



**Action Summary - Final
Planning/Zoning, Land Design and
Development Committee**

Chair Person Madonna Flood (D-24)
Vice Chair Glen Stuckel (R-17)
Committee Member Tom Owen (D-8)
Committee Member Pat Mulvihill (D-10)
Committee Member Kelly Downard (R-16)
Committee Member Marilyn Parker (R-18)
Committee Member Brent Ackerson (D-26)

Tuesday, February 16, 2016

1:30 PM

Council Chambers

Call to Order

Chair Person Flood called the meeting to order at 1:33 p.m.

Roll Call

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

Committee Member Mulvihill arrived at 1:36 p.m.

Present: 6 - Chair Person Madonna Flood (D-24), Vice Chair Glen Stuckel (R-17), Committee Member Tom Owen (D-8), Committee Member Pat Mulvihill (D-10), Committee Member Marilyn Parker (R-18), and Committee Member Brent Ackerson (D-26)

Excused: 1 - Committee Member Kelly Downard (R-16)

Non-Committee Members

Council Member Barbara Shanklin (D-2), Council Member Mary Woolridge (D-3), Council Member Cheri Bryant Hamilton (D-5), Council Member David James (D-6), Council Member Bill Hollander (D-9) and Council Member Cindi Fowler (D-14)

Supporting Staff

Jon Baker, Jefferson County Attorney's Office

Clerk

David B. Wagner, Assistant Clerk

Pending Legislation

1. [O-033-16](#)

AN ORDINANCE CHANGING THE ZONING OF 117 PROPERTIES IN THE PORTLAND NEIGHBORHOOD, GENERALLY SITUATED NORTH OF W. MARKET STREET, WEST OF S. 10TH STREET, SOUTH OF THE OHIO RIVER, AND EAST OF THE INTERSECTION OF NORTHWESTERN PARKWAY AND BANK STREET, AND BEING IN LOUISVILLE METRO (CASE NO. 15AREA1002).

Sponsors: Cheri Bryant Hamilton (D-5)

Attachments: [15AREA1002](#)

[15AREA1002 Applicant's Justification](#)

[15AREA1002 Other Minutes](#)

[15AREA1002 PH Minutes](#)

[15AREA1002 Staff Reports](#)

[O-033-16 Portland Areawide Rezoning Ordinance ROC dab draft1 020816](#)

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

Julia Williams, Planning and Design Services, spoke to the item and gave a PowerPoint presentation.

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

District 5 Council Member Hamilton had a vote on this zoning case and voted YES.

Yes: 6 - Flood, Stuckel, Owen, Mulvihill, Parker, and Ackerson

Excused: 1 - Downard

2. [O-034-16](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL AND APPROVING A PARKING WAIVER TO REDUCE THE MINIMUM REQUIRED AMOUNT OF PARKING ON PROPERTY LOCATED AT 4901 HURSTBOURNE PARKWAY AND CONTAINING A TOTAL OF 2.40 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1017).

Sponsors:Madonna Flood (D-24)

Attachments: [15ZONE1017](#)

[15ZONE1017 Plan](#)

[15ZONE1017 PH Minutes](#)

[15ZONE1017 Other Minutes](#)

[15ZONE1017 Staff Report](#)

[15ZONE1017 Legal Description](#)

[15ZONE1017 Applicant's Booklet](#)

[15ZONE1017 Finding of Facts](#)

[15ZONE1017 Justification Statement](#)

[15ZONE1017 Public Materials](#)

[O-034-16 ORDINANCE \(15Zone1017\) R4 to C2 and Parking waiver of minimum reqd 4901Hurstbourne Parkway](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a PowerPoint presentation.

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

Yes: 6 - Flood, Stuckel, Owen, Mulvihill, Parker, and Ackerson

Excused: 1 - Downard

3. [O-035-16](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PEC PLANNED EMPLOYMENT CENTER AND C-1 COMMERCIAL ON PROPERTY LOCATED AT 7300 S. HURSTBOURNE PARKWAY AND TAX BLOCK 636, LOT 155 CONTAINING A TOTAL OF 2437.840 ACRES (24.40 ACRES CHANGED FROM R-4 TO PEC & 13.44 ACRES CHANGED FROM R-4 TO C-1), AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1021)(AS AMENDED).

Sponsors:Madonna Flood (D-24)

Attachments: [15ZONE1021](#)

[15ZONE1021 Plan](#)

[15ZONE1021 PH Minutes](#)

[15ZONE1021 Other Minutes](#)

[15ZONE1021 Staff Reports](#)

[15ZONE1021 Legal Descriptions](#)

[15ZONE1021 Applicant Booklets](#)

[15ZONE1021 Applicant's Justification](#)

[15ZONE1021 Finding of Facts](#)

[O-035-16 ORDINANCE \(15Zone1021\) R4 to PEC and C1 7300 S. Hurstbourne Parkway](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a PowerPoint presentation.

Chair Person Flood discussed the need to correct an error in the Ordinance's title. Jon Baker, Jefferson County Attorney's Office, spoke to the item and a motion was made by Chair Person Flood, seconded by Committee Member Owen, that the Ordinance be amended by changing "24.40 acres" in the title to "37.84 acres (24.40 acres changed from R-4 to PEC & 13.44 acres changed from R-4 to C-1)". The motion to amend carried by a voice vote.

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

District 2 Council Member Shanklin had a vote on this zoning case and voted YES.

Yes: 6 - Flood, Stuckel, Owen, Mulvihill, Parker, and Ackerson

Excused: 1 - Downard

4. [O-036-16](#)

AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI FAMILY TO EZ-1 ENTERPRISE ZONE AND OR-3 OFFICE RESIDENTIAL ON PROPERTY LOCATED AT 522 N. 34TH STREET, TAX BLOCK 11G, LOTS 53/54; TAX BLOCK 10D, LOT 29; AND TAX BLOCK 11J, LOT 136 CONTAINING A TOTAL OF 2.69 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1031).

Sponsors:Madonna Flood (D-24)

Attachments: [15ZONE1031](#)

[15ZONE1031 Plan](#)

[15ZONE1031 PH Minutes](#)

[15ZONE1031 Other Minutes](#)

[15ZONE1031 Staff Reports](#)

[15ZONE1031 Legal Descriptions](#)

[15ZONE1031 Applicant's Justification](#)

[O-036-16 ORDINANCE \(15Zone1031\) R6 to EZ1 and OR3 522 N 34th Street](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a PowerPoint presentation.

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

District 5 Council Member Hamilton had a vote on this zoning case and voted YES.

Yes: 6 - Flood, Stuckel, Owen, Mulvihill, Parker, and Ackerson

Excused: 1 - Downard

5. [O-037-16](#)

AN ORDINANCE CHANGING THE ZONING FROM R-5B RESIDENTIAL TWO FAMILY TO CR COMMERCIAL RESIDENTIAL ON PROPERTY LOCATED AT 1741 FRANKFORT AVENUE CONTAINING A TOTAL OF 0.270 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1049).

Sponsors:Madonna Flood (D-24)

Attachments: [15ZONE1049](#)

[15ZONE1049 Plan](#)

[15ZONE1049 PH Minutes](#)

[15ZONE1049 Other Minutes](#)

[15ZONE1049 Staff Reports](#)

[15ZONE1049 Legal Description](#)

[15ZONE1049 Finding of Facts](#)

[15ZONE1049 Applicant's Booklet](#)

[15ZONE1049 2nd Applicant's Booklet](#)

[15ZONE1049 Applicant's Justification](#)

[15ZONE1049 Public Materials](#)

[O-037-16 ORDINANCE \(15Zone1049\) R5B to CR 1741 Frankfort Avenue](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a PowerPoint presentation.

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

District 9 Council Member Hollander had a vote on this zoning case and voted YES.

Yes: 6 - Flood, Stuckel, Owen, Mulvihill, Parker, and Ackerson

Excused: 1 - Downard

6. [O-045-16](#)

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF PERMITS FOR ANAEROBIC DIGESTION FACILITIES FOR BIODEGRADABLE MATERIALS, ALSO KNOWN AS BIODIGESTERS, THROUGHOUT METRO LOUISVILLE PENDING THE STUDY, REVIEW AND RECOMMENDATION BY THE PLANNING COMMISSION OF LAND USE REGULATIONS TO ADDRESS SUCH FACILITIES (AMENDED BY SUBSTITUTION).

Sponsors: David James (D-6), Barbara Shanklin (D-2), Mary C. Woolridge (D-3), Cindi Fowler (D-14), Jessica Green (D-1) and David Yates (D-25)

Attachments: [O-045-16 PROPOSED AMEND BY SUBST AO 021616](#)

[Anaerobic Digester Ordinance](#)

[O-045-16 Amended Ordinance - issuing temporary moratorium on biodigester - 2-17-16 - AbS](#)

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

Council Member James distributed a proposed Amendment by Substitution. A motion was made by Committee Member Owen, seconded by Chair Person Flood, that the Ordinance be amended by substitution. The motion to amend by substitution carried by a voice vote.

Without objection, the primary sponsors agreed to add Council Members Cindi Fowler and Jessica Green and Council President David Yates as additional sponsors.

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

Yes: 4 - Flood, Owen, Mulvihill, and Ackerson

No: 2 - Stuckel, and Parker

Excused: 1 - Downard

Adjournment

Without objection the meeting adjourned at 2:28 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 25, 2016.