



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Tentative Planning and Zoning Committee

Chair Madonna Flood (D-24)

Vice Chair Scott Reed (R-16)

Committee Member Keisha Dorsey (D-3)

Committee Member Jecorey Arthur (D-4)

Committee Member Cassie Chambers Armstrong (D-8)

Committee Member Kevin Triplett (D-15)

Committee Member Robin Engel (R-22)

Tuesday, April 27, 2021

1:00 PM

Council Chambers/Virtual

Call to Order

Chair Flood called the meeting to order at 1:00 p.m.

Roll Call

Chair 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, except Council Member Winkler, who attended in Chambers.**

Present: 7 - Committee Member Keisha Dorsey (D-3), Committee Member Jecorey Arthur (D-4), Committee Member Cassie Chambers Armstrong (D-8), Committee Member Kevin Triplett (D-15), Vice Chair Scott Reed (R-16), Committee Member Robin Engel (R-22), and Chair Madonna Flood (D-24)

Non-Committee Member(s)

Council Member Bill Hollander (D-9), Council Member Kevin Kramer (R-11), Council Member Markus Winkler (D-17), and Council Member James Peden (R-23)

Support Staff

Travis Fiechter, Jefferson County Attorney's Office

Clerk(s)

Cheryl Woods, Assistant Clerk
Sonya Harward, Clerk

Pending Legislation

1. [O-149-21](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 4308 ROLLINGTON ROAD CONTAINING APPROXIMATELY 22.6 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0105).**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-149-21 V.1 042221 Zoning at 4308 Rollington Rd.pdf](#)

[20-ZONE-0105.pdf](#)

[20-ZONE-0105 PC Minutes.pdf](#)

[20-ZONE-0105 Other Minutes.pdf](#)

[20-ZONE-0105 Staff Reports.pdf](#)

[20-ZONE-0105 Applicant Booklet.pdf](#)

[20-ZONE-0105 Justification Statement.pdf](#)

[20-ZONE-0105 Legal Description.pdf](#)

[20-ZONE-0105 Letters of Opposition.pdf](#)

[20-ZONE-0105 Plan.pdf](#)

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

Joe Reverman, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

The following spoke to this item:

- Council Member Winkler
- Council Member Hollander
- Joe Reverman
- Chair Flood

The following was discussed:

- Question about how many units can be built on an R-4 development property of 22.6 acres
- There is a Binding Element associated with this site that states that this developments 81 buildable lots will not exceed 4.84 dwelling units per acre
- The typical size for an R-4 lot is 9,000 square feet, whereas an R-5 is 6,000 square feet
- There are several lots in this development that are under 9,000 square feet, which is why the R-5 zoning is requested
- Oldham County proposal was dropped, therefore the development will only be in Jefferson County
- Questions about the proposed price of the units
- Question and concerns about the fee-in-lieu to compensate for the amount of trees not being preserved
- Questions and concerns about the applicant only preserving 12% of the tree canopy when there is a 20% requirement for tree preservation
- Questions about protection for the Homeowners Association that is being left responsible to do landscaping that the developers where required to do

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

The motion to table carried by a voice vote.

2. [O-156-21](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 3618 KRAMERS LANE CONTAINING APPROXIMATELY 2.36 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0062). (AS AMENDED)

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-156-21 V.2 CAM 042721 Zoning at 3618 Kramers Ln.pdf](#)

[O-156-21 V.1 042221 Zoning at 3618 Kramers Ln.pdf](#)

[20-ZONE-0062.pdf](#)

[20-ZONE-0062 PC Minutes.pdf](#)

[20-ZONE-0062 Other Minutes.pdf](#)

[20-ZONE-0062 Staff Reports.pdf](#)

[20-ZONE-0062 Legal Description.pdf](#)

[20-ZONE-0062 Applicant Booklet.pdf](#)

[20-ZONE-0062 Statement of Compliance.pdf](#)

[20-ZONE-0062 Plan.pdf](#)

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

Joe Reverman, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

Chair Flood stated that she spoke with Council Member Green about adding Binding Element #8 and she was in agreement.

A motion was made by Chair Flood, seconded by Committee Member Dorsey, that this Ordinance be amended as follows:

- Add Binding Element #8, which states: "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 motion to amend carried by a voice vote.

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

Yes: 7 - Dorsey, Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

3. [O-157-21](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 9301-9309 SMYRNA PARKWAY AND PARCEL ID NOS. 066202630000 AND 066202760000 CONTAINING APPROXIMATELY 8.8 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0121).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-157-21 V.1 042221 Zoning at 9301-9309 Smyrna Pkwy.pdf](#)
[20-ZONE-0121.pdf](#)
[20-ZONE-0121 PC Minutes.pdf](#)
[20-ZONE-0121 Other Minutes.pdf](#)
[20-ZONE-0121 Staff Reports.pdf](#)
[20-ZONE-0121 Legal Description.pdf](#)
[20-ZONE-0121 Justification Statement.pdf](#)
[20-ZONE-0121 Water Wetland Delineation Report.pdf](#)
[20-ZONE-0121 Plan.pdf](#)

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

Joe Reverman, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

The following spoke to this item:

- Council Member Peden
- Chair Flood
- Joe Reverman
- Jeff O'Brien, Develop Louisville
- Committee Member Hollander
- Travis Fiechter, Jefferson County Attorney's Office
- Committee Member Triplett

The following was discussed:

- There were questions and concerns about the preserving of tree canopy area
- There were questions whether 20% of the trees were preserved
- There were questions about whether there was a waiver for the developer who did not want to do 20% preservation
- Questions and concerns about the term last resort being used in reference to keeping the trees
- Questions and concerns about the developer paying fee-in-lieu fee instead of preserving the trees

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

The motion to table carried by a voice vote.

4. [O-158-21](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 6600 AND 6702 COOPER CHAPEL ROAD CONTAINING APPROXIMATELY 18.56 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0066).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-158-21 V.1 042221 Zoning at 6600 and 6702 Cooper Chapel Rd.pdf](#)
[20-ZONE-0066.pdf](#)
[04.05.21 PC Minutes Night Hearing.pdf](#)
[20-ZONE-0066 Other Minutes.pdf](#)
[20-ZONE-0066 Staff Reports.pdf](#)
[20-ZONE-0066 Applicant Booklet.pdf](#)
[20-ZONE-0066 Applicant Justification.pdf](#)
[20-ZONE-0066 Legal Description.pdf](#)
[20-ZONE-0066 Letters of Opposition.pdf](#)
[20-ZONE-0066 Plan.pdf](#)

This item was held in committee.

5. [O-159-21](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 8000 AND 8006 CEDAR CREEK ROAD AND PARCEL ID NO. 065600310000 CONTAINING APPROXIMATELY 19.7 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0060).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-159-21 V.1 042221 Zoning at 8000 and 8006 Cedar Creek Rd.pdf](#)
[20-ZONE-0060.pdf](#)
[20-ZONE-0060 Other Minutes.pdf](#)
[20-ZONE-0060 Staff Reports.pdf](#)
[20-ZONE-0060 Applicant Booklets.pdf](#)
[20-ZONE-0060 Legal Description.pdf](#)
[20-ZONE-0060 Statement of Compliance.pdf](#)
[20-ZONE-0060 Traffic Impact Studies.pdf](#)
[20-ZONE-0060 Interested Parties.pdf](#)
[20-ZONE-0060 Plan 021821 \(1\).pdf](#)
[04.12.21 PC Minutes Night Hearing.pdf](#)

This item was held in committee.

6. [O-174-21](#)**AN ORDINANCE AMENDING SEVERAL SECTIONS OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE (“LDC”) REGARDING BOARDING AND GROUP HOUSING REGULATIONS (CASE NO. 21-LDC-0001).**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-174-21 V.1 042221 Boarding and Group Housing Regulations.pdf](#)
[21-LDC-0001 BoardingAndGroupHousing_CouncilPresentation_4-27-21 \(002\).pdf](#)
[O-174-21 ATTACH Text Amendments .pdf](#)
[21-LDC-0001_PC Minutes_04.15.21.pdf](#)
[21-LDC-0001 BoardingAndGroupHousing_PlanningCommissionPresentation_4-15-21.pdf](#)
[21-LDC-0001_staff report BoardingAndGroupHousing_Planning Commission 04-15-21.pdf](#)
[Attachment 1_21-LDC-0001 BoardingAndGroupHousingAmendments_DRAFT_4-15-2021.pdf](#)
[Attachment 2_Metro Council Resolution 016 2019.pdf](#)
[Attachment 3_Community Meeting Webex Chat Comments_10-2020.pdf](#)
[Attachment 4 BoardingAndGroupHousing_CommunityMeetingsPresentation_10-2020.pdf](#)
[Attachment 5_Public Comment Forms_as of 4-8-2021.pdf](#)
[Attachment 6_NARRStandards_11-2018.pdf](#)

This item was held in committee.

7. [O-011-21](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 8816-8820 W. MANSLICK ROAD CONTAINING APPROXIMATELY 11.28 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0091).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-011-21 V.1 012821 Zoning at 8816-8820 W Manslick.pdf](#)

[19-ZONE-0091.pdf](#)

[19-ZONE-0091.pdf](#)

[19-ZONE-0091 Booklet.pdf](#)

[19-ZONE-0091 Finding of Facts.pdf](#)

[19-ZONE-0091 Justification Statement.pdf](#)

[19-ZONE-0091 Legal Description.pdf](#)

[19-ZONE-0091 Other Minutes.pdf](#)

[19-ZONE-0091 PC Minutes.pdf](#)

[19-ZONE-0091 Staff Reports.pdf](#)

[19-ZONE-0091 Plan_011521.pdf](#)

This item remained held in committee.

8. [R-020-21](#)

A RESOLUTION DIRECTING THE PLANNING COMMISSION TO REVIEW THE COMPLETE STREETS PORTION OF THE COMPREHENSIVE PLAN AS ADOPTED IN 2019.

Sponsors: Primary Nicole George (D-21)

Attachments: [R-020-21 V.1 031121 Complete Streets Policy to ensure uniform compliance.pdf](#)

This item remained held in committee.

9. [O-086-21](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 4801 MANSLICK ROAD AND 1936 BLUEGRASS AVENUE (4801 MANSLICK ROAD INCLUDES PARCEL ID NOS. 067H00100000 AND 067H00190000) CONTAINING APPROXIMATELY 10.22 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0096).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-086-21 PROPOSED CABS 042721 Zoning at 4801 Manslick Rd and 1936 Bluegrass Ave.pdf](#)
[O-086-21 V.1 031121 Zoning at 4801 Manslick Rd and 1936 Bluegrass Ave.pdf](#)
[20-ZONE-0096.pdf](#)
[20-ZONE-0096.pdf](#)
[20-ZONE-0096 Applicant Studies.pdf](#)
[20-ZONE-0096 LDT Minutes.pdf](#)
[20-ZONE-0096 Legal Description.pdf](#)
[20-ZONE-0096 Opposition Letters.pdf](#)
[20-ZONE-0096 PC Minutes.pdf](#)
[20-ZONE-0096 Staff Reports.pdf](#)
[20-ZONE-0096_plan_012021.pdf](#)

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

A motion was made by Committee Member Triplett, seconded by Committee Member Dorsey, to amend this Ordinance by substitution with the attached document titled "O-086-21 PROPOSED CABS 042721 Zoning at 4801 Manslick Rd and 196 Bluegrass Avenue.pdf" in order to overturn the Planning Commission's decision on this zoning item.

Travis Fiechter, Jefferson County Attorney's Office, read the highlights of the Amendment by Substitution into record.

The following spoke to this item:

- Committee Member Triplett
- Committee Member Chambers Armstrong
- Committee Member Arthur
- Travis Fiechter
- Committee Member Dorsey
- Vice Chair Reed

The following was discussed:

- There were questions and concerns about the safety of the location
- There were questions about whether this is an affordable housing project
- Question about whether there is a neighborhood plan
- There were questions about the development being started before Manslick Road is widened into three lanes
- There were environmental concerns regarding the tree canopy, drainage, and sanitary problems
- There were questions and concerns about how the Metro Council is managing and having to overturn the Planning Commission decisions
- Question and concerns about whether to prioritize amenities or housing

A motion was made by Vice Chair Reed, seconded by Committee Member Arthur, that this Ordinance be tabled.

The motion to table carried by a voice vote.

10. [O-090-21](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 8127 WATTERSON TRAIL CONTAINING APPROXIMATELY 62.56 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0020). (AS AMENDED)**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-090-21 V.3 CAM 042721 Zoning at 8127 Watterson Trail.pdf](#)
[O-090-21 V.2 CAM 041321 Zoning at 8127 Watterson Trail.pdf](#)
[O-090-21 V.1 031121 Zoning at 8127 Watterson Trail.pdf](#)
[20-ZONE-0020.pdf](#)
[20-ZONE-0020.pdf](#)
[20-ZONE-0020 PC Minutes.pdf](#)
[20-ZONE-0020 LDT Minutes.pdf](#)
[20-ZONE-0020 Staff Reports.pdf](#)
[20-ZONE-0020 Legal Description.pdf](#)
[20-ZONE-0020 Applicant Justification.pdf](#)
[20-ZONE-0020 Letters of Opposition.pdf](#)
[20-ZONE-0020 Applicant Booklets.pdf](#)
[20-ZONE-0020 Plan Pg 1.pdf](#)
[20-ZONE-0020 Plan Pg 2.pdf](#)
[02.22.21 PC Minutes Night Hearing.pdf](#)

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

Council Member Kramer stated that there were two binding elements that needed amended and to add new binding element #15 that needed to be added.

Travis Fiechter, Jefferson County Attorney's Office, stated that the post blast survey was not what they had intended, and the pre-blast survey would still be done.

Council Member Kramer stated that the pre-blast survey would be documents put together to be able to give each property owner specifics of their own property.

A motion was made by Council Member Kramer, seconded by Committee Member Engel, that this Ordinance be amended as follows:

- Amend Binding Element #13 by deleting "and post" and by deleting "Any homeowners who opt to have a pre-blast survey conducted shall be provided copies of all materials resulting from that survey, including any photos and/or videos."

- Add Binding Element #15, which states: " Access to Brody Lane shall not be allowed until homes have been built on 80% of the single family lots on the development plan, unless otherwise approved by the Louisville Metro Department of Public Works, which approval may include a reasonable damage bond."

- Amend Binding Element #16, which states "Any and all improvements to Watterson Trail required for this development shall be completed prior to issuance of certificate of occupancy for all residential units beyond the 200th."

The motion to amend carried by a voice vote.

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

District 11 Council Member Kramer had a vote on this zoning case and voted YES.

Yes: 7 - Dorsey, Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

11. [O-116-21](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 6600, 6700 & 6725 SOUTH HURSTBOURNE PARKWAY AND 5800, 5802 & 5930 WATTERSON TRAIL CONTAINING APPROXIMATELY 31.34 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0096). (AS AMENDED)

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-116-21 V.3 CAM 042721 Zoning at 6600 6700 6725 South Hurstbourne Pkwy and 5800 5802 5930 watterson Tr.pdf](#)
[O-116-21 PROPOSED CAM 042721 Zoning at 6600 6700 and 6725 South Hurstbourne Pkwy.pdf](#)
[O-116-21 V.2 CAM 041321 Zoning at 6600 6700 6725 South Hurstbourne Pkwy and 5800 5802 5930 watterson Tr.pdf](#)
[O-116-21 PROPOSED CAM 041321 Zoning at 6600 6700 6725 South Hurstbourne Pkwy and 5800 5802 5930 watterson Tr.pdf](#)
[O-116-21 V.1 032521 Zoning at 6600 6700 6725 South Hurstbourne Pkwy and 5800 5802 5930 watterson Tr.pdf](#)
[19-ZONE-0096.pdf](#)
[19-ZONE-0096 PC Minutes.pdf](#)
[19-ZONE-0096 LDT Minutes.pdf](#)
[19-ZONEPA-0075 PRE-APP Staff Report.pdf](#)
[19-ZONE-0096 LD&T Staff Report 121020.pdf](#)
[19-ZONE-0096 Planning Commission Staff Report.pdf](#)
[19-ZONE-0096 ZONING DESCRIPTIONS revised Feb. 2021.pdf](#)
[3580-STAR HILL- ROAD REALIGNMENT EXHIBIT-2020-08-07.pdf](#)
[applicant BE 113020.msg](#)
[Jeanette Binding Elements 113020.docx](#)
[19-ZONE-0096 REVISED PLAN 021721.pdf](#)

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

Chair Flood stated that the Ordinance had already been discussed at a previous Committee meeting and wanted to add Binding Element #17 and Binding Element #18.

A motion was made by Chair Flood, seconded by Committee Member Triplett, that this Ordinance be amended as shown in attached document titled "O-116-21 PROPOSED CAM 041321 Zoning at 6600 6700 6725 South Hurstbourne Pkwy and 5800 5802 5930 Watterson Trail.pdf"

The motion to amend carried by a voice vote.

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

Yes: 7 - Dorsey, Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

Expired Legislation

12. O-440-20

AN ORDINANCE RELATING TO THE TIME AND LOCATION OF PLANNING COMMISSION PUBLIC HEARINGS DURING STATES OF EMERGENCY

Sponsors: Primary Cindi Fowler (D-14)

Attachments: O-440-20 V.1 091720 Planning Commission Night Meetings.pdf

Proposed Bylaw Amendment - Sept 2020_v9.pdf

PC Bylaws and Policies 2020.09.17.pdf

Adjournment

Without objection, Chair Flood adjourned the meeting at 2:39 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 6, 2021.