



Change in Zoning / Form District Application

Louisville Metro Planning & Design Services

Case No.: 15Zone1052

Intake Staff: DSG

Date: 12/14/15

Fee: \$1525.70

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:

Change in Zoning / Form District from C2 to EZ-1

Project Description (e.g., retail center and office development, etc.):

Project Name: Rabbit Hole Distilling

Primary Project Address: 711 E Jefferson St

Additional Address(es): _____

Primary Parcel ID: 017D01590000

Additional Parcel ID(s): _____

of Residential Units: _____ Commercial Square Footage: _____

Proposed Use: manufacturing/retail/event Existing Use: Storage warehouse

Existing Zoning District: C2 Existing Form District: Traditional Neighborhood

Deed Book(s) / Page Numbers²: DB 10448 PG 0350

The subject property contains 0.867 acres. The area to be rezoned contains 0.867 acres.

Number of Adjoining Property Owners (APOs): 44 (refer to tax map from PDS)

To the best of your knowledge and belief, does the applicant or any of its related interests have a personal or financial relationship with any Louisville Metro Officer, Metro Council Member, Planning Commission Member or any of their related interests? If yes, please explain the nature of the relationship (including name of official)

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 #: _____ Docket/Case #: _____

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

Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: Kaveh Zamanian

Name: Doug Pierson

Company: Rabbit Hole Spirits, LLC

Company: (fer) studio, LLP

Address: 1452 Cherokee Road

Address: 1159 E Hyde Park Blvd

City: Louisville State: KY Zip: 4020

City: Inglewood State: CA Zip: 90302

Primary Phone: 502-377-5594

Primary Phone: 310-672-4749

Alternate Phone: _____

Alternate Phone: _____

Email: kaveh@rabbitholedistilling.com

Email: doug@ferstudio.com

Owner Signature (required): 

Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name: _____

Name: Ashley Brock

Company: _____

Company: Luckett & Farley

Address: _____

Address: 737 S 3rd St

City: _____ State: _____ Zip: _____

City: Louisville State: CA Zip: 40202

Primary Phone: _____

Primary Phone: 502-585-4181

Alternate Phone: _____

Alternate Phone: _____

Email: _____

Email: abrock@luckett-farley.com

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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, Kaveh Zamanian, in my capacity as Representative, hereby *representative/authorized agent/other*

certify that Rabbit Hole Spirits, LLC 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:  Date: 2/5/16

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.

Rabbit Hole Spirits, LLC

Case No. _____

December 14, 2015

Statement of Compliance

Introduction:

Rabbit Hole Spirits, LLC proposes to rezone the property at 711 East Jefferson Street from C-2 Commercial to EZ-1 Special Purpose to complete the adaptive reuse of and additional new construction to an existing building for manufacturing, warehouse, office, and retail uses in approximately 29,972 gross square feet of space.

The subject property is surrounded by the St. Jude Missionary Baptist Church and other commercial uses to the west, Nanny Goat Strut alley to the north, and commercial properties to the east. The subject property fronts Jefferson Street to the south between South Shelby Street and South Clay Street. The subject property is located in a Traditional Neighborhood Form District.

The requested rezoning is necessary because the proposed adaptive reuse of the subject property would include light manufacturing of distilled spirits, limited storage of manufacturing supplies and inventories, and office space.

Guideline 1 - Community Form

The subject property is located in a Traditional Neighborhood Form District. The Traditional Neighborhood Form District "is designed to promote diversity and integration of uses and structures in an existing traditional neighborhood through flexible design standards that . . . [p]rovide flexibility to meet changing needs, technologies, economics, and consumer preferences." LDC, Section 2.7.4(A)(2) (Dec 2009). The property is currently zoned commercially. The proposed use will continue the established neighborhood pattern of integrated redevelopment, including civic, commercial, and office uses that promote close-to-home work and service opportunities. The use and scale of the development will be appropriate for the adjacent commercial properties and the surrounding neighborhood.

Guideline 2 - Centers

The proposed uses of the property are compatible with the surrounding commercial uses and are of equal intensity. The subject property is located within an existing commercial activity center. The proposed redevelopment will utilize existing utility and road infrastructures. The subject property is currently zoned commercial and will not create a commercial expansion into residential zones.

The subject property will utilize existing commercial curb cuts, which promote vehicular and pedestrian safety. The proposed development will provide pedestrian access from Jefferson Street to the building's entrance. The proposed development will not significantly contribute to the existing vehicle air pollution being generated by the daily volume of traffic on Jefferson Street. Outdoor security lighting will be compliant with the Louisville Metro Land Development Code.

Jefferson Street, and Shelby Street. Therefore, the impact to surrounding residential areas will be minimal. Pedestrian connections and onsite parking will incorporate existing connections and will not impact the adjacent properties, in compliance with the Louisville Metro Land Development Code.

Guideline 8 – Transportation Facility Design

The proposed development includes adequate parking and right of way dedication as required along Jefferson Street. There is rear access to the property through Nanny Goat Strut. Vehicle and pedestrian access are available from either Jefferson Street or Clay Street via Nanny Goat Strut.

Guideline 9 - Bicycle, Pedestrian and Transit

The proposed development includes sidewalks that connect to the existing sidewalks on Jefferson Street and will provide bicycle parking as required by the Louisville Metro Land Development Code.

Guideline 10 - Flooding and Stormwater and Guideline 11 - Water Quality

The proposed development will include a stormwater drainage system approved by Louisville Metropolitan Sewer District. The subject site is not located within a floodplain. The proposed development will comply with on-site detention / infiltration basin requirements to accommodate stormwater from the building and parking areas. During construction, the proposed development will install the appropriate sediment and erosion control methods per MSD's Best Management Practices.

Guideline 12 – Air Quality

The proposed development will comply with air pollution and dust mitigation measures as required by the Air Pollution Control Board.

Guideline 13 Landscape Character

The surrounding properties are developed and there are no landscape or habitat corridors in the general area. The proposed development will comply with the landscape requirements of the Louisville Metro Land Development Code and will include plantings of trees and shrubbery and the construction of a reflecting pool. There are no existing trees located on the subject property, which currently consists of building and asphalt pavement.

Guideline 14 - Infrastructure

The subject property is located near two intersections of major streets and will require no improvements to be made to the existing road system. There is adequate water, electric, and sewer infrastructure currently serving the subject site. Sanitary sewer capacity is available from Louisville MSD.



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1052 Intake Staff: 38
Date: 2/11/16 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:

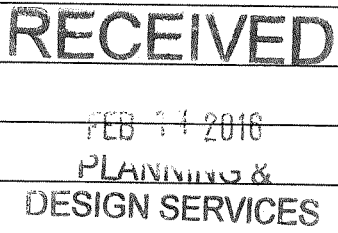
Application is hereby made for one or more of the following waivers of the Land Development Code:

- Landscape Waiver of Chapter 10, Part 2
- Other: Waiver of Section 5.5.1.A.4.b

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: The existing loading dock is located on the primary façade. Request permission to continue the use of the loading dock.

Primary Project Address: 711 E Jefferson St
Additional Address(es): _____
Primary Parcel ID: 017D01590000
Additional Parcel ID(s): _____



Proposed Use: manufacturing/retail/event Existing Use: Storage Warehouse

Existing Zoning District: C-2 Existing Form District: Trad. Neighborhood

Deed Book(s) / Page Numbers²: DB 10448 PG 0350

The subject property contains 0.867 acres. Number of Adjoining Property Owners: 44 38 38

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 #: 15 ZONE 1052 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 waiver will not adversely affect adjacent property owners. The loading dock is existing. We are reducing the number of dock doors by 50% which is an improvement upon the existing conditions.

2. Will the waiver violate the Comprehensive Plan?

The waiver will not violate the Comprehensive Plan. As an adaptive re-use of the existing docks we feel we are not straying from the current character of the neighborhood and furthermore developing the loading dock in conjunction with the Jefferson St façade should create a cohesive entrance more in tune with the neighborhood than before.

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

Yes, we are only asking for the use of the existing non-conforming docks, half of which we are removing.

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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?

Relocating the loading dock to a different façade would require excessive site demolition and unnecessary additional construction. Extending the loading dock by 1' to comply with the 50' minimum also require substantial reconstruction of the existing façade and foundations. We feel the most sustainable method is to reuse the loading docks where they are located. We have reduced the number of docks by 50% and are redesigning this area as an essential function of the distillery. We have added a canopy at this area as a pragmatic solution to rain or snow while also engaging the architecture that makes the loading dock a part of the design rather than an afterthought.



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 15 ZONE 1052 Intake Staff: 38
Date: 2/11/16 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 10.2.4.A

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: Request permission to relocate landscape buffer from zone boundary

Primary Project Address: 711 E Jefferson St

Additional Address(es): _____

Primary Parcel ID: 017D01590000

Additional Parcel ID(s): _____

Proposed Use: manufacturing/retail/event Existing Use: Storage Warehouse

Existing Zoning District: C-2 Existing Form District: Trad. Neighborhood

Deed Book(s) / Page Numbers²: DB 10448 PG 0350

The subject property contains 0.867 acres. Number of Adjoining Property Owners: 44 38 38

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

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If yes, please list the docket/case numbers:

Docket/Case #: 15 ZONE 1052 Docket/Case #: _____

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

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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, the waiver will benefit the adjacent property owner. Currently this property and the adjacent property share a driveway and parking lot. Relocating the landscape buffer from the zone boundary (in this case, the property line) will maintain the adjacent property's access to parking.

2. Will the waiver violate the Comprehensive Plan?

No, the objective of the landscape buffer will be maintained. The landscape buffer will be located between the proposed built structure and the shared parking lot with the adjacent property. The proposed location will be a buffer between the visible elements of the zones rather than a location that would adversely affect the adjacent property in a way the Comprehensive Plan would not intend.

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

Yes, we just require permission to locate the landscape buffer in a more appropriate location for the conditions on the site.

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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?

Were we to comply with the requirements of the code, the landscape buffer would cut off access to parking for the adjacent property. We have incorporated the landscape buffer into the parking lot design in a location that does not break up the parking lot. We have also created a larger landscaped area than required.



Variance Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1052 Intake Staff: 3B

Date: 2/9/16 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 5.2.2.C of the Land Development Code, to allow Relief from 15' rear yard minimum setback.

Primary Project Address: 711 E Jefferson St

Additional Address(es): _____

Primary Parcel ID: 017D01590000

Additional Parcel ID(s): _____

Proposed Use: Manufacturing/retail/event Existing Use: Storage Warehouse

Existing Zoning District: C-2 Existing Form District: Trad. Neighborhood

Deed Book(s) / Page Numbers²: DB 10448 PG 0350

The subject property contains 0.867 acres. Number of Adjoining Property Owners: 44

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 #: 15 ZONE 1052 Docket/Case #: _____

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

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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.

The current rear yard setback is existing and because we are incorporating sustainable practices such as adaptive re-use we feel we are improving upon public health, safety, and welfare.

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

The current rear yard setback is existing and we have improved on this by a 50% reduction of the existing rear exterior wall. We do not feel this will alter the character because most of the surrounding properties are zoned Commercial which this set back is in compliance with.

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

The current rear yard setback is existing and is currently not a hazard or nuisance to the public. The use of the non-conforming building will not change in a way that would create a hazard or nuisance to the public

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

The variance is to maintain the existing conditions, that we are reducing by 50%, which we do not believe is an unreasonable circumvention of the requirements of the regulations.

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).

The need for a variance arose from the application for a zoning change from C-2 to EZ-1 which has stricter setback requirements. The desired Adaptive Re-Use of the existing warehouse would require a variance.

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.

The strict application of the provisions would deprive the sustainable practice of adaptive re-use of the existing warehouse.

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

No, no actions have been taken by the current owner. The original buildings currently exist on site without any known alterations and no new construction or demolition has occurred.

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Variance Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1052 Intake Staff: 38

Date: 2/9/16 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 5.2.2.C of the Land Development Code, to allow Relief from maximum 45' building height restriction.

Primary Project Address: 711 E Jefferson St

Additional Address(es): _____

Primary Parcel ID: 017D01590000

Additional Parcel ID(s): _____

Proposed Use: Manufacturing/retail/event Existing Use: Storage Warehouse

Existing Zoning District: C-2 Existing Form District: Trad. Neighborhood

Deed Book(s) / Page Numbers²: DB 10448 PG 0350

The subject property contains 0.867 acres. Number of Adjoining Property Owners: 44

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

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If yes, please list the docket/case numbers:

Docket/Case #: 15 ZONE 1052 Docket/Case #: _____

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

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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.

The building height will not affect public health, safety, or welfare.

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

The high point of the building will be located toward the center of the property. The scale, use and character of the street frontage will remain consistent with the Traditional Neighborhood.

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

Because the high point of the building will be located towards the center of the property, this will have a minimum impact to loss of light, excessive shadows, or blocking views for adjacent properties.

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

The distilling equipment requires a certain height, projected at 60', which exceeds the maximum allowable. We believe because this equipment is essential to the distilling process, our request is not unreasonable. We have also found non-conforming precedents in the area.

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).

The need for a variance arises from the height of some of the required equipment for the distilling process. These pieces are taller than allowable by zoning.

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.

The strict application of the provisions would prevent the facility from operating functionally as intended as a distillery.

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

No, no actions have been taken by the current owner. The original buildings currently exist on site without any known alterations and no new construction or demolition has occurred.

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Variance Application

Louisville Metro Planning & Design Services

Case No.: 15Z-ONE1052 Intake Staff: JB

Date: 2/9/16 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 5.2.2.C of the Land Development Code, to allow Relief from the 10' minimum side yard setback.

Primary Project Address: 711 E Jefferson St

Additional Address(es): _____

Primary Parcel ID: 017D01590000

Additional Parcel ID(s): _____

Proposed Use: Manufacturing/retail/event Existing Use: Storage Warehouse

Existing Zoning District: C-2 Existing Form District: Trad. Neighborhood

Deed Book(s) / Page Numbers²: DB 10448 PG 0350

The subject property contains 0.867 acres. Number of Adjoining Property Owners: 44

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 #: 15 ZONE 1052 Docket/Case #: _____

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

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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.

The current rear yard setback is existing and because we are incorporating sustainable practices such as adaptive re-use we feel we are improving upon public health, safety, and welfare.

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

The current non-conforming side yard setback is existing on the west side yard only and as an existing condition will not alter the character of the area because most of the surrounding properties are zoned Commercial which this set back is in compliance with.

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

The current side yard setback is existing non-conforming on the west side yard only and is not currently a hazard or a nuisance to the public. The use of the non-conforming building will not change in a way that would create a hazard or nuisance to the public

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

The variance is to maintain the existing conditions which we do not believe is an unreasonable circumvention of the requirements of the regulations.

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).

The need for a variance arose from the application for a zoning change from C-2 to EZ-1 which has stricter setback requirements. The desired Adaptive Re-Use of the existing warehouse would require a variance.

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.

Strict application of the provisions would require the demolition of about 140' of exterior building wall, 100' of which is shared with an adjacent property's building. This would create an unnecessary hardship for both properties.

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

No, no actions have been taken by the current owner. The original buildings currently exist on site without any known alterations and no new construction or demolition has occurred.

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Variance Application

Louisville Metro Planning & Design Services

Case No.: 15ZONE1052 Intake Staff: JB

Date: 2/9/16 Fee: _____

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Project Information:

This is a variance from Section 5.2.2.C of the Land Development Code, to allow Relief from 0' maximum front yard setback.

Primary Project Address: 711 E Jefferson St

Additional Address(es): _____

Primary Parcel ID: 017D01590000

Additional Parcel ID(s): _____

Proposed Use: Manufacturing/retail/event Existing Use: Storage Warehouse

Existing Zoning District: C-2 Existing Form District: Trad. Neighborhood

Deed Book(s) / Page Numbers²: DB 10448 PG 0350

The subject property contains 0.867 acres. Number of Adjoining Property Owners: 44

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 #: 15 ZONE 1052 Docket/Case #: _____

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

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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.

Improvements to existing buildings and construction of new buildings will create an 'Entrance' presence not currently existing in the warehouse space. Landscaping and walkways will create green areas where storm water runoff can be reduced, will add to the character of the Traditional Neighborhood and will draw visitors in toward the entry point of the building. Exterior lighting, not providing in existing conditions will be added as well. All of these elements are designed to integrate with the neighborhood and will not adversely affect its health safety and welfare.

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

Urban density is being increase all the while open green and civic like spaces are being developed to enhance the experience within and around the site, and to contribute in a positive way to the community. In keeping with both the self-described 'eclectic feel' of the NuLu neighborhood, and by taking cues from the neighborhood Streetscape project, we consider our project in keeping with the essential character of the general vicinity.

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

The Front Entrance feel of the project draws the visitor inward through indoor/outdoor type spaces that maintain a connectivity between the neighborhood and the inside of the project. It does so in an inviting, respectful and fully accessible way that does not cause a hazard or a nuisance to the public.

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

The site includes an existing non-conforming 49' deep loading dock. Using sustainable practices, the design of the new project strives to visually improve and integrate the loading dock through façade and canopy development, while reducing the number of truck berths from 6 to 3. Given that the existing loading dock does not conform to Front Yard setbacks, we believe that an existing non-conforming condition can be sustainably re-used for the new development without the allowance of an unreasonable circumvention of the requirements of the zoning regulations.

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).

Within 3 blocks of the property, there are several prevailing conditions where the front façade is set back from the property line. The setbacks are allowable under C-2 zoning. Given that we are asking for an EZ-1 designation within the neighborhood, and given that our project strives to integrate with the eclectic nature of the NuLu neighborhood, an allowable front yard setback would be a special circumstance in a variance to the EZ-1 zoning request (but not the general vicinity) which would allow the project to be more in keeping with its surroundings.

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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.

We would like to create a collection area for patrons in front of the entrance to prevent people collecting on the sidewalk. We would consider this a reasonable use of the land. We are not recessing the façade very far and are providing multiple elements that engage the street.

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

No, no actions have been taken by the current owner. The original buildings currently exist on site without any known alterations and no new construction or demolition has occurred.

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