

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

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 1525-1711 TUCKER STATION ROAD, 12850 AND 1704 S. POPE LICK ROAD AND PARCEL ID NO. 367200070000 CONTAINING APPROXIMATELY 73.43 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22ZONE0098). (AMENDMENT BY SUBSTITUTION)**

**SPONSORED BY: COUNCIL MEMBER KEVIN KRAMER**

**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. 22ZONE0098; and

**WHEREAS**, the Council rejects the findings of the Planning Commission for the zoning change in Case No. 22ZONE0098 and has made the following alternative findings of fact based on the Planning Commission’s record that support maintaining the existing R-4 Single Family Residential zoning designation on the property located at 1525-1711 Tucker Station Road, 12850 and 1704 S. Pope Lick Road and Parcel ID No. 367200070000 and being in Louisville Metro; and

**WHEREAS**, the proposal does not comply with Community Form Goal 1, subsection 6 because this massive non-residential expansion (over 70 acres and nearly 1 million square feet of warehouse space) would have immense traffic, lighting, noise, and visual impact on the immediately surrounding single-family residential and nearby multi-family residential properties; and

**WHEREAS**, the proposal does not comply with Community Form Goal 1, subsection 17 because the immense scale of the proposal would have a major impact on

Tucker Station Road and S. Pope Luck Road, a primary and secondary collector level road, respectively. The dramatic increase in both traffic levels and the size of vehicles utilizing these roads, which include 90 degree turns and significant bends located nearby, would create significant adverse impacts on the existing users and surrounding residents; and

**WHEREAS**, the proposal does not comply with Community Form Goal 2, subsection 7 because constructing nearly 1 million square feet of warehouses off a primary and secondary collector level road is likely to increase traffic congestion and dissuade alternative modes of travel, resulting in poor compatibility; and

**WHEREAS**, the proposal does not comply with Community Form 2, subsection 9 because, while the proposed zone might allow for commercial uses, industrial uses are all that is being proposed, meaning “commercial, office, and/or residential uses” are not being encouraged; and

**WHEREAS**, the proposal does not comply with Community Form Goal 3, subsections 9 and 10 because residential or commercial development would be much more flexible in avoiding the waterways, wet and permeable soils, and steep or unstable slopes than the massive, rectangular, industrial warehouses being proposed; and

**WHEREAS**, the proposal does not comply with Mobility Goal 3, subsections 2 and 5 because the massive influx of medium and heavy trucks on a primary and secondary collector level road is highly likely to significantly increase congestion both along those roads and at multiple intersections nearby. Furthermore, the zoning will no longer be residential, and the proposed zoning district (Planned Employment Center) prohibits most

dwelling, meaning opportunities for housing near an employment center will be eliminated; and

**WHEREAS**, the proposal does not comply with Economic Development Goal 1, subsection 3 and 5 because the proposed Schutte Station Place connection, while connecting to a minor arterial in Plantside Drive, represents a longer route to nearest highway access, additional turns, and traffic measures compared to taking a left out of the property onto Tucker Station or Pope Lick. This primary and secondary collector are likely to absorb much of the traffic to and from the proposal, rendering it incompatible; and

**WHEREAS**, the proposal does not comply with Livability Goal 1, subsections 38, 39, and 40 because residential or commercial development would be much more flexible in avoiding the Karst terrain and flood-prone areas than the massive, rectangular, industrial warehouses being proposed; 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 1525-1711 Tucker Station Road, 12850 and 1704 S. Pope Lick Road and Parcel ID No. 367200070000 containing approximately 73.43 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 22ZONE0098, shall remain R-4 Single Family Residential 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

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Markus Winkler  
President of the Council

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Craig Greenberg  
Mayor

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

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

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

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