

JULY 10, 2014

3130 VILLA PT

ZONE CHANGE

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|--|---|
| From: | B-3 Highway Business Center I-1 Light Industrial R-3MF Multi-Family Residential |
| To: | B-3 Highway Business Center |
| Proposed Use: | Retail Sales |
| Acreage: | 16.87+/- |
| Applicant: | Villa Point Properties, LLC (1407.1909) |
| Surrounding Zoning Classifications: | |
| North: B-3 | South: B-3, I-2 |
| East: B-3, B-4 | West: B-3, B-4, I-1 |

Proposed Zone & Land Use Plan

The applicant is seeking a B-3 Highway Business Center zone. The subject property is located in a Business Plan Area, where highway business uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

(a) Development plan – Highway Business Centers should be initiated and expanded as integral units, according to formal development plans. Once a new center or expansion is proposed, submission of plans and the initiation of construction should occur in a timely manner. Building and lot patterns should conform to the criteria for “**Nonresidential Development**” (D7), and outdoor storage yards, with “**Buffers for Outdoor Storage Yards**” (D1).

(c) Logical Expansion – Existing centers may be expanded onto contiguous land that abuts the same street(s). IF the contiguous land for expansion is located across an intervening street from the existing center, the expansion should be at least five (5) acres in size.

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 partially located in a special flood hazard area per FIRM Map 21059C0139D and 20159C0143D.
- 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 is a portion of a larger tract that was rezoned in 1980 from A-U Urban Agriculture to B-3 Highway Business Center, I-1 Light Industrial and R-3MF Multi-Family Residential. Subsequent development plans and subdivision plats have followed for portions of the original tract, but the 16.87 acre parcel has never developed. The majority of the 16.87 acres is already zoned B-3, the southern portion of the property is zoned I-1 and R-3MF. Rezoning the property to B-3 will create a tract with consistent zoning suitable for commercial and business development in character with the area.

In accordance with the Comprehensive Plan and Zoning Ordinance, a Final Development Plan will be required.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The proposed use of retail sales is nonresidential in nature. The proposed B-3 zoning is an expansion of the B-3 zoning existing on a portion of the subject property as well as properties to the west and south.

Planning Staff Recommendations

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

Condition:

Approval of a Final Development Plan.

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 highway business uses are appropriate in general locations;
3. The proposed use of retail sales is nonresidential in nature; and,
4. The proposed B-3 zoning is a logical expansion of existing B-3 zoning on a portion of subject property as well as the properties to the west and south.