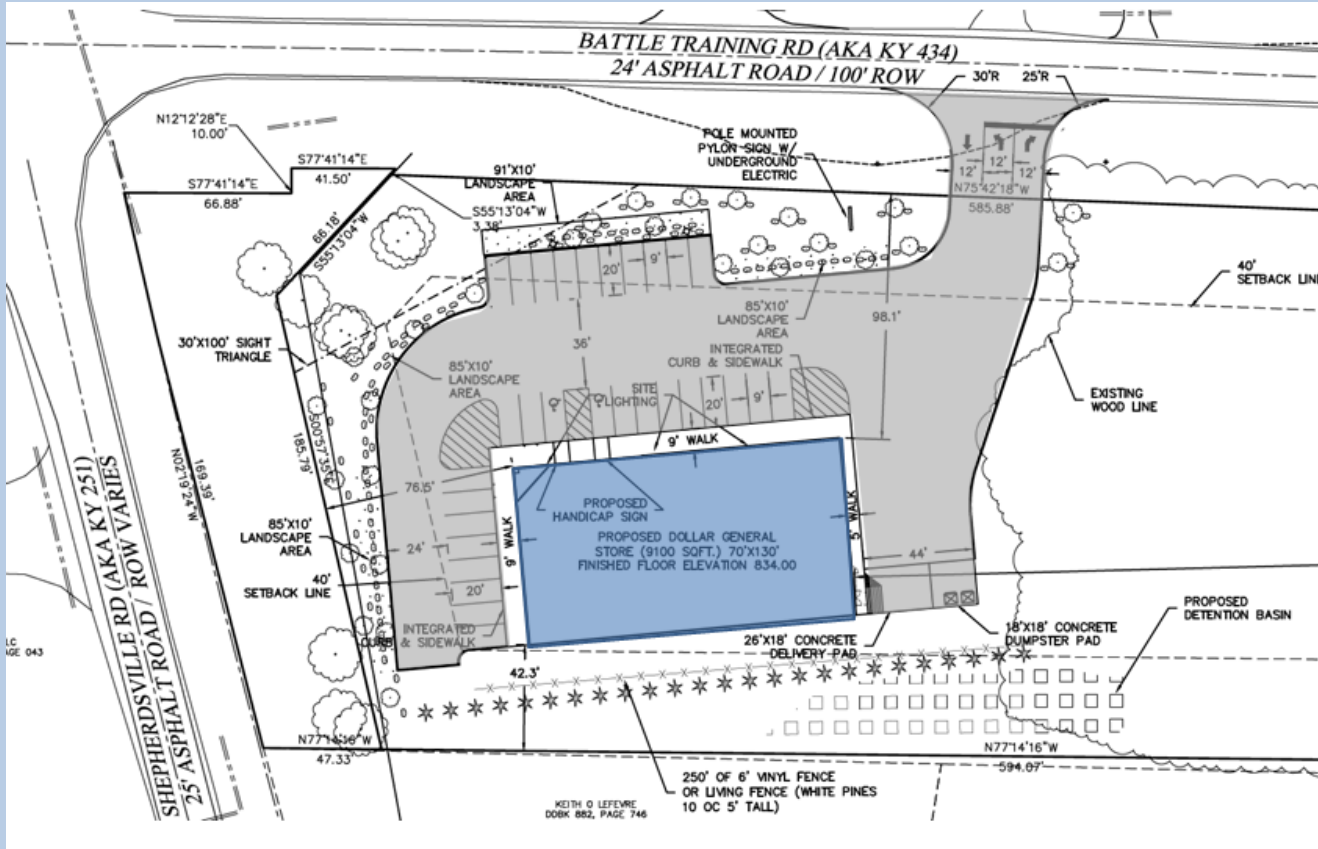


Hardin County
Planning & Development Commission
21 July 2020

Hardin County Government Center
2nd Floor Meeting Room

21 July 2020

TO: C-1 (Convenience Commercial)



Summary: Owners, Cathy & Charles Wise and Applicant, Curt Rafferty are requesting a Zone Change from Rural Residential (R-2) to Convenience Commercial (C-1) to allow for the construction of a 9,100 sq. ft. Dollar General Store. The property is a 3.11 acre site located at the southeast corner of Battle Training Road (KY 434) and Shepherdsville Road (KY 251) in Elizabethtown, KY.

Reasons for Granting a Map Amendment

KRS 100.213

Before any map amendment may be granted, the planning commission shall consider the evidence and testimony presented by the proponents and opponents of the proposed amendment and make findings of facts that one or more of the following apply:

1. The proposal is in agreement with the language of the Comprehensive Development Guide;
2. There have been major changes of an economic, physical, or social nature in the area involved that were not anticipated by the Comprehensive Development Guide and that have substantially altered the basic character of the area; or that,
3. The existing Zone assigned to the property is inappropriate and the proposed amendment is appropriate.

**MAP AMENDMENT
SUMMARY REPORT**

- A. Vicinity Map**
- B. Future Land Use Map**
- C. Planning Area Map**
- D. Zoning Map**
- E. Aerial Photographs**
- F. Right-of Way Plans from KYTC of proposed round-a-bout**
- G. Proposed Plat of BTR DG Subdivision**
- H. Development Plan**
- I. Rendering Options of the Proposed Store**
- J. Photos of the Site**
- K. GIS Sinkhole Layer overtop Aerial w/ contours**
- L. Traffic Count Numbers from KYTC**
- M. Single Family Dwelling Growth & Dollar General Analysis**
- N. Staff Report and COMPREHENSIVE PLAN ANALYSIS**
- O. *Comprehensive Development Guide**
- P. *Development Guidance System Ordinance**
- Q. *Application for Zone Change**

***Not provided in PowerPoint**

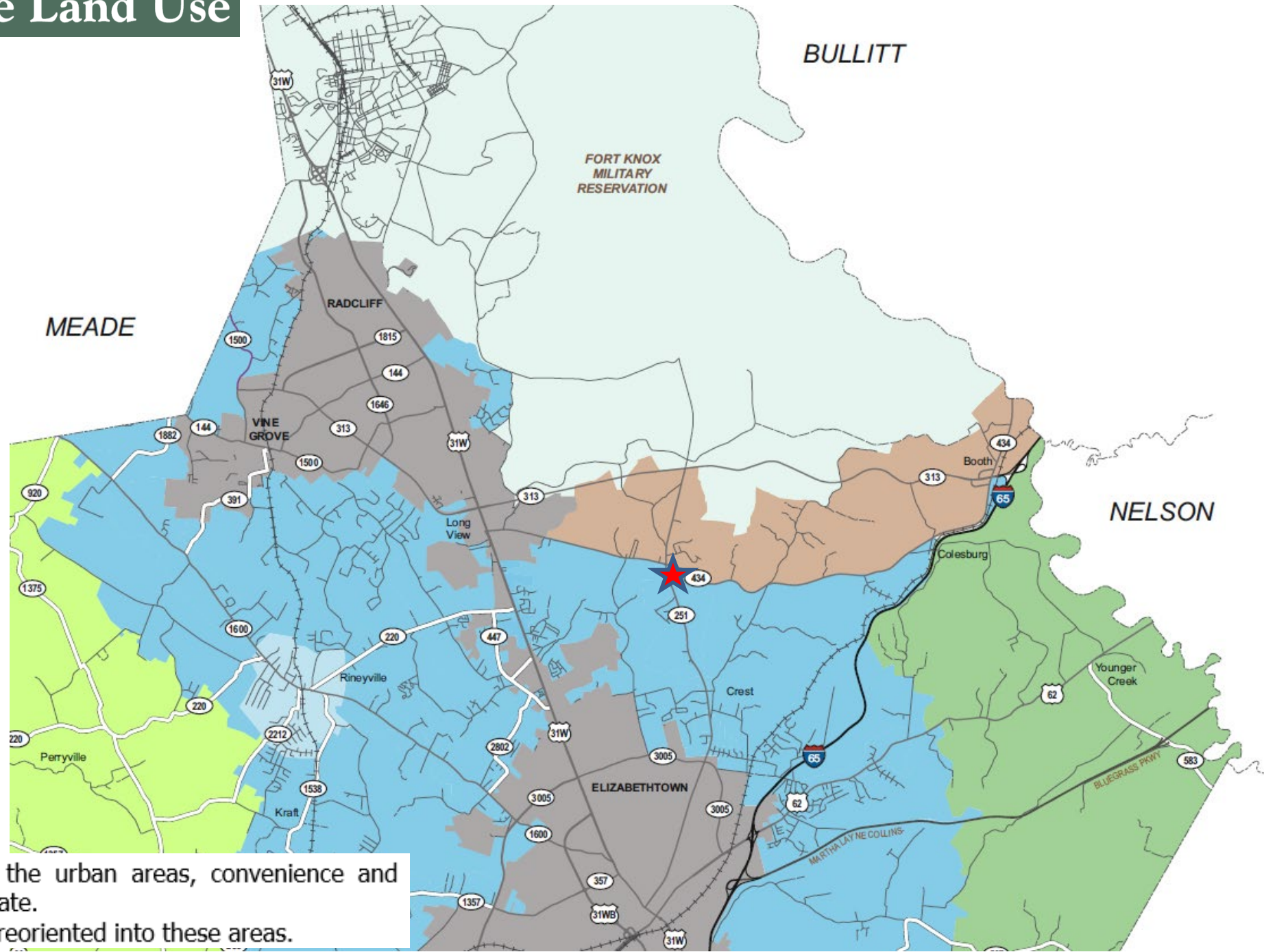
Hardin County Future Land Use

LEGEND

- State Highway
- Railroad
- City
- Fort Knox

Land Use Groups

- Urban Area
- Rural Village
- Rural Area
- Natural Resource
- Kentucky 313 Corridor
- Interstate Commercial
- Industrial Area



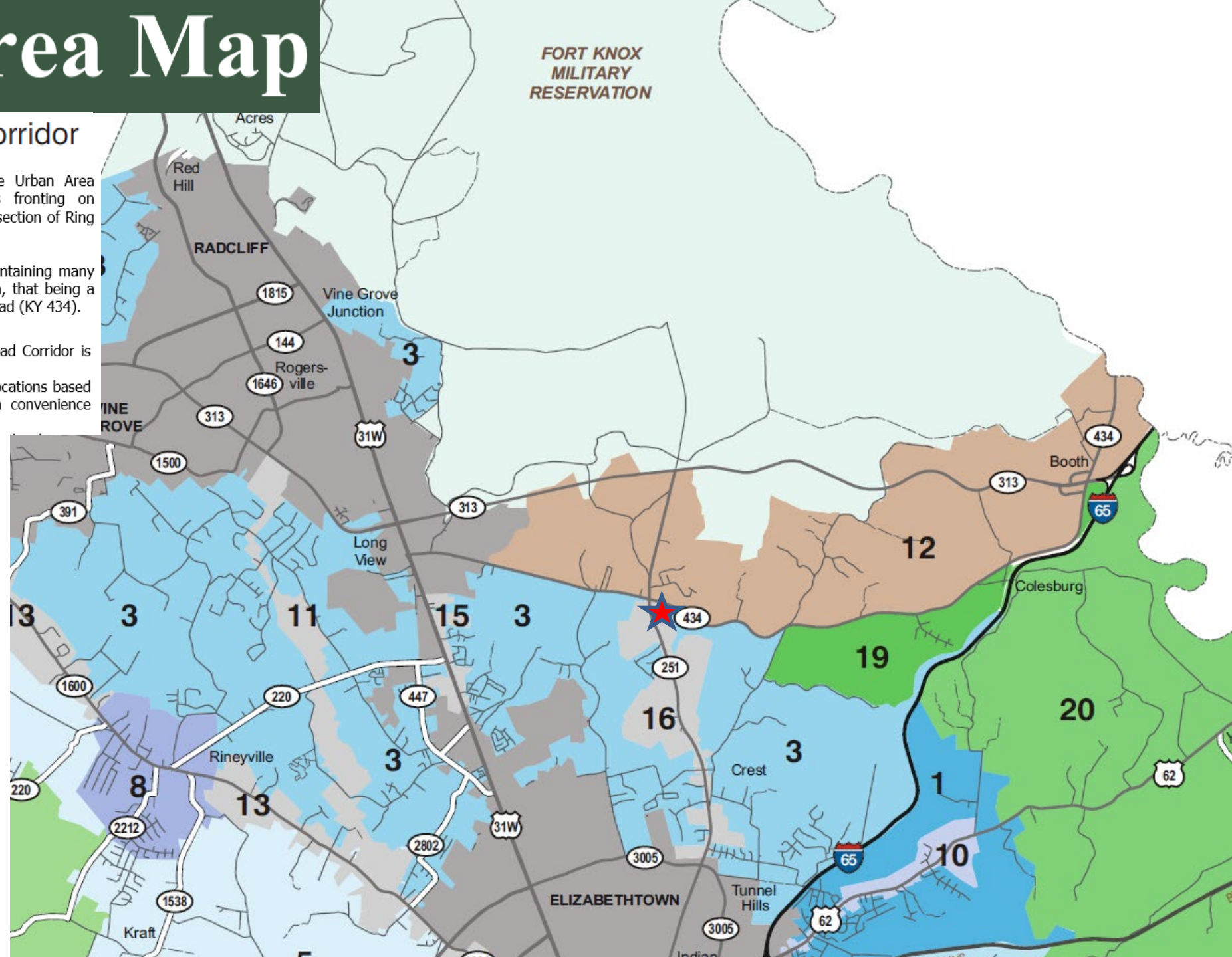
Urban Area

- Along major and minor arterials in the urban areas, convenience and general commercial uses are appropriate.
- Growth for the community should be reoriented into these areas.

Planning Area Map

16. Shepherdsville Road Corridor

- Introduction:** The Shepherdsville Road Corridor is part of the Urban Area Planning Group. It consists of the first tier or properties fronting on Shepherdsville Road (KY 251) between Elizabethtown at the intersection of Ring Road and Battle Training Road (KY 434).
- Existing Land Use:** This planning area is a residential corridor containing many large tracts. There is one existing commercial activity in the area, that being a convenient store located at the intersection with Battle Training Road (KY 434).
- Recommended Land Use and Development Criteria:**
 - The recommended land use pattern for the Shepherdsville Road Corridor is primarily residential.
 - Commercial development should be allowed only at strategic locations based on the road capacity and other site specific standards with convenience commercial use located at major crossroads or intersections.



☒ MasterZone

DISTRICT

- A-1
- B-1
- B-2
- C-0
- C-1
- C-2
- I-1
- I-2
- IH
- PD-1
- R-1
- R-2
- R-3
- R-4



**All-Redi
Storage Zone
Change (2000)**

**Aubrey's Corner
Plant Nursery
Zone Change
(2003)**

**434 Convenience
Store Zone
Change (1996)**







BTR DG SUBDIVISION

L BRENT & ANNE W AUBREY
BOOK 993, PAGE 513

PHAI CHANHAMONE
BOOK 1454, PAGE 1433

ROGER DAILY
BOOK 541, PAGE 050

KENTUCKY ALLIANCE, INC
BOOK 1043, PAGE 307

GEORGE A. HYD & SPARRSHAW
BOOK 1077, PAGE 088

BATTLE TRAINING RD (AKA KY 434)
24' ASPHALT ROAD / 100' ROW

SHEPHERDSVILLE RD (AKA KY 251)
25' ASPHALT ROAD / ROW VARIES

LOT 2: 0.287 AC
PART OF ROW TAKING
DB 1489 PG. 396-398

LOT 1: 3.116 AC

KATH O LEFEBRE
BOOK 882, PAGE 748

KATH O LEFEBRE
BOOK 796, PAGE 198

GAP IN DEEDS

KEITH O LEFEVRE
 ODBK 795, PAGE 195

KEITH O LEFEVRE
ODBK 882, PAGE 746

169.35
NOZ 19.24 W
SHEPHERDSVILLE RD (AKA KY 251)
25 ASPHALT ROAD / ROW VARIES

BATTLE TRAINING RD (AKA KY 434)

24' ASPHALT ROAD / 100' ROW





DOLLAR GENERAL®

813

♿
PARKING
ONLY
VAN
ACCESSIBLE

♿
PARKING
ONLY

Signs posted on site since Wednesday, July 1st











Looking south on Shepherdsville
Road (KY 251) – site is on the left



Looking north on Shepherdsville
Road (KY 251) – site is on the right



Looking east on Battle Training Road
Road (KY 434) – site is on the right



Looking west on Battle Training
Road Road (KY 434) – site is on left





Single family dwellings across
Battle Training Road (KY 434)





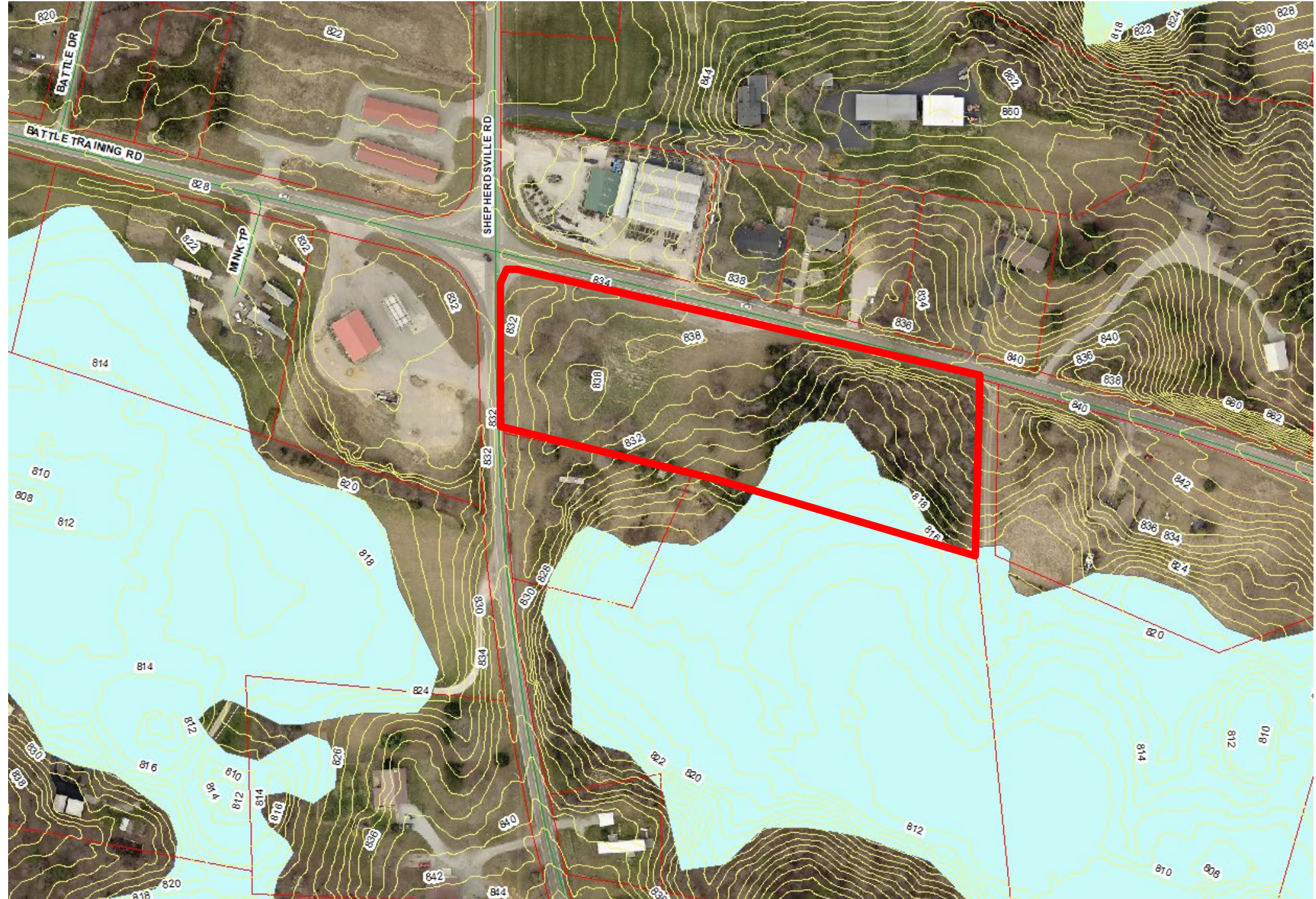




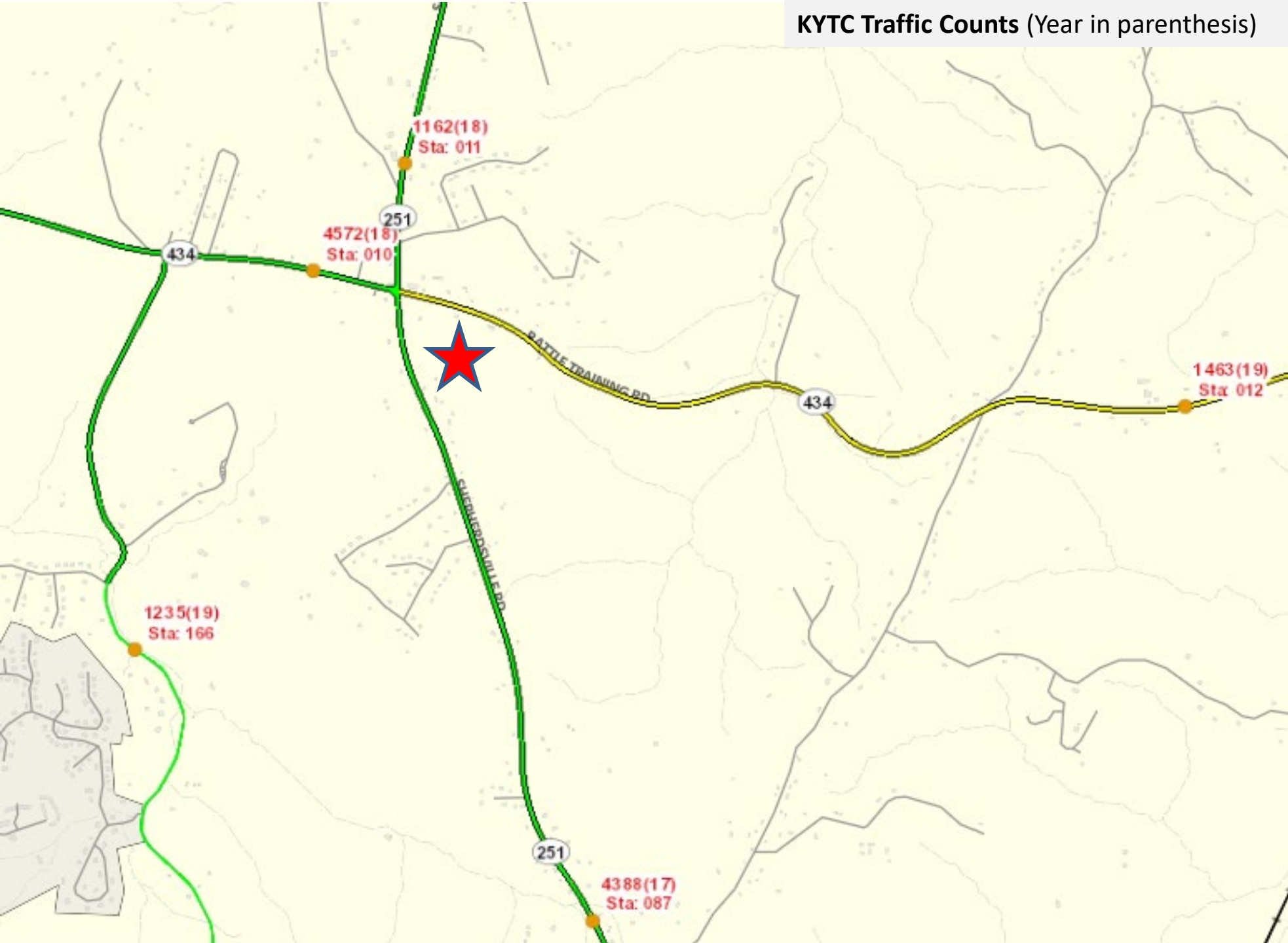




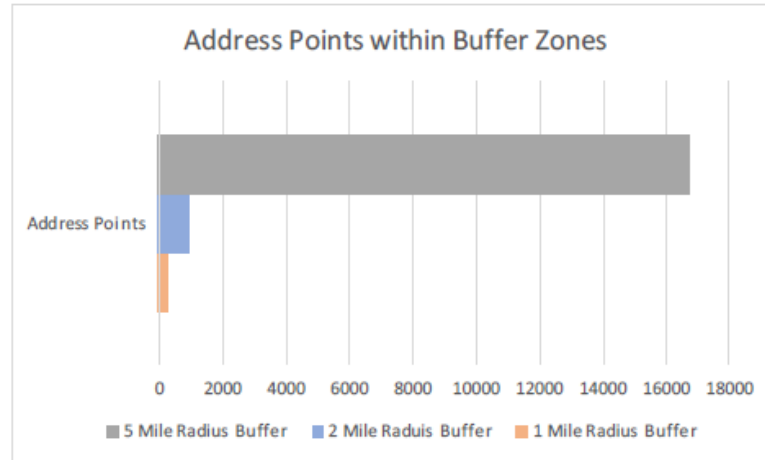




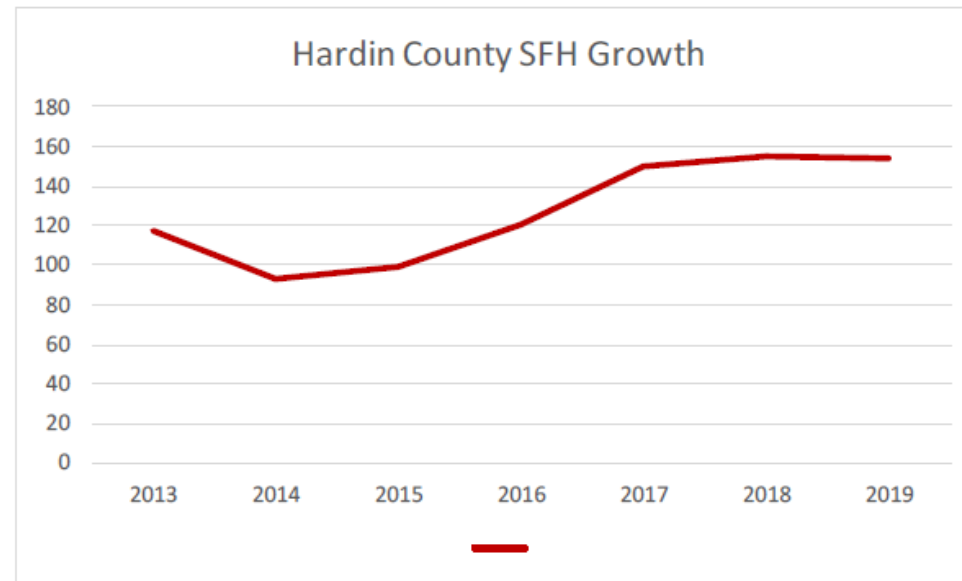
KYTC Traffic Counts (Year in parenthesis)



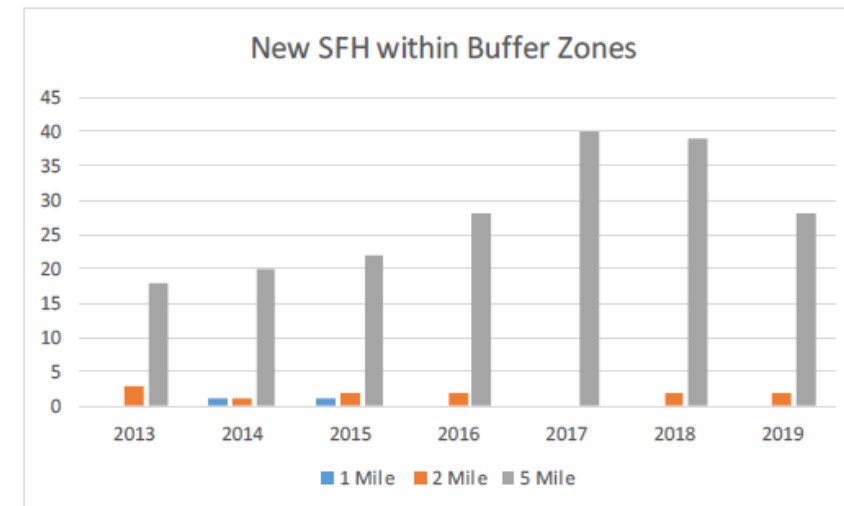
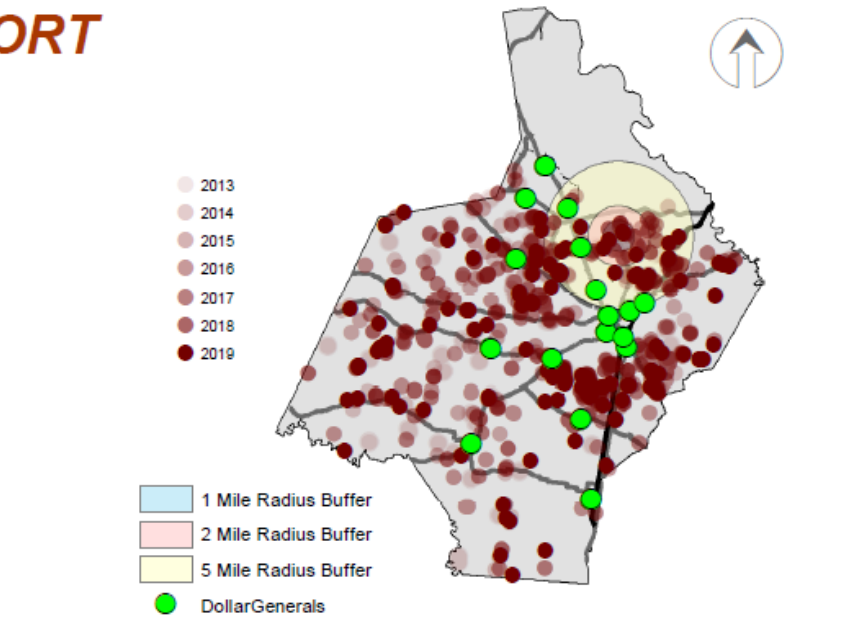
Single Family Permits & Dollar Generals *SUMMARY REPORT*



	1 Mile Radius Buffer	2 Mile Radius Buffer	5 Mile Radius Buffer
Address Points	294	931	16,710



Year	2013	2014	2015	2016	2017	2018	2019
SFH Permits	117	93	99	121	150	155	154



	2013	2014	2015	2016	2017	2018	2019
1 Mile	4	4	0	4	2	5	3
2 Mile	8	4	3	5	2	9	5
5 Mile	23	18	21	17	17	23	34

Reasons for Granting a Map Amendment

KRS 100.213

Before any map amendment may be granted, the planning commission shall consider the evidence and testimony presented by the proponents and opponents of the proposed amendment and make findings of facts that one or more of the following apply:

1. The proposal is in agreement with the language of the Comprehensive Development Guide;
2. There have been major changes of an economic, physical, or social nature in the area involved that were not anticipated by the Comprehensive Development Guide and that have substantially altered the basic character of the area; or that,
3. The existing Zone assigned to the property is inappropriate and the proposed amendment is appropriate.

LAND USE ELEMENT

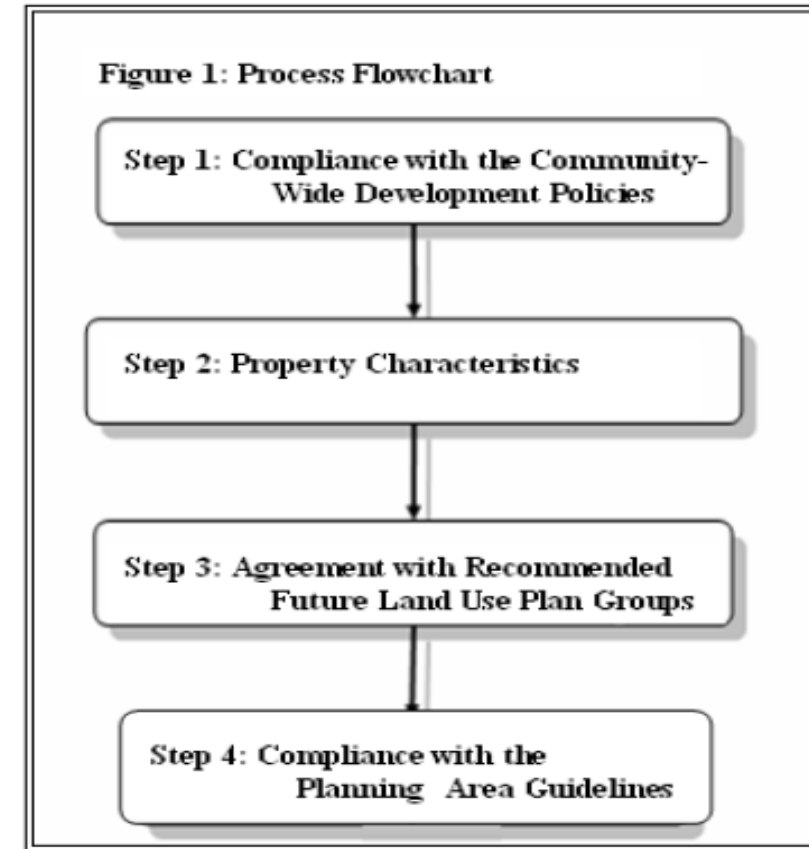
The portion of the Comprehensive Plan used most often to assess future development is the land use element. If a proposed land use is in keeping with the criteria and guidelines as set out in the land use element then approval is more easily obtained.

This Plan provides the criteria and guidelines for development in the form of a recommended land use map and narrative development guidelines.

This plan is a hybrid plan: part map; part guidelines. The Recommended Future Land Use Map is intended to give general guidance relating to the range of uses recommended, as well as the recommended densities and intensities of those uses. Additional guidance is provided in the narrative for each planning area which provides guidelines for future development within each of the distinct areas of the County.

Using this Plan

The process for determining whether a proposal is in compliance with the land use plan element involves the four steps outlined in **Figure 1**. All steps should be followed in order to completely assess compliance.



ZONE CHANGE STAFF REPORT

Hardin County Planning and
Development Commission
150 N. Provident Way, Suite 225
Elizabethtown, Kentucky 42701
(270) 769-5479

Summary: The owners, Cathy & Charles Wise and applicant, Curt Rafferty are proposing to rezone ± 3.11 acres from Rural Residential (R-2) to Convenience Commercial (C-1) to allow for the construction of a 9,100 sq. ft. Dollar General store at the southeast corner of Battle Training Road (KY 434) and Shepherdsville Road (KY 251) in Elizabethtown, KY.

<p>Pre-application Conference: June 16, 2020</p> <p>Public Hearing Date: July 21, 2020</p>	<p>Owners: Cathy & Charles Wise 5916 Battle Training Road Elizabethtown, KY 42701</p> <p>Applicant: Curt Rafferty</p>
<p>Location of Proposed Zone Change: A 3.11 acre site located at the southeast corner of Battle Training Road (KY 434) and Shepherdsville Road (KY 251).</p> <p>Acreage: ± 3.11 acres</p> <p>PVA Parcel Number: 217-00-00-050</p> <p>Flood Plain: The subject property is not located in the 100-year flood area according to FEMA map #21093C0165D.</p> <p>History of the Property: Historical aerial photographs show the property has been vacant since at least 1983. The property was previously owned by Johnson/Neptune, the Nall's and the Scudder's.</p> <p>There was a sell off to KYTC of 0.287 acres for right-of-way in April 2020.</p> <p>Environmental: There is a depression location on or near the southeast corner of the property.</p> <p>Wastewater Treatment: Sewage disposal will be via an on-site septic system.</p>	<p>Zone Map Amendment Request: FROM: R-2 (Rural Residential) TO: C-1 (Convenience Commercial)</p> <p>Land Use Group: Urban Area</p> <p>Planning Area: Shepherdsville Road Corridor, #16</p> <p>Existing Land Use: – Vacant</p> <p>Zoning History: R-2 (Rural Residential) was the original zoning for the Subject Property in 1995. For the other 3 corners of the intersection: Schultz Mini Warehouses: Zoned C-2 in 2000 434 Convenience Store: Zoned C-1 in 1996 Aubrey's Nursery: Zoned C-1 in 2003</p> <p>Adjacent Zoning: Residential and Commercial; North – C-1 & R-3, Aubrey's Nursery and 4 residential tracts South – R-2, two tracts - 0.9 acres & 7.8 acres (Lefevre) East – R-2, 6.4 acres (Lefevre) West – C-1, 434 Convenience Store</p>
<p>Utility Services: Electricity is available to the site via NOLIN RECC with a 3 phase line along KY 251. Public water is available to the site and service is provided by Hardin County Water District #2 via a 6" waterline on Shepherdsville Road (KY 251) and a 4" waterline along Battle Training Road (KY 434).</p>	<p>Transportation Considerations: The property is at the corner of two State Maintained Highways with a round-a-bout proposed for the intersection. Shepherdsville Road (KY 251) has a 80' right-of-way and is 25' paved and Battle Training Road (KY 434) has a 100' right-of-way and is 24' paved.</p>

COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy –	STEP 1: Compliance with the Community-Wide Development Policies (DP 1-14)
DP 1 All development should incorporate the protection of natural resources into the development to preserve the character of the County and protect the natural environment.	The proposed Dollar General will have a detention basin engineered and installed to control stormwater runoff. The site development will also avoid the depression in the southeast corner of the site and has it mapped as a non-disturbance area. Additionally, 28 trees, 25 pine trees and 100 shrubs will be planted as part of the necessary landscaping requirements per the Zoning Ordinance.
DP 2 The transportation system should be supported by minimizing the impacts of access points to public roadways.	KYTC has conditionally approved a single, concrete, commercial entrance onto Battle Training Road (KY 434). The most recent traffic counts for Battle Training Road in this area were 4,572 ADT (2018) and 4,388 ADT for Shepherdsville Road.
DP 3 Arterial and collector classified roadways should be regulated so that individual lots have limited access points.	The proposed Dollar General proposes a single, 36' wide, concrete, commercial entrance into the development from Battle Training Road (KY 434).
DP 4 New development should be encouraged in areas where public water services are available and can accommodate additional customers.	Public water is available to the site and service is provided by Hardin County Water District #2 via a 6" waterline on the west side of Shepherdsville Road (KY 251) and a 4" waterline adjacent to the north side along Battle Training Road (KY 434).
DP 5 New development should be encouraged in areas where adequate fire protection services and fire hydrants are available.	The Central Hardin Volunteer Fire Department Station on Ring Road is approximately 3.5 mile from the site with a proposed station also 1200' to the west at the former Scotty's Asphalt Plant on KY 434. The closest fire hydrant is located in the Woods Subdivision on Thicket Drive approximately 3685' to the south.
DP 7 The size and scale of all development should reflect the character and style of surrounding uses.	The proposed 9,100 sq. store is larger but comparable with the other non-residential structures in the area including the 2,835 sq. ft. convenience store, the mini warehouse facility has three 30'x110' buildings (3,330 sq. ft.) and the plant nursery has a 2,400 sq. ft. store, a 1,344 sq. ft. greenhouse and a 8,064 sq. ft. greenhouse.
DP 8 New development should be allowed only where roadways meet minimum standards.	The property is at the corner of two State Maintained Highways where KYTC has purchased right-of-way and designed a proposed round-a-bout. Shepherdsville Road (KY 251) has a 80' right-of-way and is 25' paved and Battle Training Road (KY 434) has a 100' right-of-way and is 24' paved. KYTC will require a concrete, commercial entrance to be constructed.

Comprehensive Plan Policy –	STEP 2: Property Characteristics (PC 1-10)
PC 1 Access Road Characteristics including safe accessibility, road hazards and road capacity and function.	The property is at the corner of two State Maintained Highways where KYTC has purchased right-of-way and designed a proposed round-a-bout. Shepherdsville Road (KY 251) has a 80' right-of-way and is 25' paved and Battle Training Road (KY 434) has a 100' right-of-way and is 24' paved. KYTC will require a concrete, commercial entrance to be constructed.
PC 2 Fire District, Hydrant and Department locations	The Central Hardin Volunteer Fire Department Station on Ring Road is approximately 3.5 mile from the site with a proposed station also 1200' to the west at the former Scotty's Asphalt Plant on KY 434. The closest fire hydrant is located in the Woods Subdivision on Thicket Drive approximately 3685' to the south.
PC 3 Public Water	Public water is available to the site and service is provided by Hardin County Water District #2 via a 6" waterline on the west side of Shepherdsville Road (KY 251) and a 4" waterline adjacent to the north side along Battle Training Road (KY 434).
PC 4 Existing land use and densities in the vicinity	The site is located at the intersection of two state highways in an area that has seen the other three corners of the intersection rezoned to commercial since the adoption of zoning in July of 1995. These uses include a plant nursery, mini warehouses and a convenience store/gas station. Additionally, there are 294 homes within 1 mile, 931 homes within 2 miles and 16,710 homes within 5 miles of the site.
PC 5 Proposed Wastewater Treatment System	The proposed Dollar General store will have an on-site septic system (tank and lateral lines) approved by the Hardin County Health Department – Environmental Office.
PC 7 Existing Natural Features	On or near the southeast corner of the site is a mapped depression. This depression has been illustrated and labeled on the plans as a non-disturbance area and a retention pond has been engineered to control the stormwater runoff.
PC 10 Growth Trends	Within a 5 mile radius of the site there have been 153 new single family homes built in the last 7 years. The traffic counts at this busy intersection continue to rise and hence KYTC has planned to construct a round-a-bout at the intersection.

COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy – Urban Area	STEP 3: Agreement with Recommended Land Use Plan Group (LU 1-6)
<p>The Urban Area of Hardin County is the area surrounding the incorporated jurisdictions within the County. Because these areas are adjacent to established cities, this area is more intensely developed and has the highest levels of infrastructure and utility services.</p> <p>The land use pattern in the urban area is the most densely developed with a mix of commercial and high-density residential uses along significant arterial roadways.</p> <p>The Comprehensive Plan states that “along major and minor arterials in the urban areas, convenience and general commercial uses are appropriate” and that, “growth for the community should be reoriented into these areas”.</p>	
Comprehensive Plan Policy – PA #16 Shepherdsville Road Corridor	STEP 4: Compliance with the Planning Area Guidelines (PA 1-7)
<p>The Corridor consists of the first tier properties fronting KY 251 between the intersections of Ring Road (KY 3005) and Battle Training Rod (KY 434). There is an existing commercial activity of a convenience store at the intersection with Battle Training Road in this corridor.</p>	<p>The Comprehensive Plan states that commercial development should be allowed, “only at strategic locations based on the road capacity and other site specific standards with convenience commercial uses located at major crossroads or intersections”.</p> <p>The Comprehensive Plan also recommends limited access points, aesthetically pleasing signage and a unified theme for landscaping and building design in this corridor.</p>

STAFF REVIEW AND RECOMMENDATION

The Staff finds that the proposed zoning is in agreement with Steps 1, 2, 3 & 4 of the adopted Comprehensive Plan plus the following findings:

- Every other corner of this intersection has been rezoned to commercial by the Planning Commission,
- The intersection is both a “strategic location” and a “major crossroads” at the intersection of two state maintained highways, Battle Training Road (KY 434) and Shepherdsville Road (KY 251),
- With congestion on Dixie Highway (US 31W), Shepherdsville Road now serves as a major north-south connector with 4,388 ADT (2017). KYTC has bought right-of-way and designed a round-a-bout for the intersection with Battle Training Road (KY 434) to improve traffic flow and level of service.
- The proposed Dollar General, a modern “general store” would serve the needs of local demand with 294 homes within a 1 mile radius.
- The existing R-2 Zone assigned to the subject property in 1995 may now be inappropriate and the proposed map amendment to C-1 may be more appropriate.

The Staff recommends that the Zoning Map Amendment, be **APPROVED**.

RESOLUTION 2020-007
MAP AMENDMENT
Rural Residential (R-2) to Convenience Commercial (C-1)

- WHEREAS** the Hardin County Fiscal Court and the Hardin County Planning and Development Commission have adopted a Comprehensive Plan, Land Use Zoning Regulations, and Subdivision Regulations;
- WHEREAS** the above-mentioned regulations are designed to protect the public health, safety and welfare of the citizens of Hardin County;
- WHEREAS** the proposed site is located in the Urban Area of Hardin County and within the Shepherdsville Road Corridor Planning Area (#16);
- WHEREAS** this proposal is a request to rezone the 1995 designation of Rural Residential (R-2) to a Convenience Commercial Zone (C-1) in order to allow for the construction of a proposed 9,100 sq. ft. Dollar General store.

NOW THEREFORE, BE IT RESOLVED, by the Hardin County Planning and Development Commission that a request for a Map Amendment for property owned by Cathy & Charles Wise (PVA Map #217-00-00-050) and identified as being approximately 3.11 acres at the southeast corner of Battle Training Road (KY 434) and Shepherdsville Road (KY 251) in Elizabethtown, KY be granted a zone change from the existing Rural Residential Zone (R-2) to the Convenience Commercial Zone (C-1), based on the following findings and compliance with the policies and goals of the Comprehensive Plan:

With the appropriate portions of the Development Guidance System, Zoning Ordinance and the Comprehensive Development Guide, the testimony provided by staff and those in attendance at the public hearing, the Planning Commission hereby adopts the attached Staff Report and it is determined that the existing R-2 zone is inappropriate and the proposed C-1 zone is more appropriate based on the Comprehensive Plan's following Policies and Goal:

Step 1:	Development Policies 1, 2, 3, 4, 5, 7 & 8;
Step 2:	Property Characteristics 1, 2, 3, 4, 5, 7 & 10;
Step 3:	Land Use Plan Group: Urban Area
Step 4:	Planning Area: Shepherdsville Road Corridor (#16)

Goal 6: TO IMPROVE AND PROMOTE HARDIN COUNTY AS A PLACE FOR COMMERCE AND INDUSTRY

Objective 1: To provide adequate space for the proper location of commercial and industrial land use.

ADOPTED THIS TWENTYFIRST DAY OF JULY 2020.

MOTIONS

I make a motion to **Approve** the proposed Zoning Map Amendment based upon:

- the testimony provided by Staff and those in attendance at the Public Hearing
- I hereby adopt the Staff Report and the exhibits entered in as the Record
- To adopt Resolution 2020-007 as presented

The proposed Map Amendment from R-2 to C-1 is in Agreement with the 4 Step Process as outlined in the Comprehensive Plan and the following Goals & Objectives.

Step 1:	Development Policies 1, 2, 3, 4, 5, 7 & 8;
Step 2:	Property Characteristics 1, 2, 3, 4, 5, 7 & 10;
Step 3:	Land Use Plan Group: Urban Area
Step 4:	Planning Area: Shepherdsville Road Corridor (#16)

Goal 6: TO IMPROVE AND PROMOTE HARDIN COUNTY AS A PLACE FOR COMMERCE AND INDUSTRY

Objective 1: To provide adequate space for the proper location of commercial and industrial land use.

I make a motion to **Deny** the proposed Zoning Map Amendment based upon:

- the testimony provided by Staff and those in attendance at the Public Hearing

The proposed Map Amendment from R-2 to C-1 is **NOT** in Agreement with the 4 Step Process as outlined in the Comprehensive Plan.