

PLANNING COMMISSION MINUTES
August 29, 2019

PUBLIC HEARING

CASE NO. 19STREETS1004

Request: Closure of Public Right-of-Way
Project Name: Stoneware Alley Closure
Location: 731 Brent St
Owner: Louisville Metro
Applicant: PPT1, LLC
Representative: Sabak, Wilson and Lingo
Jurisdiction: Louisville Metro
Council District: 4 – Barbara Sexton Smith

Case Manager: Jay Lockett, AICP, Planner I

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:

02:17:38 Jay Lockett presented the case via Power Point slide show summary (see staff report and recording for detailed presentation).

The following spoke in favor of this request:

Kelly Jones, 608 S. 3rd Street, Louisville, Kentucky, 40202

Summary of testimony of those in favor:

02:19:41 Kelly Jones, applicant, stated the alley closure is to provide access to the back of the restaurant for dumpsters (see recording for detailed presentation).

Deliberation

02:20:18 Planning Commission deliberation (see recording for detailed presentation).

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CASE NO. 19STREETS1004

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.

02:20:45 On a motion by Commissioner Carlson, seconded by Commissioner Howard, the following resolution, based on the Staff Report and testimony heard today, was adopted:

WHEREAS, the Louisville Metro Planning Commission finds adequate public facilities are available to serve existing and future needs of the community. The proposed closure does 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 Louisville Metro Planning Commission further finds 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 further finds the request to close multiple rights-of-way is in compliance the Goals, Objectives and Plan Elements of the Comprehensive Plan as Mobility Goal 2, Policy 2 states to coordinate use of rights-of-way with community design policies. Ensure accessible rights-of-way to accommodate mobility needs of all transportation network users; Mobility Goal 2, Policy 7 states that the design of all new and improved transportation facilities should be accessible and; Mobility Goal 3, Policy 1 states to provide transportation services and facilities to promote and accommodate growth and change in activity centers through improved access management. Provide walking and bicycling opportunities to enable activity centers to minimize singleoccupant vehicle travel. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling; Mobility Goal 3, Policy 2 seeks to improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers; Mobility Goal 3, Policy 3 to evaluate developments for their ability

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to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices; Mobility Goal 3, Policy 5 to evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality; and Mobility Goal 3, Policy 12 states 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. Where appropriate, provide at least one continuous roadway through the development to tie all local access roads or parking areas to the arterial street system. Adequate stub streets and pedestrian connections should be provided by developments. 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 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; now, therefore be it

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the Closure of Public Right-Of-Way be **APPROVED**.

The vote was as follows:

YES: Commissioners Tomes, Brown, Howard, Carlson, and Jarboe

NOT PRESENT AND NOT VOTING: Commissioners Daniels, Lewis, Smith, and Peterson

PLANNING COMMISSION MINUTES
August 15, 2019

PUBLIC HEARING

CASE NO. 19STREETS1004

Request:	Closure of Public Right-of-Way
Project Name:	Stoneware Alley Closure
Location:	731 Brent St
Owner:	Louisville Metro
Applicant:	PPT1, LLC
Representative:	Sabak, Wilson and Lingo
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Jay Lockett, AICP, Planner I

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:

00:23:31 Jay Lockett presented the case via Power Point slide show summary (see staff report and recording for detailed presentation). Mr. Lockett noted there was a failure to post notices signs and the request at today's meeting is to continue 19STREETS1004 and 19STREETS1005 to the August 29, 2019 Planning Commission meeting.

The following spoke in favor of this request:

No one spoke.

The following spoke in opposition of this request:

No one spoke.

Deliberation

00:24:36 Planning Commission deliberation (see recording for detailed presentation).

PLANNING COMMISSION MINUTES
August 15, 2019

PUBLIC HEARING

CASE NO. 19STREETS1004

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.

0:25:00 On a motion by Commissioner Carlson, seconded by Commissioner Lewis, the following resolution, based on the Staff Report and testimony heard today, was adopted:

RESOLVED, that the Louisville Metro Planning Commission does hereby **CONTINUE** this case to the August 29, 2019 Planning Commission Meeting.

The vote was as follows:

YES: Commissioners Tomes, Daniels, Brown, Lewis, Howard, Carlson, and Jarboe

NOT PRESENT AND NOT VOTING: Commissioners Peterson and Smith

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

July 11, 2019

New Business

Case No. 19STREETS1004

Request:	Closure of Public Right-of-Way
Project Name:	Stoneware Alley Closure
Location:	731 Brent Street
Owner:	Louisville Metro
Applicant:	PPT1, LLC
Representative:	Kelli Jones - Sabak, Wilson & Lingo
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith

Case Manager: Jay Lockett, AICP, Planner I

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 LD&T meeting. (Staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

00:26:40 Jay Lockett presented the case (see staff report and recording for detailed presentation.)

00:27:31 In response to a question from Commissioner Carlson, Mr. Lockett said that all notified agencies either said they had no issues with the proposal, or did not respond. He said he has not specifically heard from the Fire Department. Mr. Lockett said they were definitely notified. He will re-check with the Fire Department for their comments.

The following spoke in favor of the request:

Kelli Jones, Sabak Wilson & Lingo, 608 South Third Street, Louisville, KY 40202

Summary of testimony of those in favor:

**MINUTES OF THE MEETING
OF THE
LAND DEVELOPMENT AND TRANSPORTATION COMMITTEE**

July 11, 2019

New Business

Case No. 19STREETS1004

00:29:06 Kelli Jones, the applicant's representative, briefly described the proposal and the reasons for the proposed alley closure (see recording for her presentation.)

The following spoke in opposition to the request:

No one spoke.

An audio/visual recording of the Land Development and 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.

The Committee by general consensus scheduled this case to be heard at the **August 15, 2019** Planning Commission public hearing.