

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO DEVELOPMENT REVIEW COMMITTEE MEETING
June 5, 2019**

A meeting of the Louisville Metro Development Review Committee was held on April 17, 2019 at 1:00 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, KY 40202.

Commissioners present:

Rich Carlson, Vice Chair* (left approx. 4:30 p.m.)
Jeff Brown
Donald Robinson

Commissioners absent:

Emma Smith
David Tomes, Chair

Staff members present:

Joe Reverman, Assistant Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Jon Crumbie, Planning & Design Coordinator
Steve Hendrix, Planning & Design Coordinator
Joel Dock, Planner II
Lacey Gabbard, Planner I
Jay Lockett, Planner I
Paul Whitty, Legal Counsel
Beth Stuber, Transportation Supervisor
Rachel Dooley, Management Assistant (Minutes)

The following matters were considered

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

APPROVAL OF MINUTES

May 22, 2019 DRC Meeting Minutes

00:02:43 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the minutes as corrected of its meeting conducted on May 22, 2019.

The vote was as follows:

YES: Commissioners Brown, Carlson, and Robinson,
ABSENT: Commissioner Smith and Tomes

DEVELOPMENT REVIEW COMMITTEE MINUTES

June 5, 2019

NEW BUSINESS

CASE NUMBER 18DEVPLAN1176

Request: Landscape, site and building design, and circulation waivers
Project Name: Vermont Liquors
Location: 509 Louis Coleman Jr. Drive
Owner/Applicant: RANA 09, LLC
Representative: Prime Design – Deon Wells
Jurisdiction: Louisville Metro
Council District: 5 – Donna Purvis

Case Manager: Joel Dock, AICP, Planner II

Notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:03:51 Joel Dock presented the case (see staff report and recording for detailed presentation.)

00:06:48 Commissioner Brown asked if there is on street parking permitted or available on Louis Colemans Jr. Drive. Joel Dock replied the off street was satisfactory and street parking study was not reviewed. Commissioner Brown, Commissioner Carlson, Joe Reverman, and Joel Dock discussed on street and onsite parking availability (see recording for detailed presentation.)

The following spoke in favor of this request:

Deon Wells, 534 Eastern Parkway, Louisville, Kentucky, 40217

Summary of testimony of those in favor:

00:08:49: Deon Wells, designer for this project, addressed Commissioner Brown's question for parking. Mr. Wells stated there is no official on street parking.

00:09:34 Commissioner Brown questioned the approach of drivers into the drive through and traffic circulation of the site, referencing the requested Waiver #3 on the Staff Report. Deon Wells replied it is proposed to leave enough room for a proper queue and if the size of the building needs to be reduced to accommodate this it can be done. Commissioner Brown stated they should apply a turning template to prevent queuing issues due to the layout of the site.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 18DEVPLAN1176

The following spoke in opposition to this request:

No one spoke.

Deliberation:

00:10:56 Commissioner Carlson, Commissioner Brown, and Joel Dock discussed continuing this case to research parking and queuing for the site (see recording for detailed presentation.)

An audio/visual recording of the Planning Commission hearing related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

00:15:00 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution, based on the Standard of Review and Staff Analysis, and evidence and testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **CONTINUE** the Revised District Development Plan with amendments to binding elements to the June 19, 2019 Development Review Committee meeting

The vote was as follows:

YES: Commissioners Brown, Robinson, and Carlson
ABSENT: Commissioners Smith and Tomes

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19SUBDIV1008

Request: Revised Preliminary Subdivision Plan
Project Name: Hardwood Forest Section 5
Location: Terminus of Hardwood Forest Drive
Owner/Applicant: Three D's Development, Inc.
Representative: Three D's Development, Inc.
Jurisdiction: Louisville Metro
Council District: 25 – David Yates

Case Manager: **Brian Davis, AICP, Planning Manager**

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 Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:15:40 Brian Davis presented the case (see staff report and recording for detailed presentation.)

00:17:52 Commissioner Brown asked if the minor plat will have the residual statement. Brian Davis replied the minor plat shown today is an older version and he has spoken to the surveyor to place the residual tract statement detailing the amount of frontage on the final version.

The following spoke in favor of this request:

No one spoke.

The following spoke in opposition to this request:

No one spoke.

The following spoke in neither for nor against to this request:

Patricia Connor, 3529 Hardwood Forest Drive, Louisville, Kentucky, 40214

Summary of testimony of those nether for nor against:

00:19:05 Patricia Connor, adjacent property owner, stated her concerns with the road location, what types of road, and maintenance of the lot. Ms. Connor noted that

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19SUBDIV1008

roads built through this area would pass over a creek and had concerns how it would affect the floodplain.

00:22:58 Commissioner Carlson asked if the developer is present today to answer questions. Brian Davis replied they are not present, but this case can be tabled while he contacts them to get answers.

NOTE- This case was tabled to be heard later in the meeting

01:30:15 **The case resumed.** Brian Davis stated the applicant cannot be present today. He noted the primary purpose of the minor plat is to create the residual tracts so it can be transferred and there is no intention to construct anything on the two acre tract at this time (see recording for detailed presentation). If and when a house is constructed on that lot the applicant will work with MSD and Public Works to resolve any turnaround and drainage issues.

Deliberation:

01:31:00 Commissioner's Deliberation (see recording for detailed presentation.)

An audio/visual recording of the Planning Commission hearing 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.

01:35:33 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution, based on the Standard of Review and Staff Analysis and testimony heard today, was adopted:

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Revised Major Preliminary Subdivision Plan for Hardwood Forest Section 5 based on the staff report and testimony heard today, **SUBJECT** to the Conditions of Approval.

Existing Conditions of Approval

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision of the land into a greater number of lots than originally approved will occur without approval of the Planning Commission

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19SUBDIV1008

2. The applicant shall submit a plan for approval by Planning Commission staff's landscape architect showing trees/tree masses to be preserved prior to beginning any construction procedure (i.e. clearing, grading, demolition). Adjustments to the tree preservation plan which are requested by the applicant may be approved by Planning Commission staff if the revisions are in keeping with the intent of the approved tree preservation plan. The plan shall exhibit the following information:
 - a. Proposed site plan (showing buildings, edges of pavement, property/lot lines, easements, existing topography, and other significant site features (LOJIC topographic information is acceptable).
 - b. Preliminary drainage considerations (retention/detention, ditches/large swales, etc.).
 - c. Location of all existing trees/tree masses existing on the site as shown by aerial photo or LOJIC maps.
 - d. Location of construction fencing for each tree/tree mass designated to be preserved.
3. An original stamped copy of the approved Tree Preservation Plan shall be present on site during all clearing, grading, and construction activity and shall be made available to any DPDS inspector or enforcement officer upon request.
4. A note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected prior to any grading or construction activities - preventing compaction of root systems of trees to be preserved. The fencing shall enclose the area beneath the dripline of the tree canopy and shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
5. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
 - a. Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
 - b. A deed of restriction in a form approved by counsel of the Commission outlining responsibilities for the maintenance of open space.
 - c. Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.
6. At the time the developer turns control of the homeowners association over to the homeowners, the developer shall provide sufficient funds to ensure there is no

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19SUBDIV1008

less than \$3,000 cash in the homeowners association account. The subdivision performance bond may be required by the planning Commission to fulfill this funding requirement.

7. The site shall be developed in accordance with the woodland protection areas delineated on the site plan and related notes. Any modification of the woodland protection area requires notification of adjoining property owners and LD&T action.
8. The applicant shall provide deeds of restriction ensuring that WPAs will be permanently protected in a manner consistent with these binding elements and the approved plan. The form of such restrictions shall be approved by Planning Commission counsel.
9. Woodland Protection Areas (WPAs) identified on this plan represent portions of the site that shall permanently preserve all existing vegetation. All clearing, grading and fill activity in these areas must be in keeping with restrictions established at the time of development plan approval. No further clearing, grading, construction or other land disturbing activity shall take place within designated WPAs 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, or for the installation of sewer or drainage facilities.
10. When limits of disturbance are shown on the plan, a note shall be placed on the preliminary plan, construction plan and the record plat that states, "Construction fencing shall be erected at the edge of the limits of disturbance area, prior to any grading or construction activities. The fencing shall remain in place until all construction is completed. No parking, material storage, or construction activities shall be permitted within the fenced area."
11. The signature entrance shall be submitted to the Planning Commission staff for review and approval prior to recording the record plat.
12. Open space lots shall not be further subdivided or developed for any other use and shall remain as open space in perpetuity. A note to this effect shall be placed on the record plat.
13. Trees will be preserved and/or provided on site and maintained thereafter as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the Preliminary Subdivision Plan. The applicant shall submit a landscape plan for approval by Planning Commission staff for any trees to be planted to meet the Tree Canopy requirements of

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19SUBDIV1008

Chapter 10, Part 1 of the Land Development Code. A tree preservation plan shall be submitted for review and approval for any trees to be preserved to meet the Tree Canopy requirements of Chapter 10

14. Construction drawings for roadways and drainage systems shall be submitted to a geotechnical engineer for review and approval before beginning construction. One area of concern is cuts and fills greater than eight feet. Once proposed road grades are known, the geotechnical engineer shall investigate all areas where cuts and fills are greater than eight feet for slope and soil stability.
15. During earthwork operations the geotechnical engineer shall provide field inspection for the following: Topsoil stripping, Compaction of fill for roadway and outlet grading, Proof-rolling roadway subgrade, Underdrains under pavement where necessary.
16. Prior to any construction on site, an addendum to the "Geotechnical Exploration Report" prepared by GEM Engineering, Inc. dated July 17, 2003 shall be completed addressing pavement design and embankment construction on the site.
17. Individual lot approval will be required by MSD on all lots marked as "Difficult" or "OK" in the "Geotechnical Exploration Report" prepared by GEM Engineering, Inc. dated July 17, 2003. Individual foundations on these lots shall be approved by a geotechnical engineer before beginning construction of homes, and the geotechnical engineer shall inspect the subgrade before beginning construction of foundations.
18. Site preparation, clearing, grading and road construction shall be carried out in accordance with the recommendations of the "Geotechnical Exploration Report" prepared by GEM Engineering, Inc. dated July 17, 2003.
19. The developer shall provide written notice to lot purchasers as specified in the note below. In addition, the following note shall be placed on the record plat and shall be placed in the deed of restrictions:

"Lot purchasers are hereby notified that portions of this subdivision are located on a geologic structure – New Providence Shale – that may be unstable and subject to slippage. Structures built on this material should be designed with the assistance of a qualified Geotech professional. Information on recommended site preparation techniques and design of residential foundations are available in the files of the Planning Commission."

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19SUBDIV1008

20. The developer shall provide each builder and/or lot purchaser with a copy of the "Geotechnical Exploration Report" prepared by GEM Engineering, Inc. dated July 17, 2003 prior to purchase, and a copy of the Executive Summary from said report shall be included in the purchase contract. The purchase contract shall also identify if the lot requires individual approval.

21. A copy of the geotechnical engineer's certification for each lot where it is required shall be submitted to the Planning Commission file for this subdivision.

The vote was as follows:

YES: Commissioners Brown, Robinson, and Carlson

ABSENT: Commissioners Smith and Tomes

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1074

Request: Revised Detailed District Development Plan and Binding Element Amendments
Project Name: Assumption High School Additions
Location: 2170 Tyler Lane
Owner/Applicant: Assumption High School, Inc.
Representative: Ann Richard, Land Design & Development Inc.
Jurisdiction: Louisville Metro
Council District: 8 – Brandon Coan

Case Manager: **Jon E. Crumbie, Planning & Design Coordinator**

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 Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:24:41 Jon Crumbie presented the case (see staff report and recording for detailed presentation).

00:26:58 Commissioner Brown and Jon Crumbie discussed the proposed binding elements regarding traffic signs, the gymnasium, and pick up and drop off sites (see recording for detailed presentation).

The following spoke in favor of this request:

Kevin Young, 503 Washburn Avenue, Louisville, Kentucky, 40222

Mary Lang, 2170 Tyler Lane, Louisville, Kentucky, 40205

Colin Drake, 1857 Gresham Road, Louisville, Kentucky, 40205

Summary of testimony of those in favor:

00:29:25 Kevin Young presented a Power Point slide show detailing history of the site, building additions, parking site changes, and Assumption's daycare (see recording for detailed presentation).

00:32:08 Mary Lang, president of Assumption High School, detailed the history and surrounding area of the site. Ms. Lang described the planned expansions for the school

DEVELOPMENT REVIEW COMMITTEE MINUTES

June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1074

and changes to the associated buildings to better serve the students. Ms. Lang spoke of traffic congestion and the plans to improve traffic on the site which would elevate traffic impact on the neighborhood.

00:41:34 Colin Drake presented a Power Point slide show describing the existing building and the overlay of the addition (see recording for detailed presentation). Mr. Drake noted the new main entrances for the school facing Tyler Lane. He further detailed the mechanical screening on the roof that has been incorporated into the design of the building.

00:44:27 Kevin Young, via the site Power Point presentation, detailed the redesign of the parking lot to add additional parking and changes to the queuing for student pick up and drop off areas to keep cars off Bardstown Road.

00:50:06 Commissioner Carlson spoke of the restrictions statement for student drivers parking. There should be clarification to all drivers the assigned parking for faculty, visitor, on street parking, and fire department lanes.

00:50:56 Commissioner Brown, Joe Reverman, Kevin Young, and Beth Stuber discussed Proposed Binding Element number 5 and the Bardstown Safety study (see recording for detailed presentation).

00:53:49 Commissioner Brown, Mary Lang, and Jon Crumbie discussed Binding Elements number 17 and 19 (see recording for detailed presentation).

00:55:59 Commissioner Brown and Kevin Young discussed assigned parking and queuing for pickup and drop off areas (see recording for detailed presentation).

The following spoke in opposition to this request:

Leslie Cissell, 2156 Gladstone Avenue, Louisville, Kentucky, 40205

Summary of testimony of those in opposition:

00:57:54 Leslie Cissell detailed the history of the area and stated she would like to discuss the binding elements in depth with Assumption to improve the development plan. Ms. Cissell stated there should be improvements to buffer area, traffic congestion, dumpster location, hours of lighting, queuing areas on parking lot, and maintained landscaping. She noted there should be construction vehicles parking away from roads and notification of hours for construction. Ms. Cissell addressed 8 amended Binding Elements (see recording for detailed presentation).

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1074

01:18:30 Commissioner Carlson, Kevin Young, and Leslie Cissell discussed tabling the case until later in the meeting (see recording for detailed presentation).

01:19:43 Honi Goldman, President of Upper Highland neighborhood association, stated she is impartial and has noted the concerns of neighbors of this development.

NOTE- This case was tabled to be heard later in the meeting

03:40:18 **The case resumed.** Commissioner Brown, Commissioner Robinson, Kevin Young, Mary Lang, and Leslie Cissell discussed the binding elements (see recording for detailed presentation).

Deliberation:

03:39:17 Commissioners' deliberation (see recording for detailed presentation).

An audio/visual recording of the Planning Commission hearing 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.

03:59:24 On a motion by Commissioner Robinson, seconded by Commissioner Brown, the following resolution, based on the Standard of Review and Staff Analysis and testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **RECOMMEND APPROVAL** for the Revised Detailed District Development Plan and Binding Element Amendments to the June 6, 2019 Planning Commission meeting

The vote was as follows:

YES: Commissioners Brown and Robinson

ABSENT: Commissioner Smith, Tomes, and Carlson

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19CUP1036

Request: Floyds Fork Overlay Review
Project Name: The Stables at Floyds Fork
Location: 10503 ½ Bardstown Bluff Road
Owner: Stephanie L. Perri
Applicants Stephanie L. Perri & Carin Veech
Representative: Nicholas R. Pregliasco
Jurisdiction: Louisville Metro
Council District: 20 – Stuart Benson

Case Manager: **Steve Hendrix, Planning & Design Coordinator**

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 Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

01:36:25 Steve Hendrix presented the case (see staff report and recording for detailed presentation).

01:41:57 Commissioner Robinson asked how many parking spaces the development will be short. Mr. Hendrix replied the applicant is proposing 76 parking spaces, the majority on gravel lot parking area.

The following spoke in favor of this request:

Nick Pregliasco, 1000 North Hurstbourne Parkway, Louisville, Kentucky, 40223

Kathy Linares, 5151 Jefferson Boulevard, Suite, 101, Louisville, Kentucky 40219

David Mindel, 5151 Jefferson Boulevard, Suite, 101, Louisville, Kentucky 40219

Summary of testimony of those in favor:

01:43:35 Nick Pregliasco, presented a Power Point slide show, noted the shared drive with adjacent property owner, gravel parking areas, existing buildings, and uses for the site. He stated there will be additional landscaping provided to help screen the parking lot from neighboring properties.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19CUP1036

01:54:05 Commissioner Brown asked if the development has sewer or septic. Mr. Pregliasco replied there has been approval for a septic system, but it has potential for sewer.

01:54:46 Commissioner Carlson asked for the location of the caterer's trailer on the development. Kathy Linares stated the proposed location for the trailer would be just outside the Floyd's Fork Buffer area next to the largest existing building.

01:55:55 Commissioner Brown asked if there was a landscape requirement for screening to mitigate the visual appearance of the gravel parking lot. Ms. Linares replied there is proposed landscaping along the property line, the edge of the property next to adjacent owners, and gravel parking lots.

The following spoke in opposition to this request:

Jan Seabolt, 10503 Bardstown Bluff Road, Louisville, Kentucky, 40291

Emily Bryan, 10505 Bardstown Bluff Road, Louisville, Kentucky, 40291

Grace Bryan, 10505 Bardstown Bluff Road, Louisville, Kentucky, 40291

Summary of testimony of those in opposition:

01:58:10 Jan Seabolt, adjacent property owner, stated her concerns that the shared driveway is too narrow to handle the amount of traffic proposed and worsening conditions of the driveway due to construction vehicles. In addition, Ms. Seabolt stated there has been confusion with the addresses and believes a separate drive would help avoid this problem. Jan noted there is a no sewer or septic on site and she is against the use of portlets. She stated the liabilities of alcohol consumption next to her property.

02:02:08 Paul Whitty asked Jan Seabolt if there is an existing access easement agreement for the shared driveway. Ms. Seabolt replied there is. Mr. Whitty stated Circuit Court would be the place to enforce and dictate uses of the shared driveway if there is any violation on the easement agreement.

02:03:01 Emily Bryan, adjacent property, stated her concerns with the grading of the gravel parking lot, the water run off from the parking lot, privacy concerns due to photography, and dumpster and portlet locations. Grace Bryan stated the landscaping along her property to screen the parking lot would not be adequate, the proposed personal trailer is against guidelines since it's a mobile home, and fencing would be an

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19CUP1036

issue due to flooding from Floyd's Fork. Grace noted the driveway and connecting roads would not be large enough to accommodate the influx of drivers for events.

Rebuttal:

02:12:37 Nick Pregliasco stated there will be proposed conditions of approval for lighting, noise, and hours of operation, and the number of events for the development. Mr. Pregliasco noted the site will not have any additional buildings built, only renovations of existing structures to improve the site. He detailed the proposed landscaping and will be able to extend landscaping as needed.

02:15:33 Commissioner Brown asked if there are restrictions to plant height under the overhead electric easement. Mr. Pregliasco replied he will examine this and will add landscaping as requested. David Mindel stated there are restrictions and detailed the clearance of the electric lines. Kelly Linares noted the proposed landscaping allowed by the CUP, which is 5-foot screening, will be planted.

Deliberation:

02:17:20 Commissioners discussed the gravel parking lot location being against the Floyd's Fork guidelines (see recording for detailed presentation).

An audio/visual recording of the Planning Commission hearing 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.

02:21:27 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution, based on the Standard of Review and Staff Analysis and testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **CONTINUE** the Floyds Fork Overlay Review to the June 19, 2019 Development Review Committee meeting

The vote was as follows:

YES: Commissioners Brown, Robinson, and Carlson

ABSENT: Commissioner Smith and Tomes

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19MINORPLAT1061

Request: Record Plat Amendment
Project Name: 206 Wood Road Minor Plat
Location: 206 Wood Road
Owner/Applicant: Primera Services / Paul Parker
Representative: Rick Williamson – Milestone Design Group
Jurisdiction: Lyndon
Council District: 18 – Marilyn Parker

Case Manager: Molly Clark, Associate Planner
Presented By: Jay Lockett, Planner I, AICP

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 Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

02:22:36 Jay Lockett presented the case (see staff report and recording for detailed presentation).

The following spoke in favor of this request:

Rick Williamson, 108 Daventry Lane, Louisville, Kentucky, 40223

Summary of testimony of those in favor:

02:23:51 Rick Williamson, surveyor for the project, stated he is present to answer questions.

The following spoke in opposition to this request:

Amy Stuber, 204 Wood Road, Louisville, Kentucky, 40222

David Lee, 202 Wood Road, Louisville, Kentucky, 40222

Karen McKnight, 211 Lyndon Lane, Louisville, Kentucky, 40222

Dan Sturm, 215 Wood Road, Louisville, Kentucky, 40222

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19MINORPLAT1061

Summary of testimony of those in opposition:

02:24:50 Amy Stuber, adjacent property owner, stated she is against the division of the lot (see recording for detailed presentation).

02:29:33 Joe Reverman, Planning and Design, asked Jay Luckett if there is a subdivision regulation of lot sizes. Mr. Luckett said not beyond the standards of the form district, they will have to meet the setback standards. They don't regulate home size or lot size beyond the minimums of the form district.

02:34:18 David Lee stated he is opposed to the division of the lot and would not like to have houses built there (see recording for detailed presentation).

02:35:58 Karen McKnight, adjacent property owner, stated she is against dividing the lot.

02:37:32 Dan Sturm asked for clarification for the meeting today and the next steps in the process to oppose the construction of a home on the divided lot (see recording for detailed presentation).

Rebuttal:

02:40:43 Rick Williamson stated there are similar lots to the proposed lots in the neighborhood.

Deliberation:

02:41:13 Commissioners discussed the case and addressed the concerns of the opposed (see recording for detailed presentation).

An audio/visual recording of the Planning Commission hearing 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.

02:42:10 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution, based on the Standard of Review and Staff Analysis and testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the Record Plat Amendment

The vote was as follows:

YES: Commissioners Brown, Robinson, and Carlson

ABSENT: Commissioners Smith and Tomes

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

Request: Revised Detailed District Development Plan with Waivers
Project Name: Springhurst Hotels
Location: 4209 Simcoe Ln
Owner/Applicant: Jaytee Springhurst LLC
Representative: Heritage Engineering
Jurisdiction: Louisville Metro
Council District: 17 – Markus Winkler

Case Manager: Jay Luckett, AICP, 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 Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

02:43:40 Jay Luckett presented the case (see staff report and recording for detailed presentation).

The following spoke in favor of this request:

Scott Hannah, 642 South 4th Street, Louisville, Kentucky, 40294

Diane Zimmerman, 12803 High Meadows Pike, Prospect, Kentucky, 40059

The following spoke in favor to this request:

02:47:48 Scott Hannah, representing Malcom Bryant Corporation, presented a Power Point slide show (see recording for detailed presentation). Mr. Hannah noted the landscape buffer encroachment waivers and the landscaping being provided for the site.

02:56:24 Commissioner Brown, Diane Zimmerman, and Beth Stuber discussed the traffic impact studies made in 2016 (see recording for detailed presentation).

02:58:27 Commissioner Carlson asked Scott Hannah how tall the proposed building will be, compared to the Republic Bank building. Mr. Hannah replied the proposed building is 5 stories, the Republic Bank building is 4 stories.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

The following spoke in favor of this request:

James Onnen, 4100 Abbeywood Village Drive, Louisville, Kentucky, 40241

Summary of testimony of those in opposition:

02:59:42 James Onnen stated he is concerned with traffic, detailed the route of traffic in the area, and proposed an additional traffic impact study be done for this development (see recording for detailed presentation).

Rebuttal:

03:05:02 Diane Zimmerman detailed the previous traffic study (see recording for detailed presentation).

Deliberation:

03:06:36 Commissioners deliberation (see recording for detailed presentation).

An audio/visual recording of the Planning Commission hearing 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.

1. **Waiver from 10.3.7 to allow structures and vehicle use areas to encroach into the 50 foot Gene Snyder Freeway Buffer by up to 25 feet as shown on the development plan**

03:07:50 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution, based on the Standard of Review and Staff Analysis and testimony heard today, was adopted:

WHEREAS, the Louisville Metro Development Review Committee finds the waiver will not adversely affect adjacent property owners, as all required plantings will still be provided within the buffer area; and

WHEREAS, the Louisville Metro Development Review Committee further finds the waiver will not violate specific guidelines of Plan 2040, as adequate screening will still be provided between uses of differing intensities. All required plantings will be provided on the subject site, and no environmentally sensitive areas will be negatively impacted. The design of landscaping on the site will still meet the purpose and intent of the regulations regarding development along the Gene Snyder Freeway corridor; and

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

WHEREAS, the Louisville Metro Development Review Committee further finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as they have minimized the area of encroachment to the greatest degree practicable and will provide all required planting and screening on the subject site; and

WHEREAS, the Louisville Metro Development Review Committee further finds the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the site is irregularly shaped and relatively narrow, making it difficult to accommodate required parking along with all applicable buffers, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Waiver from 10.3.7 to allow structures and vehicle use areas to encroach into the 50 foot Gene Snyder Freeway Buffer by up to 25 feet as shown on the development plan

The vote was as follows:

YES: Commissioners Brown, Robinson, and Carlson

ABSENT: Commissioners Smith, and Tomes

2. **Waiver from 10.2.10 to allow vehicle use areas to encroach into the 15 foot Vehicle Use Area Landscape Buffer Area by up to 10 feet as shown on the development plan.**

03:08:22 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution, based on the Standard of Review and Staff Analysis and testimony heard today, was adopted:

WHEREAS, the Louisville Metro Development Review Committee finds the waiver will not adversely affect adjacent property owners, as all required plantings will still be provided within the buffer area; and

WHEREAS, the Louisville Metro Development Review Committee further finds the waiver will not violate specific guidelines of Plan 2040, as adequate screening will still be provided between uses of differing intensities. All required plantings will be provided on the subject site, and no environmentally sensitive areas will be negatively impacted; and

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

WHEREAS, the Louisville Metro Development Review Committee further finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as they have minimized the area of encroachment to the greatest degree practicable and will provide all required planting and screening on the subject site; and

WHEREAS, the Louisville Metro Development Review Committee further finds the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the site is irregularly shaped and relatively narrow, making it difficult to accommodate required parking along with all applicable buffers, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Waiver from 10.2.10 to allow vehicle use areas to encroach into the 15 foot Vehicle Use Area Landscape Buffer Area by up to 10 feet as shown on the development plan

The vote was as follows:

YES: Commissioners Brown, Robinson, and Carlson

ABSENT: Commissioners Smith, and Tomes

03:09:09 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution, based on the Standard of Review and Staff Analysis and testimony heard today, was adopted:

WHEREAS, the Louisville Metro Development Review Committee finds there is an intermittent stream to the on the southeast section of the site near the Villages of Abbeywood. It will be protected and adequate buffering and plantings will be provided; and

WHEREAS, the Louisville Metro Development Review Committee further finds the provisions for safe and efficient vehicular transportation have been provided within and around the subject site. The site plan has received preliminary approval from Louisville Metro Public Works; and

WHEREAS, the Louisville Metro Development Review Committee further finds there are no open space requirements associated with this request; and

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

WHEREAS, the Louisville Metro Development Review Committee further finds Adequate drainage facilities have been provided on the subject site and the plan has received preliminary approval from MSD; and

WHEREAS, the Louisville Metro Development Review Committee further finds the proposed development is compatible with existing and anticipated future development patterns in the area. Required setbacks and buffering will be provided on site, except where relief has been requested; and

WHEREAS, the Louisville Metro Development Review Committee further finds the plan is in conformance with the comprehensive plan and is consistent with the justifications given for the rezoning and original Detailed District Development Plan, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Revised Detailed District Development Plan with amendments to Binding Elements on pages 10 through 12 of the Staff Report with the elimination of the proposed Binding Element number 12 regarding the Simcoe land improvements

Existing Binding Elements with Proposed Changes

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 for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. ~~The development shall not exceed 40,800 square feet of gross floor area.~~
3. There shall be no direct vehicular access to Simcoe Lane.
4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
5. 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.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

6. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from Louisville Metro Public Works.
 - c. A minor subdivision plat shall be recorded dedicating additional right-of-way to Simcoe Lane as shown on the approved development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - d. 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.
 - e. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - f. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - g. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - h. **Final elevations/renderings shall be submitted for review and approval by Planning Commission staff. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.**

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

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.

8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
9. ~~The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the September 8, 2016 Land Development & Transportation Meeting.~~
10. At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained thereafter. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.
11. Upon development or redevelopment of the adjacent properties, a cross-access agreement and details thereof, and responsibilities for construction and maintenance of said cross-access agreement, shall be required. The appropriate location/s shall be mutually agreed upon by the property owners and Metro Public Works. In the event a location cannot be mutually agreed upon, the development plan shall be returned to the Planning Commission or its Committee designee thereof for final decision. Cross-access agreement to run with the land and in a form acceptable to the Planning Commission Legal Counsel shall be recorded prior to the time of construction approval for the adjacent property to be developed.
12. Prior to the first certificate of occupancy being issued for this site written proof confirming that the previous Conditional Use Permit for the parking lot (Case No. 9783) has been abandoned by action of the Board of Zoning Adjustments or its staff designee.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

13. The applicant shall preserve existing trees and vegetation within the variable 25- to 35-foot area marked by green cross-hatching (the "Buffer Area") as shown on the Tree/Vegetation Buffer Exhibit immediately adjacent to property owned by Village of Abbeywood Residents Association, Inc. (DB 6792, P 0088), subject to (a) applicant's right to remove trees or vegetation as necessary to stabilize the slopes of the stream within the proposed 15-foot Sanitary Sewer & Drainage Easement shown on the Exhibit or to locate necessary utilities within the Buffer Area, and (b) the removal of any trees or branches within the Buffer Area which are dead, diseased or hazardous to the public.
14. ~~A screen abutting 4206 Simcoe Lane shall be implemented pursuant to LDC 10.2.4 following a meeting between applicant's representatives and the owner of 4206 Simcoe Lane, subject to DPDS staff approval. Implementation shall occur prior to issuance of certificates of occupancy.~~
15. ~~Perimeter screening abutting the rear property lines of 4206, 4200 and 4113 Simcoe Lane and abutting the rear property line of the Springhurst Tennis Club shall be implemented following a meeting between the owners of these abutting properties and representatives of the applicant, subject to DPDS staff approval. Implementation shall occur prior to issuance of certificate of occupancy.~~
16. Developer shall construct intersection improvements at KY 22 & Simcoe Ln to prohibit left turn traffic from Simcoe to KY 22. Construction plans, bond & permit for the intersections improvements shall be completed prior to the issuance of building permit. Intersection improvements shall be constructed prior to the issuance of certificate of occupancy.

Proposed 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 for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. There shall be no direct vehicular access to Simcoe Lane.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

4. 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.

5. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from Louisville Metro Public Works.
 - c. A minor subdivision plat shall be recorded dedicating additional right-of-way to Simcoe Lane as shown on the approved development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - d. 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.
 - e. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - f. A reciprocal access and crossover easement agreement in a form acceptable to the Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.
 - g. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
 - h. Final elevations/renderings shall be submitted for review and approval by Planning Commission staff. A copy of the approved rendering shall be available in the case file on record in the offices of the Louisville Metro Planning Commission.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

6. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
7. 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.
8. At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained thereafter. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.
9. Upon development or redevelopment of the adjacent properties, a cross-access agreement and details thereof, and responsibilities for construction and maintenance of said cross-access agreement, shall be required. The appropriate location/s shall be mutually agreed upon by the property owners and Metro Public Works. In the event a location cannot be mutually agreed upon, the development plan shall be returned to the Planning Commission or its Committee designee thereof for final decision. Cross-access agreement to run with the land and in a form acceptable to the Planning Commission Legal Counsel shall be recorded prior to the time of construction approval for the adjacent property to be developed.
10. Prior to the first certificate of occupancy being issued for this site written proof confirming that the previous Conditional Use Permit for the parking lot (Case No. 9783) has been abandoned by action of the Board of Zoning Adjustments or its staff designee.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1080

11. The applicant shall preserve existing trees and vegetation within the variable 25- to 35-foot area marked by green cross-hatching (the "Buffer Area") as shown on the Tree/Vegetation Buffer Exhibit immediately adjacent to property owned by Village of Abbeywood Residents Association, Inc. (DB 6792, P 0088), subject to (a) applicant's right to remove trees or vegetation as necessary to stabilize the slopes of the stream within the proposed 15-foot Sanitary Sewer & Drainage Easement shown on the Exhibit or to locate necessary utilities within the Buffer Area, and (b) the removal of any trees or branches within the Buffer Area which are dead, diseased or hazardous to the public.

12. Developer shall construct intersection improvements at KY 22 & Simcoe Ln to prohibit left turn traffic from Simcoe to KY 22. Construction plans, bond & permit for the intersections improvements shall be completed prior to the issuance of building permit. Intersection improvements shall be constructed prior to the issuance of certificate of occupancy.

The vote was as follows:

YES: Commissioners Brown, Robinson, and Carlson

ABSENT: Commissioners Smith, and Tomes

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1089

Request: Category 3 Development Plan
Project Name: Catholic Charities of Louisville
Location: 2911 S 4th St
Owner/Applicant: Roman Catholic Bishop of Louisville
Representative: Booker Design Collaborative
Jurisdiction: Louisville Metro
Council District: 15 – Kevin Triplett

Case Manager: Jay Luckett, AICP, 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 Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

03:10:01 Jay Luckett presented the case (see staff report and recording for detailed presentation). Mr. Luckett noted there have been voiced concerns about the demolition of historic structures on the site.

The following spoke in favor of this request:

Jon Baker, Wyatt, Turrent & Combs, Suite 2800, 500 W. Jefferson Street, Louisville, Kentucky, 40202

Lisa DeJaco Crutcher, 2911 South 4th Street, Louisville, Kentucky, 40208

Kristin Booker, 815 W. Market Street, Suite 302, Louisville, Kentucky, 40202

Vince Vetter, 829 E. Market Street, Suite B, Louisville, Kentucky, 40206

Summary of testimony of those in favor:

03:12:35 Jon Baker, applicant, presented Power Point slide show detailed the plans of the development.

03:14:04 Lisa DeJaco Crutcher, chief executive officer of Catholic Charities of Louisville, presented Power Point slide show. Ms. Crutcher detailed the history of the site, conditions of existing buildings, the proposed structures to be built, and uses of proposed structures (see recording for detailed presentation.)

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1089

03:21:46 Kristin Booker, landscape architect, present to answer questions and detailed the site plan for the site (see recording for detailed presentation.)

03:22:45 Vince Vetter presented elevations and materials for the proposed building (see recording for detailed presentation.)

03:24:25 Commissioner Brown noted an error in Public Works notes number 11 "4th Street is a state road". Kristen Booker replied it is a typo, supposed to be 3rd Street.

The following spoke in opposition to this request:

No one spoke.

Deliberation:

03:25:14 Commissioner's Deliberation (see recording for detailed presentation.)

An audio/visual recording of the Planning Commission hearing 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.

03:25:18 On a motion by Commissioner Brown, seconded by Commissioner Robinson, the following resolution, based on the Standard of Review and Staff Analysis and testimony heard today, was adopted:

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

The vote was as follows:

YES: Commissioners Brown, Robinson, and Carlson

ABSENT: Commissioners Smith and Tomes

NOTE-Commissioner Carlson left at approximately 4:30p.m

03:26:53 On a motion by Commissioner Robinson, seconded by Commissioner Carlson, Commissioner Jeffery Brown was appointed as acting chair.

The vote was as follows:

YES: Commissioner Brown, Robinson, and Carlson

ABSENT: Commissioners Smith and Tomes

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 18DEVPLAN1182

Request: Revised Development Plan with Binding Element
Amendments and Waivers
Project Name: Airport Industrial Center
Location: 114 Rochester Dr
Owner/Applicant: Louisville & Jefferson County Redevelopment
Representative: John McLaren, Titan Research & Development
Jurisdiction: Louisville Metro
Council District: 21 – Nicole George

Case Manager: Lacey Gabbard, AICP, 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 Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

03:27:37 Lacey Gabbard presented the case (see staff report and recording for detailed presentation).

The following spoke in favor of this request:

Ashley Bartley, 1046 East Chestnut Street, Louisville, Kentucky, 40204

Summary of testimony of those in favor:

03:29:14 Ashley Bartley, applicant, presented Power Point slide show. Ms. Bartley detailed the proposed buildings, via areal views of the development. She noted the variance to permit parking in the street side setback, waivers for the 15 foot LBA and plantings, and waiver for the outdoor amenity area.

03:32:07 Joe Reverman, Ashley Bartley, and Commissioner Brown discussed the waiver for the amenity area (see recording for detailed presentation).

The following spoke in opposition to this request:

No one spoke.

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 18DEVPLAN1182

Deliberation:

03:32:57 Commissioner Brown asked if a clearly defined access point could be provided. Ashley Bartley replied they can have an answer for this question at the Planning commission meeting (see recording for detailed presentation).

An audio/visual recording of the Planning Commission hearing 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.

03:34:33 **The Committee by general consensus placed this case to the June 6, 2019 Planning Commission meeting at the Old Jail Building.**

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

NEW BUSINESS

CASE NUMBER 19DEVPLAN1023

Request: Revised Detailed District Development Plan
Project Name: Residence Inn
Location: 2510 Terra Crossing Blvd
Owner/Applicant: David Peterson, DLP Real Estate LLC
Representative: Nick Campisano, Campisano Capital LLC
Jurisdiction: Louisville Metro
Council District: 19 – Anthony Piagentini

Case Manager: Lacey Gabbard, AICP, 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 Commissioners 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 in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

03:36:07 Lacey Gabbard presented the case (see staff report and recording for detailed presentation).

The following spoke in favor of this request:

Jon Henney, 111 West Main Street, Suite, 201, Louisville, Kentucky, 40202

Summary of testimony of those in favor:

03:37:45 Jon Henney presented Power Point slide show detailing the history of the site, areal views, the proposed development plan, trip generation, and elevations (see recording for detailed presentation). Mr. Henney stated he is present for questions.

The following spoke in opposition to this request:

No one spoke.

Deliberation:

03:39:04 Commissioners' deliberation (see recording for detailed presentation.)

An audio/visual recording of the Planning Commission hearing 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.

03:39:20 **The Committee by general consensus placed this case to the June 6, 2019 Planning Commission meeting at the Old Jail Building**

DEVELOPMENT REVIEW COMMITTEE MINUTES
June 5, 2019

Adjournment

The meeting adjourned at approximately 5:06 p.m.



Chairman



Division Director

