

Letter of Explanation

714 S 24th Street CUP for Off Site Parking areas LDC 4.2.39

18CUP1026

Applicant- Jen Care

Jen Care is applying for a C.U.P for Off Site Parking area to serve its senior medical center on an adjacent tract at 2406 W. Broadway. This CUP application is to request a vacant lot be converted to one row of parking to primarily serve the staff of the medical center. This will reserve the existing parking areas on West Broadway for the patients that come to the facility. Their last few years of operation show a need for the additional parking area. The adjacent lot is immediately across an alley behind the site. It is very accessible for the staff who can also enter through rear doors to the center. The Site can meet the requirements under LDC 4.2.39 with a few requests for relief from landscaping due to its narrow width and proximity adjacent to a side alley.

Under LDC 4.2.39, the following are the requirements for a off site Parking area.

A. The Area shall be located within 200 feet of the property on which the building to be served is located measured by the shortest walking distance (using sidewalks and designated crosswalks)

Answer: The proposed vacant lot is across a 20-foot alley immediately behind the site. The staff has a rear door it can enter through, as well as the front door which is still within 200 feet requirement.

B. Walls, fences, or planting shall be provided in a manner to provide protection for and be in harmony with the surrounding properties.

Answer: This is a long narrow residential lot. The parcel next door is vacant and the same shape. There is one residence on the next lot. The rest of the block is vacant. This area to the south was the subject of a recent buy out by MSD due to flooding issues. Thus, very few neighbors exist and traffic in the alleys would be minimal. There is an apartment complex to the rear but its parking area and orientation is to the west. There are a few residences across 24th Street. The parking lot will have a row of bushes along the front and rear yards years per VUA standards for visual buffering. One Type "A" tree will also be planted in each of these areas for screening. A new 6 foot privacy fence will be erected along the south side property line. The width of the lot (35 feet) leads to the request to for relief from the required 25 LBA in that area. The size lot does not allow for the LBA width nor do current conditions require it will the adjacent lot being vacant.

C. The minimum street front, street side and side yards required in the district shall be maintained free of parking,

Answer: The Site Plan meets front, rear and side yard setback on three sides. The north side yard is an alley and that is where the vehicles will access the lot from. Thus, that side yard will not be grass or meet side yard setbacks since it is part of the drive and maneuvering areas. Relief from this requirement is requested.

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D. The area shall be used exclusively for transient parking of motor vehicles belonging to invitees of the owner or lessee of said lot.

Answer: This condition will be met.

E. The approval of all plans and specifications for the improvement, surfacing, and drainage for said parking lot will be obtained from the appropriate Director of Public Works prior to use of the parking area.

Answer: This condition will be met. There are notes on the plan with specifications and requiring this approval.

F. The approval of all plans and specification for all entrances, exits, and lights shall be obtained from the department responsible for transportation planning prior to the public hearing on the Conditional Use Permit.

Answer: This condition will be met and notes on the Site Plan requiring these standards. The parking lot layout is shown on the plan. There is no lighting planned on the site.

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18CUP1026 714 S. 24th Street
Jen Care Senior Medical Center Additional Parking

Waiver 1 Waiver of required VUA/LBA on North Property line
LDC 10.2.10

Waiver 2 Waiver of required PP Property perimeter LBA on the South property
line LDC 10.2.4

Waiver 3 Waiver of required Masonry wall-3 feet high LDC 5.5.1.A.3.a

Waiver 1 Waiver of required VUA/LBA on North Property line
LDC 10.2.10

1. Will the waiver adversely affect adjacent property owners?

The waiver will not adversely affect adjacent property owners. The only adjacent property owner on the north side is the facility (medical center) the parking lot will serve immediately across the alley. The lot's side yard is an alley. Thus, the need for a waiver. A parking lot on a 35 foot wide lot cannot be constructed without using the alley as part of the pull out area. The block is not heavily occupied or the alley widely used. The parking lot will not have any adverse affects on the area.

2. Will the waiver violate the Comprehensive Plan?

No the intent of the requirements for setbacks in the Comprehensive Plan is when the side yard is not an alley.

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

Yes, the parking lot cannot otherwise be constructed on this lot which the Louisville Land Bank is giving to Jen Care for this specific purpose.

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 would not deny the construction of the parking lot and would be a hardship.

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**Waiver 2 Waiver of required PP Property perimeter LBA on the South property
line LDC 10.2.4**

1. Will the waiver adversely affect adjacent property owners?

The waiver will not adversely affect adjacent property owners. The lot next door is vacant. There is then one house and the no other immediate neighbors to the south. There is some vegetation on the vacant lot. This and the proposed 6 foot privacy fence is sufficient buffering for the site and any headlight issues with the vehicles.

2 Will the waiver violate the Comprehensive Plan?

No, the waiver will not violate the intent of the Comprehensive Plan. The one adjoining neighbor has sufficient buffering. The tree canopy requirements for this size lot are over double the required amount.

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

Yes. This is the minimum given the available space. The 5 feet of area on the south property line does not allow for tree plantings.

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 Site Plan has double the required tree canopy proposed and a 6 foot privacy fence.

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Waiver 3 Waiver of required Masonry wall-3 feet high LDC 5.5.1.A.3.a

1. Will the waiver adversely affect adjacent property owners?

The waiver will not adversely affect adjacent property owners. There are no street walls on 24th street. This lot actually goes up about 3 feet in the front yard with a slight hill from the street. No purpose is served in this location by having a street wall. The parking lot will have the required VUA bushes and is 15 feet back from the street.

2. Will the waiver violate the Comprehensive Plan?

No the intent of the requirement is not applicable in this situation.

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

Yes, this is the minimum relief required. A row of VUA bushes and a Type A tree will be planted on the front yard area.

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 proposed landscaping is the design measure for this area.

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