

McDONALD'S CORPORATON

207 W. Broadway – Louisville, KY 40203

(21-STRCLOSUREPA-0019)

JUSTIFICATION STATEMENT FOR ALLEY CLOSURE

The applicant, McDonald's Corporation, proposes to close the remaining portions of an unnamed alley fronting the rear (northern) property line of property the McDonald's Corporation owns at 207 W. Broadway, Louisville, KY (the "Site"), as well as an intersecting alley located between properties to the north of 207 W. Broadway and between S. 2nd and S. 3rd Streets, of which are owned by St Francis School Inc. ("St. Francis"). The applicant previously filed its pre-application on this very matter, which Louisville Metro Planning and Design Services assigned thereto Case No. 21-STRCLOSUREPA-019. The applicant hereby submits its Justification Statement in support of its formal street closure application and, for the reasons set forth herein, the application to permanently close the public alleyway subject of this request complies with and meets applicable provisions of the Land Development Code. As mentioned in in the applicant's Pre-Application filings, the proposed street closure together with an updated redesign of the Site will help alleviate safety concerns stemming from the current site design where, from time to time, vehicles stack out into S. 2nd Street when accessing the Site during peak hours because a suboptimal drive-thru design is failing to efficiently move vehicles thru the site.

More specifically, the narrower portion of the alley fronting the Site's northern property line is 12' wide alley located approximately 148 feet north of where the western right-of-way boundary to S. 2nd Street intersects with the northern right-of-way boundary of W. Broadway – it being the first public alley on the west side of S. 2nd Street, north of W. Broadway – and running between S. 2nd and S. 3rd Street. Connected to the 12' portion of the alley is a wider 20' portion of the alley that runs north (parallel with S. 3rd and S. 2nd Streets) from its intersection with the northern boundary of the 12'-wide portion of the alley until it terminates at a property line shared with 631 S. 3rd Street, although said 20'-wide portion of the alley provides zero service to the 631 S. 3rd Street property. (Please see Street Closure Plat of Remaining 12' & 20' Alley, dated 07-26-2021, and drafted by Kevin M. Phillips, Licensed Professional Land Surveyor with Endris Engineering, License # 3350, submitted along with McDonald's Street Closure Application; the "Street Closure Plat"). As part of the applicant's desire to redevelop and modernize its store location on the Site, the applicant seeks to close the remaining portions of the alley to facilitate a safer design of the Site, especially for vehicular access thereto and movement thereon.

The applicant submits its request to close the alley with consent from its neighbor, St. Francis, which owns properties located at 233 W. Broadway, 659 S. 3rd Street, and 650 – 658 S. 2nd Street (St. Francis Properties). See St. Francis' consent provided as part of the applicant's submitted pre-application; an original copy of the consent has been provided to Louisville Metro Planning and Design Services. In 2013, the Louisville Metro Council approved St. Francis' request to close the portion of the alley that ran from the current terminus of the existing alley, westward to S. 3rd Street; said portion of the alley ran between St. Francis' 233 W. Broadway and 659 S. 3rd Street properties, and provided public access for vehicles traveling between S. 2nd and S. 3rd Streets. After closure of that portion of the alley, public access between S. 2nd and S. 3rd Streets ceased, although access thru the private parking lot of St. Francis remains today for vehicles using St. Francis' parking field.

Between McDonald's and St. Francis, the two parties own property representing more than 97% of the frontage along the alley subject of the street closure request. The 20'-wide portion of the alley terminates at the southern property line of the 631 S. 3rd Street tract, owned by TMF III Crescent, LLC, where a masonry wall of a parking garage sits and prevents any connection to vehicular traffic. Therefore, the alley does not serve 631 S. 3rd Street with vehicular access. Numerous efforts to contact the owners of 631 S. 3rd Street about the closure of the 20' alley have been unanswered and nonresponsive.

The applicant has been in discussions with various Louisville Metro Departments about its plans to redevelop the Site and, as stressed by Metro, how said redevelopment needs to address the current traffic-related safety issues involving vehicular access to the Site from S. 2nd Street, particularly the associated stacking of vehicles out into the S. 2nd Street right-of-way during peak hours (notably A.M. peak hours), which at times can result in blocking the north-south flow of traffic on S. 2nd Street. The stacking is largely being caused by high vehicular drive-thru demand during peak hours combined with a dated, inefficient site design, including underperforming functionality of the drive-thru. With redevelopment of the site, the applicant will install a new drive-thru design incorporating dual-lane service on the Site, a design successfully utilized by other similar drive-thru restaurants in Louisville Metro. For the applicant to implement its proposed design for the Site (and cure the aforementioned vehicular access safety issues), the applicant (and its neighboring property owner) desires to close the alley and incorporate the area from the Site's northern property line to the centerline of said alley into the vehicular use area of the redeveloped Site. The redesigned Site will accommodate more vehicles onsite within its drive-thru lanes, thereby lessening the occurrences of vehicles stacking into S. 2nd Street. Additionally, the closure of the alley will remove the alley's curb cut onto S. 2nd Street, which, as of today, sits between and adjacent to two other curb cuts onto S. 2nd Street, and causes an undesirable traffic condition of having three consecutive yet separate, individual curb cuts onto the western frontage of S. 2nd Street.

Properties located along all sides of the alley are zoned C-3 Commercial and are within the Downtown Form District. According to Plan 2040 Goal 1, Policy 3.1.1. the Downtown Form is characterized by its location near the center of the population it serves. The Downtown Form is comprised of predominantly office, commercial, civic, medical, high-density residential and cultural land uses where a grid pattern of streets is designed to accommodate a large volume of vehicular traffic and public transportation. The Downtown Form should give identity to the whole community and should provide for a mixture of high density and intensity uses. Further, Mobility Goal 2, Policy 2 recommends coordinating use of rights-of-way with community design policies; ensure accessible rights-of-way to accommodate mobility needs of all transportation network users; Mobility Goal 2, Policy 7 states that the design of all new and improved transportation facilities should be accessible and; Mobility Goal 3, Policy 1 encourages transportation services and facilities to promote and accommodate growth and change in activity centers through improved access management; provide walking and bicycling opportunities to enable activity centers to minimize single-occupant vehicle travel; encourage a mix of complementary neighborhood-serving businesses and services in activity centers to facilitate short trips easily made by walking or bicycling; Mobility Goal 3, Policy 2 seeks to improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Mobility Goal 3, Policy 5 recommends evaluating 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 recommends transportation facilities of new developments be compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. For reasons discussed above, the applicant's request to close the alley accommodates growth and change in the immediate activity center near S. 2nd Street and W. Broadway because it allows the applicant to update and modernize the overall design of its Site while improving the access management to/from the Site, notably as it relates to S. 2nd Street. The aforementioned improvements to the Site will improve safety surrounding accessibility of not only the Site, but also to north and south traffic flows on S. 2nd Street and W. Broadway, during peak hours.

The requested closure of the remaining portions of alleyway will not result in a demand on public facilities and services that exceeds the capacity of such facilities because, with property site design improvements, adequate facilities are available for use to serve the existing and future demands of the surrounding area and community who relies upon the same. Rather, as explained above, closure of the alley will help alleviate back-up traffic from the Site onto S. 2nd Street during peak hours, thereby lessening demand on public facilities serving not only the Site, but also the immediate

area. Moreover, the existing remaining alleyway currently only serves St. Francis and McDonald's properties and provides no thru traffic between S. 2nd Street and S. 3rd Street. All properties owned by St. Francis and McDonald's will have access to the public roadway network. The applicant has coordinated or will coordinate with utility agencies so that facilities in their current locations are maintained or, if required, relocated to another area so that utility services scan be maintained. Therefore, the proposed closure of these roads will not interfere with or exceed the capacity of the existing roadway infrastructure.

For the foregoing reasons, the proposed closure of the remaining portions of the unnamed alley complies with the Land Development Code and Plan 2040, A Comprehensive Plan for Louisville Metro. Accordingly, McDonald's Corporation respectfully requests that the Louisville Metro Planning Commission send a recommendation of approval to the Louisville Metro Council, supporting closure of the alley.

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8/2/2021