



# Louisville Metro Government

## Legislation Details (With Text)

**File #:** O-426-18      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 11/2/2018      **In control:** Metro Council

**On agenda:** 11/29/2018      **Final action:** 11/29/2018

**Title:** 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) (AS AMENDED).

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

**Indexes:**

**Code sections:**

**Attachments:** 1. O-426-18 V.2 FAM 112918 Rezoning from C1 to C2 at 7900 Shelbyville Rd 18ZONE1014.pdf, 2. O-426-18 PROPOSED FAM Zoning at 7900 Shelbyville Rd Top Golf amendments.pdf, 3. O-426-18 V.1 110818 Rezoning from C1 to C2 at 7900 Shelbyville Rd 18ZONE1014.pdf, 4. 18ZONE1014\_Applicant Presentation\_1.pdf, 5. 18ZONE1014\_Applicant Presentation\_2.pdf, 6. 18ZONE1014\_APPLICANT\_BUILDING RENDERINGS.pdf, 7. 18ZONE1014\_APPLICANT\_COMPLIANCE STATEMENTS AND JUSTIFICATIONS.pdf, 8. 18ZONE1014\_APPLICANT\_LIGHT FIXTURE TECHNICAL GUIDE.pdf, 9. 18ZONE1014\_APPLICANT\_LIGHTING REPORT ANALYSIS OF EXISTING LIGHTING VERSUS PROPOSED LIGHTING.pdf, 10. 18ZONE1014\_APPLICANT\_LIGHTING WAIVER JUSTIFICATION.PDF, 11. 18ZONE1014\_APPLICANT\_SOUND LEVEL ASSESSMENT FOR THE PROPOSED TOPGOLF AT OXMOOR CENTER.pdf, 12. 18ZONE1014\_APPLICANT\_TRAFFIC IMPACT STUDY.PDF, 13. 18ZONE1014\_INTERESTED PARTY\_CITIZEN EMAILS AND LETTERS RECEIVED ON OR AFTER OCTOBER 1 2018.pdf, 14. 18ZONE1014\_INTERESTED PARTY\_CITIZEN EMAILS AND LETTERS.pdf, 15. 18ZONE1014\_INTERESTED PARTY\_CITY OF HURSTBOURNE OPPOSITION RESOLUTION.pdf, 16. 18ZONE1014\_INTERESTED PARTY\_GREATER LOUISVILLE INC LETTER OF SUPPORT.pdf, 17. 18ZONE1014\_INTERESTED PARTY\_OPPOSITION STATEMENTS OF NON-COMPLIANCE.pdf, 18. 18ZONE1014\_INTERESTED PARTY\_SEN. JULIE RAQUE ADAMS OPPOSITION LETTER.pdf, 19. 18ZONE1014\_LD&T STAFF REPORT.pdf, 20. 18ZONE1014\_LDT Minutes\_08.09.18.pdf, 21. 18ZONE1014\_Opposition Presentation\_1.pdf, 22. 18ZONE1014\_Opposition Presentation\_2.pdf, 23. 18ZONE1014\_Opposition Presentation\_3.pdf, 24. 18ZONE1014\_Opposition Presentation\_4.pdf, 25. 18ZONE1014\_Opposition Presentation\_5.pdf, 26. 18ZONE1014\_Opposition Presentation\_6.pdf, 27. 18ZONE1014\_Opposition Presentation\_7.pdf, 28. 18ZONE1014\_PC Minutes\_10.01.18.pdf, 29. 18ZONE1014\_PC Minutes\_10.15.18.pdf, 30. 18ZONE1014\_PC Minutes\_10.18.18.pdf, 31. 18ZONE1014\_Plan\_10.18.18.pdf, 32. 18ZONE1014\_PLANNING COMMISSION STAFF REPORT\_100118.pdf, 33. 18ZONE1014\_PLANNING COMMISSION STAFF REPORT\_ADDENDUM 101518.pdf, 34. 18ZONE1014\_Pre-App Staff Report\_031218.pdf, 35. 18ZONE1014\_Staff Presentation\_100118.pdf, 36. 18ZONE1014\_Staff Presentation\_Addendum\_101518.pdf, 37. 18ZONE1014\_ZONING BOUNDARY AND WRITTEN DESCRIPTION.pdf, 38. 18ZONE1014.pdf, 39. O-426-18 - Zoning at 7900 Shelbyville Rd Top Golf (AS AMENDED)(11-13-18).pdf, 40. ORD 220 2018.pdf

Date	Ver.	Action By	Action	Result
11/29/2018	1	Metro Council	read into the record	Pass
11/29/2018	1	Metro Council	read into the record	Pass
11/29/2018	1	Metro Council	read into the record	Pass
11/29/2018	1	Metro Council	amended	Pass

11/29/2018	1	Metro Council	amended	Fail
11/29/2018	1	Metro Council	reconsidered	Pass
11/29/2018	1	Metro Council	amended	Pass
11/29/2018	1	Metro Council	read into the record	Pass
11/29/2018	1	Metro Council	amended	Fail
11/29/2018	1	Metro Council	passed as amended	Pass
11/13/2018	1	Planning, Zoning and Annexation Committee	recommended for approval	
11/13/2018	1	Planning, Zoning and Annexation Committee	amended	Fail
11/13/2018	1	Planning, Zoning and Annexation Committee	recommended for approval	Pass
11/8/2018	1	Metro Council	assigned	

**ORDINANCE NO. \_\_\_\_\_, SERIES 2018**  
**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) (AS AMENDED).**

**SPONSORED BY: COUNCILWOMAN MADONNA FLOOD**

**WHEREAS**, The Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 18ZONE1014; and

**WHEREAS**, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 18ZONE1014 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records with an additional binding element.

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

**SECTION I:** That the zoning of the property located at 7900 Shelbyville Road containing 22.487 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 18ZONE1014, is hereby changed from C-1 Commercial to C-2 Commercial; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 18ZONE1014 with the addition of 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 unless a similar tenant or operator is secured. Said bond shall be maintained and renewed as necessary to ensure compliance with this binding element.

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

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H. Stephen Ott  
Metro Council Clerk

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David James  
President of the Council

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Greg Fischer  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

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