Aubrey Welch

Case Manager: Ross Allen, Planner I

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. 5th Street.)

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.

Agency Testimony:

01:46:52 Ross Allen presented the case (see staff report and recording for detailed presentation.)

The following spoke in favor of the request:

Brooks Benton, 737 South Third Street, Louisville, KY 40202

Josh Bullington, 737 South Third Street, Louisville, KY 40202

Summary of testimony of those in support:

01:49:42 Brooks Benton, the applicant's representative, answered questions from the Commissioners (see recording for detailed discussion.) Curb cut on Fern Valley Road is being removed.

01:50:32 In response to a question from Commissioner Carlson, Mr. Allen showed the elevations for the view along Fern Valley Road at Grade Lane.

01:51:46 Josh Bullington, an applicant's representative, discussed the building construction and elevations.

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1204

01:53:38 Joseph Reverman, Assistant Director for Planning & Design Services, discussed form districts and thresholds for building design requirements in Suburban Workplace (see recording for detailed discussion.)

The following spoke in opposition to the request:

No one spoke.

01:55:51 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution, based on the staff report and the evidence and testimony presented today, was adopted:

WHEREAS, the Louisville Metro Development Review Committee finds that the applicant believes the waiver meets the intent of the Comprehensive Plan and LDC, which calls for the design intent of the suburban workplace form district to “reserve land for large-scale industrial and employment uses in a suburban location.” The design standards regarding pedestrians as listed in LDC Section 5.3.4 are to ensure “adequate access for employees.” Adequate access for employees is provided on site in the existing employee parking lots; and

WHEREAS, the Committee further finds that the applicant believes that compliance with the regulations in this case is not appropriate based on the relatively small additions that this submission represents in relation to the existing structure. Ford is proposing a building addition that represents less than a 2.5% increase in square footage to the property; and

WHEREAS, the Committee further finds that granting a waiver of the installation of sidewalks along Fern Valley Road and a portion of Grade Lane should have no effect upon adjacent property owners because it would be a continuation of the existing condition that has existed in the area since the plant was developed. The area is not frequented by pedestrians as it is located adjacent to I-65 and approximately 2 miles from I-264 and approximately 2 miles from I-265. The property is also adjacent to large industrial properties with heavy vehicular traffic. These properties do not have existing sidewalks they would dead end at the edge of the Ford’s property; and

WHEREAS, the Committee further finds that strict application of the provision would create an unnecessary hardship in that the installation of over a ½ mile of sidewalks would be necessary to meet the requirement, in relation to a building addition project that represents less than a 2.5% increase in the square footage of the existing structure square footage. A ½ mile sidewalks and modifications to the existing drainage systems

DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

NEW BUSINESS

CASE 17DEVPLAN1204

between the applicant's property and the existing roadway would add considerable cost implications in relation to the scale of the project; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the full Louisville Metro Planning Commission **APPROVE** the requested Waiver from LDC Section 5.8.1.B and Section 5.9.2.A.b.i to not provide a sidewalk along Fern Valley Road and a sidewalk for a length of 343 from the eastern side of the intersection of Fern Valley Rd. and Grade Lane south from the intersection as associated with the Category 2B Development Plan.

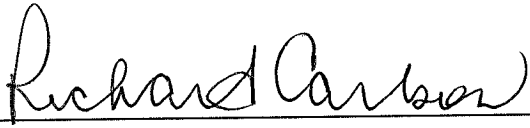
The vote was as follows:

YES: Commissioners Brown and Carlson.

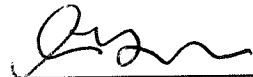
DEVELOPMENT REVIEW COMMITTEE
December 20, 2017

ADJOURNMENT

The meeting adjourned at approximately 2:55 p.m.



Vice Chair



Planning Director