

Planning Commission
Staff Report
August 29, 2019



Case No:	19STREETS1006
Project Name:	922 Mason Alley Closure
Location:	Alley behind 922-930 Mason Ave
Owner(s):	Louisville Metro
Applicant:	922 Mason, LLC.
Jurisdiction:	Louisville Metro
Council District:	4 – Barbara Sexton Smith
Case Manager:	Jay Lockett, AICP, Planner I

REQUEST(S)

- Closure of Public Right-of-Way

CASE SUMMARY/BACKGROUND

The applicant is proposing to close a portion of an alley located between properties located at 922-930 Mason Ave and 909-915 Lampton St. The area of the proposed closure is approximately 225 feet long and 18 feet wide. The section proposed for closure is unimproved and all adjacent properties have access through other public rights-of-way.

STAFF FINDING

The alley closure plat is in order and meets the standard of review for an alley closure.

TECHNICAL REVIEW

All affected agencies have been notified in accordance with Land Development Code policies. LG&E has approved an easement agreement to cover existing equipment within the closure area. All other agencies have approved the closure or declined to comment.

INTERESTED PARTY COMMENTS

The property owner of 930 Mason Ave has expressed some concerns regarding the closure.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR STREET 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: Adequate public facilities are available to serve existing and future needs of the community. The proposed closure does not result in an increase in demand on public facilities or services as utility agencies have coordinated with the applicant and/or applicant's representative and Planning and Design Services staff to ensure that facilities are maintained or relocated through agreement with the developer. No property adjacent or abutting the rights-of-way to be closed will be left absent of public facilities or services, or be dispossessed of public access to their property.

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; and

STAFF: Any cost associated with the rights-of-way to be closed will be the responsibility of the applicant or developer, including the cost of improvements to those rights-of-way and adjacent rights-of-way, or the relocation of utilities and any additional agreement reached between the utility provider and the developer.

3. 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 request to close multiple rights-of-way is in compliance the Goals, Objectives and Plan Elements of the Comprehensive Plan as Mobility Goal 2, Policy 2 states to coordinate use of rights-of-way with community design policies. Ensure accessible rights-of-way to accommodate mobility needs of all transportation network users; Mobility Goal 2, Policy 7 states that the design of all new and improved transportation facilities should be accessible and; Mobility Goal 3, Policy 1 states to provide transportation services and facilities to promote and accommodate growth and change in activity centers through improved access management. Provide walking and bicycling opportunities to enable activity centers to minimize single-occupant vehicle travel. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling; Mobility Goal 3, Policy 2 seeks to improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers; Mobility Goal 3, Policy 3 to evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices; Mobility Goal 3, Policy 5 to evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality; and

Mobility Goal 3, Policy 12 states to ensure that transportation facilities of new developments are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. Where appropriate, provide at least one continuous roadway through the development to tie all local access roads or parking areas to the arterial street system. Adequate stub streets and pedestrian connections should be provided by developments. Any cost associated with the rights-of-way to be closed will be the responsibility of the applicant or developer. Adequate public facilities are available to serve existing and future needs of the community. Any facility required to be placed in an easement or relocated will be done so by the developer. Transportation facilities have been provided to accommodate future access and to not dispossess property owners of public access. All adjacent lands maintain access to public infrastructure and utility services will continue to be provided to these lands.

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

STAFF: There are no other relevant matters to be considered by the Planning Commission.

REQUIRED ACTIONS:

- **RECOMMEND** that Louisville Metro Council **APPROVE** or **DENY** the closure request.

NOTIFICATION

Date	Purpose of Notice	Recipients
7-12-19	Hearing before LD&T	Property Owners adjacent to alley Registered Neighborhood Groups in Council District 4
7-26-19	Hearing before PC	Property Owners adjacent to alley Registered Neighborhood Groups in Council District 4
8-15-19	Hearing before PC	Sign posted on subject site
	Hearing before PC	Legal advertisement in Courier-Journal

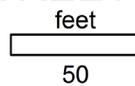
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



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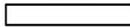
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2. Aerial Photograph



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feet



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