

Development Review Committee

Staff Report

February 14, 2018



Case No:	18WAIVER1000
Project Name:	2705 Watterson Trail
Location:	2705 Watterson Trail
Owner(s):	Barnett Watterson, LLC.
Applicant:	Barnett Watterson, LLC.
Jurisdiction:	Jeffersontown
Council District:	11 – Kevin Kramer
Case Manager:	Jay Lockett, Planner I

REQUEST(S)

- **Waiver** of Land Development Code (Jeffersontown) section 10.2.4 to eliminate a 15' Property Perimeter Buffer along the southern side of the site.

CASE SUMMARY/BACKGROUND

The applicant is proposing to construct an industrial office and warehouse facility within the Planned Employment Center zoning district. All developments within the PEC zoning district are required to maintain a 15' Property Perimeter Landscape Buffer along all side and rear property lines. The applicant is requesting a waiver of this part to accommodate the proposed driveway location.

STAFF FINDING

The request is adequately justified and meets the standard of review, on the condition that the applicant receives full construction plan approval including necessary encroachment permits from the Kentucky Transportation Cabinet.

TECHNICAL REVIEW

The property located at 2707 Watterson Trail has no public street access and claims historic rights of access across the subject property. The owner of that property and the subject property of this request will need to come to an agreement that is acceptable to KYTC in order to permit the driveway in the proposed location.

INTERESTED PARTY COMMENTS

Staff has communicated with the owner of 2707 Watterson Trail, Henry Robinson. Mr. Robinson is concerned with maintaining access to his property for potential future development.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF SECTION 10.2.4 TO ELIMINATE THE 15' PROPERTY PERIMETER BUFFER ALONG THE SOUTHERN SIDE OF THE SITE.

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

STAFF: The waiver will not adversely affect adjacent property owners, as buffer will still be provided along most of the southern property perimeter where there is no proposed driveway.

- (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 buffer will still be provided near most of the existing buildings to the south, in the area where there is no proposed driveway.

- (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 required buffers will be provided on the site except for where the driveway is proposed.

- (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 regulation would create an unnecessary hardship on the applicant, as the site has difficult geology and topography for construction on other parts of the site.

REQUIRED ACTIONS:

- **RECOMMEND** that the City of Jeffersontown **APPROVE** or **DENY** the **Waiver** from LDC section 10.2.4.

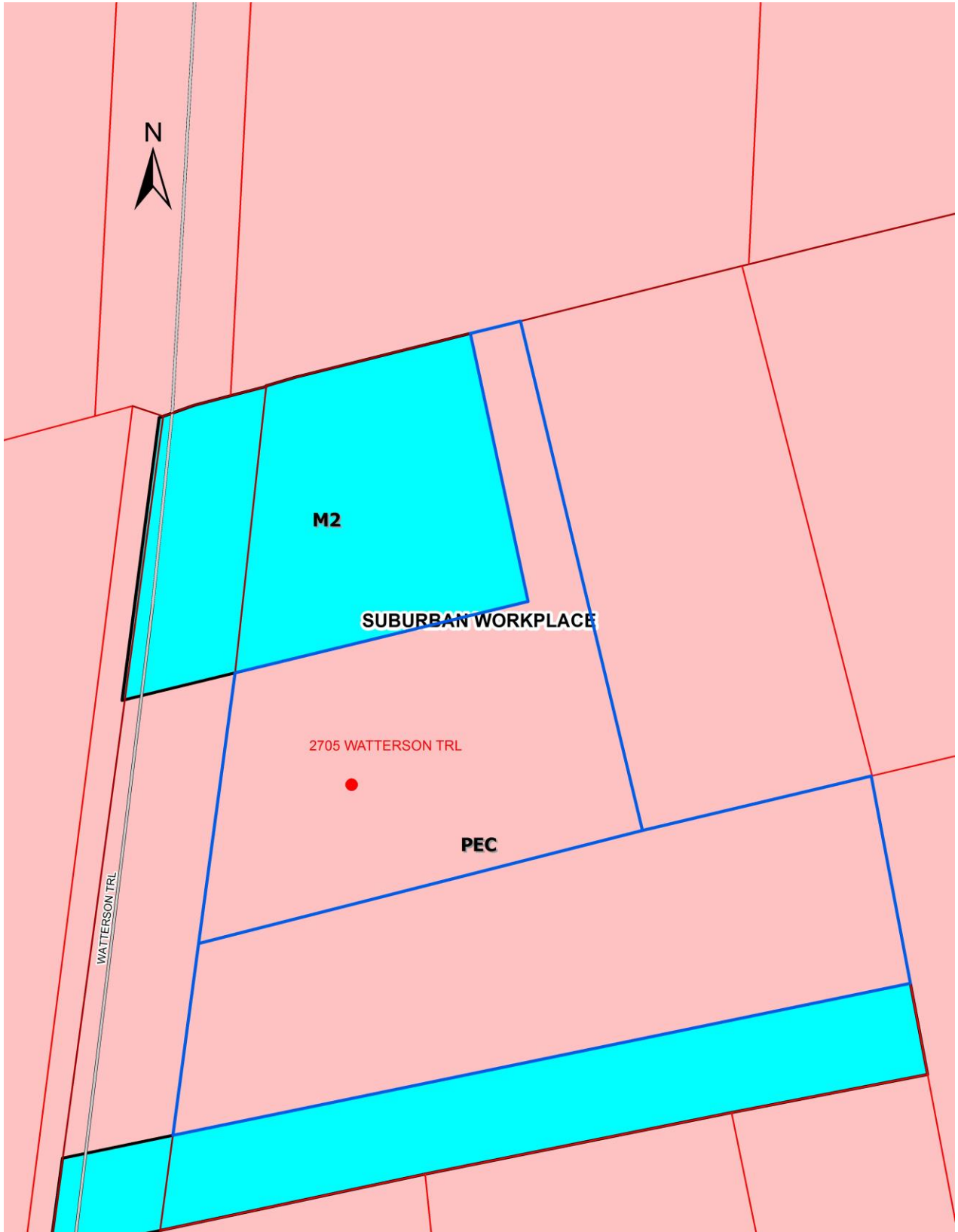
NOTIFICATION

Date	Purpose of Notice	Recipients
1-31-18	Hearing before DRC	1 st tier adjoining property owners Registered Neighborhood Groups in Council District 11

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

