



# Louisville Metro Government

## Action Summary - Tentative Planning and Zoning Committee

*Chair Madonna Flood (D-24)*

*Vice Chair Scott Reed (R-16)*

*Committee Member Keisha Dorsey (D-3)*

*Committee Member Jecorey Arthur (D-4)*

*Committee Member Cassie Chambers Armstrong (D-8)*

*Committee Member Kevin Triplett (D-15)*

*Committee Member Robin Engel (R-22)*

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Tuesday, October 19, 2021

1:00 PM

Council Chambers/Virtual

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### THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

#### Call to Order

Chair Flood called the meeting to order at 1:03 p.m.

#### Roll Call

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

**\*NOTE:** All committee members and non-committee members present attended virtually, except Council Member Hollander, who attended in Chambers.

**Present:** 7 - Committee Member Keisha Dorsey (D-3), Committee Member Jecorey Arthur (D-4), Committee Member Cassie Chambers Armstrong (D-8), Committee Member Kevin Triplett (D-15), Vice Chair Scott Reed (R-16), Committee Member Robin Engel (R-22), and Chair Madonna Flood (D-24)

#### Non-Committee Member(s)

Council Member Donna Purvis (D-5), Council Member Bill Hollander (D-9), and Council Member James Peden (R-23)

#### Support Staff

Travis Fiechter, Jefferson County Attorney's Office  
Laura Ferguson, Jefferson County Attorney's Office

#### Clerk(s)

Cheryl Woods, Assistant Clerk  
Sonya Harward, Clerk

**Pending Legislation**

1. [O-504-21](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 6906 BRISCOE LANE AND 6709 AND 6803 OUTER LOOP CONTAINING APPROXIMATELY 9.62 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0057)(AS AMENDED).**

**Sponsors:** Primary Madonna Flood (D-24)

- Attachments:** [O-504-21 V.2 CAM 101921 Zoning at 6906 Briscoe Lane and 6709 and 6803 Outer Loop.pdf](#)  
[O-504-21 V.1 101421 Zoning at 6906 Briscoe Lane and 6709 and 6803 Outer Loop.pdf](#)  
[21-ZONE-0057 Plan\\_073021.pdf](#)  
[21-ZONE-0057.pdf](#)  
[21-ZONE-0057 PC Minutes.pdf](#)  
[21-ZONE-0057 LDT Minutes 8.26.21.pdf](#)  
[20-ZONEPA-0101 PreApp Staff Report 110420.pdf](#)  
[21-ZONE-0057 LDT Staff Report 082621.pdf](#)  
[21-ZONE-0057 PC Staff Report 091621.pdf](#)  
[21-ZONE-0057 Legal Description.pdf](#)  
[21-ZONE-0057 applicant justification.pdf](#)  
[21-ZONE-0057 elevations\\_090821.pdf](#)  
[21-ZONE-0057 Renderings\\_071921.pdf](#)  
[21-ZONE-0057 interested party comments\\_082621.pdf](#)

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

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

Chair Flood stated that she has two binding elements to be added to this item and she also stated that she spoke to Council Member James Peden (R-23) and he was fine with the changes.

A motion was made by Chair Flood, seconded by Committee Member Arthur, that this Ordinance be amended as shown in the attached document titled "O-504-21 V.2 CAM 101921 Zoning at 6906 Briscoe Lane and 6709 and 6803 Outer Loop.pdf."

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 - Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

Absent: 1 - Dorsey

2. [O-505-21](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 4636 POPLAR LEVEL ROAD CONTAINING APPROXIMATELY 0.93 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0058).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-505-21 V.1 101421 Zoning at 4636 Poplar Level Road.pdf](#)

[21-ZONE-0058.pdf](#)

[21-ZONE-0058 PC Minutes.pdf](#)

[21-ZONE-0058 Other Minutes.pdf](#)

[21-ZONE-0058 Staff Reports.pdf](#)

[21-ZONE-0058 Legal Description.pdf](#)

[21-ZONE-0058 Justification Statement.pdf](#)

[21-ZONE-0058 Booklets.pdf](#)

[21-ZONE-0058 plan\\_081621.pdf](#)

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

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

The following spoke to this item:

- Chair Flood
- Brian Davis
- Committee Member Engel

The following was discussed:

- Question about whether the storage area was on the inside or outside of the building
- The storage units are in C2 zoning area and will be inside storage units
- Questions and concerns about what the developer has agreed to regarding the landscaping plan
- Questions about the landscape waiver the developer was granted

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

**Yes:** 6 - Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

**Absent:** 1 - Dorsey

3. [O-506-21](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 528 AND 530 ATWOOD STREET CONTAINING APPROXIMATELY 0.26 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0060).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-506-21 V.1 101421 Zoning at 528 and 530 Atwood Street.pdf](#)

[21-ZONE-0060.pdf](#)

[21-ZONE-0060 PC Minutes.pdf](#)

[21-ZONE-0060 Other Minutes.pdf](#)

[21-ZONE-0060 Staff Reports.pdf](#)

[21-ZONE-0060 Legal Description.pdf](#)

[21-ZONE-0060 Justification Statement.pdf](#)

[21-ZONE-0060 Booklet.pdf](#)

[21-ZONE-0060 Revised Plan 2021-09-16.pdf](#)

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

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation.

The following spoke to this item:

- Committee Member Arthur
- Chair Flood
- Laura Ferguson, Jefferson County Attorney's Office
- Committee Member Triplett

The following was discussed:

- Question about whether the structures that are getting rezoned are vacant
- Question about whether the waiver was voted on by the Planning Commission
- The waiver was withdrawn by the applicants
- Question about why parking space #12 was removed

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

**Yes:** 6 - Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

**Absent:** 1 - Dorsey

4. [O-507-21](#)

**AN ORDINANCE AMENDING THE METRO LAND DEVELOPMENT CODE RELATING TO TRUCK PARKING REQUIREMENTS (CASE NO. 21-LDC-0010).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-507-21 V.1 101421 Ordinance Amending LCD Relating to Truck Parking Requirements \(.pdf\)](#)  
[21-LDC-0010 PC Minutes.pdf](#)  
[21-LDC-0010 Truck Parking Planning Commission SR 9-10-21 Attachment 2.pdf](#)  
[21-LDC-0010 Truck Parking Planning Commission SR 9-10-21.pdf](#)

This item was held in committee.

5. [O-508-21](#)

**AN ORDINANCE AMENDING THE METRO LAND DEVELOPMENT CODE RELATING TO PARKING REQUIREMENTS (CASE NO. 21-LDC-0011).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-508-21 V.1 101421 Ordinance Amending LCD Related to Parking Requirements.pdf](#)  
[21-LDC-0011 PC Minutes.pdf](#)  
[21-LDC-0011 Planning Commission StaffReport\\_09162021.pdf](#)  
[ParkingPresentationdraft9-16-21revised.pdf](#)

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

Joe Reverman, Planning and Design Services, gave a presentation.

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

**Yes:** 7 - Dorsey, Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

6. [O-509-21](#)

**AN ORDINANCE AMENDING ORDINANCE NO. 085, SERIES 2021 REGARDING THE PERIOD FOR TEMPORARY USE OF PARKING LOTS, OPEN AREAS AND SIDEWALKS FOR OUTDOOR DINING AND ALCOHOL SALES IN RESPONSE TO THE COVID-19 CRISIS.**

**Sponsors:** Primary Madonna Flood (D-24) and Additional Jecorey Arthur (D-4)

**Attachments:** [O-509-21 – V.1 101421 Amend Ordinance 85 Series 2021 Regarding the Period for Temporary Outdoor Dining Use.pdf](#)

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

Chair Flood requested that the conditions of this Ordinance extended to the end of year 2022 because of COVID-19 and Louisville being in the red zone.

Committee Member Arthur requested to be added as a co-sponsor to this item.

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

**Yes:** 5 - Arthur, Triplett, Reed, Engel, and Flood

**Absent:** 2 - Dorsey, and Chambers Armstrong

7. [R-125-21](#)

**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE METRO LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO TREES AND TREE CANOPY[ IN MULTIFAMILY DEVELOPMENTS] (AS AMENDED).**

**Sponsors:** Primary James Peden (R-23)

**Attachments:** [R-125-21 V.2 CAM 101921 Amend LDC Related To Trees.pdf](#)

[R-125-21 V.1 101421 Amend LDC Related To Trees In Multifamily.pdf](#)

A motion was made by Committee Member Triplett, seconded by Committee Member Chambers Armstrong, that this Resolution be recommended for approval.

The following spoke to this item:

- Council Member Peden
- Committee Member Hollander
- Chair Flood
- Travis Fiechter, Jefferson County Attorney's Office
- Joe Reverman, Planning and Design Services

The following was discussed:

- Question about adding a 60-90 day time frame for the Planning Commission to report back to Metro Council
- Question and concerns about raising the tree canopy requirement
- Questions about lowering the threshold for triggering tree preservation
- Question about why the standard 3-story building the rule
- Question about modifying the current method of compliance so the developer who cannot meet the tree canopy requirements has the option to an extra story

A motion was made by Committee Member Arthur, seconded by Committee Member Chambers Armstrong, that this Resolution be amended as shown in the attached document titled "R-125-21 V.2 CAM 101921 Amend LDC Related To Trees.pdf" regarding multifamily development.

The motion to amend carried by a voice vote.

A motion was made by Chair Flood, seconded by Committee Member Triplett, that this Resolution be amended as shown in the attached document titled "R-125-21 V.2 CAM 101921 Amend LDC Related To Trees.pdf." regarding lowering the threshold for triggering tree preservation.

The motion to amend carried by a voice vote.

The motion to recommend for approval carried by a voice vote and the amended Resolution was sent to Old Business.

8. [O-325-21](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 6001 OUTER LOOP CONTAINING APPROXIMATELY 15.05 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0120)(AS AMENDED).**

**Sponsors:** Primary Madonna Flood (D-24)

- Attachments:** [O-325-21 V.2 CAM 101921 Zoning at 6001 Outer Loop.pdf](#)  
[O-325-21 V.1 072921 Zoning at 6001 Outer Loop.pdf](#)  
[20-ZONE-0120.pdf](#)  
[20-ZONE-0120.pdf](#)  
[20-ZONE-0120 staff rpts.pdf](#)  
[20-ZONE-0120 PC Staff Report 091621.pdf](#)  
[09162021 PC Minutes - 20-ZONE-0120 Only.pdf](#)  
[20-ZONE-0120 PC Min 06.07.21.pdf](#)  
[20-ZONE-0120 legal desc.pdf](#)  
[20-ZONE-0120 LDT Min 05.13.21.pdf](#)  
[20-ZONE-0120 Appl Booklet.pdf](#)  
[20-ZONE-0120 Appl Justification stmt.pdf](#)  
[20-ZONE-0120 citizen comments.pdf](#)  
[20-ZONE-0120 Plan 090121.pdf](#)

A motion was made by Committee Member Engel, seconded by Committee Member Triplett, that this Ordinance be untabled.

A motion was made by Chair Flood, seconded by Committee Member Arthur, that this Ordinance be amended as shown in the attached document titled "O-325-21 V.2 CAM 101921 Zoning at 6001 Outer Loop.pdf."

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 - Arthur, Chambers Armstrong, Triplett, Reed, Engel, and Flood

**Absent:** 1 - Dorsey

**9. [O-467-21](#)**

**AN ORDINANCE AMENDING SECTION 115 OF THE LOUISVILLE METRO CODE OF ORDINANCES REGARDING BOARDING AND GROUP HOUSING REGULATIONS.**

**Sponsors:** Primary Madonna Flood (D-24)

- Attachments:** [O-467-20 V.1 092321 LMCO 115 RE Boarding and Group Housing Regulations.pdf](#)

A motion was made by Committee Member Triplett, seconded by Vice Chair Reed, that this Ordinance be untabled.

The following spoke to this item:

- Council Member Purvis
- Joe Reverman, Planning and Design Services
- Travis Fiechter, Jefferson County Attorney's Office
- Committee Member Arthur

The following was discussed:

- Question about whether each facility has an on-site manager or director
- Question about whether requirements for annual license are included with the conditional use permit or would a license have to be attained after a conditional use permit is received
- Question about what happens when a facility has no license or the license has expired
- If a license has expired, they are given time to find other means of housing for those living at the resident
- Question about whether the state registered agents have to be local
- Question and concerns about whether COVID testing should be a requirement to be in compliance, like the tuberculosis testing that is required
- Question about whether houses would need full time medical personnel since they are not state owned facilities
- Question about the amount of the penalty for violations
- Question about whether more zoning enforcement officers and code enforcement officers have been hired
- Questions about special consideration for boarding house that is someone's permanent residence
- Questions and concerns about whether there are agencies for displaced residents who reside at boarding houses that are not in compliance

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

**Yes:** 5 - Chambers Armstrong, Triplett, Reed, Engel, and Flood

**Present:** 2 - Dorsey, and Arthur

## Adjournment

Without objection, Chair Flood adjourned the meeting at 2:46 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 October 28, 2021.