

Development Review Committee

Staff Report

April 5, 2017



Case No:	17WAIVER1008
Project Name:	11215 Decimal Drive
Location:	11215 Decimal Drive
Owner:	CGS Properties LLC
Representative:	Land Design & Development, Inc.
Project Area/Size:	2 acres
Existing Zoning District:	PEC, Planned Employment Center
Existing Form District:	SW, Suburban workplace
Jurisdiction:	City of Jeffersontown
Council District:	11 – Kevin Kramer
Case Manager:	Joel P. Dock, Planner I

REQUEST

- **Landscape Waiver** of Land Development Code (LDC), section 10.2.11 to eliminate a 307 square foot Interior Landscape Area.

CASE SUMMARY

The applicant proposes to waive one required interior landscape area (ILA). The ILA to be waived is 307 square feet and internally located between the two buildings on-site. A total of 1,302 square feet is required to meet the minimum ILA size standards; 1,690 will be provided upon removal of the requested ILA. This request is necessary because the LDC in effect for the City of Jeffersontown requires a maximum distance of 120 feet between ILA when the vehicle use area is over 12,000 square feet or 20 parking spaces. Adopted LDC for Louisville Metro requires ILA only every 20 spaces. Each side of the parking row will contain 15 spaces, but the total distance is greater than 120 feet; approximately 150-160 feet depending on the side of the parking row being measured.

LAND USE/ZONING DISTRICT/FORM DISTRICT TABLE

The subject site is in the PEC, Planned Employment Center zoning district, SW, Suburban Workplace form district, and surrounded by the same.

PREVIOUS CASES ON SITE

The City of Jeffersontown conducts development plan review for non-Plan Certain development sites, but has not been given authority to review or grant approval for waivers from the LDC. A landscape plan has been reviewed and approved by Planning and Design Services, case 16LSCAPE1146. It will need to be revised to strike-through the ILA pending approval.

INTERESTED PARTY COMMENTS

Staff has not received any inquiries on this proposal.

APPLICABLE PLANS AND POLICIES

Cornerstone 2020
Land Development Code (City of Jeffersontown)

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 as the ILA being removed is internal to the development site and the required minimum size of ILA is being exceeded.

- (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 3, policies 21 and 22 calls for appropriate transitions between uses that are substantially different in scale and intensity or density, and to mitigate 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 the 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 air borne and water borne pollutants. The waiver will not violate specific guidelines of Cornerstone 2020 as the ILA to not be provided is internal to the development site and the required minimum size of ILA is being exceeded.

- (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 standards in effect in the City of Jeffersontown are inconsistent with the landscaping and buffering standards for Louisville Metro and adequate vegetation and tree canopy is being provided that exceed the minimum for the site.

- (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 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) as adequate vegetation and tree canopy is being provided which exceeds the minimum for the site.

TECHNICAL REVIEW

There are no technical review items at this time.

STAFF CONCLUSIONS

The landscape waiver appears to be adequately justified and meets the standard of review based on staff analysis in the staff report.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Development Review Committee must determine if the proposal meets the standards for approving a landscape waiver as established in the LDC.

REQUIRED ACTIONS

- **APPROVE** or **DENY** the landscape waiver of Land Development Code, section 10.2.11 to eliminate a 307 square foot Interior Landscape Area.

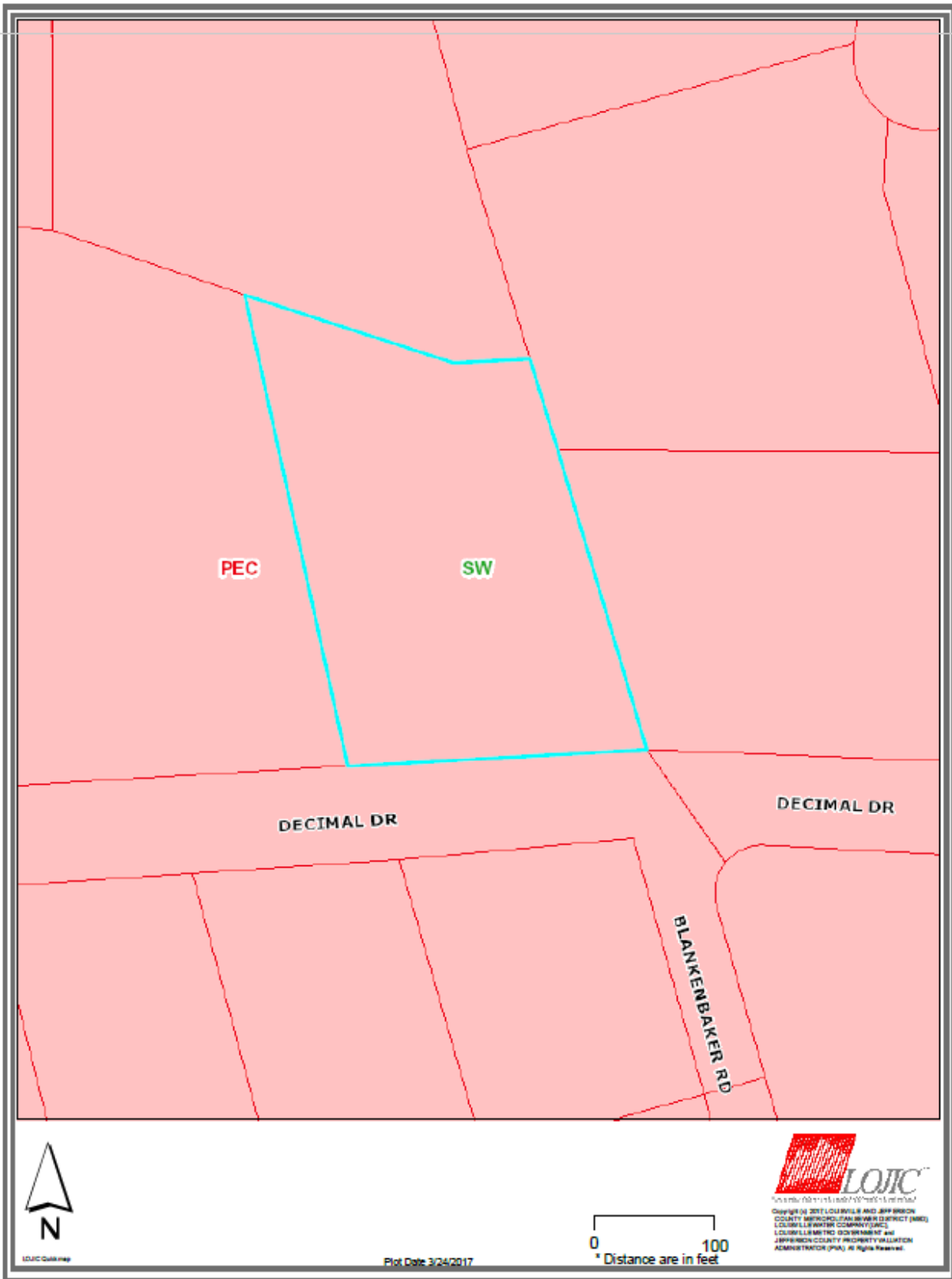
NOTIFICATION

Date	Purpose of Notice	Recipients
3/22/17	DRC	Adjoining property owners, applicant, owner, and registered users of Council District 11.

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial

