

Development Review Committee

Staff Report

December 19, 2018



Case No:	18WAIVER1049
Project Name:	Plantside Landscape Waiver
Location:	1819 Plantside Dr
Owner(s):	Plantside Commons, LLC.
Applicant:	Cort Rulketter
Jurisdiction:	Jeffersontown
Council District:	18 – Marilyn Parker
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- **Waiver** of Land Development Code (Jeffersontown) section 10.2.4.B to waive the PEC Property Perimeter Landscape Buffer Area requirements.

CASE SUMMARY/BACKGROUND

The subject site is an existing strip commercial center located in the PEC zoning district within the City of Jeffersontown. A portion of the site was recently converted into a mini-storage use. Within the PEC zoning district in Jeffersontown, C-1 uses are not required to provide the 15' property perimeter landscape buffer area. The change of use to mini-storage requires that landscaping be applied to the site per LDC (Jeffersontown) section 10.2.2 applicability standards. As the site is already built out and operating, installing the required 15' landscape buffer area would necessitate the removal of a significant number of parking spaces and generally reworking the site.

STAFF FINDING

The request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this request.

INTERESTED PARTY COMMENTS

Staff has received no comments from interested parties concerning this request.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since the site currently exists without the required buffers, and the change in use will not create any additional runoff of storm water to adjacent properties.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 3, Policy 9 of Cornerstone 2020 calls for protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigation when appropriate. Guideline 3, Policies 21 and 22 call for appropriate transitions between uses that are substantially different in scale and intensity or density, and mitigation of the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize impacts from noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered. Guideline 13, Policy 4 calls for ensuring appropriate landscape design standards for different land uses within urbanized, suburban, and rural areas. Guideline 13, Policy 6 calls for screening and buffering to mitigate adjacent incompatible uses. The intent of landscape buffer areas is to create suitable transitions where varying forms of development adjoin, to minimize the negative impacts resulting from adjoining incompatible land uses, to decrease storm water runoff volumes and velocities associated with impervious surfaces, and to filter airborne and waterborne pollutants. The area of the storage use is a relatively small portion of the site, and will not greatly change the overall site as it currently operates.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant since the site is already built out, and the waiver would allow existing conditions to remain as they have been.

- (d) Either:
(i) The applicant has 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
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of this part would cause an unnecessary hardship on the applicant, as they would need to remove significant portions of the existing parking areas to create the required landscape buffer areas.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Waiver**

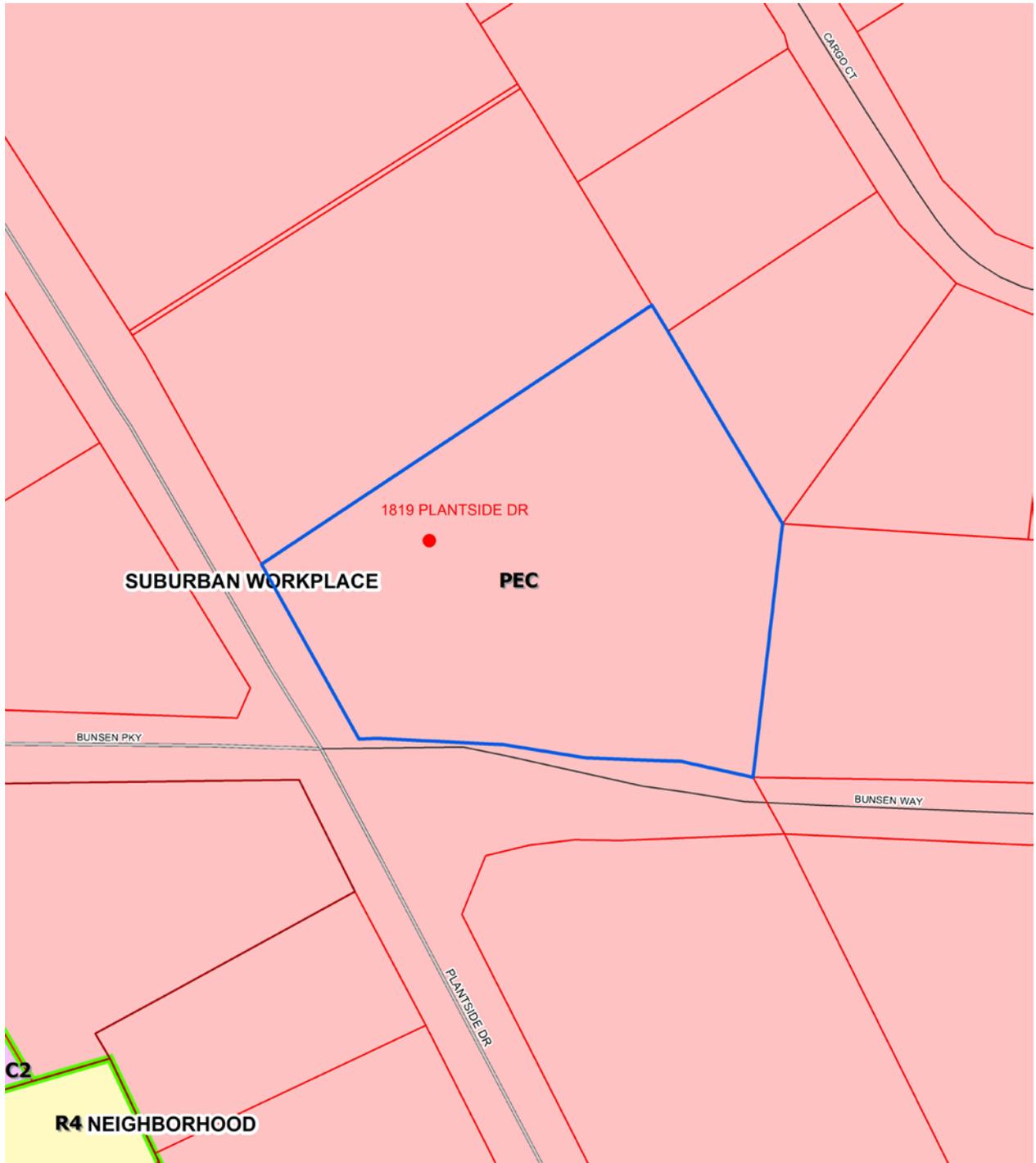
NOTIFICATION

Date	Purpose of Notice	Recipients
12-7-18	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 18

ATTACHMENTS

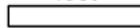
1. Zoning Map
2. Aerial Photograph

1. Zoning Map



18WAIVER1049

feet

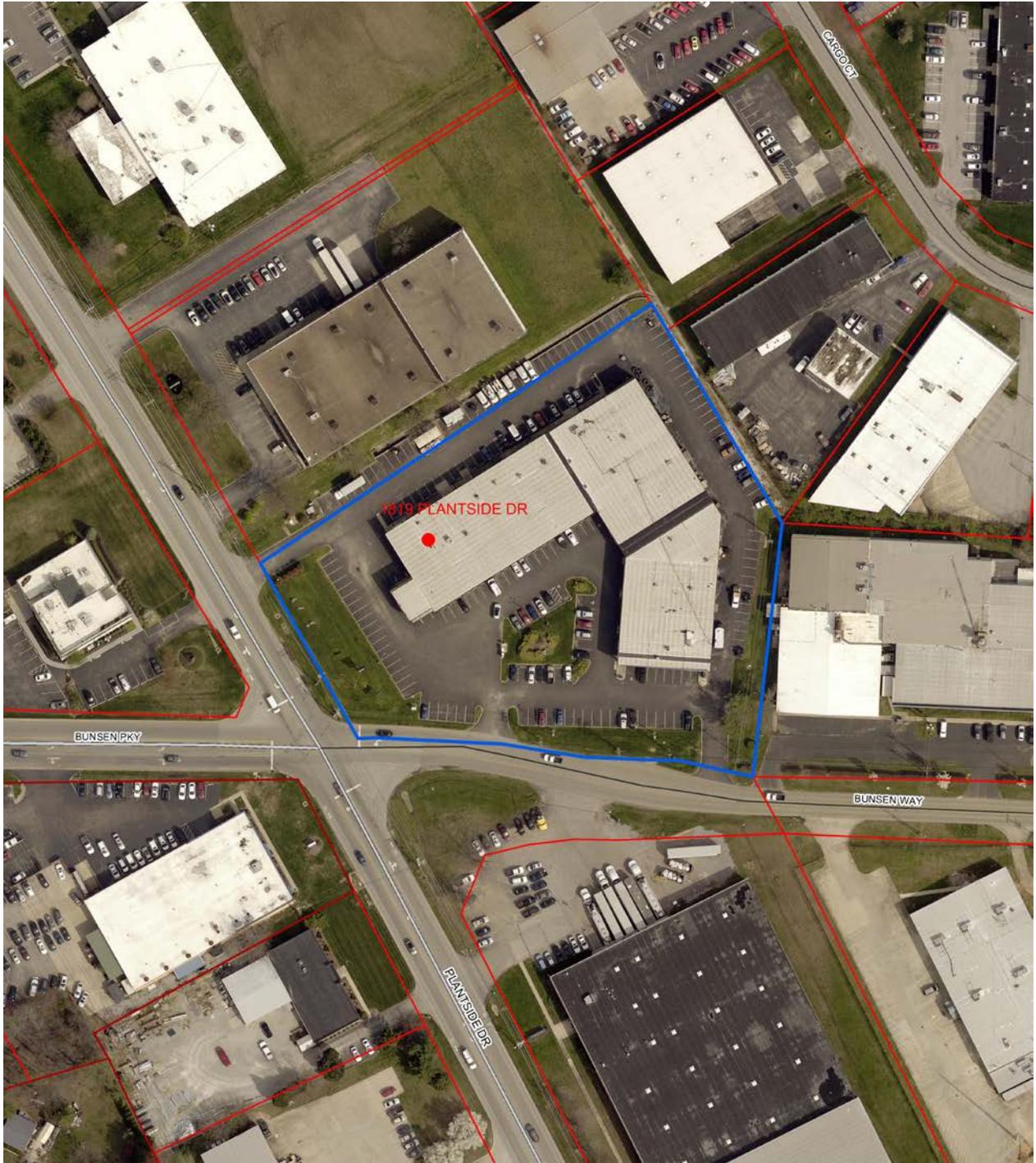


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2. Aerial Photograph



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