

**SEPTEMBER 10, 2009****4033 HIGHWAY 54****ZONE CHANGE**

<b>From:</b> A-U Urban Agriculture	
<b>To:</b> P-1 Professional/Service	
<b>Proposed Use:</b> Offices	
<b>Acreage:</b> 6.90	
<b>Applicant:</b> Tony Huff; William E. Purdy (0909.1762)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> A-U	<b>South:</b> R-1C, R-3MF
<b>East:</b> A-U	<b>West:</b> A-U

**Proposed Zone & Land Use Plan**

The applicant is seeking a P-1 Professional/Service zone. The subject property is located in a Business Plan Area, where professional/service 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 “**Nonresidential Development**” (D7).
- (d) **New locations** - New locations of Professional/Service use should be “**major-street-oriented**” (D2). Also, other than in Rural Community plan areas, a new location should be at least **one (1) acre** in size unless it would serve as a “**buffer-use**” (D1).

**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 21059CO281 D.
- It appears that the subject property is outside the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- A portion of the property is designated as prime agricultural farmland per the US Dept. 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 located in an area of primarily residential and agricultural uses. The site currently consists of a single-family residence and various accessory structures. Based on conversations with the applicant, the existing single-family residence will be converted to office space for an engineering office with other potential office development on the site in the future.

In the vicinity of the subject property, KY 54 is classified as a minor arterial roadway with a 500 foot driveway spacing standard. There are currently two drives that serve this property and the adjoining property to the east. The applicant has agreed to close the access point on the subject property and provide a shared access point to the property located at 4115 KY 54. The shared drive will provide a single access to the two tracts and allow the adjoining property to develop without the addition of another access point to KY 54. The shared drive will also meet minimum spacing standards from the existing street intersection of Wood Trace at KY 54 and a potential future street intersection in alignment with Lake Forest Drive at KY 54.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The use of the property for office space will be nonresidential in nature. The property is major-street oriented with road frontage on KY 54. The site also exceeds the one acre minimum lot size for a new location of professional/service zoning.

**Planning Staff Recommendations**

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. This recommendation is made subject to the condition and findings of fact that follow:

**Condition:** Close the existing drive on the west side of the subject property and provided a shared access with the property located at 4115 KY 54 that will serve as the only access to the two properties.

**Findings of Fact:**

- The subject property is located in a Business Plan Area, where professional/service uses are appropriate in limited locations;
- The use of the property for offices will be nonresidential in nature;
- The subject property is major-street oriented with frontage on KY 54; and,
- At 6.90 acres in size, the subject property exceeds the one acre minimum established in the Comprehensive Plan for new locations of professional/service use.