



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 19-WAIVER-0023

Intake Staff: RM

Date: 7-15-2019

Fee: \$225

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/Planning-Design>.

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 _____

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 WAIVE A 3 CONTINUOUS SCREEN REQUIRMENT

Primary Project Address: 510 E CHESTNUT STREET

Additional Address(es): _____

Primary Parcel ID: 016H-0126-0000

Additional Parcel ID(s): 016H-0141, 0142, 0143, 0144, 0146, 0147-0000

Proposed Use: OFFICE Existing Use: OFFICE

Existing Zoning District: OR-2 Existing Form District: DOWNTOWN

Deed Book(s) / Page Numbers²: BOOK 016H, PAGES 0126, 0141, 0142, 0143, 0144, 0146, 0147

The subject property contains 2.401 acres. Number of Adjoining Property Owners: 5

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:

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Docket/Case #: _____ 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?

NO. ADJACENT LOTS ARE OF THE SAME USE AND INTENSITY CLASS AS THIS PROPERTY (OFFICES, PARKING GARAGES, PARKING LOTS). SURROUNDING SURFACE PARKING LOTS ON CHESTNUT STREET, JACKSON STREET, HANCOCK STREET, AND SPRINGER ALLEY ALSO DO NOT HAVE 3' SCREENS.

2. Will the waiver violate the Comprehensive Plan?

NO. THIS WAIVER WILL NOT CHANGE THE FUNCTION OF THE PROPERTY OR THE CHARACTER OF THE LOT. IN ADDING LANDSCAPING, STREET TREES AND TREE CANOPY THROUGH THE REPLACING OF THE EXISTING AGING OFFICE BUILDING WITH THE PROPOSED PARKING EXPANSION, THE NEIGHBORHOOD STREETScape WILL BE IMPROVED DRAMATICALLY THROUGH THIS DEVELOPMENT.

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

YES. THIS WAIVER WOULD REQUIRE THE AMERICAN RED CROSS TO CONSTRUCT APPROXIMATELY 550 LF OF SCREENING ALONG CHESTNUT AND HANCOCK STREETS, THE MAJORITY OF WHICH IS IN FRONT OF AN EXISTING, 50 YEAR OLD PARKING LOT, WHICH IS NOT BEING RESURFACED OR RECONFIGURED AS PART OF THIS DEVELOPMENT PLAN.

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?

STRICT APPLICATION OF THE PROVISIONS WOULD REQUIRE THE LAND OWNER TO APPLY CURRENT-DAY REQUIREMENTS TO THE EXPANSION OF A PARKING LOT BUILT BEFORE THESE REGULATIONS EXISTED. THE CHARACTER OF THE EXISTING AND SURROUNDING PARKING LOTS WOULD BE DISRUPTED BY INTRODUCING SCREENING THAT IS NOT PRESENT ON ANY OTHER SURFACE LOT IN THE AREA. ADDITIONALLY, THE OWNER WILL PROVIDE INTERNAL LANDSCAPING AREAS TO BOTH THE NEW PARKING AREA AND THE EXISTING LOT TO EXCEED TREE CANOPY AND ILA REQUIREMENTS INTRODUCED BY THE PARKING EXPANSION.

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Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: CAMILO CIELO

Name: DREW HATCHER

Company: THE AMERICAN RED CROSS

Company: LUCKETT & FARLEY

Address: 510 E CHESTNUT STREET

Address: 737 SOUTH THIRD STREET

City: LOUISVILLE State: KY Zip: 40202

City: LOUISVILLE State: KY Zip: 40202

Primary Phone: 502-589-4450

Primary Phone: 502-585-4181

Alternate Phone:

Alternate Phone:

Email:

Email: dhatcher@lucett-farley.com

Owner Signature (required): Camil Cielo

Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name:

Name:

Company:

Company:

Address:

Address:

City: State: Zip:

City: State: Zip:

Primary Phone:

Primary Phone:

Alternate Phone:

Alternate Phone:

Email:

Email:

Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, CAMILLO CIELO, in my capacity as REPRESENTATIVE, hereby representative/authorized agent of the

certify that THE AMERICAN RED CROSS is (are) the owner(s) of the property which name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: Camil Cielo Date: 6/26/19

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.