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WAIVER JUSTIFICATIONS
11101 PLANTSIDE DRIVE – BOSSE CONSTRUCTION OFFICE
APPLICANT: BOSSE CONSTRUCTION, INC.

October 6, 2021
 Case # 21-WAIVER-_____

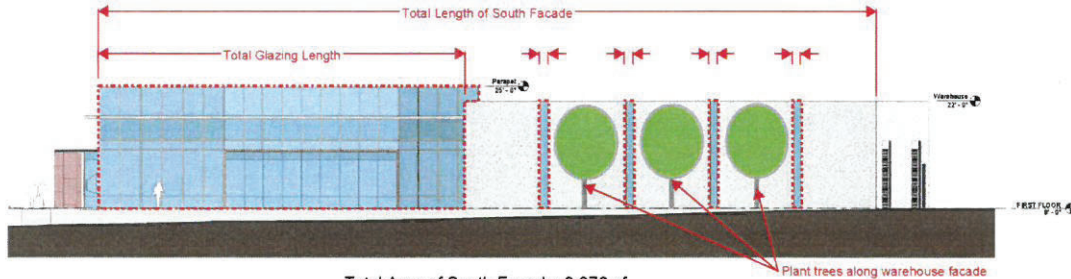
The new Bosse Construction Office is proposed for 11101 Plantside Drive. The site is zoned PEC, in the Suburban Workplace form district and located in Jeffersontown. The site is 1.27 acres with over 0.48 acres dedicated to easements and required perimeter buffers. The site is a shallow lot with approximately 400 linear feet of frontage along Plantside Drive. The site slopes from back to front with over 20 feet of elevation change, which requires the applicant to install a significant retaining wall approximately 8 feet in height to create a useable building pad. The proposed office/ warehouse is for a small company that requires a small parking lot primarily used by guests and a secured loading area with two warehouse access doors. The building pad, parking lot and loading area will be approximately 6' above Plantside Drive. The proposed development is very similar to the surrounding office/ warehouse developments in the Holloway Industrial Park.

In order to meet the intent of the design for this office/ warehouse development, the applicant is requesting the following waivers:

A. Waiver of LDC 5.5.2.A.1. to not provide a door facing Plantside Drive.

1. Will the waiver adversely affect adjacent property owners?

No. Due to the shape of the lot, the building was oriented to run parallel with Plantside Drive. The office portion of the building was placed on the west side of the lot and both the west façade and south façade, which faces Plantside Drive were covered in glazing and various animating features. The warehouse portion contains ribbons of glazing and these will be enhanced with trees and landscaping. The building architecture and landscaping will enhance the streetscape of Plantside Drive and not adversely affect the adjacent property owners. See exhibit A below.



Total Area of South Facade: 3,870 sf
 Total Glazed Facade Area: 2,082 sf
 Percentage Glazed Area of South Facade: 53.8%

Total Facade Length: 164' - 8"
 Total Glazed Facade Length: 85' - 4"
 Percentage Length of Glazed Facade: 51.8%



2. Will the waiver violate the Comprehensive Plan?

No. Per Goal 1 of Economic Development the proposed plan is an investment in one of the last remaining lots in an existing vibrant industrial park. Per Goal 2 of Community Form The proposed building orientation and design will only enhance the parks visual character which follows the Suburban Workplace guidelines of large setbacks from the street and landscaped front yards & perimeter buffers.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Yes. This waiver allows the applicant to construct their new office/ warehouse building as designed and not provide an unnecessary door that could pose a security issue to the owner.

4. Has either (a) the applicant 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 would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of land or would create an unnecessary hardship on the applicant?

The applicant has provided over 53% of glazing along the south elevation of the building, including vertical glazing within the warehouse portion of the building that will be enhanced with trees and landscaping. This combination equals approximately 80% of the overall length of the façade having been articulated to create visual interest. This exceeds the minimum requirement of no less than 60% of the buildings overall length be articulated for visual interest.

B. Waiver of LDC 10.2.4.B.3. to allow the required VUA LBA to overlap a utility easement 100%.

1. Will the waiver adversely affect adjacent property owners?

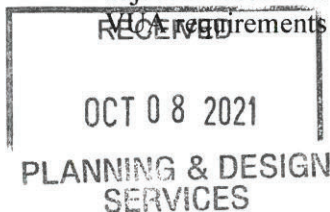
No. The vehicle use area landscape buffer (VUA LBA) will be provided in its entirety, screening the parking area as required with the approval of this waiver. The adjacent easement is 25' in width and the required VUA LBA is 10', leaving 15' for electric & telephone service. The parking lot sets approximately 6 feet above Plantside Drive and 65' from the edge of asphalt. The VUA LBA will screen the proposed parking lot, therefore not adversely affecting adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

No. Per Goal 3 of Community Form The proposed plan is compatible with the surrounding development and the applicants proposal provides the required 10' VUA Buffer, which includes a 3' continuous screen for the parking lot per LDC 10.2. Therefore, the intent of this regulation is being met.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Yes. This property is 1.27 acres with over 0.48 acres dedicated to easements and required perimeter buffers. The proposed office/ warehouse is for a small company that requires a small parking lot primarily used by guests. The required ILA is based on the total VUA area, which includes the loading area. Due to the size of the parking lot and overall buildable area there is simply not enough space to provide both the required ILA and VUA without overlapping the adjacent easement. The approval of this waiver will allow the applicant to meet both the ILA and VUA requirements and adequately screen the parking lot.



4. *Has either (a) the applicant 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 would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of land or would create an unnecessary hardship on the applicant?*

The strict application of the provisions would require the applicant to remove parking spaces on the west side and loading area on the east side in order to create enough space needed to fit the required ILA and 10' VUA buffer. Therefore, the strict application would create an unnecessary hardship on the applicant.

