

ORDINANCE NO. \_\_\_\_\_, SERIES 2017

**AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY AND PEC PLANNED EMPLOYMENT CENTER ON PROPERTY LOCATED AT 1411 TUCKER STATION ROAD CONTAINING 45.734 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1005) (AS AMENDED).**

**SPONSORED BY: COUNCILWOMAN MADONNA FLOOD**

**WHEREAS**, The Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 17ZONE1005; and

**WHEREAS**, the Council concurs in and adopts the findings of the Planning Commission for the zoning changes in Case No. 17ZONE1005 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records with an additional binding element;

**NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** That the zoning of the property located at 1411 Tucker Station Road containing 45.734 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 17ZONE1005, is hereby changed from R-4 Residential Single Family to R-6 Residential Multi-Family and PEC Planned Employment Center; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 17ZONE1005 and as amended herein.

**SECTION II:** Binding Element 12 is added as follows:

12. The developer shall design and be responsible for the cost of design of the center turn lane and shall further be responsible for permitting and constructing a center turn lane across the subject property's frontage, but only in these events:
- (a) The developer's share of the cost of construction (not including its cost of design) does not exceed \$100,000; and
  - (b) The developer receives a credit under the applicable ordinance for the full amount (anticipated to be \$92,500) of the road systems development fee ("Fee") that it pays.

In the event that these conditions cannot be fulfilled, through no fault of the developer, by the time of the last Certificate of Occupancy, the developer's only responsibility shall be to pay its required Fee and to turn over to Metro Public Works whatever center turn lane design work that has been completed by that time.

**SECTION III:** This Ordinance shall take effect upon its passage and approval.

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H. Stephen Ott  
Metro Council Clerk

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David Yates  
President of the Council

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Greg Fischer  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

O-198-17 (jc)