

Development Review Committee
Staff Report
December 5, 2018



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|--------------------------|--------------------------|
| Case No: | 18WAIVER1047 |
| Project Name: | 2801 N Hurstbourne Pky |
| Location: | 2801 N Hurstbourne Pky |
| Owner(s): | Hurstbourne Storage, LLC |
| Applicant: | Hurstbourne Storage, LLC |
| Jurisdiction: | Louisville Metro |
| Council District: | 17 – Glen Stuckel |
| Case Manager: | Lacey Gabbard, Planner I |

REQUEST(S)

- **Waiver** of Land Development Code Section 10.3.5.A.1 and Table 10.3.1 to allow the existing building to encroach into the 30 foot parkway buffer

CASE SUMMARY/BACKGROUND

The applicant has already constructed a self-storage facility on an approximately 1.46 acre site off N Hurstbourne Parkway, which is classified as a Major Arterial. The constructed building encroaches 0.9 feet into the 30 foot parkway buffer off North Hurstbourne Parkway.

- 16CUP1034 for a mini-storage on this C-2 zoned property with waivers and variances

STAFF FINDING

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

TECHNICAL REVIEW

All reviews and comments have been resolved.

INTERESTED PARTY COMMENTS

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

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER OF LDC SECTION 10.3.5.A.1 AND TABLE 10.3.1

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

STAFF: The waiver will not adversely affect adjacent property owners since the parkway buffer is still intact and providing a screening from neighbors and N Hurstbourne Parkway.

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

STAFF: Guideline 3, Policy 9 of Cornerstone 2020 calls for the protection of the character of residential areas, roadway corridors and public spaces from visual intrusions and mitigate when appropriate. Guideline 13, Policy 7 calls for protection of the character of parkways and scenic byways and corridors through standards for buffers, landscape treatment, lighting and signs. The intent of parkway development standards is to protect existing scenic and aesthetic qualities, to ensure a quality visual experience on developing corridors and to protect and improve the visual experience on established corridors. Guideline 8, Policy 10 encourages road designs that should provide sight distances consistent with probable traffic speed, terrain, alignments and climatic extremes. The building is already constructed and will not cause a nuisance to surrounding residents or prevent obstruct sight distances because the parkway buffer is still intact and the encroachment is minimal.

- (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 as the encroachment is minimal and the parkway buffer still provides the necessary visual buffer.

- (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 the regulation would create an unnecessary hardship on the applicant because the structure is already constructed.

REQUIRED ACTIONS:

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

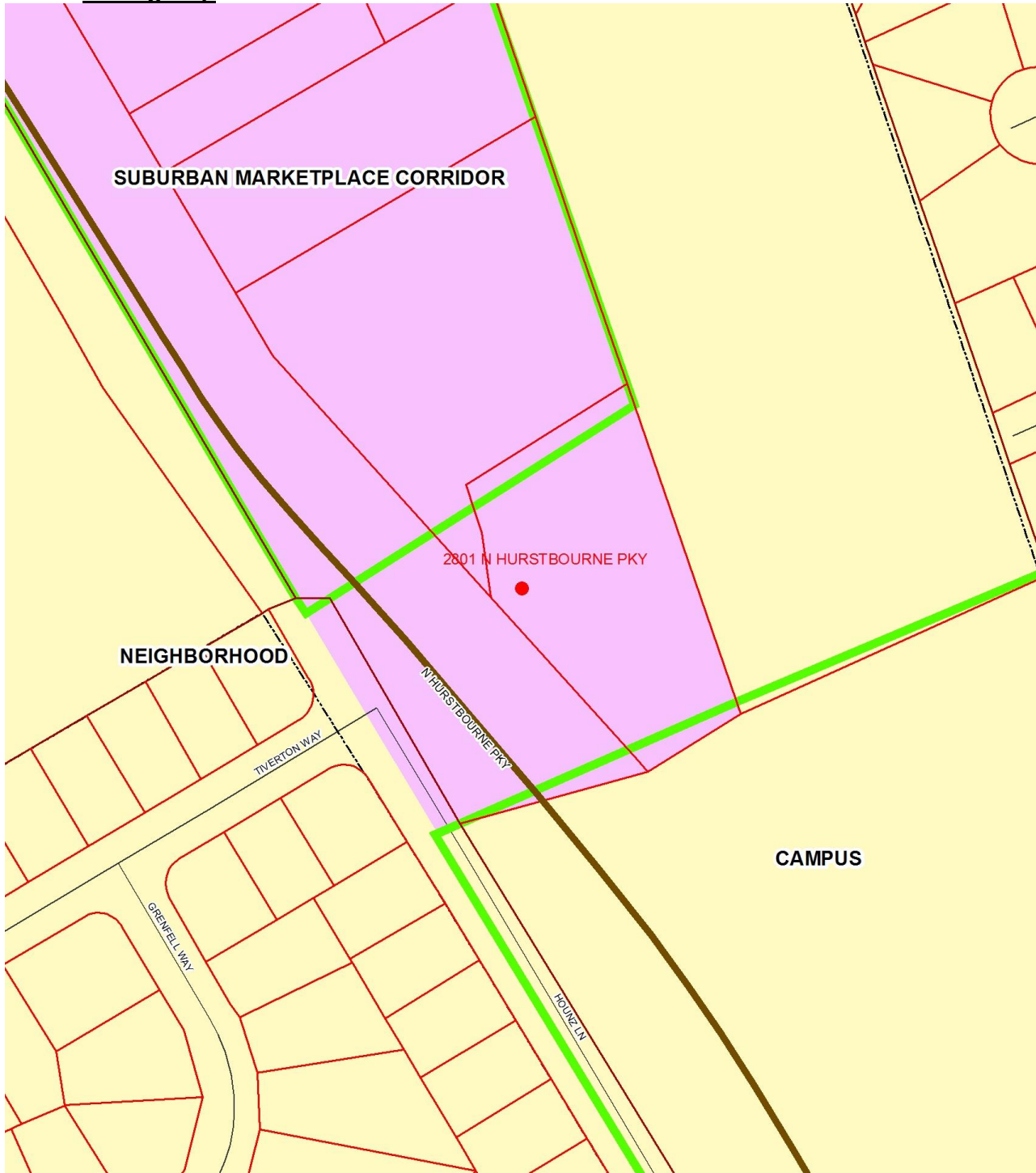
NOTIFICATION

| Date | Purpose of Notice | Recipients |
|---------|--------------------|---|
| 12-5-18 | Hearing before DRC | 1 st tier adjoining property owners Registered Neighborhood Groups in Council District 17 |

ATTACHMENTS

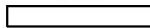
1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



18WAIVER1047

feet



125



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2. Aerial Photograph



18WAIVER1047

feet



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