



Louisville Metro Government

Legislation Details (With Text)

File #: O-420-21 **Version:** 2 **Name:**
Type: Ordinance **Status:** Passed
File created: 8/18/2021 **In control:** Metro Council
On agenda: 9/23/2021 **Final action:** 9/23/2021
Title: AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 16907, 16907R, 16909 AND 17401 AIKEN ROAD CONTAINING APPROXIMATELY 254.31 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0001) (AS AMENDED).
Sponsors: Madonna Flood (D-24)

Indexes:

Code sections:

Attachments: 1. O-420-21 V.2 CAM 091421 Zoning at 16907, 16907R, 16909 & 17401 Aiken Road.pdf, 2. O-420-21 V.1 082621 Zoning at 16907, 16907R, 16909 & 17401 Aiken Road (lf.pdf, 3. O-420-21 PROPOSED CAM 091421 Zoning at 16907 16907R 16909 17401 Aiken Road.pdf, 4. 21-ZONE-0001.pdf, 5. 21-ZONE-0001 PC Minutes 8-5-21.pdf, 6. 21-ZONE-0001 Other Minutes.pdf, 7. 21-ZONE-0001 Staff Reports.pdf, 8. 21-ZONE-0001 Legal Description.pdf, 9. 21-ZONE-0001 Applicant Booklets.pdf, 10. 21-ZONE-0001 Applicant Studies.pdf, 11. 21-ZONE-0001 Statement of Compliance.pdf, 12. 21-ZONE-0001 Traffic Impact Studies.pdf, 13. 21-ZONE-0001_Plan_051721.pdf, 14. ORD 142 2021.pdf

Date	Ver.	Action By	Action	Result
9/23/2021	2	Metro Council	passed	Pass
9/14/2021	1	Planning and Zoning Committee	amended	
9/14/2021	1	Planning and Zoning Committee	recommended for approval	Pass
9/14/2021	1	Planning and Zoning Committee	recommended for approval	
8/31/2021	1	Planning and Zoning Committee	held	
8/26/2021	1	Metro Council	assigned	

ORDINANCE NO. _____, SERIES 2021

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 16907, 16907R, 16909 AND 17401 AIKEN ROAD CONTAINING APPROXIMATELY 254.31 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0001) (AS AMENDED).

SPONSORED BY: COUNCIL MEMBER 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 (the “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. 21ZONE0001; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 21ZONE0001 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records, with amended and additional binding elements.

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 properties located at 16907, 16907R, 16909 & 17401 Aiken Road containing approximately 254.31 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 21ZONE0001, is hereby changed from R-4 Residential Single Family to PRD Planned Residential Development; provided, however, said properties shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 21ZONE0001 with the following amended and additional binding elements:-

17. At the time the developer turns control of the homeowners' association over to the homeowners, the developer shall provide sufficient funds to ensure there is no less than \$3,000 cash in the homeowners' association account. No homeowners' association funds shall be used by the developer to fulfill either the developer's obligations under Plan 2040 or any improvement submitted as part of the approved development plan, including but not limited to plantings and paving. Notwithstanding the foregoing, the homeowners' association funds may be used for the post-construction maintenance obligations of common elements, including maintenance of the open space. The subdivision performance bond may be required by the Planning Commission to fulfill this funding requirement.

25. Any increase in density on the property, any changes in use on the property, and/or any amendments to the binding elements shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

26. After full construction of the Aiken Road access points, developer shall not oppose efforts by neighbors to close Flat Rock Road and install an emergency gate restricting access to the property.

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

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

O-420-21- Zoning at 16907, 16907R, 16909 & 17401 Aiken Road (AS AMENDED) (lf)