

CORNERSTONE 2020 COMPREHENSIVE PLAN COMPATIBILITY STATEMENT

Costco Wholesale believes the proposed development plan submitted complies with all applicable elements of both City code as well as the Cornerstone 2020 comprehensive plan. The parcel was previously zoned with 4 designations within the overall 19.65 acres. Approximately 4.93 acres of the western half of the parcel (R-4 and R-7/neighborhood designation) Costco is seeking to have rezoned to C-2 to accommodate the overall development of a 165,698 sf member's only retail warehouse that includes ancillary uses such as optical, photo processing, pharmacy, liquor pod, attached tire center and a free standing fueling facility. The comprehensive plan designates this area as a Suburban Market Corridor due to its eastern boundary lies along Bardstown Road. Costco Wholesale business provides the member with multiple businesses combined under one roof. Besides those mentioned above, the member will find electronics on a grand scale, fresh meat, vegetables, fruit, seafood, canned goods, paper products, automotive, furniture, office products, appliances, clothing, etc. Costco in the neighborhood not only provides a service to the individual consumer, but local small businesses can benefit as well by using Costco as a supplier for the products as well.

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PLANNING &
DESIGN SERVICES

KS201508



Variance Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1008

Intake Staff: RMC

Date: 6/15/15

Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

This is a variance from Section 5.3.2.C.2.a of the Land Development Code, to allow The building to be located approx. 785' from the property line instead of the required 275'.

Primary Project Address: 3408 Bardstown Road

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Additional Address(es): _____

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Primary Parcel ID: 061000580000

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Additional Parcel ID(s): _____

Proposed Use: C1; C2

Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7

Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008

Docket/Case #: _____

Docket/Case #: _____

Docket/Case #: _____

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

Applicant believes that the variance(s) requested will not adversely affect the public health, safety or welfare of the general public, as the requests are primarily for site mobility for the public

2. Explain how the variance will not alter the essential character of the general vicinity.

The variance(s) will not alter the essential character of the general vicinity. Extensive landscaping has been provided throughout the parcel which will only enhance the parcel in comparison to current use.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variance(s) will not cause a hazard or a nuisance to the public as the variances are due to setback requirements in order to efficiently provide safe mobility on the site for the public.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The requested variance(s) will not allow an unreasonable circumvention of the zoning regulations as they are primarily setback adjustments if strictly adhered to will not allow for the proposed used to be developed with effective mobility for the public

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

[Empty box for response]

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2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

[Empty box for response]

3. Are the circumstances are the result of actions of the applicant taken subsequent to the adoption of the regulation which relief is sought?

[Empty box for response]

15201127008



Variance Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1008 Intake Staff: KMC

Date: 6/15/15 Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

This is a variance from Section 5.3.2 of the Land Development Code, to allow Encroachment into the 50' setback along the south property line and into 75' setback along the north property line.

Primary Project Address: 3408 Bardstown Road

Additional Address(es): _____

Primary Parcel ID: 061000580000

Additional Parcel ID(s): _____

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Proposed Use: C1; C2 Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7 Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

15ZONE1008

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

Applicant believes that the variance(s) requested will not adversely affect the public health, safety or welfare of the general public, as the requests are primarily for site mobility for the public

2. Explain how the variance will not alter the essential character of the general vicinity.

The variance(s) will not alter the essential character of the general vicinity. Extensive landscaping has been provided throughout the parcel which will only enhance the parcel in comparison to current use.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variance(s) will not cause a hazard or a nuisance to the public as the variances are due to setback requirements in order to efficiently provide safe mobility on the site for the public.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The requested variance(s) will not allow an unreasonable circumvention of the zoning regulations as they are primarily setback adjustments if strictly adhered to will not allow for the proposed used to be developed with effective mobility for the public

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

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2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

3. Are the circumstances are the result of actions of the applicant taken subsequent to the adoption of the regulation which relief is sought?

152412100



Variance Application

Louisville Metro Planning & Design Services

Case No. 15ZONE1008 Intake Staff: KMC

Date: 6/26/15 Fee: —

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

This is a variance from Section 8.3.3 of the Land Development Code, to allow total wall signage for development of Costco Warehouse and Fuel Facility to 710 sf.

Primary Project Address: 3408 Bardstown Road

Additional Address(es): _____

Primary Parcel ID: 061000580000

Additional Parcel ID(s): _____

Proposed Use: C1; C2 Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7 Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

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Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

Applicant believes that the variance(s) requested will not adversely affect the public health, safety or welfare of the general public, as the requests are primarily for site recognition for the public.

2. Explain how the variance will not alter the essential character of the general vicinity.

The variance(s) will not alter the essential character of the general vicinity. The signs proposed have been designed to compliment the overall size of the building. Due to the extended setback from the road increases the visibility need of the signs on the warehouse. No monument signs on site

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variance(s) will not cause a hazard or a nuisance to the public as the variance is primarily for aesthetic and directional signage on the main warehouse building, as well as identification purposes for the accessory uses

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The requested variance(s) will not allow an unreasonable circumvention of the zoning regulations since due to the overall size of the building the signs are designed to compliment, in addition neither a monument nor pylon sign will be installed near the main entrance roadway (Bardstown)

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

[Empty box for answer]

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2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

[Empty box for answer]

3. Are the circumstances are the result of actions of the applicant taken subsequent to the adoption of the regulation which relief is sought?

[Empty box for answer]

15241008



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1008

Intake Staff: KMC

Date: 6/15/15

Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

Landscape Waiver of Chapter 10, Part 2 - 4

Other: Waiver of Section _____

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: Permit encroachments into the 25' landscape buffer area along the north and south property lines.

Primary Project Address: 3408 Bardstown Road

Additional Address(es): _____

Primary Parcel ID: 061000580000

Additional Parcel ID(s): _____

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Proposed Use: C1; C2

Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7

Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The requested waiver(s) will not adversely affect adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

The requested waiver(s) will not violate the Comprehensive Plan.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The requested waiver(s) of the regulation is the minimum necessary to afford relief to the applicant in order for this project to move forward.

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4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The applicant has spent a significant amount of time in developing a workable site plan for both the use and as close as possible to the regulations of the City of Louisville. The strict application of the provisions of the regulation waiver(s) requested will deprive the application of the reasonable use of the land.





General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1008 Intake Staff: RMC

Date: 6/15/15 Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

Landscape Waiver of Chapter 10, Part 2

Other: Waiver of Section Chapter 4.4.2.b.1A & 5.9.2.A1.b.ii

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: To not provide vehicular access to adjacent non-residential properties to the north and south.

Primary Project Address: 3408 Bardstown Road

Additional Address(es): _____

Primary Parcel ID: 061000580000

Additional Parcel ID(s): _____

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Proposed Use: C1; C2 Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7 Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The requested waiver(s) will not adversely affect adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

The requested waiver(s) will not violate the Comprehensive Plan.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The requested waiver(s) of the regulation is the minimum necessary to afford relief to the applicant in order for this project to move forward.

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4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The applicant has spent a significant amount of time in developing a workable site plan for both the use and as close as possible to the regulations of the City of Louisville. The strict application of the provisions of the regulation waiver(s) requested will deprive the application of the reasonable use of the land.

KSZAVAGE



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15Zone 1008 Intake Staff: RMC

Date: 6/15/15 Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

- Landscape Waiver of Chapter 10, Part 2
- Other: Waiver of Section Chapter 9.2

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: To not provide short term bicycle parking. The method of the business is not conducive to customers using bicycles. Employees park bicycles inside receiving area.

Primary Project Address: 3408 Bardstown Road

Additional Address(es): _____

Primary Parcel ID: 061000580000

Additional Parcel ID(s): _____

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Proposed Use: C1; C2 Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7 Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The requested waiver(s) will not adversely affect adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

The requested waiver(s) will not violate the Comprehensive Plan.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The requested waiver(s) of the regulation is the minimum necessary to afford relief to the applicant in order for this project to move forward.

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4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The applicant has spent a significant amount of time in developing a workable site plan for both the use and as close as possible to the regulations of the City of Louisville. The strict application of the provisions of the regulation waiver(s) requested will deprive the application of the reasonable use of the land.

1524157008



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1008 Intake Staff: KINE

Date: 6/15/15 Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

X Landscape Waiver of Chapter 10, Part 2 . 12

Other: Waiver of Section _____

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: To permit more that 120" between Interior Landscape Areas within parking area

Primary Project Address: 3408 Bardstown Road

Additional Address(es): _____

Primary Parcel ID: 061000580000

Additional Parcel ID(s): _____

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Proposed Use: C1; C2

Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7

Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ x Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The requested waiver(s) will not adversely affect adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

The requested waiver(s) will not violate the Comprehensive Plan.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The requested waiver(s) of the regulation is the minimum necessary to afford relief to the applicant in order for this project to move forward.

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4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The applicant has spent a significant amount of time in developing a workable site plan for both the use and as close as possible to the regulations of the City of Louisville. The strict application of the provisions of the regulation waiver(s) requested will deprive the application of the reasonable use of the land.

BSM/E 1008



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1008 Intake Staff: KMC

Date: 6/15/15 Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

Landscape Waiver of Chapter 10, Part 2

Other: Waiver of Section Chapter 5.6

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: To not provide 60% animating features, windows and a varied roofline to our main warehouse elevations.

Primary Project Address: 3408 Bardstown Road

Additional Address(es): _____

Primary Parcel ID: 061000580000

Additional Parcel ID(s): _____

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Proposed Use: C1; C2 Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7 Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The requested waiver(s) will not adversely affect adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

The requested waiver(s) will not violate the Comprehensive Plan.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The requested waiver(s) of the regulation is the minimum necessary to afford relief to the applicant in order for this project to move forward.

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4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The applicant has spent a significant amount of time in developing a workable site plan for both the use and as close as possible to the regulations of the City of Louisville. The strict application of the provisions of the regulation waiver(s) requested will deprive the application of the reasonable use of the land.

1521157008



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: _____ Intake Staff: _____

Date: _____ Fee: _____

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

Landscape Waiver of Chapter 10, Part 2, 4, B

Other: Waiver of Section _____

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: To allow more that 50% easement overlap in a Landscape Buffer area. MSD has requested a 15' easement on southern property line that has a 25' LBA.

Primary Project Address: 3408 Bardstown Road

Additional Address(es): _____

Primary Parcel ID: 061000580000

Additional Parcel ID(s): _____

Proposed Use: C1; C2 Existing Use: C1; C2; R4; R7

Existing Zoning District: C1; C2; R4; R7 Existing Form District: C2-SMC; Neighborhood

Deed Book(s) / Page Numbers²: 3930 / page 39

The subject property contains 19.65 acres. Number of Adjoining Property Owners: 302

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: Under review: 15ZONE1008 Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The requested waiver(s) will not adversely affect adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

The requested waiver(s) will not violate the Comprehensive Plan.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The requested waiver(s) of the regulation is the minimum necessary to afford relief to the applicant in order for this project to move forward.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The applicant has spent a significant amount of time in developing a workable site plan for both the use and as close as possible to the regulations of the City of Louisville. The strict application of the provisions of the regulation waiver(s) requested will deprive the application of the reasonable use of the land.