

AUGUST 9, 2012

**200 BLK HILL POINTE XING;
300 BLK VALLEY HILL DR;
400 BLK HARBOR RIDGE DR;
600 BLK HARBOR CREST CV;
4200 BLK SILENT DOE XING**

ZONE CHANGE

From: A-U Urban Agriculture	
To: R-1C Single-Family Residential	
Proposed Use: Residential	
Acreage: 38.86	
Applicant: Robert Wimsatt (1208.1849)	
Surrounding Zoning Classifications:	
North: A-U	South: R-1C
East: R-1C	West: A-U

Proposed Zone & Land Use Plan

The applicant is seeking an R-1C Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where urban low-density residential uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns – Building and lot patterns should conform to the criteria for “Urban Residential Development” (D6).

(b) Existing, expanded or new sanitary sewers – Urban low-density residential use should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be property established.

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 21059CO285 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- A portion of the property may be 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

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

Development Patterns

The subject property is a large remainder tract from previous residential subdivision development in the vicinity. Land uses in the area are typically single-family residential in nature with a few larger tracts to the north. The application states the intended use for the property is residential.

Typically, with a larger tract proposed for residential zoning, a preliminary plat is submitted to document the proposed development pattern of the property. However, in this instance, no plan was submitted. Since a plan has not been submitted, there are several issues with potential site development that must be addressed through the rezoning process. There are several streets stubbed to the property line from the adjoining residential subdivision developments that have taken place in the past. As part of the development process for the subject property, the stub streets shall be terminated in a cul-de-sac or extended consistent with the subdivision regulations and public improvement specifications. The street design, along with all other site development requirements, must be addressed on a preliminary subdivision plat. The preliminary plat will require approval by the Planning Commission prior to onset of any construction on the property. Until such time that the preliminary plat has been approved, the subject property shall not be subdivided or altered.

SPECIFIC LAND USE CRITERIA

The applicant's proposal can comply with the Comprehensive Plan with the proposed conditions attached to the rezoning request. The proposed residential use of the property can comply with the urban residential development criteria for building and lot patterns. Sanitary sewer service is available in the vicinity and must be extended to the site as part of the development process. There is existing R-1C zoning located immediately south and east of the subject property which are residential developments previously completed by the developer.

Planning Staff Recommendations

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

Conditions:

1. Submission and approval of a preliminary subdivision plat addressing all site development requirements;
2. The subject property shall not be subdivided or altered until such time that a preliminary plat is approved; and,
3. The streets stubbed to the subject property shall be terminated in a cul-de-sac or extended consistent with the subdivision regulations and public improvement specifications.

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 a large remainder tract from the surrounding residential development;
3. The proposed residential use of the property complies with the urban residential development criteria for building and lot patterns;
4. Sanitary sewer service is available in the vicinity and must be extended as part of the development process; and,
5. With the condition of submission and approval of a preliminary subdivision plat prior to any division or alteration of the property, the subject property will develop consistent with the adjoining residential subdivisions.