

RESOLUTION NO. 040, SERIES 2021

**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW
THE TYLER TOWN CENTER PLANNED DEVELOPMENT DISTRICT
WITH REGARD TO LIMITED USE CATEGORY 2.**

SPONSORED BY: COUNCIL MEMBER STUART BENSON

WHEREAS, the Tyler Town Center Planned Development District was created in 2010 for properties generally bounded by Taylorsville Road, I-265, Urton Lane, and Tucker Station Road, containing approximately 123 acres and being in Louisville Metro (the "PDD"); and

WHEREAS, a committee of the Louisville Metro Planning Commission has issued an interpretation impacting Limited Use Category 2 and, by extension, Area IIC of the PDD; and

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") previously passed Resolution 036, Series 2020 directing the Louisville Metro Planning Commission (the "Planning Commission") to (i) codify the interpretation made by the committee, and (ii) review Limited Use Category 2 with respect to Area IIC of the PDD; and

WHEREAS, the Planning Commission held a public hearing on the items contained in Resolution 036, Series 2020 on May 6, 2021 to consider these items as a minor amendment to the PDD pursuant to Land Development Code ("LDC") 2.8.5.A.4; and

WHEREAS, during the May 6, 2021 Planning Commission hearing, some of the property owners within Area IIC of the PDD argued that the review of Limited Use Category 2 with respect to Area IIC of the PDD constituted a major amendment and

should go through that process; but had no objection to the codification of the interpretation made by the committee as a minor amendment; and

WHEREAS, the Planning Commission adopted the codification of the interpretation made by the committee, but declined to change the uses in Area IIC of the PDD, as several of the commissioners were concerned that such a change should go through the major amendment process; and

WHEREAS, the Council is concerned with the impact the Limited Use Category 2, as amended by the Planning Commission will have on the properties located in Area IIC of the PDD, as well as the surrounding properties both inside and outside the PDD; and

WHEREAS, the public charrette requirement does not apply to matters initiated by Council, pursuant to LDC 2.8.5;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: The Planning Commission shall undertake a review of the Tyler Town Center Planned Development District and recommend amendments thereto to the Council.

SECTION II: Specifically, the Planning Commission shall consider the following alternate proposals, each as a major amendment to the PDD, and make a recommendation to Council:

- Eliminate Limited Use Category 2 (LU2) from Area IIC in relevant sections (Section 2 PD Land Use Map and Section 3.2 PD Use Table); and
- Restrict the hours of operation for LU2 in Area IIC, such hours of operation to be reflected in relevant sections (Section 3.2 PD Use Table).

SECTION III: This Ordinance shall take effect upon its passage and approval.

Sonya Harward

Sonya Harward
Metro Council Clerk

David James

David James
President of the Council

Greg Fischer

Greg Fischer
Mayor

6/14/2021

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

**LOUISVILLE METRO COUNCIL
ADOPTED
June 10, 2021**

By: *Laura Ferguson*