



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Final Planning, Zoning and Annexation Committee

Chair Person Madonna Flood (D-24)
Vice Chair Glen Stuckel (R-17)
Committee Member Bill Hollander (D-9)
Committee Member Pat Mulvihill (D-10)
Committee Member Scott Reed (R-16)
Committee Member Vitalis Lanshima (D-21)
Committee Member Robin Engel (R-22)

Tuesday, February 13, 2018

1:30 PM

Council Chambers

Call to Order

Vice Chair Stuckel called the meeting to order at 1:36 p.m.

Roll Call

Vice Chair Stuckel introduced the committee members and non-committee members present. A quorum was established.

- Present:** 8 - Vice Chair Glen Stuckel (R-17), Committee Member Bill Hollander (D-9), Committee Member Pat Mulvihill (D-10), Committee Member Scott Reed (R-16), Committee Member Vitalis Lanshima (D-21), Committee Member Robin Engel (R-22), S. Brandon Coan (D-8), and Barbara Sexton Smith (D-4)
- Excused:** 1 - Chair Person Madonna Flood (D-24)

Non-Committee Member(s)

Council Member Barbara Sexton Smith (D-4) and Council Member S. Brandon Coan (D-8)

Support Staff

Paul Whitty, Jefferson County Attorney's Office
John Carroll, Jefferson County Attorney's Office
Travis Fiechter, Jefferson County Attorney's Office

Clerk(s)

David B. Wagner, Assistant Clerk
Lisa Franklin Gray, Assistant Clerk

Pending Legislation

1. [O-022-18](#)

AN ORDINANCE CLOSING A PORTION OF DENHAM ROAD NORTHEAST OF THE INTERSECTION OF DENHAM ROAD AND DRAYTON DRIVE AND BEING IN LOUISVILLE METRO (CASE NO. 17STREETS1013).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [17STREETS1013.pdf](#)

[O-022-18 V.1 020818 Closure of portion of Denham Rd.](#)

[17STREETS1013.pdf](#)

[O-022-18 V.1 020818 ATTACH Closure Plat.pdf](#)

[17STREETS1013 - 2018.01.18 PC Minutes.pdf](#)

[17STREETS1013 - 2018.01.18 PC Staff Report.pdf](#)

[17STREETS1013 - 2017.11.30 LD&T Minutes.pdf](#)

[17STREETS1013 - 2017.11.30 LD&T Staff Report.pdf](#)

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

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation.

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

Yes: 5 - Stuckel, Hollander, Mulvihill, Reed, and Engel

Excused: 1 - Flood

Absent: 1 - Lanshima

2. [O-460-17](#)

AN ORDINANCE CHANGING THE ZONING R-4 RESIDENTIAL SINGLE FAMILY TO PRD PLANNED RESIDENTIAL DISTRICT ON PROPERTY LOCATED AT 9213 FAIRGROUND ROAD CONTAINING 5.94 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1037). (AS AMENDED)

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-460-17 V.2 CAM 021318 Rezoning from R4 to PRD at 9213 Fairground Rd 16ZONE1037.pdf](#)
[O-460-17 PROPOSED CAM 021318 - 9213 FAIRGROUND RD \(As Amended on 2-13-18\).pdf](#)
[16ZONE1037.pdf](#)
[O-460-17 V.1 011118 Rezoning from R4 to PRD at 9213 Fairground Rd 16ZONE1037.pdf](#)
[16ZONE1037 - 2017.11.29 PC Minutes.pdf](#)
[16ZONE1037 - 2017.11.29 PC Staff Report.pdf](#)
[16ZONE1037 - Justification Statement.pdf](#)
[16ZONE1037 - Legal Description.pdf](#)
[16ZONE1037 - Plan.pdf](#)
[16ZONE1037 - Pre-App Staff Report.pdf](#)
[16ZONE1037 - Public Materials.pdf](#)
[16ZONE1037 - 2017.09.14 LD&T Minutes.pdf](#)
[16ZONE1037 - 2017.09.14 LD&T Staff Report.pdf](#)
[16ZONE1037 - 2017.10.12 LD&T Minutes.pdf](#)
[16ZONE1037 - 2017.10.12 LD&T Staff Report.pdf](#)
[16ZONE1037 - 2017.11.02 PC Minutes.pdf](#)

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

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation. Committee Member Engel and Paul Whitty, Jefferson County Attorney's Office, also spoke to the item.

A motion was made by Committee Member Engel, seconded by Committee Member Mulvihill, that this Ordinance be amended as follows:

- Add "with additional binding elements" at the end of the second WHEREAS statement
- Add "and additional binding elements as follows, and a revision to binding element #8:" at the end of the first paragraph of Section I
- Replace "\$3,000" with "\$10,000" in binding element #8
- Add binding element #17: "Developer shall complete all roadways in the development to Metro Public Works public road standards. Upon the completion of construction of the 28th home in the subdivision (being 80% of the total lots in the subdivision), the Developer shall post a bond, in an amount established by Metro Public Works, to complete the remainder of the roads in

the subdivision, including the final coat of asphalt. The bond shall have the homeowner's association as the beneficiary, and shall be released only upon a certification from Metro Public Works that the roads were built to public road standards, or if Metro Public Works won't inspect, upon certification of a licensed engineer that the roads were built to Metro Public Works public road standards."

- Add binding element #18: "All existing vegetation in the LBA along the western property line, adjoining Old Fairgrounds Woods, shall remain undisturbed (excluding the sewer connection as shown on the Development Plan and any required erosion control fencing), and Developer shall also plant along this western property line evergreen shrubs/trees that mature to a height no less than 8' and form a solid screen at maturity. Developer shall also plant the same evergreen shrubs/trees along the eastern property line behind lots 33, 34, 35, and 37. The type and variety of the evergreen shrubs/trees to be approved by Department of Planning and Design staff. The shrubs/trees shall be maintained and remain in good condition in perpetuity."

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 - Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

Excused: 1 - Flood

3. [O-023-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 7650 DIXIE HIGHWAY CONTAINING 4.35 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1080).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [16ZONE1080.pdf](#)

[O-023-18 V.1 020818 Rezoning from R4 to C2 at 7650 Dixie Hwy](#)

[16ZONE1080.pdf](#)

[16ZONE1080 - Legal Description.pdf](#)

[16ZONE1080 - Letter of Explanation.pdf](#)

[16ZONE1080 - Plan.pdf](#)

[16ZONE1080 - Pre-App Staff Report.pdf](#)

[16ZONE1080 - 2017.12.14 LD&T Minutes.pdf](#)

[16ZONE1080 - 2017.12.14 LD&T Staff Report.pdf](#)

[16ZONE1080 - 2018.01.18 PC Minutes.pdf](#)

[16ZONE1080 - 2018.01.18 PC Staff Report.pdf](#)

[16ZONE1080 - Justification Statement.pdf](#)

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

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation.

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

Yes: 6 - Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

Excused: 1 - Flood

4. [O-024-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PEC PLANNED EMPLOYMENT CENTER ON PROPERTY LOCATED AT 12413 OLD LAGRANGE ROAD CONTAINING 4.35 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1044).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [17ZONE1044.pdf](#)

[O-024-18 V.1 020818 Rezoning from R4 to PEC at 12413 Old LaGrange Rd 17ZONE1044.pdf](#)
[17ZONE1044 - 2018.01.04 PC Minutes.pdf](#)
[17ZONE1044 - 2018.01.18 PC Minutes.pdf](#)
[17ZONE1044 - 2018.01.18 PC Staff Report.pdf](#)
[17ZONE1044 - Justification Statement.pdf](#)
[17ZONE1044 - Legal Description.pdf](#)
[17ZONE1044 - Pre-App Staff Report.pdf](#)
[17ZONE1044 - Public Materials.pdf](#)
[17ZONE1044 - Trip Generation Report.pdf](#)
[17ZONE1044 - 2017.12.14 LD&T Minutes.pdf](#)
[17ZONE1044 - 2017.12.14 LD&T Staff Report.pdf](#)
[17ZONE1044 - Plan.pdf](#)

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

Joe Reverman, Planning and Design Services, spoke to the item and gave a presentation. Vice Chair Stuckel and Paul Whitty, Jefferson County Attorney's Office, also spoke to the item.

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

Yes: 6 - Stuckel, Hollander, Mulvihill, Reed, Lanshima, and Engel

Excused: 1 - Flood

5. [O-387-17](#)

AN ORDINANCE AMENDING SECTION 150.110 OF THE LOUISVILLE/ JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("LMCO") RELATING TO WRECKING OR DEMOLITION OF HISTORIC BUILDINGS OR STRUCTURES (AMENDMENT BY SUBSTITUTION).

Sponsors: Primary S. Brandon Coan (D-8)

Attachments: [O-387-17 V.2 CABS 021318 Replacing LMCO 150.110 Relating to Demo of Historic Structures.pdf](#)
[O-387-17 PROPOSED CABS 021318 Replacing LMCO 150.110 Relating to Demo of Historic Structures.pdf](#)
[O-387-17 PROPOSED CABS -TRACKED CHANGES- 120517 Replacing LMCO 150.110 Relating to Demo of Historic Structures.pdf](#)
[O-387-17 PROPOSED CABS -CLEAN- 120517 Replacing LMCO 150.110 Relating to Demo of Historic Structures.pdf](#)
[O-387-17 V.1 110917 Replacing LMCO 150.110 Relating to Demo of Historic Structures.pdf](#)

A motion was made by Committee Member Hollander, seconded by Committee Member Mulvihill, that this Ordinance be untabled. The motion carried without objection.

Council Member Coan spoke to the item.

A motion was made by Committee Member Hollander, seconded by Committee Member Mulvihill, that this Ordinance be amended by substitution with the attached document titled "O-387-17 PROPOSED CABS 021318 Replacing LMCO 150.110 Relating to Demo of Historic Structures". The motion to amend carried by a voice vote.

A motion was made by Committee Member Reed, seconded by Committee Member Mulvihill, that this amended Ordinance be tabled. The motion to table carried by a voice vote.

John Carroll, Jefferson County Attorney's Office, spoke to the item.

6. [O-375-17](#)

AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES ("LMCO") SECTION 164.30 ET SEQ., THE SYSTEM DEVELOPMENT CHARGE, TO REQUIRE INCREASED CONTRIBUTIONS AND ELIMINATE THE SUNSET PROVISION.

Sponsors: Primary Julie Denton (R-19)

Attachment: [O-375-17 V.1 102617 System Development Charge Increase.pdf](#)

This item was held in committee.

7. [R-168-17](#)

A RESOLUTION REQUESTING THE PLANNING COMMISSION TO REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO THE PRESERVATION OF TREES AND TO INCREASE THE PERIMETER TREE PRESERVATION REQUIREMENTS.

Sponsors: Primary Julie Denton (R-19)

Attachments: [R-168-17 V.1 102617 Request PC to Review LDC Tree Preservation Requirements Increase.pdf](#)

This item was held in committee.

8. [R-189-17](#)

A RESOLUTION REQUESTING THE LOUISVILLE/JEFFERSON COUNTY PLANNING COMMISSION TO ADOPT A REGULATION PROVIDING FOR APPEALS TO THE METRO COUNCIL IN SUBDIVISION CASES.

Sponsors: Primary Julie Denton (R-19)

Attachments: [R-189-17 V.1 113017 PC Regulation for Appeals to MC Subdivision Cases.pdf](#)

This item was held in committee.

Adjournment

Without objection, Vice Chair Stuckel adjourned the meeting at 2:56 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 February 22, 2018.