Unedited Transcript of Planning and Zoning Committee Meeting - June 2, 2026
Planning and Zoning Committee - THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

Open your document. There. All right. So. I don't know if we all have to walk down. Here. To turn off your house.\r\n\r\nYeah, it's it's a county. So we had to restart the whole computer. But. But look, you don't need it. No. We've been waiting for you. I'm just.\r\n\r\nI'm joking. Okay? Yeah, well, let's not look at that right now. Let's start with what we need. Metro tv 30s. Good afternoon and welcome to the regularly scheduled planning and Zoning committee meeting. I am Scott Reed, the vice chair of the committee. Today is Tuesday, JUNE the 2nd.\r\n\r\nAnd joining me in the chambers, we have COUNCILWOMAN Parish rights. We have COUNCILWOMAN Raymond, we have COUNCILMAN Hudson. We have COUNCILWOMAN Rudy. We have COUNCILWOMAN Jennifer Chappell. And online we have Chair Owen. Just a little bit of housekeeping. We have item number five, which is being held at the request of the sponsor.\r\n\r\nAnd with that in mind, we have starting off ordinance pending legislation, ordinance 0-127-26, an ordinance relating to the zoning of property located at 3827 proper level road containing approximately 0.22 acres and being in Louisville Metro. Case number 26. Zone 0025 do have a motion motion. Motion seconded. Julia. Oh I'm sorry. Disclaimer. This meeting is being held pursuant to carry 61.826 and Council of five a reading for.\r\n\r\nThank you Cheryl. Now to you, Julia. Julia Williams Office of Planning. So this is 26 zone 0025. This is located at 3827 Poplar Level Road in Council District ten. The existing use is single family. The proposed use is multifamily. The existing zoning is r five in the neighborhood Forum district.\r\n\r\nThe proposed zoning is r six in the neighborhood Forum district. The request is for a change in zoning from r five residential to r six residential. There was a waiver and a detailed district development plan with binding elements associated with the site. The site is approximately 0.22 acres. It's an existing single family structure to be converted to a duplex with a detached third dwelling unit in the rear. There's no new construction or expansion of the existing structures. This is the applicant's development plan, showing the existing home in the front and then the existing accessory dwelling unit in the rear.\r\n\r\nThis is what the subject property looks like along Poplar Level Road. The rear of the property along Jackson Avenue. These are the existing dwellings across the front of. Along a level road. This is facing northwest toward Poplar Level Road and Trevilian Way and then facing southeast towards Pablo Level Road and Grenade Avenue. The neighbor. The applicant held their neighborhood meeting on FEBRUARY 25th, 2026. The Planning Commission held their public hearing on APRIL 23rd, 2026, where there was a motion to recommend approval of the change in zoning, passing by a vote of 7 to 1. Are there any questions?\r\n\r\nWhose council district is this? Oh, I'm sorry, would you like to speak to it, COUNCILMAN Raymond, please. Well, first I wanted to ask if if you understood why there was a no vote. That commissioner did not speak as to why they voted no. Yes, I'll speak to it, if I MAY. So this is a this is a property. It's a five bedroom house that was previously rented out and that there's not the market that there used to be for renting five bedroom houses.\r\n\r\nAnd so the owner of this property is converting it with only internal renovations. And so that each floor is rented. So it's essentially a duplex. I went to the neighborhood meeting. There was no objection actually at the neighborhood meeting was the couple who were the current tenants who were supportive of this change. So I was actually really disappointed by this one no vote because it's delayed the progress. And it's, it's we talk about how things

move really slowly.\r\n\r\nThis is a very simple change that enhances the neighborhood and is desired by the residents. And it has still taken months and months. So I ask for your support. Thank you, COUNCILMAN Owen. Thank you, Vice Chair. Quick, quick question. So is my understanding.\r\n\r\nMy understanding is that this will go from a single family with a cup for an for an Adu, or was it a and then and now it will just be a multi-family. And so will this, the the Adu will go away and there will be three units of multifamily rental. Is that my is that a correct understanding? I don't believe the site had a cup for an accessory dwelling unit. So it was being rented, not as a as a short term rental, but as a long term rental. Previously the back of the, the back unit. It's the I know the young man who lives in the back.\r\n\r\nIt's the owner's son. And so do we know again, I'm I'm I'm, I'm a I'm for this. I was just trying to get some clarification. So so the current tenants who now occupy the entire house will now occupy one floor. The young man who lives in the Adu in the back will stay there. And then a new tenant will move on to the second floor. Great.\r\n\r\nAnd I just wanted to mention that, you know, when we do break up a, a five bedroom house, for example, we do into two units, we have created smaller units that will be more affordable to, to people. And I think that is a net positive here. So just wanted to highlight that. Thank you very much. Thank you. Chair. Any other comments?\r\n\r\nWe have been joined by COUNCILMAN Vachon. Stewart. COUNCILMAN Benson, you. Oh, I thought I acknowledged you. COUNCILMAN Benson is in the chambers as well. With that, I think we're ready to vote. On.\r\n\r\nYes. Thank you. Voting's closing. Vice Chair Reed, you have eight yes votes. Thank you very much. This passes and we'll go to new business at the next council meeting. Next is item number 0-137-26. An ordinance relating to the area wide zoning of property located at 1901 r Payne Street, containing approximately 3.09 acres and being in Louisville Metro.\r\n\r\nCase number 26, zone 0030. Do I have a motion? Motion and seconded chair Owen would like to speak to this, I'm sure. Thank you, Vice Chair Reed, this is a long time coming. I'm excited about this. So a couple of things I, I want to highlight again here. We've talked about this previously, but I wanted to say that, you know, this I don't expect to be precedent. I do not think that we as Metro government should proactively go after properties that are historically that are grandfathered in as industrial zoning and pull the industrial zoning designation out from under companies who are operating in in those locations.\r\n\r\nI think that is bad practice, bad business. And I do not think that this should set that precedent precedent. So I wanted to say that, first and foremost, in the case of this property, the property has had multiple explosions over the years. At least two of those explosions were deadly. And frankly, the most recent explosion. Is it's a small miracle that it wasn't more that it didn't take more lives than it actually did. When you you saw the the huge chunks of metal that went flying throughout the Clifton neighborhood.\r\n\r\nAnd so once that happened, the mayor came forward and, and I was in full agreement that this should never operate as heavy industrial again. And we requested that the Planning Commission take a look at what this might look like to down zone it. The recommendation was to, to change from m-2, which is a heavy industrial zoning zoning designation to cm, which does allow for some light industrial zone, but also allows for some housing, multifamily housing and some other things. So it, it adds more flexibility to what the property can be used for going forward, which I think is a good thing and does will make it easier for the for the company to sell going forward, because they'll be more users that that could potentially use the property as opposed to a, a, only a heavy industrial user using the property. I wanted to

acknowledge that Commissioner Lannert voted against this at the Planning Commission. He was the sole no vote at the Planning Commission. And I do respect Commissioner Lambert's expertise as it relates to industrial properties.\r\n\r\nHe's. He has brokered industrial properties in Louisville for the past four decades, and he suggested that we were reducing the value of the property by by, by lowering the zoning, lower the intensity of zoning from m2 industrial to cm. Again acknowledging his expertise. I do have to disagree. In this particular case, I think that we have at. I think we've, like I said previously, we've added some value to the property in the sense that we have added the number of different uses that can be used, that can be taken advantage of at this site going forward, which I think adds some value. We have allowed some light industrial to continue here, which, you know, could could obviously turn into to future cash flow at this site going forward. So at the very most, I think we have I don't think we have reduced the value of this property in making this zoning change.\r\n\r\nOne other thing and then I'll, I'll I'll step back here with the Planning Commission, sorry, the planning staff at Metro Government, under the leadership of Brian Davis, has reached out to Geveden on a handful of occasions since this process has been in place. What what I had requested from the company is that they come out and explicitly say that they they were not against the change in the zoning. They did not agree to say that explicitly, but at the same time, we have given them multiple opportunities 4 or 5 on 4 or 5 different occasions to come out and say, please don't do this. You are really, you know, taking away the value of the property by doing this. And they have not done that either. And I think that their silence on that should be there's something to be said for the fact that they did not take the 4 or 5 opportunities to, to state their opposition to this. And so I think that's that's important.\r\n\r\nSo with all of that said, I would really ask for your support and hopefully we can. The this change in zoning will bring closure to the neighborhood in a way that I think will be incredibly healing. So I ask for your support and hope to move it forward. Thank you. Thank you. Chairman. Does anybody have any questions?\r\n\r\nCOUNCILMAN Bacon? Thank you, Vice Chair Reed. And thank you, Chair Owen, for your explanation. And and just you know, for the record, I want to I've I've stated these issues before, but I want to state them again. And I think I think we're opening up a can of worms. Ladies and gentlemen, I think I think we should allow the market to play its role and do what it needs to do, and not rezone a property outside of the scope of allowing the owner to go through that zoning process like they should. This is going to increase the value of the property.\r\n\r\nI can agree with you on that. COUNCILMAN Owen, and create a new market value for this property to be sold or redeveloped. I strongly believe that we should not be doing this for the purpose of that. Owner needs to go through this process like everybody else does. Thank you. COUNCILMAN. Any other questions?\r\n\r\nWould you like to respond to COUNCILMAN Owen? Okay. Any questions? That said, I think we're ready to vote. Chair Owen. Yes. Thank you.\r\n\r\nOrdinance closing. Vice chair Reed, you have five yes votes and three no's. Thank you. With that, we'll go to new business. I'm sorry, old business. In the next council meeting. Next is item number three, an ordinance imposing a temporary moratorium on rezoning conditional. And this is item number 0-135-26. An ordinance imposing a temporary moratorium on rezoning conditional use permits and plan certain category two b and three development plan applications relating to telecommunication hotels and data centers pending a review and recommended changes by the Planning Commission.\r\n\r\nDo I have a motion, motion, motion and seconded?

I think we have COUNCILWOMAN Chapel that would like to speak to this. Sure. Thank. I used to be on planning and zoning, and our meetings were much longer. Preface. No ai has been used to write this plea and all the words are my own, as is all of my words I've said in this chamber thus far.\r\n\r\nColleagues, we have kicked. This can far enough down the road. On JANUARY 23rd, the Planning Commission was supposed to release the recommendations for the changes to the Land Development Code regarding data centers. 130 days have passed since that deadline and we are without recommendations. Still, what's even more puzzling to me is that recommendations were published online on JANUARY 2nd, and they were taken down just hours later. It seemed like the work was completed. So where did it go?\r\n\r\nAnd to be clear, these are recommendations that we're waiting on. It's not legislation and its final form. They aren't automatic updates to our land development code. They're recommendations that have the opportunity to be molded, which will be subject to public comment and will be under review by this legislative body. There's a lot of work ahead of us, but we can't move forward without the foundation of these documents. Data centers are a hot button issue worldwide, and they're certainly one that folks care about here since they're in their infancy. We don't understand a lot of the implications of a data center.\r\n\r\nHow big of a population does one data center serve? How many data centers does Louisville need to power its population? What communities outside of Louisville benefit from data centers located here? Do those communities have buy in? Louisville has more water than anyone could than we could ever need or use is something I've heard before. But how much has to be used in order for that precious finite source to be tapped and threatened? Solar panel energy advances as quickly as televisions do, and computers are no longer the size, as buildings.\r\n\r\nLook how tiny this one is here. Does technology in a data center advance as quickly? And are the monstrosities that we're building now appropriate in 510 years? I don't know the answers to these questions, and I have a slew of others that are going around in my head, and I doubt that anybody else in this room has answers to these questions, but I'm sure that you have a whole lot more. I know that I am not willing to let Louisville be a guinea pig for these data centers. It's convenient to rally against a moratorium when it's not your backyard being threatened. And let's be clear I live in a very dense urban area, and I doubt that a data center would ever be coming to my backyard.\r\n\r\nHowever, that doesn't mean that I can't prevent myself from fighting for someone that might have one in their backyard. Beyond that, we all pay a monthly L.G.A bill and a bill to Louisville Water. We're all subjected to the same price hikes, including the one that msd is proposing right now. So if you don't care about the deforestation of data centers, their light pollution, their noise pollution, the creation of a brown field, etc. Then maybe you will care when your water turns brown and your electricity bills rival your mortgage payment. Maybe these are all fears, but they're not ones that I want to test. Now let me bring address some concerns about the moratorium that my colleagues have brought up.\r\n\r\nFirst, there are no data centers in the pipeline, so this legislation would be moot. GOD forbid that Louisville metro government takes a proactive approach to something. Instead of laying in the weeds and being reactive to something, why are we too afraid to put our residents over private predatory development? Besides, if plans for a new data center were to be submitted tomorrow, any action by Metro Council would take little too late. Let me remind you, we're about to go on break for about three weeks. It might be too late. A moratorium will signal that Louisville is closed for business.\r\n\r\nHow could we insinuate that

Louisville is closed for business? When one Louisville distributed these talking points before Derby, over 2 million packages moved through ups every day, and we just passed Memphis as the largest air cargo hub in North America. Louisville saw over $3 billion in new capital investment last year, an amount that's on par with Austin, Nashville and Raleigh. Ford is reinventing the assembly line in Louisville and how cars are put together. Ge is building a new 800 job, half a billion factory, half $1 billion factory that will manufacture a washer and dryer units across this, an area the size of 33 football fields, slate auto and new Jeff Bezos backed startup is building an affordable ev in their global customization hub is right here in Louisville. Taiwan based Foxconn is investing $173 million into a new facility that, for the first time since the 1980s, manufactured consumer electronics at scale in America in downtown, has over two $2.5 billion in development underway. That includes a 1000 room convention hotel in Humana's old hq and a new J.W. Marriott hotel.\r\n\r\nAnd our airport is in the middle of $1 billion modernization, improving the experience and the number of flights. I've also heard the administration has promised these recommendations in JUNE, and they're actively working on tightening them up for distribution. These recommendations are coming to us from the planning department via the Planning Commission. The administration will have the same opportunity to offer their feedback, as does Metro Council and the public. When we get these distributed. Besides, why should we trust that we're getting these recommendations when we were told we were getting them in JANUARY and then in MAY, and now in JUNE. And I also hear from my colleagues, I never support moratoriums, a moratorium on moratoriums is a weird flex, but okay, I'm sure that there's other, more nefarious reasons that would prevent a council person from voting in support of this moratorium, since there are only assumptions, I'm not going to address them, although I can assure you that your voters want this moratorium, and I promise you that there is no price worth the sale of your dignity.\r\n\r\nI'm wrapping up. So. You know you're coming, but I'd love to read an email from my friend David Kaplan. Who or sorry, David Kaplan, who had emailed all of the members of the Planning and Zoning committee this morning. And I just want to read this email. It's fairly short. My friend Jennifer Chappell asked me to reach out to seek your yes vote on a moratorium for data centers today.\r\n\r\nThese centers really intrigued me as I own a parcel where one could be built. If I were to build one, I would wait until best management practices are adopted regarding them. As my friend Stuart Benson will tell you, a machinist or a builder, one needs a blueprint or a diagram to get the project done correctly. This is what a moratorium would provide, and I'm puzzled at how the Office of Planning started on this. Then it suddenly disappeared. But the Office of Planning has made this common practice. They have studied the Floyds Fork watershed for decades without a plan being adopted, not only a major issue of our tax dollars, but it's worth showing the rest of the nation that we're not a smart growth city building without future generations in mind.\r\n\r\nSo let's pass this. These are my own words. Now it's the end of his email, but I just want to encourage my colleagues to vote yes on this so we can pass this moratorium, get the recommendations, have the tough conversations that we need to have, and update the ldc responsibly so we don't sell out any more of our communities. Thank you. Thank you, COUNCILMAN Chappell, what is the length of the moratorium? How long are we or is there a length 180 days, which would be six months? Okay.\r\n\r\nCOUNCILMAN Parrish. Right. Thank you, MR. Chair. I don't I think COUNCILWOMAN Chappell gave a great explanation of all of this. I've. And I've thought about what I would say

because I have pre-typed message that I wanted to use.\r\n\r\nBut I just want to say this makes sense. It gives us an opportunity to be proactive. This is what our constituents are asking for. It is in the backyard of my district, even though the one being built is in district one, I can you can throw a rock over into district three. I went to some neighborhood meetings, and I heard the concerns from people who are living in those communities who, who just found out about it, who are still trying to understand it. I then drove and walked the property with a constituent and it was huge. And we and I know that life thrives around water.\r\n\r\nI know that we have a good source of water, but we need to be able to make decisions that mean something to our community. Louisville has never been closed for business. There's not a time I've seen Louisville close for business. So I think that if that is a concern, that doesn't make sense to me. I think the email from that Jennifer read is so important. This person is saying they have a parcel that could be considered for that, but they would not build without having these regulations in place. And I think that with us going on vacation with all the things that are going on and how this first one got in because of it was already zoned, and it's already ahead of the the laws we have.\r\n\r\nThe moratorium makes sense. That's all we're asking. Let's do something to show the community we're listening. Let's do something proactive. Let's work together. This is not negative. This is not against business.\r\n\r\nThis is not us trying to shut down every developer. This is saying to the community that we hear you, we heard you, and we're taking action. Thank you. COUNCILWOMAN Freeman. Yes. Is it appropriate to ask the planning team questions about the rollout of the recommendations? I'm sorry.\r\n\r\nMAY I ask the planning team questions about that? Yes, yes, yes. Could you all explain better to us and to people who've been watching but haven't quite been able to grasp it like me? Right. What has been the timeline for the recommendations? Why the delay and when can we expect them and what will they look like? Sure.\r\n\r\nNow, so Brian Davis, the Office of Planning in terms of when you can expect something, we are in the process of finalizing a draft. We hope to release it next week. So this has been an this has been an interesting and challenging task for us to complete for a number of reasons and. And COUNCILWOMAN Chappell, you know, addressed several of them just because there isn't a whole lot of information out there, a lot of communities are all kind of in the same spot and that, you know, you have this use that is a somewhat fairly new use, especially when you think about the hyperscale data centers and people are treating it all kinds of different ways depending on how the regulations are. We reached out to some of the peer cities that we speak with. And, you know, they were treating data centers anywhere from like an office, like any other office use to, you know, some sort of heavy industrial use. And so, you know, people are all over the place in terms of how they're dealing with those.\r\n\r\nAnd it's been a topic where really, every week there's new information out there about, you know, what goes on at the data centers, how they're operating, why they're operating the way they do, and how communities are dealing with them. So it's something that we, we've been watching and kind of following, you know, another challenge that that we were kind of dealing with while we were in the process of, of, of, you know, doing all this research was the state legislation. And in the session that we just concluded in APRIL, there were five different bills that were proposed that were called an act relating to data centers. And so, you know, kind of the thought was like, you know, before we put anything out there, before we we do anything with this draft, let's watch and see what the state's going to mandate, because we didn't want to produce a product that

was going to be, you know, essentially null and void because of an action that the state was going to be taking. Now, none of those wound up passing. But, you know, they they were out there. And if you've watched the legislature in the last couple of years, you know, you have to wait until the last two days of the session for anything, because that's when everything gets done.\r\n\r\nSo we were watching that. So as I stated, though, we are in the process of finalizing the draft, it'll be in a form that is, well, it'll, it'll look like a, like a strike through of the current ldc, because that's how we write the the proposed amendments when we do it, you know, basically it's saying, okay, this is going to be added, this is going to be subtracted. And so, you know, we we will be releasing that document again, hopefully next week. And, and then once, once we do release that, there will be a 30 day public comment period in which we take feedback on that. And then we take that, take the public feedback into consideration before we consider moving it for a public hearing before the Planning Commission. Thank you. A quick follow up.\r\n\r\nIt coincidence that we're hearing this moratorium ordinance, and those are coming next week, right. Did this force your hand again? We've we've been working on this, you know, as you all know, for a while. And so, I mean, you know, we just for various reasons and obviously, I, I would not, you know, the moratorium probably did help to accelerate things. But, you know, I think in terms of having a product where, you know, we're addressing some of the concerns that were that were brought to us by the community whenever we were doing our round of public engagement and, and getting the feedback and getting all the information that we've been gathering. Now, it's taken a while to put this together. It's not been an easy thing.\r\n\r\nOkay. Thank you. Just one question for Brian before we get to COUNCILMAN Chappell. Many of our constituents, many of my constituents, are asking the question, how did they get this last one in under the wire? What happened? So there's a classification in the land Development code that talks about data hotels. Would you explain that a little bit, please?\r\n\r\nSure. So under the the current regulations there's a use in there called telecommunication hotels, which it's kind of an antiquated term now given, you know, where we're at, but it is a type of data center. And so based on the information that that, that we have that's available out there, then the interpretation was made that data centers fall under that particular type of use under that category, you know, similar to that. And so that that is why the project that was previously, you know, proposed on Campground Road, it was allowed to progress through the system underneath that, that interpretation, how many if you had to guess how many small data centers do we have in the city? Depending on what you read, they say there's as many as three dozen or so of the smaller data centers. And I ink, you know, that they they operate in all different type of parts of the community. They look like normal office buildings or normal warehouse buildings.\r\n\r\nYou don't really know what they are out there right now. The big change in, in, in the use has been just the, the expansion of this into these hyper hyperscale data centers that you're seeing developed in other communities right now. And so that's, that's what is really got the attention of people is that, you know, these larger facilities that are taking up massive pieces of land that you, that, you know, MAY use a lot of power and water and things like that for their operations. So that that's what got people has gotten people's attention. And so, you know, that that is kind of like the, you know, why you all created a request for us to research this and kind of re-explore that so that we can kind of move away from that interpretation that we had before and, and better classify this new use that's out there. Okay. Thank you, COUNCILMAN

Chappell.\r\n\r\nI want to make clear that I don't have any ill will towards our planning department. And I think that you all have done a lot of work thus far. And I just feel like your hands have been tied behind your back. You didn't tie your own hands, right. But, you know, there were public meetings that were held and you all got information. And I'm looking forward to what you all put out. I think it will be thoughtful, but it leads me to my question.\r\n\r\nThis five page document that was published and then taken down. Who wrote it? Where did the mistake happen? Was this, you know, another cities and we drafted our own, but it went to an intern and they accidentally published it on our website. Or like, how did this happen? No, we created that's kind of like a first draft, a first run at what, you know, we some of the things that we were working on based on the comments that we had received and we were planning on having a working meeting with our, with the planning committee to kind of go through that and get some of their feedback so that we could then go back, you know, the the agenda was published. Then we got word that we weren't going to be having the meeting anymore.\r\n\r\nSo we took the agenda down. So because we lost, we, we, we weren't going to have a quorum at the meeting whenever we were conducting that. When was your next meeting? I don't know when their next meeting was. I mean, we, you know, after after it was taken down, then, you know, then, you know, we had spoke with COUNCILMAN Winkler and he's like, you know, if you all need additional time to research this, feel free to do that. And so we just, we, you know, we never got to a point where we wanted to have another working meeting with the planning committee to talk about this. Is Marcus your boss?\r\n\r\nNo, but he was the sponsor. Anytime, anytime. There's a sponsor for some legislation that is proposed to us. And we we will reach out to them and give them updates on what's going on with that. And so we, you know, he, he knew that that we had been doing a lot of research and that, you know, there was still a lot of things coming in. And so we, we had reached out to him just to see what he, you know, what his opinion was on the matter. Sure, sure.\r\n\r\nYeah. And I just want to say, I understand that there were things that were hpening at the state level regarding data centers, and that would naturally. Naturally give you pause. But I also want to say to my colleagues that wouldn't have had an impact on whether or not we passed a moratorium. So if anything, I'd like to apologize to the public that we have not addressed this sooner. COUNCILMAN Hudson, thank you. Chair, gen t testimony from staff, I'd like to me to table, please.\r\n\r\nTre is motion o the floor. I sry Oh, son'm sry Tre mionn e floor table. This is aoice vote. Correct. All those in favor say I can, I can we can. I would like a roll call. Vote please.\r\n\r\nSkirt. Vice chair chair chair. Yeah. COUNCILMAN Hudson, could could I before before you make that proposal, can we can I ask a question, a follow up question of Brian Davis. I think it's an important clarification before we make any motion going forward. Is that something you're willing to allow me to do? I think the motion has already been made and seconded.\r\n\r\nI'll have to defer to the clerk. How will withdraw my motion. Thank you, chair, Vice Chair Reed, can I ask Brian a question here? Absolutely. Thank you. Brian. So I think one of the I think it's important to to understand.\r\n\r\nSo what would the process be if somebody wanted to, to reach out to the to metro government right now and say, we want to create a hyperscale data center or a data center of significant size, what are. And we're still kind of, you know, in this kind of cat and mouse game of, of, do we need to pass a moratorium proactively or can we effectively do an administrative moratorium to make sure that we do not have any more of these, you know, come down the pipeline before we're ready for it? Can we talk about that a little bit?

Because, I mean, my, my, my preference right now, we have effectively done an administrative moratorium. We do not have any more of these proposed in front of us. And so since JANUARY, we have effectively enacted an effective administrative moratorium. So can you talk to us a little bit about what that process looks like and whether we run the risk of allowing another one of these to go through the pipeline without being more proactive about it?\r\n\r\nYes. I I'm reading the language of the moratorium right now to see how it's worded. Yeah. So, so as well as wording the moratorium, you know, if that were passed, any applications would be would be frozen as is unless they have a public hearing scheduled, you know, administratively. I mean, I think you're correct. I mean, I think there's a lot of hesitation for anyone to come and submit an application for any kind of changes related to that. Middletown did pass a moratorium.\r\n\r\nSo if someone were to come in and ask something about a property there, I mean, we we would obviously say, well, Middletown's past moratorium, we're not accepting the application. I mean. This moratorium sitting in committee, we table it and it's sitting in committee. Could we then pass the moratorium like we had talked about previously, when COUNCILMAN Winkler had had brought this to our committee previously. And that's what our plan was to let it sit in committee. And if somebody actually filed an application, we thought that we could then at the next committee meeting, planning and zoning committee meeting, we could then pass the moratorium to to halt any future development going forward. Would that be an effective approach here, or are we running the risk that that somebody would get in under the wire?\r\n\r\nI mean, I think someone could they could if they were to submit an application, there is no way that that we would schedule a public hearing planning and zoning committee here. So I think if you know, if if you know, if we this item were tabled today and then someone submitted a pre app tomorrow, they're, they're not going to have an opportunity to get to a public hearing prior to you all being able to take action in two weeks on this item. So I, I don't think we run the risk of, of, you know, something coming in and getting in under the wire in terms of, of scheduling a public hearing, as is worded in the proposed moratorium. Okay. I think that's important because, I mean, I do not want another data center to move quicker than we're able to respond. And I I'm not stupid. I understand that politically, the right thing to do here is to be proactive and pass a moratorium.\r\n\r\nBut just because it's politically the right thing to do doesn't mean to me that we've been effective at administratively stopping these. And I think we can be continuously continue to be effectively effective at administrating, iteratively stopping this. And while it MAY not mean anything to some people, to me, a moratorium should be the absolute last resort. And we have another option here, and that is to basically sit, have this sit in in committee and use it if we need it. And to me, that's another option that we can use and a better option than actually the last resort, which is what is proposed here. So i will not because I want another data center to move quicker than we're able to. I am 100% confident that using this strategy, we will able to keep any data centers from moving forward.\r\n\r\nI will be supporting tabling this so we can leave it in our back pockets and use it when we need it, because I again, I believe a moratorium. Governments passing moratoriums should be used as a absolute last resort. Thank you, thank you, thank you. CHAIRMAN. I think I'd like to get a legal interpretation here. Legally. Can we stop something if somewhere someone were to, you know, apply make an application for data center and we've got this moratorium tabled.\r\n\r\nCan we as a as a body then take a vote at the next or an upcoming planning and zoning committee meeting and effectively

impose the moratorium in time to stop it? Travis Feaster, assistant county attorney here. So very broadly, this is sort of a vested rights conversation. It's part of the reason why we draft the moratorium to deal with items that have been scheduled for a public hearing ady. Can can move forward somewhere along the process. You do have a sort of right, your application being heard and going through the process. And the question is sort of where that occurs.\r\n\r\nThere's not a hard and fast case or statute in Kentucky to determine where that is. But based on the case law, we think it's approximately at that sort of public hearing phase where all the agencies have commented, they've gotten all the proper stamps and approvals. The only thing left is for Metro government to hear it. And if at that point, Metro government says, actually, no, we're not going to, that's potentially an issue. So if it is earlier in that process, you know, pre-application or an application, but still an agency reviews those sorts of things, that's where we felt comfortable. Again, we don't have a hard and fast case to point to, but it sounds like if we could catch a case in that process, that'd be acceptable. On the other hand, if case got scheduled before council took action, then we would start having some tough conversations.\r\n\r\nOkay. Thank you, COUNCILMAN Parrish. Right. Thank you. MR. MR. Chair, point of order, COUNCILMAN Hudson.\r\n\r\nCOUNCILMAN Hudson, sorry about that. So I guess I need to ask the clerk for clarification here. I withdrew my motion for. O q. I'm going to allow COUNCILMAN Hudson to make his motion to table. Move to table, please. Second, I have a motion and to in a second, I think the request was for voice, voice, vote. I'm sorry.\r\n\r\nRoll call. Vote. Chair. Owen. Yes. Voting's closing. Vice-Chair read.\r\n\r\nYou have five yes votes and three no. Thank you. It has been tabled and. So we'll move on to the next item, which is item number 40-138-26. An ordinance relating to the detailed district development plan for properties located at 9718 Dixie highway and 5308 Citation Road containing approximately 2.7 acres and being in Louisville Metro. Case number 25ddp0085. Do I have a motion? Motion. Motion seconded.\r\n\r\nJulia. Julia Williams, Office of Planning. This is 25ddp0085 for chick fil a. This is located at 9718 Dixie highway in Council District 14. The existing use is institutional with a proposed use of commercial. The property is zoned c two. The request for revised detailed district development plan with binding elements. The property is zoned c two and the neighborhood forum district. They're proposing a restaurant, and they're also proposing Fiesta Way to be extended to connect to Citation Road.\r\n\r\nThis is the applicant's development plan where you can see Fiesta Way connecting to citation, and then the location of the restaurant. So this is the subject property view from Dixie highway. Adjacent property. The residential located along Citation Road. Residential. View from Fiesta Way. Residential.\r\n\r\nView from Bella Vista. Commercial view across Dixie highway. So the Planning Commission held their public hearing on APRIL 2nd, 2026, where there was a motion to recommend approval of the development plan, passing by a vote of 8 to 0. Are there any questions? Councilmember Sean? Thank you, COUNCILMAN Read. I don't really have any questions. I would like to just make a few comments, I guess, on behalf of district 14 in support of this development, the the developer or the the restaurant that is coming in is a well, well established brand that the community is has written letters of support rather than letters of opposition with.\r\n\r\nI think 31 was the number to be exact. I look forward to our colleagues supporting this development on Dixie highway as it continues to grow and the momentum is moving forward in the right direction. Thank you. What was the commission vote on this 8 to 0. Travis, is this another one of those situations

where this actually come to us for a vote since it passed unanimously? This is Laura Ferguson, assistant county attorney. This is a development plan that had the council review binding element, if I remember correctly. Understand?\r\n\r\nCool. COUNCILWOMAN Marie. Thank you. I read comments that came in people very much in support of the chick fil a, but they were concerned about the exit removing the dead end on Fiesta Way. Is that still part of the plan? Yes. There there's a connection through Fiesta Way to citation, so it won't be a dead end anymore.\r\n\r\nIt will go through to citation. Do we have any idea how much traffic that's going to generate on that road? I don't believe a traffic study was required for this development. Oh it was yes. Yeah. There was a traffic study, but I could see nothing in it within the estimates of what's going to happen to Fiesta. I I'm not able to answer that question.\r\n\r\nOkay. Thank you. Any other questions from the committee? Seeing none. This requires a roll call vote. Chair. Owen.\r\n\r\nYes. Votes closing. Vice chair rehab eight yes. Votes. Thank you. And this will go to old business at the next council meeting. I am not seeing anything else on our agenda.\r\n\r\nDoes anyone on the committee have any questions or anything they'd like to discuss? Seeing none, we are adjourned. Thank you.