

**MINUTES OF THE MEETING  
OF THE  
DEVELOPMENT REVIEW COMMITTEE  
January 31, 2018**

A meeting of the Development Review Committee was held on, January 31, 2018 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  
Emma Smith  
Laura Ferguson

**Committee Members absent were:**

David Tomes, Chairman

**Staff Members present were:**

Brian Davis, AICP, Planning Manager  
Jay Lockett, Planner I  
Paul Whitty, Legal Counsel  
Travis Fiechter, Legal Counsel  
Pamela M. Brashear, Management Assistant

The following matters were considered:

**DEVELOPMENT REVIEW COMMITTEE**  
**January 31, 2018**

**APPROVAL OF MINUTES**

**JANUARY 17, 2018 DRC MEETING MINUTES**

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

**RESOLVED**, that the Development Review Committee does hereby **APPROVE** the minutes of its meeting conducted on January 17, 2018.

**The vote was as follows:**

**YES: Commissioners Brown, Smith and Carlson**  
**NOT PRESENT FOR THIS CASE: Commissioner Tomes**  
**ABSTAINING: Commissioner Ferguson**

**DEVELOPMENT REVIEW COMMITTEE**  
**January 31, 2018**

**NEW BUSINESS**

**CASE NO. 17DEVPLAN1224**

Request: Revised Detailed District Development Plan with a  
Landscape Waiver  
Project Name: Crown Packaging  
Location: 2246 Ampere Drive  
Owner: Mijon Louisville, LLC  
Applicant: Kelley Construction  
Representative: Mindel Scott & Associates  
Jurisdiction: Jeffersontown  
Council District: 11 – Kevin Kramer  
**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. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:04:07 Mr. Lockett discussed the case summary, standard of review and staff analysis from the staff report.

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

Amy Cooksey, Mindel, Scott and Associates, 5151 Jefferson Boulevard, Louisville, Ky. 40299

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

00:08:05 Ms. Cooksey stated the waiver is the result of MSD needing an easement for drainage.

**Deliberation**

00:00:00 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.**

**Waiver of the Land Development Code (Jeffersontown) Section 10.2.4.B to allow a utility easement to overlap a landscape buffer area by greater than 50%**

**DEVELOPMENT REVIEW COMMITTEE**  
**January 31, 2018**

**NEW BUSINESS**

**CASE NO. 17DEVPLAN1224**

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

**WHEREAS**, the waiver will not adversely affect adjacent property owners since all required screening and buffering will still be provided on site; and

**WHEREAS**, 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. All required plantings will still be provided onsite; and

**WHEREAS**, the Louisville Metro Development Review Committee finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the existing parking lot limits the area in which utilities may be located to the planted area; and

**WHEREAS**, the Louisville Metro Development Review Committee further finds the strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land, as locating the easement outside of the buffer would reduce the area available to locate required parking.

**Revised Detailed District Development Plan and Binding Elements**

**WHEREAS**, there do 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 has approved the preliminary development plan; and

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**NEW BUSINESS**

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**WHEREAS**, required amenity areas are being provided to serve the facility; and

**WHEREAS**, the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision 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 properties and roadways. Buildings and parking lots will meet all required setbacks; 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 Land Development Code.

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the city of Jeffersontown **APPROVE** a waiver of the Land Development Code (Jeffersontown) Section 10.2.4.B to allow a utility easement to overlap a landscape buffer area by greater than 50% and the Revised Detailed District Development Plan **SUBJECT** to the following Binding Elements:

**All General District Development Plan Binding Elements approved under docket 9-96-79 applicable, in addition to the following.**

1. The development shall be in accordance with the approved district development plan, land use and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission and the City of Jeffersontown. All binding elements contained on the General District Development Plan shall remain in effect for the detailed plan.
2. The development shall not exceed 76,523 square feet of gross floor area.
3. Before a building or alteration permit and/or a certificate of occupancy is requested:
  - a) The development plan must be reapproved by Louisville Metro Public Works, Develop Louisville and the Metropolitan Sewer District.
  - b) The size and location of any proposed freestanding sign must be approved by the staff of the Planning Commission. The Planning Commission may require that the

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- signs be smaller-than would otherwise be permitted by the Zoning District Regulations.
- c) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
4. There shall be no outdoor storage on the site.
5. 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 of occupancy, unless specifically waived by the Planning Commission.

**The vote was as follows:**

**YES: Commissioners Brown, Ferguson, Smith and Carlson**  
**NOT PRESENT AND NOT VOTING: Commissioner Tomes**

**DEVELOPMENT REVIEW COMMITTEE**  
**January 31, 2018**

**ADJOURNMENT**

The meeting adjourned at approximately 1:13 p.m.



*Vice* Chair

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Planning Director

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