

AUGUST 10, 2006

9251 KY 144

ZONE CHANGE

From:	B-4 General Business R-1A Single-Family Residential	
To:	B-4 General Business	
Proposed Use:	Beauty Salon	
Acreage:	0.331	
Applicant:	Richard W. and Mary Rose Howard (0608.1656)	
Property Zone Existing Use	to North A-U Residential	
to West R-1A, A-U Residential	Subject B-4, R-1A → B-4 Beauty Salon	to East A-U Residential
	to South A-U, B-4 Credit Union, Office	

**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 a B-4 General Business zone. The subject property is located in a Rural Community Plan Area where general business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) Building and lot patterns; outdoor storage areas -**
Building and lot patterns should conform to the criteria for “**Nonresidential Development**” and outdoor storage yards to “**Buffers for Outdoor Storage Yards.**”
- (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.

Applicant's Findings

The proposed zoning map amendment is in compliance with the Comprehensive Plan. The Comprehensive Plan allows the expansion of existing business zones. The proposed amendment will increase the existing B-4 zone by only a very small amount.

Planning Staff Review

The subject property is located in the 9201 block of KY 144. 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 not located in a special flood hazard area per FIRM Map 21059CO170 C. It appears that the subject property is not designated as prime agricultural land according to the “Important Farmlands” map created by the US Department of Agriculture Soil Conservation Service dated March 1980. 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

Electricity, water and gas are available to the subject property. Sanitary sewage disposal would be accomplished by an on-site septic system.

Development Patterns

The subject property is located in the Rural Community of Knottsville and is surrounded by mixed commercial, professional/service and residential uses. Properties to the north, east and west of the subject property are zoned A-U and R-1A and are occupied by residential uses. The property to the south is zoned B-4 and A-U with residential uses, a credit union, and the local water district office.

The subject property is currently split zoned both B-4 and R-1A. The B-4 portion was rezoned in 1988 to accommodate the commercial use on the property. The existing beauty salon on the subject property is currently on the portion zoned B-4 but the applicant is proposing to relocate the salon to another portion of the property which is zoned R-1A. Since a beauty salon is not permitted in a residential zone, the applicant is requesting to rezone their entire tract to B-4. Once rezoned, residential activity on the site will be discontinued and the site will be used only for the commercial beauty salon and required parking.

When the new building is constructed the applicant will be required to bring the site into compliance with current zoning regulations. The drives and parking area, which are currently gravel, will be required to be paved. Sufficient paved parking should be provided according to parking requirements in the Owensboro Metropolitan Zoning Ordinance. Where the subject property abuts A-U and R-1A zoning to the west and south (9229 KY 144) a ten foot landscape easement with a six foot high continuous element and one tree every 40 linear feet shall be installed.

The subject property currently has two curb cuts. One curb cut is located at the intersection of KY 144 and Knottsville-Mt. Zion Road and the other is on KY 144. Based on conversations with the Kentucky Transportation Cabinet, when changes are made to the site the existing drive at the intersection of KY 144 and Knottsville-Mt. Zion Road should be closed with the remaining drive on KY 144 upgraded to a standard access point that will allow sufficient flow for two-way traffic.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposal is a logical expansion of existing B-4 General Business located on the subject property. The proposed zoning change will bring the entire tract under a single zoning classification that will allow a beauty salon to operate on the subject property.

Planning Staff Recommendations

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

Conditions:

1. Close the existing access at the intersection of KY 144 and Knottsville-Mt. Zion Road and upgrade the existing drive on KY 144 to a standard drive;
2. Provide landscaping as required by the zoning ordinance adjacent to 9229 KY 144; and,
3. Pave all drives and vehicular use areas as required in the Owensboro Metropolitan Zoning Ordinance.

Findings of Fact:

1. The subject property is located in a Rural Community Plan Area where general business uses are appropriate in limited locations;
2. The proposal is a logical expansion of existing B-4 General Business zoning that currently exists on the subject property; and,
3. The expansion of a General Business zone will 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.