

ORDINANCE NO. _____, SERIES 2022

**AN ORDINANCE RELATING TO THE REVISED DISTRICT DEVELOPMENT PLAN FOR PROPERTIES LOCATED AT 10501 AND 10511 PRESTON HIGHWAY CONTAINING APPROXIMATELY 0.79 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22DDP0054).
(AS AMENDED)**

SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) previously approved the zoning change in connection with 10501 and 10511 Preston Highway pursuant to Ordinance No. 206, Series 2021 (the “2021 Ordinance”); and

WHEREAS, as part of the 2021 Ordinance, any change of use or any significant changes or alterations to the proposed structures to the approved development plan for 10501 and 10511 Preston Highway shall require Council review and approval; and

WHEREAS, a revised district development plan has been proposed for 10501 and 10511 Preston Highway, specifically proposing the vacant lot 2 on the approved development plan be developed as a car wash, pursuant to Case No. 22DDP0054; and

WHEREAS, the Council has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the “Planning Commission”) and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 22DDP0054; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission approving the revised district development plan in Case No. 22DDP0054 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records, with amended and additional binding elements.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: That the revised district development plan for the properties located at 10501 and 10511 Preston Highway containing approximately 0.79 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 22DDP0054, is hereby approved.

SECTION II: This Ordinance shall take effect upon its passage and approval or otherwise becoming law, with the following amended and additional binding elements:-

~~13. Any significant changes or alterations to the proposed structures (e.g. building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property, and/or any amendments to the binding elements shall be reviewed before the Planning Commission with final action to be determined by Metro Council. Car Wash Hours of Operation on Tract 2 shall be from 7:00 a.m. to 9:00 p.m.~~

14. Any significant increases to the proposed structures (e.g. increases in building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property which directly or indirectly require a public hearing before the Planning Commission or subcommittee thereof, and/or any amendments to the binding elements, other than (i) the addition of new binding elements, (ii) changes to binding elements that merely update the public hearing date, or (iii) updating a previous version of this binding element to reflect the current language, shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

Sonya Harward
Metro Council Clerk

Markus Winkler
President of the Council

Craig Greenberg
Mayor

Date

*On December 1, 2022, Metro Council passed the language contained in the Ordinance above. Subsequent to that meeting, a previous version of the Ordinance was circulated for signature in error, and on December 7, 2022, it was approved by the Mayor. The error was discovered in January of 2023 after both the President of the Council and Mayor had changed. The previous President of the Council and Mayor were notified of the error, and the new President of the Council and Mayor signed the corrected version.

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

O-317-22 22DDP0054 Approval (Tier 2 Amendments) Correction.docx (TF 1-11-23)