

AUGUST 9, 2018

3104 FAIRVIEW DR

ZONE CHANGE

From:	R-1A Single Family Residential
To:	B-4 General Business
Proposed Use:	Office
Acreage:	0.502
Applicant:	RKM, LLC (1808.2056)
Surrounding Zoning Classifications:	
North:	B-4
South:	P-1
East:	B-4
West:	I-2

Proposed Zone & 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 not located in a special flood hazard area per FIRM Maps 21059CO281D.
- 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 sewer, are available to the site.

Development Patterns

The subject property is a 0.502 acre parcel. Currently there is a single family residence located on the parcel. The applicant proposes to rezone the property to B-4 General Business to allow potential future consolidation with the surrounding property or development for use of the property as a professional office.

Properties in this area are zoned commercial, professional/service and industrial. A medical office, also

owned by the applicant, abuts the subject property to the north and east and is zoned B-4. A currently vacant property zoned P-1 is located to the south of the subject property. Kenenergy, zoned I-2 Heavy Industrial is located to the west, across Fairview Drive.

Fairview Drive in this location is classified as a minor arterial roadway with a 75 foot building setback 50 foot roadway buffer and 250 foot access spacing standard. At the time of redevelopment the current residential access point shall be closed and access shall comply with the access management manual. Given the proximity to the access point to the north and the size of the subject property, it will not be possible for the subject property to have an individual access point and meet the required access spacing standards. Access to the subject property shall be reviewed and approved by the OMPC and City or County Engineer at the time of redevelopment.

Prior to any non-residential occupancy 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. 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 office conforms to the criteria for nonresidential development. The proposed B-4 General Business zoning is a logical expansion of B-4 General Business zoning to the north and east. The proposal is not a significant increase in general business zoning in the vicinity and 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. The existing residential access to the subject property shall be closed at the time of redevelopment.
2. Access to the property shall be in compliance with the access management manual and approved by the OMPC and City or County Engineer.

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 office conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing B-4 General Business zoning to the north and east; and,
5. At 0.502 acres, the proposal does not significantly increase the extent of general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.