



General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 18DEVPLAN1113 Intake Staff: NH

Date: 7/3/18 Fee: _____

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 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 5.5.2.B.2.

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: Waiver to allow the loading docks to be visible from the adjacent public street and to not provide screening along the west loading dock area.

Primary Project Address: 1725 Research Drive

Additional Address(es): 1729 Research Drive

Primary Parcel ID: Blk 38 Lot 16

Additional Parcel ID(s): Blk 38 Lot 15

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Proposed Use: Warehouse/Office

Existing Use: Warehouse/Office

Existing Zoning District: PEC

Existing Form District: SWFD

Deed Book(s) / Page Numbers²: DB 9759 PG 371 and DB 9759 PG 343

The subject property contains 3.83 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)*¹ ☐ Yes ☒ No

If yes, please list the docket/case numbers:

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, this is an industrial zone and the loading docks will be across the street from another industrial building. The adjacent property owner closest to the loading docks in question is located to the west and is also the applicant.

2. Will the waiver violate the Comprehensive Plan?

No, as there will be appropriate screening along the parking lot vehicle use area which will help screen the loading area as vehicles approach. The side yard buffers will also screen the loading area from view as vehicles approach from the south side of the site. Comprehensive goal G: G3 (Land Use) which encourages re-use and re-investment of existing workplace districts is being met on this site. Comprehensive Goal G4.3 and G4.4 are also being met to provide compatibility with adjacent uses/buildings and to provide adequate parking/loading. Comprehensive Plan Elements Guideline 1.B.10 states that, "Development within suburban workplace form districts may need significant buffering from abutting uses" however, the abutting uses are similar in nature, so the buffering that will be provided should be adequate. The loading docks are approximately 165 feet away from the street.

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

Yes, as the configuration of the loading docks is as far away from the street as is possible to fit on the site. There is not enough maneuvering space to put the loading docks on the west side of the site and still make the project feasible.

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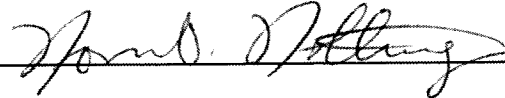
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4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

18 DEVI PLAN 1113

certify that Noltemeyer Capital, Ltd. 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: 7-2-18

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.

Please submit the completed application along with the following items:

- ☒ Land Development Report¹
- ☒ Three copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*
 - ☒ Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
 - ☒ Vicinity map that shows the distance from the property to the nearest intersecting street
 - ☒ North arrow
 - ☒ Street name(s) abutting the site
 - ☒ Property dimensions
 - ☒ Building limit lines
 - ☒ Electric, telephone, drainage easements with dimensions
 - ☒ Existing and proposed structures with dimensions and distance from property lines
 - ☐ Highlight (in yellow) the location of the waivers
- ☒ One set of mailing label sheets for: 1st tier Adjoining Property Owners (APOs)³; those listed on the application; and individuals who provided oral or written testimony in support or opposition of previous public hearing regarding the site
- ☒ One copy of the APO mailing label sheets
- ☒ \$215 Application Fee + \$1 per mailing label (Cash, charge or check made payable to Planning & Design Services)

Sample site plan is for example purposes only and not drawn to scale

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