



Sidewalk Waiver Application

Louisville Metro Planning & Design Services

Case No.: 17DEVPLAN1225 Intake Staff: NH

Date: 1/18/18 Fee: 220

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 5th Street, Suite 800. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

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Project Information:

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Explanation of Waiver: L1 Deodorizer Structure sidewalk waver. (associated with 17DEVPLAN1225)

Primary Project Address: 1625 Wathen Ln Louisville, KY 40208

Additional Address(es): 2520 7th Steet Rd Louisville, KY 40208 (Main Office mailing address)

Primary Parcel ID: 100501800000

Additional Parcel ID(s): 100501960000 (Plant Main Office Parcel)

Proposed Use: Industrial Existing Use: Industrial

Existing Zoning District: EZ1 Existing Form District: Traditional Workplace

Deed Book(s) / Page Numbers²: Book 9742 Page 0096

The subject property contains 6.85 acres. Number of Adjoining Property Owners: 2

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)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: _____ Docket/Case #: _____

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17 DEVPLAN 1225

Sidewalk 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. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

Wathen Lane is a narrow industrial artery not intended for pedestrian traffic. The section of the road in abutment of the parcel of land associated is a very small portion of the road in total. There are no sidewalks on either side of this parcel. A sidewalk island in front of this parcel will negatively impact the aesthetics of the area as it will look unfinished and abandoned. This section of roadway is particularly dangerous for foot traffic as it contains six railway crossings. Four spurs of the highly trafficked Paducah and Louisville Railway cross Wathen Lane at this location. Rail traffic frequently obstructs the roadway for hours at a time making the street impassable for both cars and pedestrians.

2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

This project takes place more than 750 feet away from the nearest street. No aspect of the project is visible from the street or has any impact on roadway access or traffic flow. Forcing the inclusion of a sidewalk to the property will result in two separate construction projects taking place on the same property. Multiple projects occurring at the same time will slow progress and push the completion date of the primary project later into the year resulting in increased cost and burden on AAK. The section of Wathen lane along the property is poorly lit at night. Encouragement of pedestrian traffic could pose a public safety concern due to the lack of street lighting.

3. What impacts will granting of the waiver have on adjacent property owners?

None. This project takes place out of line of site of all adjacent property owners. Neighboring business would, however, be disadvantaged by major construction on a busy access point obstructing the roadway for multiple weeks. Encouragement of pedestrian traffic will result in increased risk of accidents and injury to people walking in the area. Heavy industrial equipment and vehicles that frequent the area are dangerous for passersby to be around and could pose great risk to pedestrians in the area.

4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

Wathen Lane is the primary access point to the property. Any work performed on the roadway will have a major impact in both AAK business needs as well as the day-to-day practices of adjacent businesses. The Wathen Lane right-of-way is as narrow as 25 feet in some areas. To add sidewalks to the road will require encroachment onto AAKs property and a restructuring and relocation of articles on AAK's property including a complete rerouting of the property's fence line and possible relocation of vital utility easements and equipment.

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Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: Luis F. GOMEZ

Name: Stephen Cole

Company: AAK USA

Company: United Group Services

Address: 2520 7th Street Rd

Address: 2520 7th Steet Rd

City: Louisville State: KY Zip: 40208

City: Louisville State: KY Zip: 40208

Primary Phone: (502) 636-3712

Primary Phone: 502-741-1304

Alternate Phone: _____

Alternate Phone: _____

Email: Luis.GOMEZ@aak.com

Email: scole@united-gs.com

Owner Signature (required): 

Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name: _____

Name: _____

Company: _____

Company: _____

Address: _____

Address: _____

City: _____ State: _____ Zip: _____

City: _____ State: _____ Zip: _____

Primary Phone: _____

Primary Phone: _____

Alternate Phone: _____

Alternate Phone: _____

Email: _____

Email: _____

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Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Luis F. GOMEZ, in my capacity as DIRECTOR OF OPERATIONS, hereby representative/authorized agent/other

certify that AAK USA is (are) the owner(s) of the property which name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature:  Date: 1/18/18

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

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