

Used for April 14 LDT  
AND  
April 21, 2016 PC

**Land Development and Transportation Committee  
Staff Report**  
April 14, 2016



Case No:	16STREETS1000
Request:	Closure of a ~80 foot wide unimproved portion of Gladstone Avenue connecting Drayton Ave and Landor Ave
Project Name:	Gladstone Street Closure
Location:	2621 Landor Ave
Owner:	Louisville Metro
Applicant:	Neville Gough
Representative:	Neville Gough
Jurisdiction:	Louisville Metro
Council District:	8 – Tom Owen
Case Manager:	Laura Mattingly-Humphrey, Planner I

**REQUEST**

- Closure of the ~80 wide unimproved right-of-way, known as Gladstone Avenue, terminating at Drayton Drive to the east and Landor Avenue to the west.

**CASE SUMMARY/BACKGROUND/SITE CONTEXT**

The applicant proposes to close the 80 foot wide street described above for private use of the property. It is an old right-of-way (ROW) that was never improved by Louisville Metro and the adjoining property owners have placed some improvements within the area. The closure area will be consolidated with the 5 abutting private properties as shown on the road closure plat, resolving the problem of private improvements within a public ROW.

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

	Land Use	Zoning	Form District
<b>Subject Property</b>			
<b>Existing</b>	Right-of-Way	R-5	N
<b>Proposed</b>	Private Property	R-5	N
<b>Surrounding Properties</b>			
<b>North</b>	Single Family Residential	R-5	N
<b>South</b>	Single Family Residential	R-5	N
<b>East</b>	Street	R-5	N
<b>West</b>	Street	R-5	N

**PREVIOUS CASES ON SITE**

- Plat Book and Page: 07-118 for the Seneca Vista Subdivision.

**INTERESTED PARTY COMMENTS**

- Staff has not received comments from any interested parties.

Greg Erhart - Airport Authority

### 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 area of closure and adjoining properties will be consolidated. The area of closure was never improved and never a part of the grid pattern of streets.**

2. Where existing or proposed utilities are located within the right of way to be closed, it shall be retained as an easement

**STAFF: Any utility access necessary within the right of way to be closed will be maintained by agreement with the utilities. MSD has a storm line as well as sanitary sewer line within the existing Gladstone Avenue ROW. Two 15' easements will be granted with the road closure.**

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 for any necessary 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: 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 will be provided by the applicant. The area of closure will be consolidated with adjoining properties and since the road was never improved, it will not affect the street grid pattern in the area.**

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 – No Comments Received

E-911/Metro Safe Addressing – Approved

AT&T – No Comments Received

MSD – Approved

Louisville Metro Health Department – Approved on Condition (Mosquito Abatement Plan must be implemented)

Louisville Gas & Electric – No comments received

Louisville Water Company – Approved

Louisville Metro Transportation Review – Approved

Historic Preservation – No comments Received

TARC – Approved

**STAFF CONCLUSIONS**

The proposal meets or exceeds all applicable items of the comprehensive plan in regards to the Neighborhood Form District. The area of closure will be consolidated with adjoining lots. The functional hierarchy of streets will not be affected.

The proposal is in order to be placed on the earliest possible Consent Agenda of the Planning Commission as 100% of the adjoining property owners have given their consent to the closure.

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
4/4/16	Meeting before LD&T	1 <sup>st</sup> Tier Adjoining Property Owners
3/30/16	Meeting before LD&T	Subscribers to Council District 6 Notification of Development Proposals

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist

1. Zoning Map



2. Aerial Photo



**3. Cornerstone 2020 Staff Checklist for Neighborhood**

- + Exceeds Guideline
- √ Meets Guideline
- +/- More Information Needed
- Does Not Meet Guideline
- NA Not Applicable

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
28	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	√	The applicant will provide for any necessary improvements.
36	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	√	The proposal will provide for an appropriate functional hierarchy of streets for the surrounding areas because the area of closure will be consolidated with the adjoining properties and the street is an unimproved right-of-way that will never be completed to connect Landor Ave and Drayton Ave.