

Land Development and Transportation Committee Staff Report June 13, 2024



Case No:	24-STRCLOSURE-0003
Project Name:	Cooper Church Drive - Interchange
Location:	9900 Cooper Church Drive
Owner(s):	Interchange Properties Two LLC
Applicant:	Interchange Properties Two LLC
Jurisdiction:	Louisville Metro
Council District:	24 – Madonna Flood
Case Manager:	Ethan Lett, Planner I

REQUEST(S)

- Closure of Public Right-of-Way

CASE SUMMARY/BACKGROUND

The applicant is requesting the closure of approximately 1,038 feet of unimproved right-of-way off of Cooper Church Drive and southwest of the intersection of Preston Highway and the Gene Snyder Freeway. The proposed closure is associated with a change in zoning and development plan approved under Docket # 21-ZONE-0125. The right-of-way currently serves as the only access point to a historic cemetery on the adjacent property, but access easements have been established to provide cemetery access through other sections of the approved development. The closure area will be incorporated into the open space of the multi-family residential section.

STAFF FINDING

100% consent to the closure has been received from property owners adjoining the right-of-way to be closed. The proposal is ready for the next available consent agenda of the Planning Commission.

TECHNICAL REVIEW

The proposed closure will maintain public facilities. AT&T, LG&E, and Louisville Water require easements for existing infrastructure, and all other affected agencies have agreed to the closure or have declined to comment.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR STREET 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 closure does not result in an increase in demand on public facilities or services as utility agencies have coordinated with the applicant and/or applicant's representative and Office of Planning staff to ensure that facilities are maintained or relocated through agreement with the developer. 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. The applicant will provide necessary easements or relocation of equipment per utility agency requirements.

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: The request to close the right-of-way is in compliance with the Goals, Objectives and Plan Elements of the Comprehensive Plan as Mobility Goal 2, Policy 2 states to coordinate 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 states to provide transportation services and facilities to promote and accommodate growth and change in activity centers to minimize single-occupant vehicle travel. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage 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. Housing should be encouraged near employment centers; Mobility Goal 3, Policy 3 seeks to evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices; Mobility Goal 3, Policy 5 seeks to evaluate 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 states to ensure that transportation facilities of new developments are compatible with and support access to surrounding land uses, and contribute to the appropriate development of adjacent lands. Where appropriate, provide at least one continuous roadway through the development to tie all local access roads or parking areas to the arterial street system. Adequate stub streets and pedestrian connections should be provided by developments. Any cost associated with the rights-of-way to be closed will be the responsibility of the applicant or

developer. Adequate public facilities are available to serve existing and future needs of the community. Any facility required to be placed in an easement or relocated will be done so by the developer. Transportation facilities have been provided to accommodate future access and to not dispossess property owners of public access. All adjacent lands maintain access to public infrastructure and utility services will continue to be provided to these lands.

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

STAFF: There are no other relevant matters to be considered by the Planning Commission.

REQUIRED ACTIONS:

- **Place on the consent agenda at the next available Planning Commission**

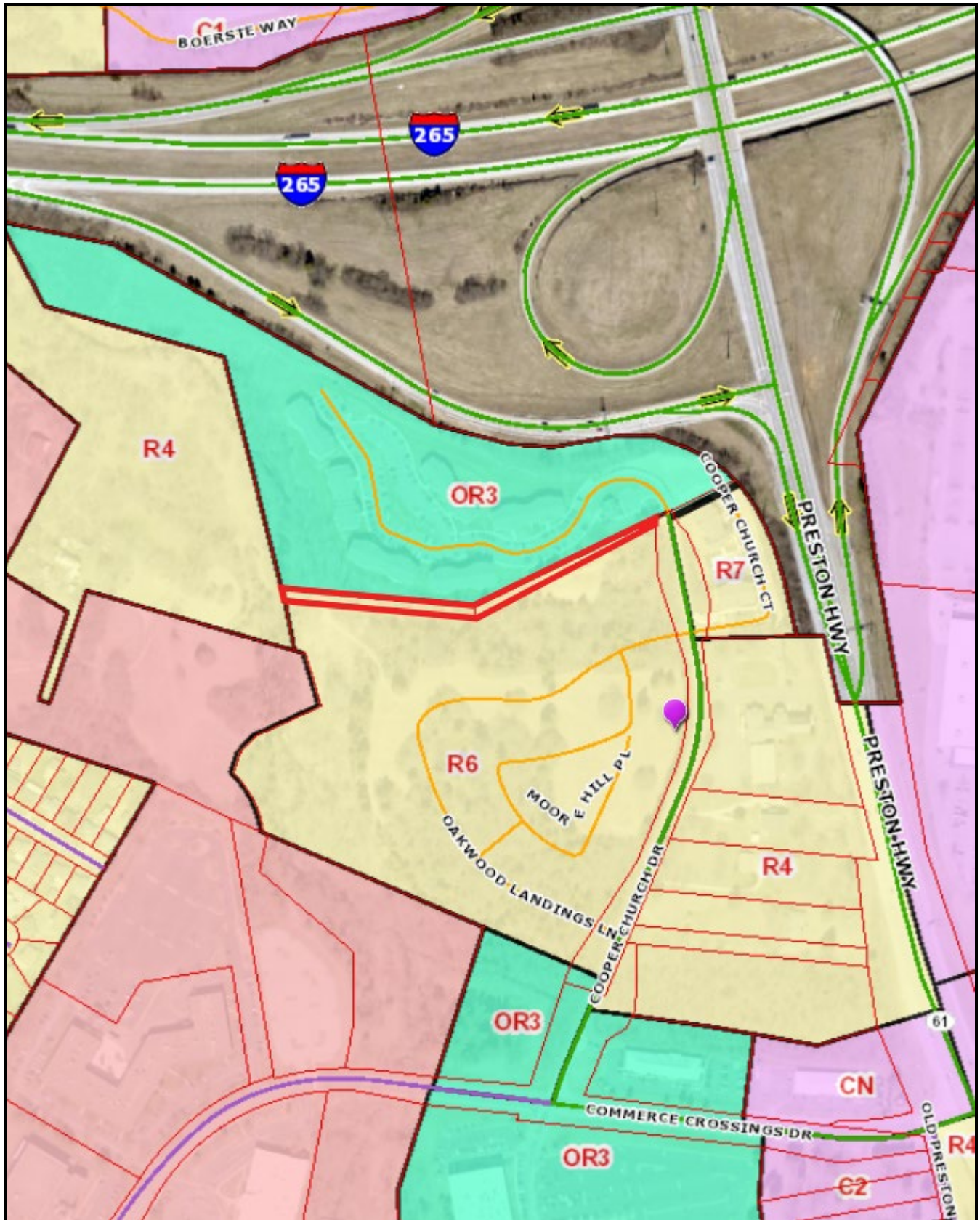
NOTIFICATION

Date	Purpose of Notice	Recipients
5/29/2024	Hearing before LD&T	1 st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 24

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

