

ORDINANCE NO. _____, SERIES 2022

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY
LOCATED AT 2328 AND 2400 LOWER HUNTERS TRACE AND 2403
CADY COURT CONTAINING APPROXIMATELY 11.27 ACRES AND
BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0134).
(AMENDMENT BY SUBSTITUTION)**

SPONSORED BY: COUNCIL MEMBER RICK BLACKWELL

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. 21ZONE0134; and

WHEREAS, the Planning Commission recommendation to rezone the property was a split vote, with six (6) voting in favor and two (2) voting against; and

WHEREAS, the Council rejects the findings of the Planning Commission for the zoning change in Case No. 21ZONE0134 and has made alternative findings of fact based on the Planning Commission’s record that support maintaining the existing R-4 Residential Single Family and C-1 Commercial zoning designations; and

WHEREAS, the Council makes the following findings of fact based upon the record established before the Planning Commission for Case No. 21ZONE0134 to overturn the recommendation of the Planning Commission and maintain the existing R-4 Residential Single Family and C-1 Commercial zoning designations on the property located at 2328 and 2400 Lower Hunters Trace and 2403 Cady Court and being in Louisville Metro; and

WHEREAS, the proposal does not comply with Land Use and Development Goal 1: Community Form subsection 7 because the site is roughly a mile away from Dixie Highway with primarily R-4 zoned and used property located in between; and

WHEREAS, the proposal does not comply with Land Use and Development Goal 1: Community Form subsection 9 because this 3-story, highly dense (17.28 dwelling units per acre, just 0.14 dwelling units short of the R-6 maximum) development is proposed to be dropped in the middle of an overwhelmingly R-4 Residential Single Family zoned and developed area, creating a transition which would be stark and jarring rather than appropriate; and

WHEREAS, the proposal does not comply with Land Use and Development Goal 1: Mobility subsection 4 because the site is located roughly a mile off Dixie Highway with primarily R-4 zoned and used property located in between; and

WHEREAS, the proposal does not comply with Land Use and Development Goal 2: Mobility subsection 4 because, while access to the site is via Lower Hunters Trace, which is a primary collector, the property is flanked by significant stretches of R-4 zoned and used property on either side, necessitating access to this much more dense development through significantly less dense areas; and

WHEREAS, these concerns about density, building height, and appropriate transitions between properties were all raised by the Commissioners who voted against recommending the proposed rezoning.

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 2328 and 2400 Lower Hunters Trace and 2403 Cady Court containing approximately 11.27 acres and being in

Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 21ZONE0134, shall remain R-4 Single Family Residential and C-1 Commercial 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 or otherwise becoming law.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

O-119-22 21ZONE0134 Rejection.docx (TF)