

AUGUST 10, 2023

9168 SHORT STATION ROAD

ZONE CHANGE

From: R-1A Single-Family Residential
To: B-4 General Business
Proposed Use: Gas Station
Acreage: 1.523
Applicant: Anthony Lanham (2308.2267)
Surrounding Zoning Classifications:
North: B-4 South: R-1A/ EX-1
East: R-1A/ A-U West: R-1A & A-U

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Rural Community 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.

(f) New Locations in Rural Communities – In Rural Community plan areas, new locations of General Business zones should be “major-street-oriented” (D2) and should be sited at the corners of intersecting streets if located in close proximity to existing dwellings.

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 not located in a special flood hazard area per FIRM Map 21059CO170D.
- It appears that this property is not 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, the EPA, the OMPC building/electrical/HVAC division 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 1.523 acre vacant parcel located in the rural community of Knottsville. The adjoining property to the north, located at the intersection of Highway 144 and Short Station Road, is also vacant and is currently zoned B-4 General Business. All other adjoining properties are zoned R-1A Single Family Residential or A-U Urban Agriculture and appear to be residential in nature.

The applicant intends to rezone the subject property to B-4 General Business, consolidate it into the adjoining 1-acre B-4 zoned property to the north, and then develop a gas station on the resulting lot. If approved, the development shall be required to install a 10-foot wide landscape buffer consisting of a 6-foot tall continuous element and 1-tree per 40-linear-feet where adjoining the R-1A Single Family Residential zoning to the south and east.

Although the proposal may be a significant increase in B-4 General Business zoning in the area (going from 1-acre to 2.523 acres), all resulting B-4 zoning will be major-street-oriented (Highway 144) and located at the corner of intersecting streets, where B-4 zoning is appropriate in the Rural Community plan areas.

Highway 144, in this vicinity, is classified as a major collector roadway with a 250-foot spacing standard, as well as a 60-foot building setback and a 30-foot roadway buffer; each measured from the centerline of Highway 144. Once consolidated, the resulting lot will have approximately 190-feet of road frontage along Highway 144, making full compliance with the 250-foot spacing standard impossible. However, this property is located on a State Highway outside of the Urban Service Area, where access is determined by the Kentucky Transportation Cabinet.

Short Station Road is a local roadway without a set spacing standard for access points, and with a 25-foot building setback measured from the property line along the roadway. Plat Book 47 Page 189 shows Short Station Road to be only 19-feet wide. Access to Short Station Road shall be reviewed/approved by the County Engineer in conjunction with a Final Development Plan.

Additionally, as the only B-4 General Business zoning in the area, it is recommended that the applicant consults the Daviess County Fire Department to ensure that necessary fire protection is available to this site. An OMPC on-site inspection could not locate an existing fire hydrant in the immediate vicinity.

Prior to any construction activity at 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, a gas station, conforms to the criteria for nonresidential development, as well as the criteria associated with buffers for outdoor storage yards. The proposal is a logical expansion of the B-4 General Business zoning to the north, which is major-street-oriented and located at the corners of intersecting roads. With access to Short Station Road (including potential necessary roadway improvements) reviewed by the County Engineer, and potential access to Highway 144 reviewed by KYTC, the proposal should not overburden the capacity of roadways and other necessary urban services that are available within 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 Community Plan Area where general business uses are appropriate in limited locations;
3. The proposal is a logical expansion of B-4 General Business zoning to the north;
4. The proposed use, a gas station, conforms to the criteria for nonresidential development, as well as the criteria associated with buffers for outdoor storage yards;
5. Although the proposal may be a significant increase of the B-4 General Business zone in the area, the resulting B-4 zoning will consist of only one property which will be major-street-oriented and located at the corners of intersecting streets; and,
6. With access to Short Station Road reviewed by the County Engineer, and potential access to Highway 144 reviewed by KYTC, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.