



# Louisville Metro Government

## Action Summary - Tentative Planning and Zoning Committee

*Chair Madonna Flood (D-24)*

*Vice Chair Scott Reed (R-16)*

*Committee Member Jecorey Arthur (D-4)*

*Committee Member Bill Hollander (D-9)*

*Committee Member Kevin Triplett (D-15)*

*Committee Member Nicole George (D-21)*

*Committee Member Robin Engel (R-22)*

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Tuesday, June 14, 2022

1:00 PM

Council Chambers/Virtual

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**THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE**

### Call to Order

Vice Chair Reed called the meeting to order at 1:09 p.m.

### Roll Call

Vice Chair Reed introduced the committee members and non-committee members present. A quorum was established.

**\*NOTE: All committee members and non-committee members present attended in Chambers, except Vice Chair Reed, Council Member Fox, Council Member Winkler, and Council Member Holton-Stewart, who attended virtually.**

**Present:** 5 - Committee Member Bill Hollander (D-9), Committee Member Kevin Triplett (D-15), Vice Chair Scott Reed (R-16), Committee Member Nicole George (D-21), and Committee Member Robin Engel (R-22)

**Excused:** 2 - Committee Member Jecorey Arthur (D-4), and Chair Madonna Flood (D-24)

### Non-Committee Member(s)

Council Member Council Member Mark Fox (D-13), Council Member Markus Winkler (D-17), and Council Member Amy Holton Stewart (D-25)

### Support Staff

Travis Fiechter, Jefferson County Attorney's Office

### Clerk(s)

Cheryl Woods, Assistant Clerk  
Sonya Harward, Clerk

**Pending Legislation**

1. [O-157-22](#)

**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)**

**Sponsors:** Primary Madonna Flood (D-24)

- Attachments:** [O-157-22 V.2 CAM 061422 Zoning at 10410 & 10414 Old Preston Highway.pdf](#)  
[O-157-22 V.1 042822 Zoning at 10410 & 10414 Old Preston Highway.pdf](#)  
[21-ZONE-0104.pdf](#)  
[21-ZONE-0104 PC Minutes.pdf](#)  
[21-ZONE-0104 Other Minutes.pdf](#)  
[21-ZONE-0104 Staff Reports.pdf](#)  
[21-ZONE-0104 Legal Description.pdf](#)  
[21-ZONE-0104 Statement of Compliance.pdf](#)  
[21-ZONE-0104 Applicant Booklet.pdf](#)  
[21-ZONE-0104 Applicant Studies.pdf](#)  
[21-ZONE-0104 Memo of Understanding.pdf](#)  
[21-ZONE-0104 Plan 050222.pdf](#)

**A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance be recommended for approval.**

**The following spoke to this item:**

- Committee Member Engel
- Travis Fiechter, Jefferson County Attorney's Office

**The following was discussed:**

- Question about whether the developer agreed with the Binding Elements

**A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance be amended as shown in the attached document titled "O-157-22 V.2 CAM 061422 Zoning at 10410 & 10414 Old Preston Highway.pdf".**

**The motion to amend carried by a voice vote.**

**The motion to recommend for approval carried by the following vote and the Ordinance was sent to Old Business:**

**Yes:** 5 - Hollander, Triplett, Reed, George, and Engel

**Excused:** 2 - Arthur, and Flood

**2. [O-185-22](#)****AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 3323 AND 3325 FREYS HILL ROAD CONTAINING APPROXIMATELY 15.22 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0102). (AMENDMENT BY SUBSTITUTION)**

**Sponsors:** Primary Markus Winkler (D-17)

**Attachments:** [O-185-22 V.2 CABS 061422 Zoning Change 3323 and 3325 Freys Hill Rd.pdf](#)  
[O-185-22 PROPOSED CABS 061422 Zoning Change 3323 and 3325 Freys Hill Rd.docx](#)  
[O-185-22 V.1 060922 Zoning Change 3323 and 3325 Freys Hill Rd.pdf](#)  
[21-zone-0102.pdf](#)  
[21-ZONE-0102 PC Minutes.pdf](#)  
[21-ZONE-0102 Other Minutes.pdf](#)  
[21-ZONE-0102 Staff Reports.pdf](#)  
[21-ZONE-0102 Legal Description.pdf](#)  
[21-ZONE-0102 Applicant Booklet.pdf](#)  
[21-ZONE-0102 Citizen Letters.pdf](#)  
[21-ZONE-0102 Elevations.pdf](#)  
[21-ZONE-0102 Geotechnical Report.pdf](#)  
[21-ZONE-0102 Justification Statement.pdf](#)  
[21-ZONE-0102 Plan.pdf](#)  
[May 12, 2022 PC Minutes Case No. 21-ZONE-0102.pdf](#)

A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation (see attached).

The following spoke to this item:

- Council Member Winkler
- Vice Chair Reed
- Committee Member Hollander

The following was discussed:

- A proposed amendment by substitution that would overturn the Planning Commission's decision
- Question about whether there were any flaws in the traffic study
- Concerns over the absence of a public hearing
- Question about whether the ingress and egress point off Westport Road is too narrow
- Concerns that there has not been any mini storage unit built that was zoned and approved with binding elements in the area
- Concerns that the property does not have connectivity to Westport Road

- Concerns that there is not enough space to allow two entrances at the access point

A motion was made by Council Member Winkler, seconded by Committee Member Triplett, that this Ordinance be amended by substitution as shown in the attached document titled "O-185-22 V.2 CABS 061422 Zoning Change 3323 and 3325 Freys Hill Rd.pdf".

The motion to amend by substitution carried by a voice vote.

The motion to recommend for approval carried by the following vote and the amended Ordinance was sent Old Business:

District 17 Council Member Winkler had a vote on this zoning case and voted YES.

Yes: 5 - Hollander, Triplett, Reed, George, and Engel

Excused: 2 - Arthur, and Flood

3. [O-186-22](#)

**AN ORDINANCE RELATING TO THE ZONING AND FORM DISTRICT OF, AND REVISED DETAILED DISTRICT DEVELOPMENT PLAN FOR, PROPERTIES LOCATED AT 3200 AND 3201 DUPIN DRIVE AND 5400 MINOR LANE CONTAINING APPROXIMATELY 2.63 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0162).**

**Sponsors:** Primary Madonna Flood (D-24)

- Attachments:** [O-186-22 V.1 060922 Zoning Rev Dev Plan at 3200 and 3201 Dupini and 5400 Minor Ln.pdf](#)  
[21-ZONE-0162.pdf](#)  
[21-ZONE-0162 PC Minutes.pdf](#)  
[21-ZONE-0162 Staff Reports.pdf](#)  
[21-ZONE-0162 Legal Description.pdf](#)  
[21-ZONE-0162 Applicant Booklet.pdf](#)  
[21-ZONE-0162 Letter of Explanation.pdf](#)  
[21-ZONE-0162 Traffic Study.pdf](#)  
[21-ZONE-0162 Plan.pdf](#)

A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation (see attached).

The following spoke to this item:

- Council Member Fox
- Committee Member George

The following was discussed:

- This is Phase II of the Airport Logistics Airpark development project
- Question about whether there is a warehouse located to the south of the development
- The development will create jobs

The motion carried by the following vote and the Ordinance was sent to Old Business:

District 13 Council Member Fox had a vote on this zoning case and voted YES.

Yes: 5 - Hollander, Triplett, Reed, George, and Engel

Excused: 2 - Arthur, and Flood

4. [O-187-22](#)

**AN ORDINANCE RELATING TO THE ZONING OF, AND ASSOCIATED PARKING WAIVER FOR, PROPERTY LOCATED AT 3106 CHENOWETH RUN ROAD CONTAINING APPROXIMATELY 1.88 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0135). (AS AMENDED)**

**Attachments:** [O-187-22 V.2 CAM 061422 Zoning, and Assoc Parking Waiver, at 3106 Chenoweth Run Rd.pdf](#)  
[O-187-22 V.1 060922 Zoning, and Assoc Parking Waiver, at 3106 Chenoweth Run Rd.pdf](#)  
[21-ZONE-0135.pdf](#)  
[21-ZONE-0135 PC Minutes.pdf](#)  
[21-ZONE-0135 Other Minutes.pdf](#)  
[21-ZONE-0135 Staff Reports.pdf](#)  
[21-ZONE-0135 Legal Description.pdf](#)  
[21-ZONE-0135 Applicant Justification.pdf](#)  
[21-ZONE-0135 Elevations 011022.pdf](#)  
[21-ZONE-0135 Parking Study 012022.pdf](#)  
[Chenoweth Run Building Elevations 4-12-2022.pdf](#)  
[ph 2 Presentation - Chenoweth Run Rd - One Fourteen LLC.pdf](#)  
[21-ZONE-0135 Plan.pdf](#)

A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation (see attached).

Travis Fiechter, Jefferson County Attorney's Office, read the following Binding Element into the record:

"8. 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."

The following spoke to this item:

- Committee Member Triplett
- Brian Davis

The following was discussed:

- Question about whether the reduced parking spaces will be used in another manner

A motion was made by Committee Member Engel, seconded by Committee Member Triplett, that this Ordinance be amended to add the Binding Element previously read into the record.

The motion to amend carried by a voice vote.

The motion to recommend for approval carried by the following vote and the amended Ordinance was sent to Old Business:

**Yes:** 5 - Hollander, Triplett, Reed, George, and Engel

**Excused:** 2 - Arthur, and Flood

5. [O-188-22](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 905 EAST OAK STREET CONTAINING APPROXIMATELY 0.086 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22ZONE0009).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-188-22 V.1 060922 Zoning at 905 East Oak Street.pdf](#)

[22-ZONE-0009.pdf](#)

[22-ZONE-0009 PC Minutes.pdf](#)

[22-ZONE-0009 Other Minutes.pdf](#)

[22-ZONE-0009 Staff Reports.pdf](#)

[22-ZONE-0009 Legal Description.pdf](#)

[22-ZONE-0009 Applicant Booklets.pdf](#)

[22-ZONE-0009 Plan.pdf](#)

This item was held in committee.

6. [O-192-22](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 8315 NASH STREET CONTAINING APPROXIMATELY 2.29 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0164).**

**Sponsors:** Primary Mark H. Fox (D-13)

**Attachments:** [O-192-22 V.1 060922 Zoning at 8315 Nash Rd.pdf](#)

[21-zone-0164.pdf](#)

[21-ZONE-0164 PC Minutes.pdf](#)

[21-ZONE-0164 Other Minutes.pdf](#)

[21-ZONE-0164 Staff Reports.pdf](#)

[21-ZONE-0164 Legal Description.pdf](#)

[21-ZONE-0164 Applicant Studies.pdf](#)

[21-ZONE-0164 Applicant Booklets.pdf](#)

[21-ZONE-0164 Statement of Compliance.pdf](#)

[21-zone-0164 Stamped Plan.pdf](#)

**A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance be recommended for approval.**

**Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation (see attached).**

**Council Member Fox spoke to this item and stated he was in support of the zoning change.**

**The motion carried by the following vote and the Ordinance was sent to Old Business:**

**District 13 Council Member Fox had a vote on this zoning case and voted YES.**

**Yes:** 5 - Hollander, Triplett, Reed, George, and Engel

**Excused:** 2 - Arthur, and Flood

7. [O-194-22](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 10310 AND 10312 STONESTREET ROAD CONTAINING APPROXIMATELY 3.6 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0150).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-194-22 V.1 060922 Zoning at 10310 & 10312 Stonestreet Rd.pdf](#)

[21-ZONE-0150.pdf](#)

[21-ZONE-0150 PC Minutes.pdf](#)

[21-ZONE-0150 Other Minutes.pdf](#)

[21-ZONE-0150 Staff Reports.pdf](#)

[21-ZONE-0150 Applicant Booklets.pdf](#)

[21-ZONE-0150 Justification Statement.pdf](#)

[21-ZONE-0150 Citizen Letters.pdf](#)

[21-ZONE-0150 Plan.pdf](#)

This item was held in committee.

8. [O-507-21](#)

**AN ORDINANCE AMENDING THE METRO LAND DEVELOPMENT CODE RELATING TO TRUCK PARKING REQUIREMENTS (CASE NO. 21-LDC-0010).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-507-21 PROPOSED FAM 031722 Ordinance Amending LCD Relating to Truck Parking Requirements.pdf](#)

[O-507-21 V.1 101421 Ordinance Amending LCD Relating to Truck Parking Requirements .pdf](#)

[2021-11-02\\_21\\_LDC-0010\\_HeavyTruckParking\\_PlanningCommittee.pdf](#)

[21-LDC-0010 PC Minutes.pdf](#)

[21-LDC-0010 Truck Parking Planning Commission SR 9-10-21 Attachment 2.pdf](#)

[21-LDC-0010 Truck. Parking Planning Commission SR 9-10-21.pdf](#)

This item remained held in committee.

9. [R-013-22](#)

**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE METRO LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO LEGISLATIVE BODY REVIEW OF COMMISSION ACTION ON DEVELOPMENT PLANS AND THE “TWO-YEAR RULE.”**

**Attachments:** [R-013-22 V.1 020322 Amend LDC Related To Council Review & 2 Year Rule.pdf](#)

This item was withdrawn.



10. [O-088-22](#)

**AN ORDINANCE CREATING A NEW SECTION TO LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (“LMCO”) CHAPTER 153 REGARDING THE EVIDENCE AND BASIS FOR DECISIONS OF THE LEGISLATIVE COUNCIL OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT IN ZONING CASES.**

**Sponsors:** Primary Bill Hollander (D-9)

**Attachments:** [O-088-22 V.1 030322 Creates a New LMCO Chp 153 Re Evidence and Basis for Decision of Zoning Matters.pdf](#)  
[Chapter 30 Fiscal Court.pdf](#)

This item remained held in committee.

11. [O-113-22](#)

**AN ORDINANCE CREATING A NEW SECTION TO LOUISVILLE/ JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (“LMCO”) CHAPTER 153 REGARDING THE PROCESSING OF APPLICATIONS FOR ZONING MAP AMENDMENTS IF THERE ARE DELINQUENT TAXES OR VALID LIENS HELD BY LOUISVILLE METRO GOVERNMENT THAT ARE UNPAID.**

**Sponsors:** Primary Madonna Flood (D-24) and Primary Nicole George (D-21)

**Attachments:** [O-113-22 V.1 041422 New Sec of LMCO 153 Regard Zoning App and Delinquent Taxes.pdf](#)

This item remained held in committee.

12. [O-154-22](#)

**AN ORDINANCE RELATING TO THE CLOSURE OF A PORTION OF THE RIGHT-OF-WAY OF FEGBUSH LANE ADJACENT TO 5905 FEGBUSH LANE CONTAINING APPROXIMATELY 3.87 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22STRCLOSURE0004).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-154-22 V.1 042822 22STRCLOSURE0004 Closure of a Portion 5905 Fegenbush Ln.pdf](#)  
[O-154-22 ATTACH Plat.pdf](#)  
[22-STRCLOSURE-0004.pdf](#)  
[PC Minutes.pdf](#)  
[Other Minutes.pdf](#)  
[Staff Reports.pdf](#)  
[Legal Description.pdf](#)  
[Justification Statement.pdf](#)  
[Applicant Booklet.pdf](#)

A motion was made by Committee Member Triplett, seconded by Committee

Member Engel, that this Ordinance be recommended for approval.

The following spoke to this item:

- Committee Member Hollander
- Travis Fiechter, Jefferson County Attorney's Office
- Committee Member George

The following was discussed:

- Question about whether this is a large right-of-way
- Question about how this development would benefit the community as a right-of-way
- Question about whether this development would produce tax benefits once it is built

A motion was made by Committee Member Hollander, seconded by Committee Member Triplett, that this Ordinance be tabled.

The motion to table carried by a voice vote.

13. [O-175-22](#)

**AN ORDINANCE RELATING TO THE REVISED DISTRICT DEVELOPMENT PLAN AND ALTERNATE PLAN FOR ACCESS FOR PROPERTY LOCATED AT 8016 SHEPHERDSVILLE ROAD CONTAINING APPROXIMATELY 18.09 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22DDP0001).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-175-22 V.1 051922 Alternate Plan for Access-Rev Dist Dev Plan for 8016 Shepherdsville Rd.pdf](#)  
[22-DDP-0001.pdf](#)  
[22-DDP-0001 PC Minutes.pdf](#)  
[22-DDP-0001 BOZA Minutes.pdf](#)  
[22-DDP-0001 Staff Reports.pdf](#)  
[22-DDP-0001 Legal Description.pdf](#)  
[22-DDP-0001 Booklet.pdf](#)  
[22-DDP-0001 Justification Statement.pdf](#)  
[22-DDP-0001 Plan.pdf](#)

This item remained held in committee.

14. [O-189-22](#)

**AN ORDINANCE RELATING TO THE REVISED DISTRICT DEVELOPMENT PLAN FOR PROPERTY LOCATED AT 11905 DIXIE HIGHWAY CONTAINING APPROXIMATELY 2.19 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22DDP0009).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-189-22 V.1 060922 Revised District Dev Plan for 11905 Dixie Highway.pdf](#)  
[22-DDP-0009.pdf](#)  
[22-DDP-0009 PC Minutes.pdf](#)  
[22-DDP-0009 Staff Report.pdf](#)  
[22-DDP-0009 Letter of Explanation.pdf](#)  
[22-DDP-0009 Applicant Exhibits.pdf](#)  
[22-DDP-0009 Plan.pdf](#)

A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance to be recommended for approval.

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation (see attached).

Council Member Fowler stated that in 2018, the plan was approved without the approval of Metro Council, and that she would be voting yes.

The motion carried by the following vote and the Ordinance was sent to Old Business:

**Yes:** 5 - Hollander, Triplett, Reed, George, and Engel

**Excused:** 2 - Arthur, and Flood

## 15. [R-083-22](#)

### **A RESOLUTION RECOGNIZING THE ORIGINAL HIGHLANDS NEIGHBORHOOD ASSOCIATION AND THE OFFICIAL NEIGHBORHOOD MAP OF THE ORIGINAL HIGHLANDS NEIGHBORHOOD.**

**Sponsors:** Primary Cassie Chambers Armstrong (D-8)

**Attachments:** [R-083-22 V.1 060922 Recognize Original Highlands Neighborhood Assoc and Official Neighborhood Map.pdf](#)  
[R-083-22 ATTACH Exhibit A - Map.pdf](#)

A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance be recommended for approval.

A motion was made by Committee Member Triplett, seconded by Committee Member Engel, that this Ordinance be tabled.

The motion to table carried by a voice vote.

## Adjournment

Without objection, Vice Chair Reed adjourned the meeting at 2:03 p.m.

Note: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council meeting on June 23, 2022.