

**MEETING OF THE CITY COUNCIL
OF THE CITY OF SHIVELY HELD IN THE
NEWMAN MEMORIAL BUILDING
3920 DIXIE HIGHWAY, SHIVELY, KENTUCKY
MONDAY, MAY 18, 2026, 6:45PM**

Finn Cato, City Attorney, announced Mayor Maria Johnson would not be attending the council meeting.

Mr. Gibson made a motion for Ms. Wakaba to conduct the meeting in the absence of the mayor. Council member Mr. Vincent seconded the motion. All ayes.

Danielle Wakaba called the meeting to order and lead the Pledge of Allegiance.

ROLL CALL:

Present:

Absent:

Council Member Ms. Burton-McBroom
Council Member Ms. Gibson
Council Member Mr. Gibson
Council Member Ms. Thompson
Council Member Mr. Vincent
Council Member Ms. Wakaba

APPROVAL OF MINUTES:

Motion was made by Ms. Burton-McBroom to approve the minutes. Second by Ms. Gibson.

ROLL CALL:

Ms. Burton-McBroom - yes
Ms. Thompson – yes

Mr. Gibson – yes
Mr. Vincent – yes

Ms. Gibson - yes
Ms. Wakaba – yes

COUNCIL REPORTS:

Ms. Burton-McBroom, Shakespere in the Park, Wednesday, May 20th, 6:30pm, if there is rain it will be performed inside the building.

Mr. Gibson, no report.

Ms. Gibson, no report.

Ms. Thompson, S.E.O.Y. meeting will be at Ralph Avenue Baptist Church, Saturday, 10 am.

Mr. Vincent, no report.

Ms. Wakaba, no report.

OLD BUSINESS: None

NEW BUSINESS:

MUNICIPAL ORDER NO. 5 - A MUNICIPAL ORDER APPROVING REQUEST BY PAPE-DAWSON ENGINEERING FOR WAIVERS PROPOSED AND SUBMITTED IN 2708 DIXIE HIGHWAY CONVENIENCE STORE PROJECT FOR PROPERTY LOCATED AT 2708 DIXIE HIGHWAY IN THE CITY OF SHIVELY

Introduced by Mr. Vincent. Motion by Ms. Burton-McBroom. Second, by Mr. Vincent.

Jason Hall, VP of Land Development at Pape-Dawson, presented a development packet for a C1-zoned traditional marketplace district. Five BOZA-approved waivers were granted: three addressing parking (allowing front parking, retaining the gas canopy along Dixie Hwy, and permitting front traffic circulation) and two others — a buffer reduction from 15 to 5 feet on the west side (mitigated by an 8-foot screen fence to shield adjacent residential properties from noise and light), and an architectural waiver for a solid rear wall. The packet includes street views from Dixie Hwy, aerial views, and a color site plan. MSD and the State Transportation Cabinet have both signed off with their approval.

Ms. Thompson questioned who the actual owner was, noting the applicant was not present tonight for the presentation. Mr. Hall identified the owner as B&S Estate LLC and clarified he works for Hayes Contracting, the builder. Council members expressed frustration that the owner was not present and felt the owner should be there to answer directly.

Ms. Burton-McBroom's questions were about the residential property behind the Clark Station, confirming the owner does own it and intends to demolish it.

Several members questioned the notification process, what was sent, to whom, the radius (confirmed as adjoining/abutting property owners plus those across Dixie Hwy), and the timeframe (14 days) before the public meeting. Ms. Thompson asked to see the actual notice; Mr. Hall did not have it but indicated it would be in the Louisville Metro case file.

Questions were asked about the type of fence (wood screen fence), its noise-blocking ability, and the distance from the building to the fence (confirmed at 5 feet). Mr. Vincent noted the narrow strip could be a good place for someone to hide causing security concern.

Mr. Hall was asked what the store would sell, specifically whether it would sell beer/alcohol. Mr. Hall was uncertain. One member noted gas stations cannot be liquor stores, though beer sales remain possible with approval.

Ms. Gibson expressed concern that Shively keeps attracting the same type of businesses, convenience stores, liquor stores, auto shops, and asked how this would be different. Mr. Hall acknowledged the retail space tenant is unknown; a comparable Hayes project, at Hurstbourne Lane and Fegenbush Lane, had struggled to fill its extra space. A convenience store is an allowable use for the property.

Mr. Vincent asked if anyone saw the presentation before tonight, raising concern about adequate review time.

Ms. Wakaba asked whether the approved waivers would be carried over to a future owner or different use. Mr. Hall indicated the waivers are tied to this specific development plan and a different use would require new applications.

Ms. Burton-McBroom cited past experiences where trusted approvals from BOZA led to unforeseen community impacts and emphasized the need for greater diligence on zoning and waiver decisions.

Ms. Thompson stressed that residents often don't read or respond to notices, and silence should not be mistaken for approval. Like the shipping containers development where residents didn't realize what was coming until it was too late to act. We, the council, must look closer at waivers, because the decisions made today will impact on the community for the next generations.

Ms. Wakaba made a Motion to pass for a definite period until the next meeting, June 1st, requesting the owner to be present to answer questions. Second, by Ms. Burton-McBroom. All ayes.

Inclusionary Zoning Presentation presented by Joel Dock, Louisville Metro Office of Planning

What It Is: Local rules requiring market rate developers to include affordable housing units, tailored to the community's specific needs. Not public/subsidized housing.

Key Policy Elements: Mandatory vs. voluntary programs; unit threshold that triggers the requirement; percentage set-aside; affordability limits tied to Area Median Income (AMI), set by HUD.

Legal Status in Kentucky: No mandatory inclusionary zoning exists or has been litigated in the state. Rent control is prohibited, which limits mandatory approaches.

Why this could benefit Shively, of 3,800 families, 690 live just above the poverty line and spend over half their income on housing. Median rent has nearly doubled in 10 years while incomes grew only 40%. One-bedrooms average \$800+; three-bedrooms \$1,500+.

National Examples Highlighted: Pittsburgh (mandatory, 10% set-aside), Denver (mandatory with fee opt-out), Minneapolis (mandatory, 8% set-aside), Iowa City (incentive/density bonuses), Asheville (tax incentives), Detroit (mandatory if receiving city subsidy).

The next steps are:

- Community open house at Shively Library in June
- Draft regulations written from feedback
- Second open house to review draft
- Planning Commission public hearing in August
- Recommendation delivered to Shively by September 12

Ms. Burton-McBroom, this seems like it applies to new development. Confirmed, existing properties are not affected. However, converting an existing building (e.g., office to multifamily) or requesting a zoning change could trigger the requirement.

Mr. Vincent felt the national tour was irrelevant and wanted to know what is happening locally. Joel Dock acknowledged no mandatory inclusionary zoning exists in Kentucky, and that existing Metro Louisville voluntary incentives are primarily geared toward large subdivisions in east/south Louisville, not applicable to Shively's situation.

Ms. Burton-McBroom expressed a personal preference for single-family homeownership over apartments and doubted the policy's feasibility given Shively is largely landlocked and built out. Joel Dock expressed it as forward-thinking policy for future redevelopment opportunities that can't yet be foreseen.

Some redevelopment opportunities that have been in the area was brought up by Mr. Vincent, was the closing Catholic schools, St. Denis & St. Basil converted to senior living. Ms. Wakaba referenced JCPS, is shutting down schools. This could affect future redevelopment sites that could trigger the policy.

Joel Dock confirmed no other Jefferson County community has pursued this subject. Shively would be first.

Finn Cato asked what went wrong in Nashville. Joel Dock explained that Tennessee courts ruled mandatory affordable housing equivalent to rent control, which state law prohibits, forcing Nashville to a voluntary-only approach. Kentucky has the same rent control ban.

The planning office will coordinate public comment dates with the council and welcome their involvement in community meetings. He mentioned the planning commission public hearings are set, it is just picking which one works for the residents of Shively, on Thursdays at 1 PM, they can be attended in person or attended virtually.

BILLS OVER \$500

Municipal Order No. 6 – Hiring one lateral police officer, Mark Richardson.
Introduced by Ms. Wakaba. Motion by Mr. Gibson. Seconded by Mr. Vincent.

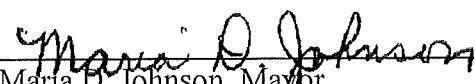
ROLL CALL:

Ms. Burton-McBroom - yes	Mr. Gibson – yes	Ms. Gibson - yes
Ms. Thompson – yes	Mr. Vincent – yes	Ms. Wakaba – yes

ADJOURN:

There being no further business to come before the council, motion by Mr. Gibson, second by Ms. Thompson to adjourn the meeting.

All in favor signify by saying aye. Those opposed, no. Ayes have it, so ordered. Motion carried. Meeting adjourned at 8:09 p.m.


Maria D. Johnson, Mayor


Attest: Mitzi R. Kasitz, Clerk