

ORDINANCE NO. _____, SERIES 2022

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 10410 AND 10414 OLD PRESTON HIGHWAY CONTAINING APPROXIMATELY 9.93 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0104). (AS AMENDED)

SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (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. 21ZONE0104; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 21ZONE0104 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records, with additional and amended binding elements.

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

SECTION I: That the zoning of the properties located at 10410 and 10414 Old Preston Highway containing approximately 9.93 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 21ZONE0104, is hereby changed from R-4 Residential Single Family to R-7 Multi-Family Residential; provided, however, said properties shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 21ZONE0104-, with the following additional and amended binding elements:

8. A qualified geotechnical consultant shall perform a full Karst reconnaissance and report to locate as many Karst

features as possible prior to construction. A record of this survey shall be filed with Planning and Design Services within 30 days of completion of the survey. As soon thereafter as scheduling will allow, the Karst report shall be presented to the Planning Commission as a business session item both to ensure compliance with this binding element and as a general educational tool regarding Karst surveys and features.

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11. If KYTC determines that the installation of a traffic light at the intersection of Preston Highway and Maple Spring Drive is appropriate, developer shall, upon request, make a one-time contribution of \$25,000 to that project. Any such request must be made within five (5) years after the final certificate of occupancy for the site has been issued, after which no contribution shall be required.

12. 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.

SECTION II: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

O-157-22 21ZONE0104 Approval (Tier 2 Amendments).docx (TF 6-23-22)