

Planning Commission

Staff Report

October 16, 2014



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| Case No: | 14streets1010 |
| Request: | Alley closure between Camden and Strader |
| Project Name: | Jacob School Senior Apartments |
| Location: | 3670 and 3670 R Wheeler Avenue |
| Owner: | LEED Properties LLC |
| Applicant: | Bywater Development Group |
| Representative: | Mindel Scott and Assoc. & Wyatt Tarrant and Combs PLLC. |
| Jurisdiction: | Louisville Metro |
| Council District: | 15-Marianne Butler |
| Case Manager: | Julia Williams, AICP, Planner II |

REQUEST

- Alley Closure

CASE SUMMARY/BACKGROUND/SITE CONTEXT

Existing Zoning District: R-5
Proposed Zoning District: R-7
Existing Form District: TN
Existing Use: Vacant School
Proposed Use: Senior Apartments
Minimum Parking Spaces Required: 34
Maximum Parking Spaces Allowed: 98
Parking Spaces Proposed: 57

The applicant proposes to close the alley that runs between Camden and Strader at the Craig and Wheeler block. The site is also undergoing a change in zoning for the city block from R-5 to R-7 to allow the conversion of the vacant Jacob School Building into 61 senior apartment units (see 14zone1031). Little if any new exterior construction is proposed and 53 off-street parking spaces will be provided for the residents. The site currently consists of 28 small parcels that will need to be consolidated as a result of rezoning approval. These 28 parcels total 3.48 acres in size and the building square footage is listed as 69,798 on the development plan.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

| | Land Use | Zoning | Form District |
|-------------------------------|---------------------------|----------|---------------|
| Subject Property | | | |
| Existing | Vacant School | R-5 | TN |
| Proposed | Senior Apartments | R-7 | TN |
| Surrounding Properties | | | |
| North | Single Family Residential | R-5 | TN |
| South | Single Family Residential | R-5 | TN |
| East | Single Family Residential | R-5 | TN |
| West | Single Family Residential | R-5/OR-2 | TN |

PREVIOUS CASES ON SITE

None.

INTERESTED PARTY COMMENTS

None received.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020

Land Development Code

North Iroquois Community Plan (1983) – The North Iroquois Community Plan of 1983 suggests if the school is ever closed that the building would be a prime candidate for an adaptive reuse project.

CONSIDERATIONS FOR APPROVAL OF AN ALLEY CLOSING

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: Public facilities will not be affected by the alley closure as the alley was unimproved and never utilized as an alley.

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.

STAFF: The applicant is responsible for the cost of the alley closure .

3. Comprehensive Plan – The extent to which the proposed closure is in compliance with the Goals, Objectives and Plan Elements of the Comprehensive Plan.

STAFF: As indicated in the attached Comprehensive Plan checklist, the proposal meets the guidelines of Cornerstone 2020.

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

STAFF: No other matters were brought up by the Planning Commissioners seated on the LD&T committee.

The proposal does not preserve the pattern of the alleys that exists throughout the neighborhood but the existing alley was unimproved and provided access to a parking lot. The alley did not serve as an alley but as a driveway to the existing school.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Cornerstone 2020.

A checklist is attached to the end of this staff report with a more detailed analysis. The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this alley closure.

TECHNICAL REVIEW

- All technical review comments have been addressed for the proposal.

STAFF CONCLUSIONS

The proposal has 100% consent from adjacent property owners for the closure. The proposal generally meets the guidelines of the Comprehensive Plan.

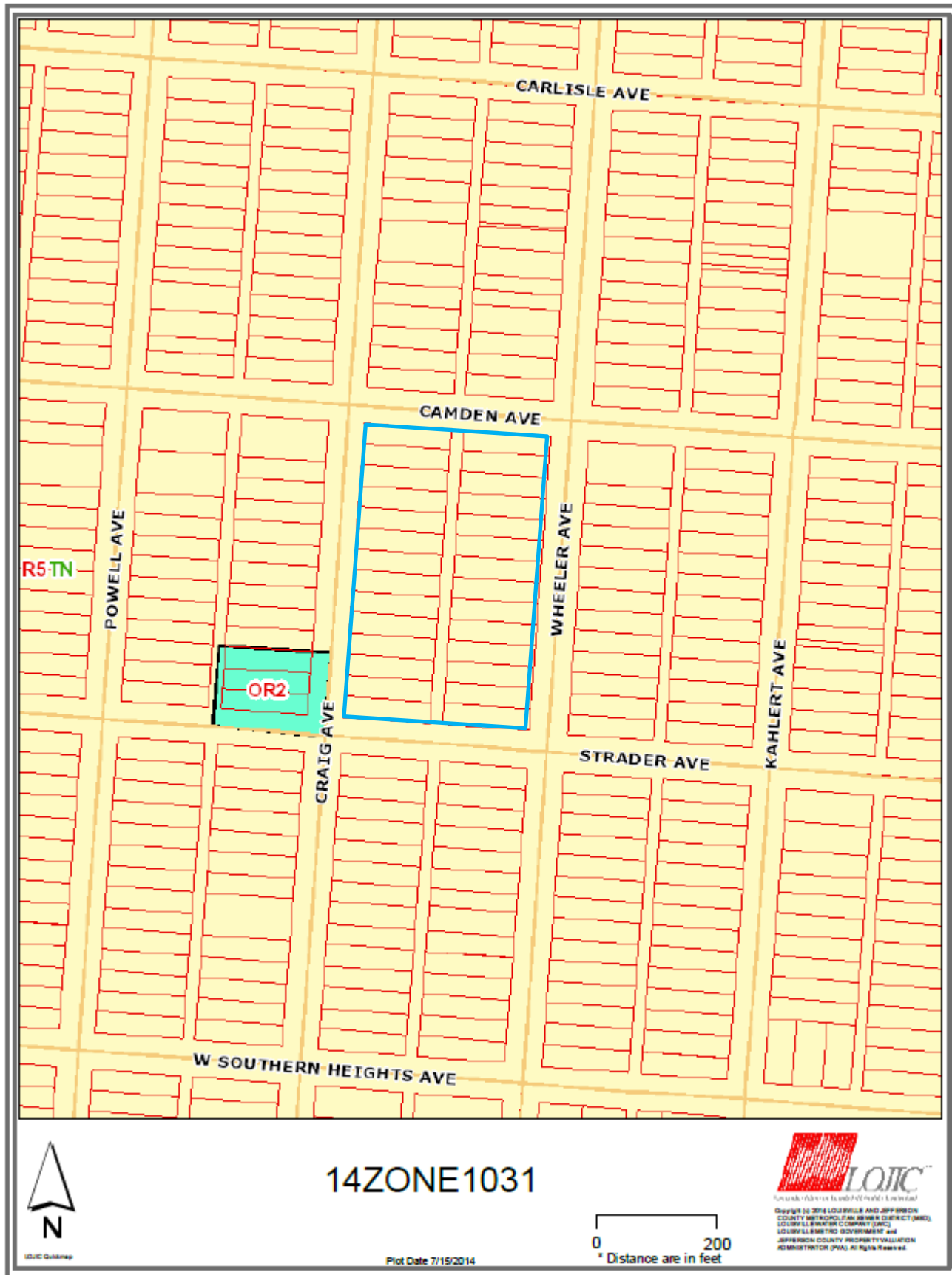
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|---------|--------------------------------|--|
| 9/11/14 | Hearing before LD&T on 9/25/14 | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 15 Notification of Development Proposals |
| 10/1/14 | Hearing before PC on 10/16/14 | 1 st and 2 nd tier adjoining property owners Subscribers of Council District 15 Notification of Development Proposals |
| 10/1/14 | Hearing before PC | Sign Posting on property |
| | Hearing before PC | Legal Advertisement in the Courier-Journal |

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist
4. Findings of Fact

1. Zoning Map



2. Aerial Photograph



3. Cornerstone 2020 Staff Checklist

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

| # | Cornerstone 2020 Guidelines & Policies | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|---|--|---------------|--|
| 1 | Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.1-3.7, C4.1-4.7 | Community Form/Land Use Guideline 1: Community Form | B.2: The proposal preserves the existing grid pattern of streets, sidewalks and alleys. | ✓ | The proposal does not preserve the pattern of the alleys that exists throughout the neighborhood but the existing alley was unimproved and provided access to a parking lot. The alley did not serve as an alley but as a driveway to the existing school. |
| 17 | Form Districts Goals C2-4, Objectives C2.2, C2.4, C3.2, 4.2, 4.5, 4.6, 4.7 | Community Form/Land Use Guideline 2: Centers | A.16: Encourage centers to be designed for easy access by alternative forms of transportation. | ✓ | The proposal can be accessed by all forms of transportation. Transit is not available but sidewalks exist for pedestrians. |
| 21 | Form Districts Goals C1-C4, Objectives C1.1-1.2, C2.1-2.7, C3.2, 3.5-3.7, C4.1-4.7 | Community Form/Land Use Guideline 3: Compatibility | A.6: The proposal mitigates any adverse impacts of its associated traffic on nearby existing communities. | ✓ | The proposal will not have any impact on traffic as the existing alley was unimproved and acted as a driveway in the past. |
| 36 | Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives | 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. | ✓ | Roadway improvements are not part of this alley closure. |
| 37 | Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives | Mobility/Transportation Guideline 7: Circulation | A.6: The proposal's transportation facilities are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. The proposal includes at least one continuous roadway through the development, adequate street stubs, and relies on cul-de-sacs only as short side streets or where natural features limit development of "through" roads. | ✓ | Access through the site will be similar to the existing conditions as the current alley serves as a driveway into the site. |
| 38 | Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives | Mobility/Transportation Guideline 7: Circulation | A.9: The proposal includes the dedication of rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development. | ✓ | No new right of way is necessary with the proposal. |
| 39 | Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives | Mobility/Transportation Guideline 8: Transportation Facility Design | A.8: Adequate stub streets are provided for future roadway connections that support and contribute to appropriate development of adjacent land. | NA | No new roadways are proposed. |

| # | Cornerstone 2020 Guidelines & Policies | Cornerstone 2020 Plan Element | Plan Element or Portion of Plan Element | Staff Finding | Staff Comments |
|----|--|--|---|---------------|---|
| 40 | Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives | Mobility/Transportation Guideline 8: Transportation Facility Design | A.9: Avoid access to development through areas of significantly lower intensity or density if such access would create a significant nuisance. | √ | Access to the development is through existing public roads. |
| 41 | Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives | 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. | √ | No new roadways are proposed. |
| 42 | Mobility Goals A1-A6, B1, C1, D1, E1, E2, F1, G1, H1-H4, I1-I7, all related Objectives | Mobility/Transportation Guideline 9: Bicycle, Pedestrian and Transit | A.1/2: The proposal provides, where appropriate, for the movement of pedestrians, bicyclists and transit users around and through the development, provides bicycle and pedestrian connections to adjacent developments and to transit stops, and is appropriately located for its density and intensity. | √ | The proposal provides for all types of movement. The sidewalks are existing. Bicycles will use the existing roadways. |

4. Findings of Fact

Whereas staff finds that the proposal meets Guideline 1 of the Comprehensive plan because the proposal does not preserve the pattern of the alleys that exists throughout the neighborhood but the existing alley was unimproved and provided access to a parking lot. The alley did not serve as an alley but as a driveway to the existing school.

Whereas staff finds that the proposal meets Guideline 2 of the Comprehensive plan because the proposal can be accessed by all forms of transportation. Transit is not available but sidewalks exist for pedestrians.

Whereas staff finds that the proposal meets Guideline 3 of the Comprehensive plan because the proposal will not have any impact on traffic as the existing alley was unimproved and acted as a driveway in the past.

Whereas staff finds that the proposal meets Guideline 7 of the Comprehensive plan because roadway improvements are not part of this alley closure. Access through the site will be similar to the existing conditions as the current alley serves as a driveway into the site. No new right of way is necessary with the proposal.

Whereas staff finds that the proposal meets Guideline 8 of the Comprehensive plan because access to the development is through existing public roads. No new roadways are proposed.

Whereas staff finds that the proposal meets Guideline 9 of the Comprehensive plan because the proposal provides for all types of movement. The sidewalks are existing. Bicycles will use the existing roadways.