

# Development Review Committee

## Staff Report

August 14, 2019



<b>Case No:</b>	19-DDP-0018
<b>Project Name:</b>	WikiWoo
<b>Location:</b>	11101 Plantside Dr
<b>Owner(s):</b>	WikiWoo, LLC.
<b>Applicant:</b>	WikiWoo, LLC.
<b>Jurisdiction:</b>	Jeffersontown
<b>Council District:</b>	11 – Kevin Kramer
<b>Case Manager:</b>	Jay Lockett, AICP, Planner I

### REQUEST(S)

- **Waiver** of Land Development Code (Jeffersontown) section 5.9.2.A.1.b.i to not have an entry door, windows or glazing facing the public street.
- **Detailed District Development plan**

### CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a 4,920 SF warehouse building on approximately 1.27 acres. The site is zoned PEC in the Suburban Workplace form district. The site is in the Holloway Industrial Park development within the City of Jeffersontown.

### STAFF FINDING

The requests are adequately justified and meet the standards of review. The development is consistent with other similar development in the area.

### TECHNICAL REVIEW

There are no outstanding technical issues concerning this request.

### INTERESTED PARTY COMMENTS

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

## **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 proposed building design is consistent with other existing light industrial buildings in the general vicinity.

- (b) The waiver will not violate specific guidelines of the Comprehensive Plan; and

STAFF: Community form goal 2, policy 1 states that we should locate activity centers in appropriate areas in all Form Districts. Design and density should be compatible with desired form, adjacent uses, and existing and planned infrastructure. Economic development goal 1, policy 1 states that we should limit land uses in workplace Form Districts to compatible uses that meet the needs of the industrial subdivision or workplace district and their employees. The proposed development allows for a continuation of compatible land uses within an existing industrial park, and the building design is generally consistent with other existing structures within the development.

- (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 all other requirements of the Land Development Code will be met.

- (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, as the proposed structure is for storage and providing the required windows would limit the usable rack space within the structure.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR (R)DDDP and/or AMENDMENT TO BINDING ELEMENTS**

- (a) The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There do not appear to be any environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will be provided on the subject site.

- (b) The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works has approved the preliminary development plan.

- (c) The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: There are no open space requirements pertinent to the current proposal.

- (d) The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;

STAFF: The Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

- (e) The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area. Appropriate landscape buffering and screening will be provided to screen adjacent properties and roadways. Buildings and parking lots will meet all required setbacks.

- (f) Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

**REQUIRED ACTIONS**

- **RECOMMEND** that the **City of Jeffersontown APPROVE** or **DENY** the **Waiver**
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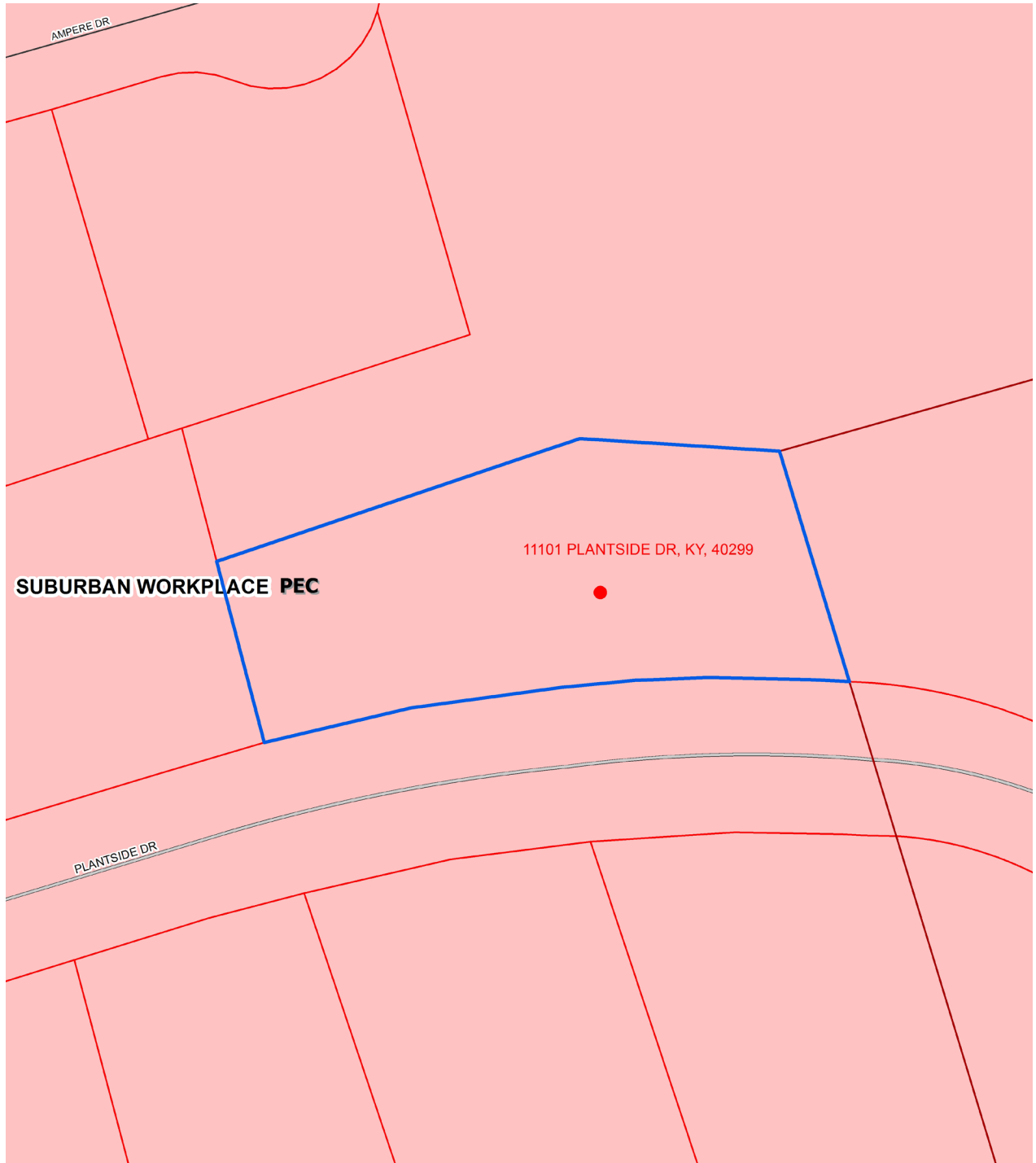
**NOTIFICATION**

Date	Purpose of Notice	Recipients
7-31-19	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners Speakers at Planning Commission public hearing Registered Neighborhood Groups in Council District 11

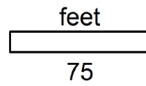
**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Proposed Binding Elements

1. **Zoning Map**

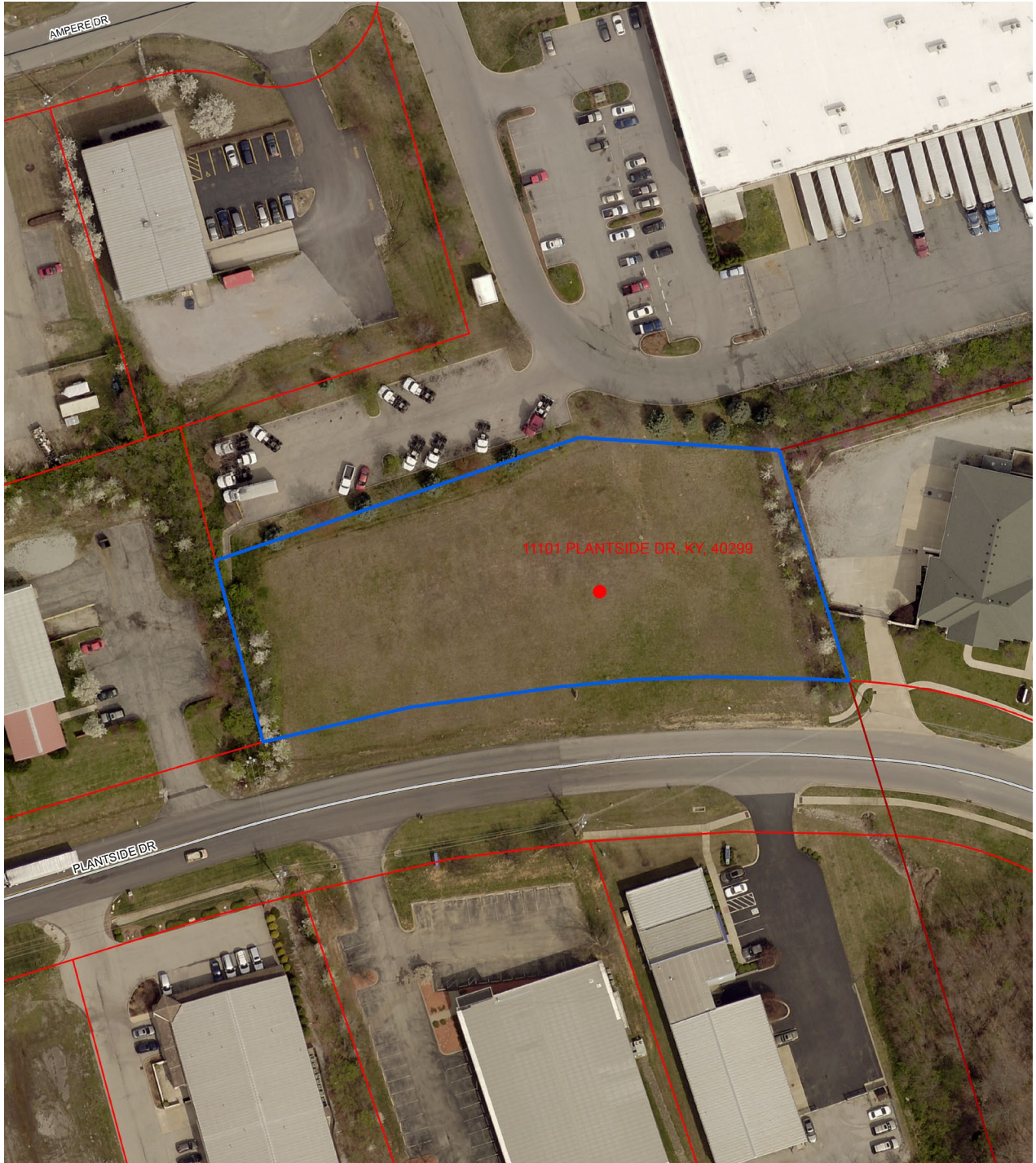


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2. Aerial Photograph



19-DDP-0018  
feet  
75

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### **3. Proposed Binding Elements**

1. The development shall be in accordance with the approved development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of the plan shall be submitted to the City of Jeffersontown for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. All signs are to be in compliance with the City of Jeffersontown Sign Ordinance. Permits shall be obtained from the City of Jeffersontown prior to installation of the signs.
3. No outdoor advertising signs (billboards), small freestanding (temporary) signs, pennants or banners shall be permitted on the site.
4. Before a building or alteration permit and/or a certificate of occupancy is requested:
  - a) The development plan must be re-approved by the City of Jeffersontown and the Metropolitan Sewer District.
  - b) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
  - c) A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.
5. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
6. All off-street parking areas shall be permanently and continually maintained in good condition and free from potholes, weeds, dirt, trash and other debris.
7. Mitigation measures for dust control shall be in place during construction to prevent fugitive particulate emissions from reaching existing roads and neighboring properties.
8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.