



# General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 16DEVPLAN1074

Intake Staff: 38

Date: 5/5/16

Fee: 215.00

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:

Application is hereby made for one or more of the following waivers of the Land Development Code:

☐ Landscape Waiver of Chapter 10, Part 2

☒ Other: Waiver of Section 5.12.2 (Amenity Area)

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: Reduce the requirement from 10% of building footprint to 10% of office space.

Primary Project Address: 7251 Logistics Drive

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 102300690000

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

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Proposed Use: Industrial

Existing Use: Undeveloped

Existing Zoning District: EZ1

Existing Form District: Suburban Workplace

Deed Book(s) / Page Numbers<sup>2</sup>: DB 8633 PG 721

The subject property contains 24.919 acres. Number of Adjoining Property Owners: 9

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 #: 065-05

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

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

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

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## **General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four 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. Will the waiver adversely affect adjacent property owners?**

No, as a large warehouse facility 98.5% of the total floor area is dedicated to storage/receiving. The reduction in area for outdoor amenities is commensurate with the limited number of employees required to support this facility type. The addition of this outdoor amenity area and the adjacent wet basin will both represent an improvement to the aesthetic quality along the property frontage.

### **2. Will the waiver violate the Comprehensive Plan?**

The reduced requirement is in line with the intent of the regulation to provide an outdoor amenity area for the employees of the site and in accordance with comprehensive plan.

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

The reduction represents a reasonable requirement for a warehouse footprint with office space. The designated area for outdoor amenities is adjacent to a larger wet basin area that will become naturalized over a period of time serving as an additional amenity to employees.

### **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 the land or would create an unnecessary hardship on the applicant?**

The wet basin with connected sidewalks will also be an amenity for this site even without being designated as an outdoor amenity area. The final design of the designated outdoor amenity area will take into account the probable use by employees of this development and may exceed the requested reduced size.