

AUGUST 11, 2011

10133 HIGHWAY 54

ZONE CHANGE

From: R-1A Single-Family Residential	
To: B-4 General Business	
Proposed Use: Dollar General	
Acreage: 1.802	
Applicant: Susan A. Cox/SC Development, LLC; Anna Rea Greer, Mildred Greer & William P. Greer (1108.1813)	
Surrounding Zoning Classifications:	
North: R-1A	South: B-4
East: B-4	West: R-1A

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 General Business zone should not significantly increase the extent of the zoning 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 dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO340 D.
- 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

All urban services, including sanitary sewers, are available to the site.

Development Patterns

The subject property is located in the City of Whitesville in an area of primarily commercial zoning. The properties to the east and south are zoned B-4 General Business and there is a single property to the west the separates the tract from B-2 Central Business zoning along Highway 54/Main Street. The properties to the north and west are zoned R-1A Single-Family Residential.

Due to the proximity to single-family residential zoning located, screening is required by the zoning ordinance. A ten foot landscape easement with a six foot tall solid wall or fence and one tree every 40 linear feet is required where the subject property adjoins residential zoning. Also, due to the proximity to residential uses, all lighting from the site shall be directed away from the residential property. All vehicular use areas are required to be paved and vehicular use area landscaping is required.

The Kentucky Transportation Cabinet is required to approve the location of access to the property. Based on the minor arterial classification of Highway 54, the building setback line is 75 feet from the centerline of the road and the roadway buffer is 40 feet from centerline.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The proposed B-4 General Business zone and use will be nonresidential in nature. The proposal is a logical expansion of existing B-4 General Business zoning located to the west and south of the subject property. At 1.802 acres, the expansion of commercial zoning should not overburden the capacity of roadway and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

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

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 Business Plan Area, where general business uses are appropriate in very-limited locations;
3. The proposal is a logical expansion of existing B-4 General Business zoning to the west and south; and,
4. At 1.802 acres, the expansion of commercial zoning should not overburden the capacity of roadway and other necessary urban services that are available in the affected area.