



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Tentative 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)

Tuesday, October 13, 2020

1:00 PM

Council Chambers

Call to Order

Chair Flood called the meeting to order at 1:01 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 Committee Member Triplett and Council Member Coan.**

Present: 7 - Chair 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 Donna Purvis (D-5), Council Member Brandon Coan (D-8), and Council Member Bill Hollander (D-9)

Support Staff

Travis Fiechter, Jefferson County Attorney's Office

Clerk(s)

Cheryl Woods, Assistant Clerk
Sonya Harward, Clerk

Pending Legislation

1. [O-442-20](#)

AN ORDINANCE RELATING TO THE ALTERNATIVE PLAN FOR CONNECTIVITY FOR, AND THE ZONING OF, PROPERTIES LOCATED AT 4011 & 4201 SOUTH PARK ROAD AND 9007 BLUE LICK ROAD CONTAINING APPROXIMATELY 19.24 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0086).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-442-20 V.1 100820 Zoning at 4011 4201 South Park Rd -9007 Blue Lick Rd .pdf](#)
[19-ZONE-0086.pdf](#)
[19-ZONE-0086 PC Minutes.pdf](#)
[19-ZONE-0086 Other Minutes.pdf](#)
[19-ZONE-0086 Staff Reports.pdf](#)
[19-ZONE-0086 Applicant Booklet.pdf](#)
[19-ZONE-0086 Applicant Studies.pdf](#)
[19-ZONE-0086 Justification Statement.pdf](#)
[19-ZONE-0086 Public Materials.pdf](#)
[19-ZONE-0086 Plan.pdf](#)
[19-ZONE-0086 Legal Description.pdf](#)

This item was held.

2. [O-453-20](#)

AN ORDINANCE RELATING TO THE AMENDMENT OF BINDING ELEMENTS FOR THE PROPERTY LOCATED AT 3101 POPLAR LEVEL DRIVE CONTAINING APPROXIMATELY 5.318 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20DDP0040).

Sponsors: Primary Madonna Flood (D-24)

- Attachments:** [O-453-20 V.1 100820 Binding Elements at 3101 Poplar Level Dr.pdf](#)
[20-DDP-0040.pdf](#)
[20-DDP-0040 PC Minutes \(2\).pdf](#)
[20-DDP-0040 Staff Report.pdf](#)
[20-DDP-0040 Applicant Exhibit.pdf](#)
[20-DDP-0040 Applicant Justification.pdf](#)
[20-DDP-0040_Plan_081720.pdf](#)

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

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

Chair Flood stated that she had a phone conversation with Council Member Mulvihill who is in favor of the Ordinance.

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

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

3. [O-454-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 5200, 5204 AND 5208 CHATHAMWOOD COURT CONTAINING APPROXIMATELY 1.92 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1030).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-454-20 V.1 100820 Zoning at 5200 5204 5208 Chathamwood Ct.pdf](#)

[17ZONE1030.pdf](#)

[17ZONE1030 PC Minutes \(3\).pdf](#)

[17ZONE1030 Other Minutes.pdf](#)

[17ZONE1030 Staff Reports.pdf](#)

[17ZONE1030 Legal Description.pdf](#)

[17ZONE1030 Applicant Exhibits.pdf](#)

[17ZONE1030 Justification Statement.pdf](#)

[17ZONE1030 Plan.pdf](#)

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

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

Chair Flood explained that a 'yes' vote would be to deny the change in zone.

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

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

4. [O-455-20](#)

AN ORDINANCE RELATING TO THE ZONING AND FORM DISTRICT OF PROPERTY LOCATED AT 4310-4318 BARDSTOWN ROAD AND 4403-4405 FEGENBUSH LANE CONTAINING APPROXIMATELY 6.28 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0006).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-455-20 V.1 100820 Zoning at 4310-4318 Bardstwon Rd 4403-4405 Fegenbush Ln.pdf](#)
[20-ZONE-0006.pdf](#)
[20-ZONE-0006 PC Minutes \(2\).pdf](#)
[20-ZONE-0006 PC Minutes.pdf](#)
[20-ZONE-0006 Other Minutes.pdf](#)
[20-ZONE-0006 Staff Reports.pdf](#)
[20-ZONE-0006 Legal Description.pdf](#)
[20-ZONE-0006 Justification Statement.pdf](#)
[20-ZONE-0006 Plan 082720.pdf](#)

A motion was made by Committee Member Dorsey, 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.

Committee Member Dorsey asked whether Council Member Shanklin had been contacted since it was in her district.

Chair Flood stated her Legislative Aide sent out an email and got no response.

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

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

5. [O-456-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 2809 WEST BROADWAY CONTAINING APPROXIMATELY 0.252 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0055).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-456-20 V.1 100820 Zoning At 2809 W Broadway.dox.pdf](#)

[20-ZONE-0055.pdf](#)

[20-ZONE-0055 PC Minutes.pdf](#)

[20-ZONE-0055 Other Minutes.pdf](#)

[20-ZONE-0055 Staff Reports.pdf](#)

[20-ZONE-0055 Legal Description.pdf](#)

[20-ZONE-0055 Applicant Booklet.pdf](#)

[20-ZONE-0055 Justification Statement.pdf](#)

[20-ZONE-0055 Plan.pdf](#)

A motion was made by Committee Member Engel, seconded by Committee Member Winkler, 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:

- Council Member Purvis
- Chair Flood
- Brian Davis

The following was discussed:

- Plasma Center would bring jobs
- Plasma being necessary at this time during COVID
- Plasma would be sent out of the country
- Question about the 100 foot rule in residential zoning
- Planning Commission permitted the Plasma Center in a residential area

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

Yes: 6 - Reed, Dorsey, Triplett, Winkler, George, and Engel

Present: 1 - Flood

6. [O-457-20](#)

AN ORDINANCE RELATING TO THE ZONING AND FORM DISTRICT OF PROPERTY LOCATED AT 5210 PRESTON HIGHWAY CONTAINING APPROXIMATELY 1.776 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0064).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-457-20 V.1 100820 Zoning at 5210 Preston Hwy.pdf](#)

[20-ZONE-0064.pdf](#)

[20-ZONE-0064 PC Minutes.pdf](#)

[20-ZONE-0064 Other Minutes.pdf](#)

[20-ZONE-0064 Staff Reports.pdf](#)

[20-ZONE-0064 Justification Statement.pdf](#)

[20-ZONE-0064 Applicant Booklet.pdf](#)

A motion was made by Vice Chair Reed, seconded by Committee Member Winkler, 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
- Committee Member George
- Travis Fiechter, Jefferson County Attorney's Office

The following was discussed:

- Lots are extremely long and narrow
- Limit hours of operation
- Question about adding binding elements for noise and light pollution

Travis Fiechter, recommend this item be tabled until he is able to get more information.

A motion was made by Committee Member George, seconded by Committee Member Engel, that this Ordinance be tabled. The motion carried by a voice vote.

7. [O-426-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 7600 & 7602 BARDSTOWN ROAD AND 9700, 9703, 9608 AND 9610 BARTLEY DRIVE CONTAINING APPROXIMATELY 4.7 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0041).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-426-20 V.1 091720 Zoning at 7600 -7620 Bardstown Rd.-9700 9703 9608 9610 Bartley Drdocx.pdf](#)
[20-ZONE-0041.pdf](#)
[20-ZONE-0041 PC Minutes.pdf](#)
[20-ZONE-0041 PC Minutes 2.pdf](#)
[20-ZONE-0041 LDT Minutes.pdf](#)
[20-ZONE-0041 Staff Reports.pdf](#)
[20-ZONE-0041 Legal Description.pdf](#)
[20-ZONE-0041 Applicant Booklet.pdf](#)
[20-ZONE-0041 Justification.pdf](#)
[20-ZONE-0041 Traffic Impact Study.pdf](#)
[20-ZONE-0041 Plan.pdf](#)

This item was held in committee.

8. [O-440-20](#)

AN ORDINANCE RELATING TO THE TIME AND LOCATION OF PLANNING COMMISSION PUBLIC HEARINGS DURING STATES OF EMERGENCY

Sponsors: Primary Cindi Fowler (D-14)

Attachments: [O-440-20 V.1 091720 Planning Commission Night Meetings.pdf](#)
[Proposed Bylaw Amendment - Sept 2020_v9.pdf](#)
[PC Bylaws and Policies 2020.09.17.pdf](#)

This item was held in committee.

9. [O-405-20](#)**AN ORDINANCE AMENDING SECTION 1.2.2 AND CREATING SECTION 4.3.24 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE (“LDC”) REGARDING SMOKING RETAIL STORES (CASE NO. 20-LDC-0003) (AS AMENDED).**

Sponsors: Primary Brandon Coan (D-8)

Attachments: [O-405-20 V.2 CAM 090820 Regarding Smoking Retail Stores .pdf](#)
[O-405-20 V.1 090320 Regarding Smoking Retail Stores .pdf](#)
[20-LDC_0003_Review.ppt](#)
[20-LDC_0003_Review.pdf](#)
[20-LDC-0003.pdf](#)
[20-LDC_0003_PC_Minutes.pdf](#)
[20-LDC-0003_Staff_Report.pdf](#)

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

Jeff O'Brien, Develop Louisville, gave a presentation on the Planning Commission's recommendation.

The following spoke to this item:

- Council Member Coan
- Committee Member Dorsey

The following was discussed:

- Added Religious Buildings
- Adding the footage requirements for locations of smoke shops

A motion was made by Committee Member Dorsey, seconded by Chair Flood, to amend the Ordinance as follows:

- 4.3.24 A to include Library and Religious Buildings

The motion to amend carried by a voice vote.

Council Member Coan proposed another to amendment to this Ordinance:

A motion was made by Chair Flood, seconded by Committee Member Triplett, to amend the Ordinance as follows:

- Add the following definition for Tobacco Paraphernalia.

"Cigarette papers or wrappers, blunt wraps, pipes, holders of smoking materials of all types, cigarette rolling machines, or other instruments or things designed for the smoking or ingestion of tobacco products or any product containing or delivering nicotine or any other substance intended for human consumption. Tobacco Paraphernalia also includes any fitment, add-on, auxiliary or attachment type device that is designed to be utilized in conjunction with or during the usage of tobacco paraphernalia."

The motion to amend carried by a voice vote.

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

Yes: 7 - Flood, Reed, Dorsey, Triplett, Winkler, George, and Engel

10. [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 Flood adjourned the meeting at 1:54 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 22, 2020.