

AUGUST 11, 2016

PORTION OF 4600 BLK HIGHWAY 144

ZONE CHANGE

From: I-1 Light Industrial	
To: P-1 Professional/Service	
Proposed Use: Offices	
Acreage: 3.99	
Applicant: Daviess County Farm Bureau; Marian R. Turley (1607.1968)	
Surrounding Zoning Classifications:	
North: I-1	South: I-1 & MHP
East: I-1	West: B-4 & MHP

Proposed Zone & Land Use Plan

The applicant is seeking a P-1 Professional/Service zone. The subject property is located in a Future Urban Plan Area where Professional/Service uses are appropriate in very 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).

(b) Logical expansions – Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street(s). An existing area of general business zone may be used as criteria to support as Professional Service use category. If the contiguous land is located across an intervening street, the expansion should be at least one (1) acre in size, unless it would serve as a “buffer-use” (D1). An expansion of this use 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 Map 21059CO141 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

Electricity, water and gas are available to the subject property. Sanitary sewage disposal will be accomplished by a new on-site private system.

Development Patterns

The subject property is a 3.99 acre portion of a 15.2 acre tract on Highway 144 at the intersection of Reid Road and the Wendell Ford Expressway. Currently the property is vacant. The applicant proposes to rezone the 3.99 acre portion of the subject property to P-1 Professional/Service and then divide it from the parent parcel. The applicant proposes to construct offices on the subject property.

The property to the west of the subject property, across Reid Road, is split zoned. The front portion of the property along Highway 144 is zoned B-4 General Business, the remainder of the

property is zoned MHP Manufactured Housing Park. The properties to the north, south and east are all zoned I-1 Light Industrial.

The property is located in an area not currently served by sanitary sewers; an on-site septic system would serve the property. According to RWRA, sanitary sewer service is available in the vicinity. Depending of the intensity of the proposed use, the property would be better served by sanitary sewer. RWRA should be contacted regarding the connection to sanitary sewer service.

The subject property is located at the southeast intersection of Highway 144 and Reid Road and is bound on the east by Wendell Ford Expressway on-ramp. In this vicinity, Highway 144 is classified as a minor arterial roadway with a 75 foot building setback, 50 foot roadway buffer and 500 foot spacing standard. Reid Road is classified as a major collector roadway with a 60 foot building setback, 30 foot roadway buffer and 250 foot access spacing standard. Because of the proximity to the on ramp of the Wendell Ford Expressway, no access to Highway 144 shall be granted. Access to the proposed property shall be limited to Reid Road in accordance with the access spacing standards and approved by the KYTC.

Prior to any construction activity on 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. Jim Mischel with the OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as offices conforms to the criteria for nonresidential development. The proposed P-1 Professional/Service zoning is a logical expansion of B-4 General Business zoning to the west across Reid Road. At 3.99 acre, the proposal is greater than the required 1 acre for an expansion across an intervening street. The proposed use of office should not overburden the capacity of roadways and other necessary urban services in the area.

Planning Staff Recommendations

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

Condition:

1. Access to the property shall be limited to Reid Road in accordance with the access spacing standards and approved by the KYTC. No access to Highway 144 shall be permitted.

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 Future Urban Plan Area where professional/service uses are appropriate in limited locations;
3. The proposed use as offices conforms to the criteria for nonresidential development;
4. The proposal is an expansion of existing B-4 General Business zoning across Reid Road to the west;
5. At 3.99 acres, the proposal exceeds the 1 acre requirement for a zoning expansion across an intervening street; and,
6. The proposed use as office should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.