



**Action Summary - Final
Planning/Zoning, Land Design and
Development Committee**

Chair Person Madonna Flood (D-24)
Vice Chair Glen Stuckel (R-17)
Committee Member Tom Owen (D-8)
Committee Member Pat Mulvihill (D-10)
Committee Member Kelly Downard (R-16)
Committee Member Marilyn Parker (R-18)
Committee Member Brent Ackerson (D-26)

Tuesday, May 17, 2016

1:30 PM

Council Chambers

Call to Order

Chair Person Flood called the meeting to order at 1:34 p.m.

Roll Call

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

Present: 6 - Chair Person Madonna Flood (D-24), Vice Chair Glen Stuckel (R-17), Committee Member Pat Mulvihill (D-10), Committee Member Kelly Downard (R-16), Committee Member Marilyn Parker (R-18), and Committee Member Brent Ackerson (D-26)

Excused: 1 - Committee Member Tom Owen (D-8)

Non-Committee Members

Council Member David James (D-6) and Council Member Stuart Benson (R-20)

Support Staff

Jon Baker, Jefferson County Attorney's Office
John Carroll, Jefferson County Attorney's Office

Clerk

David B. Wagner, Assistant Clerk

Pending Legislation

1. [O-116-16](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 6503 BILLTOWN ROAD CONTAINING 3.85 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1057)(AS AMENDED).

Sponsors:Primary Madonna Flood (D-24)

Attachments: [15ZONE1057](#)

[15ZONE1057 ApprovedPlan 04.07.16](#)

[15ZONE1057 PC minutes 04.07.16](#)

[15ZONE1057 LDT minutes 02.25.16](#)

[15ZONE1057 staff rpts](#)

[15ZONE1057 PC exhibit book 04.07.16](#)

[15ZONE1057 appl justification](#)

[15ZONE1057 Applicant's presentation](#)

[15ZONE1057 citizen comments](#)

[15ZONE1057 legal desc](#)

[15ZONE1057 Traffic Study](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Downard, that the Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation.

A motion was made by Council Member Benson, seconded by Committee Member Downard, that the Ordinance be amended by adding proposed Binding Element #24. Jon Baker, Jefferson County Attorney's Office, read the proposed Binding Element into the record as follows:

24. Property owner/developer shall pre-grade the right-of-way along the site's frontage with both Billtown Rd. and Gelhaus Ln. for preparation of constructing a future right-turn lane which will be installed at a later time. Property owner/developer shall include within its construction plans the full design of the right-turn lane and the pre-grading specifications to be completed as part of the site development. Area shall be graded, seeded, and strawed prior to the issuance of a Certificate of Occupancy for the gas station. Construction plans, bond, and encroachment permit shall be required by KTC for work in the Billtown Rd. right-of-way and by Public Works for work within the Gelhaus Ln. right-of-way.

The motion to amend carried by a voice vote.

Jeff Brown, Public Works and Assets, spoke to the item.

The motion to recommend for approval carried by the following vote and the

amended Ordinance was sent to Old Business:

District 20 Council Member Benson had a vote on this zoning case and voted NO.

Yes: 5 - Flood, Stuckel, Mulvihill, Downard, and Parker

No: 1 - Ackerson

Excused: 1 - Owen

2. [O-101-16](#)

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTERS 1, 2 AND 8 OF THE LAND DEVELOPMENT CODE PERTAINING TO THE OLD LOUISVILLE / LIMERICK TRADITIONAL NEIGHBORHOOD ZONING DISTRICT - APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A (CASE NO. 15AMEND1001)(AS AMENDED).

Sponsors: Primary David James (D-6)

Attachments: [O-101-16 PROPOSED AMEND handed out by James](#)

[15AMEND1001_PZC_5-17-16](#)

[15AMEND1001 and 15AREA1001 all minutes](#)

[15AMEND1001 and 15AREA1001 staff reports](#)

[15AREA1001 and 15AMEND1001 public comments](#)

[O-101-16 Ordinance 15AMEND1001 - TNZD Text Ordinance 2](#)

[O-101-16 Amended Ordinance 15AMEND1001 - TNZD Text Ordinance 2](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Downard, that the Ordinance be recommended for approval.

Brian Mabry, Planning and Design Services, spoke to the item and gave a presentation. Jon Baker, Jefferson County Attorney's Office, spoke to the item.

A motion was made by Vice Chair Stuckel, seconded by Committee Member Downard, that the Ordinance be amended by adding Use #37 to Table 2.7.7 as follows:

37. Indoor and outdoor malt beverage, distilled spirits and wine sales and consumption only with proper ABC license and only in association with a restaurant, tea room and cafe

The motion to amend carried by a voice vote.

A motion was made by Vice Chair Stuckel, seconded by Committee Member Parker, that the Ordinance be amended by replacing Use #54 in Table 2.7.7 as follows:

54. Restaurants, tea rooms and cafes excluding outdoor dancing and entertainment activity (Indoor and outdoor malt beverage, distilled spirits and wine sales and consumption only with proper ABC license) (no drive-through

service permitted)

The motion to amend carried by a voice vote.

Chair Person Flood stated that the addition of Use #37 would require a technical amendment to re-number the uses in Table 2.7.7 as appropriate.

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

Yes: 6 - Flood, Stuckel, Mulvihill, Downard, Parker, and Ackerson

Excused: 1 - Owen

3. [O-121-16](#)

AN ORDINANCE CHANGING THE NEIGHBORHOOD TYPE OF TWO PROPERTIES IN THE OLD LOUISVILLE / LIMERICK TRADITIONAL NEIGHBORHOOD ZONING DISTRICT FROM NEIGHBORHOOD GENERAL TO NEIGHBORHOOD CENTER TRANSITION-EDGE TRANSITION, WITH SUCH PROPERTIES BEING GENERALLY LOCATED ON SOUTH 7TH STREET BETWEEN WEST ORMSBY AVENUE AND WEST OAK STREET AND BEING IN LOUISVILLE METRO (CASE NO. 15AREA1001).

Sponsors: Primary David James (D-6)

Attachments: [15AMEND1001_PZC_5-17-16](#)

[15AMEND1001_and_15AREA1001_all_minutes](#)

[15AMEND1001_and_15AREA1001_staff_reports](#)

[15AREA1001_and_15AMEND1001_public_comments](#)

[O-121-16 Ordinance 15AREA1001 TNZD Map Amendment](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Downard, that the Ordinance be recommended for approval.

Brian Mabry, Planning and Design Services, spoke to the item. Jon Baker, Jefferson County Attorney's Office, spoke to the item.

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

Yes: 6 - Flood, Stuckel, Mulvihill, Downard, Parker, and Ackerson

Excused: 1 - Owen

Adjournment

Without objection, Chair Person Flood adjourned the meeting at 2:41 PM.

*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on May 26, 2016.