

JUNE 14, 2018

1816 PLEASANT VALLEY RD

## ZONE CHANGE

From: A-U Urban Agriculture	
To: B-4 General Business	
Proposed Use: Commercial	
Acreage: 3.502	
Applicant: Angus Hills Farms, LLC (1806.2048)	
Surrounding Zoning Classifications:	
North: B-4, A-U	South: B-4
East: A-U	West: A-U

## Proposed Zone &amp; 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 partially located in a special flood hazard area per FIRM Maps 21059CO139 D.
- It appears that the subject property is not located within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- It appears that this property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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 sewers, are available to the site.

## Development Patterns

The subject property is a 3.502 acre parcel located at the southwest intersection of Highway 603 and Pleasant Valley Road. There is currently a single family residence on the subject property. Commonwealth of Kentucky right-of-way acquisition for Highway 603 and the Wendell Ford Expressway are still pending. The applicant proposes to rezone the parcel to the B-4 General Business.

The subject property is situated just north of the Gateway Commons development and just south of approximately 33 acres already zoned B-4 General Business. Other properties in the vicinity are zoned A-U Urban Agriculture and are currently cropland. The new hospital is also located within this vicinity.

Pleasant Valley Road in this location is classified as a minor arterial roadway with a 75 foot building setback, 40 foot roadway buffer and 500 foot spacing standard. Highway 603 is a classified as a major collector with a 60 foot building setback, 30 foot roadway buffer and a 500 foot access spacing standard. Access to the subject property shall conform to the access management manual and the Kentucky Transpiration Cabinet shall be contacted for any access encroachment permits.

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 development.

Since 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.

Prior to any construction activity on the property the applicant must obtain approval of a development plan or site plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. 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 commercial will be nonresidential in nature. This is a logical expansion of approximately 33 acres of B-4 General Business zoning to the north. At 3.502 acres the expansion B-4 General Business zoning 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 shall be in compliance with the requirements of the access management manual and subject to KYTC approval; and,
2. Approval of a final development plan or site plan.

**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 approximately 33 acres of B-4 zoning to the north; and
5. At 3.502 acres, the proposed expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.