

ORDINANCE NO. _____, SERIES 2023

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

SPONSORED BY: COUNCIL MEMBER PHILLIP BAKER

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 rejects the findings of the Planning Commission for the zoning change in Case No. 22ZONE0075 and has made alternative findings of fact based on the Planning Commission’s record that support maintaining the existing R-5 Single Family Residential and R-7 Residential Multi-Family zoning designations; and

WHEREAS, the Council makes the following findings of fact based upon the record established before the Planning Commission for Case No. 22ZONE0075 to reject the recommendation of the Planning Commission and maintain the existing R-5 Single Family Residential and R-7 Residential Multi-Family zoning designations on the property located at 4422 West Broadway and being in Louisville Metro; and

WHEREAS, the proposal does not comply with Community Form Goal 1, subsection 3.1.2(b) because the scale and site design differ substantially from nearby existing development, particularly along West Broadway, is to be built without a public realm area and the building footprint is massive compared to most of the surrounding properties, and is therefore incompatible; and

WHEREAS, the proposal does not comply with Community Form Goal 4, subsections 2 and 3, as an individual landmark known as the Peter C. Doerhoefer House has been demolished on the site, and the proposed structure is not compatible within the context of the historic site; and

WHEREAS, the proposal does not comply with Mobility Goal 1, subsection 4 because the proposal is not located near an existing or proposed employment center, and while it is located on a transit line, most travel would require one or more transfers; and

WHEREAS, the proposal does not comply with Economic Development Goal 2, as the proposal does not provide direct access between designated employment and population centers, as most travel to transit centers would require one or more transfers; and

WHEREAS, the proposal does not comply with Housing Goal 1, Objective B, as this proposal fails to comply with the Form District pattern, particularly with the buildings along West Broadway; and

WHEREAS, the proposal does not comply with Housing Goal 2, subsection 1 because the design of the structure sets it starkly apart from the surrounding neighborhood, particularly along West Broadway, rather than connecting to it; and

WHEREAS, the proposal does not comply with Housing Goal 2, subsection 2 because the development is located neither in nor near an activity center. The access to goods, services, and job opportunities which an activity center provides are not present nearby; and

WHEREAS, the proposal does not comply with Housing Goal 3, objective d because the design of the building does not complement or reflect that of the surrounding neighborhood, particularly along West Broadway, as evidenced by the plethora of comments from neighbors criticizing the design ; and

WHEREAS, for these reasons, the Council finds that the proposal does not comply with the adopted comprehensive plan, Plan 2040, and as such should not be approved.

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 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, shall remain R-5 Single Family Residential and R-7 Residential Multi-Family zoning designations and that the recommendation of the Planning Commission in that case is rejected.

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 22ZONE0075 Rejection.docx (TF 6-1-23)