



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Tentative Planning and Zoning Committee

Chair Person Madonna Flood (D-24)
Vice Chair Scott Reed (R-16)
Committee Member Keisha Dorsey (D-3)
Committee Member Kevin Triplett (D-15)
Committee Member Markus Winkler (D-17)
Committee Member Nicole George (D-21)
Committee Member Robin Engel (R-22)

Tuesday, December 1, 2020

1:00 PM

Council Chambers

Call to Order

Chair Flood called the meeting to order at 1:01 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.**

Present: 7 - Chair Madonna Flood (D-24), Vice Chair Scott Reed (R-16), Committee Member Keisha Dorsey (D-3), Committee Member Kevin Triplett (D-15), Committee Member Markus Winkler (D-17), Committee Member Nicole George (D-21), and Committee Member Robin Engel (R-22)

Non-Committee Member(s)

Council Member Donna Purvis (D-5), Council Member Paula McCraney (D-7) 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-523-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 2528-2532 SOUTH FOURTH STREET CONTAINING APPROXIMATELY 0.252 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0063).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-523-20 V.1 111920 Zoning at 2528-2532 S. 4th St.pdf](#)

[20-ZONE-0063.pdf](#)

[20-ZONE-0063_PC Minutes.pdf](#)

[20-ZONE-0063_Other minutes.pdf](#)

[20-ZONE-0063_staff rpts.pdf](#)

[20-ZONE-0063_legal desc.pdf](#)

[20-ZONE-0063_appl justification stmt.pdf](#)

[20-ZONE-0063_Plan 101520.pdf](#)

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

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

Chair Flood stated this Ordinance is in Council President James's district and he is in favor of it.

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

Yes: 6 - Flood, Reed, Dorsey, Triplett, Winkler, and George

Not Voting: 1 - Engel

2. [O-524-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 9121 BLOSSOM LANE CONTAINING APPROXIMATELY 0.52 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE1017)(AS AMENDED).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-524-20 V.2 CAM 120120 Zoning at 9121 Blossom Ln.pdf](#)
[O-524-20 V.1 111920 Zoning at 9121 Blossom Ln.pdf](#)
[19ZONE1017.pdf](#)
[19ZONE1017_applicant_justification.pdf](#)
[19ZONE1017_opposition_emails.pdf](#)
[19ZONE1017_opposition_letter_060320.pdf](#)
[19ZONE1017_PC_Minutes_10.12.20.pdf](#)
[19ZONE1017_other_minutes.pdf](#)
[19ZONE1017_staff_rpts.pdf](#)
[19ZONE1017_legal_desc.pdf](#)
[19ZONE1017_applicant_presentation.pdf](#)
[19ZONE1017_citizen_comments.pdf](#)

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

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

A motion was made by Committee Member Winkler, seconded by Committee Member Triplett, that this Ordinance be amended by adding the following binding element:

- "Any significant changes or alterations to the proposed structures (e.g. building height, number of units, number of builds), 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 recommend for approval carried by the following vote and the amended Ordinance was sent to Old Business:

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

3. [O-527-20](#)**AN ORDINANCE RELATING TO THE REVISED DETAILED DISTRICT DEVELOPMENT PLAN AT 1231 DURRETT LANE CONTAINING APPROXIMATELY 25.57 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20DDP0033)(AS AMENDED) .**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-527-20 V.2 CAM 120120 Zoning Change 1231 Durrett Ln.pdf](#)
[O-527-20 V.1 111920 Zoning Change 1231 Durrett Ln.pdf](#)
[20-DDP-0033.pdf](#)
[20-DDP-0033 Planning Commission Staff Report_110520.pdf](#)
[20-DDP-0033 Applicant ILA and Landscape Justification.pdf](#)
[20-DDP-0033 Building Elevations_101620.pdf](#)
[20-DDP-0033 Connectivity Waiver Applicant Justification.pdf](#)
[20-DDP-0033 DKY6 Site Specific Traffic Counts.pdf](#)
[20-DDP-0033_ILA Exhibit_102320.pdf](#)
[20-DDP-0033 Plan_102620.pdf](#)
[20-DDP-0033_Traffic Impact Study_100120.pdf](#)
[Louisville Urban Tree Canopy Assesment, 2015.pdf](#)
[DRAFT_2020.11.05_PC_Minutes.pdf](#)

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

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

A motion was made by Committee Member George, seconded by Committee Member Winkler, that this Ordinance be amended by changing the time frame binding element #11 as follows:

- "#11 Within 90 days of the Certificate of Occupancy being issued a traffic study to assess capacity at Durrett Lane and Preston Highway shall be required. The scope of the study shall be determined in consultation with Metro Public Works and include a physical traffic count. If the traffic study results in recommendations for improvements to Durrett Lane, developer shall contribute up to \$100,000 toward the cost of the new improvements. This contribution shall not be requested more than 2 years after issuance of certificate of occupancy."

Chair Flood questioned whether the raising of \$100,000 to \$200,000 was included in this binding element.

Committee Member George stated it was not.

The motion to amend carried by a voice vote.

A motion was made by Committee Member George, seconded by Committee Member Winkler, that this Ordinance be amended by adding binding element 13 as follows:

- "# 13 Within 2 years of issuance of the Certificate of Occupancy a collusion analysis shall be completed at the Preston Highway entrance. Developer shall contribute up to \$100,000 toward the cost of the new improvements. This contribution shall not be requested more than 2 years after issuance of certificate of occupancy."

Committee Member Triplett, question whether the lefthand turn will be allowed onto Preston Highway southbound.

Committee Member Dorsey asked who would be doing the follow-up after 3 years time limit is up.

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: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

4. [O-502-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 2813 LANGDON DRIVE AND 2816 WEISSINGER ROAD CONTAINING APPROXIMATELY 0.64 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE1016)(AS AMENDED) .

Sponsors: Primary Madonna Flood (D-24)

- Attachments:** [O-502-20 V.2 CAM 120120 Zoning 2813 Langdon Dr and 2816 Weissinger Rd.pdf](#)
[O-502-20 V.1 110520 Zoning 2813 Langdon Dr and 2816 Weissinger Rd.pdf](#)
[19ZONE1016.pdf](#)
[19ZONE1016.pdf](#)
[10 01 20 PC Exhibit Book.pdf](#)
[19ZONE1016 opposition emails.pdf](#)
[19ZONE1016 PC Minutes 10.12.20.pdf](#)
[19ZONE1016 Other Minutes.pdf](#)
[19ZONE1016 staff rpts.pdf](#)
[19ZONE-1016 Appl Justification Stmt.pdf](#)
[19ZONE1016 citizen letters.pdf](#)
[19ZONE1016 legal desc.pdf](#)
[19ZONE1016 Plan 10.15.20.pdf](#)

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

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

A motion was made by Committee Member Winkler, seconded by Committee Member Dorsey, that this Ordinance be amended by adding the following binding element:

- "Any significant changes or alterations to the proposed structures (e.g. building height, number of units, number of builds), 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 recommend for approval carried by the following vote and the amended Ordinance was sent to Old Business:

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

5. [O-539-20](#)

AN ORDINANCE AMENDING SEVERAL SECTIONS OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (“LMCO”) CHAPTER 161 RELATING TO THE REGULATION OF NEIGHBORHOOD PLANS.

Sponsors: Primary Keisha Dorsey (D-3)

Attachments: [O-539-20 V.1 111920 Neighborhood Plans Ordinance .pdf](#)

[O-539-20 ATTACH Proposed Revisions for Neighborhood Plans Ordinance.pdf](#)
[Summary of Neighborhood Plans Ordinance.pdf](#)

This item remained held in committee.

6. [O-503-20](#)

AN ORDINANCE RELATING TO THE CLOSURE OF THE PORTION OF AN UNNAMED ALLEY OFF OF 29th STREET CONTAINING APPROXIMATELY 8,848 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 20STRCLOSURE0013).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-503-20 V.1 110520 Unnamed Alley off 29th St.pdf](#)

[20-STRCLOSURE-0013.pdf](#)
[20-STRCLOSURE-0013 Minutes.pdf](#)
[20-STRCLOSURE-0013 Plat and Legal Desc.pdf](#)
[20-STRCLOSURE-0013 staff rpts.pdf](#)

A motion was made by Committee Member Winkler, seconded by Committee Member Engle, that this Ordinance be untabled.

Council Member Purvis stated she is in favor of this Ordinance.

The motion to recommend for approval carried by the following vote and the Ordinance was sent to the Consent Calendar.

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

7. [O-442-20](#)

AN ORDINANCE RELATING TO THE ALTERNATIVE PLAN FOR CONNECTIVITY FOR, AND THE ZONING OF, PROPERTIES LOCATED AT 4011 & 4201 SOUTH PARK ROAD AND 9007 BLUE LICK ROAD CONTAINING APPROXIMATELY 19.24 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0086)(AS AMENDED).

Sponsors: Primary Madonna Flood (D-24)

- Attachments:** [O-442-20 V.2 CAM 120120 Zoning at 4011 4201 South Park Rd -9007 Blue Lick Rd.pdf](#)
[O-442-20 V.1 100820 Zoning at 4011 4201 South Park Rd -9007 Blue Lick Rd .pdf](#)
[19-ZONE-0086.pdf](#)
[19-ZONE-0086_PC Minutes.pdf](#)
[19-ZONE-0086_Other Minutes.pdf](#)
[19-ZONE-0086_Staff Reports.pdf](#)
[19-ZONE-0086_Applicant Booklet.pdf](#)
[19-ZONE-0086_Applicant Studies.pdf](#)
[19-ZONE-0086_Justification Statement.pdf](#)
[19-ZONE-0086_Public Materials.pdf](#)
[19-ZONE-0086_Plan.pdf](#)
[19-ZONE-0086_Legal Description.pdf](#)
[O-442-20 PROPOSED CAM 120120 Zoning at 4011 4201 South Park Rd -9007 Blue Lick Rd .pdf](#)

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

A motion was made by Chair Flood, seconded by Committee Member Triplett, that this Ordinance be amended by adding binding element #7 as follow:

- "#7 The owner/developer may not obtain a Certificate of Occupancy for more than 120 dwelling units until the earlier of such time as the Blue Lick Road widening is completed by Kentucky Transportation Cabinet or December 31, 2022."

The motion to amend carried by a voice vote.

A motion was made by Chair Flood, seconded by Vice Chair Reed, that this Ordinance be amended by adding binding element #8 as follows:

- "#8 If approved by the Kentucky Transportation Cabinet, access to/from Blue Lick Road shall be restricted to right in/right out only, with 6" curbs (unless otherwise required by Kentucky Transportation Cabinet) installed prior to issuance of certificates of occupancy, until the earlier of such time as a dedicated left turn lane is installed on Blue Lick Road benefiting the subject property or June 30, 2022."

The motion to amend carried by a voice vote.

A motion was made by Chair Flood, seconded by Committee Member Winkler, that this Ordinance be amended by adding binding element #9 as follows:

- "#9 If approved by Louisville Metro Public Works, access to/from South Park Road shall be restricted to right in/right out only, with appropriate curbs or alternative method of restricting access as determined in consultation with Louisville Metro Public Works installed prior to issuance of certificate of occupancy. Until such time as a dedicated left turn lane is installed on south Park Road benefiting the subject property."

The motion to amend carried by a voice vote.

A motion was made by Chair Flood, seconded by Committee Member Winkler, that this Ordinance be amended by adding binding element #10 as follows:

- "#10 As part of the approved Alternative Plan for Connectivity on the subject property, the owner/developer shall install an emergency ate along the connection with Delee Way. The owner/developer shall construct and maintain such gate and comply with safety requirements for gated connections as determined by Louisville Metro Public Works and the relevant emergency authorities (Police, Fire, and Emergency Medical Services)."

Travis Fiechter, Jefferson County Attorney's office, stated that he added in section 1 of the Ordinance to note that the Alternative Plan for Connectivity is being modified by binding element.

The motion to amend carried by a voice vote.

A motion was made by Chair Flood, seconded by Committee Member Winkler, that this Ordinance be amended by adding binding element #11 as follows:

- "#11 Any blasting that could occur on the site will require a pre-blast survey of each property containing a structure that abuts or is the next closest property to the site in all directions. A copy of any video, pictures, or reports taken pursuant to such pre-blast survey shall be given to the property owner."

The motion to amend carried by a voice vote.

A motion was made by Chair Flood, seconded by Committee Member Winkler, that this Ordinance be amended by adding binding element #12 as follows:

- "#12 Any significant changes or alterations to the proposed structures 9e.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.

Chair Flood stated that Blue Lick Road and South Park Road is a high traffic area and that the subdivision there was built in the early 1960's and the roads where not built to handle the heavy capacity.

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

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

8. [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](#)

This item remained held in committee.

Adjournment

Without objection, Chair Flood adjourned the meeting at 1:52 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 10, 2020.