

**CITY OF JEFFERSONTOWN
JEFFERSON COUNTY, KENTUCKY**

ORDINANCE NO. 1319, SERIES 2014

**AN ORDINANCE RELATING TO A PROPOSAL TO AMEND
THE ZONING OF CERTAIN PARCELS OF LAND
LOCATED WITHIN THE JEFFERSONTOWN, KENTUCKY
COMMERCE PARK FROM R-4 TO PEC CLASSIFICATION**

WHEREAS, there are fifty-eight parcels of land located within the Jeffersontown Commerce Park which are currently zoned R-4, and which comprise a total of approximately 76.6 acres; and

WHEREAS, the City Council finds that the current zoning of these properties is inconsistent with the area in which they are located, which area is entirely commercial and industrial in nature; and

WHEREAS, the City Council finds that is in the best interests of the owners of the affected parcels and in the best interests of Jeffersontown and the Jeffersontown community that these parcels be rezoned from R-4 to PEC, which is the zoning classification of the properties surrounding the affected parcels; and

WHEREAS, the City Council desires to go forward with the rezoning of the subject property,

**NOW THEREFORE, IT IS ORDAINED BY THE CITY OF
JEFFERSONTOWN, KENTUCKY, AS FOLLOWS:**

Section 1. The City of Jeffersontown, Kentucky, hereby changes the zoning of the properties listed below from R-4 to PEC, as those classifications are described by the City of Jeffersontown as of the date of final passage of this Ordinance:

<u>Address</u>	<u>Owner(s)</u>	<u>Parcel ID</u>
11201 Midway Drive	Peters Carol Sue and Vest James W. Jr.	003902280000
11207 Midway Drive	Peters Carol Sue and Vest James W. Jr	003902490000
11209 Midway Drive	Peters Carol Sue and Vest James W. Jr	003902300000
11211 Midway Drive	Peters Carol Sue and Vest James W. Jr	003902290000
11213 Midway Drive	Soltys Rita and Soltys Edward	003901290000
11215 Midway Drive	Wade Tyler R. Jr and Marilyn G	003902880000
11301 Midway Drive	Maverick BH Enterprises, LLC	003902340000
11305 Midway Drive	Noroozi Ali A.	003902040000
11311 Midway Drive	Inumerable Nomer and Lorceli	003902020000
11401 Midway Drive	Smith Sherwood and Deborah L	003902020000
11403 Midway Drive	Tucker Clabe	003902270000
11405 Midway Drive	Tucker Clabe	003902250000
11407 Midway Drive	Tucker Clabe	003901970000
11300 Midway Drive	Soonie Y Shin Trust	003901350000
11106 Decimal Drive	Yoder Roger L.	003806350000
1900 Blankenbaker Rd.	Dae Song I LLC	003901790000
1902 Blankenbaker Rd.	Dae Song I LLC	003901300000
1908 Blankenbaker Rd.	Dae Song I LLC	003901340003
1910 Blankenbaker Rd.	Kim Chun Hong	003901560000
2002 Blankenbaker Rd.	Beals Thomas and Beals Judith	003901320005
2006 Blankenbaker Rd.	Cox John W and Ida Bernice	003901330000
2008 Blankenbaker Rd.	Cissell Diana I	003901600000
2008 Blankenbaker Rd.	Cissell Diana I	003904420000
2010 Blankenbaker Rd.	Cissell Diana I	003901770000
2100 Blankenbaker Rd.	McGuire Living Trust	003903640000
2108 Blankenbaker Rd.	Wright Timothy w. and Carol	003904200000
2200 Blankenbaker Rd.	Cook Tracy L and Hamilton Deborah G	003900340000
2202 Blankenbaker Rd.	Cook Tracy L and Hamilton Deborah G	003901810000
2206 Blankenbaker Rd.	Jones Ross D.	003901800000
2230 Blankenbaker Rd.	Umphlette Robert L. Jr. and Rebecca J	003903260000
2300 Blankenbaker Rd.	Snyder-Erenthal Mary Margaret	003903250000
2715 Blankenbaker Rd.	Koshewa Phillip H and Doris	003903370000
2011 Watterson Trail	Simpson Linda Taylor	003902150000
2013 Watterson Trail	Hulse Kenneth L Jr.	003902990000
2705 Watterson Trail	Hunt Laddie and Sharon L	003901020000
2707 Watterson Trail	Robinson Henry A and Terri R	003900900000
2709 Watterson Trail	Robinson John H	003901010000
2711 Watterson Trail	Hobbs James	003901050000
2713 Watterson Trail	Hunt Laddie and Sharon L	003901370000
2715 Watterson Trail	Dickinson Angus	003901060000

2717 Watterson Trail	Bowling James and Camille Howard	003900980000
2721 Watterson Trail	Hobbs Clifford	003901030000
2009 Browns Village Road	L 652 LLC	003903200000
10705 Locust Rd.	Reul Daniel R	003902140000
10711 Locust Rd.	Robinson Dwight S and Alicia M&R	003901170000
10715 Locust Rd.	Seneca Properties Co. Inc.	003902160000
10800 Locust Rd.	Bowling James Kevin and Camille Ann H.	003901960000
10801 Locust Rd.	Seneca Properties Co. Inc.	003901470000
10804 Locust Rd.	Bowling James Kevin and Camille H	003901160000
10805 Locust Rd.	Bowling James Kevin and Haddad Bowling	003902470000
10807 Locust Rd.	Bowling James Kevin and Camille H	003902130000
10808 Locust Rd.	Bowling James Kevin and Haddad Bowling	003902120000
10809 Locust Rd.	Bowling James Kevin and Camille H	003900920000
10810 Locust Rd.	Bowling James Kevin and Haddad Bowling	003901990000
10814 Locust Rd.	Murray William H	003902440000
00000 Holloway Rd.	Hobbs James	003901040000
10800 R Plantside Dr.	Hicks Alonzo	003900990000

Section 2. The City Clerk is authorized and directed to forward this Ordinance to the Planning Commission for such further steps and actions as may be required by law.

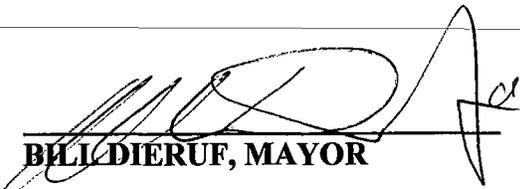
INTRODUCED AND READ AT A CITY COUNCIL MEETING OF THE CITY COUNCIL OF JEFFERSONTOWN, KENTUCKY, AT A MEETING HELD ON THE 7th DAY OF OCTOBER, 2014.

READ, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY, AT A MEETING HELD ON THE 17th DAY OF February, 2014.

VETOED:

APPROVED:

BILL DIERUF, MAYOR

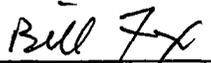


BILL DIERUF, MAYOR

DATE: _____

DATE: 2/18/15

ATTEST:



BILL FOX, CITY CLERK



FILE

**DEPARTMENT OF CODES & REGULATIONS
DIVISION OF PLANNING & DESIGN SERVICES**

LOUISVILLE, KENTUCKY

**GREG FISCHER
MAYOR**

**EMILY LIU
DIRECTOR**

February 10, 2015

Stephen Rusie
City of Jeffersontown
10416 Watterson Trail
Louisville, KY 40299

RE: Case #14AREA1003, Multiple Properties located in Jeffersontown Commerce Park

Dear Mr. Rusie:

Enclosed is a copy of the case file for Case #14AREA1003, an Areawide change in zoning for multiple properties located in the Jeffersontown Commerce Park. This case was heard on January 15, 2015 by the Louisville Metro Planning Commission and recommended for approval to the City of Jeffersontown on that date.

If you have any questions or concerns, please feel free to contact me using the information provided above.

Sincerely,

Ms. Chris Cestaro
Management Assistant
Louisville Metro Planning and Design Services
444 South Fifth Street Suite 300
Louisville, KY 40202

www.louisvilleky.gov

METRO DEVELOPMENT CENTER 444 S. FIFTH STREET, STE 300, LOUISVILLE, KENTUCKY 40202 502.574.6230 FAX 574.8129

**Planning Commission Minutes
January 15, 2015**

Public Hearing

Case No. 14AREA1003

Request: Areawide change in zoning from R-4 Single Family Residential to PEC Planned Employment Center

Project Name: Jeffersontown Commerce Park

Location: Multiple Properties

Owner: Multiple Owners

Applicant: City of Jeffersontown
10416 Watterson Trail
Jeffersontown, KY 40299

Representative: Stephen Rusie
City of Jeffersontown
10416 Watterson Trail
Jeffersontown, KY 40299

Jurisdiction: City of Jeffersontown

Council District: 20 – Stuart Benson and 11 – Kevin Kramer

Case Manager: David B. Wagner, Planner II

Notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

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 Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:52:00 David Wagner presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.) He added that this case was initiated by the City of Jeffersontown.

**Planning Commission Minutes
January 15, 2015**

Public Hearing

Case No. 14AREA1003

The following spoke in favor of the proposal:

Stephen Rusie, City of Jeffersontown, 10416 Watterson Trail, Jeffersontown, KY 40299

Summary of testimony of those in favor of the proposal:

00:56:47 Mr. Rusie presented the applicant's case and showed a Power Point presentation. In response to some of the Commissioner's questions, he gave details about the site and the surrounding areas, their zoning classifications, and some current uses.

The following spoke in opposition to the proposal:

No one spoke.

The following spoke neither for nor against the proposal:

No one spoke.

Rebuttal:

There was no rebuttal, since no one spoke in opposition.

Deliberation:

01:00:58 Commissioners' deliberation.

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

02:14:06 On a motion by Commissioner Brown, seconded by Commissioner Turner, the following resolution was adopted:

WHEREAS, the Louisville Metro Planning Commission finds that the proposed City of Jeffersontown area wide rezoning complies with the Cornerstone 2020 Comprehensive Plan and with all of the applicable Guidelines and Policies it contains. The subject properties are within or adjacent to the existing industrial park and surrounded by industrial zoned properties; and

WHEREAS, the Commission further finds that the proposed rezoning complies with Guideline 1.B.10 of the Cornerstone 2020 Comprehensive Plan. The subject

**Planning Commission Minutes
January 15, 2015**

Public Hearing

Case No. 14AREA1003

properties are located in a Suburban Workplace Form District which are characterized by predominately industrial and offices uses; and

WHEREAS, the Commission further finds that the proposed rezoning complies with Guideline 3 and its Policies. The area wide rezoning will encourage industries to locate in workplace form districts and will allow appropriate transitions to occur at the edge of the form district rather than within the form district; and

WHEREAS, the Commission further finds that the proposed rezoning complies with Guideline 6 and its Policies. The rezoning of the subject properties will preserve workplaces and allow new industrial uses adjacent to existing industrial uses; and

WHEREAS, the Commission further finds that the proposed rezoning complies with Guideline 8 and its Policies. The area has a network of roadways and a hierarchy of streets to provide appropriate access to the lots being rezoned; and

WHEREAS, the Commission further finds that, based on the evidence and testimony presented and the staff report that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative council of the City of Jeffersontown that the Area Wide Change in Zoning from R-4, Single Family Residential to PEC, Planned Employment Center on property described in the attached legal description, be **APPROVED**.

The vote was as follows:

YES: Commissioners Proffitt, Brown, Jarboe, Kirchdorfer, Turner, and Tomes

NO: No one.

NOT PRESENT: Commissioners Blake, Peterson, White, and Butler

ABSTAINING: No one.

Planning Commission

Staff Report

January 15, 2015



Case No:	14AREA1003
Request:	Area Wide Change in Zoning from R-4, Single Family Residential to PEC, Planned Employment Center
Project Name:	Jeffersontown Commerce Park
Location:	Multiple Properties
Owner:	Multiple Owners
Applicant:	City of Jeffersontown
Representative:	City of Jeffersontown
Jurisdiction:	City of Jeffersontown
Council District:	20 – Stuart Benson 11 – Kevin Kramer
Case Manager:	David B. Wagner – Planner II

REQUEST

- Area Wide Change in Zoning from R-4, Single Family Residential to PEC, Planned Employment Center

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The City of Jeffersontown wishes to continue the success of the Jeffersontown Commerce Park by providing properly zoned land on which businesses can be expanded or located. However, it has been determined that there is not an adequate amount of properly zoned land within the Commerce Park to further the goals of the City. Therefore, the City has requested the Planning Commission make a recommendation to the city council to change the zoning from R-4 (single Family Residential) to PEC (Planned Employment Center) for 58 parcels encompassing 76.5902 acres. These parcels proposed for re-zoning are owned by multiple owners who have been notified in writing and also invited to participate in one public meeting to discuss the proposal. The City has stated that no one has objected to the re-zoning and no one appeared at the first reading of the ordinance. Nearly all of the lots surrounding the parcels to be re-zoned are currently zoned PEC or another type of commercial or industrial zoning.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant, Residential, Commercial, Industrial	R-4	SW
Proposed	N/A	PEC	SW

INTERESTED PARTY COMMENTS

- Staff has not received any inquiries from interested parties.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020

STANDARD OF REVIEW FOR REZONINGS

Criteria for granting the proposed form district change/rezoning: KRS Chapter 100.213

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Cornerstone 2020; OR
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR AREAWIDE REZONING

WHEREAS, the Louisville Metro Planning Commission finds, The proposed City of Jeffersontown area wide rezoning complies with the Cornerstone 2020 Comprehensive Plan and with all of the applicable Guidelines and Policies it contains. The subject properties are within or adjacent to the existing industrial park and surrounded by industrial zoned properties.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed rezoning complies with Guideline 1.B.10 of the Cornerstone 2020 Comprehensive Plan. The subject properties are located in a Suburban Workplace Form District which are characterized by predominately industrial and offices uses.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed rezoning complies with Guideline 3 and its Policies. The area wide rezoning will encourage industries to locate in workplace form districts and will allow appropriate transitions to occur at the edge of the form district rather than within the form district.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed rezoning complies with Guideline 6 and its Policies. The rezoning of the subject properties will preserve workplaces, allow new industrial uses adjacent to existing industrial uses.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed rezoning complies with Guideline 8 and its Policies. The area has a network of roadways and a hierarchy of streets to provide appropriate access to the lots being rezoned.

STAFF CONCLUSIONS

Rezoning

For all the reasons stated in the staff analysis of the rezoning, the proposed rezoning complies with all Guidelines of the Comprehensive Plan.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if there have been major changes of an economic, physical, or social nature within the

area involved which were not anticipated in Cornerstone 2020 which have substantially altered the basic character of the area.

Required Actions

- Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission **RECOMMENDS** to the City of Jeffersontown that the change in zoning from R-4, Single Family Residential to PEC, Planned Employment Center, on property described in the attached legal description, be **APPROVED** or **DENIED**

NOTIFICATION

Date	Purpose of Notice	Recipients
11/19/14	Hearing before LD&T	Property Owners Subscribers to Council District 20 & District 11 Notification of Development Proposals
12/23/14	Hearing before PC	Property Owners Subscribers to Council District 20 & District 11 Notification of Development Proposals
12/31/14	Hearing before PC	Legal Advertisement in the Courier-Journal

WHEREAS, the Louisville Metro Planning Commission finds, The proposed City of Jeffersontown area wide rezoning complies with the Cornerstone 2020 Comprehensive Plan and with all of the applicable Guidelines and Policies it contains. The subject properties are within or adjacent to the existing industrial park and surrounded by industrial zoned properties.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed rezoning complies with Guideline 1.B.10 of the Cornerstone 2020 Comprehensive Plan. The subject properties are located in a Suburban Workplace Form District which are characterized by predominately industrial and offices uses.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed rezoning complies with Guideline 3 and its Policies. The area wide rezoning will encourage industries to locate in workplace form districts and will allow appropriate transitions to occur at the edge of the form district rather than within the form district.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed rezoning complies with Guideline 6 and its Policies. The rezoning of the subject properties will preserve workplaces, allow new industrial uses adjacent to existing industrial uses.

WHEREAS, the Louisville Metro Planning Commission further finds, The proposed rezoning complies with Guideline 8 and its Policies. The area has a network of roadways and a hierarchy of streets to provide appropriate access to the lots being rezoned.

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
December 11, 2014

NEW BUSINESS

CASE NO. 14AREA1003

Request:	Area Wide Change in Zoning from R-4, Single Family Residential to PEC, Planned Employment Center
Project Name:	Jeffersontown Commerce Park
Location:	Multiple Properties
Owner:	Multiple Owners
Applicant:	City of Jeffersontown
Representative:	City of Jeffersontown
Jurisdiction:	City of Jeffersontown
Council District:	20 – Stuart Benson 11 – Kevin Kramer
Case Manager:	David B. Wagner – Planner II

The staff report prepared for this case was incorporated into the record. This report was available to any interested party prior to the LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:03:10 Mr. Wagner discussed the case summary, standard of review and staff analysis from the staff report.

The following spoke in favor of this request:

Steve Rusie, Land Use Planner, City of Jeffersontown

Summary of testimony of those in favor:

00:05:50 Mr. Rusie stated this is infill within the industrial park. These are small properties that would have a hard time getting rezoned to PEC so it would be better to do them all at once.

Deliberation

00:07:05 Planning Commission deliberation.

An audio/visual recording of the Land Development & Transportation Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.

On a motion by Commissioner Proffitt, seconded by Commissioner Brown, the following resolution was adopted:

LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE MINUTES
December 11, 2014

NEW BUSINESS

CASE NO. 14AREA1003

RESOLVED, that the Louisville Metro Planning Commission does hereby place, Case No. 14AREA1003, on the January 15, 2015 public hearing docket to be heard by the full Planning Commission.

The vote was as follows:

YES: Commissioners Brown, Jarboe and Proffitt

NO: No one

NOT PRESENT FOR THIS CASE: Commissioners Blake, Butler and Turner

ABSTAINING: No one

**Land Development and Transportation Committee
Staff Report
December 11, 2014**



Case No:	14AREA1003
Request:	Area Wide Change in Zoning from R-4, Single Family Residential to PEC, Planned Employment Center
Project Name:	Jeffersontown Commerce Park
Location:	Multiple Properties
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Jurisdiction:	City of Jeffersontown
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REQUEST

- Area Wide Change in Zoning from R-4, Single Family Residential to PEC, Planned Employment Center

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The City of Jeffersontown wishes to continue the success of the Jeffersontown Commerce Park by providing properly zoned land on which businesses can be expanded or located. However, it has been determined that there is not an adequate amount of properly zoned land within the Commerce Park to further the goals of the City. Therefore, the City has requested the Planning Commission make a recommendation to the city council to change the zoning from R-4 (single Family Residential) to PEC (Planned Employment Center) for 58 parcels encompassing 76.5902 acres. These parcels proposed for re-zoning are owned by multiple owners who have been notified in writing and also invited to participate in one public meeting to discuss the proposal. The City has stated that no one has objected to the re-zoning and no one appeared at the first reading of the ordinance. Nearly all of the lots surrounding the parcels to be re-zoned are currently zoned PEC or another type of commercial or industrial zoning.

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	Land Use	Zoning	Form District
Subject Property			
Existing	Vacant, Residential, Commercial, Industrial	R-4	SW
Proposed	N/A	PEC	SW

INTERESTED PARTY COMMENTS

- Staff has not received any inquiries from interested parties.

STAFF CONCLUSIONS

- A public hearing date is ready to be set.

NOTIFICATION

Date	Purpose of Notice	Recipients
11/19/14	Hearing before LD&T	Property Owners Subscribers to Council District 20 & District 11 Notification of Development Proposals