

PLANNING COMMISSION MINUTES
June 1, 2017

CONSENT AGENDA

CASE NO. 16STREETS1013

Request: Street Closure
Project Name: Dumesnil Street at 13th
Location: East/West right-of-way south of Oak Street from 13th St to railroad right-of-way
Owner: Louisville Metro
Applicant: Clariant Corporation
Representative: Wyatt, Tarrant & Combs, LLP
Jurisdiction: Louisville Metro
Council District: 6 – David James
Case Manager: Joel Dock, Planner II (Case Presented by Laura Mattingly, 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.)

An audio/visual recording of the Planning Commission 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.

Agency Testimony:

00:22:45 Laura Mattingly presented the case (see Staff Report and recording for detailed presentation).

00:24:05 On a motion by Commissioner Howard, seconded by Commissioner Peterson, the following resolution was adopted:

WHEREAS, the Louisville Metro Planning Commission finds that public facilities exist within the right-of-way proposed for closure. The closure will not hinder the ability of these facilities to be maintained as easements will be provided to the satisfaction of their respective agencies. The movement of people and goods will not be impacted by this proposal as the road is not used to meet public transportation needs, and

WHEREAS, the Commission further finds that any utility access necessary within the right-of-way to be closed will be maintained by agreement with the utilities. Easements for continued access to service facilities will be provided to the satisfaction of their respective agencies, and

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WHEREAS, the Commission further finds that 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 a proposed project, including cost of improvements to adjacent rights-of-way or relocation of utilities within an existing easement, and

WHEREAS, the Commission further finds that the closure complies with the Goals, Objectives and Plan Elements of the Comprehensive Plan found in Guideline 7 (Circulation) and Guideline 8 (Transportation Facility Design). Any physical improvements necessary for the closure will be completed by the applicant. Right-of-way proposed for closure does not serve as public access to surrounding uses or obstruct circulation with adjacent uses, and

WHEREAS, the Commission further finds that, based on the staff report, the applicant's findings of fact, and the evidence and testimony presented today, that all of the applicable guidelines of Cornerstone 2020 are being met; now, therefore be it

RESOLVED, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the street closure be **APPROVED**.

The vote was as follows:

Yes: Brown, Howard, Carlson, Peterson, Lewis, Smith, Ferguson, and Jarboe

Absent: Tomes

Abstain: None

No: None