

Land Development and Transportation Committee Staff Report

June 23, 2016



Case No:	14STREETS1014-1019
Request:	Street Closure
Project Name:	Wilson Quiet Zone
Location:	Wilson/Woodland Avenue Rail Corridor
Owner:	Louisville Metro
Applicant:	Department of Public Works & Assets
Representative:	Department of Public Works & Assets
Jurisdiction:	Louisville Metro
Council District:	1 – Jessica Green 3 – Mary Woolridge
Case Manager:	Joel P. Dock, Planner I

REQUEST

- **Street Closure**

CASE SUMMARY

Louisville Metro Public Works & Assets proposes to close six segments of right-of-way for the purpose of creating a "Quiet Zone" in this neighborhood along the Norfolk Southern Railway line (rail corridor). The segments of right-of way proposed for closure are outlined below:

- 14STREETS1014: A closure of 716 SF of R/W at the intersection of Magnolia Avenue and S. 23rd Street, and South of the rail corridor.
- 14STREETS1015: A closure of 3,064 SF of R/W crossing the rail corridor along Hemlock Street.
- 14STREETS1016: A closure of 2,704 SF of R/W crossing the rail corridor at the intersection of Olive Street and Wilson Avenue.
- 14STREETS1017: A closure of 193 SF of R/W of a 14' alley terminating at Wilson Avenue and North of the rail corridor.
- 14STREETS1018: A closure of 795 SF of R/W of an 18' alley terminating at Woodland Avenue and West of the rail corridor.
- 14STREETS1019: A closure of 4,735 SF of R/W at the intersection of Cypress Street and Wilson Avenue. A portion of Cypress will be closed from Woodland Avenue to Wilson Avenue, as well as a portion of Cypress Avenue South of Wilson Avenue crossing the rail corridor.

Improvements will be made to provide for the safe movement of pedestrians and vehicular traffic along portions of the corridor to be closed; including, no outlet signs, curbs, guardrails, removal of pavement, filling and seeding, sidewalks, bump-outs, and turnarounds.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

The immediately surrounding area is primarily R-5 and R-6, Single- and Multi-family Residential zoning districts with a mix of commercial and industrial zoning districts along the rail corridor located in the TN, Traditional Neighborhood form district.

PREVIOUS CASES ON SITE

Staff found no associated cases on site.

INTERESTED PARTY COMMENTS

Staff has not received comments or inquiries from any interested parties.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code

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: The closure of these street segments results in no demand on public facilities and services currently or in the future as all utility agencies have consented to the closure. These closures will allow trains along the corridor to move through the neighborhood quietly as pedestrian and vehicular traffic will be permanently closed.

2. 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: Any utility access necessary within the right-of-way to be closed will be maintained by agreement with the utilities and easements required by these agencies will be provided, if necessary.

3. 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: The applicant will bear the cost of all improvements.

4. 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 closure complies with the Goals, Objectives and Plan Elements of the Comprehensive Plan found in Guideline 7 (Circulation) and Guideline 8 (Transportation Facility Design). Any physical improvements necessary for the closure will be completed by the applicant.

5. Other Matters – Any other matters which the Planning Commission may deem relevant and appropriate; and

STAFF: There are no other relevant matters.

TECHNICAL REVIEW

Louisville Fire District – Approved

E-911 – Approved

AT&T – Approved

MSD – Approved

Louisville Metro Health Department – Approved

Louisville Gas & Electric – Approved

Louisville Water Company – Approved

Louisville Metro Public Works – Approved

Historic Preservation – No Comments

TARC – Approved

STAFF CONCLUSIONS

The proposal meets or exceeds all applicable items of the comprehensive plan with respect to the Traditional Neighborhood Form District wherein this site is located.

The proposal is in order to be placed on the Planning Commission public hearing for August 4, 2016. Notification is required to all adjacent property owners to the street or alley segment defined by nearest intersecting streets, governmental units having jurisdiction and registered neighborhood groups at least 30 days prior to public hearing, a sign will be posted by staff 14-days prior, and a legal ad will be published by the applicant not less than 7 nor more than 21 days prior to the hearing in accordance with KRS 424.130.

REQUIRED ACTIONS

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Land Development and Transportation Committee must **SCHEDULE** this proposal for a Planning Commission **PUBLIC HEARING**.

ATTACHMENTS

1. Applicant Letter of Explanation
2. Norfolk Southern Railway Corridor
3. Street Closure Exhibit Overview

1. Applicant Letter of Explanation

The proposed road closures are part of a railroad corridor safety improvement project sponsored by the Kentucky Transportation Cabinet, Norfolk Southern Railroad and Louisville Metro Council Districts 1 & 3. The planned improvements include the addition of warning devices on 7 at-grade railroad crossings and the closure of 6 at-grade crossings to vehicular traffic.

The proposed closures would only result in a diversion of the existing traffic to the adjacent at-grade railroad crossings that will remain open along the corridor. Traffic volumes were measured along the roadways within the project area and the existing volumes throughout the network are all substantially less than the road and intersection capacity. The grid pattern of the roadway network offers many alternative routes to travel through the corridor with diversions less than 1,000 ft for all directions of travel. Elimination of the redundant at-grade crossings and concentrating resources on the higher traveled, more direct routes, results in improved safety throughout the area.

Closure of these Rights-of-Way will include removal of asphalt and a reduction of impervious area. All existing catch basins and underground utilities will remain in-place and accessible for maintenance. Additional features, such as bio-swales or rain gardens, may be implemented if conditions are appropriate.

Closure of these at-grade rail crossings will result in a reduced risk and ultimately the establishment of a Quiet Zone for the entire corridor, which supports Objective C1.2 of Goal C1 in Cornerstone 2020 by minimizing the noise impact on the abutting residential uses. These closures will also comply with Objective C1.3 by protecting residents from the dangers posed by the transportation of hazardous materials due to the elimination of the railroad and vehicle conflict points.

2. Norfolk Southern Railway Corridor



3. Street Closure Exhibit Overview

Wilson/Cypress Corridor Railroad Safety Improvements
Street Closure Exhibit
8/9/13 J Brown



The following at-grade railroad crossings are being proposed for closure to vehicular traffic:

- A. Hemlock St, between Woodland Ave and Southern Ave
- B. Olive St, between Woodland Ave and Wilson Ave
- C. Alley parallel to RR tracks at Wilson, between Wilson Ave and Olive St
- D. Cypress St, between Woodland Ave and Wilson Ave
- E. Cypress St, between Wilson Ave and Standard Ave
- F. S 23rd St, between Woodland Ave and Standard Ave
- G. Alley at Woodland & railroad crossing

Planning Commission

Staff Report

August 4, 2016



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Improvements will be made to provide for the safe movement of pedestrians and vehicular traffic along portions of the corridor to be closed; including, no outlet signs, curbs, guardrails, removal of pavement, filling and seeding, sidewalks, bump-outs, and turnarounds. Streets to remain open, specifically Wilson Avenue and Woodland Avenue will receive gated crossing arms.

LAND USE

The immediately surrounding area is primarily R-5 and R-6, Single- and Multi-family Residential zoning districts with a mix of commercial and industrial zoning districts along the rail corridor located in the TN, Traditional Neighborhood form district.

PREVIOUS CASES ON SITE

Staff found no associated cases on site.

INTERESTED PARTY COMMENTS

Staff spoke with Tonia Perry, 2636 Woodland Avenue, on July 20, 2016. She was concerned that garbage and yard waste collection would be moved from the alley to the street due to the closing proposed in 14STREETS1017. She also voiced concerns related to fire safety if access to the rear of homes is needed. Staff explained that the alley would remain accessible from Olive Street and followed-up with Public Works in regards to garbage collection, see Technical Review.

Staff spoke with Anita Perry, 1427 Hemlock Street, on July 22, 2016. She had general questions and no concerns with the closing itself. She discussed the noises associated with the braking of the train and a desire to enhance sound mitigation between the tracks and homes.

APPLICABLE PLANS AND POLICIES

- Cornerstone 2020
- Land Development Code

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STAFF: The closure of these street segments results in no demand on public facilities and services currently or in the future as all utility agencies have consented to the closure. These closures will allow trains along the corridor to move through the neighborhood quietly as pedestrian and vehicular traffic will be permanently closed. Improvements will be made by Louisville Metro Public Works to enhance safety at crossings to remain open.

2. 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: Any utility access necessary within the right-of-way to be closed will be maintained by agreement with the utilities and easements required by these agencies will be provided, if necessary.

3. 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

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5. Other Matters – Any other matters which the Planning Commission may deem relevant and appropriate; and

STAFF: There are no other relevant matters.

TECHNICAL REVIEW

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Louisville Water Company – Approved

Louisville Metro Public Works – Approved/Applicant

Historic Preservation – No Comments

TARC – Approved

Public works will work to ensure that garbage collection can remain within alleys and that signage and markings are appropriately provided to indicate changes in traffic patterns. Public Works has also coordinated with the Louisville Metro Police Department and no concerns have been raised with respect to the closing of these streets.

STAFF CONCLUSIONS

The proposal meets or exceeds all applicable items of the comprehensive plan with respect to the Traditional Neighborhood Form District wherein this site is located.

Required Actions

Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Planning Commission must **RECOMMEND** the Louisville Metro Council **APPROVE** or **DENY** this proposal.

NOTIFICATION

Date	Purpose of Notice	Recipients
7/5/16	Meeting before Planning Commission	Property owners of affected streets Subscribers to Council District 1 & 3

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