

JUNE 9, 2016

2611 SUNRISE DR

ZONE CHANGE

From: B-4 General Business
To: R-1C Single Family Residential
Proposed Use: Residential
Acreage: 0.225
Applicant: Sonrise Chapel, LLC
Surrounding Zoning Classifications:
North: B-4 South: R-1C
East: B-4 West: R-1C

Proposed Zone & Land Use Plan

The applicant is seeking an R-1C 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 not located in a special flood hazard area per FIRM Map 21059CO138 D.
- It appears that the subject property is not located 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 sewer, are available to the site.

Development Patterns

The subject property is a 0.225 acre tract. Currently there is a single family residence located on the property that was being used a daycare. The applicant proposes to rezone the property to R-1C Single Family Residential and use the house as a residence.

Properties in this area are zoned commercial and residential. The Majesty Academy campus at 2624 New Hartford Road, zoned B-4 General Business, borders the property to the north and east. Single family residential properties zoned R-1C surround the property to the south and west.

The subject property was rezoned from R-1C Single Family Residential to B-4 General Business in 2009. The subject property

was then consolidated with the surrounding property to the north and east, 2624 New Hartford Road, Majesty Academy. A final development plan was approved for property once it was consolidated showing all site development requirements. The subject property was initially used as a daycare as a part of Majesty Academy but more recently has been operated independently from the Academy.

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 northern property boundary where adjacent to the B-4 zoned property.

A minor subdivision plat has recently been approved dividing the subject property from the Majesty Academy property at 2624 New Hartford Road. If the rezoning is approved, approval of an amended final development will be required separating the subject property from the remainder of the development demonstrating compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage for both the subject property and the Majesty Academy property at 2624 New Hartford Road. Jim Mischel with the OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the properties.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as urban low-density residential conforms to the criteria for urban residential development. The proposed R-1C Single Family Residential zoning is a logical expansion of R-1C Single Family Residential zoning to the south and west. Sanitary sewer service is existing to the subject property.

Planning Staff Recommendations

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

Condition:

1. Approval of an Amended Final Development Plan for 2624 New Hartford Road.

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 proposed use as a single family residence urban residential development;
4. The proposal is a logical expansion of existing R-1C Single Family Residential zoning to the south and west; and,
5. Sanitary sewer service is existing to the subject property.