

# 18VARIANCE1019



**Louisville Metro Board of Zoning Adjustment**

Jay Lockett, Planner I

May 21, 2018

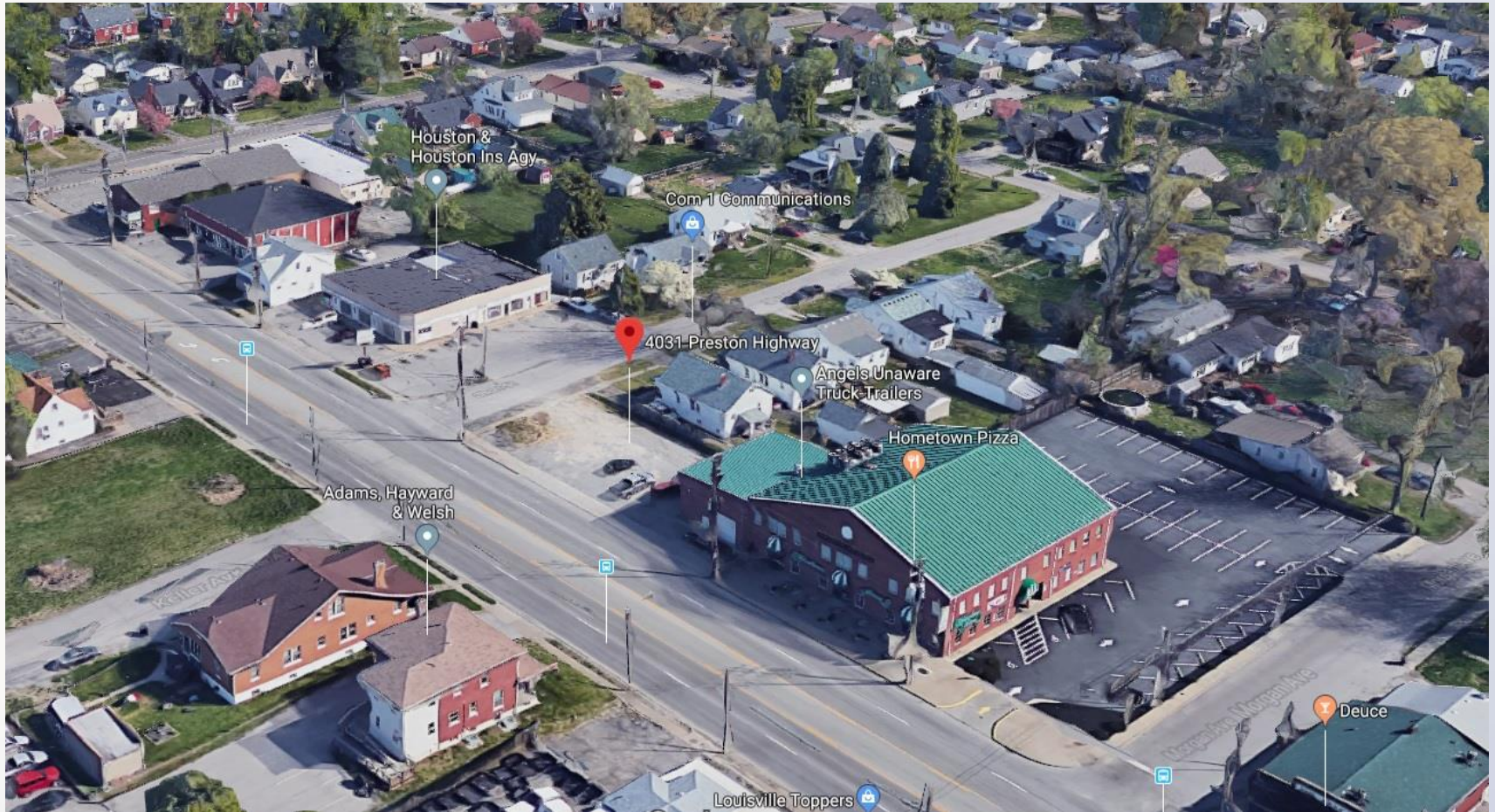
# Requests

- **Variance** from Land Development Code section 5.3.2.C.2.a to allow a structure to encroach approximately 12 feet into the required street side setback along Preston Highway.
- **Variance** from Land Development Code section 5.3.2.C.2.b to allow a structure and parking area to encroach up to 25 feet into the required 25 foot side yard setback where the development abuts a structure with a first floor residential use.

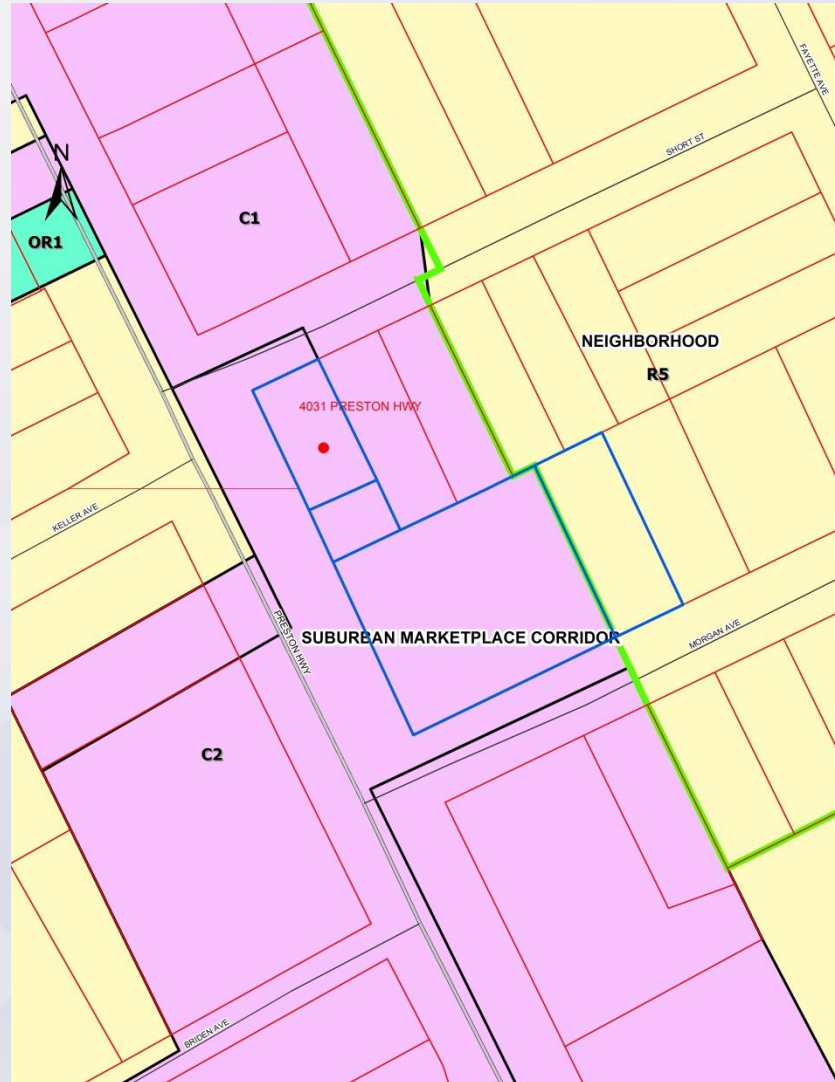
# Background

- Existing Mixed Use Site – 2,458 SF addition proposed
- Revised District Development Plan approved by Development Review Committee on 5-9-18
- No changes proposed to the existing Conditional Use Permit for off-street parking in the southeastern part of the site.
- Variances to allow expansion to continue existing building setbacks.

# Site Context



# Zoning / Form District



# Aerial Photo



# Subject Site – Existing Front of Structure



# Subject Site – From Corner of Preston and Short





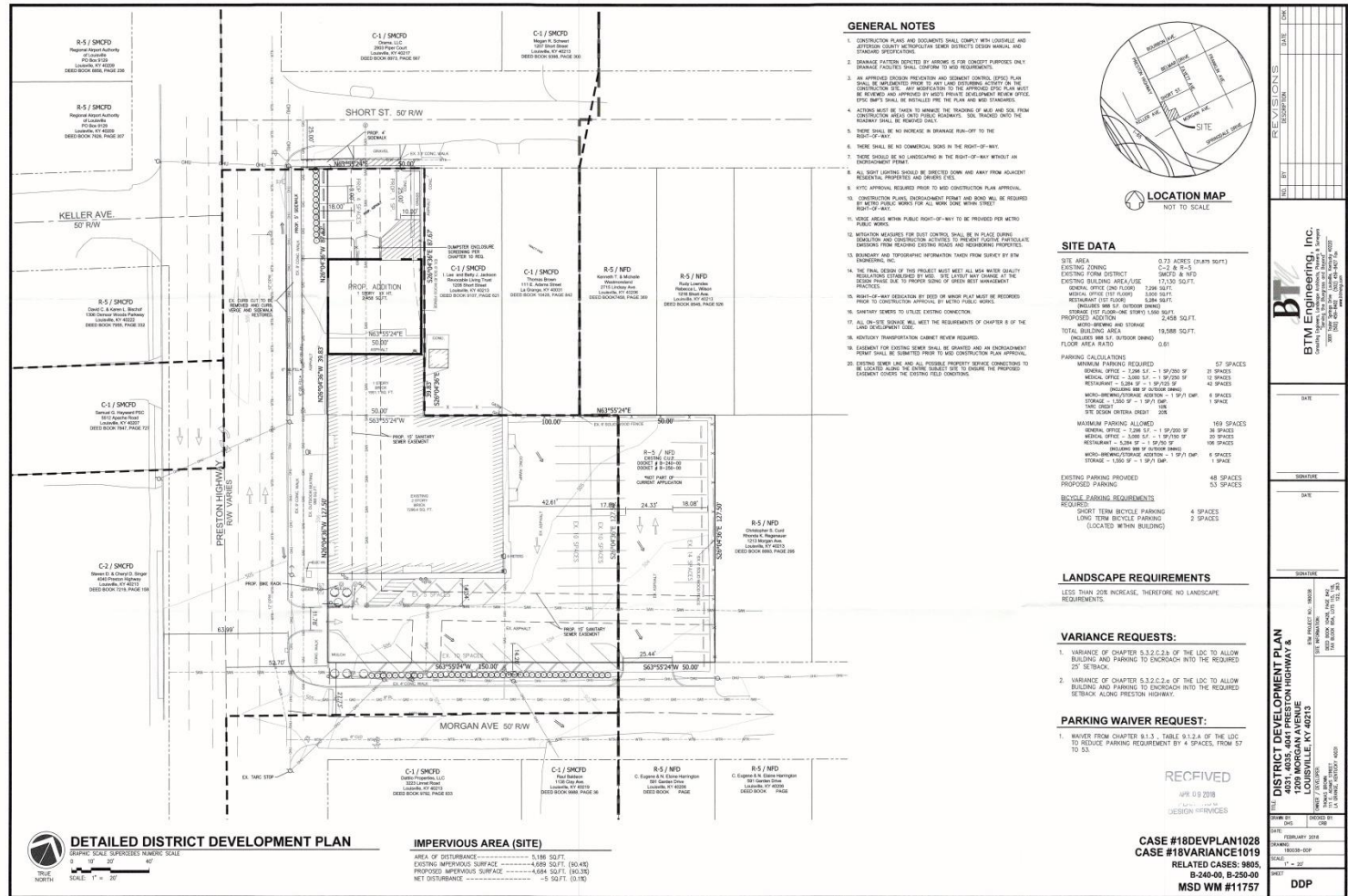
# Subject Site – SSY Variance Area along Preston



# Subject Site – Side Yard Variance Area



# Development Plan



- ### GENERAL NOTES
- CONSTRUCTION PLANS AND DOCUMENTS SHALL COMPLY WITH CODES AND ORDINANCES OF THE CITY OF LOUISVILLE AND DISTRICTS DESIGN MANUAL AND SPECIFICATIONS.
  - DRAINAGE FACILITIES DEFINED BY APPROX. 6% FOR CONCRETE PURPOSES ONLY. DRAINAGE FACILITIES CONFORM TO AASHTO REQUIREMENTS.
  - AN APPROVED DESIGN PREVENTION AND CONTROL (DPC) PLAN SHALL BE SUBMITTED PRIOR TO ANY CONSTRUCTION ACTIVITY. THE DPC PLAN SHALL BE REVIEWED AND APPROVED BY METRO PRIVATE DEVELOPMENT REVIEW OFFICE. THIS PLAN SHALL BE REVISED FOR THE PLAN AND NOT CONSIDERED.
  - ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION SITES INTO PUBLIC HIGHWAYS. SOIL TRACKED ONTO THE HIGHWAY SHALL BE REMOVED ONLY.
  - THERE SHALL BE NO INCREASE IN DRAINAGE RUN-OFF TO THE RIGHT-OF-WAY.
  - THERE SHALL BE NO ENDOGRADH IN THE RIGHT-OF-WAY WITHOUT AN ENDOGRADH PERMIT.
  - ALL EXISTING UTILITIES SHALL BE SHUT DOWN AND AWAY FROM ADJACENT RESIDENTIAL, PROFESSIONAL AND SERVICES LOTS.
  - UTILITY APPROVAL REQUIRED PRIOR TO ANY CONSTRUCTION PLAN APPROVAL.
  - CONSTRUCTION PLANS ENDOGRADH PERMIT AND BOND WILL BE REQUIRED RIGHT-OF-WAY.
  - VEGETATION WITHIN PUBLIC RIGHT-OF-WAY TO BE PROTECTED PER METRO POLICY.
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  - BOUNDARY AND ZONING INFORMATION TAKEN FROM SURVEY BY STM SURVEYING, INC.
  - THE FINAL DESIGN OF THIS PROJECT MUST MEET ALL USDA WATER QUALITY REGULATIONS ESTABLISHED BY THE US EARTH AGENCY AT THE DESIGN PHASE DATE TO PROTECT SOME OF GREEN BELT MANAGEMENT PRACTICES.
  - RIGHT-OF-WAY DESIGNATION BY DEED OR OTHER PLAN MUST BE PROVIDED PRIOR TO CONSTRUCTION APPROVAL BY METRO PUBLIC WORKS.
  - SAFETY SIGNAGE TO UTILIZE EXISTING CONNECTION.
  - ALL ON-STREET SIGNAGE WILL MEET THE REQUIREMENTS OF CHAPTER 8 OF THE LAND DEVELOPMENT CODE.
  - IDENTITY TRANSPORTATION CANNOT BE REVIEWED.
  - EXEMPT FOR OTHER USES SHALL BE CHANGED AND AN ENDOGRADH PERMIT SHALL BE SUBMITTED PRIOR TO ANY CONSTRUCTION PLAN APPROVAL.
  - DESIGN SHALL BE AND ALL PROPOSED PROPERTY BOUNDARY CONNECTIONS TO BE LOCATED NEAR THE CENTER SUBJECT USE TO INSURE THE PROPOSED EXEMPT UNDER THE EXISTING ZONE CONNECTIONS.

### SITE DATA

SITE AREA: 0.71 ACRES (OVER SHOTS)  
 EXISTING ZONING: C-2 & R-5  
 EXISTING FROM DISTRICT: SWEETS & WED  
 EXISTING BUILDING AREA USE: 17,130 SQ.FT.  
 EXISTING OFFICE FLOOR FLOOR: 2,386 SQ.FT.  
 MEDIA OFFICE (1ST FLOOR): 1,000 SQ.FT.  
 RESTAURANT USE FLOOR: 1,000 SQ.FT.  
 STORAGE USE FLOOR: 1,000 SQ.FT.  
 PROPOSED ADDITION: 2,458 SQ.FT.  
 TOTAL BUILDING AREA: 10,588 SQ.FT.  
 FLOOR AREA RATIO: 0.61

### PARKING CALCULATIONS

**MINIMUM PARKING REQUIRED**  
 GENERAL OFFICE - 2.06 SF = 1 SF/200 SF 21 SPACES  
 MEDIA OFFICE - 2.06 SF = 1 SF/200 SF 10 SPACES  
 RESTAURANT - 5.28 SF = 1 SF/200 SF 42 SPACES  
 STORAGE - 5.28 SF = 1 SF/200 SF 1 SPACE  
 SITE DESIGN GENERAL GREAT 20K 1 SPACE

**MAXIMUM PARKING ALLOWED**  
 GENERAL OFFICE - 2.06 SF = 1 SF/200 SF 36 SPACES  
 MEDIA OFFICE - 2.06 SF = 1 SF/200 SF 28 SPACES  
 RESTAURANT - 5.28 SF = 1 SF/200 SF 108 SPACES  
 STORAGE - 5.28 SF = 1 SF/200 SF 6 SPACES  
 STORAGE - 1.50 SF = 1 SF/100 SF 1 SPACE

EXISTING PARKING PROVIDED: 48 SPACES  
 PROPOSED PARKING: 53 SPACES

### BIKE/PARKING REQUIREMENTS

SHORT TERM BIKE PARKING: 4 SPACES  
 LONG TERM BIKE PARKING: 2 SPACES  
 (LOCATED WITHIN BUILDING)

### LANDSCAPE REQUIREMENTS

LESS THAN 20% INCREASE, THEREFORE NO LANDSCAPE REQUIREMENTS.

- ### VARIANCE REQUESTS:
- VARIANCE OF CHAPTER 8.3.2.2.3 OF THE LDC TO ALLOW BUILDING AND PARKING TO ENDOGRADH INTO THE REQUIRED 2' SETBACK.
  - VARIANCE OF CHAPTER 8.3.2.2.6 OF THE LDC TO ALLOW BUILDING AND PARKING TO ENDOGRADH INTO THE REQUIRED SETBACK ALONG PRESTON HIGHWAY.

### PARKING WAIVER REQUEST:

WAIVER FROM CHAPTER 8.1.3, TABLE 8.1.2.A OF THE LDC TO REDUCE THE PARKING REQUIREMENT BY 4 SPACES, FROM 57 TO 53.

RECEIVED  
 APR 09 2018  
 DESIGN SERVICES

**CASE #18DEVPLAN1028**  
**CASE #18VARIANCE1019**  
 RELATED CASES: 9605,  
 B-240-06, B-250-06  
**MSD WM #11757**

18 Variance 1019

### DETAILED DISTRICT DEVELOPMENT PLAN

GRAPHIC SCALE (SUPPORTED) NUMERIC SCALE

AREA OF DISTURBANCE: 5,166 SQ.FT.  
 EXISTING IMPERVIOUS SURFACE: 4,699 SQ.FT. (90.4%)  
 PROPOSED IMPERVIOUS SURFACE: 4,694 SQ.FT. (90.3%)  
 NET DISTURBANCE: -5 SQ.FT. (0.1%)

### IMPERVIOUS AREA (SITE)



NOT FOR CONSTRUCTION

# Staff Analysis and Conclusions

- The variances appear adequately justified and meet the standards of review.

# Required Actions

- **Approve or Deny** the Variance from Land Development Code section 5.3.2.C.2.a to allow a structure to encroach approximately 12 feet into the required street side setback along Preston Highway.
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