

NOVEMBER 10, 2005

PORTION OF 4100 VEACH RD

ZONE CHANGE

From: R-1A Single-Family Residential		
To: R-1C Single-Family Residential		
Acreage: 3.7 acres		
Applicant: Thompson Homes, Inc., PKP 79 Company (0511.1617)		
Property Zone Existing Use	to North P-1, R-1A Country Club, Single-Family Residential	
	to West R-1B Single-Family Residential	to East A-U, R-1A Cropland, Single- Family Residential
	Subject A-R ⇄ R-1A Single-Family Residential	
	to South A-R Vacant	

**GENERAL LAND USE CRITERIA
Apply, if marked below:**

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ☒

- U1** Roadway Capacity
- ☒ **U2** Electricity Supply
- ☒ **U3** Water Supply
- ☒ **U4** Stormwater Disposal
- ☒ **U5** Sanitary Sewage Disposal

Development Patterns ❖

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- ❖ **D6** Residential Development
- D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking an R-1C 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** should conform to the criteria for “Urban Residential Development.”
- (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 property established.

Applicant's Findings

The rezoning is in compliance with the community’s adopted Comprehensive plan. The subject property is located in an Urban Residential Plan Area according to the Land Use Plan element of the Comprehensive Plan. Urban low-density residential use (i.e. up to nine dwelling units per acre density) is recommended in limited locations of an Urban Residential Plan Area.

Specific criteria which apply are building lot patterns and sanitary sewer availability. The proposed lot pattern layout is “urban residential” in character, size and configuration.

All urban services, including sanitary sewers, are available to serve the site. The approved Preliminary Subdivision Plat/Final Development Plan includes sanitary sewer service for all lots within the residential development.

The original R-1A zoning may have been inappropriate inasmuch as approximately 91% of the entire Fiddlesitcks site (total site = 39.227 acres) is currently zoned R-1C. The original R-1A zoning at the northern side of the site results in dual zoning of the tract which is not normally acceptable (i.e. multiple zoned tract) under local regulations. Rezoning the small northern “tip” of the site to R-1C is a logical expansion of the existing residential zone encompassing the bulk of the site.

Planning Staff Review

The subject property is located in the 4100 block of Veach Road. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property is partially located in a special flood hazard area and floodway area per FIRM Map 21059CO280 C. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

All urban services, including sanitary sewers, are available to the site.

Development Patterns

The subject property is a small portion of a larger tract of undeveloped land south of the Owensboro County Club between J.R. Miller Boulevard and Veach Road. The property to the south is currently undeveloped. The property to the west is part of a single-family residential development while the property to the east is agricultural with some individual single-family residences.

A preliminary plat/final development plan for the entire tract of the subject property was reviewed and approved at the October 2005, meeting of the planning commission. Access design and location, lot layout and other pertinent information was reviewed in conjunction with the submittal. A final development plan must have a singular underlying zoning classification so that density requirements are met in that specific zone. Since a small portion of the development was still zoned R-1A, a zoning change is being sought to achieve a common zoning classification on the entire property. The rezoning to R-1C will bring the entire site under one zoning classification that currently covers over 90% of the property.

SPECIFIC LAND USE CRITERIA

The proposed rezoning is a portion of an approximately 40 residential development. The subdivision will have access to both J.R. Miller Boulevard and Veach Road along with a pedestrian connector to the Greenbelt Park. Sanitary sewers are available to the site and will be incorporated within the development.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The findings of fact that support this recommendation include the following:

Findings of Fact:

1. The subject property is located in an Urban Residential Plan Area where urban low-density residential uses are appropriate in limited locations;
2. The plans for the subject property are consistent with urban residential developments in character, size and configuration;
3. Sanitary sewer service is available to the site and will be incorporated in the development; and,
4. The subject property is a portion of a larger tract of property of which the majority is zoned R-1C.