

Development Review Committee

Staff Report

October 14, 2015



Case No:	15STREETS1015
Request:	Street Closure of Chamberlain Lane from Mint Spring Branch Road east to Brownsboro Road
Project Name:	Norton Commons/Chamberlain Lane Street Closure
Location:	Chamberlain Lane
Owner:	Norton Commons LLC
Applicant:	Sabak, Wilson & Lingo, Inc.
Representative:	Sabak, Wilson & Lingo, Inc.
Jurisdiction:	Louisville Metro
Council District:	16 – Kelly Downard
Case Manager:	Brian Davis, AICP, Planning Supervisor

REQUEST

- Partial Street Closure of Chamberlain Lane from Mint Spring Branch Road to its eastern terminus at Brownsboro Road

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to close a portion of Chamberlain Lane that extends from near its intersection with Mint Spring Branch Road to its eastern terminus at Brownsboro Road. The applicant, Norton Commons LLC, owns 100 percent of the property surrounding the existing right-of-way. If approved, the closed right-of-way will be used to accommodate new roadway and infrastructure improvements associated with the expansion of the North Village of Norton Commons. Access will continue to be given to an MSD pump station as well as to the property at 6101 Chamberlain Lane.

As the 100% owner of the abutting property, Norton Commons LLC consents to the closure and waives its right to public notification of meetings necessary to process this request.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Right-of-Way	PVD	N/A
Proposed	Residential Driveway	PVD	N/A
Surrounding Properties			
North	Single Family Residential	PVD	N/A
South	Single Family Residential	PVD	N/A
East	Single Family Residential	PVD	N/A
West	Single Family Residential	PVD	N/A

PREVIOUS CASES ON SITE

- None

INTERESTED PARTY COMMENTS

- Staff has not received comments from any interested parties.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code

STANDARD OF REVIEW AND STAFF ANALYSIS FOR STREET AND ALLEY CLOSURES

1. Adequate Public Facilities – Whether and the extent to which the request would result in demand on public facilities and services (both on-site and off-site), exceeding the capacity or interfering with the function of such facilities and services, existing or programmed, including transportation, utilities, drainage, recreation, education, emergency services, and similar necessary facilities and services. No closure of any public right of way shall be approved where an identified current or future need for the facility exists. Where existing or proposed utilities are located within the right-of-way to be closed, it shall be retained as an easement or alternative locations shall be provided for the utilities.

STAFF: Adequate public facilities will be maintained as the area of closure will be consolidated with the adjoining parcels and eventually developed as part of the Norton Commons development. Emergency access will still be provided to 6101 Chamberlain Lane and access will still be available to the MSD pump station.

2. Where existing or proposed utilities are located within the right of way to be closed, it shall be retained as an easement or alternative locations shall be provided for the utilities.

STAFF: Any utility access necessary within the right of way to be closed will be maintained by agreement with the utilities.

3. Cost for Improvement – 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.

STAFF: The applicant will provide for the improvements.

4. Comprehensive Plan – The extent to which the proposed closure is in compliance with the Goals, Objectives and Plan Elements of the Comprehensive Plan.

STAFF: 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). The physical improvements necessary for the closure will be completed by the applicant. The closure will allow for the consolidation of the property with adjoining parcels and will be developed in the future. Therefore, no adverse impacts on nearby communities will occur and the proposal will provide for an appropriate functional hierarchy of streets for the surrounding areas.

- 5. Other Matters – Any other matters which the Planning Commission may deem relevant and appropriate.

STAFF: There are no other relevant matters.

TECHNICAL REVIEW

Worthington Fire District – **Approved so long as emergency responders continue to have access to 6101 Chamberlain Lane.**

E-911/Metro Safe Addressing – **Approved so long as emergency responders continue to have access to 6101 Chamberlain Lane.**

AT&T – **No Comments**

MSD – **Approved so long as access to pump station remains.**

Louisville Metro Health Department – **No Comments**

Louisville Gas & Electric – **Approved**

Louisville Water Company – **Approved**

Louisville Metro Public Works – **Approved**

Historic Preservation – **Approved**

TARC – **No Comments**

STAFF CONCLUSIONS

The proposal meets or exceeds all applicable items of the comprehensive plan in regards to the Neighborhood Form District (used Neighborhood Form District even though technically Norton Commons does not have a form district designation). The area of closure will be consolidated with adjoining lots and redeveloped as part of the Norton Commons subdivision. The applicant has agreed to preserve access to the MSD pump station and the property at 6101 Chamberlain Lane. The applicant will provide the necessary infrastructure for future development and the functional hierarchy of streets will not be affected.

The proposal is in order to be placed on the earliest possible Consent Agenda of the Planning Commission as 100% of the adjoining property owners have given their consent to the closure.

Required Actions

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Land Development and Transportation Committee must **SCHEDULE** this proposal for a Planning Commission **PUBLIC HEARING, BUSINESS SESSION, or CONSENT AGENDA.**

NOTIFICATION

Date	Purpose of Notice	Recipients
10/6/2015	DRC Meeting	Subscribers to Council District 16 Notification of Development Proposals

ATTACHMENTS

1. Cornerstone 2020 Staff Checklist
2. Zoning Map
3. Aerial Photo

1. Cornerstone 2020 Staff Checklist

- + Exceeds Guideline
- ✓ Meets Guideline
- Does Not Meet Guideline
- +/- More Information Needed
- NA Not Applicable

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
36	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	✓	The applicant will provide for any necessary improvements.
41	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	✓	The proposal will provide for an appropriate functional hierarchy of streets for the surrounding areas because the area of closure will be consolidated with the adjoining property and the street is an unimproved right-of-way that will never be continued to the southeast.

2. Zoning Map



3. Aerial Photo

