

OCTOBER 11, 2012

3110 FAIRVIEW DR

ZONE CHANGE

From: I-1 Light Industrial	
To: B-4 General Business	
Proposed Use: Offices	
Acreage: 4.501	
Applicant: Koger Properties, LLC/Mike Koger (1208.1851)	
Surrounding Zoning Classifications:	
North: B-4	South: R-1A & P-1
East: R-3MF & B-4	West: I-2

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** – Building and lot patterns should conform to the criteria for “**Non Residential 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.

Planning Staff Review**GENERAL LAND USE CRITERIA****Environment**

- It appears that the subject property is not located in a wetland 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 21059CO281 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

A portion of the subject property was rezoned from R-1A to I-1 in 1990 with the remainder being rezoned from R-1A to I-1 in

1992. The properties to the north are zoned B-4 and have recently been developed as medical offices.

There are three existing buildings on the subject property. The building closest to Fairview Drive is currently used as professional office spaces. The two buildings to the rear of the property are used as fabrication shops for a mechanical business. The applicant is proposing to convert the fabrication shops into a professional office building as well.

In the vicinity of the subject property, Fairview Drive is classified as a minor arterial roadway with a 500 foot drive spacing standard, a 75 foot building setback and a 50 foot roadway buffer. Access to the subject property is achieved by an existing access point, as approved on a minor subdivision plat approved September 29, 1993. No additional access to Fairview Drive will be permitted.

A development plan addressing all Zoning Ordinance requirements including, but not limited to parking, landscaping and screening will be required before any building or occupancy permits shall be issued.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed B-4 zoning is a logical expansion of the B-4 zoning immediately north of the subject property. With no new access points proposed, the expansion of the B-4 zoning should not overburden the roadways or necessary urban services in the area.

Planning Staff Recommendations

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

Conditions:

1. Approval of a final development plan addressing all Zoning Ordinance requirements; and,
2. Access to Fairview Drive shall be limited to the existing access point only.

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 proposal is a logical expansion of existing B-4 General Business zoning located immediately north of the subject property; and,
4. With no new access points proposed, the expansion of the B-4 zoning should not overburden the roadways or necessary urban services in the area.