

**ORDINANCE NO. \_\_\_\_\_, SERIES 2023**

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 4422 WEST BROADWAY CONTAINING APPROXIMATELY 4.39 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22ZONE0075). (AS AMENDED)**

**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. 22ZONE0075; and

**WHEREAS**, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 22ZONE0075 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 (THE “COUNCIL”) AS FOLLOWS:**

**SECTION I:** That the zoning of the property located at 4422 West Broadway containing approximately 4.39 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 22ZONE0075, is hereby changed from R-5 Single Family Residential and R-7 Residential Multi-Family to R-7 Residential Multi-Family (approximately 0.74 acres is already zoned R-7); provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 22ZONE0075, with the following amended and additional binding elements:-

...

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:

- a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
- b. ~~Prior to Certificate of Occupancy, t~~The applicant shall file an application seeking designation of the Basil Doerhoefer House as an individual landmark, and, prior to any permit other than a clearing and grading permit being requested, a public hearing shall have been held by the Historic Landmarks and Preservation District Commission on that application.

...

6. The development shall be in accordance with a Certificate of Appropriateness approved by the Historic Landmarks and Preservation District Commission ~~and/or Historic Preservation Staff~~. The development shall follow all associated Conditions of Approval.

7. The density on site shall not exceed 11.55 dwelling units per acre.

8. Any significant increases to the proposed structures (e.g. increases in building height, number of units, number of buildings), any increase in density on the property, any changes in use on the property which directly or indirectly require a public hearing before the Planning Commission or subcommittee thereof, and/or any amendments to the binding elements, other than (i) the addition of new binding elements, (ii) changes to binding elements that merely update the public hearing date, or (iii) updating a previous version of this binding element to reflect the current language, shall be reviewed before the Planning Commission with final action to be determined by Metro Council.

**SECTION II:** 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

\_\_\_\_\_  
Craig Greenberg  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

O-068-23– Zoning at 4422 West Broadway (as amended) (FAM) (lf)