

# **REZONING JUSTIFICATION**

## **R-4 to C-2**

### **Swope Auto Display Lot & Collision Center**

**6780 Dixie Highway**

**Case No. 15ZONE1020**

The applicant has been operating at Dixie Highway and Kerrick Lane since 1957 - almost sixty years. They began selling Plymouths. In 1977 they opened the brand new Toyota of Louisville showroom at that location. It was state-of-the-art at that time, and was a very successful operation until they moved it a block north in the early 2000's. At that time they renovated the facility for Buick GMC. This has been a very good location for the Sam Swope Auto Group, and they feel like part of the neighborhood now. They believe they've been a good neighbor and want to continue to operate in this block. They propose to add an inventory lot for cars that will be sold with the operation to the east on Dixie Highway. The building is proposed to be one story and 12,000 square feet, with similar materials as the existing structure on Dixie Highway.

The applicant is requesting a zoning change to C-2, to accommodate the inventory lot and collision repair center to support the existing auto sales and repair business. The proposal conforms to the guidelines of the Comprehensive Plan, Cornerstone 2020 as indicated by the following statements:

#### **Community Form Guideline 1**

The proposal conforms to Community Form Guideline 1 and Policies 1.B.3 because except for the Pleasure Ridge Fire Department property the site connects to the Swope Dealership at 6780 on Dixie Highway. The Neighborhood Form District "is characterized by predominantly residential uses," but the Neighborhood Form District does not forbid commercial uses, especially when made compatible with nearby residential uses. The applicant proposes to dedicate additional right-of-way to Kerrick Lane to provide for future sidewalks and any road/drainage improvements. No access is proposed from Kerrick Lane to the site. All traffic to the site will enter via the private road off Dixie Highway on the south side of the site.

The development plan provides a landscape buffer along all property lines adjoining residential properties and along the Kerrick Lane boundary. The majority of landscape buffers will be at least 25 feet wide and 30 feet along Kerrick Lane. A combination of trees and shrubs will be

planted in accordance with the Land Development Code, with a detailed landscape plan to be approved by the Metro Landscape Architect prior to any new construction.

All collision repairs will take place within the climate-controlled building with overhead doors closed except when opening to allow automobiles to enter or exit. The business will close generally at 6:00 PM. Any vehicles needing repairs that are parked outside will be located south of the building next to the Home Depot property line and buffered from any residences. There will be lighting for security purposes, with minimum-trespass fixtures pointed down and away from adjacent residences. All lighting will meet the requirements of the Land Development Code.

### **Centers Guideline 2**

The proposal conforms with Centers Guideline 2 and Policies 2, 3, 4, 7, 14 and 15. This area is an older residential area where “the [proposed] non-residential use does not create nuisances and is compatible with the surroundings.” The site comprises a “center,” because it is compact and walkable from the automobile dealership at 6780 Dixie Highway. There is a sufficient support population for the development. Utilities will be located where recommended by each individual utility. Parking requirements will conform to the Land Development Code. This development is “compact” because its location was selected due to its close proximity with the adjacent automobile dealership.

The proposal is for an inventory lot and collision repair center that will support the existing business located just east of the subject site. There is not a proposal for residential use on the subject site because the most suitable use of this property is for support services of existing automobile business at 6780 Dixie Highway. The extensive buffering and lower intensity use on this tract will establish a firm boundary between business and residential uses, and will not be disruptive to the established neighborhood to the north and west.

The only access to this site will be through an established private roadway connecting to Dixie Highway through the existing auto dealership. The full-movement, signalized intersection at Dixie Highway is at the private roadway across from Dixie Manor Shopping Center. Left turns for incoming arrivals from north-bound Dixie Highway have a dedicated left turn arrow at the private road entrance.

The applicant proposes to dedicate additional right-of-way for Kerrick Lane in front of this development to accommodate future improvements such as sidewalks, drainage improvements and pavement widening. A thirty foot landscape buffer is proposed along Kerrick Lane, which is

twice the width required by the Land Development Code. This extensive landscape buffer will have larger canopy type trees and shrubbery planted to buffer the proposed vehicular use area from residences to the north and along Kerrick Lane. Other landscaping is proposed along the perimeter adjacent to residences that will be planted with similar material, to establish a significant buffer that will screen the view of parked cars. There will be lighting for security purposes, with minimum-trespass fixtures that will point downward and away from adjacent residences.

### **Compatibility Guideline 3**

The proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policies 1, 2, 4, 5, 6, 7, 8, 9, 21, 22, 23 and 28. The primary material on the face of the building is drivit. The building will be 30-feet in height. Impacts to nearby residential uses are fully mitigated by proposed landscaping and screening (wood privacy fence along residential property lines). There will be no odors or excessive air quality emissions. All lighting will meet the limitations and requirements of the Land Development Code. There will be no visual impacts affecting nearby residential uses. Extensive buffering and screening will surround the site on all residential sides. The development will meet all setbacks except where waivers and one variance are obtained. There will be no free-standing signs and all other signage will conform to Land Development Code requirements.

### **Natural Areas and Scenic and Historic Resources Guideline 5**

The proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and Policies 1, 2, 3, 6 and 7. The site has no natural features and all slopes and there are no wet or unstable soils on site. An existing residence on 6780 Dixie Highway was built in 1905 and appears to be in fair condition for its age. The applicant cannot incorporate the structure into the site design and will provide documentation prior to any demolition or dismantling in accordance with Historic Preservation recommendations.

### **Circulation Guideline 7**

The proposal conforms to Circulation Guideline 7 and Policies 1, 9 and 10. The Department of Public Works has approved the development plan. Access to this site will be through an established private roadway connecting to Dixie Highway through the existing auto dealership. There will be no access from Kerrick Lane.

The full-movement, signalized intersection at Dixie Highway is at the private roadway we propose to be our primary access point, which is across from Dixie Manor Shopping Center. Left turns for incoming arrivals from north-bound Dixie have a dedicated left turn arrow at the private road entrance, but not at Kerrick Lane.

The applicant proposes to dedicate additional right-of-way for Kerrick Lane in front of this development to accommodate future improvements such as sidewalks, drainage improvements and pavement widening. The applicant will construct a sidewalk along their Kerrick Lane frontage.

### **Flooding and Stormwater Guideline 10**

The proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 1, 2, 4, 7, 10 and 11. The development plan proposes to provide on-site detention facilities and green infrastructure components to ensure that stormwater drainage flows do not increase from the existing condition. The proposed detention areas will be located in perimeter green space and may be combined with proposed trees and shrubs that can thrive in moist soils, with trees such as Swamp White Oak, Red Maple and Bald Cypress. A portion of drainage flowing from proposed pavement and the building will be treated by green infrastructure components such as infiltration basins, prior to being released to drainage outlets. All grading and drainage plans have been approved by the Metropolitan Sewer District prior to construction, indicating that the development has been analyzed pursuant to a full watershed review, that the development provides for adequate “through” drainage, and that post-construction run-off rates from the site will not exceed pre-construction rates.

### **Air Quality Guideline 12**

The proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 1, 2 and 8. The proposal has been approved by the Air Pollution Control District indicating that the proposal will not have an adverse impact on air quality.

### **Landscape Character Guideline 13**

The proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 2, 4 and 5. All landscaping materials to be employed will be native species. Landscaping and buffering are proposed adjacent to residential uses to protect the residential uses from any encroachment from the commercial use that might otherwise exist.

#### **Infrastructure Guideline 14**

The proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 2, 3, 4, 6 and 7. The proposal has adequate service for all necessary utilities. An adequate water supply for domestic and fire-fighting purposes will serve the site. Utilities will be located underground and will be situated where recommended by each utility for appropriate maintenance and repair access.

#### **Community Facilities Guideline 15**

The proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 15.9. Adequate fire fighting services will be provided by the Pleasure Ridge Park Fire Fire Protection District.

The proposal conforms to all other applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan.