



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, November 13, 2018

1:30 PM

Council Chambers

Call to Order

Chair Person Flood called the meeting to order at 1:37 p.m.

Roll Call

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

Committee Member Lanshima arrived at 1:40 p.m. Committee Member Hollander left at 2:30 p.m.

Present: 6 - 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 Vitalis Lanshima (D-21), and Committee Member Robin Engel (R-22)

Excused: 1 - Committee Member Scott Reed (R-16)

Non-Committee Member(s)

Council Member Barbara Sexton Smith (D-4), Council Member Cheri Bryant Hamilton (D-5), Council President David James (D-6), Council Member Vicki Aubrey Welch (D-13), and Council Member Marilyn Parker (R-18)

Support Staff

Paul Whitty, Jefferson County Attorney's Office

Clerk(s)

Lisa Franklin Gray, Assistant Clerk

Pending Legislation

1. [O-429-18](#)

AN ORDINANCE CLOSING AN UNNAMED ALLEY AT 313 SOUTH 18TH STREET AND BEING IN LOUISVILLE METRO (CASE NO. 18STREETS1017).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-429-18 V.1 110818 Closure of an Unnamed Alley at 313 S 18th St 18STREETS1017.pdf](#)
[O-429-18 V.1 110818 ATTACH Alley Closure Plat 18STREETS1017.pdf](#)
[18STREETS1017\)staff rpt for LDT and PC.pdf](#)
[18STREETS1017 LDT and PC minutes.pdf](#)
[18STREETS1017 Plat with legal desc.pdf](#)

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

Brian Davis, 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: 6 - Flood, Stuckel, Hollander, Mulvihill, Lanshima, and Engel

Excused: 1 - Reed

2. [O-436-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 8016 SHEPHERDSVILLE ROAD CONTAINING 16.94 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1027)

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-436-18 V.1 110818 Rezoning from R4 to R6 at 8016 Shepherdsville Rd 16ZONE1027.pdf](#)
[16ZONE1027 PC Minutes.pdf](#)
[16ZONE1027 Other Minutes.pdf](#)
[16ZONE1027 Staff Reports.pdf](#)
[16zone1027.pdf](#)
[16zone1027_Citizen Letters.pdf](#)
[16ZONE1027 Legal Description.pdf](#)
[16ZONE1027 Finding of Facts.pdf](#)
[16ZONE1027 Justification Statement.pdf](#)
[16ZONE1027 Letters of Support.pdf](#)
[16ZONE1027 Applicant Booklets.pdf](#)
[16ZONE1027 Applicant Booklets 2.pdf](#)
[16ZONE1027 Approved Plan.pdf](#)

This item was held in committee.

3. [O-431-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 12910 FACTORY LANE CONTAINING 1.29 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1022).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-431-18 V.1 110818 Rezoning from R4 to C1 at 12910 Factory Ln 18ZONE1022.pdf](#)
[18ZONE1022 & 18STREETS1013 PC Minutes 10.18.18.pdf](#)
[18ZONE1022 & 18STREETS1013 LDT Minutes.pdf](#)
[18ZONE1022 & 18STREETS1013 staff rpts.pdf](#)
[18ZONE1022 & 18STREETS1013 appl justification stmt.pdf](#)
[18ZONE1022 & 18STREETS1013 Plan 10.18.18.pdf](#)
[18ZONE1022 & 18STREETS1013 st closure legal desc.pdf](#)
[18ZONE1022 & 18STREETS1013 zoning legal desc.pdf](#)
[18ZONE1022.pdf](#)

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

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

Chair Person Flood stated that Council Member Julie Denton is in support of this item.

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

Yes: 5 - Flood, Stuckel, Mulvihill, Lanshima, and Engel

Excused: 1 - Reed

Absent: 1 - Hollander

4. [O-432-18](#)

AN ORDINANCE CLOSING A PORTION OF FACTORY LANE AND BEING IN LOUISVILLE METRO (CASE NO. 18STREETS1013).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-432-18 V.1 110818 Closure of a Portion of Factory Ln 18STREETS1013.pdf](#)
[O-432-18 V.1 110818 ATTACH Street Closure Plat 18STREETS1013.pdf](#)
[18ZONE1022 & 18STREETS1013 PC Minutes 10.18.18.pdf](#)
[18ZONE1022 & 18STREETS1013 LDT Minutes.pdf](#)
[18ZONE1022 & 18STREETS1013 staff rpts.pdf](#)
[18ZONE1022 & 18STREETS1013 appl justification stmt.pdf](#)
[18ZONE1022 & 18STREETS1013 Plan 10.18.18.pdf](#)
[18ZONE1022 & 18STREETS1013 st closure legal desc.pdf](#)
[18ZONE1022 & 18STREETS1013 zoning legal desc.pdf](#)

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

Brian Davis, 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 since this street closure is associated with the change in zoning under Item #3:

Yes: 5 - Flood, Stuckel, Mulvihill, Lanshima, and Engel

Excused: 1 - Reed

Absent: 1 - Hollander

5. [O-430-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL AND C-2 COMMERCIAL TO M-2 INDUSTRIAL ON PROPERTY LOCATED AT 8325, 8329, AND 8401 NASH ROAD AND 806, 711, 715, 717, 719, 801, 803, AND 805 HAY COURT CONTAINING 3.66 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1041).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [112918 PROPOSED FAM O-430-18 - Zoning at Nash Road and Hay Court \(as amended\)\(11-20-18\).pdf](#)
[O-430-18 V.1 110818 Rezoning from R4 & C2 to M2 at 8325-8401 Nash Rd & 711-806 Hay Ct 17ZONE1041.pdf](#)
[17ZONE1041 PC and LDT Minutes 10.18.18.pdf](#)
[17ZONE1041_staff rpts.pdf](#)
[17ZONE1041_appl justification stmt.pdf](#)
[17ZONE1041_citizen email.pdf](#)
[17ZONE1041_legal desc.pdf](#)
[17ZONE1041 Plan 10.18.18.pdf](#)
[17ZONE1041.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Council Member Aubrey Welch 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:

District 13 Council Member Aubrey Welch had a vote on this zoning case and voted YES.

Yes: 4 - Stuckel, Mulvihill, Lanshima, and Engel

Present: 1 - Flood

Excused: 1 - Reed

Absent: 1 - Hollander

6. [O-437-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-6 MULTI-FAMILY RESIDENTIAL TO C-R COMMERCIAL-RESIDENTIAL ON PROPERTY LOCATED AT 841 EAST WASHINGTON STREET CONTAINING .065 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1021).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-437-18 V.1 110818 Rezoning from R6 to CR at 841 E Washington](#)
[St 18ZONE1021.pdf](#)
[18ZONE1021_appl justification stmt.pdf](#)
[18ZONE1021_LDT Minutes_09.13.18.pdf](#)
[18ZONE1021_legal desc.pdf](#)
[18ZONE1021_PC Minutes_10.18.18.pdf](#)
[18ZONE1021_Plan_10.18.18.pdf](#)
[18ZONE1021_staff rpts.pdf](#)
[18zone1021.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Council Member Sexton Smith also spoke to the item.

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

District 4 Council Member Sexton Smith had a vote on this zoning case and voted YES.

Yes: 5 - Flood, Stuckel, Mulvihill, Lanshima, and Engel

Excused: 1 - Reed

Absent: 1 - Hollander

7. [O-438-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-5 SINGLE FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 1039 ASH STREET CONTAINING .12 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1043).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-438-18 V.1 110818 Rezoning from R5 to C1 at 1039 Ash St 18ZONE1043.pdf](#)
[18ZONE1043_appl justification stmt.pdf](#)
[18ZONE1043_LDT Minutes_09.27.18.pdf](#)
[18ZONE1043_legal desc.pdf](#)
[18ZONE1043_PC Minutes_10.18.18.pdf](#)
[18ZONE1043_Plan_10.18.18.pdf](#)
[18ZONE1043_staff rpts.pdf](#)
[18ZONE1043.pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Committee Member Mulvihill also spoke to the item.

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

Yes: 4 - Stuckel, Mulvihill, Lanshima, and Engel

Excused: 1 - Reed

Absent: 1 - Hollander

Abstain: 1 - Flood

8. [O-426-18](#)

AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 7900 SHELBYVILLE ROAD CONTAINING 22.487 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1014).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-426-18 PROPOSED FAM Zoning at 7900 Shelbyville Rd Top Golf amendments.pdf](#)
[O-426-18 V.1 110818 Rezoning from C1 to C2 at 7900 Shelbyville Rd 18ZONE1014.pdf](#)
[18ZONE1014 Applicant Presentation 1.pdf](#)
[18ZONE1014 Applicant Presentation 2.pdf](#)
[18ZONE1014 APPLICANT BUILDING RENDERINGS.pdf](#)
[18ZONE1014 APPLICANT COMPLIANCE STATEMENTS AND JUSTIFICATIONS.pdf](#)
[18ZONE1014 APPLICANT LIGHT FIXTURE TECHNICAL GUIDE.pdf](#)
[18ZONE1014 APPLICANT LIGHTING REPORT ANALYSIS OF EXISTING LIGHTING VERSUS PROPOSED LIGHTING.pdf](#)
[18ZONE1014 APPLICANT LIGHTING WAIVER JUSTIFICATION.PDF](#)
[18ZONE1014 APPLICANT SOUND LEVEL ASSESSMENT FOR THE PROPOSED TOPGOLF AT OXMOOR CENTER.pdf](#)
[18ZONE1014 APPLICANT TRAFFIC IMPACT STUDY.PDF](#)
[18ZONE1014 INTERESTED PARTY CITIZEN EMAILS AND LETTERS RECEIVED ON OR AFTER OCTOBER 1 2018.pdf](#)
[18ZONE1014 INTERESTED PARTY CITIZEN EMAILS AND LETTERS.pdf](#)
[18ZONE1014 INTERESTED PARTY CITY OF HURSTBOURNE OPPOSITION RESOLUTION.pdf](#)
[18ZONE1014 INTERESTED PARTY GREATER LOUISVILLE INC LETTER OF SUPPORT.pdf](#)
[18ZONE1014 INTERESTED PARTY OPPOSITION STATEMENTS OF NON-COMPLIANCE.pdf](#)
[18ZONE1014 INTERESTED PARTY SEN. JULIE RAQUE ADAMS OPPOSITION LETTER.pdf](#)
[18ZONE1014 LD&T STAFF REPORT.pdf](#)
[18ZONE1014 LDT Minutes 08.09.18.pdf](#)
[18ZONE1014 Opposition Presentation 1.pdf](#)
[18ZONE1014 Opposition Presentation 2.pdf](#)
[18ZONE1014 Opposition Presentation 3.pdf](#)
[18ZONE1014 Opposition Presentation 4.pdf](#)
[18ZONE1014 Opposition Presentation 5.pdf](#)
[18ZONE1014 Opposition Presentation 6.pdf](#)
[18ZONE1014 Opposition Presentation 7.pdf](#)
[18ZONE1014 PC Minutes 10.01.18.pdf](#)
[18ZONE1014 PC Minutes 10.15.18.pdf](#)
[18ZONE1014 PC Minutes 10.18.18.pdf](#)
[18ZONE1014 Plan 10.18.18.pdf](#)
[18ZONE1014 PLANNING COMMISSION STAFF REPORT 100118.pdf](#)
[18ZONE1014 PLANNING COMMISSION STAFF REPORT ADDENDUM 101518.pdf](#)

[18ZONE1014_Pre-App Staff Report_031218.pdf](#)

[18ZONE1014_Staff Presentation_100118.pdf](#)

[18ZONE1014_Staff Presentation_Addendum_101518.pdf](#)

[18ZONE1014_ZONING BOUNDARY AND WRITTEN
DESCRIPTION.pdf](#)
[18ZONE1014.pdf](#)

[O-426-18 - Zoning at 7900 Shelbyville Rd Top Golf \(AS AMENDED\)
\(11-13-18\).pdf](#)

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

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Council Member Parker and Paul Whitty, Jefferson County Attorney's Office, also spoke to the item.

A motion was made by Committee Member Engel, seconded by Vice Chair Stuckel, that this Ordinance be amended by adding the following binding element:

"Applicant shall post a bond with sufficient surety as determined by the Louisville Metro Department of Public Works to ensure removal of all poles and nets within six months of termination of the business on the site."

The motion to amend failed by the following vote:

Yes: 3 - Stuckel, Lanshima, and Engel

No: 3 - Flood, Hollander, and Mulvihill

Excused: 1 - Reed

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

District 18 Council Member Parker had a vote on this zoning case and voted NO.

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

Excused: 1 - Reed

9. [O-388-18](#)

AN ORDINANCE AMENDING ORDINANCE NO. 085, SERIES 2018 REGARDING THE EFFECTIVE DATE OF CORNERSTONE 2040.

Sponsors: Primary James Peden (R-23)

Attachments: [O-388-18 V.1 102518 Amending Effective Date of Cornerstone 2040.pdf](#)
[O-388-18 V.1 102518 ATTACH Comp Plan Amending Effective Date of Cornerstone 2040.pdf](#)

This item remained tabled.

10. [O-370-18](#)

AN ORDINANCE CHANGING THE ZONING FROM R-7 RESIDENTIAL MULTI-FAMILY TO [C-1] C-R COMMERCIAL/RESIDENTIAL ON PROPERTY LOCATED AT 1860 FRANKFORT AVENUE CONTAINING 0.56 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1039) (AS AMENDED).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-370-18 V.2 CAM 112718 Change Zoning R-7 Residential to C-R Commercial 18ZONE1039 1860 Frankfort Ave.pdf](#)
[103018 PROPOSED CAM O-370-18 - Zoning at 1860 Frankfort Ave \(as amended\) \(10-18-18\).pdf](#)
[18ZONE1039 for 11-27-18 PZA.pdf](#)
[18ZONE1039.pdf](#)
[O-370-18 V.1 101118 Change Zoning R-7 Residential to C-1 Commercial 18ZONE1039 1860 Frankfort Ave .pdf](#)
[18ZONE1039 Approved Plan.pdf](#)
[18ZONE1039 Justification Statement.pdf](#)
[18ZONE1039 Legal Description.pdf](#)
[18ZONE1039 Other Minutes.pdf](#)
[18ZONE1039 PC Minutes.pdf](#)
[18ZONE1039 Public Materials.pdf](#)
[18ZONE1039 Staff Reports.pdf](#)

This item remained tabled.

11. [R-129-18](#)

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-129-18 V.1 072618 Appeals to MC Subdivision Cases .pdf](#)
[Resolution--Adopting Regulation-Subdivision Case Appeals.docx](#)

This item was held in committee.

12. [R-130-18](#)

A RESOLUTION REQUESTING THE LOUISVILLE/JEFERSON COUNTY 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-130-18 V.1 072618 - LDC Increase Tree Preservation Requirements .pdf](#)
[Resolution to Review LDC Regarding Perimeter Tree Preservation Requireme....docx](#)

This item was held in committee.

Adjournment

Without objection, Chair Person Flood adjourned the meeting at 2:57 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 November 29, 2018.**