

PLANNING COMMISSION MINUTES
August 4, 2022

CONSENT AGENDA

CASE NO. 21-STRCLOSURE-0032

Request: Closure of Public Right-of-Way
Project Name: S 5th at W. Chestnut Alley
Location: Alley East of S 5th Street Parallel to W Chestnut Street
Owner: Louisville Metro
Applicant: Joseph Impellizzeri
Representative: Joseph Impellizzeri
Jurisdiction: Louisville Metro
Council District: 4 – Jecorey Arthur
Case Manager: Jay Lockett, AICP, Planner II

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. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

Agency Testimony:

01:18:08 Jay Lockett presented the case. The applicant is proposing to close the alley and has agreed to a Condition of Approval (see staff report and recording for details).

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.

Closure

01:19:51 On a motion by Commissioner Carlson, seconded by Commissioner Mims, the following resolution, based on the Standard of Review and Staff Analysis and information held at the Land Development & Transportation Committee meetings, was adopted:

WHEREAS, the Commission finds the utility services will not be affected by the closure, 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. The proposed closure may result in an

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increase in demand on public facilities or services by potentially disrupting traffic and access around the subject site. Properties will not be deprived of legal access to their sites by the closure, but the closure may create access difficulties for adjacent and nearby properties due to the one-way nature of area streets; and

WHEREAS, the Commission further finds that 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;

RESOLVED, that the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the requested alley closure be **APPROVED WITH THE FOLLOWING CONDITION:**

The entrance to the alley from S 5th Street shall be reconstructed to meet Metro Public Works Standard Drawing 432 including replacement of sidewalk as necessary to bring the entrance to current ADA and Metro standards. The work must be bonded with Louisville Metro Public Works prior to the recording of the closure plat.

The vote was as follows:

YES: Commissioners Mims, Brown, Clare, Carlson, Price, and Lewis.

ABSENT: Commissioners Sistrunk, Howard, Daniels, and Cheek.