

**Planning Commission  
Staff Report  
February 5, 2015**



<b>Case No:</b>	<b>14streets1024</b>
<b>Request:</b>	<b>Alley Closure for the alleys between 7<sup>th</sup> and 8<sup>th</sup> Streets and Garland Ave. and Breckinridge Street</b>
<b>Project Name:</b>	<b>Life Safety Warehouse</b>
<b>Location:</b>	<b>701-713 Garland Avenue</b>
<b>Owner:</b>	<b>Dover Resources Inc.</b>
<b>Applicant:</b>	<b>Lichtefeld Development Trust</b>
<b>Representative:</b>	<b>Alex Rosenberg; Norman Graham</b>
<b>Jurisdiction:</b>	<b>Louisville Metro</b>
<b>Council District:</b>	<b>6-David James</b>
<b>Case Manager:</b>	<b>Julia Williams, AICP, Planner II</b>

**REQUEST**

- Alley Closure for the alleys between 7<sup>th</sup> and 8<sup>th</sup> Streets and Garland Ave. and Breckinridge Street

**CASE SUMMARY/BACKGROUND/SITE CONTEXT**

Existing Zoning District: OR-2  
 Proposed Zoning District: CM  
 Existing Form District: TN  
 Existing Use: Vacant  
 Proposed Use: Warehouse  
 Minimum Parking Spaces Required: 12  
 Maximum Parking Spaces Allowed: 18  
 Parking Spaces Proposed: 17

The proposal is for an alley closure for the alleys between 7<sup>th</sup> and 8<sup>th</sup> Streets and Garland Ave. and Breckinridge Street. The alley is proposed to be divided between the adjacent property owners. The application has received 100% consent from the adjoining property owners.

**LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE**

	<b>Land Use</b>	<b>Zoning</b>	<b>Form District</b>
<b>Subject Property</b>			
<b>Existing</b>	Vacant	OR-2	TN
<b>Proposed</b>	Warehouse	CM	TN
<b>Surrounding Properties</b>			
<b>North</b>	Industrial	CM	TN
<b>South</b>	Multi-Family	R-7	TN
<b>East</b>	Industrial/Office	PD	DT
<b>West</b>	Industrial	CM	TN

## PREVIOUS CASES ON SITE

None Found.

## INTERESTED PARTY COMMENTS

I, Stephen Peterson, a resident of the Limerick neighborhood for some 5 years now, having read the staff report for today's hearing regarding the cases **14STREETS1024 & 14ZONE1044** do have the following opinions and statements.

In the staff reports prepared in advance of today's LD&T meeting, there are fields indicating that no, in fact "none," interested party comments had been received. As such I would like for this letter, and its attachments to be provided this very morning, to the committee members at the LD&T committee meeting for their review prior to any ruling on the aforementioned staff reports, and development party proposals.

I have voiced my opposition to the closing of this alleyway, to both the office of my elected Metro Council representative, as well as by way of telephone conversation with yourself, Ms. Williams, some 6 or 8 Wednesday's ago.

As a resident of the 900 block of S 6th St, a mere stones throw from this site, and an active member of the Limerick community as a whole -- I **strongly** oppose the closure of the north-south alleyway, spanning the distance between W Breckinridge Streets and Garland Avenue.

Further, this development proposal is precariously close to residential housing stock (r-7) College Court Condominiums, and residential (TNZD) housing too.

As it happens, the exact site requested for zoning adjustment was historically residential, please see attached PDF.

In fact the College Court Condominiums are one of but 8 such developments to have occurred in the entire Ohio Valley, by way of Federal housing monies made available during the housing "crisis" our nation experienced in the 1920s & 1930s. Louisville Mayor Neville Miller, petitioned for and received funding to construct College Court and LaSalle in the mid-1930s.

College Court was before its development, by some of the finest architect and landscape architects of its day, was the site of Eclipse Park baseball field (which is why Baseball Alley, adjacent to **Louisville Municipal War Memorial Auditorium**, 3 blocks east, gets its name. Eclipse Park is where Hall of Fame baseball player Honus Wagner made his major league debut, and Eclipse Park even saw the likes of Babe Ruth run its bases.

In the staff report the case for closing said alleyway is supported by the notion that the streets are one way (Breckenridge headed West, and S 7th and S 8th Streets South and Northbound respectively).

Indeed this is the case, TODAY; however, this is a shortsighted view.

In fact S 7th and S 8th Streets are slated to be made two-way streets, an effort that is oft used to improve residential neighborhoods no less.

As I recall, the Federal Section 106 Consulting Party Opt-in has already taken place for these street change endeavors.

Further it is noted that no utilities are in the area either, I urge you to see the attached MSD PDF which clearly shows a veritable "nest" of sanitary sewer lines surrounding this site. In fact these lines are part of MSDs Capital Project "*Central Relief Drain CSO In-line Storage, Green Infrastructure & Distributed Storage.*" A capital project already in its 'design' phase.

This closure also does not take into account the 7+ acre site just west of the College Court Condominiums that was acquired for the eventual placement of Spalding University's athletic facilities. No doubt, these facilities will necessitate, and obviate further traffic adjustments and entail the Limerick neighborhood being host a significant increase in motor vehicle, pedestrian, and bicycle traffic volume.

I would urge the good members of the LD&T to not grant closure of the north-south alleyway spanning the distance between W Breckinridge Street and Garland Avenue. There is no need, were any development proposal to be approved as offensive to the adjacent residential stock it may be, it could easily conduct operations without the alleyway being closed as it is proposed to have a curb cut entrance on S 7th Street.

One last thing, the professional engineer having prepared the site plan for the alley closure proposal, has apparently confused the north-south and east-west alleyways. Kindly look at the site plan title block and you will find this error in fact.

Respectfully  
Stephen Peterson  
Resident  
900 Block S 6th St  
Louisville, KY 40203

### **APPLICABLE PLANS AND POLICIES**

Cornerstone 2020  
Land Development Code

### **CONSIDERATIONS FOR APPROVAL OF AN ALLEY CLOSING**

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: Public facilities will not be affected by the alley closure as the alley was unimproved and never utilized as an alley.

2. **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 is responsible for the cost of the alley closure .

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

STAFF: Staff finds that the proposal meets Guideline 1 of the Comprehensive plan because while the proposal does not preserve the pattern of the alleys that exists throughout the neighborhood the

proposal doesn't eliminate access to the adjacent developments. The existing alley will now be used as driveways to the adjacent businesses.

The proposal meets Guideline 2 of the Comprehensive plan because the proposal can be accessed by all forms of transportation.

The proposal meets Guideline 3 of the Comprehensive plan because the proposal will not have any impact on traffic because W. Breckinridge Street and Garland Avenue (where the alley can be accessed) both run one way west. 7<sup>th</sup> Street is one way north and 8<sup>th</sup> Street is one way south. The 10' Alley is too small to be used as an access point.

The proposal meets Guideline 7 of the Comprehensive plan because roadway improvements are not part of this alley closure. Access to the site will be from a separate driveway along S. 7<sup>th</sup> Street.

The proposal meets Guideline 8 of the Comprehensive plan because access to the development is through existing public roads. No new roadways are proposed.

The proposal meets Guideline 9 of the Comprehensive plan because the proposal provides for all types of movement. The sidewalks are existing. Bicycles will use the existing roadways.

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

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

#### TECHNICAL REVIEW

1. A revised plat for the alley closure needs to be submitted addressing any agency comments.

#### STAFF CONCLUSIONS

The proposal meets the guidelines of the Comprehensive Plan.

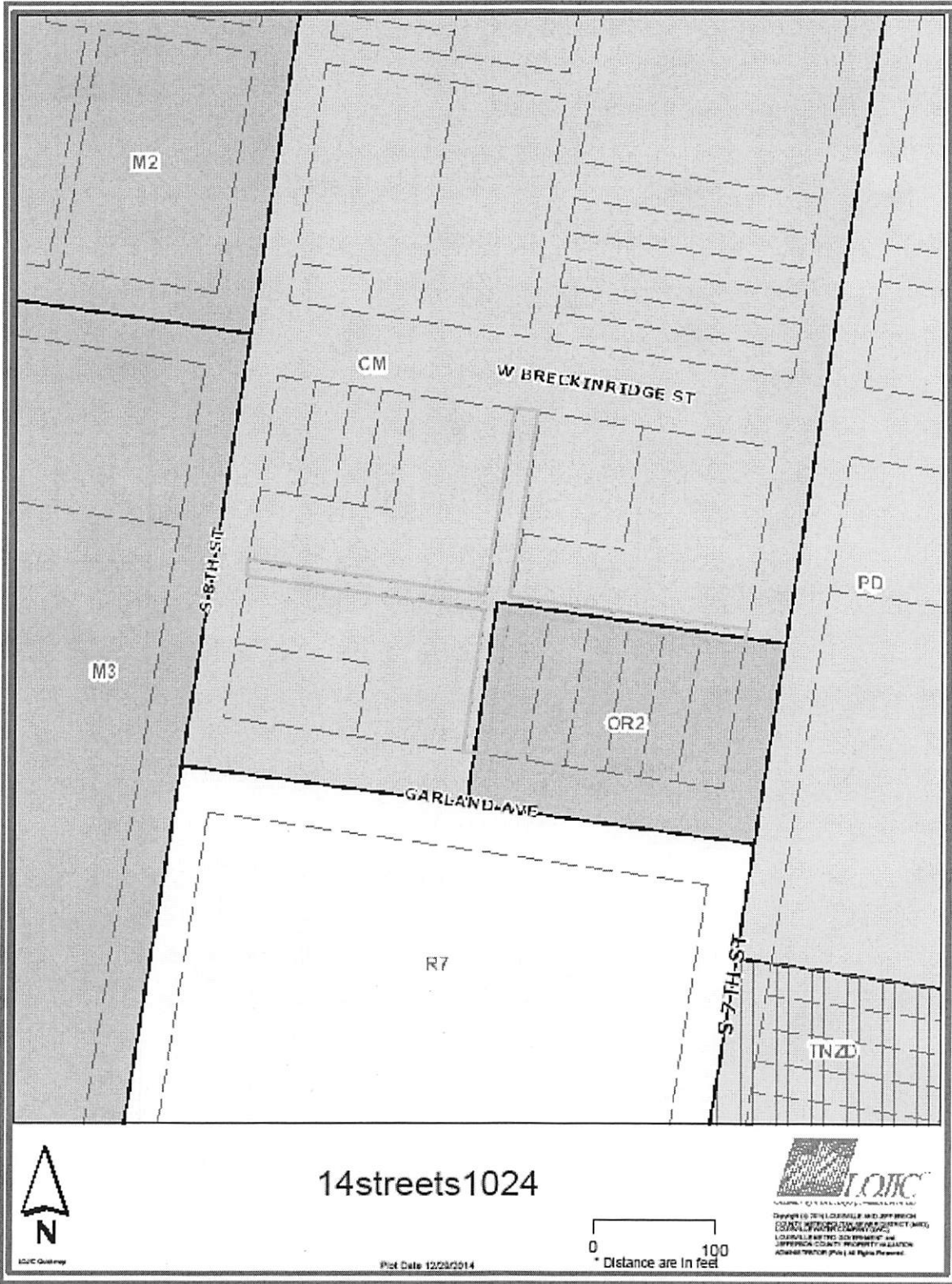
#### NOTIFICATION

Date	Purpose of Notice	Recipients
12/24/14	Hearing before LD&T on 1/8/15	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Subscribers of Council District 6 Notification of Development Proposals
1/21/15	Hearing before PC on 2/5/15	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners Subscribers of Council District 6 Notification of Development Proposals

#### ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

