

**Case No. 16ZONE1003 – Findings of Fact**

01:59:14 On a motion by Commissioner Jarboe, seconded by Commissioner Turner, the following resolution was adopted:

**WHEREAS**, the Louisville Metro Planning Commission finds that the proposal meets the intents of **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; and

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 2 – Centers** 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 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

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 3 – Compatibility**, 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

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guidelines 4 and 5 – Open Space and Natural Areas in Scenic and Historic Resources** because 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

**WHEREAS**, the Commission further finds that the proposal meets the intents of **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 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

**WHEREAS**, the Commission further finds that the proposed car wash complies with **Guideline 7 – Circulation** 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

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 8 – Transportation Facility Design**. No new roads will part of this application, Guideline 8 is not applicable; and

**WHEREAS**, the Commission further finds that the proposal complies with the intent of **Guideline 9 – Bicycle, Pedestrian and Transit** 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

**WHEREAS**, the Commission further finds that the proposal meets the intents of **Guideline 10 – Flooding and Stormwater**. The proposal 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

**WHEREAS**, the Commission further finds that the proposal meets the intents of **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; and

**WHEREAS**, the Commission further finds that the proposed car wash complies with the intent of **Guideline 12 – Air Quality** 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

**WHEREAS**, the Commission further finds that the proposal complies with the intents of **Guideline 13 – Landscape Character** 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**, the Commission further finds that the proposal meets the intents of **Guideline 14 - Infrastructure** and specifically with Policies 2, 3, and 4 thereof because the car wash equipment will use less water than prior equipment models. The property is already a car wash and is already producing similar utility service demands, and will connect to existing sewer, electric, phone, cable, gas and other utility connections; and

**WHEREAS**, the Commission further finds that, based on the evidence and testimony presented, the applicant's justification, and the staff report that all of the applicable Guidelines of Cornerstone 2020 and the Comprehensive Plan are being met; now, therefore be it

**RESOLVED**, the Louisville Metro Planning Commission does hereby **RECOMMEND** to the Louisville Metro Council that the requested change in zoning from R-4 to C-2 on the portion of the property described in the attached legal description be **APPROVED**.