

SEPTEMBER 13, 2018

1600 HIGHWAY 603

ZONE CHANGE

From: A-U Urban Agriculture	
To: B-4 General Business	
Proposed Use:	Assisted Living Facility, General Business Uses
Acreage:	16.82
Applicant:	Angus Hills Farms, LLC (1809.2060)
Surrounding Zoning Classifications:	
North: B-4, I-1	South: B-4, A-U
East: B-4, A-U	West: A-U, I-1

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 partially located in a special flood hazard area per FIRM Maps 21059CO139 D.
- It appears that the subject property is 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 16.82 acre parcel located on Highway 603 just north of the Wendell Ford Expressway. The applicant proposes to rezone the parcel to the B-4 General Business and develop an approximately seven acre portion of the property as an assisted living facility, which is Conditionally Permitted in a B-4 General Business zone. The remainder of the property will be for future development of general business uses.

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 I-1 Light Industrial. The subject property is located next to the RWRA wastewater treatment facility. The new hospital is also located within this vicinity.

Pleasant Valley Road is proposed to be extended across Highway 603 with this project, utilizing the current access drive to the RWRA facility. The proposed Pleasant Valley Road extension will have a 3 lane approach at the intersection with Highway 603 and stub to the rear of the property for future connectivity. The Kentucky Transportation Cabinet has reviewed the project and based on the proposed uses and roadway design will not require traffic impact study at this point. Further traffic analysis shall be required once a specific use is proposed for the remaining 9.82 acres.

In this vicinity, Pleasant Valley Road is classified as a minor arterial roadway with a 75 foot building setback, 40 foot roadway buffer and a 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 be limited to the proposed Pleasant Valley Road extension and shall conform to the access management manual. No access shall be permitted to Highway 603.

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 an assisted living facility is conditionally permitted in the B-4 zone and future general business uses will be nonresidential in nature. This is a logical expansion of B-4 General Business zoning to the north, south and east. With the extension of Pleasant Valley Road and access limited to the proposed extension, the expansion of 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 limited to the proposed Pleasant Valley Road extension;
2. No access shall be permitted to Highway 603;
3. Future development of the site shall require traffic analysis of the proposed use;
4. 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 an assisted living facility is conditionally permitted in a B-4 zone;
4. The proposed use of general business conforms to the criteria for nonresidential development;
5. The proposal is a logical expansion of B-4 zoning to the north, south and east; and
6. With access limited to the proposed extension of Pleasant Valley Road, the proposed expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.