



# General Waiver Application

Louisville Metro Planning & Design Services

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Case No.: 18DEVPLAN1019 Intake Staff: NT

Date: 3/8/18 Fee: 215

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 5<sup>th</sup> 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 10.3.7

*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: Waiver of Section 10.3.7 to reduce the required 50 ft Gene Snyder Freeway Buffer area to 30 ft along Tract 2

Primary Project Address: 4701 Olympia Park Plaza

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: Block 3286, Lot 10

Additional Parcel ID(s): \_\_\_\_\_

Proposed Use: hotel/office Existing Use: vacant

Existing Zoning District: OR3 & OTF Existing Form District: Regional Center

Deed Book(s) / Page Numbers<sup>2</sup>: Deed Book 7532, page 440

The subject property contains 15.5 acres. Number of Adjoining Property Owners: 21

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)*<sup>1</sup>  Yes  No

If yes, please list the docket/case numbers:

Docket/Case #: 18DEVPLAN1019 Docket/Case #: 9-68-99

Docket/Case #: 16DEVPLAN1114 Docket/Case #: \_\_\_\_\_

18 DEVPLAN 1019

**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.

Waiver of: Section 10.3.7 of the LDC to reduce the required 50 ft Gene Snyder Freeway Buffer Area to 30 ft. along Tract 2.

Explanation of Waiver:

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1. The waiver will not adversely affect adjacent property owners because enhanced landscaping will assure that this property will not be highly visible from properties from across the I-265. The enhanced landscaping will be shown at the Planning Commission DRC review of this application and the scenic views from the Gene Snyder Expressway will be preserved through the landscaping. Further, the waiver will match identical the waiver already granted for the adjacent Tract 3 pursuant to Case No. 16DEVPLAN1114 providing consistency and uniformity between the tracts.
2. The waiver will not violate the Comprehensive Plan because of the enhanced landscaping along this setback area will assure compliance with applicable Guideline 13 and its Policies.
3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because only so much of the Snyder Freeway buffer setback is proposed for reduction as necessary to accommodate the office building and related parking with enhanced landscaping to compensate for the reduced setback. This setback is further compatible with the setback for the two hotels along I-265 immediately to the east of this property.
4. Strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because the two hotels along I-265 immediately to the east provide this same reduced, but enhanced landscaped setback area, and office building on the tract and parking have been carefully designed to fit this site with the other tracts it is in conjunction with. Without this waiver, the building designed as it is with related parking would not fit on this site, and yet what is proposed is an excellent use and very attractive design.