

FEBRUARY 11, 2016

1567 DANIELS LN

ZONE CHANGE

From: A-U Urban Agriculture	
To: R-1A Single Family Residential	
Proposed Use: Single Family Residential	
Acreage: 40.97 acres	
Applicant: Jagoe Homes, Inc.; Charles L. Lamar ET AL (1602.1946)	
Surrounding Zoning Classifications:	
North: I-1	South: R-1A, A-U
East: A-U	West: R-1A, P-1

Proposed Zone & Land Use Plan

The applicant is seeking an R-1A 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 uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly 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 partially located in a special flood hazard area per FIRM Maps 21059C0141 D and 21059C0143 D.
- The property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- It appears that a portion of the subject property is located 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 nearly 41 acre parcel currently used as farmland. It is located near the Owensboro Health campus in an area of professional service, industrial, agricultural and residential uses. A private lane that accesses several residential properties runs along the southern boundary of the subject

property. Industrially zoned, vacant property borders the subject property to the north, farmland is located to the east and residentially zoned property is located across Daniels Lane from the subject property.

The applicant is proposing a new residential subdivision on the subject property consisting of 131 units. A combined Major Subdivision Preliminary Plat/Final Development Plan has been submitted in conjunction with this rezoning application. The applicant has chosen to do a Planned Residential Development; as a Planned Residential Development a 20 foot project boundary buffer will be required around the entire perimeter of the development. Additionally, along the northern boundary where the subject property adjoins industrially zoned property, a 10 foot landscaping buffer with a 6 foot solid element and 1 tree every 40 feet shall be required. Although not required by ordinance, the property owners to the south have requested a fence be installed along the southern boundary of the project.

In the vicinity of the subject property Daniels Lane is classified as a major collector roadway with a 250 foot drive spacing standard, 60 foot building setback and 30 foot roadway buffer. The subject property shall be accessed by a single access point in accordance with the access spacing standards. Daniels Lane has recently been widened in this area; according to the Traffic Impact Study provided by the applicant no additional improvements to Daniels Lane will be required with this proposal.

It appears that the subject property is designated as prime agricultural land according to the “Important Farmlands” map created by the US Department of Agriculture Soil Conservation Service dated March 1980. However, the Comprehensive Plan does anticipate the conversion of some prime agricultural land for urban residential development.

Since a portion of the subject property is located within the Owensboro Wellhead Protection area, according to OMU, if the property will have or produce anything that can contaminate the soil then they must have a wellhead protection plan. OMU should be contacted regarding such a plan.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The proposed R-1A Single Family Residential zoning is a logical expansion of R-1A Single Family Residential zoning to the south and west. The Traffic Impact Study submitted by the applicant indicates the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. Sanitary sewer service is available to be extended to the subject property.

Planning Staff Recommendations

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

Condition:

Access to Daniels Lane shall be limited to a single access point in compliance with the access spacing standards.

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 an Urban Residential Plan Area where Urban Low-density Residential uses are appropriate in limited locations;
3. The proposal is a logical expansion of existing R-1A Single Family Residential zoning to the south and west;
4. Sanitary sewer service is available to be extended to the subject property;
5. The subject property has road frontage on Daniels Lane, a major street; and,
6. The Traffic Impact Study submitted by the applicant indicates the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.