

**MINUTES OF THE MEETING  
OF THE  
DEVELOPMENT REVIEW COMMITTEE  
November 14, 2018**

A meeting of the Development Review Committee was held on, November 14, 2018 at 1:00 p.m. in the Old Jail Building, located at 514 W. Liberty Street, Louisville, Kentucky.

**Committee Members present were:**

David Tomes, Chair – Arrived approximately 1:09 p.m.  
Rich Carlson, Vice Chair  
Jeff Brown  
Emma Smith  
Donald Robinson

**Staff Members present were:**

Emily Liu, Planning Director  
Brian Davis, Planning Manager  
Burcum Keeton, Architectural Projects Coordinator I  
Jay Lockett, Planner I  
Lacey Gabbard, Planner I  
Travis Fiechter, Legal Counsel  
Beth Stuber, Transportation Planning  
Pamela M. Brashear, Management Assistant

The following matters were considered:

**DEVELOPMENT REVIEW COMMITTEE**  
**November 14, 2018**

**APPROVAL OF MINUTES**

**OCTOBER 31, 2018 DRC MEETING MINUTES**

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

**RESOLVED**, that the Development Review Committee does hereby **APPROVE** the minutes of its meeting conducted on October 31, 2018.

**The vote was as follows:**

**YES: Commissioners Brown, Robinson, Smith and Carlson**  
**NOT PRESENT FOR THIS CASE: Chair Tomes**

**DEVELOPMENT REVIEW COMMITTEE**  
**November 14, 2018**

**OLD BUSINESS**  
**CASE NO. 18DEVPLAN1020**

Request: Approval of a Category 3 Review for a 44,956 square foot hotel on 0.678 acres  
Project Name: Holiday Inn  
Location: 100 West Muhammad Ali Boulevard  
Owner: Shiv Krupa Motel Inc.  
Applicant: Shiv Krupa Motel Inc.  
Representative: Nimish Patel  
Jurisdiction: Louisville Metro  
Council District: 4 – Barbara Sexton Smith  
**Case Manager: Burcum Keeton, Architectural Projects Coordinator I**

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the DRC meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:04:09 Ms. Keeton stated she received a revised plan submitted on Nov. 9, 2018.

00:04:44 Mr. Davis said staff has been working with the applicant and all the issues with Transportation Planning have been resolved.

00:04:59 Ms. Keeton explained the revisions.

00:05:41 Commissioner Brown stated, the applicant introduced a 24 foot long 1.5 wide barrier with hotel branding. What is the height?

**NOTE: This case is moved until the end of the docket to allow time for the applicant to come and answer questions.**

00:18:45 Mr. Davis said he's been trying to reach Mr. Patel on the phone. Mr. Patel said his father is supposed to be here today. Is there a minimum or maximum height requirement? Commissioner Brown said 6 inches or a curb around the area (separate parking from sidewalk).

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

Girish B. Patel, 403 Club Vista Place, Louisville, Ky. 40240

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

00:20:14 Mr. Patel described the plan and sign. The barrier will be 3-4 feet in height.

**DEVELOPMENT REVIEW COMMITTEE**  
**November 14, 2018**

**OLD BUSINESS**  
**CASE NO. 18DEVPLAN1020**

**Deliberation**

00:24:02      Development Review Committee deliberation.

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

**Category 3 Development Plan**

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 Category 3 Review for a 44,956 square foot hotel in the C-2 zoning district in the Downtown Form District **ON CONDITION** that the applicant provide a physical barrier between the public sidewalk and the private driveway at least 6 inches in height as discussed at today's meeting.

**The vote was as follows:**

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

**DEVELOPMENT REVIEW COMMITTEE**  
**November 14, 2018**

**NEW BUSINESS**  
**CASE NO. 18WAIVER1042**

Request: Waiver to allow direct single family access to a collector level roadway  
Project Name: New Hopewell Road access  
Location: 13801 New Hopewell Road  
Owner: Evans, Ann and Mark  
Applicant: Dan Smith, Stonelake Homes  
Jurisdiction: Louisville Metro  
Council District: 20 – Stuart Benson  
**Case Manager: Lacey Gabbard, Planner I**

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the DRC meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:07:53 Ms. Gabbard discussed the case summary, standard of review and staff analysis from the staff report.

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

Kelli Jones, Sabak, Wilson and Lingo, 608 South 3<sup>rd</sup> Street, Louisville, Ky. 40202

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

00:09:35 Ms. Jones gave a power point presentation. The house is currently under construction and will be completed early 2019. The existing access easement serves barns over to a cell tower. The driveway will serve as a residential use.

**Deliberation**

00:11:03 Development Review Committee deliberation.

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

**Waiver of Land Development Code Section 7.8.60.B.4 to allow direct single family access to a collector level roadway**

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

**DEVELOPMENT REVIEW COMMITTEE**  
**November 14, 2018**

**NEW BUSINESS**  
**CASE NO. 18WAIVER1042**

**WHEREAS**, the waiver will not adversely affect adjacent property owners as this portion of New Hopewell Road consists of large residential lots, many of which already have access to New Hopewell Road. The proposed access point is in keeping with the general character of the area; and

**WHEREAS**, the waiver will not violate specific guidelines of Cornerstone 2020 as Guideline 8, Policy 9 stresses the avoidance of access to development through areas of significantly lower intensity or density development if such access would create significant nuisances. Guideline 8, Policy 10 encourages road designs that should provide sight distances consistent with probable traffic speed, terrain, alignments and climatic extremes. The proposed development is for a low-density lot in a rural area where individual single-family driveway access will not cause a nuisance to surrounding residents; 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 as the proposed driveway off New Hopewell Road is similar to other nearby properties; and

**WHEREAS**, the Louisville Metro Development Review Committee further finds the strict application of the provisions of the regulation would not deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant, as the site has historically used the existing drive/easement.

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **APPROVE** a waiver of the Land Development Code Section 7.8.60.B.4 to allow direct single family access to a collector level roadway.

**The vote was as follows:**

**YES: Commissioners Brown, Robinson, Smith and Carlson**  
**ABSTAINING: Chair Tomes**

**DEVELOPMENT REVIEW COMMITTEE**  
**November 14, 2018**

**NEW BUSINESS**  
**CASE NO. 18WAIVER1043**

Request:	Waiver to allow an accessory structure to be larger than the primary structure
Project Name:	Trubart Lane
Location:	2572 Trubart Lane
Owner:	Howard Ellis
Applicant:	Dustin Ellis
Jurisdiction:	Louisville Metro
Council District:	1 – Jessica Green
Case Manager:	Jay Luckett, Planner I

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the DRC meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5<sup>th</sup> Street.)

**Agency Testimony:**

00:12:24 Mr. Luckett discussed the case summary, standard of review and staff analysis from the staff report.

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

Dustin Ellis, 2572 Trubart Lane, Louisville, Ky.

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

00:13:26 Commissioner Brown asked if they are using the existing driveway or propose another driveway. Also, will the doors be facing the house or be on both sides?

00:13:40 Mr. Ellis answered, the garage will be in line with the existing driveway and the doors will be facing the rear of the house.

**Deliberation**

00:14:20 Development Review Committee deliberation.

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**DEVELOPMENT REVIEW COMMITTEE**  
**November 14, 2018**

**NEW BUSINESS**  
**CASE NO. 18WAIVER1043**

**Waiver of Land Development Code section 5.4.2.C.1 to allow an accessory structure to exceed to the footprint of the primary structure on a site**

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

**WHEREAS**, the waiver will not adversely affect adjacent property owners, as a larger garage will not be out of character for the area, and all required setbacks will be observed; and

**WHEREAS**, the proposal meets Guideline 3, Policies 1 and 2 which calls for compatibility of all new development and redevelopment with the scale and site design of nearby existing development and with the pattern of development within the form district. The garage will not be out of character with other properties in the area; and

**WHEREAS**, the Louisville Metro Development Review Committee finds the extent of the waiver of the regulation is the minimum necessary to provide relief to the applicant, as all other Land Development Code requirements will be met on 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 property is large enough to support the proposed accessory structure without causing harm to neighbors.

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **APPROVE** a waiver of Land Development Code section 5.4.2.C.1 to allow an accessory structure to exceed to the footprint of the primary structure on a site.

**The vote was as follows:**

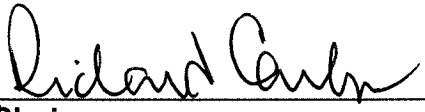
**YES: Commissioners Brown, Robinson, Smith, Carlson and Tomes**



**DEVELOPMENT REVIEW COMMITTEE**  
**November 14, 2018**

**ADJOURNMENT**

The meeting adjourned at approximately 1:25 p.m.

  
Chair 12/5/2018

  
Planning Director