



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, December 4, 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 Reed arrived at 1:34 p.m., Committee Member Lanshima arrived at 1:35 p.m., and Committee Member Mulvihill arrived at 1:36 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) and Council Member Brandon Coan (D-8)

Support Staff

Sarah Martin, Jefferson County Attorney's Office
Paul Whitty, Jefferson County Attorney's Office
Travis Fiechter, Jefferson County Attorney's Office

Clerk(s)

David B. Wagner, CKMC

Pending Legislation

1. [O-436-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 8016 SHEPHERDSVILLE ROAD CONTAINING 16.94 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1027)(AS AMENDED).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-436-18 V.2 CAM 120418 Rezoning from R4 to R6 at 8016 Shepherdsville Rd 16ZONE1027.pdf](#)
[16zone1027.pdf](#)
[O-436-18 V.1 110818 Rezoning from R4 to R6 at 8016 Shepherdsville Rd 16ZONE1027.pdf](#)
[120418 PROPOSED CAM AMEND O-436-18- Zoning at 8016 Shepherdsville Rd-Unity Place \(As Amended\)\(12-3-18\).pdf](#)
[16ZONE1027 PC Minutes.pdf](#)
[16ZONE1027 Other Minutes.pdf](#)
[16ZONE1027 Staff Reports.pdf](#)
[16zone1027_Citizen Letters.pdf](#)
[16ZONE1027 Legal Description.pdf](#)
[16ZONE1027 Finding of Facts.pdf](#)
[16ZONE1027 Justification Statement.pdf](#)
[16ZONE1027 Letters of Support.pdf](#)
[16ZONE1027 Applicant Booklets.pdf](#)
[16ZONE1027 Applicant Booklets 2.pdf](#)
[16ZONE1027 Approved Plan.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Chair Person Flood also spoke to the item.

A motion was made by Chair Person Flood, seconded by Committee Member Engel, that this Ordinance be amended as shown in the attached document titled "120418 PROPOSED CAM AMEND O-436-18- Zoning at 8016 Shepherdsville Rd-Unity Place (As Amended)(12-3-18).pdf". The motion to amend carried by a voice vote.

Travis Fiechter and Paul Whitty, Jefferson County Attorney's Office, spoke to the item.

A motion was made by Chair Person Flood, seconded by Vice Chair Stuckel, that this amended Ordinance be amended by striking out "in perpetuity" at the end of Binding Element #12. The motion to amend carried by a voice vote.

A motion was made by Chair Person Flood, seconded by Committee Member Hollander, that this amended Ordinance be amended by striking out the last sentence of Binding Element #12. 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: 6 - Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

No: 1 - Flood

2. [O-449-18](#)

AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTIES LOCATED AT 7710 BARDSTOWN ROAD AND 1509 CEDAR CREEK ROAD CONTAINING 2.54 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1020).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [18ZONE1020.pdf](#)

[O-449-18 V. 1 112918 Rezoning from C1 to C2 at 7710 Bardstown Rd](#)

[& 1509 Cedar Creek Rd 18ZONE1020.pdf](#)

[18ZONE1020 PC Minutes 11.01.18.pdf](#)

[18ZONE1020 LDT Minutes 09.27.18.pdf](#)

[18ZONE1020 staff rpts.pdf](#)

[18ZONE1020 appl justification stmt.pdf](#)

[18ZONE1020 appl presentation.pdf](#)

[18ZONE1020 legal desc.pdf](#)

[18ZONE1020 news article.pdf](#)

[18ZONE1020 Plan 11.01.18.pdf](#)

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

Brian Davis, 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

3. [O-450-18](#)

AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 5401 VALLEY STATION ROAD CONTAINING 0.4861 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1023).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [18ZONE1023.pdf](#)

[O-450-18 V. 1 112918 Rezoning from C1 to C2 at 5401 Valley Station Rd 18ZONE1023.pdf](#)
[18ZONE1023_PC Minutes_11.01.18.pdf](#)
[18ZONE1023_LDT Minutes_09.27.18.pdf](#)
[18ZONE1023_staff rpts.pdf](#)
[18ZONE1023_appl justification stmt.pdf](#)
[18ZONE1023_legal desc.pdf](#)
[18ZONE1023_Plan_11.01.18.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Chase Gavin, representing District 25, 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

4. [O-452-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO PEC PLANNED EMPLOYMENT CENTER AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO SUBURBAN WORKPLACE ON PROPERTY LOCATED AT 1701 NORTH ENGLISH STATION ROAD CONTAINING 5.2 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1057).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [18ZONE1057.pdf](#)

[O-452-18 V. 1 112918 Rezoning from R4 to PEC and Form District from N to SW at 1701 N English Station Rd 18ZONE1057.pdf](#)

[18ZONE1057_PC Minutes_11.01.18.pdf](#)

[18ZONE1057_LDT Minutes_09.27.18.pdf](#)

[18ZONE1057_staff rpts.pdf](#)

[18ZONE1057_appl booklet.pdf](#)

[18ZONE1057_appl justification stmt.pdf](#)

[18ZONE1057_citizen emails.pdf](#)

[18ZONE1057_legal desc.pdf](#)

[18ZONE1057_Plan_11.01.18.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Chair Person Flood stated that Council Member Julie Denton was in favor of the proposal.

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

5. [O-455-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO CM COMMERCIAL-MANUFACTURING ON PROPERTIES LOCATED AT 2801 CHAMBERLAIN LANE AND 3014 WINCHESTER ACRES ROAD CONTAINING 9.94 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1058).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [18ZONE1058.pdf](#)

[O-455-18 V. 1 112918 Rezoning from R4 to CM at 2801 Chamberlain](#)

[Ln & 3014 Winchester Acres Rd 18ZONE1058.pdf](#)

[18ZONE1058_PC Minutes_11.01.18.pdf](#)

[18ZONE1058_LDT Minutes_10.11.18.pdf](#)

[18ZONE1058_staff rpts.pdf](#)

[18ZONE1058 New Applicant Justification 11.01.18.pdf](#)

[18ZONE1058_applicant presentation.pdf](#)

[18ZONE1058_citizen emails.pdf](#)

[18ZONE1058_legal desc.pdf](#)

[18ZONE1058_Plan_11.01.18.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Vice Chair Stuckel 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-457-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO R-5 SINGLE FAMILY RESIDENTIAL ON PROPERTIES LOCATED AT 13501 AND 13505 FACTORY LANE CONTAINING 8.2 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1061).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [18ZONE1061.pdf](#)

[O-457-18 V. 1 112918 Rezoning from R4 to R5 at 13501-13505](#)

[Factory Ln 18ZONE1061.pdf](#)

[18ZONE1061_PC Minutes_11.01.18.pdf](#)

[18ZONE1061_LDT MInutes_10.11.18.pdf](#)

[18ZONE1061_staff rpts.pdf](#)

[18ZONE1061_appl justification stmt.pdf](#)

[18ZONE1061_appl presentation.pdf](#)

[18ZONE1061_citizen_email.pdf](#)

[18ZONE1061_legal_desc.pdf](#)

[18ZONE1061_Plan_11.01.18.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Vice Chair Stuckel 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

7. [O-473-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY AND C-1 COMMERCIAL TO CM COMMERCIAL MANUFACTURING AND CHANGING THE FORM DISTRICT FROM REGIONAL CENTER TO SUBURBAN WORKPLACE ON 19.23 ACRES AND CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-1 COMMERCIAL ON 0.18 ACRES ON PROPERTIES LOCATED AT 6008, 6108, AND 6110 NEW CUT ROAD AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1037).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [120418 HANDOUT Opposition Letter from Councilor Aubrey Welch.pdf](#)

[18zone1037.pdf](#)

[O-473-18 V.1 112918 Rezoning from R4 & C1 to CM and R4 to C1 and Form District from RC to SW at 6008-6110 New Cut Rd](#)

[18ZONE1037.pdf](#)

[November 27, 2018 Other Minutes.pdf](#)

[November 27, 2018 Staff Reports.pdf](#)

[November 27, 2018 Legal Description.pdf](#)

[November 27, 2018 Applicant Booklet 2 - Copy.pdf](#)

[November 27, 2018 Applicant Booklets - Copy.pdf](#)

[November 27, 2018 Plan.pdf](#)

[18ZONE1037 Approved PC Minutes.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Chair Person Flood requested David B. Wagner, Metro Council Clerk's Office, to read a letter of opposition to the proposal (see attached letter) from Council Member Vicki Aubrey Welch. Paul Whitty, Jefferson County Attorney's Office, spoke to the item.

A motion was made by Committee Member Lanshima that this Ordinance be tabled. The motion to table failed for lack of a second.

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

Yes: 5 - Stuckel, Mulvihill, Reed, Lanshima, and Engel

No: 1 - Flood

Present: 1 - Hollander

8. [O-474-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-6 MULTI-FAMILY RESIDENTIAL TO U-N URBAN NEIGHBORHOOD ON PROPERTY LOCATED AT 814 VINE STREET CONTAINING 2.0029 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1062).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [18ZONE1062.pdf](#)

[O-474-18 V.1 112918 Rezoning from R6 to UN at 814 Vine St](#)

[18ZONE1062.pdf](#)

[18ZONE1062 Other Minutes.pdf](#)

[18ZONE1062 Staff Reports.pdf](#)

[18ZONE1062 Legal Description.pdf](#)

[18ZONE1062 Justification Statement.pdf](#)

[18ZONE1062 Applicant Renderings.pdf](#)

[18ZONE1062 Development Agreement.pdf](#)

[18ZONE1062 Public Materials.pdf](#)

[18ZONE1062 Plan.pdf](#)

[18ZONE1062 Approved PC Minutes.pdf](#)

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

Brian Davis, 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

9. [O-388-18](#)

(Pending a Discharge Petition) AN ORDINANCE AMENDING ORDINANCE NO. 085, SERIES 2018 REGARDING THE EFFECTIVE DATE OF CORNERSTONE 2040.

Sponsors: Primary James Peden (R-23)

Attachments: [O-388-18 V.1 102518 Amending Effective Date of Cornerstone 2040.pdf](#)

[O-388-18 V.1 102518 ATTACH Comp Plan Amending Effective Date of Cornerstone 2040.pdf](#)

This item remained tabled.

10. [O-458-18](#)

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE LAND DEVELOPMENT CODE TO UPDATE REFERENCES TO THE 2040 COMPREHENSIVE PLAN BEING IN LOUISVILLE METRO (CASE NO. 18AMEND1000).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-458-18 V. 1 112918 Amendments to LDC to Update References to 2040 Comp Plan 18AMEND1000.pdf](#)
[18AMEND1000 PC Minutes.pdf](#)
[PC_Minutes_04.16.18_SpecialMtg.pdf](#)
[18AMEND1000_Attachment 1_Metro Council Ordinance 085 2018.pdf](#)
[18AMEND1000_Plan 2040 References_PC_11-15-18.pdf](#)
[18AMEND1000_Plan 2040 References_Planning Commission SR.pdf](#)

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

Joe Haberman, Planning and Design Services, 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

11. [O-459-18](#)

AN ORDINANCE RE-ADOPTING THE NEIGHBORHOOD PLANS AND AMENDING PLAN 2040 WITH NEIGHBORHOOD PLAN EXECUTIVE SUMMARIES.

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-459-18 V.1 112918 Readopting Neighborhood Plans & Executive Summaries for Plan 2040 18NEIGHPLAN1004.pdf](#)
[O-459-18 V.1 112918 ATTACH Exhibit A - PC Resolution 18NEIGHPLAN1004.pdf](#)
[18NEIGHPLAN1004 PC Minutes.pdf](#)
[Staff Report 18NEIGHPLAN1004_11-15-18.pdf](#)

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

Joe Haberman, Planning and Design Services, 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

12. [O-472-18](#)

AN ORDINANCE AMENDING LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (“LMCO”) SECTIONS 153.01 AND 162, APPENDIX C, WITH RESPECT TO THE REFERENCES TO THE COMPREHENSIVE PLAN.

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-472-18 V.1 112918 Amending LMCO 153.01 & 162 Appendix C with Respect to Comprehensive Plan.pdf](#)

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

Joe Haberman, Planning and Design Services, 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

13. [O-476-18](#)

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON CONDITIONAL USE PERMITS FOR SHORT TERM RENTALS IN RESIDENTIAL ZONING DISTRICTS PENDING THE ADOPTION OF REVISED REGULATIONS.

Sponsors: Primary Bill Hollander (D-9), Primary Brandon Coan (D-8) and Primary David James (D-6)

Attachments: [O-476-18 V.1 112918 Temporary Moratorium on Short Term Rentals in Residential Zoning Districts.pdf](#)

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

Committee Member Hollander and Council Member Coan spoke to the item.

The motion carried by the following vote and the Ordinance was sent to Old Business per the request of Council Member Coan to allow further discussion:

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

14. [R-129-18](#)

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-129-18 V.1 072618 Appeals to MC Subdivision Cases .pdf](#)
[Resolution--Adopting Regulation-Subdivision Case Appeals.docx](#)

This item was held in committee.

15. [R-130-18](#)

A RESOLUTION REQUESTING THE LOUISVILLE/JEFERSON COUNTY 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-130-18 V.1 072618 - LDC Increase Tree Preservation Requirements .pdf](#)
[Resolution to Review LDC Regarding Perimeter Tree Preservation Requireme....docx](#)

This item was held in committee.

Vice Chair Stuckel and Committee Member Engel took a point of personal privilege.

Adjournment

Without objection, Chair Person Flood adjourned the meeting at 3:03 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 December 13, 2018.**