

MARCH 8, 2007

2500 BARRON DR

ZONE CHANGE

From: A-U Urban Agriculture		
To: B-4 General Business		
Proposed Use: Medical, Pharmaceutical and Retail Sales		
Acreage: 7.515 +/-		
Applicant: WWW Properties, LLC; J.C. Ellis Estate Trust (0703.1677)		
Property Zone Existing Use	to North R-1C, A-U Single-Family Residential, Farming	
to West I-1, R-1C, A-R UniFirst, Residential, Vacant	Subject A-U ↔ B-4 Vacant	to East A-U Farming
	to South I-1 Equipment Dealer	

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 Business Plan Area, where general business uses are appropriate in 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)**.

(e) New locations in Business plan areas - New location of General Business zones should be established only in those Business plan areas that are generally bounded by Central Residential plan areas. Such new zones should be sited at corners of intersecting streets if located in close proximity to existing dwellings. In Business plan areas outside the vicinity of Central Residential plan areas, new locations of business uses should conform to criteria for Neighborhood Business uses (9) or Highway Business uses (10).

Neighborhood Business Uses Criteria:

(a) Development plan - Neighborhood Business Centers should be initiated and expanded as integral units, according to formal development plans. Once a new center or expansion is proposed, submission of plans and the initiation of construction should occur in a timely manner. 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) New Locations - New locations of Neighborhood Business Centers should be **“major-street-oriented” (D2)** and at least **five (5) acres** in size.

Applicant's Findings

The proposed rezoning is in compliance with the newly updated (2007) Community’s Comprehensive Plan. The site is located within a Business Plan Area as defined by the recently enacted Comprehensive Plan.

The site is major highway oriented with frontage along Barron Drive, Carter Road and the Wendell Ford Expressway. The property is situated at the Owensboro Bypass/Carter Road interchange. Access will be limited to Barron Drive.

The approximately 7.5 acre tract is commercial in terms of tract size and configuration. The interchange area is a mixed use area of business, industrial and residential.

All urban services are available for extension to the site.

The B-4 land use is a logical use of this property based on the size, location, current development activities and as documented by the Comprehensive Plan.

Planning Staff Review

The subject property is located in the 2500 block of Barron Drive. 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 per FIRM Map 21059CO260C. It appears that the subject property is designated as prime agricultural land according to the "Important Farmlands" map created by the US Department of Agriculture Soil Conservation Service dated March 1980. However, the Comprehensive Plan recognizes the loss of some prime farmland, particularly within the urban service area. 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 not in the vicinity of 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 in an area of primarily residential and agricultural land uses. The properties to the north and east are zoned R-1C and A-U and include small-lot residential development and cultivated agricultural land. The property to the south and west is more industrial in nature with some agricultural and residential uses. However, the Wendell Ford Expressway serves as a barrier. The land uses include an equipment dealer, the UniFirst Corporation and some single-family residential and agricultural land.

The subject property is an isolated piece of property that is bounded by Carter Road, Barron Drive and the Wendell

Ford Expressway. The development plan submitted in conjunction with the rezoning application shows a single building with proposed uses of a pharmacy, retail sales and general office space. All are permitted uses within a B-4 zoning classification. The proposed building is the first phase in the proposed development.

The first phase shows a single access point to Barron Drive. In the vicinity of the subject property, Barron Drive is classified as a collector roadway with an access spacing standard of 250 feet and a roadway buffer of 30 feet from the road centerline. The property also has frontage on Carter Road which is classified as a minor arterial roadway with an access spacing standard of 500 feet with a roadway buffer of 50 feet from the roadway centerline. The property does not have sufficient road frontage along Carter Road to meet the minimum spacing requirements so no access to Carter Road will be permitted. Also, no access will be permitted to the Wendell Ford Expressway or exit ramp that adjoins the property.

In order to determine the impact of the site on the roadway network, the GRADD transportation planner reviewed the plan in regards to access points and the need for roadway improvements such as right and left-turn lanes. Based on his review, as currently proposed with a single building, no roadway improvements are required at this time. However, with any future development of the site, the GRADD transportation planner will review the site to determine the need for roadway improvements which may ultimately be required depending on land uses and intensity of the future development. Future expansion to the site will also require a review of parking, landscaping, buffers and any other site development requirements.

Also, based on the transportation planner's review, five total access points along the roadway frontage appears to be excessive for the overall development. A total of three access points is recommended to the subject property as it develops. The current development plan has one of the three total curb cuts shown.

SPECIFIC LAND USE CRITERIA

The proposal is in compliance with the Comprehensive Plan. The lot pattern of the development will be nonresidential in nature with proposed commercial uses appropriate in a B-4 General Business zone. A development plan was submitted in conjunction with the rezoning request. At approximately 7.5 acres, the site is over the required five acre minimum and the site is major street oriented.

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. No access shall be permitted to Carter Road or the Wendell Ford Expressway;
2. Access shall be limited to Barron Drive only and shall be limited to a total of three access points; and,
3. Future development on the 7.515 acre site will require an amended development plan to address all site and development requirements, including potential roadway improvements.

Findings of Fact:

1. The subject property is located in a Business Plan Area, where general business uses are appropriate in limited locations;
2. A formal development plan has been submitted as part of the rezoning request;
3. The subject property is over five acres in size; and,
4. With frontage on Carter Road, Barron Drive and the Wendell Ford Expressway, the site is major street oriented.