

**MINUTES OF THE MEETING
OF THE
DEVELOPMENT REVIEW COMMITTEE
November 30, 2022**

A meeting of the Development Review Committee was held on November 30, 2022 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

Committee Members present were:

Rich Carlson, Chair
Patti Clare, Vice Chair
Glenn Price
Michelle Pennix
Jeff Brown

Staff Members present were:

Brian Davis, Assistant Director
Laura Ferguson, Assistant County Attorney
Sean McDowell, Management Assistant
Julia Williams, Planning Supervisor

The following matters were considered:

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APPROVAL OF MINUTES

NOVEMBER 16, 2022 DRC MEETING MINUTES

00:04:35 Two corrections were made to the November 16, 2022 Minutes. The first correction was made on case number 21-DDP-0121. At the beginning of page 9, a sentence stating the case was heard out of order because it will be continued to a later meeting date was not accurate and needed to be stricken. The second correction was made on case number 22-DDP-0067. The online version of the Minutes left out binding element number 9, while the paper version did not. It was agreed upon that both the online and paper versions would show the binding element.

00:05:12 On a motion by Commissioner Brown, seconded by Commissioner Price, the following resolution was adopted.

RESOLVED, that the Development Review Committee does hereby **APPROVE** the minutes of its meeting conducted on November 16, 2022.

The vote was as follows:

YES: Commissioners Brown, Pennix, Price, Clare, and Carlson.

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NEW BUSINESS

CASE NO. 22-WAIVER-0218

Request:	Waiver
Project Name:	Shawnee Apartments
Location:	4137-4139 W Broadway
Owner:	Shawnee Renaissance Apartments
Applicant:	Shawnee Renaissance Apartments
Representative:	Bowman
Jurisdiction:	Louisville Metro
Council District:	5 - Donna Purvis
Case Manager:	Julia Williams, AICP, Planning Supervisor

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. This report was available to any interested party prior to the DRC meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:05:52 Julia Williams discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Chris Brown, 3001 Taylor Springs Drive, Louisville, KY 40220

Summary of testimony of those in favor:

00:06:49 Chris Brown spoke in support of the applications and presented a PowerPoint presentation (see video). Brown explained that the residential property was located next to a daycare center. He confirmed that planting and screening along the boundary would be provided and planting requirements on the property itself would be followed.

Deliberation

00:08:01 Commissioner Brown said he agreed with the staff report and stated that he was ready to make a motion. Commissioner Clare agreed with him.

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

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NEW BUSINESS

CASE NO. 22-WAIVER-0218

Waiver from Chapter 10.2.4 to allow encroachments into the required 15' LBA along the west property line

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

WHEREAS, the Louisville Metro Development Review Committee finds the waiver will not adversely affect adjacent property owners since the adjacent property is a higher intensity use and the trees and screening will be provided: and

WHEREAS, the Louisville Metro Development Review Committee finds 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. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 1, Policy 6 calls to discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. Evaluation of impacts may include, but not be limited to, displacement of residents, loss of affordable housing units, traffic, parking, signs, lighting, noise, odor, and stormwater. Appropriate transitions from non-residential to residential uses should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential. Community Form Goal 1, Policy 9 calls to ensure 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. Community Form Goal 1, Policy 10 calls to mitigate the impacts caused when incompatible developments unavoidably occur adjacent to one another. Buffers should be used between uses that are substantially different in intensity or density. Buffers should be variable in design and may include landscaping, vegetative berms and/or walls and should address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Residential uses that develop adjacent to agricultural land uses may be required to provide screening and buffering to protect both the farmer and homeowners. The adjacent property is a higher intensity use and the trees and screening will be provided: and

WHEREAS, the Louisville Metro Development Review Committee finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since

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NEW BUSINESS

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the adjacent property is a higher intensity use and the trees and screening will be provided: 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 or would create an unnecessary hardship on the applicant since the adjacent property is a higher intensity use and the trees and screening will be provided.

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** Waiver from Chapter 10.2.4 to allow encroachments into the required 15' LBA along the west property line.

The vote was as follows:

YES: Commissioners Brown, Pennix, Price, Clare, and Carlson

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ADJOURNMENT

The meeting adjourned at approximately 1:09 p.m.

Chair

Planning Director