

PLANNING COMMISSION MINUTES
July 11, 2024

PUBLIC HEARING

CASE NO. 24-LDC-0008

Request:	Land Development Code Amendment
Project Name:	Gaming Facility Uses
Location:	n/a
Owner:	n/a
Applicant:	n/a
Representative:	n/a
Jurisdiction:	Louisville Metro/Jefferson County
Council District:	All Districts
Case Manager:	Joseph Haberman, Planning & Design Manager

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (Staff report is part of the case file maintained in Office of Planning offices, 444 S. 5th Street.)

Agency Testimony:

00:50:20 Joe Haberman provided an overview of the amendments to the zoning ordinances related to Gaming Facility Uses and charitable gaming in a specific area. Haberman provided recommendations allowing gaming facilities in specified zones (C2, C3, CM, and EZ1), with an additional proposal to allow smaller facilities in C1 zones. Haberman emphasizes that existing lawful gaming facilities would not become non-conforming under the new regulations. Haberman responded to questions from the commissioners. (See recording for details).

01:00:00 Joe Haberman mentioned that while there are no objections to charitable gaming, Churchill Downs has concerns about how the proposed regulations might impact their operations in C3 and possibly C2 zones. (See recording for details).

The following spoke in favor of the request:

Mike Mulrooney, 10966 Dixie Highway, Louisville, KY 40272

Summary of testimony of those in favor:

01:04:50 Mike Mulrooney, Founder of Shirley's Way emphasized the significant impact of charitable gaming on their organization and community initiatives. Mike Mulberry emphasized that charitable gaming provides crucial funds without the traditional challenges of fundraising, such as reliance on donations and volunteer efforts. Mulrooney highlighted how charitable gaming supports local entertainment and community services, including feeding children, supporting local schools, funding organizations like the PRP

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Fire Department and Clean Center, and aiding individuals in need. (See recording for details).

The following spoke in neutral of the request:

Cindi Fowler, 601 W Jefferson, Louisville, KY 40202

Summary of testimony of those in neutral:

01:11:40 Council woman Cindi Fowler mentioned recent state law changes necessitating a clear definition of charitable gaming. Fowler stated that Churchill Downs' concerns seem related to non-charitable gaming aspects, not the charitable gaming component of the proposal. (See recording for details).

Deliberation:

01:18:30 Planning Commission Deliberation.

01:19:00 Commissioner Cheek stated that to give an opportunity to Churchill Downs to work with the staff and provide feedback. (See recording for details).

01:20:00 Joe Haberman responded that Churchill Downs prefers no changes to gaming facilities regulation but supports the proposed changes for charitable gaming. Haberman stated that despite any decision made today, there will still be further discussions with Churchill Downs to gather more detailed feedback.

01:23:00 Commissioner Benitez recused himself from the voting.

An audio/visual recording of the Planning Commission hearing related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

01:27:20 On a motion by Commissioner Carlson, seconded by Commissioner Sistrunk, the following resolution, based on the staff report and evidence and testimony heard today, was adopted:

WHEREAS, the Planning Commission finds that Louisville Metro's current comprehensive plan, known as Plan 2040, became effective on January 1, 2019, and

WHEREAS, the Planning Commission finds that Plan 2040 sets a framework for growth by using five guiding principles – Connected, Healthy, Authentic, Sustainable, and

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Equitable (CHASE) – to strategically manage all the benefits and challenges that come from adding more people, and

WHEREAS, the Planning Commission finds that Community Form Goal 2, Policy 2 of Plan 2040 states: Encourage development of non-residential and mixed uses in designated activity centers provided proposed uses, density and design are compatible with adjacent uses and meets Form District guidelines, now therefore be it.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** that the Louisville Metro Council and legislative bodies of cities with zoning authority **APPROVE** the amendments to the Land Development Code (LDC) concerning Gaming Facility.

The vote was as follows:

YES: Commissioners Fischer, Mims, Kern, Cheek, Sistrunk, Lohan, Carlson, and Howard