

**PROPOSED FINDINGS OF FACT**  
**Swope Auto Display Lot & Collision Center**  
**6780 Dixie Highway**  
**Case No. 15ZONE1020**

**WHEREAS**, The Planning Commission Finds That the proposed zone change from R-4 to C-2 is appropriate because it conforms to KRS Chapter 100 and the requirements of the Louisville Metro Comprehensive Plan as set forth in these Findings; and

**WHEREAS**, The Planning Commission Further Finds That the proposal conforms to Community Form Guideline 1 and 1.B.3 because except for the Pleasure Ridge Fire Department property the site connects to the Swope Dealership at 6780 on Dixie Highway; because 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; because the applicant proposes to dedicate additional right-of-way to Kerrick Lane to provide for future sidewalks and any road/drainage improvements; because no access is proposed from Kerrick Lane to the site; because all traffic to the site will enter via the private road off Dixie Highway on the south side of the site; because the development plan provides a landscape buffer along all property lines adjoining residential properties and along the Kerrick Lane boundary and the majority of landscape buffers will be at least 25 feet wide and 30 feet along Kerrick Lane; because 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; because 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; because the business will close generally at 6:00 PM; because 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; because there will be lighting for security purposes, with minimum-trespass fixtures pointed down and away from adjacent residences; and because all lighting will meet the requirements of the Land Development Code; and

**WHEREAS**, The Planning Commission Further Finds That the proposal conforms with Centers Guideline 2 and Policies 2, 3, 4, 7, 14 and 15 because this area is an older residential area where “the [proposed] non-residential use does not create nuisances and is compatible with the surroundings;” because the site comprises a “center” since it is compact and walkable from the automobile dealership at 6780 Dixie Highway; because there is a sufficient support population for the development; because utilities will be located where recommended by each individual

utility; because parking requirements will conform to the Land Development Code; because this development is “compact” because its location was selected due to its close proximity with the adjacent automobile dealership; because the proposal is for an inventory lot and collision repair center that will support the existing business located just east of the subject site; because 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; because 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; because a thirty foot landscape buffer is proposed along Kerrick Lane, which is twice the width required by the Land Development Code; because 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 travelers along Kerrick Lane; because 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; and because there will be lighting for security purposes, with minimum-trespass fixtures that will point downward and away from adjacent residences; and

**WHEREAS,** The Planning Commission Further Finds That 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 because the primary material on the face of the building is drivit; because the building will be 30-feet in height; because impacts to nearby residential uses are fully mitigated by proposed landscaping and screening (wood privacy fence along residential property lines); because there will be no odors or excessive air quality emissions; because all lighting will meet the limitations and requirements of the Land Development Code; because there will be no visual impacts affecting nearby residential uses; because extensive buffering and screening will surround the site on all residential sides; because the development will meet all setbacks except where waivers and one variance are obtained; and because will be no free-standing signs and all other signage will conform to Land Development Code requirements; and

**WHEREAS,** The Planning Commission Further Finds That the proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and Policies 1, 2, 3, 6 and 7 because the site has no natural features and all slopes and there are no wet or unstable soils on site; because an existing residence on 6780 Dixie Highway was built in 1905 and appears to be in fair condition for its age and 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; and

**WHEREAS,** The Planning Commission Further Finds That the proposal conforms to Transportation Guideline 7 and all applicable Policies adopted thereunder, including Policies 1, 9 and 10 because the Department of Public Works has approved the development plan; because access to this site will be through an established private roadway connecting to Dixie Highway through the existing auto dealership; because there will be no access from Kerrick Lane; because the full-movement, signalized intersection at Dixie Highway will serve the private roadway that will constitute the access point to the site, and this private road is across from Dixie Manor Shopping Center; because left turns for incoming arrivals from north-bound Dixie have a dedicated left turn arrow at the private road entrance; because the applicant will 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; and because the applicant will construct a sidewalk along their Kerrick Lane frontage; and

**WHEREAS,** The Planning Commission Further Finds That the proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 1, 2, 4, 7, 10 and 11 because 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; because 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; because 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; because 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; and

**WHEREAS,** The Planning Commission Further Finds That the proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 1, 2 and 8 because the proposal has been approved by the Air Pollution Control District indicating that the proposal will not have an adverse impact on air quality; and

**WHEREAS,** The Planning Commission Further Finds That the proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 2, 4 and 5 because all landscaping materials to be employed will be native species; and because 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; and

**WHEREAS,** The Planning Commission Further Finds That the proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 2, 3, 4, 6 and 7 because the proposal has adequate service for all necessary utilities; because an adequate water supply for domestic and fire-fighting purposes will serve the site; and because utilities will be located underground and will be situated where recommended by each utility for appropriate maintenance and repair access; and

**WHEREAS,** The Planning Commission Further Finds That the proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 15.9 because adequate fire fighting services will be provided by the Pleasure Ridge Park Fire Fire Protection District; and

**WHEREAS,** The Planning Commission Further Finds That the proposal conforms to all other Goals, Objectives, Guidelines and Policies of the Comprehensive Plan.