

**PLANNING COMMISSION MINUTES
OCTOBER 20, 2016**

PUBLIC HEARING

CASE NO. 16STREETS1011

Request: Alley Closures
Project Name: Baxter/Broadway Apartments
Location: 626-656 Baxter Ave, 1203-1249 E. Broadway, & 1014-1026 Rogers St.
Owner: Baxter Avenue Realty LLC, Roppel Industries, Riche Properties LLC, & Triangle Realty LLC
Applicant: Edwards Companies
Representative: Gresham Smith and Partners; Bardenwerper Talbott and Roberts PLLC.
Jurisdiction: Louisville Metro
Council District: 4-David Tandy
Case Manager: Julia Williams, RLA, AICP, Planning Supervisor

NOTE: Commissioner Peterson arrived at approximately 1:20 p.m.

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.)

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.

Agency Testimony:

00:16:01 Julia Williams presented the case and showed a Powerpoint presentation. Ms. Williams responded to questions from the Commissioners (see recording for detailed presentation).

The following spoke in favor of the request:

Bill Bardenwerper, 1000 N. Hurstbourne Pkwy., Louisville, KY 40223

Summary of testimony of those in favor:

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00:21:51 Bill Bardenwerper spoke in favor of the request and showed a Powerpoint presentation. Mr. Bardenwerper responded to questions from the Commissioners (see recording for detailed presentation).

The following spoke in opposition of the request:

No one spoke.

00:28:48 Commissioners' deliberation

00:31:22 On a motion by Commissioner Brown, seconded by Commissioner Carlson, the following resolution was adopted:

WHEREAS, the Louisville Metro Planning Commission finds that the closure of these alley segments results in no demand on public facilities and services currently or in the future as no objections to the closure have been received by utility agencies, and

WHEREAS, the Commission further finds that any utility access necessary within the right-of-way to be closed will be maintained by agreement with the utilities. Utility agencies did not indicate the existence of utilities or the need for future utilities, and

WHEREAS, the Commission further finds that the applicant will provide for the improvements, and

WHEREAS, the Commission further finds that the closure complies with the Goals, Objectives and Plan Elements of the Comprehensive Plan found in Guideline 7 (Circulation) and Guideline 8 (Transportation Facility Design). Any physical improvements necessary for the closure will be completed by the applicant. Right-of-way proposed for closure does not serve as the only public access to surrounding uses or obstruct circulation with adjacent uses, and

WHEREAS, the Commission further finds that there are no other relevant matters; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission, in Case Number 16STREETS1011, does hereby **RECOMMEND APPROVAL** to Louisville Metro Council, on **CONDITION** that all bricks within the right-of-way area to be closed shall be salvaged for reuse; they will be palletized and delivered to the storage facility at 595 North Hubbards Lane, based on the Staff Report and testimony heard today.

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The vote was as follows:

**YES: Commissioners Carlson, Howard, Smith, Turner, Peterson, Brown, Vice
Chair Lewis and Chair Jarboe**

NOT PRESENT: Commissioners Kirchdorfer and Tomes