

**Planning Commission Minutes
April 17, 2014**

Public Hearing

CASE NO. 13STREETS1003

Project Name: Minors Lane Area Street Closures
2607 Donna Blvd. and Others

Owner: Louisville Metro

Applicant: Louisville Renaissance Zone Corporation
PO Box 9129
Louisville, KY 40209

Representative: Greg Ehrhard – Stites and Harbison
400 West Market Street, Suite 1800
Louisville, KY 40202

Jurisdiction: Louisville Metro
Council District: 13 – Vicki Aubrey Welch

Staff Case Manager: **David B. Wagner, Planner II**

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.)

Request:

Street Closure of portions of Donna Blvd., Claire Dee Dr., Canto Ln., Vondine Dr., Aria Dr., Glenwood Cir., and Unnamed Rights-of-Way within the Renaissance South Business Park for the Louisville Renaissance Zone Corporation, Louisville Regional Airport Authority, and UPS

Agency Testimony:

David Wagner addressed page 8 of the staff report (closure map) and pointed out 8800 Minors Lane at the corner of Donna Blvd and Minors Lane. He explained that at the Development Review Committee at which this case was originally heard, 100% consent was not achieved due to this site. He said since

**Planning Commission Minutes
April 17, 2014**

Public Hearing

CASE NO. 13STREETS1003

this meeting, the applicant has decided to pull this right of way out of the closure request, which means that the applicant has achieved 100% consent. He clarified that this is part of the South Renaissance Business Park. Mr. Wagner reviewed the closure map on page 9 of the staff report and pointed out the benefitted properties. He then reviewed the staff conclusions from the staff report, making note of the items needed to be addressed prior to transmittal to Louisville Metro Council.

John Carroll pointed out the conditions of approval listed in the staff report and Mr. Wagner explained that those are the standard street closure conditions of approval. Commissioner Proffitt suggested adding a condition of approval mentioning the easements required before submittal to Metro Council.

The following spoke in favor of this request:

Pat Dominik, Sabak Wilson & Lingo, 608 S. Third St, Louisville, KY 40202

Greg Ehrhard, Stites & Harbison, 400 W. Market Street, Ste. 1800, Louisville, KY 40202

Summary of testimony of those in favor:

Pat Dominik, representing the applicant, explained that this closure is an important part of the continuing redevelopment of the Renaissance zone area. Mr. Dominik said he is fine with all of the conditions of approval listed in the staff report.

Greg Ehrhard declined to speak.

The following spoke in opposition to this request:

No one.

The following spoke neither for nor against the request:

No one.

An audio/visual recording of the Planning Commission hearing related to this case is available in the Planning & Design Services offices. Please contact the Customer Service staff to view the recording or to obtain a

Planning Commission Minutes
April 17, 2014

Public Hearing

CASE NO. 13STREETS1003

copy. The recording of this hearing will be found on the CD of the April 17, 2014 public hearing proceedings.

On a motion by Commissioner Proffitt, the following resolution was adopted.

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the legislative body of the Louisville Metro Council that they **APPROVE** the street closures of portions of Donna Blvd., Claire Dee Dr., Canto Ln., Vondine Dr., Aria Dr., Glenwood Cir., and Unnamed Rights-of-Way within the Renaissance South Business Park for the Louisville Renaissance Zone Corporation, Louisville Regional Airport Authority, and UPS on property described in the legal description **SUBJECT** to the following Conditions of Approval.

1. The closure shall be in accordance with the approved closure description and agreed upon conditions of approval unless amended by the Planning Commission.
2. Unless otherwise agreed to by the applicable agency, all necessary easements are granted or measures taken that are requested by an agency, and that no construction of permanent structures shall be permitted within the easement area, and that such reservation and prohibition also be included in any litigation concerning the street closing.
3. Unless otherwise agreed to by the applicable agency, the cost for a street or alley closing, or abandonment of any easement or land dedicated to the use of the public shall be paid by the applicant or developer of proposed project, including cost of improvements to adjacent rights-of-way and/or relocation of utilities within an existing easement.
4. The LWC has requested easements to be secured before final Louisville Metro Council action.
5. Planning Commission legal counsel must review and approve the temporary public access and public utility easement documents before final Louisville Metro Council action.

The vote was as follows:

YES: Commissioners Kirchdorfer, Brown, Jarboe, Blake, Proffitt, Tomes, and Peterson

NO: No one.

**Planning Commission Minutes
April 17, 2014**

Public Hearing

CASE NO. 13STREETS1003

**NOT PRESENT FOR THIS CASE: Commissioners White and Turner
ABSTAINING: No one.**