

# Land Development and Transportation Committee Staff Report

September 8, 2016



Case No:	18175
Request:	Street Closure
Project Name:	Expressway Church
Location:	W. Florence, S. 6 <sup>th</sup> , & S. 5 <sup>th</sup> Streets; & Expressway Avenue
Owner:	Louisville Metro
Applicant:	Rich Design Studios
Representative:	Rich Design Studios – Kevin Rich
Jurisdiction:	Louisville Metro
Council District:	15 – Marianne Butler
Case Manager:	Joel P. Dock, Planner I

## REQUEST

- **Street Closure**

## CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes a partial closure of a 20' unimproved alley located in a block bound by W. Florence Street to the North, Expressway Avenue at the Southern terminus, and S. 5<sup>th</sup> and 6<sup>th</sup> Streets to the East and West. The proposal is being made in an effort to consolidate multiple properties for the expansion of an existing religious building, case 15DEVPLAN1065. All properties abutting the portion of the alley to be closed are owned by Expressway Church of Christ, LLC.

This case was originally heard by the Land Development and Transportation Committee on April 10, 2014. Action was deferred to a "date-uncertain" due to lack of consent from adjoining property owners concerning the location of an LG&E easement that would be required for the full closure proposed before the committee. The closure has been revised to a partial closure and LG&E has no objections to the proposal. Easements will be obtained from LG&E as needed from the property owner.

## ASSOCIATED CASES ON SITE

15DEVPLAN1065: Category 3 development plan for expanded religious building

## 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: LG&E will obtain easements as needed from the property owner; otherwise the proposal creates no additional demand on public facilities and services.

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. LG&E will obtain easements as needed from the property owner.

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 applicant will provide for the improvements. It does not appear any improvement will be needed the right-of-way is currently unimproved and construction of a religious building is proposed across the proposed portion being closed and abutting lots. Sidewalk currently exists on the Southern side of W. Florence Street that connects residential areas along the road.

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. Sidewalk currently exists on the Southern side of W. Florence Street that connects residential areas along the road

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

Louisville Fire District – Approved

E-911/Metro Safe Addressing – Approved

AT&T – Approved

MSD – Approved

Louisville Metro Health Department – Approved

Louisville Gas & Electric – Approved; LG&E will obtain easements as needed from the property owner

Louisville Water Company – Approved

Louisville Metro Public Works – Approved

Historic Preservation – Approved

TARC – Approved

### 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.

The proposal is in order to be placed on the Consent Agenda of the Planning Commission on September 29, 2016 as 100% of the abutting property owners are owned by the same entity and lots will be consolidated prior to the construction of the religious building proposed in case 15DEVPLAN1065.

#### 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 **SCHEDULE** this proposal for a Planning Commission **PUBLIC HEARING, BUSINESS SESSION, or CONSENT AGENDA.**

### NOTIFICATION

Date	Purpose of Notice	Recipients
N/A	Meeting before LD&T	All owners are Expressway Church of Christ, LLC.; no notice sent.

### ATTACHMENTS

1. Zoning Map
2. Aerial Photo

1. Zoning Map



3. Aerial Photo

