

RESOLUTION NO. 098, SERIES 2014

**A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION, THROUGH THE LOUISVILLE METRO DEPARTMENT OF PLANNING AND DESIGN AND PURSUANT TO SECTION 6.3.3 OF THE LAND DEVELOPMENT CODE, INITIATE THE STREET CLOSURE PROCEDURE TO PERMANENTLY CLOSE PORTIONS OF PUBLIC RIGHTS-OF-WAY KNOWN AS S 23<sup>RD</sup> ST, CYPRESS ST, ALLEY INTERSECTION TO CYPRESS NORTH OF WILSON, OLIVE ST, HEMLOCK ST AND ALLEY INTERSECTION WITH WOODLAND AVE WEST OF RAILROAD CROSSING, SPECIFICALLY WHERE THESE RIGHTS-OF-WAY CROSS NORFOLK SOUTHERN RAILROAD TRACKS, IN ACCORDANCE WITH THE TERMS OF THE METRO, NORFOLK SOUTHERN & KYTC MOA, AS PART OF AN EFFORT TO IMPROVE SAFETY AND ESTABLISH THIS AREA AS A QUIET ZONE FOR TRAIN TRAFFIC.**

**Sponsored by: Attica Scott and Mary Woolridge**

WHEREAS, both The Legislative Council of the Louisville/Jefferson County Metro Government ("Metro Council") and the Kentucky Transportation Cabinet ("KyTC") share a governmental interest in closing particular railroad crossings where Norfolk Southern's railroad is passing through District 1 and District 3 within Louisville Metro; and,

WHEREAS, Metro Council, KyTC and Norfolk Southern have made funds available, through a Memorandum of Agreement, attached hereto as Exhibit A, to improve safety along this railroad corridor that passes through Council Districts 1 and 3. These improvements, which include adding railroad crossing gates at several at-grade railroad crossings and permanently removing several at-grade crossings, will increase safety to the traveling public and lower the risk throughout the corridor to comply with the Federal guidelines for the establishment of a no train horn Quiet Zone.

WHEREAS, the specific location of the railroad crossings to be closed are as follows:

S 23<sup>rd</sup> St between Woodland Ave and Standard Ave (DOT #850982V)

Cypress St on the north and south side of Wilson Ave (DOT #960114L)

Alley intersection to Cypress on the north side of Wilson

Olive St north of Wilson (DOT #850986X)

Hemlock St between Woodland Ave and Southern Ave (DOT #850991U)

Alley intersection to Woodland Ave west of railroad crossing; and,

WHEREAS, the Metro Council wishes to direct the Planning Commission, through the Department of Planning and Design, to identify the specific railroad crossing areas to be closed and, once identified, initiate, pursuant to Section 6.3.3 of the Land Development Code, the procedure for permanently closing the appropriate portion of Rights-of-Way,

**NOW, THEREFORE, BE IT RESOLVED BY THE METRO COUNCIL AS FOLLOWS:**

**Section I:** The Metro Council requests that the Planning Commission, through the Department of Planning and Design and pursuant to Section 6.3.3 of the Land Development Code, initiates the formal procedure for closing of public Rights-of-Way as identified in the Memorandum of Agreement within Louisville Metro, attached hereto as Exhibit A, and forward its recommendation to the Metro Council.


**Section II:** This Resolution shall take effect upon passage and approval.

  
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H. Stephen Ott  
Metro Council Clerk

Jim King  
President of the Council

  
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Greg Fischer  
Mayor

Approved: 10/14/14  
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell  
Jefferson County Attorney

**LOUISVILLE METRO COUNCIL  
ADOPTED  
October 9, 2014**

By:   
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