

**Planning Commission
Staff Report**

February 19, 2015



Case No:	14STREETS1011
Request:	Closure of Avoca Road at its intersection with Ridge Rd. and the CSX Railroad
Project Name:	Avoca Road Street Closure
Location:	12510 Ridge Rd.
Owner:	Louisville Metro
Applicant:	Louisville Metro
Representative:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	17 – Glen Stuckel 19 – Julie Denton
Case Manager:	David B. Wagner – Planner II

REQUEST

- Closure of Avoca Road at its intersection with Ridge Rd. and the CSX Railroad

CASE SUMMARY/BACKGROUND/SITE CONTEXT

The applicant proposes to close a portion of the Avoca Road right-of-way that lies within the CSX Railroad right-of-way. Louisville Metro Council previously passed a resolution requesting the Planning Commission to begin the process of the formal street closure process in order to physically close this railroad crossing. The pavement within the railroad right-of-way will be removed and barricades placed on both the north and south side of the railroad right-of-way. This railroad crossing has been barricaded for some time and the formal closure process will reflect the existing conditions currently on the site. Louisville Metro, the City of Anchorage, and the City of Middletown have all been consulted on this proposal since the site lies at the conjunction of each of these municipalities although the right-of-way being closed is actually within the boundaries of Louisville Metro. The crossing has been problematic due to environmental constraints in the area which have caused pavement on the south side of the tracts to erode. In order to prevent further complications from this circumstance, all three of the municipalities previously mentioned have worked to find a solution which would be mutually beneficial. This proposal represents that solution.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Right-of-Way	R-4	N
Proposed	Railroad Right-of-Way Only	R-4	N
Surrounding Properties			
North	Recreational	R-4	N
South	Single Family Residential	R-4	N
East	Railroad Right-of-Way	R-4	N
West	Railroad Right-of-Way	R-4	N

PREVIOUS CASES ON SITE

- 13streets1004: Street closure regarding this same railroad crossing filed by the City of Anchorage. It was no longer pursued once the solution per this application was agreed upon.

INTERESTED PARTY COMMENTS

- Staff has not received comments 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.

STAFF: Adequate public facilities will be maintained as the remainder of Avoca Road and Ridge Road will remain open for vehicular access to property on either side of the railroad tracks. This railroad crossing has been barricaded for some time and the proposal will reflect the current situation at the subject site.

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.

STAFF: Any utility access necessary within the right of way to be closed will be maintained by agreement with the utilities.

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.

STAFF: The applicant will provide for the 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.

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). The physical improvements necessary for the closure will be completed by the applicant. The railroad crossing creates an unsafe crossing due to environmental constraints in the area and a decrease in the number of railroad crossings is a general benefit to safety.

Access continues to be provided to the east and west of the closure site and emergency vehicles would have difficulty crossing the railroad tracks at this location. The crossing has been barricaded for some time and this proposal represents what is currently on the site.

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

STAFF: There are no other relevant matters.

TECHNICAL REVIEW

R.J. Corman – **Approved**

CSX – **Approved**

City of Anchorage – **Approved**

City of Middletown – **Approved**

Middletown Fire District – **Approved**

Anchorage Fire District – **Approved**

E-911/Metro Safe Addressing – **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 – **Approved; Staff recommends a context sensitive design for the road closures and choice of materials since the site is adjacent to the Anchorage National Register District**

TARC – **Approved**

STAFF CONCLUSIONS

The proposal meets or exceeds all applicable items of the comprehensive plan in regards to the Neighborhood Form District. The closure will reflect what currently exists on the ground. Fewer railroad crossings are generally safer for vehicular traffic and the closure would also allow for fewer train horns to be blown in the area to assist in extending area Quiet Zones. CSX has presented Louisville Metro with a Crossing Closure Agreement for this proposal which represents the entity's support for the closure. As there are no plans to open this crossing permanently, the Middletown Fire District has stated it no longer opposes the closure.

Due to the unique nature of this closure being located at the juncture of three different municipalities, and that it includes a railroad crossing, staff will have the Planning Commission's recommendation transmitted to all three municipalities to obtain an ordinance approving the closure.

Required Actions

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

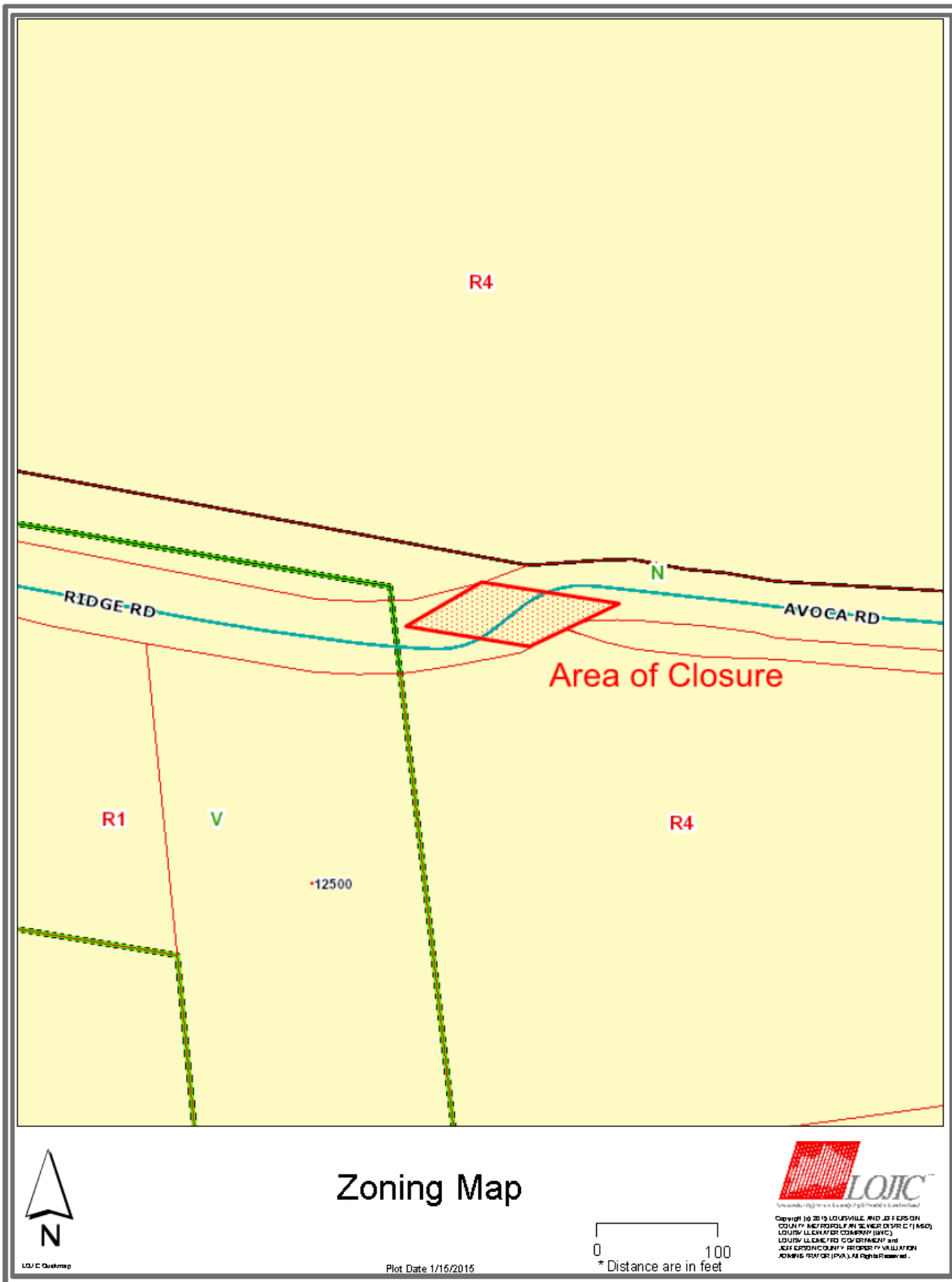
NOTIFICATION

Date	Purpose of Notice	Recipients
1/12/15	Meeting before LD&T	1 st tier adjoining property owners Subscribers to Council District 17 Notification of Development Proposals Subscribers to Council District 19 Notification of Development Proposals
2/5/15	Hearing before PC	1 st tier adjoining property owners Subscribers to Council District 17 Notification of Development Proposals Subscribers to Council District 19 Notification of Development Proposals
2/5/15	Hearing before PC	Sign Posting on property
1/30/15	Hearing before PC	Legal Advertisement in the Courier-Journal

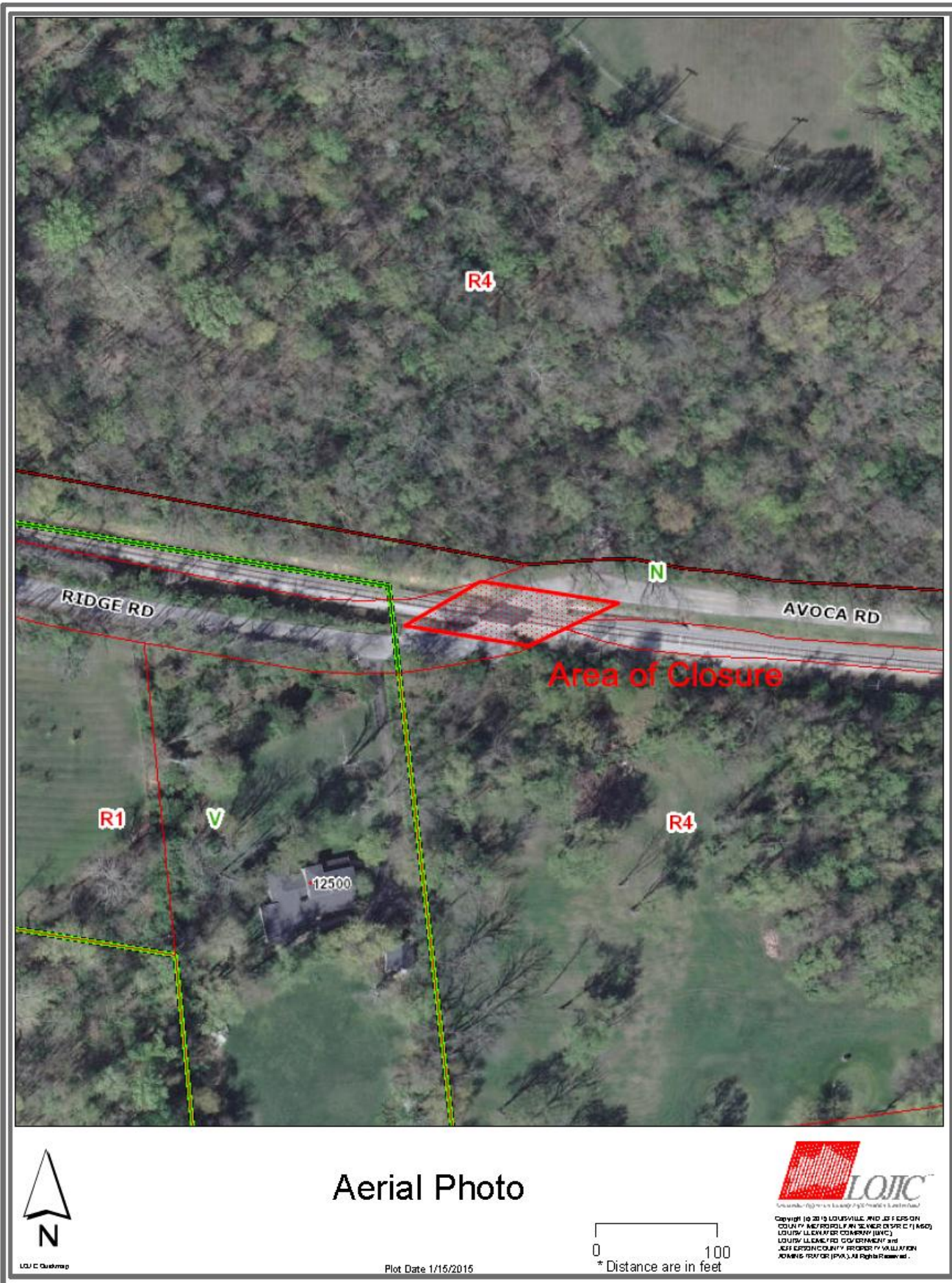
ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Cornerstone 2020 Staff Checklist

1. Zoning Map



2. Aerial Photo



3. Cornerstone 2020 Staff Checklist for Neighborhood

- + Exceeds Guideline
- √ Meets Guideline
- +/- More Information Needed
- Does Not Meet Guideline
- NA Not Applicable

#	Cornerstone 2020 Plan Element	Plan Element or Portion of Plan Element	Staff Finding	Staff Comments
36	Mobility/Transportation Guideline 7: Circulation	A.1/2: The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities, contribution of money, or other means.	√	The proposal will contribute its proportional share of the cost of roadway improvements and other services and public facilities made necessary by the development through physical improvements to these facilities.
41	Mobility/Transportation Guideline 8: Transportation Facility Design	A.11: The development provides for an appropriate functional hierarchy of streets and appropriate linkages between activity areas in and adjacent to the development site.	√	The proposal maintains vehicular access to the east and west of the subject site. This railroad crossing poses a safety risk due to environmental constraints in the area and emergency vehicles would have difficulty crossing the railroad tracks at this location. Closing this crossing would also increase safety by eliminating a vehicular railroad crossing.