

**PLANNING COMMISSION MINUTES**  
**January 24, 2019**

**PUBLIC HEARING**

**CASE NO. 18STREETS1026**

Request:	Closure of public right-of-way
Project Name:	Turkey Run Parkway Closure
Location:	Section of Turkey Run Parkway
Owner:	Louisville Metro
Applicant:	21 <sup>st</sup> Century Parks
Representative:	QK4
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
<b>Case Manager:</b>	<b>Jay Lockett, AICP, Planner I</b>

Notice of this public hearing appeared in **The Courier Journal**, a notice was posted on the property, and 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:**

01:09:07 Mr. Lockett discussed the case summary, standard of review and staff analysis from the staff report.

**Deliberation**

01:11:02 Planning Commission 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.**

**Closure of public right-of-way**

On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution based on the Standard of Review and Staff Analysis and testimony heard today was adopted.

**WHEREAS**, adequate public facilities are available to serve existing and future needs of the community. The proposed closures do not result in an increase in demand on public

**PLANNING COMMISSION MINUTES**  
**January 24, 2019**

**PUBLIC HEARING**

**CASE NO. 18STREETS1026**

facilities or services as utility agencies have coordinated with the applicant and/or applicant's representative and Planning and Design Services staff to ensure that facilities are maintained or relocated through agreement with the developer. No property adjacent or abutting the rights-of-way to be closed will be left absent of public facilities or services, or be dispossessed of public access to their property; and

**WHEREAS**, any cost associated with the rights-of-way to be closed will be the responsibility of the applicant or developer, including the cost of improvements to those rights-of-way and adjacent rights-of-way, or the relocation of utilities and any additional agreement reached between the utility provider and the developer; and

**WHEREAS**, the Louisville Metro Planning Commission finds, the request to close multiple rights-of-way is in compliance the Goals, Objectives and Plan Elements of the Comprehensive Plan as Guideline 7, Policy 1 provides that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development; Guideline 7, Policy 6 strives to ensure that transportation facilities of new developments are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands; Guideline 7, Policy 9 provides that the Planning Commission or legislative body may require the developer to dedicate rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development as set forth in the Land Development Code and/or an adopted urban mobility plan; Guideline 8, Policy 8 states that Adequate street stubs for future roadway connections that support access and contribute to appropriate development of adjacent lands should be provided by new development and redevelopment; and Guideline 14, Policy 7 provides that the design and location of utility easements provide access for maintenance and repair and to minimize negative visual impacts. Any cost associated with the rights-of-way to be closed will be the responsibility of the applicant or developer. Adequate public facilities are available to serve existing and future needs of the community. Any facility required to be placed in an easement or relocated will be done so by the developer. Transportation facilities have been provided to accommodate future access and to not dispossess property owners of public access. All adjacent residential lands maintain access to public infrastructure and utility services will continue to be provided to these lands; and

**WHEREAS**, the Louisville Metro Planning Commission further finds there are no other relevant matters to be considered by the Planning Commission.

**RESOLVED**, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council the closure of the Turkey Run Parkway right-of-way be **APPROVED**.

**PLANNING COMMISSION MINUTES  
January 24, 2019**

**PUBLIC HEARING**

**CASE NO. 18STREETS1026**

**The vote was as follows:**

**YES: Commissioners Brown, Carlson, Daniels, Howard, Peterson, Robinson,  
Smith, Tomes and Jarboe**

**NOT PRESENT AND NOT VOTING: Commissioner Lewis**