

MAY 2, 2019

3705 RALPH AVE

ZONE CHANGE

From: R-1A Single Family Residential	
To: B-4 General Business	
Proposed Use: Commercial	
Acreage: 0.46	
Applicant: Estate of J. Ann Owen, Executrix, Jennifer Millay (1905.2085)	
Surrounding Zoning Classifications:	
North: R-1A	South: R-1A
East: A-U to B-4	West: B-4

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 Map 21059CO143 D.
- 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 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 0.46 acre parcel zoned single family residential and being used as such.

The subject property adjoins B-4 General Business zoning to the west across Ralph Avenue. The property to the east was recommended for the B-4 zoning classification at the April 11, 2019 OMPC meeting and will become final on May 3, 2019 unless an appeal is filed. The properties to the north and south are zoned R-1A Single Family Residential; the property to the north is vacant and to the south is a single family residence.

The applicant will be required to provide buffering and screening consisting of a 10 foot wide landscape easement with a 6 foot high solid element and one tree every 40 linear feet along the northern and southern boundaries of the subject property where adjoining residentially zoned property. Because of the residentially developed neighborhood surrounding the subject property, due consideration should be given to any concerns of the neighboring residents with respect to the established lot patterns in the area.

Prior to any changes or alterations to the structures or uses on the property, the applicant must obtain approval of a final 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 and electrical division should be contacted prior to any construction activity or changes.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed B-4 General Business zoning is a logical expansion of B-4 General Business zoning to the west, across Ralph Avenue and to the east. At 0.46 acres, the proposed B-4 General Business zoning would not significantly increase the extent of B-4 zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. However, because of the established residential neighborhoods in the area, due consideration should be given to the concerns of the neighboring residents with respect to the established lot patterns in their neighborhoods.

Planning Staff Recommendations

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

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 proposal is a logical expansion of existing B-4 General Business zoning to the west, across Ralph Avenue and to the east; and,
4. At 0.46 acres, the proposal does not significantly increase the extent of the B-4 zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.