



# Louisville Metro Government

## Action Summary - Final 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, August 17, 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 1:01 p.m.

#### Rollcall

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 Committee Member Chambers Armstrong, Council Member Hollander and Committee Member Triplett, 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 Bill Hollander (D-9), Council Member Mark Fox (D-13), and Council Member Stuart Benson (R-20)

#### Support Staff

Travis Fiechter, Jefferson County Attorney's Office

#### Clerk(s)

Cheryl Woods, Assistant Clerk  
Sonya Harward, Clerk

**Pending Legislation**

1. [O-376-21](#)

**AN ORDINANCE RELATING TO THE CLOSURE OF LLOYD STREET AND TWO ASSOCIATED ALLEYS WEST OF FRANKFORT AVENUE CONTAINING APPROXIMATELY 38,756 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 21STRCLOSURE0006).**

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

- Attachments:** [O-376-21 V.1 081221 Strclosure0006 Closure of Lloyd St and West of Frankfort Ave Alleys.pdf](#)  
[21-STRCLOSURE-0006.pdf](#)  
[21-STRCLOSURE-0006 PC Minutes.pdf](#)  
[21-STRCLOSURE-0006 Other Minutes.pdf](#)  
[21-STRCLOSURE-0006 Staff Report.pdf](#)  
[21-STRCLOSURE-0006 Legal Description.pdf](#)  
[21-STRCLOSURE-0006 Plat.pdf](#)  
[ORD 126 2021.pdf](#)

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

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

Council Member Hollander spoke to this item and stated he was in favor of this Ordinance.

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

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

2. [O-381-21](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT OLD HEADY ROAD (PARCEL ID NOS. 004702920000, 004702930000 AND 004702940000) CONTAINING APPROXIMATELY 6.4 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0016). (AS AMENDED)**

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

- Attachments:** [O-381-21 V.2 CAM 081721 Zoning at Old Heady Rd.pdf](#)  
[O-381-21 V.1 081221 Zoning at Old Heady Rd.pdf](#)  
[21-ZONE-0016.pdf](#)  
[21-ZONE-0016 PC Minutes.pdf](#)  
[21-ZONE-0016 Other Minutes.pdf](#)  
[21-ZONE-0016 Staff Reports.pdf](#)  
[21-ZONE-0016 Legal Description.pdf](#)  
[21-ZONE-0016 Booklets and Studies.pdf](#)  
[21-ZONE-0016 Statement of Compliance.pdf](#)  
[21-ZONE-0016 Opposition and Other.pdf](#)  
[21-ZONE-0016 Plan\\_071221.pdf](#)  
[ORD 130 2021.pdf](#)

A motion was made by Committee Member Dorsey, seconded by Committee Member Triplett, 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
- Council Member Benson
- Travis Fiechter, Jefferson County Attorney's Office
- Brian Davis
- Committee Member Triplett
- Joe Reverman, Planning and Design Services

The following was discussed:

- Question and concerns about the cash in the condominium association account
- Questions and concerns about the only tract that was rezoned being the condominium association
- Question and concerns about why there was not an equivalent binding element regarding the condominium association fees being turned over by the developer like the one that was included in the subdivision plan by the developer
- Question about whether the \$3,000 was the standard amount in the cash account for subdivision and condominium associations
- Question about whether the tree canopy amount will be monitored
- 20% of the existing 60% of the tree canopy would be required to be preserved and the remainder up to 40% tree canopy would be done by new plantings
- Questions and concerns about whether there are private roads on the development
- The roads in condominium development will be bonded
- Question about whether the sidewalk waiver that was denied being in the subdivision development

Council Member Benson requested the following new Binding Element be

read into record:

"9. At the time the developer turns control of the condominium association over to the condominium owners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the condominium association account. No condominium association funds shall be used by the developer to fulfill either the developer's obligations under Plan 2040 or any improvement submitted as part of the approved development plan, including but not limited to plantings and paving. Notwithstanding the foregoing, the condominium association funds may be used for the post-construction maintenance obligations of common elements, including maintenance of the condominium open space. The subdivision performance bond may be required by the Planning Commission to fulfill this funding requirement."

A motion was made by Chair Flood, seconded by Committee Member Engel, that this Ordinance be amended by adding Binding Element 9, as read into the record.

The motion to amend carried by a voice vote.

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

District 20 Council Member Benson had a vote on this zoning case and voted YES.

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

3. [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).**

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

**Attachments:** [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](#)

This item was held in committee.

4. [O-329-21](#)

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 9418 PIROUETTE AVENUE CONTAINING APPROXIMATELY 8.92 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0117) (AS AMENDED).**

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

**Attachments:** [O-329-21 V.2 CAM 083121 Zoning at 9418 Piroutte River Rd.pdf](#)

[O-329-21 V.1 072921 Zoning at 9418 Piroutte River Rd.pdf](#)

[20-ZONE-0117.pdf](#)

[20-ZONE-0117 PC Mins2.pdf](#)

[20-ZONE-0117 PC Minutes.pdf](#)

[20-ZONE-0117 Other Minutes.pdf](#)

[20-ZONE-0117 Staff Reports.pdf](#)

[20-ZONE-0117 Applicant Booklet.pdf](#)

[20-ZONE-0117 Legal Description.pdf](#)

[20-ZONE-0117 Statement of Compliance.pdf](#)

[20-ZONE-0117 Traffic Study.pdf](#)

[20-ZONE-0117 Plan.pdf](#)

[ORD 135 2021.pdf](#)

A motion was made by Committee Member Dorsey, seconded by Committee Member Triplett, 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
- Council Member Fox
- Joe Reverman, Planning and Designs Services
- Committee Member Chambers Armstrong
- Vice Chair Reed
- Travis Fiecheter, Jefferson County Attorney's Office

The following was discussed:

- Question and concerns about the threshold with the traffic study from 2007
- Question and concerns of the traffic study numbers needing to be updated
- Concerns about the traffic study being old and outdated material
- This proposal is not the reason for a new traffic study
- Questions and concerns about speeding and traffic safety
- Question about whether this item is still under Senate Bill 150 with regards to the 90 day suspension amount of time in which the Ordinance must be considered

A motion was made by Vice Chair Reed, seconded by Chair Fox, that this Ordinance be tabled.

The motion to table carried by a voice vote.

## **Adjournment**

Without objection, Chair Flood adjourned the meeting at 1:50 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 August 26, 2021.