

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE METRO DEVELOPMENT REVIEW COMMITTEE  
June 17, 2026**

A meeting of the Louisville Metro Development Review Committee was held on June 17, 2026, at 1:00 p.m. at the Old Jail Auditorium, 514 West Liberty Street Louisville, KY 40202.

**Committee Members Present:**

Bill Fischer, Chair  
Steve Lannert  
David Steff  
Beth Stuber  
Jim Mims

**Staff Members Present:**

Julia Williams, Assistant Planning Director  
Joseph Haberman, Planning Manager  
Rachel Casey, Planning Supervisor  
Laura Ferguson, Assistant County Attorney  
Catherine Gomez, Planner I  
Sydney Fawcett, Planner I  
Abby Bills, Planner I  
Mollie Share, Planner I  
Zach Schwager, Planner I  
Haritha Gurivindapalli, Management Assistant

The following matters were considered:

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**June 17, 2026**

**APPROVAL OF MINUTES**

**JUNE 3, 2026, DEVELOPMENT REVIEW COMMITTEE MINUTES**

00:03:10 On a motion by Commissioner Steff, seconded by Commissioner Stuber, the following resolution was adopted:

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **APPROVE** the minutes of its meeting conducted on June 3, 2026.

**The vote was as follows:**

**YES: Commissioners Steff, Lannert, Stuber, Mims, and Fischer**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**June 17, 2026**

**NEW BUSINESS**

**CASE NO. 25-STRCLOSURE-0012**

Request:	Closure of Public Right-of-Way
Project Name:	Trinity High School Street Closure
Location:	North Sherrin Ave
Owner:	Trinity High School Foundation
Applicant:	Trinity High School Foundation
Representative:	Land Design & Development Inc.
Jurisdiction:	St Matthews
Council District:	District 9 – Andrew Owen
Case Manager:	Tyler Pobiedzinski, Planner I

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

**Agency Testimony:**

00:03:45 Rachel Casey presented the case on behalf of Tyler Pobiedzinski. Rachel Casey provided an overview of the request and presented a PowerPoint presentation. Casey responded to questions from Committee Members. (See recording for details)

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

Ted Bernstein, Land Design & Development Inc, 503 Washburn Avenue, Louisville, KY 40222

**Summary of those in favor:**

00:06:30 Ted Bernstein spoke in favor of the request and presented a PowerPoint presentation. Bernstein stated that street closure is proposed to improve student safety as pedestrian traffic has increased and the road is heavily used as a fast cut-through. Agency officials from St. Matthews have expressed support for the plan, and Bernstein emphasized that Trinity does not have plans to fully gate the road but will begin with traffic-calming measures. Bernstein responded to questions from Committee Members. (See recording for details)

**The following spoke in opposition to the request:**

**None**

**Deliberation:**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**June 17, 2026**

**NEW BUSINESS**

**CASE NO. 25-STRCLOSURE-0012**

00:14:50      Committee deliberation

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

**Closure of Public Right-of-Way**

00:20:50      On a motion by Commissioner Mims, seconded by Commissioner Steff, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**WHEREAS**, the Development Review Committee finds that there is concern about the provision of adequate public facilities and connectivity for surrounding neighborhoods that would result from this proposed closure of public right-of-way, now, therefore be it

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **PLACE** case number **25-STRCLOSURE-0012** on the next available Planning Commission public hearing in which the noticing requirements can be met.

**The vote was as follows:**

**YES: Commissioners Lannert, Stuber, Mims, Steff, and Fischer**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**June 17, 2026**

**NEW BUSINESS**

**CASE NO. 26-STRCLOSURE-0008**

Request:	Closure of Public Right-of-Way
Project Name:	I-65 Central Corridor Project
Location:	E. Jacob Street between S. Brook Street & S. 1 <sup>st</sup> Street
Applicant:	Louisville Metro
Representative:	Louisville Metro Public Works
Jurisdiction:	Louisville Metro
Council District:	4 – Ken Herndon
Case Manager:	Zach Schwager, Planner I

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

**00:21:40      Commissioner Stuber recused herself from this case:**

**Agency Testimony:**

00:22:00      Zach Schwager provided an overview of the request and presented a PowerPoint presentation. Schwager responded to questions from Committee Members. (See recording for details)

00:24:00      Zach Schwager clarified that the road closure is being requested because the Kentucky Transportation Cabinet (KYTC) plans to eliminate the existing underpass by replacing certain I-65 bridges with built-up fill, meaning the roadway will no longer pass beneath the interstate. Metro Public Works submitted the application on KYTC's behalf because the affected road is Metro Road, not a state road. (See recording for details)

00:27:00      The committee Members questioned whether closing Jacob Street conflicts with the City's connectivity principles in Plan 2040, and Schwager explained that the closure supports a larger interstate project and overall regional connectivity, because the underpass will be removed and the road sealed with mechanically stabilized earth. (See recording for details)

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

**None**

**The following spoke in opposition of the request:**

**None**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**June 17, 2026**

**NEW BUSINESS**

**CASE NO. 26-STRCLOSURE-0008**

**Deliberation:**

00:32:14      Committee deliberation

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

**Closure of Public Right-of-Way**

00:32:15      On a motion by Commissioner Mims, seconded by Commissioner Lannert, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

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

**WHEREAS**, the Development Review Committee finds that there are concerns about providing adequate public facilities and maintaining connectivity in Downtown associated with the proposed closure of public right-of-way, now, therefore be it

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **PLACE** case number **26-STRCLOSURE-0008** on the next available Planning Commission public hearing in which the noticing requirements can be met.

**The vote was as follows:**

**YES: Commissioners Lannert, Stuber, Mims, Steff, and Fischer**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**June 17, 2026**

**NEW BUSINESS**

**CASE NO. 26-WAIVER-0049**

Request: Waiver of the Land Development Code Section 4.4.8.C.1.a to permit outdoor sales and display area to exceed 800sf  
Project Name: Concrete Kingdon  
Location: 6319 Bardstown Rd  
Applicant: Nicole Woods  
Representative: Nicole Woods  
Jurisdiction: Louisville Metro  
Council District: District 22 – Kevin Kramer  
Case Manager: Catherine Gomez, Planner I

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

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

**Agency Testimony:**

00:33:00 Catherine Gomez provided an overview of the request and presented a PowerPoint presentation. Gomez responded to questions from Committee Members. (See recording for details)

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

Tony Woods, 1001 Hwy 31 E, Clarksville, IN 47129

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

00:36:10 Tony Woods confirmed that a display previously located in the right-of-way has been removed and committed to keep future displays neat and orderly. Tony Woods responded to questions from Committee Members. (See recording for details)

**The following spoke in opposition of the request:**

**None**

**Deliberation:**

00:37:25 Committee deliberation

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**June 17, 2026**

**NEW BUSINESS**

**CASE NO. 26-WAIVER-0049**

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

**Waiver of Land Development Code (LDC) Section 4.4.8.C.1.a to permit outdoor sales and display area to exceed 800 square feet.**

00:38:00 On a motion by Commissioner Steff, seconded by Commissioner Mims, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**WHEREAS**, the Development Review Committee finds that the waiver will not adversely affect adjacent property owners as the location of the proposed outdoor display and sales area will remain the same as before, except for the sales display in the right-of-way, which will be moved to the rear of the building, and

**WHEREAS**, the Development Review Committee finds that the waiver will not violate specific guidelines of Plan 2040. The Town Center form typically has a compact mixture of moderately intense uses including shopping, restaurants, offices and residences. Buildings are generally close to and oriented toward the street. These characteristics strengthen the role of the Town Center as a community focal point. The amount of floor space in town centers is usually between 100,000 and 400,000 square feet reflecting a market area designed to serve a population of between 25,000 to 75,000. For this request specifically, the retail space is outdoors instead of inside a principal building. Community Form 1, Policy 3.2 suggests using Form District pattern as a basis for site design standards such as lot dimensions, building scale, size, height, as well as how buildings relate to other nearby buildings and the site itself, and

**WHEREAS**, the Development Review Committee finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the applicant is dependent on having the outdoor display and sales area for their retail business due to the product, and

**WHEREAS**, the Development Review Committee finds that the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant as the items for sale are large and would require significant investment to put inside a building, now, therefore be it.

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 26-WAIVER-0049**

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Waiver of Land Development Code (LDC) Section 4.4.8.C.1.a to permit outdoor sales and display area to exceed 800 square feet.

**The vote was as follows:**

**YES: Commissioners Steff, Lannert, Stuber, Mims, and Fischer**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**June 17, 2026**

**NEW BUSINESS**

**CASE NO. 26-WAIVER-0063**

Request: Landscape Waivers from the Shively Land Development Code  
Project Name: Landscape Taco Bell Dixie and Gagel  
Location: 4643 Dixie Highway  
Applicant: Kupco LLC  
Representative: ABTB Louisville LLC  
Jurisdiction: Shively  
Council District: District 3 – Shameka Parrish-Wright  
Case Manager: Sydney Fawcett, Planner I

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

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

**Agency Testimony:**

00:38:50 Sydney Fawcett provided an overview of the request and presented a PowerPoint presentation. Fawcett responded to questions from Committee Members. (See recording for details)

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

Dan Pelussier, 2406 Glenview Avenue, Louisville, KY 40222

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

00:42:00 Dan Pelussier spoke in support of the request and made himself available to answer questions on behalf of the applicant. (See recording for details)

**The following spoke in opposition of the request:**

**None**

**Deliberation:**

00:43:00 Committee deliberation

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 26-WAIVER-0063**

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

**Waivers:**

00:43:20 On a motion by Commissioner Mims, seconded by Commissioner Lannert, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**1. Waiver of Shively Land Development Code Table 10.1.2 to not provide the required tree canopy coverage area. (Waiver #1)**

**WHEREAS**, the Development Review Committee finds the waiver will not violate specific guidelines of Plan 2040. Community Form Goal 1 Policy 3.1.8 characterizes Suburban Marketplace Corridor as a mixture of medium-to high intensity uses located along major roadways. Developers are encouraged to have a common buffering or streetscape with respect to any abutting used or lower density or intensity. Community Form Goal 1 Policy 4 calls to ensure development and redevelopment are compatible with the scale and site design of nearby existing development and with the desire pattern of the Form District. Several developments along Dixie Highway and Gagel Avenue provide minimal tree canopy. Not providing the required tree canopy would remain compatible have a minimal impact on the surrounding developments, and

**WHEREAS**, the Development Review Committee finds that the applicant has made a good faith effort to provide as many trees as possible on the site as they are limited in where trees can be provided due to the layout of the parking lot and drive thru. The Shively Land Development Code requires the applicant to provide roughly 6,861 square feet, or 18% of the subject site, of tree canopy. The applicant is able to provide 2,880 square feet of tree canopy, resulting in a difference of 3,941 square feet. Due to the use and layout of the site, the applicant is limited to where trees can be planted, and

**WHEREAS**, the Development Review Committee finds that there are other mitigating circumstances affecting this site which do not generally apply to sites developed for the same use and in the same form district as the right of way along Gagel Avenue will be used for sidewalk construction which limits where the applicant can provide the required tree canopy. The majority of the site is used for the parking lot and vehicular circulation which adds additional barriers to the site, now, therefore be it.

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 26-WAIVER-0063**

**Waiver of Shively Land Development Code Table 10.2.6 to not provide the required 10' Vehicular Use Area Landscape Buffer Area and associated plantings along Gagel Avenue. (Waiver #2)**

**WHEREAS**, the Development Review Committee finds the waiver will not adversely affect adjacent property owners, as adjacent commercial properties are not providing plantings or screening along Gagel Avenue. The proposed sidewalk will connect to an adjacent property extending the pedestrian connection to Dixie Highway, and

**WHEREAS**, the Development Review Committee finds the waiver will not violate specific guidelines of Plan 2040. Community Form Goal 1 Policy 3.1.8 characterizes Suburban Marketplace Corridor as a mixture of medium-to high intensity uses located along major roadways. Developers are encouraged to have a common buffering or streetscape with respect to any abutting used or lower density or intensity. Community Form Goal 1 Policy 4 calls to ensure development and redevelopment are compatible with the scale and site design of nearby existing development and with the desire pattern of the Form District. Community Form Goal 1 Policy 9 suggests implementing a transition between uses that are substantially different in scale and intensity through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions, and setback requirements. The adjacent properties are similar in scale and intensity so the impact of eliminating the landscape buffer is minimal. Additionally, the surrounding commercial properties are providing minimal buffering or screening along Gagel Avenue, and

**WHEREAS**, the Development Review Committee finds the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant, as the applicant is now unable to come into compliance with the Shively Land Development Code with the proposed public sidewalk, and

**WHEREAS**, the Development Review Committee finds the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land, as the applicant does not have the option to provide the required landscape buffer or plantings along Gagel Avenue. The applicant will be providing trees elsewhere on site, now, therefore be it.

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **RECOMMEND** the City of Shively **APPROVE** the Waiver of Shively Land Development Code Table 10.1.2 to not provide the required tree canopy coverage area. **(Waiver #1)** and Waiver of Shively Land Development Code Table 10.2.6 to not provide the required

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**NEW BUSINESS**

**CASE NO. 26-WAIVER-0063**

10' Vehicular Use Area Landscape Buffer Area and associated plantings along Gagel Avenue. (**Waiver #2**).

**The vote was as follows:**

**YES: Commissioners Steff, Lannert, Stuber, Mims, and Fischer**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 26-WAIVER-0065**

Request:	Parkway Waivers to construct a single family residence
Project Name:	4519 River Rd Single Family Residential
Location:	4519 River Road
Applicant:	River Vision Retire LLC
Representative:	Work Architecture
Jurisdiction:	Louisville Metro
Council District:	District 16 – Scott Reed
Case Manager:	Sydney Fawcett, Planner I

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

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

**Agency Testimony:**

00:44:30 Sydney Fawcett provided an overview of the request and presented a PowerPoint presentation. Fawcett responded to questions from Committee Members. (See recording for details)

Tony Kelly, 700 W Liberty Street, Louisville, KY 40202

00:47:20 Tony Kelly from MSD, stated that the proposal avoids the 25-ft MSD buffer, must use Board of Health approved sanitary sewers, and is allowed to develop in the floodplain because only critical facilities are restricted under the updated ordinance. The buildings will still need to be elevated like other riverfront structures. Kelly responded to questions from Committee Members. (See recording for details)

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

Mitchell Kersting, 3235 Robin Road, Louisville, KY 40213

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

00:47:20 Mitchell Kersting explained that the proposed riverfront home will use non-combustible steel and concrete construction, will be elevated above the floodplain, and is designed around Army Corps setbacks and site views. The owner intends it as a

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**NEW BUSINESS**

**CASE NO. 26-WAIVER-0065**

primary residence, and sewer service will likely involve a holding tank system with internal filtration, pending MSD and Health Department approval. Kersting responded to questions from Committee Members. (See recording for details)

**The following spoke in opposition to the request:**

**None**

**Deliberation:**

00:54:30      Committee deliberation

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

**Waivers:**

00:54:55      On a motion by Commissioner Mims, seconded by Commissioner Lannert, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**1. Waiver from Land Development Code (LDC) Table 10.3.1 to allow a single-family home to encroach into the required 75 ft. parkway setback. (Waiver #1)**

**WHEREAS**, the Development Review Committee finds that the waiver will not adversely affect adjacent property owners as adjacent developed properties are constructed within the required parkway setback along River Road. The majority of the properties in the surrounding area are undeveloped, and

**WHEREAS**, the Development Review Committee finds that the waiver will not violate specific guidelines of Plan 2040. Community Form Goal 1 Policy 4 calls to ensure new development is compatible with the scale and site design of nearby existing development and with the desired pattern of development. Community Form Goal 1 Policy 11 states that setbacks, lot dimensions, and building heights should be compatible with those of nearby developments that meet Form District guidelines. The proposed structure meets the site design standards that are typically required in the Neighborhood Form District. Community Form Goal 3 Policy 9 encourages development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems. The applicant is proposing to construct the single-

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**CASE NO. 26-WAIVER-0065**

family home as close to the front property as possible to remain functional and not disturb the Ohio River while maintaining the desired pattern of development in the Neighborhood Form District, and

**WHEREAS**, the Development Review Committee finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the required parkway setback is more restrictive than what is required in the Neighborhood Form District. If the parkway setback was not applicable, the applicant would be able to meet the site design requirements of the form district, and

**WHEREAS**, the Development Review Committee finds that the strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land as the land is limited on how it can be developed with the layout and size of the property as well as the proximity of the Ohio River to the subject site. The parkway setback prevents the applicant from developing the site without waiver approval, now, therefore be it.

**2. Waiver from Land Development Code (LDC) Table 10.3.1 to not provide the required 50 ft. parkway buffer area along River Road. (Waiver #2)**

**WHEREAS**, the Development Review Committee finds that the waiver will not adversely affect adjacent property owners as properties along River Road are developed with structures encroaching into the required parkway buffer, and

**WHEREAS**, the Development Review Committee finds that the waiver will not violate specific guidelines of Plan 2040. Community Form Goal 1 Policy 4 calls to ensure new development is compatible with the scale and site design of nearby existing development and with the desire pattern of development. Community Form Goal 1 Policy 9 suggests providing 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, compatible building design, and setback requirements. The proposed single-family home is compatible with the existing development along River Road and the surrounding area. Eliminating the required buffer area would have a minimal impact, and

**WHEREAS**, the Development Review Committee finds that the extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the required parkway buffer encompasses the majority of the buildable portion of the subject property. Since River Road is classified as a parkway, the parkway buffer standards supersede the

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**NEW BUSINESS**

**CASE NO. 26-WAIVER-0065**

Neighborhood Form District setback standards. If the parkway buffer was not applicable, the applicant would be able to meet the site design requirements of the form district, and

**WHEREAS**, the Development Review Committee finds that the strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land as the land is limited on how it can be developed with the layout and size of the property as well as the proximity of the Ohio River to the subject site. The parkway buffer prevents the applicant from developing the site without waiver approval, now, therefore be it.

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Waiver **(1)** from LDC Table 10.3.1 to allow a single-family home to encroach into the required 75 ft. parkway setback **(Waiver #1)** and the Waiver **(2)** from LDC Table 10.3.1 to not provide the required 50 ft. parkway buffer area along River Road. **(Waiver #2)**.

**The vote was as follows:**

**YES: Commissioners Steff, Lannert, Stuber, Mims, and Fischer**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 26-CAT3-0003**

Request:	Category 3 Development Plan
Project Name:	JW Marriott
Location:	401 S 4th St
Owner:	Louisville, Tower Properties LLC
Applicant:	Louisville, Tower Properties LLC
Representative:	Sabak, Wilson & Lingo, Inc
Jurisdiction:	Louisville Metro
Council District:	District 4 – Ken Herndon
Case Manager:	Tyler Pobiedzinski, Planner I

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

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

**Agency Testimony:**

00:56:00 Rachel Casey presented the case on behalf of Tyler Pobiedzinski. Rachel Casey provided an overview of the request and presented a PowerPoint presentation. Casey responded to questions from Committee Members. (See recording for details)

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

Doug Sellers, 301 E Main Street, Suite 201, Louisville, KY 40202

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

01:00:00 Doug Sellers provided an overview of the request and presented a PowerPoint presentation. Sellers outlined the development plan, floor plans, elevations, site photos, zoning and access. Sellers mentioned that the plan is to retain and renovate the existing tower, adding a new third-floor ballroom constructed above the porte-cochere along Liberty Street. Updated elevations show a redesigned lower façade using stone and metal to better align with surrounding historic buildings. Sellers responded to questions from Committee Members. (See recording for details)

**The following spoke in opposition of the request:**

**None**

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**NEW BUSINESS**

**CASE NO. 26-CAT3-0003**

**Deliberation:**

01:04:20      Committee deliberation

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

**Category 3 Development Plan**

01:04:50      On a motion by Commissioner Mims, seconded by Commissioner Stuber, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**WHEREAS**, the Development Review Committee finds that the proposal meets the requirements of the Land Development Code, now, therefore be it.

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

**The vote was as follows:**

**YES: Commissioners Steff, Lannert, Stuber, Mims, and Fischer**

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
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**NEW BUSINESS**

**CASE NO. 26-DDP-0012**

Request:	Revised Detailed District Development Plan (RDDDP) with revised binding elements.
Project Name:	907 Ormsby Lane Condominiums
Location:	907 Ormsby Ln
Applicant:	Meridian Construction LLC
Representative:	Milestone Design
Jurisdiction:	Lyndon
Council District:	District 7 – Paula McCraney
Case Manager:	Mollie Share, Planner I

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

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

**Agency Testimony:**

01:05:30 Mollie Share provided an overview of the request and presented a PowerPoint presentation. Share responded to questions from Committee Members. (See recording for details)

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

Sophia Mazzocco, 108 Daventry Lane, Louisville, KY 40223

Tim Thomas, 108 Daventry Lane, Louisville, KY 40223

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

01:08:00 Sophia Mazzocco provided an overview of the request and presented a PowerPoint presentation. Mazzocco outlined the current development plan, elevations, parking and access. Mazzocco responded to questions from Committee Members. (See recording for details)

01:13:30 Tim Thomas explained that the previously approved 64-unit plan had already received all major utility and agency approvals—sanitary sewer, water main,

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**CASE NO. 26-DDP-0012**

MSD, and LG&E—and was essentially ready for bond posting. The only issue was a small corner of the detention basin overlapping an easement, which LG&E said they were fine with. Thomas responded to questions from Committee Members. (See recording for details)

**The following spoke in opposition of the request:**  
**None**

**Deliberation:**

01:14:30      Committee deliberation

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

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

01:14:50      On a motion by Commissioner Mims, seconded by Commissioner Lannert, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**WHEREAS**, the Development Review Committee finds that there are no significant natural or cultural resources present on the subject site. Compliance with the applicable tree canopy requirements will be achieved through submission of a detailed landscape plan, which will be reviewed and approved by the Planning Commission staff prior to the issuance of construction permits. The front of the site is partially located within the 100-year floodplain; however, there is no significant impact as no buildings, parking, or open space are located within it, and

**WHEREAS**, the Development Review Committee finds that provisions for safe and efficient vehicular and pedestrian circulation within the development and the surrounding community have been incorporated into the proposal. Metro Public Works has reviewed and approved the preliminary development plan, and

**WHEREAS**, the Development Review Committee finds that all open space requirements of the Lyndon Land Development Code have been met. Provisions for sufficient private

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**NEW BUSINESS**

**CASE NO. 26-DDP-0012**

and recreational open space have been provided in the proposal, through balconies and a mulch path around the main open space area, and

**WHEREAS**, the Development Review Committee 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 Development Review Committee finds the overall site design and proposed land use are compatible with both existing and anticipated future development in the area. The surrounding context consists of a mix of single and multi-family residential development, making the proposal consistent with the prevailing development pattern. Landscape buffering and screening will be provided to screen adjacent properties and parking areas where appropriate, and

**WHEREAS**, the Development Review Committee finds that the development plan complies with the applicable guidelines and policies of the Comprehensive Plan and to the requirements of the Land Development Code.

Community Form Goal 1, Policy 5 encourages a mixture of densities if the designs are compatible with those of nearby residences, i.e., landscape buffers, open space, site design, and building height. There are landscape buffers provided along the two property lines it shares with single-family homes on it, as well as along the roadway. The site provides open space in the rear and a large setback and detention basin in the front, as well as the parking itself being mostly screened by the building orientation, providing a site design that minimally disturbs the surrounding neighborhood. Additionally, the two-story buildings are located along the property line shared with the single-family homes while the three-story buildings are located along the property line shared with a site containing other three-story apartment units, allowing a transition in building height.

Housing Goal 1, Policy 1 encourages a variety of housing types including detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and cohousing. It also allows for accessory residential structures and apartments and encourages housing types that reflect the Form District pattern. The Neighborhood Form District places emphasis on diverse housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses, including high density multi-family housing, as stated in Community Form Goal 1, Policy 3.1.3, now, therefore be it.

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**NEW BUSINESS**

**CASE NO. 26-DDP-0012**

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

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding 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. Construction fencing shall be erected when off-site trees or tree canopy exist within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
  - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works, and the Metropolitan Sewer District.
  - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a certificate of occupancy. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
  - c. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. 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.

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**CASE NO. 26-DDP-0012**

5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors, and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of 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 this site, shall be responsible for compliance with these binding elements.
  
6. Applicant shall not apply for, nor receive, any permit (building, clearing or otherwise), until receiving the approval of the City of Lyndon Council for the final renderings and elevations of the proposed structures on the site. Exterior materials shall be either brick, stone, or masonry (including cement fiber board such as Hardi Board), or solid wood. Vinyl siding shall not be used as an exterior material, except for soffits.

**The vote was as follows:**

**YES: Commissioners Steff, Lannert, Stuber, Mims, and Fischer**

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**NEW BUSINESS**

**CASE NO. 26-DDP-0017**

Request: Revised District Development Plan (RDDP) with revised binding elements.  
Project Name: Preston Hwy Multifamily  
Location: 9220 Preston Hwy  
Applicant: Camileo LLC  
Representative: Land Design & Development, Inc.  
Jurisdiction: Louisville Metro  
Council District: District 24 – Ginny Mulvey-Woolridge  
Case Manager: Abby Bills, Planner I

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

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

**Agency Testimony:**

01:15:40 Abby Bills provided an overview of the request and presented a PowerPoint presentation. Bills responded to questions from Committee Members. (See recording for details)

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

Cliff Ashburner, Dinsmore & Shohl, 101 South 5<sup>th</sup> Street, Suite 2500, Louisville, KY 40202

Derek Triplett, 503 Washburn Avenue, Suite 101, Louisville, KY 40222

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

01:18:40 Cliff Ashburner provided an overview of the request and presented a PowerPoint presentation. Ashburner outlined the proposed site plan, parking, building elevations and access. Ashburner stated that the site is a commercially zoned, sloped property along Preston Hwy where a new building is planned to align with nearby structures while preserving an existing home and benefiting from continuous sidewalks and surrounding mixed commercial uses. Ashburner answered questions from Committee Members. (See recording for details)

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**NEW BUSINESS**

**CASE NO. 26-DDP-0017**

01:23:00 Derek Triplett stated that the project keeps the existing home as a duplex, adds a 24-unit building, improves drainage by sending water to the Preston Highway swale, exceeds open-space and tree-canopy requirements, and meets all development standards. Triplett answered questions from Committee Members. (See recording for details)

**The following spoke in opposition of the request:**

Judy Parks, 9300 Preston Hwy, Louisville, KY 40229

**Summary of testimony of those in opposition to the request:**

01:30:20 Judy Parks was concerned that the retention basin and dumpster are planned too close to their property, which could cause water runoff, trash issues, and odors near their home. Parks also asked whether fencing will be installed to protect their property. Parks worried about people cutting through their yard and the overall safety impacts. Parks responded to questions from Committee Members. (See recording for details)

**Rebuttal:**

01:31:50 Derek Triplett stated that although the detention basin sits near the neighbor's property, its water will not flow onto that property because it will be piped to Preston Highway. Triplett stated that the dumpster will be about 50 feet from the property line and screened with both an 8-foot barrier and its own enclosure to reduce impacts. Triplett stated that they could install a fence along the property line in which they share with Ms. Parks' property. Triplett also noted that this fencing and screening will act as a physical barrier to prevent trespassing. Triplett answered questions from Committee Members. (See recording for details)

01:32:50 Cliff Ashburner stated that code requires an 8-foot solid screen, and they will use fencing around the back corner of the site, from the detention basin up to the dumpster, with landscaping only closer to the road. Ashburner answered questions from Committee Members. (See recording for details)

**Deliberation:**

01:36:00 Committee deliberation

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**NEW BUSINESS**

**CASE NO. 26-DDP-0017**

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

**Revised Detailed District Development Plan with revised binding elements.**

01:36:25 On a motion by Commissioner Mims, seconded by Commissioner Steff, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**WHEREAS**, the Development Review Committee finds that there are no significant natural resources present on the subject site. Compliance with the applicable tree canopy requirements will be achieved through submission of a detailed landscape plan, which will be reviewed and approved by the Office of Planning prior to the issuance of construction permits. The property is classified as a historic site due to the presence of the historic home known as the “Sellers House”, and

**WHEREAS**, the Development Review Committee finds that provisions for safe and efficient vehicular and pedestrian circulation within the development and the surrounding community have been incorporated into the proposal. Metro Public Works has reviewed and approved the preliminary development plan, and

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

**WHEREAS**, the Development Review Committee 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 Development Review Committee finds the overall site design and proposed land use are compatible with both existing and anticipated future development in the area. The surrounding context consists of a mix of residential and commercial development, including multiple other multifamily developments north of the subject site. This makes the proposal consistent with the prevailing development pattern and with the intended pattern of the Neighborhood Form District. Landscape buffering and screening will be provided to screen adjacent properties and roadways where appropriate, and

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**CASE NO. 26-DDP-0017**

**WHEREAS**, the Development Review Committee finds that the development plan complies with the applicable guidelines and policies of the Comprehensive Plan and to the requirements of the Land Development Code. Community Form Goal 1 Policy 4 seeks to “Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District.” The proposed development is compatible with the scale and site design of the surrounding area, as there are multiple other multifamily developments in the general vicinity, in addition to the general mix of commercial and residential development along the Preston Hwy corridor.

The proposal is additionally compatible with the pattern of development within the Neighborhood Form District, as the Neighborhood Form District seeks to “promote redevelopment that is compatible with and enhances the unique site and community design elements of a neighborhood.” The proposal will enhance the neighborhood in the intended way by adding diverse forms of housing to the area through the creation of a duplex and a multifamily structure, now, therefore be it.

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

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding 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. No application to amend binding elements or to revise the development plan shall be accepted without the applicant providing evidence that it provided adjoining property owners and the Okolona Baptist Church fifteen (15) days written notice of the request.
3. 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.

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4. 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 Public Works, the Metropolitan Sewer District and Construction Review.
  - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
  - c. 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.
  - d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
  
5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

**The vote was as follows:**

**YES: Commissioners Steff, Lannert, Stuber, Mims, and Fischer**

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**NEW BUSINESS**

**CASE NO. 26-DDP-0020**

Request: Revised Detailed District Development Plan with revisions to binding elements  
Project Name: 2728, 2730, 2732 S 3<sup>rd</sup> St – Revised Development Plan  
Location: 2728, 2730, & 2732 S 3<sup>rd</sup> Street  
Applicant: Lewis Capital Holdings LLC  
Representative: Jake Guhy  
Jurisdiction: Louisville Metro  
Council District: District 15 – Jennifer Chappell  
Case Manager: Sydney Fawcett, Planner I

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

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

**Agency Testimony:**

01:38:40 Sydney Fawcett provided an overview of the request and presented a PowerPoint presentation. Fawcett responded to questions from Committee Members. (See recording for details)

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

Jacob Guhy, 226 S Hampton Road, Louisville, KY 40223

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

01:40:55 Jacob Guhy noted that nearby residential properties are already zoned similarly and says the project will help improve the area. Guhy responded to questions from Committee Members. (See recording for details)

**The following spoke in opposition of the request:**

None

**Deliberation:**

01:41:40 Committee deliberation

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**NEW BUSINESS**

**CASE NO. 26-DDP-0020**

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

**Revised Detailed District Development Plan with revised binding elements.**

01:42:00 On a motion by Commissioner Stuber, seconded by Commissioner Lannert, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today, was adopted:

**WHEREAS**, the Development Review Committee finds that there are no significant natural or cultural resources located on the subject site. Street trees will be provided along the South 3rd Street and M Street frontages, and

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

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

**WHEREAS**, the Development Review Committee finds that the 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 Development Review Committee finds the overall site design and proposed land uses are compatible with both existing and future development in the area. The surrounding area includes established multifamily and single-family developments, making the proposed use consistent with the development pattern. The site plan incorporates appropriate setbacks and site design, further showing compatibility with adjacent properties, and

**WHEREAS**, the Development Review Committee finds that the development plan complies with the applicable guidelines and policies of the Comprehensive Plan, as well as the requirements of the Land Development Code. Plan 2040 Community Form Goal 1 Policy 3.1.2 characterizes the Traditional Neighborhood form district of predominately

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residential uses, by a grid pattern of streets with sidewalks and often including alleys. Traditional Neighborhood Form requires a particular emphasis on new developments using traditional building scales and site layouts. Plan 2040 Community Form Goal 1 Policy 4 calls to ensure new development is compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. The development is consistent with Housing Goal 1, Policy 3 of Plan 2040. This policy encourages developments to create a variety of housing types that meet the needs of all residents including an adequate supply of affordable housing and physically accessible housing. The proposed development creates more inclusive and accessible housing opportunities while preserving the existing residential site design in the general area, now, therefore be it.

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

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding 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. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is issued:
  - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works, and the Metropolitan Sewer District.
4. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All

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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.

5. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors, and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

**The vote was as follows:**

**YES: Commissioners Steff, Lannert, Stuber, Mims, and Fischer**

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**ADJOURNMENT**

The meeting adjourned at approximately 2:43 p.m.

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**Chair**

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**Planning Director**