



Louisville Metro Government

Action Summary - Tentative

Planning and Zoning Committee

Chair Madonna Flood (D-24)

Vice Chair Scott Reed (R-16)

Committee Member Phillip T. Baker (D-6)

Committee Member Ben Reno-Weber (D-8)

Committee Member Jennifer Chappell (D-15)

Committee Member Betsy Ruhe (D-21)

Committee Member Robin Engel (R-22)

Committee Member Khalil Batshon (R-25)

August 29, 2023

1:00 PM

Council Chambers/Virtual

THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

Call to Order

Vice Chair Reed called the meeting to order at 1:08 p.m.

Roll Call

Vice Chair Reed introduced the committee members and non-committee members present. A quorum was established.

*NOTE: All committee members and non-committee members present attended in Chambers, except Council Member Shanklin and Council President Winkler, who attended virtually.

Present: 6 - Committee Member Phillip T. Baker (D-6), Committee Member Ben Reno-Weber (D-8), Committee Member Jennifer Chappell (D-15), Vice Chair Scott Reed (R-16), Committee Member Betsy Ruhe (D-21), Committee Member Khalil Batshon (R-25)

Excused: 2 - Committee Member Robin Engel (R-22) and Chair Madonna Flood (D-24)

Non-Committee Members(s)

Council Member Tammy Hawkins (D-1), Council Member Barbara Shanklin (D-2), Council Member Kumar Rashad (D-3), Council Member Jecorey Arthur (I-4), Council Member Andrew Owen (D-9) and Council President Markus Winkler (D-17)

Support Staff

Travis Fiechter, Jefferson County Attorney's Office
Laura Ferguson, Jefferson County Attorney's Office

Clerk(s)

Cheryl Woods, Assistant Clerk
Sonya Harward, Clerk

Pending Legislation

1. **O-196-23** AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 4111 AND 4113 FERN VALLEY ROAD CONTAINING APPROXIMATELY 4.97 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 23ZONE0053).

8/29/2023 Planning and Zoning Committee Recommended for Approval
Action Required By: October 27, 2024

Sponsors: Madonna Flood (D-24)

A motion was made by Committee Member Baker, seconded by Committee Member Ruhe, that this Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, gave a presentation on the Planning Commission's recommendation (see attached).

The following spoke to this item:

- Vice Chair Reed
- Committee Member Ruhe
- Brian Davis
- Council Member Shanklin
- Travis Fiechter, Jefferson County Attorney's Office

The motion carried by the following vote and the Ordinance was sent to Old Business:

District 2 Council Member Shanklin had a vote on this zoning case and voted YES.

Yes: 6 – Reed, Baker, Reno-Weber, Chappell, Ruhe, Batshon

Excused: 2 – Flood, Engel

2. **O-071-23** AN ORDINANCE CREATING A NEW CHAPTER OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("LMCO") PROTECTING DESIGNATING HISTORICALLY BLACK NEIGHBORHOODS AS PROTECTED COMMUNITIES IN LOUISVILLE METRO FROM DIRECT, INDIRECT AND CULTURAL DISPLACEMENT, TO BE KNOWN AS THE ANTI-DISPLACEMENT HISTORICALLY BLACK NEIGHBORHOODS LAW, AND AMENDING LMCO 92.15. (AS AMENDED)

8/1/2023 Planning and Zoning Committee Held
8/15/2023 Planning and Zoning Committee Amended, Tabled
8/29/2023 Planning and Zoning Committee Tabled
Action Required By: October 2023

Sponsors: Jecorey Arthur, Kumar Rashad

A motion was made by Committee Member Baker, seconded by Committee Member Chappell, that this Ordinance be recommended for approval.

Council Member Arthur gave a presentation (see attached).

The following spoke to this item:

- Council Member Arthur
- Council President Winkler
- Committee Member Reno-Weber
- Committee Member Chappell
- Council Member Owen
- Council Member Hawkins
- Committee Member Baker

Council Member Rashad read from an article titled, "The Making of Boston's AFFH Ordinance – A Brief Oral History (see attached)."

A motion was made by Committee Member Baker, seconded by Committee Member Batshon, that this Ordinance be tabled.

The motion to table carried by a voice vote.

3. O-170-23 AN ORDINANCE AMENDING SECTION 150.110 OF THE LOUISVILLE/JEFFERSON COUNTY METRO CODE OF ORDINANCES REGARDING THE WRECKING OR DEMOLITION OF HISTORIC BUILDINGS OR STRUCTURES (THE "WRECKING ORDINANCE").

8/1/2023 Planning and Zoning Committee Held
8/15/2023 Planning and Zoning Committee Held
8/29/2023 Planning and Zoning Committee Tabled
Action Required By: January 2024

Sponsors: Markus Winkler

A motion was made by Committee Member Batshon, seconded by Committee Member Ruhe, that this Ordinance be recommended for approval.

Council President Winkler stated that he would be discussing both items 3 and 4(O-171-23) interchangeably

The following spoke to this item:

- Vice Chair Reed
- Council President Winkler
- Travis Fiechter, Jefferson County Attorney's Office

Travis Fiechter read a proposed amendment into the record.

A motion was made by Committee Member Baker, seconded by Committee Member Ruhe, that this Ordinance be amended as shown in attached document titled "O-170-23 PROPOSED CAM 082923 Amend LMCO 150.110 Re Historic Demo.pdf."

The following spoke to this item:

- Committee Member Reno-Weber
- Travis Fiechter
- Council President Winkler
- Vice Chair Reed
- Joe Haberman, Planning and Design Services
- Committee Member Ruhe
- Committee Member Chappell

A motion was made by Committee Member Chappell, seconded by Committee Member Baker, that this Ordinance be tabled.

The motion to table carried by a voice vote and the motion to amend was dispensed.

4. O-171-23 AN ORDINANCE AMENDING SECTIONS 32.250 TO 32.263 (THE "LANDMARKS ORDINANCE") OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES.

8/1/2023 Planning and Zoning Committee Held
8/15/2023 Planning and Zoning Committee Held
8/29/2023 Planning and Zoning Committee Amended, Tabled
Action Required By: January 2024

Sponsors: Markus Winkler

[Clerk's Note: This item was also discussed in conjunction with item 3(O-170-23).]

A motion was made by Committee Member Chappell, seconded by Committee Member Baker, that this Ordinance be recommended for approval.

Council President Winkler spoke to this item.

Travis Fiechter read a proposed amendment into the record.

A motion was made by Committee Member Baker, seconded by Committee Member Chappell, that this Ordinance be amended as shown in the attached document titled "O-171-23 V.2 CAM 082923 LMCO 32.250-32.263 Re Landmarks.pdf."

The motion to amend carried by a voice vote.

A motion was made by Committee Member Chappell, seconded by Committee Member Baker, that this Ordinance be tabled.

The motion to table carried by a voice vote.

5. O-172-23 AN ORDINANCE SEVERAL SECTIONS OF THE METRO LAND DEVELOPMENT CODE ("LDC") AND SECTION 115 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("LMCO") RELATING TO SHORT TERM RENTALS (CASE NO. 23-LDC-0001. (AS AMENDED))

8/1/2023 Planning and Zoning Committee Tabled
8/15/2023 Planning and Zoning Committee Amended, Tabled
8/29/2023 Planning and Zoning Committee Recommended for Approval
Action Required By: January 2024

Sponsors: Madonna Flood, Jecorey Arthur

A motion was made by Committee Member Chappell, seconded by Committee Member Baker, that this Ordinance be recommended for approval.

The following spoke to this item:

- Committee Member Reno-Weber
- Travis Fiechter, Jefferson County Attorney's Office
- Committee Member Chappell
- Committee Member Batshon
- Joe Haberman, Planning and Design Services
- Vice Chair Reed
- Council President Winkler
- Council Member Owen

The motion carried by the following vote and the Ordinance was sent to Old Business:

Yes: 5 – Reed, Baker, Reno-Weber, Chappell, Ruhe

No: 1 – Batshon

Excused: 2 – Engel, Flood

6. **O-188-23** AN ORDINANCE RELATING TO THE CLOSURE OF A PORTION OF THE RIGHT-OF-WAY OF FEGENBUSH LANE ADJACENT TO 5905 FEGENBUSH LANE CONTAINING APPROXIMATELY 3.87 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 23STRCLOSURE0017).

8/15/2023 Planning and Zoning Committee Tabled
8/29/2023 Planning and Zoning Committee Held
Action Required By: February 2024

Sponsors: Madonna Flood

This item was held in committee.

7. **O-195-23** AN ORDINANCE RELATING TO THE CLOSURE OF A 40' ALLEY BETWEEN PRESTON HIGHWAY AND CAROL AVENUE CONTAINING APPROXIMATELY 2,592 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 23STRCLOSURE0018).

8/29/2023 Planning and Zoning Committee Held
Action Required By: February 2024

Sponsors: Madonna Flood

This item was held in committee.

8. **R-091-23** A RESOLUTION INITIATING A REVIEW OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE A REVISED DETAILED DISTRICT DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 4516 CANE RUN ROAD IN LOUISVILLE METRO.

8/29/2023 Planning and Zoning Committee Recommended for Approval
Action Required By: February 2024

Sponsors: Tammy Hawkins, Cindy Fowler

A motion was made by Committee Member Baker, seconded by Committee Member Ruhe, that this Resolution be recommended for approval.

The following spoke to this item:

- Council Member Hawkins
- Travis Fiechter, Jefferson County Attorney's Office
- Council Member Owen
- Committee Member Ruhe
- Vice Chair Reed

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

Adjournment

Without objection, Vice Chair Reed adjourned the meeting at 3:03 p.m.

Note: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council meeting on September 14, 2023.