

HERITAGE ENGINEERING, LLC

March 28, 2019

Metro Louisville
Planning and Design Services
444 S. 5th Street, Suite 300
Louisville, KY 40202

RECEIVED
MAR 28 2019
PLANNING &
DESIGN SERVICES

**Re: Letter of Explanation
Revised/Detailed District Development Plan with Variance and Waiver Applications**

Dear Staff:

On behalf of The Malcolm Bryant Corp. we are submitting the attached Revised/Detailed District Development Plan with Variance and Waiver Applications for a proposed hotel and office development located at 4209 Simcoe Lane and an adjacent un-address property.

Site improvements include removal of an existing parking lot approved and constructed per Case# 16DEVPLAN1071 & 15835, construction of two new 5-story hotels with the Phase I hotel containing 120 rooms and the Phase II hotel containing 100 rooms. The development will also include an area reserved for two new 1-story office buildings with 2,000 sf in each building.

Construction of the hotels, parking and offices are subject to approval of a setback and height variance from Chapter 5, Part 3, Section 5.3.1.C.5 – Table 5.3.2 of the Land Development Code. The height variance will allow the two hotels to be five (5) stories in height with a maximum height of 60-feet. The setback variance will allow the office buildings and parking/drive lanes to be constructed a maximum of 25-feet into the required 30-foot setback.

Justifications for the requested variances:

- The requested variance will not adversely affect the public health, safety or welfare because granting of the variance will allow for construction of the hotels in a way that provides visual interest and transition from the larger 4-story Republic Bank office building and 5-story Flats at Springhurst (a luxurious urban style apartments development currently under construction) and the Gene Snyder Free. The smaller office buildings at the primary entrance is designed to promote a street presence along Simcoe Lane.
- The variance requested will not alter the essential character of the general vicinity as the proposed building will be compatible with nearby large-scale buildings while implementing a design that protects and buffers the existing neighborhood patio homes located along the southeastern portion of the property.

642 S. 4TH STREET, SUITE 100
LOUISVILLE, KENTUCKY 40202
PHONE: 502-562-1412 FAX: 502-562-1413

603 N. SHORE DR., UNIT 204
JEFFERSONVILLE, INDIANA 47130
PHONE: 812-280-8201 FAX: 812-280-8281

19 Variance 1028

HERITAGE ENGINEERING, LLC

- Granting of the variance will not cause a hazard or a nuisance to the public as the proposed design is primarily located adjacent to a regional form district with additional buffers provided along the southeast portion of the property that abuts the existing neighborhood patio homes.
- The development as proposed with the requested variance will not allow for an unreasonable circumvention of the zoning regulations as it will allow for the otherwise irregular shaped parcel to accommodate hotels and offices that compliments the adjacent Regional Form District uses with the proposed height already being established and setbacks being acceptable with adequate area to provide landscape plantings.

In addition to the justification as defined, please also take into consideration:

- The subject property is impacted by special circumstances such as the property is not only located adjacent to a Regional Form District but partially wrapped by the more intense form district and commercial uses with existing building heights already being established in the area.
- Strict application of the provisions would limit the ability to provide a transition design that compliments the adjacent 5-story residential building with the offices and I-265 interstate.
- The proposed development of the property and need for the variance is not a result of actions taken by the applicant as the proposed offices and hotels are designed with a desire to provide a visually interesting design with the adjoining Regional Form District while transitioning to the neighborhood patio homes.

Additionally, a waiver is requested from Chapter 10, Part 3, Section 10.3.7 – Table 10.3.3 of the Land Development Code to allow the two hotels and parking/drive lanes to be constructed a maximum of 25-feet into the required 50-foot Gene Snyder Freeway Landscape Buffer Area.

Justifications for the requested waiver:

- The requested waiver will not adversely affect adjacent property owners because granting of the waiver will allow the proposed hotels, parking/drive lane to be constructed while providing the necessary landscape plantings to ensure a visual buffer to the adjoining Gene Snyder Freeway Landscape Buffer as required by the Land Development Code.
- The waiver requested will not violate the Comprehensive Plan as it will not alter the essential character of the general vicinity as the proposed hotels, parking/drive lanes will have a buffer area that allows for landscape plantings to comply with code. The design layout includes a visual relationship to the interstate ramps/drive lanes that has recently

642 S. 4TH STREET, SUITE 100
LOUISVILLE, KENTUCKY 40202
PHONE: 502-562-1412 FAX: 502-562-1413

RECEIVED
MAR 28 2014
PLANNING &
DESIGN SERVICES

603 N. SHORE DR., UNIT 204
JEFFERSONVILLE, INDIANA 47130
PHONE: 812-280-8201 FAX: 812-280-8281

19 Variance 1028

HERITAGE ENGINEERING, LLC

been established with other hotels (Drury Inn & Suites and Aloft Hotel) recently approved and constructed along the Gene Snyder Freeway.

- Granting of the waiver is the minimum necessary to afford relief to the applicant as the proposed hotels, parking/drive lanes encroachment will still allow for the property to be enhanced with landscape planting along the Gene Snyder Freeway as required by the Land Development Code.
- The development as proposed with the requested waiver will allow for the proposed hotel and parking/drive lanes that would otherwise not occur due to the general location of the property and limited ability to access the parking. In addition, strict application of the provisions would limit the ability to provide adequate access to the property and would potentially impact other areas of the property that is currently design in a way that provides a buffer to the neighborhood patio homes located to the southeast.

Thank you for your consideration; please advise us immediately if any additional information is needed.

Sincerely,



John D. Campbell

Encl. Development Plan Application
Variance Application
Waiver Application

RECEIVED
MAR 28 2019
PLANNING &
DESIGN SERVICES