



Legislation Text

File #: O-163-20, Version: 4

**ORDINANCE NO. _____, SERIES 2020
AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 6517
DIXIE HIGHWAY CONTAINING APPROXIMATELY 0.886 ACRES AND BEING IN
LOUISVILLE METRO (CASE NO. 19ZONE0088) (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 (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. 19ZONE0088; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 19ZONE0088 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 property located at 6517 Dixie Highway containing approximately 0.886 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 19ZONE0088, is hereby changed from R-4 Residential Single Family and 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. 19ZONE0088, with the following amended and additional binding elements:

15. Landscape compliance, including landscape buffers and planting material, shall be installed by December 1, 2020 June 1, 2021.

16. The access point from the subject site to Dixie Highway depicted on the development plan presented to the Planning Commission on March 5, 2020 shall be closed, and the encroachment permit pulled from the Kentucky Transportation Cabinet. Access to Dixie Highway for the subject site shall occur through the adjoining site at 6633 Dixie Highway, which is also owned by the owner of the subject site, and which access shall be documented by either a deed of consolidation for the two sites or an access easement. Sidewalk shall be provided and connect to the existing sidewalk network on both sides of the current curb cut accompanied by an appropriate landscape buffer. Subject to approval by the Kentucky Transportation Cabinet, the owner of the property shall close the existing access point from the subject site to Dixie Highway and construct a new, right-out-only curb cut at a point no less than 20 feet south of the existing access point. If KYTC rejects moving the access point, then the owner shall apply to reduce the current access point to right-out-only. The owner shall file a revised detailed district development plan with Louisville Metro Planning and Design Services which depicts the version approved by KYTC. Ingress to the subject site shall occur through the adjoining site at 6633 Dixie Highway, which is also owned by the owner of the subject site, and which access shall be documented by either a deed of consolidation for the two sites or an access easement. Final construction, including the provision of new sidewalk if the existing access point is closed or reduced, shall be completed within one (1) calendar year of the subject property being rezoned.

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

Sonya Harward

David James

Metro Council Clerk

President of the Council

Greg Fischer

Approval Date

Mayor

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell

Jefferson County Attorney

By:

O-163-20 19ZONE0088 Approval (Tier 3 Amendments) (TF)