



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, June 16, 2020

1:00 PM

Council Chambers

Call to Order

Chair Flood called the meeting to order at 1:03 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:** 6 - Chair Person Madonna Flood (D-24), 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)
- Excused:** 1 - Vice Chair Scott Reed (R-16)

Non-Committee Member(s)

Council Member Sexton Smith (D-4), Council Member Rick Blackwell (D-12), and Council Member Peden (R-23)

Support Staff

Travis Fiechter, Jefferson County Attorney's Office

Clerk(s)

Sonya Harward, Clerk
Lisa Franklin-Gray, Assistant 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: [O-163-20 V.2 CAM 061620 - Rezoning at 6517 Dixie Hwy](#)

[19ZONE0088.pdf](#)

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

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

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

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

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

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

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

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

A motion was made by Committee Member Engel, 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.

Council Member Blackwell explained that he had a binding element he would like to add to the Ordinance due to one of the provisions of the new development going against the Dixie Master Plan. He stated that the binding element closes the access point to the development from Dixie Highway and that this was the first instance that has come before the Council and he wanted to set a precedent.

A motion was made by Council Member Blackwell, seconded by Committee Member Triplett, that this Ordinance be amended to add the following binding element:

"16. The access point from the subject site to Dixie Highway depicted on the development plan presented to the Planning Commission on March 5, 2020 shall be closed, and the encroachment permit pulled from the Kentucky Transportation Cabinet. Access to Dixie Highway for 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. Sidewalk shall be provided and connect to the existing sidewalk network on both sides of the current curb cut accompanied by an appropriate landscape buffer."

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:

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

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

Excused: 1 - Reed

2. [O-182-20](#)

AN ORDINANCE RELATING TO THE AGENCY REVIEW PROCESS CONDUCTED BY A CODE OFFICIAL (AS AMENDED).

Sponsors: Primary James Peden (R-23)

Attachments: [O-182-20 V.2 CAM 062520 - Relating to Agency Review Process Conducted by a Code Official.pdf](#)
[O-182-20 V.1 051420 Relating to Agency Review Process Conducted by a Code Official.pdf](#)

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

The following spoke to this item:

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

The following was discussed:

- Purpose of the Ordinance
- Use of five days versus five business days

A motion was made by Chair Flood, seconded by Committee Member Triplett, that this item be amended to add "business" in all references to "five (5) days" in the Ordinance. The motion carried by a voice vote.

The discussion continued and the following spoke to this item:

- Deputy Chief Robert Dwyer, Highview Fire Department
- Council Member Peden
- Chair Flood
- Travis Fiechter
- Committee Member Engel

The following was discussed:

- Fire departments not being included when there are plans for construction on existing structures and recent situation where the building was not accessible to fire trucks
- Need for input from Council and other departments
- Amend to add notification requirement for fire district that has jurisdiction

A motion was made by Committee Member Engel, seconded by Committee Member Dorsey, that this amended Ordinance be further amended to add a new section 150.010(A)(3) to read as "Notify the fire authority having jurisdiction over the location." 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: 6 - Flood, Dorsey, Triplett, Winkler, George, and Engel

Excused: 1 - Reed

3. [R-031-20](#)

A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO NEIGHBORHOOD MEETINGS.

Sponsors: Primary Paula McCraney (D-7)

Attachments: [R-031-20 V.1 022020 Request PC Review LDC for Neighborhood Meetings.pdf](#)

This item was held in committee.

4. [R-074-20](#)**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO HEAVY TRUCK PARKING.**

Sponsors: Primary Nicole George (D-21)

Attachments: [R-074-20 V.1 052820 Request PC Review Heavy Truck Parking.pdf](#)

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

The following spoke to this item:

- Committee Member George
- Chair Flood
- Committee Member Dorsey
- Travis Fiechter, Jefferson County Attorney's Office
- Council Member Peden
- Committee Member Engel

The following was discussed:

- Heavy trucks parking in residential areas
- Assessment that pointed out 10 hot spots identified in District 21 where trucks were parking
- Part of assessment included speaking with truck drivers and found that some of the reasons for the issue included lack of awareness, financial considerations due to limited spaces, proximity, and lack of enforcement
- Question regarding the lowering of the zoning category for the trucks
- Better management and more opportunities that possibly drives down prices for parking
- Clarifying the process for reviewing the Land Development Code and what is to be provided to the Council
- Time period to review or adopt any changes to the Land Development Code
- Public hearing on the matter

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

5. [R-080-20](#)**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO DEVELOPMENT ON STEEP SLOPES.**

Sponsors: Primary James Peden (R-23)

Attachments: [R-080-20 V.1 061120 PC to Review LDC for Steep Slopes Development.pdf](#)

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

The following spoke to this item:

- Council Member Peden
- Brian Davis, Planning and Design Services

The following was discussed:

- Referenced a recent development that raised concern about the ability for developers to receive a density bonus and build smaller lots due to preserving steep slopes, and the minimal amount of acreage that was preserved to get the density bonus
- Compared it to conservation subdivision rules

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

6. [R-081-20](#)**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO DRAINAGE EASEMENTS AND DETENTION/RETENTION BASINS IN REAR YARD AREAS.**

Sponsors: Primary James Peden (R-23)

Attachments: [R-081-20 V.1 061120 PC to Review LDC for Drainage Easements & Detention Basins in Rear Yards.pdf](#)

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

The following spoke to this item:

- Council Member Peden
- Committee Member Triplett
- Committee Member George
- Committee Member Engel

The following was discussed:

- Referenced a recent development (the same development referenced in item 5 - R-080-20) that raised concern regarding the waiver granted for drainage easements in backyards
- Changes to plans regarding land that was initially shown as being unused
- How the 15 percent baseline was initially determined
- Whether there would be a look-back process and Metropolitan Sewer District's roll in the process

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

7. [R-082-20](#)**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO PRIVATE ROADS.**

Sponsors: Primary James Peden (R-23)

Attachments: [R-082-20 V.1 061120 PC to Review LDC for Private Roads.pdf](#)

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

The following spoke to this item:

- Council Member Peden
- Committee Member George
- Chair Flood
- Committee Member Dorsey
- Committee Member Engel
- Brain Davis, Planning and Design Services

The following was discussed:

- Referenced a recent development (the same development referenced in item 5. R-080-20 and item 6. R-081-20) regarding concerns with the connection of public roads to private roads and the responsibility of the maintenance for such roads
- Concerns about routing public streets through apartment complex parking lots
- Question regarding the optimal solution
- Reference to a subdivision with private roads that did not want the county or Louisville Metro to take over their roads because they had their own funding and did not want to wait on Louisville Metro to provide maintenance
- Reference to a private road, Becker Court, that is used by the public due to being surrounded by public roads and the inability to use public funds to repave the private road
- Question about connectivity of roadways and the responsibility of Louisville Metro to provide maintenance

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

8. [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 was held in committee.

9. [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: [19ZONE1029.pdf](#)

[O-164-20 V.1 042320 Rezoning at 7000 Ridge Creek Rd, 6601 Sunny Hill Rd & 7191 S Hurstbourne Pkwy 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](#)

This item was held in committee.

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).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [102919 South Floyds Fork Metro Council.pdf](#)

[O-340-19 V.1 101019 South Floyds Fork Vision Plan 19AREAPLAN0002.pdf](#)
[19AREAPLAN0002 south floyds fork executive summary.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 plan.pdf](#)
[19AREAPLAN0002 south floyds fork appendix.pdf](#)

This item was held in committee.

Adjournment

Without objection, Chair Flood adjourned the meeting at 2:14 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 June 25, 2020.