

ORDINANCE NO. _____, SERIES 2023

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 9710 PRESTON HIGHWAY, 9701 AND 9900 COOPER CHURCH DRIVE, AND 5115, 5121 AND 5141 COMMERCE CROSSINGS DRIVE CONTAINING APPROXIMATELY 82.08 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0125). (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. 21ZONE0125; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 21ZONE0125 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records, with the addition of 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 9710 Preston Highway, 9701 and 9900 Cooper Church Drive, and 5115, 5121 and 5141 Commerce Crossings Drive containing approximately 82.08 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 21ZONE0125, is hereby changed from R-4 Single Family Residential, OR-3 Office Residential and PEC Planned Employment Center to R-6 Residential Multi-Family, OR-3 Office Residential and PEC Planned Employment Center (of the approximately 82.08 acres, approximately 11.68 acres are not part of the zoning request and will remain R-4

Single 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. 21ZONE0125, with the following additional binding elements:-

18. No semi-truck idling on the sides of the buildings adjoining neighborhood from 10:00 pm to 7:00 am.

19. No dumpster service on the sides of the buildings adjoining neighborhood from 10:00 pm to 7:00 am.

20. No outside parking lot cleaning that requires the use of gasoline or electric powered engine on the sides of the buildings adjoining neighborhood from 10:00 pm to 7:00 am.

21. An 8' wooden fence shall be installed and maintained along the private roadway adjoining the neighborhood.

22. Applicant shall install and maintain an emergency access gate and road to/from McCrea Lane as described by the letter from the Okolona Fire Department dated November 30, 2022. The gate may be upgraded to a key pad, transponder, or other method of restriction besides pad lock with the consent of the Okolona Fire Department and Louisville Metro Police Department. The gate shall be opened only in case of emergency as approved by the Okolona Fire Department and/or Louisville Metro Police Department

23. 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.

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

Sonya Harward
Metro Council Clerk

Markus Winkler
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

O-378-22 21ZONE0125 Approval (Tier 2 Amendments).docx (TF 2-2-2023)