

Planning Commission

Staff Report

November 19, 2015



Case No:	15STREETS1016
Request:	Alley Closure
Project Name:	411 Iowa Ave
Location:	North side of Iowa Avenue being roughly located at 411 Iowa Avenue
Owner:	Louisville Metro
Applicant:	Ryan Chanley – The ABF Group
Representative:	Ryan Chanley – The ABF Group
Jurisdiction:	Louisville Metro
Council District:	15 – Marianne Butler
Case Manager:	Joel P. Dock, Planner I

REQUEST

- Alley Closure

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to close a 10' alley containing 600 sq. ft. intersecting the North side of Iowa Ave, 110' West of 4th Street, East of Finn Avenue (20' alley), and being roughly located at 411 Iowa Avenue. The Right-of-way requested to be closed is used solely by the property at 411 Iowa Avenue as an additional access point to the property. Primary access to the property is available from Finn Avenue. The adjacent properties to the East have no access to this right-of-way as a fence is constructed along the parcel boundary. The applicant has proposed to close vehicular and pedestrian access to Iowa Ave with the installation of a fence along the Iowa Avenue property line connecting to the existing fence of the adjacent property to the East. Portion closed will revert back to Cardinal Commons, LLC, parcel at 411 Iowa Avenue, PID: 050F-0065-0000.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Right-of-Way/ Multi-Family Residential (411 Iowa Ave)	C-2	N
Proposed	Multi-Family Residential	C-2	N
Surrounding Properties			
North	Commercial	C-2	N
South	Right-of way/Residential	C-2	N
East	Commercial	C-2	N
West	Single-Family Residential	C-2	N

PREVIOUS CASES ON SITE

Staff found no associated cases on site.

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: With the exception of an overhead AT&T cable, there are no other facilities or demand on facilities located within this portion of right-of-way requested to be closed. AT&T has approved the closure of this right-of-way.

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.

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.

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 as the right-of-way terminates 60' North of Iowa Avenue and existing conditions in place along the right-of-way boundary of the adjacent property prevent circulation. Additionally, the closure of this alley is non-essential in providing for emergency and non-emergency access to the residential properties on-site as safe vehicular and pedestrian access is provided along Finn Ave.

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

Louisville Water Company – Approved

Louisville Metro Public Works – Approved

Historic Preservation – No Comments

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 into Cardinal Commons, LLC, parcel at 411 Iowa Avenue, PID: 050F-0065-0000. The functional hierarchy of streets will not be affected.

Required Actions

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Planning Commission must **RECOMMEND** Louisville Metro Council **APPROVE** or **DENY** this proposal.

NOTIFICATION

Date	Purpose of Notice	Recipients
10/28/15	Meeting before LD&T	1 st tier adjoining property owners All registered users of the associated council district

ATTACHMENTS

1. Zoning Map
2. Aerial Photo

1. Zoning Map



