

JULY 11, 2019

722 HARVARD DR

ZONE CHANGE

From: R-3MF Multi-Family Residential
To: B-4 General Business
Proposed Use: Commercial
Acreage: 0.56
Applicant: Johnson Ventures, LLC (1907.2091)
Surrounding Zoning Classifications:
North: B-4 South: R-3MF
East: R-3MF 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 Professional/Service Plan Area where General Business 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), 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 21059CO276D.
- 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 0.56 acre parcel zoned multi-family residential. There is currently an office building on the property that was constructed in 1979; according to PVA

records, the building has always been used as an office. Currently a dental office and insurance office occupy the building however the applicant states the proposed uses are a dental office and preschool. The applicant proposes to rezone the subject property to B-4 General Business in order to bring the current and proposed uses into compliance with the zoning ordinance.

Properties in this area are zoned commercial, and multi-family residential with B-4 General Business uses to the north and west, and multi-family residential uses to the south and east.

Prior to any redevelopment of the property the applicant must obtain approval of a site plan or final 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 uses of a dental office and preschool conform 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 west. At 0.55 acres, 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 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 Professional/Service Plan Area where general business uses are appropriate in very limited locations;
3. The proposed uses of a dental office and preschool conform to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing B-4 General Business zoning to the north and west; and,
5. At 0.55 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.