

ORDINANCE NO. 107, SERIES 2019

AN ORDINANCE REVIEWING AND OVERTURNING THE DECISION OF THE PLANNING COMMISSION TO APPROVE THE REVISED DISTRICT DEVELOPMENT PLAN PROPOSED IN CASE NO. 19DEVPLAN1003.

SPONSORED BY: COUNCILMAN JAMES PEDEN

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) has reviewed the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the “Planning Commission”) and the findings and decision of the Planning Commission as set out in the minutes and records of the Planning Commission in Case No. 19DEVPLAN1003; and

WHEREAS, the Council rejects some of the findings of the Planning Commission for the revised district development plan proposed in Case No. 19DEVPLAN1003 and has made alternative findings of fact based upon the Planning Commission’s record that support denial of the proposed development plan; and

WHEREAS, the Council makes the following findings of fact based upon the record established before the Planning Commission for Case No. 19DEVPLAN1003 to overturn the recommendation of the Planning Commission and deny the proposed development plan for the sites located at 7504, 7506, and 7508 Beulah Church Road and being in Louisville Metro; and

WHEREAS, Case No. 19DEVPLAN1003 (“the Proposal”) includes, among other factors, a plan to develop on land which the owner/applicant now claims is low-quality wetlands; and

WHEREAS, previous plans for this site (15DEVPLAN1102 and 16ZONE1048) were approved and constructed with significantly less connectivity than called for by the Comprehensive Plan based on the alleged inability to develop said wetlands; and

WHEREAS, the proposed plan develops on said wetlands without improving connectivity, despite the connectivity concessions in previous plans having been approved based on the testimony that the wetlands would not be developed; and

WHEREAS, the proposed plan would not provide for the preservation of environmentally sensitive areas on the subject site, as it would eliminate wetlands on the site, potentially exacerbating flooding problems on and around the subject site; and

WHEREAS, provisions for safe and efficient vehicular and pedestrian transportation around and through the development are inadequate; and

WHEREAS, the proposed plan would result in degradation of environmentally sensitive areas on the subject site, will increase vehicle miles traveled and congestion due to a lack of connectivity, and create isolated multi-family housing that is not integrated with the surrounding neighborhood; and

WHEREAS, the Highview Neighborhood Plan community form recommendation CF3 for multi-family developments says that new development should connect to surrounding neighborhoods via an integrated car, bike and pedestrian network, but the proposed development does not provide for this integration; and

WHEREAS, the Highview Neighborhood Plan land use recommendation LU7 says that additional multifamily residential development should be within or immediately adjacent to the town center and/or neighborhood activity centers/nodes, but the proposed development does not fall within or immediately adjacent to either.

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

SECTION I: That the revised district development plan for the property located at 7504, 7506, and 7508 Beulah Church Road and being in Louisville Metro, as

proposed and more particularly described in the minutes and records of the Planning Commission in Case No. 19DEVPLAN1003, shall be denied, and that the decision of the Planning Commission in that case is overridden.

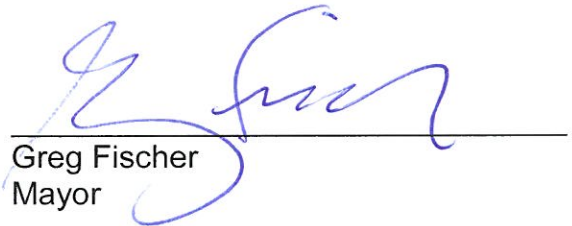
SECTION II: This Ordinance shall take effect upon its passage and approval.



H. Stephen Ott
Metro Council Clerk



David James
President of the Council



Greg Fischer
Mayor

8/16/19
Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 

**LOUISVILLE METRO COUNCIL
READ AND PASSED
August 8, 2019**