

Glenmary Pointe

Waiver Justification

Section 10.3.5 and 10.2.4

The waivers requested are to allow for existing office buildings on Tracts 3 and 4 to encroach into the 75' Bardstown Road Parkway Buffer Area and to waive the 5' Landscape Buffer Area where lots are proposed around those existing office buildings to allow for the redevelopment of the site as a mixed use project.

The waivers will not adversely affect adjacent property owners as they are either allowing for existing office buildings to remain along Bardstown Road or are allowing for the creation of lots around those buildings that will facilitate the redevelopment of the site as a mixed use center. To those outside the site, there should be no change in what is seen on the ground other than the addition of apartment buildings in place of office buildings.

The waivers will not violate the Comprehensive Plan. The overall plan is to redevelop the site as a mixed use site with offices and multi-family. The site was previously approved for a professional park and significant utility construction and site work was undertaken, along with the construction of three office buildings. The proposal will allow for the use of the existing infrastructure and buildings. The resulting project will be a compact mixed use center, the sort of project that the Comprehensive Plan encourages.

The waivers are the minimum necessary to afford relief to the applicant. The applicant has designed the site to accommodate the parking needs and minimum lot sizes applicable to the office and apartment uses. The result is the creation of a layout that requires the requested LBA reductions along with the requested relief to allow the existing office buildings to remain.

The strict application of the requirements of the regulations would create an unnecessary hardship on the applicant. The applicant would not be able to develop a mixed use center with multiple owners without the proposed relief.

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