

Board of Zoning Adjustment
Staff Report
May 21, 2018



Case No:	18devplan1038
Project Name:	Louisville City FC
Location:	237-243, 249-251, 255-257, 261, 267-275, & 270 N. Campbell St., 250, 350, 375, & 1080 Adams St., 214, 225-229, 249-257, 261-265, & 271 Mill St., 200, 203/203R Cabel St., 275 N Shelby St.
Owner(s):	Louisville Metro Government
Applicant:	Louisville City FC
Jurisdiction:	Louisville Metro
Council District:	4-Barbara Sexton Smith
Case Manager:	Julia Williams, RLA, AICP, Planning Supervisor

REQUEST(S)

- Variance from Chapter 5.2.1.C.3-6 to permit Buildings D (325'+/-) and E (410'+/-) to exceed the 15' setback along Adams Street (a 310'+/- variance for Building D and 395'+/- variance for building E).

CASE SUMMARY/BACKGROUND

The development site encompasses 44 lots that are zoned EZ-1. The proposal is for several office buildings, hotels, an athletic facility, and retail.

A revised plan was recently heard at the Development Review Committee on May 9, 2018. The site was rezoned under case #17ZONE1050 in February 2018.

STAFF FINDING

The applicant's requests generally meet the requirements of the Land Development Code.

TECHNICAL REVIEW

- Butchertown Neighborhood Plan (2008)
- Cornerstone 2020
- Land Development Code

INTERESTED PARTY COMMENTS

None received.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE

- (a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The requested variance will not adversely affect the public health, safety or welfare since there will still be access to the buildings with the increased setbacks. The additional setbacks are to accommodate controlled entry/exit to the athletic facility.

- (b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The requested variance will not alter the essential character of the general vicinity since the area currently has no established character. The lots were previously used industrially.

- (c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not cause a hazard or nuisance to the public since there will still be access to the buildings with the increased setbacks. The additional setbacks are to accommodate controlled entry/exit to the athletic facility.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations since there will still be access to the buildings with the increased setbacks. The additional setbacks are to accommodate controlled entry/exit to the athletic facility.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The site is surrounded by multiple roadways with surrounding development that has been under developed which is an unusual circumstance.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

STAFF: Setting the buildings to the property lines could create an unnecessary hardship on the safety and security of the athletic facility. The current layout allows for controlled access to the athletic facility.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Variance** from Chapter 5.2.1.C.3-6 to permit Buildings D (325'+/-) and E (410'+/-) to exceed the 15' setback along Adams Street (a 310'+/- variance for Building D and 395'+/- variance for building E).

NOTIFICATION

Date	Purpose of Notice	Recipients
5/7/18	Hearing before BOZA on 5/21/18	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 4.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

2. Aerial Photograph

