



# Louisville Metro Government

601 W. Jefferson Street  
Louisville, KY 40202

## Action Summary - Final Planning and Zoning Committee

*Chair Person Madonna Flood (D-24)*  
*Vice Chair Scott Reed (R-16)*  
*Committee Member Keisha Dorsey (D-3)*  
*Committee Member Kevin Triplett (D-15)*  
*Committee Member Markus Winkler (D-17)*  
*Committee Member Nicole George (D-21)*  
*Committee Member Robin Engel (R-22)*

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Tuesday, March 10, 2020

1:00 PM

Council Chambers

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### Call to Order

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

### Roll Call

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

Council Member Winkler arrived at 1:21 p.m.

Council Member Dorsey arrived at 1:34 p.m.

**Present:** 7 - Chair Person Madonna Flood (D-24), Vice Chair Scott Reed (R-16), Committee Member Keisha Dorsey (D-3), Committee Member Kevin Triplett (D-15), Committee Member Markus Winkler (D-17), Committee Member Nicole George (D-21), and Committee Member Robin Engel (R-22)

### Non-Committee Member(s)

Council Member Barbara Sexton Smith (D-4); Council Member Bill Hollander (D-9); and Council Member Stuart Benson (R-20)

### Support Staff

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

### Clerk(s)

Sonya Harward, Clerk

## Pending Legislation

### 1. [O-085-20](#)

#### **AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 1231 AND 1241 DURRETT LANE CONTAINING APPROXIMATELY 25.57 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0080)**

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

**Attachments:** [19-ZONE-0080.pdf](#)

[O-085-20 V.1 030520 Rezoning from C1 & C2 to PEC at 1231-1241](#)

[Durrett Ln 19ZONE0080.pdf](#)

[19-ZONE-0080 PC Minutes.pdf](#)

[19-ZONE-0080 Otherr Minutes.pdf](#)

[19-ZONE-0080 Staff Reports.pdf](#)

[19-ZONE-0080 Legal Description.pdf](#)

[19-ZONE-0080 Applicant Booklet.pdf](#)

[19-ZONE-0080 Justification Statement.pdf](#)

[19-ZONE-0080 Approved Plan.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 also spoke to this Ordinance:

- Committee Member George
- Chair Person Flood
- Travis Fiechter, Jefferson County Attorney's Office

The following was discussed:

- There is no identified user, the number of heavy trucks that will be coming and going is unknown, and there are 10 docks at the facility.
- There was concern about statements in the Planning Commission's minutes and the Commissioner's notes regarding Durrett Lane not being able to handle truck traffic to be generated by the development, and being cognizant of residential populations along Durrett Lane with respect to the movement of heavy trucks.
- A binding element may be considered regarding the owner being required to come before the Council to identify the traffic patterns and do a transportation study once a user is identified.

A motion was made by Chair Person Flood, seconded by Committee Member Triplett, that this Ordinance be tabled. The motion carried by a voice vote.

2. [R-031-20](#)

**A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO NEIGHBORHOOD MEETINGS.**

**Sponsors:** Primary Paula McCraney (D-7)

**Attachments:** [R-031-20 V.1 022020 Request PC Review LDC for Neighborhood Meetings.pdf](#)

This item was held in Committee.

3. [R-040-20](#)

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

**Sponsors:** Primary Stuart Benson (R-20)

**Attachments:** [R-040-20 V.1 030520 Request PC Review Tyler Town Center PDD Limited Use Category 2.pdf](#)

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

Council Member Benson explained that there were possibly some changes needed in the Tyler Town Center Planned Development District and this review was being requested in order to address such.

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

4. [O-259-19](#)**AN ORDINANCE AMENDING THE METRO LAND DEVELOPMENT CODE RELATING TO TREES AND TREE CANOPY (19AMEND1003)(AS AMENDED).**

**Sponsors:** Primary Bill Hollander (D-9) and Primary Madonna Flood (D-24)

**Attachments:** [O-259-19 V.5 CAM 031020 Case No 19AMEND1003.pdf](#)  
[O-259-19 V.4 CAM 022520 Case No 19AMEND1003.pdf](#)  
[19amend1003\\_MC PRES\\_022520.pdf](#)  
[O-259-19 V.3 CAM 021120 Case No 19AMEND1003.pdf](#)  
[O-259-19 V.2 CAM 111219 Case No 19AMEND1003.pdf](#)  
[19amend1003\\_MC PRES\\_102919.pdf](#)  
[19amend1003\\_MC PRES\\_101519.pdf](#)  
[O-259-19 V.1 082219 Case No 19AMEND1003.pdf](#)  
[19AMEND1003.pdf](#)  
[19AMEND1003\\_Davey Urban Tree Canopy Assessment 2015.pdf](#)  
[19amend1003\\_Ordinance\\_072619.pdf](#)  
[19AMEND1003\\_other min.pdf](#)  
[19AMEND1003\\_pc hearing 07.24.2019 mins.pdf](#)  
[19amend1003\\_Planning Committee minutes.pdf](#)  
[19amend1003\\_Public Comment and Presentations.pdf](#)  
[19AMEND1003\\_staff reports.pdf](#)  
[Tree Removal Permit Example.pdf](#)

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

There was discussion about several versions of a proposed amendment.

A motion was made by Committee Member Winkler, seconded by Committee Member George, that this amended Ordinance be amended further.

The following spoke to the proposed amendment:

- Committee Member Winkler
- Council Member Hollander
- Council Member Benson
- Jeff O'Brien, Develop Louisville
- Council Member Sexton Smith
- Committee Member Triplett
- Committee Member George
- Travis Fiechter, Jefferson County Attorney's Office
- Committee Member Reed
- Committee Member Engel

The following was discussed:

- the reason for the proposed amendment was explained, which concerned the risk that a potential buyer may have in regards to the affidavit process
- proposed amendment language that states: "up to twenty-four (24) months"
- concern about the proposal to completely strike the affidavit requirement in section 11.4.4.C.
- requirements regarding getting permission to clear cut on private property and then selling the property, and the responsibility of the new buyer
- the creation of possible undue burden on Planning Staff

There was more discussion about numerous versions of the proposed amendment, and the language for the proposed amendment was corrected. The intention of the proposed amendment was further clarified and the Jefferson County Attorney's Office will provide the amendment in written form. [The amendments were made to Sections 11.4.4.B., 11.4.4.C., 11.5A.4.A.2., and 11.5A.4.A.3., as shown on pages 15 and 16 of the document attached hereto as "O-259-19 V.5 CAM 031020 Case No 19AMEND1003.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:** 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

5. [O-340-19](#)**AN ORDINANCE APPROVING THE SOUTH FLOYDS FORK VISION PLAN AND APPROVING ITS EXECUTIVE SUMMARY AS AN AMENDMENT TO THE PLAN 2040 COMPREHENSIVE PLAN (CASE NO. 19AREAPLAN0002).**

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

**Attachments:** [O-340-19 V.1 101019 South Floyds Fork Vision Plan 19AREAPLAN0002.pdf](#)  
[19AREAPLAN0002 south floyds fork executive summary.pdf](#)  
[102919 South Floyds Fork Metro Council.pdf](#)  
[19AREAPLAN0002\\_Public Materials.pdf](#)  
[19AREAPLAN\\_Minutes.pdf](#)  
[19AREAPLAN0002\\_Legal Description.pdf](#)  
[19AREAPLAN0002 South Floyds Fork Vision Plan\\_PC Staff Report.pdf](#)  
[19AREAPLAN0002 south floyds fork plan.pdf](#)  
[19AREAPLAN0002 south floyds fork appendix.pdf](#)

This item was held in Committee.

6. [O-370-19](#)**AN ORDINANCE AMENDING SECTION 6.1.3 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE (“LDC”) REGARDING ACCESS ROADWAYS FOR RESIDENTIAL DEVELOPMENTS (CASE NO. 19-LDC-0001).**

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

**Attachments:** [O-370-19 V.1 110719 Amend LDC 6.1.3 for Access Roadways for Residential Developments 19LDC0001.pdf](#)  
[O-370-19 V.1 110719 ATTACH Amend LDC 6.1.3 19LDC0001.pdf](#)  
[19-LDC-0001 Staff Report.pdf](#)  
[2019.10.17 Amended PC Minutes Case No. 19-LDC-0001.pdf](#)

This item was held in Committee.

**Adjournment**

Without objection, Chair Person Flood adjourned the meeting at 1:57 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 March 19, 2020.