

**JULY 11, 2019****5400 HIGHWAY 56****ZONE CHANGE**

<b>From:</b> A-R Rural Agriculture	
<b>To:</b> R-1A Single Family Residential	
<b>Proposed Use:</b>	Single Family Residential
<b>Acreage:</b>	13.509
<b>Applicant:</b>	O'Bryan Development Inc. (1907.2092)
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> A-U	<b>South:</b> R-1A
<b>East:</b> R-1A	<b>West:</b> A-R

**Proposed Zone & Land Use Plan**

The applicant is seeking an R-1A Single Family Residential zone. The subject property is located in an Urban Residential Plan area where Urban Low-Density Residential uses are appropriate in limited locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Building and lot patterns** – Building and lot patterns should conform to the criteria for “Urban Residential Development” (D6).

**(b) Existing, expanded or new sanitary sewers** – Urban Low-density Residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

**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 21059C0115 D.
- It appears that the property is not designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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 13 plus acre agricultural parcel zoned A-R Rural Agriculture. The applicant proposes to rezone the property to R-1A Single-Family Residential in

order to develop 41 single-family residential lots as an expansion of the Whispering Meadows subdivision. A Major Subdivision Preliminary Plat/Final Development Plan has been submitted in conjunction with this rezoning application.

The subject property is located in an area that includes single-family residential and agricultural land uses. The adjacent property to the north, across Highway 56, is an A-U Urban Agriculture zoned farm. Properties to the west are A-R Rural Agriculture zoned farmland. Properties to the south and east are zoned R-1A Single-Family Residential and are part of the Whispering Meadows subdivision.

In the vicinity of the subject property Highway 56 is classified as a minor arterial roadway with a 500 foot drive spacing standard, 75 foot building setback and 40 foot roadway buffer. Access to the proposed expansion shall be limited to the proposed extension of Meadow Grove Drive as shown on the major subdivision preliminary plat/final development plan submitted in conjunction with the rezoning application. No individual lot shall have direct access to Highway 56.

The proposed preliminary plat/final development plan has been reviewed by the County Engineer; at this time no additional roadway improvements shall be required to Highway 56.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as a residential subdivision complies with the criteria for urban residential development. Sanitary sewer service is available to be extended to the subject property.

**Planning Staff Recommendations**

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

**Conditions:**

1. No individual lots shall have direct access to Highway 56.

**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 an Urban Residential Plan Area where Urban Low-density Residential uses are appropriate in limited locations;
3. The proposed use as a residential subdivision complies with the criteria for urban residential development; and
4. Sanitary sewer service is available to be extended to the subject property.