

ORDINANCE NO. 056, SERIES 2021

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 8300 COOPER CHAPEL ROAD CONTAINING APPROXIMATELY 29.69 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0057)(AMENDED BY SUBSTITUTION).**

**SPONSORED BY: COUNCIL MEMBER 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 (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. 20ZONE0057; and

**WHEREAS**, the Council rejects the findings of the Planning Commission for the zoning change in Case No. 20ZONE0057 and has made alternative findings of fact based on the Planning Commission’s record that support maintaining the existing R-4 Residential Single Family zoning designation; and

**WHEREAS**, the Council makes the following findings of fact based upon the record established before the Planning Commission for Case No. 20ZONE0057 to overturn the recommendation of the Planning Commission and maintain the existing R-4 Residential Single Family zoning designation on the property located at 8300 Cooper Chapel Road and being in Louisville Metro; and

**WHEREAS**, the proposal does not conform to Land Use & Development Goal 1: Community Form Subsection 7: Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned. It does not conform because the site is not along a major transit corridor but instead

located between two arterials at a significant distance from either, nor is it near an employment center, nor an activity center, nor is there sufficient infrastructure in the area to support the proposal; and

**WHEREAS**, the proposal does not conform to Land Use & Development Goal 1: Mobility Subsection 4: Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system. It does not conform because the proposal is not within an existing marketplace corridor or even near one, nor is it located in or near an existing activity center, nor is it located in or near an employment center; and

**WHEREAS**, the proposal does not conform to Land Use & Development Goal 2: Mobility Subsection 4: Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances. It does not conform because, while the development plan does attempt to place a single-family buffer between the surrounding properties and the multifamily interior, the entire site is still at a density and intensity which far exceeds that of the surrounding area which includes much lower intensity single-family zoning and uses, including farmland, and would make connections to such adjacent properties; and

**WHEREAS**, the proposal does not conform to Land Use & Development Goal 3: Mobility Subsection 2: To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers. It does not conform because there is no safe,

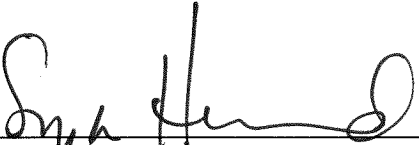
continuous pedestrian, bicycle, or public transportation access from the site to either of the major arterials it is situated between, nor is it near an employment center; and


**WHEREAS**, the proposal does not conform to Land Use & Development Goal 1: Housing Subsection 2: Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities. It does not conform because the intense, multi-family proposal does not include any units dedicated for senior housing or people with disabilities and is located far from shopping, medical, and other supportive facilities.


**NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISIVLLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** That the zoning of the property located at 8300 Cooper Chapel Road containing approximately 29.69 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 20ZONE0057, shall remain R-4 Residential Single Family and that the decision of the Planning Commission in that case is overridden.

**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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Greg Fischer  
Mayor

  
\_\_\_\_\_  
David James  
President of the Council

04/27/2021  
\_\_\_\_\_  
Approval Date

**APPROVE AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: *Karla M Ferguson*

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