

17ZONE1042: CHANGE IN ZONING JUSTIFICATION STATEMENT
SPEEDWASH CAR WASH

**DEVELOPMENT SITE: 9808, 9908 R, 9816, & 9816 R HILLOCK DRIVE AND
8018 & 8102 OLD BARDSTOWN ROAD**

**ZONING REQUEST: R-4 SINGLE FAMILY RESIDENTIAL TO C-1 COMMERCIAL FOR PROPERTIES
9808 & 9908 R HILLOCK DRIVE**

EXISTING USE: RESIDENTIAL

PROPOSED USE: MODERN, FULL-SERVICE CAR WASH

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REQUEST SUMMARY

The applicant, Speedwash, proposes to construct a top-of-the-line, 9,947 square foot car wash on properties that include 9808, 9908 R, 9816 & 9816 R Hillock Drive and 8018 & 8102 Old Bardstown Road (the "Subject Property"). The applicant requests a change in zoning from R-4 Single Family Residential to C-1 Commercial District for only the 9808 and 9908 R Hillock Drive properties. In 2014, the Louisville Metro Council approved a similar zoning request – R-4 Single Family Residential to C-1 Commercial – involving the other four parcels that comprise the development site to allow a drive-through, fast-food restaurant. The property owner never acted upon that 2014 development plan, however.

The Subject Property is a corner location within the Neighborhood Form District at the intersection of three streets: Hillock Drive, Old Bardstown and Bardstown Road, and located in between a Right Aid to the north (directly across Hillock Dr.) and a day care and medical office spa on the adjacent property to the south. Other land uses in the immediate area include Aspen Creek Grill restaurant and Thortons gas station on the other side of the Ride Aid, and, just across Bardstown Road, there is a Kohl's Department Store, Outback Steakhouse, and Marathon Gas, among numerous other commercial properties, and residential to the west. Considering the commercial, office and institutional uses located next door to the south, across Hillock and beyond to the north, as well as across Bardstown Road to the east, the Subject Property is an appropriate site for commercial development and would it be impractical to maintain its use as residential.

In conjunction with the change in zoning, the applicant also requests a landscape waiver of Land Development Code ("LDC") Section 10.2.10 and Table 10.2.6 to allow the

15-foot vehicular-use-landscape-buffer areas along the north and east property lines to be 10 feet, and a variance from LDC Section 5.3.1 and Table 5.3.2 to allow the proposed car wash building to exceed the maximum 80-foot front setback.

For the reasons stated herein, the requested change in zoning complies with all applicable guidelines of the Cornerstone 2020 Comprehensive Plan ("Cornerstone 2020") and KRS 100.213 and, therefore, should be approved.

**GUIDELINE 1
COMMUNITY FORM**

The proposal site is located within the Suburban Neighborhood Form District and the application complies with this Guideline because the Neighborhood Form allows a mixture of uses, including neighborhood-serving uses along an activity corridor, such as this site. According to Cornerstone 2020 Guideline 1.B.3, the Neighborhood Form contemplates, at appropriate locations, neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. The proposed development complies with Cornerstone 2020 Guideline 1 because it is a neighborhood-serving infill development on property located at the intersection of primary collector, major arterial, and local level streets and is mostly surrounded by other commercial and office developments along the Old Bardstown Road and Bardstown Road commercial corridors. Moreover, the proposed development will be adequately buffered and screened from the residential uses along Hillock to the north and west of the site.

**GUIDELINE 2
CENTERS**

The subject site is located along the west side of both Old Bardstown Road, a primary collector, and Bardstown Road, a major arterial, and on the south side of Hillock Drive, a local level street. As previously mentioned, the proposal site lies within an existing activity corridor that contains a mixture of neighborhood-serving uses. The property to the north was rezoned to C-2/C-1 to allow a Rite Aid store (Docket # 09-032-02), and on the other side of the Rite Aid to the north is Aspen Creek restaurant and Thortons gas station (Docket # 09-030-96). Within the activity center and across Bardstown Road are a number of commercial properties, zoned both C-1 and C-2, that include the an Outback Steakhouse, Pizza Hut, Chase Bank (all within Glenmary Plaza), a Marathon Gas and Circle K store, a Kohl's department store, Chik-fil-A, and various retail stores. The property to the south was rezoned in 2007 from R-4 Single-Family Residential to OR-3 Office Residential to allow a day care and medical spa.

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The Subject Property complies with Cornerstone 2020 Guideline 2 and its applicable policies because it is compatible with existing uses and the Neighborhood Form District, and reflects a compact pattern of development. Being an infill development within an established commercial corridor, the proposal results in an efficient use of land that utilizes existing infrastructure. Infrastructure already exists, including sanitary sewer which will connect to the Cedar Creek Wastewater Treatment Plant. The subject property is also within close proximity of numerous residential developments and, therefore, is located in an area where a sufficient population exists to support the proposed development. The proposed development will add to the mixture of compatible land uses within the Bardstown Road (and Old Bardstown Road) corridor, thereby reducing traffic congestion by requiring fewer trips. Not to mention, the proposed car wash will have good visibility on a well-trafficked corridor, which allows motorists looking for vehicle-wash service easy and efficient access to and from the site without having to travel off of the commercial corridor and away from the activity center, where such automobile traffic could potentially impact other less-intense land uses. The parking and vehicular use areas will be screened and buffered from adjoining residential uses, and a parking waiver is not needed. The applicant is asking for relief from existing Binding Element # 7 to not provide vehicular cross-access to the day care and medical spa site to the south because the proposed layout of the subject site is designed to move vehicles through its car wash and back out to Hillock Drive, and said design does not include enough space to facilitate safe traffic movements between the day care and medical spa property and the subject property without unavoidable conflicts in traffic movements. Finally, the subject property is on existing TARC routes, a sidewalk will be constructed as shown on the development plan, and a bicycle rack will be provided to ensure the proposed development is accessible by all transportation modes. For all of the foregoing reasons, the proposed development complies with Cornerstone 2020 Centers Guideline 2.

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**GUIDELINE 3
COMPATIBILITY**

Guideline 3 of Cornerstone 2020 is intended to ensure that all land uses and transportation facilities are compatible with nearby land uses and minimize impacts to residential areas, schools and other sensitive areas. The requested change in zoning complies with Guideline 3 because the proposed development is a compact, infill commercial development appropriately located along Bardstown Road, a major arterial, and Old Bardstown Road, a primary collector, within an existing activity center that serves the Neighborhood Form District. The proposal will adjoin commercial and office uses to the north and south and is compatible with the litany of commercial uses along the high activity commercial corridor, Bardstown Road. Specifically, Speedwash's

proposed car wash will fill in the gap between the previous re-zonings to the north and south, which were re-zoned to C-2, C-1 and OR-3, respectively, evidencing that this corridor area has a history of being deemed appropriate for an increase in the intensity of land uses. The two properties toward the rear of the development site and subject of this re-zoning request will align with the adjacent OR-3-zoned properties' zoning boundary directly to the south and with the parking lot servicing the Aspen Creek restaurant adjacent to the north of the Rite Aid. Speedwash's access points include a full access toward the back of its property and an exit only toward the front of the property. Both access points will be aligned across Hillock Drive from the access points that serve the Rite Aid. A sidewalk will be constructed across the site's frontage to create a pedestrian connection between the adjacent properties.

The residential property to the rear of the Subject Property will be properly protected with a combination of an 8-foot privacy fence and robust landscaping and additional landscaping throughout the development site will provide more screening and buffering to mitigate against adverse visual impacts. The applicable building setback will be applied along the rear of the property and a 25-foot landscape buffer area will be established to further protect the residential use to the west. Additionally, Speedwash maintains their car wash facilities in immaculate condition and takes great pride in the cleanliness of its properties. Speedwash will be a good neighbor to any adjacent use.

The new, top-of-the-line, full-service car wash will be set back 120 feet from the existing Old Bardstown Road right of way so that the vehicles getting service can exit the wash facility and have ample room to safely exit the site or move toward other servicing areas on the site. A variance is requested to exceed the maximum setback from Old Bardstown Road. In addition, a landscape waiver is requested to reduce portions of the landscape buffer area along the north and east property lines to allow for Speedwash's safe and efficient site design, and more specifically to accommodate proposed self-service vacuuming stations along Hillock Dr. (north) and vehicle maneuvering area and a proposed detention basin (east); all planting requirements will be met within these VUA LBAs, however.

Proposed handicap parking complies with local, state and federal ADA design requirements, and are appropriately located on the site to not conflict with vehicles as they move throughout the site. Parking design, interior landscaping of the vehicular use areas ("VUAs"), signage, and lighting will comply with LDC regulations. As a result, there will be no adverse lighting, odor, or visual impacts on surrounding land uses.

The proposed development will contribute to the overall mixture of uses, reduce vehicle miles traveled, and promote economic development along established

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commercial corridors. The proposal will minimize land use incompatibilities and the impact on public facilities. The setbacks, lot dimensions, and building heights will be compatible with surrounding buildings that meet form district standards. Accordingly, the proposed development complies with Cornerstone 2020 Guideline 3 and its applicable policies.

**GUIDELINES 4 AND 5
OPEN SPACE, NATURAL AREAS, AND SCENIC AND HISTORIC RESOURCES**

The proposed development complies with Cornerstone 2020 Guidelines 4 and 5 because the subject property does not contain any natural, scenic, historic, distinctive cultural features or limiting environmental features, such as wet soils or steep slopes, that would prevent its development as proposed. Due to its small size, the development is not required to provide open space on site. The proposed landscaping and buffer areas are consistent with the existing pattern of development within the active Bardstown Road commercial corridor. Proposed interior landscape areas comply with Land Development Code requirements, and will serve to break up parking and vehicular use areas and enhance the aesthetics of the new car wash. Therefore, the proposed development complies with Guidelines 4 and 5 of Cornerstone 2020.

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**GUIDELINE 6
ECONOMIC GROWTH AND SUSTAINABILITY**

The proposed development application complies with Guideline 6 of Cornerstone 2020 and its applicable policies because it will bring additional investment and promote economic development within the established Bardstown Road commercial corridor. The subject property – being an infill site along a major arterial where a gap exists between other commercial uses – is an appropriate location for a modern car wash because it is located in an area with existing infrastructure, which is served by transit, and where a large population exists to serve the proposed development. The Subject Property is an older residential site suitable for rehabilitation and re-use, where Speedwash can provide new employment opportunities to a burgeoning population area.

**GUIDELINES 7, 8, AND 9
CIRCULATION, TRANSPORTATION FACILITY DESIGN, AND BICYCLE, PEDESTRIAN,
AND TRANSIT**

The proposed development complies with Guidelines 7, 8, and 9 of Cornerstone 2020 because it is designed to ensure the safe and efficient circulation by all types of transportation modes, including automobiles, bicycles, pedestrians, and transit. The

current intersection of Hillock with Old Bardstown Road and Bardstown Road is not a perfect traffic situation, but the applicant is working with Louisville Metro Public Works, Metro Transportation Planning and the KYTC to create a safer and more efficient intersection. The improvements will likely include the disconnection of Old Bardstown Road from the intersection and additional access improvements to Bardstown Road. The need for these roadway improvements predates this development proposal, but the applicant and the aforementioned agencies are working on a solution that will benefit all properties in the immediate area as well as traffic flow along the Bardstown Road corridor. Access points to/from the site will be aligned with the access points to the Rite Aid across Hillock Drive. The access point nearest the intersection will be an exit only to minimize conflicting traffic movements. Signage stating "exit only" will direct drivers. In addition, as previously mentioned, the applicant is requesting to not provide cross-access between the Subject Property and the adjacent property to the south because the respective site designs of the proposed car wash and the existing day care and medical spa do not relate well enough for an ample and safe vehicular connection to be established.

The Subject Property is served by TARC Route 17, ensuring an adequate level of transit service for the proposed development, especially for employees. A 5-foot sidewalk will be constructed along Old Bardstown Road and appropriate provision has been made for a bicycle rack on the proposed site. Adequate parking will be furnished on the site. Internal circulation will meet the Transportation Planning's requirements. Interior landscaping will be provided to break up parking areas and enhance the overall aesthetics of the site. All of the above will ensure that internal and external circulation of the development provides safe and efficient travel movement by all modes of transportation.

**GUIDELINES 10, 11 AND 12
FLOODING, STORMWATER, WATER AND AIR QUALITY**

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The subject property is not located in the 100-year floodplain, and does not contain steep slopes, unstable or hydric soils, or blue-line streams. As a result, there are no environmental constraints which would prevent the development of this property as proposed. A detention basin will be located at the eastern portion of the property and will be subject to MSD review and approval prior to the issuance of construction permits. The basin is designed to enable proper stormwater handling and release management ensuring that adjacent properties will not be adversely affected. In addition, a water quality unity will be installed to meet all MS4 water quality regulations. An Erosion Prevention and Sediment Control Plan utilizing best management practices will also be implemented prior to commencing construction of the development. Likewise, the proposal will be subject to APCD review and approval to ensure the car

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wash will not have a negative impact on air quality. For the foregoing reasons, the proposed development complies with Cornerstone 2020 Guidelines 10, 11 and 12, and all applicable Guideline Policies.

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**GUIDELINE 13
LANDSCAPE CHARACTER**

The applicant's proposed car wash complies with Cornerstone 2020 Guideline 13 because it meets or exceeds the requirements of the Land Development Code. A 25-foot landscape buffer area will be established at the rear of the property, which will be bolstered by a 8-foot privacy fence to protect the residential use to west of the site. A 15-foot landscape buffer area will also be created along portion of the southern property, which will further enhance the visual quality of the site and provide added protection to adjacent day care and medical spa. A landscape waiver is requested to permit proposed vacuum stationing and maneuvering areas to encroach in portions of the 15-foot landscape buffer area. The required plantings will be inserted within the 10-footbuffer areas, however, which will mitigate any negative impacts of the requested waiver. Tree canopy and interior landscaping within the vehicular use areas will meet Land Development Code requirements. Accordingly, the proposed development complies with Cornerstone 2020 Guideline 13 and its applicable policies.

**GUIDELINES 14 AND 15
INFRASTRUCTURE AND COMMUNITY FACILITIES**

The proposed development complies with Cornerstone 2020 Guidelines 14 and 15 because the subject property is served by existing infrastructure and all necessary utilities, including water, sewers, electricity, and telephone. It is also located in an established commercial corridor with adequate carrying capacity and provides appropriate connectivity to adjacent properties. The development also has an adequate supply of potable water and water for fire-fighting purposes, and is served by the Fern Creek Fire Department, located nearby to the north on Bardstown Road.

KRS 100.213 COMPLIANCE

In addition to compliance with Cornerstone 2020, the proposed development complies with KRS 100.213 inasmuch as the existing residential zoning of the property is not appropriate while commercial zoning is appropriate. The proposed change in zoning is a compact, infill commercial development along the active Bardstown Road commercial corridor as well as this specific stretch of commercial uses along Old Bardstown Road. The Subject Property is mostly surrounded by commercially-zoned or office-zoned properties, which were fairly recently re-zoned. As a result of these

changes and the established commercial character of the area, the proposed rezoning from R-4 Single Family Residential to C-1 Commercial District complies with KRS 100.213. For these and other reasons set forth herein, this application complies with all other applicable Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan.

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