

JANUARY 14, 2016

1018 GOETZ DRIVE

ZONE CHANGE

From: A-U Urban Agriculture
To: B-4 General Business
Proposed Use: Commercial
Acreage: 2.379
Applicant: Thomas Goetz (1601.1942)
Surrounding Zoning Classifications:
North: B-4 South: B-4
East: B-4 West: A-U

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 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 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 21059CO257D & 21059CO276D.
- 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 sewer, are available to the site.

Development Patterns

The subject property is a 2.379 acre residentially used parcel, zoned A-U Urban Agriculture. The applicant proposes to rezone the property to B-4 General Business to allow potential future commercial use of the property.

Properties in this area are zoned commercial, residential and agricultural. The Towne Square North Shopping Center abuts the subject property to the south and east and is zoned B-4. Commercial properties to the north and northeast across Goetz Drive include Texas Roadhouse, Ryan's and Super 8 Hotel, all of which are zoned B-4. A four acre residential property zoned A-U abuts the site to the west.

If the rezoning is approved, the applicant will be required to provide landscape buffer screening in compliance with Article 17 of the zoning ordinance along the western property boundary where adjacent to residential property.

Goetz Drive, a State Highway, in this location is classified as a major collector roadway and the subject property must comply with a 250' driveway spacing standard, a previously platted 75' building setback line and a 30' roadway buffer. OMPC Staff, after discussing site access with the Kentucky Transportation Cabinet, recommends access to this site be limited to a single access point that is aligned with the hotel access point directly across the street.

Prior to any non-residential occupancy of the property the applicant must obtain approval of a site plan or development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as commercial conforms to the criteria for nonresidential development. The proposed B-4 General Business zoning is a logical expansion of B-4 General Business zoning to the north, south and east. The proposal is not a significant increase in general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

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

Conditions:

1. Access to the property shall be limited to a single access point to Goetz Drive and aligned with the hotel access point across the street.
2. The applicant shall provide landscape buffer screening in compliance with Article 17 of the zoning ordinance along the western property boundary where adjacent to residential property.

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 proposed use as commercial conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing B-4 General Business zoning to the north, south and east; and,
5. At 2.379 acres, the proposal does not significantly increase the extent of general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.