

**FEBRUARY 12, 2004**

**3123,3151,3175,3211 KY 54, PORTIONS OF  
3441, 3509 FAIRVIEW DR**

**ZONE CHANGE**

<b>From:</b>	R-1A Single-Family Residential A-U Urban Agriculture B-3 Highway Business	
<b>To:</b>	<b>B-4 General Business</b>	
<b>Acreage:</b>	34.0±	
<b>Applicant:</b>	Site, Inc., Denney Development, Constance Epperson, John G. Conway, Jr. Forest D. Hagan, William F. & Clara M. Lyninger, ABBS Partnership and Industrial Lease Corp. of Florida (0402.1548)	
<b>Property Zone Existing Use</b>	<b>to North</b> A-U, R-1C <i>Vacant, residential subdivision</i>	
<b>to West</b> P-1 <i>Institutional</i>	<b>Subject</b> R-1A, A-U, B-3 ↻ B-4 <i>Vacant</i>	<b>to East</b> B-4, R-1A, A-U <i>Physician's office, vacant, two residences</i>
	<b>to South</b> B-3, B-4 <i>Commercial centers</i>	

**GENERAL LAND USE CRITERIA  
Apply, if marked below:**

**Environmental ☒**

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

**Urban Services ☒**

- ☒ **U1** Roadway Capacity
- ☒ **U2** Electricity Supply
- ☒ **U3** Water Supply
- ☒ **U4** Stormwater Disposal
- ☒ **U5** Sanitary Sewage Disposal

**Development Patterns ❖**

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- ❖ **D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- ❖ **D7** Non-Residential Development
- D8** Building Quality

**Proposed Zone & Land Use Plan**

The applicant is seeking a B-4 General Business zone. The subject property is located in a Business Plan Area, where general business uses are appropriate in limited locations.

**SPECIFIC LAND USE CRITERIA**

- (a) Building and lot patterns; outdoor storage yards**  
Building and lot patterns should conform to the criteria for **"Nonresidential Development: (D7)**, and outdoor storage yards, with **"Buffers for Outdoor Storage Yards" (D1)**.
- (b) Logical zoning expansions of proportional scope**  
Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

**Applicant's Findings**

1. Property is located in a Business Plan Area as designated on the Land Use Map of the Comprehensive Plan.
2. B-4 zoning (General Business) is recommended in limited locations where expansion would be onto contiguous land that abuts the same street; the subject property adjoins other property zoned B-4 on KY 54.
3. The subject property consists of portions of six existing lots; the properties will be combined with a subdivision plat; subject property and remaining properties will have adequate road frontage.
4. Utilities are available in the area.

**Planning Staff Review**

The subject property is located on the north side of KY 54 across from Villa Point and west of Fairview Dr. Land use criteria applicable to this proposal are reviewed below.

**GENERAL LAND USE CRITERIA**

**Environment**

No important environmental criteria apply to the subject property.

**Urban Services**

All urban services are available to the site.

**Roadway Capacity**

KY 54 is a minor arterial roadway consisting of five lanes, two in each direction and a center two-way left-turn lane. The road was estimated to carry about 29,100 vehicles per day in 2003 according to Kentucky Transportation Cabinet records.

**TRAFFIC IMPACT STUDY**

A traffic impact study was prepared by SITE, Inc, and submitted in conjunction with this zoning request. The estimated total number of trips for the development is 14,178 weekday trips with 1,311 and 1,178 trips per hour during the week midday and PM peak hours, respectively.

The traffic impact study examined several intersections and provided recommendations to maintain or provide an acceptable level of service for each of the intersections studied. The following recommendations are presented in the traffic study.

**KY 54 at the southbound ramps from US 60 Bypass -** Existing traffic volumes at this location meet traffic signal warrants. With additional traffic from the development and natural growth, increases in delay are expected for the left-turning traffic. Impacts of the development on this intersection are minimal and no improvements by the developer are proposed.

**KY 54 at northbound ramps from US 60 Bypass -** Construction of a second right turn lane could decrease the amount of delay and queue length could be decreased. However, impacts of the proposed development on this intersection are minimal during both peak hours and no improvements by the developer are proposed.

**KY 54 at Highland Pointe Dr -** The level-of service at this intersection remains about the same as existing conditions with an increase in slightly more delay of movements and some queue length increase. The proposed development does not significantly impact this intersection and no improvements by the developer are proposed.

**KY 54 at Villa Pt -** The proposed development will provide a fourth leg to the current T-intersection. Recommendations for improvements at this proposed intersection are as follows. The existing traffic signal will have to be modified or replaced and traffic signal phasing should have protected permitted movements from the main line with the side streets being split phased. Three [southbound] exiting lanes from the development should be constructed: a left-turn lane, a through lane, and a right-turn lane. No access to this drive should be provided to the out-parcel or to the future lease lot. The [northbound] lanes on Villa Pt should be designated as a left-turn lane

and a shared through/right-turn lane. A 200-foot [westbound] right turn lane with a 12:1 taper should be constructed on KY 54 at the proposed intersection.

**KY 54 at Fairview Dr -** The development will add delay and increase queue lengths at the traffic signal. While the impacts are not significant, some changes in the phasing will improve traffic operations at the traffic signal. Currently the Kentucky Transportation Cabinet is changing left turns from the main line from protected only to protected/permitted left-turns.

**Fairview Dr at Mount Moriah Av -** The width of Fairview Dr is about 36 feet, which can accommodate a left turn lane. A left turn lane should be striped. No other improvements are recommended.

**DEVELOPMENT PROPOSAL**

The preliminary development plan submitted in conjunction with this zoning request will provide a fourth leg to the current T-intersection at Villa Pt. A 200-foot, westbound right-turn lane with a 12:1 taper is proposed to be constructed. The entrance driveway to the proposed development will align with Villa Pt and include a left-turn lane, a through lane and a right turn lane for exiting traffic. The northbound traffic on Villa Pt will have more delay because of the addition of the fourth leg of the intersection. Improved traffic control at the intersection will require replacement or updating of the existing traffic signal.

The preliminary development plan also calls for the westward extension of Mount Moriah Av to connect the subject site to the existing commercial development that adjoins to the east and to provide the subject site access to Fairview Dr. This street extension will be constructed to satisfy public improvement specifications except for reduction in the horizontal curve radius to less than 250 feet and exemption from sidewalk on a portion of the north side of the street extension. However, the pedestrian network will extend from Mount Moriah Av, through the subject site, and connect with sidewalks along KY 54.

With the recommended westbound right-turn deceleration/storage lane into the entrance of the development on KY 54 and the connection of the proposed development to Fairview Dr via Mount Moriah Av, the requested zoning change should not overburden the capacity of existing roadways. Other recommendations cited in the Traffic Impact Study to improve existing conditions that will not be significantly impacted by the proposed development could be implemented to further improve the level of service on KY 54, Fairview Dr and the studied intersections.

## Development Patterns

The subject property consists of portions of several properties that are proposed to be developed as a Super Wal-Mart. Properties to the east of the subject property are zoned B-4 (Mount Moriah Subdivision), A-U (Hagan Property, vacant) and R-1A (Lyninger property containing a single-family residence). Property to the north of the subject property is zoned R-1C (The Downs Subdivision) and A-U (vacant). Property to the south of the subject property is zoned B-3 and B-4 and is the Villa Point commercial center.

Mount Moriah Av, a public street, extends to the subject property from Fairview Dr. Street extension is necessary to connect the subject property to Fairview Dr. Public access easements are needed to the adjoining properties to the east and west for connection of the subject property to future potential development.

General Business zoning expansions are appropriate when they satisfy a set of logical expansion criteria. Regardless of the type of expansion, provision should be made to control vehicular access so as to minimize impact upon arterial and collector traffic movement. To accomplish this provision, other forms of marginal access can be utilized in order to direct vehicles to and from each use by way of coordinated access points with arterials for the protection of abutting properties and maintenance of function of major traffic streets.

The preliminary development plan submitted in conjunction with this zoning request depicts public access easements to adjoining properties as well as a street extension connecting with Mount Moriah Av, an existing public street. The applicant has agreed that the proposed street will extend through the subject property connecting with the proposed access drive from KY 54 and continue west to serve the proposed out-lot in the southwest corner of the subject property. The applicant also has agreed to construct the proposed street extension to satisfy public improvement specifications except as previously noted. Additionally, the main driveway access is proposed to be aligned with Villa Pt, a logical extension of an existing public street with a signalized intersection.

## SPECIFIC LAND USE CRITERIA

The applicant's request meets the criteria for logical expansion because the submitted preliminary development plan indicates a logical network of internal traffic connections that will reduce unnecessary trips out to arterial streets to travel to adjoining developments. This will reduce the impact on the arterial roadways that will carry the additional traffic generated by the expanded

business development. The proposal is also a logical extension of the existing business areas to the south across KY 54, with the alignment of the proposed access to the subject property with existing Villa Pt, creating a four-legged signalized intersection.

## Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. This recommendation is made subject to the conditions and findings of fact that follow:

### Conditions:

1. Access to KY 54 shall be limited to a single point aligned with Villa Pt;
2. Construction of a westbound 200-foot long right-turn deceleration/storage lane into the proposed access entrance from KY 54;
3. Continuation of the street network by providing a street extension constructed to public improvement specifications except for horizontal radius beginning at the western terminus of Mount Moriah Av and continuing through the subject property as proposed on the preliminary development plan submitted in conjunction with the zoning request;
4. Continuation of the pedestrian sidewalks along the south side of the street extension and along the east and west sides of the access driveway connecting to the existing sidewalk system on KY 54, and continuation of the sidewalk system along the north side of the proposed street extension to the first access to subject site parking area;
5. Public access easement shall be granted to the adjoining Hagan, Adams and Commonwealth of KY properties for cross access between adjoining developments;
6. Submission and approval of a final development plan; and,
7. Prior to the issuance of a building permit, surety shall be posted for all improvements associated with the extension of Mount Moriah Av and the main entrance drive to KY 54, the right-turn deceleration/storage lane, drainage improvements and landscaping.

**Findings of Fact:**

1. The subject property is located in a Business Plan Area, where general business uses are appropriate in limited locations;
2. The subject property adjoins B-4 General Business zoning to the east and is contiguous to B-4 General Business zoning to the south across KY 54;
3. With the location of the access driveway aligned with Villa Pt, proposed right-turn lane on KY 54, the continuation of an internal street and sidewalk connection from Mount Moriah Av through the subject development's main entrance drive to KY 54, and the public access easements connecting to adjoining properties, the request is a logical expansion of existing B-4 General Business zoning that will not significantly increase the extent of the General Business zone in the vicinity and should not overburden the capacity of existing roadways or other necessary urban services available in the affected area; and,
4. The Traffic Impact Study prepared by the applicant, SITE, Inc. contends that an adequate level of service on KY 54, Fairview Dr and at the studied intersections can be maintained with the implementation of the improvements recommended to be completed by the developer as proposed on the preliminary development plan.