

Development Review Committee

Staff Report

February 20th, 2019



Case No:	18DEVPLAN1181
Project Name:	Zips Express Car Wash
Location:	3000 Breckenridge Lane
Owner(s):	Marvin Smith / Mark Batistta
Applicant:	James J. Baker
Jurisdiction:	Louisville Metro
Council District:	26- Brent Ackerson
Case Manager:	Molly Clark, Associate Planner
Presented By:	Jay Lockett, AICP, Planner I

REQUEST(S)

- Waivers:
 1. Waiver from 10.2.10 to allow encroachment into the required 15 foot vehicle use area (**VUA**) land scape buffer area (**LBA**).

CASE SUMMARY/BACKGROUND

The applicant has proposed to demolish an existing 2-story building and construct a 3,996 square foot car wash. The property currently has a private road, El Conquistador Place, that goes through the northwest edge of the property. With the private road running through the property, the applicant is unable to provide the required 15' LBA on the edge of the property so the LBA will run parallel with El Conquistador Place. The applicant proposed to comply with all other buffer yard and planting requirements, the applicant will just have a smaller LBA running parallel with El Conquistador Place.

STAFF FINDING

The request is adequately justified and meets the standard of review.

TECHNICAL REVIEW

There are no outstanding technical issues associated with this review.

INTERESTED PARTY COMMENTS

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

STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners since all the required plantings and screening will be provided on the subject site. The proposed development will allow the adjacent condominium complex to continue to park on a portion of their property and maintain access on El Conquistador Place, a private road.

(b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 2 policy 9 of Cornerstone 2020 calls for shared entrance and parking facilities with adjacent uses to reduce curb cuts and surface parking, and locates parking to balance safety, traffic, transit, pedestrian, environmental and aesthetic concerns. Guideline 3, Policies 21 and 22 call for appropriate transitions between uses that are substantially different in scale and intensity or density, and mitigation of the impact caused when incompatible developments occur adjacent to one another through the use of landscaped buffer yards, vegetative berms and setback requirements to address issues such as outdoor lighting, lights from automobiles, illuminated signs, loud noise, odors, smoke, automobile exhaust or other noxious smells, dust and dirt, litter, junk, outdoor storage, and visual nuisances. Guideline 3, Policy 24 states that parking, loading and delivery areas located adjacent to residential areas should be designed to minimize impacts from noise, lights and other potential impacts, and that parking and circulation areas adjacent to streets should be screened or buffered.

(c) The extent of the 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 since all other required buffers and plantings will be provided on site.

(d) Either:
(i) 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
(ii) 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 create an unnecessary hardship on the applicant, as the portion of the buffer area in question is requested to be waived to allow plantings along a private road that is not along the property line.

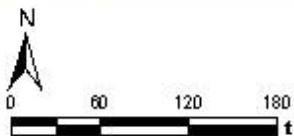
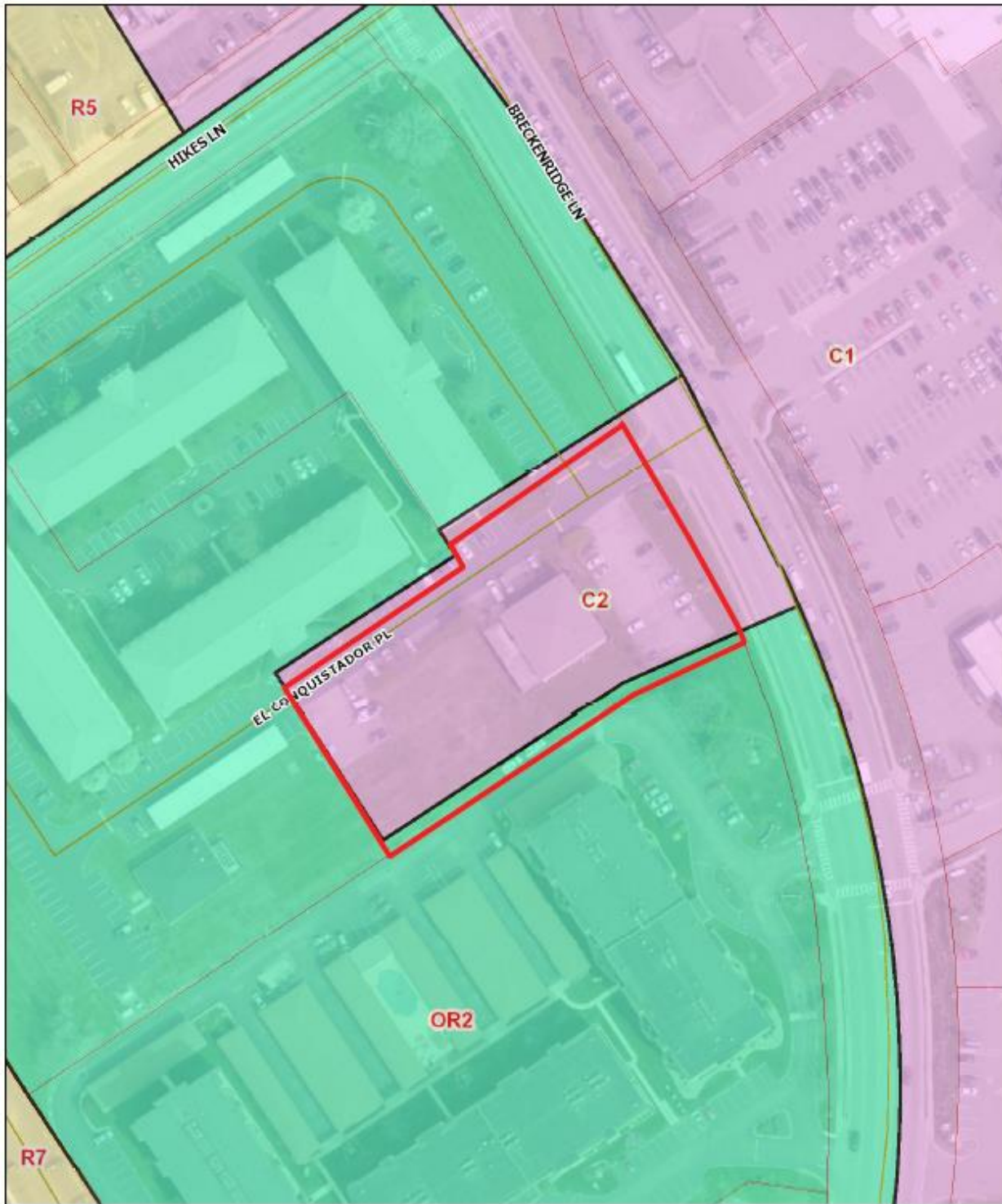
NOTIFICATION

Date	Purpose of Notice	Recipients
2/7/2019	Hearing before DRC	1 st tier adjoining property owners

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph

1. Zoning Map



18DEVPLAN1181

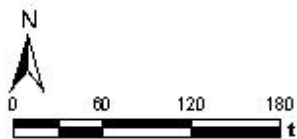
Friday, February 15, 2019 | 3:46:12 PM



LOJIC ©2019

This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph



18DEVPLAN1181

Friday, February 15, 2019 | 3:46:48 PM



LOJIC ©2019

This map is not a legal document and should only be used for general reference and identification.