

**MINUTES OF THE MEETING
OF THE
LOUISVILLE METRO PLANNING COMMISSION MEETING
June 21, 2018**

A meeting of the Louisville Metro Planning Commission was held on June 21, 2018 at 1:00 p.m. at the Old Jail Building, located at 514 W. Liberty Street, Louisville, KY 40202.

Commissioners present:

Marilyn Lewis, Vice Chair (Acting Chair)
Jeff Brown
Rich Carlson
Lula Howard
Robert Peterson
David Tomes

Commissioners absent:

Vince Jarboe, Chair
Emma Smith
Donald Robinson

Staff members present:

Emily Liu, Director, Planning & Design Services
Brian Davis, Planning & Design Manager
Jay Lockett, Planner I
Joel Dock, Planner II
John Carroll, Legal Counsel
Travis Fiechter, Legal Counsel
Tony Kelly, MSD
Beth Stuber, Transportation Planning

Chris Cestaro, Management Assistant

The following matters were considered:

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APPROVAL OF MINUTES

June 7, 2018 Planning Commission Hearing Minutes

00:05:58 On a motion by Commissioner Carlson, seconded by Commissioner Peterson, the following resolution was adopted:

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the minutes of its regular meeting conducted on June 7, 2018.

The vote was as follows:

YES: Commissioners Brown, Carlson, Howard, Peterson, and Tomes,
NOT PRESENT: Commissioners Jarboe, Smith, and Robinson.
ABSTAINING: Commissioner Lewis.

June 5, 2018 Planning Commission Night Hearing Minutes

00:07:11 On a motion by Commissioner Carlson, seconded by Commissioner Howard, the following resolution was adopted:

RESOLVED, that the Louisville Metro Planning Commission does hereby **APPROVE** the minutes of its meeting conducted on June 5, 2018 at 6:00 p.m.

The vote was as follows:

YES: Commissioners Brown, Carlson, Howard, Peterson, and Tomes.
NOT PRESENT: Commissioners Jarboe, Smith, and Robinson.
ABSTAINING: Commissioner Lewis.

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BUSINESS SESSION

Case No. 17ZONE1060

Request:	Discussion of KRS 100.211(g)(2)
Project Name:	17ZONE1060
Location:	7500 Bardstown Road
Owner:	Madge H. Chalmers Revocable Trust & Edward Harding Jr.
Applicant:	N/A
Representative:	N/A
Jurisdiction:	Louisville Metro
Council District:	22 – Robin Engel

Case Manager: Joel Dock, Planner II

Agency Testimony:

00:08:23 Joel Dock presented the case (see discussion report and recording for detailed presentation.) He answered procedural questions from Commissioners Tomes and Peterson regarding what action/s the Commission could take or not take today.

Deliberation

00:14:13 The Commissioners discussed the issue.

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.

00:15:56 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted:

RESOLVED, the Louisville Metro Planning Commission does hereby place this item for discussion on the **Business Session** portion of the agenda of the **July 5, 2018** Planning Commission public hearing.

The vote was as follows:

YES: Commissioners Brown, Carlson, Howard, Peterson, Tomes, and Lewis.

NOT PRESENT: Commissioners Jarboe, Smith, and Robinson.

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PUBLIC HEARING

CASE NO. 17STREETS1002

Request:	Street / Alley Closure of a portion of Lipps Lane
Project Name:	Lipps Lane Closure
Location:	A portion of Lipps Lane on the west side of Jefferson Boulevard north of Bates Avenue
Owner:	Louisville Metro
Applicant:	HRM Louisville LLC
Representative:	Richard Matheny – Cardinal Surveying
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood

Case Manager: **Jay Luckett, Planner I**

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. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:17:30 Jay Luckett presented the case and showed a Power Point presentation (see staff report and recording for detailed presentation.)

00:19:27 Commissioner Carlson requested a minor correction in the staff report; that this site is under the jurisdiction of the **Okolona** Fire Department. Mr. Luckett said this correction will be made to the staff report, and will confirm that the Okolona FD is aware of the proposal and consents to it.

00:20:16 In response to a question from Commissioner Howard, Mr. Luckett explained why this request required a public hearing.

The following spoke in favor of the request:

Kathy Matheny, Cardinal Surveying, 9009 Preston Hwy, Louisville, KY 40219

Summary of testimony of those in favor:

00:21:15 Kathy Matheny, the applicant's representative, presented the applicant's case and showed a Power Point presentation (see recording for detailed presentation.) She added that she had spoken with the Okolona Fire Department some time ago (in 2017), and they had no objections.

The following spoke in favor opposition to the request:

No one spoke.

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Deliberation

00:25:18 The Commissioners concluded that the proposal is justified.

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00:25:42 On a motion by Commissioner Howard, seconded by Commissioner Carlson, the following resolution, based on the Standard of Review and Staff Analysis and evidence and testimony heard today, was adopted:

WHEREAS, the Louisville Metro Planning Commission finds that 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 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, the Commission further finds that 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 Commission further finds that 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

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dispossess property owners of public access. All adjacent lands maintain access to public infrastructure and utility services will continue to be provided to these lands; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the proposed closure of an unimproved section of Lipps Lane, beginning at its intersection with Jefferson Boulevard and traveling approximately 590' west, as described in the attached legal description, be **APPROVED**.

The vote was as follows:

YES: Commissioners Brown, Carlson, Howard, Peterson, Tomes, and Lewis.

NOT PRESENT: Commissioners Jarboe, Smith, and Robinson.

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STANDING COMMITTEE REPORTS

Land Development & Transportation Committee

No report given.

Site Inspection Committee

No report given.

Planning Committee

No report given.

Development Review Committee

No report given.

Policy & Procedures Committee

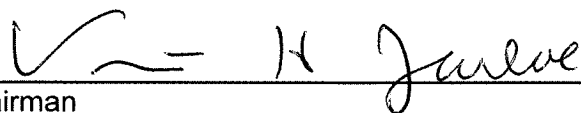
No report given.

CHAIRPERSON/DIRECTOR'S REPORT

No report given

ADJOURNMENT

The meeting adjourned at approximately 1:30 p.m.



Chairman



Division Director

