

Planning Commission Staff Report

November 17, 2016



Case No:	16STREETS1017
Request:	Street Closure
Project Name:	Oschner Road Closure
Location:	West of Urton Lane; Southern terminus of Meridian Hills Drive
Owner:	Public R/W
Applicant:	Milestone Design Group, Inc.
Representative:	Milestone Design Group, Inc. – Rick Williamson
Jurisdiction:	City of Middletown
Council District:	19 – Julie Denton
Case Manager:	Joel P. Dock, Planner I

REQUEST

- **Street Closure**

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes a closure of a 30' roadway which runs Northwest from Urton Lane and terminates with its approximate centerline at the Eastern corner of an existing stub of Meridian Hills Drive, as well as a 20' roadway beginning at Urton Lane which travels Southwest to an intersection with the aforementioned roadway. The subject site is located South of Shelbyville Road and West of Interstate-265 in Eastern Jefferson County. Roadway proposed for closure is unimproved and was originally dedicated in PB 2, PG 242 which is the Middletown Heights Subdivision, 1915.

ASSOCIATED CASES ON SITE

Staff found no approved cases associated with the subject site. There are multiple related cases associated with properties abutting directly to the Northwest; including, rezoning, major preliminary subdivision, and revised plans.

INTERESTED PARTY COMMENTS

Staff has not received comments or inquiries 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; and

STAFF: The requested closure does not result in demand on existing or future public facilities and services as the roadways are unimproved and no utilities are present within the rights-of-way.

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: Any utility access necessary within the right-of-way to be closed will be maintained by agreement with the utilities. No need for utility access has been expressed by the utility agencies servicing the area.

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: 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. The rights-of-way proposed for closure are unimproved and do not contain utility infrastructure.

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 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.

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

STAFF: There are no other relevant matters.

TECHNICAL REVIEW

Middletown Fire District – Approved

E-911/Metro Safe Addressing – Approved

AT&T – No comments received. Beyond standard distribution staff reached out to AT&T via email on October 10th and 18th

MSD – Approved

Louisville Metro Health Department – Approved

Louisville Gas & Electric – Approved

Louisville Water Company – Approved

Louisville Metro Public Works – Approved

Historic Preservation – No comments

TARC – Approved

Upon the development and/or subdivision of the land surrounding the roadways proposed for closure the existing 80' right-of-way of Meridian Hills Drive will be required to be extended per Land Development Code, section 5.9.2

STAFF CONCLUSIONS

The proposal meets or exceeds all applicable items of the comprehensive plan with respect to the Traditional Neighborhood Form District wherein this site is located.

Required Actions

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Planning Commission must **RECOMMEND** Louisville Metro Council **APPROVE** or **DENY** this proposal.

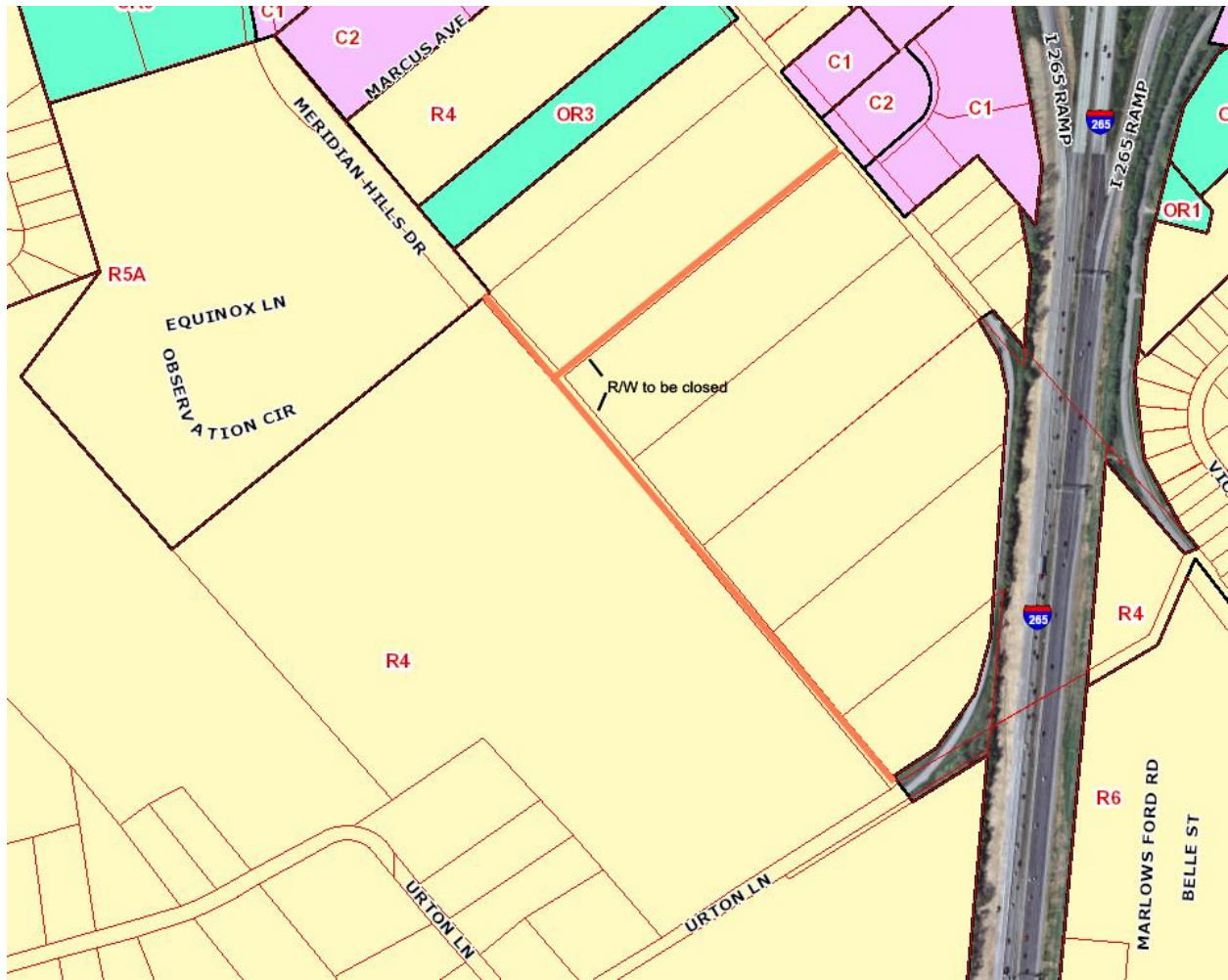
NOTIFICATION

Date	Purpose of Notice	Recipients
N/A	Meeting before LD&T/PC	no notice sent; 100% consent

ATTACHMENTS

1. Zoning Map
2. Aerial Photo

1. Zoning Map



2. Aerial Photo

