



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)

Tuesday, October 27, 2020

1:00 PM

Council Chambers

Call to Order

Chair Flood called the meeting to order at 1:02 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.**

Present: 6 - Chair Madonna Flood (D-24), 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)

Excused: 1 - Vice Chair Scott Reed (R-16)

Non-Committee Member(s)

Council Member Barbara Sexton Smith (D-4), Council Member Paula McCraney (D-7), Council Member Brandon Coan (D-8), Council Member Cindi Fowler (D-14), and Council Member James Peden (R-16)

Support Staff

Travis Fiechter, Jefferson County Attorney's Office

Clerk(s)

Cheryl Woods, Assistant Clerk
Sonya Harward, Clerk

Pending Legislation

1. [O-474-20](#)

AN ORDINANCE RELATING TO THE CLOSURE OF THE PORTION OF AN UNNAMED ALLEY BETWEEN EASTERN PARKWAY AND HAHN STREET CONTAINING APPROXIMATELY 4,497 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 20STRCLOSURE0014).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-474-20 V.1 102220 Closure Alley Between Eastern Pkwy and Hahn St .pdf](#)
[20-STRCLOSURE-0014.pdf](#)
[20-STRCLOSURE-0014 Other Minutes.pdf](#)
[20-STRCLOSURE-0014 Staff Report.pdf](#)
[20-STRCLOSURE-0014 Legal Description.pdf](#)
[20-STRCLOSURE-0014 Justification.pdf](#)
[20-STRCLOSURE-0014 Plat.pdf](#)
[20-STRCLOSURE-0014 PC Minutes.pdf](#)

A motion was made by Committee Member Winkler, 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.

Committee Member Triplett said there would be no everyday traffic that uses this alley and that he is in support of this Ordinance.

Committee Member George ask why the alley was being closed.

Brian Davis stated he does not have a development plan on this site.

The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:

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

Absent: 1 - Reed

2. [O-475-20](#)

AN ORDINANCE RELATING TO THE ZONING AND FORM DISTRICT OF PROPERTY LOCATED AT 7101 GREENBELT HIGHWAY CONTAINING APPROXIMATELY 1.67 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0072).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-475-20 V.1 102220 Zoning at 7101 Greenbelt Hgwy.pdf](#)

- [20-ZONE-0072.pdf](#)
- [20-ZONE-0072 Other Minutes.pdf](#)
- [20-ZONE-0072 Staff Reports.pdf](#)
- [20-ZONE-0072 Legal Description.pdf](#)
- [20-ZONE-0072 Justification.pdf](#)
- [20-ZONE-0072 Public Materials.pdf](#)
- [20-ZONE-0072 Plan.pdf](#)
- [20-ZONE-0072 PC Minutes.pdf](#)

A motion was made by Committee Member Winkler, 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
- Committee Member Winkler
- Committee Member George
- Brian Davis
- Joe Reverman, Planning and Design Services

The following was discussed:

- Only Kentucky Transportation Cabinet denied the curve cut into Greenbelt Hwy
- Question about the road stub for emergency access
- Any request for changes would have to be approved by Planning Commission
- Gated plan for Santa Fe was requested by Emergency Medical Services
- The area that is in the R4 zone is owned by MSD or Metro and in a flood plan
- There is a waiver and Greenbelt Hwy is not to have additional landscaping

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

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

Absent: 1 - Reed

3. [O-476-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 1616 ROSEWOOD AVENUE CONTAINING APPROXIMATELY 0.114 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0058).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-476-20 V.1 102220 Zoning at 1616 Rosewood Ave.pdf](#)

[20-ZONE-0058.pdf](#)

[20-ZONE-0058 Other Minutes.pdf](#)

[20-ZONE-0058 Staff Reports.pdf](#)

[20-ZONE-0058 Legal Description.pdf](#)

[20-ZONE-0058 Legal Description.pdf](#)

[20-ZONE-0058 Public Materials.pdf](#)

[20-ZONE-0058 Plan.pdf](#)

[20-ZONE-0058 PC Minutes.pdf](#)

A motion was made by Committee Member Winkler, 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.

Chair Flood commented on this Ordinance stating it shall not be used as short term rental.

Council Member Coan stated he is favor of this Ordinance.

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

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

Absent: 1 - Reed

4. [O-477-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 917 & 919 FOUNTAIN AVENUE AND 4700 WESTPORT ROAD CONTAINING APPROXIMATELY 0.59 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0094).

Sponsors: Primary Madonna Flood (D-24)

- Attachments:** [O-477-20 V.1 102220 Zoning at 917 - 919 Fountain Ave - 4700 Westport Rd.pdf](#)
[19-ZONE-0094.pdf](#)
[19-ZONE-0094 Planning Commission Minutes.pdf](#)
[19-ZONE-0094 Other Minutes.pdf](#)
[19-ZONE-0094 Staff Reports.pdf](#)
[19-ZONE-0094 Legal Description.pdf](#)
[19-ZONE-0094 Legal Description.pdf](#)
[19-ZONE-0094 Justification.pdf](#)
[19-ZONE-0094 Public Materials.pdf](#)
[19-ZONE-0094 PC Minutes.pdf](#)
[19-ZONE-0094 Plan.pdf](#)

A motion was made by Committee Member Winkler, 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:

- Committee Member Winkler
- Brian Davis
- Chair Flood
- Council Member McCraney
- Travis Fiechter, Jefferson County Attorney's Office
- Committee Member Engel
- Joe Reverman, Planning and Design Services
- Committee Member Dorsey
- Committee Member George

The following was discussed:

- General question when a property is rezoned to C1 commercial zoning district, what residential units can be built on that property
- Single or multi family units can be built on C1 commercial zoning district if no binding elements to exclude from being done
- Binding element #10 stating what can be used in CN zoning district or C1 zoning district
- CN zoning permits multi-family residents with 17.42 dwellings per acre
- Major problem is that this zoning is in the middle of established residential

area

- Residential buildings are being proposed to be torn down
- There would be traffic problems on Westport Road with congestion
- There is no stop light at Fountain Avenue, which is a narrow road
- Question of why haven't all the letters received from the neighbors been made part of the record
- Question of whether there has been a traffic study
- No traffic study for this area
- Study area stops at Lyndon Lane and south side of Westport Road
- Question whether there is a neighborhood plan
- What percentage of the area had non-conforming rights
- Non-conforming rights were in the commercial structure that was torn down
- Concerns about development compatibility
- What are the findings of facts
- After 90 days Planning Commission's agreement becomes law

Council Member McCraney asked to read 2 correspondences into the record, and one of the letters was from June 30th.

Travis Fiechter stated anything not already in the record should not be added at this time.

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

The motion to table carried by a voice vote.

Council Member McCraney spoke after the item was tabled and stated Westport Road corridor traffic study should have been considered as well to make it a safer street.

5. [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 remained held in committee.

6. [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](#)

A motion was made by Committee Member Triplett, 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.

The following spoke to this item:

- Chair Flood
- Joe Reverman, Planning and Design Services
- Brian Davis

The following was discussed:

- Traffic study was conducted for 15 minutes
- There was a typo in the time of the traffic study, the actual time the traffic study took was a full hour
- Concern about the geological report

A motion was made by Chair Flood, seconded by Committee Member Engel, that this Ordinance be tabled.

The motion to table was carried by a voice vote.

7. [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)(AS AMENDED).

Sponsors: Primary Madonna Flood (D-24)

- Attachments:** [O-457-20 V.2 CAM 102720 Zoning at 5210 Preston Hwy.pdf](#)
[O-457-20 PROPOSED 102720 Zoning at 5210 Preston Hwy.pdf](#)
[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 Committee Member Triplett seconded by Committee Member George, that this Ordinance be untabled.

Committee Member George spoke about the binding element:

6. The hours of operation for the business shall be restricted to 7:30 am to 6:30 pm, Monday to Saturday.

A motion was made by Committee Member George, seconded by Chair Flood, that this Ordinance be amended by adding binding element that state above.

The motion to amend carried by a voice vote.

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

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

Absent: 1 - Reed

8. [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 remained held in committee.

9. [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](#)

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

The following spoke to this item:

- Council Member Fowler
- Committee Member Engel
- Jeff O'Brien, Develop Louisville

The following was discussed:

- Concern on how to handle a large in-person meeting during COVID-19 pandemic
- Over 200 people signed a petition to have in-person meeting
- Planning and Design Services staff and Planning Commission have been trying to provide policy and procedures for a hybrid meeting
- Hybrid meeting would allow for virtual and in-person meetings
- Human Resources and Health Department has to come up with a safety plan to have meetings
- Technology concerns for some
- Minimum language with the by-laws
- Question about whether there would be a call-in number
- Planning Commission will send only one person to the meeting
-

A motion was made by Committee Member Engel, seconded by Committee Member Dorsey, that this Ordinance be tabled.

The motion to table was carried by a voice vote.

Adjournment

Without objection, Chair Flood adjourned the meeting at 2:58 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 5, 2020.