

Planning Commission Staff Report

May 17, 2018



Case No:	17STREETS1011
Project Name:	Payne Street Alley Closure
Location:	113 Charlton Street/1801 Payne Street
Owner(s):	Louisville Metro
Applicant:	Louisville Paving Co.
Representative(s):	Mindel, Scott, & Associates
Jurisdiction:	Louisville Metro
Council District:	9 – Bill Hollander
Case Manager:	Joel P. Dock, Planner II

REQUEST(S)

- **Street/Alley Closure** of 15' and 20' alley segments

CASE SUMMARY

Two alleys are requested for closure. The first is a 20' alley to the North of 1801 & 1829 Payne Street. The second is a 15' alley to the rear of 113 S. Charlton Street. Neither alley is improved for public circulation.

STAFF FINDING

The proposed closure appears to be adequately justified and meets the standard of review based on the staff analysis in the staff report.

TECHNICAL REVIEW

Louisville Fire District – PDS staff has not received any formal comments.

E-911/Metro Safe Addressing – E-911 has no objections to the proposed closure.

AT&T – PDS staff has not received any formal comments.

MSD – MSD has no objections to the proposed closure.

Louisville Metro Health Department – Health and Wellness has no objections to the proposed closure.

Louisville Gas & Electric – PDS staff has not received any formal comments.

Louisville Water Company – LWC has no objections to the proposed closure.

Louisville Metro Public Works – DPW has no objections to the proposed closure.

Historic Preservation – Historic Preservation has no objections to the proposed closure.

TARC – TARC has no objections to the proposed closure.

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; and

STAFF: Adequate public facilities are available to serve existing and future needs of the community. The alleys in question have not been improved for public purposes and are currently used as a component of private development.

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; and

STAFF: No objections to the proposed closure by utility agencies have noted.

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; and

STAFF: 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.

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

STAFF: The request to close multiple rights-of-way is in compliance the Goals, Objectives and Plan Elements of the Comprehensive Plan as Guideline 7, Policy 1 provides that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development; Guideline 7, Policy 6 strives to ensure that transportation facilities of new developments are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands; Guideline 7, Policy 9 provides that the Planning Commission or legislative body may require the developer to dedicate rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development as set forth in the Land Development Code and/or an adopted urban mobility plan; Guideline 8, Policy 8 states that Adequate street stubs for future roadway connections that support access and contribute to appropriate development of adjacent lands should be provided by new development and redevelopment; and Guideline 14, Policy 7 provides that the design and location of utility easements provide access for maintenance and repair and to minimize negative visual impacts. The alleys in question have not been improved for public purposes and are currently used as a component of private development.

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

STAFF: There are no other relevant matters.

REQUIRED ACTIONS

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Planning Commission must **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the street/alley closure as presented.

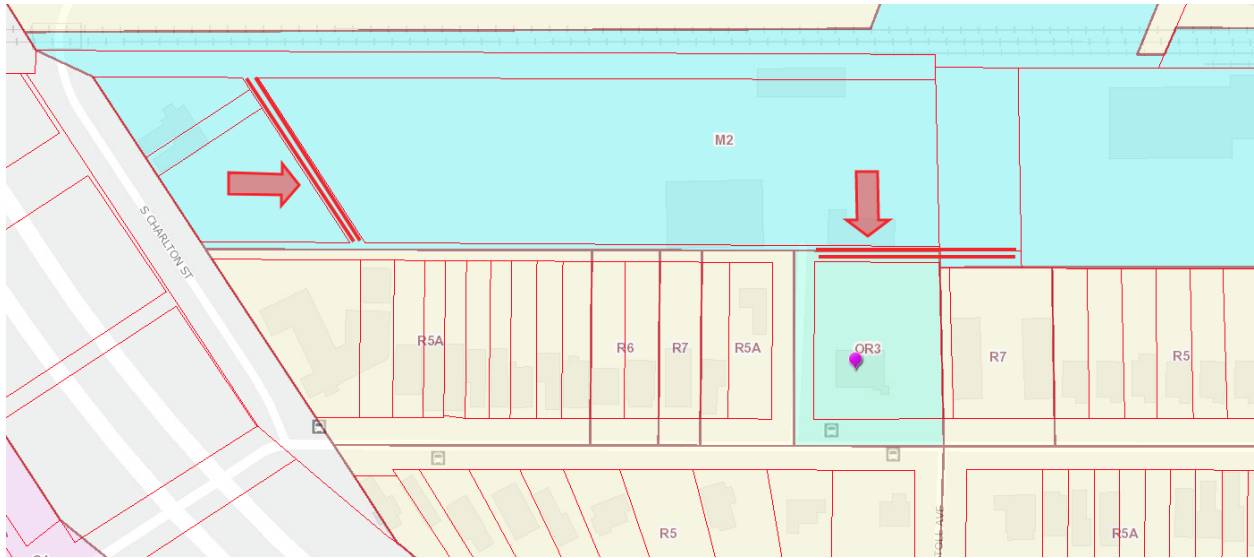
NOTIFICATION

Date	Purpose of Notice	Recipients
3/30/18	Meeting before LD&T	Adjoining property owners, applicant, representative, case manager, and neighborhood groups
04/20/18	Meeting before PC	Adjoining property owners, applicant, representative, case manager, and neighborhood groups

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. **Aerial Photograph**

