



Louisville Metro Government

Legislation Details (With Text)

File #: O-088-21 **Version:** 2 **Name:**
Type: Ordinance **Status:** Passed
File created: 3/2/2021 **In control:** Metro Council
On agenda: 4/22/2021 **Final action:** 4/22/2021
Title: AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 8300 COOPER CHAPEL ROAD CONTAINING APPROXIMATELY 29.69 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0057)(AMENDED BY SUBSTITUTION).
Sponsors: Madonna Flood (D-24)

Indexes:

Code sections:

Attachments: 1. O-088-21 V.2 CABS 041321 Zoning at 8300 Cooper Chapel Rd.pdf, 2. O-088-21 V.1 031121 Zoning at 8300 Cooper Chapel Rd.pdf, 3. 20-ZONE-0057_Staff.pdf, 4. 20-ZONE-0057_Staff.pdf, 5. 20-ZONE-0057 PC Minutes.pdf, 6. 20-ZONE-0057 LDT Minutes.pdf, 7. 20-ZONE-0057 Staff Reports.pdf, 8. 20-ZONE-0057 Legal Description.pdf, 9. 20-ZONE-0057 Applicant Justification.pdf, 10. 20-ZONE-0057 Applicant Studies.pdf, 11. 20-ZONE-0057 Letters of Opposition.pdf, 12. 20-ZONE-0057_SlopeStabilitySurvey_112320.pdf, 13. 20-ZONE-0057 Plan.pdf, 14. O-088-21 PROPOSED CABS 041321 Zoning at 8300 Cooper Chapel Rd.pdf, 15. ORD 056 2021.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------------------|--------------------------|--------|
| 4/22/2021 | 2 | Metro Council | passed | Pass |
| 4/13/2021 | 1 | Planning and Zoning Committee | recommended for approval | Pass |
| 4/13/2021 | 1 | Planning and Zoning Committee | untabled | |
| 4/13/2021 | 1 | Planning and Zoning Committee | amended | |
| 3/16/2021 | 1 | Planning and Zoning Committee | recommended for approval | |
| 3/16/2021 | 1 | Planning and Zoning Committee | tabled | |
| 3/11/2021 | 1 | Metro Council | assigned | |

ORDINANCE NO. _____, SERIES 2021

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 8300 COOPER CHAPEL ROAD CONTAINING APPROXIMATELY 29.69 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0057)(AMENDED BY SUBSTITUTION).

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. 20ZONE0057; and

WHEREAS, the Council rejects the findings of the Planning Commission for the zoning change in Case No. 20ZONE0057 and has made alternative findings of fact based on the Planning Commission's record that support maintaining the existing R-4 Residential Single Family zoning designation; and

WHEREAS, the Council makes the following findings of fact based upon the record established before the Planning Commission for Case No. 20ZONE0057 to overturn the recommendation of the Planning Commission and maintain the existing R-4 Residential Single Family zoning designation on the property located at 8300 Cooper Chapel Road and being in Louisville Metro; and

WHEREAS, the proposal does not conform to Land Use & Development Goal 1: Community Form Subsection 7: Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned. It does not conform because the site is not along a major transit corridor but instead located between two arterials at a significant distance from either, nor is it near an employment center, nor an activity center, nor is there sufficient infrastructure in the area to support the proposal; and

WHEREAS, the proposal does not conform to Land Use & Development Goal 1: Mobility Subsection 4: Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system. It does not conform because the proposal is not within an existing marketplace corridor or even near one, nor is it located in or near an existing activity center, nor is it located in or near an employment center; and

WHEREAS, the proposal does not conform to Land Use & Development Goal 2: Mobility

Subsection 4: Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances. It does not conform because, while the development plan does attempt to place a single-family buffer between the surrounding properties and the multifamily interior, the entire site is still at a density and intensity which far exceeds that of the surrounding area which includes much lower intensity single-family zoning and uses, including farmland, and would make connections to such adjacent properties; and

WHEREAS, the proposal does not conform to Land Use & Development Goal 3: Mobility Subsection 2: To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers. It does not conform because there is no safe, continuous pedestrian, bicycle, or public transportation access from the site to either of the major arterials it is situated between, nor is it near an employment center; and

WHEREAS, the proposal does not conform to Land Use & Development Goal 1: Housing Subsection 2: Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities. It does not conform because the intense, multi-family proposal does not include any units dedicated for senior housing or people with disabilities and is located far from shopping, medical, and other supportive facilities.

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 8300 Cooper Chapel Road containing approximately 29.69 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 20ZONE0057, shall remain R-4 Residential Single Family and that the decision of the Planning Commission in that case is

overridden.

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

APPROVE AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

O-088-21 20ZONE0057 Rejection.docx (TF)