

JANUARY 8, 2009

325 SALEM DR

ZONE CHANGE

From: B-4 General Business		
To: B-5 Business/Industrial		
Proposed Use: Sales and repair of power equipment		
Acreage: 0.44+/-		
Applicant: ABBS Partnership (0901.1734)		
Property Zone Existing Use	to North R-3MF Multi-Family Residential	
to West B-4 Retail Sales	Subject B-4 ➔ B-5 Retail sales of power equipment	to East B-4 Retail Sales
	to South I-1 Mini-Warehouse	

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-5 Business/Industrial zone. The subject property is located in a Business/Industrial Plan Area, where business/industrial uses are appropriate in general 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” (D7), and outdoor storage yards, with “Buffers for Outdoor Storage Yards” (D1).

Applicant's Findings

The proposed rezoning is in compliance with the community's Comprehensive Plan. All urban services are available to the site. The site is in close proximity to two major arterial (US 431 and J.R. Miller Boulevard) and is close proximity to the US 60 By-pass; all providing adequate transportation systems to the site.

Applicant proposes a business/industrial use that will be consistent with the Salem Drive corridor. Existing building construction and characteristics, including security fencing and paved parking, are non-residential in nature. The developed area includes mini-warehouse units, an auto glass repair business, retail sales and other mixed-land uses.

Planning Staff Review

The subject property is located in the 301 block of Salem 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 not located in a special flood hazard area per FIRM Map 21059CO280 C. Based on the preliminary FIRM maps dated July 7, 2007, the subject property is not located in a special flood hazard area per map 21059CO176 D. 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 located in an area of mixed commercial and industrial uses. The site is currently zoned B-4 General Business and is used for commercial sales of power equipment. However, the applicant proposed to repair equipment on-site which will require a B-5 or I-1 zoning classification.

In the vicinity of the subject property, Salem Drive is classified as a major collector roadway with a 250 foot spacing standard. The site has two access points currently to Salem Drive. The eastern point is a shared drive and the access point on the western side of the lot is wide enough for one-way traffic. The access points were approved by plat as part of the development along the roadway. However, no additional access to Salem Drive shall be permitted.

SPECIFIC LAND USE CRITERIA

The subject property is appropriate for the B-5 Business/Industrial zoning because it is within an area identified as appropriate for mixed business and light industrial uses and lies within the Business/Industrial Plan Area as identified by the Land Use element of the Comprehensive Plan.

Planning Staff Recommendations

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

Condition: Access to Salem Drive shall be limited to the existing access points. No additional access to Salem Drive shall be permitted.

Findings of Fact:

1. The subject property is located within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;
2. The subject property lies within an existing area of mixed industrial and commercial land uses;

3. The Comprehensive Plan provides for the continuance of mixed use areas; and,
4. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.