

JULY 12, 2012

2500 BARRON DR

ZONE CHANGE

From: B-4 General Business w/conditions
To: B-4 General Business
Proposed Use: Commercial Development
Acreage: 7.515
Applicant: LSK Properties, LLC (1207.1843)
Surrounding Zoning Classifications:
North: R-3MF, R-1C South: I-1
East: B-4 West: I-1 R-1C

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 zoned 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 dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO257 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- 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 was rezoned from A-U Urban Agriculture to B-4 General Business at the March 8, 2007, OMPC meeting. At that time, three conditions were placed on the zoning. One of the conditions stated that “Access shall be limited to Barron Drive only and shall be limited to a total of three access points.” A subsequent rezoning was submitted to amend the conditions on the rezoning to allow additional access along Barron Drive which limited access to a potential of four access points in compliance with the Access Management Manual with no access point to be located within 865’ of the centerline of the Barron Drive and Carter Road intersection Barron Drive is currently classified as a major collector roadway with an access spacing standard of 250 feet.

At this time, the applicant has submitted a rezoning request to amend the previous conditions to allow a potential of five access points to the property. Bill Hayes, a transportation engineer with BWSC, prepared a Traffic Impact Study (TIS) that was included with the rezoning submittal. Mr. Hayes included the potential development on the north side of Barron Drive in his analysis of five access points to the subject property. The property to the north is a portion of a large tract owned by the Ellis Estate that was rezoned to B-4 General Business in 2010. The preliminary development plan approved in conjunction with the rezoning showed two main street access points with the potential for individual or shared access points for some of the outparcels. The conceptual plan submitted with the current rezoning shows the three access points approved in 2011 in alignment with the access points approved on the Ellis Estate preliminary development plan. The other two access points meet access spacing standards.

Kenny Potts with the Kentucky Transportation Cabinet District 2 office reviewed the access points as proposed. Based on his review, the proposed Access Point A meets the minimum stopping and intersection sight distance requirements for full, non-restricted access. He did state that no access is approved or guaranteed until an encroachment permit is issued by the KYTC and no permit application has been submitted for the site.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The subject property is currently zoned B-4 General Business and the only reason for the current application is to amend access restrictions placed on the initial zoning. All urban services are available to the site.

Planning Staff Recommendations

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

Conditions:

1. No access shall be permitted to the Wendell Ford Expressway or Carter Road; and
2. Access to Barron Drive shall be limited to a potential of five access points in compliance with the Access Management Manual subject to access number and locations approved by KYTC as part of the encroachment permit process.

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 limited locations;
3. The entire tract is currently zoned B-4 General Business; and,
4. With a traffic impact study required by the KYTC to review the access to the property and with the access plan in accordance with the Access Management Manual, the proposal should not overburden the capacity of roadways and other necessary urban services.