



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Final Planning, Zoning and Annexation Committee

Chair Person Madonna Flood (D-24)
Vice Chair Glen Stuckel (R-17)
Committee Member Bill Hollander (D-9)
Committee Member Pat Mulvihill (D-10)
Committee Member Scott Reed (R-16)
Committee Member Vitalis Lanshima (D-21)
Committee Member Robin Engel (R-22)

Tuesday, January 30, 2018

1:30 PM

Council Chambers

Call to Order

Chair Person Flood called the meeting to order at 1:32 p.m.

Roll Call

Chair Person Flood introduced the committee members and non-committee members present. A quorum was established.

Committee Member Engel arrived at 1:39 p.m. and Committee Member Lanshima arrived at 1:40 p.m.

Present: 7 - Chair Person Madonna Flood (D-24), Vice Chair Glen Stuckel (R-17), Committee Member Bill Hollander (D-9), Committee Member Pat Mulvihill (D-10), Committee Member Scott Reed (R-16), Committee Member Vitalis Lanshima (D-21), and Committee Member Robin Engel (R-22)

Non-Committee Member(s)

Council Member Barbara Sexton Smith (D-4)

Support Staff

Paul Whitty, Jefferson County Attorney's Office
John Carroll, Jefferson County Attorney's Office

Clerk(s)

David B. Wagner, Assistant Clerk

Pending Legislation

1. [O-450-17](#)

AN ORDINANCE CLOSING A PORTION OF AVOCA ROAD BEGINNING 975 FEET WEST FROM THE INTERSECTION OF AVOCA ROAD AT N. ENGLISH STATION ROAD TO THE AVOCA ROAD TERMINUS AT THE RAILROAD AND BEING IN LOUISVILLE METRO (CASE NO. 17STREETS1014).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [17streets1014.pdf](#)

[O-450-17 V.1 121417 Closure of Avoca Rd from N English Station Rd west to RR 17STREETS1014.pdf](#)

[O-450-17 V.1 121417 ATTACH Street Closure Plat.pdf](#)

[17STREETS1014 Other Minutes.pdf](#)

[17STREETS1014 PC Minutes.pdf](#)

[17STREETS1014 Staff Reports.pdf](#)

[17STREETS1014 Updated Legal Description.pdf](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Mulvihill, that this Ordinance be recommended for approval.

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation.

The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:

Yes: 5 - Flood, Stuckel, Hollander, Mulvihill, and Reed

Absent: 2 - Lanshima, and Engel

2. [O-457-17](#)

AN ORDINANCE CLOSING RAMA ROAD WEST OF VENKATA WAY AND BEING IN LOUISVILLE METRO (CASE NO. 17STREETS1025).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [17streets1025.pdf](#)

[O-457-17 V.1 011118 Stree Closure of Rama Rd west of Venkata Way 17STREETS1025.pdf](#)

[O-457-17 V.1 011118 ATTACH Street Closure Plat.pdf](#)

[17STREETS1025 Legal Description.pdf](#)

[17STREETS1025 Minutes.pdf](#)

[17STREETS1025 Staff Report.pdf](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Reed, that this Ordinance be recommended for approval.

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation.

The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:

Yes: 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

Absent: 1 - Lanshima

3. [O-449-17](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-5 RESIDENTIAL SINGLE FAMILY ON PROPERTY LOCATED AT 16401 SHELBYVILLE ROAD CONTAINING 30.776 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1032).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [17zone1032.pdf](#)

[O-449-17 V.1 121417 Rezoning from R4 to R5 at 16401 Shelbyville Rd](#)

[17ZONE1032.pdf](#)

[17ZONE1032 Applicant Booklet.pdf](#)

[17ZONE1032 Applicant's Justification.pdf](#)

[17ZONE1032 Approved Plan.pdf](#)

[17ZONE1032 Other Minutes.pdf](#)

[17ZONE1032 PC Minutes.pdf](#)

[17ZONE1032 Public Materials.pdf](#)

[17ZONE1032 Staff Reports.pdf](#)

[17ZONE1032 Legal Description.pdf](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Hollander, that this Ordinance be recommended for approval.

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation.

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

Yes: 7 - Flood, Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

4. [O-460-17](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PRD PLANNED RESIDENTIAL DISTRICT ON PROPERTY LOCATED AT 9213 FAIRGROUND ROAD CONTAINING 5.94 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1037).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-460-17 V.1 011118 Rezoning from R4 to PRD at 9213 Fairground Rd 16ZONE1037.pdf](#)
[16ZONE1037 - 2017.11.29 PC Minutes.pdf](#)
[16ZONE1037 - 2017.11.29 PC Staff Report.pdf](#)
[16ZONE1037 - Justification Statement.pdf](#)
[16ZONE1037 - Legal Description.pdf](#)
[16ZONE1037 - Plan.pdf](#)
[16ZONE1037 - Pre-App Staff Report.pdf](#)
[16ZONE1037 - Public Materials.pdf](#)
[16ZONE1037 - 2017.09.14 LD&T Minutes.pdf](#)
[16ZONE1037 - 2017.09.14 LD&T Staff Report.pdf](#)
[16ZONE1037 - 2017.10.12 LD&T Minutes.pdf](#)
[16ZONE1037 - 2017.10.12 LD&T Staff Report.pdf](#)
[16ZONE1037 - 2017.11.02 PC Minutes.pdf](#)

This item was held in committee.

5. [O-458-17](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 4900 S. HURSTBOURNE PARKWAY CONTAINING 7.6758 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1089).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [16zone1089.pdf](#)

[O-458-17 V.1 011118 Rezoning from R4 to C2 at 4900 S Hurstbourne](#)

[Pkwty 16ZONE1089.pdf](#)

[16ZONE1089 Applicant Justification.pdf](#)

[16ZONE1089 Applicant Study.pdf](#)

[16ZONE1089 Approved Plan.pdf](#)

[16ZONE1089 Booklet.pdf](#)

[16ZONE1089 Legal Description.pdf](#)

[16ZONE1089 Other Minutes.pdf](#)

[16ZONE1089 PC Minutes.pdf](#)

[16ZONE1089 Staff Reports.pdf](#)

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

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation. Committee Member Engel also spoke to the item.

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

Yes: 7 - Flood, Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

6. [O-459-17](#)

AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI-FAMILY TO CM COMMERCIAL MANUFACTURING ON PROPERTY LOCATED AT 1014 AND 1016 FRANKLIN STREET CONTAINING 8,276 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1037).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [17zone1037.pdf](#)

[O-459-17 V.1 011118 Rezoning from R6 to CM at 1014-1016 Franklin](#)

[St 17ZONE1037.pdf](#)

[17ZONE1037 Applicant Booklet.pdf](#)

[17ZONE1037 Applicant Justification.pdf](#)

[17ZONE1037 Legal Description.pdf](#)

[17ZONE1037 Other Minutes.pdf](#)

[17ZONE1037 PC Minutes.pdf](#)

[17ZONE1037 Staff Reports.pdf](#)

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

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation. Council Member Sexton Smith also spoke to the item.

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

District 4 Council Member Sexton Smith had a vote on this zoning case and voted YES.

Yes: 7 - Flood, Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

7. [O-007-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-5A RESIDENTIAL MULTI-FAMILY TO OR-1 OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 1701 PAYNE STREET CONTAINING 0.62 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1052). (AS AMENDED)

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-007-18 V.2 CAM 013018 Rezoning from R5A to OR1 at 1701 Payne St 17ZONE1052.pdf](#)
[17zone1052.pdf](#)
[O-007-18 V.1 011118 Rezoning from R5A to OR1 at 1701 Payne St 17ZONE1052.pdf](#)
[17ZONE1052 Applicant Booklets.pdf](#)
[17ZONE1052 Applicant Finding of Facts.pdf](#)
[17ZONE1052 Applicant Justification.pdf](#)
[17ZONE1052 Other Minutes.pdf](#)
[17ZONE1052 PC Minutes.pdf](#)
[17ZONE1052 Plan.pdf](#)
[17ZONE1052 Public Materials.pdf](#)
[17ZONE1052 Staff Reports.pdf](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Hollander, that this Ordinance be recommended for approval.

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation. Committee Member Hollander also spoke to the item.

A motion was made by Committee Member Hollander, seconded by Committee Member Mulvihill, that this Ordinance be amended by adding the following Binding Element #8: Any change of use of the premises shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any change not so referred shall not be valid. 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: 7 - Flood, Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

8. [O-015-18](#)

AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 1764 FRANKFORT AVENUE CONTAINING 0.19 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1051). (AS AMENDED)

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-015-18 V.2 CAM 012518 Rezoning from C1 to C2 at 1764 Frankfort Ave 17ZONE1051.pdf](#)
[17zone1051.pdf](#)
[O-015-18 V.1 012518 Rezoning from C1 to C2 at 1764 Frankfort Ave 17ZONE1051.pdf](#)
[17ZONE1051 - Legal Description.pdf](#)
[17ZONE1051 - Plan.pdf](#)
[17ZONE1051 - Pre-App Staff Report.pdf](#)
[17ZONE1051 - Public Materials.pdf](#)
[17ZONE1051 - 2017.12.14 LD&T Minutes.pdf](#)
[17ZONE1051 - 2017.12.14 LD&T Staff Report.pdf](#)
[17ZONE1051 - 2018.01.04 PC Minutes.pdf](#)
[17ZONE1051 - 2018.01.04 PC Staff Report.pdf](#)
[17ZONE1051 - Justification Statement.pdf](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Hollander, that this Ordinance be recommended for approval.

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation.

A motion was made by Committee Member Hollander, seconded by Committee Member Engel, that this Ordinance be amended by adding the following Binding Element #5: Any change of use of the premises shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any change not so referred shall not be valid. The motion to amend carried by a voice vote.

Committee Member Hollander spoke to the item.

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

Yes: 7 - Flood, Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

9. [O-387-17](#)

AN ORDINANCE REPEALING SECTION 150.110 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("LMCO") AND ENACTING A NEW SECTION 150.110 RELATING TO WRECKING OR DEMOLITION OF HISTORIC BUILDINGS OR STRUCTURES.

Sponsors: Primary S. Brandon Coan (D-8)

Attachments: [O-387-17 PROPOSED CABS -TRACKED CHANGES- 120517 Replacing LMCO 150.110 Relating to Demo of Historic Structures.pdf](#)
[O-387-17 PROPOSED CABS -CLEAN- 120517 Replacing LMCO 150.110 Relating to Demo of Historic Structures.pdf](#)
[O-387-17 V.1 110917 Replacing LMCO 150.110 Relating to Demo of Historic Structures.pdf](#)

This item was held in committee.

10. [O-375-17](#)

AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES ("LMCO") SECTION 164.30 ET SEQ., THE SYSTEM DEVELOPMENT CHARGE, TO REQUIRE INCREASED CONTRIBUTIONS AND ELIMINATE THE SUNSET PROVISION.

Sponsors: Primary Julie Denton (R-19)

Attachments: [O-375-17 V.1 102617 System Development Charge Increase.pdf](#)

This item was held in committee.

11. [R-168-17](#)

A RESOLUTION REQUESTING THE PLANNING COMMISSION TO REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO THE PRESERVATION OF TREES AND TO INCREASE THE PERIMETER TREE PRESERVATION REQUIREMENTS.

Sponsors: Primary Julie Denton (R-19)

Attachments: [R-168-17 V.1 102617 Request PC to Review LDC Tree Preservation Requirements Increase.pdf](#)

This item was held in committee.

12. [O-417-17](#)

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON REZONING, CONDITIONAL USE PERMIT, MAJOR SUBDIVISION, AND PLAN CERTAIN, CATEGORY 2B AND 3 DEVELOPMENT PLAN APPLICATIONS FOR RESIDENTIAL DEVELOPMENT IN THE SYSTEM DEVELOPMENT CHARGE AREA.

Attachments: [O-417-17 V.1 113017 Temporary Moratorium on Rezoning and Development Plan Applications in System Development Charge Area.pdf](#)
[O-417-17 V.1 113017 EXHIBIT A - Map of System Development Charge Areas.pdf](#)
[O-417-17 REFERENCE System Development Charges for Roadways Report.pdf](#)

Chair Person Flood stated Council Member Julie Denton has withdrawn her sponsorship and the Ordinance died in committee due to the lack of a sponsor.

13. [R-189-17](#)

A RESOLUTION REQUESTING THE LOUISVILLE/JEFFERSON COUNTY PLANNING COMMISSION TO ADOPT A REGULATION PROVIDING FOR APPEALS TO THE METRO COUNCIL IN SUBDIVISION CASES.

Sponsors: Primary Julie Denton (R-19)

Attachments: [R-189-17 V.1 113017 PC Regulation for Appeals to MC Subdivision Cases.pdf](#)

This item was held in committee.

14. [O-012-18](#)

AN ORDINANCE AMENDING LOUISVILLE/JEFFERSON COUNTY CODE OF ORDINANCES (“LMCO”) SECTION 32.283 REGARDING THE POSTING AND MAILING OF CODE ENFORCEMENT NOTICES.

Sponsors: Primary Pat Mulvihill (D-10)

Attachments: [O-012-18 V.1 011118 Posting and Mailing Code Enforcement Notices.pdf](#)

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

Robert Kirchdorfer, Codes and Regulations, and Committee Member Mulvihill spoke to the item.

The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:

Yes: 7 - Flood, Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

Adjournment

Without objection, Chair Person Flood adjourned the meeting at 2:15 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 February 8, 2018.