

AUGUST 13, 2015

A PORTION OF 2763 W. 2ND ST

ZONE CHANGE

From: B-4 General Business	
To: A-U Urban Agriculture	
Proposed Use: Residential	
Acreage: 0.573 acres	
Applicant: RNA Rental Hosplex, LLC (1508.1934 A-U)	
Surrounding Zoning Classifications:	
North: B-4	South: B-5
East: A-U	West: B-4

Proposed Zone & Land Use Plan

The applicant is seeking an A-U Urban Agriculture zone. A portion of the subject property is located in a Business Plan Area where Urban Low-Density Residential uses are appropriate in very limited locations and a portion of 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 uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

(c) Only logical expansions – In Future Urban, Professional/Service, Business, and Rural Preference plan areas, completely new locations of Urban Low-Density Residential use should not be established. However, existing areas of this use may be expanded onto contiguous land.

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 Maps 21059CO119 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

Electricity, water, sewer and gas are available to the subject property.

Development Patterns

The purpose of this rezoning application is to rezone a small 0.573 acre parcel from B-4 to A-U so it can be consolidated with a larger 3.5 acre adjacent A-U zoned property, both of which are owned by RNA Rentals Hosplex, LLC. A rear portion of this parcel is proposed to be divided, rezoned and transferred to the Western

Kentucky Botanical Gardens as a part of an associated rezoning application also heard by OMPC on 8/13/15.

In 1990, the 7.2 acres that comprise all of the area within this application and its associated application were rezoned from A-U to B-4 to be used as a bed and breakfast home. In 2013, the eastern half of these properties was rezoned back to A-U to be used for residential purposes. Also in 2013, this 0.573 acre B-4 zoned sliver was created by plat as a non-buildable buffer separating the larger B-4 parcel to the west (Botanical Gardens) and the larger A-U parcel to the east (RNA Rentals/historic farm house).

Properties in this area contain a variety of zoning classifications including agricultural, commercial and industrial. The property to the north of the site is zoned B-4 and is proposed to be transferred to the botanical gardens. To the west is a parcel owned by the botanical gardens, zoned B-4. To the south across W. 2nd Street is a commercial/industrial property, zoned B-5. East of the subject property is a historic farm home property, previously used as a bed and breakfast facility, zoned A-U.

Access to the subject property must comply with the Access Management Manual. W. 2nd Street in this location is classified as a principal arterial which requires minimum driveway spacing at 500 foot intervals. A previous rezoning as well as previous minor subdivision plats for the subject property have restricted access to these three parcels to a single access point. This access limitation will also be included as a condition of this rezoning application and will also be noted on the subsequent minor subdivision plat.

Approval of a minor subdivision plat consolidating 2731 & 2763 W. 2nd Street will be required for this rezoning as a condition of approval.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use conforms to the criteria for urban residential development. This proposal is located in an area where a sanitary sewer system exists. This proposal is a logical expansion of existing A-U zoning to the east.

Planning Staff Recommendations

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

Conditions:

1. Approval of a minor subdivision plat consolidating 2731 & 2763 W. 2nd Street is required.
2. Access to 2731, 2763 & 2795 W. 2nd Street shall be limited to a single access point established on the plat approved on 2/20/13 and revised on the subsequent plat approved 2/15/15.

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 partially located in a Business Plan Area where Urban Low-Density Residential uses are appropriate in very limited locations, and partially located in an Urban Residential Plan Area where Urban Low-Density Residential uses are appropriate in limited locations;
3. The proposed use conforms to the criteria for urban residential development; and
4. This proposal is a logical expansion of existing A-U zoning to the east.