

1. ID 25-0366

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO DEVELOPMENT REVIEW COMMITTEE
June 4, 2025**

A meeting of the Louisville Metro Development Review Committee was held on June 4, 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 (Arrived 1:16 p.m.)

David Steff

Committee Members Absent:

Jennifer Kern

Staff Members Present:

Joseph Haberman, Planning Manager

Rachel Casey, Planning Supervisor

Jay Lockett, Planning Supervisor

Laura Freguson, Assistant County Attorney

Beth Stuber, Engineering Supervisor

Mark Pinto, Planner II

Heather Pollock, Planner I

Zachary Schwager, Planner I

Clare Stuber, Management Assistant

The following matters were considered:

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APPROVAL OF MINUTES

MAY 14, 2025, DEVELOPMENT REVIEW COMMITTEE MINUTES

00:03:12 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 May 14, 2025

The vote was as follows:

YES: Commissioners Steff, Benitez, Fischer

ABSENT: Commissioners Kern, Lannert

**DEVELOPMENT REVIEW COMMITTEE
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NEW BUSINESS

CASE NO. 25-MPLAT-0034

Request:	Minor Plat Amendment of a Record Plat
Project Name:	Babe and Mitchell Hill Division
Location:	10602 Mitchell Hill Rd
Applicant:	William & Pamela Smith
Representative:	Schroll Land Surveying LLC
Jurisdiction:	Louisville Metro
Council District:	13 – Dan Seum, Jr.
Case Manager:	Abby Bills, Associate Planner

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

The staff report prepared for this case was incorporated into the record. The 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:

00:03:49 Rachel Casey explained to the Committee that it was determined the case did not need to be heard by the Committee after notice for the hearing had been sent out to the public and that no further action needed to be taken. Casey answered questions from Committee Members. (see recording for details)

The following spoke in favor of the request:
None

The following spoke in opposition to the request:
None

Deliberation:
None

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.

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NEW BUSINESS

CASE NO. 25-WAIVER-0036

Request: Landscape Waivers
Project Name: Louisville Islamic Center
Location: 4104 River Road
Applicant: Feisal Mosque, Inc.
Representative: Milestone Design Group, Inc.
Jurisdiction: City of Indian Hills
Council District: 16 – Scott Reed
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:

00:05:30 Zach Schwager provided an overview of the request and presented a PowerPoint presentation. Schwager answered questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

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

Summary of those in favor:

00:10:27 Sophia Mazzocco spoke in favor of the request. Mazzocco presented a PowerPoint presentation. Mazzocco answered questions from Committee Members. (see recording for details)

The following spoke in opposition of the request:

None

Deliberation:

00:14:39 Committee deliberation

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CASE NO. 25-WAIVER-0036

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 City of Indian Hills Development Code table 10.2.4 and section 10.2.9 to not provide the required landscape buffer areas (LBA) and screening along the east and west property lines, and section 10.2.4.B to allow the dumpster to encroach into the eastern LBA by 100%.

00:15:02 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, the waiver will not adversely affect adjacent property owners since the subject property is currently buffered by trees on all sides, and

WHEREAS, the Development Review Committee finds, Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Community Form Goal 1, Policy 9 calls to ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements. The proposal is compatible with development in the area and would not create any more land use intensity on the site and conforms with the Policies of Plan 2040 because there will be extensive buffering from trees located on adjacent properties, 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 since the subject property is substantially buffered on all sides currently, 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

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because it is already buffered on all sides by a forest, and the existing concrete pad is already encroaching into the required LBA, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Waiver of City of Indian Hills Development Code table 10.2.4 and section 10.2.9 to not provide the required landscape buffer areas (LBA) and screening along the east and west property lines, and section 10.2.4.B to allow the dumpster to encroach into the eastern LBA by 100%.

The vote was as follows:

YES: Commissioners Steff, Benitez, Lannert, and Fischer

ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 24-CAT3-0017

Request:	Category 3 Development Plan with associated waivers
Project Name:	Slugger Field Mixed Use
Location:	490 E Witherspoon Street
Applicant:	Qk4
Representative:	Wyatt, Tarrant, & Combs LLP
Jurisdiction:	Louisville Metro
Council District:	4 – Ken Herndon
Case Manager:	Mark Pinto, Planner II

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

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 made 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:

00:17:24 Mark Pinto provided an overview of the request and presented a PowerPoint presentation. Pinto answered questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

Jon Baker, Wyatt, Tarrant, & Combs, 400 West Market Street Louisville, KY 40202

Cody Parsons, Diamond Baseball Holdings, 111 West Illinois Street Chicago, IL 60654

Brett Sherman, Machete Group, 506 1st Street Brooklyn, NY 11215

Summary of those in favor:

00:24:45 Jon Baker spoke in favor of the request. Baker presented a PowerPoint presentation. Baker answered questions from Committee Members. (see recording for details)

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00:25:59 Cody Parsons spoke in favor of the request. Cody presented a PowerPoint presentation. Parsons discussed the plans for the subject property. (see recording for details)

00:27:19 Brett Sherman spoke in favor of the request. Sherman presented a PowerPoint presentation. Sherman outlined why the subject property had been chosen. Sherman answered questions from Committee Members. (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

00:41:39 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

00:47:57 On a motion by Commissioner Steff, seconded by Commissioner Benitez, the following resolution, based on the staff report, and the evidence and testimony heard today, was adopted:

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

The vote was as follows:

YES: Commissioners Lannert, Benitez, Steff, Fischer

ABSENT: Commissioner Kern

Waiver from LDC 5.2.1.C.2 to not maintain the required street wall at least 3 stories in height for the length of the lot frontage along Witherspoon Street (25-WAIVER-0008)

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CASE NO. 24-CAT3-0017

Waiver from LDC 5.6.2.B.2 for the windows not being individually distinguished through architectural elements and the window proportions not being designed so the vertical dimensions is larger than the horizontal dimensions (25-WAIVER-0009).

00:48:40 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 (25-WAIVER-0008), the Development Review Committee finds, the waiver will not adversely affect adjacent property owners since there are no adjacent property owners at this location. The waiver area is adjacent E Witherspoon Street, the I-65 Expressway, and the proposed private road that will run through the development next to the Slugger Field stadium. The buildings are meeting all other required setbacks, and

WHEREAS, the Development Review Committee finds, Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. The proposal is meeting all required building design standards except where relief has been specifically requested and justified. Currently, the site is an undeveloped and underutilized parking lot that the proposal aims to repurpose into a mixed-use residential and commercial development that is in keeping with the Downtown form district. Lastly, there is not an established street wall along this section of Witherspoon Street, since the site is located in between the proposed roadway adjacent to the stadium and the I-65 Expressway, and

WHEREAS, the Development Review Committee finds, the extent of the waiver of the regulations is the minimum necessary to afford relief to the applicant since the entrance steps to the townhomes are along the building frontages adjacent to Witherspoon Street. The entrances cause the need to set the building back from the right-of-way in lieu of the street wall requirement, and

WHEREAS, the Development Review Committee finds, the strict application of the provisions of the regulation would create an unnecessary hardship on the applicant since the townhome entrances could not be located off of Witherspoon Street, with adequate access to the established sidewalk network, and would need to be relocated requiring redesign of the residential and parking garage structure, and

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WHEREAS (25-WAIVER-0009), the Development Review Committee finds, the waiver will not adversely affect adjacent property owners since the façade design of the buildings do not reduce compatibility with adjacent properties. The site is adjacent to the Slugger Field baseball stadium and the I-65 Expressway, and

WHEREAS, the Development Review Committee finds, Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. The site is within the Downtown form district and near surface parking lots and buildings that are not meeting specific guidelines and regulations for the form district. The proposal will be compatible with the downtown form district since all setback and height requirements of the proposed buildings are maintained. The façade will have architectural features using varying building materials including metal, glass, concrete, brick, and other distinct paneling patterns. Lastly, the building renderings will require approval from the Waterfront Review Overlay District department prior to construction, and

WHEREAS, the Development Review Committee finds, the extent of the waiver of the regulations is not the minimum necessary to afford relief to the applicant since the buildings could be constructed in a way that is compliant with the building facade requirements of the Land Development Code for the Downtown form district. However, the building elevations and renderings will require approval from the Waterfront Review Overlay prior to construction, and

WHEREAS, the Development Review Committee finds, the applicant has incorporated other design measures that exceed the minimums of the district. The proposal includes trees planted along the private road and interior to the site, as shown on the development plan. Tree canopy is not a requirement in the Downtown form district, now, therefore be it;

RESOLVED, that the Development Review Committee does hereby **APPROVE** the requested Waiver from LDC 5.2.1.C.2 to not maintain the required street wall at least 3 stories in height for the length of the lot frontage along Witherspoon Street (25-WAIVER-0008) and Waiver from LDC 5.6.2.B.2 for the windows not being individually distinguished through architectural elements and the window proportions not being designed so the vertical dimensions is larger than the horizontal dimensions (25-WAIVER-0009).

The vote was as follows:

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YES: Commissioners Steff, Benitez, Lannert, Fischer

ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 24-DDP-0017

Request:	Revised Detailed District Development Plan with Revision to Binding Elements
Project Name:	Circle K Convenience Store
Location:	917 Blankenbaker Parkway
Applicant:	Macs Convenience Stores, LLC
Representative:	Collier Engineering & Design
Jurisdiction:	City of Middletown
Council District:	19- Anthony Piagentini
Case Manager:	Heather Pollock, Planner I

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

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 made 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:

00:50:34 Heather Pollock provided an overview of the request and presented a PowerPoint presentation. Pollock answered questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

Kathy Hinkebein, Circle K, 211 Clover Lane Louisville, KY 40207

Tyler Lucas, 101 Crawford's Corner Road Holmdel, NJ 07733

Summary of those in favor:

00:57:28 Kathy Hinkebein spoke in favor of the request. Hinkebein stated she was present for questions. (see recording for details)

00:58:50 Tyler Lucas spoke in favor of the request. Lucas explained the plans for the subject property to the Committee Members. (see recording for details)

The following spoke in opposition to the request:

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None

Deliberation:

01:01:21 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 revised binding elements

01:01:56 On a motion by Commissioner Benitez, seconded by Commissioner Steff, the following resolution, based on the staff report, the staff analysis, and 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 was provided. 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, 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

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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. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **RECOMMEND** the City of Middletown **APPROVE** the requested Detailed District Development Plan **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 LDC. Any changes/additions/alterations of any binding element(s), or development plan revisions and all landscape plans shall be submitted to the Planning Commission or the Planning Commission's designee, and to the City of Middletown for review and approval; any changes/additions/alteration not so reviewed and so approved shall not be valid.
2. No pennants, balloons, or banners shall be permitted on the site.
3. Any area proposed to be used for outdoor sales, display, or storage in accordance with Section 4.4.8 shall be accurately delineated on the development plan.
4. Construction fencing shall be erected at the edge of the area of development in accordance with the tree preservation plan prior to any grading or construction to protect the existing tree stands and their roots systems for 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, or alteration) is requested:
 - a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works, Metropolitan Sewer District, and City of Middletown.

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- b. Encroachment permits must be obtained from Kentucky Transportation Cabinet.
 - c. The property owner/developer must obtain approval by the Planning Commission and the City of Middletown 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. There shall be no removal of the required landscaping without City Commission approval. In the event any tree or other landscaping is remove without written consent of the city, the City may require the owner/applicant to replace with a tree of similar size and age (when cut), or as approved by the City Commission. Any replacement tree or trees shall be such as deemed adequate by the City to mitigate the impact.
 - d. A tree Preservation Plan in accordance with Chapter 10 of the LDC and the City of Middletown shall be reviewed and approved.
 - e. An access easement in a form acceptable for the Planning Commission legal counsel shall be created and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plan to the office responsible for permit issuance will occur on after receipt of said instrument.
6. A certificate of occupancy must be received from the appropriate code enforcement department and the city of Middletown 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 a certificate of occupancy unless specially waiver by the Planning Commission and the City of Middletown.
7. There shall be no outdoor music (live, piped, radio, or amplified) or outdoor entertainment. There may be an outdoor PA installed at the gas pumps. The PA system shall not be audible past the property lines of the overall site subject to the Approve Detailed Development Plan.
8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchases, contractors, subcontractors, and other parties engaged in development of this site and shall advise them of the content of these

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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. No idling of trucks shall take place within 200 feet of single-family residences. No overnight parking of tractor trailer trucks.
10. A landscape buffer, shall be installed along the east property line adjoining the Belmont Park subdivision residential building lots, and ending at Belmont Park's detention basin lot. The landscape buffer shall be installed and irrigated before the Certificate of Occupancy is issued.
11. The whole site shall be at all times kept mowed, picked up and kept to the standards of the Middletown nuisance ordinances, regardless of the completion of the various phases of construction.
12. The buffering walls, fences or landscaping shown on the plans shall be completely installed (and kept maintained) as soon as possible, as part of the initial site improvements for any tract.
13. The City of Middletown hereby designates the City Mayor as its approval authority for plans, permits, and other approvals required by these binding elements.
14. The Applicant, its successors and assigns, hereby consents, and agrees that the City of Middletown has full right and authority to take any and all appropriate direct legal action against Applicant, its successors and assigns, to enforce these binding elements and inspect the premises to determine compliance with the binding elements.

The vote was as follows:

YES: Commissioners Benitez, Steff, Lannert, Fischer

ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 25-DDP-0008

Request:	Revised Detailed District Development Plan with Revision to Binding Elements
Project Name:	Grocery Store Rebuild
Location:	201 Blankenbaker Parkway
Applicant:	Todd Gordon, Blankenbaker Plaza, LLC
Representative:	Land Design & Development, INC
Jurisdiction:	Douglass Hills
Council District:	19 – Anthony Piagentini
Case Manager:	Heather Pollock, Planner I

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

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 made available to any interested party prior to public hearing. (The staff report is part of the case file maintained in the Office of Planning, 444 South 5th Street.)

Agency Testimony:

01:03:02 Heather Pollock provided an overview of the request and presented a PowerPoint presentation. Pollock answered questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

Mike Hill, Land Design and Development, 503 Washburn Avenue Louisville, KY 40222

Summary of those in favor:

01:08:08 Mike Hill spoke in favor of the request. Hill presented a PowerPoint presentation. Hill answered questions from Committee Members. (see recording for details)

The following spoke in opposition to the request:

Alan Gates, 112 North Watterson Trail Middletown, KY 40243

Summary of those in opposition:

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01:14:05 Alan Gates spoke in opposition of the request. Gates requested that the binding elements be amended so that delivery trucks and construction don't disrupt the neighbors. Gates also wondered why the building needs to be torn down when it serves the same use. (see recording for more details)

Rebuttal:

01:17:38 Mike Hill spoke in rebuttal. Hill addressed concerns about the newly proposed binding elements. (see recording for details)

Deliberation:

01:24:58 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

01:26:15 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; this plan is a redevelopment of an existing retail space that proposes an increase in landscaping and will slightly reduce the total impervious area on the 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. No additional access to the adjacent rights-of-way is proposed, and

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

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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. This proposed redevelopment will have a similar retail use to what previously existed in this space. The proposal will add to existing landscaping and bring it into compliance with current LDC requirements, 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. The project will reutilize existing developed space and be integrated with surrounding commercial uses, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **RECOMMEND** that the City of Douglass Hills **APPROVE** the requested Revised Detailed District Development Plan **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 and to the City of Douglass Hills for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. Prior to development, a detailed district development plan shall be submitted to the Planning Commission and the city of Douglass Hills for approval. Each plan shall be in adequate detail and may be subject to additional binding elements, which may relate, but not be limited to, the following items:
 - a. screening, buffering, landscaping
 - b. density, floor area, size and height of buildings
 - c. points of access
 - d. land uses

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- e. signs
 - f. loading berths
 - g. parking
 - h. sidewalks
 - i. site design elements relating to alternative transportation modes
 - j. outdoor lighting
 - k. minor subdivision plat approval
 - l. air pollution
 - m. the timing of construction to coincide with the availability of floor protection measures, municipal sewer and water service and adequate fire protection
 - n. dumpsters
3. There shall be only 1 point of access from the Blankenbaker Road extension (Road A) to the area zoned OR-3 (outparcels 4 to 6). There shall be no direct access to Historic Main Street from the 2 outparcels abutting Historic Main Street. There shall be no direct access to the Blankenbaker Road extension from the 2 outparcels located at the corner of Shelbyville Road and the Blankenbaker extension.
4. No outdoor advertising signs (billboards), small freestanding temporary signs, pennants or banners shall be permitted on the site. This does not include signs advertising the sale or lease of the property.
5. Any area proposed to be used for outdoor sales, display or storage in accordance with Section 4.4.8 shall be accurately delineated on the development plan.
6. Outdoor lighting (for parking lot illumination and security) shall meet the requirements of Section 4.1.3 of the Land Development Code.
7. No loudspeakers shall be used which would allow sound to be heard from the exterior of any part of any building, except that outside speakers shall be permitted at outside menu boards or bank drive-through windows to the extent that sound is not audible from an outside speaker beyond the property lines of the lot on which the speaker is located.
8. Roof-top mechanical items (such as HVAC units) shall be screened from view. Outside disposal/reclamation areas shall be screened from view within structures faced with the same materials as the main shopping center building to a height of the disposal/reclamation container.

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9. Deliveries shall be restricted to between the hours of 7 a.m. and 7 p.m. No idling of trucks between the rear of the shopping center and adjacent single-family residences. There shall be no overnight parking of delivery vehicles, and signs shall be clearly posted to advise of this prohibition which shall be enforced by the owner and/or the tenant.
10. Before a building permit or alteration permit and/or a certificate of occupancy is requested:
 - a. The development plan must receive full approval from Construction Review, Louisville Metro Public Works, the Metropolitan Sewer District, and the city of Douglass Hills.
 - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet.
 - c. The property owners/developers must obtain approval of a detailed screening/buffering/landscape plan as described in Chapter 10 of the Land Development Code (such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter).
11. A certificate of occupancy must be received from the appropriate code enforcement officer prior to the commencement of business operations in any structure. A C.O. need not be obtained for, and commencement of business operations is not deemed to include, building construction, the stocking of shelves or otherwise preparing the interior of a structure for the commencement of business operations. All binding elements must be implemented prior to requesting issuance of a C.O. on the commercial or office properties, unless specifically waived by the Planning Commission and the city of Douglass Hills.
12. Any demolition and construction activities shall be restricted to between the hours of 7 a.m. and 7 p.m.

The vote was as follows:

YES: Commissioners Benitez, Steff, Lannert, Fischer

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ABSENT: Commissioner Kern

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NEW BUSINESS

CASE NO. 25-DDP-0022

Request:	Revised Detailed District Development Plan and associated Landscape Waiver
Project Name:	Advanced Dental
Location:	10519 Taylorsville Road
Applicant:	Preston View, LLC
Representative:	Milestone Design Group, Inc.
Jurisdiction:	City of Jeffersontown
Council District:	20 – Stuart Benson
Case Manager:	Zach Schwager, Planner I

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

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 made 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:

01:27:59 Zach Schwager provided an overview of the request and presented a PowerPoint presentation. Schwager answered questions from Committee Members. (see recording for details)

The following spoke in favor of the request:

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

Summary of those in favor:

01:31:02 Sophia Mazzocco spoke in favor of the request. Mazzocco presented a PowerPoint presentation. Mazzocco answered questions from Committee Members. (see recording for details)

The following spoke in opposition to the request:

None

Deliberation:

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01:38:15 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 revision to Binding Elements.

01:40:57 On a motion by Commissioner Benitez, seconded by Commissioner Lannert, 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, the applicant will provide the required tree canopy in accordance with the City of Jeffersontown LDC. There are no other natural resources on the property aside from the existing trees, 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. There is direct access to the site from Taylorsville Road and via an existing cross access easement agreement from Ruckriegel Parkway, and

WHEREAS, the Development Review Committee finds, the development does not meet the threshold for the open space provisions of the Land Development Code. However, there are substantial interior landscape areas provided in the parking area that exceed the minimum 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 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. A waiver has been requested to reduce the VUA LBA along Taylorsville Road; however, appropriate landscape buffering and screening will be provided to mitigate the use for adjacent properties and roadways, and

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WHEREAS, the Development Review Committee finds, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to the 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 (RDDDP) **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 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 proposed freestanding sign(s) must be in compliance with the City of Jeffersontown Sign Ordinance.
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 system 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 the City of Jeffersontown and the Metropolitan Sewer District.
 - b. Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
 - c. 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. d. A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for the site disturbance.

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 or City of Jeffersontown.
6. There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or outdoor PA system audible beyond the property line.
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 to 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. The applicant shall install trash cans along Taylorsville Road and Ruckriegel Parkway (working with the City of Jeffersontown as to the style and design).

The vote was as follows:

YES: Commissioners Benitez, Steff, Lannert, Fischer

ABSENT: Commissioner Kern

Waiver from Land Development Code (LDC) Section 10.2.10 to reduce the 10 ft. vehicular use area (VUA) landscape buffer area (LBA) along Taylorsville Road to 5 ft. (25-WAIVER-0045).

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01:41:58 On a motion by Commissioner Benitez, seconded by Commissioner Steff, 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, the waiver will not adversely affect adjacent property owners because the applicant is providing the required landscaping and screening along the northern property line, which is the area that directly affects adjacent property owners. The requested waiver is for the VUA LBA along Taylorsville Road, which will have minimal impact on adjacent properties, and

WHEREAS, the Development Review Committee finds, Community Form Goal 1, Policy 12 calls for parking and circulation areas adjacent to the street to be screened or buffered. Use landscaping, trees, walls, colonnades or other design features to fill gaps along the street and sidewalk created by surface parking lots. Encourage the placement of parking lots and garage doors behind or beside the building rather than facing the street. Community Form Goal 1, Policy 20 calls to mitigate adverse visual intrusions when there are impacts to residential areas, roadway corridors, and public spaces. The request for a reduced VUA LBA width is limited in scope, as the applicant will be providing 5 ft. of the required 10 ft. for about 2/3 of the southern property line, and the remaining 1/3 will provide the entirety of the 10 ft. buffer width. Also, the required VUA LBA will be provided on the rest of the perimeter of the property, 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 they are required to provide a sidewalk along Taylorsville Road, which encroaches into the VUA LBA, 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 and would create an unnecessary hardship on the applicant because sidewalks are required along Taylorsville Road, which encroaches into the VUA LBA, now, therefore be it;

RESOLVED, that the Louisville Metro Development Review Committee does hereby **APPROVE** the requested Waiver from Land Development Code (LDC) Section 10.2.10 to reduce the 10 ft. vehicular use area (VUA) landscape buffer area (LBA) along Taylorsville Road to 5 ft. (25-WAIVER-0045).

The vote was as follows:

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YES: Commissioners Benitez, Steff, Lannert, Fischer

ABSENT: Commissioner Kern

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ADJOURNMENT

The meeting adjourned at approximately 2:44 p.m.

Chair

Planning Director