



# Tree Canopy Waiver Application

Louisville Metro Planning & Design Services

Case No.: 16 DEVPLAN 1221

Intake Staff: JB

Date: 12/14/16

Fee: \_\_\_\_\_

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

## Project Information:

### Explanation

of Waiver: Elimination of Berm requirement from South Border Per Section 5.5.4 B

Primary Project Address: 5540 NATIONAL TURNPIKE

Additional Address(es): 5534 NATIONAL TURNPIKE

Primary Parcel ID: 110800280000

Additional Parcel ID(s): \_\_\_\_\_

Proposed Use: MANUFACTURING

Existing Use: MANUFACTURING

Existing Zoning District: M 2

Existing Form District: SUBURBAN WORKPLACE

Deed Book(s) / Page Numbers<sup>2</sup>: KENWOOD TERRACE SECTION 2 P.B. 19 Pg 177

The subject property contains 13.59 acres. Number of Adjoining Property Owners: 23

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup> ☐ Yes ☒ No

If yes, please list the docket/case numbers:

Docket/Case #: \_\_\_\_\_

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Docket/Case #: \_\_\_\_\_

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### Tree Canopy Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following criteria. Please answer all of the following questions. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

**1. Is the waiver in compliance with the Comprehensive Plan?**

Section 5.5.4.B STATES the need for a 6' berm along the south border of the Bencke 5540 N Turnpike property. Assuming we construct the proposed METAL storage building per CASE # 12 DEVPLAN 1221, we believe this berm will have severe negative effects to groundwater flow in the area and basically create a pond where we plan to build. Instead, we propose TO retain the wooded buffer that currently exists along with adding landscape per section 5.5.4.B and 10.2. This approach creates additional barrier and does no harm to drainage in the area.

**2. Have you made a good faith effort to provide as many trees as possible on the site, on the adjacent right of way, or on an alternative site as specified in Section 10.1.3?**

we plan to retain all existing trees and add per section 10.1.3. The proposed site plan states to maintain the 50' LBA.

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**3. Are there other mitigating circumstances affecting this site which do not generally apply to sites developed for the same use and in the same form district?**

Not sure I can answer this question, however, DRAINAGE of groundwater in this part of the city is critical. there are deep ditches along the same boundary this berm would reside on. The berm would effective create A DAM along the south boundary of Develle wire.

