

Planning Commission

Staff Report

October 20, 2016



Case No:	16STREETS1015
Request:	Closure of multiple streets in the Renaissance Business Park
Project Name:	Renaissance Business Park Street Closures
Location:	Zib Lane, Fred Lane, Faulkner Lane, Paul Road, Lotus Avenue Cotney Court and Orchard Avenue
Owner:	Louisville Metro
Applicant:	Louisville Renaissance Zone Corporation
Representative:	Patrick Dominick, Sabak, Wilson & Lingo, & Greg Ehrhard, Stites & Harbison, PLLC
Jurisdiction:	Louisville Metro
Council District:	13 – Vicky Aubrey Welch
Case Manager:	Laura Mattingly, Planner I

REQUEST

- Closure of Paul Road, 50' Right of Way running approximately 530' south from "South Ditch"
- Closure of Faulkner Lane, 50' Right of Way running approximately 1280' south from "South Ditch"
- Closure of Fred Lane, 50.8' Right of Way running approximately 1360' feet south from "South Ditch"
- Closure of Zib Lane, 60' Right of Way running approximately 1572' west of Minors Lane
- Closure of Lotus Ave, 50' Right of Way running approximately 614' Northwest of Alder Avenue
- Closure of Orchard Ave, 60' Right of Way running approximately 120' west from Lotus Avenue to Cotney Court
- Closure of Cotney Court, 60' Right of Way running approximately 200' Northwest from Orchard Avenue and terminating at Interstate-65

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to close seven streets, Paul Road, Faulkner Lane, Fred Lane, Zib Lane, Lotus Avenue, Orchard Avenue and Cotney Court, in the Renaissance Business Park. The closure areas will be consolidated with the abutting vacant private properties as shown on the road closure plats, which are owned by the same entities, the Louisville Regional Airport Authority and the Louisville Renaissance Zone Corporation. These properties were all acquired by the aforesaid entities as a part of the Airport Noise Mitigation Program. As these lots are vacant with public access, they have become nuisances as places where trash is dumped and "invite nothing but mischief" in the words of the applicant.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Right-of-Way	EZ-1	SW
Proposed	Private Property	EZ-1	SW
Surrounding Properties			
North	Vacant	EZ-1	SW
South	Vacant	EZ-1	SW
East	Vacant	EZ-1	SW
West	Vacant	EZ-1	SW

PREVIOUS CASES ON SITE

- 16AREA1000: Area wide re-zoning from R-4 and C-1 to EZ-1 on Air Commerce Drive.
- 15567: Area wide rezoning for airport related commercial and industrial uses. Rezoning from R-4, R-5, R-6, R-7, C-1,C-2 to EZ-1. 594.7 Acres.

INTERESTED PARTY COMMENTS

Staff has not received comments 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.

STAFF: There is no current or future need for public facilities as all lots are vacant.

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.

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 areas of closure will be consolidated with adjoining properties and remain vacant, as these are lots that have been acquired through the airport noise mitigation program.

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 (Okolona) – **Approved**

E-911/Metro Safe Addressing – **Approved**

AT&T – **Approved**

MSD – **Approved**

Louisville Metro Health Department – **Approved**

Louisville Gas & Electric – **Approved (Applicant has agreed to remove all existing gas and electric lines)**

Louisville Water Company – **Approved**

Louisville Metro Transportation Review – **Approved**

Historic Preservation – **No comments received.**

TARC – **No comments received.**

STAFF CONCLUSIONS

The proposal meets or exceeds all applicable items of the comprehensive plan in regards to the Suburban Workplace Form District. The area of closure will be consolidated with adjoining lots. The functional hierarchy of streets will not be affected, as this area is vacant under the Airport Noise Mitigation Program.

This closure has received 100% adjoining property owner consent. This case is scheduled for the October 19, 2016 Development Review Committee meeting. At time of publishing this staff report, DRC recommendation is pending.

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

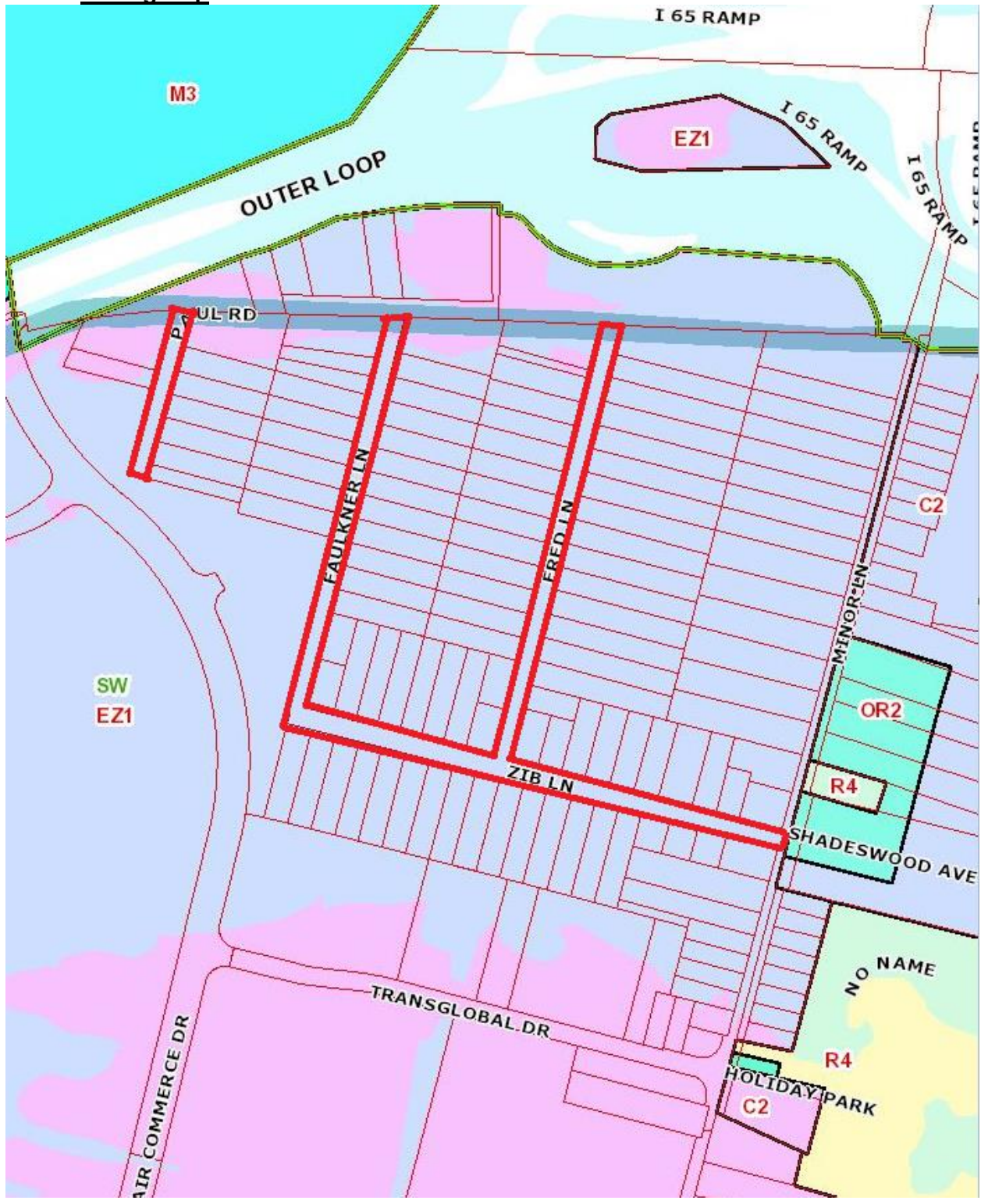
Date	Purpose of Notice	Recipients
NA*	NA*	NA*

*100% adjacent property owner consent

ATTACHMENTS

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

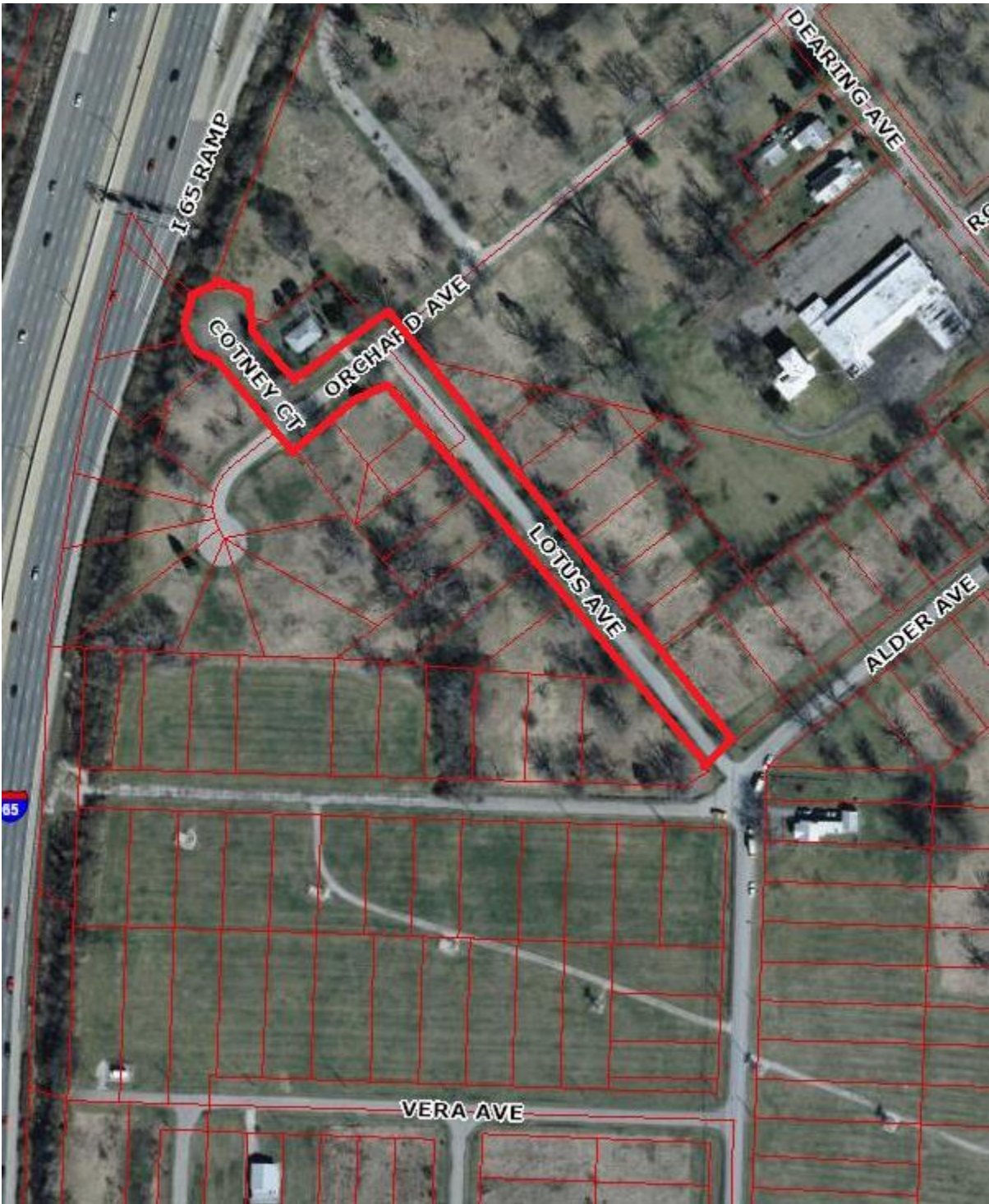
1. Zoning Map





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 as this area is vacant under the Airport Noise Mitigation Program and all major connecting streets are unaltered.