

DECEMBER 14, 2023

PORTION OF 3000 FREDERICA STREET

ZONE CHANGE

From: P-1 Professional/Service	
To: B-4 General Business	
Proposed Use: Commercial	
Acreage: 2.021	
Applicant: Kentucky Wesleyan College (2312.2279)	
Surrounding Zoning Classifications:	
North: P-1	South: R-1A
East: B-4	West: P-1

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Professional/Service plan area where General Business uses are appropriate in very-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).

(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.

(c) Expansions across intervening streets – In Central Residential, Urban Residential, Future Urban, and Professional/Service plan areas, the expansion of an existing General Business zone across an intervening street should be at least one-and-one-half (1.5) acres in size, but should not occur if this would significantly increase the extent of the zone in the vicinity.

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 map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO276D.
- 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 or other state and federal agencies as may be applicable.

Urban Services

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

Development Patterns

The subject property is a small portion of the existing Kentucky Wesleyan College campus. At this time, the applicant proposes to rezone 2.021 acres of existing greenspace from P-1 Professional/Service to B-4 General Business, which would allow for a wide-range of potential commercial uses. This proposed area is located along Frederica Street, spanning from College Drive to Presidents Drive (a private drive).

There is existing B-4 General Business zoning in the immediate vicinity; most notably the 3101-3701 blocks of the east side of Frederica Street, located across the street from the subject property. Other properties adjoining the proposed zone change include R-1A Single Family Residential zoning located across College Drive, consisting of single family homes and the KWC Activity Center. The project area is adjoined to the west and north by the remainder of the KWC campus, primarily zoned P-1 Professional/Service. If approved, the rezoned area shall be separated from the campus remainder by a minor subdivision plat.

Frederica Street, in this vicinity, is classified as a principal arterial roadway with a 500-foot spacing standard; as well as a 75-foot building setback and 60-foot roadway buffer, each measured from the centerline of Frederica Street.

Due to the aforementioned spacing standards, in addition to the congested roadways in the area (Frederica Street/College Drive intersection, the Frederica Street/Presidents Drive intersection, and their proximity to the existing E Byers Avenue stoplight), the applicant should be aware that a traffic impact study:

- Will be required if direct access to Frederica Street is proposed;
- May be required if the proposed use is considered to be a large traffic generator utilizing College Drive; and/or,
- May be required if the use proposes to utilize Presidents Drive, dependent upon the anticipated traffic volumes.

The applicant should also be aware that the most recently approved Final Development Plan for the KWC campus showed portions of this area to be used as a drainage feature for the campus. If approved, the site shall remain on the KWC Final Development Plan unless the necessary drainage features are relocated elsewhere on campus (which would require an amended KWC plan, as well).

Prior to any construction activity at the subject property, the applicant must obtain approval of a final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The OMPC building and electrical division should be contacted prior to any construction activity or changes.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use, commercial, is nonresidential in nature and an approved final development plan will ensure compliance with the criteria associated with buffers for outdoor storage yards. The proposal is greater than 1.5-acres in size and is a logical expansion of existing B-4 General Business zoning to the east. Lastly, compliance with the access management manual and/or an approved Traffic Impact Study will ensure that the proposed use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

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

Conditions:

1. Obtain approval of a Minor Subdivision Plat separating the B-4 General Business zoning from the remainder of the KWC campus;
2. Obtain approval of a Final Development Plan; and,
3. Access shall be limited to College Drive. No access to Frederica Street shall be permitted unless a Traffic Impact Study is approved; in which case, access and roadway improvements shall maintain compliance with the approved Traffic Impact Study.

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 a Professional/Service plan area where general business uses are appropriate in very-limited locations;
3. The proposed use, commercial, conforms to the criteria for nonresidential development and compliance with an approved final development plan will ensure the criteria associated with buffers for outdoor storage yards is met;
4. The proposal is greater than 1.5-acres in size and is a logical expansion of existing B-4 General Business zoning to east, across Frederica Street;
5. At 2.021 acres, the proposal does not significantly increase the extent of the B-4 zoning in the vicinity; and,
6. Compliance with the access management manual and/or an approved Traffic Impact Study will ensure that the proposed use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.