

ORDINANCE NO. 145, SERIES 2024

AN ORDINANCE RELATING TO THE ZONING AND FORM DISTRICT OF PROPERTY LOCATED AT 4933 WEST PAGES LANE CONTAINING APPROXIMATELY 4.63 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 23ZONE0122) (AMENDMENT 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. 23ZONE0122; and

WHEREAS, the Planning Commission recommended to (i) rezone the portion of the property zoned R-4 Single Family Residential to R-6 Multi-Family Residential, and (ii) to change the form district for the portion of the property currently zoned C-2 Commercial; and

WHEREAS, the Council rejects the findings of the Planning Commission recommending approval of the zoning change in Case No. 23ZONE0122 and has made alternative findings of fact based on the Planning Commission’s record that support maintaining the existing R-4 Single Family Residential designation; and

WHEREAS, the Council makes the following findings of fact based upon the record established before the Planning Commission for Case No. 23ZONE0122 in order to overturn the recommendation of the Planning Commission and maintain the existing R-4 Residential Single Family zoning designation on the property at 4933 West Pages Lane and being in Louisville Metro; and

WHEREAS, the proposed plan would locate multi-family residential behind single-family residential, such that the lower intensity use is closer to West Pages Lane and the higher intensity use located behind the lower density; and

WHEREAS, the proposed plan for the 78 apartment units would have their sole entrance and exit on West Pages Lane immediately adjacent to the driveways of the single family residences on West Pages Lane, which would make it more difficult for the single family residences to make a left-hand turn onto West Pages Lane; and

WHEREAS, the traffic study shows that currently, traffic at the light of West Pages Lane waiting to make the left-hand turn onto Dixie Highway backs up past the proposed entrance for the multi-family residential at peak hours, which is problematic both for the proposed project and the single-family residential located to the west of the intersection and the subject property; and

WHEREAS, the proposed zoning district does not conform to Mobility Goal 2, subsection 4: Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisance. It does not conform because the residential property to the south and west of the subject property, including the parcels between the subject property and West Pages Lane, is all zoned lower than the proposed R-6, and the proposed entrance/exit will have a direct impact on the existing residential properties' ability to make a left-hand turn onto West Pages Lane to access Dixie Highway, which would create significant nuisances for those property owners; and

WHEREAS, the proposed zoning district does not conform to Mobility Goal 3, subsection 5: Evaluate developments for their impact on the transportation network

(including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality. It does not conform because even though the applicant will construct sidewalks along a portion of West Pages Lane, the traffic study shows that the current traffic already backs up past the subject property at peak hours, and the proposed project does not improve that situation to the detriment of the single-family residential houses located between the subject property and West Pages Lane; and

WHEREAS, the proposal does not conform to Housing Goal 1, 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 multi-family proposal does not include any units dedicated for senior housing or people with disabilities and consists of two and three story apartment buildings that do not have elevator access to the upper floors; and

WHEREAS, the proposal does not conform to Housing: Goal 3, subsection 3: Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing and accessory apartments to increase the production of fair and affordable housing. It does not conform because none of the innovative methods listed are part of the proposal, which only proposes apartment buildings similar to other apartments in the general area of the subject property, and further, several of these innovative methods could be accomplished without a rezoning to R-6 Multi-Family Residential.

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the form district change in Case No. 23ZONE0122 for the portion of the

property currently zoned C-2 Commercial and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE "COUNCIL") AS FOLLOWS:

SECTION I: That the zoning of the property located at 4933 West Pages Lane containing approximately 4.63 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 23ZONE0122, shall remain R-4 Single Family Residential (the portion of the property currently zoned C-2 Commercial, approximately 0.07 acres, was not part of the rezoning request and shall remain C-2 Commercial) and the recommendation of the Planning Commission in that case is overridden.

SECTION II: That the form district of the property located at 4933 West Pages Lane containing approximately 4.63 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 23ZONE0122, is hereby changed from Neighborhood to Suburban Market Place (only the portion of the property currently zoned C-2 Commercial, approximately 0.07 acres, will be changed to Suburban Market Place).

SECTION III: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.



Sonya Harward
Metro Council Clerk



Markus Winkler
President of the Council

G. S. S.

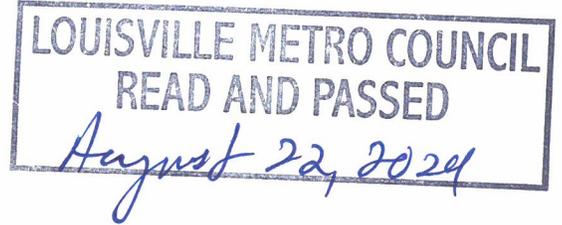
Craig Greenberg
Mayor

9-3-2024

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney



By: *M. Holliday Hopkins*

O-177-24- Zoning and Form District at 4933 West Pages Lane 08-09-24 (ABS) (lf)