

**Planning Commission
Staff Report**
November 21, 2013



Case No:	18784
Project Name:	Grinstead Drive Closure
Location:	3015 Grinstead Dr.
Owner(s):	Louisville Metro Government
Applicant:	James Brammell – Louisville Water Company
Representative(s):	Steven Burch – Sabak, Wilson & Lingo
Project Area/Size:	2.03 Acres
Existing Zoning District:	R-5 – Single Family Residential
Existing Form District:	Campus
Jurisdiction:	Louisville Metro
Council District:	9 – Tina Ward-Pugh
Case Manager:	David B. Wagner, Planner II

REQUEST

- Closure of Grinstead Drive from Stilz Ave. to Frankfort Ave.

CASE SUMMARY/BACKGROUND/SITE CONTEXT

This proposal is to close a portion of right-of-way (ROW) that is not used for through traffic. The Louisville Water Company owns both parcels on each side of the area of closure and a few of the older buildings on the site were even built over the ROW. The closure will eliminate the encroachment of these buildings into the ROW and also permit the construction of a security building for the Louisville Water Company.

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Existing	Right-of-Way	R-5	Campus
Proposed	Security Building	R-5	Campus
Surrounding Properties			
North	Water Company	R-5	Campus
South	Water Company	R-5	Campus
East	Water Company	R-5	Campus
West	Water Company	R-5	Campus

PREVIOUS CASES ON SITE

- 18662: Community Facility Review for security building

INTERESTED PARTY COMMENTS

Staff received inquiries for information about the proposal from Martin Kasdan, Jr. (114 Forest Ct.), Ruth Lancaster, Jim Mayer (146 McCreedy Ave.), Carol Cornette (232 Stiliz Ave.), and Darcy Croghan (264 Saunders Ave.). Staff sent them a copy of the closure plat and a short synopsis of the proposal or explained the proposal by phone.

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 street no longer functions as a public way and is more of an internal access road for the Louisville Water Company.

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 the cost for 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: In regards to the Comprehensive Plan compliance, the proposal contributes to the appropriate development of adjacent lands as the closure allows for a security building to be built for the site. There will be no change to the compatibility with surrounding land uses as the street has not been used as a public way for some time and there are already buildings built on top of parts of the street. The proposal results in an effective land use pattern and cost-effective infrastructure investment as the street is not being used as a public way and also allows a private entity to take care of the area instead of being maintained by Louisville Metro Government.

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

STAFF: There are no other relevant matters.

TECHNICAL REVIEW

Louisville Fire District – **Approved**

E-911/Metro Safe Addressing – **Approved; applicant needs to determine if the 3015 Grinstead Drive address point needs to be changed or eliminated**

AT&T – **Approved**

MSD – **Approved**

Louisville Metro Health Department – **DENIED; applicant needs to submit a mosquito mitigation plan outlining how the standing water areas will be mitigated**

Louisville Gas & Electric – **Approved**

Louisville Water Company – **Approved**

Louisville Metro Public Works – **Approved**

Historic Preservation – **Approved**

TARC – **Approved**

KTC – **Approved**

STAFF CONCLUSIONS

The proposal meets or exceeds all applicable items of the comprehensive plan in regards to the Campus Form District. The ROW is not used as a public way and buildings have been built over the street long ago. The closure will also allow the Louisville Water Company to build the security building as planned. All adjoining property owners have given their consent to the closure.

However, there are items that need to be addressed before the closure is transmitted to Louisville Metro Council as follows:

- MetroSafe approval needs to be obtained
- Louisville Metro Health Department approval needs to be obtained

The Planning Commission action required today is to RECOMMEND to the Louisville Metro Council to APPROVE or DENY the proposal.

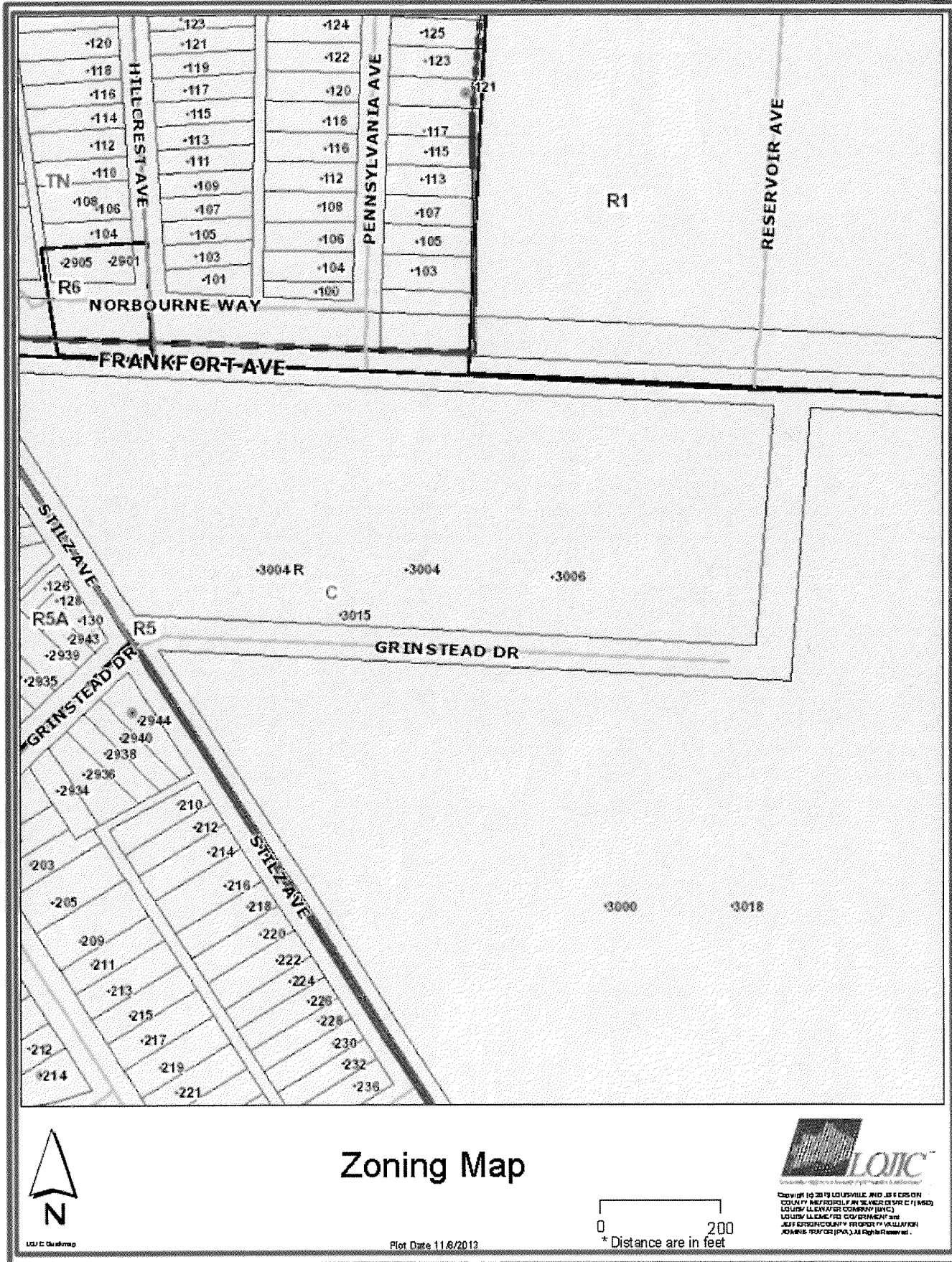
NOTIFICATION

Date	Purpose of Notice	Recipients
10/31/13	Hearing before LD&T	1 st tier adjoining property owners Subscribers to Council District 9 Notification of Development Proposals

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist
4. Conditions of Approval
5. Closure Plat
6. Legal Description

1. Zoning Map



2. Aerial Photo



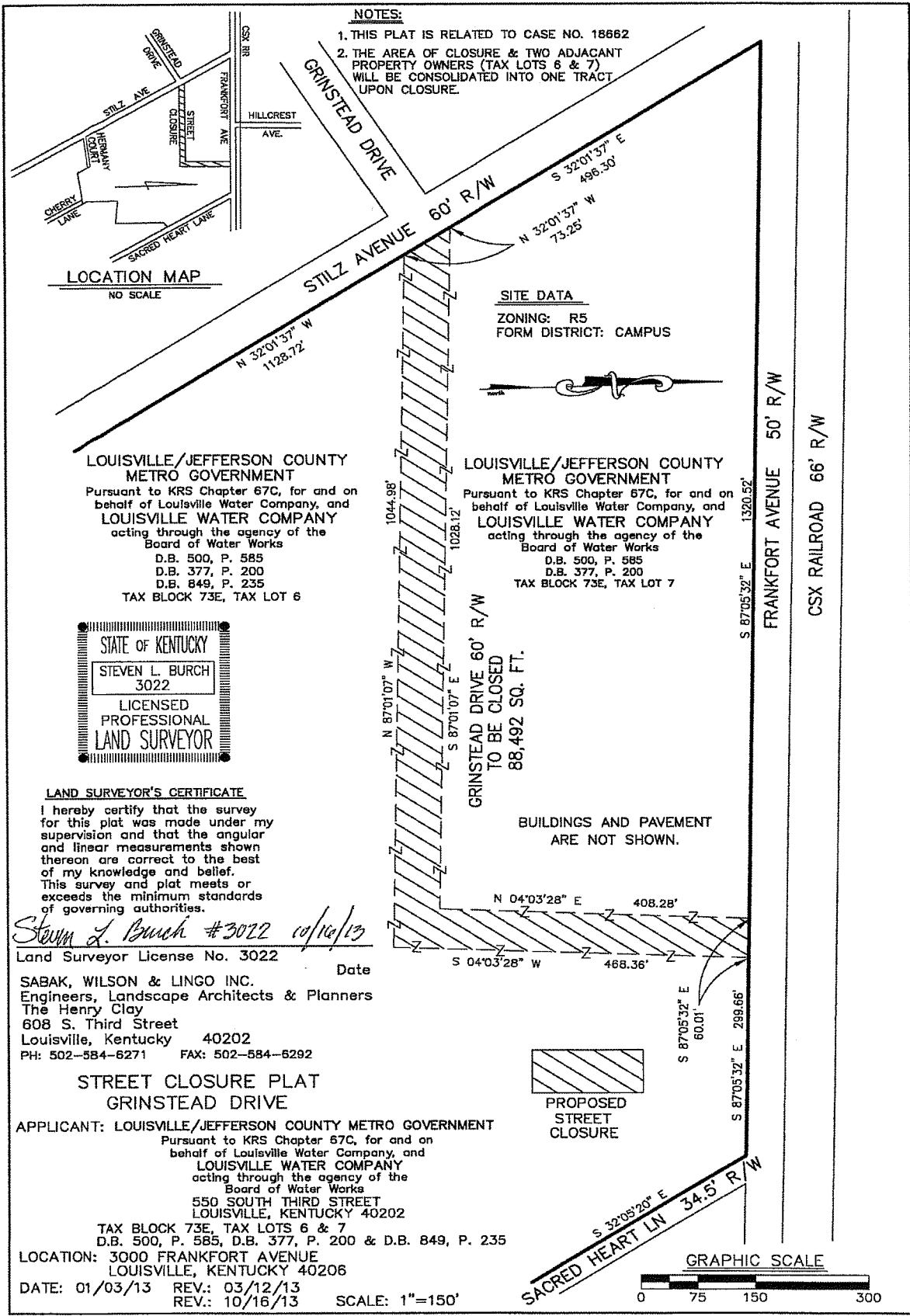
3. **Cornerstone 2020 Staff Checklist**

<i>Policy</i>	<i>Description of Policy</i>	<i>Comments</i>
Community Form/Land Use Guideline 2: Centers	A.4: The proposed development is compact and results in an efficient land use pattern and cost-effective infrastructure investment.	The proposal results in an effective land use pattern and cost-effective infrastructure investment as the street is not being used as a public way and also allows a private entity to take care of the area instead of being maintained by Louisville Metro Government.
Mobility/Transportation Guideline 7: Circulation	A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads.	The proposal contributes to the appropriate development of adjacent lands as the closure allows for a security building to be built for the site. There will be no change to the compatibility with surrounding land uses as the street has not been used as a public way for some time and there are already buildings built on top of parts of the street.

4. **Conditions of Approval**

1. The closure shall be in accordance with the approved closure description and agreed upon conditions of approval unless amended by the Planning Commission.
2. All necessary easements are granted or measures must be taken that are requested by an agency, and that no construction of permanent structures shall be permitted within the easement area, and that such reservation and prohibition also be included in any litigation concerning the street closing.
3. 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 proposed project, including cost of improvements to adjacent rights-of-way and/or relocation of utilities within an existing easement.

5. **Closure Plat**



NOTES:
 1. THIS PLAT IS RELATED TO CASE NO. 18862
 2. THE AREA OF CLOSURE & TWO ADJACANT PROPERTY OWNERS (TAX LOTS 6 & 7) WILL BE CONSOLIDATED INTO ONE TRACT UPON CLOSURE.

LOCATION MAP
NO SCALE

SITE DATA
 ZONING: R5
 FORM DISTRICT: CAMPUS

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT
 Pursuant to KRS Chapter 67C, for and on behalf of Louisville Water Company, and LOUISVILLE WATER COMPANY acting through the agency of the Board of Water Works
 D.B. 500, P. 585
 D.B. 377, P. 200
 D.B. 849, P. 235
 TAX BLOCK 73E, TAX LOT 6

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT
 Pursuant to KRS Chapter 67C, for and on behalf of Louisville Water Company, and LOUISVILLE WATER COMPANY acting through the agency of the Board of Water Works
 D.B. 500, P. 585
 D.B. 377, P. 200
 TAX BLOCK 73E, TAX LOT 7

STATE OF KENTUCKY
 STEVEN L. BURCH
 3022
 LICENSED PROFESSIONAL LAND SURVEYOR

LAND SURVEYOR'S CERTIFICATE

I hereby certify that the survey for this plat was made under my supervision and that the angular and linear measurements shown thereon are correct to the best of my knowledge and belief. This survey and plat meets or exceeds the minimum standards of governing authorities.

Steven L. Burch #3022 10/16/13
 Land Surveyor License No. 3022 Date

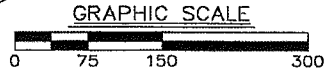
SABAK, WILSON & LINGO INC.
 Engineers, Landscape Architects & Planners
 The Henry Clay
 608 S. Third Street
 Louisville, Kentucky 40202
 PH: 502-584-6271 FAX: 502-584-6292

**STREET CLOSURE PLAT
 GRINSTEAD DRIVE**

APPLICANT: LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT
 Pursuant to KRS Chapter 67C, for and on behalf of Louisville Water Company, and LOUISVILLE WATER COMPANY acting through the agency of the Board of Water Works
 550 SOUTH THIRD STREET
 LOUISVILLE, KENTUCKY 40202
 TAX BLOCK 73E, TAX LOTS 6 & 7
 D.B. 500, P. 585, D.B. 377, P. 200 & D.B. 849, P. 235

LOCATION: 3000 FRANKFORT AVENUE
 LOUISVILLE, KENTUCKY 40206

DATE: 01/03/13 REV.: 03/12/13
 REV.: 10/16/13 SCALE: 1"=150'



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6. Legal Description

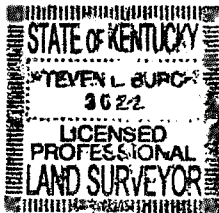


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PHONE : (502) 584-6271 • FAX : (502) 584-6292

March 11, 2013

Legal Description
Closure of Grinstead Drive

Beginning at the intersection of the south right-of-way line of Frankfort Avenue and the east right-of-way line of Stilz Avenue; thence with the east right-of-way line of Stilz Avenue South $32^{\circ}01'37''$ East, 496.30 feet to the true point of beginning; thence leaving the east right-of-way line of Stilz Avenue and along the north right-of-way line of Grinstead Drive being closed South $87^{\circ}01'07''$ East, 1028.12 feet to a point; thence North $04^{\circ}03'28''$ East, 408.28 feet to a point in the south right-of-way line of Frankfort Avenue; thence with the south right-of-way line of Frankfort Avenue South $87^{\circ}05'32''$ East, 60.01 feet to a point; thence leaving the south right-of-way line of Frankfort Avenue and along the east and south right-of-way line of Grinstead Drive being closed South $04^{\circ}03'28''$ West, 468.36 feet to a point; thence North $87^{\circ}01'07''$ West, 1044.98 feet to a point in the east right-of-way line of Stilz Avenue; thence with the east right-of-way line of Stilz Avenue North $32^{\circ}01'37''$ West, 73.25 feet to the true point of beginning containing 88,492 square feet or 2.03 acres.



Steven L. Burch

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ERIC W. PENLAND, Civil Engineer • JOSEPH S. MARSHALL, Civil Engineer

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18784

Land Development and Transportation Committee Staff Report

November 14, 2013



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However, there are items that need to be addressed before the closure is transmitted to Louisville Metro Council as follows:

- MetroSafe approval needs to be obtained
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Therefore, this case can be placed on the next available Planning Commission Consent Agenda.

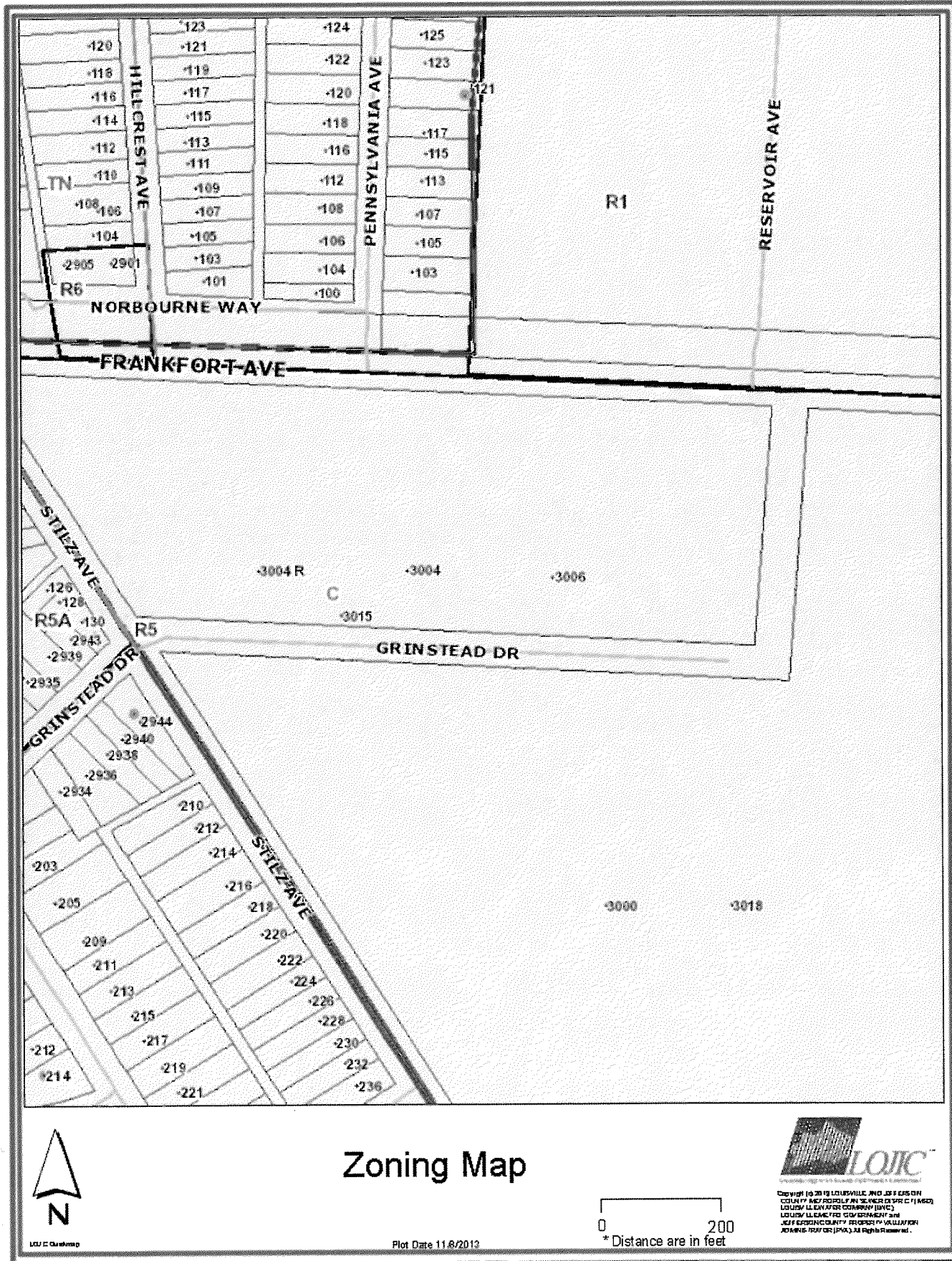
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1. Zoning Map



Zoning Map



0 200
* Distance are in feet



Copyright © 2012 LOUISVILLE, KY & SEASON COUNTY, KY PEOPLE'S DEVELOPMENT INC. LOUISVILLE DEVELOPMENT COMPANY (LDC) LOUISVILLE DEVELOPMENT COMPANY AND SEASON COUNTY, KY PEOPLE'S DEVELOPMENT INC. ALL RIGHTS RESERVED.

Plot Date 11/8/2012

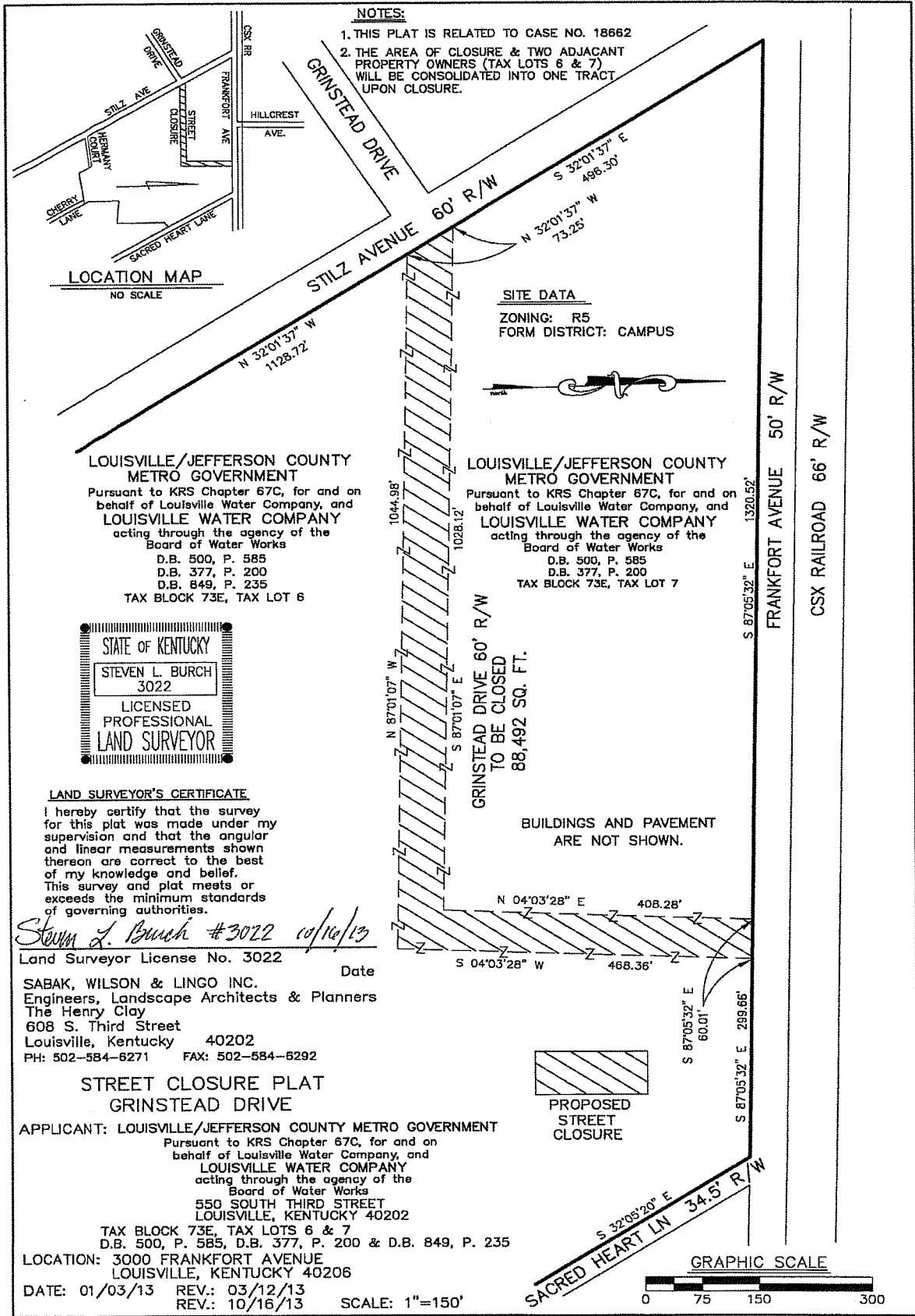
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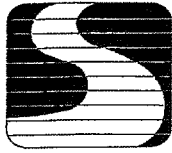


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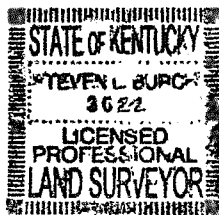


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