



3001 Taylor Springs Drive - Louisville, KY 40220
p.502.459.8402 - f. 502.459.8427
www.btmeng.com

April 17th, 2017

Develop Louisville
Department of Planning and Design Services
444 South 5th Street, Ste. 300
Louisville KY 40202

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**Subject: Revised Detailed District Development Plan with Variances and Waivers
810 Phillips Lane Four Story Hotel
Adjacent Shared Parking (700, 810 & 820 Phillips Lane)**

To Case Manager,

The proposed development will include the construction of a 42,811 SF, four story hotel with 43 parking spaces on the property at 810 Phillips Lane. The property is located within the Campus Form District and requires a 20' side yard and rear yard setback per Chapter 5.3.5.C.3b & c of the Land Development Code. Variances are being requested to allow the encroachments of the proposed building and parking to encroach into these required setbacks. The required landscape buffer along Phillips Lane will be provided as mandated per Chapter 10 of the Land Development Code. Due to the adjacent property being zoned R-5 despite its use for off street parking; there is a required 35' landscape buffer. A waiver is being requested to allow encroachments into the required landscape buffers. An additional landscape waiver is being requested to allow a parking space to encroach into the 10' vehicular use area landscape buffer along the access road from Phillips Lane.

There is an existing agreement to allow access and parking between the properties at 700, 800, 810 & 820 Phillips Lane. The minimum parking required for the proposed hotel is 98 spaces. 43 of these spaces will be provided on the subject site at 810 Phillips Lane. The remaining 55 spaces will be provided on the adjacent properties with the existing cross over access and parking agreement. A few areas of parking on the adjacent properties will be reconfigured to maximize the parking needed for the four hotels in this area. A total of 492 parking spaces will be provided between the four properties.

Please do not hesitate to give me a call at 502-815-7535 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Brown", written over a horizontal line.

Chris Brown, AICP
Project Manager/Planner

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Justification Statements for Variances:

3) Variance of Chapter 5.3.5.C.3b to allow encroachments into the required 20' side yard

4) Variance of Chapter 5.3.5.C.3c to allow encroachments into the required 20' rear yard

- (a) The requested variance will not adversely affect the public health, safety or welfare.

The requested variance will not adversely affect public health safety or welfare since the encroachments into the side and rear yard will allow for appropriate connections to the site and adjacent site for vehicular and pedestrian traffic. These connections maintain or enhance the public health, safety or welfare.

- (b) The requested variance will not alter the essential character of the general vicinity.

The requested variance will not alter the essential character of the general vicinity since the encroachments into the required side and rear yards will follow an existing pattern of parking and buildings constructed at or near the property boundaries to create a shared parking and connection arrangement between 700, 800, 810 and 820 Phillips Lane.

- (c) The requested variance will not cause a hazard or nuisance to the public.

The requested variance will not cause a hazard or nuisance to the public since the encroachments into the required side and rear yard will allow for appropriate connections to the site and between the adjacent sites.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

The requested variance will not allow an unreasonable circumvention of the zoning regulations since the encroachments into the side and rear yard pattern will follow the established pattern along the south side of Phillips Lane and the lot existed prior to the current zoning regulations.

ADDITIONAL CONSIDERATIONS:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone.

The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone since the adjacent property to the east is a residentially zoned property with a non-residential use and the size and shape of the lot is significantly different than the other lots along the south side of Phillips Lane.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

The strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land since the 20' side and rear yards would reduce the usable areas of

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the lot below the required parking needed on the subject site and would not allow for appropriate vehicular maneuvering.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought since the lot existed prior to the adoption of the current zoning regulation.

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