

NOVEMBER 10, 2022

PORTION OF 5020 JACK HINTON ROAD

ZONE CHANGE

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|-------------------------------------------------------------------------|
| From: A-R Rural Agriculture |
| To: B-4 General Business |
| Proposed Use: Commercial |
| Acreage: 1.162 |
| Applicant: West Parrish Court, LLC; Robert E. Bryant (2211.2234) |
| Surrounding Zoning Classifications: |
| North: A-R, R-1A South: B-4, A-R |
| East: A-R West: I-1, A-R |

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Rural Maintenance Plan Area where General Business uses are appropriate in very-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.

Planning Staff Review

GENERAL LAND USE CRITERIA

Environment

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service map dated March 6, 1990.
- The subject property is partially located in a special flood hazard area per FIRM Map 21059CO305D.
- It appears that the subject property is partially designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

Urban Services

Electricity, water and gas are available to the subject property. Sanitary sewage disposal will be accomplished by an on-site septic system.

Development Patterns

The subject property is a 24+ acre farm tract that is zoned A-R Rural Agriculture. Most adjoining properties are zoned A-R or R-1A Single Family Residential and are utilized appropriately; as well as an individual storage facility that is zoned I-1 Light Industrial.

Other adjoining properties (to the south) include two undeveloped tracts of land that are zoned B-4 General Business, which are located at the northeast intersection of Highway 54 and Jack Hinton Road. Additionally, although not immediately adjoining, it should be mentioned that existing B-4 zoning is also located at the northwest intersection of Jack Hinton Road and is utilized as an existing Dollar General store.

At this time, the applicant has proposed to rezone 1.162 acres of the farm tract from A-R Rural Agriculture to B-4 General Business to be consolidated into one of the aforementioned B-4 lots located along Highway 54.

Highway 54, in this vicinity, is classified as a Minor Arterial roadway with a 75-foot building setback and a 40-foot roadway buffer; each measured from the centerline of Highway 54. Because the subject property is located outside of the Urban Service Area, access management along Highway 54 will be regulated by the Kentucky Transportation Cabinet and/or the County Engineer. Correspondence throughout review of the consolidation plat have indicated that both entities are assessing the proposed access points as shown on the submitted plat. The OMPC staff shall obtain written approval from both entities prior to the approval of the minor subdivision plat.

Prior to any construction activity on the property the applicant shall obtain approval of a final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as a commercial building conforms to the criteria for nonresidential development. The proposed B-4 General Business zoning is a logical expansion of B-4 zoning to the south. The proposal is not a significant increase in general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

The planning staff recommends approval subject to the condition and findings of fact that follow:

Condition:

1. Obtain Approval of a Final Development Plan.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in a Rural Maintenance Plan Area where general business uses are appropriate in very-limited locations;
3. The proposed use as commercial conforms to the criteria for nonresidential development as well as the criteria for buffers for outdoor storage yards.
4. The proposal is a logical expansion of existing B-4 General Business zoning to the south; and,
5. At 1.162 acres, the proposal does not significantly increase the extent of B-4 General Business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.