

ORDINANCE No. \_\_\_\_\_, SERIES 2016

**AN ORDINANCE CHANGING THE ZONING FROM R-6 MULTI-FAMILY RESIDENTIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 2100 AND 2104 SOUTH PRESTON STREET CONTAINING 0.066 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1048)(AS AMENDED).**

**SPONSORED BY: COUNCILWOMAN MADONNA FLOOD**

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro 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. 15ZONE1048; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 15ZONE1048 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records, along with the additional binding element numbers 8, 9 and 10 set forth below;

**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 property located at 2100 and 2104 South Preston Street containing 0.066 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 15ZONE1048, is hereby changed from R-6 Multi-Family Residential to C-2 Commercial, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 15ZONE1048, as well as to the following additional binding elements:

8. The trash container enclosure shall be constructed of durable, plastic decking material.

9. The structure located at 2104 Preston St. shall be used only as offices and/or storage for the property at 2100 S. Preston St. only, unless a change in said use is approved by the Planning Commission or a committee thereof.

10. Although the subject property complies with the requirements of the Land Development Code regarding parking, the applicant will pursue approval of a conditional use permit for the use of the property at 2071 S. Preston St. as off street parking. Prior to Louisville Metro's issuance of any building permit(s) for the proposed expansion at 2100 and 2104 South Preston Street, the applicant shall file its formal application for Conditional Use Permit. Thereafter, applicant shall diligently pursue any and all approvals associated with the Conditional Use Permit for off-street parking at 2071 S. Preston St. The use of the properties at 2100 and 2104 South Preston Street shall not be conditioned upon any particular outcome of the Conditional Use Permit application process.

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

\_\_\_\_\_  
H. Stephen Ott  
Metro Council Clerk

\_\_\_\_\_  
David Yates  
President of the Council

\_\_\_\_\_  
Greg Fischer  
Mayor

Approved: \_\_\_\_\_  
Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

O-149-16