



# General Waiver Application

## Louisville Metro Planning & Design Services

Case No.: 15DEVPLAN1171 Intake Staff: JL  
Date: 11-09-15 Fee: 217

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

### Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

- ☐ Landscape Waiver of Chapter 10, Part 2  
☒ Other: Waiver of Section 5.6.1

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: Waiver for building design standards

Primary Project Address: Hurstbourne Trace (300 Building) 15DEVPLAN1171

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 002106200000

Additional Parcel ID(s): \_\_\_\_\_

Proposed Use: Office Existing Use: Vacant

Existing Zoning District: OR3 Existing Form District: Campus

Deed Book(s) / Page Numbers<sup>2</sup>: 4313x80

The subject property contains 7.86 acres. Number of Adjoining Property Owners: 4

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup> ☐ Yes ☐ No

If yes, please list the docket/case numbers:

Docket/Case #: 15DEVPLAN1171 Docket/Case #: 13644

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

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## **General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

### **1. Will the waiver adversely affect adjacent property owners?**

The waiver will no negatively affect adjacent property owners. Details of the building have not been designed yet, however University of Louisville Development Co, LLC has produced attractive, interesting, and high end architecture within campus to date. Their goal is to continue to provide the same standard of construction and design, but those details may not necessarily be in line with the specific requirements of the LDC, i.e. providing variations in wall plane projections, change in material, display windows. To allow for some flexibility a waiver is being requested.

### **2. Will the waiver violate the Comprehensive Plan?**

No. A pattern book has been submitted for campus design details, and an excerpt has been submitted with this application to portray the types of architecture that could be implemented on this site. While these buildings may not comply with all details of the LDC building design section, they are still attractive and interesting.

### **3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

Since a tenant has not been secured for this site, allowing architectural flexibility will allow a potentially broader spectrum of clientele for the office park by not restricting building design which still requiring of them a level of architecture that in compliant with the spirit of the regulation i.e. compatibility with the form district and interesting and attractive architecture.

### **4. Has either (a) the applicant 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 would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

The applicant will respect the intent of the regulation: compatibility with the form district and interesting and attractive architecture. However, allow flexibility in details of building design will not restrict possible tenants for the site.

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