

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO DEVELOPMENT REVIEW COMMITTEE
April 9, 2025**

A meeting of the Louisville Metro Development Review Committee was held on April 9, 2025, at 1:00 p.m. at the Old Jail Auditorium, 514 West Liberty Street, Louisville, KY 40202.

Committee Members Present:

Bill Fischer, Chair

Mark Benitez

Steve Lannert

David Steff

Committee Members Absent:

Jennifer Kern

Staff Members Present:

Joseph Haberman, Planning Manager

Jay Lockett, Planning Supervisor

Isis Shackelford, Engineer I

Laura Ferguson, Assistant County Attorney

Molly Clark, Planner II

Catherine Gomez, Planner I

Tyler Pobiedzinski, Planner I

Heather Pollock, Planner I

Zachary Schwager, Planner I

Haritha Gurivindapalli, Management Assistant

The following matters were considered:

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APPROVAL OF MINUTES

MARCH 19, 2025, DEVELOPMENT REVIEW COMMITTEE MINUTES

00:03:11 On a motion by Commissioner Steff, seconded by Commissioner Benitez, the following resolution was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the Minutes of its meeting conducted on March 19, 2025.

The vote was as follows:

YES: Commissioners Benitez, Lannert, Steff, and Fischer

ABSENT: Commissioner Kern

DEVELOPMENT REVIEW COMMITTEE

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April 9, 2025

NEW BUSINESS

CASE NO. 24-DDP-0069

Request: New Cell Tower and Revised Detailed District Development Plan with amendments to binding elements
Project Name: Lv Jeffersontown RELO
Location: 2421 Holloway Road
Applicant: Verizon Wireless
Representative: Clark, Quinn, Moses, Scott, & Grahn, LLP
Jurisdiction: City of Jeffersontown
Council District: 11 – Kevin Kramer
Case Manager: Jay Lockett, AICP, Planning Supervisor

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

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

Agency Testimony:

00:04:35 Jay Lockett provided an overview of the request and presented a PowerPoint presentation. Lockett responded to questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

Russell Brown, Clark, Quinn, Moses, Scott, & Grahn, LLP, 320 North Meridian Street Suite 1100 Indianapolis, IN 46204

Summary of those in favor:

00:08:46 Russell Brown spoke in favor of the request. Brown agreed with the findings of the staff report and outlined the need for the request. Brown answered questions from Committee Members. (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

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NEW BUSINESS

CASE NO. 24-DDP-0069

00:11:19 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.

New Cell Tower (LDC 4.4.2)

00:11:44 On a motion by Commissioner Benitez, seconded by Commissioner Lannert, the following resolution, based on the staff report and testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested New Cell Tower (LDC 4.4.2)

The vote was as follows:

YES: Commissioners Steff, Benitez, Lannert, and Fischer

ABSENT: Commissioner Kern

Revised Detailed District Development Plan with amendments to binding elements

00:13:10 On a motion by Commissioner Benitez, seconded by Commissioner Steff, the following resolution, based on the staff report and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds, there do not appear to be any environmental constraints or historic resources on the subject site. The proposal does not meet the threshold for new tree canopy requirements, and

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

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

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CASE NO. 24-DDP-0069

WHEREAS, the Development Review Committee finds, 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 land uses are compatible with the existing and future development of the area. The proposed cell tower is located on a developed site in an established employment center characterized by industrial and logistical land uses. There are no residences in the immediate vicinity that may be negatively impacted by it. The base of the tower will be appropriately screened, and

WHEREAS, the Development Review Committee finds, 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, that the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the City of Jeffersontown **APPROVE** the requested Revised Detailed District Development Plan with amendments to binding elements **SUBJECT** to the following Binding Elements:

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

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 and to the City of Jeffersontown for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The development shall not exceed 7,320 S.F. of gross floor area on 2421 Holloway Road.
3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:

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CASE NO. 24-DDP-0069

- a. The size and location of any proposed sign must be approved by the City of Jeffersontown. The City of Jeffersontown may require that signs be smaller than would otherwise be permitted by the Zoning District Regulations.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 Chapter 10. Such plan shall be implemented prior to requiring a certificate of occupancy and maintained thereafter.
 - c. All necessary recording fees shall be paid.
4. A Certificate of Occupancy must be received from the appropriate code enforcement officer prior to occupancy of the structure or land for the proposed use. All Binding Elements must be implemented prior to requesting issuance of the certificate.
5. The above binding elements may be amended as provided for in the Zoning District Regulations.

The vote was as follows:

YES: Commissioners Steff, Benitez, Lannert, and Fischer

ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 25-AMEND-0003

Request: Amendment to Binding Elements to Abandon Binding
Elements from case number 9-64-86.
Project Name: C5 Centerport at SDF
Location: 8105, 8107, 8111, 8113, 8117, 8119, & 8201 Minor Lane
and Shadeswood Avenue
Owner: C5 Centerport, LLC
Applicant: C5 Centerport, LLC
Representative: C5 Centerport, LLC
Jurisdiction: Louisville Metro
Council District: 13 – Dan Seum Jr.
Case Manager: Molly Clark, Planner II

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

The staff report prepared for this case was incorporated into the record. The 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 in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:14:20 Molly Clark provided an overview of the request and presented a PowerPoint presentation. Clark responded to questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

Cliff Ashburner, 101 South 5th Street, Suite 2500 Louisville, KY 40202

Summary of those in favor:

00:17:17 Cliff Ashburner spoke in favor of the request. Ashburner stated that the applicant is in total agreement with the staff report. Ashburner assured Committee Members what will be done with the proposed subject property. Ashburner answered questions from Committee Members. (see recording for details)

The following spoke in opposition to the request:

None

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NEW BUSINESS

CASE NO. 25-AMEND-0003

Deliberation:

00:18:47 Committee deliberation

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

Amendment to binding elements to abandon binding elements from 9-64-86

00:19:06 On a motion by Commissioner Steff, seconded by Commissioner Benitez, the following resolution, based on the staff report, staff analysis, and the evidence and testimony heard today:

WHEREAS, the Development Review Committee finds, 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 Development Review Committee finds, 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 Development Review Committee finds, 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 Development Review Committee finds, 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 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

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CASE NO. 25-AMEND-0003

WHEREAS, the Development Review Committee finds, 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, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Amendment to binding elements to abandon binding elements from 9-64-86

The vote was as follows:

YES: Commissioners Steff, Benitez, Lannert, and Fischer

ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 24-ZONE-0128

Request: Amendment to Binding Elements to Abandon Binding
Elements from case number 9-48-84.
Project Name: Crawford Avenue Apartments
Location: 4514 R & 4516 R Crawford Avenue and 7006 Textile Avenue
Owner: Hideout Properties, LLC.
Applicant: Hideout Properties, LLC
Representative: Hideout Properties, LLC
Jurisdiction: Louisville Metro
Council District: 12 – Jonathan Joseph
Case Manager: Molly Clark, Planner II

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

The staff report prepared for this case was incorporated into the record. The 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 in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:19:52 Molly Clark provided an overview of the request and presented a PowerPoint presentation. (see recording for details)

The following spoke in favor of the request:

None

The following spoke in opposition to the request:

None

Deliberation:

00:22:20 Committee deliberation

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

Amendment to Binding Elements to abandon binding elements from 9-48-84

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NEW BUSINESS

CASE NO. 24-ZONE-0128

00:23:01 On a motion by Commissioner Steff, 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, 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 under case number 24-ZONE-0128, and

WHEREAS, the Development Review Committee finds, 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 under case number 24-ZONE-0128, and

WHEREAS, the Development Review Committee finds, there are no open space requirements pertinent to the current proposal. Future multi-family development proposed on the subject site under case number 24-ZONE-0128 will be required to meet Land Development Code requirements, and

WHEREAS, the Development Review Committee finds, 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 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 Development Review Committee finds, the request to abandon existing binding elements conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Amendment to Binding Elements to abandon binding elements from 9-48-84 **SUBJECT** to the following Binding Elements:

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CASE NO. 24-ZONE-0128

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 outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
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.
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 Construction Review, Louisville Metro Public Works, and the Metropolitan Sewer District.
 - 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.

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CASE NO. 24-ZONE-0128

- e. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented is available in the case file on record in the offices of the Louisville Metro Planning Commission.
- 5. 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.
- 6. 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.
- 7. Applicant shall construct and maintain an 8ft vinyl privacy fence as shown at the March 6, 2025, Planning Commission hearing.

The vote was as follows:

YES: Commissioners Steff, Benitez, Lannert, and Fischer

ABSENT: Commissioner Kern

**DEVELOPMENT REVIEW COMMITTEE
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NEW BUSINESS

CASE NO. 24-DDP-0024

Request:	Revised Detailed District Development Plan for outdoor storage and display with a Waiver
Project Name:	Home Depot
Location:	10301 Westport Road
Owner:	HD Development Properties
Applicant:	HD Development Properties
Representative:	Kimley-Horn and Associate, INC.
Jurisdiction:	Louisville Metro
Council District:	17 – Markus Winkler
Case Manager:	Molly Clark, Planner II

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

The staff report prepared for this case was incorporated into the record. The 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 in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

00:24:09 Molly Clark provided an overview of the request and presented a PowerPoint presentation. Clark responded to questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

Katie Fitzgerald, Kimley Horn, 445 24th Street Vero Beach, FL 32960

Paul Ellis, 13001 Westport Road Louisville, KY 40241

Summary of those in favor:

00:37:31 Katie Fitzgerald spoke in favor of the request. Fitzgerald overlayed the proposed Binding Elements and the amended site plan. Fitzgerald outlined the changes to the proposed plan. Fitzgerald answered questions from Committee Members. (see recording for details)

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NEW BUSINESS

CASE NO. 24-DDP-0024

00:42:26 Paul Ellis spoke in favor of the request. Ellis further outlined the need for the request. Ellis stated that the site proposal is in compliance and follows the changes that Code Enforcement requested. (see recording for details)

The following spoke in opposition to the request:

John Stuart, 3305 Wind brook Circle Louisville, KY 40241

Summary of those in opposition:

00:44:15 John Stuart spoke in opposition. Stuart stated that he is a first-tier property owner. Stuart shared that the applicant has allegedly not upheld the agreement that had been previously made with the Committee. Stuart believes that the existing Binding Elements are being violated. Stuart stated that the loading and unloading continues and creates idling and noise issues. Stuart requested that Home Depot be a good neighbor. (see recording for details)

Rebuttal:

00:52:11 Katie Fitzgerald spoke in rebuttal. Fitzgerald stated that the neighbors have been contacted in the hopes for a conversation with the property owners. Fitzgerald wishes to improve the site plan. Fitzgerald stated that maintenance will be updated and that deliveries and drop-off are being dealt with at the subject property. Fitzgerald answered questions from Committee Members. (see recording for details)

Deliberation:

00:57:49 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.

Waiver of Land Development Code (LDC) section 4.4.8.C.1.c to allow outdoor storage and display items to be stacked higher than 5 feet (6' requested) within 50 feet of the right of way, (24-WAIVER-0099).

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NEW BUSINESS

CASE NO. 24-DDP-0024

01:05:50 On a motion by Commissioner Lannert, seconded by Commissioner Benitez, the following resolution, based on the standard of review contained in the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds, the waiver will not adversely affect adjacent property owners as other elements of the Land Development Code will be met on site. The applicant will be providing solid wood 6 foot fencing to screen the 6 foot tall stacked outdoor storage items. There will also be landscaping provided for the fenced in outdoor storage area, and

WHEREAS, the Development Review Committee finds, the waiver will not violate specific guidelines of Plan 2040 as the proposed development will be in keeping with the development pattern of the area. The applicant will provide all required screening and buffering for the proposed development and for the outdoor storage areas. The fencing will be as tall as the outdoor storage items that will be stacked at 6 feet and will be made of solid wood, 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 all other elements of the Land Development Code will be met with this proposal. The proposed development will be in keeping with the development pattern of the area. The applicant will provide all required screening and buffering for the proposed development and outdoor storage items, and

WHEREAS, the Development Review Committee finds, the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, the proposed development will be in keeping with the development pattern of the area. The applicant will also be providing all the required landscape buffer requirements that will screen the outdoor storage and display items, now, therefore be it;

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.c to allow outdoor storage and display items to be stacked higher than 5 feet (6' requested) within 50 feet of the right of way, (24-WAIVER-0099).

The vote was as follows:

YES: Commissioners Lannert, Benitez, Steff, Fischer

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NEW BUSINESS

CASE NO. 24-DDP-0024

ABSENT: Commissioner Kern

Revised Detailed District Development Plan with existing Binding Elements

01:06:31 On a motion by Commissioner Lannert, seconded by Commissioner Benitez, the following resolution, based on the standard of review contained in the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds, the conservation of natural resources on the property proposed for development will be provided as 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 Development Review Committee finds, 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 Development Review Committee finds, the provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development are provided since there are no open space requirements pertinent to the current proposal, and

WHEREAS, the Development Review Committee finds, 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 land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent outdoor storage areas. Buildings and parking lots will continue to meet all required setbacks, and

WHEREAS, the Development Review Committee finds, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code except where relief is requested and is adequately justified, now, therefore be it;

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CASE NO. 24-DDP-0024

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

1. The development shall be in accordance with the approved district development plan and agreed upon binding elements unless amended pursuant to the Zoning District Regulations. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The development shall not exceed 168,502 square feet of space.
3. The Binding Elements (as contained in the Planning Commission minutes of September 18, 1997) from the approved general plan shall be in effect for this parking waiver.
4. In the event a request is filed to modify or delete any binding element or to change the approved development plan, and in addition to notice that may otherwise be required by the Planning Commission policy or regulation, notice of the Land Development and Transportation Committee meeting at which the request is considered shall be given 13 days in advance by hand delivery to the following addresses (hand delivery shall be the responsibility of the applicant):
 - A. 3301 Wynnbrooke Circle, Louisville, KY 40241
 - B. 3303 Wynnbrooke Circle, Louisville, KY 40241
 - C. 3305 Wynnbrooke Circle, Louisville, KY 40241
 - D. 3229 Wynnbrooke Circle, Louisville, KY 40241
 - E. 3231 Wynnbrooke Circle, Louisville, KY 40241
 - F. 3233 Wynnbrooke Circle, Louisville, KY 40241
 - G. 3235 Wynnbrooke Circle, Louisville, KY 40241
 - H. 3237 Wynnbrooke Circle, Louisville, KY 40241
 - I. 3239 Wynnbrooke Circle, Louisville, KY 40241
 - J. 9905 Moss Court, Louisville, KY 40241
 - K. 9923 Wynclyff Circle, Louisville, KY 40241
 - L. 9924 Wynclyff Circle, Louisville, KY 40241
 - M. 9919 Wynclyff Circle, Louisville, KY 40241

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CASE NO. 24-DDP-0024

5. The shopping center identification sign shall be 15.5 feet in height and 147.5 square feet in area.
6. Home depot shall consolidate all on-site parcels. The form of the consolidation instrument shall be approved by the general Counsel of the Planning Commission. The instrument shall be executed and put to record, with a copy filed in the Planning Commission record of this case.
7. Additional plantings to be located on the Home Depot USA/Springhurst Commons LLC property as shown on "The Home Depot at Springhurst Commons Planting Plan prepared by Sabak, Wilson and Lingo, Inc. (rev. 1/26/98) as color-marked and presented at the Land Development and Transportation Committee meeting of November 22, 2000 shall be in place prior to April 30, 2001, weather permitting.
8. Signs shall be placed where shown on the "Truck Idling Plan" dated 2/28/01. The signs shall state: "Trucks: No idling. Turn off engine after parking. Do not use horn. Violations will be subject to fines by Home Depot." Each sign shall not be higher than 2 feet tall and no larger than 8 square feet in area.
9. No deliveries shall be made between 10:30 p.m. and 7:00 a.m. The west rear loading door (lumber overhead door) shall be closed between 10:30 p.m. and 7:00 a.m.
10. The sidewalk on Westport Road shall be installed by May 1, 2001.
11. The drainage pipe behind Michaels shall be repaired no later than 8 months after final approval of the development plan.
12. Compactors and dumpsters shall be used, emptied or replaced for lots 2 and 3 only between 7:00 a.m. and 10:00 p.m. and shall be located only where shown on the approved detailed development plan.
13. Grass mowing on lots 2 and 3 behind the building will be mowed bi-monthly during the growing season.

The vote was as follows:

YES: Commissioners Lannert, Benitez, Steff, Fischer

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NEW BUSINESS

CASE NO. 24-DDP-0024

ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 24-DDP-0025

Request:	Revised detailed district development plan
Project Name:	Watterson Center Court
Location:	10619 Watterson Center Court
Owner:	Brentwood Property Design and Investment LLC
Applicant:	Clarisa DeLuna
Representative:	Brentwood Property Design and Investment LLC
Jurisdiction:	Louisville Metro
Council District:	11 – 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 in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

01:07:45 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:

Clarissa Delicia, 11250 Cherry Lane Louisville, 40223

Summary of those in favor:

01:13:10 Clarissa Delicia spoke in favor of the request. Delicia explained to the Committee how she acquired the property and what the plans are for the subject property. (see recording for details)

The following spoke in opposition to the request:

Lilie Delgado, 7057 Culver Lane Louisville, KY 40219

Summary of those in opposition:

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NEW BUSINESS

CASE NO. 24-DDP-0025

01:16:42 Lilie Delgado spoke in opposition to the request. Delgado shared concerns about the proposed subject property. Delgado raised concerns about noise, construction, and parking. (see recording for details)

Rebuttal:

01:19:14 Clarissa Delicia spoke in rebuttal. Delicia stated that the nearby condominium has been involved through the process and many meetings and discussions have been had between the applicant and condominium. Delicia addressed concerns about parking. Delicia answered questions from Committee Members. (see recording for details)

Deliberation:

01:22:07 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 with revisions to binding elements

01:23:18 On a motion by Commissioner Steff, seconded by Commissioner Benitez, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds, there do not appear to be any environmental constraints or historic resources on the subject site. A Landscape plan will be submitted to meet the tree canopy requirements of the Jeffersontown Land Development Code, and

WHEREAS, the Development Review Committee finds, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan. The development does require a sidewalk along the frontage of the site on Watterson Trail, however the applicant will request a sidewalk fee-in-lieu to the City of Jeffersontown, and

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NEW BUSINESS

CASE NO. 24-DDP-0025

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

WHEREAS, the Development Review Committee finds, 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 land uses are compatible with the existing and future development of the area. The applicant proposed the new additions to have an exterior design that adopts the features of the existing structures, including but not limited to similar brick siding, shingle roofing, and vinyl windows, and

WHEREAS, the Development Review Committee finds, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and requirements of the Land Development Code. The Planned Employment Center zoning district intends to provide sufficient space in attractive, landscaped, and planned industrial parks for industrial operations. The proposed office buildings are part of an ongoing contractor shop development within the industrial park center of Jeffersontown. Because of this, the proposed development fulfills the intent to ensure compatibility between industrial operations within the park and the existing activities and the character of the community in which the park is located. Community Form Goal 1 Policy 3.1.10 characterizes the Suburban Workplace form district predominately as industrial and office use where the buildings are setback from the street in a landscaped setting. The proposed office buildings are in the rear corner of the lot surrounded by tree canopy that screens the adjacent properties at a reasonable setback. Furthermore, Community Form Goal 1 Policy 4 from the Comprehensive Plan calls 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. Since the proposed office buildings complete a previously approved plan in the industrial park, and the applicant proposes the building to be of similar façade to the existing structures, the development plan is in conformance with the Comprehensive Plan and Land Development Code, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the City of Jeffersontown **APPROVE** the requested Revised Detailed

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NEW BUSINESS

CASE NO. 24-DDP-0025

District Development Plan with revisions to Binding Elements **SUBJECT** to the following Binding Elements and **ON CONDITION** that the applicant submit a plan with pedestrian connectivity in compliance with the Land Development Code:

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 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 and to the City of Jeffersontown for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The size and location of any sign(s) must be in compliance with the City of Jeffersontown Sign Ordinance.
3. There shall be no outdoor storage, display, or sales except as permitted under the Land Development Code and within designated areas on the approved development plan.
4. Outdoor lighting (for parking lot illumination and security) shall be directed down and away from surrounding residential properties.
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. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from Codes and Regulations Transportation Planning section and the Metropolitan Sewer District (700 West Liberty).
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to

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requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

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 and the City of Jeffersontown, KY.
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. If work is required within the easements causing removal or damage of landscape materials, the property owner shall be responsible for replacement of materials according to the approved landscape plan.
10. All off-street parking areas shall be permanently and continually maintained in good condition and free from potholes, weeds, dirt, trash, and other debris.

The vote was as follows:

YES: Commissioners Lannert, Benitez, Steff, Fischer

ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 24-DDP-0055

Request:	Revised Detailed District Development Plan with Revision to Binding Elements
Project Name:	Trade School & Offices
Location:	5905 Fegenbush Lane
Applicant:	Crittenden Drive Holdings, LLC
Representative:	Land Design & Development, Inc.
Jurisdiction:	Louisville Metro
Council District:	2 – Barbara Shanklin
Case Manager:	Heather Pollock, 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 in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

01:24:53 Heather Pollock provided an overview of the request and presented a PowerPoint presentation. Pollock responded to questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

Ted Bernstein, 503 Washburn Avenue Louisville, KY 40222

Summary of those in favor:

01:30:22 Ted Bernstein spoke in favor of the request. Bernstein presented a PowerPoint presentation. Bernstein outlined the plans for the subject property. Bernstein answered questions from Committee Members. (see recording for details)

The following spoke in opposition to the request:

Kevin Kramer, 5801 Fegenbush Lane Louisville, KY 40228

Becky Montague, Mercy Academy, 5801 Fegenbush Lane Louisville, KY 40228

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David Dries, 7300 South Hurstbourne Parkway Louisville, KY 40228

Summary of those in opposition:

01:36:06 Kevin Kramer spoke in opposition of the request. Kramer stated that he loves that the union building will be developed. Kramer shared concerns about an existing roadway that had never been developed. Kramer requested a street closure for Kyle Ridge Way. Kramer answered questions from Committee Members. (see recording for details)

02:00:03 Becky Montague spoke in opposition of the request. Montague echoed many of the points of the prior speaker. Montague raised concerns about the proposed access points. (see recording for details)

02:02:25 David Dries spoke in opposition of the request. Dries presented graphics of the proposed subject property. Dries stated that he owned the adjacent property. Dries raised concerns about roadway connections. Dries requested that the existing Binding Element #13 stay with the property. (see recording for details)

Rebuttal:

02:10:51 Ted Bernstein spoke in rebuttal. Bernstein explained the cross access. Bernstein answered questions from Committee Members. Bernstein clarified that no waivers or variances are being requested. (see recording for details)

Deliberation:

02:27:14 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.

Revised Detailed District Development Plan with Revision to Binding Elements

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02:38:24 On a motion by Commissioner Benitez, 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, there do not appear to be any environmental constraints or historic resources on the subject site; a geotechnical report and wetland review were provided. Tree preservation is being provided along Fegenbush Lane. Tree canopy and landscaping requirements per the Land Development Code will be provided on the subject site, and

WHEREAS, the Development review Committee finds, 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. Pedestrian access will be provided from the street, and a new sidewalk is proposed along Fegenbush Lane and Hurstbourne Parkway. The Director of Planning has approved the proposed parking per the LDC requirements, and

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

WHEREAS, the Development Review Committee finds, 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 land uses are compatible with the existing and future development of the area. There is recorded shared access with the property to the east and shared access will be provided with the property to the southwest. 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 Development Review Committee finds, the revised development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. The proposed trade school and offices is compatible with non-residential uses in the area. The development promotes joint access and circulation and minimizes access points to the right-of-way with shared access

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agreements to adjacent properties. Access the public transit available along Fegenbush Lane will be provided with a new bus stop and sidewalk connecting though the site, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Revised Detailed District Development Plan with Revisions to Binding Elements **SUBJECT** to the following 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 outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. The existing access points to Fegenbush Lane are to be closed and access to the site from Fegenbush Lane shall be provided only by the cross access agreement with the property to the southwest.
4. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
5. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Construction Review Department, Louisville Metro Public Works, and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.

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- 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.
- 6. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
- 7. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line or permitted on the site.
- 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. A cross access agreement with the property to the southwest, to run with the land and in a form acceptable to the Planning Commission legal counsel shall be recorded prior to construction approval.
- 10. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the April 09, 2025 Development Review Committee.
- 11. No overnight idling of trucks shall be permitted on-site.

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12. All street name signs shall be installed prior to requesting a certificate of occupancy for any structure. The address number shall be displayed on a structure prior to requesting a certificate of occupancy for that structure.
13. Developer shall construct Fegenbush Lane road improvements as indicated on the approved development plan per KYTC and Metro Public Works (MPW) requirements. Encroachment permit shall be obtained prior to construction approval by MPW. Road improvements shall be completed prior to applicant's request for certificate of occupancy.
14. The site shall be developed in accordance with the woodland protection areas (WPA) delineated on the site plan, tree preservation plan and related notes. Any modification of the woodland protection area requires notification of adjoining property owners and action by the Planning Commission or its designee.

The vote was as follows:

YES: Commissioners Lannert, Benitez, Steff, Fischer

ABSENT: Commissioner Kern

**DEVELOPMENT REVIEW COMMITTEE
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NEW BUSINESS

CASE NO. 25-DDP-0003

Request:	Revised Detailed District Development Plan with revision to Binding Elements
Project Name:	Ryan Fire Protection
Location:	12674 Otto Knop Drive
Applicant:	Roman's Holdings, LLC
Representative:	Milestone Design Group, Inc.
Jurisdiction:	Louisville Metro
Council District:	11 – Kevin Kramer
Case Manager:	Zach Schwager, 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 in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

02:45:34 Zach Schwager provided an overview of the request and presented a PowerPoint presentation. (see recording for details)

The following spoke in favor of the request:

Sophia Mazzocco, Milestone Design Group, 108 Daventry Lane Louisville, KY 40223

Summary of those in favor:

02:47:43 Sophia Mazzocco spoke in favor of the request. Mazzocco reinforced the findings of the staff report. Mazzocco answered questions from Committee Members. (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

02:49:13 Committee deliberation

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NEW BUSINESS

CASE NO. 25-DDP-0003

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 revision to Binding Elements

02:49:25 On a motion by Commissioner Steff, seconded by Commissioner Benitez, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds, there do not appear to be any environmental constraints or historic resources on the subject site. The proposed plan meets the landscaping and tree canopy requirements of the LDC, and

WHEREAS, the Development Review Committee finds, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan. Sidewalks are being provided along Otto Knop Drive, as well as a dedicated pedestrian connection from the sidewalk to the interior of the site, and

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

WHEREAS, the Development Review Committee finds, 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 land uses are compatible with the existing and future development of the area, and

WHEREAS, the Development Review Committee finds, in order to provide adequate transportation access in suburban workplaces connected roads, public transportation and pedestrian facilities should be encouraged. Walkways to workplace-serving uses are encouraged for workplace employees. Development within Suburban Workplace Form Districts may need significant buffering from abutting uses. The development plan

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conforms to applicable guidelines and policies of the Comprehensive Plan and to the requirements of the LDC, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Revised Detailed District Development Plan (RDDDP) with revision to Binding Elements **SUBJECT** to the following Binding Elements:

All binding elements from the approved General Development Plan are applicable to this site, in addition to the following:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The development shall not exceed 26,558 square feet of gross floor area for Lot 6.
3. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
4. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
5. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:
 - a. The development plan must receive full construction approval from 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

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requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

6. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
7. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
8. No idling of trucks shall take place within 200 feet of residences. No overnight idling of trucks shall be permitted on-site.

The vote was as follows:

YES: Commissioners Lannert, Benitez, Steff, Fischer

ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 25-DDP-0010

Request: Detailed District Development Plan with proposed Binding Elements
Project Name: UEC Tenant Building
Location: 6895 Riverport Drive
Applicant: Trey Guyton
Representative: Trey Guyton
Jurisdiction: Louisville Metro
Council District: 1 – Tammy Hawkins
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 in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

02:50:49 Tyler Pobiedzinski provided an overview of the request and presented a PowerPoint presentation. (see recording for details)

The following spoke in favor of the request:

Trey Guyton, 2401 Stanley Gault Parkway Louisville, KY 40223

Mitch Ashbrook, 9901 Linn Station Road Suite 850 Louisville, KY 40223

Summary of those in favor:

02:53:38 Trey Guyton spoke in favor of the request. Guyton reaffirmed the findings of the staff report. Guyton answered questions from Committee Members. (see recording for details)

02:55:34 Mitch Ashbrook spoke in favor of the request. Ashbrook stated the applicants plans for co-habitation. (see recording for details)

The following spoke in opposition to the request:

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NEW BUSINESS

CASE NO. 25-DDP-0010

None

Deliberation:

02:55:46 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.

Detailed District Development Plan with proposed Binding Elements

02:56:07 On a motion by Commissioner Lannert, seconded by Commissioner Benitez, the following resolution, based on the staff report, the staff analysis, and the evidence and testimony heard today, was adopted:

WHEREAS, the Development Review Committee finds, there do not appear to be any environmental constraints or historic resources on the subject site. The proposed development will meet the tree canopy and landscaping requirements of the LDC, and

WHEREAS, the Development Review Committee finds, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided through a proposed new sidewalk connection to the adjacent TARC bus stop on Riverport Drive from the building, as well as providing adequate vehicle parking and bicycle parking requirements. Metro Public Works has approved the preliminary development plan, and

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

WHEREAS, the Development Review Committee finds, 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 consistent with both existing and planned development of the area. The surrounding area currently features similar uses, and this proposal aligns with

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the established development pattern, ensuring compatibility with the community. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks and site design requirements of the Land Development Code, and

WHEREAS, the Development Review Committee finds, the development plan complies with the applicable guidelines and policies of the Comprehensive Plan, as well as the requirements of the Land Development Code. Additionally, Economic Development Goal 1, Policy 2, encourages industries to, whenever possible, locate within industrial subdivisions or adjacent to existing industries to maximize the benefits of specialized infrastructure and support efficient land use planning, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Detailed District Development Plan with proposed Binding Elements **SUBJECT** to the following 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 outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
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.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit) is requested:

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- 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 building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter
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 Lannert, Benitez, Steff, Fischer

ABSENT: Commissioner Kern

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ADJOURNMENT

The meeting adjourned at approximately 3:59 p.m.

Chair

Planning Director