

RESOLUTION NO. 065, SERIES 2016

**A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION, THROUGH THE LOUISVILLE METRO DEPARTMENT OF PLANNING AND DESIGN AND PURSUANT TO SECTION 6.3.3 OF THE LAND DEVELOPMENT CODE, INITIATE THE STREET CLOSURE PROCEDURE TO PERMANENTLY CLOSE A PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS FAIRMOUNT ROAD, SPECIFICALLY TO REMOVE AN AGING AND POTENTIALLY UNSAFE BRIDGE BETWEEN THE INTERSECTIONS OF FAIRMOUNT ROAD AND CEDAR CREEK ROAD AND FAIRMOUNT ROAD AND GENTRY LANE.**

**Sponsored by: Councilman Robin Engel**

WHEREAS, The Legislative Council of the Louisville/Jefferson County Metro Government (“Metro Council”) and Louisville Metro Department of Public Works (“Public Works”) share a governmental interest in removing an aged and potentially unsafe bridge constructed in the 1940s along a portion of Fairmount Road that spans Cedar Creek, which is located within the Fern Creek area of Louisville Metro; and

WHEREAS, Public Works reviewed a number of options to resolve this infrastructure deficiency including replacing, rehabilitating, or removing the bridge entirely, and, after investigating all alternatives, it was determined that removal was the most practical solution based on the very small traffic volumes traversing the bridge, future roadways planned for the area (Cooper Chapel Extension), resident input during public meetings, and the high cost of rehabilitation and replacement of the structure; and,

WHEREAS, to accomplish removal of the bridge crossing Cedar Creek, a request to permanently close a street, or portion thereof, must be initiated; and

WHEREAS, the Metro Council now hereby states its intention, pursuant to Section 6.3.3.B.2 of the Land Development Code, to initiate an application for permanent closure of the appropriate portion of Fairmount Road and requests that the

Planning Commission, relying on information provided by Public Works and the Kentucky Transportation Cabinet ("KYTC"), assist the Metro Council in undertaking the necessary procedural steps to submit and process its application for permanent street closure as set forth in Section 6.3.3 of the Land Development Code.


**NOW, THEREFORE, BE IT RESOLVED BY THE METRO COUNCIL AS FOLLOWS:**

**Section I:** The Metro Council requests that the Planning Commission, through the Departments of Planning and Design and Public Works, along with KYTC, and pursuant to Section 6.3.3 of the Land Development Code, initiate the formal procedure for closing a specific area of Fairmount Road to remove a bridge situated between the intersections of Fairmount Road and Cedar Creek Road and Fairmount Road and Gentry Lane located within Louisville Metro and forward its recommendation to the Metro Council.

**Section II:** This Resolution shall take effect upon passage and approval.

  
H. Stephen Ott  
Metro Council Clerk

  
David Yates  
President of the Council

  
Greg Fischer  
Mayor

Approved: August 5, 2016  
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell  
Jefferson County Attorney

By: 

