



Louisville Metro Government

Old Jail Auditorium
514 W. Liberty Street
Louisville, KY 40202

Agenda - Final Development Review Committee

Wednesday, August 5, 2026

1:00 PM

OldJail Auditorium

The Development Review Committee meeting will be conducted in-person at the Old Jail Building Auditorium, 514 West Liberty Street, Louisville, KY 40202.

Anyone wishing to join the meeting virtually using a computer, laptop, or mobile device, as well as anyone wishing to sign up to speak in support, in opposition, or as other for any case, should visit the following link:

<https://louisvilleky.gov/government/upcoming-public-meetings>

You can access case materials (staff reports, proposed plans, etc.) by clicking on the link below and selecting this meeting in the Calendar tab:

<https://louisville.legistar.com/Calendar.aspx>

If you have any questions, please contact the case manager or call the Office of Planning at 502-574-6230.

Call To Order

Minutes

1. [07.29.2026 DRC Minutes](#)

Attachments: [07.29.2026 DRC Minutes.pdf](#)

New Business

2. [26-EXTENSION-0012](#)

Request: Extension of Expiration Date
Project Name: Jacob Street Multi-Family
Location: 232 E. Jacob Street
Applicant: LDG Land Holdings LLC
Representative: Dinsmore & Shohl LLP
Jurisdiction: Louisville Metro
Council District: District 4 - Ken Herndon
Case Manager: Sydney Fawcett, AICP, Planner I

Attachments: [26-EXTENSION-0012_DRCStaffReport.pdf](#)
[22-CAT3-0007_ApprovedPlan.pdf](#)
[26-EXTENSION-0012_LetterOfExplanation_071426.pdf](#)

3. [26-WAIVER-0084](#)

Request: Waiver of Land Development Code Section 10.2.4.B.1 to allow a retaining wall to exceed 4 feet in height within the Landscape Buffer Area.
Project Name: Sandhill Preserve Dr Landscape Waiver
Location: Parcel IDs: 008602270000 & 008602280000
Applicant: Jarls Business Group, LLC
Representative: Mindel Scott
Jurisdiction: Louisville Metro
Council District: District 23 - Jeff Hudson
Case Manager: Mollie Share, Planner I

Attachments: [26-WAIVER-0084_DRCStaffReport.pdf](#)
[26-WAIVER-0084_Plan_072426.pdf](#)
[26-WAIVER-0084_Justification.pdf](#)

4. [26-WAIVER-0085](#)

Request: Waiver of Land Development Code Section 5.8.1.B to waive the requirement to construct a sidewalk in the abutting right-of-way serving the development site.
Project Name: Top Hill Road Sidewalk
Location: 1801 Top Hill Road
Applicant: Zachary Devoe
Representative: Zachary Devoe
Jurisdiction: Louisville Metro
Council District: District 13 - Dan Seum, Jr.
Case Manager: Abby Bills, Planner I

Attachments: [26-WAIVER-0085_DRCStaffReport_080526.pdf](#)
[26-WAIVER-0085_Plan.pdf](#)
[26-WAIVER-0085_Justification.pdf](#)

5. [26-STRCLOSURE-0012](#)

Request: Closure of Public Right-of-Way
Project Name: Logan Street Market Place
Location: E. St. Catherine Street and Logan Street
Applicant: MMCS Properties LLC
Representative: Land Design & Development, Inc
Jurisdiction: Louisville Metro
Council District: District 6 - J.P. Lyninger
Case Manager: Catherine Gomez, Planner I

Attachments: [26-STRCLOSURE-0012_StaffReport_080526.pdf](#)
 [26-STRCLOSURE-0012 Plat.pdf](#)
 [26-STRCLOSURE-0012_Justification.pdf](#)
 [26-STRCLOSURE-0012 Letter of Explanation.pdf](#)

Adjournment

This meeting will begin at 1:00 PM Eastern/12:00 PM Central.



Louisville Metro Government

Text File

File Number: 07.29.2026 DRC Minutes

Agenda Date: 8/5/2026

Version: 1

Status: Minutes to be Approved

In Control: Development Review Committee

File Type: Minutes

Agenda Number: 1.

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO DEVELOPMENT REVIEW COMMITTEE
July 29, 2026**

A meeting of the Louisville Metro Development Review Committee was held on July 15, 2026, at 1:00 p.m. at the Old Jail Auditorium, 514 West Liberty Street Louisville, KY 40202.

Committee Member's Present:

Bill Fischer, Chair
Steve Lannert
David Steff
Jim Mims

Committee Member's Absent:

Beth Stuber

Staff Members Present:

Joseph Haberman, Planning Manager
Rachel Casey, Planning Supervisor
Laura Ferguson, Assistant County Attorney
Mark Pinto, Planner II
Tyler Pobiedzinski, Planner I
Abby Bills, Planner I
Zach Schwager, Planner I
Haritha Gurivindapalli, Management Assistant

The following matters were considered:

DEVELOPMENT REVIEW COMMITTEE MINUTES
July 29, 2026

APPROVAL OF MINUTES

JULY 15, 2026, DEVELOPMENT REVIEW COMMITTEE MINUTES

00:03:05 On a motion by Commissioner Steff, seconded by Commissioner Mims, the following resolution was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the minutes of its meeting conducted on July 15, 2026.

The vote was as follows:

YES: Commissioners Steff, Lannert, Mims, and Fischer

ABSENT: Commissioner Stuber

DEVELOPMENT REVIEW COMMITTEE MINUTES
July 29, 2026

NEW BUSINESS

CASE NO. 26-CAT3-0002

Request:	Category 3 Development Plan with Waivers
Project Name:	Adalynn Crossing Apartments
Location:	3705 Manslick Road
Applicant:	Louisville Metro Government
Representative:	Land Design & Development, Inc.
Jurisdiction:	Louisville Metro
Council District:	3 – Shameka Parrish-Wright, 15 – Jennifer Chappell
Case Manager:	Abby Bills, Planner I

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. The Committee received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:03:35 Abby Bills provided an overview of the request and presented a PowerPoint presentation. Bills responded to questions from Committee Members. (See recording for details)

The following spoke in favor of the request:

Mike Hill, 503 Washburn Avenue, Louisville, KY 40222

Tammy Stansbury, 500 S Front Street, 10th Fl, Columbus, OH 43215

Summary of testimony of those in favor of the request:

00:08:00 Mike Hill provided an overview of the request and presented a PowerPoint presentation. Hill outlined the development plan, building designs, elevations, landscaping, parking, and access. Hill responded to questions from Committee Members. (See recording for details)

00:17:40 Tammy Stansbury spoke in support of the request and was available to answer any questions from the Commission. Stansbury responded to questions from Committee Members. (See recording for details)

DEVELOPMENT REVIEW COMMITTEE MINUTES

July 29, 2026

NEW BUSINESS

CASE NO. 26-CAT3-0002

The following spoke in opposition to the request:

None

Deliberation:

00:18:00 Committee deliberation

An audio/visual recording of the Development Review Committee meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Waivers:

00:19:20 On a motion by Commissioner Mims, seconded by Commissioner Steff, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

1. Waiver of Land Development Code Section 10.2.10 to omit the required vehicular use area landscape buffer area (VUA LBA) along the north property line. (26-WAIVER-0069)

WHEREAS, the Development Review Committee finds that the requested waiver will not adversely affect adjacent property owners as the adjacent property to the north is an inactive cemetery owned by Louisville Metro Government and contains no residents. The residential subdivision to the northeast of the subject site will not be adversely affected by the omission of the VUA LBA as it is adequately screened from view by existing vegetation along Old Manslick Road, and

WHEREAS, the Development Review Committee finds that the proposal will not violate specific guidelines of Plan 2040. Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. The request to omit the VUA LBA along the north property line will be compatible with the existing development, or lack of, on the inactive cemetery to the north. There will be no redevelopment of the inactive cemetery, so there is reason that the VUA LBA and related plantings should be required relating to site design or scale.

Additionally, one of the intents of the Traditional Neighborhood form district is to provide parks and open space resources convenient to neighborhood residents; the proposal will

DEVELOPMENT REVIEW COMMITTEE MINUTES

July 29, 2026

NEW BUSINESS

CASE NO. 26-CAT3-0002

be in line with this intent even with the waiver request, as there will be direct pedestrian access from the buildings to the neighboring park to the east, and

WHEREAS, the Development Review Committee finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as there is no room on the proposed plan to provide the full 10 foot VUA LBA along the north property line, while still providing adequate access to and from the main parking lot, and

WHEREAS, the Development Review Committee finds that the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land as the proposal is still meeting the intent of the regulation with the requested waiver. The property to the north is an inactive cemetery and will never be developed as a residential use. Therefore, the intent of the regulation, to reduce the visual impact of the vehicular use area on neighboring residents, will continue to be met even with the omission of the VUA LBA entirely, now, therefore be it.

2. Waiver of Land Development Code Section 5.4.1.G.1.b and 5.4.1.G.3 to allow parking to be located between the front façade of the building and the primary street. (26-WAIVER-0070)

WHEREAS, the Development Review Committee finds that the requested waiver will not adversely affect adjacent property owners as there are no residential properties adjacent to the subject site. The inactive cemetery to the north of the parcel and Metro-owned park to the east of the parcel will not be developed residentially in the future, and

WHEREAS, the Development Review Committee finds that the Community Form Goal 1, Policy 17 calls for the proposal to mitigate adverse impacts of traffic from proposed development on nearby existing communities. The proposed development will be developed in line with this policy even with the extent of the waiver, as the proposed parking spaces will be screened from all adjacent residents by the existing landscape of the general area. The 4 parking spaces located in front of the buildings will not adversely impact the nearby communities from a traffic and lighting lens, and

WHEREAS, the Development Review Committee finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as only 4 of the 70 proposed parking spaces will be located in front of the buildings. The applicant has provided as many spaces in compliance with the regulation as the lot will reasonably fit; the applicant is additionally providing an amount well under the maximum allowed parking of 96 spaces, and

DEVELOPMENT REVIEW COMMITTEE MINUTES
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CASE NO. 26-CAT3-0002

WHEREAS, the Development Review Committee finds that the applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived. In front of Building #2, the applicant has provided recreational open space in the form of a playground in addition to the pedestrian connection to the adjacent park. This exceeds the open space standards of the Land Development Code and compensates for the non-compliance of the 4 parking spaces adjacent to said playground, now, therefore be it.

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Waiver **(1)** of Land Development Code Section 10.2.10 to omit the required vehicular use area landscape buffer area (VUA LBA) along the north property line **(26-WAIVER-0069)** and Waiver **(2)** of Land Development Code Section 5.4.1.G.1.b and 5.4.1.G.3 to allow parking to be located between the front façade of the building and the primary street **(26-WAIVER-0070)**.

The vote was as follows:

YES: Commissioners Steff, Lannert, Mims, and Fischer

ABSENT: Commissioner Stuber

Category 3 Development Plan

00:20:20 On a motion by Commissioner Mims, seconded by Commissioner Steff, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds that the proposal meets the requirements of the Land Development Code, except for the requested Waivers, now, therefore be it.

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Category 3 Development Plan.

The vote was as follows:

YES: Commissioners Steff, Lannert, Mims, and Fischer

ABSENT: Commissioner Stuber

DEVELOPMENT REVIEW COMMITTEE MINUTES

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NEW BUSINESS

CASE NO. 26-DDP-0014

Request:	Revised Detailed District Development Plan with Revised Binding Elements
Project Name:	Cardinal Storage
Location:	13319 Aiken Road
Applicant:	Cardinal Project LLC
Representative:	Land Design & Development, Inc.
Jurisdiction:	Middletown
Council District:	17 – Markus Winkler
Case Manager:	Tyler Pobiedzinski, Planner I

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. The Committee received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:21:00 Tyler Pobiedzinski provided an overview of the request and presented a PowerPoint presentation. Pobiedzinski responded to questions from Committee Members. (See recording for details)

The following spoke in favor of the request:

Ted Bernstein, 503 Washburn Avenue, Louisville, KY 40223

Summary of testimony of those in favor of the request:

00:23:30 Ted Bernstein provided an overview of the request and presented a PowerPoint presentation. Bernstein outlined the revised development plan, building designs, elevations, and access. Bernstein responded to questions from Committee Members. (See recording for details)

The following spoke in opposition to the request:

None

Deliberation:

DEVELOPMENT REVIEW COMMITTEE MINUTES

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NEW BUSINESS

CASE NO. 26-DDP-0014

00:28:50 Committee deliberation

An audio/visual recording of the Development Review Committee meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

Revised Detailed District Development Plan with Revised Binding Elements

00:29:20 On a motion by Commissioner Steff, seconded by Commissioner Mims, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds that the natural resources on the subject site have been adequately addressed. Chenoweth Run, a protected waterway, is located adjacent to the property and the applicant has maintained the required 100-foot stream buffer. Where limited encroachments occur within the outer 25-foot stream buffer zone, equivalent or greater buffer area has been provided elsewhere on the site as permitted by the City of Middletown Land Development Code. The development also preserves approximately 16.5% tree canopy, exceeding the 15% minimum required by the City of Middletown. No historic resources, floodplain impacts, or other significant environmental constraints appear to be affected by the proposal, and

WHEREAS, the Development Review Committee finds that adequate vehicular access is provided through the proposed circulation pattern allows for safe and efficient movement throughout the site. The development has been reviewed by Transportation Planning, and no significant transportation concerns have been identified. Given the nature of the proposed mini-storage use, pedestrian activity is expected to be limited, and

WHEREAS, the Development Review Committee finds that there are no open space requirements for the proposed development, and

WHEREAS, the Development Review Committee finds that adequate drainage facilities have been provided to serve the proposed development. The Metropolitan Sewer District has reviewed and approved the proposed drainage plan and determined that the development can be accommodated without creating adverse drainage impacts on the subject site or surrounding properties, and

WHEREAS, the Development Review Committee finds the proposed site design is compatible with the existing and anticipated future development pattern of the area. The

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mini-storage use is consistent with the industrial zoning and surrounding land uses. Building placement has been designed to minimize impacts on adjacent properties, while compliance with applicable buffering, tree canopy, and stream protection requirements further enhances compatibility with the surrounding area, and

WHEREAS, the Development Review Committee finds that the development plan conforms to all applicable goals, objectives, and policies of the Comprehensive Plan and the requirements of the Land Development Code. Community Form Goal 1, Policy 8 encourages industrial development to locate in areas that are readily served by existing infrastructure and transportation facilities. The proposal redevelops industrially zoned property within the Suburban Workplace Form District with a Mini-Storage use that is compatible with surrounding industrial development patterns and supported by existing public infrastructure and transportation networks, now, therefore be it.

RESOLVED, that the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the City of Middletown **APPROVE** the Detailed District Development Plan **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 (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 (and to the City of Middletown) for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. 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.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit (Note: Alteration and demolition to be used for sites within an historic preservation district, national register site, or other historic building) is issued:

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CASE NO. 26-DDP-0014

- a. The development plan must receive full construction approval from Construction Review, 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.
4. 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 Steff, Lannert, Mims, and Fischer

ABSENT: Commissioner Stuber

DEVELOPMENT REVIEW COMMITTEE MINUTES

July 29, 2026

NEW BUSINESS

CASE NO. 26-DDP-0032

Request: Revised Detailed District Development Plan with Revision to Binding Elements
Project Name: Preston Spring Drive and Crossing Spring Way Townhouses
Location: 4900 Crossing Spring Way
Applicant: Village at Preston Crossing Condominium Association
Representative: Clarisa de Luna
Jurisdiction: Louisville Metro
Council District: 24 – Ginny Mulvey-Woolridge
Case Manager: Zach Schwager, Planner I

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. The Committee received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained at the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:30:00 Zach Schwager provided an overview of the request and presented a PowerPoint presentation. Schwager responded to questions from Committee Members. (See recording for details)

The following spoke in favor of the request:

Clarisa de Luna, 11250 Cherry Lane, Louisville, KY 40223

Summary of testimony of those in favor of the request:

00:33:40 Clarisa de Luna stated that they worked closely with the HOA throughout the process and received its support for the proposal. de Luna explained that the original plan approved with the change in zoning included 32 units, but it was revised to a townhouse design with 26 units (13 per lot) in 2023 to improve maintenance efficiency and reduce shared building expenses. de Luna also noted that the current proposal remains largely unchanged from the 2023 approved plan, with updates made only to comply with current regulations. Clarisa de Luna responded to questions from Committee Members. (See recording for details)

The following spoke in opposition to the request:

DEVELOPMENT REVIEW COMMITTEE MINUTES
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NEW BUSINESS

CASE NO. 26-DDP-0032

Rebecca Hastings, 9606 Preston Springs Dr, Unit 101, Louisville, KY 40229

Summary of testimony of those in opposition to the request:

00:35:30 Rebecca Hastings voiced concern that no visible progress or architectural plans have been presented since discussions began in 2023. Hastings asked about the project's status, approval process, notification requirements, and timeline. The project is supposed to be finished by 2031, and she questioned whether it will actually be completed. Hastings emphasized that she wants to see real development and visible progress. Hastings responded to questions from Committee Members. (See recording for details)

Rebuttal:

00:40:30 Clarisa de Luna explained that elevations were submitted in 2023 to both the city and the HOA for final approval. The HOA requested specific design details—brick, roofing, siding, and landscaping—and those discussions continued, particularly after a change in the HOA board and the arrival of a new property manager. de Luna noted that the design remains the same aside from a reduction in the number of units. The team is seeking a revised plan and new approval rather than an extension because the 2023 approved plan expired. Clarisa de Luna responded to questions from Committee Members. (See recording for details)

00:42:30 Rachel Casey clarified that the 2023 development plan already proposed townhome style development, and that the current 2026 plan is identical to what was approved in 2023. The only issue is that the 2023 plan expired because the applicant did not request an extension, requiring them to reapply under a new DDP. Since no major changes occurred in the land development code, the plan remains compliant. Casey responded to questions from Committee Members. (See recording for details)

Deliberation:

00:46:00 Committee deliberation

An audio/visual recording of the Development Review Committee meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

DEVELOPMENT REVIEW COMMITTEE MINUTES

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NEW BUSINESS

CASE NO. 26-DDP-0032

Revised Detailed District Development Plan (RDDDP) with revised binding elements.

00:46:30 On a motion by Commissioner Steff, seconded by Commissioner Mims, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds that there are no natural resources on the subject property other than the existing tree canopy at the rear and tree canopy requirements of the Land Development Code (LDC) will be provided. There is no increase in impervious surface area, and

WHEREAS, the Development Review Committee finds that provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided. Metro Public Works has approved the preliminary development plan, and

WHEREAS, the Development Review Committee finds that there are no open space requirements for the proposed development, and

WHEREAS, the Development Review Committee finds that the MSD has preliminarily approved the development plan and will ensure the provision of adequate drainage facilities on the subject site to prevent drainage problems from occurring on the subject site or within the community, and

WHEREAS, the Development Review Committee finds the overall site design and land uses are compatible with the existing and future development of the area, and

WHEREAS, the Development Review Committee finds that the development plan conforms to all applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. Policy 3.1.3 of Plan 2040 states, the Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas. The proposed plan meets this policy, now, therefore be it.

DEVELOPMENT REVIEW COMMITTEE MINUTES

July 29, 2026

NEW BUSINESS

CASE NO. 26-DDP-0032

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the Revised Detailed District Development Plan **SUBJECT** to the following revised Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding elements 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. 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.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, or demolition is requested:
 - a. The development plan must receive full construction approval from 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.
4. 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.
5. 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

DEVELOPMENT REVIEW COMMITTEE MINUTES

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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.

6. All street name signs shall be installed prior to requesting a certificate of occupancy for any structure. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.

The vote was as follows:

YES: Commissioners Steff, Lannert, Mims, and Fischer

ABSENT: Commissioner Stuber

DEVELOPMENT REVIEW COMMITTEE MINUTES
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ADJOURNMENT

The meeting adjourned at approximately 1:53 p.m.

Chair

Planning Director



Louisville Metro Government

Text File

File Number: 26-EXTENSION-0012

Agenda Date: 8/5/2026

Version: 1

Status: New Business

In Control: Development Review Committee

File Type: Planning Case

Agenda Number: 2.



26-EXTENSION-0012

Development Review Committee
Staff Report
August 5, 2026

Jacob Street Multi-Family

Location: 232 E. Jacob Street
Applicant: LDG Land Holdings LLC
Representative: Dinsmore & Shohl LLP
Jurisdiction: Louisville Metro
Council District: 4 – Ken Herndon
Case Manager: Sydney Fawcett, AICP, Planner I

REQUEST & RECOMMENDED ACTION

1. Extension of Expiration
 - Staff finds that the proposal provides good cause as to why the tasks could not reasonably be completed within the allotted time and recommends that the Development Review Committee **APPROVE** the Extension of Expiration

CASE SUMMARY

The subject site is approximately 0.77 acres zoned C-2 Commercial in the Traditional Neighborhood form district. The site is located at the intersection of E Jacob Street and S Floyd Street to the east of I-65. The applicant is requesting a second extension of expiration date for a Category 3 development plan for a 97-unit multi-family development. The development plan was approved on August 15, 2022, and had an expiration date of August 15, 2024.

The first extension of expiration was approved by staff under 24-EXTENSION-0011 on June 18, 2024, extending the expiration date to August 15, 2026. The applicant filed a request for a second extension of expiration on July 13, 2026. If approved, the new expiration date would be August 15, 2028.

The applicant has requested the extension of expiration to allow them to continue to coordinate with the Kentucky Housing Corporation (KHC) to finalize funding for the approved development. Approving the extension of expiration would provide the applicant with more time to work with KHC prior to starting construction.

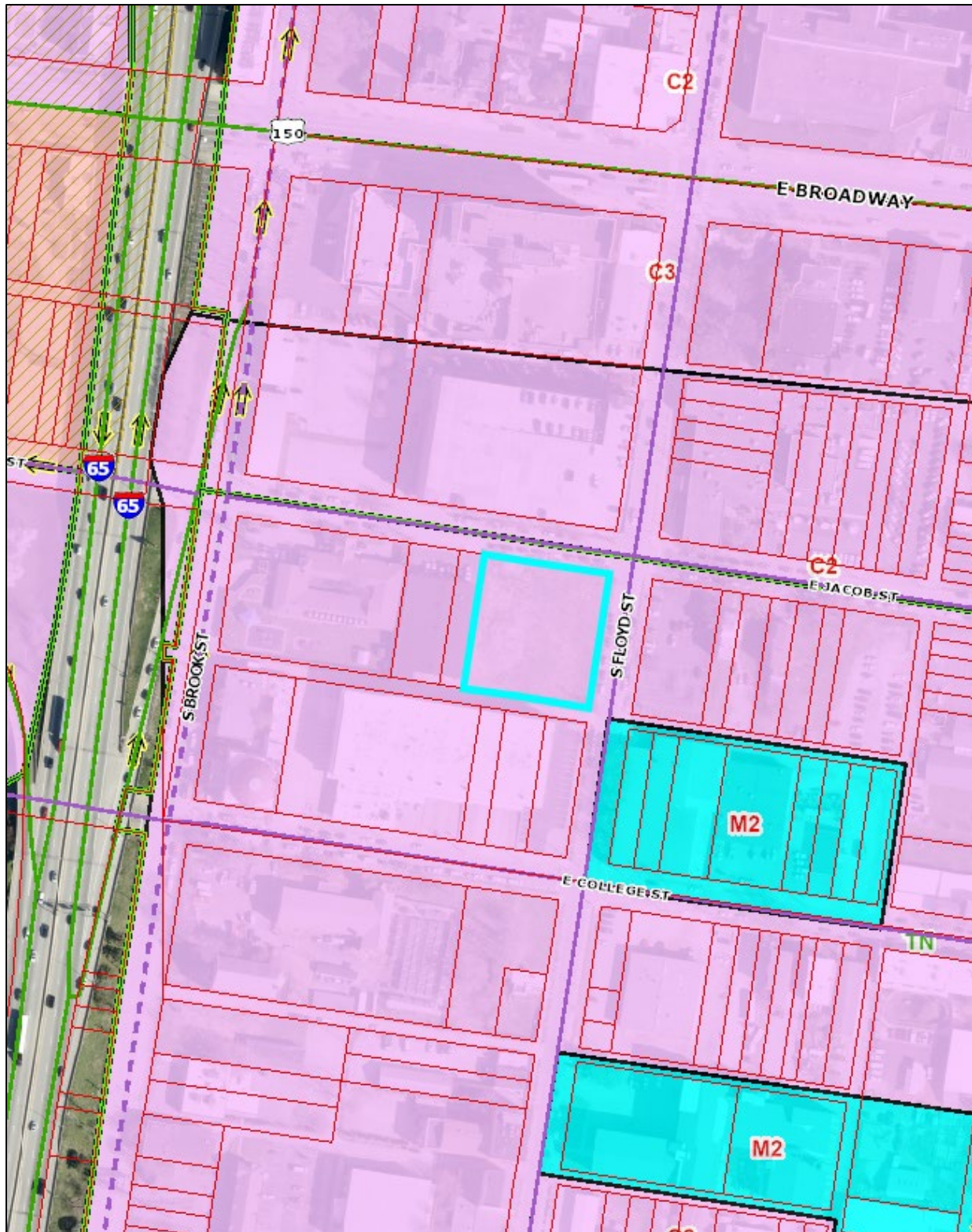
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/21/2026	Development Review Committee Public Hearing	1st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 4

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. ZONING MAP



2. AERIAL PHOTOGRAPH



PRELIMINARY APPROVAL

Condition of Approval: _____

Development Review: Medha B. Th. Date: 7-28-22

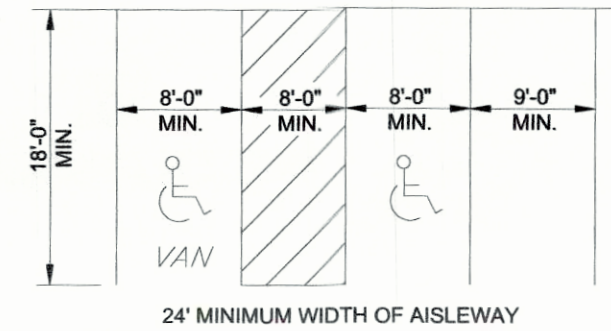
LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

NORTON PROPERTIES, INC.
211 E JACOB ST.
D.B. 5691 PG. 795
C2 / DOWNTOWN

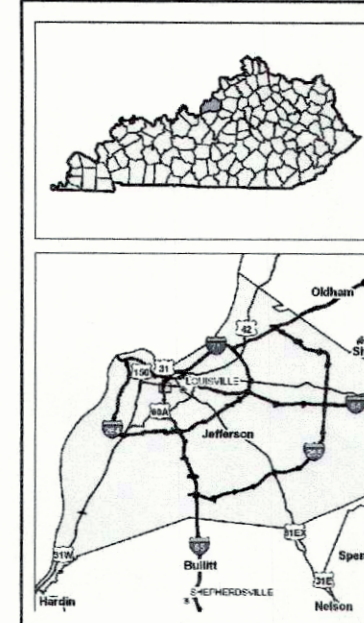
WAVE HOLDINGS LLC
1469 SOUTH 4TH STREET
D.B. 8071 PG. 844
C2 / DOWNTOWN

LEGEND

	PROPERTY LINE
	PROPERTY SETBACK LINE
	FENCE
	LIGHT DUTY ASPHALT PAVEMENT
	CONCRETE PAVEMENT



TYPICAL PARKING SPACE LAYOUT
NOT TO SCALE



DEVELOPER:
LDG DEVELOPMENT
1469 SOUTH 4TH STREET
LOUISVILLE, KENTUCKY 40208

LAND OWNER:
LDG LAND HOLDINGS LLC
1469 SOUTH 4TH STREET
LOUISVILLE, KENTUCKY, 40208

ENGINEER:
GRESHAM SMITH
111 W. MAIN ST., STE 201
LOUISVILLE, KENTUCKY, 40202
MATT MCLAREN, PE

SITE INFO:
232 E. Jacob Street
Louisville, Kentucky, 40203
D.B. 12250 Pg. 766
Tax Block: 30B Lot: 19
Parcel ID: 030800190000

LAND DEVELOPMENT CODE (LDC) GENERAL NOTES:

- NO PORTION OF THE SITE IS WITHIN THE 100 YEAR FLOOD PLAIN PER FIRM MAP NO. 21111 C0041 F DATED FEBRUARY 26, 2021.
- DOCUMENTATION WILL BE REQUIRED PRIOR TO CONSTRUCTION APPROVAL SHOWING THAT THE DEVELOPMENT COMPLIES WITH ALL LIGHTING REGULATIONS FROM CHAPTER 4, PART 1, SECTION 3.
- ALL SIGNAGE WILL COMPLY WITH THE REQUIREMENTS OF CHAPTER 8. NO SIGNS WILL BE PERMITTED WITHIN THE RIGHT OF WAY.
- OFF-STREET LOADING AND REFUSE COLLECTION AREAS SHALL BE LOCATED AND SCREENED PER CHAPTER 10.
- LOT PROPERTY LINES ARE LOCATED VIA ALTA SURVEY.
- MITIGATION MEASURES FOR DUST CONTROL SHALL BE IN PLACE DURING CONSTRUCTION TO PREVENT FUGITIVE PARTICULATE EMISSIONS FROM REACHING EXISTING ROADS AND NEIGHBORING PROPERTIES.
- A KARST SURVEY IS NOT REQUIRED PER CHAPTER 4.9.
- THE DEVELOPMENT LIES WITHIN THE CITY OF LOUISVILLE FIRE DISTRICT.

METRO PUBLIC WORKS (MPW) AND KENTUCKY TRANSPORTATION CABINET (KYTC) NOTES:

- TRANSPORTATION PLANNING APPROVAL IS REQUIRED PRIOR TO CONSTRUCTION APPROVAL.
- CONSTRUCTION PLANS, BOND AND ENCROACHMENT PERMIT ARE REQUIRED FOR ALL WORK DONE IN THE RIGHT OF WAY PRIOR TO CONSTRUCTION APPROVAL.
- THERE SHALL BE NO LANDSCAPING IN THE RIGHT OF WAY WITHOUT AN ENCROACHMENT PERMIT.
- ALL NEW SIDEWALKS SHALL BE BUILT TO ADA CURRENT STANDARDS.
- EXISTING SIDEWALK RECONSTRUCTION AND REPAIRS SHALL BE REQUIRED, AS NECESSARY, TO MEET CURRENT MPW STANDARDS AND SHALL BE INSPECTED PRIOR TO FINAL BOND RELEASE.
- ALL SIDEWALKS ARE A MINIMUM OF 5' WIDE. SIDEWALK CROSS SLOPES SHALL NOT EXCEED 2%.

MSD/EPSC/UTILITY NOTES:

- SITE SERVED BY MORRIS FORMAN WASTE WATER TREATMENT PLANT.
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S DESIGN MANUAL AND STANDARD SPECIFICATIONS AND OTHER LOCAL, STATE, AND FEDERAL ORDINANCES.
- THE APPROVED EROSION PREVENTION AND SETTLEMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMPs SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.
- ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOILS TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.
- SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES, AND CATCH BASINS. STOCKPILES SHALL BE SEED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCING.
- WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NOT LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.
- ON-SITE DETENTION IS PROVIDED IN THE PROPOSED UNDERGROUND DETENTION BASIN. 100-YR POST-DEVELOPED PEAK FLOWS WILL BE LIMITED TO 10-YR PRE-DEVELOPED PEAK FLOWS OR TO THE CAPACITY OF THE DOWNSTREAM SYSTEM, WHICHEVER IS MORE RESTRICTIVE. UNDERGROUND DETENTION MUST MEET THE REQUIREMENTS OF SECTION 10.3.8.4 OF MSD'S DESIGN MANUAL.
- SANITARY SEWER SERVICE PROVIDED BY EXISTING PROPERTY SERVICE CONNECTION, SUBJECT TO FEES AND ANY APPLICABLE CHARGES.
- MSD DRAINAGE BOND MAY BE REQUIRED PRIOR TO CONSTRUCTION PLAN APPROVAL.
- COMPATIBLE UTILITIES SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPROPRIATE AGENCIES.
- ANY PROPOSED RETAIL SHOPS MUST HAVE INDIVIDUAL CONNECTIONS PER MSD'S FATS, OIL, AND GREASE POLICY.

IMPERVIOUS AREA:

EXISTING IMPERVIOUS AREA: 30,900 SF (0.71 ACRES)
PROPOSED IMPERVIOUS AREA: 27,650 SF (0.64 ACRES)
NET DECREASE IN IMPERVIOUS AREA: 3,250 SF (10.5%)

DETENTION CALCULATIONS:

Q10 (PRE): 3.81 CFS
Q100 (POST): 5.44 CFS
VOL 100 (POST): 15,179 CF

Q10 / Q100 = 0.70
Req. STORAGE VOL. = 0.22 * VOL 100 (POST) =
0.22 * 15,179 CF = 3,340 CF

HEALTH DEPARTMENT NOTES:

- ALL CONSTRUCTION AND SALES TRAILERS MUST BE PERMITTED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS IN ACCORDANCE WITH CHAPTER 115 OF LOUISVILLE/JEFFERSON COUNTY METRO ORDINANCES.
- MOSQUITO CONTROL WILL BE PROVIDED IN ACCORDANCE WITH CHAPTER 96 OF THE LOUISVILLE/JEFFERSON COUNTY METRO ORDINANCES.
- EACH PROPOSED BUILDING MUST CONNECT TO ITS OWN SANITARY SEWER PSC WITH A MINIMUM 6" SANITARY SEWER.
- OWNER MUST PROVIDE DOCUMENTATION OF CONNECTION TO SANITARY SEWER PSC WITH A MINIMUM 6" SANITARY SEWER.

WAIVERS AND VARIANCES:

- A VARIANCE IS BEING REQUESTED FROM LDC CHAPTER 5.2.2, TABLE 5.2.2 TO ENCROACH INTO THE FRONT YARD SETBACK.
- A VARIANCE IS BEING REQUESTED FROM LDC CHAPTER 5.2.2, TABLE 5.2.2 TO EXCEED THE MAXIMUM BUILDING HEIGHT.
- A ROW WAIVER IS BEING REQUESTED FOR S FLOYD STREET

PROJECT SUMMARY

FORM DISTRICT	TRADITIONAL NEIGHBORHOOD	C2
ZONING	NONE	
SPECIAL ZONING		
SETBACKS		
FRONT YARD	15 MIN.	FT
STREET-SIDE YARD	3	FT
SIDE YARD	0	FT
REAR YARD	5	FT
MAXIMUM BUILDING HEIGHT	45	FT
PROPOSED BUILDING HEIGHT		4
PREVIOUS USE	RELIGIOUS FACILITY	
PROPOSED USE	MULTI FAMILY HOUSING	
TOTAL SITE AREA	33,445	SF
PROPOSED SITE AREA	33,445	SF
GROSS FLOOR AREA OF BUILDINGS	78,320	SF
GROSS BUILDING FOOTPRINT AREA	19,580	SF
DWELLING UNITS	97	UNITS
MAX DENSITY ALLOWED	217	UNITS / ACRE
PROPOSED DENSITY	126	UNITS / ACRE
FLOOR TO AREA RATIO		
MAXIMUM	5.0	FAR
PROPOSED	2.34	FAR

PARKING SUMMARY

RESIDENTIAL (MULTI-FAMILY)			
MINIMUM (NOT APPLICABLE)	0	SPACES	
MAXIMUM (2 SPACES PER UNIT @ 97 UNITS)	194	SPACES	
TOTAL ON-SITE PARKING PROVIDED	23	SPACES	INC. 2 ACCESSIBLE
BICYCLE PARKING			
TEMPORARY REQUIRED	0	SPACES	
TEMPORARY PROPOSED	0	SPACES	
PERMANENT REQUIRED	0	SPACES	
PERMANENT PROPOSED	0	SPACES	

LANDSCAPING SUMMARY

LANDSCAPE BUFFER	NOT REQUIRED	FT	
OPEN SPACE REQUIRED	1,672	SF	
OPEN SPACE PROVIDED (INDOOR CLUBHOUSE)	1,700	SF	
VUA BUFFER	5	FT	
VUA AREA	7,069	SF	0.16 Acre
ILA REQUIRED (2.5%)	201	SF	
ILA PROVIDED	270	SF	
EXISTING TREE CANOPY	0%		0 SF
REQUIRED TREE CANOPY	35%		11,706 SF
EXISTING TREE CANOPY PRESERVED	0%		0 SF
EXISTING TREE CANOPY PROVIDED			12,240 SF
			TYPE A (6) 7,200 SF
			TYPE B (7) 5,040 SF

STREET TREES REQUIRED 1 TYPE C TREE PER 20 FT, OR 1 TYPE B TREE EVERY 25 FT, OR 1 TYPE A TREE EVERY 30 FT

MSD WM#: 12458

RECEIVED

JUL 26 2022
PLANNING &
DESIGN SERVICES

Gresham Smith

22-CAT3-6807

GreshamSmith.com

111 West Main Street
Suite 201
Louisville, KY 40202

502.627.8900

Jacob Street Multi-family

232 East Jacob Street
Louisville, Kentucky 40203

NOT FOR
CONSTRUCTION

Revision

No.	Date	Description
1	06/27/2022	AGENCY COMMENTS

CATEGORY 3
DETAILED DISTRICT
DEVELOPMENT PLAN

DDDP

45680.00
MAY 16, 2022

This is not a final plan. It is for informational purposes only.



PRELIMINARY APPROVAL
DEVELOPMENT PLAN

CONDITIONS:
BY: [Signature]
DATE: 08/01/2022
LOUISVILLE & JEFFERSON COUNTY METRO PUBLIC WORKS



July 8, 2026

Customer Service
Division of Planning and Design Services
444 S. 5th Street
Louisville, KY 40202

Re: 232 E. Jacob Street – Extension of Expiration Application

Dear Planning Customer Service,

This letter accompanies the application for an Extension of Expiration for the property located at 232 E. Jacob Street (the “Subject Property”). The Subject Property received approval on August 15, 2022, for a Category 3 Detailed District Development Plan under Docket No. 22-CAT3-0007. The Applicant subsequently received approval from the Planning Director for a two-year extension pursuant to Section 1.1.9 of the Land Development Code, extending the expiration date to August 15, 2026.

The Applicant is requesting approval of an additional extension of 22-CAT3-0007 due to ongoing coordination with the Kentucky Housing Corporation (KHC) and continued efforts to finalize funding and financing for the proposed development. The additional time will allow the Applicant to complete the necessary financing with KHC and advance the project toward construction.

Please have the application reviewed at your earliest convenience and contact my office to schedule a hearing before the Planning Commission.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cliff H. Ashburner".

Clifford H. Ashburner



Louisville Metro Government

Text File

File Number: 26-WAIVER-0084

Agenda Date: 8/5/2026

Version: 1

Status: New Business

In Control: Development Review Committee

File Type: Planning Case

Agenda Number: 3.



26-WAIVER-0084

Development Review Committee
Staff Report
August 5, 2026

Landscape Waiver

Location: Parcel ID# 008602270000 & 008602280000
Applicant: Jarls Business Group, LLC
Representative: Mindel Scott
Jurisdiction: Louisville Metro
Council District: 23 – Jeff Hudson
Case Manager: Mollie Share, Planner I

REQUEST & RECOMMENDED ACTION

1. **26-WAIVER-0084:** Wavier of Land Development Code (LDC) Section 10.2.4.B.1 to allow a retaining wall to exceed 4 feet in height within the Landscape Buffer Area.
 - Staff finds the justification for the request is adequate and recommends the Development Review Committee **APPROVE** the Waiver.

CASE SUMMARY

The subject site is approximately 11.1 acres and is zoned R-5A Multi-Family Residential within the Neighborhood form district. The subject site is located at the southern edge of the county line, off Cedar Creek Rd. The applicant is proposing to construct a retaining wall along a majority of the western property line, with a maximum height of 8 feet. Since this retaining wall is located within the Landscape Buffer Area, a waiver is required.

TECHNICAL REVIEW

- Comprehensive Plan 2040
- Land Development Code (Louisville Metro 2025)

STANDARD OF REVIEW AND STAFF ANALYSIS

(a) The waiver will not adversely affect adjacent property owners; and

STAFF FINDING: The waiver will not adversely affect adjacent property owners as the proposed retaining wall will provide even more screening of potential visual and noise impacts than the required landscaping alone. The required plantings and buffer width along that Landscape Buffer Area will still be provided.

(b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF FINDING: The waiver will not violate specific guidelines of Plan 2040. Community Form Goal 1 Policy 9 ensures an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The proposed retaining wall serves as a height transition between the multi-family and single-family zoning, while still providing landscape buffers and appropriate building setbacks. Community Form Goal 3 Policy 9 encourages development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems. The addition of this retaining wall along the western property line will ensure that this development avoids substantial changes to the topography with minimal environmental degradation.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF FINDING: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the applicant's request is limited to a wall on one side of the property while still maintaining the required buffer width and plantings.

(d) Either: (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF FINDING: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant as this is the only change from the existing and approved development plan. Elimination of this retaining wall would result in the need for a complete redesign of the site and a possible loss in housing units.

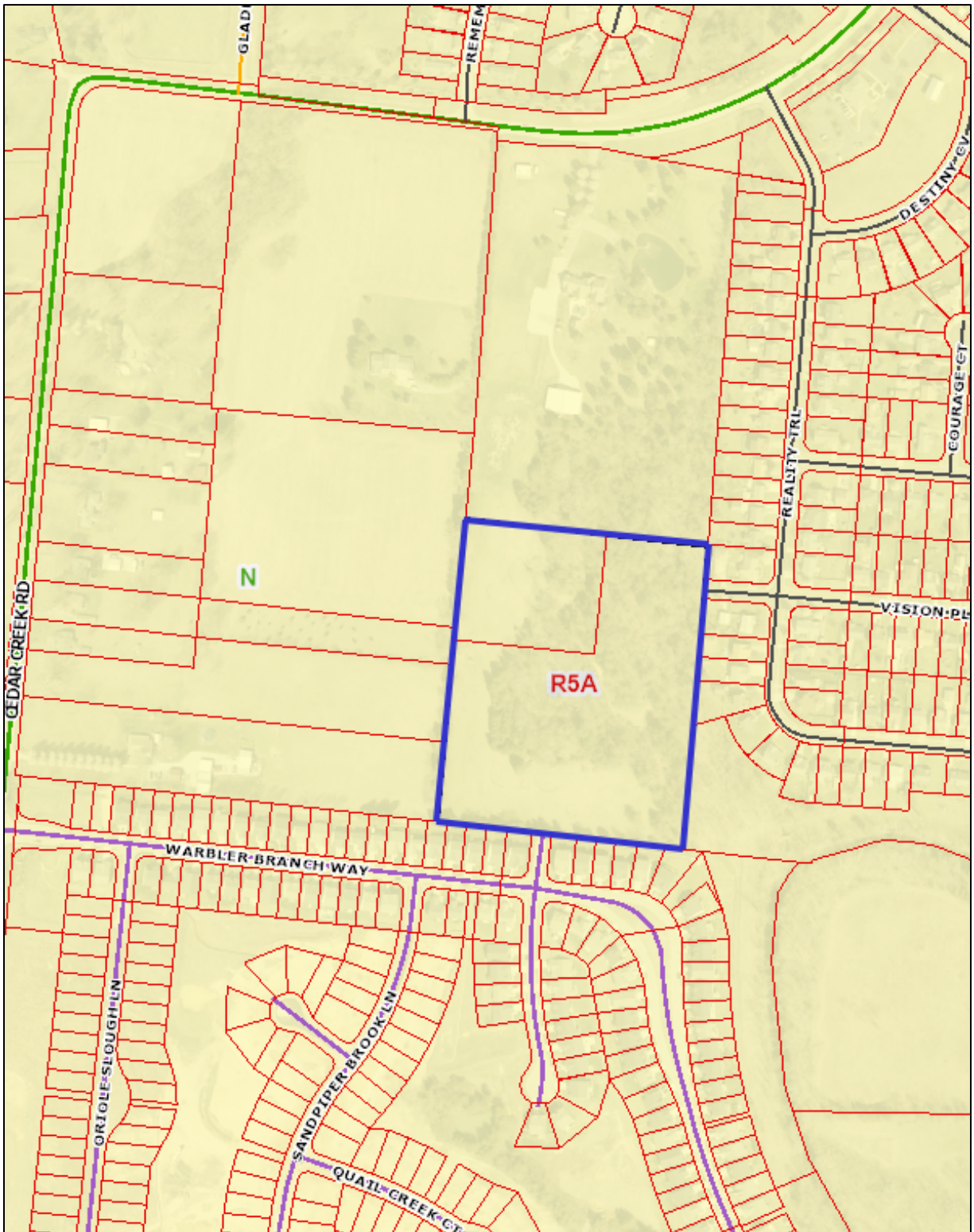
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/24/2026	Development Review Committee Public Hearing	1 st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 23

ATTACHMENTS

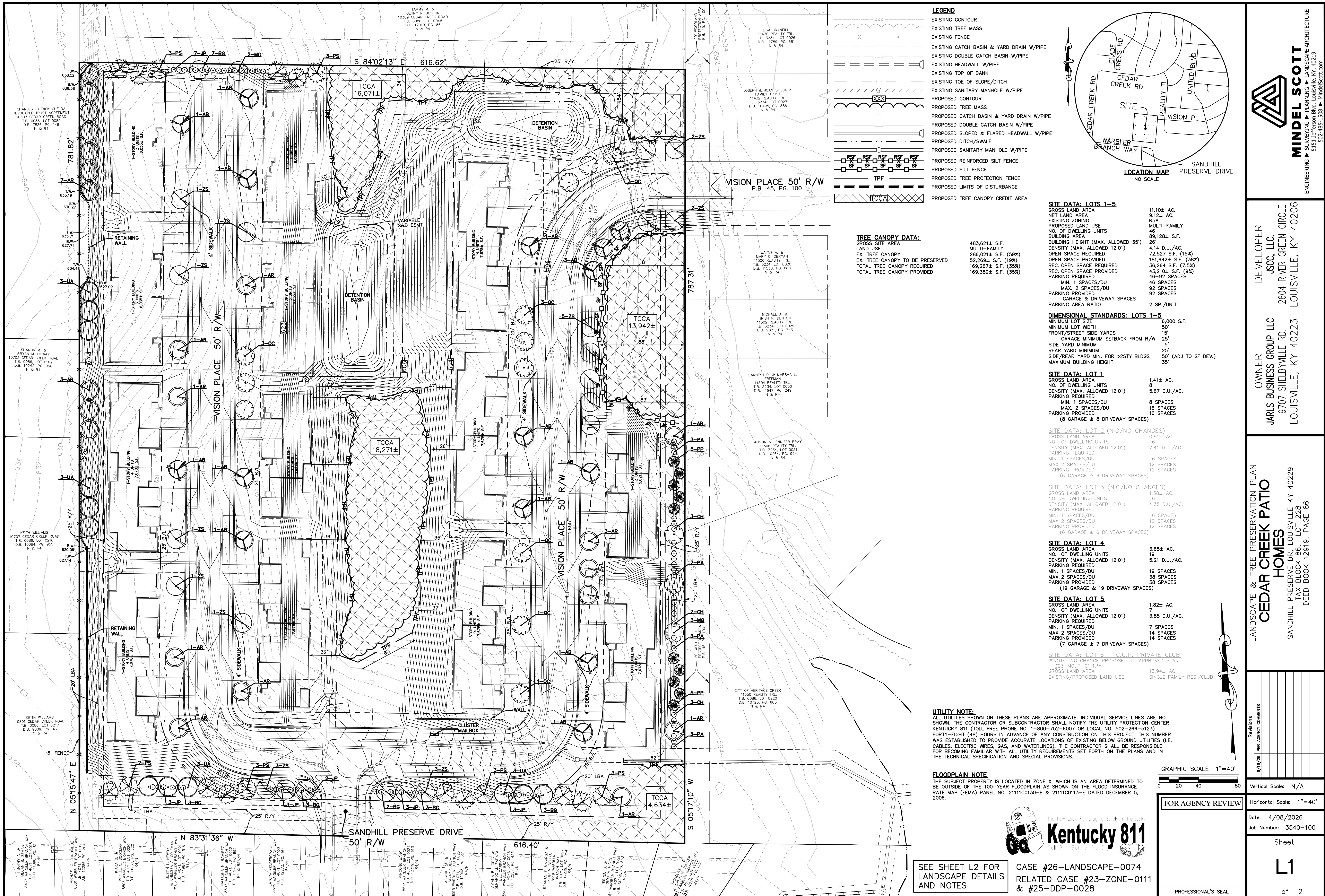
1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph





MINDEL SCOTT
ENGINEERING & SURVEYING > PLANNING > LANDSCAPE ARCHITECTURE
5151 Jefferson Blvd. Louisville, KY 40219
502-485-1508 > mindelscott.com

DEVELOPER
JSCC, LLC.
2604 RIVER GREEN CIRCLE
LOUISVILLE, KY 40206

OWNER
JARLS BUSINESS GROUP LLC
9707 SHELBYVILLE RD.
LOUISVILLE, KY 40223

LANDSCAPE & TREE PRESERVATION PLAN
CEDAR CREEK PATIO HOMES
SANDHILL PRESERVE DR. LOUISVILLE KY 40229
TAX BLOCK 86, LOT 228
DEED BOOK 12919, PAGE 86

LANDSCAPE NOTES:

1. THE CALIPER OF ALL DECIDUOUS TREES SHALL BE MEASURED SIX (6) INCHES ABOVE GROUND LEVEL.
2. ALL PLANT MATERIAL TO BE BALLED & BURLAP UNLESS PRIOR APPROVAL IS OBTAINED FROM THE LANDSCAPE ARCHITECT TO SUBSTITUTE CONTAINER MATERIAL.
3. ALL DISTURBED AREAS SHALL BE SEEDED OR SODDED AS INDICATED ON PLAN.
4. DITCHES AND SWALES SHALL BE SEEDED AND/OR SODDED WHERE PAVING IS NOT REQUIRED.
5. SEEDING/SODDING SHALL BE PERMITTED WITHIN THE TIME PERIODS STIPULATED IN CHAPTER 10, OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE, UNLESS PRIOR APPROVAL IS GIVEN BY THE LANDSCAPE ARCHITECT OR OWNER.
6. SEEDING AND SODDING SHALL BE PERMITTED WITHIN THE TIME PERIODS STIPULATED IN CHAPTER 10, OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE, UNLESS PRIOR APPROVAL IS GIVEN BY THE LANDSCAPE ARCHITECT OR OWNER.
7. THE CONTRACTOR SHALL REPAIR SITE EROSION AFTER TURF HAS BEEN ESTABLISHED AND ACCEPTED BY THE LANDSCAPE ARCHITECT OR OWNER IN ACCORDANCE WITH KENTUCKY HIGHWAY SPECIFICATIONS SECTION 212.06.05.
8. ALL PLANTS MUST BE HEALTHY, FREE OF PESTS AND DISEASES. PLANT SIZES INDICATED IN PLANT LIST ARE INSTALLED SIZES AFTER PRUNING.
9. STANDARDS SET FORTH IN AMERICAN STANDARDS FOR NURSERY STOCK REPRESENT GUIDELINE SPECIFICATIONS ONLY AND CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR ALL PLANT MATERIAL.
10. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR, OR THOUGH THE GROWING SEASON, BEGINNING AT THE DATE OF FINAL ACCEPTANCE BY THE OWNER. THE LANDSCAPE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD (AS PER DIRECTION OF THE OWNER).
11. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAIN ALL PLANTINGS INSTALLED UNDER THIS CONTRACT (INCLUDING, BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, ETC.) OF PLANTING AREAS AND LAWNS UNTIL THE WORK AREAS ARE ACCEPTED IN TOTAL BY THE OWNER.
12. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCUR AS A RESULT OF LANDSCAPE INSTALLATION.
13. ALL LANDSCAPE ISLANDS SHALL BE SEED, SODDED, OR PLANTED WITH DROUGHT TOLERANT GROUNDCOVER OR SHRUBS, AS SPECIFIED BY THE OWNER.
14. A MINIMUM OF TWO (2) INCHES OF SHREDDED BARK MULCH SHALL BE SPREAD AROUND ALL SHRUB BEDS. ALL LANDSCAPE ISLANDS IN THE VEHICLE USE AREA SHALL BE SEED OR PLANTED WITH GROUNDCOVER AT OWNER'S DISCRETION. IRRIGATION DESIGN AND PLAN BY OTHERS.
15. ONLY AMENDED TOPSOIL, FREE FROM LARGE STONE CLAY AND ROOTS WILL BE USED AS BACKFILL FOR ALL LANDSCAPE PLANTINGS.
16. PLANT SUBSTITUTIONS SHALL BE APPROVED BY LANDSCAPE ARCHITECT.
17. REMOVE ALL BURLAP, WIRE BASKETS, PLASTIC CONTAINERS, ROPE, TWINE AND OTHER NON-BIODEGRADABLE MATERIALS FROM THE ROOT BALL AFTER THE PLANT IS PLUMB AND CENTERED IN THE HOLE.
18. SEE LDC 10.4.4 FOR PLANT SPACING DISTANCE ADJACENT TO UTILITIES AND STRUCTURES.
19. GRASS OR GROUNDCOVER SHALL BE PLANTED ON ALL PORTIONS OF THE LANDSCAPE BUFFER AREA (LBA) NOT OCCUPIED BY OTHER LANDSCAPE MATERIAL.
20. THE GROUND PLANE OF ALL INTERIOR LANDSCAPE AREAS (I.L.A.) SHALL BE PLANTED USING EITHER SHRUBS, GROUNDCOVER OR TURF.
21. EXISTING TREES AND PLANT MATERIAL ARE BEING USED TO MEET LANDSCAPE CODE REQUIREMENTS. IF ANY TREES OR SCREENING VEGETATION DIE OR ARE REMOVED, THEY WILL BE REPLACED AS PER THE LANDSCAPE CODE REQUIREMENTS.
22. IT WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO PERPETUALLY MAINTAIN ALL LANDSCAPE AREAS AND ASSOCIATED PLANT MATERIAL REQUIRED UNDER LAND DEVELOPMENT CODE REGULATIONS. THE PROPERTY OWNER SHALL ALSO BE RESPONSIBLE FOR MAINTAINING THE VERGE AND ASSOCIATED TREES WITHIN THE VERGE UNLESS THE AGENCY HAVING JURISDICTION OVER THAT VERGE ASSUMES THAT RESPONSIBILITY.
23. ALL UNHEALTHY OR DEAD PLANT MATERIAL SHALL BE REPLACED WITHIN ONE (1) YEAR, OR BY THE NEXT PLANTING PERIOD, WHICHEVER COMES FIRST, WHILE OTHER DEFECTIVE PLANT MATERIAL SHALL BE REPLACED OR REPAIRED WITHIN THREE (3) MONTHS.
24. ALL PLANT MATERIAL LOCATED WITHIN A UTILITY EASEMENT THAT IS DAMAGED OR REMOVED DUE TO WORK REQUIRED BY THE UTILITY COMPANY SHALL BE IMMEDIATELY REPLACED BY THE OWNER IN ACCORDANCE WITH LAND DEVELOPMENT CODE CHAPTER 10 REQUIREMENTS.
25. STREET TREES SHALL BE PLANTED IN A MANNER THAT DOES NOT AFFECT PUBLIC SAFETY AND MAINTAINS PROPER SIGHT DISTANCE.
26. ALL SERVICE STRUCTURES SHALL BE SCREENED IN ACCORDANCE WITH LAND DEVELOPMENT CODE CHAPTER 10, SECTION 10.2.6 AND 10.4.9. SERVICE STRUCTURES INCLUDE BUT ARE NOT LIMITED TO: PROPANE TANKS, DUMPSTERS, HVAC UNITS, ELECTRIC TRANSFORMERS, TELECOM BOXES, ETC.
27. LIGHT POLES, SIDEWALKS, BENCHES, ETC. SHALL NOT OCCUPY MORE THAN TWENTY-FIVE (25%) PERCENT OF ANY INTERIOR LANDSCAPE AREA (I.L.A.) OR REDUCE THE WIDTH OF ANY PLANTED AREA TO LESS THAN FOUR (4) FEET. CONTRACTOR SHALL COORDINATE LIGHT POLE LOCATIONS WITH LANDSCAPE PLAN PROPOSED TREE PLANTING TO AVOID CONFLICT.
28. IRRIGATION WILL BE PROVIDED AS REQUIRED WHERE BERMS OR EARTHEN MOUNDS ARE PROPOSED. THIS IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE ADEQUATE WATERING OF THE PROPOSED PLANT MATERIAL AND LAWN AREAS. THE SYSTEM SHALL CONSIST OF SEVERAL WATERING ZONES CONTROLLED BY A CENTRAL TIMER WITH EITHER POP-UP AND ROTATING IRRIGATION HEADS OR A DRIP LINE SYSTEM. THE PROPOSED SYSTEM SHALL BE INSTALLED PRIOR TO PLANTING.
29. PARKWAY, SCENIC CORRIDOR, AND GENE SNYDER FREEWAY PLANTING MUST BE INSTALLED WITHIN SIX (6) MONTHS OR NEXT AVAILABLE PLANTING SEASON PER PDS STAFF, FROM THE ISSUANCE OF THE SITE DISTURBANCE/CLEARING AND GRADING PERMIT.
30. AN AUTHORIZED INSPECTOR SHALL HAVE THE RIGHT TO ENTER ONTO ANY PROPERTY TO INSPECT THE HEALTH AND GENERAL CONDITION OF PLANT MATERIAL THAT IS: LOCATED IN THE RIGHT OF WAY; PART OF AN APPROVED DEVELOPMENT/LANDSCAPE PLAN; OR REPORTED AS A PUBLIC HAZARD.
31. PRIOR TO RECEIVING A CERTIFICATE OF OCCUPANCY, A LICENSED LANDSCAPE ARCHITECT SHALL INSPECT AND CERTIFY THAT ALL REQUIRED LANDSCAPING, INCLUDING SCREEN FENCING HAS BEEN INSTALLED OR PLANTED AS SHOWN ON THE APPROVED LANDSCAPE PLAN.
32. LANDSCAPE PLANTINGS MUST BE INSTALLED PRIOR TO OCCUPANCY OF THE SITE OR AT THE NEXT AVAILABLE PLANTING SEASON. THESE PLANTINGS ARE TO BE MAINTAINED THEREAFTER.
33. SEED ALL DISTURBED AREAS AS NOTED BELOW.

AREA	FERTILIZER	SEED	MULCH
WITHIN STREET RIGHT-OF-WAY (EXCEPT MEDIANS)	10-10-10 COMMERCIAL FERTILIZER ● 2 LBS/1000 SF.	30% PENNINE PERENNIAL RYE 70% TALL FESCUE BLEND ● 20 LBS/ACRE	2 BALES OF STRAW PER 1000 SF.
OUTSIDE STREET RIGHT-OF-WAY (INCLUDING SAN. SEWERS)	10-10-10 COMMERCIAL FERTILIZER ● 2 LBS/1000 SF.	100% PENNINE PERENNIAL RYE ● 80 LBS/ACRE	2 BALES OF STRAW PER 1000 SF.
DITCHES & SWALES (SOD INVERT & SIDEWALKS TO ELEV. AS SHOWN ON CONSTRUCTION DWG. DITCH & SWALE DETAILS)	10-10-10 COMMERCIAL FERTILIZER ● 2 LBS/1000 SF.	100% PENNINE PERENNIAL RYE ● 80 LBS/ACRE	2 BALES OF STRAW PER 1000 SF.

PLANT LIST

KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE / SPACING	NOTES / TYPE	TREE CANOPY CREDIT	TOTAL
DECIDUOUS TREE							
AR	21	ACER RUBRUM	RED MAPLE	1-3/4" CAL. / AS SHOWN	B&B / A	1,200 S.F.	25,200 S.F.
ZS	21	ZELKOVA SERRATA	JAPANESE ZELKOVA	1-3/4" CAL. / AS SHOWN	B&B / A	1,200 S.F.	25,200 S.F.
QC	11	QUERCUS 'CHRIMSHIDT'	CRIMSON SPIRE OAK	1-3/4" CAL. / AS SHOWN	B&B / B	720 S.F.	7,920 S.F.
MG	5	METASEQUOIA GLYPTOSTROBODES	DAWN REDWOOD	1-3/4" CAL. / AS SHOWN	B&B / A	1,200 S.F.	6,000 S.F.
UA	12	ULMUS AMERICANA 'VALLEY FORGE'	VALLEY FORGE AMERICAN ELM	1-3/4" CAL. / AS SHOWN	B&B / A	1,200 S.F.	14,400 S.F.
AB	15	ACER BUERGERANUM	TRIDENT MAPLE	1-3/4" CAL. / AS SHOWN	B&B / B	720 S.F.	10,800 S.F.
EVERGREEN TREE							
PS	17	PINUS STROBUS	WHITE PINE	1-3/4" CAL. / AS SHOWN	B&B / A	1,200 S.F.	20,400 S.F.
PP	10	PICEA PUNGENS	NORWAY SPRUCE	1-3/4" CAL. / AS SHOWN	B&B / B	720 S.F.	7,200 S.F.
SHRUB							
JP	24	JUNIPERUS x PFTERIANA	SEA GREEN JUNIPER	24" HT. / AS SHOWN	#3 CONT.		
BG	21	BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	24" HT. / AS SHOWN	#3 CONT.		
PA	16	PICEA ABIES 'NIDIFORMIS'	BIRDS NEST SPRUCE	24" HT. / AS SHOWN	#3 CONT.		
CH	13	CEPHALOTAXUS HARRINGTONIA	PLUM YEW	24" HT. / AS SHOWN	#3 CONT.		
NOTE: BIDDER IS RESPONSIBLE FOR VERIFYING PLANT COUNT BY TAKING QUANTITIES FROM PLAN AND NOT FROM PLANT LIST.							
TOTAL							117,120 S.F.

GENERAL TREE PRESERVATION/PROTECTION NOTES

1. CONSTRUCTION FENCING SHALL BE ERECTED WHEN OFF-SITE TREES OR TREE CANOPY EXISTS WITHIN THREE (3) FEET 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.
2. PRIOR TO SITE DISTURBANCE OR CONSTRUCTION ACTIVITIES A SITE INSPECTION BY PDS STAFF OR DESIGNEE SHALL BE SCHEDULED TO CONFIRM AND VERIFY THE TREE PRESERVATION/PROTECTION FENCING AND SIGNAGE IS INSTALLED AND CORRECTLY PLACED. TO SCHEDULE AN INSPECTION APPOINTMENT CALL PDS CUSTOMER SERVICE 502-574-6230.
3. THE CONTRACTOR SHALL POST SIGNAGE ON THE TREE PRESERVATION/PROTECTION AND CONSTRUCTION FENCING IDENTIFYING THE ENCLOSED AREA AS TREE PRESERVATION/PROTECTION AREA. THE SIGNS SHALL INCLUDE THE FOLLOWING TEXT: "STAY OUT TREE PRESERVATION/PROTECTION AREA. NO EQUIPMENT, MATERIALS OR VEHICLES SHALL BE STORED OR PLACED WITHIN THE AREA ENCLOSED BY THIS TREE PRESERVATION/PROTECTION FENCE. THIS FENCE MAY NOT BE REMOVED WITHOUT THE APPROVAL OF THE METRO LOUISVILLE PLANNING COMMISSION. FAILURE TO COMPLY WILL RESULT IN FINES AND TREE MITIGATION. REPORT NON-COMPLIANCE TO 502-574-6230."
4. THE TREE PRESERVATION/PROTECTION AREA SIGNAGE SHALL BE POSTED EVERY FIFTY (50) FEET ALONG THE TREE PRESERVATION FENCE. THE SIGNS SHALL BE A MINIMUM SIZE OF 8" X 10" AND WEATHER RESISTANT. IF THE SIGNS ARE DAMAGED OR FADE THEY SHALL BE REPLACED WITHIN TEN (10) WORKING DAYS OR TWO (2) WEEKS.
5. DURING ALL CONSTRUCTION ACTIVITY (INCLUDING CLEARING, GRADING, BUILDING CONSTRUCTION, AND V.U.A. CONSTRUCTION) A COPY OF THE APPROVED TREE PRESERVATION PLAN SHALL BE ON-SITE.
6. AN AUTHORIZED INSPECTOR SHALL HAVE THE RIGHT TO ENTER ONTO ANY PROPERTY TO INSPECT THE HEALTH AND GENERAL CONDITION OF PLANT MATERIAL THAT IS: LOCATED IN THE RIGHT OF WAY; PART OF AN APPROVED DEVELOPMENT/LANDSCAPE PLAN; OR REPORTED AS A PUBLIC HAZARD.

TEMPORARY TREE PROTECTION AREA (TTPA) NOTES:

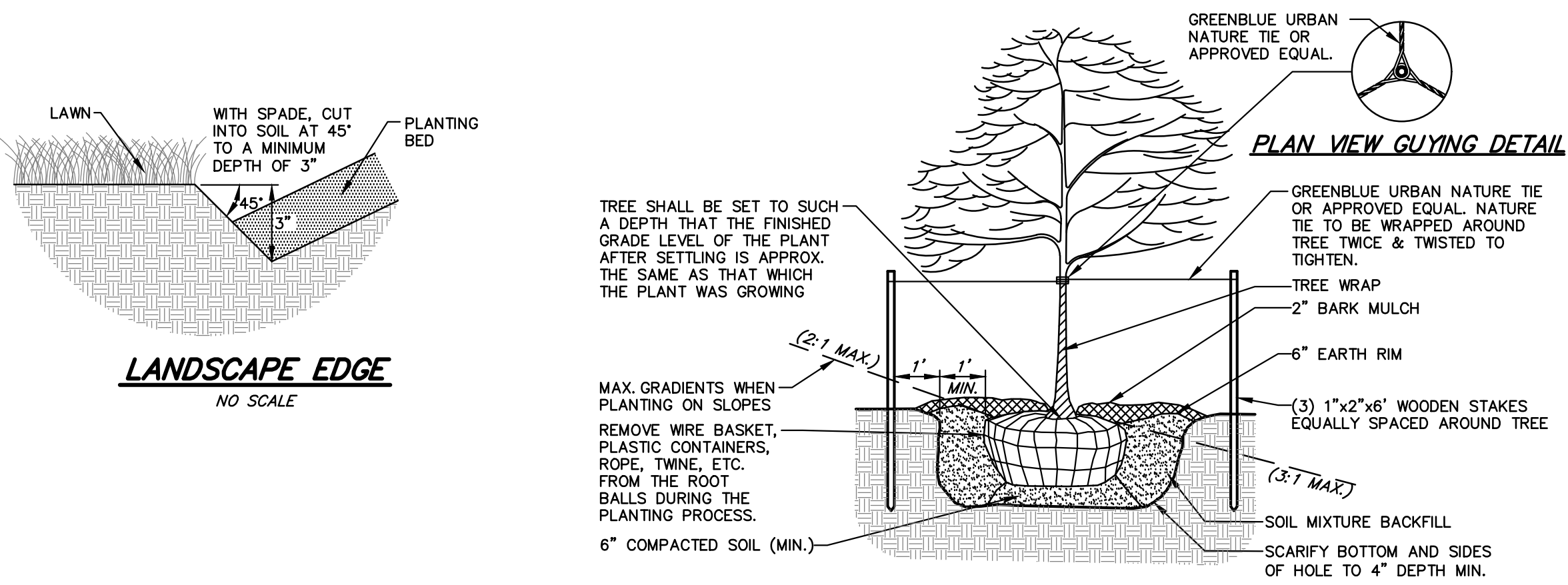
1. TEMPORARY TREE PROTECTION AREA (TTPA'S) IDENTIFIED ON THIS PLAN REPRESENT PORTIONS OF THE SITE THE DEVELOPER HAS DESIGNATED TO BE LEFT UNDISTURBED DURING THE DEVELOPMENT OF ROADWAYS, UTILITIES AND SIMILAR INFRASTRUCTURE. THESE ARE NOT PERMANENT PRESERVATION AREAS. TREES IN THESE AREAS MAY BE REMOVED DURING CONSTRUCTION OF HOMES OR BUILDINGS ON THIS SITE.
2. TREE PROTECTION FENCING SHALL BE ERECTED ADJACENT TO ALL TTPA'S PRIOR TO SITE DISTURBANCE APPROVAL (CLEARING AND GRADING PERMIT) TO PROTECT THE EXISTING TREE STANDS AND THEIR ROOT SYSTEMS. THE FENCING SHALL BE LOCATED AT LEAST THREE (3) FEET FROM THE OUTSIDE EDGE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETED. WHEN TREES MUST BE REMOVED IN A TTPA, THE FENCE SHALL BE RELOCATED TO PROTECT ALL REMAINING TREES WITHIN THAT TTPA. WHEN A TREE MASS CONTAINS WPA'S, TCCA'S, OR TTPA'S FENCING SHALL ONLY BE REQUIRED AT THE OUTER MOST PERIMETER OF THAT TREE MASS.
3. DIMENSION LINES HAVE BEEN USED ON THIS PLAN TO ESTABLISH THE GENERAL LOCATION OF TTPA'S AND REPRESENT MINIMUM DISTANCES. THE FINAL BOUNDARY FOR EACH TTPA SHALL BE ESTABLISHED IN THE FIELD TO INCLUDE CANOPY AREAS OF ALL TREES AT OR WITHIN THE DIMENSION LINE.
4. WHERE, DUE TO THE NATURE OF CONSTRUCTION PLANS, THE TREE PROTECTION FENCING IS NOT LOCATED THREE (3) FEET FROM THE OUTSIDE EDGE OF TREE CANOPY, THE TREE SHALL NOT BE CONSIDERED PRESERVED. HOWEVER, THIS DOES NOT PROHIBIT EFFORTS TO SAVE THE TREE.
5. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES ARE PERMITTED WITHIN TTPA'S BEYOND THAT ALLOWED FOR PRELIMINARY SITE INVESTIGATION WORK.
6. CLEARING, NECESSARY TO PROVIDE ACCESS FOR SURVEY WORK, ROCK SOUNDINGS OR OTHER USUAL AND CUSTOMARY SITE INVESTIGATIONS SHALL BE PERMITTED PRIOR TO SITE DISTURBANCE APPROVAL. PRELIMINARY SITE INVESTIGATIONS SHALL BE CAREFULLY PLANNED TO MINIMIZE THE AMOUNT OF CLEARING REQUIRED. CLEARING SHOULD FOLLOW PROPOSED ROADWAY CENTERLINES AND SHOULD NOT RESULT IN A CLEAR ACCESS WAY OF MORE THAN TWENTY (20) FEET IN WIDTH. CLEARED ACCESS WAYS BEYOND PROPOSED ROADWAYS TO ASSESS INDIVIDUAL LOTS SHALL NOT EXCEED TWELVE (12) FEET IN WIDTH OR ENCROACH INTO ANY PROPOSED OPEN SPACE LOTS. NO TREES EXCEEDING EIGHT (8) INCHES IN DIAMETER MEASURED AT BREAST HEIGHT (DBH) SHALL BE REMOVED WITHOUT PRIOR APPROVAL BY PLANNING & DESIGN SERVICES STAFF.

TREE CANOPY CREDIT AREA (TCCA) NOTES:

1. TREE CANOPY CREDIT AREAS (TCCA) ARE THOSE AREAS WHERE TREE PRESERVATION HAS BEEN PROVIDED TO MEET THE TREE CANOPY REQUIREMENTS OF THIS PART.
2. THE SITE SHALL BE DEVELOPED IN ACCORDANCE WITH THE TREE CANOPY PRESERVATION PLAN. THE LOCATION OF THE TCCA BOUNDARY DELINEATES THE LIMIT OF DISTURBANCE ASSOCIATED WITH THE TCCA. THE LIMIT OF DISTURBANCE SHALL INDICATE THE LOCATION OF THE TREE PROTECTION FENCING.
3. NO CLEARING, GRADING, CONSTRUCTION OR OTHER LAND DISTURBING ACTIVITY SHALL TAKE PLACE WITHIN THE TCCA BEYOND PRUNING TO IMPROVE THE GENERAL HEALTH OF THE TREE OR TO REMOVE DEAD OR DECLINING TREES THAT MAY POSE A PUBLIC HEALTH AND SAFETY THREAT. AS TREES ARE LOST THROUGH NATURAL CAUSES, NEW TREES SHALL BE PLANTED IN ORDER TO MAINTAIN MINIMUM TREE CANOPY AS SPECIFIED IN THIS PART. UNDERBRUSH AND INVASIVES ARE PERMITTED TO BE REMOVED IN THE TCCA.
4. NO STRUCTURE (EXCEPTION: FENCES, WALLS, RETAINING WALLS) SHALL BE CLOSER THAN 15 FEET TO THE LIMIT OF DISTURBANCE (TREE PROTECTION FENCE).
5. DURING ALL CONSTRUCTION ACTIVITY (INCLUDES CLEARING, GRADING, BUILDING CONSTRUCTION AND VUA CONSTRUCTION) A COPY OF THE APPROVED TREE CANOPY PRESERVATION PLAN SHALL BE ON-SITE.

NOTES

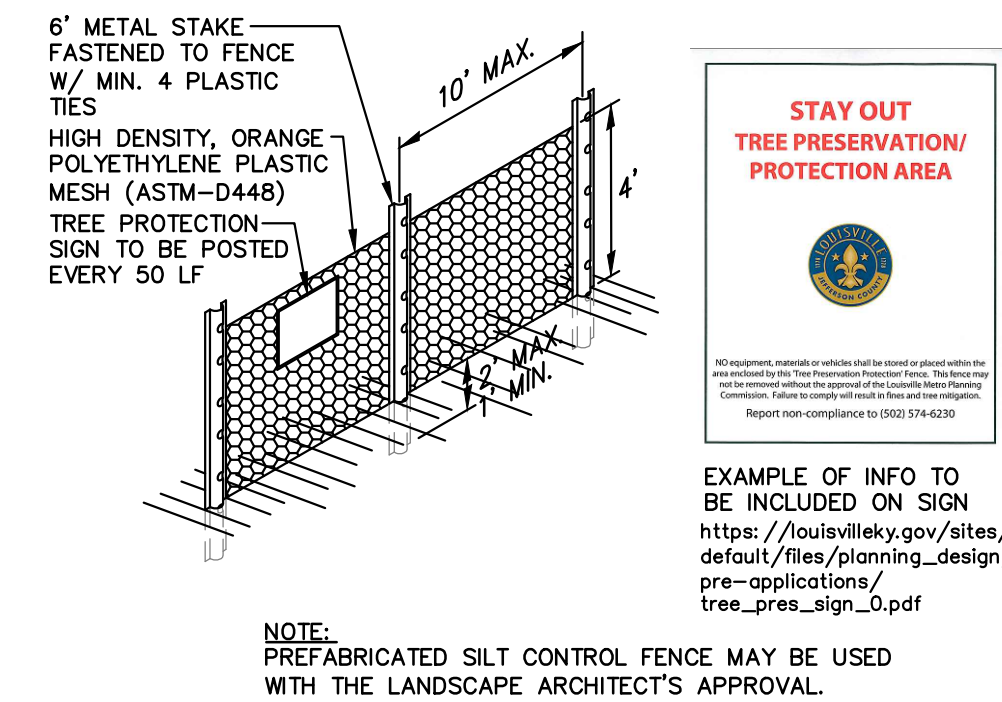
1. CONTRACTOR SHALL CONDUCT A SITE VISIT BEFORE BIDDING.
2. CONTRACTOR IS RESPONSIBLE FOR CLEARING ALL TREES, UNDERSTORY BRUSH, AND VINES NOT SHOWN TO BE PRESERVED ON THE TREE PRESERVATION PLAN.



NOTE:
1. GUYING WITH WIRE AND RUBBER HOSE WILL NOT BE ACCEPTED.

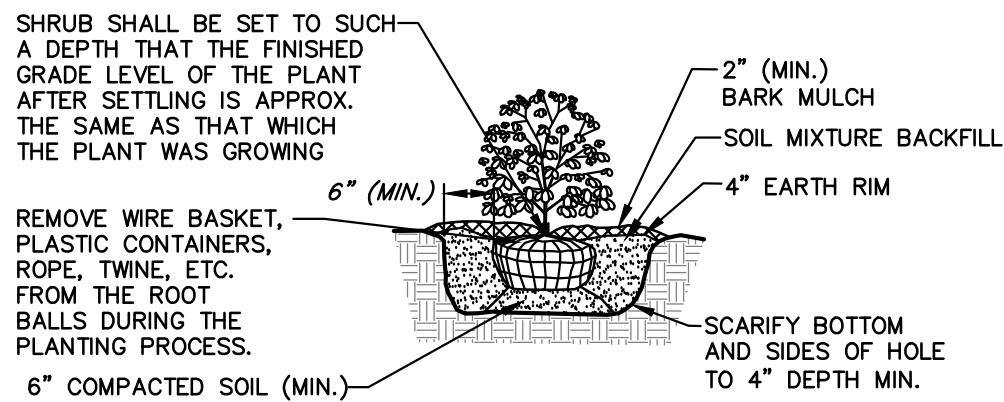
TYPICAL TREE PLANTING

NO SCALE



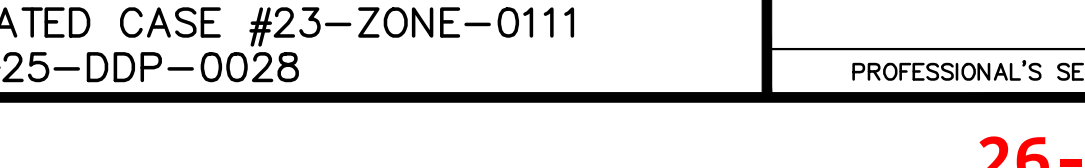
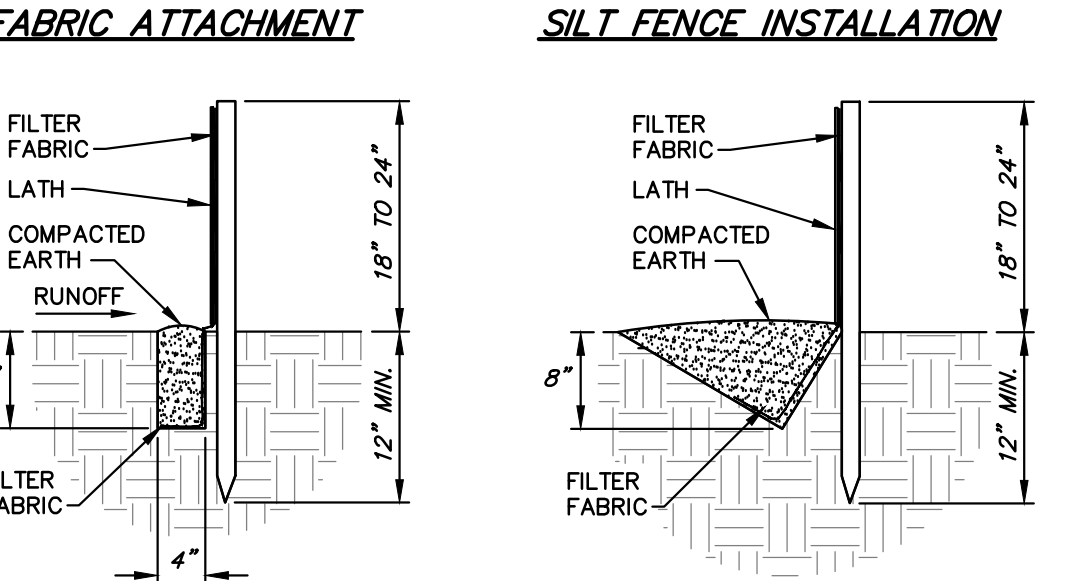
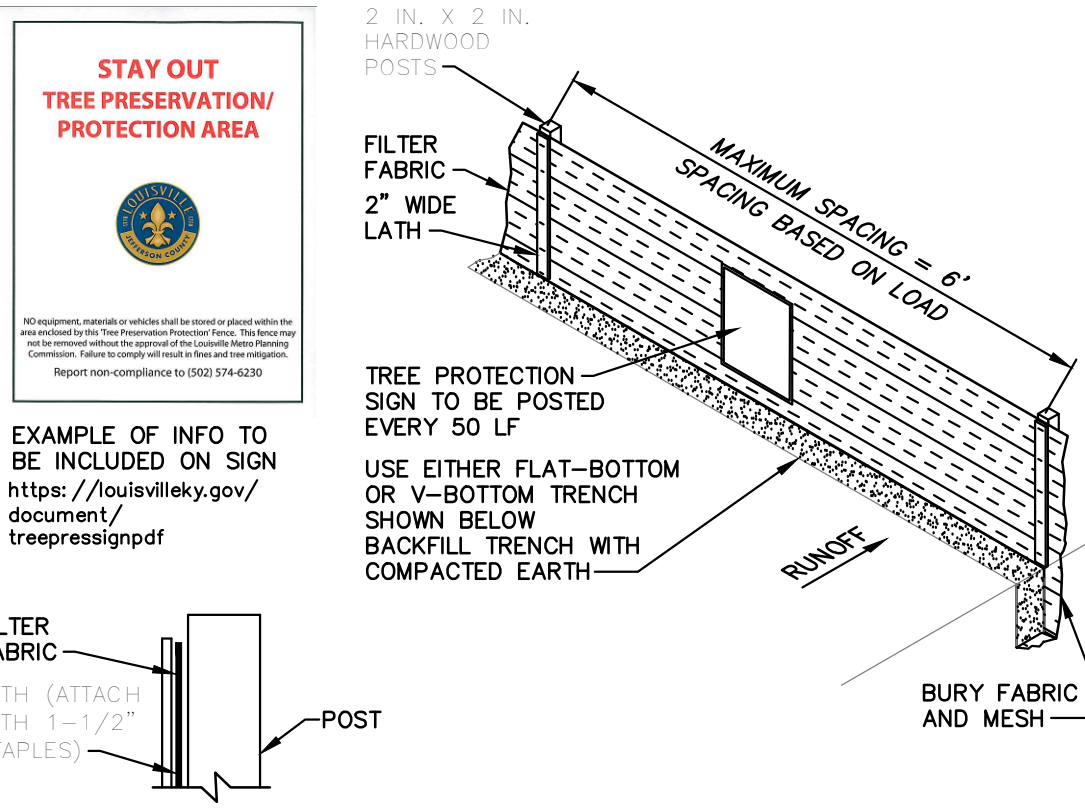
TYPE "C" TREE PROTECTION FENCE

NO SCALE



TYPICAL SHRUB PLANTING

NO SCALE



DATE: June 22, 2026

Justification for Waiver of LDC section 10.2.4.B.1 to allow a wall up to 10' to be located within a 20' LBA.

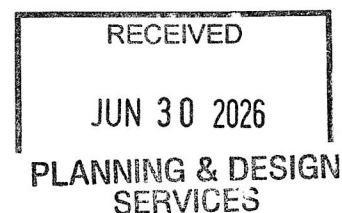
Project Name: Cedar Creek Patio Homes
Address: Sandhill Preserve Dr. Louisville, KY 40229

The waiver will not adversely affect adjacent property owner since the proposed wall and associated landscaping will provide an adequate level of screening and buffering, minimizing visual and potential noise impacts beyond what is typically achieved with vegetation alone.

The waiver will not violate the goals and objectives of the Comprehensive Plan. Community Form Goal 1, Policy 6 states that transitions from non-residential to residential uses should depend on the pattern of development of the Form District. Community Form Goal 1, Policies 9 and 10 call for appropriate transitions between uses that are substantially different in scale and intensity or density of development and to mitigate the impacts caused when incompatible developments occur adjacent to one another. The proposed development is compatible with adjacent uses, and the proposed wall and tree plantings provide an appropriate transition by creating a consistent visual buffer that softens the development edge and ensures compatibility with surrounding properties.

The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the request is limited solely to allowing the wall within the Landscape Buffer Area, while maintaining the full required buffer width and complying with all other applicable LDC requirements.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant since elimination of the wall would result in the loss of four fourplexes and/or a complete redesign of the site. Furthermore, the proposed wall and tree plantings provide a visual buffer that softens the development edge and ensures compatibility with surrounding properties.



26-WAIVER-0084



Louisville Metro Government

Text File

File Number: 26-WAIVER-0085

Agenda Date: 8/5/2026

Version: 1

Status: New Business

In Control: Development Review Committee

File Type: Planning Case

Agenda Number: 4.



26-WAIVER-0085

Development Review Committee
Staff Report
August 5, 2026

Top Hill Road Sidewalk

Location: 1801 Top Hill Road
Applicant: Zachary Devoe
Representative: Zachary Devoe
Jurisdiction: Louisville Metro
Council District: 13 – Dan Seum, Jr.
Case Manager: Abby Bills, Planner I

REQUEST & RECOMMENDED ACTION

1. Waiver of Land Development Code Section 5.8.1.B to waive the requirement to construct a sidewalk in the abutting right-of-way serving the development site.
 - Staff finds the justification for the request is not adequate and recommends the Development Review Committee **DENY** the Waiver.

CASE SUMMARY

The subject site is currently zoned R-4 Single Family Residential and is in the Neighborhood Form District on 1.06 acres. The site is located along Top Hill Road, south of I-265. The subject site is currently vacant, and the applicant is proposing to construct a single-family residence on the property. As such, a sidewalk is required along the frontage of Top Hill Road in accordance with Section 5.8.1 of the Land Development Code (LDC).

TECHNICAL REVIEW

- Section 6.2.6.C of the Land Development Code lists the methods of compliance when a sidewalk is required by Chapter 5. These methods of compliance are:
 1. Construct sidewalks in accordance with the applicable sections of the LDC; or
 2. Be allowed a reduced sidewalk requirement where less than 50% of street frontage is being developed; or
 3. Be allowed to construct a sidewalk at an alternative location within Metro Council District 13; or
 4. If one of the above methods of compliance cannot be met, the applicant may be allowed to pay a fee in lieu of sidewalk construction.
- Transportation Planning has determined that the applicant may pay a fee-in-lieu of construction totaling \$3,250.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR THE WAIVER

(a) The waiver will not adversely affect adjacent property owners; and

STAFF FINDING: The requested waiver will not adversely affect adjacent property owners as there are no sidewalks along the adjoining properties on Top Hill Road. Granting the Waiver would provide no change from the existing conditions.

(b) Granting of the Waiver will result in a development in compliance with the Comprehensive Plan and the overall intent of this Land Development Code; and

STAFF FINDING: Granting of the Waiver will not result in a development consistent with the Comprehensive Plan or the overall intent of the Land Development Code. Mobility Goal 1, Policy 1.4 of Plan 2040 calls for new development to provide for the movement of pedestrians where appropriate, by including sidewalks along the streets of all developments. While there are no other sidewalks present along Top Hill Road, justifying the request to not provide the sidewalk on this property, payment of the fee-in-lieu that was offered to the applicant would contribute to Louisville Metro's ability to construct sidewalks and provide pedestrian connectivity in nearby areas. Granting of the Waiver would not be in line with the guiding principle of Connectivity laid out in the Comprehensive Plan, as it would deprive the community of an opportunity to provide improved pedestrian access in the larger area surrounding Top Hill Road.

Further, granting of the Waiver will not result in a development consistent with the intent of the Land Development Code, as the Land Development Code intends for all developments to provide public sidewalks when the established construction threshold is met.

(c) The applicant cannot reasonably comply with one of the listed methods of compliance (section 6.2.6.C); and

STAFF FINDING: The applicant has provided adequate justification as to why they cannot reasonably construct the sidewalk, or a portion of the sidewalk, on the subject property, citing drainage and safety issues. However, the applicant has not provided adequate justification as to why the fee-in-lieu of construction cannot be paid, as the fee-in-lieu amount offered is reasonable and proportional to the cost of construction of the single-family home.

(d) Strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and

STAFF FINDING: Strict application of the provision of the regulation would not create an unnecessary hardship on the applicant, as the applicant has been offered a reasonable alternative to construction of the sidewalk on the subject property in the form of the fee-in-lieu of construction.

(e) *There are site constraints that make sidewalk construction impracticable or sidewalks do not exist in the area and there is not a likelihood for sidewalks to be constructed in the future, except for areas where sidewalks are recommended within a Planning Commission or legislatively adopted plan recommending sidewalk construction.*

STAFF FINDING: There are site constraints on the subject property that would make sidewalk construction impractical, including heavily wooded terrain and potential steep slopes along Top Hill Road. There are additionally no sidewalks along Top Hill Road, and there is not a likelihood for sidewalks to be constructed in the future. However, the applicant has been offered alternatives to construction on site that would serve as mitigation for any site constraints affecting the requirement.

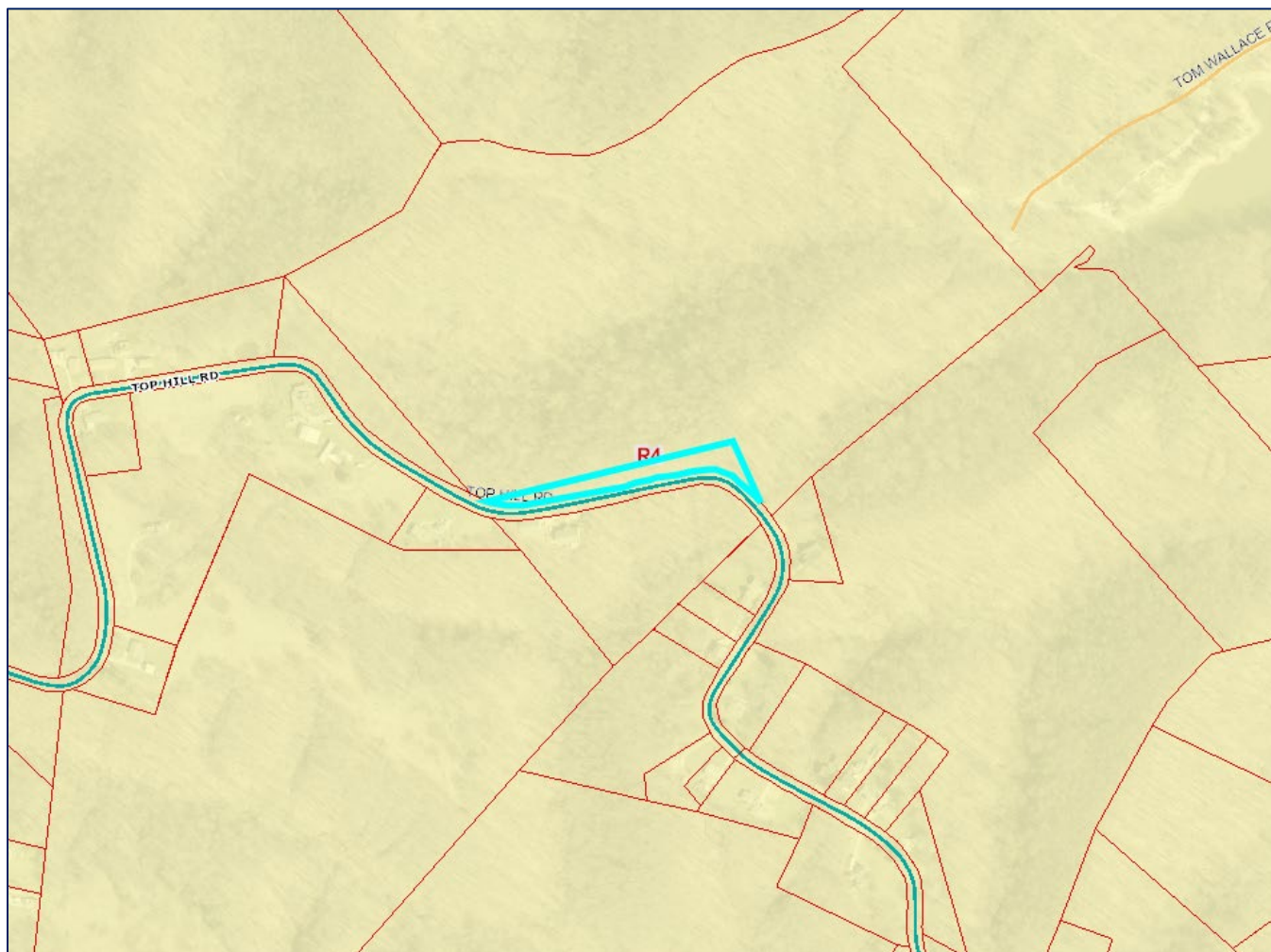
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
TBD	Development Committee Hearing Review	1 st tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 13

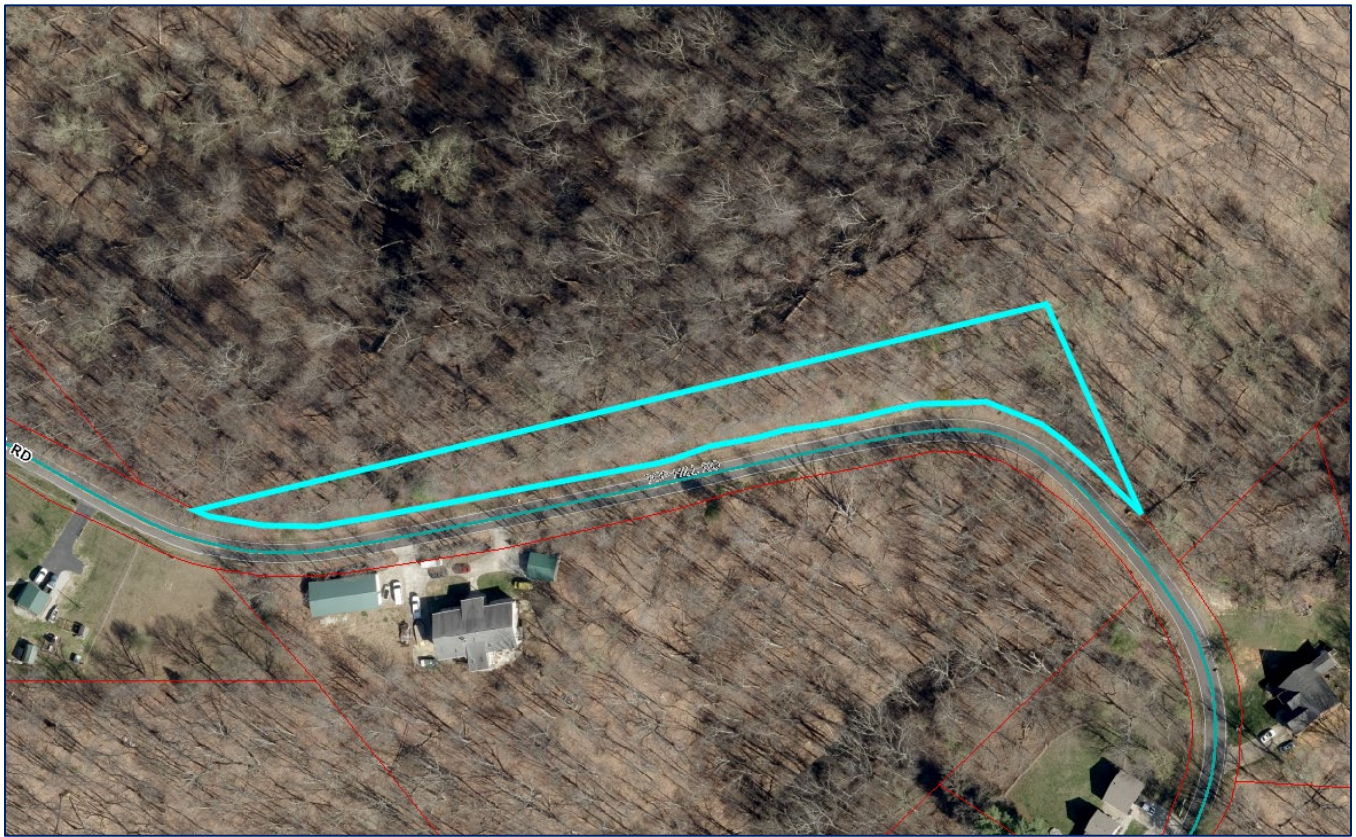
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph





JUSTIFICATION

To justify approval of any waiver, the Board or Commission considers the following criteria.

Please answer **ALL** of the following items. Use additional sheets if needed. Responses of **Yes, No, or N/A** will **NOT** be accepted.

1. Explain how the proposed waiver conforms to the Comprehensive Plan and the intent of the Land Development Code.

This waiver supports the Comprehensive Plan's goals for affordable housing by allowing the self-funded construction of a small-scale primary residence 520 sq ft of total living space without burdening it with prohibitive, non-functional development fees. The intent of the sidewalk code is pedestrian connectivity, however, because no connecting sidewalk network exists for this rural county road, an exemption preserves the intent of the code while preventing inflation of housing costs.

2. Explain how the waiver will not adversely affect adjacent property owners.

By receiving this waiver it has zero impact on adjacent properties. The entire stretch of Top Hill Road consists of open dirt shoulders and natural drainage ditches with absolutely no existing pedestrian infrastructure. No neighbor will be cut off from a walking path, and the natural drainage patterns of the road shoulder will remain undisturbed.

3. Explain how you are unable to reasonably comply with one of the listed methods of compliance in LDC section 6.2.6.C.

Construction of a 60-foot sidewalk would create an isolated concrete island that poses a safety hazard due to natural drainage rather than an asset. Financially, paying the full \$3,250 fee-in-lieu upfront is nearly impossible for my self-financed build with a strict budget going into the project, as it immediately drains a disproportionate amount of critical budgeting required to construct the primary house itself.

4. Explain how strict application of the provision of the regulations deprives you of reasonable use of the land or creates an unnecessary hardship.

Strict application creates topographical hardship - the frontage of 1801 Top Hill Road and all of Top Hill Rd. consists of heavily wooded, steeply sloped terrain with natural drainage shoulders. There are zero existing sidewalks on Top Hill Road or the immediate surrounding vicinity. Forcing a sidewalk build or an upfront fee creates an island to nowhere with no public pedestrian network to connect to. Financially, it is a highly disproportionate percentage of the total construction budget, creating an immediate, severe financial hardship for self-funded single-family affordable housing.

5. What site constraints make sidewalk construction impracticable? Or are there no existing sidewalks in the area and no likelihood for sidewalks to be constructed in the future?

The entirety of Top Hill Rd. frontage is heavily wooded with significant sloped topography leading down into drop-offs and natural drainage shoulders, making physical concrete installation structurally impracticable. Furthermore, there are zero sidewalks in the area and no likelihood of future connectivity on this section of Top Hill Road, making an infrastructure investment at this specific property & area entirely obsolete.



Louisville Metro Government

Text File

File Number: 26-STRCLOSURE-0012

Agenda Date: 8/5/2026

Version: 1

Status: New Business

In Control: Development Review Committee

File Type: Planning Case

Agenda Number: 5.



26-STRCLOSURE-0012

Development Review Committee
Staff Report
August 5, 2026

Logan Street Market Place

Location: E St. Catherine Street and Logan Street
Applicant: MMCS Properties LLC
Representative: Land Design & Development, Inc
Jurisdiction: Louisville Metro
Council District: 6 – J.P. Lyninger
Case Manager: Catherine Gomez, Planner I

REQUEST & RECOMMENDED ACTION

1. Closure of Public Right-of-Way

- Staff finds the request is in keeping with Plan 2040 and recommends the Development Review Committee place this case on the consent agenda at the next available Planning Commission.

CASE SUMMARY

The applicant is requesting the closure of 150 feet of linear right of way on E St Catherine Street, which intersects Logan Street and Steve Magre Alley. Currently, E St Catherine Street is blocked by guardrails at the railroad to the east, preventing any vehicular access across the railroad. The applicant is proposing to use the resulting property in conjuncture with Logan Street Market for outdoor dining, community markets, and outdoor family-friendly events.

TECHNICAL REVIEW

The proposed closure will maintain public facilities. All agencies have been addressed and approvals received from relevant utilities.

The applicant received a Consent to Street Closure from more than 51% of adjacent property owners.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR STREET CLOSURES

- Adequate Public Facilities – Whether and the extent to which the request would result in demand on public facilities and services (both on-site and off-site), exceeding the capacity or interfering with the function of such facilities and services, existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services, and similar necessary facilities and services. No closure of any public right-of-way shall be approved where an identified current or future need for the facility exists. Where existing or proposed utilities are located within the right-of-way to be closed, it shall be retained as an easement or alternative locations shall be provided for the utilities; and*

STAFF FINDING: Adequate public facilities are available to serve existing and future needs of the community. The proposed closure does not result in an increase in demand on public facilities or services as utility agencies have coordinated with the applicant and Office of Planning staff to ensure that facilities are maintained or relocated through agreement with the developer. No property adjacent or abutting the rights-of-way to be closed will be left absent of public facilities or services or be dispossessed of public access to their property. The applicant will provide necessary easements or relocation of equipment per utility agency requirements.

2. *Cost for Improvement – The cost for a street or alley closing, or abandonment of any easement or land dedicated to the use of the public shall be paid by the applicant or developer of a proposed project, including cost of improvements to adjacent rights-of-way or relocation of utilities within an existing easement; and*

STAFF FINDING: Any cost associated with the rights-of-way to be closed will be the responsibility of the applicant or developer, including the cost of improvements to those rights-of-way and adjacent rights-of-way, or the relocation of utilities and any additional agreement reached between the utility provider and the developer.

3. *Comprehensive Plan – The extent to which the proposed closure is in compliance with the Goals, Objectives, and Plan Elements of the Comprehensive Plan; and*

STAFF FINDING: The request to close the right-of-way follows the Goals, Objectives, and Plan Elements of the Comprehensive Plan as Mobility Goal 2, Policy 2 states to coordinate use of rights-of-way with community design policies. Ensure accessible rights-of-way to accommodate mobility needs of all transportation network users; Mobility Goal 2, Policy 7 states that the design of all new and improved transportation services and facilities to promote and accommodate growth and change in activity centers to minimize single-occupant vehicle travel. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling; Mobility Goal 3, Policy 2 seeks to improve mobility and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians, and people with disabilities. Mobility Goal 3, Policy 3 seeks to evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices; Mobility Goal 3, Policy 5 seeks to evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement, and bike facilities and services) and air quality; and Mobility Goal 3, Policy 12 states to ensure that transportation facilities of new developments are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. Where appropriate, provide at least one continuous roadway through the development to tie all local access roads or parking areas to

the arterial street system. Adequate stub streets and pedestrian connections should be provided by developments. Any cost associated with the rights-of-way to be closed will be the responsibility of the applicant or developer. Adequate public facilities are available to serve existing and future needs of the community. Any facility required to be placed in an easement or relocated will be done so by the developer. Transportation facilities have been provided to accommodate future access and to not dispossess property owners of public access. All adjacent land maintains access to public infrastructure, and utility access will continue to be provided to this parcel. The current alley is unused and inaccessible to the public, so keeping the alley will not serve the Goals, Objectives, and Plan Elements of the Comprehensive Plan stated in this review.

4. *Other Matters – Any other matters which the Planning Commission may deem relevant and appropriate.*

STAFF FINDING: There are no other relevant matters to be considered by the Planning Commission.

NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/24/2026	Development Review Committee Public Hearing	Registered Neighborhood Groups in Council District 06

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map

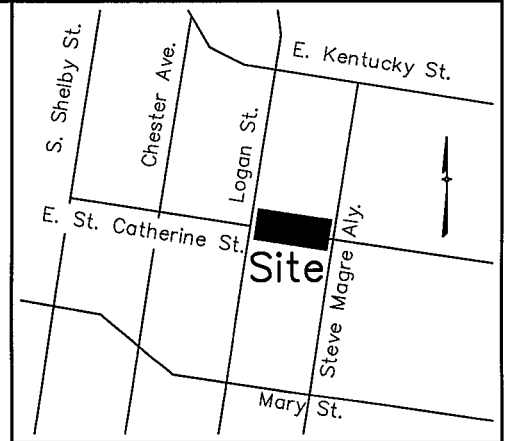
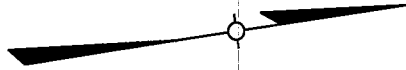


2. Aerial Photograph



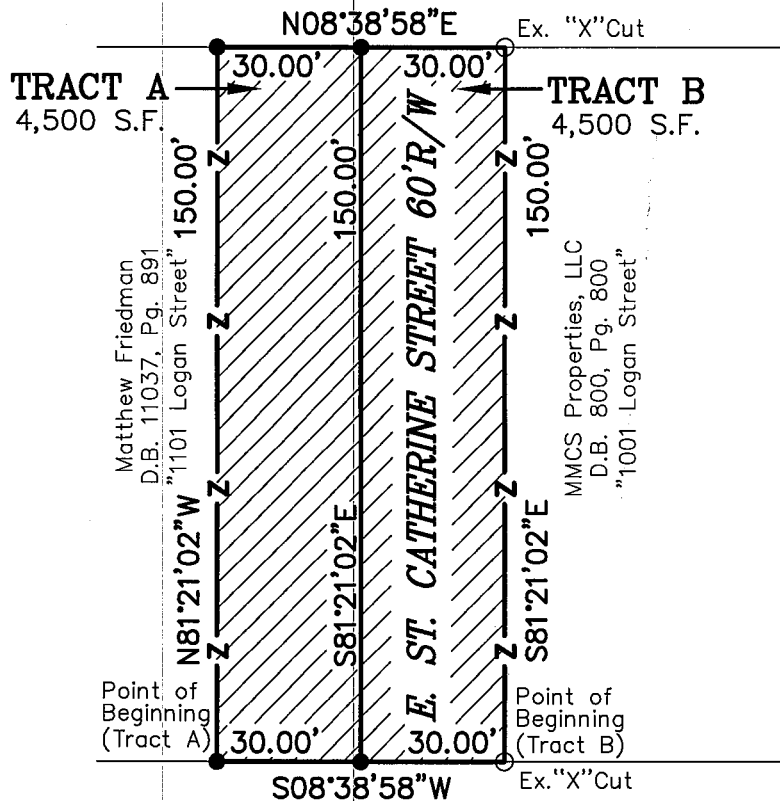
LEGEND

- Set 1/2" By 18" Iron Pin
With Cap Stamped "MCCLLOUD 4505"



LOCATION MAP
Not To Scale

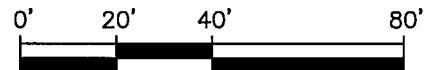
LOGAN STREET 60'R/W



STEVE MAGRE ALLEY 20'R/W

NOTES:

1. Right-of-way being closed shall be conveyed to and consolidated with the adjoining property owners at 1001 & 1101 Logan Street.
2. The right-of-way being closed hereon shall become a temporary sanitary sewer, drainage, electric and water easement until permanent easements are recorded. The temporary easement shall be terminated upon the recording of the permanent easement.
3. The reference meridian used on this plat to determine the directions of the survey lines is based on the Kentucky State Plane Coordinate System, North Zone 1601, NAD 1983 as observed from GPS observations.



SCALE: 1"=40'



ENGINEERING • LAND SURVEYING • LANDSCAPE ARCHITECTURE
503 WASHINGTON AVENUE, SUITE 101, LOUISVILLE, KY 40222
PHONE: 502.416.9974 WEB SITE: WWW.LDD-INC.COM

**RIGHT-OF-WAY
CLOSURE PLAT**

For:

MMCS PROPERTIES LLC
1256 BASSETT AVE
LOUISVILLE, KENTUCKY 40204-2106

&

MATTHEW FRIEDMAN
1101 LOGAN STREET
LOUISVILLE, KENTUCKY 40204-2420
FORM DISTRICT: TRADITIONAL NEIGHBORHOOD
ZONING: M-2/EZ-1

PLAT DATE: APRIL 27, 2026

Sheet 1 of 2

STATE of KENTUCKY

SHANE D.
McCLOUD
4505

LICENSED
PROFESSIONAL
LAND SURVEYOR

LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat and survey were made under my supervision, and that the property lines shown hereon were obtained from recorded deeds or plats, and that only the property corners noted as monumented were located in the field.

Surveyor's Signature

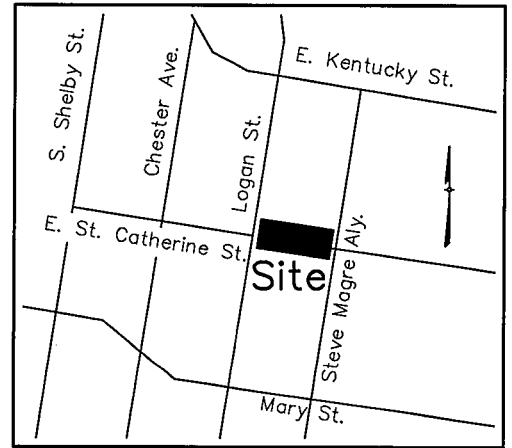
PLS#

Date

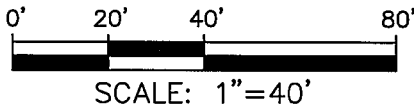
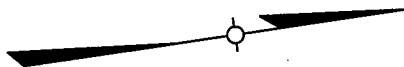
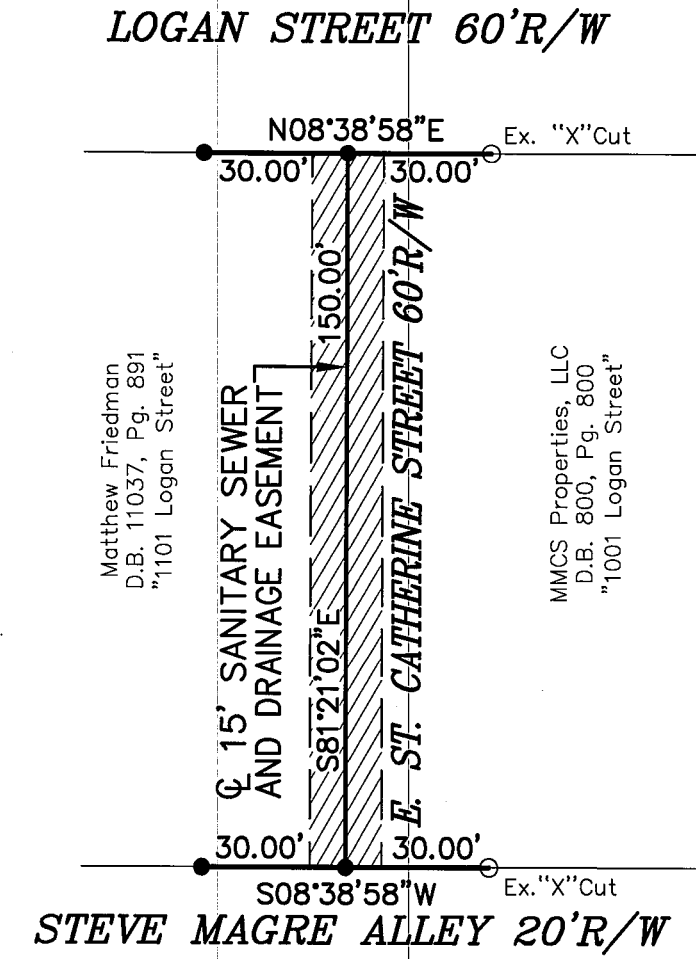
4/27/2026

LEGEND

- Set 1/2" By 18" Iron Pin
- With Cap Stamped "MCCLLOUD 4505"



LOCATION MAP
Not To Scale



Being the same property acquired by the Grantors by Closure of N. Sherrin Avenue, Docket No. 26-STRCLOSUREPA-0011, Ordinance No. _____ as filed in the Office of the Jefferson County Circuit Court.

LD&D
LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • LAND SURVEYING • LANDSCAPE ARCHITECTURE
503 WASHBURN AVENUE, SUITE 101
LOUISVILLE, KENTUCKY 40212
PHONE: 502.416.9914

**SANITARY SEWER AND
DRAINAGE EASEMENT PLAT
FOR STREET CLOSURE**

FOR:
MMCS PROPERTIES LLC
1256 BASSETT AVE
LOUISVILLE, KENTUCKY 40204-2106
&
MATTHEW FRIEDMAN
1101 LOGAN STREET

PROPERTY INFORMATION:
E. ST. CATHERINE STREET
BETWEEN LOGAN STREET
AND STEVE MAGE ALLEY
FORM DISTRICT: TRADITIONAL NEIGHBORHOOD
ZONING: M-2/EZ-1

PLAT DATE: APRIL 27, 2026

PERMANENT EASEMENT = 2,250.00 SQ. FT.



LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat and survey were made under my supervision, and that the property lines shown hereon were obtained from recorded deeds or plats, and that only the property corners noted as monumented were located in the field.

Surveyor's Signature: *Shane D. McCloud* PLS# 4505 Date: 4/27/2026

JUSTIFICATION

1. Adequate Public Facilities - Whether and the extent to which the request would result in demand on public facilities and services (both on-site and off-site), exceeding the capacity or interfering with the function of such facilities and services, existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services, and similar necessary facilities and services. No closure of any public right-of-way shall be approved where an identified current or future need for the facility exists. Where existing or proposed utilities are located within the right-of-way to be closed, it shall be retained as an easement or alternative locations shall be provided for the utilities.

Where existing or proposed utilities are located within the right-of-way to be closed, it shall be retained as an easement or alternative locations shall be provided for the utilities. Attached to the submittal is a sanitary sewer and drainage easement plat for the existing sewer line running the centerline of the proposed r/w closure.

2. Cost for Improvement - The cost for a street or alley closing, or abandonment of any easement or land dedicated to the use of the public shall be paid by the applicant or developer of a proposed project, including cost of improvements to adjacent rights-of-way or relocation of utilities within an existing easement.

The cost for the alley closing, or abandonment of any easement or land dedicated to the use of the public shall be paid for by the applicant or developer of a proposed project, including cost of improvements to adjacent rights-of-way or relocation of utilities within an existing easement.

3. Comprehensive Plan – The extent to which the proposed closure is in compliance with the Goals, Objectives, and Policies of the Comprehensive Plan.

The proposed alley closure is in compliance with the goals, objectives, and policies of the Comprehensive Plan.

4. Other Matters - Any other matters which the Planning Commission may deem relevant and appropriate.

LAND DESIGN & DEVELOPMENT, INC.
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
503 Washburn Avenue, Suite 101
Louisville, Kentucky 40222
(502) 426-9374

Alley Closure
1001 Logan St
Letter of Explanation
(April 13th, 2026)

The applicant is proposing the closure of E. Saint Catherine Street 60' Right-of-Way, intersecting Logan Street and Steve Magre Alley. The Right-of-Way is proposed to be equally consolidated with adjoining properties; parcel 025A01010000 and parcel 022H00750000. E. Saint Catherine Street is currently blocked by guardrails at the railroad crossing, blocking vehicular traffic from crossing over the existing railroad. The proposed closure will provide the applicant with the ability to use this space in conjuncture with Logan Street Market for outdoor dining, community markets, and outdoor family-friendly events.

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