

SEPTEMBER 9, 2010

523, 529, 531, 533 LEITCHFIELD RD

ZONE CHANGE

From:	R-4DT Inner-City Residential B-4 General Business
To:	B-5 Business/Industrial
Proposed Use:	Storage
Acreage:	0.769
Applicant:	J.E.D. Rentals Family Partnership, Ltd. (1009.1788)
Surrounding Zoning Classifications:	
North: I-1	South: I-1
East: I-1	West: R-4DT

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 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).

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 dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO138 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- 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 site.

Development Patterns

The subject property is located in an area where industrial uses are prevalent on the east side of Leitchfield Road and residential uses are common on the west side. There were residences on the three subject properties that are currently zoned R-4DT Inner-City Residential but those homes have been demolished. Gravel has been placed on the subject properties and they have been used for parking and storage which is a violation of the zoning ordinance under the current

zoning. The applicant has submitted the requested zoning change to remedy the zoning violations.

The proposed use for the subject property is a storage yard. Based on the zoning ordinance, an outdoor storage yard may be accessory to a principal use on the subject property or conditionally permitted if there is not a principal use on the subject property. All outdoor storage areas, whether gravel or paved, requires the entire perimeter of the storage lot to be screened with a six foot tall solid wall or fence. One tree per 40 linear feet is required along with the six foot solid wall or fence along the Leitchfield Road side of the property since residential zoning is located across Leitchfield Road. Any vehicular use area that is not screened by the six foot solid wall or fence is required to be paved.

In the vicinity of the subject property, Leitchfield Road is classified as a major collector roadway with a 250 access spacing standard, a 60’ building setback from the street centerline and a 30’ roadway buffer from the centerline. There is an existing alley access on the southern edge of the property that has been widened to serve the subject property along with the warehouses adjacent to the subject property. Access shall be limited to the existing, widened alley only. No additional access to Leitchfield Road shall be permitted.

Due to the proximity to residential structures, all lighting for the subject property shall be directed away from the residential structures to reduce the impact of the commercial light and glare onto the residential property.

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

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

Conditions:

1. Access to Leitchfield Road shall be limited to the existing access drive/alley on the south side of the subject property. No additional access to Leitchfield Road shall be permitted; and,
2. A six foot solid wall or fence is required around the entire perimeter of an outdoor storage yard and one tree per linear feet is required along the Leitchfield Road frontage where adjoining residential zoning.

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 within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;
3. The subject property lies within an existing area of mixed industrial and commercial zoning;
4. The Comprehensive Plan provides for the continuance of mixed use areas; and,
5. 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.