

Planning Commission

Staff Report

October 3, 2019



Case No:	19STREETS1002
Project Name:	Churchill Downs S 4 th Street
Location:	4 th Street at Oakdale Avenue
Owner(s):	William E. Mudd, AQ Properties, LLC
Applicant:	Ryan Jordan, Churchill Downs, LLC
Jurisdiction:	Louisville Metro
Council District:	15 – Kevin Triplett
Case Manager:	Lacey Gabbard, AICP, Planner I

REQUEST

- Closure of Public Right-of-Way

CASE SUMMARY/BACKGROUND

The applicant is proposing to close a portion of S 4th Street between Oakdale Avenue and an unnamed alley approximately 1,232 feet south of the Oakdale intersection. The applicant is also proposing to close Oakdale Terrace between S 4th Street and Oakdale Avenue. The area of the proposed closure for S 4th Street is approximately 1,232 feet long and the right-of-way is 60 feet wide. Oakdale Terrace is approximately 275 feet long and the right-of-way is 40 feet wide. The section of Oakdale Terrace proposed for closure is unimproved.

This street closure request was heard at the Land Development and Transportation Committee on August 22, 2019 and was scheduled for Public Hearing at the Planning Commission on October 3, 2019.

STAFF FINDING

The street closure application appears to be adequately justified based on the staff analysis contained in the standard of review.

TECHNICAL REVIEW

All affected agencies have been notified in accordance with Louisville Metro code policies. None have raised any objections or concerns with the closure.

Louisville Fire District – Louisville Fire has no objections to the proposed closure.

E-911/Metro Safe Addressing – E-911 has no objections to the proposed closure.

AT&T – PDS staff has not received any formal objections.

MSD – MSD has no objections to the proposed closure.

Louisville Metro Health Department – PDS staff has not received any formal objections.

Louisville Gas & Electric – PDS staff has not received any formal objections.

Louisville Water Company – PDS staff has not received any formal objections.

Louisville Metro Public Works – PDS staff has not received any formal objections.

Historic Preservation – PDS staff has not received any formal objections.

TARC – PDS staff has not received any formal objections.

INTERESTED PARTY COMMENTS

Staff has received emails from interested parties concerning this request, which are included with the case file.

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: Adequate public facilities are available to serve existing and future needs of the community. The proposed closures do not result in an increase in demand on public facilities or services. 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: Plan 2040 calls for developments to be evaluated for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality. According to the applicant's traffic study, the requested closure does not result in a significant increase in traffic delays. The closure will remove the dangerous and unsafe intersection that currently exists at Oakdale Avenue and S 4th Street. Additionally, local access will still be provided via Oakdale Avenue, Southern Parkway, Winn Avenue, and the

alley that connects S 4th Street and Oakdale Avenue. The applicant is also proposing improvements to Winn Avenue and the alley.

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
8-22-19	Hearing before LD&T	Electronic Notice Only for Registered Neighborhood Groups in Council District 15
10-3-19	Hearing before Planning Commission	Electronic Notice Only for Registered Neighborhood Groups in Council District 15

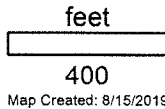
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**

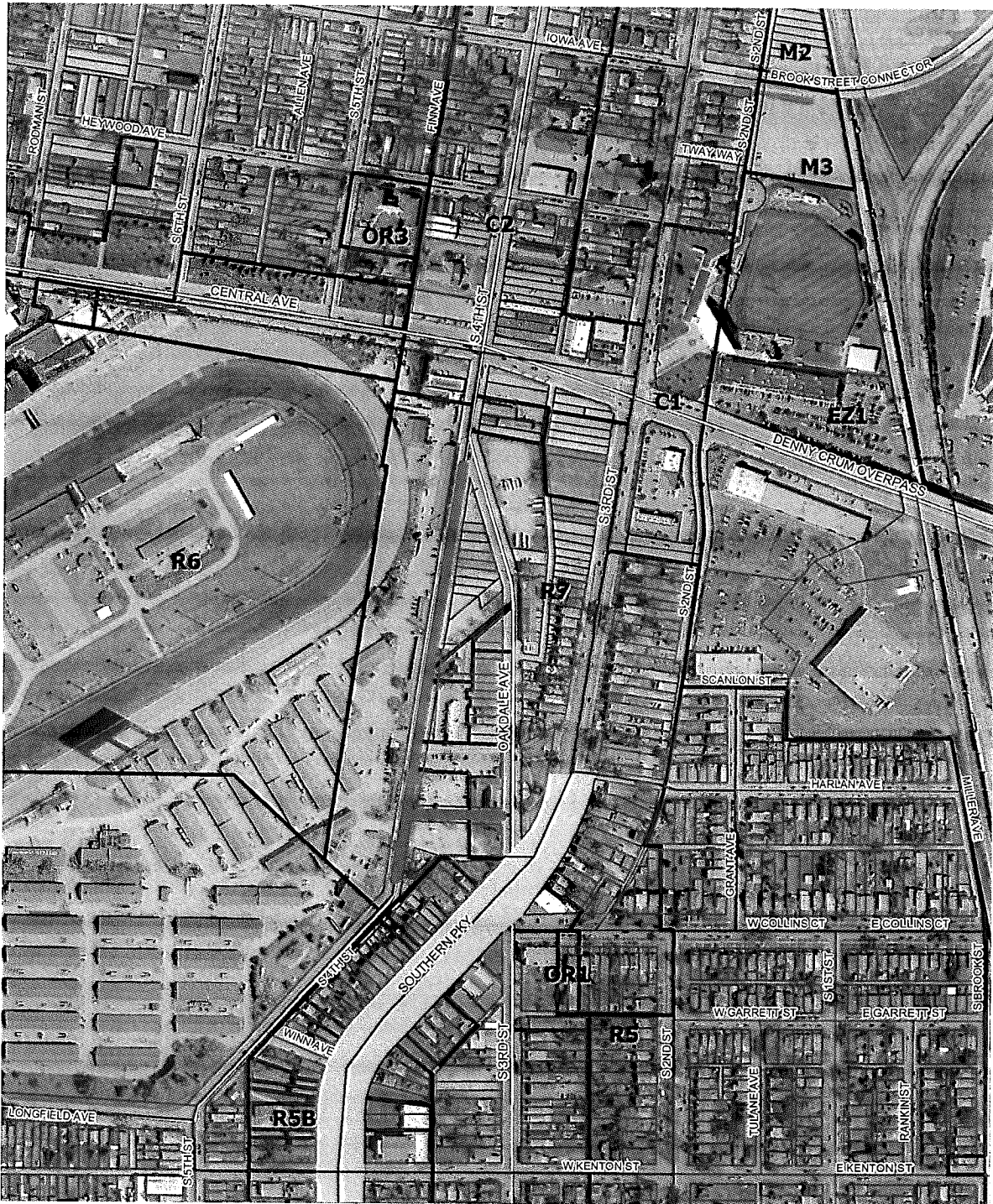


CHURCHILL DOWNS 4th STREET CLOSURE LOJIC



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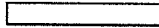
2. Aerial Photograph



CHURCHILL DOWNS 4th STREET CLOSURE



feet



400

Map Created: 8/15/2019

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Land Development and Transportation Committee
Staff Report
August 22, 2019



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STAFF FINDING

The closure plat is in order and ready to be scheduled for a public hearing.

TECHNICAL REVIEW

All affected agencies have been notified in accordance with Louisville Metro code policies. None have raised any objections or concerns with the closure.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

REQUIRED ACTIONS:

- **SCHEDULE** the case to be heard by the Planning Commission in **PUBLIC HEARING**

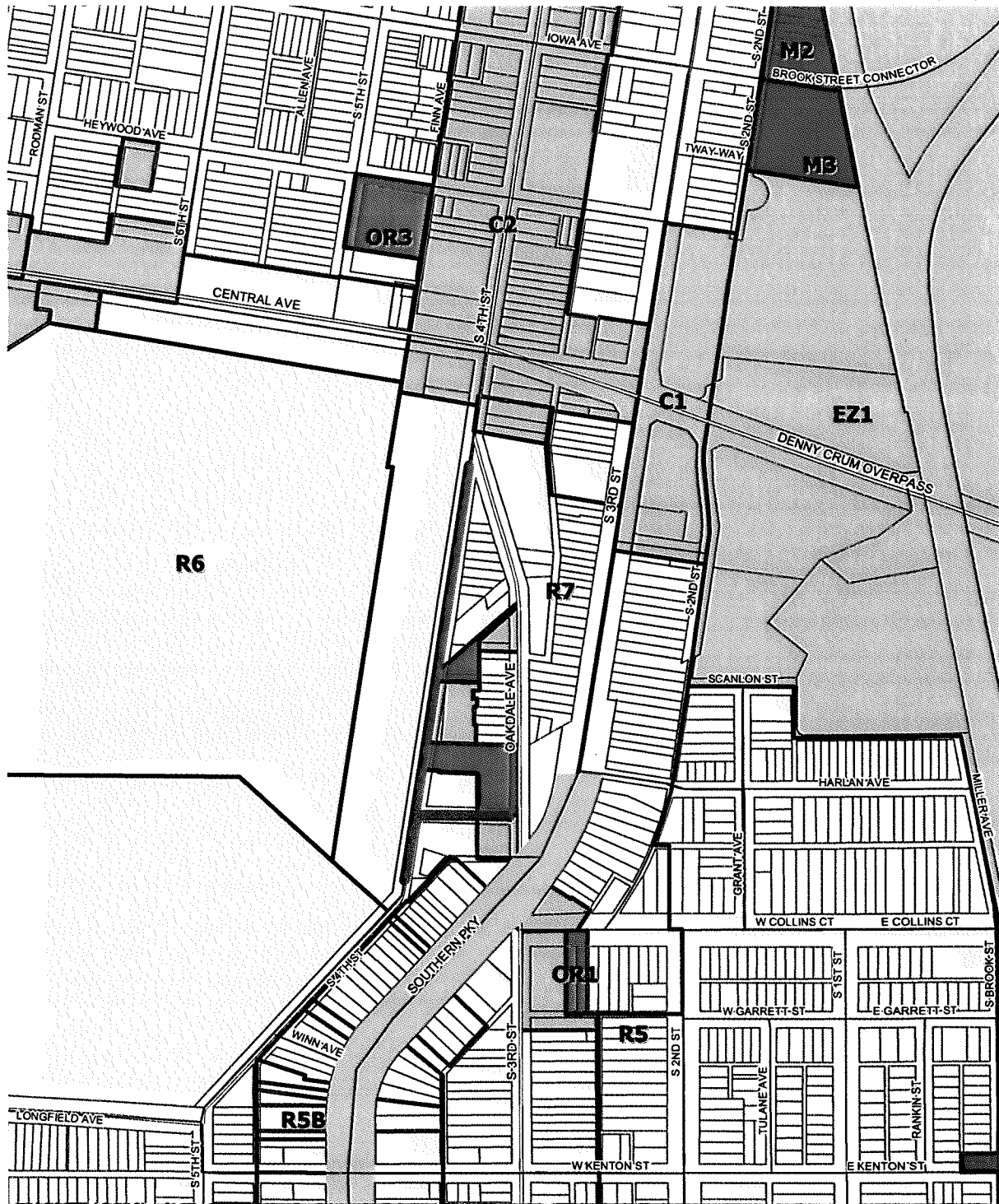
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CHURCHILL DOWNS 4th STREET CLOSURE

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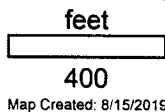


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2. Aerial Photograph



CHURCHILL DOWNS 4th STREET CLOSURE 



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