

HERITAGE ENGINEERING, LLC

March 31, 2022

Planning and Design Services
Metro Government
444 South Fourth Street
Louisville, Kentucky 40202

**Re: Waiver Request – Letter of Explanation
Case# 21-ZONE-0162**

Dear Staff:

On behalf of Nicklies Development we are submitting the attached Waiver request for a proposed warehouse building project located at 5400 Minor Lane.

Improvements to the site include construction of a 1,000,000 SF warehouse building with a 755-space parking lot. Onsite detention runoff compensation and additional floodplain fill volume compensation is being provided by expanding the existing lake/detention areas.

Development of the site is subject to a waiver from Chapter 10, Part 2 - Section 10.2.4.B.8 of the Land Development Code to reduce the 15-ft PEC Landscape Buffer Area and planting requirements as shown on the rezoning development plan per Case# 21-ZONE-0162. The requested waiver will allow the required modifications to the existing lake/detention areas to encroach into the landscape buffer area. Additionally, the required landscape plantings will be waived due both the waters edge being within the buffer area as well as the general rock edge along the lake areas being unsuitable for plantings. Waiver of the trees will be offset by trees being provided elsewhere onsite and within the development as part of the overall Tree Canopy planting requirements.

Justification for the requested waiver:

- The requested waiver will not adversely affect the adjacent property owners because the waiver area is located along internal property lines separating the development lot from the overall development lake/detention area lot also owned by the developer.
- The requested waiver will not violate the Comprehensive Plan because the waiver is directly adjacent to an internal property line and the intent of a landscape buffer plantings can be provided elsewhere within the development.
- Granting of the waiver is the minimum necessary to afford relief to the applicant since this will allow for the modification of the onsite lake/detention areas with the required landscape buffer planting being provided elsewhere onsite.

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- The development as proposed has included other design measures with the proposed design allowing for a larger buffer and berm along both Minor Lane and Dupin Drive.

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

Sincerely,

John D. Campbell

Encl. Application
Case# 21-ZONE-0162 Development Plan