

HERITAGE ENGINEERING, LLC

August 8, 2022

Planning and Design Services
Metro Government
444 South Fourth Street
Louisville, Kentucky 40202

Re: Revised General/Detailed District Development Plan and Waiver – Letter of Explanation

Dear Mr. Luckett:

On behalf of Nicklies Development, we are submitting the attached Revised/Detailed District Development Plan and waiver for proposed design changes to a previously approved development located at 2635 Chamberlain Lane.

Changes to the previously approved plan (Case #s 19DEVPLAN1040 & 17ZONE1044) consist of removal of the proposed building and reconfiguration of the onsite parking lot. The parking proposed with this revised plan is for overflow employee parking for the existing office/warehouse building constructed on the adjacent site located at 12415 Old LaGrange Road.

Construction of the proposed parking is subject to a waiver request from Chapter 10, Part 2, Section 10.2.10 – Table 10.2.6 of the Land Development Code to reduce by five (5) feet the required 10-ft vehicle use area landscape buffer areas along a portion of Chamberlain Lane to allow for encroachment of parking areas. Tree and shrub plantings as required by code along this right-of-way will be provided to ensure appropriate screening and tree canopy is provided.

Justifications for the requested waiver are:

- The requested waiver will not adversely affect adjacent property owners because granting of the waiver will allow the additional parking to be constructed onsite in a way that still allows for the necessary tree and shrub plantings to ensure a visual buffer to the roadway as required by code.
- The waiver requested will not violate the Comprehensive Plan as it will not alter the essential character of the general vicinity as the proposed parking area will have a setback that allows for plantings to ensure a visual buffer to adjoining property while implementing a similar design of the retail portions of Chamberlain Lane.
- Granting of the waiver is the minimum necessary to afford relief to the applicant as the proposed parking area encroachment will still allow for the property to be enhanced with on-site landscape planting as required for the subject property.
- The development as proposed with the requested waiver will allow for a parking area that would otherwise not occur due to the general irregular shape and location of the property as part of the curved Chamberlain Lane right-of-way. In addition, strict application of the provisions would

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fail to recognize that the location of the lot and layout with requested waiver was previously approved for a similar parking design as part of a proposed retail development and the proposed plan will one day, subject to a follow-up Revised Development Plan approval, allow for the construction of the retail building with minimal impacts to the installed parking facilities as originally proposed and previously approved in 2019.

The plan is consistent with the design intent of the previously approved General/Detailed District Development Plan and with re-approval of the previously approved waiver, all other portions of the plan follow the requirements of the Land Development Code.

Thank you for your consideration; please advise us immediately if any additional information is needed.

Sincerely,

John D. Campbell

Encl. Application
Development Plan