

# 17VARIANCE1079 Candlewood Suites



**Louisville Metro Board of Zoning Adjustment  
Public Hearing**

**Dante St. Germain, Planner I  
January 22, 2018**

# Requests

- **Variance**: from Land Development Code section 5.7.1.B.1 to allow a building to exceed 45 feet in height in a form district transition zone.
- **Variance**: from Land Development Code section 5.3.3.C.2.b to allow a structure to encroach into the required rear yard setback.

Location	Requirement	Request	Variance
Building Height	45 feet	53 feet	8 feet
Rear Yard Setback	50 feet	35 feet	15 feet

# Case Summary / Background

- The subject property is an undeveloped, 1.8 acre site located along Maple Brook Drive near the intersection of Chamberlain Lane and Westport Road.
- The applicant proposes to construct a new 81-room hotel on the site, branded Candlewood Suites.
- The property is located in the Regional Center form district, but within the transition zone from the Neighborhood form district to the north-west.

# Case Summary / Background

- The applicant proposes the building to be 53 feet in height in a transition zone, which allows for buildings to be 45 feet in height.
- A retaining wall will be needed along the north and east sections of the property. The northern section of the retaining wall is proposed to encroach into the required 50-foot transition zone rear yard setback.

# Case Summary / Background

## Related Cases

- 9-11-01 - The property was rezoned in June 2001 from OR-3 Office Residential to C-1 Commercial. The planned retail buildings were never constructed and the property remains undeveloped.
- 17DEVPLAN1198 - The related detailed district development plan is scheduled to be heard by the Land Development and Transportation Committee on January 25, 2018.

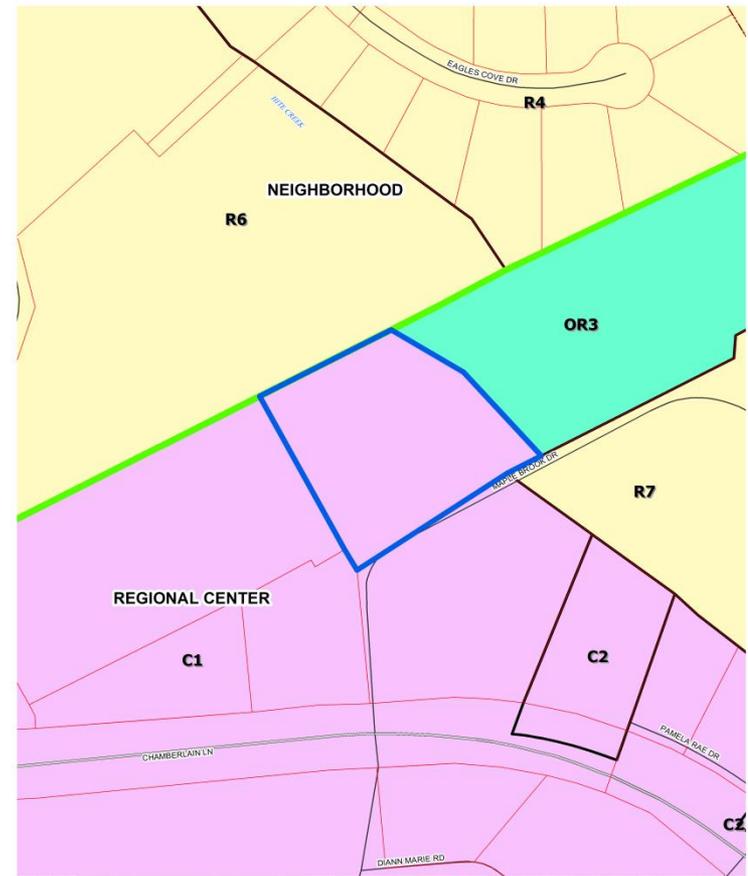
# Zoning/Form Districts

## Subject Property:

- Existing: C-1/Regional Center

## Adjacent Properties:

- North: R-6/Neighborhood
- South: C-1/Regional Center
- East: R-7 & OR-3/Regional Center
- West: R-6 & C-1/  
Neighborhood & Regional Center



11350 Maple Brook Drive  
feet

140  
Map Created: 1/4/2018



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# Aerial Photo/Land Use

## Subject Property:

- Existing: Undeveloped
- Proposed: Hotel

## Adjacent Properties:

- North: Multi Family Residential
- South: Commercial and Undeveloped
- East: Multi Family Residential and Undeveloped
- West: Commercial and Multi Family Residential



11350 Maple Brook Drive  
feet



140  
Map Created: 1/4/2018



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# Site Photos-Subject Property



The front of the subject property.

# Site Photos-Subject Property



The property to the left of the subject property.

# Site Photos-Subject Property



The property to the right of the subject property.

# Site Photos-Subject Property



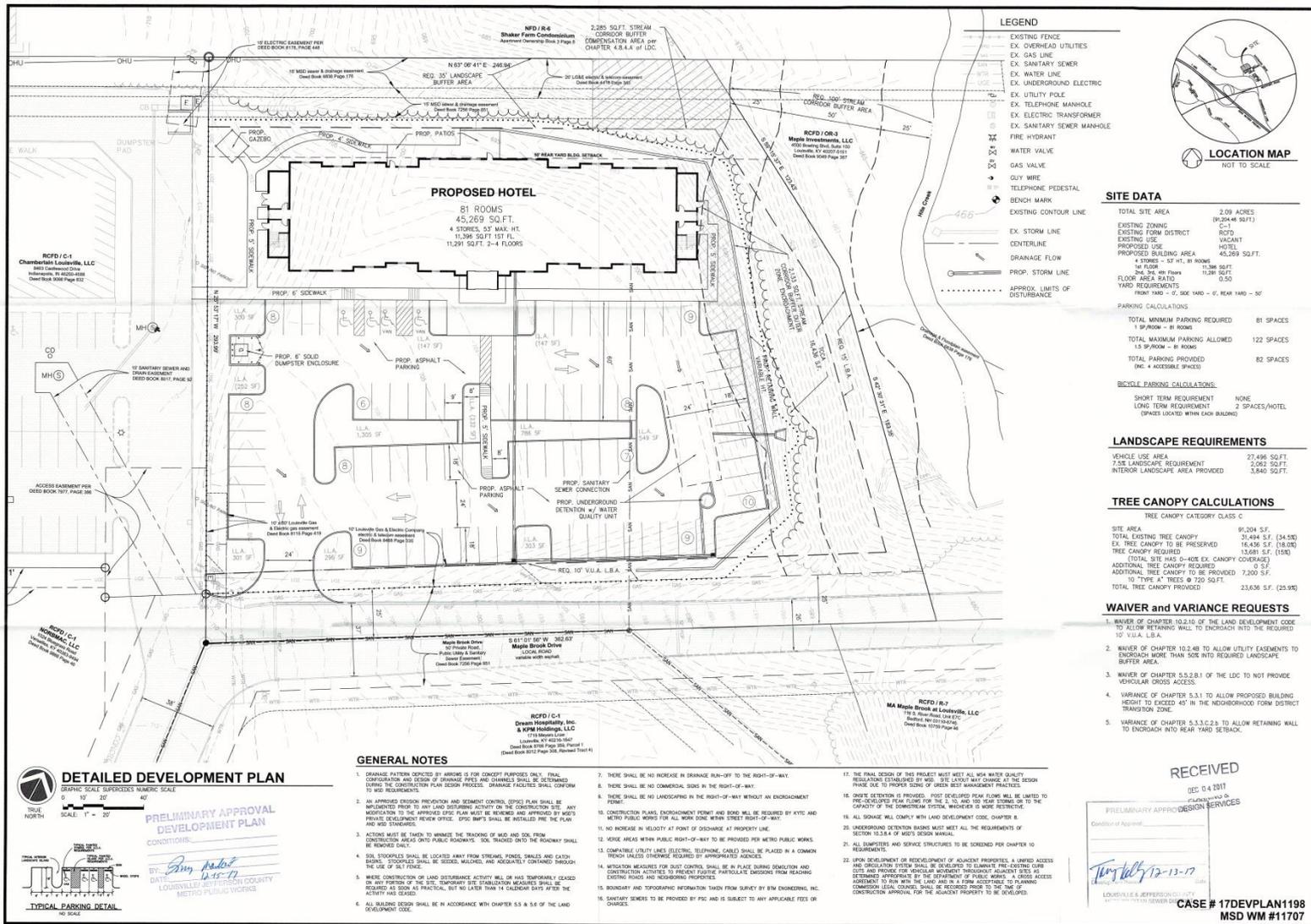
The property across Maple Brook Drive.

# Site Photos-Subject Property



The wooded areas which are to be mostly preserved.

# Site Plan



### LEGEND

- EXISTING FENCE
- EX. OVERHEAD UTILITIES
- EX. GAS LINE
- EX. SANITARY SEWER
- EX. WATER LINE
- EX. UNDERGROUND ELECTRIC
- EX. UTILITY POLE
- EX. TELEPHONE MANHOLE
- EX. ELECTRIC TRANSFORMER
- EX. SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- GAS VALVE
- GUY WIRE
- TELEPHONE PEDESTAL
- BENCH MARK
- EXISTING CONTOUR LINE
- EX. STORM LINE
- CENTERLINE
- DRAINAGE FLOW
- PROP. STORM LINE
- APPROX. LIMITS OF DISTURBANCE

### SITE DATA

TOTAL SITE AREA	2.09 ACRES
EXISTING ZONING	(R)204.48 (S)F1
EXISTING FROM DISTRICT	C-1
EXISTING USE	VACANT
PROPOSED BUILDING AREA	45,269 SQ. FT.
4 STORIES - 57' HT., 81 ROOMS	11,398 SQ. FT.
4th, 5th, 4th Floors	11,291 SQ. FT.
FLOOR AREA RATIO	2.09
YARD REQUIREMENTS	FRONT YARD - 0' SIDE YARD - 0', REAR YARD - 5'
PARKING CALCULATIONS	
TOTAL MINIMUM PARKING REQUIRED	81 SPACES
1 SP/ROOM - 81 ROOMS	
TOTAL MAXIMUM PARKING ALLOWED	122 SPACES
1.5 SP/ROOM - 81 ROOMS	
TOTAL PARKING PROVIDED	82 SPACES
(INC. 4 ACCESSIBLE SPACES)	
BICYCLE PARKING CALCULATIONS:	
SHORT TERM REQUIREMENT	NONE
LONG TERM REQUIREMENT	2 SPACES/HOTEL
(SPACES LOCATED WITH EACH BUILDING)	

### LANDSCAPE REQUIREMENTS

VEHICLE USE AREA	27,496 SQ. FT.
7.5% LANDSCAPE REQUIREMENT	2,062 SQ. FT.
INTERIOR LANDSCAPE AREA PROVIDED	3,840 SQ. FT.

### TREE CANOPY CALCULATIONS

TREE CANOPY CATEGORY CLASS C

SITE AREA	91,204 S.F.
TOTAL EXISTING TREE CANOPY	33,404 S.F. (34.5%)
EX. TREE CANOPY TO BE PRESERVED	14,436 S.F. (16.0%)
TREE CANOPY REQUIRED	13,801 S.F. (15.0%)
(TOTAL SITE HAS 0-40% EX. CANOPY COVERAGE)	
ADDITIONAL TREE CANOPY REQUIRED	0 S.F.
ADDITIONAL TREE CANOPY TO BE PROVIDED	7,200 S.F.
10" TREE, 4" TRUNK @ 720 SQ. FT.	
TOTAL TREE CANOPY PROVIDED	23,636 S.F. (25.9%)

- ### WAIVER AND VARIANCE REQUESTS
1. WAIVER OF CHAPTER 10.2.10 OF THE LAND DEVELOPMENT CODE TO ALLOW RETAINING WALL TO ENDOURAGE INTO THE REQUIRED 10' V.L.A. L.B.A.
  2. WAIVER OF CHAPTER 10.2.4B TO ALLOW UTILITY EXEMPTIONS TO ENDOURAGE MORE THAN ONE INTO REQUIRED LANDSCAPE BUFFER AREA.
  3. WAIVER OF CHAPTER 5.5.2.8.1 OF THE LDC TO NOT PROVIDE VEHICULAR CROSS ACCESS.
  4. VARIANCE OF CHAPTER 5.3.1 TO ALLOW PROPOSED BUILDING HEIGHT TO EXCEED 45' IN THE NEIGHBORHOOD FORM DISTRICT TRANSITION ZONE.
  5. VARIANCE OF CHAPTER 5.3.3.2.2 TO ALLOW RETAINING WALL TO ENDOURAGE INTO REAR YARD SETBACK.

- ### GENERAL NOTES
1. DRAINAGE PATTERN DEPICTED BY ARROWS IS FOR CONCEPT PURPOSES ONLY. FINAL CONCEPTS AND DESIGN OF DRAINAGE AREAS AND CHANNELS SHALL BE DETERMINED DURING THE CONSTRUCTION PLAN DESIGN PHASE. DRAINAGE FACILITIES SHALL CONFORM TO AAS REQUIREMENTS.
  2. AN APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (SPIC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND DISTURBANCE ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATION TO THE APPROVED SPIC PLAN MUST BE REVIEWED AND APPROVED BY AAS'S PRIVATE DEVELOPMENT REVIEW OFFICE. SPIC MAPS SHALL BE RETAINED PER THE PLAN AND AAS STANDARDS.
  3. ACTIVE MEASURES TO BE TAKEN TO MINIMIZE THE WEARING OF ROAD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKS INTO THE ROADWAY SHALL BE REMOVED IMMEDIATELY.
  4. SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SHADES AND CATCH BASINS. STOCKPILES SHALL BE SEDED, MULCHED, AND INADEQUATELY CONTAINED THROUGH THE USE OF SIL FENCE.
  5. WHERE CONSTRUCTION OR LAND DISTURBANCE ACTIVITY WILL BE TEMPORARILY CEASED OR ANY PORTION OF THE SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE ACQUIRED AS SOON AS PRACTICAL, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY HAS CEASED.
  6. ALL BUILDING DESIGN SHALL BE IN ACCORDANCE WITH CHAPTER 5.5 & 5.6 OF THE LAND DEVELOPMENT CODE.
  7. THERE SHALL BE NO INCREASE IN DRAINAGE RUN-OFF TO THE RIGHT-OF-WAY.
  8. THERE SHALL BE NO COMMERCIAL SIGNS IN THE RIGHT-OF-WAY.
  9. THERE SHALL BE NO LANDSCAPING IN THE RIGHT-OF-WAY WITHOUT AN ENDOURAGEMENT PERMIT.
  10. CONSTRUCTION PLANS, FENCING/ENCLOSURE PERMITS AND SIGNS WILL BE REQUIRED BY KYTC AND METRO PUBLIC WORKS FOR ALL WORK DONE WITHIN STREET RIGHT-OF-WAY.
  11. NO INCREASE IN VELOCITY AT POINT OF DISCHARGE AT PROPERTY LINE.
  12. VERGE AREAS WITHIN PUBLIC RIGHT-OF-WAY TO BE PROVIDED PER METRO PUBLIC WORKS.
  13. COMPATIBLE UTILITY LINES (ELECTRIC, TELEPHONE, CABLED) SHALL BE PLACED IN A COMMON TRENCH UNLESS OTHERWISE REQUIRED BY APPLICABLE AGENCIES.
  14. MITIGATION MEASURES FOR JUST CONTROL SHALL BE IN PLACE DURING REMEDIATION AND CONSTRUCTION ACTIVITIES TO PREVENT EXISTING PARTICULATE EMISSIONS FROM READING EXISTING ROADS AND NEIGHBORING PROPERTIES.
  15. BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM SURVEY BY BTM ENGINEERING, INC.
  16. SANITARY WORKS TO BE PROVIDED BY PWS; AND IS SUBJECT TO ANY APPLICABLE FEES OR CHARGES.
  17. THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL MS4 NON WATER QUALITY REGULATIONS ESTABLISHED BY MS4. THE LAYOUT MUST COMPLY WITH THE DESIGN PHASE DUE TO PROPER SIZE OF BEST MANAGEMENT PRACTICES.
  18. POINTS DETENTION IS PROVIDED. POST DEVELOPED PEAK FLOWS WILL BE LIMITED TO PRE-DEVELOPED PEAK FLOWS FOR THE 10, 20, AND 30 YEAR RETURN PERIODS TO THE SITE.
  19. ALL SIGNAGE WILL COMPLY WITH LAND DEVELOPMENT CODE, CHAPTER 5.
  20. UNDERPASS DETENTION BASINS MUST MEET ALL THE REQUIREMENTS OF SECTION 10.3.4.4 OF MS4 DESIGN MANUAL.
  21. ALL ENCLOSURES OR SERVICE STRUCTURES TO BE SIGNED PER CHAPTER 10 REQUIREMENTS.
  22. BEFORE DEVELOPMENT OR REDEVELOPMENT OF ADJACENT PROPERTY, A LIMITED ACCESS AND ISOLATION SYSTEM SHALL BE DEVELOPED TO ELIMINATE PRE-EXISTING GASES AND PROVIDE FOR VEHICULAR MOVEMENT THROUGHOUT ADJACENT SITES AS DETERMINED APPROPRIATE BY THE DEPARTMENT OF PUBLIC WORKS. A CROSS ACCESS AGREEMENT TO ALLOW THE LIMITED ACCESS AND ISOLATION SYSTEM SHALL BE OBTAINED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE LIMITED ACCESS AND ISOLATION SYSTEM SHALL BE IN PLACE AT THE TIME OF CONSTRUCTION APPROVAL FOR THE ADJACENT PROPERTY TO BE DEVELOPED.

### DETAILED DEVELOPMENT PLAN

GRAPHIC SCALE: GRAPHIC SCALE: NUMERIC SCALE

1" = 20'

SCALE: 1" = 20'

PRELIMINARY APPROVAL DEVELOPMENT PLAN

CONDITIONS:

BY: *Angie Padgett*

DATE: 12-15-17

LOUISVILLE METRO PUBLIC WORKS

TYPICAL PARKING DETAIL

RECEIVED

DEC 04 2017

DESIGN SERVICES

PRELIMINARY APPROVAL

Condition of Approval:

*Angie Padgett* 12-15-17

LOUISVILLE METRO PUBLIC WORKS

CASE # 17DEVPLAN1198

MSD WM #11707

1" = 20'

SHEET 1.00

SUBMITTALS		REVISIONS	
NO.	DATE	DATE	DESCRIPTION
1	12/15/17		PRELIMINARY APPROVAL COMMENTS
2	12/15/17		
3	12/15/17		
4	12/15/17		
5	12/15/17		
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50	12/15/17		



NOT FOR CONSTRUCTION

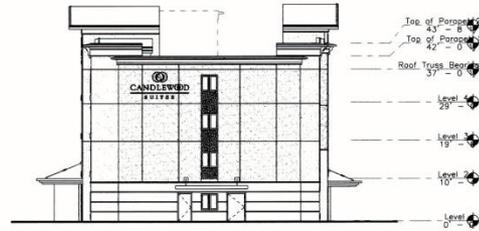
# Elevation



**A FRONT ELEVATION**  
3/32" = 1'-0"



**B LEFT ELEVATION**  
3/32" = 1'-0"



**C RIGHT ELEVATION**  
3/32" = 1'-0"



**D REAR ELEVATION**  
3/32" = 1'-0"

**C.R. STONE ARCHITECT**  
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**PRELIMINARY**  
ELEVATIONS  
**CANDLEWOOD SUITES**  
New Hotel  
11350 MAPLE BROOK DRIVE  
LOUISVILLE, KY 40241

CRS  
SCALE AS SHOWN  
**A2.0**  
19 OCT 17  
RAM 012

**RECEIVED**  
OCT 23 2017  
PLANNING &  
DESIGN SERVICES

17 DEVPLAN 1193

# Conclusions

- The variance requests appear to be adequately justified and meet the standard of review.
- Must determine if the proposal meets the standard of review for granting a variance as established in the Land Development Code from section 5.7.1.B.1 to allow a structure to exceed 45 feet in height in a form district transition zone, and from section 5.3.3.C.3.b to allow a structure to encroach into the required transition zone rear yard setback.

# Required Actions

- **Variance:** from Land Development Code section 5.7.1.B.1 to allow a building to exceed 45 feet in height in a form district transition zone.  
Approve/Deny
- **Variance:** from Land Development Code section 5.3.3.C.2.b to allow a structure to encroach into the required rear yard setback. Approve/Deny

Location	Requirement	Request	Variance
Building Height	45 feet	53 feet	8 feet
Rear Yard Setback	50 feet	35 feet	15 feet