



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Final Planning and Zoning Committee

Chair Person Madonna Flood (D-24)
Vice Chair Scott Reed (R-16)
Committee Member Keisha Dorsey (D-3)
Committee Member Kevin Triplett (D-15)
Committee Member Markus Winkler (D-17)
Committee Member Nicole George (D-21)
Committee Member Robin Engel (R-22)

Tuesday, May 5, 2020

1:00 PM

Council Chambers

Call to Order

Chair Person Flood called the meeting to order at 1:01 p.m.

Roll Call

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

***NOTE: All committee members and non-committee members present attended virtually.**

Present: 7 - Chair Person Madonna Flood (D-24), Vice Chair Scott Reed (R-16), Committee Member Keisha Dorsey (D-3), Committee Member Kevin Triplett (D-15), Committee Member Markus Winkler (D-17), Committee Member Nicole George (D-21), and Committee Member Robin Engel (R-22)

Non-Committee Member(s)

Council Member Barbara Sexton Smith (D-4), Council Member Paula McCraney (D-7), Council Member Brandon Coan (D-8), Council Member Stuart Benson (R-20), and Council Member James Peden (R-23)

Support Staff

Travis Fiechter, Jefferson County Attorney's Office
Laura Ferguson, Jefferson County Attorney's Office

Clerk(s)

David B. Wagner, Assistant Clerk
Lisa Franklin Gray, Assistant Clerk

Pending Legislation

1. [O-162-20](#)

AN ORDINANCE RELATING TO THE CLOSURE OF THE PORTION OF OLD LAGRANGE ROAD BETWEEN COLLINS LANE AND CHAMBERLAIN LANE AND BEING IN LOUISVILLE METRO (CASE NO. 19-STRCLOSURE-0012).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-STRCLOSURE-0012.pdf](#)

[O-162-20 V.1 042320 Closure of Old LaGrange Rd between Collins Ln & Chamberlain LN 19STRCLOSURE0012.pdf](#)

[O-162-20 V.1 042320 ATTACH Street Closure Plat of Old LaGrange Rd 19STRCLOSURE0012.pdf](#)

[19-STRCLOSURE-0012 PC and LDT Minutes.pdf](#)

[19-STRCLOSURE-0012 Staff Rpt.pdf](#)

[19-STRCLOSURE-0012 Legal Desc.pdf](#)

[19-STRCLOSURE-0012 Plat.pdf](#)

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

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

The following spoke to this item:

- Committee Member Winkler

The following was discussed:

- The closure being right-of-way only and not the actual street

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

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

2. [O-085-20](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 1231 AND 1241 DURRETT LANE CONTAINING APPROXIMATELY 25.57 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0080)**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-085-20 PROPOSED CAM 050520 Rezoning from C1 & C2 to PEC at 1231-1241 Durrett Ln 19ZONE0080.pdf](#)
[19-ZONE-0080.pdf](#)
[O-085-20 V.1 030520 Rezoning from C1 & C2 to PEC at 1231-1241 Durrett Ln 19ZONE0080.pdf](#)
[19-ZONE-0080 PC Minutes.pdf](#)
[19-ZONE-0080 Other Minutes.pdf](#)
[19-ZONE-0080 Staff Reports.pdf](#)
[19-ZONE-0080 Legal Description.pdf](#)
[19-ZONE-0080 Applicant Booklet.pdf](#)
[19-ZONE-0080 Justification Statement.pdf](#)
[19-ZONE-0080 Approved Plan.pdf](#)

This item remained tabled in committee.

3. [O-120-20](#)

AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI-FAMILY TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 939 E. WASHINGTON STREET CONTAINING 0.18 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0071).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0071.pdf](#)

[O-120-20 V.1 031920 Rezoning from R6 to C1 at 939 E Washington St 19ZONE0071.pdf](#)

[19-ZONE-0071_PC min_02.20.20.pdf](#)

[19-ZONE-0071_LDT min_01.30.20.pdf](#)

[19-ZONE-0071_staff rpts.pdf](#)

[19-ZONE-0071_appl justification stmt.pdf](#)

[19-ZONE-0071_ApplicantsBooklet.pdf](#)

[19-ZONE-0071_citizen letter.pdf](#)

[19-ZONE-0071_legal desc.pdf](#)

[19-ZONE-0071_Plan_02.20.20.pdf](#)

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

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

The following spoke to this item:

- Council Member Sexton Smith

The following was discussed:

- Citizen comments**
- Surrounding businesses**
- Seeking support**

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, Reed, Dorsey, Triplett, Winkler, George, and Engel

4. [O-121-20](#)**AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-5A RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 5101 BARDSTOWN ROAD CONTAINING 5.664 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0079) -(AS AMENDED)**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-121-20 V.2 CAM 050520 Rezoning from R4 to R5A at 5101 Bardstown Rd 19ZONE0079.pdf](#)
[19-ZONE-0079.pdf](#)

[O-121-20 V.1 031920 Rezoning from R4 to R5A at 5101 Bardstown Rd 19ZONE0079.pdf](#)
[19-ZONE-0079_PC Min_02.20.20.pdf](#)

[19-ZONE-0079_LDT min_01.16.20.pdf](#)

[19-ZONE-0079_staff rpts.pdf](#)

[19-ZONE-0079_Appl justification stmt.pdf](#)

[19-ZONE-0079_citizen letter.pdf](#)

[19-ZONE-0079_karst survey.pdf](#)

[19-ZONE-0079_legal desc.pdf](#)

[19-ZONE-0079_Plan_02.20.20.pdf](#)

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

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

The following spoke to this item:

- Committee Member Engel
- Chair Person Flood
- Travis Fiechter, Jefferson County Attorney's Office
- Council Member Peden
- David B. Wagner, Metro Council Clerk's Office
- Committee Member George
- Brian Davis, Planning and Design Services

The following was discussed:

- Ingress and egress to the site
- Limiting use to senior center
- additional binding elements
- concerns about ensuring the development will be senior living instead of standard apartments
- procedures for changing land uses and binding elements
- limitations on Metro Council authority in regards to binding elements and changes in use
- the Conditional Use Permit regarding day care
- ensuring day care is limited to senior day care

A motion was made by Chair Person Flood, seconded by Committee Member Engel, that this Ordinance be amended by adding the following binding elements:

- 9. Any change of use will require a Planning Commission public hearing with final approval by the Metro Council.
- 10. Any change in the binding elements require Metro Council approval.

The motion to amend carried by a voice vote.

A motion was made by Committee Member Engel, seconded by Chair Person Flood, that this amended Ordinance be amended by inserting 'senior living and daycare' to the restrictions in Binding Element #8. 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, Reed, Dorsey, Triplett, Winkler, George, and Engel

5. [O-122-20](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 9108 BEULAH CHURCH ROAD CONTAINING 2.298 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0078).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0078.pdf](#)

[O-122-20 V.1 031920 Rezoning from R4 to R6 at 9108 Beulah Church Rd 19ZONE0078.pdf](#)

[19-ZONE-0078_PC min_02.20.20.pdf](#)

[19-ZONE-0078_LDT min_01.30.20.pdf](#)

[19-ZONE-0078_staff rpts.pdf](#)

[19-ZONE-0078_Applicant justification stmt.pdf](#)

[19-ZONE-0078_Applicants booklet_02.20.20.pdf](#)

[19-ZONE-0078_karst survey.pdf](#)

[19-ZONE-0078_legal desc.pdf](#)

[19-ZONE-0078_Plan_02.20.20.pdf](#)

A motion was made by Committee Member Winkler, seconded by Committee Member Engel, that this Ordinance be untabled. The motion carried without objection.

The following spoke to this item:

- Brian Davis, Planning and Design Services
- Committee Member Engel
- Travis Fiechter, Jefferson County Attorney's Office

The following was discussed:

- Status of the adjacent property
- Sidewalk connectivity
- Post Office's use of the adjoining property
- Seeking support for approval

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

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

6. [O-163-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 6517 DIXIE HIGHWAY CONTAINING APPROXIMATELY 0.886 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0088).

Sponsors:Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0088.pdf](#)

[O-163-20 V.1 042320 Rezoning at 6517 Dixie Hwy 19ZONE0088.pdf](#)

[19-ZONE-0088 PC Minutes.pdf](#)

[19-ZONE-0088 LDT Minutes.pdf](#)

[19-ZONE-0088 Staff Rpts.pdf](#)

[19-ZONE-0088 Legal Desc.pdf](#)

[19-ZONE-0088 Appl Justification.pdf](#)

[19-ZONE-0088 Plan 030520.pdf](#)

This item was held in committee.

7. [O-164-20](#)

AN ORDINANCE RELATING TO THE ALTERNATIVE PLAN FOR CONNECTIVITY FOR, AND THE ZONING OF, PROPERTIES LOCATED AT 7000 RIDGE CREEK ROAD, 6601 SUNNY HILL ROAD, AND 7191 SOUTH HURSTBOURNE PARKWAY CONTAINING APPROXIMATELY 16.55 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE1029).

Sponsors:Primary Madonna Flood (D-24)

Attachments: [19ZONE1029.pdf](#)

[O-164-20 V.1 042320 Rezoning at 7000 Ridge Creek Rd, 6601 Sunny Hill Rd & 7191 S Hurstbourne Pkwy 19ZONE1029.pdf](#)

[19-ZONE-1029 PC Minutes.pdf](#)

[19-ZONE-1029 Other Minutes.pdf](#)

[19-ZONE-1029 Staff Reports.pdf](#)

[19-ZONE-1029 Legal Description.pdf](#)

[19-ZONE-1029 Applicant Booklet.pdf](#)

[19-ZONE-1029 Applicant Booklet Pg 2.pdf](#)

[19-ZONE-1029 Justification Statement.pdf](#)

[19-ZONE-1029 Public Materials.pdf](#)

[19-ZONE-1029 Approved Plan.pdf](#)

This item was held in committee.

8. [O-165-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 1400 HEPBURN AVENUE CONTAINING APPROXIMATELY 0.118 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0060).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0060.pdf](#)

[O-165-20 V.1 042320 Rezoning at 1400 Hepburn Ave](#)

[19ZONE0060.pdf](#)

[19-ZONE-0060 PC Minutes.pdf](#)

[19-ZONE-0060 Other Minutes.pdf](#)

[19-ZONE-0060 Staff Reports.pdf](#)

[19-ZONE-0060 Legal Description.pdf](#)

[19-ZONE-0060 Applicant Booklets.pdf](#)

[19-ZONE-0060 Justification Statement.pdf](#)

[19-ZONE-0060 Public Materials.pdf](#)

[19-ZONE-0060 Denied Plan.pdf](#)

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

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

The following spoke to this item:

- Council Member Coan
- Travis Fiechter, Jefferson County Attorney's Office
- Chair Person Flood

The following was discussed:

- Recommendation to deny
- Applicant's request to table this item until the next committee meeting
- Discussions with the neighborhood association to add binding elements
- Neighborhood association's request to deny
- Development plan contradictions with the neighborhood plan
- Size of the units in the building
- Potential of residents having to vacate if the rezoning is denied
- Table the item to allow all parties to negotiate until the next committee meeting

A motion was made by Chair Person Flood, seconded by Committee Member Dorsey, that this Ordinance be tabled. The motion to table carried by a voice vote.

9. [O-370-19](#)

AN ORDINANCE AMENDING SECTION 6.1.3 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE (“LDC”) REGARDING ACCESS ROADWAYS FOR RESIDENTIAL DEVELOPMENTS (CASE NO. 19-LDC-0001).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-370-19 V.1 110719 Amend LDC 6.1.3 for Access Roadways for Residential Developments 19LDC0001.pdf](#)
[O-370-19 V.1 110719 ATTACH Amend LDC 6.1.3 19LDC0001.pdf](#)
[19-LDC-0001 Staff Report.pdf](#)
[2019.10.17 Amended PC Minutes Case No. 19-LDC-0001.pdf](#)

This item was held in committee.

10. [R-031-20](#)

A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO NEIGHBORHOOD MEETINGS.

Sponsors: Primary Paula McCraney (D-7)

Attachments: [R-031-20 V.1 022020 Request PC Review LDC for Neighborhood Meetings.pdf](#)

This item was held in committee.

11. [O-340-19](#)

AN ORDINANCE APPROVING THE SOUTH FLOYDS FORK VISION PLAN AND APPROVING ITS EXECUTIVE SUMMARY AS AN AMENDMENT TO THE PLAN 2040 COMPREHENSIVE PLAN (CASE NO. 19AREAPLAN0002).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-340-19 V.1 101019 South Floyds Fork Vision Plan 19AREAPLAN0002.pdf](#)
[19AREAPLAN0002 south floyds fork executive summary.pdf](#)
[102919 South Floyds Fork Metro Council.pdf](#)
[19AREAPLAN0002 Public Materials.pdf](#)
[19AREAPLAN_Minutes.pdf](#)
[19AREAPLAN0002 Legal Description.pdf](#)
[19AREAPLAN0002 South Floyds Fork Vision Plan PC Staff Report.pdf](#)
[19AREAPLAN0002 south floyds fork plan.pdf](#)
[19AREAPLAN0002 south floyds fork appendix.pdf](#)

This item was held in committee.

Special Discussion

12. [ID 20-0558](#)**Planning Commission Changes to Policy and Procedures for Neighborhood Meetings and Virtual Neighborhood Meetings - Emily Liu, Planning and Design Services**

Attachments: [050520 DRAFT PC Bylaws Neighborhood Meetings Amendments.pdf](#)

The following spoke to this item:

- Jeff O'Brien, Develop Louisville
- Committee Member Winkler
- Chair Person Flood
- Council Member Benson
- Committee Member Triplett
- Committee Member George
- Vice Chair Reed
- Emily Liu, Planning and Design Services
- Council Member Peden
- Council Member McCraney
- Travis Fiechter, Jefferson County Attorney's Office

The following was discussed:

- Meetings during the pandemic
- Doing virtual public hearings for smaller items like variances and waivers
- Back log in cases due to the inability to hold neighborhood meetings
- Virtual neighborhood meetings procedures
- Planning Commission can request a regular neighborhood meeting
- Current public hearings can be attended in person with social distancing for those who do not have virtual attendance capability
- Temporary measures only for the pandemic
- Neighborhood meetings procedures based upon the type of case
- Typical number of attendees at neighborhood meetings
- Purpose of neighborhood meetings
- Recordings of virtual meetings
- Constituent concerns with having a voice in development approvals
- Accessibility to adequate technology for the public to attend meetings virtually
- Notification process
- Citizens requesting in-person neighborhood meetings
- Consideration of a hybrid model of virtual and in-person meetings
- Meeting in larger spaces to allow in-person meetings with social distancing measures implemented
- Scale of development in regards to permitting or prohibiting virtual meetings
- Additional notification requirements for virtual meetings
- Information included in the notifications
- Expansion of access both during the pandemic and for regular meetings in the future
- Process for a virtual attendee who is having technological issues during a meeting
- Location of in-person neighborhood meetings in proximity to the development site
- Software to be used for virtual meetings

- Removing the need for password access to virtual meetings
- Who has the final approval authority on allowing virtual neighborhood meetings

Adjournment

Without objection, Chair Person Flood adjourned the meeting at 2:52 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 May 14, 2020.