

**Planning Commission Minutes
December 4, 2014**

Consent Agenda

NOTE: This case has been moved to the December 18, 2014 Planning Commission agenda.

Cons1 12.04.14

Request: Approval of the 2015 Meeting Dates
Case Manager: Joseph Reverman, AICP, Planning & Design Manager

14STREETS1008

Request: Alley closure close to the southeast corner of West Oak Street and Dixie Highway, being the first alley east of Dixie Highway and intersecting the south side of West Oak Street.
Project Name: Dollar General Alley Closure
Location: 1201 Dixie Highway
Owner: Louisville Metro
Applicant: Susan Cox Development, LLC
Representative: Wyatt, Tarrant & Combs, LLP
Arnold Consulting Engineering Services, Inc.
Jurisdiction: Louisville Metro
Council District: 6 – David James
Case Manager: **David B. Wagner, Planner II**

14STREETS1009

Request: Alley closure on the north side of Eastbourne Avenue, running between the properties at 3301 Eastbourne Avenue and 135-141 North Crestmoor Avenue.
Project Name: Balmer Alley Closure
Location: 3301 Eastbourne Avenue
Owner: Louisville Metro
Applicant: Sarah Balmer
Representative: Sarah Balmer
Jason Graves Land Surveying
Jurisdiction: Louisville Metro
Council District: 9 – Tina Ward-Pugh
Case Manager: **David B. Wagner, Planner II**

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Agency Testimony:

00:05:57 David Wagner offered a reminder that both of the alley closures are recommendations to the Louisville Metro Council.

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.

On a motion by Commissioner Butler, seconded by Commissioner Turner, the following resolution was adopted:

RESOLVED, that the Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that Case No. 14STREETS1008 and Case No. 14STREETS1008 be **APPROVED**.

The vote was as follows:

YES: Commissioners Blake, Proffitt, Brown, Peterson, Butler, Jarboe, Kirchdorfer, and Turner.

NO: No one.

NOT PRESENT: Commissioners White and Tomes.

ABSTAINING: No one.

14MISC1008

Request:	Dedication of open space within Forest Green to Metro Parks for the AB Sawyer Greenway.
Project Name:	AB Sawyer Park dedication
Location:	10000 Forest Green Boulevard and 10404 Forest Green Lane
Owner:	Forest Green Development Association
Applicant:	Metro Parks
Representative:	Lisa Hite
Jurisdiction:	City of Lyndon
Council District:	18 – Marilyn Parker
Case Manager:	Stephen A. Lutz, AICP, Planning & Design Supervisor

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Discussion:

00:06:35 In response to a question from Commissioner Blake, Jo Ann Burke , County Attorney's Office, said the resolution has been reviewed by all parties and is ready to be adopted.

On a motion by Commissioner Proffitt, seconded by Commissioner Butler, the following resolution was adopted:

WHEREAS, the Louisville metro Planning Commission finds that Faulkner Hinton/Forest Green- Land, LLC n/k/a Forest Green Land, LLC, placed deed restrictions on Lot 10 and Lot 13 in Forest Green Subdivision, Section 3 (Deed Book 7394, Page 282), and

WHEREAS, the Commission further finds that Lot 10 and Lot 13 are defined as Greenway by said deed restrictions; and

WHEREAS, the Commission further finds that said deed restrictions require the Louisville Metro Planning Commission's approval for a transfer of any Greenway to a unit of local government, and

WHEREAS, the Commission further finds that Faulkner Hinton/Forest Green-Land, LLC conveyed its interests in Lot 10 and Lot 13 to Forest Green Development Association, Inc. (Deed Book7689, Page 603); and

WHEREAS, the Commission further finds that Faulkner Hinton/Forest Green-Patio Home, LLC placed deed restrictions on Lot 77 in Forest Green Patio Homes Subdivision, Section 2, (Deed Book 7420, Page 350) and

WHEREAS, the Commission further finds that Lot 77 is designated as Open Space on the Plat of Forest Village Patio Homes, Section 2 (Plat Book 46, Page 45); and

WHEREAS, the Commission further finds that said deed restrictions require the Louisville Metro Planning Commission's approval for a transfer of any Open Space to a unit of local government, and

WHEREAS, the Commission further finds that Faulkner Hinton/Forest Green-Patio Home, LLC conveyed its interest in Lot 77 to Forest Green Development Association, Inc. (Deed Book 7689, Page 597); and

WHEREAS, the Commission further finds that Louisville/Jefferson County Metro Government ("Metro Government"), the City of Lyndon, Kentucky and Forest Green Development Association ("Forest Green") have entered into a

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memorandum of understanding (MOU) in which Metro Government has agreed to accept title to Lot 10 and Lot 13 and to accept responsibility for maintenance of Lots 10 and 13 and in which MOU Forest Green has agreed to grant to Metro Government a permanent easement across Lot 77 to build and maintain a multiuse trail from Hurstbourne Parkway to an existing multiuse trail on Lots 10 and 13 which multiuse trail will complete the trail from Dorsey Lane to Hurstbourne Parkway along Beargrass Creek that is part a Greenway Plan (Greenway Plan) of Louisville and Jefferson County Planning Commission case No. 9-106-97; and

WHEREAS, the Commission further finds that completion of the multi-use trail along Beargrass Creek and maintenance of the trail by Metro Government will be a public benefit; now, therefore be it

RESOLVED, that transfer of Lots 10 and 13 to Metro Government and granting of a permanent easement over Lot 77 to Metro Government is hereby **APPROVED**; and that with respect to Forest Green's obligations to build and maintain a trail and Greenway along Beargrass Creek according to Docket No. 9-106-97, Metro Government has now assumed those obligations.

The vote was as follows:

YES: Commissioners Blake, Proffitt, Brown, Peterson, Butler, Jarboe, Kirchdorfer, and Turner.

NO: No one.

NOT PRESENT: Commissioners White and Tomes.

ABSTAINING: No one.