

MGI Louisville, LLC
Louisville/Jefferson County Metro Government

Case No. 24-STRCLOSUREPA-0033

Related Case No. 24-CAT3-0017

SLUGGER FIELD STREET CLOSURE JUSTIFICATION STATEMENT

**REQUEST TO CLOSE UNIMPROVED JACKSON STREET AND UNIMPROVED FRANKLIN STREET PUBLIC
RIGHTS-OF-WAY LOCATED ON THE EASTERN SIDE OF SLUGGER FIELD PROPERTY**

February 3, 2025

The Applicant, MGI Louisville, LLC (the "**Applicant**"), filing through its professional engineering and planning consultant, QK4, is requesting to permanently close unimproved public rights-of-way located on the Slugger Field Property owned by Louisville/Jefferson County Metro Government ("**Metro**") to facilitate the Applicant's proposed mixed-use development (the "**Proposal**") in an area of the Slugger Field Property bounded by Slugger Field to the west, E. Witherspoon Street to the north, I-65 Interstate to the east and E. Main Street to the south (this area to be developed will be referred to herein as the "**Site**"). Currently, two public rights-of-way – Jackson Street and Franklin Street – burden this area on the Site and they must be legally closed before commencement of improving the Site into the Applicant's Proposal.

The portion of Jackson Street public right-of-way the Applicant seeks to close currently stretches from its intersection with E. Main Street's northern right-of-way boundary, heading north and through a section of the built Slugger Field Stadium until it reaches the southern boundary of the E. Witherspoon Street public right-of-way. The unimproved portion of the Franklin Street public right-of-way the Applicant requests to close runs between its intersection with the eastern boundary of the Jackson Street public right-of-way, where said intersection is located within the Slugger Field Stadium, then the right-of-way heads east until it reaches the western boundary of the I-65 right-of-way (both Jackson and Franklin street closures are referred to hereinafter as the "**Street Closure**"). Today, this Franklin Street right-of-way area currently appears as simply part of the existing surface parking lot area serving the Slugger Field Stadium. The properties abutting the portions of Jackson Street and Franklin Street the Applicant requests to close are all Metro-owned. Together, the Franklin Street and Jackson Street public rights-of-way have not been utilized as originally laid out and intended as public streets for decades.

The Applicant, for the reasons set forth in this justification statement and for the reasons stated in its Letter of Explanation the Applicant previously filed with

Metro's Office of Planning alongside its Category-3 Development Plan, drafted by QK4 (24-CAT3-0017), which Plan depicts the Proposal on the Site ("**Site Plan**"), respectfully requests a favorable consideration of its applications for the Street Closure.

Except for some site design waivers and perhaps dimensional departure from specific applicable zoning regulations, the Applicant's Proposal for the Site will adhere to the applicable Downtown Form District and its applicable Louisville Metro Plan 2040 Comprehensive Plan ("**Plan 2040**") Policies because the Applicant's Proposal will create a vibrant mixed-use development spread throughout the Site over various newly constructed buildings designed with appropriate animating urban architectural designs all atop what is now a surface parking lot. As a result, the Applicant's Proposal will add desired urban fabric to the Main Street corridor and removes the forgettable void that today occupies the space between Slugger Field and I-65 interstate highway overpass.

Per Plan 2040, the Downtown Form is characterized by its location near the center of the population it serves. The Downtown Form is made up of *predominantly office, commercial, civic, medical, high-density residential and cultural land uses*. Buildings in the Downtown Form are generally the greatest in volume and height in the metropolitan area The Downtown Form should give identity to the whole community and should provide for a mixture of high density and intensity uses. (Plan 2040, Policy 3.1.1; Emphasis added). The Applicant must pursue the Street Closure to build its Proposal on the Site, which will advance these aforementioned Plan 2040 policies because it will place office, hotel, multi-family residential and commercial buildings within what today is an empty urban space along a crucial stretch of the Main Street Corridor that also happens to be located adjacent to one of Louisville's bigger and well known cultural uses – the Louisville Slugger Field. The Applicant's Proposal will create an even bigger attraction for folks to go to the Slugger Field area as a destination district, whether for hospitality, sporting events, music concerts, to shop, visit and/or live.

Adequate public facilities are available to serve existing and future needs of the community. The proposed Street Closure does not result in an increase in demand on public facilities or services as the Applicant will coordinate with utility agencies and Louisville Metro Office of Planning to ensure that facilities are maintained or relocated, if necessary, through agreement with the Applicant. The Metro-owned properties adjacent to the Jackson and Franklin Street rights-of-way sought for closure will not be left absent of public facilities or services or will be dispossessed of public access to their property. The Applicant will provide necessary easements or relocation of equipment per utility agency requirements.

Any cost associated with the Street Closure will be the Applicant's responsibility, including the cost of improvements to the Jackson Street and

Franklin Street rights-of-way or relocation of utilities, if necessary, and any additional agreement reached between the utility provider and the Applicant.

The Street Closure request is in compliance with applicable Plan 2040 Policies, Goals, Objectives and Plan Elements 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 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 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 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 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 road or parking areas to the arterial street system; Adequate stub streets and pedestrian connections should be provided by developments; and any cost associated with the rights-of-way to be closed will be the responsibility of the Applicant.

Here, should the Street Closure be approved, adequate public facilities are available to serve existing and future needs of the community and this particular area around Slugger Field. Any facility required to be placed in an easement or relocated the Applicant will do. Transportation facilities have been provided to accommodate future access and to not dispossess property owners of public access. All adjacent lands will maintain access to public infrastructure and utility services will continue to be provided to these properties. Private access easements will provide authority for vehicular, as well as pedestrian and bicycle, movement throughout the Site. Multiple pedestrian connections from the Site will be provided to the public sidewalk network, which includes convenient access

to nearby TARC stops along Main Street folks can utilize to come and go to/from the Site. The Applicant's Proposal will place higher residential density on the Site, as well as increase the intensity of the land usage from a surface parking lot to a mixed-use activity center, in an urban area of Louisville Metro that will reduce the need for multiple automobile trips, which, cumulatively, will lessen demand for single occupant automobile trips and improve air quality in the surrounding area. Accordingly, the Applicant's proposed Street Closure will have only positive impact on accessibility and connectivity with adjacent properties, as safe and efficient connectivity to the Site will be enhanced. As a result, the Applicant's Street Closure request is in agreement with Plan 2040.

For all the foregoing reasons, the Applicant's Street Closure will violate neither the Land Development Code nor Plan 2040. The improvements the Applicant propose to undertake on the Site once these public rights-of-way are closed represent a significant economic investment to an urban area that needs activation and will only improve the relationship between Slugger Field and neighboring urban areas, whether said area is the downtown core to the west, the waterfront to the north, NuLu to the east, or Phoenix Hill and the hospital district to the south. Accordingly, the Applicant respectfully requests that the Louisville Metro Planning Commission recommend to the Louisville Metro Council approval of the proposed Street Closure, as specifically set forth on the street closure plat drafted by QK4 and filed with the attached street closure application.

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