

**APRIL 14, 2016**

**1030 BURLEW BLVD**

**ZONE CHANGE**

<b>From:</b>	B-4 General Business A-U Urban Agriculture
<b>To:</b>	<b>B-4 General Business</b>
<b>Proposed Use:</b>	Office Building
<b>Acreage:</b>	3.46 acres
<b>Applicant:</b>	Professional Properties & Construction; Frank and Helen Wagner (1604.1951)
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b>	<b>B-4, R-3MF</b>
<b>East:</b>	<b>I-1 &amp; A-U</b>
<b>South:</b>	<b>A-U &amp; B-4</b>
<b>West:</b>	<b>B-4</b>

**Proposed Zone & Land Use Plan**

The applicant is seeking a B-4 General Business zone. The subject property is located in a Business/Industrial Plan Area where general business uses and light industrial uses are appropriate in general 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).

**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 21059CO277 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the OMU map dated 2015
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division 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 3.46 acre parcel located in a Business/Industrial Plan Area and is surrounded by a mix of residential, industrial and commercial uses. The properties to the north, across Burlew Boulevard, are a B-4 zoned restaurant and strip center and an R-3MF zoned apartment complex. The properties to the west, across New Hartford Road, are a variety of B-4 zoned business properties including a car wash, gas station, veterinary clinic and landscaping business. The property to the east is split zoned I-1 and A-U

and appears to be an industrial use. The property to the south is zoned B-4 and A-U and is currently vacant.

The subject property currently has one office building located on it. The applicant intends to redevelop the property to contain multiple office buildings. The rezoning is necessary for one like zoning classification on the property.

The subject property is located at the south east intersection of New Hartford Road and Burlew Boulevard. A minor subdivision plat approved in 1999 limits access to Burlew Boulevard only. The note on the approved plats states there shall be no vehicular driveways to New Hartford Road.

Burlew Boulevard is classified as a major collector street in this location with a 250 foot access spacing standard, 60 foot building setback and 30 foot roadway buffer. Currently there is one existing access point to the subject property located approximately 320 feet from the intersection of New Hartford Road and 160 feet from the access on the neighboring property to the east. Access to Burlew Boulevard shall be limited to the single existing access point. No access shall be permitted to New Hartford Road.

Prior to any redevelopment 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 general business conforms to the criteria for nonresidential development.

**Planning Staff Recommendations**

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

**Conditions:**

1. No access to New Hartford Road shall be permitted;
2. Access to Burlew Boulevard shall be limited to the single 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 within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;
3. The subject property lies within an existing area of mixed general business and light industrial uses;
4. The Comprehensive Plan provides for the continuance of mixed use areas; and,
5. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-4 General Business zoning classification.