

Development Review Committee

Staff Report

June 14, 2017



Case No:	17DEVPLAN1035
Request:	Landscape Waiver and Sidewalk Waiver
Project Name:	Ramada and LaQuinta Hotels
Location:	2715 Fern Valley Road
Zoning:	C-2
Form District:	Suburban Workplace
Area:	5.613 acres or 244,806.54 s.f.
Owner:	Hiten Timbawala - V Enterprises LLC. / Ritz Hotels LLC.
Applicant:	Hiten Timbawala - V Enterprises LLC.
Representative:	Mike Evans – Michael S. Evans, P.E., P.L.S.
Jurisdiction:	Louisville Metro
Council District:	21 – Dan Johnson
Case Manager:	Ross Allen, Planner I

REQUEST

- Landscape Waiver from LDC Section 5.7.1.B.3.a to reduce the 35 foot LBA to 0 feet found in a transition zone found along the eastern and northern property lines, Neighborhood to Suburban Workplace Form Districts, per LDC Table 10.2.3 for a C-2 to R-5 zoning Districts (eastern property line, tract 2) and C-2 to R-7 zoning districts (northern property line, tract 3) and to not provide the required plantings along either the eastern or northern property lines.
- Partial Sidewalk Waiver as found along Holiday Towers Blvd. (the western property line) for an approximate length of 702 feet.

SITE CONTEXT/ BACKGROUND/CASE SUMMARY

The subject site is located in southeast of the airport and east of Interstate 65, north of Fern Valley Road. The applicant is proposing to reuse a single hotel on the subject site containing three tracts. The site was previously a single hotel which will be divided into two hotels on two new tracts. The current hotel will be divided into two separate hotels on their respective Tracts, Tracts 1 and 2. The proposal will require the removal of a central portion of the existing hotel, a gallery that runs lengthwise of the building between newly created Tracts one and two, and to be replaced with proposed parking for tracts one and two. The subject site, Tracts 1, 2, and 3, has a flood wall that encompasses the properties and will have two entrances from Holiday Towers Blvd. both being 36 feet in width allowing access to all three tracts, there are also to cross access ingress/egresses interior to the site with both being abutting tract 3 where the applicant has a parking and ingress/egress agreement between tracts 1 and 3 and tracts 2 and 3 (please look at the Technical Review for details concerning the parking agreement).

Tract 1 is approximately 2.149 acres in size with an existing 2 story 84 room hotel with a gross floor area of 45,758 sf. (22,879 sf. building footprint) and a height of 22 feet. The tract is bounded by Holiday Towers Blvd. to the west, Tract 2 to the east, Tract 3 to the north, and having a 36.18 foot frontage along Fern Valley Road found to the south. Tract 1 will have a vehicular use area (VUA) that is being expanded from 40,758 sf. (42% of the total tract area) to 49,959 sf. (52% of the total tract area) an increase of the VUA on tract 1 by approximately 10%. Parking calculations show there will be 111 parking spaces including 5 ADA spaces and have 8,303 sf. of interior landscaping area (ILA) exceeding

the required 7.5% of the newly proposed impervious surface on tract 1. The structure will have an existing 5 foot wide sidewalk around the outer walls and will have a pedestrian access from the public right away that will lead to both hotels as found on tracts 1 and 2.

Tract 2 is approximately 2.384 acres in size with an existing 4 story 140 room hotel with a gross floor area of 73,077 sf. (14,804 sf. building footprint) and a height of 44 feet. The removal of the gallery in the midsection of the existing hotel shows 40 proposed parking spaces to the west of the hotel. The applicant is proposing to build a 4,553 sf. 2 story lobby addition onto the existing hotel. Tract 2 abuts tract 1 to the west and an unnamed intermittent stream to the east, tract 3 to the north, and has a 39.77 foot frontage along Fern Valley Road with the remaining frontage located behind a property owned by Dilchand Inc. (2717 Fern Valley Road) for an approximately length of 249.32 feet. Tract 2 has an existing vehicular use area (VUA) of 49,256 sf. (47% of the total tract area) that will be expanded to 54,313 sf. (52% of the total tract area) an increase of the VUA by approximately 5%. The applicant is proposing to provide 4,649 sf. of Interior Landscape Area (ILA) exceeding the required 7.5% (4074 sf.) as required by the Land Development Code.

Tract 3 is a 1.072 acres with a 5,812 sf. 1 story building with a 15 foot height situated on the eastern portion of the tract. The building is currently used as a Hotel Laundry and is proposed as future commercial use and the vehicular use area, 30,848 sf. has 81 spaces with no ADA spaces. The applicant has Parking ingress/egress agreement for both tracts 1 and 2 to use tract 3 as additional parking.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

	Land Use	Zoning	Form District
Subject Property			
Existing	Commercial (Hotel)	C-2	Suburban Workplace
Proposed	Commercial (Hotel)	C-2	Suburban Workplace
Surrounding Properties			
North	Residential Multi-Family	R-7	Neighborhood
South	Right of Way (Fern Valley Rd.) and Commercial	C-2	Suburban Workplace
East	Public and Semi-Public/Residential Single Family	C-2/R-5	Suburban Workplace/Neighborhood
West	Right of Way (I-65 Ramp/I-65)	C-2	Suburban Workplace

PREVIOUS CASES ON SITE

- 17MINORPLAT1026: Subdivision of one tract into two tracts. Recorded in Plat book 56 page 047.

INTERESTED PARTY COMMENTS

- None

APPLICABLE PLANS AND POLICIES

- Land Development Code (Jan. 2017)
- Comprehensive Plan (Cornerstone 2020)

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of section 10.2.4.A to not provide the required property perimeter landscape buffer area of 35 feet, 0 feet requested, and to not provide the required plantings of 3 Large Type A trees or Medium Type B trees with an 8 foot screen:

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not affect adjacent property owners because the existing tributary to Greasy Ditch and the existing earthen flood wall and concrete flood wall is between the adjacent properties and the property line of the hotel. The existing flood wall is approximately five feet above the adjacent properties blocking the view of any vehicles in the parking lot. Additional green space will be provided and trees will be planted along the property lines in question as a part of proposed development.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 3, Policy 9 of Cornerstone 2020 calls for protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate. Guideline 3, Policies 21 and 22 call for appropriate transitions between uses that are substantially different in scale and intensity or density, and mitigation of the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize impacts from noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. Guideline 13, Policy 6 calls for screening and buffering to mitigate adjacent incompatible uses. The intent of landscape buffer areas is to create suitable transitions where varying forms of development adjoin, to minimize the negative impacts resulting from adjoining incompatible land uses, to decrease storm water runoff volumes and velocities associated with impervious surfaces, and to filter airborne and waterborne pollutants. The waiver will not violate any guidelines of the Comprehensive Plan because of the existing buffer situation previously described.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: If the waiver is not granted the hotel will lose approximately 90 existing parking spaces for the development and portions of the existing access lanes. This would result in the hotel on Tract 2 closing down or the proposed renovations plans being abandoned. The future development on Tract 3 would also be significantly impacted. This action would not only hurt the hotel owners but also the community because we would lose an opportunity to upgrade an existing structure that is in dire need of a facelift.

- (d) Either:

(i) The applicant has 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
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: As mentioned in question 3 strict application of this provision of the regulation would result in the hotel closing down or the proposed renovations plans being abandoned. As a part of the renovation program we are removing existing asphalt areas and adding landscape island and plantings well beyond the requirements of chapter 10.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER of Section 5.8.1.B. to not provide a sidewalk along the eastern side of Holiday Towers Blvd. for an approximate distance of 703 linear feet:

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since Holiday Towers Boulevard is a dead end street that serves primarily businesses with apartments at the end. The existing hotel has been in existence since the mid-1970's. The intent of the Land Development Code and the Comprehensive Plan is to encourage pedestrian access where possible, however in this case the existence of a flood wall and landscaping along the roadway makes it extremely difficult to construct a sidewalk. The construction of the sidewalk would result in the destruction of existing landscape.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020.

STAFF: Guideline 7, Policy 1 states that developments should be evaluated for their impact on the street and roadway system and to ensure that those who propose new developments bear or reasonably share in the costs of the public facilities and services made necessary by development. Guideline 9, Policy 1 states that new development should provide for the movement of pedestrians, bicyclists and transit users with sidewalks along the streets of all developments where appropriate. The development has existed for many years and is in need of restoration, the restoration of the existing structures and the accompanying improvements will result in a development that will be an asset for the community.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant.

STAFF: The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant since there will be no adverse impacts on adjacent property owners since there is an intermittent stream between the hotel and some of the adjacent property owners and the remaining adjacent property owners are business related.

- (d) Either:
(i) The applicant has 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 (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: There is not sufficient room between the floodwall and the roadway to construct a sidewalk without destroying existing landscape and the sidewalk would interfere with the opening and closing of the flood gates during times of flooding, thus creating an unnecessary hardship.

TECHNICAL REVIEW

Currently there is a sidewalk found on the northeastern corner of the Fern Valley Road and Holiday Towers Blvd. intersection. The lobby addition found on Tract 2 requires sidewalks to be placed along Holiday Towers Blvd. for the length of 703 feet in the right of way abutting Tracts 1 and 3. The applicant is proposing to connect to the sidewalk along Fern Valley on the eastern side of Holiday Towers Blvd. and extend the sidewalk for an approximate length of 131 linear feet connecting to a pedestrian access to the primary entrances of both proposed hotels found on Tracts 1 and 2. The remaining portion of required sidewalk along the eastern side of Holiday Towers Blvd. would not be provided and the applicant is proposing to place a sidewalk along the western side of Holiday Towers Blvd. in right of way along the White Castle for an approximate distance of 219 linear feet which would meet the north-south crosswalk across Fern Valley Rd.

STAFF CONCLUSIONS

The proposed landscape waiver appears to be adequately justified while the sidewalk waiver does not appear to be adequately justified based on staff analysis in the staff report. Based upon the information in the staff report, the testimony and evidence provided at the public meeting, the Development Review Committee must determine if the proposal meets the standards established in the LDC Sections 10.2.4.A and 5.8.1.B.

- **Approve/Deny** Landscape Waiver from LDC Section 5.7.1.B.3.a to reduce the 35 foot LBA to 0 feet found in a transition zone found along the eastern and northern property lines, Neighborhood to Suburban Workplace Form Districts, per LDC Table 10.2.3 for a C-2 to R-5 zoning Districts (eastern property line, tract 2) and C-2 to R-7 zoning districts (northern property line, tract 3) and to not provide the required plantings along either the eastern or northern property lines.
- **Approve/Deny** Partial Sidewalk Waiver as found along Holiday Towers Blvd. (the western property line) for an approximate length of 702 feet.

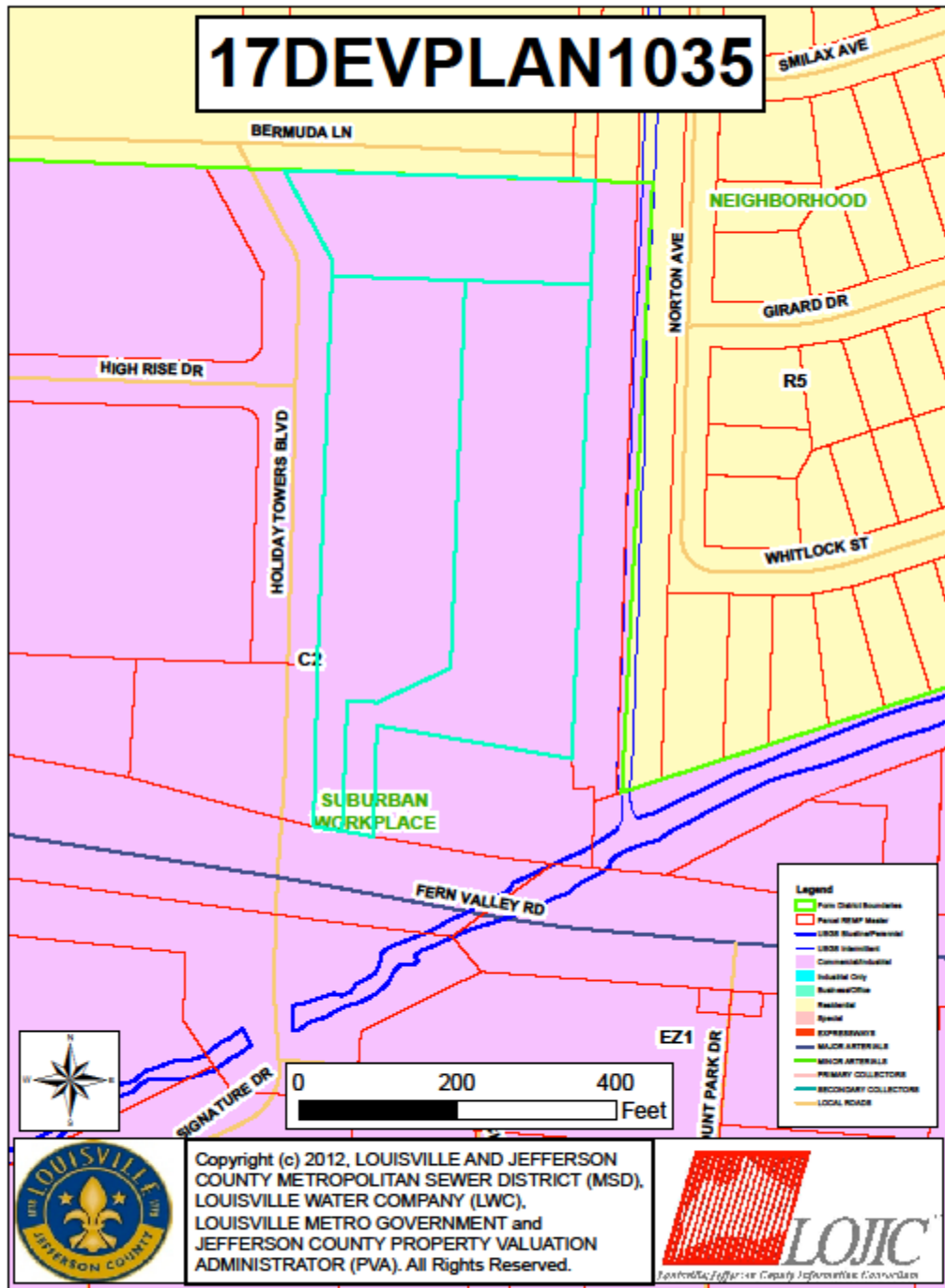
NOTIFICATION

Date	Purpose of Notice	Recipients
June 14	Hearing before DRC	1 st tier adjoining property owners Subscribers of Council District 21 Notification of Development Proposals

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

