

December 22, 2014

VIA HAND DELIVERY

Matthew Doyle

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

RE: **Case No. 14MOD1016**

RECEIVED

DEC 22 2014

PLANNING &
DESIGN SERVICES

Dear Matthew:

On December 5, 2014, the property located at 6400 and 6420 Dutchmans Lane, which is the subject of the above-referenced binding element amendment application, was sold to HCP Springs MOB Louisville, LLC ("HCP"). As a result, HCP will assume the binding element amendment application, and Cliff Ashburner and I will take over handling the case as attorney for HCP.

Enclosed please find a revised binding element amendment application, which substitutes HCP as applicant/owner and Cliff and me as attorneys for HCP, and a copy of the deed conveying the property to HCP. Also enclosed is an updated APO list which has been revised to add HCP and its representatives, as well as Greg Ehrhard as attorney for the previous owner/applicant. Please change the information in the Hansen system to designate Cliff and me as the primary contacts to ensure we are notified of future actions in this case.

Thank you for your assistance with this matter. If you have questions or require additional information, please don't hesitate to contact us.

Best regards,



Deborah Bilitski

Enclosures

cc: Greg Ehrhard
Marcus Perkins

61269477.1

November 17, 2014

VIA HAND-DELIVERY

Louisville Metro Planning & Design Services
444 South Fifth Street
Suite 300
Louisville, KY 40202

RECEIVED
NOV 17 2014
PLANNING &
DESIGN SERVICES

RE: Amendment to Binding Elements--Docket No. 9-39-87

Ladies and Gentlemen:

MRI Asset Management, LLC, is the asset manager acting on behalf of the owners of property located at 6400 and 6420 Dutchmans Parkway in the city of St. Matthews, commonly known as the Springs Medical Office Building. The applicant is requesting an amendment to the binding elements related to a development plan approved in Docket No. 9-39-87.

The following binding elements are the subject of this application:

3. The existing Building "M" shall not exceed 108,570 square feet of gross floor area, with a maximum of 74,400 square feet of medical office. Proposed Building "M" shall not exceed 99,200 square feet of gross floor area, with a maximum of 78,000 square feet of medical office.
6. Upon request by the City or a zoning enforcement officer, Owner, or its successors, shall furnish the City with a breakdown of the number of square feet in the building devoted to general office space and the number of square feet devoted to medical office space to insure compliance with these binding elements.

The application requests that binding element number 3 be amended to read:

3. The existing Building "M" shall not exceed 108,570 square feet of gross floor area, ~~with a maximum of 74,400 square feet of medical office.~~ Proposed Building "M" shall not exceed 99,200 square feet of gross floor area, ~~with a maximum of 78,000 square feet of medical office.~~

The application further requests that binding element number 6 be deleted in its entirety.

The justification for this request is that the limitations on medical office square footage are not necessary. Those limitations were imposed at a time when the applicable Land Development Code gave a different treatment to parking requirements. Under the Land Development Code currently in effect, the property contains sufficient parking even if 100% of

1Amdb10/16

the gross floor area of each building were devoted to medical office use. Consequently, the limitation on the amount of medical office use is not necessary, and is detrimental to the property.

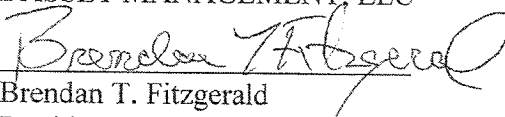
Regarding the criteria set forth in the "Justification" section of the application, the applicant submits that:

1. The proposed amendment would not have any effect on natural resources at the property, as the only change would be to remove the distinction between medical office use and general office use. No physical changes to the property would need to occur.
2. The amendment would not have an impact on current transportation patterns. The multiple pedestrian and vehicular connections with adjoining properties would remain in place.
3. The approved development plan's requirements for open space are not being modified in connection with this application.
4. Adequate drainage facilities serve the site, and the amendment would not create an increased burden on those facilities.
5. The site design is not altered by the proposed amendment. The amendment allows a greater degree of medical office use, which is compatible with the nearby hospitals and is consistent with the name that the property has used for years (Springs Medical Office Building).
6. The proposed amendment to the binding elements conforms with the Comprehensive Plan and the parking regulations of the Development Code because even if 100% of the property is used for medical office purposes, there are enough parking spaces to satisfy the requirements for medical office parking.

We appreciate your attention to this matter.

Sincerely,

MRI ASSET MANAGEMENT, LLC

By: 
Brendan T. Fitzgerald
President

RECEIVED

NOV
PLANNING &
DESIGN SERVICES

14/NOV/14