



# 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)*

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Tuesday, July 28, 2020

1:00 PM

Council Chambers

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### Call to Order

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

### Roll Call

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

**NOTE: All committee members and non-committee members attended the meeting virtually.**

**Present:** 7 - 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), and Committee Member Robin Engel (R-22)

### Non-Committee Member(s)

Council Member Barbara Sexton Smith (D-4), Council Member Brandon Coan (D-8), Council Member Rick Blackwell (D-12), and Council Member Stuart Benson (R-20)

### Support Staff

Travis Fiechter, Jefferson County Attorney's Office

### Clerk(s)

Cheryl Woods, Assistant Clerk  
Lisa Franklin-Gray, Assistant Clerk  
Sonya Harward, Clerk

## Pending Legislation

### 1. [O-163-20](#)

#### **AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 6517 DIXIE HIGHWAY CONTAINING APPROXIMATELY 0.886 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0088) (AS AMENDED)**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O163-20 V.3 CAM 072820 Rezoning 6517 Dixie Highway.dox.pdf](#)

[O-163-20 V.2 CAM 061620 Rezoning at 6517 Dixie Hwy 19ZONE0088.pdf](#)

[O-163-20 V.1 042320 Rezoning at 6517 Dixie Hwy 19ZONE0088.pdf](#)

[19-ZONE-0088 Appl Justification.pdf](#)

[19-ZONE-0088 LDT Minutes.pdf](#)

[19-ZONE-0088 Legal Desc.pdf](#)

[19-ZONE-0088 PC Minutes.pdf](#)

[19-ZONE-0088 Plan 030520.pdf](#)

[19-ZONE-0088 Staff Rpts.pdf](#)

[19-ZONE-0088.pdf](#)

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

Travis Fiechter, Jefferson County Attorney's Office, explained a proposed binding element:

- Remove Binding Element 16 and replace with the following;

"Subject to approval by the Kentucky Transportation Cabinet, the owner of the property shall close the existing access point from the subject site to Dixie Highway and construct a new, right-out-only curb cut at a point no less than 20 feet south of the existing access point. If KYTC rejects moving the access point, then the owner shall apply to reduce the current access point to right-out-only. The owner shall file a revised detailed district development plan with Louisville Metro Planning and Design Services which depicts the version approved by KYTC. Ingress to the subject site shall occur through the adjoining site at 6633 Dixie Highway, which is also owned by the owner of the subject site, and which access shall be documented by either a deed of consolidation for the two sites or an access easement. Final construction, including the provision of new sidewalk if the existing access point is closed or reduced, shall be completed within one (1) calendar year of the subject property being rezoned."

Councilman Blackwell explained that the importance of having right turn only is the over all plan for Dixie Highway, to reduce left turns and to have right in, right out for safety.

**Motion was made by Council Member Blackwell, seconded by Committee Member Engel, to amend this Ordinance. The motion carried a voice vote.**

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

**District 12 Council Member Blackwell, had a vote on this zoning case and voted YES.**

**Yes:** 6 - Flood, Reed, Dorsey, Triplett, George, and Engel

**Absent:** 1 - Winkler

2. [O-298-20](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 917 & 919 FOUNTAIN AVENUE AND 4700 WESTPORT ROAD CONTAINING APPROXIMATELY 0.59 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0094)**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-298-20 V.1 072320 - Zoning at 917 and 919 Fountain and 4700 Westport.pdf](#)  
[19-ZONE-0094.pdf](#)  
[19-ZONE-0094 Findings of Fact.pdf](#)  
[19-ZONE-0094 Legal Discription.pdf](#)  
[19-ZONE-0094 Other Minutes.pdf](#)  
[19-ZONE-0094 Public Materials.pdf](#)  
[19-ZONE-0094 Staff Reports.pdf](#)  
[19-ZONE-0094 Development Plan.pdf](#)  
[19-ZONE-0094 Public Hearing Minutes.pdf](#)

A motion was made by Committee Member Triplett, 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.

The following spoke to this item:

- Chair Flood
- Committee Member Triplett
- Committee Member Engel
- Travis Fiechter, Jefferson County Attorney's Office

The following was discussed:

- Need binding elements, will need to table
- Question regarding KRS 100.211(2)(g) which states: A tie shall be subject to further consideration by the planning commission not to exceed thirty (30) days, at the end of which, if the tie cannot be broken, then it is forwarded.
- Since we are in COVID pandemic, can ask for extension for more than thirty days

The motion made by the Committee Member Winkler, seconded by Committee Member Triplett, that the Ordinance be tabled. The motion to table carried by a voice vote.

3. [O-301-20](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 3105R AND 3308 SOUTH PARK ROAD CONTAINING APPROXIMATELY 43.4 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0062)**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-301-20 V.1 072320 - Zoning at 3105R and 3308 South Park Rd.pdf](#)

[19-ZONE-0062.pdf](#)

[19-ZONE-0062\\_Appl Justification Stmt.pdf](#)

[19-ZONE-0062\\_Development Plan.pdf](#)

[19-ZONE-0062\\_Binding Elements.pdf](#)

[19-ZONE-0062\\_Legal Desc.pdf](#)

[19-ZONE-0062\\_Other Mins.pdf](#)

[19-ZONE-0062\\_Staff Rpts.pdf](#)

[19-ZONE-0062\\_Public Hearing Minutes.pdf](#)

**A motion was made by Committee Member Triplett, 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.**

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

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

5. [O-303-20](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 9922-10000 BRENTLINGER LANE CONTAINING APPROXIMATELY 9.60 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0087).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-303-20 V.1 072320 - Zoning at 9922-10000 Brentlinger Ln.pdf](#)

[19-ZONE-0087.pdf](#)

[19-ZONE-0087\\_Applicant Studies.pdf](#)

[19-ZONE-0087\\_Binding Elements.pdf](#)

[19-ZONE-0087\\_Development Plan.pdf](#)

[19-ZONE-0087\\_Findings of Fact.pdf](#)

[19-ZONE-0087\\_Legal Description.pdf](#)

[19-ZONE-0087\\_Other Minutes.pdf](#)

[19-ZONE-0087\\_Public Materials.pdf](#)

[19-ZONE-0087\\_Staff Reports.pdf](#)

[19-ZONE-0087\\_Public Hearing 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.

The following spoke to this item:

- Chair Flood
- Committee Member Engel

The following was discussed:

- One voice of opposition in reference to the disrepair of Brentlinger Lane
- Public Works announced they are receiving a couple hundred thousand dollars from the State Department of Transportation for rural secondary roadways
- Developer has agreed to provide 40 feet of right-of-way to widen this area

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

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

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

6. [O-304-20](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 13207 REHL ROAD CONTAINING APPROXIMATELY 17.61 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0044).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-304-20 V.1 072320 - Zoning at 13207 Rehl Road .pdf](#)

[19-ZONE-0044.pdf](#)

[19-ZONE-0044\\_Development Plan.pdf](#)

[19-ZONE-0044\\_Findings of Fact.pdf](#)

[19-ZONE-0044\\_Justification Statements.pdf](#)

[19-ZONE-0044\\_Legal Description.pdf](#)

[19-ZONE-0044\\_Other Minutes.pdf](#)

[19-ZONE-0044\\_Public Materials.pdf](#)

[19-ZONE-0044\\_Staff Reports.pdf](#)

[19-ZONE-0044\\_Public Hearing Minutes.pdf](#)

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

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

The following spoke to this item:

- Committee Member Triplett
- Council Member Benson
- Travis Fiechter, Jefferson County Attorney's Office
- Brian Davis

The following was discussed:

- Tract 2 not being developed at this time
- Would need to come back before the Planning Commission for Tract 2
- Industrial Development would create jobs

District 20 Council Member Benson had a vote on this zoning case and voted YES.

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

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

7. [O-305-20](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 516-520 SOUTH 18th STREET CONTAINING APPROXIMATELY 0.17 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0072).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-305-20 V.1 072320 - Zoning at 516-520 S. 18th Street.pdf](#)

[19-ZONE-0072.pdf](#)

[19-ZONE-0072\\_Appl Justification Stmt.pdf](#)

[19-ZONE-0072\\_Binding Element.pdf](#)

[19-ZONE-0072\\_Development Plan.pdf](#)

[19-ZONE-0072\\_Legal Desc.pdf](#)

[19-ZONE-0072\\_Other Minutes.pdf](#)

[19-ZONE-0072\\_Staff Reports.pdf](#)

[19-ZONE-0072\\_Public Hearing Minutes.pdf](#)

A motion was made by Committee Member Triplett, 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.

Committee Member Dorsey said she is a Board Member of One West, that created this concept to help the disadvantage that would want to get in the restaurant business.

Council Member Sexton Smith, a former member of One West Board of Directors, spoke on Chef Space programs and the restaurant owners that have come through this program. And also that there are seven logical and reasonable binding elements that she is fully supportive of. This is part of a large development proposal that would be beneficial for the community.

Committee Member Triplett stated this does fit with the Russell neighborhood.

Travis Fiechter asked Committee Member Dorsey to abstain from vote, since she is directly involved in this project.

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

**Yes:** 6 - Flood, Reed, Triplett, Winkler, George, and Engel

**Abstain:** 1 - Dorsey



8. [O-164-20](#)

**AN ORDINANCE RELATING TO THE ALTERNATIVE PLAN FOR CONNECTIVITY FOR, AND THE ZONING OF, PROPERTIES LOCATED AT 7000 RIDGE CREEK ROAD, 6601 SUNNY HILL ROAD, AND 7191 SOUTH HURSTBOURNE PARKWAY CONTAINING APPROXIMATELY 16.55 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE1029).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-164-20 V.1 042320 Rezoning at 7000 Ridge Creek Rd, 6601 Sunny Hill Rd & 7191 S Hurstbourne Pkwy 19ZONE1029.pdf](#)  
[19ZONE1029.pdf](#)  
[19-ZONE-1029 PC Minutes.pdf](#)  
[19-ZONE-1029 Other Minutes.pdf](#)  
[19-ZONE-1029 Staff Reports.pdf](#)  
[19-ZONE-1029 Legal Description.pdf](#)  
[19-ZONE-1029 Applicant Booklet.pdf](#)  
[19-ZONE-1029 Applicant Booklet Pg 2.pdf](#)  
[19-ZONE-1029 Justification Statement.pdf](#)  
[19-ZONE-1029 Public Materials.pdf](#)  
[19-ZONE-1029 Approved Plan.pdf](#)  
[19-ZONE-1029 Amended Minutes.pdf](#)

**This item remained held in committee.**

9. [O-306-20](#)

**AN ORDINANCE CLOSING A PORTION OF THE RIGHT-OF-WAY FORMERLY KNOWN AS AIKEN ROAD CONTAINING 34,921 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 20STRCLOSURE0001).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-306-20 V.1 072320 - Closing Portion of Aiken Road.pdf](#)

[O-306-20 V.1 072320 - ATTACH 20-STRCLOSURE-0001\\_Street Closure Plat.pdf](#)

[20-STRCLOSURE-0001.pdf](#)

[20-STRCLOSURE-0001\\_Legal Discription.pdf](#)

[20-STRCLOSURE-0001\\_Other Minutes.pdf](#)

[20-STRCLOSURE-0001\\_Staff Report.pdf](#)

[20-STRCLOSURE-0001\\_Street Closure Plat.pdf](#)

[20-STRCLOSURE-0001\\_Public Minutes.pdf](#)

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

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

**The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:**

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

10. [O-340-19](#)**AN ORDINANCE APPROVING THE SOUTH FLOYDS FORK VISION PLAN AND APPROVING ITS EXECUTIVE SUMMARY AS AN AMENDMENT TO THE PLAN 2040 COMPREHENSIVE PLAN (CASE NO. 19AREAPLAN0002) (AS AMENDED).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-340-19 V.3 CAM 072820 South Floyds Fork Vision Plan 19AREAPLAN0002.pdf](#)  
[O-340-19 V.2 071420 South Floyds Fork Vision Plan 19AREAPLAN0002.pdf](#)  
[O-340-19 V.1 101019 South Floyds Fork Vision Plan 19AREAPLAN0002.pdf](#)  
[ATTACH 19AREAPLAN0002 south floyds fork plan.pdf](#)  
  
[ATTACH 19AREAPLAN0002 south floyds fork executive summary.pdf](#)  
[071420 Presentation - South Floyds Fork.pdf](#)  
  
[102919 South Floyds Fork Metro Council.pdf](#)  
  
[19AREAPLAN0002\\_Public Materials.pdf](#)  
  
[19AREAPLAN\\_Minutes.pdf](#)  
  
[19AREAPLAN0002\\_Legal Description.pdf](#)  
  
[19AREAPLAN0002 South Floyds Fork Vision Plan\\_PC Staff Report.pdf](#)  
[19AREAPLAN0002 south floyds fork appendix.pdf](#)

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

Michael King, Economic Development, spoke on the change from the Planning Commission about 5A.

Chair Flood spoke on a proposed amendment which states:

"5A. reasonable buffer standards when new non-agricultural development is proposed adjacent to land that is permanently protected by a conservation easement. Property owners are strongly encouraged to work together to develop adequate buffers in these cases. In determining the width of the buffer, the size of the parcel being developed and the intensity of the new development should be taken into consideration, as well as the potential negative impact of the new development upon the land that is protected by the conservation easement. For larger, more intense developments, a 50 foot natural/vegetative buffer may be reasonable. Smaller, less intense developments may require a narrower buffer."

Council Member Benson spoke about the 50-feet issue and how the property would lose value and the owner should be compensated.

Travis Fiechter, Jefferson County Attorney's Office, spoke on the reason of why buffers are made larger or smaller, and that there are different ways of compensation.

Travis Fiechter suggest they strike the last two sentences.

Committee Member Winkler spoke about 5A regarding the buffer being a guideline and not a requirement.

A motion was made by Committee Member Winkler, and seconded by Committee Member Engel, to amend the Ordinance as stated above.

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

**Yes:** 5 - Flood, Dorsey, Triplett, Winkler, and George

**No:** 2 - Reed, and Engel

11. [O-370-19](#)**AN ORDINANCE AMENDING SECTION 6.1.3 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE (“LDC”) REGARDING ACCESS ROADWAYS FOR RESIDENTIAL DEVELOPMENTS (CASE NO. 19-LDC-0001).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-370-19 V.1 110719 Amend LDC 6.1.3 for Access Roadways for Residential Developments 19LDC0001.pdf](#)  
[O-370-19 V.1 110719 ATTACH Amend LDC 6.1.3 19LDC0001.pdf](#)  
[19-LDC-0001 Staff Report.pdf](#)  
[2019.10.17 Amended PC Minutes Case No. 19-LDC-0001.pdf](#)

**This item remained held in committee.**

**Adjournment**

**Without objection, Chair Flood adjourned the meeting at 2:33 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 August 6, 2020.