

# Development Review Committee

## Staff Report

December 15, 2021



<b>Case No:</b>	21-WAIVER-0147
<b>Project Name:</b>	Take 5 Car Wash Express
<b>Location:</b>	5208 Dixie Hwy
<b>Owner(s):</b>	Batt N Putt, Inc
<b>Applicant:</b>	Take 5 Car Wash Express
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	12 – Rick Blackwell
<b>Case Manager:</b>	Jay Lockett, AICP, Planner II

### REQUEST(S)

- **Waivers**

1. **Waiver** of Land Development Code section 10.2.4 to provide a required Property Perimeter Landscape Buffer Area at the rear property line instead of at the zoning boundary.

### CASE SUMMARY/BACKGROUND

The applicant is proposing to construct a car wash on approximately .89 acres. The subject site is mostly zoned C-2, with a portion zoned M-2 along the rear of the site. The site is located within the Suburban Marketplace Corridor form district in the Pleasure Ridge Park area of Louisville Metro.

### STAFF FINDING

The waiver for is adequately justified and meets the standard of review. The applicant will provide a 10-foot buffer with all required planting and screening at the rear of the site, adjacent to Holy Cross High School.

### TECHNICAL REVIEW

The requests are associated with a Category 2-B development plan 21-CAT2-0024 currently under staff review. MSD and Transportation Planning have approved the preliminary plan.

### INTERESTED PARTY COMMENTS

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

**STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER 2**

- a. The waiver will not adversely affect adjacent property owners; and,

STAFF: The waiver will not adversely affect adjacent property owners, as adequate screening and buffering will be provided around the subject site.

- b. The waiver will not violate the Comprehensive Plan; and,

STAFF: The waiver will not violate the comprehensive plan, as adequate screening and planting will be provided around the subject site to provide transition between incompatible uses.

- c. The extent of 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 aspects of the Land Development Code will be met on site.

- d. Either: 1. 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 2. 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 deprive the applicant of the reasonable use of the land, as the M-2 zoning line is internal to the site. The applicant will still provide all required planting and screening at the rear of the site.

**REQUIRED ACTIONS:**

- **APPROVE** or **DENY** the **Waivers**

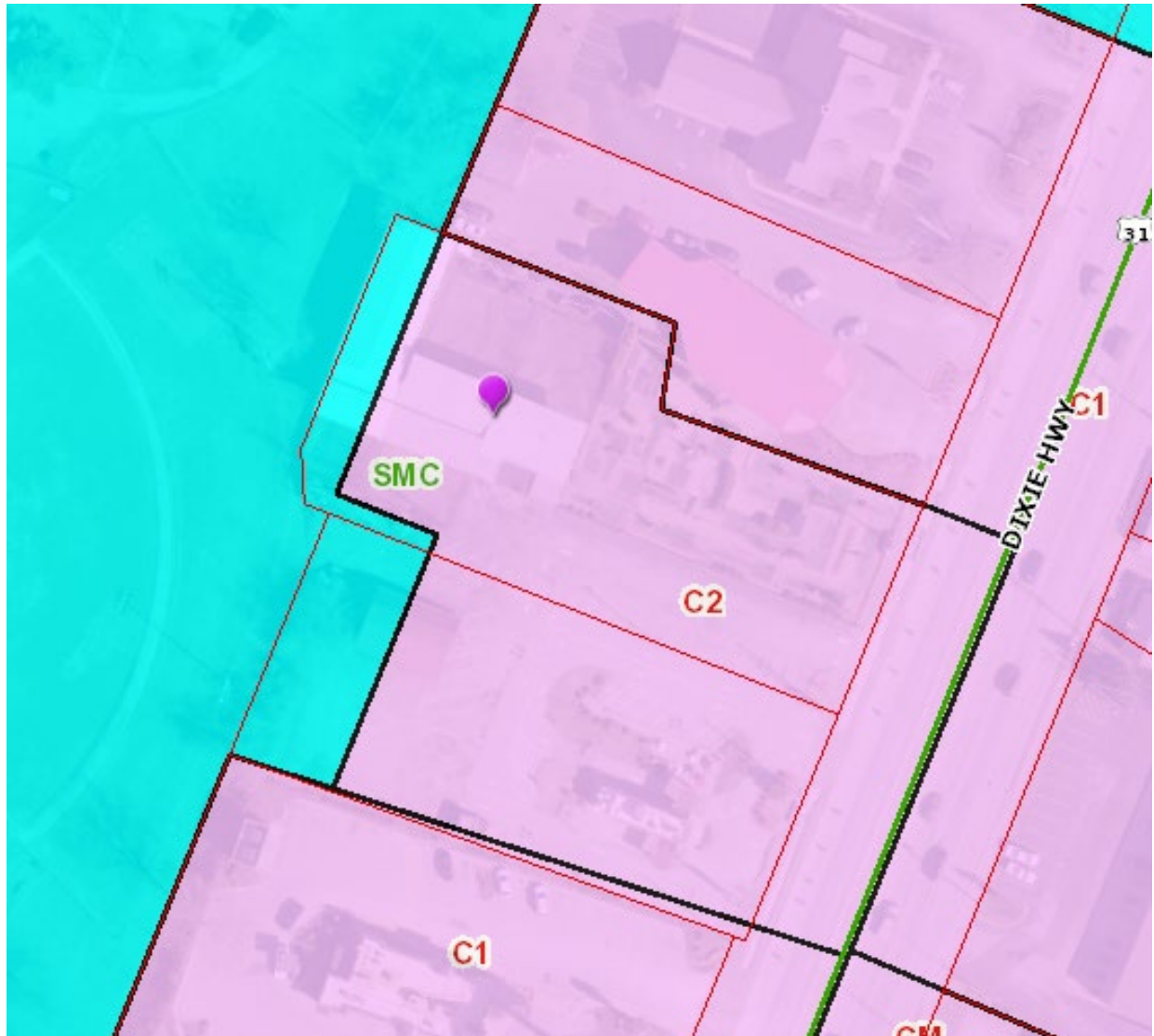
**NOTIFICATION**

<b>Date</b>	<b>Purpose of Notice</b>	<b>Recipients</b>
12-2-21	Hearing before DRC	1 <sup>st</sup> tier adjoining property owners and residents Registered Neighborhood Groups in Council District 12

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Proposed Condition of Approval

1. Zoning Map



2. Aerial Photograph



**3. Proposed Condition of Approval**

1. The applicant will provide all required trees for a type A.1 buffer per Land Development Code table 10.2.4 with a 1.5x planting density multiplier along the rear of the subject site. The applicant will also install a minimum 6-foot solid fence or wall along the property line adjacent to the Holy Cross High School site. Final plant species, location and screening material will be shown on the approved landscape plan.