

Development Review Committee

Staff Report

September 6, 2023



Case No:	23-WAIVER-0088
Project Name:	Breckenridge Plaza
Location:	3403 Breckenridge Lane
Owner(s):	Crady Thieneman & Associates LLC
Applicant:	Crady Thieneman & Associates LLC
Jurisdiction:	Louisville Metro
Council District:	26 – Brent Ackerson
Case Manager:	Ethan Lett, Planner I

REQUEST(S)

- **Waiver** of LDC Section 10.2.10 to eliminate the required 15' Vehicular Use Area Landscape Buffer Area

CASE SUMMARY/BACKGROUND

The proposal is for a 10,600 sqft retail building and a 2,750 sqft restaurant. The development site is a portion of a developed commercial lot with shared parking and two access points from Breckenridge Lane. Two of the existing buildings will be removed with the existing oil change facility to remain. Some existing parking will remain with new spaces being added, and drive aisles will be reconfigured to accommodate the layout of the new buildings.

STAFF FINDING

The requested waiver is adequately justified for approval based on the staff's analysis contained in the standard of review.

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 since the condition currently exists.

- (b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: The waiver will not violate the comprehensive plan. Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. The development site is part of a larger established commercial activity center with multiple businesses concentrated on a single lot. The proposed plan matches the scale and design of this established center. Though

a buffer is not provided on the perimeter of the majority of this lot, there is landscaping in the right-of-way between the pavement edge and the property line which provides a substantial buffer.

- (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 since the request will only allow the applicant to maintain existing conditions.

- (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 because the applicant would be required to remove and replace existing parking spaces and drive lanes. The buffer would render the proposed traffic patterns impractical and would prevent vehicular access to the existing automotive service facility that is to remain.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **WAIVER**

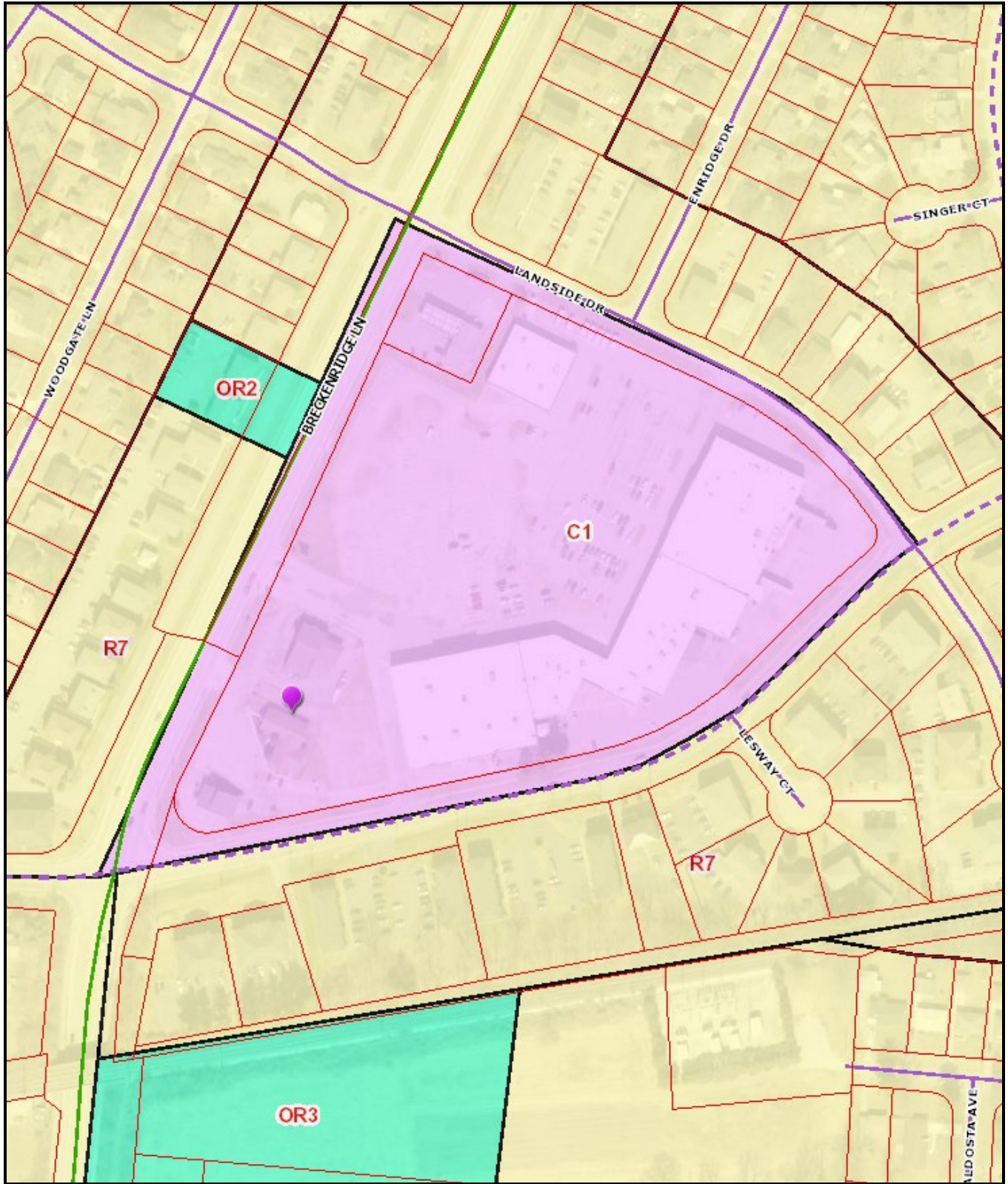
NOTIFICATION

Date	Purpose of Notice	Recipients
8/23/2023	Hearing before DRC	1 st tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 26

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



2. Aerial Photograph

