

Neighborhood Meeting – January 27, 2016  
Land Development & Transportation Committee - March 24, 2016  
Louisville Metro Planning Commission – April 21, 2016

## DOCKET NO. 16ZONE1003

ZONE CHANGE FROM R-4 TO C-2 ON THE REAR PORTION OF  
THE SITE AND A DETAILED DISTRICT DEVELOPMENT PLAN  
TO ALLOW A NEW CAR WASH ON PROPERTY ALREADY  
MOSTLY ZONED FOR SAME ON PROPERTY LOCATED AT  
9500 DIXIE HIGHWAY



ATTORNEYS: BARDENWERPER TALBOTT & ROBERTS, PLLC

LAND PLANNERS, LANDSCAPE ARCHITECTS & ENGINEERS: LAND DESIGN & DEVELOPMENT, INC.

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8. Proposed findings of fact pertaining to compliance with the Comprehensive Plan

TAB 1  
LOJIC ZONING MAP



Street Gray Base

Area to be rezoned



Animal Hosp.

O'Reilly Auto Parts

Carpet Store

Christian Assembly Church

AT&T

Car Lot

Tattoo Parlor

Bumper to Bumper

Medical Center

Dixie Highway

R6

C1

C2

R4

OR1

R4

EUCLID AVE

SPEEDWAY AVE



TAB 2

AERIAL PHOTOGRAPH OF THE SITE AND  
SURROUNDING AREA





Street G  
Base

R5

R6

C1

Area to be rezoned

Animal  
Hosp.

O'Reilly  
Auto Parts

Carpet  
Store

Christian  
Assembly  
Church

R4

C2

AT&T

Car Lot

Bumper to  
Bumper

Dixie Highway

Tattoo  
Parlor

Medical  
Center

C1

R4



TAB 3

GROUND LEVEL PHOTOGRAPHS OF THE SITE  
AND SURROUNDING AREA



**SITE**



Dixie Highway

View of Dixie Highway looking north. Site is to the left.







Dixie Highway

SITE

View of the existing Dogs & Suds Car Wash from Dixie Highway.





Dixie Highway

SITE

View of Dixie Highway looking south. Site is to the right.



TAB 4

NEIGHBORHOOD MEETING NOTICE LIST MAP,  
LETTER TO NEIGHBOR INVITING THEM THE  
MEETING AND SUMMARY OF MEETING



- ▶ Neighborhood meeting notice list map, wherein 52 neighbors were invited





# BLUE IGUANA CAR WASH

1640 E. Sunshine Street

Springfield, MO 65804

Phone: (317) 912-3504

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January 13, 2016

Dear Neighbor,

**RE: Proposed change in zoning from R-4 to C-2 on the rear portion of the existing Dogs n Suds Car Wash, with the front portion to remain C-2, and detailed district development plan to allow a Blue Iguana Car Wash on approximately 1.5 +/- acres located 9500 Dixie Highway**

We are writing to invite you to a meeting we have scheduled to present neighbors with our rezoning and detailed district development plan to allow a Blue Iguana Car Wash at the existing Dogs n Suds Car Wash located as above.

Accordingly, we have filed a plan for pre-application review on Monday, January 11<sup>th</sup> with the Division of Planning and Design Services (DPDS) that we would like to show and explain to neighbors so that we might hear what thoughts, issues and perhaps even concerns you may have. The DPDS case number is **16ZONE1003** and the case manager is **Chris Brown (574-8219)**.

In that regard, a meeting will be held on **Wednesday, January 27<sup>th</sup> at 6:30 p.m.** at **The Louisville Southwest Regional Library** in the *Activity Room* located at **9725 Dixie Highway**.

If you cannot attend the meeting but have questions or concerns, please call me, my attorney Bill Bardenwerper at 426-6688, or my land planning and engineering firm representatives Kevin Young or Ann Richard at 426-9374.

We look forward to seeing you.

Sincerely,



Mike Matthews

cc: Hon. Cindi Fowler, Councilwoman, District 14  
Chris Brown, case manager with Division of Planning & Design Services  
Bill Bardenwerper & Nick Pregliasco, attorneys with Bardenwerper, Talbott & Roberts PLLC  
Kevin Young & Ann Richard, land planners with Land Design & Development, Inc.

## Neighborhood Meetings Summary

Neighborhood meeting was called to order by Nick Pregliasco, attorney for the applicant, Blue Iguana, at the Southwest Louisville Free Public Library on Wednesday, January 27<sup>th</sup> at 6:30 pm. Also attending were Ann Richard, land planner with Land Design & Development, Inc., and the applicant representative, Mike Matthews and Greg with Blue Iguana Car Wash.

Mr. Pregliasco showed a PowerPoint presentation which included aerial photographs of the area, close up and farther out, the site plan (also superimposed on aerial views), LOJIC zoning map, renderings of the proposed car wash building, and a video of the anticipated car wash and its operation. In attendance were multiple representatives of the residential property to the rear of the site and their real estate broker. Mr. Pregliasco answered questions as to the rezoning process, the development plan and the area of the rezoning and the differences in the proposed car wash and the current older car wash. Ann Richards answered questions as to screening and buffering, the layout and the reason for the development plan design. The neighbors had questions as to the Blue Iguana car wash and Mike and Greg answered these questions explaining the fact that the car wash will not be 24 hours and will only be operational when the on-site attendants/employees are there to operate the business. One of the main complaints of the current operation is its 24 hour nature and the late night use. Other times, when attendants/employees are not on the site, it will be blocked off from use. Questions as to the noise from the blower located at the front along Dixie Highway were answered as well as location and use of the vacuums on the property. No opposition to the project or the design were expressed by the neighbors.

Respectfully submitted,

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Nicholas R. Pregliasco  
Bardenwerper, Talbott & Roberts, PLLC  
Building Industry Association of Greater Louisville Building  
1000 N. Hurstbourne Parkway, 2<sup>nd</sup> Floor  
Louisville, KY 40223  
(502) 426-6688

TAB 5

COLOR DEVELOPMENT PLAN





Clover Ave

Dempley

Alexander

Euclid Ave

Dixie Highway

O'Reilly  
Auto Parts

Carpet  
Store

Animal  
Hosp.

AT&T

Car Lot

Bumper to  
Bumper

Tattoo  
Parlor

Speedway Ave

Medical  
Center

Millers Ct

Kendall Rd

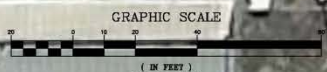
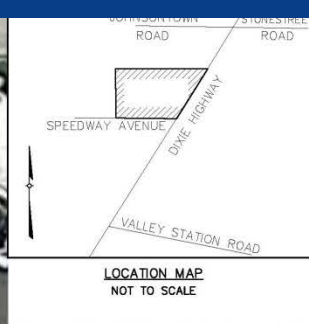
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GRAPHIC SCALE

(IN FEET)









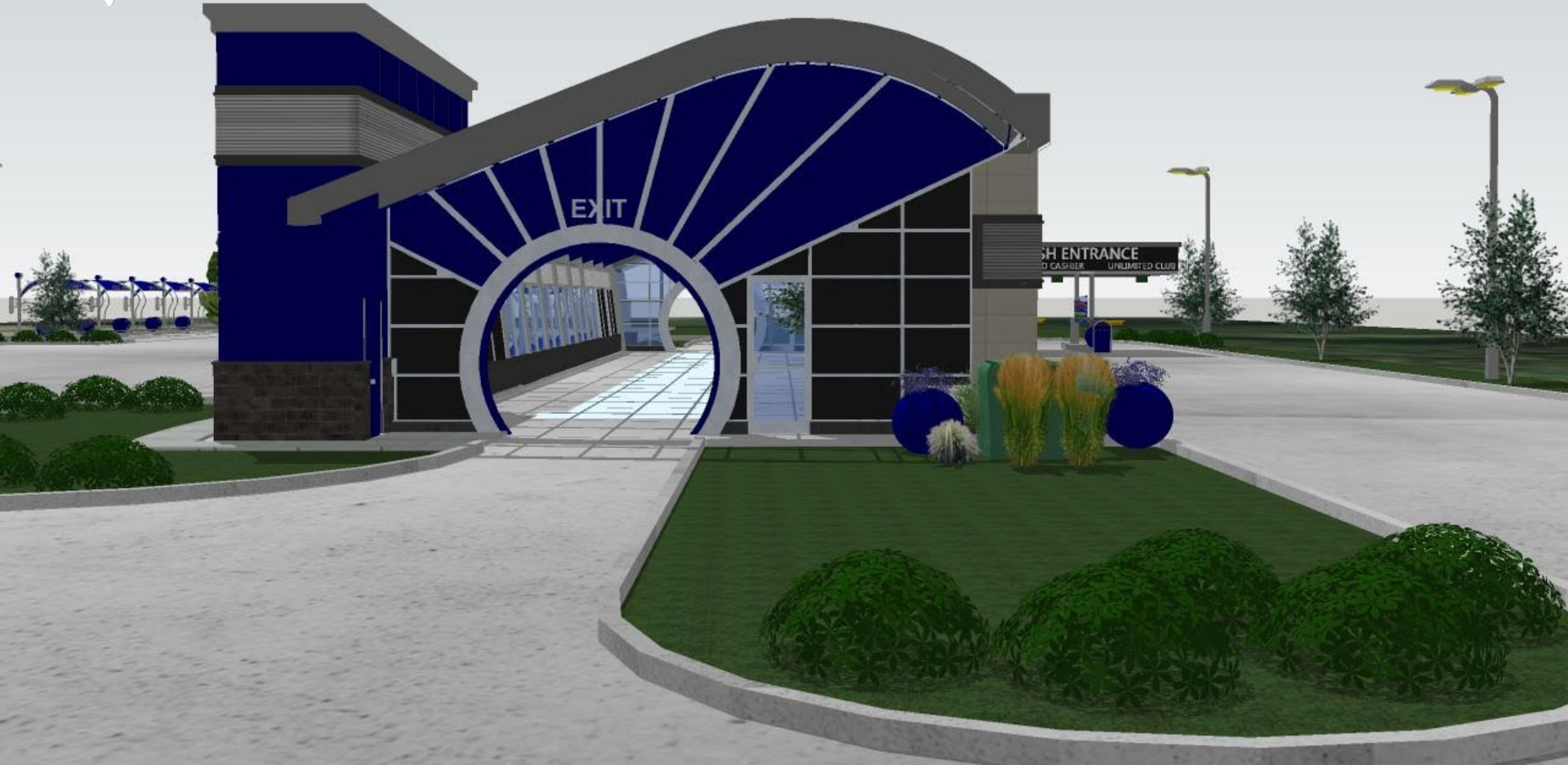


MH1 #09815

TAB 6

BUILDING ELEVATION





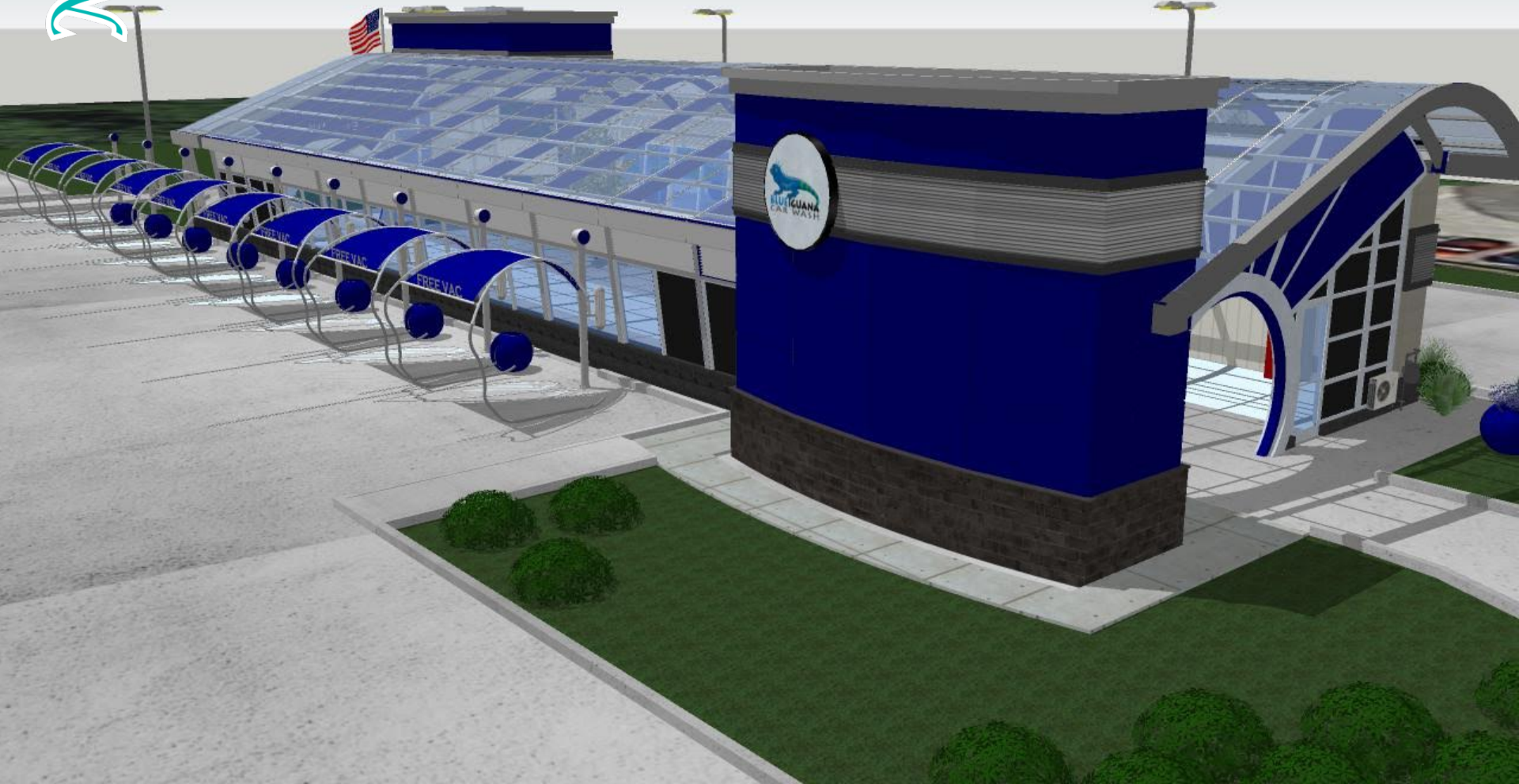




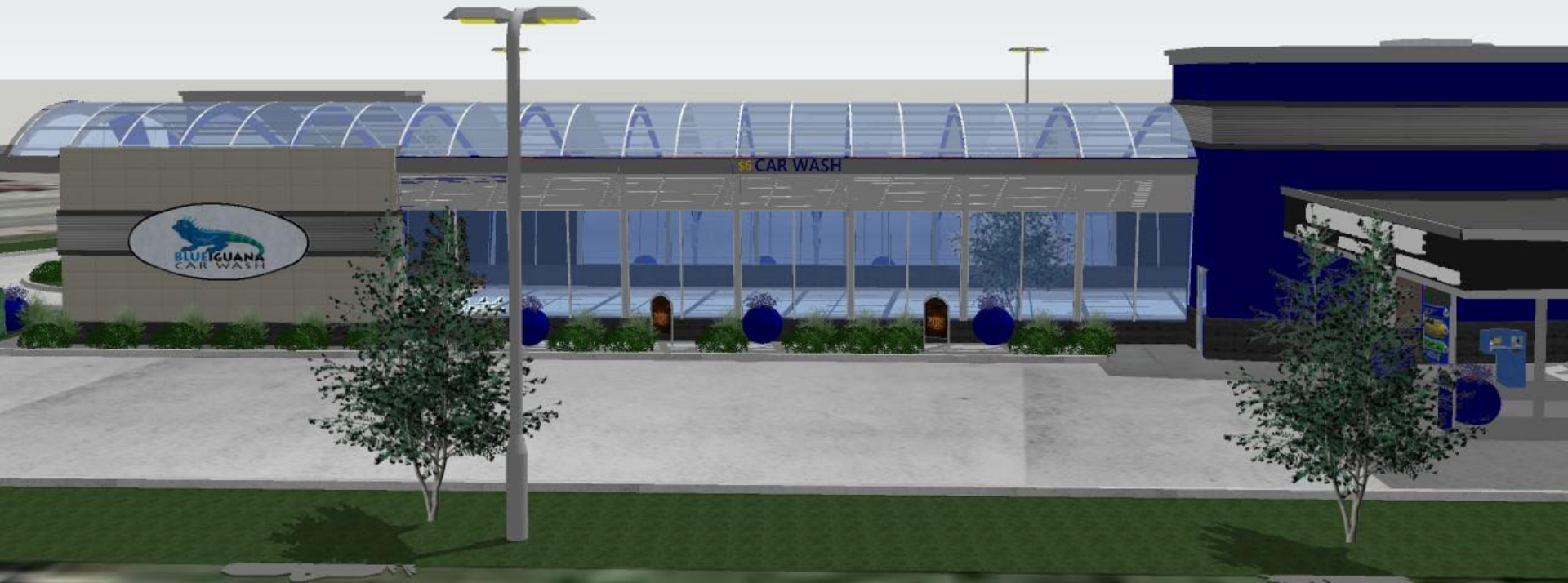
















Dixie Highway

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TAB 7

STATEMENT OF COMPLIANCE FILED WITH THE ORIGINAL ZONE CHANGE APPLICATION WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223  
(502) 426-6688 • [WWW.BARDLAW.NET](http://WWW.BARDLAW.NET)

## **STATEMENT OF COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN**

<u>Applicant:</u>	Blue Iguana Car Wash
<u>Owner:</u>	GESJ, Inc.
<u>Location:</u>	9500 Dixie Highway
<u>Proposed Use:</u>	Car Wash
<u>Engineers, Land Planners and Landscape Architects:</u>	Land Design & Development Inc.
<u>Request:</u>	Change in Zoning from R-4 to C-2

### **SUMMARY STATEMENT**

The applicant proposes to redevelop the subject property for a new state of the art automatic car wash. The subject property is currently a dated Dogs and Suds self-service car wash. The site fronts Dixie Highway on the east and Speedway Avenue on the South. The majority of the property is already zoned C-2, with just the rear portion remaining R-4, being the subject of the current zoning application. The north side is also currently C-2 and used as an animal hospital. The property to the south is a Bumper to Bumper car sales business. Only a very slight portion of the building and drive aisle is to be located in the R-4 portion of the subject site, such that a significant buffer to the residential properties to the west and northwest will remain. Additional landscaping will also be provided to provide further screening and buffering. While the current car wash is open 24 hours a day, the proposed car wash will have attendants on duty at all times during operation and will chain off the property when the business is not in operation. At the neighborhood meeting and LD&T, there was no opposition and in fact neighbors seemed to support the new building and the scaled back hours of operation.

### **GUIDELINE 1 – COMMUNITY FORM/SUBURBAN MARKETPLACE**

The proposed car wash complies with the intent of Guideline 1 because the property is located in the Suburban Marketplace Corridor, will be reutilizing an already developed site with almost the same use currently, will have access directly to Dixie Highway and Speedway Avenue to the south, will address its potential impacts on the residential area to the west and northwest, will otherwise present a reinvestment in this established Suburban Marketplace Corridor.

## **GUIDELINE 2: CENTERS**

The proposed car wash complies with the intent of Guideline 2 and specifically with Policies 2, 3, 4, 5, 12, 13, 14, and 15 thereof. The proposed development will be a new automatic car wash building in largely the same location as the current existing car wash. This compact style development is exactly what is called for by Guideline 2. The proposed development also will adequately screen the area where single-family homes adjoin the western and northwestern portion of the subject property. The blowers to dry cars is located at the front of the property which is the furthest point from the residential properties and closest to the busy Dixie Highway. The proposed application will provide an access easement to the property to the North to provide shared access in the event that property is redeveloped is served by all necessary utilities. The new operation will have hours of operation limitation and reduce the current disruption from a 24 hour self-service car wash.

## **GUIDELINE 3: COMPATIBILITY**

The proposed car wash complies with the intent of Guideline 3 and specifically with Policies 1, 2, 4, 5, 6, 7, 8, 9, 12, 21, 22, 23 and 24 thereof. Dixie Highway is a well-established Suburban Marketplace Corridor with many car washes, including the currently existing car wash on the site, and other large and varied commercial uses. New commercial developments along Dixie Highway as a consequence of the new Development Code and Comprehensive Plan guidance are transforming the area, and the proposed car wash building will be an attractive addition to the area. In addition, the proposed car wash is designed to minimize any noise disruptions, along with good screening and buffering.

## **GUIDELINE 4 AND 5, OPEN SPACE AND NATURAL AREAS IN SCENIC AND HISTORIC RESOURCES**

The proposed car wash complies with the intent of Guideline 4 in that it will preserve the rear of the current subject site including significant green space area which will be maintained by the applicant. Guideline 5 does not apply to the subject property because there is neither an historic nor natural resource.

## **GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY**

The proposed car wash complies with the intent of Guideline 6 and specifically with Policies 3, 5, and 6 thereof. The proposed car wash involves a reuse of an existing 24-hour self-service car wash along Dixie Highway that is in disrepair. The subject property is located within the Suburban Marketplace Corridor and is adjoining to the north and south by other commercial uses. Only a small portion of the developed area is being rezoned. The remainder is already properly zoned C-2. This redevelopment of an existing site within the Suburban Marketplace Corridor is exactly what Guideline 6 calls for.

## **GUIDELINE 7 – CIRCULATION**

The proposed car wash complies with Guideline 7 and specifically with Policies 1, 2, 6, 9, 10 and 13 thereof. The proposed car wash will not require the extension of any streets or utilities and will utilize the currently existing curb cuts on Dixie Highway and Speedway Avenue. In addition, an access easement to the property to the North will be provided for use in the event

that property is ever redeveloped. The proposed development will dedicate right-of-way as required by Louisville Metro Public Works and will otherwise comply with the Land Development Code concerning internal access and circulation.

#### **GUIDELINE 8 – TRANSPORTATION FACILITY DESIGN**

Because no new roads are part of this application, Guideline 8 is not applicable.

#### **GUIDELINE 9 – BICYCLE, PEDESTRIAN AND TRANSIT**

The proposed car wash complies with the intent of Guideline 9 and specifically with Policies 1 and 2 thereof. Although few people visit automobile car washes on foot or by bicycle, the proposed development will provide sidewalks, as required by the Land Development Code to accommodate pedestrians and cyclists who may visit the site or pass by the site along Dixie Highway.

#### **GUIDELINE 10 – FLOODING AND STORMWATER**

The proposed car wash complies with the intent of this Guideline and specifically with Policies 7, 10 and 11 thereof, because the overall impervious surface on the site will decrease from its current condition. Further, the development plan will manage stormwater in such a way as to prevent adverse impacts on surrounding properties from stormwater runoff. The applicant has taken drainage into account in designing the drainage system on the subject property and must obtain approval from the Metropolitan Sewer District prior to construction.

#### **GUIDELINE 11 – WATER QUALITY**

Because the proposed car wash is not adjacent to any streams and will be putting its drainage into the public system, this Guideline does not apply.

#### **GUIDELINE 12 – AIR QUALITY**

The proposed car wash complies with the intent of Guideline 12 and specifically with Policies 1, 5, 6 and 8 thereof, because it is located at an existing car wash location and will be predominantly the same use. The proposed car wash use is not a destination use, but one customers stop in on their way to or from other locations which is why being located on a busy road is important. The proposed development will also utilize the current existing curb cuts thus not increasing idling traffic from a new configuration.

#### **GUIDELINE 13 – LANDSCAPE CHARACTER**

The proposed car wash complies with Guideline 13 and specifically with Policies 1, 2, 4, 5 and 6 thereof because the applicant will meet or exceed the requirements of the Land Development Code, utilizing native plant species as recommended by the Code and as will be detailed as the application makes it way through the planning process.



## **GUIDELINE 14 – INFRASTRUCTURE**

The proposed car wash complies with the intent of Guideline 14 and specifically with Policies 2, 3, and 4 thereof in that the car wash equipment will be state of the art using less water than prior equipment models. The property is already a car wash such that it is already producing similar utility service demands, and will connect to existing sewer, electric, phone, cable, gas and other utilities connections.

For all the reasons listed above, the application complies with the listed and all other relevant and applicable guidelines of the Cornerstone 2020 Comprehensive Plan and should be approved.

Respectfully submitted,

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**BARDENWERPER, TALBOTT & ROBERTS, PLLC**  
1000 N. Hurstbourne Parkway, Second Floor  
Louisville, KY 40223

e:\client folder\blue iguana car wash\9500 dixie highway\application\comp statement.doc

TAB 8

PROPOSED FINDINGS OF FACT PERTAINING TO  
COMPLIANCE WITH THE COMPREHENSIVE PLAN

# BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG • 1000 N. HURSTBOURNE PARKWAY • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223  
(502) 426-6688 • [WWW.BARDLAW.NET](http://WWW.BARDLAW.NET)

## PROPOSED FINDINGS OF FACT REGARDING COMPLIANCE WITH ALL APPLICABLE GUIDELINES AND POLICIES OF THE CORNERSTONE 2020 COMPREHENSIVE PLAN

<u>Applicant:</u>	Blue Iguana Car Wash
<u>Owner:</u>	GESJ, Inc.
<u>Location:</u>	9500 Dixie Highway
<u>Proposed Use:</u>	Car Wash
<u>Engineers, Land Planners and Landscape Architects:</u>	Land Design & Development Inc.
<u>Request:</u>	Change in Zoning from R-4 to C-2

The Louisville Metro Planning Commission, having heard testimony before its Land Development & Transportation Committee, in the Public Hearing held on April 21, 2016 and having reviewed evidence presented by the applicant and the staff's analysis of the application, make the following findings:

### SUMMARY STATEMENT

**WHEREAS**, the applicant proposes to redevelop the subject property for a new state of the art automatic car wash; the subject property is currently a dated Dogs and Suds self-service car wash; the site fronts Dixie Highway on the east and Speedway Avenue on the South; the majority of the property is already zoned C-2, with just the rear portion remaining R-4, being the subject of the current zoning application; the north side is also currently C-2 and used as an animal hospital and the property to the south is a Bumper to Bumper car sales business; and only a very slight portion of the building and drive aisle is to be located in the R-4 portion of the subject site, such that a significant buffer to the residential properties to the west and northwest will remain; additional landscaping will also be provided to provide further screening and buffering; while the current car wash is open 24 hours a day, the proposed car wash will have attendants on duty at all times during operation and will chain off the property when the business is not in operation; at the neighborhood meeting and LD&T, there was no opposition and in fact neighbors seemed to support the new building and the scaled back hours of operation; and

### GUIDELINE 1 – COMMUNITY FORM/SUBURBAN MARKETPLACE

**WHEREAS**, the proposed car wash complies with the intent of Guideline 1 because the property is located in the Suburban Marketplace Corridor, will be reutilizing an already developed site with almost the same use currently, will have access directly to Dixie Highway and Speedway



Avenue to the south, will address its potential impacts on the residential area to the west and northwest, will otherwise present a reinvestment in this established Suburban Marketplace Corridor; and

### **GUIDELINE 2: CENTERS**

**WHEREAS**, the proposed car wash complies with the intent of Guideline 2 and specifically with Policies 2, 3, 4, 5, 12, 13, 14, and 15 because the proposed development will be a new automatic car wash building in largely the same location as the current existing car wash; this compact style development is exactly what is called for by Guideline 2; the proposed development also will adequately screen the area where single-family homes adjoin the western and northwestern portion of the subject property; the blowers to dry cars is located at the front of the property which is the furthest point from the residential properties and closest to the busy Dixie Highway; the proposed application will provide an access easement to the property to the North to provide shared access in the event that property is redeveloped is served by all necessary utilities; the new operation will have hours of operation limitation and reduce the current disruption from a 24 hour self-service car wash; and

### **GUIDELINE 3: COMPATIBILITY**

**WHEREAS**, the proposed car wash complies with the intent of Guideline 3 and specifically with Policies 1, 2, 4, 5, 6, 7, 8, 9, 12, 21, 22, 23 and 24 thereof because Dixie Highway is a well-established Suburban Marketplace Corridor with many car washes, including the currently existing car wash on the site, and other large and varied commercial uses; new commercial developments along Dixie Highway as a consequence of the new Development Code and Comprehensive Plan guidance are transforming the area, and the proposed car wash building will be an attractive addition to the area; in addition, the proposed car wash is designed to minimize any noise disruptions, along with good screening and buffering; and

### **GUIDELINE 4 AND 5, OPEN SPACE AND NATURAL AREAS IN SCENIC AND HISTORIC RESOURCES**

**WHEREAS**, the proposed car wash complies with the intent of Guideline 4 in that it will preserve the rear of the current subject site including significant green space area which will be maintained by the applicant; and Guideline 5 does not apply to the subject property because there is neither an historic nor natural resource; and

### **GUIDELINE 6 – ECONOMIC GROWTH AND SUSTAINABILITY**

**WHEREAS**, the proposed car wash complies with the intent of Guideline 6 and specifically with Policies 3, 5, and 6 thereof because the proposed car wash involves a reuse of an existing 24-hour self-service car wash along Dixie Highway that is in disrepair; the subject property is located within the Suburban Marketplace Corridor and is adjoining to the north and south by other commercial uses; only a small portion of the developed area is being rezoned and the remainder is already properly zoned C-2; this redevelopment of an existing site within the Suburban Marketplace Corridor is exactly what Guideline 6 calls for; and

## **GUIDELINE 7 – CIRCULATION**

**WHEREAS**, the proposed car wash complies with Guideline 7 and specifically with Policies 1, 2, 6, 9, 10 and 13 thereof; the proposed car wash will not require the extension of any streets or utilities and will utilize the currently existing curb cuts on Dixie Highway and Speedway Avenue; an access easement to the property to the North will be provided for use in the event that property is ever redeveloped; the proposed development will dedicate right-of-way as required by Louisville Metro Public Works and will otherwise comply with the Land Development Code concerning internal access and circulation; and

## **GUIDELINE 8 – TRANSPORTATION FACILITY DESIGN**

**WHEREAS**, no new roads will part of this application, Guideline 8 is not applicable; and

## **GUIDELINE 9 – BICYCLE, PEDESTRIAN AND TRANSIT**

**WHEREAS**, the proposed car wash complies with the intent of Guideline 9 and specifically with Policies 1 and 2 thereof because although few people visit automobile car washes on foot or by bicycle, the proposed development will provide sidewalks, as required by the Land Development Code to accommodate pedestrians and cyclists who may visit the site or pass by the site along Dixie Highway; and

## **GUIDELINE 10 – FLOODING AND STORMWATER**

**WHEREAS**, the proposed car wash complies with the intent of this Guideline and specifically with Policies 7, 10 and 11 thereof, because the overall impervious surface on the site will decrease from its current condition; the development plan will manage stormwater in such a way as to prevent adverse impacts on surrounding properties from stormwater runoff; the applicant has taken drainage into account in designing the drainage system on the subject property and must obtain approval from the Metropolitan Sewer District prior to construction; and

## **GUIDELINE 11 – WATER QUALITY**

**WHEREAS**, the proposed car wash is not adjacent to any streams and will be putting its drainage into the public system, this Guideline does not apply; and

## **GUIDELINE 12 – AIR QUALITY**

**WHEREAS**, the proposed car wash complies with the intent of Guideline 12 and specifically with Policies 1, 5, 6 and 8 thereof, because it is located at an existing car wash location and will be predominantly the same use; the proposed car wash use is not a destination use, but one customers stop in on their way to or from other locations which is why being located on a busy road is important; the proposed development will also utilize the current existing curb cuts thus not increasing idling traffic from a new configuration; and

## **GUIDELINE 13 – LANDSCAPE CHARACTER**

**WHEREAS**, the proposed car wash complies with Guideline 13 and specifically with Policies 1, 2, 4, 5 and 6 thereof because the applicant will meet or exceed the requirements of the Land

Development Code, utilizing native plant species as recommended by the Code and as will be detailed as the application makes it way through the planning process; and

**GUIDELINE 14 – INFRASTRUCTURE**

**WHEREAS**, the proposed car wash complies with Guideline 13 and specifically with Policies 1, 2, 4, 5 and 6 thereof because the applicant will meet or exceed the requirements of the Land Development Code, utilizing native plant species as recommended by the Code and as will be detailed as the application makes it way through the planning process; and

\* \* \* \* \*

**WHEREAS**, for all the reasons explained at LD&T and the Planning Commission public hearing and also in the public hearing exhibit books on the approved detailed district development plan, this application also complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan;

**NOW, THEREFORE**, the Louisville Metro Planning Commission hereby recommends to the Louisville Metro Council that it rezone the subject property from R-4 to C-2 and approves the Detailed District Development Plan.