

16VARIANCE1052 Chamberlain Pointe



Louisville Metro Board of Zoning Adjustment

Public Hearing

Joel Dock, Planner I

August 1, 2016

Request(s)

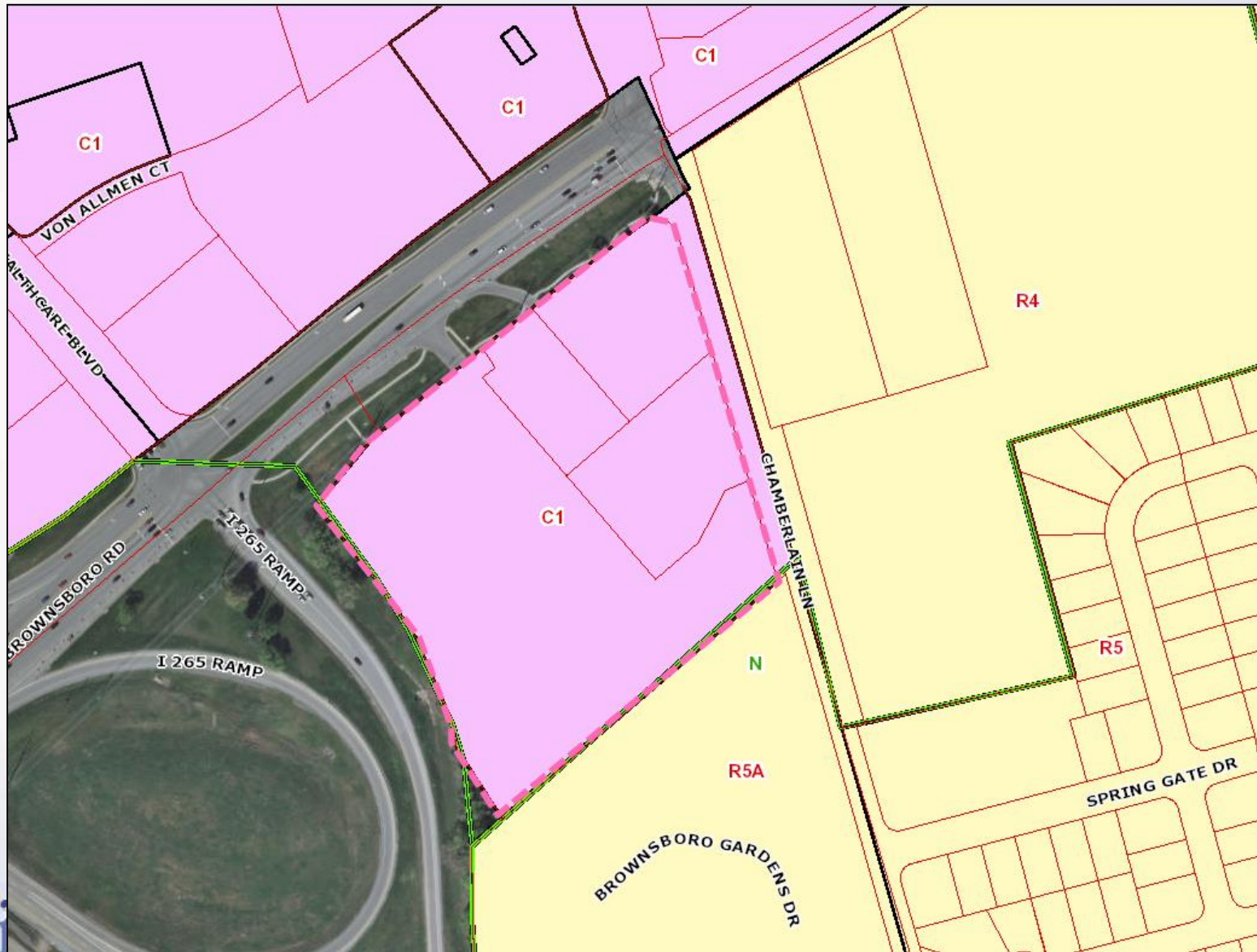
- **Variance** from the Land Development Code (LDC), section 5.7.1.B.1 to allow the height of a proposed structure to exceed the maximum requirement within a transition zone.

Location	Requirement	Request	Variance
Height (transition zone)	Max. 45'	58'	13'

Case Summary

- 3-story, 84,352 SF medical office oriented towards Brownsboro Road and Chamberlain Lane serving as the focal point for the development
- Located at the intersection of Chamberlain Lane and Brownsboro Road; abutting the East right-of-way of the Gene Snyder Expressway
- Maximum permitted height within a form district transition zone from Neighborhood to Regional Center is 45 feet, unless a variance is granted
- Associated with a revised detailed district development plan, case 16DEVPLAN1057, to be reviewed by the Development Review Committee on August 3rd.

Zoning/Form Districts



Aerial Photo/Land Use





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07/15/2016 03:31

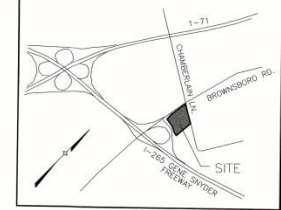
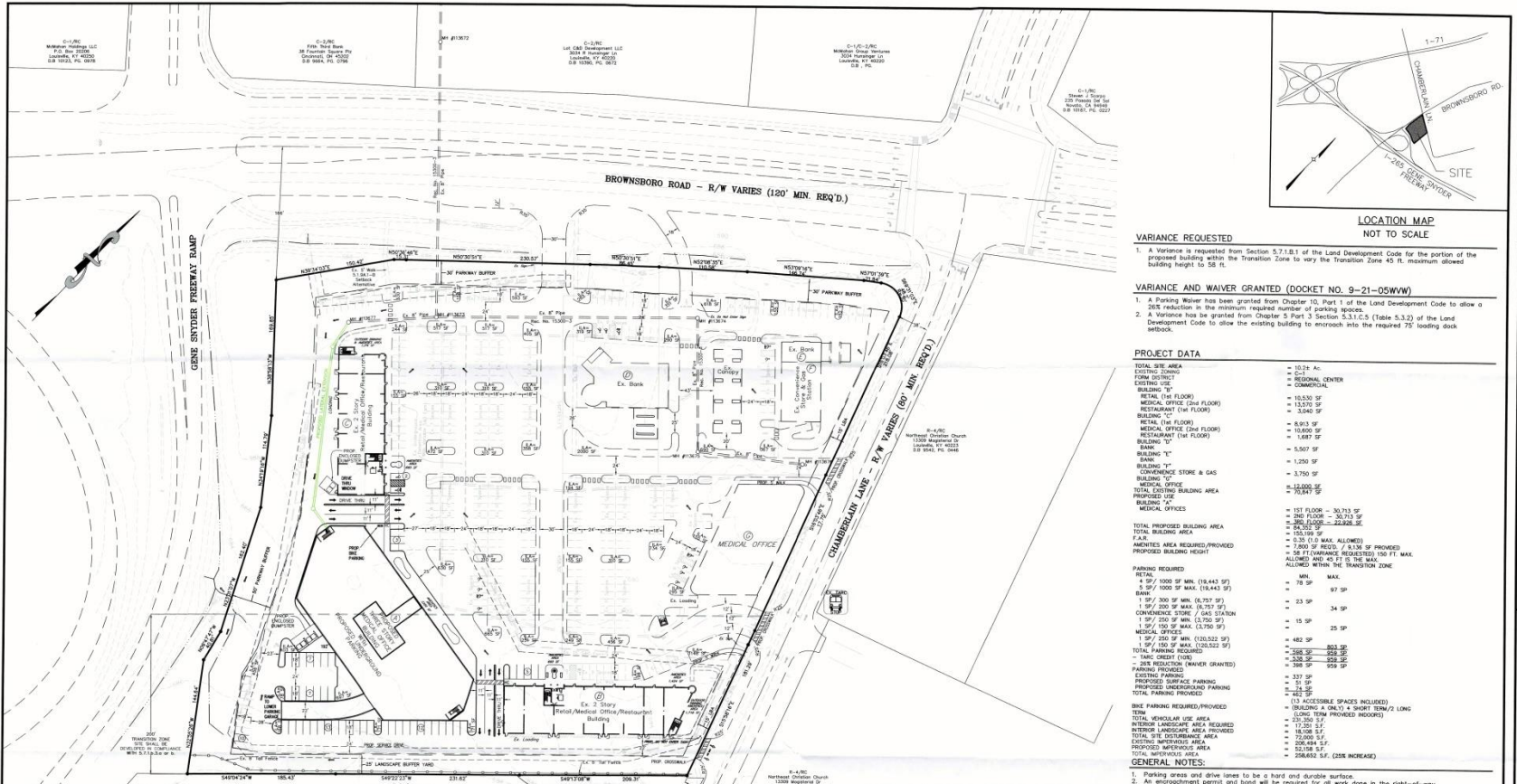
Building B (East)



Building C (West)



Site Plan



VARIANCE REQUESTED

- Variance is requested from Section 5.71.8.1 of the Land Development Code for the portion of the proposed building within the Transition Zone to vary the Transition Zone 45 ft. maximum allowed building height to 58 ft.

VARIANCE AND WAIVER GRANTED (DOCKET NO. 9-21-05WWW)

- A Parking Waiver has been granted from Chapter 10, Part 1 of the Land Development Code to allow a 25% reduction in the minimum required number of parking spaces.
- A Variance has been granted from Chapter 3 Part 3 Section 3.1.7.5 (Table 5.32) of the Land Development Code to allow the existing building to encroach into the required 70' loading dock setback.

PROJECT DATA

TOTAL SITE AREA	= 15,214 Ac.
COSTING ZONE	= REGIONAL CENTER
FORM DISTRICT	= COMMERCIAL
EXISTING USE	= RETAIL (1st FLOOR)
RETAIL (1st FLOOR)	= 10,530 SF
MEDICAL OFFICE (2nd FLOOR)	= 13,000 SF
RESTAURANT (2nd FLOOR)	= 3,540 SF
BUILDING "C"	= 8,913 SF
RETAIL (1st FLOOR)	= 18,650 SF
MEDICAL OFFICE (2nd FLOOR)	= 1,687 SF
RESTAURANT (1st FLOOR)	= 5,507 SF
BUILDING "Y"	= 1,268 SF
BANK	= 3,750 SF
BUILDING "X"	= 12,000 SF
CONVENIENCE STORE & GAS	= 75,847 SF
BUILDING "Z"	= 151 FLOOR - 30,713 SF
2ND FLOOR - 30,713 SF	= 30,713 SF
3RD FLOOR - 22,828 SF	= 22,828 SF
4TH FLOOR - 16,426 SF	= 16,426 SF
TOTAL PROPOSED BUILDING AREA	= 330,110 MAX. ALLOWED
TOTAL PROPOSED BUILDING AREA	= 7,920 SF RECS / 13.8
PROPOSED BUILDING HEIGHT	= 58 FT (VARIANCE REQUESTED) 100 FT MAX. ALLOWED WITHIN THE TRANSITION ZONE

EXISTING USE

RETAIL	= 78 SF	WALK	= 23 SF
BANK	= 28 SF	WALK	= 34 SF
1 SF / 300 SF MAX. (8,757 SF)		WALK	= 25 SF
1 SF / 200 SF MAX. (3,750 SF)		WALK	= 482 SF
1 SF / 100 SF MAX. (10,530 SF)		WALK	= 396 SF
TOTAL MEDICAL OFFICES	= 190 SF	WALK	= 958 SF
TOTAL RESTAURANT	= 380 SF	WALK	= 311 SF
TOTAL CONVENIENCE STORE / GAS STATION	= 350 SF	WALK	= 443 SF
TOTAL SURFACE PARKING	= 288 SF	WALK	= 235 SF
PROPOSED UNDERGROUND PARKING	= 443 SF	WALK	= 482 SF

PARKING REQUIRED

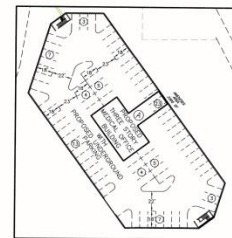
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GENERAL NOTES

- Parking areas and drive lanes to be a hard and durable surface.
- An encroachment permit and bond will be required for all work done in the right-of-way.
- State Highway encroachment permit will be required for the entrance.
- No increase in drainage run off to state roadway.
- There shall be no commercial signs in the Right of Way.
- Signage shall be on landscaping in the Right of Way without an encroachment permit.
- Site lighting shall not shine in the eyes of drivers if it does it shall be re-aimed, shielded, or turned on.
- Construction fencing shall be erected prior to any construction or grading activities preventing circulation of road systems of trees to be preserved. The fencing shall enclose the area beneath the activities shall be permitted within the street grid.
- Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from existing roads and neighboring properties.
- KTC permit will be required prior to construction plan approval.
- Detention basins and runoff collection areas shall be located and screened so as not to be visible from adjacent public streets and residential uses.
- Accessory structures shall be in compliance with sections 5.5.5 and 10.2.6 of the Louisville Metro Land Development Code.
- Stormwater management shall be in compliance with the Stormwater Management Manual.
- Final layout shall be recorded prior to time of construction approval.
- A Field Survey was done by Kevin Young Ltd. on April 4th, 2016 and no Kratt topography was found.

MSD NOTES:

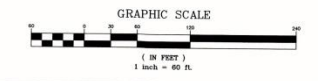
- Sanitary sewer service will be provided by lateral extension and subject to applicable fees.
- To the surface of the site within the 100 year flood plain per RIM Map No. 2111 C DDB E dated December 3, 2006.
- Drainage pipes and channels shall be in accordance with applicable code. Final configuration and slope of drainage pipes and channels shall be determined during the construction plan design process. Orange plastic shall be installed around all MSD requirements.
- Existing underground detention basin and existing storm drainage system will be utilized and shall meet Section 10.3.4.4 standards of the MSD design requirements.
- If the site has thru drainage an easement plan will be required prior to MSD granting construction plan approval.
- On-site detention will be required post-developed peak flows will be limited to pre-developed peaks or to the capacity of the downstream system whichever is more restrictive.
- A Downstream Facilities Capacity Request has been approved by MSD by letter dated May 6, 2016.
- The final design of this project must meet all MSD design quality requirements established by MSD. Site design may change at the design phase due to proper sizing of Green Best Management Practices.
- Provision of Site Control shows a conceptual only, and final design will be determined on construction plans.
- Final construction details shall be submitted to the Engineering Department for review and approval.
- KTC approval required prior to MSD construction plan approval.



UNDERGROUND PARKING DETAIL
1" = 60' SCALE

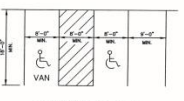
TREE CANOPY CALCULATIONS

TOTAL SITE AREA	=	443,543 S.F.
TOTAL TREE CANOPY AREA REQUIRED	=	20% (88,708 S.F.)
EXISTING TREE CANOPY TO BE PRESERVED	=	16% (69,840 S.F.)
PROPOSED TREE CANOPY TO BE PLANTED	=	4% (19,440 S.F.)
TOTAL TREE CANOPY AREA PROVIDED	=	20% (89,280 S.F.)



EROSION PREVENTION AND SEDIMENT CONTROL NOTES

- The approved erosion prevention and sediment control (EPSC) plan shall be implemented prior to any earth-disturbing activity on the construction site.
- Any modifications to the approved EPSC plan must be reviewed and approved by MSD's private development review office. EPSC BMPs shall be included per the plan and MSD standards.
- Detention basins, if applicable, shall be constructed first and shall perform as sediment traps during construction until the connecting drainage areas are seeded and stabilized.
- Activities must be taken to minimize the tracking of mud and soil from construction areas onto public roadways. Soil tracked onto the roadway shall be removed daily. Soil stockpiles shall be located away from firetraps, ponds, streams and other bodies. Stockpiles shall be seeded, mulched, and adequately drained through the use of silt tracks.
- All stream crossings must utilize low-water crossing structures per MSD standards.
- Dewatering shall be done in accordance with the approved plan.
- Where construction or land disturbance activity will or has temporarily ceased on any portion of a site, temporary site stabilization measures shall be required as soon as practicable, but no later than 14 calendar days after the activity has ceased.
- Detention basins shall be constructed and installed prior to any construction of a stream, pond, reach or catch basin. All storm drainage shall be installed in accordance with the approved plan.
- Construction fencing shall be erected prior to any construction or grading activities preventing circulation of road systems of trees to be preserved. The fencing shall enclose the area beneath the activities of the tree canopy and driveway in place. No parking, material storage or construction activities shall be permitted within the fenced area.



TYPICAL PARKING SPACE LAYOUT
NO SCALE

NO.	DATE	REVISIONS
1	11-11-16	REVISED PER AGENT COMMENTS
2	11-11-16	REVISED PER AGENT COMMENTS
3	11-11-16	ADD VARIANCE REQUEST

DESIGNER'S SEAL
ENGINEER'S SEAL

PROJECT DATA
FILE NAME: 16025-000P
DATE: 11-11-16
SCALE: AS SHOWN
CREATED BY: JLV
DRAWN BY: JLV

L&D
LAND DESIGN & DEVELOPMENT, INC.
485 W. MAIN STREET
LOUISVILLE, KY 40202
PH: 502.636.1127
WWW.L&DDESIGN.COM

REVISED DETAILED DISTRICT DEVELOPMENT PLAN
CHAMBERLAIN POINTE
OWNER/DEVELOPER
CHAMBERLAIN HOLDINGS, LLC.
11507 MAIN STREET
LOUISVILLE, KY 40243

NO. 16025
SHEET 1 OF 1

RECEIVED
JUL 17 2016
CASE: 16DEVPLAN057
WM #873

OWNER:
JULEP HOLDINGS LLC
11507 MAIN ST
LOUISVILLE, KY 40243

AGENT:
LAND DESIGN & DEVELOPMENT, INC.
485 W. MAIN STREET
LOUISVILLE, KY 40202

PREPARED BY:
JULEP HOLDINGS LLC
11507 MAIN ST
LOUISVILLE, KY 40243

SITE ADDRESS:
4640 CHAMBERLAIN LN
TAX BLOCK W002, LOT 0164
B 100559, PG. 0066

COUNCIL DISTRICT - 17
FIRE PROTECTION DISTRICT - WORTHINGTON

Applicable Plans & Policies

- Land Development Code (April 2016)

Staff Analysis and Conclusions

- Variance request appears to be adequately justified and meets the standard of review
- Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standard for granting a variance established in the Land Development Code.

Required Actions

- **APPROVE** or **DENY** the variance from LDC, section 5.7.1.B.1 to allow the height of the proposed medical office building to be a maximum of 58 feet within the form district transition zone.

Location	Requirement	Request	Variance
Height (transition zone)	Max. 45'	58'	13'