

**ORDINANCE NO. \_\_\_\_\_, SERIES 2021**

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 9301-9309 SMYRNA PARKWAY AND PARCEL ID NOS. 066202630000 AND 066202760000 CONTAINING APPROXIMATELY 8.8 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0121) (AS AMENDED).**

**SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) on June 24, 2021, pursuant to Ordinance No. 091, Series 2021 had remanded Case No. 20ZONE0121 back to the Louisville Metro Planning Commission (the “Planning Commission”) for further consideration, specifically regarding tree preservation and the fee-in-lieu request on the site; and

**WHEREAS**, the Planning Commission has held a public hearing on October 7, 2021, which hearing included review of the requested issues; and

**WHEREAS**, the Council has considered the evidence presented at the public hearings held by the 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. 20ZONE0121; and

**WHEREAS**, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 20ZONE0121 and approves and accepts the recommendation 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 properties located at 9301-9309 Smyrna Parkway and Parcel Id. Nos. 066202630000 and 066202760000 containing

approximately 8.8 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 20ZONE0121, is hereby changed from R-4 Residential Single Family to R-6 Residential Multi-Family; provided, however, said properties shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 20ZONE0121-, with the following additional binding element:

8. Any significant changes or alterations to the proposed structures (i.e., 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 the Metro Council.

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

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Sonya Harward  
Metro Council Clerk

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David James  
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: \_\_\_\_\_