

**LOUISVILLE METRO
DEVELOPMENT REVIEW COMMITTEE MEETING MINUTES
SEPTEMBER 20, 2017**

A meeting of the Louisville Metro Development Review Committee was held on September 20, 2017, at 1:00 p.m. at the Old Jail Building, 514 W Liberty Street, Louisville, KY 40202.

Commissioners present:

David Tomes, Chair
Rich Carlson, Vice Chair
Jeff Brown
Laura Ferguson
Emma Smith

Staff members present:

Brian Davis, Planning Manager
Julia Williams, Planning Supervisor
Steve Hendrix, Planning Supervisor
James Carey, Legal Counsel
Kristen Loeser, Management Assistant

The following matters were considered:

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

APPROVAL OF MINUTES

00:04:21 On a motion by Vice Chair Carlson, seconded by Commissioner Smith, the following resolution was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the minutes of its meeting conducted on September 6, 2017.

The vote was as follows:

Yes: Smith, Ferguson, Tomes, Brown and Carlson

Absent: None

Abstain: None

No: None

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17MINORPLAT1059

Project Name:	Revision of Lot 128 of the CL Coopers Addition Subdivision
Location:	Cooper Avenue
Owner(s):	Jacob Rascon
Applicant:	David Garber
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
Case Manager:	Brian Davis, Planning & Design 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. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

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

Agency Testimony:

00:06:12 Brian Davis presented the case (see Staff Report and recording for detailed presentation).

The following spoke in favor of the request:

David Garber, 2249 Commerce Pkwy., La Grange, KY 40031

Summary of testimony of those in favor:

00:07:36 David Garber spoke about the request to create two lots from lot 128. The owner wishes to construct two homes on the newly created lots, and an existing home will remain on lot 129.

00:10:03 On a motion by Commissioner Brown, seconded by Vice Chair Carlson, the following resolution was adopted:

WHEREAS, the Committee further finds that, based on the staff report and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 are being met; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Amendment to the Record Plat to create two lots from one (Lot 128) in the CL Coopers Subdivision.

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17MINORPLAT1059

The vote was as follows:

Yes: Smith, Ferguson, Tomes, Brown and Carlson

Absent: None

Abstain: None

No: None

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1120

Project Name:	Six Pack Volleyball
Location:	4020 S 3rd St
Owner(s):	Ayer-Volke, LLC
Applicant:	IJM-WMM, Inc.
Jurisdiction:	Louisville Metro
Council District:	15 – Marianne Butler
Case Manager:	Jay Lockett, 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. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

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

Agency Testimony:

00:11:10 Julia Williams presented the case and noted that binding element 8.e. is being removed because the owner has complied with it (see Staff Report and recording for detailed presentation).

The following spoke in favor of the request:

Charles Keyes, 3005 Taylor Blvd., Louisville, KY 40118

Summary of testimony of those in favor:

00:14:00 Charles Keyes stated that the owners received approvals for the outdoor volleyball courts in 1992, but they would like the courts to be accessible year-round. The request is to cover two of the four courts using the footprint that is already established—there will be no expansions. He addressed comments from the Staff Report and spoke about the binding elements. Binding element 8.d. is no longer needed because both sites are under the same ownership.

00:20:39 Commissioners' deliberation

00:23:54 On a motion by Commissioner Brown, seconded by Vice Chair Carlson, the following resolution was adopted:

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1120

WHEREAS, the Louisville Metro Development Review Committee finds that there do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site, and

WHEREAS, the Committee further finds that provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works have approved the preliminary development plan on the condition that a license agreement is obtained for the parking encroachment into the W Evelyn Avenue ROW, and

WHEREAS, the Committee further finds that there are no open space requirements pertinent to the current proposal, and

WHEREAS, the Committee further finds that the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community, and

WHEREAS, the Committee further finds that the overall site design and land uses are compatible with the existing and future development of the area. Buildings and parking areas meet all required setback and screening requirements, with the exception of the variances and waivers already granted, and

WHEREAS, the Committee further finds that the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Revised District Development Plan to enclose two existing beach volleyball courts, **SUBJECT** to the following binding elements:

Binding Elements:

1. The development shall be in accordance with the approved district development plan, land use and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. No further development shall occur without prior approval from the Planning Commission.
2. The volleyball courts and outdoor deck/bar area shall not be utilized between the hours of 11:00 P.M. and 8:00 A.M.

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1120

3. No outdoor music (live, piped, radio or amplified) or PA system shall be permitted on the site.
4. Outdoor lighting shall be directed down and away from adjacent residential property.
5. Signs shall be in accordance with Chapter 8 of the LDC.
6. No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.
7. Before a building, paving, parking or alteration permit and/or a certificate of occupancy is requested:
 - a) The development plan must receive full construction plan approval by Develop 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. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
 - c) A minor plat or legal instrument shall be recorded consolidating the property into three lots; sites A, B and C as shown on the approved development plan. A copy of the recorded instrument shall be submitted to the Planning Commission.
8. If a building permit, certificate of occupancy or paving or parking permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.
9. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
10. The applicant must obtain and maintain hereafter a license agreement with Louisville Metro Public Works for the area of encroachment into the W Evelyn Avenue public Right of Way along Site C.

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1120

The vote was as follows:

Yes: Smith, Ferguson, Tomes, Brown and Carlson

Absent: None

Abstain: None

No: None

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1132

Project Name:	Burnett Avenue Baptist Church
Location:	6800 S Hurstbourne Pkwy
Owner(s):	Hurstbourne Property Group, LLC
Applicant:	Burnett Avenue Baptist Church
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
Case Manager:	Jay Lockett, 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. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

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

Please note: Commissioner Smith recused herself from this case.

Agency Testimony:

00:26:33 Julia Williams presented the case (see Staff Report and recording for detailed presentation).

The following spoke in favor of the request:

Mark Madison, 108 Daventry Lane, Suite 300, Louisville, KY 40223

Summary of testimony of those in favor:

00:30:05 Mark Madison spoke on behalf of the applicant who is requesting two waivers from the LDC and a Revised Detailed District Development Plan for expansion of a church and parking lot. He provided an overview of the request.

Waiver of Land Development Code Section 10.2.4 to not provide the required 15' property perimeter Landscape Buffer Area which is internal to the site.

00:32:22 On a motion by Commissioner Brown, seconded by Vice Chair Carlson, the following resolution was adopted:

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1132

WHEREAS, the Louisville Metro Development Review Committee finds that the waiver will not adversely affect adjacent property owners since the location of the required buffer would be internal to the subject site, and

WHEREAS, the Committee further finds that Guideline 3, Policy 9 of Cornerstone 2020 calls for protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate. Guideline 3, Policies 21 and 22 call for appropriate transitions between uses that are substantially different in scale and intensity or density, and mitigation of the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize impacts from noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. Guideline 13, Policy 6 calls for screening and buffering to mitigate adjacent incompatible uses. The intent of landscape buffer areas is to create suitable transitions where varying forms of development adjoin, to minimize the negative impacts resulting from adjoining incompatible land uses, to decrease storm water runoff volumes and velocities associated with impervious surfaces, and to filter airborne and waterborne pollutants. Adequate buffering will still be provided on the subject site, and

WHEREAS, the Committee further finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, and

WHEREAS, the Committee further finds that the strict application of these provisions would deprive the applicant of the reasonable use of the land, since the buffer would be internal to the site where parking is proposed, and

WHEREAS, the Committee further finds that, based on the staff report and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 are being met; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Waiver of Land Development Code Section 10.2.4 to not provide the required 15' property perimeter Landscape Buffer Area which is internal to the site.

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1132

The vote was as follows:

Yes: Ferguson, Tomes, Brown and Carlson

Recuse: Smith

Absent: None

Abstain: None

No: None

Waiver of Land development Code Section 10.2.12 to allow existing Vehicle Use Area Internally Landscaped Areas to remain below current minimum size.

00:32:57 On a motion by Commissioner Brown, seconded by Vice Chair Carlson, the following resolution was adopted:

WHEREAS, the Louisville Metro Development Review Committee finds that the waiver will not adversely affect adjacent property owners since it concerns existing conditions that were in conformance with the Land Development Code at the time of construction, and

WHEREAS, the Committee further finds that Guideline 13, Policy 5 calls for standards to ensure the creation and/or preservation of tree canopy as a valuable community resource. The purpose of interior landscape areas is to break up large impervious areas and allow for a greater distribution of tree canopy coverage. The new parking area will have ILAs that are in compliance with current Land Development Code regulations, and

WHEREAS, the Committee further finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, and

WHEREAS, the Committee further finds that the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as there would be significant costs to replace existing ILAs with larger ones to bring them into compliance with current code. They were constructed per LDC regulations in place at the time, and

WHEREAS, the Committee further finds that, based on the staff report and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 are being met; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Waiver of Land development Code Section 10.2.12 to allow existing Vehicle Use Area Internally Landscaped Areas to remain below current minimum size.

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1132

The vote was as follows:

Yes: Ferguson, Tomes, Brown and Carlson

Recuse: Smith

Absent: None

Abstain: None

No: None

Revised Detailed District Development Plan for expansion of church and parking lot

00:32:57 On a motion by Commissioner Brown, seconded by Vice Chair Carlson, the following resolution was adopted:

WHEREAS, the Louisville Metro Development Review Committee finds that there do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site, and

WHEREAS, the Committee further finds that provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works and the Kentucky Transportation Cabinet have approved the preliminary development plan, and

WHEREAS, the Committee further finds that there are no open space requirements pertinent to the current proposal. Future multi-family development proposed on the subject site will be required to meet Land Development Code requirements, and

WHEREAS, the Committee further finds that the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community, and

WHEREAS, the Committee further finds that the overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks, and

WHEREAS, the Committee further finds that the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code, with the exception of the waiver requests, and

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1132

WHEREAS, the Committee further finds that, based on the staff report and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 are being met; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Revised Detailed District Development Plan for expansion of church and parking lot, **SUBJECT** to the following binding elements:

Binding Elements

1. The development shall be in accordance with the approved district development plan and binding elements unless amended pursuant to the Land Development Code. Modifications to the binding element(s) shall be submitted to the Planning Commission or its designee for review and approval; any modifications not so referred shall not be valid.
2. Use of the subject site shall be limited to multi-family and other uses permitted in the R-5A zoning district. There shall be no other use of the property unless prior approval is obtained from the Planning Commission or its designee. Notice of a request to amend this binding element shall be given in accordance with the Planning Commission's policies and procedures. The Planning Commission may require a public hearing on the request to amend this binding element.
3. Signs shall be in accordance with Chapter 8 of the LDC.
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.
6. Prior to issuance of a permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit):
 - a. The development plan must receive full construction approval from Develop Louisville, Louisville Metro Public Works and the Metropolitan Sewer District.

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1132

- b. The property owner/developer shall obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A minor subdivision plat creating the lots as shown on the approved district development plan shall be recorded prior to issuance of any building permits.
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 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. 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.
10. A geotechnical report shall be conducted for the site and the results shall be submitted to the Planning Commission, Public Works, and MSD for review prior to construction plan approval. A plan shall be submitted to said agencies specifying how the mitigation measures and construction practices, including construction supervision, necessary to assure the stability of buildings and foundations to be constructed on the site as recommended in the geotechnical report will be implemented.
11. Trees will be preserved and/or provided on site as required by Chapter 10, Part 1 of the Land Development Code and as indicated in the Tree Canopy Calculations on the

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1132

District Development 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 Chapter 10, Part 1 of the Land Development Code. Trees removed for maintenance of utility easement, disease or other reasons shall be replaced at the owner's expense.

The vote was as follows:

Yes: Ferguson, Tomes, Brown and Carlson

Recuse: Smith

Absent: None

Abstain: None

No: None

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1109

Project Name:	1032 East Chestnut Street
Location:	1032 East Chestnut Street
Owner(s):	Darren Burrow – DSI Underground Systems Inc.
Applicant:	Doug White – WPC Company Inc
Representative(s):	Nathan Grimes – Renaissance Design Build Inc.
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Ross Allen – Planner

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. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

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

Agency Testimony:

00:34:54 Steve Hendrix presented the case (see Staff Report and recording for detailed presentation).

The following spoke in favor of the request:

Nathan Grimes, 1012 S 4th Street, Louisville, KY 40203
Doug White, WPC Company Inc.

Summary of testimony of those in favor:

00:41:50 Nathan Grimes and Doug White spoke about the unusual site constraints and safety issues that have led them to request three waivers from the LDC.

00:45:15 On a motion by Commissioner Brown, seconded by Vice Chair Carlson, the following resolution was adopted:

Waiver from LDC Section 5.5.1.A.1.a not to provide a building entrance facing the primary street, East Chestnut Street

WHEREAS, the Louisville Metro Development Review Committee finds that the waiver will not adversely affect adjacent property owners since the single family residences across Chestnut Street face Wenzel Avenue and some have backyard privacy fences.

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1109

East Chestnut Street has 4 lanes with sidewalks on both sides which provides a wide separation. Other commercial/industrial uses surround the remaining sides, and

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020, since the new building will match the existing buildings on site in material and color and be similar in height, and

WHEREAS, the Committee further finds that the extent of the waiver of the regulations is the minimum necessary to afford relief to the applicant , due to the location of the existing gate and placement of the existing buildings, and

WHEREAS, the Committee further finds that 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 building design and traffic flow pattern would have to be changed, and

Waiver from LDC Section 5.6.1.A.1 not to provide animating features for 75% of the length of the ground floor level facing East Chestnut Street

WHEREAS, the Committee further finds that the waiver will not adversely affect the adjacent property owners since the most affected will have backyards facing the proposed office and will have the width of East Chestnut Street to provide a separation, and

WHEREAS, the Committee further finds that the waiver will not specific guidelines of Cornerstone 2020, since the building will have 3 windows that face East Chestnut Street which will soften the visual impact of structure, and

WHEREAS, the Committee further finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, since 3 windows will face East Chestnut Street and the proposal will be similar to existing buildings on the site, and

WHEREAS, the Committee further finds that 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 design of the building would have to be changed, and

Waiver from LDC Section 5.9.2.A.1.b.i not to provide a clearly defined safe pedestrian access from the adjacent public right of way along East Chestnut Street, through the off-street parking area to a non-residential building entrance

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1109

WHEREAS, the Louisville Metro Development Review Committee finds that

WHEREAS, the Committee further finds that the waiver will not adversely affect adjacent property owners, since existing pavement already exists and the company prefers to limit pedestrian traffic due to the various vehicles and machinery on site for safety concerns.

WHEREAS, the Committee further finds that the waiver will not violate specific guidelines of Cornerstone 2020, since pavement already exists at the site, and

WHEREAS, the Committee further finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the site has an existing fence around the whole site and a fenced gate, again to keep pedestrian traffic limited to its employees or invited guests, and

WHEREAS, the Committee further finds that the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, since the defined access might encourage increased pedestrian traffic, which the company tries to limit, due to safety concerns, and

WHEREAS, the Committee further finds that, based on the staff report and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 are being met; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Waivers associated with a Category 2B Development Plan for a proposed office for an existing manufacturing facility located in an EZ-1 Zoning District within a Traditional Neighborhood Form District as stated above.

The vote was as follows:

Yes: Smith, Ferguson, Tones, Brown and Carlson

Absent: None

Abstain: None

No: None

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1158

Project Name:	1818 Lytle Street
Location:	1818 Lytle Street
Owner(s):	Habitat for Humanity of Metro Louisville Inc.
Applicant:	Habitat for Humanity of Metro Louisville Inc.
Representatives(s):	Kendra Harruff - Habitat for Humanity
Jurisdiction:	Louisville Metro
Council District:	5 – Cheri Bryant Hamilton
Case Manager:	Ross Allen

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. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

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

Agency Testimony:

00:47:19 Steve Hendrix presented the case (see Staff Report and recording for detailed presentation).

The following spoke in favor of the request:

Kendra Harruff, 1620 Bank Street, Louisville, KY 40203

Summary of testimony of those in favor:

00:48:18 Kendra Harruff spoke on behalf of Habitat for Humanity of Louisville. She stated that this will be the 3rd project in the Portland neighborhood this year, and that it has already been matched with a homebuyer. The architectural features are intended to retain the character of the neighborhood.

00:49:19 On a motion by Commissioner Brown, seconded by Commissioner Ferguson, the following resolution was adopted:

WHEREAS, the Committee further finds that, based on the staff report and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 are being met; now, therefore be it

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17DEVPLAN1158

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Category 3 Development Plan review of a proposed 2 story camel-back single family residential home with a 1,423.3 gross floor area as located at 1818 Lytle Street, within the Portland Shawnee Neighborhood, per Louisville Metro Ordinance 21-2008.

The vote was as follows:

Yes: Smith, Ferguson, Tomes, Brown and Carlson

Absent: None

Abstain: None

No: None

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17WAIVER1025

Project Name:	Category 2B with an associated sidewalk waiver
Location:	6900 Billtown Road
Owner(s):	Evangel World Prayer Center of Kentucky
Applicant:	Ronald Rock – Evangel World Prayer Center of Kentucky
Representative:	Frank Sellinger - FSTAN Land Surveyors & Consulting
Jurisdiction:	Louisville Metro
Council District:	22 – Robin Engel
Case Manager:	Ross Allen – 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. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

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

Agency Testimony:

00:50:40 Steve Hendrix presented the case noting there are no sidewalks along the portion of Billtown Road over the Gene Snyder Freeway (see Staff Report and recording for detailed presentation).

The following spoke in favor of the request:

Ronald Rock, Evangel World Prayer Center of Kentucky

Summary of testimony of those in favor:

00:56:30 Ronald Rock spoke on behalf of the applicant and gave an overview of the project. He believes the only sidewalk along Billtown Road in this area is in front of Billtown Farms.

00:58:06 Commissioners' deliberation

00:58:54 On a motion by Commissioner Brown, seconded by Commissioner Smith, the following resolution was adopted:

WHEREAS, the Louisville Metro Development Review Committee finds that the waiver will not adversely affect adjacent property owners since the area is rural with large tracts of land, and

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

NEW BUSINESS

CASE NUMBER 17WAIVER1025

WHEREAS, the Committee further finds that Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. The applicant's proposal is on a rear parcel approximately 607 feet from Billtown Road and located behind the main church. There are no existing sidewalks in the vicinity south of the Snyder Freeway, and

WHEREAS, the Committee further finds that the extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since the proposed development is an accessory building behind the main church, and

WHEREAS, the Committee further finds that the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant since as stated previously, sidewalks are not present in the general vicinity on the south side of the Snyder Freeway, and

WHEREAS, the Committee further finds that, based on the staff report and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 are being met; now, therefore be it

RESOLVED, the Louisville Metro Development Review Committee does hereby **APPROVE** the Waiver from LDC (May 2017) Section 5.8.1.B not to provide a sidewalk along Billtown Road, a state road with approximately 602 feet of frontage.

The vote was as follows:

Yes: Smith, Ferguson, Tomes, Brown and Carlson

Absent: None

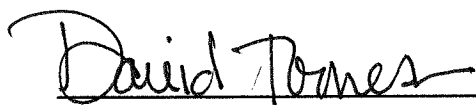
Abstain: None

No: None

**DEVELOPMENT REVIEW COMMITTEE MINUTES
SEPTEMBER 20, 2017**

ADJOURNMENT

The meeting adjourned at approximately 2:00 p.m.

A handwritten signature in cursive script, appearing to read "David Jones", written over a horizontal line.

Chairman

A handwritten signature in cursive script, appearing to be a stylized name, written over a horizontal line.

Division Director