

# Land Development and Transportation Committee Staff Report September 26, 2024



<b>Case No:</b>	24-STRCLOSURE-0025
<b>Project Name:</b>	Bon Air Avenue Closure
<b>Location:</b>	3050 Bon Air Avenue & 2518 Brighton Drive
<b>Owner(s):</b>	The Friends Meeting of Louisville
<b>Applicant:</b>	Chris Harmer & Cindi Goslee
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	8 – Ben Reno Weber
<b>Case Manager:</b>	Kaitlin Dever, Planner I

## **REQUEST(S)**

- Closure of Public Right-of-Way

## **CASE SUMMARY**

The applicant is requesting the closure of an 808 sq.ft. triangular portion of the Bon Air Avenue right-of-way approximately 95.6' in length with a variable width between 2' and 15.01'. The proposed closure is located near the intersection of Brighton Drive and Bon Air Avenue. It is associated with a minor subdivision plat to create two lots as originally recorded per Plat Book 6, Page 36 for the Wellington Subdivision.

## **STAFF FINDING**

The applicant is the only property owner adjoining the right-of-way to be closed. The proposal is ready for the next available consent agenda of the Planning Commission.

## **TECHNICAL REVIEW**

The proposed closure will maintain public facilities. Affected agencies have agreed to the closure or have declined to comment.

## **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 Office of Planning staff to ensure that facilities are maintained. An agreement between the applicant and utility agencies was not deemed necessary at this time. 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 the right-of-way is in compliance with the Goals, Objectives, and Plan Elements of the Comprehensive Plan. Mobility Goal 1, Policy 1 places importance on the movement of pedestrians, bicyclists, and transit users with new development or redevelopment. Mobility Goal 2, Policy 2 states to coordinate use of rights-of-way with community design policies and ensure accessible rights-of-way to accommodate mobility needs of all transportation network users. Mobility Goal 3, Policy 3 seeks to evaluate developments for their ability to promote public transit and pedestrian use. Mobility Goal 3, Policy 5 seeks 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. 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 land 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.

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

#### **REQUIRED ACTIONS:**

- **Place on the consent agenda at the next available Planning Commission meeting**

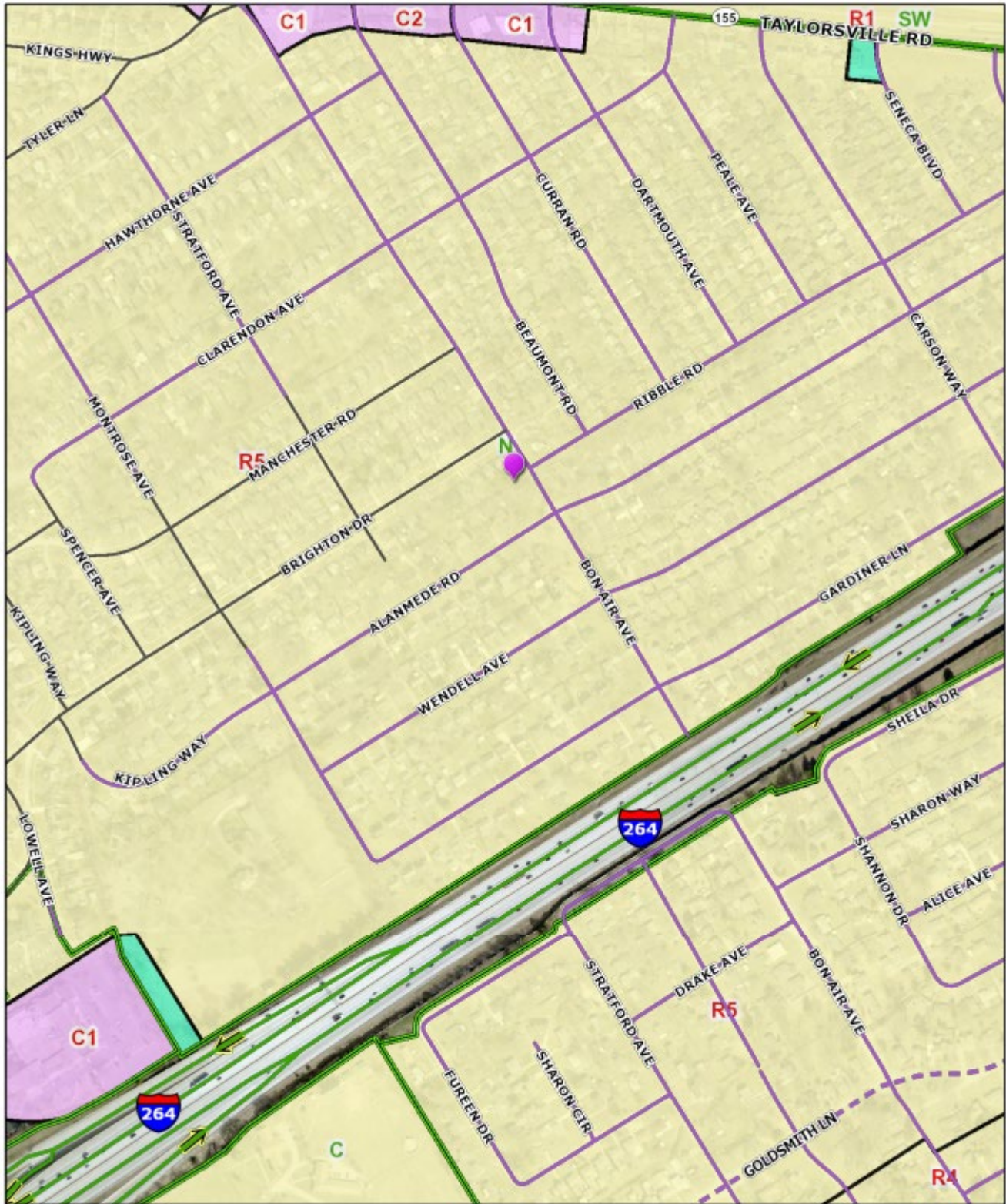
**NOTIFICATION**

Date	Purpose of Notice	Recipients
9/10/2024	Hearing before LDT	1 <sup>st</sup> adjoining property owners and current residents; Registered Neighborhood Groups in Council District 8

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. Zoning Map





2. Aerial Photograph

