

# Land Development and Transportation Committee Staff Report

December 14, 2017



<b>Case No:</b>	17STREETS1024
<b>Project Name:</b>	First Street Closure
<b>Location:</b>	First Street at Electron Dr
<b>Owner(s):</b>	Jeffersontown
<b>Applicant:</b>	Blue Cadillac, LLC
<b>Jurisdiction:</b>	Jeffersontown
<b>Council District:</b>	11 – Kevin Kramer
<b>Case Manager:</b>	Jay Lockett, Planner I

## REQUEST(S)

- Closure of a public right-of-way

## CASE SUMMARY/BACKGROUND

The applicant is requesting to close an unimproved public right-of-way known as First Street in the City of Jeffersontown. The total area of right-of-way to be closed is approximate 1.126 acres, and will be consolidated with a number of adjacent tracts into a single parcel. The requested closure and all associated parcels are within the Bluegrass Industrial Park area and are zoned PEC.

## STAFF FINDING

The request is adequately justified and meets the standard of review. Adequate access to public facilities will remain after closure and consolidation is completed.

## TECHNICAL REVIEW

The site contains an undefined inactive cemetery known as the Duncan Cemetery. Per Land Development Code regulations regarding inactive cemeteries:

*For cemeteries with undefined boundaries, the Commission may require certification of a cemetery with undefined boundaries by an archaeologist (as defined in 36 CFR Part 61). Documentation of acceptance of the cemetery boundaries by the Historic Landmarks Commission or delegated staff persons shall be provided for Planning Commission and building permit agency files prior to initiation of any site disturbance activities. After the boundary has been approved, all buildings and structures other than fences and walls shall be set back at least 30 feet, or another distance set by the Louisville Metro Historic Landmarks Commission.*

*Security: Existing cemetery fences and walls shall be maintained and repaired. The property owner or developer is required to erect a new permanent enclosure (if one does not exist) surrounding the cemetery. For cemeteries with undefined boundaries, the location of the fence shall be established in accordance with procedures acceptable to the Louisville Metro Historic Landmarks Commission. The new permanent fence shall be made of a material compatible with the character of the existing*

*cemetery and surrounding residences. If a portion of an original wall or fence remains, and it is a compatible material (e.g. stone, brick, cast iron, or wooden picket) the permanent fence or wall shall be properly repaired using the same material. If the existing fence is an inappropriate material (e.g. barbed wire or farm fence) it shall be replaced with a new fence of an appropriate material. Although the permanent fence must be erected as soon as practical, a temporary fence must be erected and maintained at all times during site development and construction. The Louisville Metro Historic Landmarks Commission shall be responsible for determining the appropriateness of materials.*

All appropriate public agencies and utilities have been given the opportunity to comment on the request, and none have raised any objections to the closure, except that Metrose has requested the requirement that all parcels are to be consolidated upon closure of this right-of-way to ensure that no parcels are left without access per LDC 7.8.60.B.1.

**INTERESTED PARTY COMMENTS**

Staff has received no interested party comments concerning this request.

**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 decide whether this case is ready to be scheduled for a Planning Commission **PUBLIC HEARING, BUSINESS SESSION, or CONSENT AGENDA.**

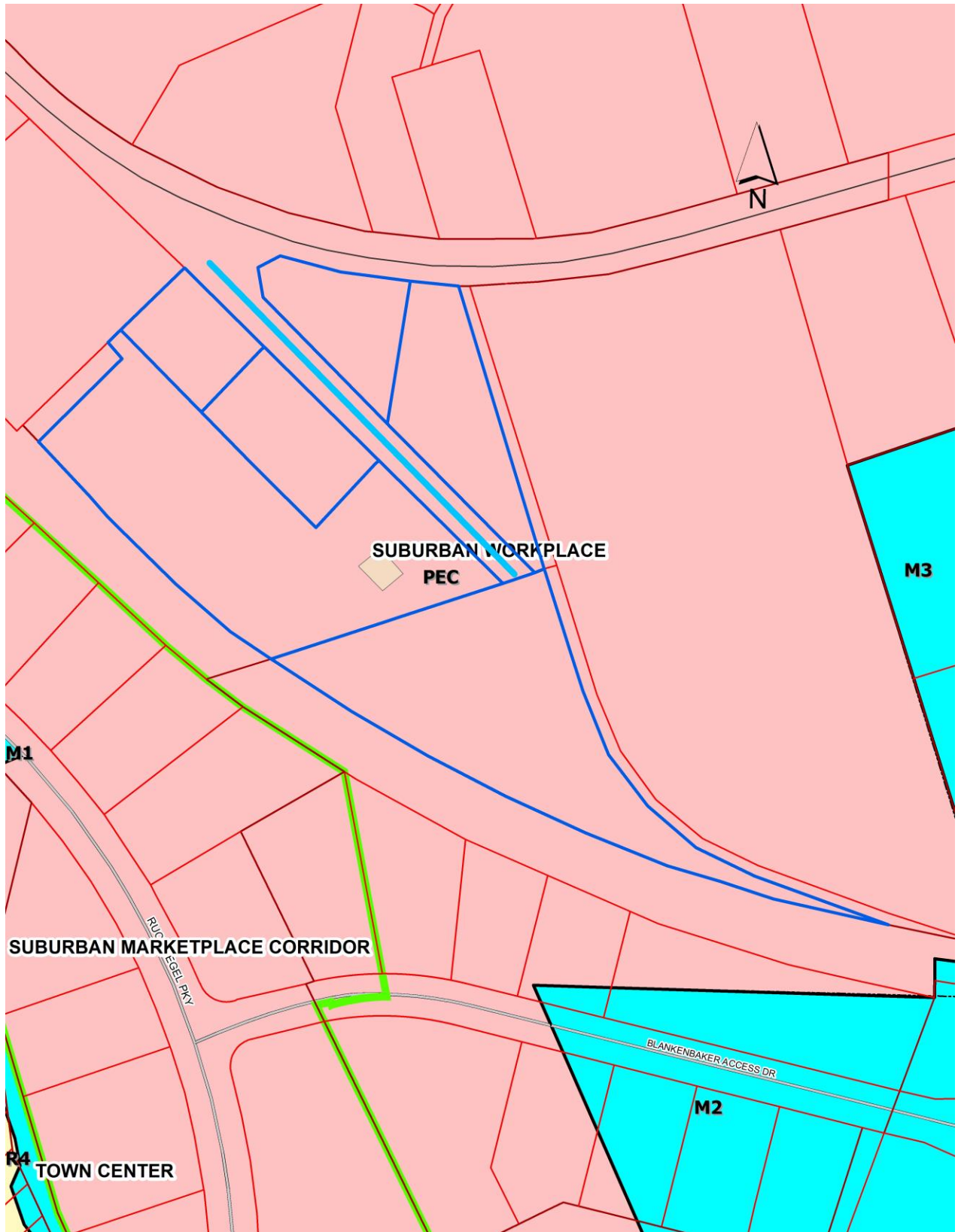
**NOTIFICATION**

Date	Purpose of Notice	Recipients
	Hearing before LD&T	No Additional notice sent, all affected parcels owned by applicant.

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

